

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

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Tuesday, April 19, 2016
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. [Board of Public Works 4/4/16](#)
 - b. [Committee on Aging 3/10/2016](#)
 - c. [Park and Rec 3/18/16](#)
 - d. [Water and Light Commission 3/23/2016](#)
 - Communications:
 - e. [Arbor day memo](#)
- 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 4/4/16](#)
 - Board of Public Works, 3/21/16—Recommends the Approval of:
 - 2. [Street Use Application – Memorial Day Parade; Monday, May 30, 2016; 9:00 AM - 10:00 AM \(American Legion & VFW\)](#)
 - 3. [Street Use Application – Diablo Cycling Criterium; Saturday, May 14, 2016; 7:30 AM – 8:30 PM \(Diablo Cycling Club\)](#)
- H. ITEMS REMOVED FROM THE CONSENT AGENDA
- I. ACTION ITEMS
 - 1. [Accounts payable and payroll for the term of 4/1/2016-4/14/2016 in the amount of \\$2,202,920.30](#)
 - 2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)
- J. HELD OVER BUSINESS
 - 1. [Remove from the Table—R-9-16 A Resolution Approving a 2016 Capital Improvement Budget Adjustment for the Purpose of Installing Infrastructure in the Second addition to Woodland Hills Subdivision and the Accompanying Borrowing to be Included with the 2016 Capital Improvement Borrowing \(Ald. Nichols\)](#)

K. ORDINANCES AND RESOLUTIONS

1. [Ordinance O-2-16 Regarding Construction Site Erosion Control as Recommended by the Board of Public Works](#)
2. [Ordinance O-3-16 Regarding Post-Construction Storm Water Management as Recommended by the Board of Public Works](#)
3. [R-10-16 Resolution Continuing Appropriations \(2015 Fund Balance Reservations\) \(Introduced by Mayor Merkes\)](#)
4. [R-11-16 Resolution Transferring/Appropriating 2015 Budget Funds\(Introduced by Mayor Merkes\)](#)
5. [R-12-16 Resolution to Approve the Cancellation of Outstanding Checks; and the Write-off of General Uncollectible Accounts Receivables and Delinquent Personal Property Receivables \(Introduced by Mayor Merkes\)](#)

L. APPOINTMENTS

M. CLAIMS AGAINST THE CITY

N. PRESENTATION TO OUTGOING COMMITTEE/BOARD/COMMISSION MEMEBERS

1. Joanne Rousch—Water and Light Commission
2. Ronald Duuck—Police Commission
3. Cindy Scaefter Kemps—Park and Recreation Board
4. Roy Kordus—Board of Review
5. Tami Lee—Sustainability Board
6. Mary Lueke—Committee on Aging

O. PRESENTATION TO OUTGOING ALDERMEN

1. Alderman Tina Olszewski—District 4
2. Alderman Dan Zelinski—District 6

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

Q. ADJOURNMENT SINE DIE

MEETING NOTICE
Monday, May 2, 2016
Common Council Meeting – 6:00 pm
Committee Meetings to Follow

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
April 4, 2016
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Krautkramer at 6:55 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Krautkramer, Olszewski, Zelinski, Spencer, Benner, Nichols.

EXCUSED: Alderman Keehan

ALSO PRESENT: Mayor Merkes, CA Captain, FC Styka, DPW Radtke, CDD Keil, ASD Steeno, PHD McKenney, Clerk Galeazzi.

C. MINUTES TO APPROVE

1. [March 21, 2016](#)

Moved by Ald. Nichols seconded by Ald. Benner to approve minutes.

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. [Street Use Application – Memorial Day Parade; Monday, May 30, 2016; 9:00 AM - 10:00 AM \(American Legion & VFW\)](#)

DPW Radtke explained it is the same parade route as previous year.

Moved by Ald. Taylor seconded by Ald. Olszewski to recommend to Common Council Street Use Application for Memorial Day Parade on Monday May 20, 2016, 9:00 AM-10:00 AM (American Legion & VFW).

Motion carried on voice vote.

2. [Street Use Application – Diablo Cycling Criterium; Saturday, May 14, 2016; 7:30 AM – 8:30 PM \(Diablo Cycling Club\)](#)

DPW Radtke explained there is a slight change in the race route from previous year. The organizers are responsible to notify the residents on the route of the event.

Moved by Ald. Taylor seconded by Ald. Nichols to recommend to Common Council Street Use Application for Diablo Cycling Criterium on Saturday May 14, 2016, 7:30 AM-8:30PM (Diablo Cycling Club).

Motion carried on voice vote.

3. [Ordinance O-2-16 Regarding Construction Site Erosion Control](#)

DPW Radtke explained the ordinance is in compliance with recent revisions to Wisconsin Administrative Code NR 151 regarding storm water management and TMDL performance standards. This is one of the recommendations of the Storm Water Quality Management Plan prepared by McMahon Engineers.

General discussion ensued on erosion and sediment control requirements of WisDNR and permit fees.

Moved by Ald. Taylor seconded by Ald. Olszewski to recommend to Common Council Ordinance O-2-16 Regarding Construction Site Erosion Control.

Motion carried on roll call 7-0.

4. [Ordinance O-3-16 Regarding Post-Construction Storm Water Management](#)

DPW Radtke explained the ordinance is for the post-construction storm water quality management.

Moved by Ald. Taylor seconded by Ald. Benner to recommend to Common Council Ordinance O-3-16 Regarding Post-Construction Storm Water Management.

Motion carried on roll call 7-0.

E. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Benner to adjourn at 7:15 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk

**CITY OF MENASHA
COMMITTEE ON AGING
Menasha Senior Center
116 Main Street, Menasha
March 10, 2016
Minutes**

- A. Meeting called to order at 7:50 am.
- B. Roll Call - Present: Pat Irwin, Joyce Klundt, Nancy McKenney, Jean Wollerman , John Ruck
Excused: Tom Stoffel, Brenda Marks
- C. MINUTES TO APPROVE
John Ruck moved to approve the February 11, 2016 minutes, seconded by Pat Irwin. Motion passed.
- D. CORRESPONDANCE
Jean Wollerman updated the Committee on her discussion with Mayor Merkes on the parking. Jean Wollerman noted that she received an anonymous letter asking how we compare to other Senior Centers in Wisconsin.
- E. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
Senior Center: Jean Wollerman noted that Curves in Neenah closed so there may be more participants in the Silver Sneaker program and at the Senior Center. She described an active shooter training at the YMCA with the Neenah Police Department. Perhaps the Menasha Senior Center could coordinate with Time Styka for a similar program. She noted that the first Nation Bank will provide a 3-series program on financial fitness 1) Banking bootcamp; 2) Travel readiness; 3) Family financial fitness (3/23/2016, 4/20/2016, and 5/18/2016). Jean Wollerman received a phone call from a church-service project. On 5/22/2016 they are willing to assist with cleaning windows, yard work on the island).
Fundraising activities are focused on reaching getting blinds for the Senior Center. Planning is underway for Community Fest. The Senior Center will sponsor a family bingo and strawberry shortcake fundraiser.
Public Health: Health Screening/60 Plus: Vicki Schultz, Public Health Nurse is distributing program event brochures for various wellness programs.
- F. HELD OVER BUSINESS
Mission Vision and Goals: Jean Wollerman shared the revised mission, vision and goals. Members noted that the Senior Center should link people to needed resources; focus on exploring ways to increase participants that reflected the diversity of the community; and increase participation of men in Senior Center activities. Committee members brainstormed activities such as coed fantasy football, March madness, men's health day, golf and archery. Jean Wollerman will revise the mission, vision, and goals to bring to the next meeting.
Safety Manual: Held over to the next meeting
Cost Study: Held over to the next meeting. **Donor Event:** The donor event will be held on March 16, 2016 Open House 5-7 pm.
- G. ADJOURNMENT:
Pat Irwin moved to adjourn the meeting, seconded by John Ruck. Motion passed.

The next meeting will be held on April 14, 2016 at 7:45 a.m. at the Senior Center, 116 Main Street, Menasha.

CITY OF MENASHA
Parks and Recreation Board
City Hall – 1st Floor Conference Room
March 8, 2016
MINUTES

A. CALL TO ORDER

The meeting was called to order by Chr. D Sturm at 6:05 pm.

B. ROLL CALL/EXCUSED ABSENCES

MEMBERS PRESENT: Brian Adesso, Lisa Hopwood, Tom Marshall, Sue Pawlowski, Chr. Dick Sturm

MEMBERS EXCUSED: Ald. Dan Zielinski, Nancy Barker

OTHERS PRESENT: PRD Tungate, PS Maas, Connie Curtis-Aldrich, David Curtis

C. MINUTES TO APPROVE

1. **Minutes of the February 9, 2016 Regular Park Board Meeting** – Moved by S. Pawlowski, seconded by L. Hopwood to approve the minutes of the February 9, 2016 Park Board meeting. Motion carried.

D. PUBLIC COMMENT ON ANY MATTER RELATED TO CITY PARKS AND RECREATION

1. The Board accepted and appreciated a thank you letter from the Menasha Historical Society regarding recent lighting improvements at the caboose in Smith Park.
2. Connie Curtis-Aldrich asked about where things were at with future plans for Jefferson Park and about syringes that she had heard were found near the play equipment at Jefferson Park.

E. REPORT OF DEPARTMENT HEADS/STAFF/OR CONSULTANTS

1. **Department Report** – PRD Tungate reported on recent work to complete the final grant reimbursement forms for the Gilbert project; the department will participate in a youth fair on March 12 at the Boys and Girls Club, summer activity booklet will be mailed out soon, tennis court repair proposals for Clovis Grove park are due March 21, adult softball league planning is also taking place. New team logo signs will be installed this spring on the Koslo concession stand.
2. **Park, Pool and Vandalism Report** – PS Maas reported that some general clean up and reorganizing has been done in the chemical feed building at the pool, repainted pool slide hand rails are done and ready to be reinstalled, picnic table repair continues using some repurposed bleacher boards, tree trimming has been ongoing, area for the new eastside park play equipment has been cleared, Koslo Park ball diamond lights were replaced, some preliminary trail brushing for the Province Terrace Trail has also been done. Prep work for reopening the restrooms at Shephard Park was completed.

F. DISCUSSION

1. **Jefferson Park and Neighborhood Vision Plan RFQ** – PRD Tungate outlined the steps that will be taken once a consultant is hired. With the recent retirement announcement of CD Keil, it is anticipated that a consultant will begin work by or around August 1 to perhaps coincide with the hiring of a new director. Numerous public input opportunities along with a survey are built into the vision planning process. The RFQ is expected to be sent out by March 18.
2. **Loop the Little Lake Update** – PRD Tungate stated that the project engineer and staff will be meeting with Neenah/Menasha Water Sewerage facility staff this week. They will discuss the

Mathewson St. ROW trail/bridge layout and the alternative route idea behind the plant. The new bridge must be designed to accommodate the treatment plant's concrete outfall structure and other piping within the riverbed.

3. **Hart Park Play Equipment** – proposals have been received and are in the process of being reviewed. Equipment is slated to go in sometime this fall and will be placed west of the shelter. The old equipment will be removed. Installation options and costs are also explored.
4. **Eastside Park – Community Playground Build, Saturday, June 4.** Planning continues on this project. Staff is working on registration paperwork and also on the exact number of skilled and semi-skilled volunteers that will be needed. The Knights of Columbus and Menasha Rotary have verbally committed to help with the installation.

G. ACTION ITEMS

1. **Approval of Food Truck Rally in Jefferson Park on May 10, June 7, July 12, August 9** – Motion by L. Hopwood , seconded by T. Marshall. Staff gave a general description of how the event would operate. Around ten food trucks would be parked along Kargus Drive. It is expected that beer will be served at the events. A map was also available at the meeting. Rally organizers are aware of the fees that will have to be paid and the fact that they still must have the event reviewed by the Special Events committee. This action simply reserves a park area for the four dates. Motion carried.

H. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA

I. ADJOURNMENT

Moved by B. Adesso, seconded by L. Hopwood to adjourn at 7:36 pm. Motion carried.

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

March 23, 2016

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 8:00 a.m., with Commissioners Roy Kordus, Don Merkes, and Dan Zelinski present on roll call. Also present were Melanie Krause, General Manager; Steve Grenell, Engineering Manager; William Menting, Electric Manager; Tim Gosz, Water Utility Manager; Kristin Hubertus, Finance Manager; Paula Maurer, Customer Services Manager; John Teale, Technical Services Engineer; Dave Christensen, Engineering Technician, and Dawn Lucier, Administrative and Accounting Assistant. Don Voogt, McMahon and Tom Karman, Schenck Associates, were also in attendance.

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

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

- A. Minutes of the Regular Meeting of February 24, 2016
- B. Approve and warrant payments summarized by checks dated March 3-23, 2016, which includes Net Payroll Voucher Checks, Void O & M Check #047662, Operation and Maintenance Voucher Checks for a total of \$870,616.93, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call
- C. Correspondence as listed:
 - Copy of letter going to owners of properties located where the water main systems are being replaced for 2016 RE: Water Main Replacement.
 - Copy of email dated March 4 from the American Public Power Association RE: Entry to the American Public Power Association's 2015 Safety Awards of Excellence.
 - Copy of letter dated March 9 from the Public Service Commission RE: Authority to transfer two customers from Wisconsin Electric Power Company to the City of Menasha.
 - Copy of February 2016 MU Employee Newsletter
 - Copy of Letter dated February 29 from WPPI Energy RE: Long-Term Power Supply Contract.

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.

With the presence of Don Voogt, McMahon, Commission President Allwardt advanced Item VII.B, Unidirectional Flushing Agreement, McMahon for discussion.

Item VII. New Business, Unidirectional Flushing Agreement, McMahon – The agreement from McMahon is for professional services to develop a Unidirectional Flushing program for the water distribution system in 2016. Scope of services includes assisting staff with laying out segments, flushing procedures, projecting flow rates, modeling system to simulate conditions during flushing, and assist with evaluating results.

The motion by Comm. Kordus, seconded by Comm. Zelinski, was unanimously approved on roll call to accept the agreement for professional services from McMahon for the 2016 Unidirectional Flushing program in the amount of \$9,000.

Mr. Voogt departed at 8:07 a.m.

With the presence of Tom Karman, Schenck Associates, Commission President Allwardt advanced Item VII.A, 2015 Audit for discussion.

2015 Audit – The Utilities received a clean opinion with no reported instances of non-compliance on its financial statements and ended the year with a positive net position.

The most significant changes on the Statement of Net Position were an increase in Cash and Investments and Restricted Cash and Investments which shows Menasha Utilities is generating cash reserves for future projects. Long Term Liabilities continue to be paid down and Unrestricted Net Position increased 1.1 million dollars. Changes on the statement include two new lines, Net Pension Asset and Pension Contributions. These were added in order to be in compliance of an accounting standard implementation that municipal pension plans include the proportionate share of any assets the plan has or any net liabilities the plan has. There are additional footnotes added to the audit that are related to the new pension plan standards.

On the Statement of Revenues, Operating Income has stayed relatively the same from 2014; the decreased Electric Operating Income was partially offset by increased Water Operating Income and lower Operating Expenses from the reduced number of main breaks in 2015.

Commissioner Merkes asked about refinancing the Capital Lease. General Manager Krause explained that staff is having discussions with WPPI and the PSC over the possibility of a cost neutral approach to refinancing due to the structuring of the original agreement.

The motion by Comm. Merkes, seconded by Comm. Kordus, was unanimous to accept the 2015 Audit.

Mr. Karman departed at 8:30 a.m.

Item VI. Unfinished Business, Lead Water Service Ordinance – A letter from the PSC showing support of the replacement of lead water service laterals was discussed. The PSC stands by its position that the property owner is responsible for the customer portion of the lateral and that no Utility funds may be used to subsidize the cost of the replacement or the costs of administering the program. Staff has been working with the City over possible options available

to customers, and letters have been sent out to owners of properties located where the water main systems are being replaced in 2016, regarding the advantages of replacing lead services and steps you can take to reduce lead in drinking water.

The Commission asked that staff continue to work with the city regarding lead service replacement.

Item VIII. Strategic Reports, Monthly Strategic Initiative Update – The February report was discussed.

February Financial and Project Status Reports – Electric consumption was 9.3% lower than budgeted for February due mainly to reduced industrial customers usage; Net Operating Income was higher than budget because of reduced cost of power charges; and additional capital projects are scheduled for 2016 which will reduce the reserve cash balances.

Water consumption was 2.4% higher than budget with the industrial customer increased usage offsetting the resale and residential customer reduction; Net Operating Income was higher than budget with all classes of expenses coming in under budget; and the Water Loss Ratio has come down and is within target range.

Fiber debt at year-end was \$448,000. In 2016 \$39,000 will be paid to principal and \$13,440 will be paid as interest leaving a year-end balance of \$409,000 for 2016.

The Commission asked for a mid-year update on the status of budgeted projects.

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

Project Reports, Water Plant projects – McMahon is working with Advance Construction over contract execution of the unidirectional boring for the 2016 Water Main Replacement Project; the new transfer switch has been installed and is operational; bidding for both the water tower painting and the pump station roofing will begin in April; and progress is being made on the Capital Improvement Plan.

Metering Practice & Plan – There are approximately 60 electric meters left that need to be changed to AMR; Chapman is scheduled in May; and the status of numerous Electric Distribution projects was discussed.

Item IX. No one from the Gallery requested to be heard on any topic of public concern to the Utility.

Item X. The motion by Comm. Merkes, seconded by Comm. Allwardt, 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 regarding delinquent accounts at 9:29 a.m.

By: MARK L. ALLWARDT
President

ROY KORDUS
Secretary

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



MEMORANDUM

To: Common Council

From: PRD Tungate

Date: April 14, 2016

RE: 2016 Arbor Day Ceremony

The city of Menasha will receive its 33rd consecutive Tree City, USA award at this year's Arbor Day ceremony. The ceremony will be held at 10:00 a.m. on Tuesday, April 19 at Menasha High School, near the corner of Racine and Seventh Street. UW-Fox Valley will also be recognized as a Tree Campus, USA and Menasha Utilities as a Tree Line, USA community. Following the ceremony, a group of high school students will assist in planting approximately 20 trees along School Court.

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, April 4, 2016

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

Pledge of Allegiance recited.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Krautkramer, Olszewski, Zelinski, Spencer, Benner, Nichols

EXCUSED: Alderman Keehan

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, DFC Sipin, DPW Radtke, CDD Keil, ASD Steeno, PRD Tungate, PHD McKenney, Clerk Galeazzi.

D. PUBLIC HEARING

None

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

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

Joe Polzien, CEO for City of Menasha. Personnel Committee's recommendation for proposed reorganization of Community Development Department.

Arnie Collier, 708 Appleton Street, Menasha. Not support salary adjustment for Code Enforcement Officer.

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) [Administration Committee 3/21/16](#)
- b) [Board of Public Works 3/21/16](#)
- c) [Landmarks Commission 3/16/16](#)
- d) [Library Board 3/23/16](#)
- e) [NMFR Fire Commission 03/23/16](#)
- f) [NMFR Joint Finance and Personnel 03/22/16](#)
- g) [Personnel Committee 3/21/16](#)
- h) [Plan Commission Minutes 3/22/16](#)
- i) [Police Safety Committee 12/17/15](#)
- j) [Public Works/Parks Safety Committee 2/22/16](#)
- k) [Redevelopment Authority 3/22/16](#)

Communications:

- l) [Clean Sweep Brochure](#)
- m) [PC Styka, 3/30/16; Police Elementary School K-9 \(Facility Dog\) Update](#)
- n) [Army Corps of Engineers, 3/14/16; Lake Winnebago refill strategy](#)
- o) [Davis & Kuelthau Public Officials Program](#)
- p) [City of Menasha 2015 Stormwater Annual Report](#)

Moved by Ald. Taylor seconded by Ald. Zelinski to receive Minutes and Communications a-p.
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 placed 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 3/21/16.

Board of Public Works, 3/21/16—Recommends the Approval of:

2. Change Order—Vinton Construction Company, Inc.; Contract Unit 2016-01; Downtown Street, Walkway and Electrical Improvements; Mill Street, Main Street, Pedestrian Link from Broad Street Parking ramp to Main street; DEDUCT: \$3,645.58 (Change Order No. 2).
3. Authorization to Execute WisDOT Bridge Operation Agreement for Fiscal year 2017.
4. WisDOT 441/Racine Street Landscaping and Aesthetics Ballot, Option 1: Planting in splitter island with ability to select the type of planting that best suits City's needs and is within the allowable parameters established by WisDOT; Option 2: Pocket Park without picnic area and sidewalk connection; selecting the nature stone veneer option for the entrance feature wall; and including the flag display in the entrance feature wall.

Personnel Committee, 3/21/16—Recommends the Approval of:

5. The recommended wage schedule including step increase for the position of Administrative Assistant-Public Works.
6. Community Development Department Reorganization, including the following
 - a. Establish the Building Inspector/Housing Specialist Position in the City's table of organization, and Authorize the hiring of the position at Grade 20, with a pay range of \$47,801-\$58,412.
 - b. Authorize changing the title of the existing position of Code Enforcement Officer to Code Enforcement Specialist, and authorize changing the pay grade from \$17.53-\$21.91 per hour to \$18.98-\$23.77 per hour, and
 - c. Authorize the transition the Code Enforcement Officer/Specialist from the Police Department to the Community Development Department.

NMFR Joint Finance and Personnel Committee, 3/22/16-Recommends the Approval of:

7. The purchase of the Inforcer forcible entry simulator from The Inforcer, LLC for a cost not to exceed \$8,670.00.

Moved by Ald. Taylor seconded by Ald. Zelinski to approve Consent Agenda items 1-7
Motion carried on roll call 7-0

H. ITEMS REMOVED FROM THE CONSENT AGENDA

None

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 3/24/16-3/31/16 in the amount of \$1,052,489.43.

Moved by Ald. Nichols seconded by Ald. Taylor to approve accounts payable and payroll.
Motion carried on roll call 7-0.

2. Beverage Operators License Applications for the 2015-2017 licensing period.

Moved by Ald. Nichols seconded by Ald. Benner to approve beverage operator's license applications as listed in memo dated 3/30/16.
Motion carried on roll call 7-0.

3. NMFR Joint Fire Commission recommends to approve and allow Chief Auxier to sign, the Regional Fire Department Hiring Process Agreement with Fox Valley Technical College effective March 11, 2016 through March 10, 2017.

Moved by Ald. Benner seconded by Ald. Taylor to approve and allow Chief Auxier to sign the Regional Fire Department Hiring Process Agreement with Fox Valley Technical College effective March 11, 2016 through March 10, 2017.

Motion carried on roll call 7-0.

4. [Right of First Refusal—Germania Hall 320 Chute Street.](#)

CDD Keil explained the City's agreement with owners of 320 Chute Street for a right of first refusal for the purchase of the remainder of 320 Chute Street. The owners have received a Letter of Intent to Purchase the remaining parcel. The owners are asking the City if they intend to exercise or not exercise their right of first refusal.

General discussion ensued on the use of the property; if there will be adequate parking for the business.

Moved by Ald. Zelinski seconded by Ald. Taylor that the City will not exercise their right of first refusal on the purchase of 320 Chute Street.

Motion carried on roll call 7-0.

5. [Notice of Termination of Valley Marine Mart Lease—100 Water Street.](#)

CDD Keil explained staff has been exploring the City owned property that is currently leased by Valley Marine Mart as potential parking options in the area by the Trestle Trail and Loop the Little Lake. Staff has been discussing options with the owners of Valley Marine Mart. The lease agreement has an automatic renewal as of July 1 unless a termination notice is given 60 days prior to the renewal date. Staff is asking for authorization to send a notice of Valley Marine Mart to terminate the lease.

Moved by Ald. Benner seconded by Ald. Nichols to provide Notice of Termination of Valley Marine Mart Lease, 100 Water Street.

General discussion ensued on type of parking to be installed; options for Valley Marine Mart.

Moved by Ald. Nichols seconded by Ald. Spencer to amend, and the City to begin negotiating a new lease with Valley Marine Mart and bring back to Council.

Motion on amendment carried on roll call 6-1. Ald. Zelinski voted no.

Motion as amended carried on roll call 6-1. Ald. Zelinski voted no.

J. HELD OVER BUSINESS

1. [R-9-16 Resolution Approving a 2016 Capital Improvement Budget Adjustment for the Purpose of Installing Infrastructure in the Second Addition to Woodland Hills Subdivision and the Accompanying Borrowing to Be Included with the 2016 Capital Improvement Borrowing \(Introduced by Alderman Nichols\)](#)

Ald. Nichols stated this item should be acted on when the whole Council is present.

Moved by Ald. Nichols seconded by Ald. Olszewski to table R-9-16 Resolution Approving a 2016 Capital Improvement Budget Adjustment for the Purpose of Installing Infrastructure in the Second Addition to Woodland Hills Subdivision and the Accompanying Borrowing to Be Included with the 2016 Capital Improvement Borrowing.

Motion carried on roll call 6-1. Ald. Taylor voted no.

K. ORDINANCES AND RESOLUTIONS

1. [O-1-16 An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances \(Disorderly Conduct\) \(Introduced by Ald. Benner\)](#)

Moved by Ald. Benner seconded by Ald. Nichols to approve O-1-16 An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances (Disorderly Conduct)

Motion carried on roll call 7-0.

L. APPOINTMENTS

1. [Council Appointment of Antoine Tines, 1840 Northridge Ct, Menasha to the Water and Light Commission for the term of 4/5/2016-10/1/2020 \(by Ald. Krautkramer\)](#)

Moved by Ald. Krautkramer seconded by Ald. Benner to approve appointment of Antoine Tines, 1840 Northridge Court, Menasha to the Water and Light Commission.

Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

None

N. RECOGNITION OF COMMUNITY DEVELOPMENT DIRECTOR KEIL

Mayor Merkes and the Council recognized CDD Keil for over 21 years of service to the City.

Mayor Merkes mentioned a number CDD Keil's accomplishments and the projects completed under his time as Director of Community Development.

O. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

P. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Olszewski to adjourn at 6:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk



STREET USE APPLICATION

Event: Memorial Day Parade
 Sponsored by: American Legion & VFW
 Responsible Person: Michael E Taylor
 Address: 545 Broad Street
Menasha, WI. 54952

Street Use Date: 30 May 2016
 Start Time: 9:00 a.m.
 End Time: 10:00 a.m.
 Number of Units: 70
 (Parades)

Email Address: _____ Phone: 725-5380

Street Route: Start: Milwaukee Street to Main Street to Taylor to Washington Street
 Description of Use (attach map)

Liability Insurance has been secured in the amount of \$ 1,000,000. with the City of Menasha named as the additional insured. This is primary insurance.
 Insurance Company HUB International Insurance Policy No. 60831
 (Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured).

Date: 3-7-16 Applicant's Signature: Michael E Taylor

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25. Please make checks payable to City of Menasha.

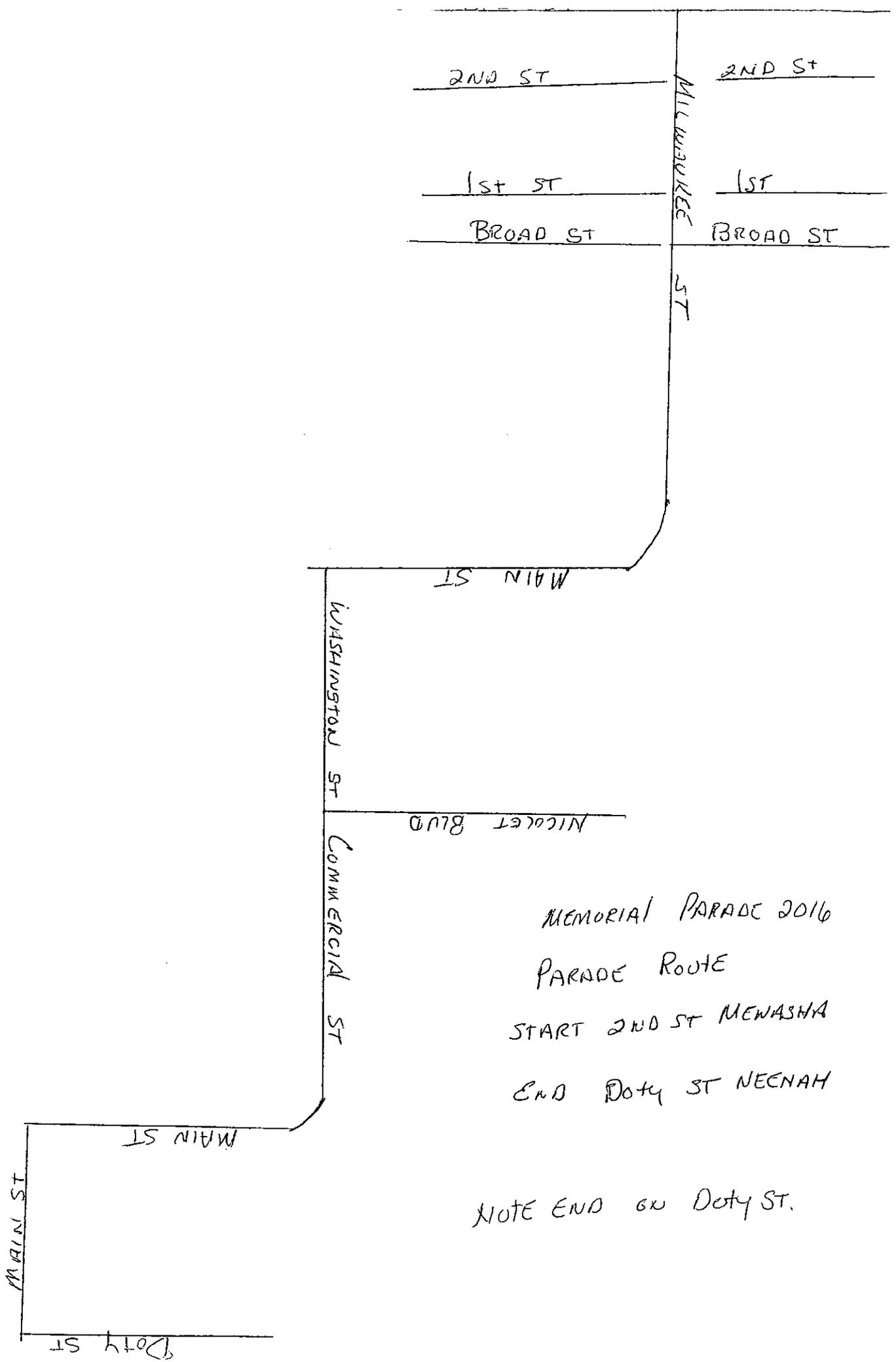
Note to events planning to use City Parks and/or greenspace: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

TO BE COMPLETED BY CITY STAFF (Revised April 3, 2015)

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

Scheduled Common Council Review Date: 4-19-16
 Approved: _____ Denied: _____

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



MEMORIAL PARADE 2016
 PARADE ROUTE
 START 2ND ST MENASHA
 END DOTY ST NEENAH

NOTE END ON DOTY ST.

**CERTIFICATE OF INSURANCE
SPECIAL EVENT LIABILITY GROUP INSURANCE TRUST, A RISK PURCHASING GROUP**

Certificate # 60831

FACILITY OWNER: (Additional Insured)	PRODUCER:	CA License #0757776
City of Menasha 140 Main Street Menasha WI 54952	HUB International Insurance Services Inc. P.O. Box 4047 Concord, CA 94524-4047 PH: 925 609 6500 FX: 925 609 6550 specialevent@hubinternational.us	

EVENT HOLDER: (Named Insured)	EVENT INFORMATION		
Twin City Veterans c/o Michael Taylor 545 Broad Street Menasha WI 54952	TYPE OF EVENT:	Parade	
	EVENT DATE(S):	5/30/2016	
	EVENT LOCATION:	Starting corner of 3rd and Milwaukee Street to Main Street to Tayco Street (Menasha) to Washington Street to n. Commercial Street to Wisconsin Ave to Main Street (Neeah)	
	ATTENDANCE:	450	CLASS: II

This is to certify that the policies of insurance listed below have been issued to the insured named above for the event date(s) indicated above. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies.

INSURER A:		COLONY INSURANCE COMPANY				
INSR LTR	Type of Insurance	Policy Number	Effective	Expiration	Policy Limits	
A	Commercial General Liability	AR6360147	1/1/2016	1/1/2017	Each Occurrence	\$1,000,000
					General Aggregate	\$2,000,000
					Personal & Advertising Injury	\$1,000,000
					Products/Completed Operations Aggregate	\$2,000,000
					Damage to Premises Rented to You	\$500,000
					Medical Payments	\$5,000
					Liquor Liability Each Occurrence	\$0
					Liquor Liability Aggregate	

COVERAGE TERMS:

Occurrence Form (CG 0010) Host Liquor Liability <u>Included.</u> Full Liquor Liability Included <u>when a separate premium has been charged.</u> All participants in athletic activities are <u>required</u> to sign Release and Waiver of Liability forms.	The coverage afforded by this insurance is primary and not contributing with any insurance held by the "ADDITIONAL INSURED", WHEN REQUIRED BY WRITTEN CONTRACT. The limits of insurance apply separately to each event insured by this policy as if a separate policy of insurance has been issued for that event. Who is an insured is amended to include as an additional insured the "Facility Owner - Additional Insured" above and any person or organization shown in the schedule below. This insurance does not apply to: any "occurrence" which takes place after the event holder ceases to be a tenant in that premises. This insurance applies only to: an "occurrence" which takes place during the dates indicated under "Event Information" above.
--	---

COVERAGE EXCLUSIONS: (REFER TO POLICY FOR COMPLETE LISTING OF EXCLUSIONS)

-- Sexual Abuse & Molestation	Specific Events are excluded from coverage. Please see second page for list of excluded events.
-- Terrorism	On behalf of the Risk Purchasing Group and each Member, the Trustee has declined coverage for the Terrorism Risk Insurance Act (TRIA).

OTHER ADDITIONAL INSURED:
City of Neenah--211 Walnut Street, Neenah WI 54956
City of Menasha--140 Main Street, Menasha WI 54952

CANCELLATION: Should the above described policy(s) be canceled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the insured event holder and additional insureds listed.

AUTHORIZED REPRESENTATIVE:		DATE ISSUED:	
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Second Page of Certificate

Certificate #

60831

SPECIFIC EVENT EXCLUSIONS

The following types of events are specifically excluded and no coverage for them exists on the policies listed on the front page of this Certificate of Insurance:

Aircraft / Aviation
All Terrain Boarding
Ballooning / Balloon Rides
Base Jumping
Bouldering Events
Boxing
Bungee Jumping
Carnival Rides
Circuses
Concerts with performances exceeding 6 hours of performance time
Contact Karate / Martial Arts
Contact Sports
Diving
Dodgeball / Gaga Dodgeball
Football / Flag Football (except passing camps with no contact drills)
Gun Shows / Exhibitions
Hang Gliding
Hockey
Jousting
Kayaking, Rafting or Canoeing in greater than Class 3 rapids
Lacrosse / Rugby
Mechanical Amusement Rides or Services
Motorized Sporting Equipment
Mosh Pits
Mountain Biking
Power Boat Racing
Professional Sporting Activity; Games, Races, Contests of a professional nature
Pyrotechnics / Explosives
Rap or Heavy Metal Concerts
Raves
Rock Climbing
Rodeo / Roping Events (includes practice)
Scuba Diving
Sky Diving
Tattoo Expos / Conventions



STREET USE APPLICATION

Event: Diablo Cycling Criterium
 Sponsored by: Diablo Cycling Club
 Responsible Person: Robert Anderson
 Address: 1187 W Cecil St
Neenah 54956

Street Use Date: May 14, 2016
 Start Time: ~~8:00 am~~ 7:30 AM
 End Time: 8:30 pm
 Number of Units: _____
 (Parades)

Email Address: mwpattroller@aol.com Phone: 715 493 1505

Street Route: Broad Street - Ice St - Green Bay St - 2nd St - Manitowish St - Broad St.
 Description of Use (attach map)

Liability Insurance has been secured in the amount of \$ 3,000,000.00 with the City of Menasha named as the additional insured. This is primary insurance.
 Insurance Company Lexington Insurance Com. Policy No. 015375404
 (Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured).

Date: May 14, 2016 Applicant's Signature: Robert Anderson

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25. Please make checks payable to City of Menasha.

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

pd #500010

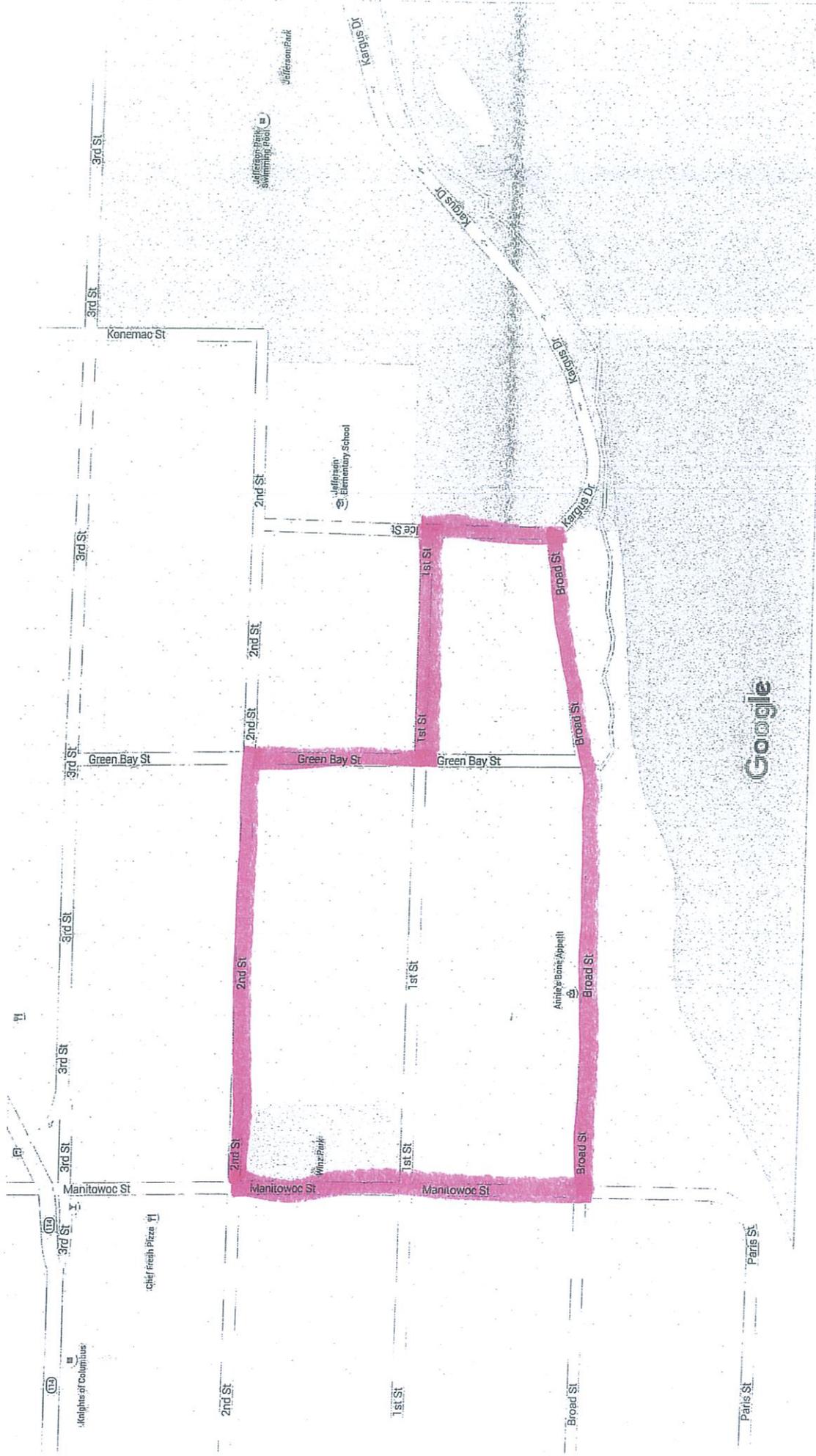
 TO BE COMPLETED BY CITY STAFF (Revised April 3, 2015)

Scheduled Park & Recreation Board Review Date: 4-12-16
 Not Required: _____ Approved: _____ Denied: _____

Scheduled Common Council Review Date: 4-19-16
 Approved: _____ Denied: _____

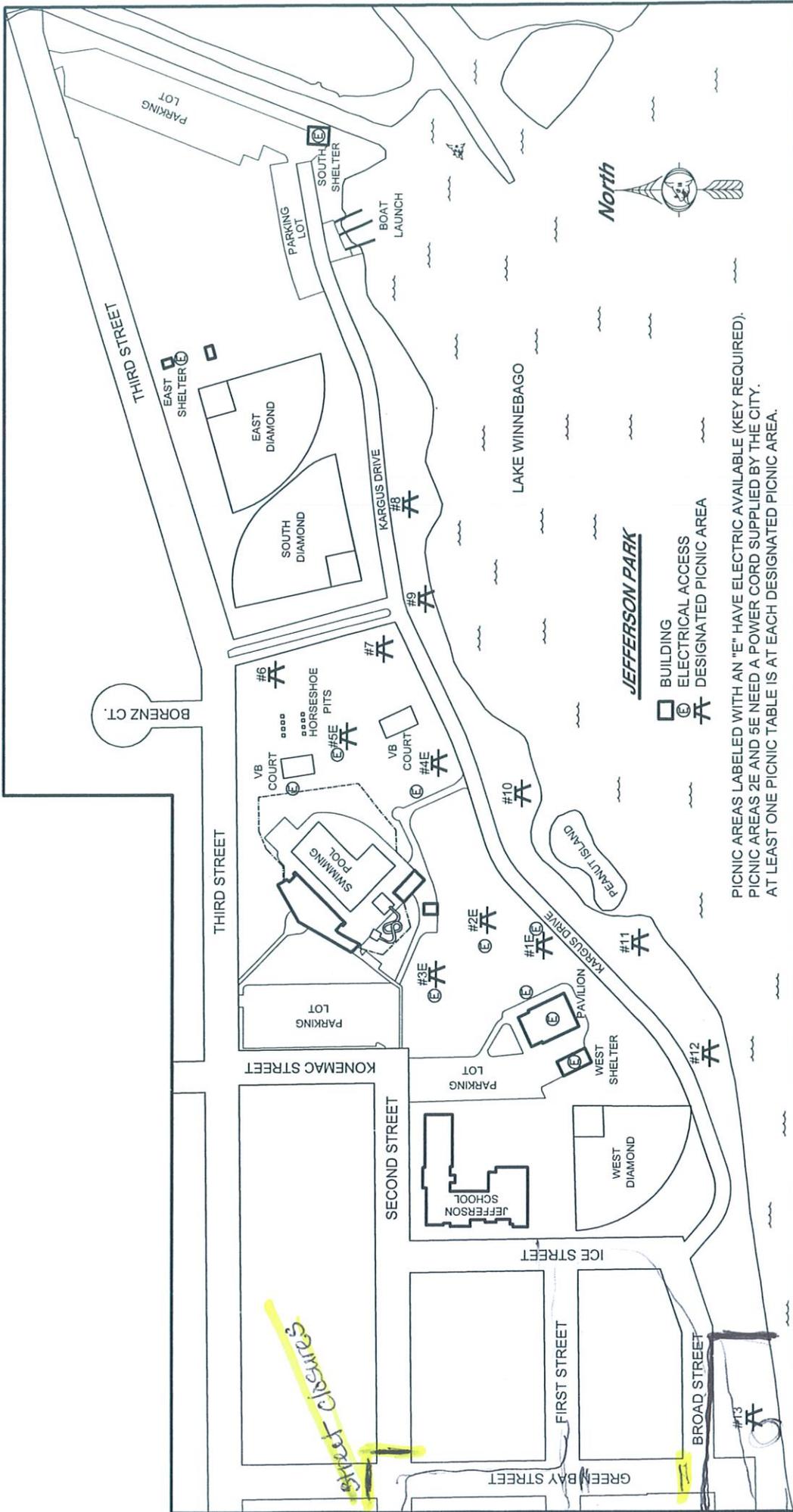
APPROVAL:
 Police Dept. [Signature] Fire Dept. [Signature] Public Works Dept. MR City Attorney PAC

Diablo Cycling Critierium 2016 Route



Google Maps

Map data ©2016 Google 100 ft



PICNIC AREAS LABELED WITH AN "E" HAVE ELECTRIC AVAILABLE (KEY REQUIRED).
 PICNIC AREAS 2E AND 5E NEED A POWER CORD SUPPLIED BY THE CITY.
 AT LEAST ONE PICNIC TABLE IS AT EACH DESIGNATED PICNIC AREA.

Street closures

JEFFERSON PARK

- BUILDING
- Ⓜ ELECTRICAL ACCESS
- ⌘ DESIGNATED PICNIC AREA





ADDITIONAL REMARKS SCHEDULE

AGENCY Willis of Texas, Inc.		NAMED INSURED USA Cycling, Inc. 210 USA Cycling Point, Suite 100 Colorado Springs, CO 80919	
POLICY NUMBER SEE PAGE 1			
CARRIER SEE PAGE 1	NAIC CODE SEE P 1	EFFECTIVE DATE: SEE PAGE 1	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

Description of Operations/Locations/Vehicles:

Event #2016-1449

Event Name: North East Wisconsin Omnium

Event Location: Sherwood, Neenah, Menasha, WI

Event Dates: 05/13/2016 - 05/15/2016

City of Menasha, its officers, Agents & Employees are Additional Insureds with respects to Event #2016-1449, North East Wisconsin Omnium, in Sherwood, Neenah, Menasha, WI on 05/13/2016 - 05/15/2016 but only with respect to the liability arising out of the Named Insured's Operations.

ENDORSEMENT # 006

This endorsement, effective 12:01 AM 12/31/2015

Forms a part of policy no.: 015375404

Issued to: USA CYCLING, INC.

By: LEXINGTON INSURANCE COMPANY

ADDITIONAL INSURED - DESIGNATED PERSON OR ORGANIZATION

(Based on CG2026 04/13)

This endorsement modifies insurance provided by the following:

COMMERCIAL GENERAL LIABILITY POLICY

SCHEDULE

Name of Additional Insured Person(s) or Organization(s)

AS REQUIRED BY WRITTEN CONTRACT

Information required to complete this Schedule, if not shown above, will be shown in the Declarations

A. **Section II - Who Is An Insured** is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations; or
2. In connection with your premises owned by or rented to you.

However:

1. The insurance afforded to such additional insured only applies to the extent permitted by law; and
2. If coverage provided to the additional insured is required by a contract or agreement, the insurance afforded to such additional insured will not be broader than that which you are required by the contract or agreement to provide for such additional insured.

B. With respect to the insurance afforded to these additional insureds, the following is added to **Section III - Limits Of Insurance**:

If coverage provided to the additional insured is required by a contract or agreement, the most we will pay on behalf of the additional insured is the amount of insurance:

1. Required by the contract or agreement; or

2. Available under the applicable Limits of Insurance shown in the Declarations;
whichever is less.

This endorsement shall not increase the applicable Limits of Insurance shown in the Declarations

All other terms and conditions of the policy remain the same.



Authorized Representative

City of Menasha Disbursements

Weekly Accounts Payable	4/1/16-4/14/16 Checks # 53426-53580	\$ 1,868,972.98
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Bi-Weekly Payroll	4/14/16	\$ 191,792.31
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Additional Regular Cycle Accounts Payables -Paid Electronically

CVMIC-Worker's Compensation	4/1/16	\$ 45,353.00
State Tax Withholding	4/1/16	\$ 13,519.22
Delta Dental	4/6/16	\$ 3,633.53
Federal Tax Withholding	4/6/16	\$ 72,936.16
World Pay Charges-Farm Fresh Market	4/6/16	\$ 2.00
Delta Dental	4/13/16	\$ 2,091.60
Community First Credit Union-Payroll Deductions	4/14/16	\$ 4,619.50

\$ 142,155.01

Total

\$ 2,202,920.30

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

4/14/16

 Date

Notes:

- Medical Expense Reimbursement Trust-Retirement Pay Out
- 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: 4/1/2016

Date: 4/1/2016

<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>
MARY HOMISTON	53426	4/1/2016	TRANSCRIPT FEE	100-0201-512.21-07	130.25	Transcript Request Fee
			Total for check: 53426		<u>130.25</u>	
					<u>130.25</u>	

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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	53427	4/7/2016	1603218	731-1022-541.30-18	183.20	Gloss Black/Primer
		4/7/2016	1603307	731-1022-541.30-18	52.72	Elbow
		4/7/2016	1603363	731-1022-541.30-18	62.91	Supplies
		4/7/2016	1603547	100-1012-541.30-18	34.35	Supplies
			Total for check: 53427		333.18	
AGCS MARINE INSURANCE COMPANY	53428	4/7/2016	251484	733-0206-512.51-06	4,342.00	Insurance
			Total for check: 53428		4,342.00	
JF AHERN CO	53429	4/7/2016	137954	100-0501-522.24-03	190.00	Annual Sprinkler Inspec Station 36
			Total for check: 53429		190.00	
AIRGAS USA LLC	53430	4/7/2016	9049246852	731-1022-541.30-18	213.52	Ar/Rad
			Total for check: 53430		213.52	
APPLETON TROPHY & ENGRAVING	53431	4/7/2016	69031	100-0703-553.30-18	50.00	Sign
			Total for check: 53431		50.00	
ASSOCIATED APPRAISAL CONSULTANTS	53432	4/7/2016	121003	100-0402-513.21-09	5,000.00	Professional Services
				100-0402-513.30-11	15.52	Postage
				100-0402-513.21-09	59.76	Internet Postings
			Total for check: 53432		5,075.28	
BADGER LAB & ENGINEERING INC	53433	4/7/2016	INV00000064916	601-1020-543.21-02	322.00	Menasha Utilities February Wastewater
		4/7/2016	INV000064880	601-1020-543.21-02	842.00	Graphics Packaging Feb 2016
			Total for check: 53433		1,164.00	
BAHCALL RUBBER CO INC	53434	4/7/2016	729886-002	731-1022-541.38-03	18.24	Handle
		4/7/2016	730121-001	731-1022-541.38-03	662.36	Hose
		4/7/2016	730121-002	731-1022-541.38-03	515.70	Parts

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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>
BAHCALL RUBBER CO INC...	53434...	4/7/2016	734419-001	731-1022-541.38-03	1,329.27	Parts
			Total for check: 53434		2,525.57	
BECK ELECTRIC INC	53435	4/7/2016	MAR1116-COMED-9	100-1008-541.24-04	238.00	NE Cor Oneida & Manitowoc Accident 2016-06
		4/7/2016	MAR3116-COMED10	100-1008-541.24-04	465.80	Abandon Signals Mill/Main
			Total for check: 53435		703.80	
BMO HARRIS BANK NA	53436	4/7/2016	4055870	100-0202-512.21-06	260.00	Flex Spending Mgmt Fee
			Total for check: 53436		260.00	
BOUWER PRINTING INC	53437	4/7/2016	107471	100-0801-521.29-01	79.00	PD Forms
			Total for check: 53437		79.00	
BROCK WHITE COMPANY	53438	4/7/2016	12642511-00	470-1009-541.82-02	614.76	Joints
			Total for check: 53438		614.76	
CAREW CONCRETE & SUPPLY CO INC	53439	4/7/2016	1027548	625-1010-541.30-18	127.50	Supplies
		4/7/2016	1027714	625-1010-541.30-18	127.50	Bags
		4/7/2016	1027776	625-1010-541.30-18	127.50	Bags
			Total for check: 53439		382.50	
CARRICO AQUATIC RESOURCES INC	53440	4/7/2016	20160806	100-0704-552.32-01	285.00	AFO Instruction Certif.
			Total for check: 53440		285.00	
CASCADE ENGINEERING	53441	4/7/2016	51013	100-1016-543.30-15	1,555.00	Dark Blue Frt Load
			Total for check: 53441		1,555.00	

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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>
COENEN'S AUTO TECH INC	53442	4/7/2016	89624	100-0801-521.80-03	3,086.00	CSO Vehicle Fix
			Total for check: 53442		3,086.00	
KORTNEY DAHM	53443	4/7/2016	DAHM	100-0903-531.33-01	22.62	March Expenses
			Total for check: 53443		22.62	
DHS	53444	4/7/2016	ASBESTOS TRAIN	100-0904-531.32-01	175.00	Asbestos Cert Renewal
			Total for check: 53444		175.00	
JFTCO INC	53445	4/7/2016	C207549	731-1022-541.38-03	1,353.61	Pin/Bolt/Nut/Hinge
		4/7/2016	C213713	731-1022-541.38-03	137.19	Filters
		4/7/2016	C213757	731-1022-541.38-03	460.45	Edge/Bolt/Nut/Washer Filters
		4/7/2016	C213769	731-1022-541.38-03	60.23	Belt
		4/7/2016	C215568	731-1022-541.38-03	270.30	Pulley/Gasket/Seal
		4/7/2016	C217557	731-1022-541.38-03	22.67	Ring/Seal/Gasket
			Total for check: 53445		2,304.45	
FACTORY MOTOR PARTS CO	53446	4/7/2016	18-1475062	731-1022-541.30-18	9.60	Fox Splash
		4/7/2016	18-1476969	731-1022-541.30-18	95.52	Cleaner
		4/7/2016	18-1478670	731-1022-541.38-03	35.00	Battery
		4/7/2016	18-1478751	731-1022-541.38-03	179.81	Oil/Drum
		4/7/2016	18-1479885	731-1022-541.38-03	(5.00)	Credit
		4/7/2016	18-Z06720	731-1022-541.38-03	(10.00)	Credit
			Total for check: 53446		304.93	
FARRELL EQUIPMENT & SUPPLY CO INC	53447	4/7/2016	INV000000788089	470-1009-541.82-02	999.98	Curing & Sealing Agent Green Label Form Release
			Total for check: 53447		999.98	
FASTSIGNS OF APPLETON	53448	4/7/2016	A 92670	100-0703-553.30-18	211.06	Koslo Park Signs

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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>
FASTSIGNS OF APPLETON...	53448...	4/7/2016	A 92833	100-0703-553.30-18	584.14	Koslo Park Sign
			Total for check: 53448			795.20
FERGUSON ENTERPRISES #1550	53449	4/7/2016	3287156	100-0704-552.20-04	397.51	Coup/Pipe/Tee
			CM318214	100-0704-552.24-04	(98.01)	Credit
			Total for check: 53449			299.50
FERGUSON WATERWORKS #1476	53450	4/7/2016	0190862	625-1010-541.30-18	1,375.14	Parts
			0191092	625-1010-541.30-18	79.43	End Cap/PVC Coup
			0191102	601-1020-543.30-18	1,065.40	Grates/Lids/Sealant
				625-1010-541.30-18	3,810.21	Grates/Lids/Sealant
			0191175	625-1010-541.30-18	216.48	PVC SWR/COUP
			0191179	625-1010-541.30-18	92.00	PVC COUP
			Total for check: 53450			6,638.66
FISH WINDOW CLEANING	53451	4/7/2016	2680-45816	100-1001-514.24-03	50.00	City Hall
Total for check: 53451			50.00			
FOND DU LAC COUNTY CLERK OF COURTS	53452	4/7/2016	FDL CTY CLERK	100-0000-201.03-00	223.00	Bond/MPD 16-0875
Total for check: 53452			223.00			
MARY FRITZ	53453	4/7/2016	FRITZ	100-0903-531.33-01	7.44	March Expenses
				100-0918-531.33-01	6.86	March Expenses
			Total for check: 53453			14.30
GAT SUPPLY INC	53454	4/7/2016	296113-1	100-1004-541.30-18	79.20	Marking Paint
Total for check: 53454			79.20			

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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>
GERDAU	53455	4/7/2016	96131923	100-1003-541.30-18	258.75	Supplies
			Total for check: 53455		258.75	
GRAEF	53456	4/7/2016	0087956	470-0703-553.82-02	6,289.85	Loop Trail Project 2015-2052.01
			Total for check: 53456		6,289.85	
GRAY'S INC	53457	4/7/2016	33268	100-1006-541.30-15	1,132.34	Grader Endbit
			Total for check: 53457		1,132.34	
GUSTMAN CHEVROLET SALES INC	53458	4/7/2016	39196	731-1022-541.38-03	63.40	Harness
		4/7/2016	39247	731-1022-541.38-03	23.30	Flasher
		4/7/2016	39273	731-1022-541.38-03	92.75	Handle
			Total for check: 53458		179.45	
LEAH HACKMASTER	53459	4/7/2016	HATTIE MINOR	822-0413-554.30-16	250.00	Spring 2016 Scholarship
			Total for check: 53459		250.00	
HORST DISTRIBUTING INC	53460	4/7/2016	53947-000	100-0703-553.30-18	417.00	Chalk
			Total for check: 53460		417.00	
CANDI HUBER	53461	4/7/2016	HUBER	100-0202-512.33-01	7.34	March Expenses
			Total for check: 53461		7.34	
JOHN'S SAW SERVICE	53462	4/7/2016	10498	731-1022-541.38-03	188.89	Air Filter Kits
			Total for check: 53462		188.89	
JX ENTERPRISES INC	53463	4/7/2016	G-260350007	731-1022-541.38-03	22.01	Handle Kit
		4/7/2016	G-260400001	731-1022-541.38-03	126.95	Harness & Sensor
				731-1022-541.38-03	(126.95)	Harness & Sensor

AP Check Register
Check Date: 4/7/2016

Date: 4/7/2016

<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>
JX ENTERPRISES INC...	53463...	4/7/2016	G-260400007	731-1022-541.38-03	9.82	Resistor
		4/7/2016	G-260410004	731-1022-541.29-04	1,859.29	Vehicle Repair
	Total for check: 53463				1,891.12	
LORETTA KJEMHUS	53464	4/7/2016	KJEMHUS	100-0909-531.33-01	3.64	March Expenses
				100-0918-531.33-01	24.65	March Expenses
	Total for check: 53464				28.29	
KUNDINGER FLUID POWER INC	53465	4/7/2016	50372333	731-1022-541.38-03	183.05	Hose Assembly
					Total for check: 53465	
LINCOLN CONTRACTORS SUPPLY INC	53466	4/7/2016	K36541	100-1003-541.30-15	1,024.43	Supplies
				625-1003-541.30-15	315.70	Supplies
	Total for check: 53466				1,340.13	
MCC INC	53467	4/7/2016	78321	266-1028-543.30-18	528.00	Yardwaste Bunker
					Total for check: 53467	
MENARDS-APPLETON EAST	53468	4/7/2016	92427	100-0801-521.24-03	5.99	Supplies
				100-1012-541.30-18	11.80	Supplies
				92594	214.80	Sidewalk Form Material
				92692	590.47	Supplies
				100-0703-553.30-15	269.04	Supplies
				92726	14.51	Supplies
				100-1001-514.24-03	32.67	Supplies
100-0601-551.24-03	6.43	Supplies				
Total for check: 53468				1,145.71		

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MENARDS-APPLETON WEST	53469	4/7/2016	16744	100-0703-553.30-18	8.28	Lid
			Total for check: 53469		8.28	
MENASHA JOINT SCHOOL DISTRICT	53470	4/7/2016	LOTTERYCREDIT	100-0000-412.00-00	11,772.75	Mobile Home Lottery Credi
			Total for check: 53470		11,772.75	
MENASHA NEENAH MUNICIPAL COURT	53471	4/7/2016	NMMC	100-0000-201.03-00	174.00	Bond/MPD 16-0077
			Total for check: 53471		174.00	
MENASHA TREASURER	53472	4/7/2016	HEALTH DEPT	100-0903-531.30-18	12.77	Supplies-Walgreen's
				100-0905-531.30-18	6.17	Memory Cafe Supplies Third St Market
				100-0903-531.30-18	11.69	Supplies - Office Depot
				100-0916-531.30-18	5.95	Sealant/Fluoride SuppliesPiggly Wiggly
				100-0916-531.30-18	14.00	Memory Cafe Supplies Carmel Crisp Cafe
				100-0909-531.30-18	17.06	Fluoride Varnish SuppliesWoodman's
				100-0916-531.30-18	14.54	Sealant/Fluoride SuppliesFamily Dollar
				100-0916-531.30-18	9.44	Sealant/Fluoride SuppliesHobby Lobby
			Total for check: 53472		91.62	
MENASHA UTILITIES	53473	4/7/2016	MENASHA UTILITY	731-1022-541.22-03	22.36	Electric - PWF
				100-1008-541.22-03	190.48	Electric
				100-0703-553.22-03	239.06	Electric
				100-0703-553.22-05	205.24	Water/Sewer
				100-0703-553.22-06	162.41	Storm
				100-0903-531.22-03	163.57	Electric
				100-0903-531.22-05	56.42	Water/Sewer
				100-0000-123.00-00	7.77	Electric
				100-0305-562.22-06	8.70	Storm
				601-1020-543.22-03	148.40	Electric
			Total for check: 53473		1,204.41	

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TOWN OF MENASHA UTILITY DISTRICT	53474	4/7/2016	127-16734	100-0703-553.22-05	77.57	1200 Geneva Road Standby Water Consumption
		4/7/2016	127-17360	100-0703-553.22-05	9.70	200766 Unassigned Address Standby Water Consumption
	Total for check: 53474					87.27
MILWAUKEE LIGHT BULB DELIVERY CORP	53475	4/7/2016	0191240-IN	100-1012-541.30-18	428.09	Street Light
		Total for check: 53475				
MINNESOTA LIFE INSURANCE COMPANY	53476	4/7/2016	014502	100-0000-204.07-00	2,838.13	May Life Insurance
		Total for check: 53476				
MORTON SAFETY	53477	4/7/2016	165918-00	100-0703-553.30-18	22.00	Organic Vapor/Acid Gas
		Total for check: 53477				
N&M AUTO SUPPLY	53478	4/7/2016	555318	731-1022-541.30-18	65.92	Parts
		4/7/2016	555668	731-1022-541.30-18	32.96	Parts
		4/7/2016	556082	731-1022-541.38-03	9.03	Circuit Breaker/Adhesive
		4/7/2016	556108	731-1022-541.38-03	58.63	Belt
		4/7/2016	556200	731-1022-541.38-03	61.96	Filters/Spark Plugs
		4/7/2016	556255	731-1022-541.38-03	83.65	Filters/Belts
		4/7/2016	556458	731-1022-541.38-03	18.38	Spark Plugs/Filters
		4/7/2016	556465	731-1022-541.38-03	15.54	Filters
		4/7/2016	556547	731-1022-541.38-03	(32.08)	Credit
		4/7/2016	556828	731-1022-541.38-03	59.04	Filters/Plugs
		4/7/2016	557065	731-1022-541.38-03	70.61	Spark Plugs
		4/7/2016	557336	731-1022-541.38-03	9.27	Filter
		4/7/2016	557774	731-1022-541.38-03	5.51	Drain Plug
		4/7/2016	558005	731-1022-541.38-03	20.75	Tubing
4/7/2016	558053	731-1022-541.38-03	38.00	Kit		
Total for check: 53478					517.17	
NEENAH-MENASHA SEWERAGE COMMISSION	53479	4/7/2016	2016-051	601-1021-543.25-01	50,848.22	April 2016 Wastewater

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NEENAH-MENASHA SEWERAGE COMMISSION...	53479...	4/7/2016	2016-057	601-1021-543.25-01	21,257.00	April Interest & Debt
			Total for check: 53479		72,105.22	
CLAIRE OPSTEEN	53480	4/7/2016	OPSTEEN	100-0916-531.30-18	64.46	Rolling Cart - Menards
				100-0916-531.30-18	32.52	Printer Cartridge-Walmart
				100-0916-531.30-18	10.50	Supplies - Family Dollar
			Total for check: 53480		107.48	
PACKER CITY INTL TRUCKS INC	53481	4/7/2016	X103025659:01	731-1022-541.38-03	(44.92)	Credit
		4/7/2016	X103025728:01	731-1022-541.38-03	27.57	Sensor
		4/7/2016	X103026116:01	731-1022-541.38-03	305.19	Filters/Hub Cap
		4/7/2016	X103026116:02	731-1022-541.38-03	21.99	Hub Cap/Filters
		4/7/2016	X103026116:03	731-1022-541.38-03	41.92	Filters
		4/7/2016	X103026285:01	731-1022-541.38-03	38.10	Filters
		4/7/2016	X103026285:02	731-1022-541.38-03	58.14	Filters
		4/7/2016	X103026285:03	731-1022-541.38-03	85.60	Filters
		4/7/2016	X103026648:01	731-1022-541.38-03	139.43	Fluid
			Total for check: 53481		673.02	
POMP'S TIRE SERVICE INC	53482	4/7/2016	320039584	731-1022-541.38-02	520.10	Tire Service
		4/7/2016	320039615	731-1022-541.38-02	972.50	Tire Service
		4/7/2016	320040025	731-1022-541.38-02	8.00	Tube
			Total for check: 53482		1,500.60	
REGISTRATION FEE TRUST TVRP	53483	4/7/2016	70ME	100-0000-454.00-00	500.00	Parking Ticket Processing
			Total for check: 53483		500.00	
REINDERS INC	53484	4/7/2016	1623956-00	731-1022-541.38-03	76.15	Filter/Roller/Rim
			Total for check: 53484		76.15	

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RIESTERER & SCHNELL INC	53485	4/7/2016	966656	731-1022-541.29-04	365.07	Repair Work
			Total for check: 53485		365.07	
SAGE SECURITY SOLUTIONS	53486	4/7/2016	220959	100-0801-521.29-04	12.00	Key/Hand stamp/Engrave
			Total for check: 53486		12.00	
VICKI SCHULTZ	53487	4/7/2016	SCHULTZ VICKI	100-0915-531.33-01	28.60	January-February Expenses
				100-0905-531.33-01	20.80	January-February Expenses
				100-0906-531.33-01	5.72	January-February Expenses
			Total for check: 53487		55.12	
SERVICE MOTOR COMPANY	53488	4/7/2016	IV65971	731-1022-541.38-03	275.50	Hinge/Pin/Clip
			Total for check: 53488		275.50	
STAPLES ADVANTAGE	53489	4/7/2016	3296159241	100-0304-562.30-10	121.19	Mailing Tube
		4/7/2016	3296159253	100-0801-521.30-10	38.90	Binders
		4/7/2016	8038444231	731-1022-541.30-10	105.11	Supplies
			Total for check: 53489		265.20	
SUPERIOR CHEMICAL CORP	53490	4/7/2016	119827	731-1022-541.30-18	339.48	Degreaser
			Total for check: 53490		339.48	
SWIDERSKI POWER INC	53491	4/7/2016	IF30223	731-1022-541.38-03	(100.00)	Credit
		4/7/2016	IF31717	731-1022-541.38-03	132.00	Shank/Retainer
			Total for check: 53491		32.00	
TAPCO	53492	4/7/2016	I520385	100-1008-541.30-15	475.32	Aluminum Base
			Total for check: 53492		475.32	

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UNIFIRST CORPORATION	53493	4/7/2016	097 0208096	731-1022-541.20-01	290.33	Coveralls/Shirts/Pants
			Total for check: 53493		290.33	
US LUBRICANTS	53494	4/7/2016	50058412	731-1022-541.38-03	519.00	Sec Ext Life Af Prmx
			Total for check: 53494		519.00	
US VENTURE	53495	4/7/2016	L54436	731-1022-541.21-06	60.00	Fuel
			Total for check: 53495		60.00	
VALLEY GASKET INC	53496	4/7/2016	122777	100-0704-552.24-04	21.58	Ring
			Total for check: 53496		21.58	
WE ENERGIES	53497	4/7/2016	WE ENERGIES	100-0000-123.00-00	618.19	N-M Fire
				100-1001-514.22-04	588.08	City Hall
				100-0801-521.22-04	853.68	Police
				100-0920-531.22-04	160.98	Senior Center
				100-0601-551.22-04	1,886.90	Library
				100-0703-553.22-04	491.42	Parks
				100-0704-552.22-04	191.07	Pool
				207-0707-552.22-04	41.24	Marina
				731-1022-541.22-04	4,398.97	Garage
			Total for check: 53497		9,230.53	
WINNEBAGO COUNTY TREASURER	53498	4/7/2016	8948	100-0805-521.25-01	51.46	Stay
		4/7/2016	DOG LICENSES	100-0000-201.03-00	1,305.00	11101-11500
			Total for check: 53498		1,356.46	
ZANDER PRESS INC	53499	4/7/2016	73061	100-0702-552.29-01	2,941.51	Summer Activity Guides Printing & Mailing

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ZANDER PRESS INC...	53499...	4/7/2016	73162	100-0702-552.29-01	84.00	Summer Activity Guides Printing - Overages
			Total for check: 53499		3,025.51	
ZEP SALES & SERVICE	53500	4/7/2016	9002155789	731-1022-541.30-18	395.90	Degreaser
			Total for check: 53500		395.90	
					155,431.56	

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ACC PLANNED SERVICE INC	53501	4/14/2016	16330	743-0403-513.30-15	923.00	Server Room Controls
		4/14/2016	16359	100-1001-514.24-03	371.85	Replace CO2 Sensor
	Total for check: 53501				1,294.85	
ACCURATE	53502	4/14/2016	1603387	731-1022-541.30-18	18.65	Supplies
		Total for check: 53502				18.65
AIRGAS USA LLC	53503	4/14/2016	9049713676	731-1022-541.30-18	65.45	Supplies
		Total for check: 53503				65.45
APPLETON SCHOOL DISTRICT	53504	4/14/2016	APPLETON SCHOOL	100-0000-203.05-00	75,190.05	Property Tax Collections
		Total for check: 53504				75,190.05
AT&T	53505	4/14/2016	920R09453004	100-1001-514.22-01	110.90	Alarms
				601-1020-543.22-01	290.50	Alarms
				Total for check: 53505		
AYERS ASSOCIATES INC	53506	4/14/2016	163032	470-1002-541.21-02	4,500.00	Third St Bridge Design Project 45-0403.02
BAYCOM INC	53507	4/14/2016	EQUIPINV_002075	100-0801-521.29-04	1,686.00	Police Equipment
BECK ELECTRIC INC	53508	4/14/2016	A1316-COM-ED-11	100-1008-541.24-04	238.00	Washington & River Brackets for lights
BLACKBURN MFG CO	53509	4/14/2016	0508853-IN	100-1002-541.30-15	68.08	Storm Sewer Marking Flags

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BLACKBURN MFG CO...	53509...	4/14/2016...	0508853-IN...	625-1002-541.30-15	22.69	Storm Sewer Marking Flags
			Total for check: 53509		90.77	
BOBCAT PLUS	53510	4/14/2016	IA09026	731-1022-541.38-03	158.95	Berlon Tooth
		4/14/2016	IA09062	731-1022-541.38-03	912.98	Bobcat parts
			Total for check: 53510		1,071.93	
BRAUER SUPPLY & EQUIPMENT	53511	4/14/2016	201603181	100-1006-541.30-15	1,165.00	Blade Saver
			Total for check: 53511		1,165.00	
BRAZEE'S ACE HARDWARE	53512	4/14/2016	034133	100-1001-514.30-18	4.99	Bit
			Total for check: 53512		4.99	
BROCK WHITE COMPANY	53513	4/14/2016	12644770-00	625-1003-541.30-18	385.95	Drain Tubes
			Total for check: 53513		385.95	
BURNHAM, ANDREA	53514	4/14/2016	BURNHAM	100-0000-441.13-00	5.00	Refuse Cart Exchange 802 Milwaukee St
			Total for check: 53514		5.00	
CALUMET COUNTY TREASURER	53515	4/14/2016	CALUMET COUNTY	100-0000-203.01-00	48,238.99	Property Tax Collections
				100-0000-203.08-00	2,218.89	Property Tax Collections
			Total for check: 53515		50,457.88	
COMPASS MINERALS AMERICA	53516	4/14/2016	71470106	100-1006-541.30-18	32,982.56	Bulk Highway Course
			Total for check: 53516		32,982.56	
CONTRX INDUSTRIES INC	53517	4/14/2016	IU014789	601-1020-543.30-15	353.92	Sling/Shackles for Pre-Cast Lifts

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CONTRX INDUSTRIES INC...	53517...	4/14/2016...	IU014789...	625-1010-541.30-15	353.91	Sling/Shackles for Pre-Cast Lifts
			Total for check: 53517		707.83	
UNEMPLOYMENT INSURANCE	53518	4/14/2016	000007585177	100-1019-552.15-09	2,988.00	Unemployment Compensation
				100-0703-553.15-09	1,252.00	Unemployment Compensation
			Total for check: 53518		4,240.00	
JFTCO INC	53519	4/14/2016	C 232318	731-1022-541.38-03	59.58	Yellow Paint
			Total for check: 53519		59.58	
FACTORY MOTOR PARTS CO	53520	4/14/2016	18-1479384	731-1022-541.38-03	40.00	Parts
			Total for check: 53520		40.00	
FASTSIGNS OF APPLETON	53521	4/14/2016	A 93135	100-0801-521.29-04	28.00	Graphic on Squad
			Total for check: 53521		28.00	
FERGUSON ENTERPRISES #1550	53522	4/14/2016	3301291	100-0703-553.24-03	98.02	Plumbing Parts
		4/14/2016	3306218	100-1001-514.30-13	9.77	Battery/Hdl Assy/Kit
				100-0601-551.24-03	33.34	Battery/Hdl Assy/Kit
		4/14/2016	3313231	207-0707-552.24-03	259.39	Plumbing Parts
			Total for check: 53522		400.52	
FERGUSON WATERWORKS #1476	53523	4/14/2016	0191102-1	625-1010-541.30-18	440.00	Sealant
		4/14/2016	0191786	100-1009-541.30-18	165.98	Warning Det Plt
			Total for check: 53523		605.98	
FERRELLGAS	53524	4/14/2016	1091256552	266-1027-543.30-18	50.17	Supplies
			Total for check: 53524		50.17	

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JAMES M FICO PHD	53525	4/14/2016	FICO	100-0801-521.21-05	325.00	Interview Testing/Report
			Total for check: 53525		325.00	
FOX VALLEY HUMANE ASSOCIATION	53526	4/14/2016	FVHA30816347	100-0806-532.25-01	1,184.45	February
			Total for check: 53526		1,184.45	
FOX VALLEY TECHNICAL COLLEGE	53527	4/14/2016	321084/FY15-16	100-0801-521.34-02	1,000.00	Training
		4/14/2016	FVTC	100-0000-203.04-00	86,765.33	Property Tax Collections
				100-0000-203.04-00	12,146.61	Property Tax Collections
			Total for check: 53527		99,911.94	
GREMMER & ASSOCIATES INC	53528	4/14/2016	1	625-1010-541.21-02	787.50	Stormwater Review
			Total for check: 53528		787.50	
GUNDERSON CLEANERS	53529	4/14/2016	357545	100-0801-521.30-13	34.66	Mats/Towels
			Total for check: 53529		34.66	
GUSTMAN CHEVROLET SALES INC	53530	4/14/2016	39300	731-1022-541.38-03	31.40	Part
			Total for check: 53530		31.40	
H&R SAFETY SOLUTIONS LLC	53531	4/14/2016	666	100-1002-541.30-15	453.60	Marking Paint
				625-1002-541.30-15	151.20	Marking Paint
			Total for check: 53531		604.80	
HOME DEPOT CREDIT SERVICES	53532	4/14/2016	2030453	100-0801-521.24-03	43.72	Supplies
		4/14/2016	30583	100-1001-514.24-03	49.92	Supplies
		4/14/2016	4035438	100-0704-552.24-03	15.36	Studs
		4/14/2016	5035361	100-0703-553.24-03	68.50	Supplies

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HOME DEPOT CREDIT SERVICES...	53532...	4/14/2016	6030135	100-0704-552.24-03	21.45	Brushes & Supplies
			Total for check: 53532		198.95	
HOTSY CLEANING SYSTEMS INC	53533	4/14/2016	0112050-IN	731-1022-541.30-18	490.00	Hot Wax & Panel Wash
			Total for check: 53533		490.00	
INFINITY TECHNOLOGY INC	53534	4/14/2016	519506	743-0403-513.24-04	1,588.57	Archives Maint Agreement
		4/14/2016	519950	743-0403-513.24-04	36.00	CISCO Maint Agreement
			Total for check: 53534		1,624.57	
JOHN'S SAW SERVICE	53535	4/14/2016	10503	731-1022-541.38-03	24.98	Switch
			Total for check: 53535		24.98	
JX ENTERPRISES INC	53536	4/14/2016	G-260490026	731-1022-541.38-03	97.56	Parts
		4/14/2016	G-260500028	731-1022-541.38-03	515.22	Parts
		4/14/2016	G-260530024	731-1022-541.38-03	159.22	Sensor-Fuel Lvl
			Total for check: 53536		772.00	
KITZ & PFEIL INC	53539	4/14/2016	022209-0036	100-0703-553.24-03	6.29	Angle
		4/14/2016	022214-0006	100-0703-553.30-18	35.17	Misc Hardware
		4/14/2016	022214-0032	100-0703-553.24-03	13.32	Misc Hardware
		4/14/2016	022314-0007	100-0801-521.24-03	16.00	Misc Hardware
		4/14/2016	022314-0008	100-0903-531.24-03	24.29	Antenna
		4/14/2016	022314-0036	100-0703-553.24-03	29.46	Filters/Primer/Brush
		4/14/2016	022314-0058	731-1022-541.30-13	12.58	Plungers
		4/14/2016	022414-0012	100-0703-553.30-18	8.54	Screws
		4/14/2016	022414-0019	731-1022-541.30-18	35.53	Hose Reels
		4/14/2016	022414-0051	100-0703-553.24-03	42.49	Misc Hardware
		4/14/2016	022509-0017	100-0703-553.24-03	4.31	Screws
		4/14/2016	022514-0041	100-1008-541.30-15	23.19	Ratchet/Joint
		4/14/2016	022514-0045	100-0703-553.24-03	7.89	Tape

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KITZ & PFEIL INC...	53539...	4/14/2016	022614-0005	731-1022-541.24-03	3.14	Lighter
		4/14/2016	022614-0016	731-1022-541.24-03	9.16	Dowel/Socket
		4/14/2016	022914-0003	100-0703-553.30-18	17.98	Bags
		4/14/2016	022914-0004	731-1022-541.30-18	3.40	Misc Hardware
		4/14/2016	030214-0078	731-1022-541.30-18	17.06	Bushing/Coupling
		4/14/2016	030314-0064	100-0801-521.30-15	3.14	Enamel
		4/14/2016	030409-0010	100-0703-553.30-18	33.38	Sandpaper/Broom/Bits
		4/14/2016	030714-0004	100-0703-553.30-18	37.46	Sandpaper/Brush/Cloth Foam/Filler
		4/14/2016	030714-0024	100-0703-553.24-03	50.96	Cap/Coupling
		4/14/2016	030814-0006	731-1022-541.30-18	13.02	Bits/Misc Hardware
		4/14/2016	030814-0012	100-0703-553.24-03	42.27	Ice Dam/Cabinet
		4/14/2016	030909-0005	731-1022-541.30-18	3.59	Velcro
		4/14/2016	030914-0033	100-0703-553.24-03	29.32	Cap/Bushing/Plug/Elbow Adapter
		4/14/2016	030914-0076	100-1016-543.30-18	3.22	Bits
		4/14/2016	031014-0057	100-0703-553.24-03	13.29	Plug/Tee
		4/14/2016	031114-0007	100-1001-514.24-03	7.64	Elbow
		4/14/2016	031114-0052	100-0703-553.30-18	(6.29)	Credit
		4/14/2016	031414-0010	100-0703-553.30-18	31.48	Wrench/Plier
		4/14/2016	031514-0021	100-0703-553.24-03	6.89	Cap/Plate
		4/14/2016	031614-0003	100-1001-514.24-03	4.22	Enamel
	4/14/2016	031614-0067	266-1028-543.30-18	73.54	Oil	
	4/14/2016	031714-0044	100-0703-553.30-18	17.98	Caddy/Cleaner	
	4/14/2016	031803-0007	731-1022-541.38-03	10.35	Tube	
	4/14/2016	031814-0034	100-0703-553.24-03	53.51	Faucet/Nut/Trap/Washer	
			Total for check: 53539		738.77	
KJ WASTE SYSTEMS INC	53540	4/14/2016	KJ WASTE	266-1027-543.21-06	845.00	Cardboard/Co-mingle/Rent
			Total for check: 53540		845.00	
KNORR AUTO BODY	53541	4/14/2016	17504	100-1012-541.24-04	987.00	Main Street Link Lights
			Total for check: 53541		987.00	

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KUNDINGER INC	53542	4/14/2016	50373618	731-1022-541.38-03	51.53	Hose
			Total for check: 53542		51.53	
LINCOLN CONTRACTORS SUPPLY INC	53543	4/14/2016	K37503	100-1009-541.30-15	59.33	Edgers
			Total for check: 53543		59.33	
MCC INC	53544	4/14/2016	78538	601-1020-543.30-18	354.14	Stone
				625-1010-541.30-18	354.15	Stone
			Total for check: 53544		708.29	
MCNEILUS TRUCK & MFG COMPANY	53545	4/14/2016	3185335	731-1022-541.38-03	39.83	Alarm
			Total for check: 53545		39.83	
MEDICAL EXPENSE REIMBURSEMENT ACCT	53546	4/14/2016	20160414	100-0000-202.08-00	31,675.11	PAYROLL SUMMARY
			Total for check: 53546		31,675.11	
MENARDS-APPLETON EAST	53547	4/14/2016	92743	100-0703-553.30-18	98.69	Supplies
		4/14/2016	93020	100-0703-553.24-03	42.91	Supplies
				100-0601-551.24-03	13.94	Supplies
		4/14/2016	93022	100-0703-553.30-18	(8.97)	Credit
		4/14/2016	93025	100-0703-553.30-18	59.76	Adhesive
			Total for check: 53547		206.33	
MENASHA JOINT SCHOOL DISTRICT	53548	4/14/2016	MJSD	100-0000-203.03-00	875,105.55	Property Tax Collections
				100-0000-203.03-00	34,239.26	Property Tax Collections
			Total for check: 53548		909,344.81	
MENASHA NEENAH MUNICIPAL COURT	53549	4/14/2016	NMMC	100-0000-201.03-00	174.00	Bond/MPD 16-0066

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MENASHA NEENAH MUNICIPAL COURT...	53549...	4/14/2016...	NMMC...	100-0000-201.03-00	237.00	Bond/MPD 16-0106
			Total for check: 53549		411.00	
MENASHA UTILITIES	53550	4/14/2016	MARCH ST LIGHTS	100-1012-541.22-03	15,282.78	March Street Lighting
			Total for check: 53550		15,282.78	
TOWN OF MENASHA UTILITY DISTRICT	53551	4/14/2016	1986	100-0703-553.22-05	9.60	1521 Brighton Beach Rd Standby Water
		4/14/2016	1987	457-0304-562.22-05	9.60	1300 Wittmann Drive Standby Water
			Total for check: 53551		19.20	
MILWAUKEE LIGHT BULB DELIVERY INC	53552	4/14/2016	0191447-IN	100-1012-541.30-18	224.75	Street Lighting
		4/14/2016	0191468-IN	100-0703-553.30-18	193.29	Trestle Bridge Bulbs
			Total for check: 53552		418.04	
MBM	53553	4/14/2016	IN72571	743-0403-513.29-01	7.50	Toner
			Total for check: 53553		7.50	
MORTON SAFETY	53554	4/14/2016	163569-01	731-1022-541.30-18	78.86	Medical Supplies
		4/14/2016	165923-00	601-1020-543.30-18	123.48	Gloves
			Total for check: 53554		202.34	
N&M AUTO SUPPLY	53555	4/14/2016	558384	731-1022-541.38-03	23.28	Air Filters
		4/14/2016	558688	731-1022-541.38-03	137.06	Fuel & Hyd Filters
			Total for check: 53555		160.34	
CITY OF NEENAH	53556	4/14/2016	CITY OF NEENAH	100-0801-521.34-03	90.75	Justice Training Lunches
			Total for check: 53556		90.75	
NETWORK HEALTH SYSTEM INC	53557	4/14/2016	344390	100-0202-512.21-05	217.00	Physicals/Drug Screens

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NETWORK HEALTH SYSTEM INC...	53557...	4/14/2016...	344390...	100-0601-551.21-06	105.00	Physicals/Drug Screens
		4/14/2016	344678	100-0202-512.21-05	184.00	Pre-Employment Physicals Drug Screens
	Total for check: 53557				506.00	
PACKER CITY INTL TRUCKS INC	53558	4/14/2016	X103026285:04	731-1022-541.38-03	38.08	Filters
					38.08	
RUTH PETRIE	53559	4/14/2016	RUTH PETRIE	485-0304-562.80-02	21,700.00	Property Acquisition
					21,700.00	
POMP'S TIRE SERVICE INC	53560	4/14/2016	320039616	731-1022-541.38-02	467.35	Tires
		4/14/2016	320039997	731-1022-541.38-02	987.44	Tires
		4/14/2016	320040579	731-1022-541.38-02	620.00	Tires
		Total for check: 53560				2,074.79
PRECAST SOLUTIONS LLC	53561	4/14/2016	474	601-1020-543.30-18	917.73	Adjustable Rings/Risers
				625-1010-541.30-18	1,287.63	Adjustable Rings/Risers
				Total for check: 53561		
REDI-WELDING CO	53562	4/14/2016	14972	731-1022-541.38-03	45.90	Supplies
				100-1016-543.30-15	526.50	Supplies
				100-1001-514.24-03	19.68	Supplies
				Total for check: 53562		
RIESTERER & SCHNELL INC	53563	4/14/2016	968738	731-1022-541.38-03	141.99	Gasket/Pump
		4/14/2016	968988	731-1022-541.38-03	64.51	Switch
	Total for check: 53563				206.50	
SERVICEMASTER BUILDING MAINTENANCE	53564	4/14/2016	19452	100-1001-514.20-01	1,150.00	City Hall - Janitorial
		4/14/2016	19453	731-1022-541.20-01	530.00	PWF - Janitorial

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SERVICEMASTER BUILDING MAINTENANCE...	53564...	4/14/2016	19471	100-0801-521.20-01	55.00	Police Garage-Janitorial
		4/14/2016	19472	100-0903-531.20-01	515.00	Health Dept - Janitorial
		4/14/2016	19477	100-0801-521.20-01	1,562.00	Police Dept-Janitorial
	Total for check: 53564				3,812.00	
SHERWIN WILLIAMS CO	53565	4/14/2016	7087-9	100-0703-553.24-03	23.95	Paint
		4/14/2016	7516-7	100-1008-541.24-04	257.04	Paint Machine Pump Repair Kit
	Total for check: 53565				280.99	
SPEEDY CLEAN DRAIN & SEWER INC	53566	4/14/2016	60272	731-1022-541.24-03	450.00	Maintenance - PWF
Total for check: 53566				450.00		
STAPLES BUSINESS ADVANTAGE	53567	4/14/2016	8038530820	731-1022-541.30-10	48.79	Supplies
Total for check: 53567				48.79		
THEDACARE LABORATORIES	53568	4/14/2016	12100529	100-0801-521.21-05	85.00	Legal Blood Draws
Total for check: 53568				85.00		
TRI-CITY GLASS INC	53569	4/14/2016	101-0317-67336	100-1001-514.24-03	3,994.90	Panels/Tape/Silicone
Total for check: 53569				3,994.90		
UNIFIRST CORPORATION	53570	4/14/2016	097 0208547	731-1022-541.20-01	217.95	Coveralls/Shirts/Pants
Total for check: 53570				217.95		
UNIFORM SHOPPE	53571	4/14/2016	253279	100-0804-521.30-15	64.95	Uniform
		4/14/2016	253280	100-0804-521.30-15	102.90	Uniform
	Total for check: 53571				167.85	

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UNITED WAY FOX CITIES	53572	4/14/2016	20160414	100-0000-202.09-00	31.00	PAYROLL SUMMARY
			Total for check: 53572		31.00	
US CELLULAR	53573	4/14/2016	0127833612	100-0201-512.22-01	31.12	Captain
				100-1019-552.22-01	1.00	Bridges
				601-1020-543.22-01	0.50	Confined Space
				100-0801-521.22-01	77.88	Police
				100-0904-531.22-01	63.91	Drew
				100-1002-541.22-01	1.00	Hutter
				100-0702-552.22-01	47.32	Tungate
				100-0703-553.22-01	48.95	Park Department
				731-1022-541.22-01	50.17	Public Works
				100-1008-541.22-01	4.20	Bursack
				601-1020-543.22-01	0.50	Sewer Truck
			Total for check: 53573		326.55	
US POSTAL SERVICE	53574	4/14/2016	METER 08022546	100-0000-133.00-00	1,500.00	Postage
			Total for check: 53574		1,500.00	
VERIZON WIRELESS	53575	4/14/2016	9763116983	100-1002-541.22-01	107.08	Cell Phones
				625-1002-541.22-01	35.70	Cell Phones
				601-1020-543.22-01	24.03	Cell Phones
		4/14/2016	9763116986	743-0403-513.22-01	57.16	Cell Phone Charges
		4/14/2016	9763116989	100-1002-541.22-01	30.01	Wi-fi for GPS Device
				625-1002-541.22-01	10.00	Wi-fi for GPS Device
			Total for check: 53575		263.98	
WAVERLY SANITARY DISTRICT	53576	4/14/2016	2170 PLANK RD	100-0703-553.22-05	44.62	2170 Plank - Sewer/Water
		4/14/2016	WAVERLY	100-0000-203.07-00	8,096.75	Property Tax Collections
			Total for check: 53576		8,141.37	

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WE ENERGIES	53577	4/14/2016	WE ENERGIES	100-0703-553.22-03	38.67	Conservancy
				100-1008-541.22-04	89.51	PWF
			Total for check: 53577		128.18	
WIL-KIL PEST CONTROL	53578	4/14/2016	2857432	731-1022-541.20-07	66.50	Commercial Contract
			Total for check: 53578		66.50	
WINNEBAGO COUNTY TREASURER	53579	4/14/2016	WINNEBAGO CTY	100-0000-203.02-00	409,135.43	Property Tax Collections
				100-0000-203.08-00	13,851.54	Property Tax Collections
			Total for check: 53579		422,986.97	
WISCONSIN SUPPORT COLLECTIONS	53580	4/14/2016	20160414	100-0000-202.03-00	657.57	PAYROLL SUMMARY
			Total for check: 53580		657.57	
					1,713,411.17	



To: Menasha Common Council
From: Jenny Groeschel and Ginger Tralongo, Police Records
RE: Beverage Operator License (Bartender) Applicants
Date: April 14, 2016

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 **2015-2017** licensing period:

Resa Laabs
Scott Brien
George Crafts
Debra Kositzke
Michael Novak
Gitaben Patel

CC: Chief Styka

Resolution R-9-16

A RESOLUTION APPROVING A 2016 CAPITAL IMPROVEMENT BUDGET ADJUSTMENT FOR THE PURPOSE OF INSTALLING INFRASTRUCTURE IN THE SECOND ADDITION TO WOODLAND HILLS SUBDIVISION AND THE ACCOMPANYING BORROWING TO BE INCLUDED WITH THE 2016 CAPITAL IMPROVEMENT BORROWING

Introduced by Ald. Nichols

WHEREAS: The City of Menasha did not include the installation of infrastructure in the Second Addition to Woodland Hills subdivision in the 2016 Capital Improvement Program Budget; and

WHEREAS, The City of Menasha entered into a Second Development Agreement between Woodland Developments, LLC and the city; and

WHEREAS, Said agreement contemplates the use of city funds in an amount not to exceed \$408,000 for the purpose of installing infrastructure; and

WHEREAS, Such funds will need to be included in the 2016 Capital Improvement Program borrowing.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Common Council that staff is hereby authorized and directed to complete the following: (1) to amend the 2016 Capital Improvement Program Budget to include funds in an amount not to exceed \$408,000 for the purpose of installing infrastructure in the Second Addition to Woodland Hills Subdivision, and (2) to execute a borrowing with the State Trust Fund Loan Program , as part of the 2016 Capital Improvement Plan borrowing, to fund the infrastructure installation.

Passed and approved this ___ day of March, 2016.

Donald Merkes, Mayor
ATTEST:

Deborah A. Galeazzi, Clerk

ORDINANCE O-2-16

AN ORDINANCE REGARDING CONSTRUCTION SITE EROSION CONTROL

As Recommended by the Board of Public Works.

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

SECTION 1: Repeal Title 6, Chapter 6 of the Code of Ordinances of the City of Menasha, Wisconsin, by recreating Title 6, Chapter 6 as follows.

SEC. 6-6-1 AUTHORITY.

- (1) This ordinance is adopted under the authority granted by s. 62.234, Wis. Stats. for cities. This ordinance supersedes all provisions of an ordinance previously enacted under s. 62.23, Wis. Stats., that relate to construction site erosion control. Except as otherwise specified in s. 62.234 Wis. Stats., s. 62.23, Wis. Stats. applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the same governing body.
- (3) The Common Council of the City of Menasha hereby designates the Public Works Department to administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent erosion and sediment control requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits or approvals including those authorized under ss. 281.16 and 283.33, Wis. Stats.
 - (b) Targeted performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

SEC. 6-6-2 FINDINGS OF FACT.

The Common Council finds that runoff from land disturbing construction activity carries a significant amount of sediment and other pollutants to the waters of the state in the City of Menasha.

SEC. 6-6-3 PURPOSE.

It is the purpose of this ordinance to further the maintenance of safe and healthful conditions; prevent and control water pollution; prevent and control soil erosion; protect spawning grounds, fish and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth by minimizing the amount of sediment and other pollutants carried by runoff or discharged from land disturbing construction activity to waters of the state in the City of Menasha.

SEC. 6-6-4 APPLICABILITY AND JURISDICTION.

(1) **APPLICABILITY.**

- (a) Where not otherwise limited by law, this ordinance applies to all construction sites, unless the site is otherwise exempt under Sec. 6-6-4(1)(b) or (c):
 1. A permit is required for a construction site with 4,000 square feet or greater of land disturbing construction activity. The responsible party shall comply with all applicable provisions of this ordinance for a permitted site, including

the Sec. 6-6-7(2) performance standards, Sec. 6-6-8 permit requirements, and Sec. 6-6-9 plan requirements.

2. A permit is not required for a construction site with less than 4,000 square feet of land disturbing construction activity. The responsible party shall comply with all applicable provisions of this ordinance for a non-permitted site, including the Sec. 6-6-7(1) performance standards.
3. Notwithstanding the applicability requirements in Sec. 6-6-4(1)(a)1 and 2, a permit is required for a construction site with less than 4,000 square feet of land disturbing construction activity if the Public Works Department determines that permit coverage is needed in order to improve ordinance compliance, meet targeted performance standards, or protect waters of the state. If a permit is required, the responsible party shall comply with all applicable provisions of this ordinance for a permitted site, including the Sec. 6-6-7(2) performance standards, Sec. 6-6-8 permit requirements, and Sec. 6-6-9 plan requirements.

(b) This ordinance does not apply to the following:

1. Land disturbing construction activity that includes the construction of 1- and 2-family residential dwellings that are not part of a larger common plan of development or sale and that result in less than 1 acre of disturbance. These construction sites are regulated by the Wisconsin Department of Safety and Professional Services under s. SPS 321.125 Wis. Adm. Code and must adhere to the provisions of Title 15, Chapter 2 of the Menasha Code of Ordinances;
2. Nonpoint discharges from agricultural activity areas; and
3. Nonpoint discharges from silviculture activities.

(c) A construction site exempted by federal statutes or regulations from the requirement to have a national pollutant discharge elimination system permit issued under 40 CFR 122, for land disturbing construction activity, shall comply with Sec. 6-6-7(1) performance standards if less than 1 acre of land disturbing construction activity. The Sec. 6-6-7(2) performance standards, Sec. 6-6-8 permit requirements, and Sec. 6-6-9 plan requirements are not applicable.

(2) **JURISDICTION.** This ordinance applies to land disturbing construction activity on construction sites located within the boundaries and jurisdiction of the City of Menasha.

(3) **EXCLUSIONS.** This ordinance is not applicable to activities conducted by a state agency, as defined under s. 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under s. 281.33 (2), Wis. Stats.

SEC. 6-6-5 DEFINITIONS.

(1) “Administering authority” means a governmental employee, or a regional planning commission empowered under s. 62.234, Wis. Stats., that is designated by the Common Council to administer this ordinance.

(2) “Agricultural activity area” means the part of the farm where there is planting, growing, cultivating, and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. Practices in this area may

include waterways, drainage ditches, diversions, terraces, farm lanes, excavation, filling, and similar practices. The agricultural activity area does not include the agricultural production area.

~~(3)~~ (3) “Agricultural production area” means the part of the farm where there is concentrated production activity or impervious surfaces. Agricultural production areas include buildings, driveways, parking areas, feed storage structures, manure storage structures, and other impervious surfaces. The agricultural production area does not include the agricultural activity area.

~~(3)(4)~~ (3)(4) “Atlas 14” means the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Precipitation-Frequency Atlas of the United States, Volume 8 (Midwestern States), published in 2013.

~~(4)(5)~~ (4)(5) “Best management practice” (BMP) means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment, or pollutants carried in runoff to waters of the state.

~~(5)(6)~~ (5)(6) “Business day” means a day the office of the Public Works Department is routinely and customarily open for business.

~~(6)(7)~~ (6)(7) “Cease and desist order” means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.

~~(7)(8)~~ (7)(8) “Common plan of development or sale” means a development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A common plan of development or sale includes, but is not limited to, subdivision plats, certified survey maps, and other developments.

~~(8)(9)~~ (8)(9) “Construction site” means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development.

~~(9)(10)~~ (9)(10) “Design storm” means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall. The ~~TR-55TP-40~~, Type II, 24-hour design storms for City of Menasha are: 1-year, 2.2 inches; 2-year, 2.5 inches; 5-year, 3.3 inches; 10-year, 3.8 inches; 25-year, 4.4 inches; and 100-year, 5.3 inches. The Atlas 14, MSE4, 24-hour design storms for the City of Menasha are: 1-year, 2.19 inches; 2-year, 2.51 inches; 5-year, 3.09 inches; 10-year, 3.62 inches; 25-year, 4.42 inches; and 100-year, 5.83 inches.

~~(10)(11)~~ (10)(11) “Development” means residential, commercial, industrial, institutional, or other land uses and associated roads.

~~(11)(12)~~ (11)(12) “Division of land” means the creation from one or more parcels or building sites of additional parcels or building sites where such creation occurs at one time or through the successive partition within a 5 year period.

~~(12)(13)~~ (12)(13) “Erosion” means the process by which the land’s surface is worn away by the action of wind, water, ice, or gravity.

~~(13)(14)~~ (13)(14) “Erosion and sediment control plan” (plan) means a comprehensive plan developed to address pollution caused by erosion and sedimentation of soil particles or rock fragments during construction.

~~(14)(15)~~ (14)(15) “Extraterritorial” means the unincorporated area within 3 miles of the corporate limits

of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.

~~(15)~~(16) “Final stabilization” means all land disturbing construction activities at the construction site have been completed and a uniform perennial vegetative cover has been established, with a density of at least 70 percent of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

~~(16)~~(17) “Governing body” means the city council, which is the City of Menasha Common Council.

~~(17)~~(18) “Land disturbing construction activity” (disturbance) means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover, which may result in runoff and lead to an increase in soil erosion and movement of pollutants into the municipal separate storm sewer or waters of the state. Land disturbing construction activity includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities, and soil stockpiling.

(19) “Maximum extent practicable” (MEP) means the highest level of performance that is achievable but is not equivalent to a performance standard identified within this ordinance. MEP applies when the permit applicant demonstrates to the Public Works Department’s satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and a level of performance different from the performance standard is the MEP, the permit applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

~~(18)~~(20) “MSE3 or MSE4 distribution” means a [specific precipitation distribution developed by the USDA, NRCS, using precipitation data from Atlas 14.](#)

~~(19)~~(21) “Performance standard” means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.

~~(20)~~(22) “Permit” means a written authorization made by the Public Works Department to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.

~~(21)~~(23) “Pollutant” has the meaning given in s. 283.01 (13), Wis. Stats.

~~(22)~~(24) “Pollution” has the meaning given in s. 281.01 (14), Wis. Stats.

~~(23)~~(25) “Protective area” has the meaning given in the City of Menasha Post-Construction Storm Water Management Ordinance sec. 6-6-7 (3) (d) (1).

~~(24)~~(26) “Responsible party” means any entity holding fee title to the property or performing services to meet the performance standards of this ordinance through a contract or other agreement.

~~(25)~~(27) “Runoff” means storm water or precipitation including rain, snow or ice melt, or similar water that moves on the land surface via sheet or channelized flow.

~~(26)~~(28) “Sediment” means **solid material which can settle** that is transported by runoff, suspended within runoff, or deposited by runoff away from its original location.

- ~~(27)~~(29) “Separate storm sewer” means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains, which meets all of the following criteria:
- (a) Is designed or used for collecting water or conveying runoff,
 - (b) Is not part of a combined sewer system,
 - (c) Is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment, and
 - (d) Discharges directly or indirectly to waters of the state.
- ~~(28)~~(30) “Silviculture activities” means activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.
- ~~(29)~~(31) “Site” means the entire area included in the legal description of the land on which the land disturbing construction activity is proposed in the permit application.
- ~~(30)~~(32) “Stop work order” means an order issued by the Public Works Department which requires all construction activity on the site be stopped.
- ~~(31)~~(33) “Targeted performance standard” means a performance standard that will apply in a specific area, where additional practices beyond those contained in this ordinance, are necessary to meet water quality standards. A total maximum daily load is an example of a targeted performance standard.
- ~~(32)~~(34) "Technical standard" means a document that specifies design, predicted performance and operation, and maintenance specifications for a BMP, material, device, or method.
- ~~(33)~~(35) “Total maximum daily **load**” (TMDL) means the amount of pollutants specified as a function of one or more water quality parameters that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.
- ~~(33)~~(36) [“TP-40” means the Technical Paper No. 40, Rainfall Frequency Atlas of the United States, published in 1961.](#)
- ~~(34)~~(37) “TR-55” means the United States department of agriculture, natural resource conservation service (previously soil conservation service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986, which is incorporated by reference for this ordinance.
- ~~(35)~~(38) “Type II distribution” means a rainfall type curve as established in the “United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973,” which is incorporated by reference for this ordinance. The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.
- ~~(36)~~(39) “Waters of the state” has the meaning given in s. 283.01 (20), Wis. Stats.

SEC. 6-6-6 TECHNICAL STANDARDS.

- (1) **DESIGN CRITERIA, STANDARDS AND SPECIFICATIONS.** All BMPs required to comply with this ordinance shall meet the design criteria, standards and specifications based on any of the following:

- (a) Design guidance and technical standards identified or developed by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
 - (b) Technical standards and other guidance identified within the City of Menasha Storm Water Reference Guide.
 - (c) Soil loss prediction tools such as the Revised Universal Soil Loss Equation 2 (RUSLE2) that estimate the sediment load leaving the site under varying land and management conditions may be used to show compliance with the sediment performance standards contained in Sec. 6-6-7(2).
 - (d) For this ordinance, average annual basis is calculated using the appropriate annual rainfall or runoff factor, also referred to as the R factor, or an equivalent design storm using a [MSE3](#) or Type II distribution, with consideration given to the geographic location of the site and the period of disturbance.
- (2) **OTHER STANDARDS.** Other technical standards not identified in Sec. 6-6-6 may be used provided that the methods have been approved by the Public Works Department.

SEC. 6-6-7 PERFORMANCE STANDARDS.

(1) **NON-PERMITTED SITES.**

- (a) **RESPONSIBLE PARTY.** The landowner of the construction site or other person contracted or obligated by other agreement with the landowner to implement and maintain construction site BMPs is a responsible party and shall comply with this ordinance.
- (b) **REQUIREMENTS.** At each site where land disturbing construction activity is to occur, BMPs shall be used to prevent or reduce all of the following:
 1. The deposition of soil from being tracked onto streets by vehicles;
 2. The discharge of sediment from disturbed areas into storm water inlets;
 3. The discharge of sediment from disturbed areas into adjacent waters of the state;
 4. The discharge of sediment from drainage ways that flow off the site;
 5. The discharge of sediment by dewatering activities;
 6. The discharge of sediment eroding from soil stockpiles existing for more than 7 days; and
 7. The discharge of onsite chemicals, cement and other building compounds, and materials into waters of the state or offsite separate storm sewers during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this ordinance.
- (c) **LOCATION.** BMPs shall be located so that treatment occurs before runoff enters waters of the state and offsite separate storm sewers. However, projects that require BMP placement in waters of the state, such as a turbidity barrier, are not prohibited by this ordinance.

- (d) **IMPLEMENTATION.** The BMPs used to comply with this section shall be implemented as follows:
1. Erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin;
 2. Erosion and sediment control practices shall be maintained until final stabilization;
 3. Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site;
 4. Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days;
 5. BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.
- (e) **ALTERNATE REQUIREMENTS.** The Public Works Department may establish erosion and sediment control requirements more stringent than those set forth in this ordinance if the Public Works Department determines that an added level of protection is needed to protect resources.

(2) **PERMITTED SITES.**

- (a) **RESPONSIBLE PARTY.** The landowner or other person performing services to meet the performance standards of this ordinance, through a contract or other agreement with the landowner, is a responsible party and shall comply with this ordinance.
- (b) **PLAN.** A written erosion and sediment control plan shall be developed and implemented by the responsible party in accordance with Sec. 6-6-9. The erosion and sediment control plan shall meet all of the applicable requirements contained in this ordinance.
- (c) **REQUIREMENTS.** The erosion and sediment control plan shall meet all of the following requirements and standards.
1. The plan shall use BMPs to prevent or reduce all of the following:
 - a. The deposition of soil from being tracked onto streets by vehicles;
 - b. The discharge of sediment from disturbed areas into storm water inlets;
 - c. The discharge of sediment from disturbed areas into adjacent waters of the state;
 - d. The discharge of sediment from drainage ways that flow off the site;
 - e. The discharge of sediment by dewatering activities;
 - f. The discharge of sediment eroding from soil stockpiles existing for more than 7 days;
 - g. The discharge of sediment from erosive flows at outlets and in downstream channels;

- h. The discharge of onsite chemicals, cement, and other building compounds and materials into waters of the state or offsite separate storm sewers during the construction period. However, projects that require the placement of these materials in waters of the state, such as constructing bridge footings or BMP installations, are not prohibited by this ordinance; and
 - i. The discharge of untreated wash water from vehicle and wheel washing into waters of the state or offsite separate storm sewers.
- 2. For sites with 1 acre or more of land disturbing construction activity the plan shall meet the following sediment performance standards:
 - a. BMPs that, by design, discharge no more than 5 tons per acre per year, or to the **MEP**, of the sediment load carried in runoff from initial grading to final stabilization;
 - b. Except as provided in Sec. 6-6-7(2)(f), the Public Works Department may not require any person to employ more BMPs than are needed to meet the 5 tons per acre per year sediment performance standard in order to comply with **MEP**. Erosion and sediment control BMPs may be combined to meet the sediment performance standard. The Public Works Department may give credit toward meeting the sediment performance standard for limiting the duration, area, or both of land disturbing construction activity or for other appropriate mechanisms; and
 - c. Notwithstanding Sec. 6-6-7(2)(c)2(a) and (b), if BMPs cannot be designed and implemented to meet the 5 tons per acre per year sediment performance standard, the plan shall include a written, site-specific explanation of why the sediment performance standard cannot be met and how the sediment load will be reduced to the **MEP**.
- 3. The plan shall incorporate all of the following preventative measures:
 - a. Maintenance of existing vegetation, especially adjacent to surface waters whenever possible;
 - b. Minimization of soil compaction and preservation of topsoil;
 - c. Minimization of land disturbing construction activity on slopes of 20% or more; and
 - d. Development of spill prevention and response procedures.
- (d) **LOCATION.** BMPs shall be located so that treatment occurs before runoff enters waters of the state and offsite separate storm sewers. However, projects that require BMP placement in waters of the state, such as a turbidity barrier, are not prohibited by this ordinance.
- (e) **IMPLEMENTATION.** The BMPs used to comply with this ordinance shall be implemented as follows:
 - 1. In accordance with the plan developed pursuant to Sec. 6-6-9, the erosion and sediment control practices shall be constructed or installed before land disturbing construction activities begin;

2. Erosion and sediment control practices shall be maintained until final stabilization;
 3. Final stabilization activity shall commence when land disturbing activities cease and final grade has been reached on any portion of the site;
 4. Temporary stabilization activity shall commence when land disturbing activities have temporarily ceased and will not resume for a period exceeding 14 calendar days; and
 5. BMPs that are no longer necessary for erosion and sediment control shall be removed by the responsible party.
- (f) **TARGETED PERFORMANCE STANDARDS.** The Public Works Department may establish numeric water quality requirements that are more stringent than those set forth in Sec. 6-6-7(2)(c) in order to meet targeted performance standards, total maximum daily loads, and/or water quality standards for a specific water body or area. The numeric water quality requirements may be applicable to any permitted site, regardless of the size of land disturbing construction activity.
- (g) **ALTERNATE REQUIREMENTS.** The Public Works Department may establish erosion and sediment control requirements more stringent than those set forth in this section if the Public Works Department determines that an added level of protection is needed to protect resources. Also, the Public Works Department may establish erosion and sediment control requirements less stringent than those set forth in this section if the Public Works Department determines that less protection is needed to protect resources. However, the alternative requirements shall not be less stringent than those requirements promulgated in rules by Wisconsin Department of Natural Resources under NR 151 Wisconsin Administrative Code.

SEC. 6-6-8 PERMITTING REQUIREMENTS, PROCEDURES, AND FEES.

- (1) **PERMIT REQUIRED.** When a permit is required, no responsible party may commence a land disturbing construction activity subject to this ordinance without receiving prior approval of an erosion and sediment control plan for the site and a permit from the Public Works Department.
- (2) **PERMIT APPLICATION AND FEES.** When a permit is required, at least one responsible party desiring to undertake a land disturbing construction activity subject to this ordinance shall submit an application for a permit and an erosion and sediment control plan that meets the requirements of Sec. 6-6-9 and shall pay an application fee as established by the [City's Common Council](#) ~~Public Works Department~~. By submitting an application, the applicant is authorizing the Public Works Department to enter the site to obtain information required for the review of the erosion and sediment control plan.
- (3) **REVIEW AND APPROVAL OF PERMIT APPLICATION.** The Public Works Department shall review any permit application submitted with an erosion and sediment control plan and the required fee. The following approval procedure shall be used.
 - (a) Within 20 business days of the receipt of a complete permit application, as required by Sec. 6-6-8(2), the Public Works Department shall inform the applicant whether the application and plan are approved or disapproved based on the requirements of this ordinance.

- (b) If the permit application and plan are approved, the Public Works Department shall issue the permit.
 - (c) If the permit application or plan is disapproved, the Public Works Department shall state in writing the reasons for disapproval.
 - (d) The Public Works Department may request additional information from the applicant. If additional information is submitted, the Public Works Department shall have 20 business days from the date the additional information is received to inform the applicant that the plan is either approved or disapproved.
 - (e) Failure by the Public Works Department to inform the permit applicant of a decision within 20 business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- (4) **FINANCIAL GUARANTEE.** As a condition of approval and issuance of the permit, the Public Works Department may require the applicant to deposit a surety bond, cash escrow, or irrevocable letter of credit to guarantee a good faith execution of the approved erosion and sediment control plan and any permit conditions.
- (5) **PERMIT REQUIREMENTS.** All permits issued under this ordinance shall be subject to the following conditions and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. The Public Works Department may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the Public Works Department to suspend or revoke this permit may be appealed in accordance with Sec. 6-6-13.
- (a) Notify the Public Works Department within 48 hours of commencing any land disturbing construction activity.
 - (b) Notify the Public Works Department of completion of any BMPs within 10 business days after their installation.
 - (c) Obtain permission in writing from the Public Works Department prior to any modification pursuant to Sec. 6-6-9(2) of the erosion and sediment control plan.
 - (d) Install all BMPs as identified in the approved erosion and sediment control plan.
 - (e) Maintain all road drainage systems, stormwater drainage systems, BMPs and other facilities identified in the erosion and sediment control plan.
 - (f) Repair any siltation or erosion damage to adjoining surfaces and drainage ways resulting from land disturbing construction activities and document repairs in weekly inspection reports.
 - (g) Conduct construction site inspections at least once per week and within 24 hours after a precipitation event of 0.5 inches or greater. Repair or replace erosion and sediment control BMPs as necessary within 24 hours of an inspection or notification that repair or replacement is needed. Maintain weekly written reports of all inspections at the construction site. Weekly inspection reports shall include all of the following: date, time, and location of the construction site inspection; the name of individual who performed the inspection; an assessment of the condition of erosion and sediment controls; a description of any erosion and sediment control BMP implementation and maintenance performed; and a description of the present phase of land disturbing construction activity at the construction site.

- (h) Allow the Public Works Department to enter the site for the purpose of inspecting compliance with the erosion and sediment control plan or for performing any work necessary to bring the site into compliance with the control plan. Keep a copy of the erosion and sediment control plan, storm water management plan, amendments, weekly inspection reports, and permit at the construction site until permit coverage is terminated.
- (i) The permit applicant shall post the “Certificate of Permit Coverage” in a conspicuous location at the construction site.
- (6) **PERMIT CONDITIONS.** Permits issued under this section may include conditions established by Public Works Department in addition to the requirements set forth in Sec. 6-6-8(5), where needed to assure compliance with the performance standards in Sec. 6-6-7.
- (7) **PERMIT DURATION.** Permits issued under this section shall be valid for a period of 180 days, or the length of the building permit or other construction authorizations, whichever is longer, from the date of issuance. The Public Works Department may extend the period one or more times for up to an additional 180 days. The Public Works Department may require additional BMPs as a condition of the extension if they are necessary to meet the requirements of this ordinance.
- (8) **MAINTENANCE.** The responsible party throughout the duration of the construction activities shall maintain all BMPs necessary to meet the requirements of this ordinance until the site has undergone final stabilization.
- (9) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe requirements less stringent for applicants seeking a permit for a construction site with less than 1 acre of land disturbing construction activity.

SEC. 6-6-9 EROSION AND SEDIMENT CONTROL PLAN.

- (1) **PLAN REQUIREMENTS.** The erosion and sediment control plan required under Sec. 6-6-7(2) shall comply with the City of Menasha Storm Water Reference Guide and contain at a minimum the following information.
 - (a) Name, address, and telephone number of the landowner and responsible parties.
 - (b) A legal description of the property proposed to be developed.
 - (c) A site map with property lines, disturbed limits, and drainage patterns.
 - (d) Total area of the site and total area of the construction site that is expected to be disturbed by construction activities.
 - (e) Performance standards applicable to site.
 - (f) Proposed best management practices.
 - (g) Erosion and sediment control plan narrative.
 - (h) Construction sequence and construction schedule.
- (2) **AMENDMENTS.** The applicant shall amend the plan if any of the following occur:
 - (a) There is a change in design, construction, operation, maintenance, or schedule at the site which has the reasonable potential for the discharge of pollutants to waters of the state or separate storm sewers, and which has not otherwise been addressed in the plan;

- (b) The actions required by the plan fail to reduce the impacts of pollutants carried by construction site runoff; or
 - (c) The Public Works Department notifies the applicant of changes needed in the plan.
- (3) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe requirements less stringent for applicants seeking a permit for a construction site with less than 1 acre of disturbance.

SEC. 6-6-10 FEE SCHEDULE.

The fees referred to in other sections of this ordinance shall be established by the Common Council of the City of Menasha and may from time to time be modified by resolution. A schedule of the fees established by the Common Council shall be available for review in City Hall.

SEC. 6-6-11 INSPECTION.

Whenever land disturbing construction activities are being carried out, the Public Works Department may enter the land pursuant to the provisions of ss. 66.0119(1), (2), and (3), Wis. Stats.

SEC. 6-6-12 ENFORCEMENT.

- (1) The Public Works Department may post a stop-work order if any of the following occurs:
 - (a) Any land disturbing construction activity is being undertaken without a permit and, pursuant to Sec. 6-6-4(1) of this ordinance, a permit is required for the construction site;
 - (b) The erosion and sediment control plan is not being implemented in a good faith manner;
 - (c) The conditions of the permit are not being met; or
 - (d) Any land disturbing construction activity is in violation of the ordinance.
- (2) If the responsible party does not cease activity as required in a stop-work order posted under this section or fails to comply with the erosion and sediment control plan or permit conditions, the Public Works Department may revoke the permit.
- (3) If the responsible party, where no permit has been issued, does not cease the activity after being notified by the Public Works Department, or if a responsible party violates a stop-work order posted under Sec. 6-6-12(1), the Public Works Department may request the City Attorney to obtain a cease and desist order in any court with jurisdiction.
- (4) The Board of Public Works may retract the stop-work order issued under Sec. 6-6-12(1) or the permit revocation under Sec. 6-6-12(2).
- (5) After posting a stop-work order under Sec. 6-6-12(1), the Public Works Department may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Public Works Department may go on the land and commence the work after issuing the notice of intent. The costs of the work performed under this ordinance by the Public Works Department, plus interest at the rate authorized by the Common Council shall be billed to the responsible party or recovered from the surety bond, cash escrow, or irrevocable letter of credit. In the event a responsible party fails to pay the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to such. VII of ch. 66, Wis. Stats.

- (6) Any person violating any of the provisions of this ordinance shall be subject to a forfeiture in accordance with Sec. 1-1-7 and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.
- (7) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunction proceedings.

SEC. 6-6-13 APPEALS.

- (1) **BOARD OF PUBLIC WORKS.** The Board of Public Works created pursuant to Sec. 2-2-5 of the City's ordinance pursuant to 62.23(7)(e), Wis. Stats.:
 - (a) Shall hear and decide appeals where it is alleged that there is error in any order, decision, or determination made by the Public Works Department in administering this ordinance except for cease and desist orders obtained under Sec. 6-6-12(3);
 - (b) Upon appeal, may authorize variances from the provisions of this ordinance which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and
 - (c) Shall use the rules, procedures, duties, and powers authorized by statute in hearing and deciding appeals and authorizing variances.
- (2) **WHO MAY APPEAL.** Appeals to the Board of Public Works may be taken by any aggrieved person or by any office, department, board, or bureau of the City of Menasha affected by any decision of the Public Works Department. Such appeal shall be filed within 10 days of the alleged grievance

SEC. 6-6-14 SEVERABILITY.

If a court of competent jurisdiction judges any section, clause, provision, or portion of this ordinance unconstitutional or invalid, the remainder of the ordinance shall remain in force and not be affected by such judgment.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of April, 2016.

 Donald Merkes, Mayor

ATTEST: _____

 Deborah A. Galeazzi, City Clerk

ORDINANCE O-3-16

AN ORDINANCE REGARDING POST-CONSTRUCTION STORM WATER MANAGEMENT

As Recommended by the Board of Public Works.

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

SECTION 1: Repeal Title 6, Chapter 7 of the Code of Ordinances of the City of Menasha, Wisconsin, by recreating Title 6, Chapter 7 as follows.

SEC. 6-7-1 AUTHORITY.

- (1) This ordinance is adopted by the Common Council under the authority granted by s. 62.234, for cities, Wis. Stats. This ordinance supersedes all provisions of an ordinance previously enacted under s. 62.23, Wis. Stats., that relate to storm water management regulations. Except as otherwise specified in s. 62.234, Wis. Stats., s. 62.23, Wis. Stats., applies to this ordinance and to any amendments to this ordinance.
- (2) The provisions of this ordinance are deemed not to limit any other lawful regulatory powers of the Common Council.
- (3) The Common Council hereby designates the Director of Public Works and/or designees to administer and enforce the provisions of this ordinance.
- (4) The requirements of this ordinance do not pre-empt more stringent storm water management requirements that may be imposed by any of the following:
 - (a) Wisconsin Department of Natural Resources administrative rules, permits, or approvals including those authorized under ss. 281.16 and 283.33, Wis. Stats. or
 - (b) Targeted performance standards promulgated in rules by the Wisconsin Department of Natural Resources under s. NR 151.004, Wis. Adm. Code.

SEC. 6-7-2 FINDINGS OF FACT.

The Common Council finds that uncontrolled, post-construction runoff has a significant impact upon water resources and the health, safety, and general welfare of the community and diminishes the public enjoyment and use of natural resources. Specifically, uncontrolled post-construction runoff can:

- (1) Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows, and increasing stream temperature;
- (2) Diminish the capacity of lakes and streams to support fish, aquatic life, and recreational and water supply uses by increasing pollutant loading of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens, and other urban pollutants;
- (3) Alter wetland communities by changing wetland hydrology and by increasing pollutant loads;
- (4) Reduce the quality of groundwater by increasing pollutant loading;
- (5) Threaten public health, safety, property, and general welfare by overtaxing storm sewers, drainage ways, and other minor drainage facilities;
- (6) Threaten public health, safety, property, and general welfare by increasing major flood peaks and volumes; and/or

- (7) Undermine floodplain management efforts by increasing the incidence and levels of flooding.

SEC. 6-7-3 PURPOSE AND INTENT.

- (1) **PURPOSE.** The general purpose of this ordinance is to establish long-term, post-construction runoff management requirements that will diminish the threats to public health, safety, welfare, and the aquatic environment. Specific purposes are to:
- (a) Further the maintenance of safe and healthful conditions;
 - (b) Prevent and control the adverse effects of storm water; prevent and control soil erosion; prevent and control water pollution; protect spawning grounds, fish, and aquatic life; control building sites, placement of structures and land uses; preserve ground cover and scenic beauty; and promote sound economic growth; and
 - (c) Control exceedance of the safe capacity of existing drainage facilities and receiving water bodies; prevent undue channel erosion; control increases in the scouring and transportation of particulate matter; and prevent conditions that endanger downstream property.
- (2) **INTENT.** It is the intent of the Common Council that this ordinance regulates post-construction storm water discharges to waters of the state. This ordinance may be applied on a site-by-site basis. The Common Council recognizes, however, that the preferred method of achieving the storm water performance standards set forth in this ordinance is through the preparation and implementation of comprehensive, systems-level storm water management plans that cover hydrologic units, such as watersheds, on a municipal and regional scale. Such plans may prescribe regional storm water devices, practices, or systems, any of which may be designed to treat runoff from more than one site prior to discharge to waters of the state. Where such plans are in conformance with the performance standards developed under s. 281.16, Wis. Stats., for regional storm water management measures and have been approved by the Common Council, it is the intent of this ordinance that the approved plan be used to identify post-construction management measures acceptable for the community.

SEC. 6-7-4 APPLICABILITY AND JURISDICTION.

(1) **APPLICABILITY.**

- (a) Where not otherwise limited by law, this ordinance applies to all post-construction sites, unless the site is otherwise exempt under Sec. 6-7-4(1)(b).
- (b) A post-construction site that meets any of the following criteria is exempt from the requirements of this ordinance.
 - 1. 1- and 2-family residential dwellings that are not part of a larger common plan of development or sale and that result in less than 1 acre of disturbance.
 - 2. Non-point discharges from agricultural activity areas.
 - 3. Non-point discharges from silviculture activities.
 - 4. Mill and crush operations.
- (c) Notwithstanding the applicability requirements in Sec. 6-7-4(1) (a), this ordinance applies to post-construction sites of any size that, in the opinion of the Public Works Department, are likely to result in runoff that exceeds the safe capacity of the existing drainage facilities or receiving body of water, causes undue channel erosion,

increases water pollution by scouring or the transportation of particulate matter, or endangers property or public safety.

- (2) **JURISDICTION.** This ordinance applies to post-construction sites within the boundaries and jurisdiction of the City of Menasha.
- (3) **EXCLUSIONS.** This ordinance is not applicable to activities conducted by a state agency, as defined under s. 227.01 (1), Wis. Stats., but also including the office of district attorney, which is subject to the state plan promulgated or a memorandum of understanding entered into under s. 281.33 (2), Wis. Stats.

SEC. 6-7-5 DEFINITIONS.

- (1) “Adequate sod or self-sustaining vegetative cover” means maintenance of sufficient vegetation types and densities such that the physical integrity of the streambank or lakeshore is preserved. Self-sustaining vegetative cover includes grasses, forbs, sedges, and duff layers of fallen leaves and woody debris.
- (2) “Administering authority” means a governmental employee, or a regional planning commission empowered under s. 62.234, Wis. Stats., that is designated by the Common Council to administer this ordinance.
- (3) “Agricultural activity area” means the part of the farm where there is planting, growing, cultivating, and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. Practices in this area may include waterways, drainage ditches, diversions, terraces, farm lanes, excavation, filling, and similar practices. The agricultural activity area does not include the agricultural production area.
- (4) “Agricultural production area” means the part of the farm where there is concentrated production activity or impervious surfaces. Agricultural production areas include buildings, driveways, parking areas, feed storage structures, manure storage structures, and other impervious surfaces. The agricultural production area does not include the agricultural activity area.
- (5) “Atlas 14” means the National Oceanic and Atmospheric Administration (NOAA) Atlas 14 Precipitation-Frequency Atlas of the United States, Volume 8 (Midwestern States), published in 2013.
- (6) “Average annual rainfall” means a typical calendar year of precipitation as determined by the Wisconsin DNR for users of models such as SLAMM, P8, or equivalent methodology. The average annual rainfall is chosen from a Wisconsin DNR publication for the location closest to the City of Menasha.
- (7) “Best management practice” (**BMP**) means structural or non-structural measures, practices, techniques, or devices employed to avoid or minimize soil, sediment, or pollutants carried in runoff to waters of the state.
- (8) “Business day” means a day the office of the Public Works Department is routinely and customarily open for business.
- (9) “Cease and desist order” means a court-issued order to halt land disturbing construction activity being conducted without the required permit.
- (10) “Combined sewer system” means a system for conveying both sanitary sewage and storm water runoff.

- (11) “Common plan of development or sale” means a development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A common plan of development or sale includes, but is not limited to, subdivision plats, certified survey maps, and other developments.
- (12) “Connected imperviousness” means an impervious surface connected to the waters of the state via a separate storm sewer, an impervious flow path, or a minimally pervious flow path.
- (13) “Construction site” means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale.
- (14) “Design storm” means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall. The - TP-40, Type II, 24-hour design storms for City of Menasha are: 1-year, 2.2 inches; 2-year, 2.5 inches; 5-year, 3.3 inches; 10-year, 3.8 inches; 25-year, 4.4 inches; and 100-year, 5.3 inches. The Atlas 14, MSE4, 24-hour design storms for the City of Menasha are: 1-year, 2.19 inches; 2-year, 2.51 inches; 5-year, 3.09 inches; 10-year, 3.62 inches; 25-year, 4.42 inches; and 100-year, 5.83 inches.
- (15) “Development” means residential, commercial, industrial, institutional, or other land uses and associated roads.
- (16) “Direct conduits to groundwater” means wells, sinkholes, swallet, fractured bedrock at the surface, mine shafts, nonmetallic mines, tile inlets discharging to groundwater, quarries, or depressed groundwater recharge areas over shallow fractured bedrock.
- (17) “Division of land” means the creation from one or more parcels or building sites of additional parcels or building sites where such creation occurs at one time or through the successive partition within a 5 year period.
- (18) “Effective infiltration area” means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms, or pretreatment.
- (19) “Erosion” means the process by which the land’s surface is worn away by the action of wind, water, ice, or gravity.
- (20) "Exceptional resource waters" means waters listed in s. NR 102.11, Wis. Adm. Code.
- (21) “Existing development” means development in existence on October 1, 2004 or development for which a storm water permit in accordance with subch. III of Ch. NR 216, Wis. Adm. Code, was received on or before October 1, 2004.
- (22) “Extraterritorial” means the unincorporated area within 3 miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.
- (23) “Filtering layer” means soil that has at least a 3-foot deep layer with at least 20 percent fines, a 5-foot deep layer with at least 10 percent fines, or an engineered soil with an equivalent level of protection as determined by the Public Works Department for the site.
- (24) "Final stabilization" means that all land disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or that employ equivalent permanent stabilization measures.

- (25) “Financial guarantee” means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantee is submitted to the Public Works Department by the responsible party to assure that requirements of the ordinance are carried out in compliance with the storm water management plan.
- (26) “Governing body” means city council, which is the City of Menasha Common Council.
- (27) “Highway” has the meaning given in s. 340.01 (22), Wis. Stats.
- (28) “Highway reconditioning” has the meaning given in s. 84.013 (1) (b), Wis. Stats.
- (29) “Highway reconstruction” has the meaning given in s. 84.013(1) (c), Wis. Stats.
- (30) “Highway resurfacing” has the meaning given in s. 84.013(1) (d), Wis. Stats.
- (31) “Impervious surface” means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots, and streets are examples of surfaces that are typically impervious. Gravel surfaces are considered impervious unless specifically designed to encourage infiltration.
- (32) “In-fill” means an undeveloped area of land or new development area located within an existing urban sewer service area surrounded by natural or man-made features where development cannot occur. In-fill does not include any undeveloped area that was part of a larger new development for which a storm water permit in accordance with subch. III of ch. NR 216, Wis. Adm. Code, was required to be submitted after October 1, 2004 to the Wisconsin Department of Natural Resources or Wisconsin Department of Safety and Professional Services (formerly Department of Commerce).
- (33) “Infiltration” means the entry and movement of precipitation or runoff into or through soil.
- (34) “Infiltration system” means a device or practice such as a basin, trench, rain garden, or swale designed specifically to encourage infiltration, but that does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns, or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.
- (35) “Land disturbing construction activity” (disturbance) means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil cover that may result in runoff and lead to an increase in soil erosion and movement of pollutants into the municipal separate storm sewer or waters of the state. Disturbance includes clearing and grubbing, demolition, excavating, pit trench dewatering, filling and grading activities, and soil stockpiling.
- (36) “Maintenance agreement” means a legal document that provides for long-term maintenance of storm water management and BMP.
- (37) “Maximum extent practicable” (MEP) means the highest level of performance that is achievable but is not equivalent to a performance standard identified within this ordinance. Maximum extent practicable applies when the permit applicant demonstrates to the Public Works Department’s satisfaction that a performance standard is not achievable and that a lower level of performance is appropriate. In making the assertion that a performance standard is not achievable and that a level of performance different from the performance standard is the MEP, the permit applicant shall take into account the best available technology, cost effectiveness, geographic features, and other competing interests such as

protection of public safety and welfare, protection of endangered and threatened resources, and preservation of historic properties.

- (38) “Minor reconstruction of a highway” means reconstruction of a highway that is limited to 1.5 miles in continuous or aggregate total length of realignment, does not exceed 100 feet in width of roadbed widening, and does not include replacement of a vegetated drainage system with a non-vegetated drainage system except where necessary to convey runoff under a highway, private road, or driveway.
- (39) “MSE3 or MSE4 distribution” means a specific precipitation distribution developed by the USDA, NRCS, using precipitation data from Atlas 14.
- (40) “Navigable waters” and “navigable waterway” has the meaning given in s. 30.01(4m), Wis. Stats.
- (41) “New development” means that portion of a post-construction site where impervious surfaces are being created or expanded. Any disturbance where the amount of impervious area for the post-development condition is greater than the pre-development condition is classified as new development. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (42) “Off-site” means located outside the property boundary described in the permit application.
- (43) “On-site” means located within the property boundary described in the permit application.
- (44) "Ordinary high-water mark" has the meaning given in s. NR 115.03(6), Wis. Adm. Code.
- (45) “Outstanding resource waters” means waters listed in s. NR 102.10, Wis. Adm. Code.
- (46) “Percent fines” means the percentage of a given sample of soil which passes through a # 200 sieve.
- (47) “Performance standard” means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (48) “Permit” means a written authorization made by the Public Works Department to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (49) “Permit administration fee” means a sum of money paid to the Public Works Department by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit.
- (50) “Pervious surface” means an area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests, or other similar vegetated areas are examples of surfaces that are typically pervious.
- (51) “Pollutant” has the meaning given in s. 283.01(13), Wis. Stats.
- (52) “Pollution” has the meaning given in s. 281.01(14), Wis. Stats.
- (53) “Post-construction site” means a construction site following the completion of land disturbing construction activity and final site stabilization.
- (54) “Post-development” means the extent and distribution of land cover types present after the completion of land disturbing construction activity and final site stabilization.

- (55) “Pre-development” means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming all land uses prior to development activity are managed in an environmentally sound manner.
- (56) “Preventive action limit” has the meaning given in s. NR 140.05(17), Wis. Adm. Code.
- (57) “Redevelopment” means the portion of a post-construction site where impervious surfaces are being reconstructed, replaced, or reconfigured. Any disturbance where the amount of impervious area for the post-development condition is equal to or less than the pre-development condition is classified as redevelopment. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (58) “Responsible party” means any entity holding fee title to the property or other person contracted or obligated by other agreement to implement and maintain post-construction storm water BMPs.
- (59) “Routine maintenance” means the portion of a post-construction site where pre-development impervious surfaces are being maintained to preserve the original line and grade, hydraulic capacity, drainage pattern, configuration, or purpose of the facility. Remodeling of buildings and resurfacing of parking lots, streets, driveways, and sidewalks are examples of routine maintenance, provided the lower ½ of the impervious surface’s granular base is not disturbed. The disturbance shall be classified as redevelopment if the lower ½ of the granular base associated with the pre-development impervious surface is disturbed or if the soil located beneath the impervious surface is exposed. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (60) “Runoff” means storm water or precipitation including rain, snow or ice melt, or similar water that moves on the land surface via sheet or channelized flow.
- (61) “Sediment” means solid material, which can settle, that is transported by runoff, suspended within runoff, or deposited by runoff away from its original location.
- (62) “Separate storm sewer” means a conveyance or system of conveyances, including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains, which meet all of the following criteria:
- (a) Is designed or used for collecting water or conveying runoff.
 - (b) Is not part of a combined sewer system.
 - (c) Is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment.
 - (d) Discharges directly or indirectly to waters of the state.
- (63) “Silviculture activities” means activities including tree nursery operations, tree harvesting operations, reforestation, tree thinning, prescribed burning, and pest and fire control. Clearing and grubbing of an area of a construction site is not a silviculture activity.
- (64) “Site” means the entire area included in the legal description of the land on which the land disturbing construction activity occurred.
- (65) “Stop work order” means an order issued by the Public Works Department which requires all construction activity on the site be stopped.

- (66) “Storm water management plan” means a comprehensive plan designed to reduce the discharge of pollutants from storm water after the site has undergone final stabilization following completion of the construction activity.
- (67) “Storm water management system plan” is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.
- (68) “Targeted performance standard” means a performance standard that will apply in a specific area, where additional practices beyond those contained in this ordinance are necessary to meet water quality standards. A total maximum daily load is an example of a targeted performance standard.
- (69) "Technical standard" means a document that specifies design, predicted performance and operation, and maintenance specifications for a material, device, or method.
- (70) “Top of the channel” means an edge or point on the landscape, landward from the ordinary high-water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high-water mark, the top of the channel is the ordinary high-water mark.
- (71) “Total maximum daily load” (TMDL) means the amount of pollutants specified as a function of one or more water quality parameters that can be discharged per day into a water quality limited segment and still ensure attainment of the applicable water quality standard.
- (72) “TP-40” means the Technical Paper No. 40, Rainfall Frequency Atlas of the United States, published in 1961.
- (73) “TR-55” means the United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986, which is incorporated by reference for this ordinance.
- (74) “Transportation facility” means a public street, public road, public highway, railroad, public mass transit facility, public-use airport, public trail, or any other public work for transportation purposes, such as harbor improvements under s. 85.095(1) (b), Wis. Stats. Transportation facility does not include building sites for the construction of public buildings and buildings that are places of employment regulated by the Wisconsin Department of Natural Resources pursuant to s. 281.33, Wis. Stats.
- (75) “Type II distribution” means a rainfall type curve as established in the “United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973,” which is incorporated by reference for this ordinance. The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.
- (76) “Waters of the state” has the meaning given in s. 283.01 (20), Wis. Stats.

SEC. 6-7-6 TECHNICAL STANDARDS.

The following methods shall be used in designing and maintaining the water quality, peak discharge, infiltration, protective area, vehicle maintenance or fueling, and swale treatment components of storm water practices needed to meet the water quality standards of this ordinance.

- (1) Technical standards identified, developed or disseminated by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.

- (2) Technical standards and guidance identified within the City of Menasha Storm Water Reference Guide.
- (3) Where technical standards have not been identified or developed by the Wisconsin Department of Natural Resources, other technical standards may be used provided that the methods have been approved by the Public Works Department.

SEC. 6-7-7 PERFORMANCE STANDARDS.

- (1) **RESPONSIBLE PARTY.** The responsible party shall develop and implement a post-construction storm water management plan that incorporates the requirements of this section.
- (2) **PLAN.** A written storm water management plan shall be developed and implemented by the responsible party in accordance with Sec. 6-7-9. The storm water management plan shall meet all of the applicable requirements contained in this ordinance.
- (3) **REQUIREMENTS.** The storm water management plan shall meet the following minimum requirements to the **MEP**:

(a) **WATER QUALITY.** BMPs shall be designed, installed, and maintained to control pollutants carried in runoff from the post-construction site. The design shall be based on the average annual rainfall as compared to no runoff management controls.

1. For post-construction sites with 20,000 square feet or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance, the following is required.

a. Except as provided in Sec. 6-7-7(3)(a)1.b., a Total Suspended Solids (TSS) and Total Phosphorus (TP) reduction is required as follows:

Watershed	Percent Reduction					
	New Development		Redevelopment		Routine Maintenance	
	TSS	TP	TSS	TP	TSS	TP
Lake Winnebago	80%	60%	40%	30%	40%	30%
Lower Fox River	80%	60%	72%	41%	72%	41%

b. A pollutant reduction is not required for routine maintenance areas that are part of a post-construction site with less than 5 acres of disturbance.

- 2. Post-construction sites with less than 20,000 square feet of impervious surface disturbance that reduce the pollutant load using BMPs from the City of Menasha Storm Water Reference Guide are not required to satisfy a numeric performance standard.
- 3. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after January 5, 2009 are required to satisfy the performance standards within Sec. 6-7-7(3) (a) 1. a. and b.

4. The amount of pollutant control previously required for the site shall not be reduced as a result of the proposed development or disturbance.
 5. When designing BMPs, runoff draining to the BMP from offsite areas shall be taken into account in determining the treatment efficiency of the practice. Any impact on the BMP efficiency shall be compensated for by increasing the size of the BMP accordingly. The pollutant load reduction provided by the BMP for an offsite area shall not be used to satisfy the required onsite pollutant load reduction, unless otherwise approved by the Public Works Department in accordance with Sec. 6-7-7(5).
 6. If the design cannot meet the water quality performance standards of Sec. 6-7-7(3)(a)1-5., the storm water management plan shall include a written, site specific explanation of why the water quality performance standard cannot be met and why the pollutant load will be reduced only to the **MEP**. Except as provided in Sec. 6-7-7(6), the Public Works Department may not require any person to exceed the applicable water quality performance standard to meet the requirements of **MEP**.
- (b) **PEAK DISCHARGE.** BMPs shall be designed, installed, and maintained to control peak discharges from the post-construction site.

1. For post-construction sites with 20,000 square feet or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance, the following is required.
 - a. The peak post-development discharge rate shall not exceed the peak pre-development discharge rate for the 1-year, 2-year, 10-year, 100-year, and 24-hour design storms. These peak discharge requirements apply to new development and redevelopment areas. No peak discharge control is required for routine maintenance areas unless runoff from the routine maintenance area discharges into a proposed peak flow control facility.
 - b. TR-55 methodology, Atlas 14 precipitation depths, and the MSE3 or MSE4 distribution shall be used for peak discharge calculations unless the administering authority approves the TP-40 precipitation depths and Type II distribution. The meaning of “hydrologic soil group” and “runoff curve number” are as determined in TR-55. Unless the site is currently woodland, peak pre-development discharge rates shall be determined using the following runoff curve numbers for a “meadow” vegetative cover.

Maximum Pre-Development Runoff Curve Numbers				
Vegetative Cover	Hydrologic Soil Group			
	A	B	C	D
Meadow	30	58	71	78
Woodland	30	55	70	77

2. Post-construction sites with less than 20,000 square feet of impervious surface disturbance that reduce peak post-development discharge rates using BMPs from the City of Menasha Storm Water Reference Guide are not required to satisfy a numeric performance standard.
 3. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after January 5, 2009 are required to satisfy the performance standards within Sec. 6-7-7(3) (b)1.a. and b.
 4. The amount of peak discharge control previously required for the site shall not be reduced as a result of the proposed development or disturbance.
 5. When designing BMPs, runoff draining to the BMP from offsite areas shall be taken into account in determining the performance of the practice. Any impact on the BMP performance shall be compensated for by increasing the size of the BMP accordingly. The peak discharge reduction provided by the BMP for an offsite area shall not be used to satisfy the required onsite peak discharge reduction, unless otherwise approved by the Public Works Department in accordance with Sec. 6-7-7(5).
 6. An adequate outfall shall be provided for each point of concentrated discharge from the post-construction site. An adequate outfall consists of non-erosive discharge velocities and reasonable downstream conveyance.
 7. The peak discharge performance standards do not apply to the following:
 - a. A transportation facility where the discharge flows directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles;
 - b. Except as provided under Sec. 6-7-7(3) (b)4-6., a highway reconstruction site; or
 - c. Except as provided under Sec. 6-7-7(3) (b)4-6., a transportation facility that is part of a redevelopment project.
- (c) **INFILTRATION.** BMPs shall be designed, installed, and maintained to infiltrate runoff from the post-construction site, except as provided in Sec. 6-7-7(3)(c)8-12.
1. For post-construction sites with 1 acre or more of land disturbance, the following is required.
 - a. *Low Imperviousness.* For development below 40 percent connected imperviousness, such as parks, cemeteries, and low density residential developments, the post-construction sites will infiltrate sufficient runoff volume so that the post-development infiltration volume is at least 90 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than one percent of the post-construction site is required as an effective infiltration area.
 - b. *Moderate imperviousness.* For development with more than 40 percent and up to 80 percent connected imperviousness, such as medium and high density residential, multi-family development,

industrial and institutional development, and office parks, the post-construction **site will infiltrate** sufficient runoff volume so that the post-development infiltration volume is at least 75 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.

c. *High imperviousness.* For development with more than 80 percent connected imperviousness, such as commercial strip malls, shopping centers, and commercial downtowns, the post-construction site **will infiltrate** sufficient runoff volume so that the post-development infiltration volume is at least 60 percent of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2 percent of the post-construction site is required as an effective infiltration area.

2. Pre-development condition shall assume “good hydrologic conditions” for appropriate land covers as identified in TR-55 or an equivalent methodology approved by the administering authority. The meaning of “hydrologic soil group” and “runoff curve number” are as determined in TR-55. The actual pre-development vegetative cover and the following pre-development runoff curve numbers shall be used.

Maximum Pre-Development Runoff Curve Numbers				
Vegetative Cover	Hydrologic Soil Group			
	A	B	C	D
Woodland	30	55	70	77
Grassland	39	61	71	78
Cropland	55	69	78	83

3. Post-construction sites with less than 1 acre of land disturbance should infiltrate runoff volume using BMPs from the City of Menasha Storm Water Reference Guide are not required to satisfy a numeric performance standard.
4. Sites with a cumulative addition of 1 acre or more of new development after January 5, 2009 are required to satisfy the performance standards within Sec. 6-7-7(3)(c)1. and 2.
5. The amount of infiltration previously required for the site shall not be reduced as a result of the proposed development or disturbance.
6. When designing BMPs, runoff draining to the BMP from offsite areas shall be taken into account in determining the performance of the practice. Any impact on the BMP performance shall be compensated for by increasing the size of the BMP accordingly. The runoff volume reduction provided by the BMP for an offsite area shall not be used to satisfy the required onsite runoff

volume reduction, unless otherwise approved by the Public Works Department in accordance with Sec. 6-7-7(5).

7. *Pretreatment.* Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from road construction in commercial, industrial, and institutional areas that will enter an infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality in accordance with Sec. 6-7-7(3) (c) 14. Pretreatment options may include, but are not limited to, oil/grease separation, sedimentation, biofiltration, filtration, swales, or filter strips.
8. *Source area prohibitions.* Runoff from the following areas may not be infiltrated and may not qualify as contributing to meeting the requirements of Sec. 6-7-7(3)(c) unless demonstrated to meet the conditions of Sec. 6-7-7(3)(c)14.
 - a. Areas associated with a tier 1 industrial facility identified in s. NR 216.21(2) (a), Wis. Adm. Code, including storage, loading, and parking. Rooftops may be infiltrated with the concurrence of the Public Works Department.
 - b. Storage and loading areas of a tier 2 industrial facility identified in s. NR 216.21(2) (b), Wis. Adm. Code.
 - c. Fueling and vehicle maintenance areas. Rooftops of fueling and vehicle maintenance areas may be infiltrated with the concurrence of the Public Works Department.
9. *Source area exemptions.* Runoff from the following areas may be credited toward meeting the requirement when infiltrated, but the decision to infiltrate runoff from these sources is optional.
 - a. Parking areas and access roads less than 5,000 square feet for commercial development.
 - b. Parking areas and access roads less than 5,000 square feet for industrial development not subject to the prohibitions under Sec. 6-7-7(3)(c)8.
 - c. Redevelopment and routine maintenance areas, except as provided under Sec. 6-7-7(3)(c)5.
 - d. In-fill development areas less than 5 acres.
 - e. Roads in commercial, industrial, and institutional land uses and arterial residential roads.
 - f. Transportation facility highway reconstruction and new highways, except as provided under Sec. 6-7-7(3)(c)5.
10. *Prohibitions.* Infiltration practices may not be located in the following areas.
 - a. Areas within 1,000 feet upgradient or within 100 feet downgradient of direct conduits to groundwater.

- b. Areas within 400 feet of a community water system well as specified in s. NR 811.16(4), Wis. Adm. Code, or within the separation distances listed in s. NR 812.08, Wis. Adm. Code, for any private well or non-community well for runoff infiltrated from commercial, multi-family residential, industrial, and institutional land uses or regional devices for 1- and 2-family residential development.
- c. Areas where contaminants of concern, as defined in s. NR 720.03(2), Wis. Adm. Code, are present in the soil through which infiltration will occur.

11. *Separation distances.* Infiltration practices shall be located so that the characteristics of the soil and the separation distance between the bottom of the infiltration system and the elevation of seasonal high groundwater or the top of bedrock are in accordance with the following specifications.

Separation Distances and Soil Characteristics		
Source Area	Separation Distance	Soil Characteristics
Industrial, Commercial, Institutional Parking Lots and Roads	5 feet or more	Filtering Layer
Residential Arterial Roads	5 feet or more	Filtering Layer
Roofs Draining to Subsurface Infiltration Practices	1 foot or more	Native or Engineered Soil with Particles Finer than Coarse Sand
Roofs Draining to Surface Infiltration Practices	Not Applicable	
All Other Impervious Source Areas	3 feet or more	Filtering Layer

Notwithstanding Sec. 6-7-7(3)(c)11., applicable requirements for injection wells classified under ch. NR 815, Wis. Adm. Code, shall be followed.

12. *Infiltration rate exemptions.* Infiltration practices located in the following areas may be credited toward meeting the requirement under the following conditions but the decision to infiltrate under these conditions is optional.
- a. Where the infiltration rate of the soil measured at the proposed bottom of the infiltration system is less than 0.6 inches per hour using a scientifically credible field test method.
 - b. Where the least permeable soil horizon to 5 feet below the proposed bottom of the infiltration system using the U.S. Department of Agriculture method of soils analysis is one of the following: sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, or clay.

13. *Alternate uses.* Where alternate uses of runoff are employed, such as for toilet flushing, laundry, irrigation, or storage on green roofs where an equivalent portion of the runoff is captured permanently by rooftop vegetation, such alternate use shall be given equal credit toward the infiltration volume required by Sec. 6-7-7(3)(c).
14. *Groundwater standards.*
 - a. Infiltration systems designed in accordance with this Sec. 6-7-7(3)(c) shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with ch. NR 140, Wis. Adm. Code. However, if site specific information indicates that compliance with a preventive action limit is not achievable, the infiltration BMP may not be installed or shall be modified to prevent infiltration to the **MEP**.
 - b. Notwithstanding Sec. 6-7-7(3)(c)14.a., the discharge from BMPs shall remain below the enforcement standard at the point of standards application.
15. Where the conditions of Sec. 6-7-7(3)(c)8-12. limit or restrict the use of infiltration practices, the performance standard of Sec. 6-7-7(3)(c) shall be met to the **MEP**.

(d) **PROTECTIVE AREAS.**

1. “Protective area” means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and is the greatest of the following widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface. However, in Sec. 6-7-7(3)(d), “protective area” does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location.
 - a. For outstanding resource waters and exceptional resource waters, 75 feet.
 - b. For perennial and intermittent streams identified on a United States geological survey 7.5-minute series topographic map or a county soil survey map, whichever is more current, 50 feet.
 - c. For lakes, 50 feet.
 - d. For wetlands not subject to Sec. 6-7-7(3)(d)1.e. or f., 50 feet.
 - e. For highly susceptible wetlands, 75 feet. Highly susceptible wetlands include the following types: calcareous fens, sedge meadows, open and coniferous bogs, low prairies, coniferous swamps, lowland hardwood swamps, and ephemeral ponds.
 - f. For less susceptible wetlands, 10 percent of the average wetland width, but no less than 10 feet nor more than 30 feet. Less susceptible wetlands include the following types: degraded wetlands dominated

by invasive species, such as reed canary grass, cultivated hydric soils, and any gravel pits or dredged or fill material disposal sites that take on the attributes of a wetland.

- g. In Sec. 6-7-7(3)(d)1.d-f., determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in s. NR 103.03, Wis. Adm. Code.
 - h. Wetlands shall be delineated. Wetland boundary delineations shall be made in accordance with s. NR 103.08(1m), Wis. Adm. Code. Sec. 6-7-7(3)(d) does not apply to wetlands that have been completely filled in compliance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in compliance with all applicable state and federal regulations shall be measured from the wetland boundary delineation after fill has been placed. Where there is a legally authorized wetland fill, the protective area standard need not be met in that location.
 - i. For concentrated flow channels with drainage areas greater than 130 acres, 10 feet.
 - j. Notwithstanding Sec. 6-7-7(3)(d)1.a- i., the greatest protective area width shall apply where rivers, streams, lakes, and wetlands are contiguous.
- 2. Sec. 6-7-7(3)(d) applies to all post-construction sites located within a protective area except those areas exempted pursuant to Sec. 6-7-7(3)(d)5.
 - 3. The following requirements shall be met:
 - a. Impervious surfaces shall be kept out of the protective area entirely or to the **MEP**. If there is no practical alternative to locating an impervious surface in the protective area, the storm water management plan shall contain a written, site-specific explanation.
 - b. Where land disturbing construction activity occurs within a protective area, adequate sod or self-sustaining vegetative cover of 70 percent or greater shall be established and maintained where no impervious surface is present. The adequate sod or self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat, and filtering of pollutants from upslope overland flow areas under sheet flow conditions. Non-vegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high velocity flows occur.
 - c. Best management practices such as filter strips, swales, or wet detention ponds, designed to control pollutants from non-point sources may be located in the protective area.
 - 4. A protective area established or created after January 5, 2009 shall not be eliminated or reduced, except as allowed in Sec. 6-7-7(3)(d)5.b., c., or d.
 - 5. *Exemptions.* The following areas are not required to meet the protective area requirements of Sec. 6-7-7(3)(d).

- a. Redevelopment and routine maintenance areas, provided the minimum requirements within Sec. 6-7-7(3)(d)4. are satisfied.
 - b. Structures that cross or access surface waters such as boat landings, bridges, and culverts.
 - c. Structures constructed in accordance with s. 59.692(1v), Wis. Stats.
 - d. Areas of post-construction sites from which the runoff does not enter the surface water, including wetlands, without first being treated by a BMP to meet the requirements of Sec. 6-7-7(3)(a) and (b), except to the extent that vegetative ground cover is necessary to maintain bank stability.
- (e) **VEHICLE MAINTENANCE AND FUELING AREAS.** Vehicle maintenance and fueling areas shall have BMPs designed, installed, and maintained to reduce petroleum within runoff so that the runoff that enters waters of the state contains no visible petroleum sheen or to the **MEP**.
- (f) **SWALE TREATMENT FOR TRANSPORTATION FACILITIES.** This Sec. 6-7-7(3)(f) is not applicable to transportation facilities that are part of a larger common plan of development or sale.
- 1. *Requirement.* Except as provided in Sec. 6-7-7(3)(f)2., transportation facilities that use swales for runoff conveyance and pollutant removal are exempt from the requirements of Sec. 6-7-7(3)(a), (b), and (c), if the swales are designed to do all of the following or to the **MEP**.
 - a. Swales shall be vegetated. However, where appropriate, non-vegetative measures may be employed to prevent erosion or provide for runoff treatment, such as rock riprap stabilization or check dams.
 - b. Swales shall comply with the Wisconsin Department of Natural Resources Technical Standard 1005, “Vegetated Infiltration Swale,” except as otherwise authorized in writing by the Wisconsin Department of Natural Resources.
 - 2. *Other Requirements.* Notwithstanding Sec. 6-7-7(3)(f)1., the Public Works Department, consistent with water quality standards, may require other requirements, in addition to swale treatment, be met on a transportation facility with an average daily traffic rate greater than 2,500 and where runoff directly enters water of the state is any of the following:
 - a. An outstanding resource water;
 - b. An exceptional resource water;
 - c. Waters listed in section 303(d) of the federal clean water act that are identified as impaired in whole or in part, due to nonpoint source impacts; or
 - d. Waters where targeted performance standards are developed pursuant to s. NR 151.004, Wis. Adm. Code.
- (g) **EXEMPTIONS.** The following areas are not required to meet the performance standards within Sec. 6-7-7(3).

1. Agricultural production areas with less than 100,000 square feet of impervious surface disturbance.
2. Underground utility construction such as water, sewer, gas, electric, telephone, cable television, and fiber optic lines. This exemption does not apply to the construction of any above ground structures associated with utility construction.
3. The following transportation facilities are exempt, provided the transportation facility is not part of a larger common plan of development or sale.
 - a. A transportation facility post-construction site with less than 10 percent connected imperviousness, based on the area of land disturbance, provided the cumulative area of all impervious surfaces is less than one acre. Notwithstanding this exemption, the protective area requirements of Sec. 6-7-7(3)(d) still apply.
 - b. Reconditioning or resurfacing of a highway.
 - c. Minor reconstruction of a highway. Notwithstanding this exemption, the protective area requirements of Sec. 6-7-7(3)(d) apply to minor reconstruction of a highway.
 - d. Routine maintenance for transportation facilities that have less than 5 acres of land disturbance if performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
 - e. Routine maintenance if performed for storm water conveyance system cleaning.

(4) **GENERAL CONSIDERATIONS FOR ON-SITE AND OFF-SITE STORM WATER MANAGEMENT MEASURES.** The following considerations shall be observed in managing runoff.

- (a) Natural topography and land cover features such as natural swales, natural depressions, native soil infiltrating capacity, and natural groundwater recharge areas shall be preserved and used, to the extent possible, to meet the requirements of this section.
- (b) Emergency overland flow for all storm water facilities shall be provided to prevent exceeding the safe capacity of downstream drainage facilities and prevent endangerment of downstream property or public safety.

(5) **BMP LOCATION AND CREDIT.**

- (a) **GENERAL.** To comply with Sec. 6-7-7(3) performance standards, the BMPs may be located on-site or off-site as part of a regional storm water device, practice, or system.
- (b) **OFFSITE OR REGIONAL BMP.**
 1. The amount of credit that the Public Works Department may give an offsite or regional BMP for purposes of determining compliance with the performance standards of Sec. 6-7-7(3) is limited to the treatment capability or performance of the BMP.

2. The Public Works Department may authorize credit for an off-site or regional BMP provided all of the following conditions are satisfied.
 - a. The BMP received all applicable permits.
 - b. The BMP shall be installed and operational before the construction site has undergone final stabilization.
 - c. The BMP shall be designed and adequately sized to provide a level of storm water control equal to or greater than that which would be afforded by on-site BMPs meeting the Sec. 6-7-7(3) performance standards.
 - d. The owner of the BMP has entered into a Sec. 6-7-10 maintenance agreement with the City of Menasha, or another municipal entity, such that the BMP has a legally obligated entity responsible for its long-term operation and maintenance. Legal authority exists if a municipality owns, operates, and maintains the BMP.
 - e. The owner of the BMP has provided written authorization which indicates the permit applicant may use the BMP for Sec. 6-7-7(3) performance standard compliance.
 - f. Where an off-site or regional BMP option exists such that the Public Works Department exempts the applicant from all or part of the minimum on-site storm water management requirements, the applicant shall be required to pay a fee in an amount determined in negotiation with the Public Works Department. In determining the fee for post-construction runoff, the Public Works Department shall consider an equitable distribution of the cost for land, engineering design, construction, and maintenance of the off-site or regional BMP.
- (c) **BMP IN NON-NAVIGABLE WATERS.** For purposes of determining compliance with the performance standards of Sec. 6-7-7(3), the Public Works Department may give credit for BMPs that function to provide treatment for runoff from existing development and post-construction runoff from new development, redevelopment, and routine maintenance areas and are located within non-navigable waters.
- (d) **BMP IN NAVIGABLE WATERS.**
 1. *New Development Runoff.* Except as allowed under Sec. 6-7-7(5)(d)2., BMPs designed to treat post-construction runoff from new development areas may not be located in navigable waters and, for purposes of determining compliance with the performance standards of Sec. 6-7-7(3), the Public Works Department may not give credit for such BMPs.
 2. *New Development Runoff Exemption.* BMPs to treat post-construction runoff from new development areas may be located within navigable waters and may be creditable by the Public Works Department under Sec. 6-7-7(3), if all the following qualifications are met.
 - a. The BMP was constructed prior to October 1, 2002 and received all applicable permits.

- b. The BMP functions or will function to provide runoff treatment for the new development area.
 - 3. *Existing Development & Post-Construction Runoff from Redevelopment, Routine Maintenance, & Infill Development Areas.* Except as provided in Sec. 6-7-7(5)(d)4., BMPs designed to treat post-construction runoff for existing development and post-construction runoff from redevelopment, routine maintenance, and infill development areas may not be located in navigable waters and, for purposes of determining compliance with the performance standards of Sec. 6-7-7(3), the Public Works Department may not give credit for such BMPs.
 - 4. *Existing Development & Post-Construction Runoff from Redevelopment, Routine Maintenance, & Infill Development Areas Exemption.* BMPs that function to provide treatment of runoff from existing development and post-construction runoff from redevelopment, routine maintenance, and infill development areas may be located within navigable waters and, for purposes of determining compliance with the performance standards of Sec. 6-7-7(3), the Public Works Department may give credit for such BMPs if any of the following are met:
 - a. The BMP was constructed, contracts were signed or bids advertised, and all applicable permits were received prior to January 1, 2011; or
 - b. The BMP is on an intermittent waterway and all applicable permits are received.
- (e) **WATER QUALITY TRADING.** To comply with Sec. 6-7-7(3)(a) performance standards, the Public Works Department may authorize credit for water quality trading provided all of the following conditions are satisfied.
- 1. The treatment practices associated with a water quality trade shall be in place, effective and operational, before credit can be authorized.
 - 2. The water quality trade shall comply with applicable trading ratios established by the Wisconsin Department of Natural Resources or the City of Menasha.
 - 3. The water quality trade shall comply with applicable regulations, standards, and guidance developed by the Wisconsin Department of Natural Resources or the City of Menasha.
 - 4. The responsible party shall furnish a copy of executed water quality trading agreements or other related information deemed necessary by the Public Works Department in order to authorize credit.
- (6) **TARGETED PERFORMANCE STANDARDS.** The Public Works Department may establish numeric water quality requirements that are more stringent than those set forth in Sec. 6-7-7(3) in order to meet targeted performance standards, total maximum daily loads, and/or water quality standards for a specific water body or area. The numeric water quality requirements may be applicable to any permitted site, regardless of the size of land disturbing construction activity.
- (7) **ALTERNATE REQUIREMENTS.** The Public Works Department may establish storm water management requirements more stringent than those set forth in this section if the

Public Works Department determines that an added level of protection is needed to protect sensitive resources. Also, the Public Works Department may establish storm water management requirements less stringent than those set forth in this section if the Public Works Department determines that less protection is needed to protect sensitive resources and provide reasonable flood protection. However, the alternative requirements shall not be less stringent than those requirements promulgated in rules by Wisconsin Department of Natural Resources under NR 151 Wisconsin Administrative Code.

SEC. 6-7-8 PERMITTING REQUIREMENTS, PROCEDURES, AND FEES.

- (1) **PERMIT REQUIRED.** No responsible party may undertake a land disturbing construction activity without receiving a post-construction runoff permit from the Public Works Department prior to commencing the proposed activity.
- (2) **PERMIT APPLICATION AND FEES.** Unless specifically excluded by this ordinance, any responsible party desiring a permit shall submit to the Public Works Department a permit application made on a form provided by the Public Works Department for that purpose.
 - (a) Unless otherwise exempted by this ordinance, a permit application must be accompanied by a storm water management plan, a maintenance agreement, and a non-refundable permit administration fee.
 - (b) The storm water management plan shall be prepared to meet the requirements of Sec. 6-7-7 and Sec. 6-7-9; the maintenance agreement shall be prepared to meet the requirements of Sec. 6-7-10; the financial guarantee shall meet the requirements of Sec. 6-7-11; and fees shall be those established by the Common Council as set forth in Sec. 6-7-12.
- (3) **REVIEW AND APPROVAL OF PERMIT APPLICATION.** The Public Works Department shall review any permit application that is submitted with a storm water management plan, maintenance agreement, and the required fee. The following approval procedure shall be used.
 - (a) Within 20 business days of the receipt of a complete permit application, including all items as required by Sec. 6-7-8(2), the Public Works Department shall inform the applicant whether the application, plan, and maintenance agreement are approved or disapproved based on the requirements of this ordinance.
 - (b) If the storm water permit application, plan, and maintenance agreement are approved, or if an agreed upon payment of fees in lieu of storm water management practices is made pursuant to Sec. 6-7-7(5), the Public Works Department shall issue the permit.
 - (c) If the storm water permit application, plan, or maintenance agreement is disapproved, the Public Works Department shall detail in writing the reasons for disapproval.
 - (d) The Public Works Department may request additional information from the applicant. If additional information is submitted, the Public Works Department shall have 20 business days from the date the additional information is received to inform the applicant the plan and maintenance agreement are either approved or disapproved.
 - (e) Failure by the Public Works Department to inform the permit applicant of a decision within 20 business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.

- (4) **PERMIT REQUIREMENTS.** All permits issued under this ordinance shall be subject to the following conditions and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. The Public Works Department may suspend or revoke a permit for violation of a permit condition, following written notification of the responsible party. An action by the Public Works Department to suspend or revoke this permit may be appealed in accordance with Sec. 6-7-14.
- (a) Compliance with this permit does not relieve the responsible party of the responsibility to comply with other applicable federal, state, and local laws and regulations.
 - (b) The responsible party shall design and install all structural and non-structural storm water management measures in accordance with the approved storm water management plan and this permit.
 - (c) The responsible party shall notify the Public Works Department at least 10 business days before commencing any work in conjunction with the storm water management plan and within 10 business days upon completion of the storm water management practices. If required as a special condition under Sec. 6-7-8(5), the responsible party shall make additional notification according to a schedule set forth by the Public Works Department so practice installations can be inspected during construction.
 - (d) Practice installations required as part of this ordinance shall be certified "as built" by a licensed professional engineer. Completed storm water management practices must pass a final inspection by the Public Works Department or its designee to determine if they are in accordance with the approved storm water management plan and ordinance. The Public Works Department, or its designee, shall notify the responsible party in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.
 - (e) The responsible party shall notify the Public Works Department of any significant modifications it intends to make to an approved storm water management plan. The Public Works Department may require the proposed modifications be submitted to it for approval prior to incorporation into the storm water management plan and execution by the responsible party.
 - (f) The responsible party shall maintain all storm water management practices in accordance with the storm water management plan until the practices either become the responsibility of the City of Menasha or are transferred to subsequent private owners as specified in the approved maintenance agreement.
 - (g) The responsible party authorizes the Public Works Department to perform any work or operations necessary to bring storm water management measures into conformance with the approved storm water management plan and consents to a special assessment or charge against the property as authorized under subch. VII of ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under Sec. 6-7-11.
 - (h) If so directed by the Public Works Department, the responsible party shall repair at the responsible party's own expense all damage to adjoining municipal facilities and drainage ways caused by runoff, where such damage is caused by activities that are not in compliance with the approved storm water management plan.

- (i) The responsible party shall permit property access to the Public Works Department or its designee for the purpose of inspecting the property for compliance with the approved storm water management plan and this permit.
 - (j) Where site development or redevelopment involves changes in direction, increases in peak rate, and/or total volume of runoff from a site, the Public Works Department may require the responsible party to make appropriate legal arrangements with affected property owners concerning the prevention of endangerment to property or public safety.
 - (k) If the responsible party fails to comply with the terms of this permit the responsible party is subject to the enforcement actions and penalties detailed in Sec. 6-7-13.
 - (l) The permit applicant shall post the “Certificate of Permit Coverage” in a conspicuous location at the construction site.
- (5) **PERMIT CONDITIONS.** Permits issued under this subsection may include conditions established by Public Works Department in addition to the requirements needed to meet the performance standards in Sec. 6-7-7 or a financial guarantee as provided for in Sec. 6-7-11.
- (6) **PERMIT DURATION.** Permits issued under this section shall be valid from the date of issuance through the date the Public Works Department notifies the responsible party that all storm water management practices have passed the final inspection required under Sec. 6-7-8(4)(d).
- (7) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe alternative requirements for applicants seeking an exemption to on-site storm water management performance standards under Sec. 6-7-7(5) or for applicants seeking a permit for a post-construction site with less than 20,000 square feet of impervious surface disturbance.

SEC. 6-7-9 STORM WATER MANAGEMENT PLAN.

- (1) **PLAN REQUIREMENTS.** The storm water management plan required under Sec. 6-7-7(2) and Sec. 6-7-8(2) shall comply with the City of Menasha Storm Water Reference Guide and contain, at a minimum, the following information.
- (a) Name, address, and telephone number of the landowner and responsible parties.
 - (b) A legal description of the property proposed to be developed.
 - (c) Pre-development site map with property lines, disturbed limits, and drainage patterns.
 - (d) Post-development site map with property lines, disturbed limits, and drainage patterns, which includes:
 - 1. Total area of disturbed impervious surfaces within the site;
 - 2. Total area of new impervious surfaces within the site;
 - 3. Performance standards applicable to site;
 - 4. Proposed best management practices;
 - 5. Groundwater, bedrock, and soil limitations; and
 - 6. Separation distances. Storm water management practices shall be adequately separated from wells to prevent contamination of drinking water.

- (2) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe alternative submittal requirements for applicants seeking an exemption to on-site storm water management performance standards under Sec. 6-7-7(5) or for applicants seeking a permit for a post-construction site with less than 20,000 square feet of impervious surface disturbance.

SEC. 6-7-10 MAINTENANCE AGREEMENT.

- (1) **MAINTENANCE AGREEMENT REQUIRED.** The maintenance agreement required under Sec. 6-7-8(2) for storm water management practices shall be an agreement between the City of Menasha and the responsible party to provide for maintenance of storm water practices beyond the duration period of this permit. The maintenance agreement shall be filed with the County Register of Deeds as a property deed restriction so it is binding upon all subsequent owners of the land served by the storm water management practices.
- (2) **AGREEMENT PROVISIONS.** The maintenance agreement shall contain the following information and provisions and be consistent with the plan required by Sec. 6-7-8(2).
- (a) Identification of the storm water facilities and designation of the drainage area served by the facilities.
 - (b) A schedule for regular maintenance of each aspect of the storm water management system consistent with the storm water management plan required under Sec. 6-7-8(2).
 - (c) Identification of the responsible party(s), organization, or city, county, town, or village responsible for long term maintenance of the storm water management practices identified in the storm water management plan required under Sec. 6-7-8(2).
 - (d) Requirement that the responsible party(s), organization, or city, county, town, or village shall maintain storm water management practices in accordance with the schedule included in Sec. 6-7-10(2)(b).
 - (e) Authorization for the Public Works Department to access the property to conduct inspections of storm water management practices as necessary to ascertain if the practices are being maintained and operated in accordance with the agreement.
 - (f) A requirement on the Public Works Department to maintain public records of the results of the site inspections, to inform the responsible party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the storm water management practice into proper working condition.
 - (g) Agreement that the party designated under Sec. 6-7-10(2)(c), is responsible for long term maintenance of the storm water management practices and shall be notified by the Public Works Department of maintenance problems which require correction. The specified corrective actions shall be undertaken within a reasonable time frame as set by the Public Works Department.
 - (h) Authorization of the Public Works Department to perform the corrected actions identified in the inspection report if the responsible party designated under Sec. 6-7-10(2)(c) does not make the required corrections in the specified time period. The Public Works Department shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to subch. VII of ch. 66, Wis. Stats.

- (3) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe alternative requirements for applicants seeking an exemption from on-site storm water management performance standards under Sec. 6-7-7(5) or for applicants seeking a permit for a post-construction site with less than 20,000 square feet of impervious surface disturbance.

SEC. 6-7-11 FINANCIAL GUARANTEE.

- (1) **ESTABLISHMENT OF THE GUARANTEE.** The Public Works Department may require the submittal of a financial guarantee, the form and type of which shall be acceptable to the Public Works Department. The financial guarantee shall be in an amount determined by the Public Works Department to be the estimated cost of construction and the estimated cost of maintenance of the storm water management practices during the period in which the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the Public Works Department the authorization to use the funds to complete the storm water management practices if the responsible party defaults or does not properly implement the approved storm water management plan, upon written notice to the responsible party by the Public Works Department that the requirements of this ordinance have not been met.
- (2) **CONDITIONS FOR RELEASE.** Conditions for the release of the financial guarantee are as follows:
 - (a) The Public Works Department shall release the portion of the financial guarantee established under this section, less any costs incurred by the Public Works Department to complete installation of practices, upon submission of "as built plans" by a licensed professional engineer. The Public Works Department may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages; and
 - (b) The Public Works Department shall release the portion of the financial guarantee established under this section to assure maintenance of storm water practices, less any costs incurred by the Public Works Department, at such time that the responsibility for practice maintenance is passed on to another entity via an approved maintenance agreement.
- (3) **ALTERNATE REQUIREMENTS.** The Public Works Department may prescribe alternative requirements for applicants seeking an exemption to on-site storm water management performance standards under Sec. 6-7-7(5) or for applicants seeking a permit for a post-construction site with less than 20,000 square feet of impervious surface disturbance.

SEC. 6-7-12 FEE SCHEDULE.

The fees referred to in other sections of this ordinance shall be established by the Common Council of the City of Menasha and may be modified by resolution. A schedule of the fees established by the Common Council shall be available for review in the Public Works Department.

SEC. 6-7-13 ENFORCEMENT.

- (1) Any land disturbing construction activity or post-construction runoff initiated after the effective date of this ordinance by any person, firm, association, or corporation subject to the ordinance provisions shall be deemed a violation unless conducted in accordance with the requirements of this ordinance.

- (2) The Public Works Department shall notify the responsible party by certified mail of any non-complying land disturbing construction activity or post-construction runoff. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action which may be taken.
- (3) Upon receipt of written notification from the Public Works Department under sub. (2), the responsible party shall correct work that does not comply with the storm water management plan or other provisions of this permit. The responsible party shall make corrections as necessary to meet the specifications and schedule set forth by the Public Works Department in the notice.
- (4) If the violations to a permit issued pursuant to this ordinance are likely to result in damage to properties, public facilities, or waters of the state, the Public Works Department may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the Public Works Department plus interest and legal costs shall be billed to the responsible party.
- (5) The Public Works Department is authorized to post a stop work order on all land disturbing construction activity that is in violation of this ordinance or to request the city attorney to obtain a cease and desist order in any court with jurisdiction.
- (6) The Public Works Department may revoke a permit issued under this ordinance for non-compliance with ordinance provisions.
- (7) Any permit revocation, stop work order, or cease and desist order shall remain in effect unless retracted by the Public Works Department or by a court with jurisdiction.
- (8) The Public Works Department is authorized to refer any violation of this ordinance, or of a stop work order or cease and desist order issued pursuant to this ordinance, to the city attorney for the commencement of further legal proceedings in any court with jurisdiction.
- (9) Any person, firm, association, or corporation who does not comply with the provisions of this ordinance shall be subject to the penalties listed in Sec. 1-1-7. Each day the violation exists shall constitute a separate offense.
- (10) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunction proceedings.
- (11) When the Public Works Department determines the holder of a permit issued pursuant to this ordinance has failed to follow practices set forth in the storm water management plan, or has failed to comply with schedules set forth in said storm water management plan, the Public Works Department or a party designated by the Public Works Department may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The Public Works Department shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial security posted pursuant to Sec. 6-7-11 of this ordinance. Where such a security has not been established, or where such a security is insufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon.

SEC. 6-7-14 APPEALS.

- (1) **BOARD OF PUBLIC WORKS.** The Board of Public Works, created pursuant to Sec. 2-2-5 of the City of Menasha ordinances pursuant to s. 62.23(7)(e), Wis. Stats, shall hear and decide appeals where it is alleged that there is error in any order, decision, or determination made by the Public Works Department in administering this ordinance. The board shall also use the rules, procedures, duties, and powers authorized by statute in hearing and deciding appeals. Upon appeal, the board may authorize variances from the provisions of this ordinance that are not contrary to the public interest, and where owing to special conditions a literal enforcement of the ordinance will result in unnecessary hardship.
- (2) **WHO MAY APPEAL.** Appeals to the Board of Public Works may be taken by any aggrieved person or by an officer, department, board, or bureau of the City of Menasha affected by any decision of the Public Works Department. Such appeal shall be filed within 10 days of the alleged grievance.

SEC. 6-7-15 SEVERABILITY.

If any section, clause, provision, or portion of this ordinance is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the ordinance shall remain in force and not be affected by such judgment.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of April, 2016.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk



MEMORANDUM

To: City of Menasha Common Council
From: Peggy Steeno, Administrative Services Director
Date: April 12, 2016
RE: R-10-16 - Resolution Continuing Appropriations (2015 Fund Balance Reservations)

BACKGROUND

A 'Fund Balance Reservation' preserves funds from the prior year budget, before closing the year, for items that were budgeted, but not able to be spent during the fiscal year. This is part of the year-end evaluation process, and it accomplishes two things: it allows funds from the previous year to be carried forward to fund items that were budgeted and needed, and it gives a truer picture of the year-end Fund Balance for 2015. In addition, it keeps Fiscal Year 2016 clean with respect to budgeted items and spending.

ANALYSIS

Below is a list of the items included in the requested Continuing Appropriations / Fund Balance Reservations, along with the cost and reason for each request:

- *PC's (9) (\$6,750) – IT / Various Departments* – These funds will be utilized to complete the remaining computer replacements that were planned for 2015, but were delayed due to changing departmental needs. The 2015 and 2016 computer replacement and implementation will be completed in the upcoming months.
- *RR Donnelley Site Investigation (\$32,500) – Community Development* – This carry over is for funds approved by the Council to be used on the RR Donnelley Project.
- *Library Self-Checkout Machines (\$7,392)* – These funds were encumbered by the Library Board to upgrade the current machines that are failing.
- *Handgun and Training Guns (\$1,682 / \$186) – Police* – These items were ordered in 2015, however, the lead time for the products was longer than expected, and delivery occurred in 2016.
- *Weights and Measures Scale Case (\$763) – Health* – These 2014-15 carryover funds will be used to purchase a carrying case for the Weights and Measures scale in 2016.

- *Document Imaging Project (\$15,000) – Health (Various) / IT* – This project was initiated in 2013, however, was put on hold until verification could be obtained for the required length of record storage for certain. Then, in 2014, there was a retirement in the Health Director position, so the project was put on hold. The project will be resumed in 2016.
- *Emergency Preparedness Supplies (\$2,713) - Health* – These are monies authorized by the Common Council, and are being carried over to be available in the event of a disaster.
- *Fluoride Varnish Program (\$32,149) - Health* – These are 2014-15 carryover funds that will help support program operations in the future. This will help to make the program self-sufficient.
- *Community Health Improvement Oral Health Planning (\$4,667) - Health* – These 2014-15 carryover funds will be used to assist in planning for oral health programs in 2016.
- *Dental Supplies/Staff-Time (\$6,858) - Health* – These funds are from the 2015 Dental Program grant to be used in 2016 to complete 2015 program goals, as authorized by the United Way. Due to staff turnover, goals could not be completed in 2015.
- *Supplies/Staff-Time – Flu Shot Clinic (\$1,042) - Health* – These are 2014-15 carryover funds that will be used for the 2016 annual Flu-Shot Clinic.
- *Supplies/Staff-Time – Dental Sealants (\$5,316) - Health* – These are 2015 Medical Assistance funds that are being carried over as they need to be used for the 2016 program as required by the grant.
- *Emergency Preparedness (\$3,956) – Health* – These are grant monies that were paid to the City in advance by the State, and they need to fund the program in 2016.
- *24/7 Emergency Coverage & Cell Phones (\$43,729) – Health* – These grant funds are being carried over as required by the grant to cover communication costs (e.g. phone, I-Pad, etc.).
- *City Hall Safety Glass Project – (\$3,995) – Municipal Buildings* - These funds are being carried over to fund the 2015 budgeted project that started at the end of 2015 and was completed in 2016.
- *Third Street Bridge Design Engineering (\$6,000) – Engineering/Storm Water* – These funds are being carried over due to completion of and billing for services extending into 2016.
- *Landscaping Materials for London & Plank (\$5,000) – Street Construction* – These funds are being carried over as this part of the project was not able to be completed in 2015.

- *Sidewalk Mud Jacking (\$2,000) – Sidewalks and Crosswalks* – These funds are being carried over due to timing; it got to be too late in the season to get pricing and complete the work.
- *Province Terrace Trail Engineering (\$18,266) – TID #9/Community Development* – This engineering project/contract was started in 2015, but will not be completed until 2016. The total contract was for \$62,656, with \$18,266 remaining at the end of 2015.
- *TID #13 Obligations/Walkway Improvements (\$128,487) – TID #13 / Community Development*– With the delayed timing of the project, funds need to be carried over to 2016, when the work will be completed.
- *Downtown Street Obligations (\$4,500) – Storm Water Fund* - With the delayed timing of the project, funds need to be carried over to 2016, when the work will be completed.
- *Downtown Storm Water Obligations (\$10,225) – Storm Water Fund* - With the delayed timing of the project, funds need to be carried over to 2016, when the work will be completed.
- *Waster Oil Storage Tank / Burner (\$12,000) – Public Works Facility Fund* – The scope of this project changed in 2015 and was not able to be completed until 2016.
- *Citywide Parcel Management Program (\$13,750) – IT* – These funds are being carried over so that the project can be completed in 2016. This project includes multiple departments, including Community Development, so it is likely that the project will be kicked off once the new Community Development Director is on board.
- *Server Room Venting Project (\$4,928) – IT* - This project was started in 2015, however it was not completed and invoiced until 2016.
- *Website Renovation (\$10,220) – IT* – This project was approved in 2014; however no funds were released until 2015. The draft site will soon be available and the project is expected to be completed in the upcoming months.

FISCAL IMPACT

By doing Fund Balance Reservations for items that were budgeted in the previous year, we will not negatively impact the current year's budget. Rather, the \$384,074 is set aside from the budgeted funds of the previous year as intended in the 2015 budget. This will allow the City to better evaluate the previous year, as well as the current year, as to overall performance.

RECOMMENDATION

Staff recommends that Council adopt this resolution.

RESOLUTION R-10-16

RESOLUTION CONTINUING APPROPRIATIONS

Introduced by Mayor Merkes

WHEREAS, it is desirous and necessary for the City of Menasha to continue some 2015 Appropriations into 2016 to finance ongoing projects,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Common Council concurring that the following appropriations be continued:

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>
100-0202-512	IT - HR	\$1,500
100-0301-523	IT - Building Inspection	\$750
100-0304-562	Community Development	\$32,500
100-0405-513	IT - Council	\$750
100-0601-551	Library	\$7,392
100-0601-551	IT - Library	\$750
100-0801-521	Police	\$1,682
100-0801-521	Police	\$186
100-0801-521	IT - Police	\$750
100-0902-524	Sealer of Weights & Measures	\$763
100-0902-524	Sealer of Weights & Measures	\$197
100-0903-531	IT - Health	\$1,500
100-0903-531	Health	\$6,895
100-0904-531	Environmental Health	\$788
100-0904-531	Environmental Health	\$2,713
100-0909-531	Dental Program	\$32,149
100-0909-531	Dental Program	\$4,667
100-0909-531	Dental Program	\$6,858
100-0914-513	Immunization Grant	\$1,042
100-0916-531	Dental Sealants	\$5,316
100-0918-531	Bio-Terrorism	\$3,956
100-0919-531	Twenty-Four/Seven Coverage	\$43,729
100-1001-514	Municipal Buildings	\$3,995
100-1002-541	Engineering	\$4,500
100-1003-541	Street Construction	\$5,000
100-1009-541	Sidewalks and Crosswalks	\$2,000
485-0304-562	TID #9	\$18,266
493-0304-562	TID #13	\$128,487
625-1002-541	Storm Water Utility	\$1,500
625-1003-541	Storm Water Utility	\$4,500
625-1010-541	Storm Water Utility	\$10,225
731-1022-541	Public Works Facility	\$12,000
731-1022-541	IT - Public Works Faciliy	\$750
743-0403-513	IT	\$13,750
743-0403-513	IT	\$4,928
743-0403-513	IT	\$10,220
743-0403-513	IT	\$7,120
Total		<u>\$ 384,074</u>

Passed and approved this ____ day of _____, 2016

 Donald Merkes, Mayor

Attest:

 Deborah A. Galeazzi, City Clerk

EXPLANATION OF CONTINUING APPROPRIATIONS
From 2015 to 2016

<u>Account Number</u>	<u>Purpose</u>	<u>Amount</u>	<u>Requested By</u>
100-0202-512	PC's (2)	\$1,500	ASD Steeno
100-0301-523	PC (1)	\$750	Mayor Merkes
100-0304-562	RR Donnelley Site Investigation	\$32,500	Mayor Merkes
100-0405-513	PC (1)	\$750	Mayor Merkes
100-0601-551	Library - Self-Checkout Machines	\$7,392	LD Lenz
100-0601-551	PC (1)	\$750	LD Lenz
100-0801-521	Handgun	\$1,682	PC Styka
100-0801-521	Training guns	\$186	PC Styka
100-0801-521	PC (1)	\$750	PC Styka
100-0902-524	Carrying Case for Weights/Measures Scale	\$763	PHD McKenney
100-0902-524	Document Imaging Project	\$197	PHD McKenney
100-0903-531	PC's (2)	\$1,500	PHD McKenney
100-0903-531	Document Imaging Project	\$6,895	PHD McKenney
100-0904-531	Document Imaging Project	\$788	PHD McKenney
100-0904-531	Emergency Preparedness Supplies	\$2,713	PHD McKenney
100-0909-531	Fluoride Varnish Program	\$32,149	PHD McKenney
100-0909-531	Community Needs Assessment	\$4,667	PHD McKenney
100-0909-531	Dental Supplies	\$6,858	PHD McKenney
100-0914-513	Supplies/Staff Time-Flu Shot Clinic	\$1,042	PHD McKenney
100-0916-531	Supplies & Staff Time	\$5,316	PHD McKenney
100-0918-531	Emergency Preparedness	\$3,956	PHD McKenney
100-0919-531	24/7 Emergency Coverage & Cell Phones	\$43,729	PHD McKenney
100-1001-514	City Hall Safety Glass Project	\$3,995	PWD Radtke
100-1002-541	Third Street Bridge Design Engineering	\$4,500	PWD Radtke
100-1003-541	London/Plank Planting	\$5,000	PWD Radtke
100-1009-541	Sidewalk Mud Jacking	\$2,000	PWD Radtke
485-0304-562	Province Terrace Trail Engineering	\$18,266	Mayor Merkes
493-0304-562	TID 13 Obligations / Walkway Improvements	\$128,487	Mayor Merkes
625-1002-541	Third Street Bridge Design Engineering	\$1,500	PWD Radtke
625-1003-541	Downtown Street Obligations	\$4,500	PWD Radtke
625-1010-541	Downtown Stormwater Obligations	\$10,225	PWD Radtke
731-1022-541	Waste Oil Storage Tank/Burner	\$12,000	PWD Radtke
731-1022-541	PC (1)	\$750	PWD Radtke
743-0403-513	City Wide Parcel Management Program	\$13,750	ASD Steeno
743-0403-513	Server Room Venting	\$4,928	ASD Steeno
743-0403-513	Website	\$10,220	ASD Steeno
743-0403-513	Document Imaging Project	\$7,120	ASD Steeno
TOTAL		<u>\$ 384,074</u>	



MEMORANDUM

To: City of Menasha Common Council

From: Peggy Steeno, Administrative Services Director

Date: April 12, 2016

RE: R-11-16 - Resolution Transferring / Appropriating 2015 Budget Funds

BACKGROUND

One of the regular steps in the year end process requires an evaluation of the overall spending from the year (2015). In doing so, all accounts are evaluated by the amounts over or under against the respective budget. The transfer process includes utilizing funds from accounts that were under spent, as well as revenues and fund equity when necessary, to support the accounts that were over spent. Because this effectively alters the previous year's budget, Council approval is required.

ANALYSIS

Per the accompanying resolution and attached schedule, all transfers are outlined. The top section of the resolution includes all divisional budgets that had spending in excess of the original budget, and the second section includes divisional budgets that spent less than their original budget allocation and can be used to cover the section one overages.

FISCAL IMPACT

Aside from the spending, in the top section, and the savings, in the bottom section, for 2015, there is no direct financial impact related to the Fund Transfer Action. Rather, it is an accounting function that reconciles the budget to the actual numbers for the 2015 Fiscal Year.

RECOMMENDATION

Staff recommends that Council adopt this resolution.

RESOLUTION R-11-16

RESOLUTION TRANSFERRING/APPROPRIATING FUNDS

Introduced by Mayor Merkes

WHEREAS, it is necessary for the City of Menasha to transfer funds to cover 2015 Budget overdrafts.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Common Council concurring that the following budget transfers/appropriations be made:

<u>Account Number</u>	<u>Account Name</u>	<u>Amount</u>	<u>Amount</u>
To:			
100-0101-511.XX-XX	Office of the Mayor	\$2,910	
100-0205-512.XX-XX	Municipal Court	\$100	
100-0301-523.XX-XX	Inspector	\$55,728	
100-0305-562.XX-XX	Urban Redevelopment	\$24	
100-0405-513.XX-XX	Common Council	\$3,051	
100-0415-513.XX-XX	Room Tax	\$1,849	
100-0467-591.XX-XX	Transfer to Steam Utility	\$1,861	
100-0701-533.XX-XX	Resthaven Cemetery	\$2,944	
100-0704-552.XX-XX	Swimming Pool	\$17,695	
100-0803-521.XX-XX	Community Service Officer	\$882	
100-0905-531.XX-XX	Health Screenings/60 Plus	\$1,856	
100-0906-531.XX-XX	Prevention Program	\$4,693	
100-0907-531.XX-XX	Radon Grant	\$28	
100-0913-531.XX-XX	Lead Prevention Grant	\$141	
100-0916-531.XX-XX	Dental Sealant Program	\$4,948	
100-0918-531.XX-XX	Bio-Terrorism	\$1,498	
100-0920-531.XX-XX	Senior Center	\$1,692	
100-1002-541.XX-XX	Engineering	\$20,386	
100-1004-541.XX-XX	Street Excavation	\$188,156	
100-1007-541.XX-XX	Snow Hauling	\$14,097	
100-1008-541.XX-XX	Street Signs - Markings	\$35,291	
100-1009-541.XX-XX	Sidewalks and Crosswalks	\$9,740	
100-1011-541.XX-XX	Sidewalk Excavations	\$38,739	
100-1012-541.XX-XX	Street Lighting	\$1,344	
100-1013-541.XX-XX	Parking Lots	\$14,713	
100-1014-543.XX-XX	Canal Maint.-Construction	\$13	
100-1017-543.XX-XX	Refuse	\$55,160	
100-1018-543.XX-XX	Weed Cutting	\$1,284	
100-1019-552.XX-XX	Lift Bridges	\$1,500	
100-1027.543.XX-XX	Recycling-Solid Waste	\$9,421	
		\$491,744	

From:			
100-0706-561.XX-XX	Forestry	\$3,972	
100-0703-553.XX-XX	Parks	\$8,759	
100-0702-552.XX-XX	Recreation	\$10,794	
100-0501-552.XX-XX	Fire	\$12,571	
100-0304-562.XX-XX	Community Development	\$13,489	
100-0201-512.XX-XX	City Attorney	\$16,147	
100-0401-513.XX-XX	Comptroller/Treasurer	\$16,517	
100-0408-552.XX-XX	Civic Commemorations	\$20,126	
100-0202-512.XX-XX	Personnel	\$27,670	
100-0801-521.XX-XX	Police	\$43,321	
100-0914-531.XX-XX	Immunization Grant	\$588	
100-0902-524.XX-XX	Sealer Weights & Measures	\$642	
100-0901-515.XX-XX	Employee Safety Commission	\$881	
100-0919-531.XX-XX	Twenty-Four/Seven	\$1,396	
100-0915-531.XX-XX	Maternal Child Health	\$1,463	
100-0903-531.XX-XX	Health	\$1,700	
100-0917-531.XX-XX	Quality Improvement Grant	\$1,826	
100-0908-531.XX-XX	School Health Aides	\$2,269	
100-1001-514.XX-XX	Buildings Maintenance	\$28,218	
100-1006-541.XX-XX	Snow & Ice Removal	\$12,661	
100-1003-541.XX-XX	Street Construction	\$266,733	
		\$491,744	

Passed and approved this ___ day of _____, 2016

Donald Merkes, Mayor

Attest:

Deborah A. Galeazzi, City Clerk

FISCAL NOTE: This resolution is to cover those individual divisions which exceeded their budgeted amount.

Peggy Steeno, Administrative Services Director



MEMORANDUM

To: City of Menasha Common Council

From: Peggy Steeno, Director of Administrative Services

Date: April 14, 2016

RE: R-12-16 – Resolution to approve the cancellation of outstanding checks; and the write-off of general uncollectible accounts receivables and delinquent personal property receivables

BACKGROUND

As part of the year-end process, staff reviews outstanding checks, past due accounts receivables, and delinquent personal property accounts receivables; and requests that Council take action on the following:

- Cancel outstanding accounts payable and payroll checks that were issued more than 1 year ago, and up to 2 years, i.e. the request in 2016 is to cancel checks that were issued in 2014 and prior,
- Adjust our accounting records to reflect the likelihood that we may not collect past due accounts receivables, and
- Write-off delinquent general and personal property accounts receivables.

ANALYSIS

Staff has established an annual process that is completed to maintain current records and reflect the City's financial position accurately. The details for each section are as follows:

Cancel Outstanding Checks – Per the ATTACHMENT A, this recommendation includes \$200.43 of combined accounts payable and payroll checks. Please note that it is very possible / likely that the majority of these checks have been cashed but did not make it back through the federal banking system to be charged against our accounts. However, staff does review the list and make contact with those payees with outstanding check amounts greater than \$100, as these are the ones that likely would not have gotten held up in the federal banking system. Also, if, at any time in the future, any of the checks are presented for payment, the City will certainly honor them.

General Accounts Receivable from 2009 and delinquent Personal Property Receivables from 2008/09 – Per ATTACHMENTS A and B, this recommendation includes \$315.29 of general accounts receivables from 2009, and \$2,421.33 of personal property receivables from 2008/09. Since these accounts receivable are no longer legally collectible, they need to be removed from the City's records.

FISCAL IMPACT

The fiscal impacts of this item are as follows: (1) Cancelled outstanding checks – the City will increase its cash position by \$200.43, (2) Write-off of general accounts receivables of \$315.29 – no financial impact as the allowance was made in a previous year, and (3) Write-off of personal property accounts receivables of \$2,421.33 – the City will decrease its financial position in regard to this write-off, acknowledging that the accounts are no longer collectible.

RECOMMENDATION

Staff recommends that council authorize this resolution to execute these transactions as outlined.

RESOLUTION R-12-16

RESOLUTION TO APPROVE THE CANCELLATION OF OUTSTANDING CHECKS; AND THE WRITE OFF
OF GENERAL UNCOLLECTIBLE ACCOUNTS RECEIVABLES AND DELINQUENT PERSONAL PROPERTY
RECEIVABLES

Introduced by Mayor Merkes

BE IT RESOLVED by the Mayor of the Common Council that because the checks on "ATTACHMENT A" (\$200.43) have been outstanding for more than twelve months, the proper City Officials are hereby authorized to notify First National Bank-Fox Valley to stop payment on these checks and to credit the proper amounts to the appropriate accounts.

BE IT FURTHER RESOLVED by the Mayor of the Common Council that the proper City officials are hereby authorized to write off the general accounts receivable balances from 2009 on "ATTACHMENT B" (\$315.29). These write-offs do not change the City's financial position as an allowance for uncollectible accounts was previously set up for these accounts in the period in which the accounts were sent to collections or deemed as unlikely to be collected. However, since the receivables are no longer legally collectible, they need to be removed from the City's records.

BE IT FURTHER RESOLVED that the proper city officials are hereby authorized to write off the personal property accounts receivable balances from 2008/2009 on "ATTACHMENT C" (\$2,421.33). These write-offs do change the City's financial position, as will be reflected in the 2015 Financial Statements, as they were not previously removed from the City's records but are no longer legally collectible.

Passed and approved this _____ day of April, 2016

Donald Merkes, Mayor

Deborah A. Galeazzi, City Clerk

Outstanding checks to be Cancelled - 2015 Year-End
April 14, 2016

ATTACHMENT A

<u>Check #</u>	<u>Check date</u>	<u>Payee</u>	<u>Purpose</u>	<u>Amount</u>
11253	2/7/2013	Benjamin Keller	Payroll	\$ 0.27
11255	2/7/2013	Jeffrey Mason	Payroll	\$ 0.27
11257	2/7/2013	Trevor Theisen	Payroll	\$ 0.27
15026	2/6/2014	Joel Nelson	Payroll	\$ 0.27
15091	6/12/2014	Tyler Anderson	Payroll	\$ 10.00
15130	7/24/2014	Francisco Zavala	Payroll	\$ 20.77
15305	5/14/2014	Estate of Valencia Del Toro	Payroll	\$ 43.17
37308	5/16/2013	United Way	Payroll Deduction	\$ 30.25
43169	7/23/2013	Jennifer Wunrow-Lemke	Library Refund	\$ 17.00
44626	12/12/2013	Christine Janssen	Mailbox Damage	\$ 50.00
44656	12/12/2013	Gary Schwantes	Public Works Refund	\$ 11.16
47681	9/24/2014	Isabella Taylor	Library Refund	<u>\$ 17.00</u>
			Total	<u><u>\$ 200.43</u></u>

*Delinquent Accounts Receivable 2009-2015 - 2015 Year-End
April 14, 2016*

ATTACHMENT B

<u>Date</u>	<u>Obligor</u>	<u>Reason</u>	<u>Amount</u>
5/12/2009	Abler, Christine	Accident Damage	\$ 82.64
4/15/2009	Cachu-Mendez, Marisol	Accident Damage	\$ 229.30
6/24/2009	Directsat USA	Accident Report	<u>\$ 3.35</u>
		Total	<u><u>\$ 315.29</u></u>

<u>Obligor</u>	<u>2008/2009</u>	<u>City Portion</u>
Abraham, Dan	\$ 262.27	\$ 95.30
Advanced Services	\$ 127.00	\$ 48.77
Badger Ice Cream Shop LLC	\$ 893.64	\$ 324.69
Bauer Ferris & Holloway	\$ 41.28	\$ 15.00
Bead Boutique	\$ 228.27	\$ 82.94
Brenda's Babes Family Daycare	\$ 36.42	\$ 13.23
Business Graphics	\$ 26.71	\$ 9.70
CB Supply Inc	\$ 772.23	\$ 280.58
Center Stage Hair Salon	\$ 335.12	\$ 121.76
Champions Martial Arts	\$ 682.38	\$ 247.93
Color Odessy 2001, LLC	\$ 131.13	\$ 47.64
Cutting Crew	\$ 53.43	\$ 19.41
Deisgn One	\$ 167.56	\$ 60.88
Farris Law Firm	\$ 9.71	\$ 3.53
Fiberglass Technologies	\$ 109.28	\$ 39.70
Fink Law Offices, Thomas	\$ 551.26	\$ 200.29
Four Seasons Roofing	\$ 616.81	\$ 224.11
Geoffery Cook Photography	\$ 16.99	\$ 6.17
Get Reel Entertainment	\$ 896.08	\$ 325.57
Great American Mortgage	\$ 111.71	\$ 40.59
Gurpal Wisconsin Stations	\$ 19.43	\$ 7.06
Massage Therapy Associates	\$ 34.00	\$ 12.35
Needle Freaks	\$ 19.43	\$ 7.06
Perma- Way Waterproofing	\$ 291.40	\$ 105.87
Pit Row Racing Apparel	\$ 26.71	\$ 9.70
TCR Properties	\$ 24.30	\$ 8.83
TPO Internet	\$ 51.00	\$ 18.53
Trackside Diner & Catering	\$ 121.42	\$ 44.12
	<hr/>	<hr/>
Grand Total	\$ 6,656.97	
	Total	<u><u>\$ 2,421.33</u></u>