

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
Monday June 20, 2011**

**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. [Proclamation recognizing Syring Development Ltd. & Kenwood Associates Ltd. 40 years in business](#)
 2. [Proclamation designating July as Parks and Recreation Month](#)
 3. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
 - a. [Administration Committee, 6/6/11](#)
 - b. [Board of Public Works, 6/6/11](#)
 - c. [Board of Health, 4/13/11](#)
 - d. [Committee on Aging, 4/14/11](#)
 - e. [Information Technology Steering Committee, 6/14/11](#)
 - f. [NM Fire Rescue Joint Finance & Personnel Committee, 5/24/11](#)
 - g. [Personnel Committee, 6/6/11](#)
 - h. [Plan Commission, 6/7/11](#)
 - i. [Police Commission, 5/23/11, 6/10/11](#)
 - j. [Redevelopment Authority, 5/25/11](#)
 - k. [Safety Committee, 4/14/11; City Hall](#)
 - l. [Safety Committee, 3/29/11; Police](#)
 - m. [Safety Committee, 4/26/11; Public Works/Parks](#)
 - n. [Water & Light Commission, 5/25/11](#)Communications:
 - o. [Customers First! June 2011 Newsletter, the Wire](#)
 - p. [Public Works Facility, May 2011 Disposal Violations](#)
 - q. [Remley & Sensenbrenner, 6/7/11; Tom Schanke-Lot No. 16 of Lake Park Villas](#)
 - r. [Valley Transit; 6/1/11; Refund for 2010 fixed route services](#)
 - s. [Winnebago County Libraries 2010 Highlights](#)
- 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, 6/6/11](#)
[Board of Public Works, 6/6/11; recommends approval of:](#)
 2. [Change Order – Sam Sommers Concrete; Contract Unit No. 2011-02; New Street Construction-Concrete Curb and Gutter/Concrete Walk; DEDUCT: \\$29,284.87](#)

G. CONSENT AGENDA, Board of Public Works, 6/6/11; recommends approval of (continued):

3. Recommendation to Submit Ballot Requesting Winnebago County to Refund the Recycling Revenue Surplus of \$330,887.00 to Signing Municipalities Based upon each Municipality's Actual Tonnage Processed and Sold for Year 2010 and to cast a ballot to refund the recycling revenue to the City
4. Recommendation to Enter into Agreement with WisDOT Regarding 2011-2014 Local Bridge Program (Third Street/Brighton Drive Bridge)

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 6/9/11 to 6/16/11 in the amount of \$1,585,984.88
2. Renewal of Liquor License for July 1, 2011-June 30, 2012:
 - a. Buddi Sagar Subedi, d/b/a N.P. Mart, 209 Racine St. Menasha
 - b. Stop N Go LLC, 1200 Plank Rd Menasha, Kamaljit Gill/Agent
 - c. Hot Brass, LLC, d/b/a The Locker Room, 800 Plank Rd. Menasha, Frederick Schroeder/Agent
 - d. Erica Redlin, d/b/a/ Redliner, 977 Plank Rd. Menasha
3. Reserve "Class B" Liquor License Application, Whiting LLC, Michael Roy Whiting, agent for the premise at 14 Tayco Street, d/b/a Mi Casa Mexican Grill for July 1, 2011-June 30, 2012.
4. Outdoor Alcoholic Beverage Applications for July 1, 2011-June 30, 2012:
 - a. Hot Brass, LLC, d/b/a The Locker Room, 800 Plank Rd. Menasha, Frederick Schroeder/Agent
 - b. Whiting LLC, d/b/a Mi Casa Mexican Grill, 14 Tayco Street, Michael Roy Whiting/Agent
 - c. Erica Redlin, d/b/a/ Redliner, 977 Plank Rd. Menasha
5. Change of Agent for Kwik Trip, Inc., 1870 USH 10/STH 114, to Jessica A. Hartjes, 516 Steven Street, Combined Locks
6. Street Use Permit – Parade of Lights; Sunday July 3, 2011; 9:15 PM-10:15 PM

J. ORDINANCES AND RESOLUTIONS

1. O-6-11 – Ordinance relating to the paving of driveways and parking lots (Introduced by Ald. Taylor & Zelinski) (Recommended by Plan Commission)(2nd Introduction)
2. O-7-11 (Substitute Amendment 1) – An Ordinance Amending Chapter 2, Mayor and Common Council (Introduced by Ald. Sevenich)(1st introduction)

K. APPOINTMENTS

- a. Hearing to remove Andrew Jennings from the Landmarks Commission
- b. Mayor's Appointment to the Landmarks Commission
 - a. James Taylor, 724 Milwaukee Street, for the term of June 20, 2011 to March 4, 2014

L. HELD OVER BUSINESS

M. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

N. RECESS TO ADMINISTRATION COMMITTEE, BOARD OF PUBLIC WORKS, PERSONNEL COMMITTEE

O. CLAIMS AGAINST THE CITY

- a. Notice of Circumstances of Claim – Thomas Schanke, Lot no. 16 of Lake Park Villas

- P. ADJOURNMENT into Closed Session, pursuant to Wis. Stats. §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Notice of Circumstances of Claim – Thomas G. Schanke)

MEETING NOTICE

Regular Common Council Meeting – TUESDAY July 5, 2011 - Council Chambers

Common Council – 6:00 p.m.

Administration Committee – 6:30 p.m.

Board of Public Works – 7:00 p.m.

PROCLAMATION
Congratulating
Syring Development Ltd. &
Kenwood Associates Ltd.

On 40 years of building a better community

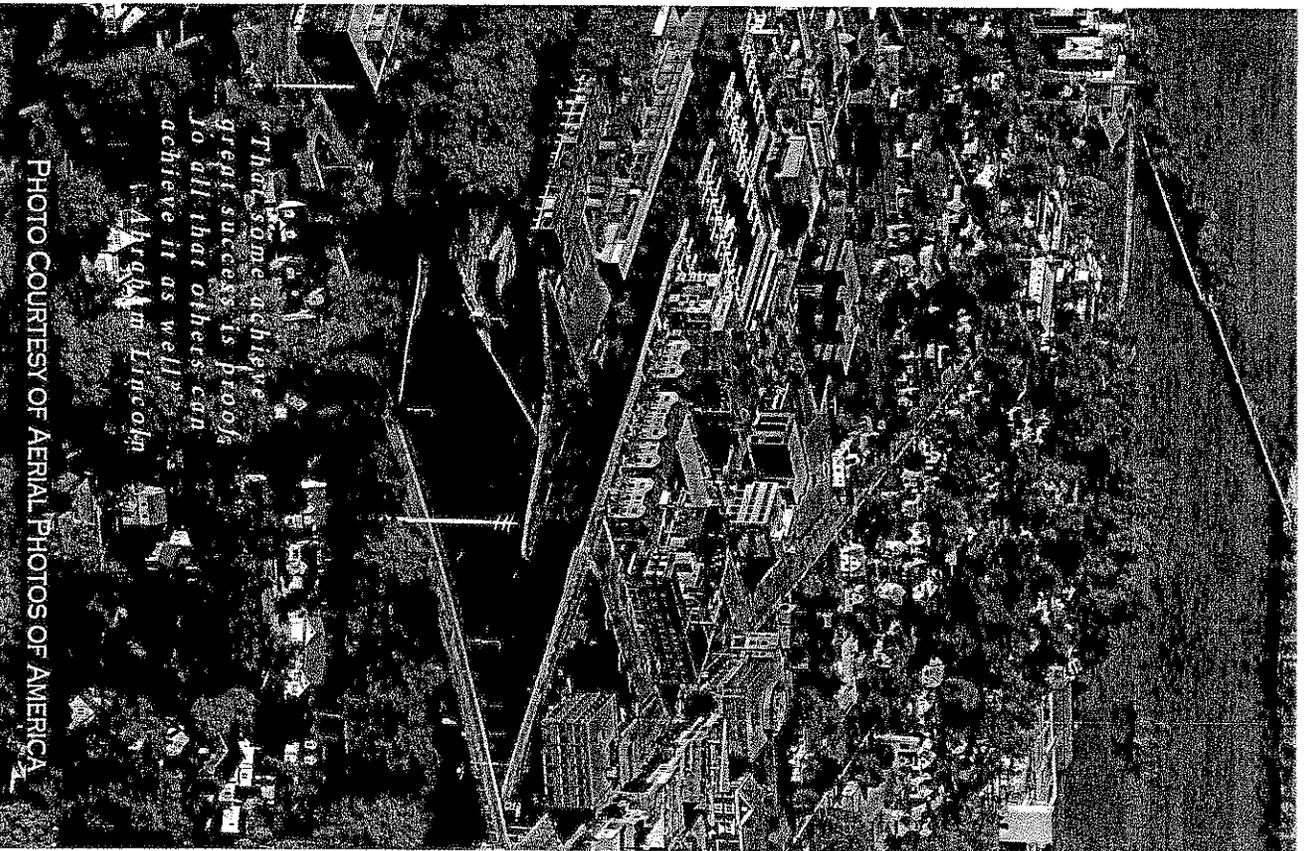
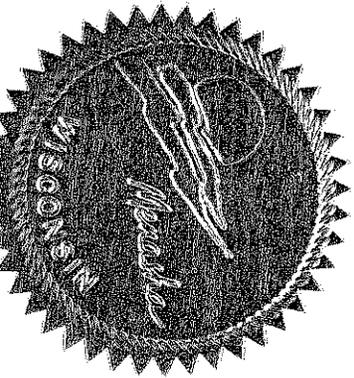
WHEREAS, Ken Syring, founder of Syring Development Ltd., has been celebrating 40 years of doing business and improving the quality of life in the City of Menasha; and

WHEREAS, Ken Syring assisted in the design of institutional buildings for the University of Wisconsin, Lawrence University, Carroll College, Ripon College, the Appleton & Neenah YMCA's and the Boys & Girls Brigade while working as an architectural draftsman for Shattuck, Siewert & Associates in 1961; and

WHEREAS, Ken Syring founded Syring Development Ltd., a luxury home design and construction company in September of 1971 and Kenwood Associates Ltd., a sales, leasing and investment service in 1975; and

WHEREAS, Syring Development Ltd. has designed, constructed and developed more than 360 luxury dwellings and commercial buildings in addition to the creation of 400 building sites within eleven residential subdivisions and business parks over the last 40 years; and

NOW, THEREFORE, BE IT PROCLAIMED, that I Donald Merkes, Mayor of the City of Menasha, do hereby congratulate Syring Development Ltd. & Kenwood Associates Ltd. on 40 years of prudent choices and sound business management.



Dated this 20th day of June, 2011

Donald Merkes, Mayor

PROCLAMATION

DESIGNATION OF JULY AS PARKS AND RECREATION MONTH

WHEREAS, parks and recreation programs are an integral part of the quality of life in communities throughout this country, including the City of Menasha; and,

WHEREAS, our parks and recreation are vitally important to ensure the health of our citizens, and contribute to the economic and environmental well-being of the city and the region; and,

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and,

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and,

WHEREAS, parks and recreation areas are fundamental to the environmental well-being of our community; and,

WHEREAS, parks and natural recreation areas improve water quality, protect groundwater, prevent flooding, improve the quality of the air we breathe, provide vegetative buffers to development, and produce habitat for wildlife; and,

WHEREAS, our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and,

WHEREAS, the U.S. House of Representatives has designated July as Parks and Recreation Month; and,

WHEREAS, the City of Menasha recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, I, Donald Merkes, Mayor of the City of Menasha, do hereby proclaim the month of July as **PARKS AND RECREATION MONTH** in the City of Menasha.



Dated this 20th day of June, 2011

Donald Merkes, Mayor

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
June 6, 2011
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Klein at 7:15 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Zelinski, Englebert, Benner, Klein, Taylor, Sevenich, Langdon

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Lt. Bouchard, DPW Radtke, CDD Keil, C/T Stoffel, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. Administration Committee, 5/16/11

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. O-7-11 – An Ordinance Amending Chapter 2, Mayor and Common Council
(Introduced by Ald. Sevenich)

CA/HRD Captain explained this ordinance is to make the necessary changes to Title 2, Chapter 2 of the Code of Ordinances to reflect the current practice. Over the years changes occurred, but the Code of Ordinances was not updated. She pointed out some necessary changes.

Moved by Ald. Taylor, seconded by Ald. Englebert to change language in Sec. 2-2-5(a)(2) to "All recommendations of this Board must be approved by the Common Council before going into effect."

Discussion ensued on which types of motions and recommendations need Council approval.

Motion carried on roll call 8-0.

General discussion ensued on different sections of the ordinance. It was suggested any amendments to the ordinance be forwarded to the City Clerk, City Attorney or Mayor for discussion by the Common Council.

Moved by Ald. Sevenich, seconded by Ald. Englebert to recommend approval to Common Council with any amendments be given to the City Clerk, City Attorney or Mayor before it goes to Common Council.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Sevenich, seconded by Ald. Langdon to adjourn at 8:10 p.m.

Motion carried on voice vote.

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

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
June 6, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 8:14 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Langdon, Zelinski, Englebert, Benner, Klein, Taylor, Sevenich

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Lt. Bouchard, DPW Radtke, CDD Keil, C/T Stoffel, Clerk Galeazzi and the Press

C. MINUTES TO APPROVE

1. May 16, 2011

Moved by Ald. Krueger, seconded by Ald. Klein to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. Change Order – Sam Sommers Concrete; Contract Unit No. 2011-02; New Street Construction-Concrete Curb and Gutter/Concrete Walk; DEDUCT: \$29,284.87

DPW Radtke explained this change order is to remove all items associated with sidewalks from the project. The contractor has indicated he would need to increase the remaining part of the project by 8% to offset the significant loss of contract volume. The change order as submitted by staff includes a 2.5% increase to offset the reduced quantities.

Moved by Ald. Krueger, seconded by Ald. Zelinski to recommend approval to Common Council.

Motion carried on roll call 7-1. Ald. Benner - no

2. Recommendation to Submit Ballot Requesting Winnebago County to Refund the Recycling Revenue Surplus of \$330,887.00 to Signing Municipalities Based upon each Municipality's Actual Tonnage Processed and Sold for Year 2010

DPW Radtke explained staff is recommending casting a ballot to refund the recycling revenue to the City based on the proposed reduction of the revenue the City will be receiving due to changes in the State budget. The ultimate decision is controlled by the prevailing ballot representing 70% of the total population of the signing municipalities. He is not sure what other municipalities will do, but they will also be losing a portion of their recycling revenue.

Moved by Ald. Englebert, seconded by Ald. Zelinski to recommend to Common Council to cast a ballot to refund the recycling revenue to the City.

Motion carried on voice vote.

3. Recommendation to Enter into Agreement with WisDOT Regarding 2011-2014
Local Bridge Program (Third Street/Brighton Drive Bridge)

DPW Radtke explained the City has received a grant for the design and construction of a new Third Street/Brighton Drive Bridge. The grant will cover 80% of the cost and the City is responsible for 20%. The rating on this bridge is low and is in need of improvements. Design work could begin later this year. It is expected there may be some easement requirements that would be the responsibility of the City. Staff is recommending entering into this agreement with WisDOT.

Moved by Ald. Krueger, seconded by Ald. Langdon to recommend approval to Common Council

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Langdon, seconded by Ald. Zelinski to adjourn at 8:30 p.m.

Motion carried on voice vote.

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

Menasha aldermen occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee may be attending this meeting. (No official action of any of those bodies will be taken).

CITY OF MENASHA BOARD OF HEALTH

**Minutes
April 13, 2011**

- A. Meeting called to order at 8:05 AM by Chairman C. Rusin.
- B. Present: Candyce Rusin, Lori Asmus, Dr. Teresa Rudolph, Dorothy Jankowski, Sue Nett
- C. MINUTES TO APPROVE
 - 1. Motion to approve minutes from March 9, 2011 meeting made by T. Rudolph and seconded by L. Asmus. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
 - 1. March 2011 Communicable Disease Report distributed and discussed.
 - 2. Consolidation Study update given by L. Asmus and S. Nett. A steering committee meeting was held on 4-12-11 to review Baker/Tilly assessment results from interviews with staff and elected officials. Options for various models to study were presented. These included a county wide model, various city/county options, and a Neenah/Menasha option. Steering committee members wanted to further explore a county wide option. Menasha will not be part of the study for the county wide option if the Calumet County portion of the city has to be separated out. C. Rusin questioned why there was a media release on a local TV station indicating the health departments were going to a unified county health department, and there would be staff layoffs and this would be in place by summer without any opportunity for BOH and common council discussion. S. Nett and L. Asmus were both unaware of any media release as the study is still in an exploratory phase. S. Nett to check into this further with Baker/Tilly and will advise BOH members as needed.
 - 3. Community Needs Assessment update given by S. Nett. There is a meeting scheduled on 4-14-11 with St. Norbert College to review the draft survey results and discuss the items to be included in the final report. This is the third needs assessment done in the last 10 years so there should be data to compare for improvement etc.
- E. ACTION ITEMS
 - 1. Review and Approve DHS Agent of the State Agreement for 3-18-2011 through 3-18-2016. S. Nett explained she had asked the city attorney if the BOH could approve this agreement and as of meeting time hadn't heard back. S. Nett suggested either holding the agreement until the next meeting or provisionally approving it based on the response back from the city attorney. After discussion, D. Jankowski made a motion, seconded by T. Rudolph to provisionally approve the agreement based on the response from the city attorney. Motion carried.
- F. HELD OVER BUSINESS

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Health Department at 967-3520 at least 24-hours in advance of the meeting for the City to arrange special accommodations."

Board of Health Members: Dorothy Jankowski, Lori Asmus, Susan Nett, Candyce Rusin, Theresa Shoberg

1. Review and set fees for DHS Agent of the State 7-1-11 to 6-30-12 licensing year. S. Nett presented the proposed fees for food establishments. L. Asmus requested a summary of how the fees were calculated. S. Nett explained all of the proposed fees were calculated together using the expenditures for the sanitarian for 2011. The sanitarian spends 55% of his environmental health time to food establishment including tattoo parlor inspections. The associated costs include personnel costs, supplies, mileage etc., a portion of the rent and utilities and the pass through fees sent to the state. The difference between the revenues collected for 2010 and what was needed to cover the 2011 expenses is \$3239, which is a 13% increase. Two of the categories are proposed to increase to the new state fee—the complex restaurant and the DPI base. These two categories require extensive inspections based on their complexity in the food preparation process according to FDA standards. Motion to recommend to the common council for approval the proposed fees for 2011-12 made by D. Jankowski and seconded by L. Asmus. Motion carried.
2. Review and set fees for Tattoo Parlors 7-1-11 to 6-30-12 licensing year. S. Nett explained the proposed fees. D. Jankowski questioned how many tattoo parlors are currently licensed in Menasha. S. Nett explained there is only one and it is a cosmetic place. Motion to recommend to the common council for approval the proposed fees for 2011-12 made by T. Rudolph and seconded by L. Asmus. Motion carried.
3. Review and set fees for DATCP Agent of the State 7-1-11 to 6-30-12 licensing year. S. Nett explained the new categories as established by the Department of Ag and the associated pass through fee from the state. The category that originally was assigned to a grocery store is now assigned to a large convenience store such as a Kwik Trip. The grocery stores were broken down into a large size such as a Walmart Superstore and a smaller size such as a Piggly Wiggly, all based on the amount of food sales they have. L. Asmus questioned how these fees compare to other health departments in the area. S. Nett related they were comparable in the past but not sure now since all health departments were still in the process of setting their fees based on the new state fees. S. Nett reminded board members that the fees needed to cover the costs of the program and state statute allowed for 100% recoupment of costs. Motion to recommend to the common council for approval the proposed fees for 2011-12 made by T. Rudolph and seconded by L. Asmus. Motion carried.

G. ADJOURNMENT

1. Motion to adjourn at 9 AM made by L. Asmus and seconded by D. Jankowski. Motion carried. Next meeting May 11, 2011.

Submitted by Sue Nett

Menasha aldermen occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee may be attending this meeting. (No official action of any of those bodies will be taken).

**CITY OF MENASHA
COMMITTEE ON AGING
Minutes
4-14-11**

- A. Meeting called to order at 7:45 AM by Chairman J. Klundt.
- B. Present: Joyce Klundt, Lee Murphy, Sue Steffen, John Ruck, Mary Lueke, Jean Wollerman
Excused: Sue Nett, Peg Malueg
- C. MINUTES TO APPROVE
1. Motion to approve minutes from March 10, 2011 meeting made by L. Murphy and seconded by S. Steffen. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
- J. Wollerman presented the report on senior center activities for the month of March. The total number of visits was 1185 as compared to 1258 in 2010. There were 2 snow days in March which greatly impacted the total number of visits. Building rentals are increasing now that the word is getting out about how nice the center environment is for family parties i.e. baby and wedding showers etc. J. Wollerman reported that one of the weak areas is attendance at the various presentations that have been scheduled to date. Committee members offered suggestions on topics that would be of interest to senior citizens: medicare, roundabouts, drug knowledge/pharmacist presented, herbal supplements, camera use, food class, new beginner golf, hunting class/presentation and fishing class/presentation.
- E. ACTION ITEMS
1. Senior Center Goals – Committee members discussed goals they would like to see staff develop and then work on implementation. These goals include the following: Methods to attract more seniors including the younger senior; collaboration with the library on activities geared to the seniors; provision of more intergenerational activities; hosting an open house for the public and new common council; incorporating more information on activities for the senior population in the Park and Rec brochure; collaboration with Heckrodt on activities; and examining the building entrance i.e. the entrance overhang and safety of current entrance location.
- F. HELD OVER BUSINESS
1. Code of Conduct Policy revision. Committee members reviewed a revised code of conduct policy for the senior center. It was noted there were two sentence structure errors to be corrected. Motion then made by S. Steffen and seconded by J. Ruck to approve the revised code of conduct policy. Motion carried.
- G. Motion to adjourn at 9:15 AM made by J. Klundt and seconded by J. Wollerman. Motion carried. Next meeting May 12, 2011.

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Senior Center at 967-3530 24-hours in advance of the meeting for the City to arrange special accommodations."

**City of Menasha
Information Technology Steering Committee
Gegan Room
Menasha Public Library
Tuesday, June 14, 2011
3:30 P.M.
Minutes**

A. Call to Order

Meeting called to order at 3:35 PM by CHAIRMAN Benner.

B. Roll Call/Excused Absences

Present: CHAIRMAN Benner, COMP Stoffel, ITMgr Lacey, PHD Nett and PP Kester

Excused: CEO Polzien and ES Montour

Also Present: MAYOR Merkes, ITSupv James, PO Zemlock and Mr. Larry Schmitz of Common Sense Solutions LLC.

C. Minutes to Approve – Approval of Minutes of April 13, 2011 IT Steering Committee meeting.

Motion by ITMgr Lacey, seconded by COMP Stoffel to approve the minutes of the April 13, 2011 IT Steering Committee meeting as submitted. Motion carried.

**D. Public Comments on any matter of concern to this Agenda
(Five (5) minute time limit for each person)**

NONE.

E. Report of Department Head s/Staff/Consultants – Committee monthly update on status of projects/operations/costs

ITMgr Lacey reviewed with the Committee the monthly budget/status report: Budget is doing very well, a "tunnel" has been created through the City of Neenah network to give Build Supt Alix connectivity to the HVAC systems at fire station # 36, the swimming pool connection to the City's computer network has been reactivated for the summer and the Cartegraph software is not yet being

utilized by Engineering staff. MAYOR Merkes offered to discuss that matter with DPW Radtke.

F. ACTION ITEMS – (1) Committee discussion on status of items approved in 2011 IT Department Budget – Intern position, software development

MAYOR Merkes opened the discussion by explaining the 2011 budget “hole” that needs to be addressed. He would like to apply half of the money budgeted for the IT intern against that deficit and then allow for the intern to be hired during the second half of the year. He also asked that the description of the position be updated by IT staff. ITMgr Lacey appreciated the Mayor allowing for the position to be filled during the second half of 2011, but stated that he really feels it necessary to budget for a full-time position in 2012.

The Committee also discussed the software development that is included in the 2011 budget and that the project could not be accomplished by year end. IT Staff will determine what can be accomplished yet this year.

ACTION ITEMS – (2) Committee discussion on designing a formal process for adding and deleting staff to City computer network

Mr. Schmitz addressed the Committee concerning this issue. Human Resources is the “gate keeper” on who is on or off of the City’s payroll. IT needs to be informed as to when an employee is being added or leaving so they can take the necessary actions with regards to the City’s computer network. Mr. Schmitz recalled this being an issue years ago and that a form had been created that could be distributed to all parties, Department Heads, IT Department, Human Resources that would give them the information they need about the subject employee. MAYOR Merkes will follow up with the Human Resources Department, to see if the old form is available, see if it needs to be updated and then get it into use.

ACTION ITEMS – (3) Committee discussion and action on next IT Steering Committee meeting date – July 12th, second Tuesday

Because the Council meeting set for July 4th will be moved to July 5th, because of the holiday, the Plan Commission will not meet until July 12th. This would normally be the date that the IT Steering Committee would meet. CHAIRMAN Benner requested that the IT Committee meeting be moved to a different date. Motion by ITMgr Lacey, seconded by PP Kester, that the next IT Steering Committee meeting be held on July 13th, 2011 at 3:30 PM in the Gegan Room of the Menasha Public Library. Motion carried. COMP Stoffel will make the necessary arrangements.

G. ADJOURNMENT

Motion by ITMgr Lacey, seconded by COMP Stoffel to adjourn. Motion carried.
Meeting adjourned at 4:12 PM.

Respectfully submitted,

Thomas Stoffel
Committee Secretary

	Budget \$	YTD \$	% used YTD
Total Budget	\$373,049	\$127,186	34.09%

January-June 11, 2011

I.T. Department

Projects

April 13 thru June 14, 2011

Open Requests/Projects

- Hardware
 - Police squad Cellular network planning.
 - Police "N" band Wireless Access point implementation.
 - Police RSA security implementation.
 - Police Squad laptop deployment x 2
 - Squad laptop configuration and testing of new data transfer environment.
 - Police remote camera configuration to work with Squad laptops.
- Software
 - Website updates
 - Health Charting 70% complete
 - CJIS Security Audit on June 28th.
 - Implement Cartêgraph application for PWF.
 - Work with BayCom on Arbitrator 360 Squad video issues.

Current Requests/Projects

- Software
 - Assist Assessor Dept with reporting.
- Hardware
 - Upgrade Squad Laptop
- Application
 - Excavation Permit Application enhancements.
 - Research parking ticket application replacement.

Completed Requests/Projects

- Application
 - Health Department Weights and Measures Application enhancements.
 - Rebuild 4 PCs due to malware.
 - Clean multiple viruses off of City PCs.
 - Development of pool deep water pass tracking application.
- Hardware
 - Pool Network deployment.
 - Pool copier/printer deployment to Pool Admissions
- Administration
 - Configured network for access to Station 36 for HVAC management.

DRAFT

Neenah-Menasha Fire Rescue
Joint Finance & Personnel Committee
Meeting Minutes
May 24, 2011 – 5:30 p.m.
Hauser Room – City of Neenah

Present: Ald. Sevenich, Krueger, Klein, Ahles and Stevenson.

Also Present: Chief Auxier, Director Stoffel, City Attorney Captain, City Attorney Godlewski and Office Manager Theisen.

Excused: Ald. Ramos

Ald. Sevenich called the meeting to order at 5:30 p.m.

Approval of Minutes: The minutes were reviewed from April 26, 2011. **MSC Klein/Ahles to approve the meeting minutes from April 26, 2011, all voting aye.**

Budget Report: The Committee reviewed the April 2011 budget report. **MSC Stevenson/Krueger to approve the April 2011 budget report, all voting aye.**

Monthly Activity Report: The April 2011 monthly activity report was reviewed. **MSC Stevenson/Krueger to accept the April 2011 incident report and place on file, all voting aye.**

County Radio System: Chief Auxier updated everyone with the status of the current county radio system. Ald Sevenich asked that this information be reported out at the next City of Menasha Council agenda to update all Menasha Council members.

MSC Ahles/Klein convene into Closed Session Pursuant to Wis. Stat. Sec 19.85(1)(e) for the Purpose of Discussing Status of Bargaining and Bargaining Strategy Regarding Neenah-Menasha Fire Rescue IAFF Local 275, all voting aye.

Based on the above motion the Committee adjourned into closed session at 5:40 p.m.

Respectfully Submitted,

Al Auxier
Chief

AA/tt

CITY OF MENASHA
PERSONNEL COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
June 6, 2011
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Englebert at 8:33 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Zelinski, Englebert, Benner, Klein, Taylor, Sevenich, Langdon, Mayor Merkes.

ALSO PRESENT: CA/HRD Captain, Lt. Bouchard, C/T Stoffel, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. Personnel Committee, 5/2/11

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

Motion carried on voice vote.

D. ACTION ITEMS

1. Personnel Policy Handbook, Article V, B., paragraph 11 (WRS Contribution)

CA/HRD Captain explained the current policy as it pertains to Wisconsin Retirement contributions. When the Mayor prepared the 2011 budget he anticipated that all employees pay the required employee contribution to WRS. She gave examples of tax consequences to the employee if retirement contributions are put in pre-tax or post-tax.

General discussion ensued on the 2011 budget, furlough days, State budget impacts.

Moved by Ald. Benner, seconded by Mayor Merkes to hold for 2 weeks for more information.

2. Police Department Service Update

Mayor Merkes updated the committee on merger talks with the Town of Menasha and City of Neenah. The same concerns discussed in previous merger talks remain. The financial or operational benefits are not there.

E. ADJOURNMENT

Moved by Ald. Benner seconded by Ald. Langdon to adjourn into Closed Session at 9:45 p.m pursuant to Wis. Stats. §19.85(1)(e)&(g): 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; Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Union Contracts)

Motion carried on roll call 9-0.

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

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
June 7, 2011
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:35 p.m. by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Commissioner Schmidt, DPW Radtke and Ald. Benner

PLAN COMMISSION MEMBERS EXCUSED: Commissioners Homan and Cruickshank

PLAN COMMISSION MEMBERS ABSENT: Commissioner Sturm

OTHERS PRESENT: CDD Keil, PP Kester, Todd Platt, Jim Lundberg, Stanley Bye and Tammy Thompson

C. MINUTES TO APPROVE

1. **Minutes of the May 17, 2011 Plan Commission Meeting**

Motion by Comm. Schmidt, seconded by Ald. Benner to approve the May 17, 2011 Plan Commission meeting minutes with one correction - to spell Commissioner Sturm correctly. The motion carried.

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

1. No one spoke.

E. DISCUSSION

1. None

F. ACTION ITEMS

1. **Site Plan Review – Dollar General – Appleton Road**

Todd Platt gave an overview of Dollar General as a corporate entity. PP Kester stated the staff review comments on the site plan. Commissioners discussed:

- Building materials
- Site Lighting
- Dumpster enclosure location and screening
- Screening of ground mounted equipment
- Transitional area planting
- Storm water management

The consensus was that the developer should work with staff to address the items described above and bring back a revised site plan.

2. **Site Plan Amendment – 1429 Province Terrace and Consideration of Proposed Changes to Parking Lot Requirements**

Stanley Bye described the history of the site development and the current use of the site. Tammy Thompson described the business operations within the facility and the related need for

more parking. Commissioners discussed the application of interior parking lot landscaping requirements. The consensus was that staff should put together alternatives for parking lot landscaping that would give the Plan Commission greater discretion in allocating landscaping within and around the perimeter of parking lots.

G. ADJOURNMENT

Motion by DPW Radtke, seconded by Ald. Benner to adjourn at 5:20 p.m. The motion carried.

Minutes respectfully submitted by Greg Keil, CDD.



MENASHA POLICE COMMISSION MEETING MINUTES
DRAFT

President Ron Duuck called the meeting to order Monday, May 23, 2011 at 5:00PM, 140 Main Street 3rd floor of City Hall, City Council chambers.

Present: Ron Duuck, Tony Gutierrez, Jason Dionne, Terri Reuss, Mayor Merkes, City Attorney Captain, Marshall Spencer

Absent: None

1. **Meeting Minutes**

- Jason Dionne moved to accept the May 18 minutes. Terri Reuss seconded the motion. The motion was unanimously supported.

2. **New business**

- We learned that the secretary had the wrong email address for Terri Reuss; consequently she wasn't aware of and didn't attend the last 2 meetings, which weren't scheduled at regular meeting times.
- Going forward the Secretary will assemble and maintain a contact list of the commission members

3. Jason Dionne made a motion to go into **closed session**. Terri Reuss seconded the motion. The Secretary conducted a role call vote and the motion was unanimously passed.

4. **CLOSED SESSION** Wisconsin statutes sec 19.85 (1)(c)

- Considering the employment, promotion, compensation or evaluating the performance of any employee under the commission's jurisdiction.
- **RETURN TO OPEN SESSION;** Jason Dionne made a motion to return to open session. Terri Reuss seconded the motion and the motion was unanimously passed.

5. **Process for replacing Chief Stanke upon his June 6 2011 retirement**

- We developed a plan for temporary replacement during the process of hiring a permanent replacement, pending the individual's acceptance.
- We will collect and evaluate information regarding how other communities have gone about replacement.
- We will review and possibly up date the Chief of Police's job description
- We will consider using outside consulting resources
- We will develop a list of key attributes for the next Chief of Police

6. **Old business**-None

7. **Next Meeting:** Friday June 10, 2011 at 12:00 noon 140 Main Street 3rd floor of City Hall, City Council chambers.

8. **Adjourn:** Motion by Terri Reuss, seconded by Tony Gutierrez at 6:30pm. The motion was unanimously supported.

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

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

Respectfully submitted,
Marshall Spencer,
Commissioner, Secretary



MENASHA POLICE COMMISSION MEETING MINUTES
DRAFT

President Ron Duuck called the special meeting to order Monday, June 10, 2011 at 12 noon, 140 Main Street 3rd floor of City Hall, City Council chambers.

Present: Ron Duuck, Tony Gutierrez, Jason Dionne, Terri Reuss, City Attorney Captain, Marshall Spencer

Absent: None

1. Meeting Minutes

- Jason Dionne moved to accept the May 23 minutes. Terri Reuss seconded the motion. The motion was unanimously supported.

2. Process for filling Menasha Chief of Police position

- City Attorney Captain reported that Lt Michael Brunn has accepted the position of interim Police Chief, pending selection of the new chief
- Update of the Menasha Police Chief job description
 - ✓ MOTION made by Marshall Spencer and seconded by Tony Gutierrez: To change position qualification of years of supervisory experience from “three (3)” to “five (5)”.
 - AMENDMENT: To add to law enforcement and supervisory experience “or any combination of experience that provides equivalent knowledge, skills and abilities.”
 - ✓ MOTION: made by Tony Gutierrez seconded by Jason Dionne, To change position qualifications to give preference to a MA degree, with minimum requirement of a BA degree. The motion was unanimously supported.
 - ✓ MOTION: by Marshall Spencer and seconded by Tony Gutierrez To have the HR Director merge the 2 documents (ordinance & current job description) to create a police chief job description draft. The motion was unanimously supported.
- President Duuck will contact other city Police Commission Presidents who have recently gone through the process of selecting a new Police Chief. Purpose; identify process learnings and best practices. The commission members will develop a list of questions; a draft accompanies the minutes draft
- The commission will develop a list of position attributes. A draft accompanies the minutes draft.

3. Next meetings;

- Special meeting for process of selecting new chief-June 13 5:30pm 140 Main Street 3rd floor of City Hall, City Council chambers
- Regular meeting-July 21, 5:30pm Menasha Safety Building, 430 First Street, Menasha, Wi

4. Adjourn: Motion by Marshall Spencer, seconded by Jason Dionne at 1:20 pm. The motion was unanimously supported.

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

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

Respectfully submitted,
Marshall Spencer,
Commissioner, Secretary

CITY OF MENASHA
Redevelopment Authority
Council Chambers, City Hall – 140 Main Street
May 25, 2011
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 6:11 p.m. by Kim Vanderhyden.

B. ROLL CALL/EXCUSED ABSENCES

REDEVELOPMENT AUTHORITY MEMBERS PRESENT: Kip Golden, Ken Skalmoski, Bob Stevens, Kim Vanderhyden, Dave Wuestenburg and Alderman Englebert

REDEVELOPMENT AUTHORITY MEMBERS EXCUSED: Linda Kennedy

OTHERS PRESENT: CDD Keil, CA Captain, Comptroller Stoffel, and Mike King from the Post Crescent

C. MINUTES TO APPROVE

1. **Minutes of the May 3, 2011 Redevelopment Authority Meeting**

Motion by Bob Stevens, seconded by Kip Golden to approve the May 3, 2011 Redevelopment Authority meeting minutes.

The motion carried.

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

1. None

F. DISCUSSION

1. **Review of Menasha Redevelopment Plans**

CDD Keil reported that several plans have been prepared for Menasha's downtown, waterfront and near-downtown areas. He then presented the Third and Racine Street Corridor Plan that was prepared by Schreiber-Anderson Associates, Inc. in 2005. The plan called for landscape/streetscape improvements, proposed land use changes, and suggested development design guidelines. Commissioners discussed constraints on implementation including financial and staffing resources, the need for more marketing and a focus for future efforts.

2. **Status of Menasha TIF Districts**

Comptroller Stoffel reviewed the financial status of Menasha's 11 TIF districts. Commissioner's discussed the benefits the city has realized from the use of Tax Increment Financing in promoting redevelopment. They also discussed how the city was dealing with under-performing districts and what the prospects were for the future.

3. **Acquisition and Disposition of City Owned Property by the Redevelopment Authority**

CDD Keil reported that staff is working on a proposal as to how these transactions would take place and hopes to have a plan ready for the next meeting. Commissioner's discussed potential risks/benefits to the city and RDA should such a plan be implemented.

G. ACTION ITEMS

1. None

H. ADJOURNMENT

Motion by Dave Wuestenburg, seconded by Bob Stevens to adjourn at 7:12 p.m.

The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director.



City Hall Safety Committee Meeting

April 14, 2011

MINUTES

Meeting called to order at 1:25 PM.

Present: Adam Alix, Tom Stoffel, Todd Drew, Pamela Captain

Excused: Kristi Heim, Kate Clausing, Cate Brandt, Sue Nett

A. Motion to approve the minutes from February 4, 2011 meeting made by P. Captain seconded T. Stoffel – Motion carried.

B. Old Business

1. **Library Report** – E- mailed Durant (Engineer on Library Renovation) no response. Other items in process full walk thru in May.
2. **Injury Report Form** – New reporting form forwarded by K. Clausing and in use no issues raised.

C. New Business

1. **Monthly Safety Topic** – “Too many cords in the receptacle May result in a flaming spectacle!” distributed and discussed.
2. **Injury Review**— No injuries reported
3. **Other Items for discussion**- No additional items discussed.

D. Training

1. **Bloodborne Pathogens Refresher** – T. Drew stated that this refresher training is available on the Intranet for all staff to complete – completion progress will be reported in May. T. Drew will consult with P. James re: accessing completion data base.
2. **Ergonomics Self Assessments**- 2 self assessments returned from 3rd floor. No others received.
3. **Work Plan Items** – Ergonomics training completed. Injury report form revised and approved.
4. **Additional Training Suggestions**- No additional suggestions made

E. Meeting adjourned at 1:40 PM motion made by P. Captain seconded A. Alix



**Police Safety Meeting
March 29, 2011
Minutes**

Meeting called to order at 2:35 PM.

Present: Mike Brunn, Aaron Zemlock, Chuck Sahr, Bev Sawyer, Mark Mauthe
Excused: Sue Nett, Pamela Captain

A. Motion to approve minutes from November 18, 2010 meeting made by A. Zemlock second B. Sawyer.

B. Old Business

1. **Respiratory Protection** – Fit testing dates need to be set up by T. Drew. Medical assessments are also needed for two new members to the group. This will have to be arranged with Dr. Rudolph.
2. **Police Department Boiler Room Work** – T. Drew informed the committee that sampling was conducted for asbestos related to work scheduled in the boiler room. No asbestos was detected.

C. New Business

1. **Monthly Safety Topic**- was emailed to C. Sahr.
2. **Injury Review** – None
3. **Parking issue during snowstorms** – Item on hold pending agreement between the Police and Fire Chiefs. Committee stated that if DPW would inform them prior to plowing they would have the opportunity to move vehicles to avoid them getting plowed in. T. Drew to discuss with T. Jacobson.
4. **Replacement of Dave Jagla for the Safety Committee**- A. Zemlock stated that he has had some preliminary discussion with officers. All agreed that a patrol officer would be preferred to have full representation.

D. Training

1. **Bloodborne pathogen training refresher** – training was completed in Dec. 2010.

2. **Required Training 2011 / scheduling** – T. Drew will put together computer based trainings for all required refresher training and put on the intranet. T. Drew will also research updated Law Enforcement video training from CVMIC. T. Drew will also have the Diversity Training videotaped and put on the intranet as well.

E. Motion to adjourn at 3:05 PM, made by A. Zemlock and seconded by C. Sahr.
Motion carried.

Members: Mike Brunn, Chuck Sahr, Mark Mauthe, Dave Jagla, Aaron Zemlock, Bev Sawyer, Todd Drew, Sue Nett, Pamela Captain



PUBLIC WORKS / PARKS DEPARTMENT SAFETY COMMITTEE
April 26, 2011
MINUTES

Meeting called to order at 9:05 AM

Present: Adam Alix, Todd Drew, Jeff Nieland, Corey Gordon, Mark Radtke, Jim Julius, Vince Maas, Bill Basler Sr., Tim Jacobson, Brian Tungate

Absent: Sue Nett, Pamela Captain, Ken Popelka,

Approval of Minutes – Motion to approve minutes from the February 22, 2011 meeting made by C. Gordon second B. Basler.

A. Old Business

1. **EOEP Maps** – Jefferson Park Bathhouse – no updated information
2. **Recycle Truck Update (injury from Feb)** – Unit not used since last meeting.
3. **Lifting Training** – T. Drew to reschedule

B. New Business

1. **Monthly Safety Topic** – “*Too many cords in a receptacle May result in a flaming spectacle*” was distributed and discussed. Topic covered proper use of power strips and extension cords
2. **Injury Review** – 1 injury was reported:
A building maintenance employee reported a lump in his stomach on the left side just above the belt line immediately following shoveling heavy snow. Employee received medical attention – minor hernia – no additional medical attention recommended by physician.
3. **Other new items** – A. Alix raised the issue of ventilation in the maintenance shop related to welding and whether the system was clearing smoke appropriately. T. Drew to resample area for diesel and metal particulates. A. Alix to have area CFM and air change reassessed.
4. **Other new items** – Garage walk thru to be conducted in May.

C. Training

1. **Status of Computer Trainings** – completed, T. Drew to confirm database
2. **DPW/ Parks Lifting Training** – T. Drew to reschedule class portion for week of May 1, 2011.

3. **Diversity Training** – T. Drew reminded attendees of the Diversity Training scheduled for May 3, 2011.
4. **Excavation Competent Person** – T. Drew discussed the training to be held at CVMIC in Brookfield. 6 employees currently scheduled. T. Drew to confirm location (new vs. old location)
5. **Rigging Training**- V. Maas stated that he has been in contact with trainer and time for course will depend on the extent of hands on. V. Maas to coordinate a date with trainer.
6. **Ladder Safety Training** – T. Drew inquired about computer vs. class room for ladder training refresher. J. Neiland suggested class room. T. Drew to complete training material and set date late May.

D. Adjourn: Motion M. Radtke second V. Maas Meeting adjourned at 9:45 am

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

May 25, 2011

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 5:04 P.M., with Commissioners Bob Fahrbach, Joe Guidote, Don Merkes, and Joanne Roush present on roll call. Also present were Melanie Krause, Co-General Manager/Business Operations; Dick Sturm, Co-General Manager/Engineering and Operations; Steve Grenell, Project Engineer; Kristin Hubertus, Business Operations Accountant; Lonnie Pichler, Electric and Water Distribution Supervisor; Jerry Sturm, Water Plant Supervisor; and the Press.

Those absent were: Dave Rodriguez, Customer and Utility Services Manager; John Teale, Technical Services Engineer; and Mark Albert, Energy Services Representative.

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

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

- A. Minutes of the Regular Meeting of April 27, 2011.
- B. Minutes of the Closed Sessions of May 16, 2008; June 9, 2008; June 18, 2008; July 31, 2008; Sept. 24, 2008; Oct. 22, 2008; Oct. 28, 2008, Oct. 29, 2008, Nov. 7, 2008; Nov. 13, 2008; Nov. 19, 2008; Dec. 1, 2008; Dec. 7, 2008; Dec. 29, 2008; Feb. 25, 2009; March 25, 2009; April 23, 2009; May 27, 2009; June 9, 2009; and June 24, 2009, all concerning Steam Contracts.
- C. Approve and warrant payments summarized by checks dated May 5 - 25, 2011, which includes Net Payroll Voucher Checks, Void O & M Checks 041614 & 041615, and Operation and Maintenance Voucher Checks for a total of \$809,266.23, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- D. Correspondence, as listed.
 - Copy of memorandum dated April 28 to City of Menasha Common Council, from Mayor Merkes, re: Utility Commission Appointment
 - Copy of memorandum dated April 28 to City of Menasha Common Council, from Mayor Merkes, re: Greenwood Fuels
 - Copy of letter dated April 29 to Sandra Paske, Public Service Commission, from Co-General Manager Sturm, re: WE Energies Boundary Agreement
 - Copy of memorandum dated May 9 to Wisconsin Legislators, from MEUW, WRWA, and MEG-Water/Wastewater, re: LRB 1393/1

Item IV. April Financial and Operations Statement – Business Operations Accountant Hubertus highlighted various items on electric, water, and fiber. The new electric rates were effective April 6 and the increase is reflected in revenue dollars on the income statement. Usage decreases were noticed for Calder Stadium and Koslo Park and they are being investigated. On the cash flow statement, the WPPI lease agreement payment has been added.

On the water statements, the Water Distribution Department has been working on the leak detection program resulting in the month to date loss being reduced to 2.7%. On the water cash flow the balance is a negative \$8,000 for the year, and staff is looking at what additional projects can be deferred to make sure there is not a short fall. A water utility reserve cash flow spreadsheet has been added showing how various projects will be funded.

On the telecommunications statements, we are still carrying forward the fire station project out to future months for recognizing the contributions and capital for plant.

After discussion, the Commission accepted the April Financial and Operations Statement as presented.

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

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

Action on the purchase order related to the tap changer at Tayco Substation will be taken later in the meeting.

Item VII. Unfinished Business – there was no Unfinished Business discussed at this meeting.

Item VIII. New Business, MEUW Annual Meeting – Co-General Manager/Engineering and Operations Dick Sturm reviewed the agenda for the June 9 meeting which focuses on topics for decision makers and policy makers. The deadline for registration is June 1.

Draft Emergency Water Supply Agreement – Mr. Dick Sturm reported this agreement would be a safety back-stop for either community in an emergency situation. The City Attorney has reviewed the draft agreement and recommends the addition of an indemnification and hold harmless clause. The interconnections were flow tested this past week and all valves worked.

There was discussion regarding emergency procedures for curtailment if it would become necessary and they could be added to the Emergency Response Plan.

The motion by Comm. Guidote, seconded by Comm. Fahrback, was unanimous on roll call to approve the draft Emergency Water Supply Agreement with the indemnification provision provided by the City Attorney to be included.

Soda Ash Inventory – Co-General Manager/Business Operations Krause stated the financial statements included comments on chemical costs for the month, and part was contributed to the soda ash adjustment. A history of the soda ash usage and calculation was included in the packet along with measures put in place to prevent major problems.

Water Plant Supervisor Jerry Sturm reported a load of off spec soda ash had been delivered, and the vendor is covering 100% of the additional costs to the utility for its disposal. Check lists have been put in place for every chemical that is delivered to the Water Plant.

Attorney Palmer Relocation & Withdrawal from DeWitt Ross & Stevens SC – Mr. Dick Sturm reported Attorney Todd Palmer has been the lead attorney in the environmental litigation, and he has made the decision to relocate his practice to another law firm. Due to his work knowledge and contribution to our case, staff is recommending staying with Attorney Palmer until the litigation is resolved. This change will not affect the rate for the work that is progress, and there is no cost to the Utility to transfer records.

The motion by Comm. Fahrback, seconded by Comm. Roush, was unanimously approved to have Attorney Todd Palmer continue handling the legal work concerning the environmental litigation.

Water Leak Summary – Electric and Water Distribution Supervisor Pichler summarized the information included in the packet. The Airport and Greenwood Drive location has an estimated loss of 1,750,000 not 17,500,000 as listed. The leak at 821 Grove has also been repaired. The leak detection program has been very successful to date. The listening device is also used during hydrant flushing.

Tayco Substation Tap Changer – Project Engineer Grenell gave an update on the tap changer oil analysis at the Tayco Substation which indicated very high combustible gas content. A detailed inspection revealed heavy coking due to high resistance in the contacts. In addition, pitting and wear indicated that replacement is necessary to make it reliable and put it back in service.

After discussion, the motion by Comm. Roush, seconded by Comm. Fahrback, was unanimous on roll call to approve Purchase Order 7070 to Normandy Machine, in the amount of \$18,143.00 for the complete contact kit for the tap changer at the Tayco Substation.

Item IX. Project Reports, Bondholder Settlement and WPPI Energy Transaction – Mrs. Krause stated there is nothing new to report on the bondholder settlement. Staff is finalizing journal entries and legal documents related to the transaction to file with the Public Service Commission. There has been no EPA activity since the last meeting, and the Commission requested a status report for the June meeting.

Item X. Staff Reports, Co-General Manager/Engineering and Operations – there were no additional questions to the report presented.

Electric and Water Distribution/Safety Report – Mr. Pichler added the tree trimming and induction lighting projects have been completed. He also suggested the City may want to investigate the installation of an electric vehicle charging station(s) in the future.

Water Plant – Mr. Jerry Sturm added the water plant is in summer operations mode.

Mike King, Post Crescent, departed at 6:20 pm.

Project Engineer – there were no additional questions to the report presented.

Telecommunications & Substations – Mrs. Krause stated staff is exploring a fiber extension, obtaining costs, and reviewing contracts. This item will be brought back to the Commission.

Co-General Manager/Business Operations, Customer and Utility Services, and Energy Services Representative/Key Accounts – there were no additional questions to the reports presented.

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

Item XII. The motion by Comm. Merkes, seconded by Comm. Roush, was unanimously approved on roll call to adjourn at 6:30 p.m.

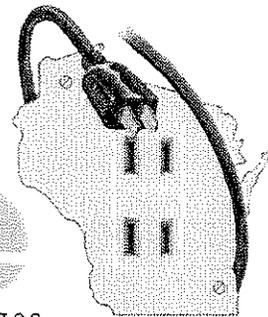
By: MARK L. ALLWARDT
President

JOSEPH P. GUIDOTE
Secretary

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

A Coalition
to preserve
Wisconsin's
Reliable and
Affordable
Electricity

Customers First! the Wire



Plugging you in to electric industry changes

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Azar departure to change PSC

The resignation of Lauren Azar, effective June 3, brings unusually rapid change to the Public Service Commission (PSC) of Wisconsin.

In the space of just over two months, the state's independent, three-member utility regulatory panel will have gone from one made



Azar

up entirely of commissioners appointed by former Governor Jim Doyle to a single Doyle appointee and two members appointed by new Governor Scott Walker.

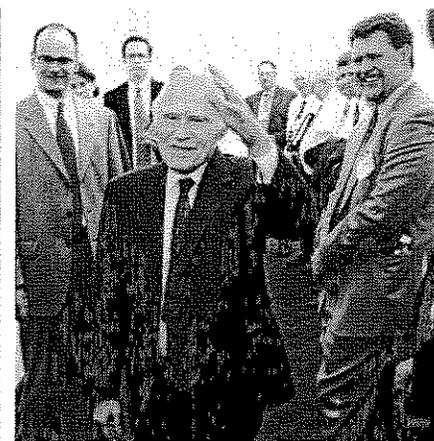
Azar, who leaves to take a new post

in Washington, D.C., as senior advisor to U.S. Energy Secretary Steven Chu, had almost two full years remaining in her term. New PSC Chair Phil Montgomery, Walker's first appointee to the commission, succeeded Doyle appointee Mark Meyer whose term expired in March.

Customers First! Coalition Executive Director Matt Bromley paid tribute to Azar on announcement of her departure late last month, saying, "The Customers First! Coalition appreciates Commissioner Azar's thorough and balanced approach to the complex issues that came before the Commission."

Azar brought depth of experience to her PSC job, having specialized in public utility law as an attorney in private practice prior to her March 2007 appointment by Doyle.

The change gives Walker a much earlier opportunity than most governors have in putting their personal stamp on the PSC. Commissioners serve staggered six-year terms that overlap the governor's four-year tenure. The sole remaining Doyle appointee, Eric Callisto, is serving a term that expires March 1, 2015. ⚡



Kohl receives his national Distinguished Service Award (above left) from Wisconsin electric co-op leaders, who are welcomed by him regularly in Washington, D.C. (right).

Kohl a friend to customers

In the year and a half before he retires there's still time for productive work on the issues Senator Herb Kohl has championed, but now is an appropriate time to recognize his faithful service on behalf of electricity customers. The four-term Senate veteran announced May 13 that he would not run for re-election in 2012.

Kohl has been a leading proponent of railroad reform legislation sought by *Customers First!* and other member organizations of C.U.R.E. (Consumers United for Rail Equity) because of the impact of monopoly rail shipping costs on utility customers and key Wisconsin industries.

Kohl's reform initiatives have been making progress and it's hoped they can be enacted in the 19 months remaining in the current Congress.

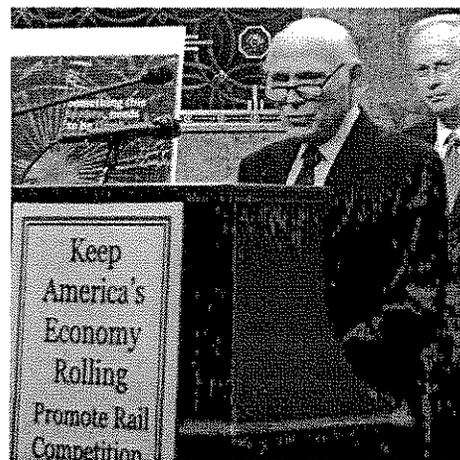
Kohl was honored in 2006 by one of the founding organizations in the *Customers First!* Coalition, the Wisconsin Electric Cooperative Association (WECA). The group presented Kohl with the ACE Award, its highest honor and given only rarely to a non-member, for consistently backing the interests of people served by the consumer-owned utilities on issues relating to the cost and reliability of electricity.

In 2009, the National Rural Electric Cooperative Association followed suit, giving Kohl its

Distinguished Service Award.

A sizeable WECA delegation met with Kohl and his staff in Washington just 10 days before he announced his plans to retire at the end of the current term.

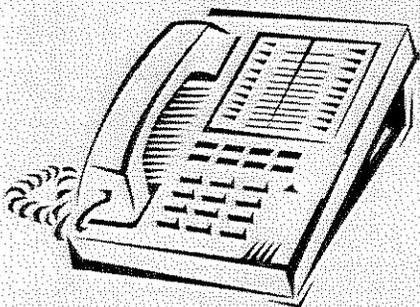
First elected to the Senate—the only public office he's ever held—in 1988, Kohl has served throughout his career as a member of the Senate Judiciary Committee and its Subcommittee on Antitrust, Competition Policy and Consumer Rights. ⚡



At a 2007 CURE meeting, Kohl speaks out on his rail reform legislation.

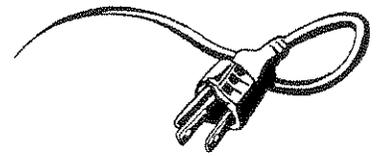
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers, and an investor-owned utility. *Customers First!* is a coalition dedicated to preserving Wisconsin's reliable and affordable electricity.

If you have questions or comments about THE WIRE or the *Customers First!* Coalition, please call 608/286-0784.



KEEPING CURRENT

With CFC Executive Director Matt Bromley



A coalition of utilities and industrial customers in Michigan has joined the chorus of state regulatory commissions in the Midwest, including the Public Service Commission of Wisconsin (PSC), in seeking reconsideration of a plan to pay for major transmission projects in the region.

Last December the Federal Energy Regulatory Commission (FERC) accepted a cost-allocation proposal by the Midwest Independent System Operator (MISO), the regional transmission operator that manages the wholesale electricity market in the part of the Midwest that includes Wisconsin. The plan establishes a new category of transmission projects called Multi-Value Projects (MVPs) that are deemed to have broad, region-wide benefits and whose costs would be socialized across the MISO footprint. Projects that could fall into the MVP category are those that enable the delivery of energy in support of energy policy mandates such as renewable portfolio standards, or those that address regional reliability and/or economic issues.

Objections to the cost-allocation plan are generally over who benefits from the transmission projects and who, accordingly, should pay for them. Those calling on FERC to rehear the issue say the policy falls short of protecting customers from paying for projects from which they will receive little or no benefit. In its Strategic Energy Assessment report from earlier this year the PSC states that it "is not opposed to cost-sharing proposals in general, but is seeking reconsideration at FERC to ensure that the cost-sharing method is equitable, and accounts for all of the beneficiaries of new transmission infrastructure." Members of the Michigan coalition claim ratepayers in their state could be on the hook for 20 percent of the total cost of a transmission build-out in the 13-state MISO region.

In filings with FERC, the PSC and several other state utility commissions say the formula used for measuring costs and benefits of MVPs is flawed and needs to be fixed. The state regulators also want to charge neighboring regions for the benefits they receive from MVP lines built in the MISO region. The argument is that Eastern states using these lines to access Midwest wind resources in order to meet their renewable energy mandates should help pay for them.

FERC hasn't yet said whether it will rehear the decision, but this case raises some important questions as we modernize our nation's electricity grid: What are the roles of federal and state authorities in siting and permitting interstate transmission lines, and perhaps more importantly, who pays? 💡



Bromley

Regulating the regulators

The Federal Energy Regulatory Commission (FERC) has stirred up controversy with an order affecting wholesale electricity markets. One group of consumer-owned utilities says the feds are artificially inflating prices to guarantee a return for independent power producers.

The National Rural Electric Cooperative Association (NRECA) has petitioned for rehearing of a FERC order it says could prohibit generation-owning utilities from using their own capacity to meet their load-serving obligations. Instead, NRECA says, the federal order could force utilities to buy power for resale in an Eastern wholesale capacity market whether they need to or not.

"Gas stations cannot charge customers

who buy electric cars for the gasoline they do not need to purchase," the national organization's petition said.

Filed last month, the NRECA petition characterizes the issue as "a minor step" that could "fundamentally change the nature of the electric industry in the PJM [Pennsylvania-New Jersey-Maryland] region and potentially throughout the United States."

The federal order also got the attention of the New Jersey Board of Public Utilities. Board President Lee Solomon said FERC doesn't address "the failure of the PJM market to deliver new capacity" that could cut energy prices and replace old, dirty, and inefficient generation infrastructure. 💡

Putting off offshore

First-quarter construction of wind energy projects this year rapidly outpaced activity for the same period in both 2009 and 2010. The American Wind Energy Association reported 1,100 megawatts of new capacity installed in January through March. The second quarter opened with another 5,600 megawatts under construction.

On the other hand, it's been a rough few months for the industry's offshore element.

Less than three weeks after announcing approval of a construction and operations plan for what would be the nation's first offshore wind project, the Obama administration notified the developers they're no longer being considered for a federal loan.

A letter last month from the Department of Energy (DOE) to Boston developer Energy Management, Inc. (EMI) said the Cape Wind project on Nantucket Sound "is not being terminated; it is being put on hold."

But the DOE made it clear the project could be "on hold" for a long time.

A number of other clean-energy projects are further along than Cape Wind and likely to consume all available loan guarantee funds, the letter said. "Given this reality, we are unable to continue working on your application at this time," the DOE told EMI.

The \$2 billion loan application could be revisited if additional funds become available, the DOE said, but it added: "We must caution you, however, that there is no assurance that we will ever be in a position to continue our evaluation of your project or of the terms on

which we would do so."

It was the latest in a series of setbacks for a segment of the wind industry that's struggling to get a start.

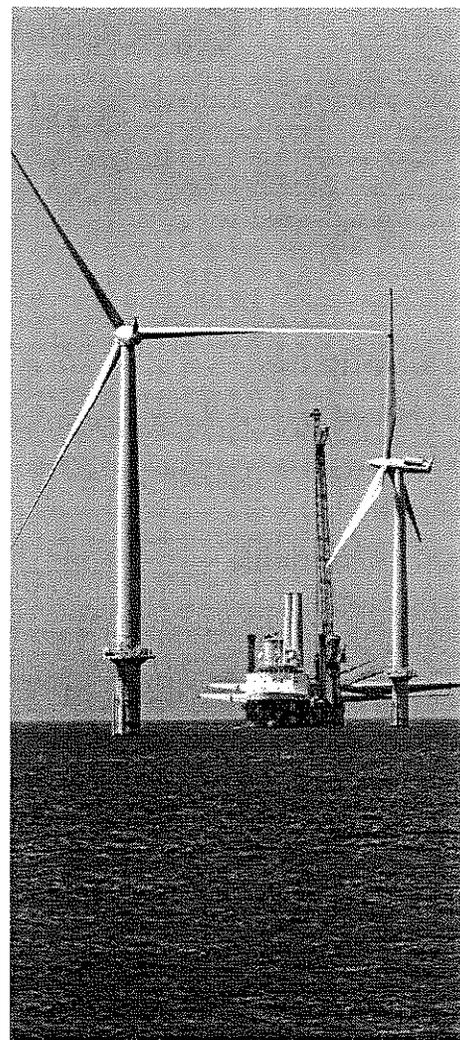
Earlier in May federal officials, responding to fishing industry concerns, cut by more than half—to about 1,300 square miles—the expanse of federal waters off Massachusetts available for leasing by wind developers.

In mid-May, two Rhode Island manufacturers asked their state supreme court to void a contract between regional utility National Grid and Deepwater Wind—a potential rival to Cape Wind for the first U.S. offshore project—saying the cost will drive businesses from the state. National Grid is to pay 24.4 ¢ per kilowatt-hour at wholesale, with an automatic 3.5 percent annual increase.

Also last month, a task force of the federal Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) put huge areas off North Carolina out of bounds for development, cutting available space from almost 10,600 square miles to less than 3,700. The National Park Service may further reduce the area.

In April, Maryland lawmakers punted two bills requiring investor-owned utilities to contract for power from offshore-wind developers. Citing higher consumer costs for energy from offshore facilities, the Legislature set the bills aside for "further study" before adjourning its annual session.

In February the Province of Ontario, with shoreline on four of the five Great Lakes, ruled



out offshore wind projects and suspended pending applications.

In Michigan, county commissioners last fall rejected a \$4 billion development plan. Offshore wind-siting legislation is stalled, and two lawmakers have introduced a bill prohibiting wind farm development in their state's Great Lakes waters.

Little has been heard of Great Lakes offshore development in Wisconsin waters since a 2009 special study group led by departing Commissioner Lauren Azar reported to the PSC with concerns over high construction, operation, and maintenance costs. 💡

Michigan's competing numbers

There are still those who advocate electric utility restructuring and they still say there's not enough competition in the markets. But that begs the question: Why do competitive retail electricity markets always seem to lack sufficient competition?

Michigan has a "staggering" level of pent-up demand for electric competition, according to Constellation Energy Group Vice President David Fein, writing for *The Detroit News* this spring. The past year saw a 38-percent increase in commercial and industrial customers served by competitive power providers, said Fein, whose Maryland-based company wants more of the action.

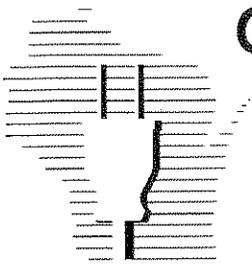
But Michigan law caps competitive access at 10 percent of the market, and Fein says that cap was reached years ago. So which way is it?

Surely it's true that new generation, which competition was supposed to attract and which was supposed to lower prices, hasn't materialized in Michigan. The answer may be that so-called competitive markets, so intricately arranged, are too easy to game.

The best arguments for traditional utility regulation are made by those who have abandoned it. 💡

Energy saver tip

If you're among the growing number of people doing office work in your home, be sure to enable the low-power features found on much electronic equipment. It's also good to make a habit of shutting that equipment off when it's not being used. And look for the efficient monitors, printers, and computers with the Energy Star trademark. 💡

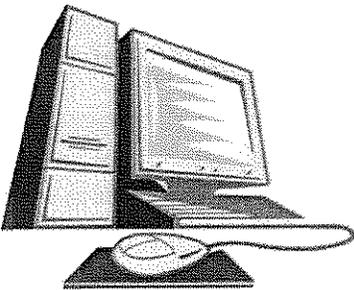


Customers First!

P.O. Box 54
Madison, WI 53701

A **Coalition**
to preserve
Wisconsin's
Reliable
and Affordable
Electricity

Be sure
to check out the
Customers First!
website at



www.customersfirst.org



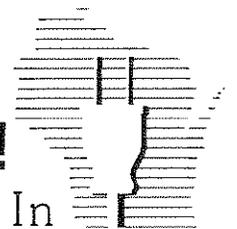
Quotable Quotes

"It is our duty to protect New Jersey's ratepayers. I do not believe that New Jersey forfeited its sovereignty when PJM became the regional transmission operator."

—New Jersey Board of Public Utilities President Lee A. Solomon, on his views regarding the shortcomings of the Pennsylvania–New Jersey–Maryland wholesale power market, in a board statement issued April 13, 2011

Help us share our messages with others. If you know of businesses or organizations that would like to learn more about protecting Wisconsin's reliable and affordable electricity, please feel free to copy and share with them all or part of this newsletter, or you can call 608/286-0784 to arrange an informational meeting.

Customers First!
Plugging Wisconsin In



May 2011 Disposal Violations

<u>Date</u>	<u>Address</u>	<u>QTY</u>	<u>Comment</u>
05/02/11	unknown		misc wood scraps and shutters in recycle center - pic
05/04/11	unknown		partial pickup load of grass clippings dumped in chips pile outside of fence line, numerous yardwaste bags dumped by ag-bags outside fence line.
05/04/11	unknown		suitcase in recycle center
05/04/11	unknown		3 microwaves in appliance area without permits \$45.00 permits #7069-7070-7071
05/04/11	unknown		resident unloaded a cut-up wood fence (outside of fenced area) - observed while in process-instructed on disposal
05/05/11	unknown		table top, 2 laundry baskets, plastic storage basket in recycle center overnight - pic
05/09/11	unknown		glass table top, shovel, misc kids toys, plastic pool, 2 sleds, plastic tub in recycle center from weekend - pic
05/10/11	unknown		2 mops and 4 patio blocks in cardboard collection area - pic
05/10/11	unknown		TV in scrap metal
05/12/11	unknown		styrofoam forms in recycle center, 4x4 piece of plywood decking behind maintenance shop, branches, loose & bagged yardwaste behind maintenance shop - pictures
05/17/11	unknown		fire and wire fence in recycle center - \$3.00 - pic
05/23/11	unknown		from weekend in/around recycle center: water bed frame, mattress, wire garden fencing, plastic containers, 2 folding chairs, cardboard on gaylord boxes, 17 bags of yardwaste (behind recycle center), toilet, partial 5 gallon bucket of paint, 5 gallons container of sealer (?) - pic
05/27/11	unknown		5 plastic milk crates, large plastic garbage can, 4 plastic containers, styrofoam in recycling center - pic
05/31/11	unknown		wood shutters and metal shelving in recycle center - pic
			***FREON APPLIANCES, MICROWAVES, BALLASTS, and PROPANE TANKS IN SCRAP METAL THAT ARE NOT CAUGHT GO TO PROCESSING AT SADOFF. IF DISCHARGED AT THEIR FACILITY WE RISK NOT HAVING SCRAP METAL COLLECTED IN THE FUTURE BY SADOFF OR ANY OTHER METAL VENDOR. WE HAVE BEEN CONTACT AGAIN RECENTLY BY SADOFF IN REGARDS TO ILLEGAL ITEMS BEING INCLUDED IN OUR SCRAP METAL.
			***ELECTRONICS MUST BE RECYCLED BY US WHEN DROPPED OFF AT OUR FACILITY ILLEGALLY OR WHEN RESIDENTS DO NOT REMOVE FROM THE TERRACE AFTER WE TAG - (CURRENTLY \$2.00 per electronic - when brought to Winnebago County Recycling Center)
			Clear fill (concrete, sod, etc) dumping violations - we must transport to Badger Hwys for disposal (Badger charges \$)
			Hazardous material disposal violations - cost to remove unk - removed twice each year approx cost \$1000/year
			Bulky item disposal (\$15.00 each)
			Freon or Microwave Disposal Permits (\$15.00 each)
			LP Tank disposal (\$4.50 each)
			Tire disposal \$3.00, \$5.00, or \$7.00 each
			Refuse disposal violations (\$45/2 yard dumpster rental)
			Yardwaste disposal violations (\$35/min pickup charge)
			Total disposal violations-cleanup (15 minutes/cleanup X \$34.77/hr wage + benefits)
			MAY 2011 TOTALS

Not included: gas cans () & compressed gas cylinders () will be disposed of with other hazardous waste left here illegally.

Incident like those listed above are reasons other communities have closed their drop off sites.

June 7, 2011

VIA EMAIL: dmerkes@ci.menasha.wi.us

Mayor Don Merkes
Menasha City Hall
140 Main Street
Menasha, Wisconsin 54952

VIA EMAIL: pcaptain@ci.menasha.wi.us

Attorney Pamela Captain
Menasha City Hall
140 Main Street
Menasha, Wisconsin 54952

VIA EMAIL: dgaleazzi@ci.menasha.wi.us

Debbie Galeazzi
City Clerk

VIA EMAIL: eklein@ci.menasha.wi.us

Chris Klein
Aldermanic District 1

VIA EMAIL: mlangdon@ci.menasha.wi.us

Mark Langdon
Aldermanic District 4

VIA EMAIL: dzelinski@ci.menasha.wi.us

Dan Zelinski
Aldermanic District 6

VIA EMAIL: kbenner@ci.menasha.wi.us

Kevin Benner
Aldermanic District 8

VIA EMAIL: ssevenich@ci.menasha.wi.us

Stan Sevenich
President and Aldermanic District 3

VIA EMAIL: mtaylor@ci.menasha.wi.us

Michael Taylor
Aldermanic District 2

VIA EMAIL: skrueger@ci.menasha.wi.us

Steve Krueger
Aldermanic District 5

VIA EMAIL: jenglebert@ci.menasha.wi.us

Jim Englebert
Aldermanic District 7

RE: Tom Schanke - Lot No. 16 of Lake Park Villas

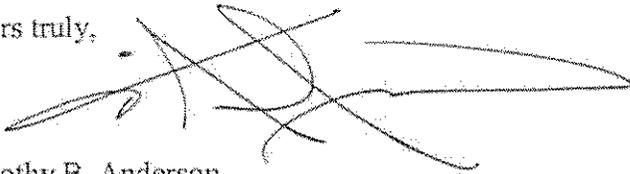
Dear Mayor Merkes, Council Members, and Other Interested Parties:

The purpose of this letter is to follow-up on the comments that Tom Schanke and I made during the Public Comments segment of the Council Meeting conducted on Monday, June 6, 2011, at approximately 6:00 p.m. Mr. Schanke and I thank you for affording us the opportunity to speak and for your attentiveness.

To reiterate my requests of you at such Council Meeting, I hereby ask that you put Mr. Schanke's concerns on the upcoming Agenda for the next Council Meeting and duly notice the same, or in the alternative that you call a Special Meeting at which meeting Mr. Schanke and I could further address such matters with Mayor Merkes, Council Members, and City Attorney Pam Captain. To date, we feel strongly that Mr. Schanke has not been provided a sufficient forum or opportunity to address these matters with you.

Again, in an effort to explore an amicable resolution to these matters, I respectfully request that you follow-up with me promptly as to the foregoing. Mr. Schanke and I eagerly await your response. Please direct your response to my attention, as I am working with Attorneys Jim Rudd and Christine Wanless, collectively, from my office on this matter. I will be the lead contact going forward.

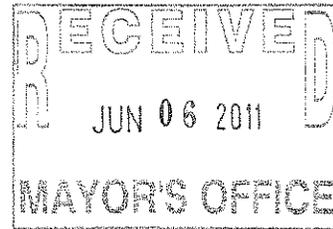
Yours truly,

A handwritten signature in black ink, appearing to read 'Timothy B. Anderson', with a long horizontal flourish extending to the right.

Timothy B. Anderson
For the Firm
tanderson@remlelaw.com

/tlf

cc: TGFW, LLC c/o Thomas G. Schanke



June 1, 2011

Mayor Don Merkes
City of Menasha
140 Main Street
Menasha, WI 54952

Dear Mayor Merkes,

Enclosed please find a check for \$56,093.16, which is the City of Menasha's final local, state and federal refund for 2010 fixed route services. A spreadsheet is attached showing Menasha's operating costs for 2010 and the amount reimbursed. Menasha is receiving \$12,979.16 more than was budgeted because, as a result of lower expenses, the combined state and federal support was 60% of Valley Transit's operating costs rather than the 57.5% projected. Our audit was just completed which is the reason for the delay in getting the final check to you.

Thank you for supporting transportation services in Menasha. We value our partnership with you and your city.

If you have any questions about the refund, please feel free to give me a call. My direct number is 920-832-2291.

Sincerely,

Deborah S. Wetter
General Manager

cc: Roger Kanitz, Transit Commissioner



CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday June 6, 2011
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:10 p.m.

B. PLEDGE OF ALLEGIANCE

Moment of silence for Dave Erdmann, Dave Omitt and Frank Stilp, all recently passed away.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krueger, Zelinski, Englebert, Benner, Klein, Taylor, Sevenich, Langdon

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, FC Auxier, Lt. Bouchard, DPW Radtke, CDD Keil, C/T Stoffel, Clerk Galeazzi and the Press.

DEPT. HEADS EXCUSED: PHD Nett, PRD Tungate

D. PUBLIC HEARING

1. Proposed amendment to Title 13, Article E of the Code of Ordinances relating to the paving of driveways and parking lots

CDD Keil gave a brief overview of the proposed ordinance.

No one from the public spoke.

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

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

Tom Schanke, Gardens of Fountain Way, 1050 Fountain Way. Discussion on Lot 16 Lake Park Villas.

Atty. Timothy Anderson, Representing Tom Schanke. Request a meeting with City staff to discuss Lot 16 Lake Park Villas.

Vince Knuth, 46 Lawson Street. Citations received from Police Dept.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. FC Auxier – Update on Winnebago County radio system

FC Auxier explained the FCC mandated upgrades to all VHF frequencies which results in changes in the the County radio system. He explained the impact to the NM Fire Rescue budget to update the radio system.

2. Joe Weidert – Discover Historic Menasha Contest – award of donated prizes to Melissa Brumbelow- 1059 Sterling Heights Dr. Menasha

Mayor Merkes explained the Discover Historic Menasha Contact organized by the Landmarks Commission and sponsored by the downtown merchants. He introduced the winner, Melissa Brumbelow. He presented Ms. Bumbelow with a gift basket donated by the downtown merchants.

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

Minutes to receive:

- a. Administration Committee, 5/16/11
- b. Board of Public Works, 5/16/11
- c. Joint Review Board, 4/18/11, 5/18/11
- d. Landmarks Commission, 5/25/11
- e. Library Board, 5/19/11
- f. Parks & Recreation Board, 5/9/11
- g. Plan Commission, 5/17/11
- h. Police Commission; 4/28/11, 5/23/11
- i. Sustainability Board, 5/17/11
- j. Water & Light Commission, 4/27/11
- k. Water & Light Commission, 5/08 – 6/09; Closed Session

Communications:

- l. Redevelopment Authority (R-23-05) Resolution & bylaws creating the of the City of Menasha, Wisconsin
- m. United Way 2010 Government Leaderboards
- n. US Coast Guard, 5/24/11; Replacement of Railroad Swing Bridge, Town of Oshkosh

Moved by Ald. Sevenich, seconded by Ald. Taylor to receive Minutes A-K and Communication L-N.
Motion carried on voice vote.

Ald. Klein: Thanked CCD Keil and PRD Tungate for their assistance to a resident on a recent issue.
Ald. Taylor: Thanked CDD Keil for the information provided on the RDA (Comm. L); Announced an Open House of VFW Post 2126 on June 25, 2011.

G. CONSENT AGENDA

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

Minutes to approve:

1. Common Council, 5/16/11
2. Special Common Council, 5/19/11
- Administration Committee, 5/16/11; recommends approval of:
 3. Accept quote of The Post Crescent as the official City newspaper, May 2011-May 2012.
- Board of Public Works, 5/16/11; recommends approval of:
 4. Street Use Permit – 24th Annual Marina Steak Fry; Saturday, June 18, 2011; 4:00 PM – 10:00 PM
 5. Street Use Permit – 14th Annual Labor Day Corn Roast; Saturday, September 3, 2011; 4:00 PM – 10:00 PM

Moved by Ald. Sevenich, seconded by Ald. Klein to approve items 1-5 of Consent Agenda.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

None

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 5/19/11 to 6/2/11 in the amount of \$1,146,396.67

Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll.
Motion carried on roll call 8-0.

2. Renewal of Liquor License for 2011-2012 licensing year

Moved by Ald. Klein, seconded by Ald. Langdon to approve renewal of liquor license for 2011-2012.
Motion carried on roll call 8-0.

3. Outdoor Alcoholic Beverage Permit, July 1, 2011-June 30, 2012

Moved by Ald. Klein, seconded by Ald. Langdon to approve Outdoor Alcoholic Beverage Permits.
Moved by Ald. Benner, seconded by Ald. Zelinski to remove Jitters Bar LLC from list.
Discussion on Jitter's outdoor serve area not in compliance with zoning and building code requirements.
Motion to amend to remove Jitters Bar LLC from the list carried on roll 8-0.
Motion to approve remaining Outdoor Alcoholic Beverage Permits carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. O-5-11 – Ordinance relating to Overnight Parking (Introduced by Ald. Zelinski) (Recommended by Parking Committee)(2nd introduction)

Moved by Ald. Zelinski, seconded by Ald. Langdon to adopt O-5-11.
Motion carried on roll call 8-0.

2. O-6-11 – Ordinance relating to the paving of driveways and parking lots (Introduced by Ald. Taylor & Zelinski) (Recommended by Plan Commission)(1st Introduction)

No Action

DRAFT

J. ORDINANCES AND RESOLUTIONS, Cont'd.

3. R-22-11 – Resolution in support of restoring the State mandate for recycling programs and related grants to the 2011-2013 State Biennial Budget (Introduced by Mayor Merkes) (Recommended by Sustainability Board)

Moved by Ald. Sevenich, seconded by Ald. Englebert to adopt R-22-11.
Motion carried on voice vote.

4. R-23-11 – Resolution supporting the establishment of the Fox Wisconsin Heritage Parkway (Introduced by Ald. Sevenich)(Recommended by the Landmarks Commission)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-23-11.
Discussion: CDD Keil explained the history of the Fox Wisconsin Heritage Parkway.
Motion carried on voice vote.

5. R-24-11 – Resolution to maintain local control of Public Works Projects (Introduced by Mayor Merkes)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-24-11.
Motion carried on voice vote.

K. APPOINTMENTS

1. Mayor's Appointments to the AD-HOC Redistricting Committee

John Davel, Bernie Sandlin, Tom Konetzke, Ray Zielinski, Jack Fry, Tony Gutierrez

Mayor Merkes stated Tony Gutierrez asked to only be a consulting member of the committee.

Moved by Ald. Sevenich, seconded by Ald. Landgon to approve appointments of John Davel, Bernie Sandlin, Tom Konetzke, Ray Zielinski, and Jack Fry.

Motion carried on voice vote.

2. Mayor's Alderman Appointment to the Heckrodt Wetland Reserve Board of Alderman Mike Taylor

Moved by Ald. Sevenich, seconded by Ald. Zelinski to approve appointment of Ald. Mike Taylor.

Motion carried on voice vote.

3. Mayor's Reappointments to the Library Board

a. Patrick Murray, 2942 Silver Birch Ct., Menasha, for the term of July 1, 2011 – July 1, 2014

b. Mary Crawmer, 1345 Lucerne Dr., Menasha, for the term of July 1, 2011 – July 1, 2014

Moved by Ald. Englebert, seconded by Ald. Benner to approve appointments of Patrick Murray and Mary Crawmer.

Motion carried on voice vote.

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

O. ADJOURNMENT

Moved by Ald. Sevenich, seconded by Ald. Langdon to adjourn at 7:08 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 6/9/11-6/16/11 Checks # 29796-29958	\$ 1,392,247.26
Payroll Checks for 6/3/11-6/16/11	<u>193,737.62</u>
Total	\$ 1,585,984.88

Medical Expense Reimbursement Trust-Retirement Pay Out

Menasha Employees Credit Union-Employee Deductions

Wisconsin Council 40 Per Capita Tax-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

**A gap in check numbers is due to more invoices being paid than fits on one check stub. In that case the last check stub used for that vendor is the check number that will show on the check register.

AP Check Register
Check Date: 6/9/2011

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
AAA SANITATION INC	29796	6/9/2011	170164	100-0703-553.20-09	26.64	Handicap Portable ToiletsBrighton Beach
		6/9/2011	170165	100-0703-553.20-09	100.00	Handicap Portable ToiletsBoat Landing
			Total for check: 29796		126.64	
ACCENT FLORAL & GIFTS LLC	29797	6/9/2011	000029730	100-0408-552.30-16	37.00	Green Plant/Sympathy
			Total for check: 29797		37.00	
ACCURATE	29798	6/9/2011	1106999	100-1008-541.30-18	94.00	Shop Supplies/Mount PolesMike Beck
				731-1022-541.30-18	24.28	Shop Supplies
				731-1022-541.30-18	48.75	Shop Supplies
			Total for check: 29798		167.03	
ADVANTAGE PURCHASING LLC	29799	6/9/2011	02081	472-0501-522.82-01	13,236.99	N.M Fire
			Total for check: 29799		13,236.99	
AGCS MARINE INSURANCE COMPANY	29800	6/9/2011	66569	733-0206-512.51-06	3,400.00	Renewal
			Total for check: 29800		3,400.00	
ALL-SPORT TROPHY	29801	6/9/2011	44239	100-0702-552.30-18	247.00	EVENT RIBBONS
			Total for check: 29801		247.00	
AMERICAN RED CROSS	29802	6/9/2011	007058	100-0702-552.34-02	50.00	CPR/AED Thomas Allen
				100-0911-531.21-05	100.00	Manikin Rental
			Total for check: 29802		150.00	
APPLETON HYDRAULIC COMPONENTS	29803	6/9/2011	21251	731-1022-541.29-04	55.30	Seals
			Total for check: 29803		55.30	
BADGER HIGHWAYS CO INC	29804	6/9/2011	153345	625-1010-541.30-18	321.84	SCREENINGS

AP Check Register
Check Date: 6/9/2011

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BADGER HIGHWAYS CO INC...	29804...	6/9/2011...	153345...	100-0703-553.30-18	8.80	SCREENINGS
			Total for check: 29804		330.64	
BADGER LAB & ENGINEERING INC	29805	6/9/2011	INV000045035	601-1020-543.21-02	956.00	WASTEWATER SAMPLING INTERTAPE POLYMER
			Total for check: 29805		956.00	
BARNES & THORNBURG LLP	29806	6/9/2011	1406022	267-0102-581.21-01	592.50	Steam Utility Charges
			Total for check: 29806		592.50	
BATTERIES PLUS-502	29807	6/9/2011	508-133306	731-1022-541.30-18	16.80	BATTERIES
			Total for check: 29807		16.80	
BAYCOM INC	29808	6/9/2011	133193	100-0801-521.29-05	92.50	Radio Repair
			Total for check: 29808		92.50	
MARSEILLES BAYER	29809	6/9/2011		100-0402-513.10-07	75.00	2011 Board of Review 6/2/11 10am-3pm
			Total for check: 29809		75.00	
BERGSTROM	29810	6/9/2011	111525	731-1022-541.38-03	47.29	Arm
		6/9/2011	300743	100-0801-521.29-05	199.00	REPAIR FENDERS
			Total for check: 29810		246.29	
BRAZEE ACE HARDWARE	29811	6/9/2011	013456	100-1001-514.30-13	13.99	WASTEBASKET CITY HALL LUNCH ROOM
		6/9/2011	013463	100-0703-553.30-18	21.96	WIRE CLOTHS
			Total for check: 29811		35.95	
BRUCE MUNICIPAL EQUIPMENT INC	29812	6/9/2011	5111675	731-1022-541.38-03	37.91	Nut
			Total for check: 29812		37.91	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BUBBRICK'S	29813	6/9/2011	458463	100-0801-521.30-10	149.03	OFFICE SUPPLIES
			Total for check: 29813		<u>149.03</u>	
CLEAR WATER CAR WASH	29814	6/9/2011	3378	100-0801-521.29-05	55.44	May Vehicle Wash
			Total for check: 29814		<u>55.44</u>	
DAVIS & KUELTHAU	29815	6/9/2011	334298	100-0202-512.21-01	984.00	Police Negotiations 2009-2010
			Total for check: 29815		<u>984.00</u>	
VALERIE DAVIS	29816	6/9/2011		100-0903-531.33-01	25.34	Expense Report - Mileage May
			Total for check: 29816		<u>25.34</u>	
GORDON ECKRICH	29817	6/9/2011		100-0402-513.10-07	75.00	2011 Board of Review 6/2/11 10am-3pm
			Total for check: 29817		<u>75.00</u>	
FAITH TECHNOLOGIES INC	29818	6/9/2011	444445	100-0304-562.21-09	294.00	WEATHER PROOF TIMER
			Total for check: 29818		<u>294.00</u>	
FASTENAL COMPANY	29819	6/9/2011		100-1008-541.30-18	271.88	CLAMPS
				100-1008-541.30-18	25.78	CABLE TIE
			Total for check: 29819		<u>297.66</u>	
FERRELLGAS	29820	6/9/2011	1039113418	266-1027-543.21-06	176.11	Fuel
			Total for check: 29820		<u>176.11</u>	
GANNETT WISCONSIN MEDIA	29821	6/9/2011	0005577920	100-0405-513.29-02	1,189.00	Legal Notices
				100-0203-512.29-02	556.99	Legal Notices
			Total for check: 29821		<u>1,745.99</u>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
GOSS AUTO BODY INC	29822	6/9/2011	51637	100-0801-521.29-05	125.00	TOWING
					125.00	
				Total for check: 29822		
GRIES ARCHITECTURAL GROUP INC	29823	6/9/2011	110421-13	472-0501-522.21-02	629.00	N-M Fire
					629.00	
				Total for check: 29823		
GUNDERSON UNIFORM & LINEN RENTAL	29824	6/9/2011	1412470	100-0801-521.30-13	30.95	Dish Towel/Mat
					30.95	
				Total for check: 29824		
HEARTLAND LABEL PRINTERS INC	29825	6/9/2011	152472-H	743-0403-513.21-04	199.95	SECURITY CERTIFICATE
					12.95	DNS HOSTING
				Total for check: 29825	212.90	
HOME DEPOT CREDIT SERVICES	29826	6/9/2011	2037940	100-0704-552.24-04	55.41	Parts
					33.75	Supplies
					18.54	Wall tile/adhesive
					25.95	Window caps/rods
					7.77	Supplies
					12.85	Supplies
HUB INTERNATIONAL	29827	6/9/2011	9038571	100-0801-521.30-13	7.77	Supplies
					15.47	Rods
				Total for check: 29826	189.80	
				Total for check: 29827	161.84	
JOHN'S SAW SERVICE	29828	6/9/2011	7917	731-1022-541.38-03	17.39	Recon Pulley
					17.39	
				Total for check: 29828		

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
JX ENTERPRISES INC	29829	6/9/2011	G-211370030	731-1022-541.38-03	181.97	Kit #1005
				Total for check: 29829	181.97	
LORETTA KJEMHUS	29830	6/9/2011		100-0903-531.33-01	35.51	April/May Mileage
				Total for check: 29830	35.51	
JOYCE KLUNDT	29831	6/9/2011		100-0402-513.10-07	75.00	Board of Review 6/2/11 10am-3pm
				Total for check: 29831	75.00	
ROY KORDUS	29832	6/9/2011		100-0402-513.10-07	75.00	Board of Review 6/2/11 10am-3pm
				Total for check: 29832	75.00	
KUNDINGER FLUID POWER INC	29833	6/9/2011	50137848	731-1022-541.38-03	258.05	HOSE ASSEMBLY
				50138030	82.35	HOSE ASSY
				Total for check: 29833	340.40	
LINCOLN CONTRACTORS SUPPLY INC	29834	6/9/2011	10606840	100-1003-541.30-15	49.50	RETAINER
				10607230	1,098.57	STOCK SUPPLIES
				Total for check: 29834	1,148.07	
MANAWA TELEPHONE CO	29835	6/9/2011	06012011	743-0403-513.22-01	39.95	Internet Service
				Total for check: 29835	39.95	
MATTHEWS TIRE & SERVICE CENTER	29836	6/9/2011	38259	731-1022-541.38-02	33.01	Flat Repair
				38265	581.80	Kumho Tires
				38288	80.01	Flat Repair
				38330	81.99	Flat Repair
Total for check: 29836	776.81					

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MENARDS-APPLETON EAST	29837	6/9/2011	13333	100-0703-553.30-18	93.07	TREATED WOOD
			Total for check: 29837		93.07	
MENARDS-APPLETON WEST	29838	6/9/2011	15997	100-1003-541.30-15	738.75	BROOMS/SHOVELS/HAMMERS CORDS/BIT SETS
			Total for check: 29838		738.75	
MENASHA EMPLOYEES CREDIT UNION	29839	6/9/2011	20110609	100-0000-202.05-00	2,078.00	PAYROLL SUMMARY
			Total for check: 29839		2,078.00	
MENASHA UTILITIES	29840	6/9/2011				
				100-1008-541.22-03	196.21	Electric
				100-0703-553.22-03	450.78	Electric
				100-0703-553.22-05	135.84	Water
				100-0703-553.22-06	91.25	Storm
				100-0000-123.00-00	8.29	Electric
				100-0305-562.22-06	2.50	Storm
				100-0903-531.22-03	135.95	Electric
				100-0903-531.22-05	38.95	Water
				601-1020-543.22-03	194.88	Electric
			Total for check: 29840		1,254.65	
MIRON CONSTRUCTION CO INC	29841	6/9/2011				
				472-0501-522.82-01	14,416.62	N-M Fire
				472-0000-201.04-00	(720.83)	N-M Fire
			Total for check: 29841		13,695.79	
MORTON SAFETY	29842	6/9/2011	575268	731-1022-541.30-18	58.60	RAIN JACKET
			578674	731-1022-541.30-18	36.36	EARMUFF THUNDER
			579461	100-1008-541.30-18	105.78	LED TRAFFIC WAND
			580306	731-1022-541.30-18	48.43	VAPOR CARTRIDGES
			Total for check: 29842		249.17	
N&M AUTO SUPPLY	29843	6/9/2011	359976	731-1022-541.38-03	18.39	Air Blow Gun/Air Chuck

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
N&M AUTO SUPPLY...	29843...	6/9/2011	360783	731-1022-541.38-03	27.18	Flasher-Turn Signal
		6/9/2011	361204	731-1022-541.38-03	265.21	Rotor/Brake Pads
		6/9/2011	361225	731-1022-541.38-03	4.54	Toggle Switch
		6/9/2011	361256	731-1022-541.38-03	31.65	Tail light circuit board 1998 Chev
		6/9/2011	361467	731-1022-541.38-03	3.87	Bars Leak 12 oz
		6/9/2011	361686	731-1022-541.38-03	87.98	Ignition Coil
		6/9/2011	361774	731-1022-541.38-03	79.18	Ignition Coil
		6/9/2011	361832	731-1022-541.38-03	4.54	Fuel Injection Cleaner
			Total for check: 29843		522.54	
NEENAH-MENASHA MUNICIPAL COURT	29844	6/9/2011		100-0000-201.03-00	202.00	Report #11-143
				100-0000-201.03-00	328.00	Report #11-142
					530.00	
OFFICE DEPOT	29845	6/9/2011	1711888	100-0903-531.30-10	8.91	OFFICE SUPPLIES
				100-0909-531.30-10	7.16	OFFICE SUPPLIES
					16.07	
PACKER CITY INTERNATIONAL	29846	6/9/2011	3-211370068	731-1022-541.38-03	23.32	Air Filter
		6/9/2011	3-211370069	731-1022-541.38-03	128.20	Air Filter/Lube Filter
					151.52	
PETERBILT OF WISCONSIN	29847	6/9/2011	2223	741-0000-193.00-00	100,119.50	Truck Chassis
		6/9/2011	2224	741-0000-193.00-00	350.00	Manufacturer Rqr Upgrade
					100,469.50	
POSTAL ANNEX	29848	6/9/2011	176497	100-0904-531.30-11	8.43	Postage
		6/9/2011	176775	100-0801-521.30-11	7.81	Postage
		6/9/2011	177057	100-0801-521.30-11	7.81	Postage
		6/9/2011	177096	100-0601-551.30-11	18.87	Postage

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
POSTAL ANNEX...	29848...	6/9/2011	177235	100-0801-521.30-11	8.80	Postage
			Total for check: 29848		<u>51.72</u>	
POWER & TEL	29849	6/9/2011	4430276	100-0501-522.24-03	317.71	FIBER GBIC MODULE FIRE 36
			Total for check: 29849		<u>317.71</u>	
PSS WORLD MEDICAL INC	29850	6/9/2011	80683507	100-0903-531.30-18	25.23	Syringe/Sharps Coll 5 Qt
			Total for check: 29850		<u>25.23</u>	
REDI-WELDING CO	29851	6/9/2011	14205	731-1022-541.30-18	159.30	MATERIALS
			Total for check: 29851		<u>159.30</u>	
REGISTRATION FEE TRUST	29852	6/9/2011		100-0000-454.00-00	500.00	
			Total for check: 29852		<u>500.00</u>	
RESOURCE RECOVERY SYSTEMS INC	29853	6/9/2011	34621	253-1028-543.21-06	20,685.00	Custom Grinding Maintenance Clean Up
			Total for check: 29853		<u>20,685.00</u>	
PATRICIA RUDOLPH	29854	6/9/2011		100-0402-513.10-07	50.00	2011 Board of Review 6/2/11 10am-1pm
			Total for check: 29854		<u>50.00</u>	
SKID & PALLET	29855	6/9/2011	027723	100-0703-553.30-18	748.00	Mulch
			Total for check: 29855		<u>748.00</u>	
SPORTS GRAPHICS	29856	6/9/2011	4309-1746	100-0702-552.30-18	216.25	T-shirts
			Total for check: 29856		<u>216.25</u>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
UNIFIRST CORPORATION	29857	6/9/2011	097 0087726	731-1022-541.20-01	107.58	MAT/MOP/CLOTHING SERVICE
			Total for check: 29857		107.58	
UNITRENDS SOFTWARE CORPORATION	29858	6/9/2011	10961	743-0403-513.24-04	1,171.00	Support Contract
			Total for check: 29858		1,171.00	
UR WASHINSTUFF INC	29859	6/9/2011	10036	100-0801-521.29-05	91.36	16 CAR WASHES FEB 2011
		6/9/2011	10037	100-0801-521.29-05	108.49	19 CAR WASHES MARCH 2011
		6/9/2011	10038	100-0801-521.29-05	28.55	5 CAR WASHES APRIL 2011
			Total for check: 29859		228.40	
US SLING & SUPPLY	29860	6/9/2011	175326	731-1022-541.30-15	105.60	SCREW PIN SHACKLE
			Total for check: 29860		105.60	
WE ENERGIES	29861	6/9/2011		100-0703-553.22-03	37.50	Menasha Conservancy
			Total for check: 29861		37.50	
WERNER ELECTRIC SUPPLY CO	29862	6/9/2011	S3284757.001	100-1001-514.24-03	27.60	BULBS/LAKE PARK SIGN
			Total for check: 29862		27.60	
WIL-KIL PEST CONTROL	29863	6/9/2011	1836646	731-1022-541.20-07	64.00	CONTRACT SERVICE
			Total for check: 29863		64.00	
WINNEBAGO COUNTY CLERK OF COURTS	29864	6/9/2011		100-0000-201.03-00	285.00	Bond Report #11-1573
				100-0000-201.03-00	135.00	Bond Report #11-1573
			Total for check: 29864		420.00	
WINNEBAGO COUNTY TREASURER	29865	6/9/2011	LF117347	266-1027-543.25-01	1,153.70	Single Stream Recycling May 2011

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WINNEBAGO COUNTY TREASURER...	29865...	6/9/2011	SHJ100552	100-0805-521.25-01	360.22	JAIL DIVISION
			Total for check: 29865		1,513.92	
WISCONSIN COUNCIL 40 PER CAPITA TAX	29866	6/9/2011	20110609	100-0000-202.06-00	300.00	PAYROLL SUMMARY
			Total for check: 29866		300.00	
WISCONSIN DEPT OF NATURAL RESOURCES	29867	6/9/2011	06082011	267-0102-581.32-01	380.00	Electric/Water Utility Wastewater/Stormwater Fee
			Total for check: 29867		380.00	
WISCONSIN SUPPORT COLLECTIONS	29868	6/9/2011	20110609	100-0000-202.03-00	440.23	PAYROLL SUMMARY
			Total for check: 29868		440.23	
ZARNOTH BRUSH WORKS INC	29869	6/9/2011	0133815-IN	625-1005-541.30-15	1,188.00	GUTTER BROOMS
			Total for check: 29869		1,188.00	
RAYMOND ZIELINSKI	29870	6/9/2011		100-0402-513.10-07	75.00	Board of Review 6/2/11 10am-3pm
			Total for check: 29870		75.00	
					176,256.81	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
APPLETON SCHOOL DISTRICT	29871	6/14/2011	TAXES	100-0000-203.05-00	53,847.93	Property Taxes
				Total for check: 29871	53,847.93	
CALLUMET COUNTY TREASURER	29872	6/14/2011	TAXES	100-0000-203.01-00	37,816.50	Property Taxes
				100-0000-203.08-00	1,655.68	Property Taxes
			Total for check: 29872	39,472.18		
FOX VALLEY TECHNICAL COLLEGE	29873	6/14/2011	TAXES	100-0000-203.04-00	116,246.61	Property Taxes
				Total for check: 29873	116,246.61	
MENASHA JOINT SCHOOL DISTRICT	29874	6/14/2011	TAXES	100-0000-203.03-00	566,854.94	Property Taxes
				Total for check: 29874	566,854.94	
WAVERLY SANITARY DISTRICT	29875	6/14/2011	TAXES	100-0000-203.07-00	5,517.27	Property Taxes
				Total for check: 29875	5,517.27	
WINNEBAGO COUNTY TREASURER	29876	6/14/2011	TAXES	100-0000-203.02-00	323,202.48	Property Taxes
				100-0000-203.08-00	10,189.48	Property Taxes
			Total for check: 29876	333,391.96		
WINNEBAGO COUNTY TREASURER	29877	6/14/2011	ATS	310-0409-571.61-01	5,752.19	ATS
				310-0410-571.61-02	3,382.50	ATS
			Total for check: 29877	9,134.69		
					1,124,465.58	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
ACCURATE	29878	6/16/2011	1107735	731-1022-541.30-18	97.67	Nitro Drill
			Total for check: 29878		<u>97.67</u>	
AIRGAS NORTH CENTRAL	29879	6/16/2011	105241989	731-1022-541.30-18	67.15	Oxygen
			Total for check: 29879		<u>67.15</u>	
ARING EQUIPMENT CO INC	29880	6/16/2011	387290	731-1022-541.38-02	1,353.88	Wheel
			Total for check: 29880		<u>1,353.88</u>	
BADGER HIGHWAYS CO INC	29881	6/16/2011	153416	100-1003-541.30-18	138.00	COLD MIX
			153473	479-1003-541.30-18	269.72	WOODLAND HILLS
			153474	479-1003-541.30-18	488.49	Hotmix Asphalt Surface Woodland Hills/Kernan
				100-1003-541.30-18	46.81	Hotmix Surface Course
				100-0703-553.30-18	27.30	FOB Menasha Screenings
			Total for check: 29881		<u>970.32</u>	
JENNIFER BALTZ	29882	6/16/2011	06142011	100-0000-441.24-00	28.00	Refund
			Total for check: 29882		<u>28.00</u>	
BAYCOM INC	29883	6/16/2011	132123	100-0801-521.29-05	275.00	Repair Radio
			Total for check: 29883		<u>275.00</u>	
BECK ELECTRIC INC	29884	6/16/2011	H40	731-1022-541.21-06	64.00	Gate
		6/16/2011	H50	601-1020-543.24-04	85.12	12th St & DePere St Lift Station
			Total for check: 29884		<u>149.12</u>	
BEST FRIENDS OF NEENAH-MENASHA	29885	6/16/2011	06132011	100-0000-441.24-00	10.00	Refund
			Total for check: 29885		<u>10.00</u>	Overpay Pool Passes

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BRAZEE ACE HARDWARE	29886	6/16/2011	013552	100-0703-553.30-18	3.29	DRAIN PLUG
			Total for check: 29886		<u>3.29</u>	
CASPERS TRUCK EQUIPMENT INC	29887	6/16/2011	52534	731-1022-541.38-03	204.75	Switch Control
			Total for check: 29887		<u>204.75</u>	
CDW GOVERNMENT INC	29888	6/16/2011	XLF6017	100-0801-521.30-12	10.45	LCD Screen Cleaner
			Total for check: 29888		<u>10.45</u>	
COMMON SENSE SOLUTIONS LLC	29889	6/16/2011	06152011	743-0403-513.21-04	663.26	Professional Services 6/13 & 6/14
			Total for check: 29889		<u>663.26</u>	
DEPARTMENT OF WORKFORCE DEVELOPMENT	29890	6/16/2011	2534857	100-0706-561.15-09	506.65	May/Park/Forestry
				100-0702-552.15-09	7.19	May/Park/Rec
			Total for check: 29890		<u>513.84</u>	
DOMINION VOTING SYSTEMS INC	29891	6/16/2011	DVS101920	100-0204-512.24-04	756.90	Software License
			Total for check: 29891		<u>756.90</u>	Warranty
ENTRANCE TECHNOLOGIES I	29892	6/16/2011	3693	100-0920-531.24-03	1,115.00	Automatic Door Operator
			Total for check: 29892		<u>1,115.00</u>	
FAULKS BROS CONSTRUCTION INC	29893	6/16/2011	00170170	100-0703-553.30-18	582.92	INFIELD MIX
			Total for check: 29893		<u>582.92</u>	
FERGUSON ENTERPRISES INC #448	29894	6/16/2011	0659013	100-0704-552.24-04	31.46	Clamp
			Total for check: 29894		<u>31.46</u>	
FERRELLGAS	29895	6/16/2011	RNT3903094	266-1027-543.21-06	2.00	Rental

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
FERRELLGAS...	29895...	6/16/2011	RNT3903095	100-1003-541.21-06	2.00	Rental
			Total for check: 29895		4.00	
FORCE AMERICA DISTRIBUTING LLC	29896	6/16/2011	02104369	731-1022-541.38-03	(437.42)	CARTRIDGE RETURN
		6/16/2011	02104419	731-1022-541.38-03	325.98	AUGER RATE SENSOR
		6/16/2011	02105007	731-1022-541.38-03	75.37	MICRON GLASS ELEMENT
		6/16/2011	02105438	731-1022-541.38-03	247.03	Repair
			Total for check: 29896		210.96	
GUNDERSON CLEANERS	29897	6/16/2011	1410478	100-0801-521.30-13	29.28	TOWEL/MAT SERVICE
			Total for check: 29897		29.28	
HAWKINS INC	29898	6/16/2011	3224874RI	100-0704-552.30-18	3,010.00	Pool Chemicals
			Total for check: 29898		3,010.00	
HORST DISTRIBUTING INC	29899	6/16/2011	11206-000	100-0703-553.30-18	503.40	WHITE PAINT
		6/16/2011	11374-000	100-1002-541.30-18	1,052.45	PAINT
		6/16/2011	11674-000	100-0703-553.30-18	364.00	BALL DIAMOND DRY
			Total for check: 29899		1,919.85	
INTERSTATE BATTERY OF GREEN BAY	29900	6/16/2011	90068857	731-1022-541.38-03	51.95	SP-40
			Total for check: 29900		51.95	
KITZ & PFEIL INC	29903	6/16/2011	042114-0101	100-0703-553.30-18	16.19	Blade
		6/16/2011	042114-0120	100-0703-553.30-18	77.96	Koslo Sign Hardware
		6/16/2011	042114-0132	100-1019-552.30-18	5.84	Bridges/Battery
		6/16/2011	042514-0066	100-0920-531.24-03	5.02	Sr. Center
		6/16/2011	042603-0016	731-1022-541.38-03	42.31	Belt/Cable
		6/16/2011	042709-0015	731-1022-541.24-03	16.91	Temp Rain Cap
		6/16/2011	042814-0008	100-0703-553.24-03	0.68	Coupling
		6/16/2011	042909-0021	100-0703-553.30-18	12.93	Tape/Shop

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
KITZ & PFEIL INC...	29903...	6/16/2011	050314-0010	731-1022-541.30-18	34.79	Misc/Hex Nut
		6/16/2011	050314-0086	100-0703-553.30-18	7.49	Shop Lighter
		6/16/2011	050314-0183	100-0703-553.24-03	65.83	Hose/Buildings
		6/16/2011	050409-0052	100-0703-553.24-03	5.52	Wax Toilet Gasket
		6/16/2011	050409-0067	100-0703-553.24-03	26.42	Plumbing Supplies
		6/16/2011	050414-0088	100-0703-553.24-03	10.00	Plumbing Supplies
		6/16/2011	050514-0130	100-1001-514.30-15	26.09	Wire Stripper
		6/16/2011	050614-0023	100-0703-553.24-03	3.41	Plumbing sleeve
		6/16/2011	050614-0098	731-1022-541.24-03	9.68	Toilet Supplies
		6/16/2011	050914-0208	100-1001-514.30-13	7.45	Cap/Bulb
		6/16/2011	050914-0209	625-1010-541.30-18	27.51	Kernan drain tile
		6/16/2011	051014-0061	100-1019-552.30-18	8.09	Kitchen bags
		6/16/2011	051014-0089	100-1001-514.24-03	7.27	Water Supply Leak
		6/16/2011	051314-0067	100-1001-514.24-03	4.94	Connector
		6/16/2011	051614-0139	731-1022-541.30-18	3.84	Supplies
		6/16/2011	051709-0018	731-1022-541.30-18	33.04	Lock Up
		6/16/2011	051714-0018	100-0703-553.30-18	13.48	Sand Belt
		6/16/2011	051809-0017	100-0703-553.30-18	4.94	Rope
		6/16/2011	051814-0033	100-1001-514.30-18	6.82	Wire/Package Tape
		6/16/2011	051814-0065	100-0703-553.30-18	15.84	Misc Hardware
		6/16/2011	051814-0108	100-1008-541.30-18	8.54	Downtown Banners
		6/16/2011	051909-0033	100-0801-521.24-03	3.69	Indicator Light
		6/16/2011	051914-0040	100-0903-531.30-13	5.02	Filter
		6/16/2011	051914-0045	100-0703-553.30-18	47.11	Concrete
		6/16/2011	051914-0091	100-0920-531.24-03	5.39	SC-Toilet Fill Valve
	6/16/2011	052009-001	100-1001-514.30-18	5.75	SC-Extra Valve	
	6/16/2011	052014-0002	731-1022-541.38-03	3.20	Eye Bolts	
	6/16/2011		100-0704-552.30-18	99.98	Weed Control	
			Total for check: 29903		678.97	
KJ WASTE SYSTEMS INC	29904	6/16/2011	06022011	266-1027-543.21-06	824.00	Corrugate
				Total for check: 29904	824.00	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
KUNDINGER FLUID POWER INC	29905	6/16/2011	50139373	731-1022-541.38-03	11.31	Coupling
			Total for check: 29905		<u>11.31</u>	
LEVENHAGEN CORPORATION	29906	6/16/2011	75107	207-0707-552.38-01	1,519.91	Fuel
			Total for check: 29906		<u>1,519.91</u>	
LOWE'S HOME CENTER	29907	6/16/2011	06142011	263-0306-562.70-01	2,066.25	
			Total for check: 29907		<u>2,066.25</u>	
MATTHEWS TIRE & SERVICE CENTER	29908	6/16/2011	38395	731-1022-541.38-02	549.87	Goodyear Tires/Valves
		6/16/2011	38396	731-1022-541.38-02	66.00	Repair Tires
		6/16/2011	38397	731-1022-541.38-02	124.98	Tire Repair
		6/16/2011	38398	731-1022-541.38-02	81.99	Used Tire
		6/16/2011	38423	731-1022-541.38-02	27.01	Flat Repair
		6/16/2011	38431	731-1022-541.38-02	591.80	Replace Steer Tire
		6/16/2011	38432	731-1022-541.38-02	724.00	Replace Tires
			Total for check: 29908		<u>2,165.65</u>	
MENARDS-APPLETON EAST	29909	6/16/2011	14510	100-0703-553.30-18	41.61	AC2 Treated AG
			Total for check: 29909		<u>41.61</u>	
MENASHA EMPLOYEES CREDIT UNION	29910	6/16/2011	20110616	100-0000-202.05-00	16,402.00	PAYROLL SUMMARY
			Total for check: 29910		<u>16,402.00</u>	
MENASHA UTILITIES	29911	6/16/2011		100-1001-514.22-03	175.45	901 Airport Road
				100-1001-514.22-05	255.41	901 Airport Road
				100-1001-514.22-06	7.19	901 Airport Road
				100-0000-123.00-00	349.05	901 Airport Road
		6/16/2011	003697	601-1021-543.25-01	15,386.17	SEWER CHARGE CALCULATION
		6/16/2011	003698	625-0401-513.25-01	776.66	STORM WATER CALCULATION

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MENASHA UTILITIES...	29911...	6/16/2011	06102011	100-1012-541.22-03	15,805.63	Street Lighting
	Total for check: 29911				<u>32,755.56</u>	
TOWN OF MENASHA UTILITY DISTRICT	29912	6/16/2011		100-0703-553.22-05	330.12	1000 Geneva Road Koslo
	Total for check: 29912				<u>330.12</u>	
MEYER INC, LW	29913	6/16/2011	478817	625-1010-541.30-15	44.58	4 1/2" Milwaukee Ice 7/16" Milwaukee
		6/16/2011	478818	731-1022-541.30-15	134.99	1/2" Milwaukee Magnum
	Total for check: 29913				<u>179.57</u>	
MILWAUKEE SPORTING GOODS	29914	6/16/2011	09789-01	100-0702-552.30-18	494.48	Softballs
	Total for check: 29914				<u>494.48</u>	
MINNESOTA LIFE INSURANCE COMPANY	29915	6/16/2011	06142011	100-0000-204.07-00	2,745.08	July 2011
	Total for check: 29915				<u>2,745.08</u>	
MODERN BUSINESS MACHINES	29916	6/16/2011	26247167	100-1001-514.24-04	192.04	Copier Maintenance
		6/16/2011	26247422	100-1001-514.24-04	45.76	Copier Maintenance
	Total for check: 29916				<u>237.80</u>	
MORTON SAFETY	29917	6/16/2011	582033	100-0901-515.30-18	24.18	SMOKE TUBE
	Total for check: 29917				<u>24.18</u>	
NEENAH-MENASHA MUNICIPAL COURT	29918	6/16/2011	06102011	100-0000-201.03-00	202.00	Bond Report #11-1521
		6/16/2011	06132011	100-0000-201.03-00	139.00	Bond Report #11-78
		6/16/2011	06152011	100-0000-201.03-00	139.00	Bond Report #11-459
		6/16/2011	61311	100-0000-201.03-00	139.00	Bond Report #11-77

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
NEENAH-MENASHA MUNICIPAL COURT...	29918...	6/16/2011	6132011	100-0000-201.03-00	139.00	Bond Report #11-76
			Total for check: 29918		<u>758.00</u>	
NEUMAN POOLS INC	29919	6/16/2011	0042723-IN	100-0704-552.24-03	280.45	Cable
			Total for check: 29919		<u>280.45</u>	
ONE COMMUNICATIONS	29920	6/16/2011	06022011	100-0402-513.22-01	7.29	June 2011 Assessor
				100-0201-512.22-01	6.55	June 2011 Attorney
				100-0000-123.00-00	15.73	June 2011 Bldg Insp
				100-0203-512.22-01	15.06	June 2011 Clerk
				100-0304-562.22-01	23.23	June 2011 Comm Dev
				100-1001-514.22-01	76.75	June 2011 City Hall
				100-0401-513.22-01	36.61	June 2011 Finance
				731-1022-541.22-01	27.37	June 2011 Garage
				100-0903-531.22-01	52.39	June 2011 Health
				743-0403-513.22-01	18.98	June 2011 IT
				100-0601-551.22-01	181.14	June 2011 Library
				100-0101-511.22-01	10.30	June 2011 Mayor
				100-0702-552.22-01	30.19	June 2011 Recreation
				100-0703-553.22-01	50.50	June 2011 Parks
				100-0202-512.22-01	16.38	June 2011 Personnel
				100-0801-521.22-01	280.06	June 2011 Police
				100-1002-541.22-01	48.28	June 2011 Engineering
				100-0920-531.22-01	14.87	June 2011 Senior
				100-1008-541.22-01	3.70	June 2011 Sign
				100-0502-522.22-01	44.45	June 2011 EOC
			207-0000-123.00-00	34.10	June 2011 Marina	
			100-0000-123.00-00	310.54	June 2011 Menasha Utilities	
			Total for check: 29920		<u>1,304.47</u>	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
DENISE QUICK	29921	6/16/2011	05032011	100-1001-514.33-01	22.95	22.95 Mileage May 2011
			Total for check: 29921		<u>22.95</u>	
REINDERS INC	29922	6/16/2011	874147-00	100-1006-541.30-18	141.25	141.25 LAWN SEED MIX
			Total for check: 29922		<u>141.25</u>	
RICK'S AUTO GLASS INC	29923	6/16/2011	W016345	731-1022-541.29-04	170.00	170.00 Safety Glass
			Total for check: 29923		<u>170.00</u>	
ROAD EQUIPMENT	29924	6/16/2011	WA530409	731-1022-541.29-04	4.60	4.60 Mounting Kit
			Total for check: 29924		<u>4.60</u>	
SERVICEMASTER BUILDING MAINTENANCE	29925	6/16/2011	131951	100-0801-521.20-01	1,395.00	1,395.00 Contract Janitorial
		6/16/2011	131956	100-0801-521.20-01	50.00	50.00 Contract Janitorial
			Total for check: 29925		<u>1,445.00</u>	
SHERWIN INDUSTRIES INC	29926	6/16/2011	1108-9	100-1008-541.30-18	67.20	67.20 Hose
			Total for check: 29926		<u>67.20</u>	
SKID & PALLET	29927	6/16/2011	110367	100-0703-553.30-18	104.00	104.00 Red Mulch
			Total for check: 29927		<u>104.00</u>	
SPEEDTECH LIGHTS INC	29928	6/16/2011	3958	100-0801-521.29-05	445.35	445.35 Dual Pro
			Total for check: 29928		<u>445.35</u>	
SPORT-O-MOTIVE	29929	6/16/2011	23743	731-1022-541.38-03	31.89	31.89 Oil/Filter
			Total for check: 29929		<u>31.89</u>	
SPORTS GRAPHICS	29930	6/16/2011	031110-530	100-0703-553.30-18	111.60	111.60 T-shirts

AP Check Register
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
SPORTS GRAPHICS...	29930...	6/16/2011	031110-531	731-1022-541.30-18	111.60	T-shirts Summer Help
			Total for check: 29930		223.20	
STAPLES ADVANTAGE	29931	6/16/2011	8018643432	100-0702-552.30-10	47.08	Office Supplies
				100-0304-562.30-10	24.06	Office Supplies
				100-1002-541.30-10	24.68	Office Supplies
				100-1001-514.30-10	5.69	Office Supplies
			Total for check: 29931		101.51	
MARK TESSEN	29932	6/16/2011	06152011	733-0206-512.73-01	1,286.54	Squad Hit Vehicle
			Total for check: 29932		1,286.54	
THEDACARE	29933	6/16/2011	05312011	100-0801-521.21-05	280.00	Venipuncture
			Total for check: 29933		280.00	
TREE'S TREE SERVICE INC	29934	6/16/2011	36	100-0706-561.20-06	2,700.00	Tree Work
			Total for check: 29934		2,700.00	
UNIFIRST CORPORATION	29935	6/16/2011	097 0088213	731-1022-541.20-01	107.58	MAT/MOP/CLOTHING SERVICE
		6/16/2011	0970089589	731-1022-541.20-01	107.58	Coveralls Mats/Towels/Mops
			Total for check: 29935		215.16	
UNITED WAY FOX CITIES	29936	6/16/2011	20110616	100-0000-202.09-00	133.16	PAYROLL SUMMARY
			Total for check: 29936		133.16	
US OIL CO	29937	6/16/2011	L41809	731-1022-541.21-06	24.00	Samples
			Total for check: 29937		24.00	
US PETROLEUM EQUIPMENT	29938	6/16/2011	184854	731-1022-541.24-06	198.00	Filter/Bel/Labor
			Total for check: 29938		198.00	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
US PETROLUEM EQUIPMENT...	29938...	6/16/2011	184879	731-1022-541.24-06	173.75	Pump #3/Service
			Total for check: 29938		<u>371.75</u>	
VALLEY GASKET INC	29939	6/16/2011	93882	100-0704-552.24-04	96.48	O-RINGS
			Total for check: 29939		<u>96.48</u>	
JANET VAN LANKVELT	29940	6/16/2011	QUILTERS	100-0000-201.12-00	242.19	Quilters Supplies
			Total for check: 29940		<u>242.19</u>	
VEOLIA ES SOLID WASTE MIDWEST	29941	6/16/2011	B40000297481	100-0000-123.00-00	89.03	Broad St Recycling
			Total for check: 29941		<u>89.03</u>	
VERIZON WIRELESS	29942	6/16/2011	2578125227	743-0403-513.30-15	399.90	Cell
			Total for check: 29942		<u>399.90</u>	
WAVERLY SANITARY DISTRICT	29943	6/16/2011		100-0703-553.22-05	43.31	2170 Plank Road Barker Park Pavilion
			Total for check: 29943		<u>43.31</u>	
WC INDUSTRIAL SUPPLY COMPANY	29944	6/16/2011	0013642-IN	731-1022-541.38-03	8.58	Belt
		6/16/2011	0013666-IN	731-1022-541.38-03	242.01	Mast Guide
			Total for check: 29944		<u>250.59</u>	
WCPPA	29945	6/16/2011	2011-310	100-0801-521.34-02	25.00	Scrap Metal Theft Prevention & Investigate
			Total for check: 29945		<u>25.00</u>	
WE ENERGIES	29946	6/16/2011		100-0903-531.22-04	10.71	316 Racine Street
		6/16/2011	06092011	100-1001-514.22-04	95.58	901 Airport Rd
		6/16/2011	06142011	100-0701-533.22-03	9.77	North Street

AP Check Register
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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WE ENERGIES...	29946...	6/16/2011...	06142011...	100-0701-533.22-03	9.10	North Street
			Total for check: 29946		125.16	
WI SCTF	29947	6/16/2011	20110616	100-0000-202.03-00	65.00	PAYROLL SUMMARY
			Total for check: 29947		65.00	
WIL-KIL PEST CONTROL	29948	6/16/2011	1838039	100-1019-552.20-07	25.00	Racine St Tender House
		6/16/2011	1838626	100-1019-552.20-07	100.00	Racine St/Tayco St Bridge Cameras
			Total for check: 29948		125.00	
WINNEBAGO COUNTY	29949	6/16/2011	06072011	100-0801-521.30-10	190.00	Asset Forfeitures Case #CV506
			Total for check: 29949		190.00	
WINNEBAGO COUNTY CLERK OF COURTS	29950	6/16/2011	06102011	100-0000-201.03-00	150.00	Bond Report #11-1495
		6/16/2011	06132011	100-0000-201.03-00	650.00	Bond Report #11-1671
			Total for check: 29950		800.00	
WINNEBAGO COUNTY TREASURER	29951	6/16/2011	ELECTION	100-0204-512.29-01	1,451.00	Ballots/Publication
				100-0204-512.29-02	89.12	Ballots/Publication
				100-0204-512.24-04	88.00	Ballots/Publication
		6/16/2011	RF101037	266-1029-543.21-06	1,391.00	107 Appliances
			Total for check: 29951		3,019.12	
WISCONSIN COUNCIL 40 PER CAPITA TAX	29952	6/16/2011	20110616	100-0000-202.06-00	300.00	PAYROLL SUMMARY
			Total for check: 29952		300.00	
WISCONSIN COUNCIL 40 PER CAPITA TAX	29953	6/16/2011	20110616	100-0000-202.07-00	281.10	PAYROLL SUMMARY
			Total for check: 29953		281.10	

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WISCONSIN DEPT OF NATURAL RESOURCES	29954	6/16/2011	471020660-2011	100-1016-543.32-01	572.00	Waste Program Lic Fee
	Total for check: 29954					572.00
WISCONSIN SUPPORT COLLECTIONS	29955	6/16/2011	20110616	100-0000-202.03-00	1,297.32	PAYROLL SUMMARY
	Total for check: 29955					1,297.32
JOEL ZAHARI	29956	6/16/2011	06152011	100-0000-201.10-00	100.00	Return Deposit
	Total for check: 29956					100.00
ZARNOTH BRUSH WORKS INC	29957	6/16/2011	0133962-IN	625-1005-541.30-15	569.00	Broom Refill
	Total for check: 29957					569.00
1ST AYD CORPORATION	29958	6/16/2011	483234	731-1022-541.30-18	288.65	Brake Cleaner
	Total for check: 29958					288.65

91,524.87



June 16, 2011

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Liquor License Applications, July 1, 2011-June 30, 2012

The following renewal applications to deal in intoxicating liquor and fermented malt beverages for the July 1, 2011-June 30, 2012 licensing period have been filed. These applications were filed late so they were not part of the original group submitted to the Common Council on June 6.

"Class A" Fermented Malt Beverage & Intoxicating Liquor
Buddi Sagar Subedi, d/b/a NP Mart, 209 Racine Street

"Class B" Fermented Malt Beverage & Intoxicating Liquor
Hot Brass LLC, Frederick Schroeder/Agent,
d/b/a The Locker Room, 800 Plank Road

"Class B" Fermented Mal Beverage & Intoxicating Liquor
Erica Redlin, d/b/a Redliner, 977 Plank Road

All necessary inspections by the Fire Dept., Health Dept., and Building Inspectors have been completed and the properties are compliant.

The Police Dept. has done a background check on all of the above mentioned applicants and has no reason to withhold any license based on their findings.

Erica Redlin is taking over the ownership and management of the Redliner. Jean Redlin has submitted a letter agreeing to surrender her 2011-2012 license.



June 15, 2011

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Whiting LLC, 14 Tayco Street

A Reserve "Class B" application to deal in intoxicating liquor and fermented malt beverages for the 2011-2012 licensing year has been filed by Whiting LLC d/b/a Mi Casa Mexican Grill, 14 Tayco Street.

The Police Dept. has done a background check on the Michael Roy Whiting, the member of the LLC and the agent and find no reason to deny a license. The Fire Dept., Health Dept., and Building Inspectors have inspected the property and find the property is in compliances with City codes. All financial obligations to the City are current.

I see no reason to withhold action on this license.

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 11 ;
ending June 30 20 12

TO THE GOVERNING BODY of the: Town of } Menasha
 Village of }
 City of }

County of Winnebago Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's Wisconsin Seller's Permit Number:	
Federal Employer Identification Number (FEIN):	
LICENSE REQUESTED ▶	
TYPE	FEE
<input type="checkbox"/> Class A beer	\$
<input checked="" type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Wholesale beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input checked="" type="checkbox"/> Class B liquor	\$
<input checked="" type="checkbox"/> Reserve Class B liquor	\$
Publication fee	\$ <u>5</u>
TOTAL FEE	\$

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Whiting, Michael, Roy Whiting L.L.C.

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member	Title <u>Member</u>	Name <u>Michael Roy Whiting</u>	Home Address <u>1834 Northpoint ST</u>	Post Office & Zip Code <u>Oshkosh, WI, 5490</u>
Vice President/Member				
Secretary/Member				
Treasurer/Member				
Agent ▶		<u>Michael Roy Whiting</u>		
Directors/Managers				

3. Trade Name ▶ Mi Casa Mexican Grill Business Phone Number 920-720-3600
4. Address of Premises ▶ 14 Tayco St. Menasha, WI 54952 Post Office & Zip Code ▶ Menasha, WI, 54952

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: insert state Wis and date 7-1-11 of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) First floor indoors and outdoor patio
10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Mario Nunez
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 27th day of May, 20 11
Deborah A. Maloney
Clerk/Judicial Public
My commission expires 8/5/12

Michael Roy Whiting
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>5/27/11</u>	Date reported to council/board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	



June 16, 2011

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Outdoor Alcoholic Beverage Permit, July 1, 2011-June 30, 2012

In accordance with Section 7-2-17 of City of Menasha Municipal Code, the following have submitted an application for extension of "Class B", license for the July 1, 2011-June 30, 2012 licensing period requesting outdoor serving of alcoholic beverage on a deck/patio. The Community Development Department has reviewed the applications and has determined they are in compliance with the dimensional requirements based on City Code.

- 1) Whiting LLC, d/b/a Mi Casa Mexican Grill, 14 Tayco Street
- 2) Erica Redlin, d/b/a Redliner, 977 Plank Road
- 3) Hot Brass, LLC, d/b/a as The Locker Room, 800 Plank Road
(front patio and back deck)

In the case of Erica Redlin, a previous license was issued to Jean Redlin for the same premises. Erica Redlin has taken over the ownership and management of the Redliner. Jean Redlin has submitted a letter agreeing to surrender her license as of June 30, 2011 with the approval of Erica Redlin for the license.



June 15, 2011

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Change of Agent for Kwik Trip

A change of agent from Sonja A. Nolay to Jessica A. Hartjes has been requested by Kwik Trip, Inc., 1870 USH 10/STH 114, Menasha. All proper paperwork has been filed with the Clerk's office. A check of municipal and state criminal records on Ms. Hartjes was completed by PC Stanke. Based on the information received, PC Stanke has no objection to the new agent appointment.



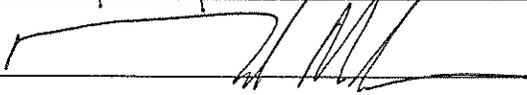
STREET USE APPLICATION

Event: Parade of Lights
 Sponsored by: Community Fest Committee
 Responsible Person: Mayor Don Merkes
 Address: 140 Main St.
Menasha WI 54952
 Phone: 920-967-3600
 Email Address: dmerkes@ci.menasha.wi.us

Street Use Date: July 3, 2011
 Start Time: 9:15 pm
 End Time: 10:15 pm
 Number of Units: 32

Street Route: (Attach Map) Parade starts in Neenah. Will travel North
 Description of Use on Washington St. to Main St. in downtown Menasha

Liability Insurance has been secured in the amount of \$ NA with the City of Menasha named as the additional insured. This is primary insurance.
 Insurance Company NA Policy No. NA
 (Attached is a copy of the certificate of insurance). Covered by City of Menasha ins.

Date: 6-14-11 Applicant's Signature: 

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of Twenty-Five Dollars (\$25.00). Make checks payable to City of Menasha. See highlighted portion of the attached City of Menasha Municipal Code.

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 May 2010)

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

Scheduled Common Council Review Date: _____
 Approved: _____ Denied: _____

APPROVAL:
 Police Dept. AB Fire Dept. MR Public Works Dept. MR City Attorney AA

ORDINANCE O-7-11
Substitute Amendment #1

AN ORDINANCE AMENDING CHAPTER 2, MAYOR AND COMMON COUNCIL

INTRODUCED BY ALDERMAN SEVENICH

SEC. 2-2-1 COMMON COUNCIL

The Aldermen of the City shall constitute the Common Council. The Common Council shall be vested with all the powers of the City not specifically given some other officer, as those powers set forth elsewhere throughout this Code.

State Law Reference: Section 62.11, Wis. Stats.

SEC. 2-2-2 ALDERMEN

- (a) **ELECTION, TERM, NUMBER.** The City shall have ~~ten (10)~~ eight (8) Aldermen in addition to the Mayor, who is a member of the Common Council by virtue of ~~his~~ the office as Mayor. The ~~ten (10)~~ eight (8) Aldermen shall constitute the Common Council. ~~Two (2)~~ One (1) Alderman shall be elected from each Aldermanic District. ~~One (1) Alderman from each of the five (5) Aldermanic Districts~~ Aldermen from the even-numbered Aldermanic Districts shall be elected at the annual City election in the even-numbered years, and ~~one (1) each of said~~ Aldermen from the odd-numbered Aldermanic Districts shall be elected at the City election in the odd-numbered years, all to hold office for a period of two (2) years.
- (b) **APPOINTMENT AS MAYOR.** An alderman shall be eligible for appointment as Mayor to fill an unexpired term.

State Law Reference: Section 62.09, Wis. Stats.

SEC. 2-2-3 MAYOR

- (a) **ELECTION.** The Mayor shall be elected in even-numbered years for a term of four (4) years.
- (b) **DUTIES.**
- (1) The Mayor shall be the Chief Executive officer of the City. ~~He~~ The Mayor shall be responsible for directing the overall operations of the City. ~~He~~ The Mayor shall take care that the City ordinances and the State Statutes are observed and enforced.
 - (2) The Mayor shall, from time to time, provide the Council such information and recommend such measures as ~~he~~ the Mayor may deem advantageous to the City. When present, ~~he~~ the Mayor shall preside at the meetings of the Council.
 - (3) The Mayor shall be responsible for coordination and operation of all City departments.
 - (4) The Mayor shall review the development of the City budget.
 - (5) The Mayor shall provide direction for the City's economic development and other long-range plans.
 - (6) The Mayor shall work on plans for service and personnel levels.
 - (7) The Mayor may participate in the sale and purchase of property on behalf of the City.
 - (8) The Mayor shall analyze and interpret federal, state and county legislation to determine its impact on the City.
 - (9) The Mayor shall have such other duties and responsibilities as are prescribed in the Wisconsin Statutes and this Code of Ordinances.
- (c) **VETO POWER.** ~~He~~ The Mayor shall have the veto power as to all acts of the Council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to ~~him~~ the Mayor by the City Clerk and shall be ~~enforced in force~~ upon ~~his~~ approval evidenced by ~~his~~ the Mayor's signature, or upon ~~his~~ failing to approve ~~and~~ or disapprove within five (5) days, which fact shall be certified thereon by the Clerk. If the Mayor disapproves, ~~he~~ the Mayor's objection shall ~~be~~ file ~~his objections~~ with the Clerk, who shall present ~~it~~ them to the Council at its next meeting. A two-thirds (2/3) vote of all the members of the Council shall ~~be necessary~~ then make the act effective, notwithstanding the objection of the Mayor.

State Law Reference: Section 62.09(8), Wis. State.

SEC. 2-2-4 PRESIDENT OF THE COUNCIL

The Common Council at its first meeting subsequent to the regular election and qualification of new members shall, after organization, annually choose from its members a President who, in the absence of the Mayor, shall preside at meetings of the Council and, during the absence or inability of the Mayor, shall have the powers and duties of the Mayor, except that he the President shall not have power to approve an act of the Council which the Mayor has disapproved, by filing objections with the City Clerk. ~~He shall, w~~When so officiating, the President shall be styled "Acting Mayor." The President of the Council shall be elected for a one (1) year term of office.

State Law Reference: Section 62.09(9)(e), Wis. Stats.

SEC. 2-2-5 STANDING COMMITTEES; ACTION ON COMMITTEE REPORTS.

(a) **STANDING COMMITTEES.** At the organizational meeting of the Common Council in each year following the annual election, each of the following committees, shall be established; the general duties of which shall be as follows.

(1) **ADMINISTRATION COMMITTEE.** The Administration Committee shall consist of eight (8) aldermen. The Administration Committee shall have jurisdiction over the departments of City Clerk, City Treasurer, City Assessor and City Attorney. It shall be the duty of this Committee to audit and act on all demands, claims and actions against the City. ~~This Committee together with the Mayor and Clerk and two citizen members constitute the Insurance Board which has complete charge of insurance affairs. Recommendations of the Insurance Board are subject to Council ratification.~~ The Administration Committee shall study all resolutions referred to it. ~~shall meet with department heads under its jurisdiction.~~ The Administration Committee shall also have jurisdiction over the departments of Director of Public Health, City Physician, Board of Health, ~~Sealer of Weights and Measures, Community Development Department, Finance Department, Health Department,~~ Parks & Recreation Department, Personnel Department, and the Police and Fire Departments in all matters not under the jurisdiction of the Police Commission, and Fire Commission and Joint Finance and Personnel Committee. This Committee ~~shall have jurisdiction over operator licenses, and shall confer with the Police Chief, Fire Chief, and other department heads under its jurisdiction.~~ This Committee shall investigate all applications for licenses that are brought before the Common Council, except licenses and permits issued by the City Clerk as a ministerial duty. When action is required ~~Regular Administration Committee meetings and audit of all bills by all Committees shall take place on the first and third Monday of the month preceeding following~~ the regular Common Council meetings provided that all such demands, claims, and accounts shall not be acted upon except at regular meetings of the Council. In addition, the Committee shall have the following general responsibilities:

a. ~~Monitor expenditures.~~

b.a. Review any proposed changes in the City's insurance coverage and risk management program

e.b. Have primary, but not exclusive, responsibility for reviewing the City's Code of Ordinances for adequacy.

d.c. Review Common Council action regarding proposed federal, state and county legislation impacting upon the City and its residents.

e.d. Review for Common Council adoption policies and procedures regarding City operations and the delivery of services to the public.

f.e Review for Common Council adoption resolutions expressing the policy of the City regarding matters for which a formal declaration of official policy is required.

g. ~~Review with the Mayor, and with the City Attorney, regarding potential and pending litigation involving the City.~~

h.f Consider any other matters which may be referred by the Common Council.

i. Review and keep a record of all the insurance policies, the amount of each policy, the name of the company insuring each policy, the date of the expiration thereof, and the amount of premium. ~~It shall have complete charge of investigating and looking into all the insurance affairs of the City, including health insurance coverage. It shall from time to time make~~

~~recommendations to the Common Council on its own motion and in turn shall handle investigatory matters referred to it by the Common Council. It shall attempt to meet with representatives of the Water and Electric Utilities Commission to the end that all health insurance and insurance coverage on municipal properties, both real and personal and liability, as well as group insurance shall be unified so that the greatest economical savings will be achieved. As the Water and Electric Utilities Commission desires to take part in such a program, the Committee shall consider and forward to the Common Council the recommendations of the Water and Electric Utilities Commission relating to insurance matters.~~

~~j.g~~ The Administration Committee is empowered to seek bids or quotes, or neither, and has the obligation and the right to call on representatives of various insurance companies to discuss their program.

~~k.h~~. Selection of insurance companies to service the City's requirements shall be based upon residence of the full time agent handling the insurance, but not limited thereto; net premium, and service rendered in the past and ability to perform in the future. The recommendations of the Administration Committee shall be subject to Common Council ratification, as to selection of the individual carrier and the amounts thereof.

(2) **BOARD OF PUBLIC WORKS.** The Board of Public Works shall consist of eight (8) Aldermen. Pursuant to Charter Ordinance O-24-79, the City of Menasha hereby elects pursuant to Chapter 66 of the Wisconsin Statutes to provide that the actions of the Board of Public Works shall be subject to Common Council approval and mayoral veto. The Board of Public Works shall have jurisdiction over the Department of Public Works which is supervised by the Director of Public Works and consists of the following divisions: Engineering, Streets, Bridges, Sanitation, and Municipal Buildings. This ~~Committee~~ Board also has jurisdiction over parking meter and parking lot operations. It shall be the duty of this ~~Committee~~ Board to study all resolutions referred to it, confer with the Director of Public Works, order street improvements and order work to be performed by personnel under its jurisdiction. All ~~actions~~ recommendations of this ~~Committee~~ Board must be approved by the Common Council before going into effect. The Board of Public Works shall have jurisdiction over all public buildings and grounds, voting places for elections and all public improvements. When action is required ~~Regular~~ Board of Public Works meetings shall take place on the first and third Monday of the month preceding the regular Council meeting. In addition, the Board shall perform such duties as outlined by State Law. The Board of Public Works shall also have the following general responsibilities:

- a. Review policy guidelines regarding public improvements.
- b. ~~Mediate any dispute between a property owner and the City regarding public improvements.~~
- c. Review and approve any unusual requests for use of the City buildings.
- d. Review any proposed changes, remodeling, additions, etc., to the City Hall or other city buildings and/or property.
- e. Review traffic or pedestrian safety matters, prior to needed action for Common Council approval.
- f. Except for traffic enforcement, all other matters pertaining to traffic, traffic flow, streets, and related matters shall be referred to the Board of Public Works for recommendation.
- g. Consider any other matter which may be referred by the Common Council.

(3) **PERSONNEL COMMITTEE.** The Personnel Committee shall consist of all members of the Common Council and the Mayor. The Personnel Committee shall have jurisdiction over but not be limited to personnel matters, administration of labor contracts and contract negotiations as well as any other matters which may be forwarded to it by the Mayor or the Common Council. It may be considered an Executive Committee. The Personnel Committee shall also have the following general responsibilities:

- a. Establish policies for the supervision and control of City officers and employees unless state law otherwise provides.
- b. The Committee Chairman shall take an active part in labor negotiations with all collective bargaining units.
- c. Review for the Council all salary adjustments for non-union personnel. In addition to

other duties which may be delegated to the Personnel Committee from time to time by the Common Council, it shall review for the Council the hiring of full-time new personnel that are not considered replacements but added employees.

- d. Review for the Common Council any issue involving grievances as required by any labor contract.

(4) NEENAH-MENASHA JOINT FIRE FINANCE & PERSONNEL COMMITTEE.

a. **ORGANIZATION AND APPOINTMENT.** The Neenah Menasha Fire Rescue Joint Finance & Personnel Committee shall consist of six Council members, three from Neenah and three from Menasha and shall include the Council Presidents of both cities, a member of the Neenah Finance & Personnel Committee, the chair(s) of the Menasha Administration Committee or Personnel Committee, and two alderpersons at-large, one appointed by the Mayor of Neenah from the Neenah Common Council and one appointed by the Mayor of Menasha from the Menasha Common Council. The at-large alderperson shall be appointed for one-year terms that may be renewed. In the event of the chair of either the Neenah Finance & Personnel Committee or the Menasha Administration Committee or Personnel Committee is also the President of the respective Council, then the Mayor of that city shall appoint one additional at-large alderperson so that at all times each city shall have three representatives to this Committee. Such appointment(s) shall be subject to confirmation by the Common Council.

b. **POWERS & DUTIES.** The oversight of the day-to-day operations & budgetary matters of the Neenah Menasha Fire Rescue shall be conducted by the Joint Fire Finance & Personnel Committee. The Joint Fire Finance & Personnel Committee shall review budgetary issues, labor contracts, position vacancies, proposed new positions, capital outlay items and expenses of \$5000 or more and make recommendations to the Common Councils of the Cities of Neenah and Menasha. The recommendations of the Joint Finance & Personnel Committee shall be acted upon separately by the common councils of both Neenah and Menasha and shall be effective only upon the concurrence of both councils.

c. **SEVERABILITY.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

- (b) **SPECIAL COMMITTEES.** The Mayor may, from time to time, appoint such special committee or committees as he/she may deem advisable or as provided for by motion or resolution stating the number of members to perform such duties as may be assigned to them.
- (c) **TIME FOR MAYORAL APPOINTMENTS.** All mayoral appointments to boards, commissions or committees of whatever nature which require Council confirmation shall be submitted to the Common Council no later than thirty (30) days after the expiration of a particular term of office, unless the Mayor submits reasons why said position cannot be filled.
- (d) **COUNCIL ORGANIZATION.** All Council Committees, including the Board of Public Works, at their first organizational meeting shall name their own chairman and vice-chairman for purposes of organization only. The City Clerk shall call the organizational meeting of the Administration Committee as soon after Council approval as is convenient. The Director of Public Works shall call the organizational meeting of the Board of Public Works as soon after Council approval as is convenient. The ~~Personnel~~ Human Resources Director shall call the organizational meeting of the Personnel Committee as soon after Council approval as is convenient.
- (e) **MAYOR'S MEMBERSHIP.** The Mayor shall be an ex-officio member of the Administration Committee and the Board of Public Works, but, however, he shall be a voting member of the Personnel Committee.
- (f) **REFERENCE AND REPORTS.**
 - (1) The Mayor shall refer new business coming before the Common Council to the appropriate committee, unless otherwise referred or disposed of by motion of the Council.
 - (2) Committee reports shall be in writing and shall be filed with the City Clerk.
- (g) **COOPERATION OF CITY OFFICERS.**
 - (1) All City officers shall, upon request of the chairman of the committee, confer with the committee and supply to it such information as may be requested in connection with any

matter pending before the committee.

- (2) It shall be the duty of the City Clerk, or his deputy, and all department heads Chief of the Fire Department and Chief of the Police Department, Director of Public Works, or in their absence, their assignee, to attend all meetings of their committee of jurisdiction unless for due cause their attendance has been excused by the Mayor. In the event the Chiefs of the respective Fire and Police Departments cannot attend and have been excused by the Mayor, they may delegate a command officer to represent them. The Fire Chief and the Chief of Police need not attend regular Council meetings unless requested by the Mayor, the President of the Council or a chairman of a standing committee. It shall further be the duty of all salaried officers of the City to attend the Common Council's regular meeting whenever requested by the Mayor, the President of Council, or the head of any standing committee. When the Chief of Police is not in attendance at the regular Council meeting, he shall designate an officer to act as sergeant at arms.
 - (3) Unless required by any State Statute, no standing committees will have the power to make recommendations to the Common Council nor to bind the City in any fashion. All issues reviewed by standing committees must be considered by the Common Council.
- (hg) ~~SECRETARY.~~ The City Clerk or designee shall be secretary of the Administration Committee, ~~the Director of Public Works, or designee shall be the secretary of the Board of Public Works, and the Personnel Director, or designee shall be the secretary of the Personnel Committee.~~ Should a secretary of a standing committee or Board of Public Works not be able to attend a meeting for any reason whatsoever, ~~he shall notify the City Clerk who will appoint an acting secretary on a meeting by meeting basis.~~

SEC. 2-2-6 GENERAL POWERS OF THE COMMON COUNCIL

- (a) **GENERAL.** The Common Council shall be vested with all the powers of the City not specifically given some other officer. Except as otherwise provided by law, the Common Council shall have the management and control of the City property, finances, highways, streets, navigable waters and the public service, and shall have the power to act for the government and good order of the City, for its commercial benefit and for the health, safety, welfare and convenience of the public, and may carry its powers into effect by license, regulation, suppression, borrowing, taxation, special assessment, appropriation, fine, imprisonment and other necessary or convenient means. The powers hereby conferred shall be in addition to all other grants and shall be limited only by express language.
- (b) **ACQUISITION AND DISPOSAL OF PROPERTY.** The Common Council may acquire property, real or personal, within or without the City, for parks, libraries, historic places, recreation, beautification, streets, waterworks, sewage or waste disposal, harbors, improvement of watercourses, public grounds, vehicle parking areas and for any other public purpose; may acquire real property within or contiguous to the city, by means other than condemnation, for industrial sites; may improve and beautify the same; may construct, own, lease and maintain buildings on such property for instruction, recreation, amusement and other public purposes; and may sell and convey such City owned property.
- (c) **ACQUISITION OF EASEMENTS AND PROPERTY RIGHTS.** Confirming all powers granted to the Common Council and in furtherance thereof, the Council is expressly authorized to acquire by gift, purchase or condemnation under Ch. 32, Wis. Stats., any and all property rights in lands or waters, including rights of access and use, negative or positive easements, restrictive covenants, covenants running with land, scenic easements and any rights for use of property of any nature of the public or for any public purpose, including the exercise of powers granted under Sections 61.35 and 62.23, Wis. Stats.; and may sell and convey such easements or property rights when no longer needed for public use or protection.
- (d) **CITY FINANCES.** The Common Council may levy and provide for the collection of taxes and special assessments; may refund any tax or special assessment paid, or any part thereof, when satisfied that the same was unjust or illegal; and generally may manage the City finances.
- (e) **CONSTRUCTION OF POWERS.** Consistent with the purpose of giving to cities the largest measure of self-government in accordance with the spirit of the home rule amendment to the Constitution, the grants of power to the Common Council in this Section and throughout this Code of Ordinances shall be liberally construed in favor of the rights, powers and privileges of cities to promote the general welfare, peace, good order and prosperity of the City and its inhabitants.

SEC. 2-2-7 COOPERATION WITH OTHER MUNICIPALITIES

The Common Council, on behalf of the City, may join with other villages, towns, or cities or other governmental entities in a cooperative arrangement for executing any power or duty in order to attain greater economy of efficiency, including joint employment of appointive officers and employees and joint purchasing programs.

State Law Reference: Section ~~66.30~~, 66.0301 Wis. Stats.

SEC. 2-2-8 INTERNAL POWERS OF THE COUNCIL

The Common Council has the power to preserve order at its meetings, compel attendance of Aldermen and fine or expel for neglect of duty and punish by fine members or other persons present for disorderly behavior. The Common Council shall be judge of the election and qualification of its members. Any Alderman who cannot attend a Council meeting or Committee meeting shall be recorded absent-excused if he/she has notified the Mayor, City Clerk, President of the Council, or Committee Chair if he/she is unable to attend such meeting. Failure to so notify shall result in that Alderman being recorded absent-unexcused.

State Law Reference: Section 62.11, Wis. Stats.

SEC. 2-2-9 SALARIES

- (a) The Mayor and Aldermen who make up the Common Council, whether operating under general or special law, may, by majority vote of all the members of the Common Council, determine that a salary or per diem compensation be paid the Mayor and Alderman.

State Law Reference: Section 62.09(6), Wis. Stats.

- (b) The annual salary for aldermen shall be ~~\$4,940.00 commencing on the third Tuesday of April, 2003; \$5,060 commencing on the third Tuesday of April, 2006; and \$5,190 commencing on the third Tuesday of April, 2007~~
- (c) The salary of the president of the Common Council shall be \$300 per annum over and above the salary given the other aldermen and shall be payable bi-weekly consolidated with his regular aldermanic salary.
- (d) The aldermen's salary shall be paid bi-weekly.
- (e) ~~It is the intent of this ordinance that not all members of the Common Council will necessarily be paid the same in a particular year.~~
- (~~f~~ g) The annual salary for the mayor shall be ~~\$60,900.00 effective the third Tuesday of April, 2003; \$62,400 commencing on the third Tuesday of April, 2006; and \$64,000 commencing on the third Tuesday of April 2007.~~
- (~~g~~ f) The mayor's salary shall be paid bi-weekly.

SEC. 2-2-10 MEETINGS OF THE COMMON COUNCIL

- (a) **ANNUAL ORGANIZATION MEETING.** Following a regular City election, the Common Council shall meet on the third Tuesday of April for the purpose of organization.
- (b) **REGULAR MEETINGS.** Regular meetings of the Common Council, except the Annual Organization Meeting, shall be held on the first and third Mondays of each calendar month, at the hour of ~~7:00~~ 6:00 p.m. Any regular meetings falling upon a legal holiday shall be held on the next following secular day, at the same hour and place, or as otherwise designated by majority vote of the Common Council. For purposes of this Section, "legal holiday" shall mean: New Year's Day,

Memorial Day, July 4th, Christmas, Labor Day, and any day in which elections are held in the City of Menasha as authorized by State Law. For the purpose of this Section, legal holidays shall also include Days of National Commemoration, Celebration or Mourning as proclaimed by the President of the United States and the Governor of the State of Wisconsin. All meetings of the Council shall be held in the Menasha City Hall, including special and adjourned meetings, unless another location is designated by the Common Council at a previous meeting.

- (c) The annual organizational meeting shall be the third Tuesday in April at 7:30 ~~6:30~~ p.m.
- (d) Department Attendance at Common Council Meetings.
 - (1) All Department Heads shall attend all meetings of the Common Council, unless specifically excused by the Mayor or the Council President. Such excused absences shall be noted on the official minutes.
 - (2) In lieu of the Department Head, a Supervisory employee of that department may be designated to represent any Department Head at any meeting.
 - (3) For any Department that has been consolidated with a department from another municipality, that Department Head need only attend the Council meeting if there is a specific item on the agenda related to that department, or if the Mayor or any Committee Chair has specifically requested that Department Head to attend.
 - (4) The attendance requirement shall not extend to any Special Council meetings. Department Heads shall attend Common Council meetings whenever the Mayor or any Committee Chair has specifically requested that Department Head to attend.

State Law Reference: Section 62.11(2), Wis. Stats.

SEC. 2-2-11 SPECIAL MEETINGS

- (a) Special meetings may be called by the Mayor upon written notice of the time and purpose thereof to each member of the Council delivered to ~~him~~them personally or left at ~~his~~their usual place of abode at least six (6) hours before the meeting. The City Clerk shall cause an affidavit of service of such notice to be filed in ~~his~~the office prior to the time fixed for such special meetings. A special meeting may be held without such notice when all members of the Common Council are present in person, or consent in writing to the holding of such a meeting, provided the provisions of Wisconsin's Open Meeting Law are complied with. If written consent is obtained, it shall be filed with the City Clerk prior to the beginning of the meeting. Attendance by any Council member shall be deemed a waiver on ~~his~~their part of any defect of notice. Any special meeting attended by all Aldermen shall be a regular meeting for the transaction of any business that may come before such meeting.
- (b) Parties requesting a special meeting of the Council shall pay the cost of such meeting.
- (c) The agenda for special Common Council meetings shall include an item on the agenda "PEOPLE FROM THE GALLERY TO BE HEARD ON MATTERS PERTAINING TO THIS AGENDA".
- (d) Any person speaking pursuant to Sec. 2-2-11(c) shall be limited to 5 minutes.

State Law Reference: Section 62.11(2), Wis. Stats.

SEC. 2-2-12 OPEN MEETINGS.

Except as provided in Sec. 19.85, Wis. Stats., all meetings of the Common Council, committees thereof, and boards and commissions, shall be open to the public.

State Law Reference: Section 62.11(3)(c) and Ch. 19, Subch. IV, Wis. Stats.

SEC. 2-2-13 QUORUM.

- (a) A two-thirds (2/3) majority of the members-elect of the Common Council shall constitute a quorum. ~~but a lesser number may adjourn if a majority is not present or~~ A less number may compel the attendance of absent members and adjourn. The Mayor shall not be counted in computing a quorum. No action shall be taken unless a quorum is present. A majority of all the members shall be necessary to a confirmation. In case of a tie the Mayor shall have a casting vote as in other cases.
- (b) The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour.

State Law Reference: Section 62.11(3)(b), Wis. Stats.

SEC. 2-2-14 PRESIDING OFFICERS.

- (a) **PRESIDING OFFICER.** The Mayor shall preside over all meetings of the Common Council. In the absence of the Mayor, the President of the Council shall preside. In case of absence of the Mayor and President of the Council, the City Clerk shall call the meeting to order.
- (b) **DUTIES.** The presiding officer shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Robert's Rules of Order, Newly Revised (1990), unless otherwise provided by statute or by these rules.

State Law Reference: Section 62.09(8), Wis. Stats.

SEC. 2-2-15 ORDER OF BUSINESS.

- (a) **ORDER OF BUSINESS.** At all regular meetings, the order of business shall be according to the tentative agenda prepared by the City Clerk and ~~mailed~~ provided to the Mayor and each member of the Common Council no later than the Friday preceding the regular meeting. The order of business of Council meetings, unless temporarily suspended by unanimous vote or by two-thirds (2/3) vote, shall be as follows, if there are no objections:
 - (1) Call to order.
 - (2) Pledge of Allegiance.
 - (3) Roll Call/Excused Absences.
 - (4) ~~Minutes to Approve/Minutes and Communications to Receive.~~ Public Hearing
 - (5) Public Comment on any matters of concern to the City (five (5) minute time limit for each person).
 - (6) ~~Appointments.~~ Report of Department Heads/Staff/Consultants
(Minutes to receive and Communications)
 - (7) ~~Claims against the City.~~ Consent Agenda
 - (8) Report of Department Heads/Staff/Consultants. Items Removed from Consent Agenda
 - (9) ~~Report of Committees, Boards and Commissions.~~ Action Items
 - (10) Ordinances and resolutions.
 - (11) ~~Held Over Business. Subject matter must be specifically itemized on the agenda or no action may be taken until the succeeding meeting, except in emergencies.~~ Appointments.
 - (12) ~~Council Directives.~~ Held Over Business
 - (13) ~~Citizen Reprise (people from the gallery to be heard, only pertaining to matters on the agenda; five (5) minute time limit for each person).~~ Claims against the City
 - (14) ~~Adjournment.~~ Citizen Reprise (people from the gallery to be heard, only pertaining to matters on the agenda; five (5) minute time limit for each person).
 - (15) Adjournment.
- (b) **ORDER TO BE FOLLOWED; CITIZEN COMMENTS.** No business shall be taken up out of order unless by unanimous consent of all aldermen and in the absence of any debate whatsoever. The Parliamentarian shall enforce the time limit on the length of time citizens may address the Council.
- (c) **REVIEW OF MINUTES.** ~~Immediately after the Council is called to order, the President of the Council shall move that all minutes of all boards, commissions and committees filed with the City Clerk since the last council meeting be received and placed on file. If an Alderman objects he may ask that certain minutes be deleted from the foregoing motion and it shall immediately become the second order of business. Where a paragraph required specific Council action, any Alderman may move that the council specifically subscribe to (or reject or lay over) the recommendation of the paragraph in the minutes. It shall be the duty of the city Clerk to enter in the official minute book of the Common Council the specific items that the Common Council acted upon in language so ascertainable that recourse to the actual minutes will not have to be resorted to.~~
- (d) **ROLL CALL; PROCEDURE WHEN QUORUM LACKING.** As soon as the Council shall be called to order, the City Clerk shall proceed to call the names of the members, noting who are present and who are absent and record the same in the proceedings of the Council. If it shall appear that there is not a quorum present, the fact shall be entered on the journal and the Council shall adjourn.

- (e) **CREATION OF THE AGENDA FOR COMMON COUNCIL MEETINGS AND COMMITTEE MEETINGS.** Members of the Council and City officers desiring a matter to be placed on the agenda shall submit the same in writing to the City Clerk, who shall be responsible for agenda preparation and distribution, not later than ~~noon~~ end of business day on the Tuesday preceding the regular meeting. Items not received by the Clerk prior to the Tuesday deadline shall require the approval of the Mayor for placement on the Council agenda or approval of the Committee Chair for placement on any Committee agenda. In no event shall any item be placed on the agenda after noon on the Thursday preceding the regular meeting unless an emergency exists. The person placing such emergency item on the agenda shall be required to file with the City Clerk a written statement as to the emergency.
- (f) No item may be included in the Common Council packet nor be listed as a communication unless it is authored ~~and contains the mailing address of the author.~~ The Clerk may reject any communication if the Clerk determines that the author ~~or addresses are~~ is not valid.

SEC. 2-2-16 INTRODUCTION OF BUSINESS, RESOLUTIONS AND ORDINANCES; DISPOSITION OF COMMUNICATIONS.

- (a) **ORDINANCES TO BE IN WRITING.** Ordinances can only be introduced by the request of the Mayor, any Alderman, standing or special committees of the Common Council. All ordinances submitted to the Council shall be in writing and shall begin with a brief statement of the subject matter, a title and the name of the Alderman or Mayor introducing the same. Any written material introduced may be referred to the appropriate committee pursuant to Section 2-2-5. Any member of the Council may require the reading in full of any ordinance or resolution at any time it is before the Council.
- (b) **HOW INTRODUCED.** The Mayor or any Alderman may introduce an ordinance at any Council meeting simply by stating, "I desire to introduce the following ordinance." An ordinance may also be introduced by the Mayor or an Alderman directing the City Attorney to draft such ordinance and file it with the Clerk to be placed on the next Council agenda. The Clerk shall cause such proposed ordinance to be printed in the official City newspaper if any Alderman so requests. Such notice shall state the date the proposed ordinance will be considered by the Council or any committee. The public will be permitted to address the Council or any committee when the Council or committee considers any such ordinance. A specific public hearing shall be scheduled to consider any such ordinance upon request of any Council member. No second is required to introduce any ordinance, to request its publication, or to request a public hearing.
- (c) **SUBJECT AND NUMBERING OF ORDINANCES.** Each ordinance shall be related to no more than one (1) subject. Amendment or repeal of ordinances shall only be accomplished if the amending or repealing ordinance contains the number and title of the ordinance to be amended or repealed, and title of amending and repealing ordinances shall reflect their purpose to amend or repeal.
- (d) **NOTICE.**
- (1) The Common Council may take action on an ordinance only if it appears on the written agenda for the meeting at which action is requested.
 - (2) a. No ordinance may be passed by the Common Council until the next Council meeting following its introduction at either a Committee or Council level. When said ordinance on its face does not adequately advise the public of its contents, the City Attorney shall add a brief note of explanation.
 - b. Any Alderman may request that any issue be held for two weeks in addition to the requirements of sec. 2-2-16 (d)(2)a. When so requested, the Mayor shall inquire as to whether another Alderman also wished the hold. If another Alderman does so request, the issue shall be placed on the agenda of the next regularly scheduled meeting. Once invoked, no other Alderman may attempt to use this procedure to delay any action. Any further delay requires a majority vote of the Common Council or Committee. An issue held in Committee may not be held in the Common Council, an item held in the Common Council may not be held in Committee. Any request to hold must be made before the beginning of debate on the issue.
 - c. This Section shall not apply if such holding results in the item being moot because of any other deadline imposed by some other party or organization outside the control of the City.

- d. Any resolution may be acted upon at the meeting at which it is introduced unless one alderman holds such resolution until the succeeding Council meeting. This delay may only be used one time for any resolution.
- (e) **SUSPENSION OF RULE.** Whenever the Common Council decides to waive the rule pertaining to ordinances or resolutions as provided in this Section, it may do so by suspension of its rules requiring a two-thirds (2/3) vote of all the Aldermen.
- (f) **SPECIAL RULES PERTAINING TO RESOLUTIONS AND MAYOR'S APPOINTMENTS**
- (1) Resolutions and Mayor's appointments may be introduced by the Mayor or any member of the Common Council provided the Mayor and the Common Council receive advance notice. Advance notice shall consist of placing the resolution or Mayor's appointment in the Aldermen's boxes in the City Hall by at least the ~~Friday~~ Thursday before the Common Council meets or by ~~giving it to the Police Department on a Friday for delivery to the Mayor's or Aldermen's homes or place of business; having it available for pick up by the Aldermen at the Police Department.~~ Giving such a resolution or Mayor's appointment to the Police Department is prima facie evidence that the Aldermen received said resolution or Mayor's appointment.
- (2) The advance notice requirement for resolutions under this Subsection shall not apply to matters in which the State Statutes set a time limit within which the Common Council can act on the subject matter of the resolution or matters related to it or when a public hearing is required by State Statutes.

SEC. 2-2-17 CONDUCT OF DELIBERATIONS.

- (a) A roll call shall not be necessary on any questions or motions except as follows:
- (1) When the ayes and nays are requested by any member.
 - (2) When required by the State Statutes of Wisconsin or this Code of Ordinances.
- (b) All aye and nay votes shall be recorded in the official minutes.
- (c) Except as provided below, the Common Council shall in all other respects determine the rules of its procedure, which shall be governed by Robert's Rules of Order (Newly Revised 1990), which is hereby incorporated by reference, unless otherwise provided by ordinance or Statute, except when otherwise limited or modified by this Code of Ordinances;
- (1) No Alderman shall address the Council until ~~he has been~~ recognized by the presiding officer. ~~He~~ They shall thereupon address ~~himself~~ themselves to the presiding officer and confine ~~his~~ their remarks to the question under discussion.
 - (2) When two (2) or more members simultaneously seek recognition, the presiding officer shall name the member who is to speak first.
 - (3) The Mayor shall not vote except in the case of a tie. When the Mayor does vote in case of a tie, ~~his~~ the Mayor's vote shall be counted in determining whether a sufficient number of the Council has voted favorably or unfavorably on any measure. A majority vote of all members of the Council in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by ordinance or State Statute. Except as otherwise provided, a majority vote of those present shall prevail in other cases.
 - (4) Any member of the Council may demand an aye and nay vote on any matter, and all aye and nay votes shall be recorded in the journal. The Clerk shall rotate the order in which the roll is called on a per-meeting basis. On confirmation of appointments and on the adoption of any measure assessing or levying taxes, appropriating or disbursing money, or creating any liability or charge against the City or any fund thereof, the vote shall be by ayes and nays. A member of the Council may not change ~~his~~ their vote on any question after the result has been announced.
 - (5) When a question is under discussion, the following motions shall have precedence in the order listed:
 - a. To adjourn.
 - b. To recess.
 - c. To lay on the table.
 - d. To move the previous question.
 - e. To postpone to a day certain.
 - f. To refer to a committee.
 - g. To amend.
 - h. To postpone indefinitely.

State Law Reference: Section 62.11, Wis. Stats.

SEC. 2-2-18 RECONSIDERATION OF QUESTIONS.

- (a) **WHEN MOTION MADE.** A motion for reconsideration can be made on any matter before the Common Council by a member who voted with the prevailing side. It must be made on the day the Common Council acted or at the next regular meeting. It does not require a second.
- (b) **EFFECT OF MOTION TO RECONSIDER.** When a member who voted with the prevailing side moves to reconsider, such matter is automatically placed at the head of the calendar at the next Council meeting unless any member, whether he voted with the prevailing side or not, makes a motion to suspend the rules and take up the matter at this time. This is a non-debatable motion and requires a two-thirds (2/3) vote of the members present. The effect of a motion to reconsider shall be to put the matter back in its original condition or status before the main motion was voted upon.
- (c) **WHEN RECONSIDERATION CANNOT BE HELD.** Whenever the Council takes an action and something is done which cannot be undone by a motion to reconsider, such as a property right or where money has exchanged hands or other consideration given, such a motion is invalid.
- (d) **TIMES IN WHICH RECONSIDERATION CAN BE MADE.** With the exception of the limitations set forth in the previous Section, a motion to reconsider can be made on the same issue as many times until such motion fails.
- (e) **CLERK'S DUTIES.** When a motion to reconsider is brought before the body, the Clerk shall state the question, "Will the Council reconsider the votes by which this body said _____." "As many as in favor of reconsideration, say aye, those opposed, say no."
- (f) **LEAVE TO WITHDRAW.** A request for leave to withdraw a motion to reconsider does not require a second. It must be made by the original mover, and the mover may withdraw the same up to the point where the Clerk states the question.

SEC. 2-2- 19 COORDINATION OF COMMON COUNCIL MEETINGS AND COMMITTEE MEETINGS

- (a) All Common Council meetings will start at 6:00 p.m. on the first and third Mondays of the month, except for the annual organizational meeting or any special meetings. If a legal holiday falls on a regularly scheduled meeting day, the meeting will be held on the subsequent Tuesday.
- (b) Committee meetings will be scheduled to start at the conclusion of the Common Council meeting. The order of the Committee meetings will be determined at the agenda meeting by the Clerk and the Mayor.
- (c) The Common Council agenda will be limited:
 - 1. Items considered at the previous Committee meetings.
 - 2. Items not required to be reviewed by Committee as determined by the Common Council, such as accounts payable, appointments or liquor licenses. This list may be expanded by majority vote of the Common Council.
 - 3. A consent agenda will be created on each agenda with items that may be moved and considered in one motion and vote. Any Alderman may remove any item from the consent agenda to be taken up later in that meeting. The vote on consent agenda items shall be done by roll call. The Clerk and the Mayor will create the consent agenda after the agenda meeting.
- (d) Persons addressing the Common council during the two public participation forums or at any public hearing shall be required to state their name and address before addressing the Common Council or Committee. A sign-up sheet will also be provided for those persons who do speak to sign in. The Police Chief or designee shall keep time and shall enforce the five minute limit for public participation.
- (e) The appropriate Department Head will draft an explanation sheet that shall accompany any required notice to residents of any Public Hearing. The explanation sheet shall also be attached to the Public Hearing agenda. A brief explanation of the requested action shall be made by the appropriate Department Head at the Public Hearing. An explanation sheet as to the rules for any Public Hearing will be attached to the Public Hearing notice.

- (f) All persons, including the Mayor, Common Council members, Department Heads, City staff and the general public who choose to participate in any Common Council meeting, Committee meeting or Public Hearing shall do so with civility. It is the responsibility of the Chair of any meeting to insure compliance with this rule.

SECTION 2: This ordinance shall supplement all other ordinances or rules of the Common Council. This ordinance shall apply in the event of any conflict with other ordinances or rules.

SECTION 3: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this day of 2011.

ATTEST:

Donald Merkes, Mayor

Deborah A. Galeazzi, City Clerk



MEMORANDUM

Date: June 16, 2011

To: Common Council and the Mayor
From: Pamela A. Captain, City Attorney *PAC*

RE: Recommended Changes to Chapter 2 of the Code of Ordinance

There are still some changes that I recommend occur to Chapter 2 about which we did not have an opportunity to discuss at the Administration Committee meeting on June 6th. Therefore, I attempt to set forth my recommendations within this memo.

1. SEC. 2-2-1. This language is duplicative with SEC. 2-2-6.
2. SEC. 2-2-3(c). This paragraph has been modified since the June 6th meeting to reflect the actual language set forth in the statutes.
3. SEC. 2-2-4. The last sentence has been removed since it is duplicative.
4. SEC. 2-2-5(a)(1). Multiple changes were made to remove the duplicity. It is further recommended that the sentence setting forth the meeting days be deleted to allow the Chairperson of the Committee or the Committee itself to select its regular meeting days. This also applies to SEC. 2-2-5(a)(2) and the meetings days for the Board of Public Works.
5. SEC. 2-2-5(a)(2). The following sentence should be deleted due to duplicity: All recommendations of this Board must be approved by the Common Council before going into effect. The first sentence of this paragraph also provides: “. . . that the actions of the Board of Public Works shall be subject to Common Council approval and mayoral veto.” There is no need to have it in the same paragraph twice.
6. SEC. 2-2-5(g). Paragraph (1). This requirement is recommended to be properly located in the City’s personnel policy handbook rather than in an ordinance. Paragraph (2) is duplicative with SEC. 2-2-10(d) and is recommended to be deleted. Paragraph (3) is duplicative as it relates to requiring that all issues reviewed by standing committees be considered by the Common Council. The following is also confusing: “. . .no standing committees will have the power to make recommendations to the Common Council . . .” since there are other provisions in the ordinance that allow/require standing committees to make recommendations to the Common Council.

7. SEC. 2-2-5(h). By longstanding practice, the City Clerk has been acting secretary of the Administration Committee, Board of Public Works and Personnel Committee. Therefore, this paragraph has been changed to reflect actual practice.
8. SEC. 2-2-7. The state law reference has been updated.
9. SEC. 2-2-11. The following is recommended as an alternative call for a special meeting: “A special meeting may be held without such notice when the meeting time and date is announced at a regular common council or standing committee meeting, when all members of the Common Council are present in person. . . .”
10. SEC. 2-2-13. This paragraph has been modified to reflect the actual language set forth in the statutes.
11. SECS. 2-2-15, 2-2-16, 2-2-17 and 2-2-18. These sections relate to parliamentary procedure or the internal operating procedures of the common council. As such, it is recommended that these sections be deleted from the ordinance and be set forth in a separate document (Common Council Rules of Order) to be reviewed, amended and adopted annually by each new common council. Also, please note that SEC. 2-2-16(e) allows suspension of the rules “pertaining to ordinances and resolutions as provided in this Section.” All other rules of order set forth in the ordinance cannot be suspended by 2/3 vote. If the rules of order are separate from the ordinance, then they can be suspended by 2/3 vote. Alternatively, a provision could be added in the ordinance to allow suspension of any of the rules of order by 2/3 vote. That is not presently contained in the ordinance except with respect to SEC. 2-2-16(e). Finally, also note that SECS. 2-2-17 and 2-2-18 only apply to the common council.
12. SECS. 2-2-14(b) and 2-2-17(c). The reference to the year “1990” should be deleted and thereafter reflect Robert’s Rules of Order (Newly Revised).
13. SECS. 2-2-15(b) and 2-2-19(d). Reference to the timekeeper is duplicative/conflicting. One of the provisions should be deleted.

Don Merkes

From: jamestaylor04 tds.net [jamestaylor04@tds.net]
Sent: Monday, May 09, 2011 1:52 PM
To: Don Merkes
Subject: Landmarks Commision

As a lifelong Menasha resident with a deep interest in Menasha's history, I would like to serve on the Landmarks Commission where I may further serve my community.

Sincerely,

James Taylor

REMLEY &
SENSENBRENNER, S.C.
LAW OFFICES
EXPERIENCED • TRUSTED • RESPECTED

JAMES L. CUMMINGS
Also a Licensed C.P.A.
JEFFREY W. HANES
Also Licensed in Arizona
WYON F. WIEGRATZ
Also Licensed in Florida
JAMES L. RUDD
Also a Licensed C.P.A.
MARK J. TYCZKOWSKI
TIMOTHY B. ANDERSON
CHRISTINE M. WANLESS
RENEE A. READ

June 9, 2011

VIA PERSONAL SERVICE:

City of Menasha
c/o Mayor Don Merkes and City Clerk Debbie Galeazzi
140 Main Street
Menasha, Wisconsin 54952

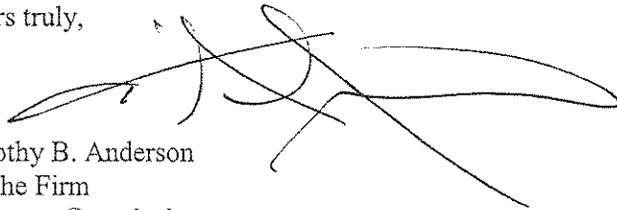
OF COUNSEL:
ARTHUR P. REMLEY (1917-2007)
F. JOSEPH SENSENBRENNER
(1921-2009)
JOHN D. STEIN (1925-1998)

Re: Lot No. 16 of Lake Park Villas

Dear Mayor Merkes and City Clerk Galeazzi:

Enclosed with this letter is Thomas G. Schanke's Notice of Circumstances of Claim against the City of Menasha pursuant to Wis. Stats. § 893.80(1)(a). This Notice of Circumstances of Claim is being given to *preserve* my client's rights and claims involving the City. Although we are giving this Notice of Circumstances of Claim to *preserve* Mr. Schanke's rights and claims, we are hopeful that we can further our dialogue with the City and its representatives in connection with this matter and that we will not need to proceed with submitting Mr. Schanke's Formal Claim pursuant to Wis. Stats. § 893.80(1)(b). To that end, I would again request that Mr. Schanke's concerns either be placed on the upcoming Agenda for the next Council meeting or that a special meeting be called at which Mr. Schanke and I can further address these matters with you, council members, and the City's attorney.

Yours truly,



Timothy B. Anderson
For the Firm
tanderson@remleylaw.com

Enclosure(s)

cc: Thomas G. Schanke
Attorney Pamela Captain (via email)
Stan Sevenich (via email)
Chris Klein (via email)
Michael Taylor (via email)
Mark Langdon (via email)
Steve Krueger (via email)
Dan Zelinski (via email)
Jim Englebert (via email)
Kevin Benner (via email)

RECEIVED
JUN 10 2011
CITY OF MENASHA
BY dg

JUN 10 2011

CITY OF MENASHA
BY dg

PERSONAL SERVICE

City of Menasha
c/o Mayor Don Merkes and City Clerk Debbie Galeazzi
140 Main Street
Menasha, Wisconsin 54952

NOTICE OF CIRCUMSTANCES OF CLAIM

This is a Notice of Circumstances of Claim by Thomas G. Schanke against the City of Menasha, Wisconsin, pursuant to Wis. Stats. §893.80(1)(a).

PLEASE TAKE NOTICE that the Claimant, Thomas G. Schanke, (the "Claimant") by his attorneys, Remley & Sensenbrenner, S.C., by Attorney Timothy B. Anderson, states that the following circumstances give rise to a claim against the City of Menasha (the "City"):

The Claimant is an individual who resides at W245 S6020 Red Wing Drive, Waukesha, Wisconsin 53189, and whose telephone number is (262) 542-3283.

Pursuant to a Vacant Land Offer to Purchase between the Claimant and the City, the Claimant purchased two parcels of land, identified as Property #1 and Property #2 in the Vacant Land Offer to Purchase, from the City. Property #1 is now known as, and will be referred to herein as, Lot #17 of Lake Park Villas, and Property #2 is now known as, and will be referred to herein as, Lot #16 of Lake Park Villas. Both Lot #16 and Lot #17 are part of the Lake Park Villas Plat in the City of Menasha, Winnebago County Wisconsin.

The closing for the sale of Lot #16 occurred in or about June of 2003. The Vacant Land Offer to Purchase, in paragraph 12, provides, in part, as follows:

"Buyer . . . shall, within five (5) years from the date of closing on [Lot #16], commence with the construction of improvements to [Lot #16]. . . . Commencement of construction of improvements shall be deemed to take place upon Buyer's submitting an application for a building permit for the construction of such improvements. If the application for said building permit is not submitted as set forth herein, Seller shall have the right to repurchase [Lot #16] for a total purchase price of \$165,000.00, plus Seller shall pay all costs associated with said purchase which shall include but not be limited to title insurance costs, transfer fee costs, and recording fees."

The Claimant and/or his assignee promptly developed Lot #17, constructing an assisted living facility, The Gardens of Fountain Way, in or about 2003. Since closing on Lot #16, the Claimant has paid real estate taxes on, and has incurred maintenance, carrying, development and other costs relating to, Lot #16.

In or about 2008, the Claimant met with representatives of the City, including Mayor Don Merkes and Community Development Director Greg Kiel, to discuss whether the City desired or intended to repurchase Lot #16 pursuant to the above-referenced paragraph of the

Vacant Land Offer to Purchase. The Claimant communicated that he desired to retain Lot #16 but that he wanted to delay development of Lot #16 to a date more than five (5) years from the closing on Lot #16 due to the economic climate and other factors. The Claimant was assured by Mayor Merkes and Mr. Kiel that it was acceptable to the City that the Claimant delay development of Lot #16, that the City had no intention of repurchasing Lot #16 from the Claimant, and further that the City, in fact, was not in a financial position to repurchase Lot #16.

The Claimant recently learned, for the first time, that the City is considering entering into, but has not yet duly entered into, a development agreement with a developer, The Ponds of Menasha, LLC ("The Ponds"), which agreement contemplates that the City will repurchase Lot #16 from the Claimant and then sell Lot #16 to The Ponds.

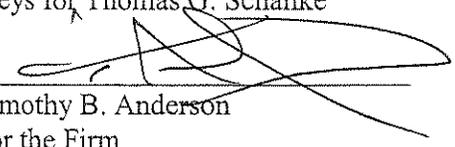
The Claimant does not intend to sell or transfer Lot #16 to the City and asserts that the City has no right to repurchase Lot #16 from Claimant. Specifically, the Claimant asserts that the City is foreclosed from purchasing Lot #16 from him for the reason that any repurchase right contained in the Vacant Land Offer to Purchase constitutes an impermissible restraint on alienation, the repurchase right, if any, fails to contain a material term (i.e. an expiration date), the repurchase right, if any, was extinguished or waived by the City subsequently giving a Warranty Deed to the Claimant for Lot #16, and/or the City's repurchase right, if any, is barred by the doctrine of promissory estoppel, laches and/or another legal or equitable theory. The foregoing is not necessarily an exhaustive list of the reasons why the City has no right to purchase Lot #16 from the Claimant.

In addition, were the City to repurchase Lot #16 for only \$165,000.00, plus costs associated with the City's repurchase, the Claimant will be damaged in an amount no less than the sums the Claimant has paid for real estate taxes on, and maintenance, carrying, development and other costs relating to, Lot #16, as well as the difference between the current fair market value of Lot #16 and the repurchase price previously contemplated to be paid by the City for Lot #16 (\$165,000.00). The Claimant's damages will be further itemized and set forth in Claimant's Claim pursuant Wis. Stats. §893.80(1)(b) when and if such Claim is later stated and submitted to the City.

Notwithstanding anything to the contrary, Thomas G. Schanke hereby expressly reserves all legal rights and remedies.

WHEREFORE, this notice of circumstances of claim is dated this 9th day of June, 2011.

REMLEY & SENSENBRENNER, S.C.
Attorneys for Thomas G. Schanke

By: 
Timothy B. Anderson
For the Firm
State Bar No.: 1035959

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Neenah, WI 54956
Telephone: 920-725-2601
Facsimile: 920-725-5814
Email: tanderson@remleylaw.com