

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Council Chambers, 3rd Floor
140 Main Street, Menasha
September 5, 2006

MINUTES

- I. Meeting called to order by Chairman Eckstein at 5:45 p.m.
Present: Ald. Wisneski, Pack, Hendricks, Eckstein, Chase, Merkes, Taylor
Excused: Ald. Michalkiewicz
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, DFC Auxier, DPW Radtke, CDD Keil,
PRD Tungate, Comp Stoffel, MU GM Young, Clerk Galeazzi, and the Press.
- A. Update on Steam Utility Project and Water Treatment Plant Project. (Discussion only)
- MU GM Doug Young reported they are continuing to sell steam. The high-pressure pipe issue at Alcan has been addressed. Utilities are ready to sell steam to Alcan, however Alcan has put a hold on the start-up until they get their new plant up and running. The last issue to resolve has to do with the backpressure turbine generator. The finance report of due diligence report has been completed. The final report should be completed soon.
- Water Treatment Plant Project: MU GM Young presented photos of the project. All concrete foundation pads have been poured. They are currently working on the walls. They are making good progress. There is a material in the concrete that keeps water from leaking into the foundation. The loading dock is completed. Construction is going well and the project is within budget.
- B. License: "Class A" application of U.S. Oil Co., Inc., Gerald G. Smith, Agent for the premises at 700 Third Street for the 2006-2007 licensing year.
- CA/HRD Brandt reported everything is in order with this application.
- C. Agreement with Excel Properties, LLC, 428 Third Street, and authorize signatures.
- CDD Keil explained the situation came to light in 2004 when the strip mall was being constructed. Menasha Utilities had an environmental study done on this property when they owned it, and all known issues were taken care of. The fuel tanks showed up during the construction. Further study showed it once was the site of the City garage.
- Discussion ensued on who should have been responsible to research the property before it was sold to a developer. Concerns on the cost to the taxpayers to correct the situation and why situation wasn't addressed earlier.
- CA/HRD Brandt explained he has been negotiating with Excel Properties and this is what they have worked out.
- D. Release and Settlement Agreement Between City of Menasha and Time Warner Cable regarding Franchise Fee Dispute, and authorize signature. (Recommendation from Cable T.V. Committee)
- CA/HRD Brandt explained the settlement agreement. The Cable T.V. Committee has been negotiating with Time Warner Cable on back payment of franchise fees. This is the agreement that has been reached. Time Warner Cable will pay the City of Menasha \$62,300 as back payment on franchise fees. As allowed by Federal law, Time Warner can pass this amount onto City of Menasha subscribers. If the settlement agreement is approved, the cost passed on to each subscriber by Time Warner could be approx. \$13.30 over the next three years.
- Discussion ensued on what the current franchise fees are used for and where the back payment of \$62,300 would be applied.

E. Agreement between ACE/Wisconsin II, LLC and City of Menasha, and authorize signature.

CA/HRD Brandt explained the previous agreement between the City and ACE/Wisconsin II, LLC had a "Right of First Refusal" stipulation in it. The right of first refusal would come from Mike Weinandt the owner of The Stone Toad Bar & Grill. Mr. Weinandt had exercised that option. ACE/Wisconsin has negotiated with Mr. Weinandt to give up his option of right of first refusal. The approval of this agreement would allow Mr. Weinandt to waive his right of first refusal on the property and allow ACE/Wisconsin II, LLC the first option to contract for the purchase of the property.

F. Accounts payable and payroll for the period 8-24-06/8-31-06 for the amount of \$846,931.91.

- Ck. #9168-Avastone Technologies-\$170.00 – update of Community Calendar on website.
- Ck. #9174-Corporate Express-\$180.43 – general office supplies/paper
- Ck. #9176-Evans Title-\$3,754.00 – re-write of Owners Agreement for Lake Park Villas
- Ck. #9283-Menasha Utilities-\$53,312.01 – delinquent utilities collected on tax bill.
- Ck. #9287-Town of Menasha Utilities-\$5,077.30 – delinquent utilities collected on tax bill.
- Ck. #9327-Waterly Sanitary District-\$118.67 – delinquent utilities collected on tax bill.
- Ck. #9175-Elan Cardmember-\$845.00 – Virginia Toy items purchased by Red, White, Blue Comm.
- Ck. #9175-Elan Cardmember-\$236.20 – Montana Wooden Lettering, parking item (will check on this item)
- Ck. #9277-Manderfield Bakery-\$29.85 – donuts for volunteers of Grunski-Runski
- Ck. #9291-Nielson Communications-\$249.00 – communication helmet for motorcycle.
- Ck. #9179-Fox Valley Area Labor Council-\$200.00 – donation for Labor Day parade.
- Ck. #9222-Timmers Lawn & Lanscaping-\$995 – retaining walls around trees on Oak Street
- Ck. #9199-Naut's Landing-\$82.58 – pizza for staff at completion of swimming lesson sessions.

II. ADJOURNMENT

Moved by Ald. Hendricks seconded by Ald. Wisneski to adjourn at 6:55 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi