CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Tuesday, April 17, 2012

6:00 PM
AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

D. PUBLIC HEARING
   1. Proposed Final Resolution authorizing public improvement and levying special assessments against benefited property. Location – Kelly Lake Dr. and Kernan Ave fronting Woodland Hills Subdivision (Lots 8-16, 18-28)

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. Mayor Merkes – Recognition of outgoing 2011 Board/Committee members
   2. Mike Dillon, SCA – Arbor Day Celebration & SCA donation
   3. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
      Minutes to receive:
      a. Administration Committee, 4/2/12
      b. Board of Public Works, 4/2/12
      c. Board of Canvass, 4/4/12
      d. IT Steering Committee, 4/10/12
      e. Park and Recreation Board, 4/9/12
      f. Personnel Committee, 4/2/12
      g. Plan Commission, 4/3/12
      Communications:
      h. Ald. Sevenich, 4/10/12; Memorial Day Parade information
      i. Clerk Galeazzi, 4/12/12; League of Wisconsin Municipalities upcoming events
      j. Historical Society Newsletter, April 2012
      k. Proclamation – Celebrating National Health Week
      l. Proclamation – Celebrating Arbor Day

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

   Minutes to approve:
   1. Common Council, 4/2/12

   Administration Committee, 4/2/12; recommends:
   2. Approval and adoption by the Common Council of the City of Menasha Cafeteria Plan (adopted on January 1, 1996, amended and restated effective January 1, 2001) and authorize the City Attorney/HR Director to act on behalf of the Common Council in signing the necessary documents for the Plan including future Plan amendments necessary for administration of the Plan
Board of Public Works, 4/2/12; recommends approval of:
3. Change Order - Terra Engineering & Construction Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements, Phase 4 Project; Sanitary Sewer Rehabilitation; Contract E124-11-01A; 60-Day Time Extension to Complete Punch List Items and Provide Project Close-Out Documentation (Change Order No. 5)
4. Payment – Terra Engineering & Construction Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements, Phase 4 Project; Sanitary Sewer Rehabilitation; Contract E124-11-01A; $12,489.75(Payment No. 3)

Personnel Committee, 4/2/12; recommends:
5. Approval of the Personnel Policy Handbook policies including the corrected Electronic Communications and Information Technology Policy and the amendment to the Code of Conduct Policy
6. Authorizing CA/HRD Captain to draft a side letter for the 2012-2014 contract with Menasha Police Union Local 603 allowing those officers hired prior to January 1, 1998 with an Associate’s Degree to be compensated $75 a month as part of their Educational Incentive Program

Plan Commission, 4/3/12; recommends approval of:
7. The extraterritorial Certified Survey Map for W7027 Verna Road in the Town of Harrison

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS
1. Accounts payable and payroll for the term of 4/2/12 to 4/12/12 in the amount of $2,036,082.17
2. Petition of Tammy & Amara Hoffstatter & Chuck Peterson, 332 8th St. for special exemption of Section 7-1-6(e) of City Code to license and house one more pet than allowed
4. Change of Agent to Kevin Somers for the Bar on Lake Park LLC, d/b/a Sliders Bar & Grill, 890 Lake Park Rd.

J. ORDINANCES AND RESOLUTIONS
1. R- 8 -12 – Resolution Continuing Appropriations (Introduced by Ald. Klein)
2. R- 9 -12 – Resolution Transferring/Appropriating Funds (Introduced by Ald. Klein)
3. R-10-12 – Resolution to Apply for Matching Grant Funds For Acquisition of Park Land Through the Wisconsin Department of Natural Resources. (Introduced by Ald. Langdon)
4. R-11-12 – Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property (Introduced by Ald. Taylor)

K. APPOINTMENTS

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

M. CLAIMS AGAINST THE CITY

N. ADJOURN-Sine Die

MEETING NOTICE

Common Council – Monday, May 7, 2012
Common Council - 6:00 pm
Administration Committee – 6:30 p.m.
Board of Public Works – 7:00 p.m.

Recall Primary Election – Tuesday, May 8, 2012

*Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 at least 24-hours in advance of the meeting for the City to arrange special accommodations.*
CITY OF MENASHA
PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on the Proposed Final Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property.

The Common Council hereby declares its intention to exercise its powers under Section 66.0703, Wisconsin Statutes, to levy special assessments upon property within the following described area for benefits conferred upon such property by improvement of the following:

A. Improvements
   1. 4" Asphalt Pavement
   2. Concrete Curb and Gutter
   3. Various Associated Items

B. Location of Improvements
   1. Kelly Lake Drive
   2. Kernan Avenue fronting Woodland Hills Subdivision Lots 8-16, 18-28

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Menasha as follows:

1. That the report of the Board of Public Works pertaining to the construction of the described public improvements, including plans and specifications, is, therefore and hereby, reaffirmed.

2. That payment for said improvements be made by assessing the applicable costs to the property benefited as indicated in said report.

3. The schedule of assessments made under the police power, and the amount assessed against each parcel, are true and correct and are hereby confirmed.

4. That the assessment for all projects included on said report is a single assessment.

5. That the assessment against any parcel shall be paid in accordance with Section 3-2-14 of the Menasha Municipal Code.

6. The City Clerk is directed to publish this resolution in the Official Newspaper of the City.

7. The Clerk is further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll and whose post office address is known or can, with diligence, be ascertained.

Any interested persons objecting or supporting the proposed resolution are requested to be present at this hearing.

   Date of Hearing: Tuesday, April 17, 2012
   Time of Hearing: 6:00 p.m. or shortly thereafter
   Place of Hearing: Menasha City Hall
                    Council Chambers, 3rd Floor
                    140 Main Street
                    Menasha, WI  54952

If you have questions, please call (920) 967-3610

Deborah A. Galeazzi, WCMC
City Clerk

Run: April 7, 2012
CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
April 2, 2012
MINUTES

A. CALL TO ORDER
Meeting called to order by Chairman Klein at 7:15 p.m.

B. ROLL CALL/EXCUSED ABSENCES
PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Krueger
EXCUSED: Aldermen Langdon and Englebert
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Pc Styka, FC Auxier, DPW Radtke,
CDD Keil, C/T Stoffel, PHD Nett, LD Lenz, Pk Supt Maas, Clerk Galeazzi, and the Press

C. MINUTES TO APPROVE
1. Administration Committee, 3/19/12
Moved by Ald. Krueger, seconded by Ald. Zelinski to approve minutes.
Motion carried on voice vote.

D. ACTION/DISCUSSION ITEMS
1. CVMIC Strategy Planning Meeting
CA/HRD Captain reported on the upcoming CVMIC Strategic Planning meeting. She asked
Committee members to provide input about what Menasha wants CVMIC to look like in the future
and what services they would like to see CVMIC provide.

2. Updates to Operator’s License Guidelines
PC Styka explained some changes made to the Operator’s License Guidelines. Some of the
changes were recommended by Committee members.
CA/HRD Captain explained the City has more discretion when issuing the original Operator’s
License. A policy should be in place and followed.
General discussion ensued on changes to the policy. It was agreed to put this item on a future
agenda.

3. Flexible Benefits (Cafeteria) Plan (Section 125)
CA/HRD Captain explained the current Flexible Spending Plan offered to employees. The Plan
has been amended over the years primarily due to changes in the law. The current
Administrative Services Agreement with Marshall & Ilsley Trust Company and various Plan
amendments are outdated and need updating and execution. CA/HRD Captain requested the
authority to act on behalf of the Common council in signing the necessary document for the City
of Menasha Flexible Benefit Plan including future Plan Amendments necessary for administration
of the Plan.
Moved by Ald. Sevenich, seconded by Ald. Taylor to recommend to Common Council approval
and adoption by the Common Council of the City of Menasha Cafeteria Plan (adopted on January
1, 1996, amended and restated effective January 1, 2001) and authorize the City Attorney/HR
Director to act on behalf of the Common Council in signing the necessary document for the Plan
including future Plan amendments necessary for administration of the Plan
Motion carried on roll call 6-0
4. **R-8-12 - Resolution Continuing Appropriations (Introduced by Ald. Klein)**

C/T Stoffel explained the resolution is to carry forward some 2011 budgeted funds into 2012 budget for ongoing projects.

General discussion ensued on specific projects.

Moved by Ald. Sevenich, seconded by Ald. Krueger to recommend to Common Council approval of R-8-12.
Motion carried on roll call 6-0.

5. **R-9-12 - Resolution Transferring/Appropriating Funds (Introduced by Ald. Klein)**

C/T Stoffel explained the resolution is to cover 2011 budget overdraft and to appropriate revenues received but not budgeted.

General discussion ensued on specific accounts that were over budget.

Moved by Ald. Sevenich, seconded by Ald. Zelinski to recommend to Common Council approval of R-9-12.
Motion carried on roll call 6-0.

**E. ADJOURNMENT**

Moved by Ald. Krueger, seconded by Ald. Benner to adjourn at 7:54 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk
A. CALL TO ORDER
Meeting called to order by Chairman Klein at 7:58 p.m.

B. ROLL CALL/EXCUSED ABSENCES
PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Krueger
EXCUSED: Aldermen Langdon and Englebert
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel,

C. MINUTES TO APPROVE
   1. March 19, 2012
      Moved by Ald. Krueger, seconded by Ald. Zelinski to approve minutes.
      Motion carried on voice vote.

D. ACTION ITEMS
   1. Change Order - Terra Engineering & Construction Corporation: City of Menasha
      Wastewater Collection System Rehabilitation Improvements, Phase 4 Project: Sanitary Sewer
      Rehabilitation: Contract E124-11-01A; 60-Day Time Extension to Complete Punch List Items
      and Provide Project Close-Out Documentation (Change Order No. 5)
      DPW Radtke explained this is a second extension for this project. This project is covered
      under the Clean Water Fund and a time extension is required to complete project closeout
      documentation.
      Moved by Ald. Krueger, seconded by Zelinski to recommend to Common Council approval of the
      change order
      Motion carried on voice vote.

   2. Payment – Terra Engineering & Construction Corporation: City of Menasha Wastewater
      Collection System Rehabilitation Improvements, Phase 4 Project: Sanitary Sewer
      Rehabilitation: Contract E124-11-01A; $12,489.75 (Payment No. 3)
      Moved by Ald. Krueger, seconded by Ald. Zelinski to recommend to Common Council payment to
      Terra Engineering & Construction Corp.
      Motion carried on roll call 6-0.

   3. Tabulation of Proposals for Wayfinding Signage
      DPW Radtke explained the proposals received for the manufacture and supply of the wayfinding
      signs. The proposals will need to be reviewed by the Fox Cities Convention and Visitors Bureau
      for conformance to prescribed standards. Installation of the signs will be done by City staff.

E. ADJOURNMENT
   Moved by Ald. Krueger, seconded by Ald. Zelinski to adjourn at 8:10 p.m.
   Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk
MINUTES OF THE BOARD OF CANVASS
Wednesday, April 4, 2012 at 9:00 a.m.

Present: Members Thomas Stoffel, Greg Keil and City Clerk Deborah A. Galeazzi

The Board compared the ACCU-VOTE Optic Scan (OS) and Touch Screen Extra (TSX) machines print-out with the return sheets filed and determines and certifies the Aldermanic election vote of the April 3, 2012 Spring Election as follows:

Mayor
Donald Merkes - 2251
Write-ins - 58

Donald Merkes, having received the highest number of votes cast, was declared elected Mayor for the City of Menasha for a four year term.

Alderman – District 2
Michael E. Taylor - 214
Write-ins - 4

Michael E. Taylor, having received the highest number of votes cast, was declared elected District 2 Alderman for the City of Menasha for a two year term.

Alderman – District 4
Mark Langdon - 213
Write-ins - 4

Mark Langdon, having received the highest number of votes cast, was declared elected District 4 Alderman for the City of Menasha for a two year term.

Alderman – District 6
Linda Stoll - 175
Dan Zelinski - 198
Write-ins - 1

Dan Zelinski, having received the highest number of votes cast, was declared elected District 6 Alderman for the City of Menasha for a two year term.

Alderman – District 8
Kevin Benner - 258
Randy Ropella - 140
Write-ins - 1

Kevin Benner, having received the highest number of votes cast, was declared elected District 8 Alderman for the City of Menasha for a two year term.

Pursuant to 2011 Act 115 Wis. Stat. 9.01(1)(a), the Board of Canvass will reconvene on Monday, April 9, 2012 at 8:45am to canvass any late arriving absentee and provisional ballots.

Dated at the office of the City Clerk at City Hall, City of Menasha, Winnebago County, Wisconsin, this 4th day of April, 2012

Thomas Stoffel
Greg Keil
Deborah A. Galeazzi
CITY OF MENASHA
BOARD OF CANVASS
Monday, April 9, 2012
Minutes

Present: Members Tom Stoffel, Sue Seffker (filling in for Greg Keil) and Deputy City Clerk Kristin Sewall

Meeting called to order by Deputy Clerk Sewall at 8:50 am.

Deputy Clerk Sewall reported that there were zero late arriving absentee ballots and zero provisional ballots to canvas.

Motion made by Member Tom Stoffel and seconded by Member Sue Seffker to adjourn at 8:51 am.

Deputy Clerk Kristin Sewall

Tom Stoffel

Sue Seffker
Certification of the Board of Canvass
April 4, 2012

We, the undersigned, certify that we are the members of the Board of Canvass for the City of Menasha.

We certify that the attached Tabular Statement of Votes Cast and Summary Statement of the Board of Canvass, canvassed and prepared by us, are correct and true as compiled from the original returns made to the City Clerk.

We further determine and certify that the following persons received the greatest number of votes for the respective office for which each was a candidate on April 3, 2012

<table>
<thead>
<tr>
<th>Office</th>
<th>Highest Candidate</th>
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<tbody>
<tr>
<td>Mayor</td>
<td>Donald Merkes</td>
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<tr>
<td>Alderman District 2</td>
<td>Michael E. Taylor</td>
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<tr>
<td>Alderman District 4</td>
<td>Mark Langdon</td>
</tr>
<tr>
<td>Alderman District 6</td>
<td>Dan Zelinski</td>
</tr>
<tr>
<td>Alderman District 8</td>
<td>Kevin Benner</td>
</tr>
</tbody>
</table>

Thomas Stoffel
Greg Kerry
Deborah A. Galeazzi, City Clerk

4/4/12
(Date)
**Tabular Statement of Votes Cast**
City of Menasha
Spring Election – April 3, 2012

<table>
<thead>
<tr>
<th>MAYOR</th>
<th>D 1&amp;2</th>
<th>D 3&amp;4</th>
<th>D 5&amp;7</th>
<th>D 6</th>
<th>D 8</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Donald Merkes</td>
<td>503</td>
<td>505</td>
<td>584</td>
<td>281</td>
<td>378</td>
<td>2251</td>
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<tr>
<td>Write-ins</td>
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<td>11</td>
<td>13</td>
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<td>7</td>
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<td>See attached</td>
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<tr>
<td>Total Votes Cast-Office</td>
<td>515</td>
<td>516</td>
<td>597</td>
<td>296</td>
<td>385</td>
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<td>Total Voters</td>
<td>671</td>
<td>673</td>
<td>762</td>
<td>398</td>
<td>476</td>
<td>2980</td>
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**ALDERMAN**

**District 2**

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<thead>
<tr>
<th>Alderman</th>
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<tr>
<td>Michael E. Taylor</td>
<td>214</td>
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<tr>
<td>Write-in</td>
<td>4</td>
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<tr>
<td>Shawn Kargus (3)</td>
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<tr>
<td>Dan Zelinski (1)</td>
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<td>Total Votes Cast-Office</td>
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**District 4**

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<tr>
<td>Mark Langdon</td>
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<tr>
<td>Write-in:</td>
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<tr>
<td>Gary Geurts (1)</td>
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<tr>
<td>James Taylor (1)</td>
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<tr>
<td>Tom Miller (1)</td>
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<td>Sharon Geurts (1)</td>
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<td>Total Votes Cast-Office</td>
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<td>Total Voters:</td>
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**District 6**

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<tbody>
<tr>
<td>Linda Stoll</td>
<td>175</td>
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<tr>
<td>Dan Zelinski</td>
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<tr>
<td>Write-in:</td>
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<td>Mike Woods</td>
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<td>Total Votes Cast-Office</td>
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**District 8**

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<tbody>
<tr>
<td>Kevin Benner</td>
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<tr>
<td>Randy Ropella</td>
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<tr>
<td>Write-ins:</td>
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<tr>
<td>Carol Ropella (1)</td>
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<tr>
<td>Total Votes Cast-Office</td>
<td>399</td>
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<tr>
<td>Total Voters</td>
<td>476</td>
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</table>
# WRITE-IN TALLY
APRIL 3, 2012 PRESIDENTIAL PREFERENCE AND SPRING ELECTION
CITY OF MENASHA, WINNEBAGO COUNTY
WARDS 1, 2, 4, 7/ DISTRICTS 1 & 2

## MAYOR

<table>
<thead>
<tr>
<th>NAME</th>
<th>HASH MARKS</th>
<th>TOTAL NUMBER</th>
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<tbody>
<tr>
<td>TIM WATERS</td>
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<tr>
<td>JAMES TAYLOR</td>
<td>11</td>
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<tr>
<td>MAYOR JOE</td>
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<tr>
<td>STEVE KRUEGER</td>
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<tr>
<td>CHRIS KLEIN</td>
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<td>1</td>
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<tr>
<td>ANYONE ELSE</td>
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<tr>
<td>TIM GOSZ</td>
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<tr>
<td>NANCY BARKER</td>
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<tr>
<td>NICOLE DESSART</td>
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</tr>
<tr>
<td>WRITE IN (NO NAME)</td>
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<td>2</td>
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## ALDERPERSON DISTRICT 2

<table>
<thead>
<tr>
<th>NAME</th>
<th>HASH MARKS</th>
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<tbody>
<tr>
<td>SHAWN KARGUS</td>
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<td>3</td>
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<tr>
<td>DAN ZELINSKI</td>
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## MENASHA JOINT SCHOOL DISTRICT

### SCHOOL BOARD MEMBER

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<tr>
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<tr>
<td>DAN KUNDE</td>
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<tr>
<td>ROB KING</td>
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<tr>
<td>RYAN WHITEHOUSE</td>
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<tr>
<td>PETER DEWOLF</td>
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<tr>
<td>ELLIOT</td>
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<tr>
<td>WRITE IN (NO NAME)</td>
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WE THE UNDERSIGNED HEREBY CERTIFY THAT THE ABOVE RECORD OF WRITE-IN VOTES IS A TRUE AND ACCURATE COUNT OF THE WRITE-IN VOTES CAST.

Signatures:
- Sue Fahlbusch
- Barbara Olson
- Mark Martin
- Kathy Wichowski

DATED: 4-3-2012
RETURN 1 COPY TO COUNTY CLERK
# Write-In Tally

**April 3, 2012 Presidential Preference and Spring Election**  
City of Menasha, Winnebago County  
Wards 5, 6, 8, 9/ Districts 3 & 4

## Mayor

<table>
<thead>
<tr>
<th>Name</th>
<th>Hash Marks</th>
<th>Total Number</th>
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</thead>
<tbody>
<tr>
<td>Stan Sevigne</td>
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<tr>
<td>Gary Geerts</td>
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<tr>
<td>Sharon Geerts</td>
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<tr>
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<tr>
<td>Ron Snyder</td>
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<tr>
<td>Aaron Gobatz</td>
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<td>Joe Ungnadoeski</td>
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<td>Steve Pack</td>
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<td>Robert Byason</td>
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<td>Tom Miller</td>
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## Alderperson District 4

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<thead>
<tr>
<th>Name</th>
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<tr>
<td>Gary Geerts</td>
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<tr>
<td>James Taylor</td>
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<td>Tom Miller</td>
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<tr>
<td>Sharon Geerts</td>
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## Menasha Joint School District  
School Board Member

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<th>Hash Marks</th>
<th>Total Number</th>
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<tbody>
<tr>
<td>Bill Geary</td>
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<tr>
<td>Jim Reilley</td>
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<tr>
<td>Ellen Pinyer</td>
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</table>

We the undersigned hereby certify that the above record of write-in votes is a true and accurate count of the write-in votes cast.

Kathleen J. Barchi  
Gary Peterson  
Michael W. Tolsma  
Mary Kamps  
Mary J. Karl

Dated: 4/3/12  
Return 1 copy to County Clerk
# WRITE-IN TALLY

APRIL 3, 2012 PRESIDENTIAL PREFERENCE AND SPRING ELECTION
CITY OF MENASHA, WINNEBAGO COUNTY
WARDS 10, 11, 12, 13/ DISTRICTS 5 & 7

<table>
<thead>
<tr>
<th>NAME</th>
<th>HASH MARKS</th>
<th>TOTAL NUMBER</th>
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<tbody>
<tr>
<td>James Brown</td>
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<tr>
<td>James Korth</td>
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<tr>
<td>Steve Krueger</td>
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<td>Joe Laux</td>
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<tr>
<td>Anyone Else</td>
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<tr>
<td>Jim Taylor</td>
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<tr>
<td>Cory Harrison</td>
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<td>Jim Kaslowski</td>
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<td>Not Merkes</td>
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<table>
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<th>NAME</th>
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<tr>
<td>Jeff Damask</td>
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</tr>
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</table>

WE THE UNDERSIGNED HEREBY CERTIFY THAT THE ABOVE RECORD OF WRITE-IN VOTES IS A TRUE AND ACCURATE COUNT OF THE WRITE-IN VOTES CAST.

[Signatures]

DATED: 3 April 2012  RETURN 1 COPY TO COUNTY CLERK
# Write-In Tally

**April 3, 2012 Presidential Preference and Spring Election**  
**City of Menasha, Winnebago County**  
**Wards 3, 14, 15/ Districts 6**

## Mayor

<table>
<thead>
<tr>
<th>Name</th>
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<tr>
<td>Dan Zelinski</td>
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<td>(3 Circle Empty)</td>
</tr>
<tr>
<td>Steve Krueger</td>
<td>11</td>
<td>(1 Circle Empty)</td>
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<tr>
<td>Anyone Else</td>
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<td></td>
</tr>
<tr>
<td>James Brown</td>
<td>1,</td>
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</tr>
<tr>
<td>Matthew Moss</td>
<td>1,</td>
<td>(Circle Empty)</td>
</tr>
<tr>
<td>James Robin</td>
<td>1,</td>
<td></td>
</tr>
<tr>
<td>Lance Wolf</td>
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<tr>
<td>Cameron Pak's</td>
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<tr>
<td>Dan Bartelme</td>
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<tr>
<td>Bill Bedat Smith</td>
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</tr>
<tr>
<td>Keith Spear</td>
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<tr>
<td>Cory Haffield</td>
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## Alderperson District 6

<table>
<thead>
<tr>
<th>Name</th>
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<tbody>
<tr>
<td>Mike Woods</td>
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## Menasha Joint School District  
**School Board Member**

<table>
<thead>
<tr>
<th>Name</th>
<th>Hash Marks</th>
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<tr>
<td>Steve Krueger</td>
<td>1,</td>
<td></td>
</tr>
<tr>
<td>Trudy Woods</td>
<td>1,</td>
<td></td>
</tr>
<tr>
<td>Johnson</td>
<td>1,</td>
<td></td>
</tr>
<tr>
<td>Matthew Matt</td>
<td>1,</td>
<td></td>
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---

We the undersigned hereby certify that the above record of write-in votes is a true and accurate count of the write-in votes cast.

**SIGNED:**  
Mary J. Karcher  
Marlene Walker  
Phyllis Bauer  
Sue M. Markos  
Charlotte Ramier  
Marie J. Badger  
Karen L. Reynolds  
Larry R. Willey

**Dated:** 4/3/12  
**Return 1 Copy to County Clerk**
### Write-In Tally

**April 3, 2012 Presidential Preference and Spring Election**  
**City of Menasha, Calumet County**  
**Wards 16 & 17, District 8**

#### Mayor

<table>
<thead>
<tr>
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</tr>
<tr>
<td>John Pratt</td>
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<tr>
<td>James Taylor</td>
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<td>James Marka</td>
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<tr>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Cory Harrison</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Stan Sevencich</td>
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#### Alderperson District 8

<table>
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<tr>
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</thead>
<tbody>
<tr>
<td>Carol Koehler</td>
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#### Menasha Joint School District

**School Board Member**

<table>
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<tr>
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<tr>
<td>Peter Dewolf</td>
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<tr>
<td>Craig Quick</td>
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#### Appleton Area School District

**School Board Member**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Adam</td>
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<tr>
<td>Cambell</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Ellen Darkoort</td>
<td>1</td>
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</tr>
</tbody>
</table>

We the undersigned hereby certify that the above record of write-in votes is a true and accurate count of the write-in votes cast.

[Signatures]

Dated: **April 3, 2012**  
Return 1 copy to County Clerk.
Summary Statement of the Board of Canvass
Spring Election – April 3, 2012

The total number of votes cast for Mayor was 2309 of which

Donald Merkes received 2251
Write-ins received 58

The total number of votes cast for Alderman District 2 was 218 of which

Michael E. Taylor received 214
Write-ins received 4

The total number of votes cast for Alderman District 4 was 217 of which

Mark Langdon received 213
Write-ins received 4

The total number of votes cast for Alderman District 6 was 374 of which

Linda Stoll received 175
Dan Zelinski received 198
Write-ins received 1

The total number of votes cast for Alderman District 8 was 399 of which

Kevin Benner received 258
Randy Ropella received 140
Write-ins received 1
April 3, 2012
Spring Election

No Aldermanic Race in Districts 1, 3, 5, 7

<table>
<thead>
<tr>
<th></th>
<th>District 1+2</th>
<th>District 3+4</th>
<th>District 5+7</th>
<th>District 6</th>
<th>Calumet Cnty D6</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of Voters (OS + TSX)</td>
<td>671</td>
<td>673</td>
<td>762</td>
<td>398</td>
<td>476</td>
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**Presidential Preference Vote**

**Republican Party**

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<th>District 3+4</th>
<th>District 5+7</th>
<th>District 6</th>
<th>Calumet Cnty D6</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newt Gingrich</td>
<td>27</td>
<td>37</td>
<td>37</td>
<td>19</td>
<td>24</td>
<td>144</td>
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<tr>
<td>Jon Huntsman</td>
<td>3</td>
<td>1</td>
<td>6</td>
<td>0</td>
<td>0</td>
<td>10</td>
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<tr>
<td>Mitt Romney</td>
<td>161</td>
<td>159</td>
<td>205</td>
<td>86</td>
<td>148</td>
<td>759</td>
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<tr>
<td>Michele Bachmann</td>
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<td>6</td>
<td>4</td>
<td>3</td>
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<td>Ron Paul</td>
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<td>81</td>
<td>70</td>
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<td>Rick Santorum</td>
<td>201</td>
<td>191</td>
<td>219</td>
<td>109</td>
<td>140</td>
<td>860</td>
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<td>Uninstructed Delegation</td>
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<td>4</td>
<td>3</td>
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**Democratic Party**

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<th>District 3+4</th>
<th>District 5+7</th>
<th>District 6</th>
<th>Calumet Cnty D6</th>
<th>Totals</th>
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<tbody>
<tr>
<td>Barack Obama</td>
<td>177</td>
<td>181</td>
<td>193</td>
<td>97</td>
<td>102</td>
<td>750</td>
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<td>Uninstructed Delegation</td>
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<td>3</td>
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**Court of Appeals Judge, District 2**

<table>
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<tr>
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<th>District 3+4</th>
<th>District 5+7</th>
<th>District 6</th>
<th>Calumet Cnty D6</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Richard S. Brown</td>
<td>446</td>
<td>467</td>
<td>530</td>
<td>270</td>
<td>338</td>
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**Circuit Court Judge, Branch 1**

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<tr>
<th>Candidate</th>
<th>District 1+2</th>
<th>District 3+4</th>
<th>District 5+7</th>
<th>District 6</th>
<th>Calumet Cnty D6</th>
<th>Totals</th>
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<tbody>
<tr>
<td>Thomas J. Gritton</td>
<td>447</td>
<td>463</td>
<td>536</td>
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**Circuit Court Judge, Branch 2**

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<th>Calumet Cnty D6</th>
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<td>Wayne Fulleylove-Krause</td>
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**Circuit Court Judge, Branch 4**

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<td>Karen L. Seifert</td>
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<td>538</td>
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**County Supervisor, District 1**

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<tr>
<td>Nancy L. Barker</td>
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<tr>
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<td>CITY OF MENASHA, DISTRICT 6</td>
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</tr>
<tr>
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<tr>
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<tr>
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</table>
### Menasha Joint School District Board

<table>
<thead>
<tr>
<th>Name</th>
<th>District 1/2</th>
<th>District 3/4</th>
<th>District 5/7</th>
<th>District 6</th>
<th>Calumet City D8</th>
<th>Totals</th>
</tr>
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<tbody>
<tr>
<td>Mark E. Mayer</td>
<td>338</td>
<td>357</td>
<td>391</td>
<td>202</td>
<td>137</td>
<td>1425</td>
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<tr>
<td>Justin Duell</td>
<td>222</td>
<td>219</td>
<td>271</td>
<td>128</td>
<td>67</td>
<td>907</td>
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<tr>
<td>Steve L. Thompson</td>
<td>309</td>
<td>349</td>
<td>395</td>
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<td>1351</td>
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<tr>
<td>Eric Thiede</td>
<td>325</td>
<td>366</td>
<td>395</td>
<td>215</td>
<td>136</td>
<td>1437</td>
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<tr>
<td>Write-In</td>
<td>9</td>
<td>3</td>
<td>5</td>
<td>5</td>
<td>2</td>
<td>24</td>
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### Appleton Area School District Board

<table>
<thead>
<tr>
<th>Name</th>
<th>District 1/2</th>
<th>District 3/4</th>
<th>District 5/7</th>
<th>District 6</th>
<th>Calumet City D8</th>
<th>Totals</th>
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<tbody>
<tr>
<td>John Mielke</td>
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<td></td>
<td></td>
<td></td>
<td>157</td>
<td>157</td>
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<tr>
<td>John Devantier</td>
<td></td>
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<td>69</td>
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<tr>
<td>Kay S. Eggert</td>
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<tr>
<td>Write-In</td>
<td></td>
<td></td>
<td></td>
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<td>3</td>
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### Fox Valley Technical College Referendum

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<tr>
<th></th>
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<th>443</th>
<th>480</th>
<th>251</th>
<th>302</th>
<th>1912</th>
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<tr>
<td>No</td>
<td>201</td>
<td>193</td>
<td>229</td>
<td>123</td>
<td>154</td>
<td>900</td>
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### City of Menasha

#### Spring Election – April 3, 2012

<table>
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<tr>
<th></th>
<th>Total Registered Voters</th>
<th>Registered at Polls</th>
<th>No. Voted</th>
<th>% Voted</th>
<th>Absentees</th>
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</thead>
<tbody>
<tr>
<td>Districts 1 &amp; 2</td>
<td>2150</td>
<td>42</td>
<td>671</td>
<td>31%</td>
<td>45</td>
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<tr>
<td>Districts 3 &amp; 4</td>
<td>2272</td>
<td>45</td>
<td>673</td>
<td>29%</td>
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<tr>
<td>Districts 5 &amp; 7</td>
<td>2381</td>
<td>43</td>
<td>762</td>
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<td>60</td>
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<tr>
<td>District 6</td>
<td>1043</td>
<td>31</td>
<td>398</td>
<td>37%</td>
<td>26</td>
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<tr>
<td>District 8-Calumet County</td>
<td>1271</td>
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<td>476</td>
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<tr>
<td>Total City</td>
<td>9117</td>
<td>186</td>
<td>2980</td>
<td>32%</td>
<td>213</td>
</tr>
</tbody>
</table>
A. Call to Order

Meeting called to order at 3:41 PM by VICE-CHAIRMAN Benner.

B. Roll Call/Excused Absences

Present: VICE-CHAIRMAN Benner, COMP Stoffel, ITMgr Lacey, PC Styka and PWEA Montour

Excused: PHD Nett and PP Homan

C. Minutes to Approve – Approval of Minutes of February 14, 2012 IT Steering Committee meeting.

Motion by ITMgr Lacy, seconded by PWEA Montour to approve the minutes of the February 14, 2012 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 Heads/Staff/Consultants – Committee monthly update on status of projects/operations/costs

ITMgr Lacy distributed and reviewed with the Committee the March activity report. Budget is at 26% through the month of March; BOSS software is being installed; Winnebago County will be picking up 100% of the cost of the communication changeover for Police; the new email software is being installed to allow for unlimited storage of emails, the prior system had some shortcomings in that area. VICE-CHAIRMAN Benner commented that the new system is not as easy to navigate as the prior system and would like to have a Council workshop on the proper use of this new email. VICE-CHAIRMAN Benner also
commented on the electronic voting equipment and that he did not think his spouse had received correct instruction on the use of the equipment. He will be talking with the City Clerk concerning this matter.

F. ACTION ITEMS — (1) Committee update and discussion on using “Twitter” for expanding social media outreach into the community

PC Styka gave the Committee a brief update on how “Twitter” is being used by the Menasha Police Department. He distributed a picture of the Police Department site which showed only “tweets” from the Department. “Tweets” from other parties do not show up on the site, protecting them from public view. All activity is also transferred to the Police Department “Facebook” page where it is backed up. PC Styka did contact the Attorney General’s office for direction on how “Twitter” contacts would be considered under the open records law. The Attorney General’s office has not yet issued an opinion on this subject. The question came up on how a search by key word be done on “Facebook”; that issue will investigated further. PC Styka also said that some type of a disclaimer will be placed on the Police Department “Twitter” site in the future.

ACTION ITEMS — (2) Committee discussion and action on expanding the use of credit cards for payment of City charges

PC Styka addressed the Committee concerning his opinion that the City departments need to become more user-friendly when customers wish to use credit/debit cards to pay for transactions with the City. PC Styka’s concern is that for some transactions with the City, credit cards can be used but the processing fee is very high and he would like to see that changed. Currently, credit cards can be used to pay for bonds at the Police Department, property taxes in Finance, registration for programs in Recreation and sales of gasoline or other retail items at the Marina. The Marina is the only “true” location where you can swipe your credit card. The other three use a third party which is contacted by the individual and then charged a processing fee for the service.

PC Styka handed out sheets showing costs for going to a credit card system for City departments. Discussion centered on how the City would recover the fee that is charged by the credit card company for this convenience. Motion by ITMgr Lacey, seconded by COMP Stoffel to refer this topic to the next Department Head meeting for discussion. Motion carried.
ACTION ITEMS – (3) Committee discussion and action on need for a process to alert all departments when an employee is hired or terminated, so that the affected department can perform the necessary tasks that are the result of this employment change.

ITMgr Lacey brought up the need by the IT Department for better information on when employees are hired or leave the City's employment. Often, the IT Department is only informed of this event when the employee is already on the job and needs a telephone, computer, internet access and email address then or when the employee has already left the City and should have been cut off from all access to City electronic information. VICE-CHAIRMAN Benner spoke strongly in support of such a process, which could originate from the Personnel Department. Motion by ITMgr Lacey, Seconded by VICE-CHAIRMAN Benner to refer this topic to the next Department Head meeting for discussion. Motion carried.

ACTION ITEMS – (4) Committee discussion and action on next IT Steering Committee meeting date – May 8th, second Tuesday

After discussion, by consensus of the Committee members present, the next Information Technology Steering Committee meeting will be held on Tuesday, May 8th at 3:30 PM in the Gegan Room of the Menasha Public Library. Items # 2 and # 3 of this agenda will again be listed for discussion and action on the May 8th agenda.

G. ADJOURNMENT

Motion by ITMgr Lacey, seconded by PWEA Montour to adjourn. Motion carried. Meeting adjourned at 4:39 PM.

Respectfully submitted,

Thomas Stoffel
Committee Secretary
<table>
<thead>
<tr>
<th>Total Budget</th>
<th>Budget $</th>
<th>YTD $</th>
<th>% used YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>$430,734</td>
<td>$112,384</td>
<td></td>
<td>26.11%</td>
</tr>
</tbody>
</table>

January-March, 2012

**I.T. Department Projects**

February 15 through March 10, 2012

**Open Requests/Projects**

- **Hardware**
  - Police “N” band Wireless Access point implementation.
  - Police RSA security implementation.
  - Police Squad laptop deployment
  - Squad laptop configuration and testing of new data transfer environment.
  - Configuration and distribution of new equipment for 2012
  - Implementation of NetMotion system for Squad Cellular signal reliability.

- **Software**
  - Website updates
  - Health Charting 80% complete
  - BOSS Help Desk and IT management system implementation
  - Research Parking Ticket writing system

**Current Requests/Projects**

- **Software**
  - Assist Assessor Dept with reporting.
  - Gathering desktop software/hardware information for inventory reconciliation.
  - Install CAD on Chief Styka’s PC
  - Install HTE on City Atty laptop.
  - Resolving unforeseen issues relating to E-Mail upgrade.

- **Hardware**
  - Build and configure new File server
  - Configure backup solution to accommodate our new equipment.
  - Plan and quote on legacy switch replacements.
  - Deployed iPad to investigators for Beta testing.

- **Application**
  - Boss IT Desktop management and Helpdesk application implementation.

- **Administration**
  - Working with Utilities on feasibility of a shared file server.

**Completed Requests/Projects**

- **Application**
  - Generated updated inventory spreadsheet.
• Exported data from our Law Records Management System to feed the RAIDS on-line crime mapping website.
• Assisted Payroll clerk with uploading of Tax information to the state.

• Hardware
  • Deploy laptop for City Attorney and Community Liaison Officer
  • Prepped five laptops and five laser printers for City Polling places.
  • Built and configured new e-mail server

• Administration
  • Research and purchase items from 2012 Budget
  • Train network Intern on City environment and assign/track tasks.
Electronic Payments for Fees and Taxes

As part of our commitment to provide citizens with efficient, convenient service, City of Menasha has partnered with Official Payments to offer payment of fees over the Internet and by telephone by calling 1-800-2PAY-TAX (1-800-272-9629). To make a payment by phone, use Jurisdiction Code 6769.

**Pay Property Taxes (Click Below)**

City of Menasha Real Estate
City of Menasha Personal Property

Official Payments, the service provider, charges a convenience fee for payment processing. The fee is 2.75% of the transaction.

**Examples:**
- $400.00 payment would incur an $11.00 convenience fee.
- $600.00 payment would incur a $16.50 convenience fee.

**Traffic & Ordinance Violations (Click Below)**

Menasha • Neenah Municipal Court Citations (City of Menasha and City of Neenah Traffic and Ordinance Violations)

Official Payments, the service provider, charges a convenience fee for payment processing. The fee is $6.95 per transaction up to $500.

**Examples:**
- $400.00 payment requires one transaction. ($400.00 + $6.95 = $406.95)
- $600.00 payment requires two transactions. ($500.00 + $6.95 and $100.00 + $6.95 = $613.90)

**Parking Tickets:**

Parking tickets at this time can only be paid in person or mailed to:

City of Menasha Police Department
430 First St.
Menasha, WI 54952
or
Finance Department (1st Floor City Hall)
140 Main St.
Menasha, WI 54952

http://www.cityofmenasha-wi.gov/content/departments/finance/Pay_Taxes_Online.php 4/12/2012
Menasha City Police Department - PLC - 1468
Cash Bail Fact Sheet for Credit/Debit Card Payments

The cardholder will need the following information to pay cash bond with a credit/debit card:

Will the Cardholder be present at your facility to sign for this transaction (circle one)?

YES  NO - this is a remote bail transaction

Defendant’s Name: ____________________________________________

DOB: _______________________________________________________

Warrant #: _________________________________________________

Case #: ____________________________________________________

Cash Bail Amount: $ _______________________________________

Take this completed form to any telephone and call toll free:
1-877-604-7888

For Remote Bail, payments can also be made via: www.GovPayNOW.com

You will need Pay Location Code (PLC): 1468

A Non-Refundable GovPayNet service fee will be added to all transactions. Visa®, Mastercard®, American Express® or Discover® cards are accepted.

Your card statement will reflect a charge to: Government Payment Service, Inc.

GovPayNet Service Fee Schedule

<table>
<thead>
<tr>
<th>Cash Bail Amount</th>
<th>Fee</th>
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<tbody>
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<td>$1.00 - $200.00</td>
<td>&gt; $20.00</td>
</tr>
<tr>
<td>$200.01 - $300.00</td>
<td>&gt; $38.00</td>
</tr>
<tr>
<td>$300.01 - $400.00</td>
<td>&gt; $43.00</td>
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<tr>
<td>$400.01 - $500.00</td>
<td>&gt; $50.00</td>
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<tr>
<td>$500.01 - $750.00</td>
<td>&gt; $75.00</td>
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<tr>
<td>$750.01 - $1,000.00</td>
<td>&gt; $95.00</td>
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<tr>
<td>$1,750.01 - $2,000.00</td>
<td>&gt; $145.00</td>
</tr>
<tr>
<td>$2,000.01 - And Up</td>
<td>&gt; 8%</td>
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</table>
The Simple, Lowest-Cost Way to Process Credit Cards Online

- Lowest payment turns from any computer or QuickBooks inventory
- No $13.37 monthly fees compared to PayPal's $37 monthly fees
- No Automatic Reconciliation fees (scheduled charges)

<table>
<thead>
<tr>
<th>Service</th>
<th>Cost</th>
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<tr>
<td>Setup fee for Visa, MasterCard and American Express</td>
<td>Fixed setup fee of $15 per month + 1.99% + $0.25 per transaction</td>
</tr>
<tr>
<td>Monthly service fee</td>
<td>$11.99</td>
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<tr>
<td>Interchange fee</td>
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<tr>
<td>Monthly minimum fee</td>
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</tr>
<tr>
<td>One-time setup fee</td>
<td>None</td>
</tr>
<tr>
<td>Conversion fee</td>
<td>None</td>
</tr>
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</table>
Intuit Merchant Service for QuickBooks

Accept Credit Cards Directly in QuickBooks Using Your PC or Mobile Phone

Accept all major credit & debit cards
- Get paid anywhere, including mobile phone & tablet
- No data import needed, paysheet record automatically
- Set up recurring billing and pre-authorized payments

Service Cost

Discount rate for Visa, MasterCard and Discover Network
Card-swiped: 1.99%
Key-entered: 2.47%

Monthly service $99.99 (waived for 2 months)

Per-authorization fee $0.27

Monthly Minimum fee None (based on monthly processing volume)

One-Time set-up fee None

Cancellation fee None

Add Webstore or E-Checks $9.95 per month

Add G Gut Payment Accept Card on your phone
$65.00 per month

Intuit Credit Card Reader for GOpayment Free

Annual PCI Compliance None

Based on transaction volume

Important Information

Payment Processing: You might be looking for these...

Mobile Credit Card Payment Credit Card Processing
Online Merchant Accounts Credit Card Terminals
Accept Online Payments Credit Card Logos

Process Credit Cards on a Mobile Phone
Process Checks Online
Industry Solutions Restaurant

Search for What You Need

Suggested Terminals

Search Small Businesses

A. CALL TO ORDER

The meeting was called to order by Chr. D. Sturm at 6:08 p.m.

B. ROLL CALL/EXCUSED ABSENCES

MEMBERS PRESENT: Dick Sturm, Ald. Mark Langdon, Lisa Hopwood, Nancy Barker

MEMBERS EXCUSED: Luke Schiller, Sue Pawlowski, Ron Suttner

OTHERS PRESENT: PRD Tungate, PS Maas

C. MINUTES TO APPROVE

1. Minutes of the March 12, 2012 Park Board Meeting
   Moved L. Hopwood, seconded by N. Barker to approve the minutes of the March 12, 2012 Park Board meeting. Motion carried 4-0.

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

Five (5) minute time limit for each person.

1. No one spoke.

E. REPORT OF DEPARTMENT HEADS/STAFF/YOUTH LIAISON OR CONSULTANTS

1. Director's Report – PRD Tungate
   Interviewing and hiring for summer recreation programs and the pool is continuing and is nearing completion. N/M Park Corps is still moving forward, staff will be trained on how to enter volunteer projects on Google Calendar. The Wave swim team will likely be using the pool a couple mornings a week and paying a fee for this use. Arbor Day ceremony will be April 27 by the trail near Heckrodt. Berms in that area will be planted. SCA Tissue employees are again expected to help with the planting. April 26 is the date for an indoor fishing clinic at Maplewood Middle School, co-sponsored by the MJSD and Heckrodt Wetland Reserve. June 2 Free Fishing Day event has recently been sponsored by Community First Credit Union.

2. Park, Pool and Vandalism Report – PS Maas
   Graffiti was found at Jefferson and Shepard parks. Couple trees were broken at Barker Farm Park. Grass cutting has started early this year. Some repairs were made to the skatepark. Tennis nets were put up. MHS is giving the pool some old lane lines and timelocks. Marina fence project to begin soon. Summer Park Laborers and a Seasonal Park Labor have been hired.

F. DISCUSSION

1. Review of 2012-2016 Open Space and Recreation Facilities Plan
   The Board took a considerable amount of time reviewing this revised plan. Major changes were made to the goal section, which took the most time to review. PRD Tungate stated that the plan serves two purposes. First, it is a working document that gives staff direction on what is important in terms of parks and recreation services for the community. While the cost of certain improvements may be daunting, it still is worthwhile to plan for the future and to prioritize how limited financial resources may be utilized. Second, the plan keeps the City eligible for State grant programs. The Board will continue its review of the plan at its next meeting and will
discuss ways of seeking public input on its contents.

2. **Gilbert Site Update – PRD Tungate**
   Not much to report on this matter. A staff meeting will be held soon to discuss the next step. This topic will on the next Park Board agenda.

**G. ACTION ITEMS**

1. **Recommend a Resolution Supporting the Adoption of an Open Space and Recreation Facilities Plan**
   No action was taken on this item. Action will be taken when the plan is closer to its final form.

2. **Recommend a Resolution to Apply for Matching Grant Funds for Acquisition of Park Land**
   Motion by N. Barker, seconded by L. Hopwood to approve this resolution sponsored by Ald. M. Langdon and send it to the Common Council. The resolution supports the submittal of a grant to purchase a 5.24 acre parcel of land near Lake Park Road and Manitowoc Road. The grant must be submitted by May 1. Ald. Langdon asked if there were any stipulations on the city if the grant is received. PRD Tungate stated that if the land is purchased with grant money, the land must remain a park in perpetuity. Motion carried 4-0.

**H. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA**

Five (5) minute time limit for each person

1. No one spoke.

**I. ADJOURNMENT**

Moved by N. Barker, seconded by L. Hopwood to adjourn at 8:00 p.m. Motion carried 4-0.
A. CALL TO ORDER
Meeting called to order by Vice-Chairman Krueger at 8:12 p.m.

B. ROLL CALL/EXCUSED ABSENCEs
PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Krueger, Mayor Merkes
EXCUSED: Aldermen Langdon and Englebert
ALSO PRESENT: CA/HRD Captain, PC Styka, FC Auxier, CDD Keil, C/T Stoffel,
Officer Mauthe, Clerk Galeazzi

C. MINUTES TO APPROVE
1. Personnel Committee, 3/19/12
   Moved by Mayor Merkes, seconded by Ald. Zelinski to approve minutes.
   Motion carried on voice vote

   Vice-Chairman Krueger requested to take up Action Item #2 first.
   No objection

D. ACTION ITEMS
2. Police Union Contract (Local 603) and Educational Incentive Program (held 3/19/12)
   General discussion resumed on the request by Local 603 to compensate officers, hired
   prior to January 1, 1998 that held an associate’s degree, an additional $75 a month as
   part of the educational incentive program. The Committee reviewed a January 22, 1998
   Letter of Agreement between the City and Local 603. The Police Union is requesting that
   the educational incentive continue to those three remaining officers that hold an
   Associate’s Degree.

   General discussion ensued on what language was in previous contracts. Committee
   members agreed to hear from Officer Mark Mauthe.

   Officer Mauthe explained it was understood by the Union Officers this was a
   grandfathered clause in the Contract and did not question continuing to receive the
   compensation

   Moved by Ald. Sevenich, seconded by Ald. Benner to recommend to Common Council to
   authorize CA/HRD Captain to draft a side letter for the 2012-2014 contract with Menasha
   Police Union Local 603 allowing those officers hired prior to January 1, 1998 with an
   Associate’s Degree to be compensated $75 a month as part of their Educational
   Incentive Program.
   Motion carried on roll call 4-3.
   Ald. Klein, Taylor, Sevenich, Benner - yes
   Ald. Krueger, Zelinski, Mayor Merkes - no
1. **Personnel Policy Handbook (Revised)**

CA/HRD Captain reported on some changes to the Administrative Policies of the Personnel Policy Handbook. She will continue to bring forward changes as updates are made to the different policies.

Moved by Ald. Krueger, seconded by Mayor Merkes to amend the Code of Conduct Policy to include “It is essential that no official or other City employee solicit or accept from any person, directly or indirectly, anything of value (i.e. money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan or promise of future employment) if it could reasonably be expected to influence the actions or judgment of any employee, be perceived to give hope or expectation of receiving a favor or better treatment, be reasonably considered a reward for any action or inaction on the part of the employee, or be utilized for personal use or gain.”

General discussion ensued on what this amendment covers.

Motion carried on voice vote.

Moved by Mayor Merkes, seconded by Ald. Sevenich to recommend to Common Council approval of the Personnel Policy Handbook policies including the corrected Electronic Communications and Information Technology Policy and the amendment to the Code of Conduct Policy.

Motion carried on voice vote.

**E. ADJOURNMENT**

Moved by Ald. Zelinski, seconded by Ald. Sevenich to adjourn at 9:09 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk
A. CALL TO ORDER

The meeting was called to order at 3:31 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, Commissioners Sturm and Cruickshank, DPW Radtke and Ald. Benner.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Schmidt

PLAN COMMISSION MEMBERS ABSENT: None

OTHERS PRESENT: CDD Keil, PP Homan, Dave Schmalz, Tom Van Dalen, Steve Smet, Rod Fisk, Brent Andrews, Spencer Rolph and Gary Zahringer

C. MINUTES TO APPROVE

1. Minutes of the February 21, 2012 Plan Commission Meeting
   Motion by Comm. Sturm, seconded by Ald. Benner to approve the March 20, 2012 Plan Commission meeting minutes as presented.

   The motion carried.

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

1. No one spoke.

E. DISCUSSION

1. Potential Appleton Street Rezoning Application – R-1 to R-2 Non-Conforming Duplex
   Spencer Rolph, owner of the property, made comments to the effect that the property he purchased was configured as a two-family dwelling and that he was not aware that reestablishing that use would be in conflict with zoning standards.

   Commissioners discussed:
   • Presence of other two-family dwellings in proximity.
   • Future land use recommendations of the comprehensive plan.
   • Comprehensive plan policies regarding neighborhood stability and the conversion of single to two-family dwellings
   • The configuration of the structure and whether it was constructed as or converted to a two-family dwelling

   This item was held pending the provision of more information relative to the configuration of the structure and the establishment of two-family use.

2. Subdivision Concept Plan – Grassymeadow Lane, Extended
   Commissioners discussed:
   • The relationship to the Menasha Conservancy and access thereto by street or trail.
   • Plans for sidewalk.
   • Future street extensions.
   • Configuration of the temporary cul-de-sac.
   • Lot configurations with the street abutting the Conservancy vs. having lots about the conservancy.
The consensus was to proceed with the concept that had lots about the Conservancy with access to be provided via a trail easement.

ACTION ITEMS

1. **Change in Fox Lodge Building Materials**
   Steve Smet described the proposed change to the building materials. The proposal is to substitute the Heritage Collection utility size brick for the standard size brick and to substitute the Old World Tumbled masonry units for the natural stone. The colors of the brick are to be 70% Cardinal Blend and 30% Burgundy Blend. The masonry units are to be cream color.

   Commissioners discussed ordinance requirements and definitions applied to various building materials.

   Motion by Comm. Sturm, seconded by Comm. Cruickshank to approved the proposed changes to the building materials based on the findings that the materials are durable and of high quality, they enable the use of innovative design. The motion carried.

2. **Site Plan – Fast N Easy Pawn, 1275 Appleton Road**
   CDD Kell presented staff comments on the site plan. The following aspects of the site plan do not meet requirements:
   - Lack of dumpster enclosure.
   - Parking lot perimeter landscaping missing.
   - Landscaping adjacent to building required.
   - Front parking lot layout deficiencies.
   - Building materials/configuration deficiencies.
   - Site lighting.
   - Existing outdoor storage not permitted.

   Tom Van Dalen, project architect, stated he would meet with the site owner and work with staff to address the above-noted concerns.

   This item was held.

3. **Extraterritorial CSM – W7027 Verna Road (Town of Harrison)**
   CDD Kell reported that the relationship of the proposed CSM to the Town of Harrison/City of Menasha boundary agreement had been reviewed with the City Attorney. It was determined that there was no basis to withhold approval of the CSM on its technical merits.

   Motion by Ald. Benner, seconded by DPW Radtke to recommend approval of the extraterritorial CSM for W7027 Verna Road in the Town of Harrison.

   The motion carried.

4. **Extraterritorial Preliminary Plat – Papermaker Ridge (Town of Harrison)**
   Motion by DPW Radtke, seconded by Comm. Sturm to recommend approval of the extraterritorial preliminary plat for the Papermaker Ridge subdivision in the Town of Harrison.

   The motion carried.

G. **ADJOURNMENT**

   Motion by Ald. Benner, seconded by DPW Radtke to adjourn at 5:10 p.m.

   The motion carried.

Minutes respectfully submitted by CDD Greg Kell.
We take this opportunity to invite your participation in the 2012 Memorial Day Parade, which will be held on Monday, May 28, 2012. The citizens of our communities look forward to this annual event, and would welcome your taking part.

Please take the time to complete the enclosed form, and return it no later than April 23, 2012 to allow us sufficient time to arrange the line-up and be able to notify you in a timely fashion where you will fit into the parade.

All completed entry forms should be mailed to:

Memorial Day Parade Committee  
c/o Michael Taylor  
545 Broad Street  
Menasha, WI 54952

Or -  
Email: Michael22Taylor@gmail.com

Please feel free to call Michael Taylor at 920-725-5380 should you need additional information or have any questions. Please provide your name and telephone number with an indication you are calling about the Parade, should I not be available at the time of your call.

We look forward to seeing you again this year, and thank you for your cooperation.

Your 2012 Memorial Day Committee
NEENAH-MENASHA
MEMORIAL DAY PARADE
MONDAY MAY 28, 2012

ORGANIZATION______________________________________________

CONTACT PERSON____________________________________________

ADDRESS____________________________________________________ CITY ___________ ZIP ___________

PHONE_______________________________________________________

1. Do you wish to have an entry in the 2012 Memorial Day Parade?
   ______ Yes
   ______ No (But keep us on your mailing list)

2. The Parade entry will consist of (Check as appropriate):
   ______ Float    ______ Walking unit    ______ Single vehicle
   ______ Animals (Insurance required)

3. Will your entry include music? ______ Yes ______ No

4. What is the estimated length in feet of the entry _________________________

5. Please provide a written description or picture of the Parade entry (Continue on reverse if needed)

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________

Mail completed form by April 23, 2012 to:

Memorial Day Parade Committee
c/o Michael Taylor
545 Broad Street
Menasha, WI 54952
or -
email to: Michael22Taylor@gmail.com
MEMO

TO: Common Council

FROM: Debbie Galeazzi, City Clerk

SUBJECT: League of Wisconsin Municipalities Upcoming Events

DATE: April 12, 2012

Attached to this memo are registration forms for the New Municipal Officials Workshop and the Regional Dinner Meeting sponsored by the League of Wisconsin Municipalities. If you are interested in attending either event, please let me know by May 1 so I can get you registered.
Workshops

Officals

New Municipal Officials

2012

Workshops
Agenda

1:45
- Open Session

1:55
- Professional Development

2:15
- Regional Public Works Activities - Door County

2:30
- Bed & Breakfast

11:00
- Local Government Meetings

10:45
- Local Government Leagues - Wisconsin Municipalities

10:00
- Professional Financial Officers - Russ Van Hook

11:00
- Board of City Managers and Village Boards

1:45
- Welcome - Don Thompson, Executive Director, League of Wisconsin Municipalities

8:30
- Registration - Coffee

2012 New Municipal Officials Workshops Registration

[Signature]

[Exp]

[Mail Number]

[Card Type]

[Credit Card or Check] #

[Payment Method]

[Name (please type or print)]

[Please make the following designation for the New Municipal Officials Workshop at]
Dinner at 6:30 p.m.
Cash box at 5:30 p.m.

Infinite
Rochester
June 14, 2012

Rochelle

Eau Claire
June 7, 2012

Lake Delton
May 24, 2012

Brookfield
May 17, 2012

Howard
May 10, 2012

Bloomfield
May 3, 2012

At Six Locations

Regional Meetings

2012

Dinner

Regional 2012
EASTER BLESSINGS

How time does fly! I was just wishing you all a Happy New Year and now we are going into the 4th month of 2012.

54 people attended the very interesting presentation of the past Century of Menasha High School Basketball. Many former MHS coaches and athletes, some of whom came from out-of-town, were in attendance. It was great to renew old acquaintances and re-live our past. Thank you, Bob Smarzinski, for the many hours spent researching, compiling and producing a book, plus the abbreviated DVD’s, which he donated to the society and are available for purchase at the Resource Center/museum at the Memorial Building.

APRIL 12 - 7:00 p.m.
Resource Center/Museum
(located inside the Memorial Bldg. across from Smith Park)
Open to the Public

Nancy Barker will be presenting the history of the Brin & Valley Theatres. It will be another evening to “go back in time” and recall the “good old days”. I’m sure many of you have interesting and unusual events to share with us. We hope to see many of our newer members in attendance as this will be your chance to view our fascinating displays, pictures, and artifacts.

UPCOMING EVENT
Thurs., May 10
11:00 A.M. - Michaels Bar & Grill, Appleton Rd. for Lunch (on your own)
1:00 P.M. - Barlow Planetarium located on the campus of the University of Wisconsin-Fox Valley, Midway Rd.
Our discounted cost will be $4/person (collected upon arrival).
A tour of the new Communications Arts Center will follow the Planetarium program.
The Weis Earth Science Museum is also open for viewing.

CALL FOR HELP!!

We are still in need of board members so please seriously consider this opportunity to “Keep Menasha’s History Alive”
(We meet once a month for about 1-1/2 hrs.)
Call Katie 722-4364 or Jean 722-7349
HISTORY IN YOUR OWN BACK YARD
(written by Caryl Herziger)

Little did we know when we purchased our home on Park Street in Menasha that living history was right in our own back yard. Much was nearby: historic Smith Park, Indian mounds, Glory of the Morning village. In the early 1970’s our personal venture with history began with the discovery by our young son, Mark, of a brick-lined well behind our garage. Since we had moved to our house in the 1950’s we had always been aware of a square-shaped slightly mounded area in our yard but the discovery of the well began to confirm there had been a dwelling in the yard at some previous time. With our approval, Mark lowered a ladder down the well and began to bring up countless broken dishes and pans from the well bottom. When I think about it now, I think—what kind of a mother was I to let him go down continually into such a chance that the well might cave in?

What followed, of course, was Mark’s imploring to dig out the hollow formed by the dirt piles in our back yard. (Mark was one of those youngsters who always had to have a “project”). Well, why not? His father and I agreed. So for several YEARS Mark dug, removed dirt to our “back forty”, until he finally had uncovered and outlined a stone foundation of a building. Mark had sifted every shovel of dirt and collected shard, dishes, metal pieces and about 30 boxes of materials and stored it all in our basement.

Now came the history part and a trip to the library. There Mark discovered this site had been the log cabin home of Rev. O. P. Clinton, founder of the local Congregational church. He had arrived in this area in 1846 as a circuit rider. In 1849, Charles Doty, son of Gov. James Doty, had given Clinton ten acres and he had built his log cabin in 1854. (Most of the homes on Doty Island will have the name of Charles or James Doty on their legal papers.) Later when Rev. Clinton built a larger home facing Winnebago Street, the cabin had been abandoned and it had become a dumping ground.

Here’s a good way to keep young kids busy
History can be local, interesting, and modern.
You can find treasurers anywhere. Dig up your yard.
You can “dress up” your hole with flowers and have your daughter’s wedding there (We did)

UPDATE
When we sold our home in 1985 our terrace in front of our home was covered with boxes of “digging treasurers”. Mark kept a great collection of mended artifacts. His next “project” became the conversion of an 8 unit apartment building into a single family residence.

------------------ On the island (of course) ------------------ historic (of course)!

The “hole” has been filled in but for a number of years it was visited by friends, school children, and the curious.
HOW MANY DO YOU REMEMBER?
(continued from last month-just to keep your memory alive!!)

Coffee shops or diners with tableside juke boxes

Home milk delivery in glass bottles with cardboard stoppers

Newsreels before the movie

Telephone numbers with a word prefix (OLive-6933)

Metal ice cube trays with lever

Packards (cars)

Studebakers (cars)

Weekly baths (usually Saturday evenings) and often more than 1 person using the same water

After washing and drying clothes those that needed ironing (most everything including underwear) was sprinkled with water and put in the refrigerator or freezer until it was ironing day.

Those were the “good old days”!!!!

NOW SOME FROM THE PAST THAT HAVE MADE REAPPEARANCES

Pant leg clips for bicycles without chain guards

Blackjack chewing gum

Wax Coke-shaped bottles with colored sugar water

Candy cigarettes

Soda pop machines that dispensed glass bottles

Peashooters

Howdy Doody

Drive-ins

MORAL OF THE STORY—“WHAT GOES AROUND COMES AROUND”
So all of you “younger” folks-beware!
Auto Advertisements From the Past

Never a car like Packard!
...and never a Packard like this!

Motordom's closest approach to
"The car that drives itself"

PACKARD FOR 1952

Announcing the New 1953 Studebaker
The new American car with the European look.

RESOURCE CENTER & MUSEUM
(Located at 640 Keyes Street)
P.O. Box 255
Menasha, WI 54952
jchew2366@yahoo.com
menashahistorical@yahoo.com
www.menashahistorical.webs.com

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PROCLAMATION
Celebrating National Public Health Week

WHEREAS, the mission of the City of Menasha Health Department is to create, promote and enhance the health and vitality of all Menasha residents; and

WHEREAS, Public health activities work to protect all citizens from chronic and infectious diseases, preserve the environment, prevent workplace hazards and unintentional injuries; and

WHEREAS, Monitoring and controlling the spread of diseases and preparing for the threat of bioterrorism and other public health emergencies has assumed a central role in ensuring our national security; and

WHEREAS, Public health programs, services and policies benefit everyone—regardless of age, gender, race, ethnic origin or socioeconomic level—and are essential to a strong, successful health care system; and

WHEREAS, Informing, educating and empowering people about health issues can help prevent needless suffering.

NOW, THEREFORE, I, Donald Merkes, Mayor of the City of Menasha, do hereby proclaim and celebrate NATIONAL PUBLIC HEALTH WEEK in the City of Menasha.

Dated this 2nd day of April, 2012

Donald Merkes, Mayor
PROCLAMATION
ARBOR DAY—APRIL 27, 2012

WHEREAS, Arbor Day has contributed to the public’s awareness of the importance of trees; and

WHEREAS, the National Arbor Day Foundation has been a leader in the promotion of the education and planting of trees in communities across America; and

WHEREAS, the planting of new trees is an expression of our commitment to future generations; and

WHEREAS, over its lifespan a properly sited individual tree pays a dividend of $90,000 to the community by:
Reducing air conditioning costs by 15-35%
Reducing winter heating costs by 10-20%
Increasing home values by 15%
Increasing income sales by 6-12%
Increasing business sales by 20%
Reducing stormwater runoff by 60%
Extending the life of street pavements by 40-60%; and

WHEREAS, the City of Menasha anticipates being recognized for the 29th consecutive year as a Tree City U.S.A. by the National Arbor Day Foundation and desires to continue its tree-planting ways.

NOW, THEREFORE, I, Donald Merkes, Mayor of the City of Menasha, do hereby proclaim April 27, 2012 ARBOR DAY in the City of Menasha, and I urge all citizens to support the protection of our trees and woodlands and to support our City's urban forestry program,

FURTHER, I encourage all citizens to actively support tree planting and protection as a means to improve our community, the quality of our lives, and promote the well-being of future generations.

Dated this 9th day of March, 2012

Donald Merkes, Mayor
A. CALL TO ORDER
   Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES
   PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Krueger
   EXCUSED: Aldermen Langdon and Englebert
   ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,
   C/T Stoffel, PHD Nett, LD Lenz, Pk Supt Maas, MUGM Sturm, Lt. Kawar, Clerk Galeazzi and the Press.

D. PUBLIC HEARING

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
   (five (5) minute time limit for each person)
   Zack Zelinski, 647 Paris Street. Comments on Special Event Policy,

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
   1. Library Director Lenz - 5th Annual Fox Cities Book Festival
      LD Lenz reported on the upcoming events for National Library Week, April 8-14, 2012. She also mentioned
      the schedule for the 5th Annual Fox Cities Book Festival, April 11-18, 2012.

   2. Police Chief Styka – Introduction of newly appointed Police Lieutenant - Jamal Kawar
      PC Styka introduced Police Lt. Jamal Kawar. Lt. Kawar was recently promoted to Patrol Lieutenant.
      Lt. Kawar has been an officer with the Menasha Police Dept. since 2004 and has served in a variety of roles
      such as computer forensics investigator, firearms instructor and crisis response team member. Prior to
      working for the Police Department Officer Kawar was in the Air Force where he was a Sergeant in
      charge of a military security forces.

   3. Mayor Merkes – American Public Power Association Legislative Rally
      Mayor Merkes reported he and MUGM Dick Sturm recently attended the APPA Legislative Rally in
      Washington DC. They met with Wisconsin Representatives to discuss some Federal Legislative issues.

   4. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
      Minutes to receive:
      a. Administration Committee, 3/19/12
      b. Board of Public Works, 3/19/12
      c. Board of Health, 2/8/12
      d. Committee on Aging, 2/9/12
      e. Library Board, 3/15/12
      f. NM Fire Rescue, 3/28/12; Joint Fire Commission
      g. Personnel Committee, 3/19/12
      h. Police Commission, 3/15/12
      i. Safety Committee, 2/2/12; City Hall
      j. Safety Committee, 1/12/12; Police
      k. Safety Committee, 2/28/12; Public Works/Parks
      l. Water & Light Commission, 3/1/12
Communications:
m. CA/HRD Captain, 3/29/12: 2012 Public Officials Program (Davis & Kuelthau, s.c.)
n. CA/HRD Captain, 3/29/12: Tim Jacobson Anniversary
o. PWD Radlke, 3/29/12: WDNR Annual Report under MS4
q. Express Convenience Center, 3/9/12: Class A liquor license selling hours
r. Fox Cities Greenways, Inc., Trails Workshop invitation
s. Letter to Common Council from resident Roy Kordus, 3/27/12: Special Event Policy
t. Menasha Utilities, High Lift Pumping Station & Motor Control Modifications Project recommendation to award (Submitted by Ald. Sevenich)
u. NM Sewerage Commission, 3/28/12: Refund of prior year overcharges from Menasha Utilities to NMSC
v. Police Chief Styka, 3/22/12: Police Department Updates
w. WPP! Energy event, Economic Development & Public Power: Putting People in Motion

Moved by Ald. Sevenich, seconded by Ald. Krueger to receive Minutes and Communications A-W

Discussion: Ald. Sevenich-Comm. U (NM Sewerage Comm. letter), comments on overbilling charges being refunded back to customers.
Ald. Sevenich-Comm. T (High Lift Pumping Station), MUGM Sturm reported on the High Lift Pump Station modification and Manitowoc Street water tower.
Mayor Merkes-Comm. N (Tim Jacobson Anniversary), congratulated PWS Jacobson for 35 years of service.
Motion carried on voice vote.

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

Minutes to approve:
1. Common Council, 3/19/12
   Administration Committee, 3/19/12: recommends approve of:
   2. Selection of Associated Appraisal for the City Assessment Services, May 1, 2012 through April 30, 2018
   Personnel Committee, 3/19/12: recommends approval of:
   3. Employee Safety Manual with the amended Fleet Safety Policy
   4. Police Department Organizational Structure Change of removing the position of Operational Lieutenant and authorize the creation of the new position of Operational Captain at pay grade level 8

Ald. Sevenich requested to remove item 2 (Selection of Associated Appraisal) from Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Consent Agenda Items 1, 3, and 4. Motion carried on roll call 6-0.

H. ITEMS REMOVED FROM CONSENT AGENDA
Moved by Ald. Sevenich, seconded by Ald. Klein to approve Consent Agenda Item 2, Selection of Associated Appraisal for the City Assessment Services, May 1, 2012 to April 30, 2015.
Discussion ensued on the term of the contract, three years versus six years.
Motion carried on roll call 4-2.
Ald. Klein, Taylor, Sevenich, Krueger – yes
Ald. Zelinski, Benner – no

I. ACTION ITEMS
1. Mayor’s veto of Special Event Policy
   CA/HRD Captain explained to stop the Mayor’s veto would require a 2/3 vote of the Council.
   No Action on Mayor’s Veto
   Ald. Klein commented on the Mayor’s press release about the veto of the Special Event Policy.
   Mayor Merkes stated there should be no debate on the Mayor’s Veto as there was no motion.
2. Accounts payable and payroll for the term of 3/20/12 to 3/29/12 in the amount of $752,349.85
   Moved by Ald. Sevenich, seconded by Ald. Krueger to approve accounts payable and payroll.
   Motion carried on roll call 6-0.

J. ORDINANCES AND RESOLUTIONS
1. Substitute amendment to O-3-12 - An Ordinance Amending Section 11-1-1 of the Municipal Code –
   Offenses Against State Laws Subject to Forfeiture (Trespassing) (Introduced by Ald. Taylor)
   (Recommended by Administration Committee) (2nd Introduction)
   Moved by Ald. Taylor, seconded by Ald. Krueger to adopt Substitute Amendment to O-3-12.
   Motion carried on roll call 6-0.

2. O-4-12 An Ordinance Amending Section 2-1-3 of the Municipal Code (Polling Places) (Introduced by Ald.
   Sevenich)
   Moved by Ald. Sevenich, seconded by Ald. Benner to suspend the rules and take up O-4-12.
   Motion carried on roll call 6-0.
   Moved by Ald. Sevenich, seconded by Ald. Zelinski to adopt O-4-12.
   Discussion: Clerk Galeazzi explained the temporary change in polling place for District 8 from Heckrodt
   Wetland Reserve to NM Fire Station 36 on Province Terrace.
   Motion carried on roll call 6-0.

3. R-6-12 - Resolution Declaring Intent to Submit an Urban Non-Point Source & Storm Water Planning
   Grant Application (recommended by Board of Public Works)
   Moved by Ald. Taylor, seconded by Ald. Krueger to adopt R-6-12.
   Motion carried on roll call 6-0

4. R-7-12 - Resolution Authorizing the Submittal and Execution of Various Applications, Forms and
   Agreements Involved with Wisconsin Department of Natural Resources Storm Water Management
   Implementation Grants (recommended by Board of Public Works)
   Moved by Ald. Taylor, seconded by Ald. Krueger to adopt R-7-12.
   Motion carried on roll call 6-0.

K. APPOINTMENTS

L. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
   (five (5) minute time limit for each person)
   Moved by Ald. Sevenich, seconded by Ald. Krueger to go back to Action Item 1 (Mayor’s Veto) to suspend
   rules and to allow Ald. Klein to make a statement.
   Motion carried on roll call 5-1. Ald. Benner – no
   Ald. Klein made comments on the Mayor’s veto of Special Event Policy.
   Mayor Merkes made comments on the Special Event Policy.
   Ald. Sevenich – Point of Order – motion was to allow Ald. Klein to make a statement.
   VFW Commander Richard Meyer, 1201 Grove Street. Comments on the discussion of the Special Event
   Policy and Memorial Day Parade.
   Joanne Roush, 409 Cleveland Street. Mayor should be allowed to clarify his veto message.

M. RECESS TO ADMINISTRATION COMMITTEE, BOARD OF PUBLIC WORKS AND PERSONNEL COMM
   Moved by Ald. Krueger, seconded by Ald. Taylor to recess at 7:04 p.m. to Committees
   Motion carried on voice vote.
   Reconvened at 9:14 p.m.
N. CLAIMS AGAINST THE CITY
   1. Update on Petition for the Incorporation for the Village of Harrison, 12-CV-28; and Notice of injury and circumstances of claim - Town of Harrison, Celine Romenesko, Rick Kindschi
   2. Update on PCB Litigation

CA/HRD Captain explained there is nothing new to report on either item 1 or 2 in open session. She suggested going into Closed Session to answer questions.

O. Moved by Ald. Benner, seconded by Ald. Krueger to Adjourn into Closed Session at 9:14 p.m. 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. (PCB Litigation; Petition for the Incorporation for the Village of Harrison; Notice of injury and circumstances of claim- Town of Harrison, Romenesko & Kindschi)
Motion carried on roll call 6-0.

P. ADJOURN
Moved by Ald. Sevenich, seconded by Ald. Benner to adjourn at 9:38 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk
CITY OF MENASHA

Policy Handbook

Effective October 20, 1992
Revised November 1, 1993
Revised October 16, 1995 to be effective January 1, 1996
Revised June 3, 1996 to be effective June 3, 1996
Revised to be effective December 2, 1997
Revised to be effective March 16, 1998
Revised to be effective February 21, 2000
Revised to be effective [insert date]
FORWARD

This handbook reflects the policies and procedures of the City of Menasha, Wisconsin. It is the intent of the Common Council to provide for fairness and equity in the treatment of employees. It is expected that supervisors and department heads will become familiar with the contents of this handbook so that they will be able to answer employee questions as they arise and apply the appropriate policies and procedures, as the occasion arises. Managers are also responsible for ensuring that the employees that work in their department are informed of these policies and procedures, understand them and abide by them.
City of Menasha
Policy Handbook
Table of Contents

1. Alcohol and Controlled Substance Testing Compliance Policy
2. Americans with Disabilities Act (ADA) Compliance
3. Anti-Harassment
4. Code of Conduct
5. Drug Free Workplace
6. Electronic Communications & Information Technology Policy
7. Employee Assistance Program
8. Environmental Procurement Policies
9. Social Network Policy
I. PURPOSE

The Department of Transportation (DOT), the Federal Highway Administration (FHWA), and the Federal Aviation Administration (FAA) have issued Federal regulations (49 CFR Parts 40 and 382) implementing the provisions of the Federal Omnibus Transportation Employee Testing Act of 1991, which requires alcohol and controlled substance testing of drivers who are required to have a Commercial Driver's License (CDL). These regulations include detailed procedures for urine drug testing and breath alcohol testing of employees in safety sensitive positions. The purpose of this Policy, then, is that of establishing an alcohol and controlled substances testing program in conformance with Federal Law.

II. POLICY

The City of Menasha, as a public employer, recognizes that the use and/or abuse of alcohol or controlled substances by employees of the City of Menasha, who are drivers of commercial motor vehicles, presents a serious threat to the safety and health of the employees and to the general public. It is the policy of the City of Menasha that its drivers should be free of drugs and alcohol. In order to further the City's goal of maintaining a drug-free and alcohol-free employment environment, and to come into compliance with the Omnibus Transportation Employee Testing Act of 1991, the City of Menasha has implemented a drug and alcohol testing program which is designed to help reduce and avoid traffic accidents and injuries to the City's employees and to the public and to discourage substance and alcohol abuse.

III. COVERAGE

For purposes of this Policy, the City of Menasha, FHWA and the DOT strictly prohibit the use of alcohol and/or controlled substances by its employees who are performing, ready to perform, or ceasing to perform the following safety-sensitive job functions:

A. Operation of a commercial motor vehicle;
B. Directly supervising employees who perform safety-sensitive job functions or supervisors required to have a CDL.

IV. EMPLOYEES SUBJECT TO DOT

A. All drivers who operate commercial motor vehicles (CMV) are subject to testing under the department of transportation’s (DOT) drug and alcohol testing regulations. This includes any driver who may be subject to the commercial driver’s license requirements of Part 383.

B. Commercial motor vehicle means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle—

1. Has a gross combination weight rating of 11,794 or more kilograms (26,001 or more pounds) inclusive of a towed unit with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds); or

2. Has a gross vehicle weight rating of 11,794 or more kilograms (26,001 or more pounds); OR

3. Is designed to transport 16 or more passengers, including the driver; OR

4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

V. PROHIBITED CONDUCT

Federal Regulations prohibit employees from engaging in the following conduct immediately before, during, or immediately after performing safety sensitive duties:

1. Engaging in the on-the-job use of illegal or unauthorized drugs including those defined as prohibited substances in this policy;

2. Engaging in the on-the-job unlawful manufacture, distribution, dispensing, possession or use of prohibited substances. Law enforcement shall be notified whenever illegal drugs are found or determined to be present in the workplace;

3. Having a drug test result that is considered positive when the driver is found to have a quantifiable presence of a prohibited substance in
the body at or above the minimum thresholds consistent with those defined in 49 CFR Part 40;

4. Tampering, substituting or adulterating urine specimens;

5. Unauthorized use or possession of alcohol while on the job or conducting City business;

6. Having a breath alcohol test result of .020 or greater when reporting for work or working, or within 24 hours of being tested with a result of at least .020 but less than 0.04;

7. Having a positive breath alcohol test result of .040 or greater;

8. Consuming alcohol within four (4) hours of reporting to work, or during the hours you are on call;

9. Consuming alcohol while on duty, while working, or just before or just after performing any functions;

10. Consuming alcohol within eight (8) hours following an accident or until the post accident test has been administered, whichever occurs first;

11. Refusing to submit to an alcohol or drug test described as follows:
   a. Failing to appear for any test within a reasonable time after being directed to do so. This includes the failure of a driver (including an owner-operator) to appear for a test when called by a C/TPA;
   b. Failing to remain at the testing site once the process has started (in the case of a pre-employment drug test, the applicant is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment);
   c. In the case of a directly observed or monitored collection in a drug test, the driver fails to permit the observation or monitoring of the driver’s provision of a specimen;
   d. Failing to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
   e. Failing to provide a sufficient amount of breath when directed, and it has been determined, through a required medical evaluation that there was no adequate medical explanation for the failure;
f. Failing or declining to take a second test the employer or collector has directed the driver to take;

g. Failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER;

h. Failing to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process);

i. Having a verified adulterated or substituted test result reported by the MRO.

In addition, the City of Menasha Policy prohibits employees from engaging in the following conduct:

1. Engaging in the off-the-job use of illegal or unauthorized drugs including those defined as a prohibited substances in this policy;

2. Engaging in the off-the-job unlawful manufacture, distribution, dispensing, possession or use of prohibited substances. Law enforcement shall be notified whenever illegal drugs are found or determined to be present in the workplace;

3. Dispensing, distributing or receiving alcohol and/or controlled substances while on duty;

4. Possession of or consumption of controlled substances while on duty or while on City property or within City equipment, unless such possession and/or consumption is pursuant to the instructions of a physician who has advised the driver and the City in writing that the substances does not adversely affect the driver's ability to safely operate a commercial motor vehicle;

5. Having an alcohol concentration of 0.02 but less than 0.04 immediately before, during, or immediately after performing safety sensitive work;

6. Reporting for duty or remaining on duty while under the influence of alcohol or a controlled substance;

7. Providing false information in connection with a test, or falsifying test results through tampering, contamination, adulteration or substitution.
VI. REQUIRED PARTICIPATION

A. Participation in anti-drug and alcohol program is a requirement of all drivers and therefore, a condition of employment.

B. Drivers will have deemed to implied their consent to cooperate in the City’s effort to maintain a workplace free from the effects of alcohol, illegal drugs and controlled substances through the use and enforcement of this and related City policies and procedures.

C. [City policy: This policy does not alter the at-will employment relationship between the City and its employees. It is not meant to create a contract or expectation of future employment and is merely one condition of continued employment.]

VII. REQUIRED HOURS OF COMPLIANCE

A. Drivers are required to be in compliance of the alcohol rule:
   1. While on duty
   2. Four (4) hours prior to on duty time
   3. Up to eight (8) hours following an accident or until the driver undergoes a post-accident test, whichever occurs first

A driver shall not report for duty or remain on duty when the driver uses any controlled substance, except when the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a CMV.

VIII. PROGRAM CONTACTS

A. Designated Employer Representative

Questions pertaining to these policies or procedures should be directed to the Designated Employer Representative (“DER”) who is responsible for managing this program in compliance of federal regulations, state laws, and the provisions of this policy.

   Name

   Address

   City/State/Zip

   Phone

   Fax

B. Medical Review Officer

A Medical Review Officer (MRO) is a licensed physician with knowledge and clinical experience in substance abuse disorders; they are required to complete qualification training courses and fulfill obligations for continuing education courses. They serve as independent, impartial gatekeepers to the accuracy and integrity of the DOT drug testing program. All laboratory results are sent to an MRO for verification before a Company is informed of the result. As a safeguard to quality and accuracy, the MRO reviews each test for accuracy.
C. Substance Abuse Professionals

Substance Abuse Professionals (SAPs) play a critical role by professionally evaluating employees who have violated drug & alcohol testing rules/policies. SAPs recommend appropriate education, treatment, follow-up tests, and aftercare. They are the gatekeepers to the re-entry program by determining when an employee can be returned to duty. While SAPs do make recommendations to the employer about an employee's readiness to perform his/her duties, SAPs are neither an advocate for the employee or the employer, and they make return-to-duty recommendations according to their professional and ethical standards as well as applicable regulations. Even if a SAP believes that an employee is ready to return to work, the City retains its management rights with regard to hiring and reinstatement decisions.

IX. TESTING RULES AND PROCEDURES

A. Test requirement, costs and compensation

All employees of the City of Menasha who are employed in a safety-sensitive position and/or are required to hold a Commercial Drivers' License as a condition of their employment are subject to testing for alcohol and/or controlled substances. Refusal to take a required test will result in removal of that employee from the employee's assignment(s), which, in turn, may result in discipline up to and including discharge.

The City of Menasha shall pay all costs associated with the administration of alcohol and controlled substance testing, except those costs for a "split specimen" test required by an employee or a return to duty re-test. The employee shall pay for these tests. If the result of a split specimen test is negative, the City shall reimburse the employee for said test.

All time spent undergoing required alcohol or controlled substance testing, shall be paid in accordance with the administrative pay policy that normally applies to the City. An alcohol re-test, however, that is performed at the request of the employee must be done on an employee's own time, prior to the start of his/her regular shift.
B. Types of tests

Testing must be conducted in the following situations:

1. Pre-employment Testing.

Any individual not currently employed by the City of Menasha who is applying for a safety-sensitive position shall be required to undergo testing for alcohol and controlled substances indicating a verified negative test result after a conditional offer of employment has been made. Prior to the first time an existing employee performs safety-sensitive functions for the City of Menasha (i.e., new position, job transfer, promotion, new duties, etc., which involves moving from a position which does not require a CDL to a position that does require a CDL), the employee shall be required to undergo testing for alcohol and controlled substances indicating a verified negative test result for that employee.

2. Reasonable Suspicion Testing.

Reasonable suspicion means suspicion based on a specific, contemporaneous, articulable observation by a trained supervisor or other trained City of Menasha representative concerning the appearance, behavior, speech or body odors of an employee, including indications of the chronic and/or withdrawal effects of controlled substances. Reasonable suspicion controlled substances or alcohol testing will only occur under these rules if the observations are made during, just before, or just after the time the employee is performing safety-sensitive functions.

   a. In a situation where an employee is either acting in an impaired manner or the supervisor has reasonable suspicion to believe the employee is using or is under the influence of alcohol or controlled substances, the supervisor may order the employee to undergo a controlled substances or alcohol test.

   b. Once the employee has been removed from the job, the supervisor is to contact the Personnel Department. If contact cannot be made at that time, the supervisor is to proceed through the next step of this procedure and make contact with the Personnel Department as soon thereafter as possible.

   c. The supervisor is to then take the employee to the collection site for controlled substances and/or alcohol testing immediately, but no later than either (8) hours for an alcohol test or twenty-four (24) hours for a controlled substance test, after having determined that there is reasonable suspicion to believe that the employee is using or is under the influence of alcohol or a controlled substance. If the alcohol test is conducted more than two (2) hours, but less than eight (8) hours, after the supervisor makes such reasonable suspicion determination, the supervisor will complete a report explaining the reason for the delay in conducting the alcohol test. The supervisor is to wait at the clinic with the employee until the breath test has been completed or the urine sample has been taken. If the alcohol test is not conducted with eight (8) hours after the...
supervisor makes such reasonable suspicion determination, or if the drug test is not conducted within twenty-four (24) hours after such determination, the supervisor will complete a report explaining the reasons why the test was not conducted timely.

d. Once the alcohol testing has been completed and a positive confirmation test result has been received (0.04 percent or above), the employee will be returned to his reporting station. It will then be the employee's responsibility to make appropriate transportation arrangements in order to insure that the employee is not operating a personal motor vehicle while under the influence of alcohol or a controlled substance.

e. If a blood alcohol or urine drug test has been administered, the City of Menasha will contact the employee once the test results are known and a decision has been made as to the employee's status.

f. The results of the drug testing will be sent directly to the Medical Review Officer (MRO) for review and forwarding to the authorized Personnel Department Professional. The results of the alcohol testing will be sent directly to the authorized Personnel Department Professional. When the results are obtained, the employee's supervisor and department head will consult with the authorized Personnel Department Professional to determine the appropriate course of action to be taken. This is a confidential process. Test results will be held strictly confidential and will not be discussed or shared with anyone who does not have a need to know.

g. The supervisor must submit a signed written report to the authorized Personnel Department Professional describing, in detail, the event and the behavior observed that led the supervisor to believe the employee was under the influence of alcohol and/or a controlled substance. This report must be done within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.


Random alcohol and controlled substance testing will be conducted just before, during, or just after an employee's performance of safety-sensitive duties. The employee will be randomly selected for testing from a "pool" of employees subject to testing. The testing dates and times are unannounced and will occur with unpredictable frequency throughout the year.

Unless changed by Federal Regulation, the minimum annual percentage rate for random alcohol testing shall be 25 10 percent and the minimum annual percentage rate for random drug testing shall be 50 percent of the average number of employees in safety-sensitive positions.

The selection of employees for random testing shall be made by Network Health System, Inc., d/b/a Affinity Occupational Health (hereafter referred to as Affinity Occupational Health) using a scientifically valid method. Under this selection process, each employee will have an equal chance of being tested each time selections are made. As a result, some employees
may be tested more than once each year, while other employees may not be tested at all.


As soon as practicable following an accident involving a commercial motor vehicle operating on a public road, the City of Menasha shall test an employee driver for alcohol and controlled substances in the following situations:

a. Testing for alcohol will occur if:
   i. The accident involved the loss of human life; or,
   ii. The employee receives a citation within 8 hours of the occurrence, under state or local law for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

b. Testing for a controlled substance will occur if:
   i. The accident involved the loss of human life; or,
   ii. The employee receives a citation within 32 hours of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident involved bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The alcohol breath test must be administered as soon as possible, but no later than eight (8) hours following the accident, and the controlled substance test must be administered within thirty-two (32) hours of the accident. If the alcohol test is not administered with two (2) hours of the accident, the supervisor will complete a report explaining the reasons for the delay in conducting the test. If the alcohol test is not administered within eight (8) hours of the accident or if the controlled substance test is not administered within thirty-two (32) hours of the accident, the supervisor will complete a report explaining why the test was not conducted.

An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the City of Menasha to have refused to submit to testing. A covered employee who leaves the scene of the accident may continue to be considered as "readily available" for testing if:

a. The employee left the scene to obtain necessary medical
care (for himself, herself, or others); or,
b. The employee left the scene for the period necessary to obtain assistance in responding to the accident.

5. Return-to-Duty/Follow-up Testing.

If the City of Menasha offers an employee an opportunity to return to a safety-sensitive job function after engaging in conduct prohibited by Federal Regulations the driver shall complete the SAP evaluation, referral, and education/treatment process set forth federal regulations as well as undergo a return-to-duty follow-up test with a result indicating an alcohol concentration of less than 0.02 or verified negative result for controlled substance use. In any event, if required by law, an employee will not be allowed to return to duty without first having been evaluated by a City of Menasha Substance Abuse Professional (SAP) in order to determine the employee’s fitness-for-duty. In the event an employee is permitted to return to the performance of safety-sensitive functions, the City of Menasha will carry out the SAP’s follow-up testing requirements.

C. Testing Procedures

The City of Menasha has entered into an alcohol and drug testing agreement with Affinity Occupational Health. Testing may be done on both urine and breath (blood alcohol may also be required by law or at the request of an employee). All drug and alcohol testing will be conducted in conformance with the procedures and rules established by the Federal Omnibus Transportation Employee Testing Act of 1991 and its implementing regulations. Affinity Occupational Health, or its designee, will handle taking the sample (in standard collection kits). Affinity Occupational Health, or its designee, will be responsible for seeing that the samples are sent to a certified laboratory, and will assist in the interpretation of the results. The City of Menasha may contract with a replacement testing service as long as such replacement service meets Federal standards.

Locations of test sites are:

- Affinity Occupational Health (7:30 a.m. – 4:30 p.m.); 1186 Appleton Road, Menasha, Wisconsin
- Affinity Occupational Health (7:30 a.m. to 4:30 p.m.); 1855 S. Koehler Street, Oshkosh, Wisconsin

After hours or emergency:

- St. Elizabeth Hospital Emergency Room, 1506 S. Oneida Street, Appleton, Wisconsin
- Mercy Medical Center. Emergency Room (register with the receptionist at the desk); 500 S. Oakwood; Oshkosh, Wisconsin

Employees selected for testing will be notified as to which test site to report to.
D. Drug & Alcohol testing methodologies

1. Breath Alcohol
   a. Screening Test: A screening test is conducted utilizing a DOT approved Evidentiary Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT) in which the driver provides breath sample. In some instances, a screening test may be conducted utilizing an alcohol screening device (ASD) operated by a qualified Screening Test Technician (STT) to obtain a saliva or breath sample.
   b. A screening test result of less than .02 is considered negative. No further action is required.
   b. If the screening test provides a result of 0.02 or greater, a confirmation test will be conducted.
2. Confirmation Test
A confirmation test is conducted utilizing a DOT approved Evidentiary Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). The results of a confirmation test take precedence over the screening test results.

a. A confirmation test result of less than .020 is considered negative.
b. A confirmation test result of 0.040 or greater is considered positive and the driver must immediately be removed from performing safety-sensitive functions and complete the requirements of Subpart O of 49 CFR Part 40 prior to resuming or assuming safety-sensitive functions.
c. A confirmation test result of .020 to .039 is also considered positive, however, the employee is immediately removed from performing safety-sensitive functions for a mandatory 24-hour period. There is no requirement under the DOT regulations for the employee to be referred for the SAP process.

3. Drug & Validity Testing
The testing processes and protocols are consistent with those mandated by 49 CFR Part 40.

a. The collection process is conducted by a qualified collector utilizing a split specimen process in which the specimens are sent to an approved laboratory certified by the U.S. Department of Health and Human Services.
b. The laboratory will use techniques and equipment to conduct initial and confirmation drug testing to detect the presence of the following drugs or classes of drugs: Marijuana metabolites, Cocaine metabolites, Amphetamines, Opiate metabolites, and Phencyclidine (PCP).
c. Specimen A – Initial Test: If the result is at or above the cutoff concentration, a confirmation test will be conducted using gas chromatography/mass spectrometry (GC/MS) technology. The test will be considered positive if the amounts present are at or above the minimum thresholds established in 49 CFR Part 40, as amended.
   The laboratory will also conduct specimen validity testing to determine if the specimen is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.
d. Specimen B – Confirmation Test. When no legitimate medical reason is established for a positive, adulterated, substituted, or invalid test result the driver has 72 hours in which to request the MRO to have his/her Specimen B bottle be sent to another certified lab for analysis of the same substance or condition that was found in Specimen A.

D. Medical Review Officer
1. When the MRO receives a confirmed positive, adulterated, substituted, or invalid test result from the laboratory, reasonable efforts will be made to contact the driver on a confidential basis to determine whether the employee wants to discuss the test result to determine if there is a legitimate medical reason for the result.

   a. If a legitimate medical reason is established, the MRO will report the result to the DER as negative.
   
   b. If an employee refuses to discuss the results with the MRO and/or does not provide the MRO with acceptable medical documentation to explain non-negative results, then the MRO will report a positive test result to the DER.
   
   c. When the result is reported as adulterated or substituted test and a legitimate reason is established, the MRO will cancel the test. When no legitimate medical reason is established, the MRO will report the result to the DER as a refusal to test.

2. The MRO may verify a test result as a positive or refusal to test, as applicable, when:

   a. The driver expressly declines the opportunity to discuss the test with the MRO or reasonable efforts to contact the driver are unsuccessful.
   
   b. The driver has not contacted the MRO within 72 hours of being notified to do so by the DER.
   
   c. All reasonable efforts to contact the driver by both the MRO and DER have been unsuccessful within the 10-day period the MRO receives the results from the laboratory.

3. Confirmation Test. When no legitimate medical reason is established for a positive, adulterated, substituted, or invalid test result the driver has 72 hours in which to request the MRO to have his/her Specimen B bottle be sent to another certified lab for analysis of the same substance or condition that was found in Specimen A.

F. Prescription and non-prescription drugs

Before performing work-related duties, employees must notify their supervisor if they are taking any legal prescribed medication, therapeutic drug, or any non-prescription drug which contains any measurable amount of alcohol or which carries a warning label that indicates the employee's mental functioning, motor skills, or judgment may be adversely affected by the use of this medication. In such case, the employee's physician shall indicate and recommend accommodation for the employee. Employees do not need to disclose the purpose for which the medication has been prescribed.
It is the responsibility of the employee to inform his/her physician of the type of safety-sensitive function that he is likely to perform in order that the physician may determine if the prescribed substance could interfere with the safe and effective performance of the employee's duties or operation of City equipment. The employee shall present his physician with a form, provided by the City of Menasha, that the employee's physician is to complete, and where accommodation is warranted, the City of Menasha will attempt to provide accommodation. Upon reporting for work on the first day in which the employee is taking the medication, he/she is to present the completed physician's form to his/her immediate management supervisor. As set forth in part D-1 of this Policy, an employee considering the use or possession of prescription or non-prescription medications containing alcohol should consult with his/her personal physician in order to obtain a substitute medication that does not contain alcohol or to consume such medications containing alcohol on a prescribed schedule that will render the employee alcohol-free during working hours. In the event that the employee's physician cannot prescribe a medication substitute or schedule that will render the employee alcohol-free during working hours, the employee shall provide his or her immediate management supervisor with signed documentation from his or her personal physician indicating such so that an accommodation for the employee can be attempted.

G. Confidentiality of records

The City of Menasha respects the confidentiality and privacy rights of all of its employees. Accordingly, the results of any test administered under this Policy and the identity of any employee participating in any related assessment or treatment program will not be revealed by the City of Menasha except as provided for by law. The City of Menasha will release an employee's records as directed by the express written consent of the employee authorizing release to an identified person. In addition, the City of Menasha will ensure that any lab or agency used to conduct testing under this Policy will maintain the confidentiality of employee rest records. In the course of official business, however, the lab or testing agency will disclose information related to a positive drug or alcohol test of an individual to the authorized Personnel Department Professional. The authorized Personnel Department Professional may, in turn, disclose this information to the employee, and limited necessary information to his department head and his immediate management supervisor as well as to the arbitrator or judge in a lawsuit, grievance, or other proceeding by or on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as provided for by law, including court orders or subpoenas.

The Medical Review Officer (MRO) will not reveal individual test results to anyone except the employee and the authorized Personnel Department Professional, unless the MRO has been presented with a written authorization from the tested employee. The MRO may reveal to the authorized Personnel Department Professional relevant information as to whether the employee is qualified to perform safety-sensitive functions or whether the employee has tested positive for alcohol or a controlled substance. The authorized Personnel
Department Professional may disclose limited necessary information to the employee's department head and immediate management supervisor as well as to the arbitrator or judge in a lawsuit, grievance or other proceeding on behalf of the individual which arises from any action taken in response to a positive drug or alcohol test; or as provided for by law.

All records related to drug and alcohol tests of individual employees will be maintained in individual files separate from the employee's personnel file. These records will be stored in a locked cabinet and access will only be allowed to those employees who have a legitimate need to file or review the records of a particular employee as part of their authorized work assignments.

H. Discipline

Consistent with this policy, the City of Menasha may take disciplinary action based on noncompliance with this policy by an employee and specifically for actions as follows:

1. If a Medical Review Officer (MRO) reports that a urine test is positive, the employee shall be subject to discharge. Discharge may be held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.

2. If a BAT reports that a breath test is equal to or exceeds 0.04, that employee shall be subject to discharge. Discharge may be held in abeyance if the employee enters into a last chance agreement and successfully completes a Substance Abuse Treatment Program.

3. If a BAT reports a breath test between 0.02 and 0.04, the employee shall be sent home without pay for the remainder of the day and shall be suspended without pay until the start of the employee's next regularly scheduled work day, but not less than 24 hours following administration of the test.

4. Any employee who refuses to submit an alcohol or drug test shall be subject to discharge.

I. Convictions

Within five (5) calendar days, an employee is required to notify the City of any criminal drug conviction for a violation occurring in the workplace. The City will take appropriate action it deems necessary.

J. Searches

Entering the City's property constitutes consent to searches and inspections. If an individual is suspected of violating the drug-free workplace policy, he/she may be asked to submit to a search or inspection at any time. Searches can be conducted of pockets and clothing, lockers, wallets, purses, briefcases and lunchboxes, desks, computers and work stations and vehicles and equipment.

Adopted: 12/95
K. Effects, Signs & Symptoms

a. Impact on Health, Work, & Personal Life Information in this policy is intended to help employees understand what consequences alcohol and drug use has on his/her health, work and personal life. The impact of an individual’s substance use and/or abuse extends beyond them. Impaired employees endanger themselves, fellow workers, and the general traveling public. Employees with alcohol are less productive and more likely to injure themselves or other persons in an accident. Alcohol abusing employees increase the costs related to lost productivity, absenteeism, loss of trained personnel, theft, and treatment and deterrence programs. Medical costs are higher and are passed on to the employer in the form of higher insurance rates.

b. Shared Responsibility
A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. If substance abuse is contributing to an employee’s poor performance, ignoring or avoiding it will not help the situation. An employee’s use or misuse of alcohol or drugs may be the root of the performance problem; however, substance abuse on the part of someone close to the employee also could be the source. Inevitably, the abuse of alcohol or other drugs leads to costly and potentially dangerous consequences unless action is taken to confront the issue.

Employees are encouraged to:
— Be concerned about working in a safe environment;
— Support fellow workers in seeking help;
— Report dangerous behavior to their supervisor.

Supervisor’s have a responsibility to:
— Observe employee performance and counsel employees regarding their performance;
— Document negative changes and problems in performance and investigate reports of dangerous practices;
— Counsel employees as to expected performance improvement and clearly state consequences of policy violations;
— Refer employees to Substance Abuse professionals.

L. Where to Find Help
If you or someone you know has a problem with alcohol or other drugs, contact these resources for free, confidential help.

Website
M. Behavioral & Physical Effects

The chart below presents some of the possible effects of alcohol and other drug use. It presents them by phases of use—early, middle, late middle, and late phases—and it emphasizes the visible signs in general behavior and job performance for each phase. The struggle for answers about alcohol and drug problems can be difficult. Without expert assessment and diagnosis, it can entail an exhausting search without easy resolution. But confidential diagnosis and assistance can be helpful at any point along the continuum, and it is better to seek and get such help sooner rather than later.

<table>
<thead>
<tr>
<th>Visible signs</th>
<th>General behavior:</th>
<th>Visible signs</th>
<th>General behavior:</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Use to relieve tension</td>
<td>- Overreact to real or imagined criticism</td>
<td>- Feel guilty about using the substance</td>
<td>- With some substances, such as alcohol, can become grandiose, aggressive, or belligerent</td>
</tr>
<tr>
<td>- Tolerance increases</td>
<td>- Complain of not feeling well</td>
<td>- Experience tremors when not using</td>
<td>- Relationship issues interfere with work</td>
</tr>
<tr>
<td>- Don’t feel like yourself</td>
<td>- Lie about use</td>
<td>- Experience general loss of interest</td>
<td>- Have an apparent</td>
</tr>
<tr>
<td>- Have memory blackouts</td>
<td>- Family and coworkers complain</td>
<td>- Avoid discussion of problems</td>
<td>- Financial problems worsen</td>
</tr>
<tr>
<td>- Lie about use</td>
<td>- Sneak drinks or drugs</td>
<td>- Fail in efforts at control</td>
<td>- Have serious family problems or divorce</td>
</tr>
<tr>
<td>Visible signs</td>
<td></td>
<td>- Experience a lack of appetite</td>
<td></td>
</tr>
</tbody>
</table>
Loss of ethical values
-Experience loss of money
-Hospitalization increases
-Have trouble with the law

Job performance:
-Perform below expected level
-Take frequent time off, sometimes for several days
-Fail to return from lunch

Job performance:
-Have prolonged and unpredictable absences
-Work is very uneven
-Become generally incompetent

I. PURPOSE

This policy outlines the provisions of the Americans with Disabilities Act (ADA) of 1990 and the rights and obligations of employees and the City under federal and state law.

II. POLICY

In accordance with the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, the ADA Amendments of 2008 and the Wisconsin Fair Employment Act, the City of Menasha prohibits discrimination against qualified individuals with disabilities in all employment practices, including: job application procedures, hiring, firing, advancement, compensation, training and other terms and conditions, and privileges of employment. The City of Menasha is committed to providing reasonable accommodations for eligible employees, citizens and/or applicants with documented disabilities.

It is also the policy of the City of Menasha to ensure that all citizens have an equal opportunity to participate in and receive the benefits of the services, programs, or activities of the City. This will be done in the most integrated setting appropriate to the needs of the qualified individual with a disability. Only where it is absolutely necessary will the City provide services, programs, or activities separately to persons with disabilities. No qualified individual with a disability shall, on the basis of said disability, be screened out of a service, program or activity. Nor, shall any individual be excluded from participation in or denied the benefits of said services, programs or activities, because of their disability.

III. DISCUSSION

The Americans with Disabilities Act (1990) prohibits discrimination on the basis of disability in employment, public services and transportation, public accommodations, and telecommunication services.

The ADA is divided into five titles:

A. Title I of the ADA ensures that individuals with disabilities be judged solely on their ability to perform essential job functions with or without a reasonable
accommodation. Title I prohibits discrimination in all aspects of employment, including: advertising, recruiting, job application process, hiring, training, advancement, compensation, leaves, fringe benefits, layoffs, firing, access to workplace facilities and any other terms, conditions, or privileges of employment.

B. Title II prohibits excluding qualified individuals with disabilities from participating in or being denied benefits of public service.

C. Title III prohibits disability discrimination against customers, clients, or visitors.

D. Title IV addresses adequate telecommunication services for disabled individuals.

E. Title V contains a number of miscellaneous provisions. It assures that the ADA does not limit or invalidate other Federal or State laws.

Under the ADA the City is required to ensure all programs and activities are accessible, but is not required to make each and every facility accessible, so long as all programs are accessible (or a facility transition plan is in place). The City is required to reasonably modify City-wide policies, practices or procedures to avoid discrimination. However, modifications may not be required where a particular modification would fundamentally alter the nature of the service, program or activity.

IV. DEFINITIONS

A. Disability (42 U.S.C. sec. 12101) – A physical or mental impairment that substantially limits one or more of the major life activities of a qualified individual (and includes times when the impairment is episodic or in remission); a person who has a record of such impairment; or a person who is regarded or perceived to have an impairment; or has a known association or relationship with an individual with a disability. Those individuals covered under this policy solely due to being “regarded as having a disability” are not entitled to a reasonable accommodation.

B. Disability (§111.32, Wis. Stats.) – A physical or mental impairment which makes achievement unusually difficult or limits the capacity to work; has a record of such an impairment; or is perceived as having such an impairment.

B. Major life activities – Caring for one’s self, performing manual tasks, walking, sitting, standing, seeing, hearing, eating, breathing, speaking, sleeping, reproducing, working, learning, thinking, concentrating and interacting with others, as well as major bodily functions (i.e. endocrine, neurological, reproductive).

C. Substantially limits – unable to perform a major life activity that the average person can perform or being significantly restricted as to the condition, manner, or duration under which a major life activity can be undertaken.
D. Reasonable accommodation – any change in the work environment or in the way things are customarily done that would enable a qualified individual with a disability to enjoy equal employment opportunities, and access to public facilities, services and meetings.

E. Direct threat – a significant risk of substantial harm to the health or safety of others that cannot be eliminated or reduced by reasonable accommodations.

F. Essential functions – the fundamental job duties of the position that must be performed for the position to exist.

G. Undue hardship – an action requiring significant difficulty or expense when considered in light of factors such as an employer’s size, financial resources, and the nature and structure of its operation. The determination of undue hardship is always made on a case-by-case basis.

H. Qualified individual with a disability – an individual with a disability is qualified if (1) she/he satisfies the requisite skill, experience, education and other job related requirements of the position; and (2) she/he can perform the essential functions of the position, with or without reasonable accommodation.

V. PROCEDURES

A. Requests for reasonable accommodation

1. A request for reasonable accommodation is a statement that an individual needs an adjustment or change at work, in the application process, in a benefit or privilege of employment for a reason related to a medical condition, or access to buildings, services, etc. The reasonable accommodation process begins as soon as the request for accommodation is made.

A request does not have to use any special words, such as “reasonable accommodation” or “disability.” An individual with a disability may request a reasonable accommodation whenever she/he chooses, even if she/he has not previously disclosed the existence of a disability.

B. Hiring/Promotions

1. Applicants/employees will be asked questions regarding their ability to perform job-related functions. Interview questions will not be phrased in terms of a disability.

2. The City of Menasha will make reasonable accommodations on a case-by-case basis. The Human Resources Director will determine what constitutes a reasonable accommodation. The following guidelines have been established:
a. An applicant/employee who needs an accommodation in
the employment/promotion selection process shall request
the accommodation from the Human Resources
Department. The job application will include these
instructions so that an applicant/employee is aware of the
necessary steps.

b. An existing employee with a disability may request an
accommodation from his/her supervisor or the Human
Resources Department.

c. Individuals from the general public may request an
accommodation based on a qualifying disability.

3. All job descriptions have the essential functions of the job clearly listed
and a job analysis is completed for each position.

4. The City of Menasha will conduct a medical examination only after a job
offer has been made. The information received during medical examinations
will remain confidential. However, a supervisor may be told of a candidate’s
necessary restrictions and/or accommodations.

C. Public Services to Persons with Disabilities

1. The City of Menasha offers accessible public transportation as defined
under the ADA 49 CFR Parts 37 and 38. All Valley Transit buses
purchased after 1990 are equipped with required ADA accessibility
features as specified in 49 CFR Part 38, Subpart B. Such accessibility
features include, but are not limited to, wheelchair lifts, low floor bus
designs with ramps for wheelchair accessibility, and accessible bus stop
request signals. Also, for people with disabilities unable to use an
accessible bus, there is a certification process available where a person
may be determined to be eligible for complementary paratransit, as
defined under 49 CFR Part 37.

D. Complaint Procedure

1. Employees, customers, citizens or visitors may file an informal complaint
using the process outlined in the City of Menasha’s Anti-Harassment Policy
regarding discrimination based upon a disability. The policy may be obtained
from the City Human Resources Department.

2. Employees, customers, citizens, or visitors may also file a formal
complaint with the Equal Employment Opportunity Commission
(EEOC).

U.S. Equal Employment Opportunity Commission
1801 L Street, N.W.
E. Responsibilities

1. The Human Resources Department shall be responsible for:
   a. providing guidance, training, and assistance to department heads, supervisors and employees on dealing with reasonable accommodations within their areas of responsibility;
   b. investigating, resolving, and making findings and recommendations on complaints of discrimination based upon a disability;
   c. determining reasonable accommodations of an individual upon the recommendation of the contracted Occupational Health Care Provider;
   d. reviewing the job analysis of positions to determine the physical abilities required to perform the essential job functions;
   e. coordinating reasonable accommodations for test administration and interview processes.

2. Department Heads and Supervisors within the City of Menasha shall be responsible for:
   a. conducting job-related interviews with the assistance of a Human Resources representative;
   b. providing input to Human Resources regarding the essential functions of a job and how a reasonable accommodation may be implemented;
   c. educating staff members on the practices and procedures laid out in this policy.
   d. cooperating with and understanding the practices in this policy.
I. PURPOSE

All employees are responsible for assuring that the workplace is free from harassment. The purpose of this policy is to maintain a healthy work environment in which all individuals are treated with respect and dignity and to provide procedures for reporting, investigating, and resolving complaints of harassment and discrimination. Federal and State law provides for the protection of classes of persons based on race, color, sex, religion, age, disability, national origin and sexual orientation.

II. POLICY

It is the policy of the City of Menasha that all employees have the right to work in an environment free from all forms of harassment or hostile work environment. The City will not tolerate, condone, or allow harassment by employees, whether sworn (regular or reserve), civilian, volunteer or other non-employees, who conduct business with the City. Menasha considers harassment and discrimination or other forms to be serious employee misconduct. Therefore, the City shall take direct and immediate action to prevent such behavior, and to remedy all reported instances of harassment and discrimination. A violation of this policy can lead to discipline up to and including termination with repeated violations, even if “minor”, resulting in greater levels of discipline as appropriate. This policy applies to all employees, elected officials or appointed members of councils, boards, commissions, or committees, as well as all co-op students, outside vendors, contractors, volunteers, or any other person who has business with the City of Menasha.

III. DISCUSSION

Harassment is defined as: Unwelcome conduct, whether verbal, physical or visual, that is based on a person’s protected status as defined by law.

Sexual-harassment is a form of unlawful discrimination that undermines the integrity of the employment relationship. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment does not refer to IV occasional compliments or other generally acceptable social behavior. It refers instead to
behavior, which is unwelcome, personally offensive, undermining, or weakening to employee morale. Sexual harassment, therefore, interferes with work effectiveness.

IV. DEFINITIONS

1. Prohibited sexual harassment or discrimination includes, but is not limited to conduct, implicit or explicitly implied which constitutes:

(a) Unwelcome physical contact or gestures.

(b) Unwelcome sexually explicit language or gestures, including sexually degrading words used to describe an individual or sexually graphic or suggestive comments to or about an individual.

(c) Uninvited or unwanted sexual advances or requests for sexual favors.

(d) Making submission to, or rejections of, such conduct a factor in the employment decisions affecting the employee.

(e) Permitting such conduct to interfere with an employee’s work performance, or to create a hostile, intimidating, or offensive work environment.

(f) An offensive overall environment including the use of vulgar language, the presence of employee’s sexually-explicit photographs or other materials, and the telling of sexual stories.

(g) Ridiculing, mocking, deriding or belittling any other person.

(h) Any offensive or derogatory comments to any person, either directly or indirectly, based on race, color, sex, religion, disability, sexual orientation, or national origin. Such harassment is a prohibited form of discrimination under state and federal employment law and is also considered misconduct subject to disciplinary action by the City.

(i) Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of employment; or,

2. submission or acquiescence to such conduct by an employee is used as the basis for employment decisions affecting the employee; or,

3. such conduct has the purpose or effect of unreasonably interfering with an employee’s work performance or creating an intimidating, hostile or offensive working environment.
V. PROCEDURES

Harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual’s work performance, or that creates an intimidating, hostile, or offensive working environment by an employee, supervisor, manager, or any other person will not be tolerated. All supervisors, administrators and employees, as part of their job requirements, are responsible for preventing and eliminating harassment in their respective work areas. Each supervisor shall be responsible for taking all reasonable measures with the goal of preventing acts of harassment. This responsibility includes the following.

a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring;

b. Counseling all employees on the types of behavior prohibited; and the City’s procedures for reporting and resolving complaints of harassment;

c. Stopping any observation that may be considered harassment, and taking appropriate steps to intervene, whether or not the involved employees are within his/her line of supervision;

d. Taking immediate action to prevent retaliation towards the complaining party and to eliminate the hostile work environment where there has been a complaint of harassment, pending investigation, or any direct observation. If a situation requires separation of the parties, care should be taken to avoid actions that appear to punish a complainant. Transfer or reassignment of any of the parties involved should be voluntary, if possible and, if non-voluntary, should be temporary pending the outcome of the investigation.

e. Failing to carry out these responsibilities will be considered in any evaluation or promotional decisions and may be grounds for discipline.

Each supervisor has the responsibility to assist any employee of the City who comes to that supervisor with a complaint of harassment in documenting and filing a complaint with the Personnel Department.

Each employee of the City is responsible for assisting in the prevention of harassment through the following acts:

1. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;

2. Reporting acts of harassment to a supervisor; and,

3. Encouraging any employee who confides that he or she is being harassed or discriminated against to report these acts to a supervisor.
Failure of any employee to carry out the above responsibilities will be considered in any performance evaluation or promotional decision and maybe grounds for discipline.

2. Each employee, if such employee feels comfortable doing so, who believes that he or she has been the subject of sexual harassment or discrimination should promptly take the following steps:

   a. Firmly state to the person who is doing the harassing how you feel about his or her actions and request that the person ceases such behavior immediately.

   b. If the harassment continues or if you believe some employment consequences may result from your request that the action stop, report the matter as soon as possible to the Department Head, Personnel Director, Public Health Director, or the Mayor.

   c. Document all incidents of harassment in order to provide the fullest basis for the investigation.

   d. The supervisor to whom the incident is reported shall meet with the employee and document the incident(s) complained of, the persons performing or participating in the harassment, any witnesses to the incident(s), and any relevant date(s).

Any employee who believes that it is not practical to file a complaint directly with the City or any of the appropriate City officials may file a complaint with either:

1) State Equal Rights Agency
   819 North 6th Street
   Milwaukee, WI 53203
   (414) 227-4384

2) EEOC (Equal Employment Opportunity Commission)
   310 W. Wisconsin Avenue, Suite 800
   Milwaukee, WI 53203
   (414) 297-1111

If the employee exercises either of these options, a copy of the complaint must be filed with the City Attorney within 24 hours of filing of the complaint.

3. The Human Resources Director or designee shall be responsible for investigating any complaint alleging harassment. The Public Health Director will assist in the investigation at the request of either the complainant or the Human Resources Director.

   a. The internal investigative authority shall immediately notify the Mayor or Council President and the prosecutor’s office if the complaint contains
evidence of criminal activity such as battery or sexual assault or attempted assault.

b. The investigative authority shall determine whether the person is harassing other employees, and whether other employees participated in or encouraged the harassment.

c. The internal investigative authority shall inform the parties involved of the outcome of the investigation.

d. The Personnel Director and/or the Mayor shall maintain a file of harassment and discrimination complaints in a secure location. The Mayor shall be provided with an annual summary of these complaints.

It is the policy of the City to listen to all reasonable complaints, seek early corroboration, and quickly apply sanctions when appropriate. An investigation will be undertaken to determine the facts of the complaint. The investigation will include conferring with the parties and witnesses named by the complaining employee. Because of its sensitive nature, complaints of sexual harassment will be investigated with particular care and should remain, to the extent possible, confidential. There will be no retaliation against anyone who complains or serves as a witness during an investigation.

Complainants or employees accused of harassment may file a grievance/appeal in accordance with provisions of the Collective Bargaining Agreement or under the Personnel Policy Handbook.

This policy does not preclude any employee from filing a complaint or grievance with an appropriate outside agency, forum, or Court of law.

4. Retaliation against any employee for filing a harassment or discrimination complaint, or for assisting, testifying, or participating in the investigation of such a complaint, is illegal and is prohibited by the City and by State and Federal law.

Retaliation is a form of employee misconduct. Any evidence of retaliation shall be considered a separate violation of this policy and shall be handled by the same complaint procedures established for the harassment and discrimination complaints. Monitoring to ensure that retaliation does not occur is the responsibility of the Mayor, Department Heads, supervisors and the investigative authority.
After appropriate investigation, any employee found to have harassed another employee will be subject to appropriate disciplinary action, up to and including discharge.

The City recognizes that the question of whether a particular action or incident is a purely personal, social matter without a discriminatory affect requires a determination based on the facts of the incident. The City also recognizes that false accusations of harassment can have serious adverse effects. The City expects all employees to act honestly and responsibly in complying with and enforcing this policy. It is the City’s desire to continue providing a pleasant work environment free of harassment for all employees.
I. PURPOSE

The purpose of this policy is to clarify guidelines for employee conduct at work.

II. POLICY

All City of Menasha employees are expected to meet a standard of conduct appropriate to the reputation of the City. While at work employees are responsible to be aware of and abide by existing rules and regulations. It is also the responsibility of employees to perform their job duties to the best of their abilities and to the standards set forth in their job descriptions, or as otherwise established.

Employees, while on City property, while performing their duties throughout the City or representing the City elsewhere and in the conduct of their work, are expected to demonstrate proper regard for the standards of the community and to show respect for the law and for the rights of others. The behavior of employees while not at work or representing the City is for the individual to regulate. However, when illegal and/or inappropriate activity is engaged in which relate to an employee's job duties and/or which raise doubts as to the employee's ability to carry out his or her duties, the activity will be reviewed and appropriate action may be taken.

A. Expected Conduct

Employees are expected to conduct themselves in a positive manner in order to promote the best interests of the City. Employees who fail to meet expected conduct may be subject to disciplinary action. Examples of expected employee conduct include the following (this list is NOT intended to be all-inclusive).

1. Treating all citizens, visitors and co-workers with respect and in a courteous manner;
2. Refraining from conduct that is offensive;
3. Reporting to management suspicious, unethical or illegal conduct by co-workers, citizens or business associates of the City;
4. Cooperating with any City investigation;
5. Complying with all City safety and securing regulations;
6. Wearing clothing appropriate for the work being performed;  
7. Performing assigned tasks efficiently and in accord with established standards;  
8. Reporting to work punctually as scheduled and being at the proper work station, ready for work, at the assigned starting time;  
9. Giving proper advance notice whenever unable to work or report on time;  
10. Smoking only at times and in places not prohibited by City rules or local ordinances;  
11. Maintaining cleanliness and order in the workplace and work areas.

B. Attendance  
The City emphasizes good attendance. It is the policy of the City of Menasha to require regular, reliable and punctual attendance. Attendance is an essential requirement of every job. Frequent absence or tardiness places an extra burden on other employees. Only when all employees are dependably on the job can the City carry out its schedules providing services for residents and visitors and meeting the needs of citizens. Each individual's contribution is important to the functioning of the organization.

City departments are expected to use this policy as a minimum standard. Each department head has the authority to set higher expectations than those listed in this policy.

Employees who must be absent or late on any work day shall notify their supervisor using their departmental procedure. If an employee is absent due to accident, illness, or disability, management may request a release for the employee's return to work, signed by a licensed physician.

Absences covered by the state and/or federal Family Medical Leave Acts will be handled in compliance with the requirements of those laws.

Emergency Closing. Weather conditions which make traveling hazardous may prevent employees from getting to work or cause them to arrive late. If employees are unable to get to work or if they expect to be late, they will contact their supervisor as soon as possible. Employees are expected to make every reasonable effort to report to work.

If employees are told by management not to come to work, or if employees are told to come late or leave early due to an emergency situation, regular full-time employees shall be paid their regular pay for that day if they were scheduled to work that day. If an employee calls in before an emergency closing is declared and is given permission to take a paid leave day, that employee must use the paid leave time for that day. Regular part-time, seasonal and casual employees shall not be paid for emergency closing.

This policy shall not apply to employees in positions responsible for providing protective services, or support to protective services or for improving driving
conditions. Employees in such positions are expected, as a condition of their respective work, to adjust their arrival and departure in accordance with predicted conditions.

Tardiness. Employees are expected to arrive at work on time. Emergency conditions may warrant occasional tardiness. In these circumstances, an employee who anticipates being tardy due to the emergency conditions should call in to report the tardiness to their supervisor as soon as possible.

Two or more tardiness incidents occurring within a single pay period will be considered excessive and will generally result in disciplinary action. Habitual, repetitious, or patterns of tardiness may also result in disciplinary action.

Job Abandonment. Employees who are absent from work for two (2) consecutive days without giving proper notice to the City will be considered as having abandoned the job. At that time, the City will formally note the termination and advise the employee of the action by mail to the employee’s last known address.

Medical and Dental Appointments. Employees should avoid scheduling medical and dental appointments during working hours.

Volunteer work, charitable events, and job fairs. No employee may schedule or participate in any volunteer work, job fair, or other charitable event unless such participation is approved in advance in writing by the Department Head. In determining whether to approve such activity, the Department Head shall consider whether the event enhances the image of the City or the department and whether that participation creates a precedent, which places the City in a compromising situation.

Non-exempt employees will not be required or permitted to work any period of time before or after scheduled starting or quitting times for the purpose of making up time lost because of tardiness, unauthorized absence, or any other reason if it will result in overtime.

C. Employee Participation in Political Affairs

The City of Menasha respects the right of its employees and volunteers as individuals to become involved in and participate in the political process. While employees may volunteer their services for political purposes, such services must be rendered on their own time and at their own expense. Should an employee choose to speak on political issues, he/she must make it clear that the comments made are his/her own, and not of the City of Menasha. Solicitation of political support must not be done during City hours of operation or using City equipment (for example: collecting signatures for nomination during hours of operation on City premises).

D. Other Prohibited Conduct
Any conduct that interferes with operations, discredits the City, or is offensive to citizens or co-workers will not be tolerated. The following are examples of conduct that is strictly prohibited (this list is NOT intended to be all-inclusive). Employees engaged in it will be subject to discipline, up to and including discharge. At management’s discretion, any violation of City policy or any conduct considered inappropriate or unsatisfactory may subject an employee to discipline.

1. Incompetence or inefficiency in the performance of duties.

2. Theft or misappropriation of City or employee property or any form of dishonesty in performance of duties.

3. Insubordination, defined as an employee’s failure or refusal to recognize or submit to the authority of a supervisor, or open defiance of authority or resistance to control (i.e. refusing to obey instructions).

4. Fighting with, threatening, or intimidating the general public or other employees.

5. Use or possession of controlled substances or alcoholic beverages on City premises while on duty, or when expected to return to duty.

6. Reporting for work under the influence of controlled substances or alcoholic beverages.

7. Harassment of any employee because of race, color, religion, age, sex, national origin, handicap, ancestry, sexual orientation, marital status, or arrest or conviction record.

8. Leaving the job without permission.

9. Extending time on break period beyond 15 minutes.

10. Engaging in conduct or activities which may serve to lengthen the healing period for a work-related injury or illness.

11. Sleeping on the job.

12. Stealing, destroying, defacing, misusing or unauthorized use of City property or another employee’s or citizen’s property.

13. It is essential that no official or other City employee solicit or accept from any person, directly or indirectly, anything of value (i.e. money, property, favor, service, payment, advance, forbearance, loan, guarantee of loan or promise of future employment) if it could reasonably be expected to influence the actions or judgment of any employee, be perceived to give hope or expectation of receiving a favor or better treatment, be reasonably
considered a reward for any action or inaction on the part of the employee, or be utilized for personal use or gain.

14. Failure to promptly report defective equipment or safety hazard.

15. Failure to report injury or accident immediately.

16. Horseplay or violation of safety rules or procedures.

17. Possessing weapons or explosives of any type on City property without City authorization. This provision does not prohibit an employee, who is licensed under §175.60, Wis. Stats., as a condition of employment, from carrying a concealed weapon or ammunition or from storing a weapon or ammunition in the licensee’s own motor vehicle, regardless of whether that motor vehicle is used in the course of employment or whether the motor vehicle is driving or parked on property used by the City.

18. Substandard quality and/or quantity of work, including deliberate reduction of output.

19. Failure to complete reports promptly and accurately.

20. Discourteous treatment of the general public or co-workers or the use of profanity or threatening language.

21. Any activity which is not compatible with good public service.
CITY OF MENASHA POLICY

TITLE: DRUG FREE WORKPLACE

ISSUE DATE: Council Approval Date: SECTION:

POLICY SOURCE: Drug Free Workplace Act of 1988 (applies to direct recipients of federal grants and most federal contractors holding contracts under the Federal Acquisitions Regulations that exceed $100,000)

AUDIENCE: Employees, contractors, volunteers and interns

TOTAL PAGES: 2

Personnel Committee Approval Date: 4/2/2012

PURPOSE OF POLICY

This policy is intended to be consistent with and in compliance with the Drug Free Workplace Act of 1988.

POLICY

The City of Menasha certifies that it will maintain a drug-free workplace. Any individual who conducts business for the City, is applying for a position or is conducting business on the City’s property is covered by this drug-free workplace policy.

A. Notice to Employees. Employees of the City are hereby notified that the unlawful manufacture, distribution, dispensing, possession, being under the influence of, or use of a controlled substance by employees at the work place is prohibited.

If an employee commits a prohibited action, as stated above, the employee will be subject to penalties ranging from a written reprimand up to and including termination.

B. Drug-Free Awareness Program.

1. The City shall make available literature concerning the dangers of drug abuse in the work place.

2. Employees are notified that it is the City's policy to maintain a drug-free work place.

3. Employees are notified that the following are among the drug counseling and rehabilitation programs available in our area:

   Confidential Assistance Program (EAP), 515 S. Washburn, Suite 203, Oshkosh, (920) 232-1400; 1500 N. Casaloma, Suite 201(Fidelity bank building), Appleton, (920) 730-7515; 1-800-236-7605.

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Alcohol/Drug Program — St. Elizabeth Hospital, 1506 S. Oneida Street, Appleton, WI, (920) 738-2000.

Oasis Recovery Program — Mercy Medical Center, 500 S. Oakwood, Oshkosh, WI, (920) 223-2000.

Other programs are listed in the yellow pages under "Drug Abuse & Addiction—Information & Treatment Centers," and under "Alcoholism Information & Treatment Centers."

C. Copies to be Distributed. Employees and contractors who are engaged in the performance of any federal grant project shall be given a copy of these requirements.

D. Notification by Employees.

1. Employees are notified that they must abide by the terms of these requirements.

2. Employees are required to notify the City of any criminal drug statute conviction for a violation occurring in the work place no later than five days after such conviction.

E. Notification by the City. The City shall notify, within ten days, any federal agency that awarded any federal grant that a notification from an employee has been received as above or that the City has otherwise received actual notice of such conviction.

F. Actions Taken by the City after Notification. Within thirty days of receiving notice as stated above, with respect to any employee who is convicted as above, the City shall:

   1. Take appropriate personnel action against such an employee, up to and including termination; or

   2. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program as required by 41 U.S.C. §703.

G. Good Faith Effort. The City shall make a good faith effort to maintain a drug-free work place through implementation of the above policies.
I. PURPOSE

To better serve our citizens and give our workforce the best tools to do their jobs, the City of Menasha ("City") continues to adopt and make use of new means of communication and information exchange. This means that many of our employees have access to one or more forms of electronic media and services, including (but not limited to) computers, email, telephones, cellular telephones, voice mail, fax machines, external electronic bulletin boards, on-line services, the Internet, and the World Wide Web.

II. POLICY

The City of Menasha encourages the use of these media and associated services because they are valuable sources of information. However, all employees, and everyone connected with the City should remember that electronic media and services provided by the City are the sole property of the City of Menasha and their purpose is to facilitate and support City business. The City expects all electronic communication use to demonstrate the same level of ethical and professional manner as required in face-to-face or written communications. This policy cannot lay down rules to cover every possible situation; however, the purpose of this policy is to express the City’s philosophy and set forth general guidelines to ensure the proper use of the City of Menasha’s electronic communications. By adopting this policy, it is City’s intent to ensure the electronic communication systems are used to their maximum potential for business purpose and not used in a way that is disruptive, offensive to others, or contrary to the best interest of the City.

The City encourages the use of electronic communication to:

1. Communicate with fellow employees, citizens, elected officials, and other individuals regarding matters within an employee’s assigned duties;
2. Acquire information related to or designed to facilitate the performance of regular duties;
3. Facilitate performance of any task or project in a manner approved by an employee’s supervisor.
A. Access & Personal Use:

Each department supervisor shall determine which employee in their department shall have access to the various media and services, based on business practices and necessity. It is understood that the Police Department may need to have access to various websites that would otherwise be prohibited by this policy. The policy shall not prohibit the legitimate use of City computers or the access to websites used in conjunction with Law Enforcement activities. It is required that authority be given to any Police Officer needing to use City computers for legitimate law enforcement activities prior to that use. Such authority shall be given by a supervisory Lieutenant, the Operations Lieutenant, Investigations Lieutenant or the Chief of Police. Such authorizations shall be documented by the Supervisor and need not be reported to the information Technology Manager.

B. Chat Rooms:

Employees may not access and/or speak on behalf of the City of Menasha in news groups or chat rooms unless authorized by the department supervisor.

C. Hardware – Software Applications:

The City has established a platform of software and hardware that meets the needs of the department and the City. Therefore, employees are not allowed to add, modify or delete any hardware and/or software without the express consent of the systems administer. This includes any software packages, games, screensavers, etc. Violations of this provision will result in loss of electronic privileges, and/or discipline, up to termination of employment.

D. Personal Use:

The City allows limited, occasional use of incidental personal use of electronic communications systems during lunch and breaks, or immediately before or after normal business hours, subject to the following conditions and restrictions.

  Personal use must not:
  Involve any prohibited activity (see Prohibited Activities);
  Interfere with the productivity of the employee or his/her co-workers;
  Consume system resources or storage capacity on an on-going basis; or
  Involve large file transfers or otherwise deplete system resources available for business purposes.

E. Confidentiality/Public Record:

Use of email and/or the Internet does not ensure confidentiality. The City of Menasha has software that can monitor and record Internet use. Electronic mail falls within the definition of a public record and, as such, can be requested as an open record. Any information that is requested or sent by any employee is stored and can be retrieved,
even if the user denotes it as classified or personal in nature, or deletes the information at the site. Therefore, remember when utilizing electronic communications, there is not guaranteed right to privacy. Inappropriate, unprofessional, illegal activities, or confidential information should not be forwarded via email or the Internet. The City retains the right to enter the system, and the public has a right to request information off the system. Anyone receiving an electronic communication in error shall notify the sender immediately. The communication may be privileged, confidential and/or exempt from disclosure under applicable law. Such privilege and confidentially shall be respected.

F. Prohibited Activities:

As a condition of providing electronic access to City employees, the City of Menasha places certain restrictions on workplace use of email and the Internet. The following uses of electronic communication are strictly prohibited:

1. The creation, solicitation, and/or exchange messages or images that are offensive, harassing, disruptive, sexually oriented, defamatory, obscene or threatening. This includes offensive or harassing statements or language including disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religious or political beliefs. Discrimination and/or harassment over computerized systems will not be tolerated and constitutes a clear violation of City policy.

2. Vandalism is prohibited. This included, but is not limited to, any attempt to test, circumvent, harm or destroy the data of another user, the network, Internet, or any networks or sites connected to the City network. Attempts to breach security codes and/or passwords will also be considered a form of vandalism.

3. Engaging in illegal, fraudulent, or malicious activities.

4. Hacking or obtaining access to systems or accounts that an individual is not authorized to use.

5. Dissemination, copying, downloading or printing of copyrighted materials (including games, articles and software) in violation of copyright laws.

6. The creation and/or exchange of advertisements, solicitations, chain letter, gambling and other unsolicited email, or any activity in violation of local, state or federal law.

7. Operating a business, usurping business opportunities or soliciting money for personal gain, or searching for jobs outside of the City of Menasha.

8. Conducting stock market transactions or operating a stock ticker notice.

9. Registration to list servers without proper authorization. Participating in or establishing without administrator's permission any types of electronic bulletin boards, conferencing features, or chat rooms.

10. Willful destruction of computer hardware or software, or attempts to exceed or modify the parameters of the system is prohibited. Nothing in this policy shall prohibit the Network Administrator from intercepting and stopping email messages that have the capacity to overload the computer resources.

11. Messages should not be read or sent from another user's account except under properly delegated arrangements.
12. Sending, altering, reading, deleting, modifying, or copying a message belonging to another user without the permission of the originator, or attempting to hide the identity of the sender, is prohibited.

13. The continued usage and/or access to contents of email and/or the Internet when an employee terminates or is laid off from employment with the City.

14. NOTE: All City policies and procedures dealing with the privacy, misuse of City resources, sexual harassment, data security and confidentiality apply to all electronic communications usage. As laws and/or decisions regarding electronic communications change, the City reserves the right to change and/or add restrictions to email and Internet use.

G. Monitoring & Security:

The use of electronic communication is a tool for business communications, and users have the responsibility to use this resource in an efficient, effective, ethical and lawful manner. All uses of electronic communications are the sole property of the City of Menasha. The City of Menasha has the right to monitor any employee’s electronic communications for legitimate business reasons, including compliance with this policy and employee performance. The use of passwords is intended to keep unauthorized individuals from accessing messages stored on the system. The practice of using passwords should not lead employees to expect privacy with respect to messages sent or received. The use of passwords for security does not guarantee confidentiality.

H. Email Record Retention:

As a general rule, email is a public record whenever a paper message with the same content would be a public record. (See WI Stats. 19.32(2) for a definition of record.) The same rules apply with respect to record retention and disclosure as do with other City documents.

I. Components of an email record:

The email record is defined to include the message, the identities of the sender and all recipients, the date, and any nonarchived attachments to the email message. Any return receipt indicating the sender receiving the message is also considered to be part of the record.

J. Saving and Indexing Email records:

The Records Custodian of an email bears the responsibility for determining whether or not a particular email record is public record which should be saved and ensuring the record is properly indexed and retrieved for retention as a public record.

K. Public Access to Electronic Communications:

If a Department receives a request for release of an email, or other public record, the Records Custodian of the record shall determine if it is appropriate for public release, in whole or in part, pursuant to law, consulting the City Attorney’s office, if necessary.
As with other records, access to, or electronic copies of, disclosable records shall be provided within a reasonable time.

L. Disciplinary Action:

This policy is effective to all stand-alone units as well as units connected to the network and/or Internet. Employees who violate the provisions of the policy will have all user privileges revoked for themselves, and possibly other employees, regardless of the success or failure of the attempts. Disciplinary action for violation of the City of Menasha’s Electronic Information Systems Policy may be imposed up to and including discharge from employment. The nature of the violation may also be subject to civil liability and criminal prosecution. Payment will be required for damage necessitating the repair of replacement of equipment and/or software. Any employee who discovers a violation of this policy shall notify the Help Desk, who, in turn will notify the Department Head, or Human Resources Director or both. Any employee who inadvertently violates this policy shall immediately notify the Department Head who shall notify the Help desk.

M. Purchasing, Installation, and Testing

Any computer system, software, telecommunications, or other technology paid for by, or donated to the City of Menasha, or brought into the City of Menasha for use by a third party, intended for use on any workstation, or which intends to utilize the City’s network backbone as a carrier, or will interface in any manner with the City’s network, must be evaluated and approved by the Information Technology (IT) Manager prior to purchase, acceptable, use, or distribution with regard to current IT standards. Of greatest concern are those acquisitions or installation plans that involve devotion of large amounts of capital, broad distribution, or non-standard operating systems or protocols. These guidelines apply to all technology purchases or installations, regardless of funding sources. The Information Technology Manager reserves the right to remove any non-approved technology installation. Any approved technology will be installed by, or have the installation monitored by, the IT Manager. City Departments are advised they have no authority to disseminate information on the City’s technology installation to any outside party or vendor without prior approval of the IT Manager, as such dissemination presents the possibility of compromising network security. If a department needs to converse with a vendor concerning the possible implementation of new technology and such discourse requires details on the City’s technology setup, the department will arrange to have the IT Manager present during all contacts to provide the necessary information in such a manner as to not compromise security. The Information Technology Manager will attempt to do all testing of a new technology with regards to its effect on network or systems performance. Testing will either be performed in isolated test environments or during times of low network usage. If such testing will require downtime during normal production periods, the IT Manager will arrange suitable testing times with the affected department in advance.
N. Email Open Record Guideline

The general rule is that email is a public record whenever a paper message with the same content would be a public record. It is the message and not the medium that determines whether an item is a public record.

Each employee must decide whether or not an email that is either sent or received constitutes a public record. If and email is determined to be a public record, then it must be saved. If you have any doubt or question as to whether an email is or is not a public record, please contact the City Attorney’s office.

O. Electronic Communications & Information Technology Policy User Agreement

As an employee of the City of Menasha (the “City”), I recognize and understand that the City’s electronic information systems are provided for conducting the City’s business. However, City policy does permit some limited, occasional, or incidental use of the equipment and services under certain circumstances. I understand that all equipment, software, messages and files are the exclusive property of the City. I agree not to add, modify, or delete any hardware and/or software application without the authorization of the Information Technology Manager. I agree not to use the electronic information systems in a way that is disruptive, offensive, or harmful to others or to the city of Menasha. I agree not to use passwords, access a file, or retrieve any stored communication other than where authorized. I agree not to copy, send or receive confidential information without prior authorization from my immediate supervisor. I am aware that the City reserves and will exercise the right to review, audit, intercept, access and disclose all matters on the City’s electronic information systems at any time. I am aware that the City may exercise these rights with or without employees notice, and that such access may occur during or after working hours. I am aware that use of a log-in name and password do not guarantee confidentiality, guarantee privacy, or restrict the City’s right to access electronic communication or information systems. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment. I acknowledge that I have read and that I understand the City of Menasha’s policies regarding email, electronic communications, and acceptable software.

Printed name of employee

Signature of employee

Date

To be placed in employee’s personnel file.
I. PURPOSE

The Employee Assistance Program (EAP) provides highly CONFIDENTIAL professional assistance to employees and their families to resolve personal problems that may be interfering with job performance or personal well-being. Besides being confidential, the program is voluntary. It is designed to encourage employees to seek help on their own, however, the City may recommend EAP assistance.

The INITIAL ASSESSMENT is provided at no cost to the employee or their family through the consulting agency that has been selected by the City of Menasha. The cost of any additional therapy is governed by coverage provided by the City's group health insurance plan. Our current EAP provider is Confidential Assistance Program; 1-800-236-7605; Appleton office: Fidelity Bank Building, 1500 N. Casaloma, Suite 201, telephone 920-730-7515; Oshkosh office, 515 S. Washburn, Suite 203, telephone 920-232-1400.

The City believes its employees are its most valuable resource. The City recognizes that many personal problems that affect an employee or his or her family, including alcoholism, drug dependence, psychological disorders and others, can affect an employee's job performance. In most cases the employee can overcome personal problems independently, and adverse effects on job performance are negligible. For some employees, however, additional help may be necessary. Resolution of these situations may not be reached appropriately and efficiently unless the employee honestly faces his or her problems and an enlightened management supports the employee's efforts to reach a solution.

The City recognizes that balancing a job and other responsibilities frequently poses challenges that often require assistance. We are willing to work with our employees who are experiencing difficulties in an open, constructive atmosphere. The Human Resources Department and the EAP provide training for management personnel in early recognition of behavior or medical problems that adversely affect an employee's job performance and safety. The EAP does not, however, alter or replace any existing rights.
or responsibilities of the employee or the City, nor is it an alternative or substitute for disciplinary action.

The Employee Assistance Program (EAP) is intended to help the City retain valued employees by: providing assessment, referral, follow-up and monitoring for employees who are experiencing personal problems; assisting management personnel at all levels in determining whether a referral would be appropriate when an employee's performance declines or the employee has not responded to corrective discipline; assisting in the implementation and monitoring of the City's Alcohol/Drug Rehabilitation Program; assisting management in fitness-for-duty situations.
I. PURPOSE

The purpose of this policy is to support the purchase of recyclable, recycles, and/or environmentally preferred products in order to promote sustainability, generate less waste, and minimize environmental impacts related to the work and services provided by the City of Menasha. The City recognizes that municipal employees can make a difference in favor of environmental quality. The City of Menasha strongly recommends the purchase of environmentally preferable products whenever they perform satisfactorily and are available at a reasonably competitive price.

In so doing, the City shall:

A. Encourage waste prevention, recycling, market development and use of recycled/recyclable materials through lease agreements, contractual relationships and purchasing practices with vendors, contractors, businesses and other governmental agencies.

B. Adopt waste prevention, recycling and use of recycled supplies/materials as an City priority.

C. Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed.

D. Serve as a model for the region to influence waste prevention, recycling and procurement efforts.

II. POLICIES

A. All City of Menasha employees will specify recycled and environmentally preferable products whenever practical.

B. The City of Menasha shall solicit the use of recycled and other environmentally preferred products in its procurement documents as appropriate.
C. The City of Menasha's departments shall practice waste prevention whenever practical.

III. DEFINITION

"Recycling" means the process of collecting, sorting, cleansing, treating, and reconstituting materials that would otherwise become solid waste, and returning them to the economic mainstream in the form of raw material for new, reused, or reconstituted products which meet the quality standards necessary to be used in the marketplace.

"Waste Prevention" means any action undertaken by an individual or organization to eliminate or reduce the amount or toxicity of materials before they enter the municipal solid waste stream. This action is intended to conserve resources, promote efficiency, and reduce pollution.

"Environmentally Preferable Products" means products that have a lesser impact on human health and the environment when compared with competing products. This comparison may consider raw materials acquisition, production, manufacturing, packaging, distribution, reuse, operation and/or disposal of the product.

"Recycled Products" are products manufactured with waste material that has been recovered or diverted from the waste stream. Recycled material may be derived from post-consumer waste (material that has served its intended end-use and been discarded by a final consumer), industrial scrap, manufacturing waste and/or other waste that otherwise would not have been utilized.

"Practical" means sufficient in performance and reasonably available at a competitive cost within necessary timeframes.

IV. DISCUSSION

A. Procurement Practices

In cooperation with their customers, all City of Menasha departments shall at a minimum evaluate the following environmentally preferable product categories and purchase them whenever practical:

1. Printing and Writing Papers, including all imprinted letterhead paper, envelopes, copy paper and business cards. When practical, these shall contain a minimum of 30% post-consumer recycled content.

2. Paper Products, including janitorial supplies, shop towels, hand towels, facial tissue, toilet paper, seat covers, corrugated boxes, file boxes, hanging file folders and other products comprised largely of paper.

3. Remanufactured laser printer toner cartridges and remanufactured or refillable ink-jet cartridges.

4. Re-refined antifreeze, including on-site antifreeze recycling.
5. Re-refined lubricating and hydraulic oils.

6. Recycled plastic outdoor-wood substitutes, including plastic lumber, benches, fencing, signs and posts.

7. Recycled content construction, building and maintenance products, including plastic lumber, carpet, tiles and insulation.

8. Re-crushed cement concrete aggregate and asphalt.

9. Cement and asphalt concrete containing tire rubber, glass cullet, recycled fiber, plastic, fly ash or other alternative products.

10. Re-treaded tires and products made from recycled tire rubber including rubberized asphalt, playground surfaces and fatigue mats.

11. Compost, mulch, and other organics including recycled biosolid products.

12. Re-manufactured paint.

13. Other products that further the goals of this policy.

B. Waste Prevention Practices

City of Menasha personnel are encouraged to reduce their consumption of resources by incorporating the following practices into their daily activities. Consideration should be given to durability and repairability of products prior to purchase.

1. Conduct routine maintenance on products/equipment to increase their useful life.

2. Use duplex features on laser printers and copiers. Specify duplex on print jobs.

3. Create and use electronic letterhead for use by all City departments.

4. Send and store information electronically whenever possible. This includes e-mail, website, and electronic fax.

5. Review record retention policies and implement document imaging systems.

6. Other waste prevention practices that further the goals of this policy.

V. RESPONSIBILITIES OF ALL DEPARTMENTS

Each City department shall be responsible for the implementation of this policy and shall:

A. Practice waste prevention whenever possible.

B. Continue to utilize recycling programs and expand them where possible.

C. Procure recycled products whenever practical.
D. Develop, evaluate and maintain information about environmentally preferable and/or recycled products containing the maximum practical amount of recycled materials. Cross-feed information to other departments when potential use of a product exists.

E. Develop specifications used in public bidding aimed at eliminating barriers to recycled-content products, such as outdated or overly-stringent product specifications and specifications not related to product performance.

F. Ensure that procurement documents issued by City departments require environmental preferred alternatives whenever practical.

VI. RESPONSIBILITIES OF GENERAL SERVICES

General Services shall:

A. Maintain and use information, furnished by its customers, about environmentally preferable and recycled products containing the maximum practical amount of recycled materials and encourage City departments to purchase such products whenever possible.

B. Provide departments with vendor furnished information about recycled products and environmental procurement opportunities.

C. Inform vendors of the City’s Environmental Purchasing Policy.

D. Structure applicable contracts to offer and/or feature recycled-content products whenever possible, (e.g., office supplies, lubricating oils and janitorial supplies).

E. Encourage development of specifications used in public bidding aimed at eliminating barriers to recycled-content products, such as outdated or overly-stringent product specifications and specifications not related to product performance. All requests for proposals shall encourage vendors to offer recycled products whenever practical.

VII. EXEMPTION

Nothing in this policy shall be construed as requiring the purchase of products that do not perform adequately and/or are not reasonably available at a reasonable cost.
I. PURPOSE

A social networking presence has become a hallmark of vibrant and transparent communications. Social networking improves interactivity between city government and the public and it reaches populations that do not consume traditional media as frequently as others do. Therefore, it is important that the City of Menasha enhance its communications strategy using social networking.

These guidelines are established to:

1. Define the role that social networking will play in the city's communication strategy and ensure consistency among departments in its use.
2. Minimize security risks and impacts on IT infrastructure.
3. Identify staff roles in implementation of social networking strategy.
4. Ensure compliance with open records laws.

II. GUIDELINES

A. Implementation

Each department should have a clear communications strategy and should take the time to determine how social media fits into this strategy. Department heads should evaluate whether use of social media is appropriate. When a department decides to use social media to enhance its mission it should request approval through the Mayor's office. The Mayor's office will evaluate and approve requests for the creation of social networking sites at the department level.

Responsibilities of the IT Department will include:

1. Maintain a list of social media domains, active account logins and passwords.
2. Change passwords if employee is removed as administrator of the account.
3. Requests for usage of social networking sites should include the following checklist:
   4. Target audience
   5. Types of information department is attempting to communicate
6. Goals including total number of friends, comments per month, posts per month
7. Proposed responsible staff member
8. Training required

B. Goals, monitoring, and updating

Social networking sites are a resource to provide enhanced communications between the city of Menasha and citizens. Therefore, it is important that all sites are updated with relevant and useful information on a timely basis. Each department using social networking sites shall have specific goals regarding number of friends, monthly comments, and monthly posts. These goals shall be filed along with the original request for usage of social networking sites.

1. all sites shall be updated with new posts at least twice per month.
2. all sites shall be monitored on a daily basis.
3. e-mail notification of site comments will be sent to the site administrator.

A monthly report of site statistics will be presented for the it steering committee for review. Sites not reaching their goals have the potential to be removed.

C. Acceptable use

All use of social networking sites by the city of Menasha shall be consistent with applicable state, federal, and local laws, regulations, and policies including all IT security policies, records retention policies, and open records laws.

**Separate Personal and Professional Accounts:**
Employees should be mindful of blurring their personal and professional lives when administering social media sites.

**Personal Use:**
Employees are allowed to have personal social networking sites which should be clearly separate from their professional duties with the City of Menasha. City staff should follow the IT usage policy regarding use of City IT resources for personal use.

**Professional Use:**
Employees assigned to represent the city of Menasha shall establish a City social networking identity. All City related communication through social media outlets should remain professional in nature. Employees shall not use their professional social network identity for political campaigning, to conduct private commercial transactions, or to engage in private business activities. Third party applications need approval by IT prior to implementation. Employees should be mindful that inappropriate usage of social media can be grounds for disciplinary action.
Be Clear As To Identity:
When posting or creating social media accounts that require individual identification, employees should use their actual name. When a name is not required, use department name.

Terms of Service:
Employees assigned to represent the City of Menasha should be aware of the Terms of Service (TOS) of the particular form of media. Each form of social media has its own unique TOS that regulate how users interact using that particular form of media. Any employee using a form of social media on behalf of the City of Menasha should consult the most current TOS in order to avoid violations. If the TOS contradict City policy then the City attorney should be made aware and a decision should be made about whether use of such media is appropriate.

Content of Posts and Comments:
Employees using social media to communicate on behalf of the City of Menasha should be mindful that any statements made are on behalf of City government; therefore, employees should use discretion before posting or commenting; communications should include no form of profanity, obscenity, or copyright violations. Likewise, confidential or non-public information should not be shared.

The City reserves the right to delete submissions by the public that contain vulgar language, personal attacks of any kind, or offensive comments that target or disparage any ethnic, racial, or religious group. Further, the City also reserves the right to delete the following types of comments:

1. Contain spam, advertising or include links to other sites.
2. Clearly off topic, and/or disruptive.
3. Advocate illegal activity.
4. Promote unrelated outside services, products, or political organizations.
5. Infringe on copyrights or trademarks.

Posts and Comments Are Public Records:
Like e-mail, City communication via social networking Web sites is a public record. This means that both the posts of the employee administrator and any feedback by other employees or non-employees, including citizens, will become part of the public record. Because others might not be aware of the public records law, agencies should include the following statement (or some version of it) somewhere on the social networking site:

As a local governmental entity, the City of Menasha is subject to Wisconsin statutes relating to open records. Consequently any communication via this site (whether by a city staff member or the general public) may be subject to monitoring and disclosure to third parties upon request.
D. Security

From a security standpoint, agencies should be mindful of how to best prevent fraud or unauthorized access to either the social media site or the City’s IT infrastructure. Employees should be educated about specific social media threats before they are assigned to represent the City of Menasha on social media sites.

1. Individual user IDs and passwords should not be duplicated across multiple sites. In this way, if one site is compromised, the attacker cannot also gain access to other sites for which the user is authorized.
2. Privacy controls shall be set to defined levels to effectively protect against inadvertent disclosure of information and infection of City IT resources by unauthorized programs.

E. Records Management and Preservation

Communication through agency-related social media is considered a public record and will be managed as such.

1. All comments or posts made to state agency account walls or pages are public, not private.
2. Private messages received by account administrators should be treated as constituent e-mails and therefore, as public records.

F. Conclusion

Social media is an effective and efficient way for agencies to communicate with and participate in the larger community. It will continue to shape and support the way the City of Menasha communicates and collaborates with constituents. Each department using social networking sites as part of their communications strategy should adopt these tools and provide their employees support and guidance to use them productively and intelligently.
TO: Debbie Galeazzi, Clerk  
City of Menasha  
140 Main Street  
Menasha, WI 54952

FROM: Dena Mooney, County Planner

RE: Certified Survey Map Review – W7027 Verna Road (Parcel IDs 7464 and 7465), Menasha, WI

DATE: March 1, 2012

Enclosed is a copy of a certified survey map combining two parcels submitted to us by Martenson & Eisele, Inc. on behalf of Stephen Holschbach.

Once the City Plan Commission, Common Council or Community Development Department has reviewed the CSM, please complete the enclosed form and return it to me within forty-five (45) days so we are aware of the city’s decision.

Enclosures

cc: Greg Kelli
CERTIFIED SURVEY MAP (CSM) APPROVAL FORM

In order for Calumet County to accept an application for certified survey map (CSM) approval, the subdivider must first obtain approval from the appropriate town board and, where applicable, any city or village having extraterritorial plat approval jurisdiction.

As the subdivider, it is your responsibility to contact the local official(s) to place the CSM on any necessary agendas as an action item. Once a decision has been made regarding the CSM, have the local official (town chair, mayor, clerk, staff) complete the form. The completed form must be included with the CSM application submitted to the Calumet County Planning Department.

The ______________________ (Name of Municipality) has reviewed the CSM prepared for
on ______________________ (approval date) and has:

☐ approved
☐ approved with conditions (indicate conditions):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

☐ denied (indicate reasons for denial):

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Signature __________________________ Title __________________________ Date ____________

PLEASE RETURN THIS COMPLETED FORM TO:
CALUMET COUNTY PLANNING DEPARTMENT
206 COURT STREET
CHILTON, WI 53014-1198
CERTIFIED SURVEY MAP NO. __________

SURVEYOR'S CERTIFICATE

I, GARY A. ZARKER, LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND DIVIDED AT THE DIRECTION OF STEPHEN HOLSCBACH,

ALL OF LOTS 1 AND 3, BLOCK 4, STACKER PLAT, TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN,
CONTAINING 16,922 SQF [0.388 ACRES], SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF
RECORD.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND WITH THE TOWN
OF HARRISON AND CALUMET COUNTY SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING AND MAPPING THE
SAME.

THAT THIS CERTIFIED SURVEY MAP IS NOT A DIVISION OF PROPERTY BUT A COMBINING OF AND
DEPICTION OF THE PARCELS RECORDED IN J4116-61 AND J5498-25 INTO A SINGLE PARCEL AND
DESCRIPTION.

GIVEN UNDER MY HAND THIS 27TH DAY OF FEBRUARY, 2013.

[Signature]

GARY A. ZARKER
REG. WI LAND SURVEYOR 5-2093

THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE
FOLLOWING RECORDED INSTRUMENTS

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PROJECT NO. 1-0072-001

SHEET 2 OF 3
CERTIFIED SURVEY MAP NO. ______

OWNER CERTIFICATE
1. THE UNDERSIGNED, HEREBY CERTIFY THAT I CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED, DIVIDED, AND MAPPED ALL AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS _______ DAY OF ____________, 2012.

______________________________
STEPHEN L. HOLZBACH
STATE OF WISCONSIN

______________________________
COUNTY

PERSONALLY CAME BEFORE ME ON THE _______ DAY OF ____________, 2012, THE ABOVE OWNERS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY

MY COMMISSION EXPIRES ____________

TOWN APPROVAL:
APPROVED BY THE OF TOWN OF HARRISON, CALUMET COUNTY, WISCONSIN.

DATED THIS _______ DAY OF ____________, 2012

______________________________
TOWN CHAIRPERSON

______________________________
TOWN CLERK

TREASURER'S CERTIFICATE:
I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS SHOWN HEREIN.

______________________________  ________________________________
TOWN TREASURER        DATE                                   COUNTY TREASURER        DATE

CERTIFICATE OF PLANNING AGENCY:
Pursuant to the Land Subdivision Regulations of the County of Calumet, Wisconsin, all the requirements for approval have been fulfilled. This minor subdivision was approved by the Calumet County Planning and Zoning Committee on

THIS _______ DAY OF ____________, 2012.

______________________________  ________________________________
DIR., CALUMET COUNTY PLANNING DEPT.   CHAIRMAN, CALUMET COUNTY PLANNING & ZONING COMMITTEE

PROJECT NO. 1-0072-001
SHEET 3 OF 3
CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 4/2/12-4/12/12
  Checks # 33032-33167 $ 1,877,253.97

Payroll Checks for 4/4/12 158,828.20

  Total $ 2,036,082.17

Medical Expense Reimbursement Trust-Retirement Pay Out

Menasha Employees Credit Union-Employee Deductions

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.
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Page 5
## AP Check Register

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**Total: 1,711,270.67**
MEMO

To: Common Council

From: Debbie Galeazzi, City Clerk

Subject: Petition of Chuck Peterson, Tammy & Amara Hoffstatter

Date: April 12, 2012

Chuck Peterson, Tammy & Amara Hoffstatter have petitioned the Council to permit them to license and house more than the four dogs allowed by City Code Section 7-1-6(e). Section 7-1-6(e) requires the consent of 80% of the residents over eighteen years of age within 200 feet of the property line.

Also included with the petition is a letter submitted to the Clerk's office on April 9, 2012 from Alice Jean Boness in regard to this matter.
SEC. 7-1-6  RESTRICTIONS ON KEEPING OF DOGS, CATS, FOWL AND OTHER ANIMALS.

(a)  RESTRICTIONS. It shall be unlawful for any person within the City of Menasha to own, harbor or keep any dog or cat which:

(1) Habitually pursues any vehicle upon any public street, alley or highway in the City.
(2) Assists or attacks any person or destroys property.
(3) Is at large within the limits of the City.
(4) Habitually barks or howls to the annoyance of any person or persons. (See Sec. 7-1-12.)
(5) Kills, wounds or worries any domestic animal.
(6) Is known by such person to be infected with rabies or to have been bitten by an animal known to have been infected with rabies.
(7) In the case of a dog, is unlicensed.

(b)  VICIOUS DOGS AND ANIMALS.

(1) No vicious dog shall be allowed off the premises of its owner unless muzzled or on a leash in charge of the owner or a member of the owner’s immediate family over sixteen (16) years of age. For purposes of enforcing this Section, a dog shall be deemed as being of a vicious disposition if, within any twelve (12) month period it bites two (2) or more persons or inflicts serious injury to one (1) person in unprovoked circumstances off the owner’s premises. Any vicious dog which is found off the premises of its owner other than as hereinabove provided may be seized by any person and, upon delivery to the proper authorities, may, upon establishment to the satisfaction of a court of competent jurisdiction of the vicious character of said dog, by testimony under oath reduced to writing, be killed by the police authorities.

(2) No person shall harbor or permit to remain on his premises any animal that is habitually inclined toward attacking persons or animals, destroying property, barking excessively or making excessive noises or running after automobiles.

(3) “Off the premises” shall be defined as being outside of any secured enclosure or vehicle of the owner. It is intended by this section that any vicious dog shall be required to be chained, muzzled, or leashed even if on the private property of its owner unless it is inside a secured enclosure.

(c)  ANIMALS RUNNING AT LARGE.

(1) No person having in his possession or ownership any animal or fowl shall allow the same to run at large within the City. The owner of any animal, whether licensed or unlicensed, shall keep his animal tied or enclosed in a proper enclosure so as to not to allow said animal to interfere with the passing public or neighbors. Any animal running at large, unlicensed and required by state law or City Ordinance to be licensed shall be seized and impounded by a humane or law enforcement officer.

(2) A dog or cat shall not be considered to be running at large if it is on a leash and under control of a person physically able to control it.

(d)  OWNER’S LIABILITY FOR DAMAGE CAUSED BY DOGS; PENALTIES. Sections 174.02 and 174.12, Wis. Stats., are adopted by reference.

(e)  LIMITATIONS ON NUMBER OF DOGS AND CATS. The total combination number of dogs and cats per dwelling unit shall be limited to four (4). If such dwelling unit or family unit decides to have more than four (4) but no more than twelve (12) and does not decide to have a kennel license, in that event he or they must have the consent in writing of eighty percent (80%) of the residents over eighteen (18) years of age within two hundred (200) feet of the property line of the premises of the pets. The petition shall state the number of dogs and cats which shall be on the premises and shall be valid for two (2) license periods after the date of expiration. The petition shall be presented to the Common council for approval. The petition shall list the dogs or cats by name, specific breed and license number.
VIOLATIONS OF CONSTITUTE A PUBLIC NUISANCE

(1) Should any person be convicted of at least three violations of sec. 7-1-6(a) and (c) within a 24 month period, in addition to any other penalties, the City may take action to have any such dog or cat owned by such person to be declared a public nuisance.

(2) The Chief of Police or his designee shall notify the City Attorney by providing copies of convictions from a Court of competent jurisdiction that such owner has had three such convictions.

(3) Upon such notice from the Chief of Police, the City Attorney shall notify the dog owner that the City intends to declare the dog a public nuisance.

(4) A declaration that a dog is a public nuisance shall require that the owner of the dog euthanize the dog or to remove the dog from the City of Menasha. Removal of the dog shall be effective until such time as the Chief of Police or his/her designee shall determine that sufficient time has passed or that the dog shall have undergone sufficient training so as to avoid any further action in violation of sec. 7-1-6.

(5) Any challenge to the City’s declaration that a dog is a public nuisance shall be made in the Neenah-Menasha Municipal Court. The showing of three convictions in a 24 month period shall constitute prima facie evidence that the dog constitutes a public nuisance.
Hi we are Chuck Peterson, Tammy & Amara Hoffstatter we reside at 332 Eighth Street, Menasha, Wisconsin. We would like to ask if it would be okay that we have 5 dogs at our home. Chuck’s dog is Misty - Female - Black Lab - Age 5½ Years (Birth date 04/09/2006) - License number 12116, Tammy’s dogs are; Twinkle - Female - Wire Fox Terrier mixed with Yellow Lab (Looks like a baby Yellow Lab) - Age 8½ - (Birth Date 06/01/2003) - License number 12224, Zoë - Female - Chihuahua mixed with Rat Terrier - Age 8 - (Birth Date 12/11/2003) - License number 12225, Trinket - Female - Chihuahua - Age 3½ - (Birth Date 07/31/2008) - License number 12223, Zena - Female - Pug - Age 9 Months - (Birth Date 05/01/2011) - License number 12226.

If you agree that it is okay for us to have our 5 babies (Dogs), we would like to ask that you please sign this petition for us to keep our babies in Menasha, since we are over the allowed limit of 4 pets per dwelling unit. We need only the homeowner to sign please and thank you very much for allowing us to keep our babies!

SIGN
Erie Johnson

ADDRESS
330 Eighth St

DATE
2-18-12

Deb Wittman
313 8th St
2-18-12

Danielle Humlin
317 8th St
2-18-12

Suee Worden
331 6th
2-18-12

Jill Ricci
343 6th St
02.19.12

Camela Marrache
344 Eighth St 02-18-12

Lucy Darcy
351 Eighth St 2-15-12

Jodi Weig
344 8th St 2-15-12

Kodi
720 Carver Ln 2-18-12

Peterson/Hoffstatter
02/2012

RECEIVED
APR 02 2012

CITY OF MENASHA
BY_
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<th>Date</th>
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<td>720 Carver Lane</td>
<td>2/18/12</td>
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<tr>
<td>John</td>
<td>317 Lisbon Ave</td>
<td>2/18/12</td>
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<tr>
<td>Pat Scholar</td>
<td>321 Lisbon</td>
<td>2/18-12</td>
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<tr>
<td>John Scholar</td>
<td>341 Lisbon</td>
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<td>John</td>
<td>376 Lisbon</td>
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<tr>
<td>Charlie Tucker</td>
<td>332 Lisbon</td>
<td>2/18-12</td>
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<td>Eric Hall</td>
<td>345 Lisbon</td>
<td>2/18-12</td>
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<td>Janet Anderson</td>
<td>338 8th Street</td>
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<td>Grace House</td>
<td>316 8th St.</td>
<td>3-11-2012</td>
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<td>Off 8th</td>
<td>340 8th St.</td>
<td>3-11-2012</td>
</tr>
<tr>
<td>Sarah</td>
<td>724 Carver Ln</td>
<td>3-11-2012</td>
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<td>Nancy Helms</td>
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<td>Don Pufascio</td>
<td>329 Lisbon Ave</td>
<td>3-11-11</td>
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<tr>
<td>Kathy Joseph</td>
<td>326 Lisbon Ave</td>
<td>3-11-12</td>
</tr>
<tr>
<td>Gene Topper</td>
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My name is Alice Jean Bress.

I live at 336 8th St. Menasha.

My neighbor who lives at 332 8th St. Menasha has 5 dogs.

City rules for Menasha is 4 dogs or cats and a kennel license.

The neighbors do not have a kennel license to have the dogs.

Tammy Hoffstatter moved in 3 years ago with 4 dogs.

Charles Peterson (chick) owns the house who has 1 dog named (Missy).

Tammy - Charles would just open the back door and the dogs would be out side loose and in neighbors yards doing their duty and both Tammy and Charles would think nothing of it.

My yard was one of the yards that they would do there duty, in this would happen a lot.

Sometimes the yard would be cleaned up, and other times not.

Tammy has a dog name Zookie who is brown-white dog, medium size who barks all of the time and slips its collar and muzzle and would and still does, go after anything.

Zookie more than once.
the 3 years that Tammy has lived here.
went after my dog, who was tied and either laying in my backyard or on the back porch.

Zookie when she came after my dog the hair Zookie would be up - Zookie would be barking - growling - teeth showing both Tammy and Charles were out when this happened and would do nothing about it. Till i would call the police.

Police came took report - Police told both Tammy & Charles, the dogs have to be tied, ok the dogs were tied for a little while, and then it would start all over again - dogs loose, doing there duty in the neighbors yards again - again mine was one of them.

And again Zookie went after my dog again who was tied and in her own yard.

Zookie went after my dog 4 times in the 3 years that Tammy has lived here.

There is barking at all hours of the day and nite, when they are home over.
and when they are not.

Tammy went around with a petition to have the neighbors sign, so she can keep the dogs, but she did not tell anyone about the dogs being loose doing their duties in neighbors yards or tell anyone about Zookie going after my dog!

She also did not tell anyone that they did not clean up after the dogs either all the time.

I know for a fact that she was not honest - because a couple of the neighbors questioned me about what was going on; I told them the truth.

When all of this was going on there were witnesses, who saw all of this happen.

There is a Police Report and I did talk to the Mayor - and to Mark Langdon and also to Stan who is also an older man.

If everyone has to keep their animals tied or fenced in and have to have a Kennel License if they have 4 dogs, how come we
Tammy and Charles don't have to do any of this or obey the law??

Tammy also lied to the police about her parents— they live in Neenah. Tammy more than once said that Zook went after the neighbor's dog. She also said that her dogs had to stay outside when she lived with her parents.

Charles also lied about me feeding the dogs. When Missy would come over and hit the back door, she would want to come in and get a treat and drink water. She never got a treat unless Charles was asked and he would say, sure or he did not care. There were witnesses when this would take place also.

Thank you for reading this. I hope the right thing will be done.

Thank you. Alice Jean Boess
Tammy S. Hoffstatter
Mom & Dad
Address
William - Beyer
1134 Michael
Avenue, Neenah

RECEIVED
APR 9 2012
CITY OF MENASHA
BY
Incident Report

Incident Summary
Incident Type: ANIMAL CALLS
Inc Occurred Address: 332 EIGHTH ST, MENASHA, WISCONSIN 54952
Inc Occurred Start: 09/21/2011 19:08
Inc Occurred End: 09/21/2011 19:28
Domestic: N
Bias Motivation: Gang Related: U
Substance: U
Other Agency:
Reporting Officer: OLESZAK, NICK
Primary Assigned Officer:
Case Status: CLOSED
Clearance: CLOSED WITH WARNING
Jurisdiction:

Offenses
Statute Code: 7-1-6(C)(1)
Statute Desc: ANIMALS RUNNING AT LARGE
Counts: 1
Statute Severity:
Enhancers:

Officers
Event Association
Emp#  Badge#  Name  Squad#
PRIMARY REPORTING OFFICER  59  59  OLESZAK, NICK

Persons Involved
Person# 0001
MNI: 126318
Event Association: REPORTING PERSON
Name: BONESS, ALICE JEAN J
DOB: Phone Type 1: Phone Type 2:
Age: Phone# 1: Phone# 2:
Sex: Ext 1:
Race: Ext 2:
Height: Eye Color:
Weight: Hair Color:
Occupation: Employer/School:

Person(s) Address(es)
Address: HOME ADDRESS, 332 EIGHTH ST, MENASHA, WISCONSIN 54952

Person# 0002
MNI: 193171
Event Association: WARNED
Name: HOFFSTATTER, TAMMY J
DOB: Phone Type 1: Phone Type 2:
Age: Phone# 1: Phone# 2:
Sex: Ext 1:
Race: Ext 2:
Height: Eye Color:
Weight: Hair Color:
Occupation: Employer/School:

Received
APR 09 2012
CITY OF MENASHA
BY
Narratives
ENTERED DATE/TIME: 9/21/2011 21:44:18
NARRATIVE TYPE: SUMMARY NARRATIVE
SUBJECT: SUMMARY
AUTHOR: OLESZAK, NICK

REP called the MEPD to report that her neighbor's dog ran across property boundary and growled at her dog which was tied up in the back yard. REP said this has been ongoing and she would like party warned for allowing her dog(s) to create trouble. Warned party was advised she needed to prevent her dog from running next door. REP party advised warned party complained of her dog barking too much. Both parties advised to refrain from actions that would be cause for this for that complaints.
**Incident Report**

**Incident Number:** MP12-000169

**Incident Summary**
- **Incident Type:** ANIMAL CALLS
- **Inc Occurred Address:** 338 EIGHTH ST, MENASHA, WISCONSIN 54952
- **Inc Occurred Start:** 01/18/2012 17:06
- **Inc Occurred End:** 01/18/2012 17:06
- **Report Type:** INCIDENT
- **Sector/Beat:** 21/WE04
- **Report Taken:**
- **Domestic:** N
- **Blas Motivation:** Gang Related: U
- **Substance:** U
- **Other Agency:**
- **Reporting Officer:** KNOWLTON, DALLAS
- **Primary Assigned Officer:** CSO, CSO
- **Case Status:** Clearance: ADULT SUMMONS/CITATION
- **Clearance Date/Time:** 01/24/2012 13:11
- **Jurisdiction:**

**Offenses**
- **Statute Code:** 7-1-1(a)
- **Statute Desc:** DOG OR CAT LICENSE REQUIRED
- **Counts:** 1
- **Statute Severity:** Enhancers:

**Officers**
- PRIMARY REPORTING OFFICER
  - Emp# 74
  - Badge# 74
  - Name KNOWLTON, DALLAS
- PRIMARY ASSIGNED OFFICER
  - Emp#
  - Badge#
  - Name
- Squad#

**Associated Events**
- **Association:** ARREST TO INCIDENT
- **Event Type:** ARREST
- **Event #:** MP12-000169
- **Event Date (Start):** 01/24/2012 00:00:00
- **Event Date (End):** 01/18/2012 17:06:00
- **Agency:** MP

**List of Attachments**
- **Type:** STATEMENTS
- **Report ID:** 01/23/2012 00:00
- **Report Date:** 01/23/2012 00:00
- **Report Summary:** Alice Jean Boness - 1 page
- **Type:** OTHER
- **Report ID:** 04/02/2012 00:00
- **Report Date:** 04/02/2012 00:00
- **Report Summary:** E-mail from DEBBIE GALEAZZI to E48

**Persons Involved**
- **Person #:** 0001
- **MNI:** 128316
- **Event Association:** REPORTING PERSON
- **Contact Date/Time:** 01/18/2012 17:06
- **Name:** BONESS, ALICE J
- **DOB:**
- **Age:**
- **Sex:**
- **Race:** 1
- **Height:**
- **Weight:**
- **Eye Color:**
- **Hair Color:**

**Person address(es)**
- **Address:** 338 EIGHTH ST, MENASHA, WISCONSIN 54952

**RECEIVED**

**APR 09 2012**

**CITY OF MENASHA**

**BY:**
Incident Report

Persons Involved

Person# 0002  MNI: 193171  Contact Date/Time: 01/18/2012 17:08

Event Association: WARNED

Name: HOFFSTATTER, TAMMY J

DOB:  Age:  Sex:  Race:
Height:  Weight:  Eye Color:
Phone Type 1: CELL  Phone# 1:  Ext 1:
Phone Type 2: CELL  Phone# 2:  Ext 2:

Occupation:  Employer/School:

Person address(es)

Address: 332 EIGHTH ST, MENASHA, WISCONSIN 54952

Person Offenses

Statute Code: 174.042(1)(A)  Enhancers:
Statute Desc: DOG RUNNING AT LARGE
Counts: 1
Statute Code: 7-1-1(a)  Enhancers:
Statute Desc: DOG OR CAT LICENSE REQUIRED
Counts: 1

Person# 0003  MNI: 162902  Contact Date/Time: 01/18/2012 17:08

Event Association: DEFENDANT

Name: PETERSON, CHARLES R

DOB:  Age:  Sex:  Race:
Height:  Weight:  Eye Color:
Phone Type 1: CELL  Phone# 1:  Ext 1:
Phone Type 2:  Phone# 2:  Ext 2:

Occupation:  Employer/School:

Person address(es)

Address: 332 EIGHTH ST, MENASHA, WISCONSIN 54952

Person Offenses

Statute Code: 174.042(1)(A)  Enhancers:
Statute Desc: DOG RUNNING AT LARGE
Counts: 1
Statute Code: 7-1-1(a)  Enhancers:
Statute Desc: DOG OR CAT LICENSE REQUIRED
Counts: 1
Narratives

ENTERED DATE/TIME: 1/18/2012 20:24:07
NARRATIVE TYPE: SUMMARY NARRATIVE
SUBJECT: SUMMARY
AUTHOR: KNOWLTON, DALLAS

On 01-18-2012 I was dispatched to 338 Eighth Street for a dog running at large.

________________________

ENTERED DATE/TIME: 1/18/2012 20:32:00
NARRATIVE TYPE: INITIAL NARRATIVE
SUBJECT: E74 DICTATION
AUTHOR: KNOWLTON, DALLAS

On Wednesday January 18, 2012 I was dispatched to 338 Eighth Street for an animal complaint.

Upon arrival I made contact with the R/P

ALICE JEAN BONES

who had been luring from the residence at 332 Eighth over to her yard in the adjacent lot at 338 Eighth and some of the dogs had been defecating in the yard and stated the neighbors had not been cleaning it up. ALICE stated she was previously friends with the neighbors but in the last year had stopped watching their dogs and had asked them several times to keep the dogs from running around in her yard, ALICE asked that I talk with her neighbors and ask them to keep the dogs from coming into her yard and also advised me there are five dogs at the residence. One of the dogs which belonged to the owner of the residence,

CHARLES R. PETERSON

and that the other four dogs belong to his girlfriend

TAMMY J. HOFFSTATTER

I then went over to the residence at 332 Eighth Street and was able to make contact with TAMMY. I explained to
TAMMY that her neighbor had complained about her dogs running into her yard and I asked TAMMY if the dogs were still in the house to which she stated yes, except for one dog, MISTY a Lab, who was with the currently owner CHARLES who had left the residence. TAMMY was however able to give me a rabies tag for each dog:

1) TWINKE with rabies vaccination number 5817
2) ZENA six month old puppy with current rabies vaccination number 8137
3) ZOE with a current rabies vaccination number of 5818
4) TRINKET with a rabies vaccination number of 5816.

I was not able to neither get a rabies vaccination number nor license number for MISTY because the dog was not there. I also was not able to verify that at the Police Department because the system is currently down.

TAMMY, however, was not able to present valid City of Menasha Dog Licenses for the four dogs currently at the residence. I told TAMMY that I would give her two weeks to get valid City of Menasha Dog Licenses for TWINKE, ZENA, ZOE and TRINKET and I would check on the other dog, MISTY, to see if it had a current license.

I was able to speak to CHARLES over the phone and did inform him that the neighbor called and complained this dog was running into his yard and advised CHARLES over the phone and TAMMY while she was standing in the living room that they needed to keep their dogs on a leash and ensure that the dogs don't go into the neighbor's yard. I then asked TAMMY and CHARLES if they had any further questions to which they stated, no.

Follow up should consist of a CSO checking back on or after February 1, 2012 to ensure that TAMMY has proper City of Menasha Dog Licenses for her four dogs and CHARLES PETERSON also has a valid City of Menasha Dog License for his dog as well.

No further information.

alo

ENTERED DATE/TIME: 1/20/2012 12:00:48
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E97 DICTATION
AUTHOR: GROESCHEL, JENNY

TAMMY came into the lobby to show proof that she got her 4 dogs licensed. A copy of her receipts are attached. TAMMY told me that CHARLES will be bringing in proof that he got his dog licensed. I did talk to TAMMY about the city ordinance that limits a homeowner to having only 4 dogs and she told me that she did talk to the officer and told them that ZENA was not actually her dog, but her parents, BILL and SANDY BEYER who live somewhere up north some where. TAMMY did not know their address or even a general area where they lived.
The dogs TAMMY got licensed are TWINKE, ZOE, TRINKIT and ZENA.

Follow-up consists of waiting for CHARLES to bring in proof that he got his dog licensed.

JG

ENTERED DATE/TIME: 1/22/2012 11:51:05
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E80 DICTATION
AUTHOR: HEIDEMANN, DENTON

On 01/22/12, at approximately 10:00 a.m., I was dispatched to 336 Eighth St. to talk with the R/P about another incident that took place earlier this morning.

ALICE stated that early this morning, CHARLES, her neighbor at 332 Eighth St. opened up the back door allowing MITSY, the Black Lab to exit the house unleashed. MISTY then ran into ALICE's back yard and proceeded to defecate. ALICE stated that CHARLES is no longer home as he went to work and will not be back until late tonight. I informed ALICE that I would have a CSO follow-up with CHARLES on a later date regarding an incident that took place this morning.

A follow-up will consist of a CSO making contact with either TAMMY or CHARLES at 332 Eighth St. in reference to the alleged Animal Running at Large Complaint that took place this morning. I should be noted that both TAMMY and CHARLES still have until 02/01/12 to have one of the five dogs at the residence removed, and have the remaining four licensed though the City of Menasha.

No further information at this time.

sb

ENTERED DATE/TIME: 1/24/2012 08:45:54
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E64 DICTATION
AUTHOR: SCHRAMPFER, MARTIN

On 01/24/12, at approximately 8:00 a.m., I was dispatched back over to 336 Eighth St. to meet with

ALICE J. BONESS

RECEIVED
APR 9 2012
CITY OF MENASHA
regarding this ongoing dog problem.

Upon my arrival, ALICE invited me to her residence, where she advised that a short time ago, the owner of the dogs next door, a

CHARLES R. PETERSON

had opened up his back door, let the Black Lab out of the house, and did not tie it up or supervise it. ALICE states the Black Lab ran into her yard, where it did urinate and defecate near the back corner of her storage shed. The dog then ran up onto porch, where she told it to go home, and the dog ran back over to 332 Eighth St., where it was let back into the residence. ALICE indicated that she is very fed-up with this and wants the matter addressed. I did explain to her the progression of steps that are taken in this type of situation, and that we would take appropriate action at this time.

Prior to arriving at the residence, I was briefed over the phone by PSP BEYER on the status of this complaint, and the fact that Warnings had already been recently issued about the dogs Running at Large. I did walk into the back yard area, where I was able to verify based on the footprints in the fresh snow and slush, that a dog had run from 332 Eighth St. into the back yard of 336 Eighth St. into an area there was animal urine and feces, and there were footprints in the snow leading back to the shoveled back patio area of 332 Eighth St.; everything consistent with what ALICE had described to me. As I was finishing making these observations, a male subject came out of the back door from 332 Eighth St. and he was identified as,

CHARLES R. PETERSON

CHARLES did admit to me verbally that he let the Black Lab out this morning, he gave a couple different excuses as to why it wasn’t placed on a leash or kept under control, but ultimately, he did admit as the fact that the dog did go into the neighbor’s yard, and he knew it wasn’t suppose to. I did obtain his identification from him, and requested that CHARLES go back into his residence, and I would be with him shortly, that I needed to do some paperwork in my squad. I did go out to my car, where I started to complete a Municipal Citation to CHARLES for Animal Running at Large. I was partially through the Citation, when CHARLES approached my squad and spoke with me. He advised that he would like me to also inform ALICE that she should stop trying to feed his dogs and doing things that would lure them into her yard. I did advise CHARLES that I would pass that message along; however, as he started to walk back across the street towards his residence, ALICE came out on her front porch, and the two of them started yelling at each other. I had to exit my squad and advise both of the individuals to stop creating a disturbance, ultimately Warning both of them that Disorderly Conduct Tickets would be issued if they continue to yell at each other. At this point, ALICE went back into her residence, CHARLES went back over by his house and eventually came back out by my squad as I was completing the Citation. The Citation was issued to CHARLES and explained to him, and he stated he understood. At this
point, CHARLES was released and I cleared the scene.

No further information.

sb

ENTERED DATE/TIME: 2/8/2012 18:22:25
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E80 DICTATION
AUTHOR: HEIDEMANN, DENTON

On February 8, 2012 at approximately 3:00pm I spoke with TAMMY over the phone regarding the issue of the fifth dog. TAMMY explained to me that the fifth dog known as ZENA was just given to her daughter a couple of months back by her father, who has now passed away. I informed TAMMY that she has the right to appeal the ordinance with City Council and informed her how to do so. TAMMY informed me that she would go and talk with City Hall and would keep us updated on the situation.

Further follow up will consist of a CSO checking with TAMMY on the status of the appeal, if she has not contacted us previously.

alo

ENTERED DATE/TIME: 2/16/2012 10:38:23
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E80 DICTATION
AUTHOR: HEIDEMANN, DENTON

On 02/16/12, at approximately 8:15 a.m., in doing follow-up to this complaint, I was able to locate a License for the Black Lab known as MISTY. License #12116 with Rabies Expiring: 01/10/13.

Further follow-up will consist of a CSO checking up on the status of TAMMY's Appeal Process to have more than 4 dogs in one household.

No further information at this time.

sb

ENTERED DATE/TIME: 2/21/2012 23:17:06

RECEIVED
APR 09 2012
CITY OF MENASHA
BY
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E80 DICTATION
AUTHOR: HEIDEMANN, DENTON

On February 21, 2012 at approximately 12:00 p.m., I spoke with TAMMY over the telephone regarding the status of her appeal process. TAMMY stated that she has already gone down to City Hall, got the necessary paperwork and is in the process of getting signatures at this time. She stated that she has approximately 50% of the signatures needed so far and as soon as she has the signatures, she will be going down to City Hall to schedule a meeting with the City Council.

Follow-up will consist of a CSO checking on the status of the appeal process within a week or two.

dk

ENTERED DATE/TIME: 4/2/2012 18:21:08
NARRATIVE TYPE: SUPPLEMENTAL NARRATIVE
SUBJECT: E48 DICTATION
AUTHOR: POLZIEN, JOSEPH

On today's date I received an e-mail from the City Clerk stating that CHUCK & TAMMY have filed their petition with them to allow for special permit in regards to the number of animals they may have at their property. Also, per that e-mail the City Clerk will be forwarded it to the City Council on April 17, 2012.

During the City Council meeting it will be determined whether or not a special permit will be issued to CHUCK and TAMMY in regards to the number of pets.

I have also attached a copy of the e-mail to the CSO report.

No further follow up or documentation at that time.

a/o
MEMO

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Crazy Buffet Inc, 1550 Appleton Road

Date: April 12, 2012

An application for a Class B Fermented Malt Beverage and Class C Wine for the 2011-2012 liquor licensing year has been submitted by Crazy Buffet Inc, 1550 Appleton Road.

The Police Dept. has done background checks on Yan Chai Chen, the member of the LLC and agent and find no reason to deny a license. The Fire Department, Health Department and Building Inspectors have inspected the property and have no reason to hold up their liquor license approval. All financial obligations to the City are current.
ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning ____________, 2012

April 18
June 30

TO THE GOVERNING BODY of the:

□ Town of
□ Village of
MENASHA

City of

County of WIXNEBAGO

Aldermanic Dist. No. ____________

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):

Crazy Buffet Inc.

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, by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

President/Member ____________
Vice President/Member ____________
Secretary/Member ____________
Treasurer/Member ____________

Agent ____________

3. Trade Name □ Crazy Buffet

4. Address of Premises □ 1550 Appleton Rd

Business Phone Number 920-776-1688

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 employee 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 applicant only: Insert state and date of registration.

(b) Is the 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 manager/employee or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? □ Yes □ No

(Repeat for name of any other alcohol beverage license or permit in Wisconsin above)

9. Premises description: Describe buildings or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sale, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

COOLERS ON MAIN FLOOR

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?

12. Does the applicant understand they must file a Special Occupational Tax return (17B form 530.34) before beginning business? ☐ 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? (Check one) ☐ Yes ☐ No

14. Does the applicant understand they must purchase alcohol beverages only from Wisconsin wholesalers, distributors and brewpubs? ☐ 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 in accordance to law and that the rights and responsibilities conferred by the license(s), if granted, will 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 the 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

deferred 27th
day of March 2012

Deborah A. Hallica

My commission expires 8/15/12

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk: 3/21/12

Data reported to controller: __________________________

Date provisional license issued: __________________________

License number issued: __________________________

Signature of Clerk/Deputy Clerk: __________________________

Wisconsin Department of Revenue

AT-103 (R. 1-12)
AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) (first name) (middle name)
chen Yan Chai

Home Address (streethouse) Post: Office City State Zip Code
1701 Wisconsin Ave New Holstein WI

Home Phone Number Age Date of Birth Place of Birth
c

The above named individual provides the following information as a person who is (check one):

☐ Applying for an alcohol beverage license as an individual.

☐ A member of a partnership which is making application for an alcohol beverage license.

☐ Member of Crazy Buffet Inc (name of corporation, limited liability company or nonprofit organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 2 years

2. Have you ever been convicted of any offenses (other than traffic unrelated to alcoholic beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ................. Yes ☐ No ☐

If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcoholic beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ................. Yes ☐ No ☐

If yes, describe status of charges pending.

4. Do you hold, are you making an application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ................. Yes ☐ No ☐

If yes, identify:

(Name, Location and Type of License/Permit)

5. Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/whisky permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ................. Yes ☐ No ☐

If yes, identify:

(Name of Wholesale Licensee or Permitee) (Annotate By City and County)

6. Named individual must list in chronological order last two employers.

<table>
<thead>
<tr>
<th>Employer's Name</th>
<th>Employer's Address</th>
<th>Employee From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Golden China Buffet</td>
<td>1701 Wisconsin New Holstein</td>
<td>11/11/10</td>
<td>Current</td>
</tr>
</tbody>
</table>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me this day of March, 2012.

Deborah A. Galeazzi (Commissioner of Revenue)

My commission expires

Printed on Recycled Paper
Wisconsin Department of Revenue
SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT
ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: [ ] Town [ ] Village of Menasha [ ] City County of Winnebago

The undersigned duly authorized officer(s)/members/managers of Crazy Buffet Inc (registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Crazy Buffet

located at 1550 Appleton Road, Menasha, WI

appoints Yan Chai Chen

(name of appointed agent)

1701 Wisconsin Ave, New Holstein, WI

(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

[ ] Yes [ ] No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? [ ] Yes [ ] No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 2 years

Place of residence last year 1701 Wisconsin Ave, New Holstein

For: Crazy Buffet Inc

(name of corporation/organization/limited liability company)

By: Yan Chai Chen

(signature of Officer/Member/Manager)

And:

(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

Yan Chai Chen (point type agent's name), hereby accept this appointment as agent for the corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Yan Chai Chen

(signature of agent)

1701 Wisconsin Ave, New Holstein, WI

(home address of agent)

Agent's age:

Date of birth:

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 4/9/12 by Ronald Bouchard

(title)

(signature of proper local official)

Wisconsin Department of Revenue

TOWN HALL
MEMO

To: Common Council

From: Debbie Galeazzi, Clerk

Subject: Change of Agent for The Bar on Lake Park LLC

Date: April 12, 2012

A change of agent from Jeffrey Neely to Kevin L. Somers has been requested by the Bar on Lake Park LLC, d/b/a Sliders Bar & Grill, 890 Lake Park Road, Menasha. Mr. Neely is no longer employed by the Bar on Lake Park LLC. All proper paperwork has been filed with the Clerk's office. A check of municipal and state criminal records on Mr. Somers was completed by Lt. Bouchard. Based on the information received, Lt. Bouchard has no objection to the new agent appointment.
SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: [ ] Village of Menasha [ ] City of Menasha

The undersigned duly authorized officer(s)/members/managers of The Bier on Lake Park, LLC (registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Sliders Bier & Grill (trade name)

located at 890 Lake Park Rd, Menasha, WI 54952

appoints Kevin L. Somers (name of appointed agent)

307 S. Pine St, Kimberly, WI 54136 (home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin? [ ] Yes [ ] No

If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? [ ] Yes [ ] No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 29 yrs.

Place of residence last year: 307 S. Pine St, Kimberly, WI 54136

For: The Bier on Lake Park, LLC (name of corporation/organization/limited liability company)

By: [signature of officer/member/manager]

And: [signature of officer/member/manager]

ACCEPTANCE BY AGENT

I, Kevin L. Somers, hereby accept this appointment as agent for the corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Kevin L. Somers (signature of agent) 3-6-2012 (date) 307 S. Pine St, Kimberly, WI 54136 (home address of agent)

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY

(Clark cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on 4/6/12 by Lt. Ronald Borchard (signature of proper/authorized official)

[ ] Title L-T Police

(Clerk, village president, police chief)
AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

<table>
<thead>
<tr>
<th>Individual's Full Name (please print)</th>
<th>(first name)</th>
<th>(middle name)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Somers Kevin Lee</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Home Address (directions)</th>
<th>Post Office</th>
<th>City</th>
<th>State</th>
<th>Zip Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>307 S. Pine St.</td>
<td></td>
<td>Kimberly</td>
<td>WI</td>
<td>54136</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Home Phone Number</th>
<th>Age</th>
<th>Date of Birth</th>
<th>Place of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The above named individual provides the following information as a person who is (check one):
- [ ] Applying for an alcohol beverage license as an individual.
- [x] A member of a partnership which is making application for an alcohol beverage license.

[Name or corporation, limited liability company or nonprofit organization]

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

1. How long have you continuously resided in Wisconsin prior to this date? 29 yrs.

2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? [ ] Yes [x] No

If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)

3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? [ ] Yes [x] No

If yes, describe status of charges pending.

4. Do you hold, or are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? [ ] Yes [x] No

If yes, identify.

5. Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale bear permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? [ ] Yes [x] No

If yes, identify.

6. Named individual must list in chronological order last two employers.

<table>
<thead>
<tr>
<th>Employer's Name</th>
<th>Employer's Address</th>
<th>Employed From</th>
<th>To</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perkins</td>
<td>1680 Appleton Rd Menasha</td>
<td>March 2009</td>
<td>Sept 2009</td>
</tr>
</tbody>
</table>

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

[Signature] JENNIFER L. ALLISON

(Printed Name) NOTARY PUBLIC

(State Of Wisconsin) Printed on Prescribed Paper
RESOLUTION R-8-12
RESOLUTION CONTINUING APPROPRIATIONS

Introduced by Alderman Klein

WHEREAS, it is desirous and necessary for the City of Menasha to continue some 2011 Appropriations into 2012 to finance ongoing projects,

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

<table>
<thead>
<tr>
<th>A/C #</th>
<th>ACCOUNT NAME</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>100-0204-512</td>
<td>ELECTIONS</td>
<td>$16,000</td>
</tr>
<tr>
<td>100-0304-562</td>
<td>COMMUNITY DEVELOPMENT</td>
<td>10,500</td>
</tr>
<tr>
<td>100-0401-513</td>
<td>COMPTROLLER/TREASURER</td>
<td>6,000</td>
</tr>
<tr>
<td>100-0601-551</td>
<td>PUBLIC LIBRARY</td>
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<td>100-0704-552</td>
<td>SWIMMING POOL</td>
<td>23,000</td>
</tr>
<tr>
<td>100-0801-521</td>
<td>POLICE DEPARTMENT</td>
<td>225,500</td>
</tr>
<tr>
<td>100-0901-515</td>
<td>EMPLOYEES' SAFETY COMMITTEE</td>
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**TOTAL** $479,525

Passed and approved this ___ day of __________, 2012

--------------------------------------------------------------------------------
Donald Merkes, Mayor

Attest:

--------------------------------------------------------------------------------
Deborah A. Galeazzi, City Clerk
### EXPLANATION OF CONTINUING APPROPRIATIONS
From 2011 into 2012

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**TOTAL** $479,525
Memorandum

DATE: April 12, 2012

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works

RE: Additional Item for Continuing Appropriations Resolution R-8-12

The Continuing Appropriations Resolution introduced at the April 2, 2012 Administration Committee meeting did not include the Paris Street/Manitowoc Street Reconstruction Project which was intended to be partially funded with a budget carryover. This was clearly stated in the 2012 Budget, but I omitted this carryover when Comptroller Stoffel requested carryover items for the Administration Committee meeting.

The proposed amount in the Budget for carryover was $148,000, but further refinement of our proposed 2012 street work allows us to sufficiently fund the project with a $100,000 carryover amount. I request the inclusion of this project in R-8-12.
RESOLUTION R-9-12

RESOLUTION TRANSFERRING/APPROPRIATING FUNDS

Introduced by Alderman Klein

WHEREAS, it is necessary for the City of Menasha to transfer funds to cover 2011 Budget overdrafts and to appropriate revenues received but not budgeted,

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

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$764,799.16
FROM:
100-432-1300 STATE AID - OTHER $ 83,000.00
100-0201-512 CITY ATTORNEY 29,000.00
100-0304-562 COMMUNITY DEVELOPMENT 58,000.00
100-0401-513 COMPTROLLER/TREASURER 30,500.00
100-0501-522 FIRE DEPARTMENT 74,500.00
100-0401-533 RESTHAVEN CEMETERY 7,500.00
100-0702-552 RECREATION DEPARTMENT 18,000.00
100-0703-552 PARKS DEPARTMENT 53,000.00
100-0801-521 POLICE DEPARTMENT 105,500.00
100-0803-521 COMMUNITY SERVICE OFFICER 7,500.00
100-0805-521 JAIL/PRISONER MEAL CHARGE 4,000.00
100-0914-531 IMMUNIZATION GRANT 74,500.00
100-1001-541 ENGINEERING 82,000.00
100-1003-541 STREET CONSTRUCTION 90,000.00
100-1008-541 STREET SIGNS/MARKINGS 18,500.00
100-1009-541 SIDEWALKS AND CROSSWALKS 12,299.16
100-1013-541 PARKING LOTS 6,500.00
100-1018-543 WEED CUTTING 10,500.00

$764,799.16

Passed and approved this ___ day of __________, 2012

-------------------------------------------------------------

Donald Merkes, Mayor

Attest:

-------------------------------------------------------------

Deborah A. Galeazzi, City Clerk

FISCAL NOTE: This resolution is only to cover those individual accounts which exceeded their budgeted amount or to appropriate revenues received but not budgeted for in the General Fund.

The General Fund, in its entirety, had Revenues in excess of Expenditures of approximately $200,000 for 2011.

Thomas Stoffel, City Comptroller/Treasurer
RESOLUTION R-10-12

A RESOLUTION TO APPLY FOR MATCHING GRANT FUNDS FOR ACQUISITION OF PARK LAND THROUGH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES.

Introduced by Ald. Langdon

WHEREAS, the City of Menasha believes in the importance of providing sufficient open space and recreation facilities to all its residents; and

WHEREAS, the acquisition of park land near the east boundary of the city’s growth area is documented in the City’s Open Space and Recreation Facilities Plan; and

WHEREAS, this plan has previously been recommended and approved by the Menasha Park and Recreation Board and Common Council; and

WHEREAS, this park land acquisition is supported by current residents in the area and will encourage future residential development in the vicinity; and

WHEREAS, the City of Menasha has funding in place representing the required 50% matching portion of the grant; and

WHEREAS, the City of Menasha will comply with State or Federal rules for the programs to the general public during reasonable hours consistent with the type of facility; and will obtain from the State of Wisconsin Department of Natural Resources or the National Park Service approval in writing before any change is made in the use of the project site.

NOW, THEREFORE BE IT RESOLVED that Brian Tungate, Department of Parks and Recreation Director, is authorized to act on the behalf of the City of Menasha to:

- Submit an application to the State Department of Natural Resources for any financial aid that may be available;
- Submit reimbursement claims along with necessary supporting documentation within 6 months of the project completion date;
- Submit signed documents; and,
- Take necessary action to undertake, direct and complete the approved Project.

Passed and approved this _______ day of __________ , 2012.

________________________________________
Donald J. Merkes, Mayor

ATTEST:
________________________________________
Deborah A. Galeazzi, City Clerk
RESOLUTION R-11-12

FINAL RESOLUTION AUTHORIZING PUBLIC IMPROVEMENTS AND LEVYING SPECIAL ASSESSMENTS AGAINST BENEFITED PROPERTY.

Introduced by Alderman Taylor.

WHEREAS, the Common Council of the City of Menasha, Wisconsin, held a Public Hearing at the Council Chambers in the City Hall at 6:00 p.m. on April 17, 2012, for the purpose of hearing all interested persons regarding the listed improvements in the following area:

A. Improvements
   1. 4" Asphalt Pavement
   2. Concrete Curb and Gutter
   3. Various Associated Items

B. Location of Improvements
   1. Kelly Lake Drive
      Kernan Avenue from Woodland Hills Drive to 100 feet south of Kelly Lake Drive

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Menasha as follows:

1. That the report of the Board of Public Works pertaining to the construction of the described public improvements, including plans and specifications, is, therefore and hereby, reaffirmed.

2. That payment for said improvements be made by assessing the applicable costs to the property benefited as indicated in said report.

3. The schedule of assessments made under the police power, and the amount assessed against each parcel, are true and correct and are hereby confirmed.

4. That the assessment for all projects included on said report is a single assessment.

5. That the assessment against any parcel shall be paid in accordance with Section 3-2-14 of the Menasha Municipal Code.

6. The City Clerk is directed to publish this resolution in the Official Newspaper of the City.

7. The Clerk is further directed to mail a copy of this resolution to every property owner whose name appears on the assessment roll and whose post office address is known or can, with diligence, be ascertained.

Passed and approved this 17th day of April, 2012.

__________________________________
Donald Merkes, Mayor

ATTEST:

__________________________________
Deborah A. Galeazzi, City Clerk
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<th>OWNERS ADDRESS</th>
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<td>Frederick A. Neuburger, Kathleen A. Neuburger</td>
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<td>Christopher J. Schaefer</td>
<td>909 Koman Avenue</td>
<td>Lot 14</td>
<td>4th Asphalt Pavement</td>
<td>$28.00</td>
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<td>Concrete Curb &amp; Gutter</td>
<td>Engineering, Admin, Etc.</td>
<td>$4.50</td>
<td>173.56</td>
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<td>869 Koman Avenue</td>
<td>Bruce A. Campazik</td>
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<td>7-00700-20</td>
<td>857 Koman Avenue</td>
<td>Joseph F. Fioresi V</td>
<td>857 Koman Avenue</td>
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<td>Elizabeth D. Vaudry</td>
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<td>as Lot 1 CSM 3101</td>
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<td>PARCEL ID</td>
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<td>OWNERS ADDRESS</td>
<td>LEGAL DESCRIPTION</td>
<td>ASSESSABLE ITEMS</td>
<td>ESTIMATED UNIT COST</td>
<td>FRONT FOOTAGE LUMP SUM</td>
<td>TOTAL ASSESSMENTS</td>
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<td>7-00700-16</td>
<td>866 Hansen Avenue Manasota, WI 54912</td>
<td>Woodland Developments LLC</td>
<td>N319 Breezewood Drive Appleton, WI 54915</td>
<td>Woodland Hills Lot 18 including that part of Lot 18 as described in Doc #20114 Column 8 R.O.D.</td>
<td>4&quot; Asphalt Paverement Concrete Curb &amp; Gutter Engineering, Admin, Etc.</td>
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<td>7-00700-73</td>
<td>Hansen Avenue Manasota, WI 54912</td>
<td>Robert Weberg</td>
<td>W1950 Five Mile North Mequon, WI 54146</td>
<td>Woodland Hills That part of Lot 15 as described in Doc #20746 Column 8 R.O.D.</td>
<td>4&quot; Asphalt Paverement Concrete Curb &amp; Gutter Engineering, Admin, Etc.</td>
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<td>847 Hansen Avenue Manasota, WI 54912</td>
<td>Woodland Developments LLC</td>
<td>N319 Breezewood Drive Appleton, WI 54915</td>
<td>Woodland Hills Lot 19 also known as Lot 2 CSM 3160</td>
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<td>825 Hansen Avenue Manasota, WI 54912</td>
<td>Brad C. Rusnak, Nancy L. Dunne</td>
<td>W174 Ewi Ct. Kaukauna, WI 54130</td>
<td>Woodland Hills Lot 19 also known as Lot 2 CSM 3160</td>
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<td>Nancy Eldred</td>
<td>2450 Kelly Lake Drive Manasota, WI 54912</td>
<td>Woodland Hills Lot 1 of CSM #26176 rec as Doc #131109 Column 8 R.O.D. sec 17 T29N R18E, also that part described in Doc #20519 Column 8 R.O.D.</td>
<td>4&quot; Asphalt Paverement Concrete Curb &amp; Gutter Engineering, Admin, Etc.</td>
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<td>Woodland Developments LLC</td>
<td>N319 Breezewood Drive Appleton, WI 54915</td>
<td>Woodland Hills Lot 17 as described therein CSM #2505 rec as Doc #231019 Column 8 R.O.D.</td>
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<td>William A. Fitzpatrick, Margaret D. Fitzpatrick</td>
<td>2453 Kelly Lake Drive Manasota, WI 54912</td>
<td>Woodland Hills Lot 2 of CSM #26176 rec as Doc #131109 Column 8 R.O.D. sec 17 T29N R18E, also that part described in Doc #20519 Column 8 R.O.D.</td>
<td>4&quot; Asphalt Paverement Concrete Curb &amp; Gutter Engineering, Admin, Etc.</td>
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<td>Richard L. Crum, Pamela A. Crum</td>
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<td>Woodland Hills Lot 2 of CSM #26176 rec as Doc #131109 Column 8 R.O.D. sec 17 T29N R18E</td>
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<td>Richard L. Crum, Pamela A. Crum</td>
<td>2459 Kelly Lake Drive Manasota, WI 54912</td>
<td>Woodland Hills Lot 2 of CSM #26176 rec as Doc #131109 Column 8 R.O.D. sec 17 T29N R18E</td>
<td>4&quot; Asphalt Paverement Concrete Curb &amp; Gutter Engineering, Admin, Etc.</td>
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