

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

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday January 5, 2009**

6:00 PM

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
 - 1. Proposed ordinance to amend the City of Menasha Year 2030 Comprehensive Plan
 - 2. Special Use Permit Application of Commonwealth Development Corporation for parcel #4-783-2 (Terrace Avenue extended)
 - 3. Special Use Permit Application of the Veterans of Foreign Wars(VFW) for 546 3rd St.
 - 4. Rezoning of a portion of #4-762 (St. John's Polish Cemetery, Valley Road, Outlot 2)
- 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. Mary Bach – Housing Program
 - 2. Mayor Merkes & C/T Stoffel – State Trust Fund Exemption Requirement
 - 3. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. Administration Committee, 12/15/08
 - b. Board of Public Works, 12/15/08
 - c. Board of Health, 11/12/08
 - d. NM Sewerage Commission, 11/25/08
 - e. Public Works & Parks Safety Committee, 11/18/08
 - f. IT Steering Committee, 12/17/08
 - g. Sustainability Board, 12/16/08
 - h. NM Fire Rescue Joint Finance & Personnel, 12/16/08
 - i. Plan Commission, 12/16/08
 - j. Water & Light Commission Regular Meeting, 11/19/08, 12/17/08
 - k. Water & Light Commission Special Meeting, 11/7/08, 11/13/08, 12/1/08
 - l. Water & Light Commission Closed Session, 12/1/08

"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 24-hours in advance of the meeting for the City to arrange special accommodations."

Communications:

- m. Mayor Takagi, Maebashi Japan to Mayor Merkes, 11/18/08; Junior High Student's Exchange Program
- n. Menasha Utilities Steam Plant Financials, 11/30/08
- o. Menasha Utilities, The Wire Newsletter
- p. WisDNR to Mayor Merkes, 12/18/08; Lower Fox River Total Maximum Daily Load.
- q. PRD Tungate, 12/19/08; Landscape Improvements Along The Friendship Trail

G. CONSENT AGENDA

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

Minutes to approve:

- 1. Common Council, 12/15/08

Administration Committee, 12/15/08 – Recommends Approval of:

- 2. Division of Public Health Contract Agreement #16617, Jan. 1-Dec. 31, 2009, and authorize signature.
- 3. Amendment to Listing Contract with Bomier Properties Inc., Province Terrace and Midway Business Park.

Board of Public Works, 12/15/08 – Recommends Approval of:

- 4. Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; ADD: \$2,500.00 (Change Order No. 3)
- 5. Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; DEDUCT: \$46,702.11 (Change Order No. 4)
- 6. Payment – Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \$212,047.00 (Payment No. 7)
- 7. Payment – DeGroot, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01C; Sanitary Sewer Replacement: \$10,393.62 (Payment No. 2 and Final)
- 8. Payment – Infrastructure Technologies, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3, Contract No. E145-07-01D; Sanitary Manhole Lining; \$45,873.92 (Payment No. 9)

Plan Commission, 10/21/08 – Recommends Approval of:

- 9. Plan Commission Resolution 04-2008 recommending changes to the Comprehensive Plan, with the following changes:
 - a. Add Comprehensive Plan Ordinance adoption date.
 - b. Add a reference regarding the reference map.

G. CONSENT AGENDA, Cont'd.

Plan Commission, 12/16/08 – Recommends Approval of:

10. Special Use Permit for Commonwealth Development with the following conditions:
 - a. That the following plans are submitted for approval by July 31, 2009:
 - 1) Lighting/photometrics, 2) Landscaping/paving/parking, 3) Erosion Control, 4) Stormwater Management, 5) Grading/Drainage, 6) Building Elevations, 7) Dumpster Enclosure detail, 8) Any other materials as requested by staff for site plan review, 9) A Payment In Lieu of Taxes (PILOT) agreement
 - b. That the owner study the addition of a second access point and review fire access to all buildings with the fire department.
11. Special Use Permit for 546 Third Street with the following conditions:
 - a. The Appleton Street terrace, except for point of ingress and egress, is restored to grass with a minimum of three street trees to be planted. The curb must be replaced and specially assessed at the time of road reconstruction.
 - b. A minimum six-foot landscaped front setback must be added to the Appleton Street frontage.
 - c. The handicap stall must be moved to the west side of the parking lot.
12. Rezoning of Outlot 2 of CSM 6330 from R-1 Single Family Residential to I-1 Industrial contingent on the approval of the proposed land use plan amendment and with the following findings:
 - a. The proposed use is consistent with surrounding land uses;
 - b. That the change in land use was not anticipated at the time of plan adoption.

IT Steering Committee, 12/17/08 – Recommends Approval of:

13. Enter into an agreement with Common Sense Solutions LLC for consulting services for 2009 and authorize signatures.
14. Proposal from Avastone Technologies LLC to provide Website transfer and modifications and authorize signatures

N-M Fire Rescue, Finance and Personnel Committee, 11/17/08–Recommends Approval of:

15. Ratification of Collective bargaining Agreement Extension – NMFR Local 275
1/1/09-12/31/10

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ORDINANCES AND RESOLUTIONS

1. O-22-08 An Ordinance Relating to Post Construction Storm Water Management
2. O-23-08 Ordinance Relating to Public Sites and Open Spaces (Recommended by the Parks and Recreation Board, introduced by Ald. Taylor and Wisneski)
3. O-24-08 Ordinance Relating to Rezoning Notices (Recommended by the Plan Commission, introduced by Ald. Benner)
4. O-1-09 An Ordinance Amending The City of Menasha Comprehensive Plan
5. O-3-09 An Ordinance Amending Title 13 by Making Certain Changes in the District (St. John's Polish Cemetery (part), Valley Road)
6. R-23-08 A Resolution Establishing the Equivalent Runoff Unit (ERU) Charge for the Storm Water Utility

J. ACTION ITEMS

1. Accounts Payable and Payroll for the term 12/18/08-12/31/08 in the amount of \$696,836.05

K. APPOINTMENTS

L. CLAIMS AGAINST THE CITY

M. HELD OVER BUSINESS

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

O. ADJOURNMENT

MEETING NOTICE

**Monday, January 19, 2009 - Council Chambers
Common Council – 6:00 p.m.
Administration Committee – to be determined
Board of Public Works – to be determined**

Joint Meeting and Public Hearing Notice
Ordinance to Amend the City of Menasha Year 2030 Comprehensive Plan

PLEASE TAKE NOTICE THAT the City of Menasha Common Council and Plan Commission will conduct a joint meeting and public hearing on a proposed ordinance to amend the *City of Menasha Year 2030 Comprehensive Plan*. The joint meeting and public hearing will be held on January 5, 2009, at 6:00 p.m. at the Menasha City Hall, Council Chambers, 140 Main Street.

The proposed amendment to the *City of Menasha Year 2030 Comprehensive Plan* and amendment adoption ordinance will be available for review beginning November 17, 2008 at the City Hall and the Menasha Public Library. The plan can also be accessed via the internet at www.cityofmenasha-wi.gov (October Plan Commission meeting). Residents are encouraged to review the amendment and submit verbal and/or written comments at the public hearing. Please contact Jessica Beckendorf, Associate Planner at jbeckend@ci.menasha.wi.us or 920.967.3650 for more information. Written comments will also be accepted by the City at any time before the public hearing and should be sent to the Deborah Galeazzi, City Clerk, at dgaleazz@ci.menasha.wi.us or 920-967-3600.

Publish: Dec. 4, 2008

CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of Menasha Common Council on the Special Use Permit Application of Commonwealth Development Corporation for parcel #4-783-2, City of Menasha, Winnebago County, Wisconsin. Commonwealth Development Corporation has applied for a special use permit to construct a Senior Independent Residential Housing Complex. The property is zoned C-3 Business and Office and requires a special use permit to allow this type of use. All interested persons objecting to or supporting the Special Use Permit are invited to attend the public hearing.

Date of Hearing: Monday, January 5, 2009 Time of Hearing: 6:00 p.m.

Place of Hearing: City Hall Council Chambers, 140 Main Street, Menasha, WI 54952-3190

Deborah A. Galeazzi
City Clerk

Publish: Dec. 22 & 29, 2008

CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of Menasha Common Council on the Special Use Permit Application of the Veterans of Foreign Wars (VFW) for parcel #1-331, City of Menasha, Winnebago County, Wisconsin. The VFW has applied for a special use permit to use an existing nonconforming property as office space. The property is zoned C-1 General Commercial and requires a special use permit for any improvements and/or expansions. All interested persons objecting to or supporting the Special Use Permit are invited to attend the public hearing.

Date of Hearing: Monday, January 5, 2009 Time of Hearing: 6:00 p.m.

Place of Hearing: City Hall Council Chambers, 140 Main Street, Menasha, WI 54952-3190

Deborah A. Galeazzi
City Clerk

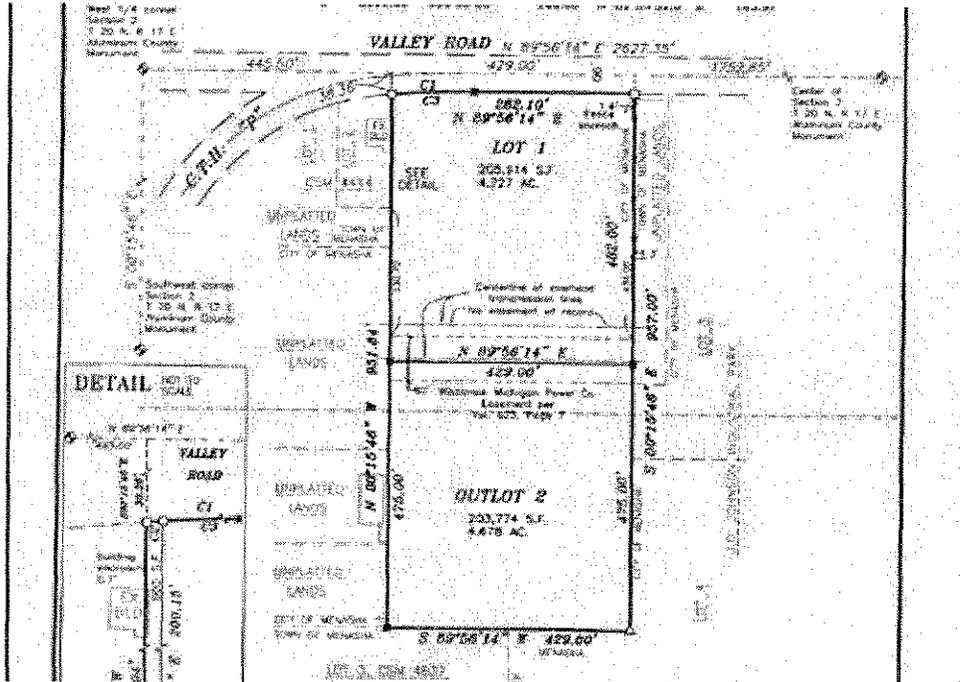
Publish: Dec. 22 & 29, 2008

CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of Menasha Common Council on the rezoning of a portion of parcel #4-762 (St John's Polish Cemetery, Valley Road as shown as Outlot 2 on the following map) from R-1 Single Family Residential to I-1 Industrial.

Date of Hearing: Monday, January 5, 2009 Time of Hearing: 6:00 p.m.

Place of Hearing: City Hall Council Chambers, 140 Main Street, Menasha, WI 54952-3190



Deborah A. Galeazzi
City Clerk

Publish: Dec 22 & 29, 2008

Jeffrey S. Brandt

From: Carol Wirth [cawirth@wipublicfinance.com]
Sent: Tuesday, December 30, 2008 12:43 PM
To: Jeffrey S. Brandt; Thomas Stoffel; Don Merkes
Subject: State Trust Fund Letter for Exemption

Hello Jeff and Tom,

Attached is a letter I drafted regarding the request for an exemption to the \$5 million loan limit, which is the first step in the process. Feel free to edit as you desire. As you will see, I have included information about the purpose, the current credit market impact and the significance of the exemption to the City as a financing option. I have inserted the figure of \$21 million in this request. This is a rounded total of the City's unused borrowing capacity at December 31, 2008 of \$7,196,510 and the \$13,930,000 of G.O Debt outstanding. This first step of requesting an exemption does not commit the City to borrow any funds. Instead, it is providing a financing option for the City to consider for refinancing either the outstanding general obligation or revenue debt. It is callable every year and can be converted to revenue debt. If approved by the Board of Commissioners, the State Trust Fund Loan would be available to the City for one year at the interest rate stated at the time of approval. The City would need to request the funds from the State. This can occur in phases.

The Board of Commissioners is meeting on January 6th and will consider the request if we are able to email the letter, the worksheet and resolutions the Council adopted to authorize the Steam projects debt to scott.eastwood@wisconsin.gov by Monday, January 5th. His phone number is 608/266-0034. Please put hard copy in the mail to him as well. The letter also needs to be on the City's letterhead. The resolutions to include would be the Note Resolution Adopted on August 6, 2007 Authorizing the Borrowing of \$13,930,000 G.O. Notes; and Resolution No. R-46-06 Authorizing the Borrowing of \$11.5 Million Steam Revenue BANs.

After you have had a chance to review, please let me know your thoughts.

Best regards,

Please note our new address and fax number.

Carol Ann Wirth
President
Wisconsin Public Finance Professionals, LLC
1661 North Water Street, Suite 307
Milwaukee, WI 53202
414/434-9644 - Office
414/507-4805 - Mobile
414/226-2014 - Fax
cawirth@wipublicfinance.com



January 2, 2009

Board of Commissioners of Public Lands
125 South Webster Street, Room 200
P.O. Box 8943
Madison, WI 53708-8943

Re: City of Menasha, Wisconsin
State Trust Fund Loan Program

Dear Commissioners:

With this letter, the City of Menasha is requesting an exemption to the current loan application limit of \$5 million, and to be considered for a twenty-year State Trust Fund Loan in an amount not to exceed \$21 million.

The purpose of Loan is to refinance existing short-term Taxable General Obligation Notes and Revenue Bond Anticipation Notes originally issued between 2005 and 2007 to finance the conversion of an existing power plant into a municipally-owned, industrial steam production facility ("Steam Utility"). The facility was constructed to assist Menasha's local paper mills by reducing their operating costs with the purchase of steam from a central power plant utilizing coal as the primary fuel. This enables the paper mills to derive operating efficiencies which helps sustain hundreds of jobs vital to the economy of the City of Menasha. The existing power plant at that time was functionally obsolete. The steam plant conversion saved dozens of jobs that would have been lost if the power plant had been decommissioned.

The City of Menasha's Steam Utility has experienced several issues resulting in an overall unfavorable performance and inability to generate sufficient revenue. In 2007, the City engaged Sargent and Lundy LLC to evaluate the Steam Utility's performance and to draft a workout plan. The City has been working to implement the plan's recommendations. Specifically, the City is attempting to renegotiate its contracts with its existing steam customers, entering into discussions with one large potential new customer and exploring other ways of increasing revenues generated from the facility.

The City has utilized its general obligation debt capacity, as well as pledged annual appropriations, to the existing short-term obligations, which will either mature, or be callable in 2009. The uncertainty of the steam utility's ability to be self-sufficient has negatively impacted the City's outstanding general obligation bond rating which is currently Moody's "A3 - Negative Outlook." The Steam Utility's Revenue BANs are currently rated Moody's "MIG 3." Moody's credit report cites credit challenges which could trigger a negative rating action. In addition, municipal bond insurance is also no longer an option for the City's financings.

These factors significantly limit the City's ability to access the municipal market to refinance this short-term debt. Therefore, the City is requesting consideration for this State Trust Fund Loan exemption to continue its general obligation pledge and to provide long-term refinancing for the Steam Utility obligations. The credit markets do not present favorable financing terms for municipalities with credit

challenges. The ability to utilize the State Trust Fund Loan program to provide an alternative financing option is vital to the fiscal and economic viability of the City of Menasha.

Respectfully submitted,
City of Menasha

Deborah A. Galeazzi

Deborah A. Galeazzi, City Clerk

Enclosure - Worksheet

WORKSHEET FOR MUNICIPAL APPLICATION REQUEST

Board of Commissioners of Public Lands

125 South Webster Street, Room 200

PO Box 8943

Madison, WI 53708-8943

Phone 608-266-0034

DATE January 2 2009

MUNICIPALITY City of Menasha
(Indicate municipal type ... town, village, city, lake district, etc.)

CLERK NAME Deborah Galeazzi Phone #: 920/967-3603

CLERK ADDRESS 140 Main Street, City Hall - Third Floor
Menasha, WI 54952

CONTACT PERSON _____
(If different from Clerk)

CONTACT ADDRESS _____

LOAN PURPOSE: Refinance Existing Short Term G.O. and Revenue Debt
Issued for Municipal Steam Utility

AMOUNT OF LOAN: \$21 Million

TERM OF LOAN: 20 Years

ESTIMATED COMPLETION DATE OF PROJECT OR ESTIMATED DELIVERY DATE
OF EQUIPMENT: Existing Debt Matures or Callable 09/01/2009

DATES OF NEXT TWO BOARD/COUNCIL MEETINGS: January 19 and February 2

ATTACH MINUTES OF BOARD/COUNCIL MEETING. HIGHLIGHT PERTINENT SECTION.

Clerk Signature – REQUIRED

RESOLUTION NO. R-46-06

RESOLUTION AUTHORIZING THE BORROWING OF \$11,500,000
AND PROVIDING FOR THE ISSUANCE AND SALE OF
TAXABLE STEAM UTILITY REVENUE BOND ANTICIPATION NOTES THEREFOR

Introduced by Mayor Laux:

WHEREAS, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "Municipality") is undertaking the construction, improvement and equipping of a steam utility (the "Utility") which is owned and operated for a public purpose as a public utility;

WHEREAS, under the provisions of Section 66.0621, Wisconsin Statutes (the "Act"), any municipality in the State of Wisconsin may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, controlling, conducting, operating or managing a public utility, and refunding outstanding obligations issued for the above purposes, from the proceeds of revenue bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees;

WHEREAS, the construction, improvement and equipping of the Utility are necessary to adequately meet the needs of the Municipality and the residents thereof, including boiler improvements and repairs, the acquisition, construction and installation of steam turbine generators, construction of an underground steam distribution system and associated facilities, and related management, engineering, development, design and training expenses (the "Project");

WHEREAS, for the purpose of paying a portion of the cost of the Project, the Municipality has heretofore issued its \$12,660,000 Taxable Steam Utility Revenue Bond Anticipation Notes, dated February 1, 2005 (the "2005 Revenue BANs") in anticipation of the issuance of taxable steam utility revenue bonds pursuant to Resolution No. R-7-05 adopted by the Common Council of the Municipality (the "Governing Body") on January 24, 2005 (the "2005 Bond Resolution") and Resolution No. R-8-05 adopted by the Governing Body on January 24, 2005 (the "2005 Note Resolution");

WHEREAS, the Municipality has heretofore also issued and has outstanding its \$11,000,000 Taxable General Obligation Promissory Notes (Steam Utility Project), dated November 30, 2005 and entered into a \$2,404,403 Master Lease Agreement, dated December 13, 2005 to finance costs of the Project;

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WHEREAS, for the purpose of paying additional costs of the Project, the Municipality has heretofore also issued its \$13,000,000 Taxable Steam Utility Revenue Bond Anticipation Note, dated September 1, 2006 (the "2006 Revenue BAN") in anticipation of the issuance of additional taxable steam utility revenue bonds pursuant to Resolution No. R-15-06 adopted by the Governing Body on March 20, 2006 (the "2006 Bond Resolution"), which amended and restated the 2005 Bond Resolution, and Resolution No. R-39-06 adopted by the Governing Body on August 23, 2006 (the "2006 Note Resolution");

WHEREAS, the Governing Body of the Municipality hereby finds and determines that it is necessary, desirable and in the best interest of the Municipality to raise funds for the purpose of paying remaining costs of the Project and paying the cost of refunding certain outstanding obligations of the Municipality issued to finance the Project, to wit: a portion of the 2006 Revenue BAN on its December 1, 2006 maturity date (the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the Governing Body deems it to be necessary, desirable and in the best interest of the Municipality to refund said obligations for the purpose of extending and restructuring the interim financing for the Project;

WHEREAS, cities are authorized by the provisions of Section 66.0621, Wisconsin Statutes to borrow money and to issue revenue bond anticipation notes to refinance outstanding obligations issued to finance improvements to a public utility;

WHEREAS, for the purpose of paying the cost of the Project and the Refunding, the Governing Body, by Resolution No. R-7-05 adopted on January 24, 2005, as amended and restated by Resolution No. R-15-06 adopted on March 20, 2006, and as further amended and restated on November 28, 2006 (collectively, the "Bond Resolution"), has heretofore authorized the issuance and sale of Taxable Steam Utility Revenue Bonds (the "Revenue Bonds"), payable solely from revenues deposited in a special redemption fund pursuant to the Bond Resolution;

WHEREAS, the Revenue Bonds have not yet been issued or sold and will be issued and sold only after completion of the Project;

WHEREAS, Section 66.0621(4)(L), Wisconsin Statutes, permits revenue bond anticipation notes to be issued for purposes for which the Municipality has authority to issue revenue bonds and

Section 15 of the Bond Resolution permits the issuance of parity notes in anticipation of the Revenue Bonds;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such bond anticipation note on a taxable rather than tax-exempt basis;

WHEREAS, other than the 2005 Revenue BANs and the 2006 Revenue BAN (which is being refunded by this issue of Notes on their date of issuance), no other bonds or obligations payable from the revenues of the System are now outstanding; and

WHEREAS, it is the finding of the Governing Body that it is necessary, desirable and in the best interest of the Municipality to provide for the issuance and sale of additional taxable bond anticipation notes pursuant to Section 66.0621(4)(L), Wisconsin Statutes, on a parity with the 2005 Revenue BANs, in anticipation of the issuance and sale of the Revenue Bonds to pay the costs of the Project and the Refunding. Such notes are authorized by Section 66.0621(4)(L) of the Wisconsin Statutes and Section 15 of the Bond Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Municipality that:

Section 1. Taxable Steam Utility Revenue Bonds. The Municipality hereby declares its intention and covenants to issue the Revenue Bonds pursuant to the provisions of Section 66.0621 of the Wisconsin Statutes and the Bond Resolution in an amount sufficient to retire any outstanding bond anticipation notes issued to pay the cost of the Project and the Refunding and pay interest, legal, financing and other fees in connection therewith. Such Revenue Bonds are authorized by the provisions of the Bond Resolution.

Section 1A. Approval of Offering Documents. All actions taken by RBC Dain Rauscher Inc. d/b/a RBC Capital Markets, Milwaukee, Wisconsin, in connection with the preparation and distribution of the Official Statement and any other offering materials and in connection with the offering of the taxable bond anticipation notes are hereby ratified and approved by the Common Council of the Municipality.

Section 1B. Authorization of the Notes. For the purpose of paying the costs of the Project and the Refunding (including legal, fiscal, engineering and other expenses), the Municipality shall issue negotiable registered Taxable Steam Utility Revenue Bond Anticipation Notes (the "Notes") in the aggregate principal amount of ELEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS (\$11,500,000) to RBC Dain Rauscher Inc. d/b/a RBC Capital Markets, Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

Section 2. Sale of the Notes. The Notes shall be sold to the Purchaser for the purchase price set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Taxable Steam Utility Revenue Bond Anticipation Notes"; shall be registered as to both principal and interest; shall be dated December 1, 2006; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; shall bear interest at the rate and shall mature on the date and in the principal amount as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2007.

Section 4. Redemption Provisions. At the option of the Municipality, the Notes shall be subject to redemption prior to maturity on March 1, 2009 or on any date thereafter. The Notes shall be redeemable as a whole or in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be in substantially the form attached hereto as Exhibit C and incorporated herein by this reference with such insertions or revisions (consistent with this Resolution and Section 66.0621, Wisconsin Statutes) deemed necessary to effectuate the delivery of the Notes in exchange for the purchase price.

Section 6. Payment for the Notes. The principal of and interest on the Notes shall be paid by the City Clerk or City Comptroller/Treasurer of the Municipality.

Section 6A. Persons Treated as Owners; Transfer of Notes. The Municipality shall keep books for the registration and for the transfer of the Notes. The person in whose name the Note shall be

registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

The Notes may be transferred by the registered owner thereof by surrender of the Notes at the office of the City Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the City Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The City Clerk shall cancel any Note surrendered for transfer.

The Municipality shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the Municipality at the close of business on the corresponding record date.

Section 6B. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the Municipality agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the Municipality and on file in the City Clerk's office.

Section 7. Security; Reserve Fund. The Notes shall in no event be a general obligation of the Municipality and no lien shall be created upon the Utility as a result of the issuance thereof. The Notes shall be payable only from (a) any proceeds from the issuance and sale of the Notes set aside for payment of interest on the Notes; (b) the proceeds derived from the issuance and sale of the Revenue Bonds, which proceeds are hereby declared to constitute a special trust fund to be held by the Municipality and expended solely for the payment of principal of and interest on the 2005 Revenue BANS and the Notes and the remaining Project

costs, if any; and, (c) a pledge, on a parity with the pledge made with respect to the 2005 Revenue BANS, of a sufficient amount of the income and revenues received from the operation of the Utility and deposited in the Special Redemption Fund created pursuant to the Bond Resolution.

The Municipality agrees that, as permitted by Section 66.0621(4)(L)6 of the Wisconsin Statutes, in the event such monies are not sufficient to pay the principal of and interest on the Notes as the same becomes due, the Municipality will appropriate funds to pay any deficiency out of its annual general tax levy or other available funds for such payments including surplus funds of the Municipality's combined electric and water utility. However, any such payments shall be subject to annual budgetary appropriations therefor, approval of the Public Service Commission, or successors to its function, if necessary, and applicable levy limitations, if any, and provided further that neither such authority nor any such payment shall constitute an obligation of the Municipality to make such appropriation or any further payments.

Pursuant to Resolution No. R-8-05 adopted on January 24, 2005 authorizing the issuance of the 2005 Revenue BANS, the Municipality created and established a fund of the Utility designated the "Steam Utility Reserve Fund" (the "Reserve Fund"). \$1,650,000 in payments received or to be received from Wisconsin Public Power Inc. (WPPI) in settlement of the early buyout option of its contract with the Municipality shall be deposited in the Reserve Fund immediately upon their receipt. Funds on deposit in the Reserve Fund shall be used only to make transfers to the Operation and Maintenance Fund, the Special Redemption Fund or the Steam Utility Improvement Fund established by the Bond Resolution and to be used for the purpose of such Funds if needed to remedy any deficiencies in such Funds, provided that no more than \$500,000 in aggregate may be transferred to the Steam Utility Improvement Fund to pay for costs of the Project in the event that the proceeds of the 2005 Revenue BANS and the Notes (and investment earnings thereon) are insufficient to pay for costs of the Project.

Section 8. Covenants of the Municipality. The Municipality hereby covenants with the holders of the Notes that:

- (a) It shall issue the Revenue Bonds as soon as practicable;
- (b) It shall segregate the proceeds derived from the sale of the Revenue Bonds into the special trust fund created herein and shall permit the special trust fund to be used for no purpose

other than the payment of the principal of and interest on the 2005 Revenue BANs and Notes until paid. Said special trust fund shall first be used for the payment of principal of and interest on the 2005 Revenue BANs and Notes and then for other purposes permitted by law, including remaining Project costs, if any;

(c) It shall keep all of the covenants and agreements required by it to be kept by the provisions of the Bond Resolution;

(d) It shall pay into the funds created by Section 6 of the Bond Resolution the same amounts and at the same times as would have been required to be paid therein if the Revenue Bonds were issued in an equal principal amount instead of the 2005 Revenue BANs and the Notes, and the funds in the Special Redemption Fund (defined in the Bond Resolution) shall be held and be available for and are hereby pledged to the payment of principal of and interest on the 2005 Revenue BANs and the Notes until the 2005 Revenue BANs and the Notes shall have been paid in full;

(e) The Notes are issued for the purposes for which the Revenue Bonds shall be issued;

(f) It has duly authorized the issuance and sale of the Revenue Bonds by the Bond Resolution which are now and shall remain in full force and effect and all conditions precedent to the issuance of the Revenue Bonds required by law and by the Bond Resolution have been complied with; and

(g) It shall establish, maintain and apply the Reserve Fund as described in Section 7 of this Resolution so long as the 2005 Revenue BANs or the Notes are outstanding.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the Utility by furnishing services for public purposes, shall be charged against the Municipality and shall be paid by it in quarterly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the Utility, and out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses or from surplus funds of the Municipality's combined electric and water utility. However, such payment out of the tax levy or out of surplus funds of the combined electric and water utility shall be subject to (a) approval of the Public Service Commission, or successors to its function, if necessary, (b) yearly appropriations therefor and (c) applicable levy limitations, if any; but neither this

Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of services rendered to the Municipality and its inhabitants or make any subsequent payment over and above such reasonable cost and value. Such compensation for such service rendered to the Municipality shall, in the manner hereinabove provided, be paid into the Revenue Fund created by Section 6 of the Bond Resolution.

Section 10. Application of Proceeds. The proceeds received from the sale of the Notes (the "Note Proceeds") (other than any premium, accrued interest or any proceeds to be used to fund a reserve fund) shall be deposited into the Steam Utility Improvement Fund created by Section 12 of the Bond Resolution, said Note Proceeds to be used in accordance with the Bond Resolution solely to pay costs of the Project and the Refunding. Notwithstanding any provisions of Section 12 of the Bond Resolution to the contrary, said Note Proceeds shall under no circumstances be used to pay costs of operating, maintaining or managing the Utility. Any Note Proceeds remaining in the Improvement Fund after paying the costs of the Project and the Refunding shall be transferred to the Special Redemption Fund for use in payment of principal of or interest on the Notes.

Section 11. Undertaking to Provide Continuing Disclosure. The Municipality hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the Municipality to comply with the provision of this Undertaking shall not be an event of default with respect to the Notes).

The City Clerk, or other officer of the Municipality charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the Municipality's Undertaking.

Section 12. Execution of the Notes. The Notes shall be prepared in typewritten or printed form, executed on behalf of the Municipality by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the Municipality of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.

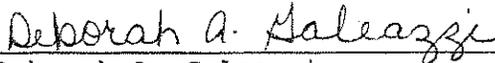
Section 13. Conflicting Resolutions, Severability and Effective Date. All prior resolutions, rules or other actions of the Municipality or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded November 28, 2006.



Joseph F. Laux
Mayor

ATTEST:



Deborah A. Galeazzi
City Clerk

(SEAL)

EXHIBIT A

Note Purchase Proposal

To be provided by RBC Dain Rauscher Inc. d/b/a RBC Capital Markets and incorporated into the Resolution.

QBMKE\5929096.1



RBC Dain Rauscher Inc.
 Suite 1500
 1000 N. Water Street
 Milwaukee, WI 53202
 (414) 347-7133
 (414) 347-7140 Fax
 (866) 612-3208 Toll Free

TAXABLE BAN PURCHASE AGREEMENT

City of Menasha
 Calumet and Winnebago Counties, Wisconsin

\$11,500,000 Taxable Steam Utility Revenue Bond Anticipation Notes Dated December 1, 2006

November 28, 2006

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

Ladies and Gentlemen:

RBC Dain Rauscher Inc., doing business under the name of RBC Capital Markets (the "Underwriter"), hereby offers to enter into this Purchase Agreement with the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City") for the purchase by the Underwriter and sale by the City, of your \$11,500,000 Taxable Steam Utility Revenue Bond Anticipation Notes (the "BANs"). This offer is made subject to acceptance by the City on November 28, 2006.

For the City's \$11,500,000 BANs we will pay an aggregate purchase price of \$11,306,110. The BANs are more fully described in the Near Final Official Statement dated November 20, 2006, which the City has provided the Underwriter with and has "deemed final" for purposes of SEC Rule 15c2-12(b)(1). The BANs shall mature September 1, 2009, in the amount and at the rate set forth below. Interest is payable commencing on September 1, 2007 and semi-annually thereafter.

<u>September 1</u>	<u>Amount</u>	<u>Rate</u>
2009	\$11,500,000	5.70%

The BANs are being purchased subject to the following conditions at closing.

1. The unqualified approving opinion of Quarles & Brady LLP, Bond Counsel, Milwaukee, Wisconsin, stating that the BANs have been duly authorized, executed and delivered by the City and constitute valid and binding obligations of the City and further stating that under existing law interest on the BANs is includable in gross income for federal income tax purposes. Said opinion is to be accompanied by the customary non-litigation certificate concerning matters which would affect the authority or validity or enforceability of the BANs, the BAN Resolution or this Purchase Agreement.
2. Written confirmation from Moody's Investors Service, as to their assignment of a quality rating of "MIG 2" on the BANs.
3. A certificate signed by the Mayor and City Clerk to the effect that:
 - a. the Near Final Official Statement, which will subsequently be made a Final Official Statement, is as of the date of purchase and as of the date of closing, true and correct in all material respects and does not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they are made, not misleading, and our use of such statement in offering the BANs to investors is authorized; and, the City will indemnify the Underwriter against losses, claims, damages and liabilities arising out of any incorrect statements of information contained in the Official Statement.

Member NYSE/SIPC

b. City of Menasha Financial Statements for the year ended December 31, 2005, delivered to us present fairly the financial position of the City as of the date indicated, said financial statement has been prepared in conformity with general accepted accounting principles consistently applied and since December 31, 2005 there has been no material or adverse change in the financial position or results of operations of the City, nor has the City incurred any material liabilities other than the ordinary course of business, or as set forth in or contemplated by the Official Statement.

- 4. This offer is subject to the City's covenant and agreement to enter into a written undertaking to provide ongoing disclosure about the City for the benefit of the holders of the BANs as required by SEC Rule 15c2-12, as amended (the "Rule") (subject to any applicable exemptions in the Rule). In addition, the City must certify as of the date of closing the terms and conditions of the undertaking and that it is in compliance with each and every other undertaking previously entered into by it pursuant to the Rule.
- 5. That there shall have been no materially adverse events affecting either the legality or tax consequences of the BAN issue.
- 6. That no action by Congress, the Securities and Exchange Commission or a court shall have occurred which would require the registration of the BANs under the Securities Act of 1933, as amended.
- 7. That no material restriction not presently in force on trading in securities generally shall have been imposed.
- 8. That no banking moratorium shall have been imposed.
- 9. That no inception or escalation of any war or major military hostilities or act of terrorism shall have occurred which, in the judgment of the Underwriter, substantially impairs the marketability of the BANs.
- 10. The City is to pay the following expenses from BAN proceeds.
 - a. A fee of \$112,000 to RBC Capital Markets.
 - b. Fees and disbursements of Bond Counsel - Quarles & Brady LLP.
 - c. Fees and disbursements of Underwriters' Counsel - Godfrey & Kahn, S.C.
 - d. Printing and distribution of Official Statements.
 - e. Fees associated with The Depository Trust Company (DTC).
 - f. Committee on Uniform Securities Identification Procedures (CUSIP).
 - g. Rating agency fee from Moody's Investors Service.

RBC DAIN RAUSCHER INC.

Carol Ann Wirth
Managing Director

ACCEPTED:
COMMON COUNCIL
CITY OF MENASHA
CALUMET AND WINNEBAGO COUNTIES, WISCONSIN

By: _____
Mayor

By: _____
City Clerk

DATE: _____

TIME: _____

EXHIBIT B

Debt Service Schedule

To be provided by RBC Dain Rauscher Inc. d/b/a RBC Capital Markets and incorporated into the Resolution.

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Menasha Steam Utility Revenue Bond Anticipation Notes

\$11,500,000 - Dated December 1, 2006

Final Pricing Results

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
12/01/2006	-	-	-	-	-
09/01/2007	-	-	491,625.00	491,625.00	491,625.00
03/01/2008	-	-	327,750.00	327,750.00	-
09/01/2008	-	-	327,750.00	327,750.00	655,500.00
03/01/2009	-	-	327,750.00	327,750.00	-
09/01/2009	11,500,000.00	5.700%	327,750.00	11,827,750.00	12,155,500.00
Total	\$11,500,000.00	-	\$1,802,625.00	\$13,302,625.00	-

Yield Statistics

Bond Year Dollars	\$31,625.00
Average Life	2.750 Years
Average Coupon	5.7000000%
Net Interest Cost (NIC)	6.3130909%
True Interest Cost (TIC)	6.3650116%
Bond Yield for Arbitrage Purposes	5.7624040%
All Inclusive Cost (AIC)	6.8888066%

IRS Form 8038

Net Interest Cost	5.7783842%
Weighted Average Maturity	2.750 Years

December 2006 Steam Util | SINGLE PURPOSE | 11/28/2006 | 1:16 PM

RBC Capital Markets
Public Finance

Page 1

EXHIBIT C

(Form of Note)

REGISTERED
NO. R-__ UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
CALUMET AND WINNEBAGO COUNTIES
CITY OF MENASHA \$11,500,000
TAXABLE STEAM UTILITY REVENUE
BOND ANTICIPATION NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:

September 1, 2009 December 1, 2006 _____ % _____

DEPOSITORY OR ITS NOMINEE NAME: ~~NAME~~ FEDE & CO.

PRINCIPAL AMOUNT: ELEVEN MILLION FIVE HUNDRED THOUSAND DOLLARS
(\$11,500,000)

FOR VALUE RECEIVED, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2007 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable in lawful money of the United States. Interest payable on any interest payment day shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal on presentation and surrender hereof at the office of the City Clerk.

This Note is one of an issue of Notes aggregating the principal amount of \$11,500,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 66.0621(4)(L), Wisconsin Statutes, for the purpose of paying the cost of the construction, improvement and equipping of the City's Steam Utility and paying the cost of refunding certain outstanding obligations of the City issued for

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that purpose, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on November 28, 2006 (the "Note Resolution"). The Note Resolution is recorded in the official minutes of the Common Council for said date.

On November 28, 2006, the Common Council adopted a resolution pursuant to Section 66.0621, Wisconsin Statutes, which amended and restated Resolution No. R-15-06 adopted on March 20, 2006, which in turn amended and restated Resolution No. R-7-05 adopted on January 24, 2005 (collectively, the "Bond Resolution"), authorizing the issuance and sale of approximately \$24,160,000 Taxable Steam Utility Revenue Bonds (the "Revenue Bonds") for the purpose of paying the costs set forth in the Bond Resolution. The Notes are issued to anticipate the sale of the Revenue Bonds. The City has outstanding its \$12,660,000 Taxable Steam Utility Revenue Bond Anticipation Notes, dated February 1, 2005 (the "2005 Notes") which were also issued to anticipate the sale of the Revenue Bonds.

The Notes are payable only from:

- 1) any proceeds from the issuance and sale of the Notes set aside for payment of interest on the Notes;
- 2) the proceeds derived from the issuance and sale of the Revenue Bonds which shall be set aside as a special trust fund for that purpose; and
- 3) a sufficient amount of the income and revenues of the City's Steam Utility deposited in the Special Redemption Fund.

The Note constitutes a pledge, on a parity with the pledge made with respect to the 2005 Notes, of the funds referenced in the preceding subparagraphs 2) and 3) so set aside, and do not constitute an indebtedness of the City within the meaning of any constitutional or statutory limitation or provision.

At the option of the City, the Notes are subject to redemption prior to maturity on March 1, 2009 or on any date thereafter. The Notes are redeemable as a whole or in part, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the City exercises its option to redeem the Notes prior to maturity, as long as the Notes are in

book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, facsimile transmission, overnight express delivery, or electronic transmission, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers; and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption of the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time. The City has covenanted to issue and sell the Revenue Bonds, the sale of which this Note anticipates, as soon as practicable and to set aside the proceeds of the Revenue Bonds into a special trust fund for the payment of the principal of and interest on this Note.

This Note is transferable only upon the books of the City kept for that purpose at the office of the City Clerk, only in the event that the Depository does not continue to act as depository for the Notes, and the Common Council appoints another depository, upon surrender of the Note to the City Clerk, and thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The City Clerk shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on

account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, the City of Menasha, Calumet and Winnebago Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the 1st day of December, 2006.

CITY OF MENASHA,
CALUMET AND WINNEBAGO COUNTIES,
WISCONSIN

By: Joseph F. Laux
Mayor

(SEAL)

By: Deborah A. Galeazzi
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

COPY

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

Resolution No. R-16-07

RESOLUTION AUTHORIZING THE BORROWING
OF \$13,930,000;
PROVIDING FOR THE ISSUANCE AND SALE OF
TAXABLE GENERAL OBLIGATION PROMISSORY NOTES
(STEAM UTILITY PROJECT)
THEREFOR; AND LEVYING A
TAX IN CONNECTION THEREWITH

Introduced by Mayor Laux:

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City") to raise funds for the purpose of paying the cost of replenishing the Steam Utility Reserve Fund established for the Steam Utility by Resolution No. R-8-05 adopted by the Common Council of the City on January 24, 2005 (the "Steam Utility Reserve Fund") and refunding certain outstanding obligations of the City, to wit: \$11,000,000 Taxable General Obligation Promissory Notes (Steam Utility Project), dated November 30, 2005 (the "2005 Notes") and \$1,340,000 Taxable General Obligation Promissory Notes (Steam Utility), dated December 1, 2006 (the "2006 Notes") (hereinafter the refinancing of the City's 2005 Notes and the 2006 Notes shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the 2005 Notes and 2006 Notes on their September 1, 2007 maturity dates for the purpose of extending the interim financing for the projects financed by the 2005 Notes and 2006 Notes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12) of the Wisconsin Statutes to borrow money and to issue general obligation promissory notes for such purposes and to refinance their outstanding obligations;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue such general obligation promissory notes on a taxable rather than tax-exempt basis;

WHEREAS, the Common Council now deems it to be necessary, desirable and in the best interest of the City to authorize the issuance of and to award the sale of its taxable general obligation promissory notes to RBC Dain Rauscher Inc., d/b/a RBC Capital Markets, Milwaukee, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Authorization of the Notes. For the purpose of paying the cost of the Refunding and replenishing the Steam Utility Reserve Fund, there shall be borrowed pursuant to Section 67.12(12) of the Wisconsin Statutes, the principal sum of THIRTEEN MILLION NINE

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HUNDRED THIRTY THOUSAND DOLLARS (\$13,930,000) from RBC Dain Rauscher Inc., d/b/a RBC Capital Markets, Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal (the "Proposal") attached hereto as Exhibit A and incorporated herein by this reference.

Section 2. Sale of the Notes. To evidence such indebtedness, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, Taxable General Obligation Promissory Notes (Steam Utility Project) aggregating the principal amount of THIRTEEN MILLION NINE HUNDRED THIRTY THOUSAND DOLLARS (\$13,930,000) (the "Notes") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Taxable General Obligation Promissory Notes (Steam Utility Project)"; shall be dated August 22, 2007; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rate and shall mature on September 1, 2010 as set forth on the schedule prepared by the Purchaser and attached hereto as Exhibit B (the "Schedule"). Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2008.

Section 4. Redemption Provisions. At the option of the City, the Notes shall be subject to redemption prior to maturity on September 1, 2009 or on any date thereafter. Said Notes shall be redeemable as a whole or in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2007 through 2009 for the payments due in the years 2008 through 2010 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected. So long as any part of the principal of or interest on the Notes remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account created below.

Section 7. Segregated Debt Service Fund Account. There is hereby established in the City treasury a fund account separate and distinct from all other funds or accounts of the City designated "Debt Service Fund Account for \$13,930,000 City of Menasha Taxable General Obligation Promissory Notes (Steam Utility Project), dated August 22, 2007", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account all accrued interest paid on the Notes at the time

the Notes are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 6 hereof and all other sums as may be necessary to pay principal of and interest on the Notes as the same becomes due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished.

Section 8. Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes.

Section 9. Execution of the Notes. The Notes shall be issued in typewritten or printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute and deliver all documents as may be necessary and convenient to effectuate the Closing.

Section 10. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the City Clerk or City Treasurer.

Section 10A. Persons Treated as Owners: Transfer of Notes. The City shall keep books for the registration and for the transfer of the Notes. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the City Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the City Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The City Clerk shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date

shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the corresponding record date.

Section 11. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

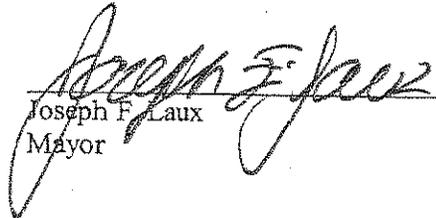
Section 12. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the City to comply with the provision of this Undertaking shall not be an event of default with respect to the Notes).

The City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

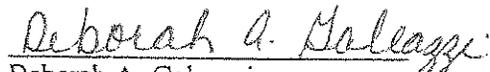
Section 13. Bond Insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the City to insure the Notes may reasonably request and which are acceptable to the Mayor and City Clerk, including provisions regarding restrictions on investment of Note Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 14. Conflicting Resolutions: Severability: Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted and recorded August 6, 2007.


Joseph F. Laux
Mayor

ATTEST:


Deborah A. Galeazzi
City Clerk

(SEAL)

EXHIBIT A

Note Purchase Proposal

To be provided by RBC Dain Rauscher Inc., d/b/a RBC Capital Markets and incorporated into the Resolution.

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RBC Dain Rauscher Inc.
 Suite 1500
 1000 N. Water Street
 Milwaukee, WI 53202
 (414) 347-7133
 (414) 347-7140 Fax
 (866) 612-3208 Toll Free

TAXABLE NOTE PURCHASE AGREEMENT

City of Menasha
 Calumet and Winnebago Counties, Wisconsin

\$13,930,000 Taxable General Obligation Promissory Notes Dated August 22, 2007
 (Steam Utility)

August 6, 2007

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

Ladies and Gentlemen:

RBC Dain Rauscher Inc., doing business under the name of RBC Capital Markets (the "Underwriter"), hereby offers to enter into this Purchase Agreement with the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City") for the purchase by the Underwriter and sale by the City, of your \$13,930,000 Taxable General Obligation Promissory Notes (the "Notes"). This offer is made subject to acceptance by the City on August 6, 2007.

For the City's \$13,930,000 Notes we will pay an aggregate purchase price of \$13,742,398. The Notes are more fully described in the Near Final Official Statement dated July 18, 2007, which the City has provided the Underwriter with and has "deemed final" for purposes of SEC Rule 15c2-12(b)(1). The Notes shall mature September 1, 2010, in the amount and at the rate set forth below. Interest is payable commencing on March 1, 2008 and semi-annually thereafter.

<u>September 1</u>	<u>Amount</u>	<u>Rate</u>
2010	\$13,930,000	5.60

The Notes are being purchased subject to the following conditions at closing.

1. The unqualified approving opinion of Quarles & Brady LLP, Bond Counsel, Milwaukee, Wisconsin, stating that the Notes have been duly authorized, executed and delivered by the City and constitute valid and binding obligations of the City and further stating that under existing law interest on the Notes is includable in gross income for federal income tax purposes. Said opinion is to be accompanied by the customary non-litigation certificate concerning matters which would affect the authority or validity or enforceability of the Notes, the Note Resolution or this Purchase Agreement.
2. Written confirmation from Moody's Investors Service, as to their assignment of a quality short-term rating of "MIG 1" on the Notes.
3. A certificate signed by the Mayor and City Clerk to the effect that:
 - a. the Near Final Official Statement, which will subsequently be made a Final Official Statement, is as of the date of purchase and as of the date of closing, true and correct in all material respects and does not contain an untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in light of the circumstances under which they are made, not misleading, and our use of such statement in offering the Notes to investors is authorized; and, the City will indemnify the Underwriter against losses, claims, damages and liabilities arising out of any incorrect statements of information contained in the Official Statement.

MEMBER NYSE/SIPC. PRODUCTS AND SERVICES OFFERED BY RBC DAIN RAUSCHER INC

b. City of Menasha Financial Statements for the year ended December 31, 2005, delivered to us present fairly the financial position of the City as of the date indicated, said financial statement has been prepared in conformity with general accepted accounting principles consistently applied and since December 31, 2005 there has been no material or adverse change in the financial position or results of operations of the City, nor has the City incurred any material liabilities other than the ordinary course of business, or as set forth in or contemplated by the Official Statement.

- 4. This offer is subject to the City's covenant and agreement to enter into a written undertaking to provide ongoing disclosure about the City for the benefit of the holders of the Notes as required by SEC Rule 15c2-12, as amended (the "Rule") (subject to any applicable exemptions in the Rule). In addition, the City must certify as of the date of closing the terms and conditions of the undertaking and that it is in compliance with each and every other undertaking previously entered into by it pursuant to the Rule.
- 5. That there shall have been no materially adverse events affecting either the legality or tax consequences of the Note issue.
- 6. That no action by Congress, the Securities and Exchange Commission or a court shall have occurred which would require the registration of the Notes under the Securities Act of 1933, as amended.
- 7. That no material restriction not presently in force on trading in securities generally shall have been imposed.
- 8. That no banking moratorium shall have been imposed.
- 9. That no inception or escalation of any war or major military hostilities or act of terrorism shall have occurred which, in the judgment of the Underwriter, substantially impairs the marketability of the Notes.
- 10. The City is to pay the following expenses from Note proceeds.
 - a. A structuring fee of \$32,000 to RBC Capital Markets.
 - b. Fees and disbursements of Bond Counsel - Quarles & Brady LLP.
 - c. Fees and disbursements of Underwriters' Counsel - Godfrey & Kahn, S.C.
 - d. Printing and distribution of Official Statements.
 - e. Fees associated with The Depository Trust Company (DTC).
 - f. Committee on Uniform Securities Identification Procedures (CUSIP).
 - g. Rating agency fee from Moody's Investors Service.

RBC DAIN RAUSCHER INC.

Carol Ann Wirth
Managing Director

ACCEPTED:
COMMON COUNCIL
CITY OF MENASHA
CALUMET AND WINNEBAGO COUNTIES, WISCONSIN

By: _____
Mayor

By: _____
City Clerk

DATE: _____

TIME: _____

EXHIBIT B

Debt Service Schedule and Tax Levies

To be provided by RBC Dain Rauscher Inc., d/b/a RBC Capital Markets and incorporated into the Resolution.

QBMKE\6136504.1

City of Menasha

\$13,930,000 Taxable General Obligation Promissory Notes - 2007

Final Pricing Results

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/22/2007	-	-	-	-	-
03/01/2008	-	-	409,542.00	409,542.00	-
09/01/2008	-	-	390,040.00	390,040.00	799,582.00
03/01/2009	-	-	390,040.00	390,040.00	-
09/01/2009	-	-	390,040.00	390,040.00	780,080.00
03/01/2010	-	-	390,040.00	390,040.00	-
09/01/2010	13,930,000.00	5.600%	390,040.00	14,320,040.00	14,710,080.00
Total	\$13,930,000.00	-	\$2,359,742.00	\$16,289,742.00	-

Yield Statistics

Bond Year Dollars	\$42,138.25
Average Life	3.025 Years
Average Coupon	5.6000000%
Net Interest Cost (NIC)	6.0452060%
True Interest Cost (TIC)	6.0934381%
Bond Yield for Arbitrage Purposes	5.6502698%
All Inclusive Cost (AIC)	6.2619007%

IRS Form 8038

Net Interest Cost	5.6541969%
Weighted Average Maturity	3.025 Years

EXHIBIT C
(Form of Note)

REGISTERED UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
CALUMET AND WINNEBAGO COUNTIES
NO. R-____ CITY OF MENASHA \$ _____
TAXABLE GENERAL OBLIGATION PROMISSORY NOTE
(STEAM UTILITY PROJECT)

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
September 1, 2010 August 22, 2007 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2008 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date").

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$13,930,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for the purpose of paying the cost of replenishing the Steam Utility Reserve Fund established for the Steam Utility by Resolution No. R-8-05 adopted by the Common Council of the City on January 24, 2005 and refunding certain outstanding obligations of the City, all as authorized by a resolution of the Common Council duly adopted by said governing body at a meeting held on August 6, 2007. Said resolution is recorded in the official minutes of the Common Council for said date.

QBMKIE\6136511.1

At the option of the City, the Notes are subject to redemption prior to maturity on September 1, 2009 or on any date thereafter. Said Notes are redeemable as a whole or in part by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the City exercises its option to redeem the Notes prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice mailed as provided herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and other notes issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note is transferable only upon the books of the City kept for that purpose at the office of the City Clerk or City Treasurer, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the City Clerk or City Treasurer, and thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The City shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever.

IN WITNESS WHEREOF, the City of Menasha, Calumet and Winnebago Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the 22nd day of August, 2007.

CITY OF MENASHA,
CALUMET AND WINNEBAGO COUNTIES,
WISCONSIN

By: _____
Joseph F. Laux
Mayor

(SEAL)

COPY
By: _____
Deborah A. Galeazzi
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company, (Depository or Nominee Name)
or Securities Firm)

COPY

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
December 15, 2008
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:30 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Zelinski, Benner, Pamerter, Taylor, Wisneski, Pack, Hendricks

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Sahr, DPW Radtke, CDD Keil,
C/T Stoffel, PHD Nett, Clerk Galeazzi.

C. MINUTES TO APPROVE

Administration Committee, 12/1/08

Moved by Ald. Pack, seconded by Ald. Hendricks to approve minutes.

Motion carried on voice vote.

D. ACTION ITEMS

1. Division of Public Health Contract Agreement #16617, Jan. 1-Dec. 31, 2009,
and authorize signature.

PHD Nett explained this is a renewal contract with all the terms the same, except the funds to be received are less.

Moved by Ald. Pack, seconded by Ald. Pamerter to recommend approval to Common Council
Motion carried on voice vote

2. Amendment to Listing Contract with Bomier Properties Inc., Province Terrace and
Midway Business Park.

CDD Keil explained this is an extension of the existing contract with Bomier Properties. The extension will only cover the commercial lots at Province Terrace and Midway Business Park. The original contract also included the commercial lots at Lake Park. Staff will explore other options for the commercial and residential lots at Lake Park.

Bomier Properties receives a commission for each lot sold; no other payment is made to them.

When asked about Request for Proposals from other firms, CDD Keil explained it would not be required on an extension. There were RFP received from other firms when the original contract was approved.

Moved by Ald. Taylor, seconded by Ald. Pack to recommend approval to Common Council
Motion carried on voice vote

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Taylor to adjourn at 6:40 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
December 15, 2008

MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Pack at 6:45 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Zelinski, Benner, Pamerter, Taylor, Wisneski, Pack, Hendricks

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Sahr, DPW Radtke, CDD Keil, C/T Stoffel,
Clerk Galezzi

C. MINUTES TO APPROVE

1. December 1, 2008

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

Motion carried on voice vote.

D. ACTION ITEMS

1. Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; ADD: \$2,500.00 (Change Order No. 3)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

2. Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; DEDUCT: \$46,702.11 (Change Order No. 4)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

3. Payment – Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \$212,047.00 (Payment No. 7)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

4. Payment – DeGroot, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01C; Sanitary Sewer Replacement; \$10,393.62 (Payment No. 2 and Final)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

5. Payment – Infrastructure Technologies, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3, Contract No. E145-07-01D; Sanitary Manhole Lining; \$45,873.92 (Payment No. 9)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

6. Billing Procedure Options for Stormwater Utility Ordinance

DPW Radtke explained this item is in response to CA/HRD Brandt's memo regarding the amendment to the original Stormwater Utility Ordinance. This was for discussion or suggestions.

7. 0-21-08 An Ordinance Relating to Cross Connection Control

Mayor Merkes explained this ordinance will be discussed by the Utility Commission at their next meeting; should wait until after the Utility Commission makes a recommendation.

8. 0-22-08 An Ordinance Relating to Post Construction Storm Water Management

DPW Radtke explained this ordinance is to create regulations and a permit system to ensure proper post-construction storm water management operations are being done to protect the waters of the State. Use of this ordinance by the City will foster the consistent statewide application of post-construction performance standards for new development and redevelopment. State mandate requires an ordinance to be in place.

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

9. R-23-08 A Resolution Establishing the Equivalent Runoff Unit (ERU) Charge for the Storm Water Utility

Mayor Merkes explained the fee charged for each ERU has not been decided. He is recommending \$65.00 because that figure was the preliminary amount suggested during final discussion of the Stormwater Utility Ordinance. In their report, CDD Keil and DPW Radtke recommended a slightly higher fee due to expected industrial ERU credits. Discussion ensued on what to set the fee at and what the fee will cover.

Moved by Ald. Pack, seconded by Ald. Taylor to set the fee for each ERU at \$65.00

Motion carried on roll call 5-2.

Ald. Pamerter, Taylor, Pack, Hendricks, Zelinski – yes

Ald. Wisneski, Benner – no

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recommend approval to Common Council.

Motion carried on voice vote

E. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Wisneski to adjourn at 7:20 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

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

**CITY OF MENASHA
BOARD OF HEALTH
Menasha Health Department
316 Racine Street, Menasha**

11-12- 2008

MINUTES

- A. Meeting called to order at 8:17 AM by Vice Chairman L. Asmus. Chairman C. Rusin arrived at 8:25 AM and relieved Vice Chairman L. Asmus.
- B. Present: Lori Asmus, Dorothy Jankowski, Dr. Teresa Shoberg, Susan Nett, Candyce Rusin (arrived at 8:25 AM).
- C. MINUTES TO APPROVE
 - 1. Motion to approve minutes from October 8, 2008 meeting made by T. Shoberg and seconded by D. Jankowski. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
 - 1. October 2008 Communicable Disease Report distributed and discussed.
 - 2. Loretta Kjemhus has been working on recruiting volunteers to assist in an emergency. To date there are a total of 126 volunteers signed up. One third are Menasha School District employees and their families. The target goal is 200 by the end of the year.
 - 3. Employee flu shots will be administered on November 18th at the Senior Center utilizing a mass clinic set-up. Volunteers will assist with checking participants in while staff will administer the vaccine. Cost this year is \$7 per dose.
 - 4. Preparedness Carryover funds have been used to upgrade the EOC. Wiring needed to be put into the floor to eliminate cords hanging down from the ceiling.
 - 5. Local Health Department Environmental Health Agent State Summary was shared with board members. This summary lists all agents and what types of inspections are being done as well as whether or not human health hazard ordinances are in place.
 - 6. Staff Update—A part time nurse has been hired to work 3 days per week to fill the vacant PHN position in the department. This nurse will also have the opportunity to work additional hours using available grant funding.
 - 7. School Surveillance Project Update—This project started in October. To date the weekly absences at each elementary school have been reported. There has been nothing of significance reported, a few respiratory illnesses (some were listed as asthma).

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

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

E. ACTION ITEMS

1. Environmental Health Policy – Investigation of Non-Foodborne Illness Complaints
S. Nett presented this policy at the request of the city sanitarian. As an agent of the state, the department is required to follow-up on all complaints regarding food establishments. This policy/procedure addresses these investigations. See attached. Motion to approve the Environmental Health Policy on Investigation of Non-Foodborne Illness Complaints made by L. Asmus and seconded by D. Jankowski. Motion carried.
2. Immunization Clinic Policy – Missed Appointments, Walk-Ins
S. Nett discussed whether or not there should be a formal board approved policy regarding missed immunization clinic appointments and what to do with those who don't have an appointment and just walk in for immunizations during regular scheduled clinic times. After discussion, the consensus of the board members was there should be a policy on missed appointments and walk-ins. S. Nett directed to bring policy for review to next board meeting.

F. HELD OVER BUSINESS

1. 2009 Budget Update—the budget hearing for the health department with the common council was held on Nov. 6th. Changes were made based on recommendations from S. Nett (changes were a result of staffing changes).
2. 2009 Consolidated Contract Update—S. Nett is still in the process of negotiating with the state on grant objectives for 2009. For 2009, S. Nett has proposed increasing the fluoride varnish program and holding on the car seat check program as the department doesn't have a certified car seat technician on staff. If possible, one of the newly hired PHNs will be trained in 2009 with a possible resumption of the program in 2010. The department is receiving radon funding for 2009, so that program will be resumed.
3. Immunization Clinic Policy– Uncontrollable Clients
S. Nett reviewed with board members past history and a concern for staff safety as a driving force in having this policy. Board members questioned how many times a client should be allowed to reschedule if the child's behavior remains the same at the next clinic appointment. It was the consensus of the board members that if the child was still uncooperative/uncontrollable at the second visit, the parent be informed to take the child to a medical provider and not be allowed to reschedule a second time. S. Nett was directed to add this to the draft policy and bring it back to the next meeting for review/approval.

- G. Motion to adjourn at 9:20 AM made by D. Jankowski and seconded by L. Asmus. Motion carried.

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday November 25, 2008

Meeting was called to order by Commission President W. Zelinski at 8:00 a.m.

Present: Commissioners R. Zielinski, D. Youngquist, G. Falck, T. Hamblin, K. Bauer, W. Zelinski; Manager Much, Accountant Voigt.

Excused: W. Helein

Also Present: Chad Olsen, Jeff Kellner (McMahon); Mike Sambs (Waverly); Rob Franck, Paul Much (MCO); Teri Stecker (Diversified Insurance Services).

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the minutes of the Regular Meeting of October 28, 2008. Motion carried unanimously.

Correspondence

There was no correspondence to be discussed.

Budget, Finance, Personnel

Financial Statements for the month of October will be available at the December meeting.

Teri Stecker from Diversified Insurance Services presented and discussed the renewal of the NMSC Commercial Insurance Package for 2009. Overall the Commission will be looking at about a 10 percent increase in premium over the 2008 rates. Of this increase, six percent is attributable to the increase in property values for the NMSC. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to accept the renewal of the Commercial Insurance Package as presented. Motion carried unanimously.

Accountant Voigt presented MCO Invoice #13077 in the amount of \$114,569.82. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve MCO Invoice #13077 in the amount of \$114,569.82 for the month of December 2008 and to pay the invoice after December 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report. The money market rates have gone down, the CD that matured in early November was not renewed but was instead deposited into the money market account with Prospera Credit Union to cover disbursements made from the Replacement Fund. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of October 2008. Motion carried unanimously.

Accountant Voigt presented the Snow Plowing and Removal contract with Levenhagen Oil. There are no changes from last year's contract. After discussion, motion made by

Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve the Snow Plowing and Removal Contract with Levenhagen Oil. Motion carried unanimously.

Accountant Voigt presented Elmstar Electric payment request #5 (Final) in the amount of \$3,742.19. Jeff Kellner (McMahon Associates) reported there are still a couple of minor items to be completed. After discussion, motion by Commissioner G. Falck, seconded by Commissioner D. Youngquist to approve Elmstar Electric payment request #5 in the amount of \$3,742.19 with payment to be issued pending completion of the remaining items indicated. Motion carried unanimously.

McMahon Invoices #43498 and #43867 were presented for payment. Jeff Kellner reported that invoice #43867 exceeds the contract amount for these services. This was due to unforeseen site conditions and the additional trenching needed to be completed by Elmstar Electric. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment McMahon Invoices #43498, and #43867. Motion carried unanimously.

Accountant Voigt reported there is a bond payment of principle and interest that will be made on Monday December 1.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of October 2008. The plant is running well. We have received the draft discharge permit; a copy was sent to the Attorney with the Dischargers Association for review. The phosphorus levels in the draft permit should be able to be met; the mercury limits in the draft permit will have problems meeting the limits. A variance for the mercury limit has been requested; however efforts to reduce the amount of mercury being discharged into the system need to continue. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to accept the operating report for the month of October 2008. Motion carried unanimously.

Chad Olsen reported on the trip with Manager Much to Rochester Minnesota to look at a 65kw micro turbine unit being used at a school. The unit is used to produce electricity and the heat generated by the unit is recaptured to heat water for the swimming pool. The unit has been in use for about 2 ½ years and they have had no issues. Capstone has a maintenance contract they offer on their units; 9 years coverage for \$65,000 per unit. Commissioner K. Bauer did a Dun & Bradstreet review of the company who makes the Capstone units; Capstone may be in the start of financial issues. They have been in business since 1998. Chad offered to bring in the Unison Solution representative at the next meeting to discuss Capstone financial issues and the ability to provide 9 years of a service contract. Chad Olsen presented the Commission with an Agreement for Professional Services for Preliminary Engineering Services and Design Phase Services. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner K. Bauer to approve the Preliminary Engineering Services agreement with McMahon Associates. Motion carried unanimously.

Chad Olsen presented a preliminary copy of the Focus On Energy Feasibility Study Grant that has been prepared. The estimated cost of the study is \$14,580, if the grant is approved, the

Focus On Energy portion would be \$7,290. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to submit the grant. Motion carried unanimously.

Biosolids Management Plan – Need to set-up a meeting with Oshkosh to discuss further. Will also need further discussions with Utica Energy for use of sludge as an energy source and to be able purchase land and building from Gizmo Farms. Will continue working on both options to review.

Old Business

Interceptor ownership. No new information to report.

Grease Ordinance. No new information to report.

Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner K. Bauer to approve operating and payroll fund vouchers #130630 through #130672 in the amount of \$430,877.56. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 9:14 a.m.

President

Secretary

THE NEXT REGULAR MEETING IS ON TUESDAY December 23rd, 2008



Public Works and Parks Safety Committee
Minutes
November 18, 2008

Meeting called to order at 8:05 AM.

Present: Jim Julius, Bob Huss, Tim Jacobson, Jeff Nieland, Mark Radtke, Adam Alix, Corey Gordon, Ken Popelka, Todd Drew, Sue Nett, Bruce Stenz (CIVMIC)

Absent: Matt Schultz, Brian Tungate, Jeff Brandt

A. Motion to approve minutes from October 28, 2008 meeting made by B. Huss and seconded by J. Nieland.

B. Old Business

1. EOEP signage update – A. Alix brought a sample of the signage being prepared for the library. Committee members were informed this type of signage will be in all the buildings after the library signage is completed.
2. Safety Shoe Policy Subcommittee Report (Engineering Staff) – No report as the committee has not met. Committee will meet after this meeting.
3. S. Nett reported that she and Jeff Nieland did another walk through of the PWF to follow up on what has been completed per the 2008 walk through by CVMIC. Most of the cited items have been addressed. A semi trailer was recently purchased for the tire storage.
4. Air Exchange Update – Maintenance area will be addressed first. Unsure at this time what will be recommended for main vehicle storage area as it meets COMM CODE but not ASHRAE, and estimated cost to meet ASHRAE is \$36,000.

C. New Business

1. Monthly safety topic on managing stress was discussed and distributed. If an employee has a high level of stress, they may not be focused on the task at hand making it easier for an accident to occur.
2. Injury Review – There was no report to review but there was mention of an employee with lower back strain without any time lost.
3. Tire storage will be moved to recently purchased semi trailer. Oil tanks need to be moved into former tire storage area. This can be done in-house.
4. Snow dumping at Badger quarry is more safely being done since a generator is being used to light the area at nite.

5. Ballasts – Replacing: Question was posed to Bruce Stenz about whether are not maintenance staff can replace the ballasts in light fixtures. Bruce’s recommendation was that as long as nothing was being done with the wiring above the fixture, maintenance could replace the ballasts.

D. Training

1. Bloodborne Pathogen Review is now complete. Certificates of completion will be sent through interoffice mail.
2. General Review on storage of flammables, MSDS sheets, fire extinguisher location and need to keep area clear needed. T. Drew to either plan a face to face review or computer based review for the early part of 2009.

E. Meeting adjourned at 9 AM. Next meeting Dec. 16, 2008

**City of Menasha
Information Technology Steering Committee
Gegan Room
Menasha Public Library
Wednesday December 17, 2008
8:15 A.M.
Minutes**

I. Call to Order

Meeting called to order at 8:20 AM by CHAIRMAN Wisneski.

II. Roll Call/Excused Absences

Present: CHAIRMAN Wisneski, AP Beckendorf (8:35), COMP Stoffel, HR Specialist Taubel, ITMgr Lacey, PL Brunn and PWS Jacobson

Also Present: ITSupv James and Mr. Larry Schmitz of Common Sense Solutions LLC (9:50)

III. Minutes to Approve – Minutes and Communications to Receive – Approval of Minutes of October 15, 2008 IT Steering Committee meeting.

Motion by ITMgr Lacey, seconded CHAIRMAN Wisneski by to approve the minutes of the October 15, 2008 IT Steering Committee meeting. Motion carried.

IV. Public Comments on any matter of concern to this agenda – Five (5) minute time limit for each person

NONE

V. Report of Department Heads/Staff/Consultants – Committee monthly update on status of projects/operations/costs

ITMgr Lacey explained to the Committee that the department is at the saturation level and he is concerned that he can no longer effectively manage the City network. The City recently encountered a virus which took many man hours to contain and correct. This may have been avoided if department staff had more time to complete the "Sneaker net" project that was on the schedule. Also, other City staff are not responding to requests to convert NOVUS documents to the new format. This is causing the delay in shutting down the server which houses the NOVUS files, cleaning that server and reusing that server for bringing the City's website in-house. Mr. Schmitz commented that when you have done "critical task scheduling" everyone must do their part or the process will fall

behind on the timeline. ITMgr Lacey gave a brief history of how far the City has come in technology since he first became associated with Menasha. He is very concerned that systems will fail and that staff do not understand what is expected and who is responsible for getting tasks done in a timely manner.

ITMgr Lacey then went on to explain the virus started at 10:00 PM Sunday, 12/14, how the virus attacked the City network, that 45 computers were infected and that the virus moved alphabetically. It took until 12/17 to bring it under control and the cleaning of the computers is still ongoing.

ITMgr Lacey also updated the Committee on the status of the SUNGARD HTE and fuel tracking software.

ACTION ITEMS – Committee discussion on developing an employee Intranet site on the webpage

HR Specialist Taubel had requested this agenda item and explained that other cities have this service in use for their employees. There is a lot of general employee information and employee forms which could be placed on the website and with the purchase of additional software, information specific to a single employee could also be provided. HR Specialist Taubel offered to do the research and legwork on this item. Mr. Schmitz and ITMgr Lacey both thought this was a good idea. The question then arose as to who would be in charge of keeping the information current. Because it will be operated for employee use, HR Specialist Taubel thought that task should be done by the Human Resources Department. Over the next two months HR Specialist Taubel, ITMgr Lacey and ITSupv James will look at what other cities have done and schedule a meeting with the City of Neenah who already has this intranet up and running. This item will next show up on the February IT Steering Committee agenda.

ACTION ITEMS – Committee discussion and recommendation on contracting to have City Website Management/Hosting moved in-house

ITMgr Lacey distributed a proposal from AVASTONE TECHNOLOGIES, LLC to bring the City's website in-house. Currently the City's website is hosted by Heartland and to have changes made to the website requires us to contact them. The request may not be acted upon immediately due to the host's work schedule. Also, the City has experienced problems with Heartland moving our website to a different server and discovering that not all the links continue to work as they have in the past. Although there is no direct cost for getting this fixed, there is an indirect cost of our IT Department having to work with Heartland to get the website back to where it originally was. This last incident took between 20 and 30 hours of ITMgr Lacey's time.

Bringing the website in-house will eliminate those two concerns and also give us unlimited space as opposed to having to incrementally increase space and cost

when needed. Currently the City has to pull off older videos to make space for current videos. Mr. Schmitz spoke in favor of making this change. Motion by PWS Jacobson, seconded by HR Specialist Taubel to recommend to the Common Council to accept the proposal from AVASTONE TECHNOLOGIES, LLC to provide website transfer and modifications and authorize signatures. AP Beckendorf questioned if the IT Department had the time to manage the City's website in-house. Staff spends time working on these problems now and the service is out sourced so this really does not add to management hours. Motion carried. This will also provide a better vehicle for an employee intranet site if it is moved in-house.

ACTION ITEMS – Committee discussion and recommendation on entering into an agreement with Common Sense Solutions LLC for consulting services for 2009

Mr. Schmitz left the meeting. ITMgr Lacey explained his relationship with Mr. Schmitz and Common Sense Solutions, LLC. The company does not provide technical services but rather gives direction on policy and planning for future IT changes and improvements. Motion by ITMgr Lacey, seconded by PWS Jacobson to recommend to the Common Council to enter into an agreement with Common Sense Solutions, LLC for consulting services for 2009 and authorize signatures. Both AP Beckendorf and HR Specialist Taubel made positive comments on retaining Common Sense Solutions, LLC because they are very helpful and staff are comfortable with them. They tell the City what it needs to hear, not what it wants to hear. Motion carried.

ACTION ITEMS – Committee discussion on next IT Steering Committee meeting date – January 21st, third Wednesday

After discussion, by consensus of the Committee members present, the next Information Technology Steering Committee meeting will be held on Wednesday, January 21st, at 8:15 AM in the Gegan Room of the Menasha Public Library.

VI. ADJOURNMENT

Motion by HR Specialist Taubel, seconded by ITMgr Lacey to adjourn. Motion carried. Meeting adjourned at 10:10 AM.

Respectfully submitted,

Thomas Stoffel
Committee Secretary

**CITY OF MENASHA
SUSTAINABILITY BOARD
Common Council Chambers
140 Main Street, Menasha**

Tuesday, December 16, 2008

MINUTES

A. CALL TO ORDER

Meeting called to order by Roger Kanitz at 6:35 p.m.

B. ROLL CALL/EXCUSED ABSENCES

Members Present: Becky Bauer, Mike Dillon, Roger Kanitz

Members Excused: Linda Stoll, Trevor Frank

Others Present: CDD Greg Keil, PRD Brian Tungate, Park Supt. Bob Huss, Sadie Schroeder

PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE SUSTAINABILITY BOARD (five (5) minute time limit for each person)

Sadie Schroeder expressed her interest in becoming a member of the committee. She is currently affiliated with Wild Ones.

C. MINUTES TO APPROVE

Sustainability Board Minutes, 11/18/08

Motion made by Mike Dillon, seconded by Becky Bauer to approve the minutes of the 11/18/08 board meeting.

The motion carried.

D. COMMUNICATIONS

1. Capital Times Article, 11/26/08; *Home Savings* article

Roger Kanitz commented on possibilities for citizen involvement in conducting home energy assessments with Menasha Utilities.

E. DISCUSSION ITEMS

1. Report on Lt. Governor's Climate Change conference

This item was held until the next meeting.

2. City Department The Natural Step (TNS) Presentations/Sustainability Policy

CDD Keil is to make arrangements for Mike Dillon and Roger Kanitz to address the departments on the TNS training..

3. Pool Baseline Study-Approach and Timetable

PRD Tungate discussed the technical requirements, feasibility and cost of using solar panels to heat the pool. PRD Tungate is to work-up a proposal involving SCA as a community partner – they will meet Monday Dec. 22 to discuss this. Other considerations, including replacement of the pool roof and boiler, have entered into the overall assessment of the solar installation. Green Sky Technologies has been assisting with the evaluation. The possibility of using a pool blanket was raised. PRD Tungate discussed advantages/disadvantages of pool blankets and reported that the City of Neenah budgeted \$40,000 for a pool blanket. He would like to see how it performs and use that information as part of a future assessment.

Roger Kanitz asked about difficulties in preparing the baseline study for the pool. Park Supt. Bob Huss stated the process was relatively easy, but some areas need deeper consideration. PRD Tungate commented that the process alerted staff to possibilities they hadn't previously considered.

Mike Dillon suggested that a project list – what, how, who, when- be developed for the pool and other projects to better keep track of all project related elements and related actions.

4. Demonstration projects - Stormwater/Water quality, natural landscaping
CDD Keil distributed a plant list and cost estimate prepared by Agrecol for the proposed stormwater pond demonstration project at the East Central RPC office site. The segment of the Friendship Trail bordering Heckrodt Wetland Reserve was suggested by CDD Keil and PRD Tungate as a potential demonstration project for native plantings. – Mike Dillon is to contact Jim Bartz regarding tree planting. Mike Dillon requested a definition of the scope, benefit and costs of the project.

Becky Bauer discussed loss of trees at the High School and discussed possibilities for a stormwater demonstration project at the High School.

5. Walking & Bike Audit
This item was held until the next meeting.
6. Neighborhood Electric Vehicle Ordinance
Motion made by Mike Dillon, seconded by Becky Bauer to draft a NEV ordinance for consideration at the next meeting.
The motion carried.
7. Sub-committee formation

Mike Dillon suggested creating a list of ideas and potential projects. Board members are to create lists independently and bring to the next meeting. They are also to identify persons who may want to be involved in a specific subject area or project.

F. ACTION ITEMS

1. 2025 Resolution and Grant Application
CDD Keil reported that the Administration Committee recommended approval, and the council will be taking action on the resolution at its December 15, 2008 meeting.
2. R-24-08 – Supporting 21st Century Transportation for America
Motion made by Mike Dillon, seconded by Roger Kanitz to recommend that the Common Council adopt R-24-08. The resolution suggests transportation priorities should be shifted from new construction to maintenance, and that more transportation options be made available to residents. It also promotes energy efficiency objectives.
The motion carried.
3. Set next meeting date
Next meeting will be January 20, 2009 at 6:30 PM in the Council Chambers

G. REPORT OF COMMISSIONERS

1. Report on ECOS-FV meeting (Roger Kanitz)
Roger reported that the December ECOS meeting focused on things homeowners could do to improve residential energy efficiency.

H. ADJOURNMENT

Motion made by Mike Dillon, seconded by Roger Kanitz to adjourn at 7:50 p.m.
The motion carried

Respectfully submitted by CDD Greg Keil

DRAFT

DRAFT

Neenah-Menasha Fire Rescue
Finance & Personnel Committee Meeting
Tuesday, December 16, 2008
3rd Floor Council Chambers – City of Menasha

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

Present: Ald. Ahles, Lange, Zelinski, Hendricks and Wisneski.

Excused: Ald. Stevenson.

Also Present: Chief Vander Wyst, Director Stoffel and Neenah City Attorney Jim Godlewski.

Approval of Minutes: The Committee reviewed the minutes from November 25, 2008. **MSC Lange/Hendricks to approve the minutes from November 25, 2008, all voting aye.**

Month End Budget Report: The Committee reviewed the November 2008 month end budget report. **MSC Lange/Hendricks to accept and place on file the November 2008 month end budget report, all voting aye.**

Monthly Activity Report: The Committee reviewed the November 2008 activity report. Chief Vander Wyst gave a brief update on the merger discussions with the area townships. **MSC Hendricks/Ahles to accept the November 2008 activity report and place on file, all voting aye.**

Review of Local 275 Union Contract: The Committee reviewed the new tentative agreement with Local 275. CA Godlewski outlined the changes that were made and agreed upon by both sides. **MSC Ahles/Hendricks to recommend the Common Councils of Neenah and Menasha adopt the ratification of Local 275's contract from January 1, 2009 through December 31, 2010, all voting aye.**

MSC Hendricks/Lange to adjourn at 6:08 p.m., all voting aye.

Respectfully Submitted,

Len Vander Wyst
Chief

LV/tt

**CITY OF MENASHA
Plan Commission
Third Floor Council Chambers
140 Main Street, Menasha**

December 16, 2008

3:30 PM

MINUTES

PUBLIC HEARINGS:

Special Use Permit – Commonwealth Development – Midway Road

Mayor Merkes opened the public hearing by asking if anyone would like to speak regarding the Special Use Permit. No one from the gallery spoke. The hearing was closed.

Special Use Permit – Veterans of Foreign Wars (VFW) – 546 Third Street

Mayor Merkes opened the public hearing by asking if anyone would like to speak regarding the rezoning. No one from the gallery spoke. The hearing was closed.

Rezoning – St. John's Polish Cemetery – Valley Road

Mayor Merkes opened the public hearing by asking if anyone would like to speak regarding the rezoning. No one from the gallery spoke. The hearing was closed.

A. CALL TO ORDER

The meeting was called to order at 3:32 p.m. by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Sturm.

OTHERS PRESENT: CDD Keil, AP Beckendorf, Paul Fluette, Tom Robinson, Robert J. Acord, Christopher Jaye, and Lonnie Pichler.

C. MINUTES TO APPROVE

1. Minutes of the December 2, 2008 Plan Commission Meeting.

a. Moved by Comm. Sanders, seconded by Comm. Schmidt to approve the December 2, 2008 Plan Commission meeting minutes. Motion carried.

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

No one from the gallery spoke.

E. DISCUSSION

1. None

F. ACTION ITEMS

1. Special Use Permit – Commonwealth Development – Midway Road.
 - a. CDD Keil explained that the proposed project is one that relies on tax credits. The site plan is preliminary, project details will be brought back for approval in 2009 before project implementation if tax credits are awarded by WHEDA.
 - b. Commissioners discussed the following:
 - I. The difference between the proposed plan and what was proposed for the property in 2004.
 - II. Fire access concerns regarding the northernmost building.
 - III. Shared access possibilities with a neighboring property owner.
 - IV. Discharge locations for retention ponds.
 - V. Requiring a PILOT payment should the property ever become tax-exempt.
 - c. Comm. Schmidt made and Comm. Sanders seconded a motion to recommend approval of the Special Use Permit for 1655 University Drive with the following conditions:
 - I. That the following plans are submitted for approval by July 31, 2009:
 - a. Lighting/photometrics
 - b. Landscaping/paving/parking
 - c. Erosion Control
 - d. Stormwater Management
 - e. Grading/Drainage
 - f. Building Elevations
 - g. Dumpster Enclosure detail
 - h. Any other materials as requested by staff for site plan review
 - i. A Payment In Lieu of Taxes (PILOT) agreement
 - II. That the owner study the addition of a second access point and review fire department to all buildings with the fire department.The motion carried.
2. Special Use Permit – Veteran of Foreign Wars (VFW) – 546 Third Street.
 - a. AP Beckendorf described the location and reviewed the proposal. Commissioners discussed the following:
 - I. Landscaping and compliance with code requirements.
 - II. Transitional area compliance and its relationship to the existing hedge on the neighboring residential property.
 - III. Site lighting.
 - IV. Whether landscaping should be added to the street frontage or to the west property line.
 - V. Plant material variety.
 - VI. The addition of street trees in the terrace.
 - VII. Location of the sign.
 - b. Mayor Merkes made and Comm. Cruickshank seconded a motion to recommend approval of the Special Use Permit for 546 Third Street with the following conditions:
 - I. The Appleton Street terrace, except for point of ingress and egress, is restored to grass with a minimum of three street trees to be planted. The curb must be replaced and specially assessed at the time of road reconstruction.
 - II. A minimum six-foot landscaped front setback must be added to the Appleton Street frontage.
 - III. The handicap stall must be moved to the west side of the parking lot.The motion carried.

3. Rezoning – St. John's Polish Cemetery – Valley Road

- a. AP Beckendorf stated that the CSM splitting this property was approved by the Plan Commission earlier this year. The rezoning application is for Outlot 2 of the CSM. The intended use is to provide additional space for Miron. The impact is expected to be minimal because the surrounding uses are mainly commercial and industrial.
- b. Commissioners discussed the following:
 - I. Status of the land use plan amendment process.
- c. Mayor Merkes made and Comm. Sanders seconded a motion to recommend approval of the rezoning of Outlot 2 of CSM 6330 from R-1 Single Family Residential to I-1 Industrial contingent on the approval of the proposed land use plan amendment and with the following findings:
 - I. The proposed use is consistent with surrounding land uses;
 - II. That the change in land use was not anticipated at the time of plan adoption.The motion carried.

G. ADJOURNMENT

Moved by Comm. Sanders, seconded by DPW Radtke to adjourn at 4:40 p.m. The motion carried.

Minutes respectfully submitted by Jessica Beckendorf, Associate Planner

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

November 19, 2008

Draft

Commission Vice President Fahrback called the Regular Meeting of the Water and Light Commission to order at 7:31 A.M., with Commissioners Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Lonnie Pichler, Electric Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Kristin Schalinski, Business Operations Accountant; Jerry Sturm, Water Plant Supervisor; John Teale, Technical Services Engineer; and the Press.

Item II. People from the Gallery to be heard on any topic of public concern to the Utility:

Mary Nebel, 713 First Street, asked for an update on funds budgeted for water tower repairs.

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

- A. Minutes of the Regular Meeting of October 22, 2008.
- B. Minutes of the Special Meetings of Oct. 28, Oct. 29, Oct. 30, Nov. 7, and Nov. 13, 2009
- C. Minutes of the Closed Session of October 30, 2008.
- D. Approve and warrant payments summarized by checks dated Nov. 3 - 19, 2008, which includes Net Payroll Voucher Checks, Void O & M Check #035477, and Operation and Maintenance Voucher Checks for a total of \$1,324,761.72, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- E. Correspondence, as listed.

Copy of minutes from MEUW Board of Directors Meeting of Sept. 19, 2008

Copy of MEUW Resolution No. 2008-2 "Supporting the Recommendations in the Final Report of the Governor's Global Warming Task Force

Copy of memorandum dated October 16 to WPPI Member Managers from Tammy Freeman, re: Typical Bill Comparison Summary

Copy of letter dated Oct. 21 to WPPI CEO Roy Thilly, from General Manager Young, re: Resignation from WPPI Board of Directors

Copy of email dated Oct. 22 to MEUW Members from Dave Benforado, re: Identity Theft Protection Rule Delay

Copy of email dated Oct. 23 to ESR Chris Voigtlander, from Jim Machamer, Seton Middle School, re: Thank You - KEEP Course

Copy of letter dated Oct. 27 to General Manager Young, from Meja Maka, DNR, re: Safe Drinking Water Loan Program Application

Copy of Menasha Utilities Benefit Bulletin for November, 2008

Copy of news release dated Nov. 6 from PSC, re: PSC Rejects WP&L's Proposed Coal Power Plant

Copy of letter dated Nov. 10 to Interim General Manager Verhagen, from MEUW Executive Director Dave Benforado and MEUW Rodeo Committee Chair Dennis Bednarski, re: Thank You for Support of Lineman Rodeo

Copy of letter dated Nov. 12 to Rep. Ron Kind, from WPPI President and CEO Thilly,

re: Emergency Economic Stabilization Act of 2008

Manager of Steam Production Sturm arrived at 7:32 a.m.

Item IV. October Financial and Operations Statement – Manager of Business Operations Krause reported the variances on the consolidated electric statement for CP-3 and CP-4 customers are related to the PCAC/DCA/ECA. The administrative expenses were lower than budget due to the benefit costs being allocated to work orders.

On the water income statement, SCA as well as the Town of Menasha are still taking more water than budgeted. The water treatment costs were higher this month for additional testing, chemicals, and lab work. The transmission and distribution expenses relate to the street repair costs from the City.

The steam financial statements reflect lower prices than budget as it has been in prior months, the electric sales are less than budget because Unit #5 did not operate as much as planned, the MISO sales were better than expected, and the variance in coal usage was due to the boiler being off line.

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

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

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

Item VII. Unfinished Business, Workout Plan – Mrs. Krause stated the majority of staff time was spent on steam customer contract issues, and the plan will be updated for the next meeting. The Commissioners asked to have the plan included at each meeting.

Storm Water Update – Manager of Customer and Utility Services Rodriguez reported that additional information has not been received from the City Community Development Department, and a letter of understanding has not been received. A test database is being worked on using one of the smaller routes, and it is anticipated we will be ready to start billing the storm water charges in March.

Item VIII. New Business, Online Payment Processing – Mr. Rodriguez reviewed the current vendor utilized for on-line payments and some of the problems that have been experienced.

WPPI and its members have searched for a new provider and have recommended upgrading to PSN. This company provides additional services that we currently do not have. As part of this option, the recommendation includes charging a convenience fee to the customer. Currently Menasha Utilities covers the fees for all online payments and credit card payments made at the counter, which amount to approximately \$15,000 per year; these fees are not recoverable in the rates. The recommended convenience fee is \$2.95 per transaction, up to a maximum of \$300.00.

The motion by Comm. Watson, seconded by Comm. Guidote, was unanimously approved to change vendors and to implement the convenience fee starting in 2009.

Comm. Guidote asked that the convenience fee be tracked to insure it does not affect the collection rates.

Electric and Water Rates Update – Mrs. Krause has contacted the PSC on both rate cases. For the simplified water rate case, we will not be able to do it in 2009. In addition to having rates in place for an entire year, which would be January 8, 2009, an annual report also has to be provided based on an entire year. We are eight days short of having an annual report based on the new rates, and will not be able to file for a simplified water rate case until the 2009 annual report is done.

Regarding the electric rate case, WPPI has been contacted because they have assisted in prior rate cases. They currently have three pending PCAC roll-ins filed with the PSC that are approximately a year old, and the PSC has not acted on them. Unless the PSC gives consent, additional PCAC roll-in rate cases are not being filed. A call has been made to Jerry Albrecht at the PSC, and an update will be provided at the next meeting.

Coal Supply – Interim General Manager Verhagen gave an update on the anticipated coal requirements for the remainder of this year and through Spring, 2009. The current supply at the dock is insufficient to meet our requirements under the current coal contract. At this time of the year, vessel capacity and shipments are limited. There is a need to order additional coal for the remainder of the winter season in order to meet our obligation to our steam customers. The cost would not be under the current contract, but would be an additional purchase.

The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to purchase the additional coal.

Energy Services Representative Voigtlander arrived at 8:15 a.m.

Proposed 2009 Commission Meeting Calendar – the proposed calendar was for informational purposes; a separate budget meeting will be scheduled in October.

Item IX. Project Reports – there were no project reports at this meeting.

Item X. Staff Reports, Electric and Water Distribution/Safety Report – Electric and Water Distribution Supervisor Pichler gave an update on proposals for engineering to do the bidding process and oversee construction on the Third Street Water Main Replacement. A recommendation will be presented at the next meeting.

Steam Utility – Mr. Dick Sturm reported on progress made on the installation of the gland seal condenser, the heat recovery system, baghouse bags, and the manhole/sump pump line.

Water Plant – Water Plant Supervisor Jerry Sturm reported the water tower project was delayed until 2009, and funds were included in the 2009 budget. The tower will be inspected in spring. He added staff is getting prepared for winter operations.

Telecommunications & Substations– Technical Services Engineer Teale stated the transformer at the Melissa Substation is working well.

Business Operations – there were no additional questions to the report presented.

Customer and Utility Services – Mr. Rodriguez gave an update on the UWFV solar project.

Energy Services Representative/Key Accounts – there were no additional questions to the report presented.

Item XI. People from the Gallery to be heard on any items discussed at this Meeting:

Jeff Riedl, 408 Appleton Street, spoke on reconsidering the convenience fee for credit card payments, the image of the Utilities in the community in light of the steam utility debt, and the lack of reporting progress on workout plan.

Mary Nebel, 713 First Street, also commented on the importance of workout plan, and asked about cuts to the 2009 budget.

Joanne Roush, 409 Cleveland, endorsed Mr. Riedl's comments on the electronic payment processing, the lack of prior information on the need for an additional coal purchase, and lack of strategic planning on the 2009 schedule.

Eric Hendricks, 933 Seventh Street, questioned the status of the air quality permit and asked if there were any pending enforcement actions against the Utility at this time.

Item XII. The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved on roll call at 8:50 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Potential Litigation

and pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and other Steam Customer Contracts

By: ROBERT H. FAHRBACH
Vice President

CARLA R. WATSON
Secretary

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

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

December 17, 2008

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:45 A.M., with Commissioners Bob Fahrbach and Don Merkes present on roll call. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Lonnie Pichler, Electric Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Kristin Schalinski, Business Operations Accountant; Dick Sturm, Manager of Steam Production; Jerry Sturm, Water Plant Supervisor; John Teale, Technical Services Engineer; and the Press.

In the absence of Comm. Secretary Watson, Comm. President Allwardt appointed Comm. Merkes as Acting Secretary for this meeting.

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

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

- A. Minutes of the Regular Meeting of November 19, 2008.
- B. Minutes of the Special Meeting of December 1, 2008.
- C. Minutes of the Closed Session (Personnel) of December 1, 2008.
- D. Approve and warrant payments summarized by checks dated Dec. 4 - 17, 2008, which includes Net Payroll Voucher Checks, Void O & M Check #036536, and Operation and Maintenance Voucher Checks for a total of \$1,284,385.93, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- E. Correspondence, as listed.
 - Copy of letter dated December 1, 2008, to Menasha Utilities from N-M Fire Rescue, re: Santa Float Donation
 - Copy of letter dated December 3, 2008, to US EPA from Interim General Manager Verhagen, re: Deadline Extension Confirmation
 - Copy of memorandum dated December 8, 2008, to WPPI Members from Roy Thilly, re: WPPI becomes WPPI Energy

Interim General Manager distributed two items of correspondence not included in the packet:

- Copy of letter dated November 11, 2008, to Commission President Allwardt, from Karl Roovers, Environmental Enforcement Specialist, DNR, re: Notice of Violation/Notice of Claim Enforcement Conference
- Copy of Request to Provide Information Pursuant to the Clean Air Act received November 19, 2008, from the EPA, Region 5

Item IV. November Financial and Operations Statement – Manager of Business Operations Krause commented on the electric income statement. Two CP3 customers were down for the month, and two CP4 customers were also down for the month of November. On the water side, the Town continues to take more water than budgeted. On the steam financials, Sonoco's variance is due in part to them taking less steam than budgeted because of outages. MISO sales were better than anticipated for the month.

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

Item V. Claims Against The Utility –The motion by Comm. Fahrbach, seconded by Comm. Merkes was unanimously approved to issue a formal notice of disallowance for the October 8 claim of Tom Maurer, 16 Lake Road, Menasha, and that he be advised of his statutory rights pursuant to Wis. Stats. 893.80.

Item VI. Two budgeted Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes. The motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimous on roll call to approve P.O. 6391 to Time Warner Cable, in the amount of \$23,400, for the 5 year contract for a 10 meg connection. The monthly charge for this item is included in the 2009 budget.

Item VII. Unfinished Business, Workout Plan – Mrs. Krause reported the plan has been updated with changes being highlighted.

A discussion ensued regarding the coal purchase contract. Manager of Steam Production Sturm stated firm pricing has not been able to be obtained due to lake freight companies not setting their rates.

Comm. Merkes questioned the status of commissioning the turbine generator. Mr. Sturm reported there are issues to discuss with Dresser Rand. A performance test needs to be scheduled and that depends upon the availability of Dresser Rand staff; it is expected this will occur in the first quarter of 2009.

Storm Water Update – Manager of Customer and Utility Services Rodriguez reported on the December 5 meeting at City Hall. Martenson and Eisele is working on a listing for the City. Preliminary testing with one of the smaller routes has been done.

Update on Electric and Water Rate Cases – Mrs. Krause stated Jerry Albrecht with the PSC has not contacted her regarding the PCAC roll-in. More options that could be taken to the PSC will be discussed during closed session.

She added the simplified water rate case is not possible because our rates needed to be in effect for a full year, and the annual report needed to be based on a full year. Because the water rates were implemented on January 8, 2008, we would not have a full year of information. During discussion later in the meeting regarding chemicals, a decision could be made as to whether we should do a full water rate case.

Item VIII. New Business, WE Energies Interest in Purchasing Property in Darboy Jointly Owned by Menasha Utilities and Kaukauna Utilities – Interim General Manager Verhagen gave an update on an inquiry from WE Energies regarding the sale of this property. WE Energies is proposing to build a distribution substation in the area behind this property in 2010. Since ATC owns the transmission line, there is no interest or need for this property. After discussion, Mr. Verhagen was asked to contact ATC and Kaukauna Utilities to see if they have any interest in this property. If an offer to purchase this property is received from WE Energies, it will be brought to a future meeting.

2009 Chemical Budget – Water Plant Supervisor Jerry Sturm reported on variances in the 2009 budget. There was an error made in the calculation of chemicals anticipated for 2009, and the price increase for 2009 is more than anticipated, resulting in a variance of \$216,338.

Mr. Verhagen stated since this is a very volatile element of the water system for Lake Winnebago water users, a suggestion could be made to the PSC to implement a chemical adjustment factor on a monthly basis to deal with this issue.

Mr. Sturm was asked to contact other utilities on Lake Winnebago to inquiry if they would be interested in submitting a joint letter to the PSC regarding this adjustment.

After discussion and in view of the Safe Drinking Water Funds, it would be more advantageous to pursue a full water rate case after the 2010 budget is prepared.

Coenen Mechanical Change Order – Mr. Sturm gave an update on the piping project at the old Water Plant. In one location the pipe is too low and interferes with the clearance area of the stairway. Another route was found for the piping, and a Change Order request is being made to continue updating the piping.

The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimous on roll call to recommend the Board of Public Works approve the Change Order for Coenen Mechanical in the amount of \$9,157.65, and to recommend the Common Council also approve the Change Order.

APPA Legislative Rally – The 2009 Rally will be held February 23 – 25 in Washington, DC. WPPI offers travel grants for public officials, commissioners, and utility representatives. The deadline to complete the grant request is January 9, and anyone interested in attending should contact Lindy before that date.

Item IX. There were no Project Reports given at this meeting.

Item X. Staff Reports, Interim General Manager – Mr. Verhagen stated the majority of his time has been spent on steam plant issues.

Electric and Water Distribution/Safety Report – Electric and Water Distribution Supervisor Pichler announced that Lisa Haen, MEUW Safety Coordinator, has accepted another position as MEUW Safety & Health Manager. A new Safety Coordinator will be recruited during the first quarter of 2009.

Mr. Pichler also gave an update on an outage earlier this week involving the transmission line on State Park Road causing an outage to the Meadows Substation. Customers were back in service in about 30 – 45 minutes. The transmission line was back in operation by 6 p.m.

Steam Utility – Comm. Fahrbach asked about warranty concerns with Dresser Rand. Mr. Dick Sturm stated Dresser Rand has been very good about recognizing engineering shortfalls and makes a good faith effort to correct a situation before it becomes an issue. Pricing is almost complete on the heat recovery system, and in response to a question about wet coal, this will be an issue for the life of the coal conveying system.

Water Plant – Mr. Jerry Sturm gave an update on issues with pumps in the soda ash system. He added staff is making efforts to minimize chemical usage and still maintain water quality.

Telecommunications & Substations – Technical Services Engineer Teale stated there is potential for a new internet customer in old Banta building downtown.

Business Operations – Mrs. Krause gave an update on the General Manager position; three telephone interviews are scheduled for Monday.

Customer and Utility Services – Mr. Rodriguez reported on the solar project at UW-Fox Valley.

Energy Services Representative/Key Accounts – there were no questions to the report presented.

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

Item XII. The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved on roll call at 9:05 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (f) of the Wisconsin Statutes for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. RE: Personnel

And pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and (g) of the Wisconsin Statutes for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Steam Customer Contracts and Potential Litigation

The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn from Closed Session at 11:55 a.m. and to reconvene into Open Session of the Water and Light Commission.

The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimous to approve the following resolution:

**RESOLUTION OF THE MENASHA UTILITIES COMMISSION REGARDING
ARRANGEMENT BETWEEN ELECTRIC AND STEAM UTILITIES**

WHEREAS, the Menasha Utilities Commission (“Commission”) has entire charge and management of the City of Menasha’s municipal electric and steam utilities, subject to the general control and supervision of the City of Menasha (“City”), pursuant to Wis. Stat. 66.0805; and

WHEREAS, the Commission desires to formally establish a customer/provider arrangement between the Electric Utility and the Steam Utility; and

WHEREAS, the Commission deems that this arrangement is in the best interests of the City, the utilities and their ratepayers.

NOW, THEREFORE, BE IT RESOLVED that the Commission hereby approves the following arrangement between the Electric Utility and Steam Utility, such approval being subject to the approval of the Public Service Commission of Wisconsin (“PSCW”) and the Common Council:

1. That the Electric Utility shall have the right to direct the use of all electric output of the generators operated by the Steam Utility ("Electric Output") and shall receive all of the revenues from any and all sales and other uses of such electricity, and
2. That the Electric Utility shall be a customer of the Steam Utility, paying the Steam Utility for the fully embedded average cost to produce the Electric Output, at just, reasonable, and non-discriminatory rates as determined by the Commission; and

BE IT FURTHER RESOLVED that the Commission President and Interim General Manager of Menasha Utilities are authorized and directed to do all things necessary to obtain any and all necessary approvals from the PSCW; and

BE IT FURTHER RESOLVED that the Commission shall seek Common Council approval to implement the arrangement once any necessary PSCW authorization has been obtained.

Approved on December 17, 2008.

Due to time constraints, the Closed Session for Personnel will not be held, and a special meeting will be scheduled at a later date.

There being no further business, the motion by Comm. Fahrback, seconded by Comm. Merkes, was unanimously approved to adjourn at 12 noon.

By: MARK L. ALLWARDT
President

DONALD MERKES
Acting Secretary

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

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

November 7, 2008

Draft

Commission President Allwardt called the Special Meeting of the Water and Light Commission to order at 11:30 A.M., with Commissioners Bob Fahrback and Carla Watson present on roll call. Also present were Doug Young, General Manager; Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Dick Sturm, Manager of Steam Production; and Tom Stoffel, City of Menasha Comptroller/Treasurer.

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

Item III. The motion by Comm. Fahrback, seconded by Comm. Watson was unanimously approved at 11:31 am. to convene into Closed Session pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting Steam Contract Negotiation

Comm. Merkes arrived at 11:34 a.m., and Comm. Guidote arrived at 11:45 a.m.
Comm. Allwardt departed at 12:37 p.m., and turned the gavel over to Comm. Vice President Fahrback.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn from Closed Session at 12:58 p.m. and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

A Special Meeting will be scheduled for Thursday, November 13, at 3:15 p.m.

Item IV. No one from the Gallery to be heard on any items discussed at this Meeting.

Item V. The motion by Comm. Watson, seconded by Comm. Guidote, was unanimously approved on roll call to adjourn at 1:00 p.m.

By: CARLA R. WATSON
Secretary

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

\\comm\minute Nov 7.doc

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

November 13, 2008

Draft

Commission Vice President Fahrbach called the Special Meeting of the Water and Light Commission to order at 3:15 P.M., with Commissioners Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; and Dick Sturm, Manager of Steam Production.

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

Item III. The motion by Comm. Watson, seconded by Comm. Guidote was unanimously approved at 3:16 pm. to convene into Closed Session pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Whiting and Other Steam Customer Contract Negotiations

There being no further business, the motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to adjourn from Closed Session at 4:54 p.m. and to reconvene into Open Session of the Special Meeting of the Water and Light Commission.

The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved to direct staff to consult with and or retain consultants to implement the strategic plan for the Steam Utility as it relates to the ongoing contract negotiations.

Comm. Merkes departed at 4:55 p.m.

Item IV. No one from the Gallery to be heard on any items discussed at this Meeting.

Item V. The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved on roll call to adjourn at 5:05 p.m.

By: CARLA R. WATSON
Secretary

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

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

December 1, 2008

Draft

Commission President Allwardt called the Special Meeting of the Water and Light Commission to order at 12:00 Noon, with Commissioners Bob Fahrbach, Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Lonnie Pichler, Electric Distribution Supervisor; and the Press.

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

Item III. New Business, Recommendation for Engineering Services for Third Street Water Main Replacement – Electric and Water Distribution Supervisor Pichler reported proposals had been received from four engineering firms. Based on services, staff is recommending Omni Associates be hired to provide engineering services for the water main replacement project.

Manager of Steam Production Dick Sturm arrived at 12:05 pm.

After discussion, the motion by Comm. Fahrbach, seconded by Comm. Watson, was unanimously approved to hire Omni Associates to provide the engineering services for this project.

Mr. Pichler departed at 12:10 pm.

General Manager Position – Comm. President Allwardt reported 33 applications have been received. An interview committee will include Comm. Fahrbach and Guidote for preliminary review/interviews, in addition to Interim General Manager Verhagen and Manager of Business Operations Krause. Responses are to be sent to Comm. Allwardt by the end of the week.

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

Item XII. The motion by Comm. Guidote, seconded by Comm. Fahrbach, was unanimously approved on roll call at 12:25 p.m. to convene into Closed Session pursuant to Section 19.85 (1) (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Contracts

And pursuant to Section 19.85 (1) (f) of the Wisconsin Statutes for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. RE: Personnel

By: CARLA R. WATSON
Secretary

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

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

December 1, 2008

Commission President Mark Allwardt called the Closed Session to order at 1:45 p.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Fahrbach, pursuant to Section 19.85 (1) (f) of the Wisconsin Statutes for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. RE: Personnel

Commissioners Fahrbach, Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt.

The purpose of the Closed Session was to discuss compensation of management personnel.

The motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved at 2:40 p.m. to adjourn from closed session and to convene into Open Session of the Special Meeting of the Water and Light Commission.

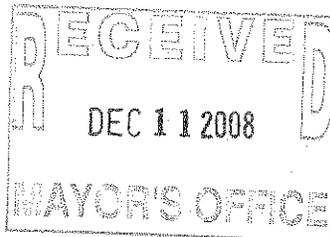
There being no further business, the motion by Comm. Watson, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 2:41 p.m.

BY: CARLA R. WATSON
Secretary



November 18, 2008

City of Menasha,
Mayor Mr. Donald Merkes :



Dear Sir,

In Maebashi the weather is getting cold, and the leaves are turning red and yellow, leading us into a season of beautiful landscapes. I hope this letter finds you in good health during these days of autumn.

I wish to express our gratitude for your cooperation in the "Junior High School Student's Exchange Program", that took place this October. Thanks to your kind efforts our delegation had a great time while staying in Menasha.

Menasha host families and local citizens showed students and group leaders great hospitality, and I heard the precious days spent in your city left them with meaningful memories they'll never forget. For all of this, I thank you once again from the deepest of my heart.

I would now like to address to the issues discussed during the staff meeting that took place in Menasha School ward office at the time of our delegation visit. I'm specifically referring to the Director of Staff & Organizational Development Mr. Peter Pfundtner's proposal of "implementing a junior high school students exchange between our cities on alternate years". Upon discussing about it with the Maebashi International Association, which is in charge of promoting international initiatives such as this on behalf of Maebashi city, we decided to proceed towards the direction Mr. Pfundtner suggested.



Along with this plan, the City of Maebashi will be pleased to greet Menasha's junior high school students on the year 2009, and we would like to begin the necessary arrangements to make it happen. We are looking forward to meeting the people from Menasha next year.

Finally, I would like to wish Mayor Merkes, Director Pfundter, and all Menasha inhabitants a long and prosperous existence, as I am hoping the best for the further development of your city.

Yours Sincerely,

Masao Takagi
Mayor of Maebashi

Hiroshi Nakamura
*President of
the Maebashi International Association*

cc. Cultural & Intl. Affairs Div.

Menasha, IL
 Steam Detail
 For the Eleven Months Ending November 30, 2008

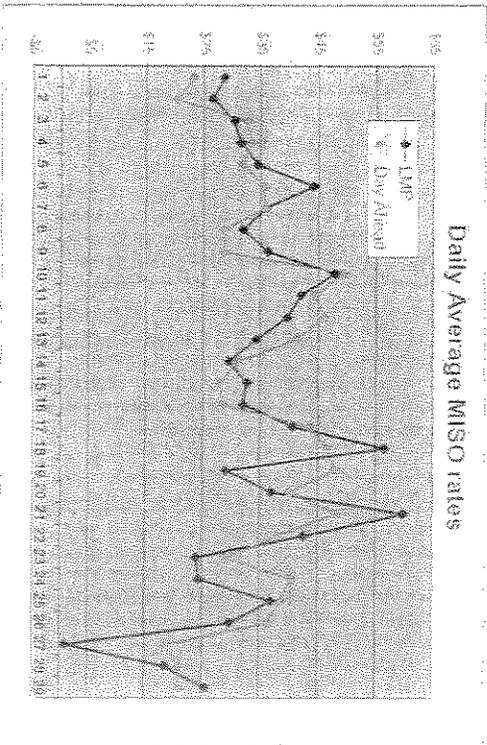
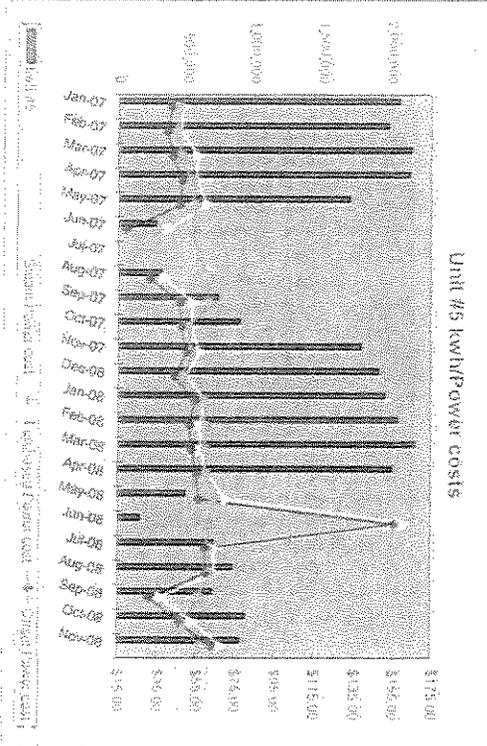
	Actual	Current Month Budget	Variance	Actual	Year-to-Date Budget	Variance	Annual Budget
Operating Revenues							
Steam Sales - Seneca	\$513,441.16	\$608,231.42	(\$29,790.24)	\$8,948,343.82	\$9,476,899.00	(\$4,556,545.05)	\$9,476,899.00
Steam Sales - Alton	37,459.10	46,769.27	(9,310.17)	325,012.52	405,161.00	(79,148.48)	457,751.78
Steam Sales - Whiting	26,709.80	46,495.97	(19,786.17)	344,550.90	441,080.82	(97,529.92)	495,593.77
Electric Sales	61,658.40	100,535.61	(38,877.21)	779,520.76	637,760.70	141,760.06	742,644.54
MISO Sales	172,109.97	66,944.47	105,165.50	2,704,340.81	2,148,432.06	555,908.75	2,768,564.36
Capacity Payment	15,734.02	10,334.00	4,400.02	154,852.60	149,854.00	4,998.60	163,358.00
Forfeited Discounts/Late Charges				4,523.67		4,523.67	
Total Operating Revenues	825,190.87	1,083,333.84	(258,142.97)	11,255,885.10	12,255,188.51	(999,293.41)	13,347,544.40
Operation and Maintenance Expenses							
Steam Power Generation							
Labor	112,876.32	107,339.69	5,536.63	1,355,489.12	1,180,736.59	174,752.53	1,395,376.00
Coal	492,346.69	470,105.30	67,241.39	4,632,161.71	5,051,134.92	(1,018,973.21)	6,154,125.89
Ash Disposal	9,000.00	9,624.34	(624.34)	176,008.61	145,694.48	10,314.13	135,361.80
Other Fuel Expenses	2,850.89	3,667.00	(816.11)	48,295.80	40,337.00	7,958.80	44,264.03
Steam Expenses	5,048.82	6,533.33	(1,484.51)	58,169.49	54,566.63	3,602.86	103,500.80
City Water and Sewer	14,913.72	14,564.80	348.92	210,587.86	161,840.40	48,747.46	170,171.14
Electric Expenses	323.00	2,158.33	(1,835.33)	4,877.78	23,711.53	(18,833.75)	26,495.89
Miscellaneous Steam Power Expenses	3,189.97	4,532.47	(1,342.50)	53,276.43	49,953.87	3,322.56	51,195.99
Auxiliary Power	62,728.40	77,142.26	(14,413.86)	875,334.49	860,045.74	15,288.75	915,676.37
Maintenance of Structures	1,541.58	1,295.00	246.58	2,593.43	14,245.09	(11,651.67)	15,640.00
Maintenance of Boiler Plant	5,665.00	10,125.00	(4,460.00)	17,852.20	29,137.00	(11,284.80)	30,150.00
Maintenance of Electric Plant	345.80	6,333.33	(5,987.53)	26,539.68	91,666.63	(65,126.95)	100,000.00
Maintenance of Miscellaneous Steam Plant	(126.10)	833.33	(959.43)	20,331.43	9,166.63	11,164.80	15,000.00
Total Steam Power Generation	616,193.78	710,343.38	(102,149.62)	7,599,171.44	8,584,803.92	(985,632.48)	9,344,978.20
Distribution Expenses							
Chemical Expense	7,426.96	11,558.67	(4,131.71)	110,076.80	127,265.07	(17,188.27)	138,891.00
Steam Line Expense	1,645.90	157.92	1,487.98	8,438.67	1,737.12	6,701.55	1,991.00
Customer Installation	158.87	479.42	(320.55)	8,130.73	5,273.62	2,857.11	5,753.00
Maintenance of Mains		1,181.17	(1,181.17)	33,804.63	12,992.87	20,811.76	14,174.00
Maintenance of Services		174.33	(174.33)	1,782.69	1,995.68	(212.99)	2,058.00
Maintenance of Meters				1,030.21		1,030.21	
Total Distribution Expenses	9,231.13	13,559.61	(4,328.48)	153,271.33	148,151.61	5,119.72	162,714.00
Administrative and General Expenses							
Administrative and General Salaries	2,008.90	7,765.96	(4,957.06)	38,080.07	65,425.86	(27,345.79)	93,191.52
Office Supplies and Expenses	2,020.04	416.67	1,603.37	5,087.85	4,593.37	594.48	5,023.98
Outside Services Employed	43.93	6,918.00	(6,874.07)	235,458.21	74,142.00	161,316.21	80,105.00
Property Insurance	4,532.04	802.01	3,730.03	50,072.44	41,250.00	8,822.44	35,000.00
Injuries and Damages	2,621.82	3,487.50	(865.68)	26,877.41	36,142.50	(9,265.09)	41,515.00
Employee Pensions and Benefits	27,995.17	34,920.42	(6,925.25)	314,031.20	370,319.62	(56,288.42)	488,280.01
Miscellaneous General Expenses	1,617.96	769.00	848.96	5,630.51	18,037.00	(12,406.49)	19,703.00
Vehicle Cleaning	12.52	0.01	12.51	122.14	0.11	122.03	
Power Operated Cleaning	932.41		932.41	7,128.17		7,128.17	
Rents	50.00	50.00		550.00	550.00		550.00
Total Administrative and General Expenses	42,564.25	58,057.56	(15,493.31)	673,971.08	633,349.16	40,621.92	689,089.53
Total Operation and Maintenance Expenses	667,989.14	769,960.45	(101,971.31)	8,436,413.85	9,367,307.69	(930,893.84)	10,196,361.73
Other Operating Expenses							
USE Water Treatment Lease Expense	29,166.03	29,166.03		320,626.33	320,626.33		349,891.45

Kew-Forest
Steam Detail
For the Eleven Months Ending November 30, 2008

	Current Month			Year-to-Date			Annual Budget
	Actual	Budget	Variance	Actual	Budget	Variance	
Taxes							
Total Other Operating Expenses	\$8,476.11	\$8,882.67	(\$398.56)	\$83,356.57	\$97,489.27	(\$14,152.80)	\$160,561.88
Total Operating Expenses	37,642.14	38,028.72	(398.56)	414,164.90	418,315.70	(4,150.80)	456,344.46
Net Operating Income (Loss)	705,631.28	827,989.15	(122,357.87)	8,850,578.75	9,789,623.39	(939,044.64)	10,652,706.09
Other Income							
Interest and Dividend Income	119,559.59	235,344.69	(135,785.10)	2,405,308.35	2,459,485.12	(54,176.77)	2,634,832.31
Miscellaneous Nonoperating Income	8,402.07	7,488.00	914.07	106,560.95	90,240.00	16,320.95	94,457.09
Total Other Income	8,402.07	7,488.00	914.07	106,560.95	90,240.00	16,320.95	94,457.09
Income Before Interest Charges	814,033.35	935,477.15	(121,443.80)	9,957,139.70	10,879,868.39	(922,728.69)	11,782,143.59
Interest Charges							
Interest on Long-Term Debt	100,658.32	109,517.50	110.82	1,107,241.52	1,105,032.50	1,539.92	1,250,271.68
Interest on Debt to Municipality	77,130.05	77,140.00	0.05	848,540.55	848,540.00	0.55	925,050.96
Other Interest Expense	1,902.93	177,657.50	1,968.93	23,978.31	23,979.31	23,979.31	23,979.31
Total Interest Charges	179,701.31	177,657.50	2,043.81	1,979,710.38	1,954,232.30	25,477.08	2,131,890.08
Net Income (Loss)	(\$1,745.65)	83,175.19	(136,820.84)	532,786.67	605,492.62	(72,705.95)	671,282.21

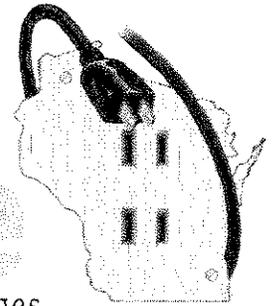
STEAM DISTRIBUTION FOR NOVEMBER 2008

Total Steam purchased	Monthly Total	Budget	YTD	YTD Budget
Sonisco	50,111	65,631	678,548	687,401
Alcan	3,748	3,795	32,898	32,856
Wahkiakum	2,671	3,910	34,459	33,971
Steam Total	56,528	73,336	745,906	754,228
Total Generation kwh	0	0	0	0
MISO Market	0	1,506,000	19,242,334	8,770,000
Unit #3	2,482,731	0	29,500,469	30,378,000
Unit #4	0	0	14,751,907	36,357,000
Real Time - MISO	462,235	1,644,518	33,980,976	39,094,000
Average MISO Price	42.42	42.86	53.42	55.16
Day-Ahead - MISO	1,930,498	1,598,000	33,980,976	39,094,000
Average MISO Price	42.48	42.69	53.42	55.16
Total MISO Market	2,492,731	1,600,000	48,742,003	39,094,000
Behind the Meter	0	0	0	0
Unit #5	371,290	4,733,000	12,901,466	19,078,000
Average Price**	531.766	58.01	60.17	57.92
MW Total	2,860,990	3,301,000	61,704,299	59,092,000



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Constellation survives *Buffetting*?

The tangled tale of Maryland's biggest utility holding company took another unexpected turn in mid-December. Constellation Energy Group's (CEG) directors changed their minds about boarding the lifeboats and terminated a merger agreement with Mid-American Energy. At the same time, they accepted a French government-owned utility's bid to acquire half of Constellation's nuclear assets.

When CEG's stock lost three-fourths of its value in mid-September over worries about the liquidity of the company's energy-trading business, the \$4.7 billion merger offer from Warren Buffett's Mid-American Energy Holdings may have looked good, but it was never uncontroversial.

CEG shareholders were ready to sue over the company's rejection of a higher bid from Electricite de France (EDF), which was already the biggest CEG shareholder, with 10 percent of the company.

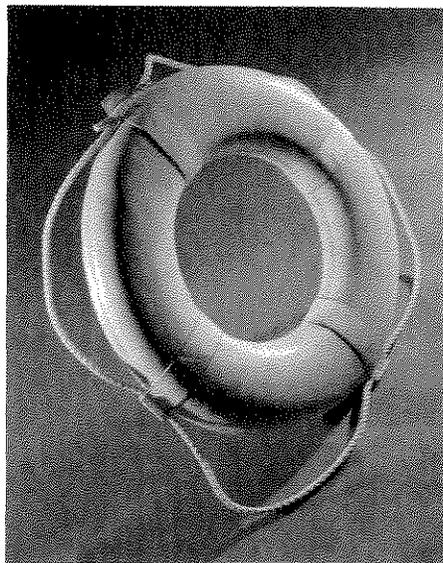
And Maryland regulators made it clear they wanted a long look at the Mid-American proposal.

Then in December came a different offer from EDF: It would pay \$4.5 billion—nearly as much as Buffett had offered for the entire company—for a 50-percent share in CEG's nuclear generation and operation business, with a billion-dollar infusion of cash up front to ensure CEG's short-term liquidity.

The proposal would not require approval from Maryland regulators or CEG shareholders, EDF said.

Ratings agencies concluded the French offer would allow CEG to turn down Buffett's bid and still avoid bankruptcy.

Within two weeks, CEG and Mid-American jointly terminated their merger agreement. The same day, CEG and EDF announced an agreement selling half of CEG's nuclear assets to EDF with the option to acquire an additional \$2



billion in non-nuclear generation.

Buffett won't leave empty-handed. Under terms of the September agreement, CEG will pay its erstwhile rescuer a \$175 million termination fee, along with 10 percent of its common stock and another \$418 million cash.

CEG and EDF said they expect the transaction to be completed within six to nine



Rail reform gets a boost

Legislation aimed at restoring federal antitrust coverage to the nation's railroads gained momentum in December, as the antitrust section of the American Bar Association (ABA) urged adoption of a bill authored by Wisconsin Rep. Tammy Baldwin.

The ABA group provided a 13-page analysis to leaders of both parties in the House of Representatives spelling out its support for Baldwin's bill (H.R. 1650) and urging Congress to "move forward quickly to dismantle the antitrust exemption for the railroad industry, through the Railroad Antitrust Enforcement Act [H.R. 1650], and to consider additional legislation to eliminate antitrust exemptions applicable to other industries."

In November, Baldwin asked House leadership to consider adding her bill into an economic stimulus package to be taken up this month. In a letter to Speaker Nancy Pelosi (D-CA), Baldwin said the railroads' "unrestrained pricing power over America's consumers is hurting our economy and our country, and must be addressed."



More wind coming on line

Alliant Energy has begun commercial operation of another new Wisconsin wind farm, the third in 2008 to start contributing renewable power to the grid.

Alliant's Wisconsin Power and Light subsidiary announced in mid-December its Cedar Ridge Wind Farm was churning out renewable electricity. The 41-turbine project is spread out over 12 square miles in eastern Fond du Lac County. Alliant said the 68-megawatt capacity is sufficient to power approximately 17,000 homes.

Another wind-energy project, Butler Ridge, was expected to enter commercial operation as this edition went to press, making it Wisconsin's fourth such project to come on line in 2008. WPPI Energy has a 20-year agreement to purchase 20 megawatts from the overall 54-megawatt project.

The Butler Ridge Wind Farm is located near the Dodge County village of Iron Ridge, between the WPPI Energy member communities of Hartford and Hustisford.



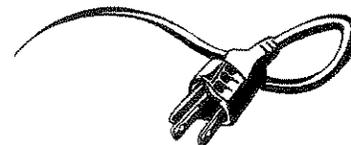
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers,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

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



KEEPING CURRENT

With CFC Executive Director Matt Bromley



New and returning lawmakers start the legislative session this month facing the worst deficit in state history. The budget is estimated to be \$346 million short when the current cycle ends June 30—and projected to get \$5 billion deeper over the next two years.

In dealing with this crisis Governor Doyle gets to work with a Legislature now led by members of his own party. Last November's elections resulted in Democrats wresting power from Republicans in the Assembly and ending the GOP's 14-year reign. In the Senate, Democrats held onto their majority.

With a new Legislature comes new leadership and committees. Rep. Mike Sheridan, from Janesville, is now speaker, the top post in the Assembly, and Tom Nelson from Kaukauna is majority leader. Russ Decker from Weston continues his role as the Senate majority leader, a job he held during the last half of last session.

Those interested in energy and utility issues pay particular attention to the makeup of the relevant legislative committees. Senator Jeff Plale of South Milwaukee returns to chair the Senate Committee on Commerce, Utilities, Energy and Rail, joined by last session's committee members Senators Bob Wirsch, Rob Cowles, Sheila Harsdorf, and Neal Kedzie. New members include Senators Jon Erpenbach and Pat Kreitlow. In the Assembly, Rep. Jim Soletski from Green Bay, a former nuclear power-plant worker, takes the chair of the Energy and Utilities Committee with Rep. Josh Zepnick vice chair. Other members had not been announced by press time.



Bromley

Though the bulk of issues affecting utilities and electricity customers should go to the two committees noted above, they could also be reviewed by the Senate's Environment Committee chaired by Senator Mark Miller and the Assembly's Natural Resources Committee chaired by Rep. Spencer Black or the Renewable Energy and Rural Affairs Committee chaired by Rep. Andy Jorgenson.

Perhaps this session's biggest energy-related proposals will be those that come out of the Governor's Global Warming Task Force, such as increasing the renewable portfolio standard, enhancing energy efficiency and conservation programs, modifying the moratorium on building new nuclear power plants, and creating uniform siting standards for wind-energy systems. With the state financial crisis taking priority, though, it's uncertain how soon legislators will be able or willing to dive into these topics. 💡

Municipal group has new name

Wisconsin Public Power, Inc., the three-state regional power company based in Sun Prairie, last month became WPPI Energy, a name the organization says better reflects its commitment to energy efficiency and conservation, renewables, and its 50 consumer-owned utility members.

Those 50 include 49 municipal electric utilities in Wisconsin, Iowa, and Michigan's Upper Peninsula and one Michigan electric cooperative. Through WPPI Energy, the 50 share resources and own generation facilities providing electricity to more than 190,000 homes and businesses.

"WPPI Energy is the best way to identify the company we've become," said President and CEO Roy Thilly. "This very positive

change acknowledges our member growth beyond Wisconsin to include nine member communities in Upper Michigan and Iowa while also preserving the name recognition WPPI has achieved within Wisconsin and nationally. It also provides quick description of what we do—provide reliable, affordable electric power to member communities for the long term."

WPPI Energy was founded in 1980 by 23 Wisconsin municipal utilities, establishing it as the state's first municipal electric power company.

WPPI was among the founders of the *Customers First!* Coalition and continues as a partner in the organization's advocacy efforts on electric utility restructuring issues. 💡

Talking past each other

A couple of months ago, *The Wire* noted the stark contrast between talk of a U.S. nuclear power renaissance and actions suggesting a national repository for spent power-plant fuel—of which there's a generous amount already on hand—won't be opening any time soon. Now there's more evidence that some people need to talk, with the leader of the Senate saying the repository won't be built at all and the industry saying it might be expanded.

In the realm of stark contrasts, few could surpass the one between Senate Majority Leader Harry Reid's early December remark that plans for a permanent repository in Nevada are "gone," and the near-simultaneous report from the Department of Energy recommending Congress take action to enlarge the desert storage site 100 miles north of Las Vegas.

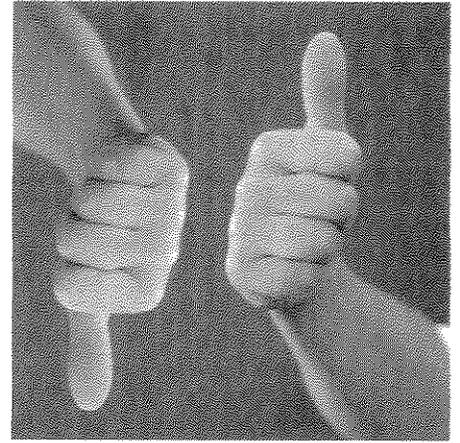
Reid (D-NV) told an Associated Press

interviewer he wouldn't allow Senate confirmation of any energy secretary who would support completion of the Yucca Mountain project.

But not everybody got the memo. The DOE contends that the Yucca Mountain facility—which now consists of test tunnels and, already 11 years behind schedule, is still far from being ready to accept any waste shipments—could be configured to hold as much as three times its presently authorized capacity.

The department says that's necessary because the law Congress passed in 1982 directing creation of a national repository set its capacity at 70,000 metric tons, and by now, the entire available space, as designed, would already be spoken for prior to the facility actually opening for business.

In the meantime, lobbyists for the nuclear industry had reportedly been talking with mem-



bers of the Obama transition team, asking them to hold off on any firm decision on what to do about the embattled project.

They said a repository for spent power-plant fuel needs to be part of a national strategy for handling nuclear waste but added that they have "no sense of what [the Obama team] are going to do," according to a report in the *Las Vegas Review Journal*.

Then in mid-December, the *Review Journal* reported that Energy Secretary-designate Steven Chu and nine other directors of national laboratories in August had signed onto a position paper saying they "strongly believe that nuclear energy must play a significant and growing role in our nation's—and the world's—energy portfolio."

The 10 directors called for interim storage of waste on-site or away from power plants, licensing of the Yucca repository, and federal funding for development of waste reprocessing and other technologies, the *Review Journal* reported.

Earlier, Reid said he had obtained no commitment from President-elect Obama to block Yucca Mountain, feeling it unnecessary after Obama campaigned in Nevada saying he opposed the project. 💡

Energy saver tip

Lately *The Wire* has heard stories of people troubled by high energy bills substituting space heaters for other heat sources. Big mistake! Heating large spaces with a space heater is a recipe for inefficiency and even higher utility bills. If you use one, think of it as a "people heater" to keep you comfortable for a limited time in a limited space, not as a device to raise the temperature throughout your home. 💡

New study charts Texas rate hikes

We aren't sure what John Fainter was thinking when he made the statement that became our "Quotable Quote" for the December edition of *The Wire*. In November, the Fort Worth *Star-Telegram* reported Fainter, who's president of the Association of Electric Companies of Texas, defending that state's electric restructuring program by saying, "We think the competitive market has given consumers a good deal. I don't know of anybody who doesn't think their energy prices are too high."

We've subsequently learned that he got that last part right—where the vast majority of Texans are concerned.

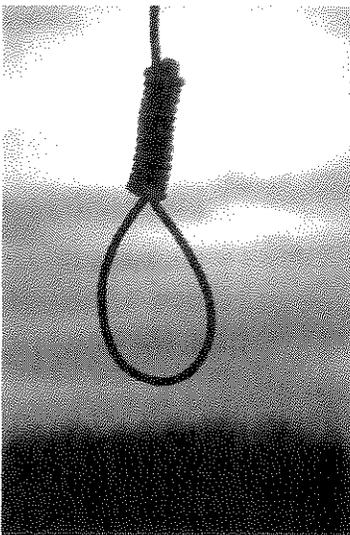
It's not news that electricity rates have shot up since Texas deregulated most of its retail electricity markets. But now studies by two groups of Texas municipalities have found residential electricity rates there have risen faster than those in any other state that allows competition at the retail level, and that rates have stayed lower in the limited areas where traditional regulation still exists.

The first of those findings came from the Cities Aggregation Power Project this fall. The latter one appeared in December in a report from the Texas Coalition of Cities for Utility Issues.

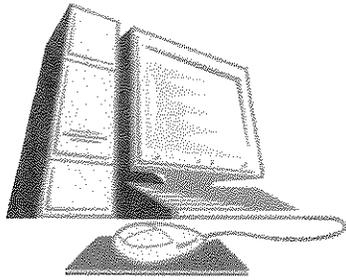
The coalition said its annual survey found, "Even the very lowest competitive rate available to millions of Texans is still higher than rates enjoyed by fully regulated utilities, cooperatives and municipally-owned utilities."

Co-ops, municipals, and a subsidiary of a large investor-owned utility with a multi-state territory that includes only a small part of Texas were allowed to opt out of restructuring and retail competition, and the coalition's survey shows their customers are typically paying less for their electricity.

Some competitive suppliers were offering favorable rates, the survey found. They accounted for two of the 10 best rates. But the average residential customer of the lowest-cost competitive retailer pays 56 percent more than a customer of the lowest-cost provider outside the competitive market. 💡



Be sure
to check out the
Customers First!
web site at



www.customersfirst.org



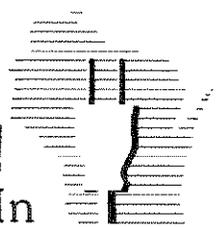
Quotable Quotes

“Many Texans can shop around all they like and still never find better deals than those enjoyed by more than one million Texans lucky enough to live in areas where rates are still regulated.”

—Excerpt from a December 11, 2008, news release
from *Texas Coalition of Cities for Utility Issues*

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

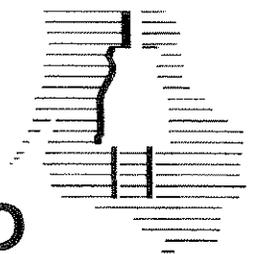
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to preserve
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State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor
Matthew J. Frank, Secretary
Ronald W. Kazmierczak, Regional Director

Oshkosh DNR Service Center
625 E County Rd Y Ste 700
Oshkosh WI 54903-2565
Telephone 920-424-3050
FAX 920-424-4404

December 18, 2008

Mayor Donald Merkes
140 Main St.
Menasha, WI 54952

Dear Mayor Merkes,

In the next year you'll be hearing about the Lower Fox River TMDL through the media and possibly from your constituents. TMDL means *Total Maximum Daily Load*, an analysis that is under way for the Lower Fox River, its tributary streams, and lower Green Bay.

Under the Federal Clean Water Act, states must identify waters that are polluted or impaired. This means they don't meet water quality standards, they are not fully supporting recreational uses, or they are not providing the habitat they should for wildlife, fish, and other aquatic life. Each impaired water body is required to have a TMDL developed to determine how much pollution must be removed so that the water body is no longer impaired.

The impairments of the Lower Fox River and lower Green Bay are from PCBs and excessive phosphorus and sediment. PCB clean up is a separate effort under the Comprehensive Environmental Remediation and Liability Act. The remaining pollutants, phosphorus and sediment, are the focus of the TMDL. Phosphorus and sediment reach the Lower Fox River Basin in large volumes from agricultural and urban runoff and from municipal and industrial discharges. The TMDL process will identify target levels of pollutant reduction needed to meet water quality goals.

We have established a Technical Team of affected parties and stakeholders to determine how best to reduce these discharges. The team includes representatives from the DNR, county land and water conservation departments, industrial and municipal dischargers, stormwater consultants, UW-Green Bay, UW-Extension, UW-Sea Grant, Oneida Tribe, and the US EPA. We believe it is essential to work with these partners to ensure that the final pollution reduction plan will be practical, innovative, and cost-effective. If you have questions about the technical team as the TMDL is developed, you can contact me or Tom Davies or Melanie Leet of the Winnebago County Land and Water Conservation Department, (920) 232-1950 or (920) 727-8642.

The enclosed fact sheet provides more information on this effort. Please share this with other members of your City Council. Additional information can be found at the following web sites:

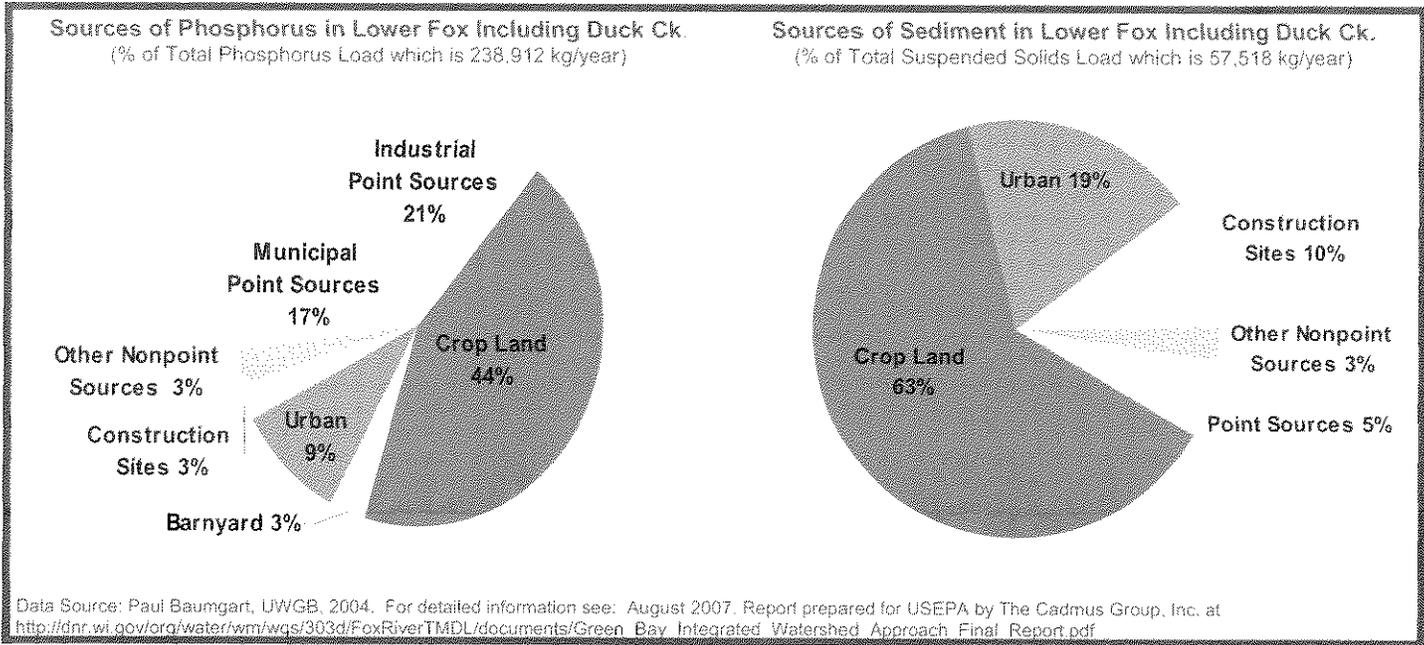
<http://dnr.wi.gov/org/water/wm/wqs/303d/FoxRiverTMDL/> and
<http://basineducation.uwex.edu/lowerfox/watershedplan.html>

If you or your constituents have questions about the project please contact me at 920-424-7894 or by e-mail at Robin.McLennan@Wisconsin.Gov. I'll be happy to answer your questions or meet with you to discuss this effort.

Sincerely,

Rob McLennan
Wisconsin Department of Natural Resources Regional TMDL contact

These charts show the sources of phosphorus and sediment in the Lower Fox River Basin. Phosphorus and sediment reduction targets will be set for each group. Creative and flexible approaches to meet these targets will be examined.



WE ARE ALL PART OF THE SOLUTION

In agricultural areas we can:

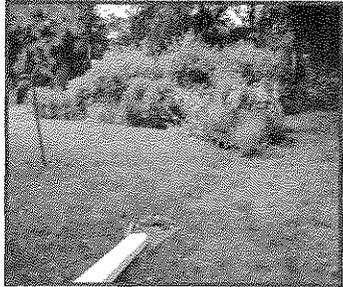


Cover crop in corn stubble near Oneida
Photo: Kevin Erb, UW Extension

- Lower phosphorus levels in soils and reduce soil loss.
- Use rotational grazing for livestock and conservation tillage on cropland.
- Install vegetated buffer and grass filter systems and protect natural buffers along water bodies.
- Develop and implement nutrient management plans with the most effective mix of management practices to reduce phosphorus and sediment runoff.
- Manage manure application on the landscape and explore composting, digesting, or other emerging technologies for manure management.

In residential areas we can:

- Test soil nutrient levels before applying fertilizer (contact County Extension office or purchase a home test kit).
- Use low impact development techniques, reduce impervious surfaces, control erosion, and increase infiltration using rain gardens and other methods.
- Design stormwater systems that go above and beyond current state standards.
- Restore wetlands to improve habitat and provide storage of flood waters.



Water directed to rain garden
Photo: Wisconsin DNR

Partners include, but are not limited to: WDNR, U.S. Environmental Protection Agency (EPA), U.S. Geological Survey, UW-Green Bay, UW-Sea Grant Institute, UW-Extension, Green Bay Metropolitan Sewerage District, County Land and Water Conservation Departments, and the Oneida Tribe of Indians.



Publication Date: November 2008

To contact the DNR for more information about the Lower Fox River and Green Bay TMDL Process:
Nicole Richmond (608) 266-0152, Rob McLennan (920) 424-7894, or Erin Hanson at (920) 662-5419

<http://dnr.wi.gov/org/water/wm/wqs/303d/FoxRiverTMDL/>



MEMORANDUM

To: Common Council
From: PRD Tungate
Date: December 19, 2008
RE: Landscape Improvements Along the Friendship Trail, West of Heckrodt Wetland Reserve

Over the past years, there has been discussion about improving trail user security on the segment between the railroad tracks and STH 114. Recently, the Mayor and I met with Tracey Koenig the Executive Director of the Heckrodt Wetland Reserve (HWR) about collaborating on lighting and landscape improvements along this segment. The outcome of this meeting was very positive and subsequent to the meeting more positive developments have occurred. This correspondence will bring you up to date with what has been discussed on a conceptual level.

We plan to accomplish four (4) main objectives with this project.

1. Devise an eco-friendly, energy effective lighting solution for the trail to improve safety. This could include either solar or LED system. Bollard style and overhead fixtures will be considered.
2. Develop and implement a plan to rid this area of Japanese Knotweed, a highly invasive plant that is prevalent mostly on the south half of the trail. HWR has just had an AmeriCorps service position approved to assist in managing this project.
3. Create a new landscape plan for the area. HWR Board Chairman Jim Bartz has offered to donate his time on developing this landscape plan. This would include possible removal of the woodchip berm and replacing it with clean, invasive plant-free soil and then replanting with native vegetation to screen the public works storage areas. There is also potential to include planning for future landscape enhancements to the Plank Road corridor and future public works retention pond area.
4. As part of the landscape plan, we plan to create at least one public overlook of Lopas pond. At a minimum, it would include a bench and be a nice wayside for trail users to enjoy.

There appears to be several grants available to assist in funding this project. Tracey Koenig has graciously offered to assist in writing these grants. We plan to contact Menasha Utilities about getting involved in the lighting portion of the project in some way. Our plan is to begin landscape planning and grant writing in January 2009. Plans will be reviewed by the Parks and Recreation Board as needed. We will keep the Common Council apprised as this project moves forward.

Don Merkes

From: Tracey Koenig @ Heckrodt Wetland Reserve [heckrodtwetland.tk@tds.net]
Sent: Friday, December 19, 2008 11:25 AM
To: Brian Tungate; Don Merkes
Subject: Americorps position and Japanses Knotweed

Hi Don and Brian,

I received news yesterday that the Americorps partner position we applied for has been approved! This position will manage the *invasive species project* on the Reserve and in the nearby surrounding community this summer, as well as provide community education about invasives. I wrote this position with the Japanese Knotweed (JK) project along the bike trail in mind, so added some hours into the mix for participation there. Our partner will start work in February and be with us through August.

I've been researching JK control and have discussed our project with the DNR invasives folks (Brock Woods and Kelly Kearns). The recommendation I received was that we should cut it back several times throughout the spring and summer to weaken the root and then in late August or early September, spray it with a systemic herbicide. A new product by BASF was recommended (called Habitat) - I'm researching to find out about residual half-life in soil, but it looks good so far to use in fall and plant the following spring/summer. Cutting, spraying, and covering with black plastic has not been found to be very successful on large areas - the stuff can grow through concrete, so black plastic isn't much of a challenge.

If we want to dispose of the bark, the landfill is an option, but we'll want to be sure they use it on active fill areas that are covered several times with garbage - shoots can grow from depths of 9' below ground. Also, we'll need to make sure they don't use it on the edges of the landfill where the plant can find sunlight. When cutting the JK, we'll need to make absolutely sure no cuttings end up in the channel or we'll send it floating off to other areas.

I've also been asked to keep an eye out for male plants and seed-producing females. In Europe, all JK plants are female clones that reproduce vegetatively by rhizomes. Apparently in the US, both female and male plants have developed that are producing viable seed - not a good thing at all since this will produce a dormant seed bank in the soil that could take years to eliminate. The DNR is studying JK populations in Wisconsin to determine the seed viability.

I will be working on the grants for this project immediately after the first of the year. I'm on vacation from December 23 on - back in the office January 5. We're heading to warmer climate where there will be no snow (please, no more snow). Have a great holiday!

Tracey Koenig
Executive Director
Heckrodt Wetland Reserve
PO Box 554
1305 Plank Road
Menasha, WI 54952
(920)720-9349
heckrodtwetland.tk@tds.net
www.heckrodtwetland.com

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday December 15, 2008
MINUTES**

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: Ald. Zelinski, Benner, Pamerter, Taylor, Wisneski, Pack, Hendricks

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Sahr, DPW Radtke, CDD Keil, C/T Stoffel,
PRD Tungate, PHD Nett, Clerk Galeazzi, and the Press

D. PUBLIC HEARING

1. Special Use Permit-UW Fox Valley-Parcel #6-1671, 1655 University Drive

Stan Sevenich, 645 9th Street. Encourage Council to approve; important to help create and retain good jobs in the area.

2. Special Use Permit-Habitat for Humanity-Parcel #6-1660, 1381 Midway Road
No one spoke

3. Special Use Permit-Keystone Development LLC-Parcel #4-783-5, Parkside Drive
No one spoke

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

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

No one spoke

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

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

Minutes to receive:

- a. Administration Committee, 12/1/08
- b. Board of Public Works, 12/1/08
- c. Board of Health, 10/8/08
- d. Safety Committee-City Hall, 10/1/08
- e. Safety Committee-Police Dept, 9/18/08
- f. Safety Committee-Public Works & Parks, 10/28/08
- g. Plan Commission, 12/2/08
- h. Parks and Recreation Board, 12/8/08

Communications:

- i. Roy Thilly to WPPI Staff and Members, 12/8/08; Wisconsin Public Power Inc. becomes WPPI Energy
- j. Community Foundation, 12/8/08; Open House for Giving Hearts
- k. PHN Nett, 12/8/08; Menasha Health Dept. Annual Report 2007
- l. PHN Nett, 12/9/08; National Preparedness Report
- m. Menasha Historical Society Newsletter, 12/08
- n. Customers First!, 12/08; the *Wire Newsletter*
- o. Waverly Sanitary District Minutes, 11/11/08

G. CONSENT AGENDA

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

Minutes to approve:

1. Common Council, 12/1/08

Administration Committee, 12/1/08 – Recommends Approval of:

2. Agreement for Services between Menasha Health Dept. and Wisconsin Disaster Medical Response Team Medical Reserve Corps for Emergency Response Teams, and authorize signature.
3. Division of Public Health Contract Agreement, Public Health Preparedness and Response for Bioterrorism Contract #16842, Jan 1, 2009-Dec. 31, 2009, and authorize signature.
4. Acceptance of Alcohol Enforcement Grant from the Department of Transportation

Board of Public Works, 12/1/08 – Recommends Approval of:

5. Street Use Application – 15th Annual Fox Cities New Year's Eve Celebration; Wednesday, December 31, 2008; 10:30 PM to 12:30 AM; Community Forward, Inc.
6. Street Use Application – Team Hailey 5K Run/Walk for a Cure; Saturday, April 25, 2009; 8:00 AM – 10:30 AM; Team Hailey
7. Change Order – Badger Highways Co., Inc.; New Street Construction/Street Reconstruction; Contract Unit No. 2008-01; DEDUCT: \$67,600.72; (Change Order No. 2 and Final)
8. Payment – Badger Highways Co., Inc.; New Street Construction/Street Reconstruction; Contract Unit No. 2008-01; \$128,342.24; (Payment No. 5 and Final)

Plan Commission, 12/2/08 – Recommends Approval of:

9. Special Use Permit for 1655 University Drive with the following conditions:
 - a. The existing gravel areas shall be paved or seeded within two years.
 - b. The existing wall lighting shall be replaced with full cut-off luminaries.
 - c. The front setback area must be landscaped to current city standards.
 - d. The parking stalls must be striped.
 - e. The existing gravel area must not be used for parking or storage.
10. Special Use Permit for 1381 Midway Road with the condition that the southernmost light pole is removed to prevent light spill onto neighboring properties.
11. Special Use Permit for Keystone Development on Parkside Drive with the following conditions: That the following plans are submitted for approval by July 31, 2009:
 - a) Lighting/photometrics, b) Landscaping/paving/parking, c) Erosion Control, d) Stormwater Management, e) Grading/Drainage, f) Building Elevations, g) Dumpster Enclosure detail, h) Any other materials as requested by staff for site plan review, i) A Payment in lieu of Taxes (PILOT) agreement.
12. Retaining the south 150 feet of Lot 10, Province Terrace.

Moved by Ald. Pack, seconded by Ald. Hendricks to approve all items
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

None

I. ORDINANCES AND RESOLUTIONS

1. O-23-08 – Ordinance Relating to Public Sites and Open Spaces
(Recommended by the Parks and Recreation Board, introduced by Ald. Taylor and Wisneski)
No Action

2. O-24-08 – Ordinance Relating to Rezoning Notices
(Recommended by the Plan Commission, introduced by Ald. Benner)
No Action

3. R-21-08 Resolution Supporting the Creation of the Office of Energy Independence.
(Recommended by the Sustainability Board, Introduced by Ald. Wisneski)

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-21-08
Motion carried on voice vote.

4. R-22-08 – Resolution Endorsing the Concept of a Shared Park Facility in Northwestern
Calumet County (Recommended by the Parks and Recreation Board, introduced by Ald.
Taylor)

Moved by Ald. Taylor, seconded by Ald. Wisneski to adopt R-22-08
Discussion
Motion carried on voice vote.

J. ACTION ITEMS

1. Accounts Payable and Payroll for the term 12/4/08-12/11/08 in the amount of \$827,551.42

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Accounts Payable and Payroll
Discussion
Motion carried on roll call 7-0.

K. APPOINTMENTS

1. Mayor's Reappointments to the Neenah-Menasha Sewerage Commission:
a. Kathy Bauer, 709 Lincoln Street for the term Jan 1, 2009-Jan 1, 2012

Moved by Ald. Wisneski, seconded by Ald. Hendricks to approve reappointment.
Motion carried on voice vote.

L. CLAIMS AGAINST THE CITY

None

M. HELD OVER BUSINESS

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

None

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Taylor to adjourn at 6:19 p.m.
Motion carried on voice vote

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

ORDINANCE O – 1 – 09

AN ORDINANCE AMENDING THE CITY OF MENASHA COMPREHENSIVE PLAN

Introduced by Mayor Merkes on the recommendation of the Plan Commission.

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

SECTION 1: The City of Menasha Year 2030 Comprehensive Plan, approved August 18, 2008 is amended as follows:

The land designation of Outlot 2, CSM 6330 as shown on the attached reference map (attachment A) is changed from Government/Institutional to Industrial.

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

Passed and approved this _____ day of _____, 2009

Donald Merkes, Mayor

ATTEST:

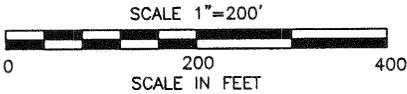
Deborah A. Galeazzi, City Clerk

Attachment A

CERTIFIED SURVEY MAP NO. 6330

Part of the Northwest 1/4 of the Southwest 1/4, Section 2, Town 20 North, Range 17 East, City of Menasha, Winnebago County, Wisconsin

Bearings are referenced to the north line of the Southwest 1/4, Section 2, assumed to bear N 89°56'14" E



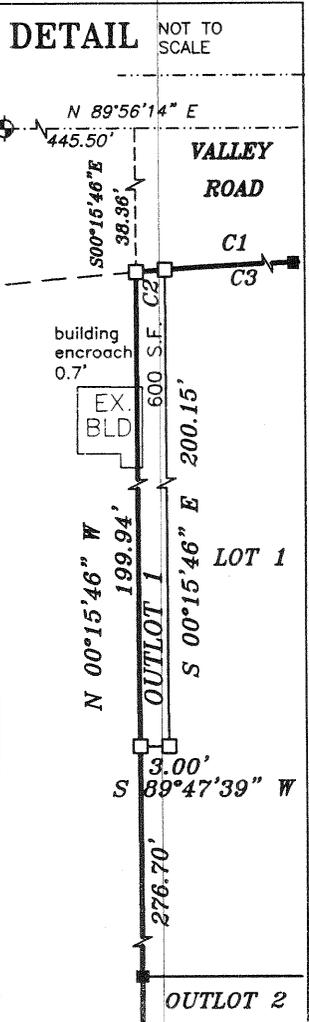
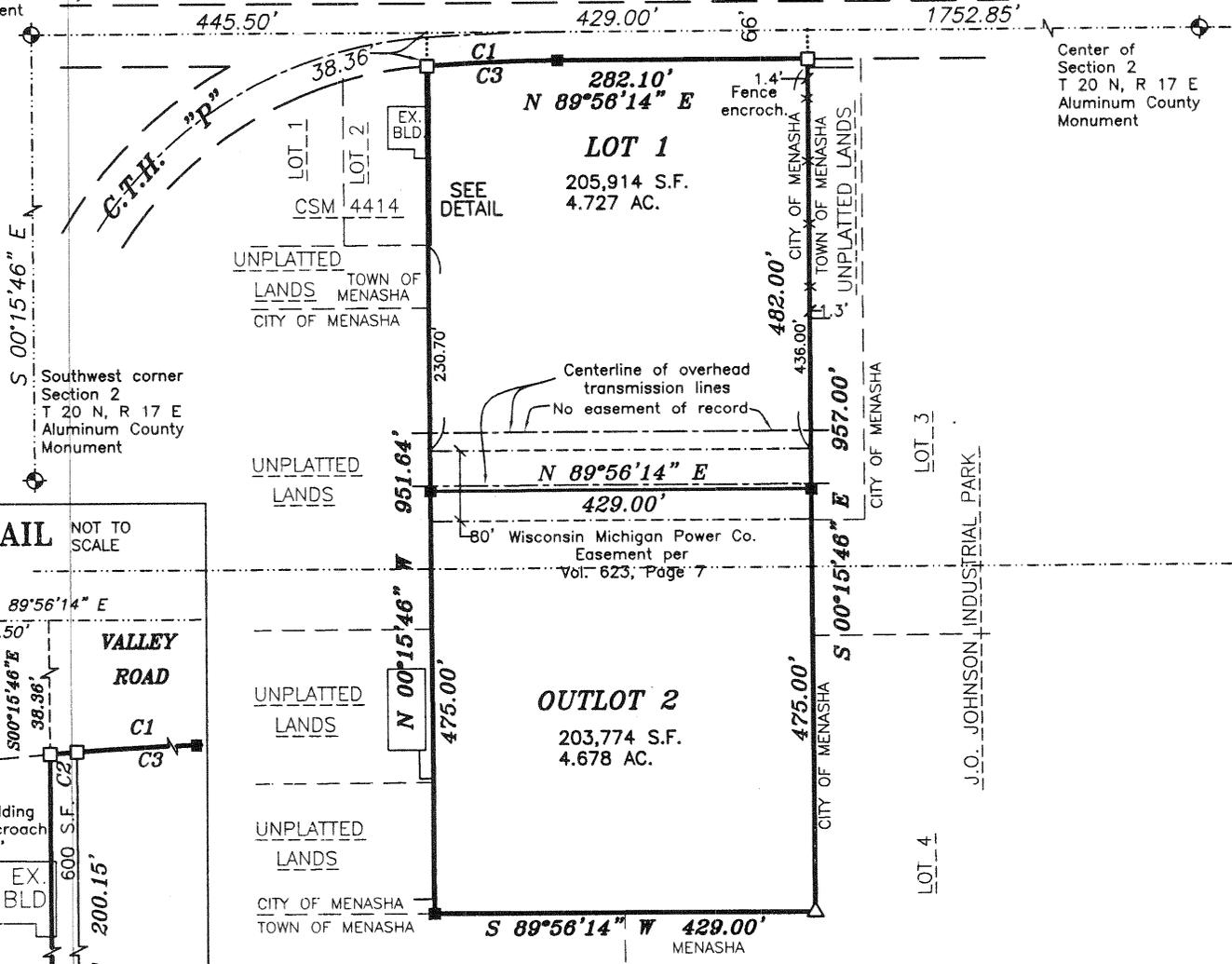
Survey for:
Miron
1471 McMahon Road
Neenah, WI 54956

Curve	Radius	Delta	Length	Chord Bearing	Chord
1	2017.00'	004°10'34"	147.01'	N 87°50'57.0" E	146.98'
2	2017.00'	000°05'08"	3.01'	N 85°48'14.0" E	3.01'
3	2017.00'	004°05'26"	144.00'	N 87°53'31.0" E	143.97'

West 1/4 corner
Section 2
T 20 N, R 17 E
Aluminum County
Monument

Center of
Section 2
T 20 N, R 17 E
Aluminum County
Monument

VALLEY ROAD N 89°56'14" E 2627.35'



WISCONSIN
GARY A. ZHRINGER
S-2098
STOCKBRIDGE
WI
LAND SURVEYOR
Gary A. Zhringer
10-06-08

NOTE:
THE INTENT FOR OUTLOTS 1
AND 2 IS TO BE ADDED TO
ADJOINING LANDS.

LEGEND

- 1" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
- 1" O.D. IRON PIPE FOUND
- △ 1-1/4" O.D REBAR FOUND
- ◆ GOVERNMENT CORNER
- * * FENCE LINE

Martenson & Eisele, Inc.

1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 264-212a
FILE 264212a_csm SHEET 1 OF 3
THIS INSTRUMENT WAS DRAFTED BY: poe

Attachment A

CERTIFIED SURVEY MAP NO. 10330

Surveyor's Certificate:

I, Gary A. Zahringer, a Registered Wisconsin Land Surveyor, do hereby certify:

that I have surveyed, mapped, and divided at the direction of Miron, part of the Northwest 1/4 of the Southwest 1/4, Section 2, Town 20 North, Range 17 East, City of Menasha, Winnebago County, Wisconsin, more fully described as follows:

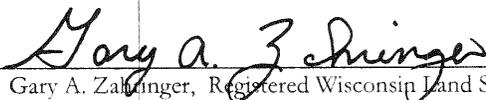
Commencing at the west 1/4 corner of Section 2; thence along the north line of the Southwest 1/4 of said Section 2, North 89 degrees 56 minutes 14 seconds East, 445.50 feet; thence South 00 degrees 15 minutes 46 seconds East, 38.36 feet to the point of beginning;

thence along the south right of way line of Valley Road, 147.01 feet along the arc of a curve to the right, having a radius of 2017.00 feet and a chord which bears North 87 degrees 50 minutes 57.0 seconds East, 146.98 feet;
thence continuing along said south right of way line,
North 89 degrees 56 minutes 14 seconds East, 282.10 feet;
thence along the west line of J.O. JOHNSON INDUSTRIAL PARK and its extension thereof,
South 00 degrees 15 minutes 46 seconds East, 957.00 feet;
thence continuing along the westerly line of said J.O. JOHNSON INDUSTRIAL PARK and along the north line of Certified Survey Map No. 4837, South 89 degrees 56 minutes 14 seconds West, 429.00 feet;
thence along the east line of Certified Survey Map No. 4414 and its extension thereof,
North 00 degrees 15 minutes 46 seconds West, 951.64 feet;
to the point of beginning, containing 410,288 square feet (9.419 acres). Subject to all easements and restrictions of record.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the City of Menasha Subdivision Ordinances.

That this map is a correct representation of all exterior boundaries of the land surveyed and the division thereof.

Given under my hand this 6th day of October, 2008.


Gary A. Zahringer, Registered Wisconsin Land Surveyor S-2098



This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

Owners of Record:	Recording Information:	Parcel Number:
St. John's Polish Congregation	Vol. 181 Page 565	740076200

PROJECT NO. 264-212a

FILE 264212a_csm SHEET 2 OF 3

THIS INSTRUMENT WAS DRAFTED BY: poe

Attachment A

CERTIFIED SURVEY MAP NO. 6330

Owner's Certificate:

I, 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 9 day of October, 2008.

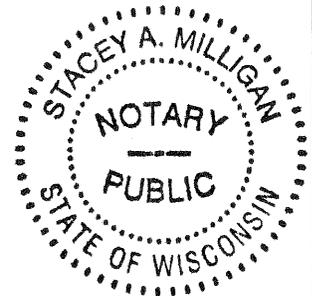
Rev. Paul J. Radetski
(print or type name)

Rev. Paul J. Radetski
(signature)

State of Wisconsin)
)SS
Winnebago County)

Personally came before me on the 9 day of October, 2008, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Stacey A. Milligan my commission expires May 13, 2012
(Notary name)



Common Council Resolution:

Resolved by the Common Council of the City of Menasha, that this Certified Survey Map is hereby approved. Passed and approved by resolution number

Common Council this 17th day of November, 2008.

Dated this 20th day of November, 2008.

[Signature]
Mayor

Deborah A. Galleggi
City Clerk

Treasurer's Certificate:

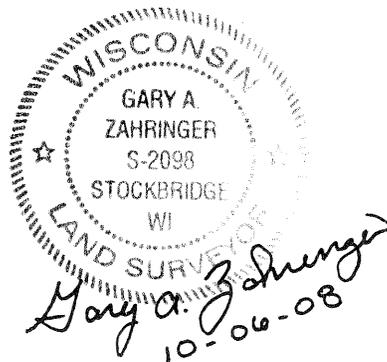
I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

Thomas Stoffel
City Treasurer

Mary E. Bruyan
County Treasurer

11/18/08
Date:

11/20/08
Date:



1488226
REGISTER'S OFFICE
WINNEBAGO COUNTY, WI
RECORDED ON
11/20/2008 11:28AM
JULIE PAGEL
REGISTER OF DEEDS
RECORDING FEE 15.00
TRANSFER FEE
OF PAGES 3

PROJECT NO. 264-212a
FILE 264212a_csm SHEET 3 OF 3
THIS INSTRUMENT WAS DRAFTED BY: poe

**Plan Commission
Resolution 04-2008**

**RECOMMENDATION OF THE PLAN COMMISSION
TO AMEND THE CITY OF MENASHA YEAR 2030 COMPREHENSIVE PLAN**

WHEREAS, pursuant to sections 62.23(2) and (3), Wisconsin Statutes, for cities, villages, and those towns exercising village powers under section 60.22(3), the City of Menasha is authorized to prepare, adopt and amend a comprehensive plan consistent with the content and procedure requirements in sections 66.1001(1)(a), 66.1001(2), and 66.1001(4); and

WHEREAS, the Common Council adopted the *City of Menasha Year 2030 Comprehensive Plan* on August 18, 2008; and

WHEREAS, the proposed amendment is consistent with the overall *City of Menasha Year 2030 Comprehensive Plan*.

NOW, THEREFORE, BE IT RESOLVED, that the City of Menasha Plan Commission hereby recommends that proposed amendment of the *City of Menasha Year 2030 Comprehensive Plan* and amendment adoption ordinance be distributed to the governmental units specified under section 66.1001(4)(b) and (c), and that a public hearing be held on the proposed amendment pursuant to section 66.1001(4)(d); and

BE IT FURTHER RESOLVED, that the City of Menasha Plan Commission hereby recommends that, subject to consideration of comments received at the public hearing and those comments received from governmental units, the Common Council adopt the proposed amendment to Outlot 2, of the attached reference map (Attachment A, CSM 6330) to the *City of Menasha Year 2030 Comprehensive Plan* by ordinance in accordance with section 66.1001, Wisconsin Statutes.

ADOPTED this 21st day of October, 2008.

Motion for adoption moved by: Public Works Director Radtke

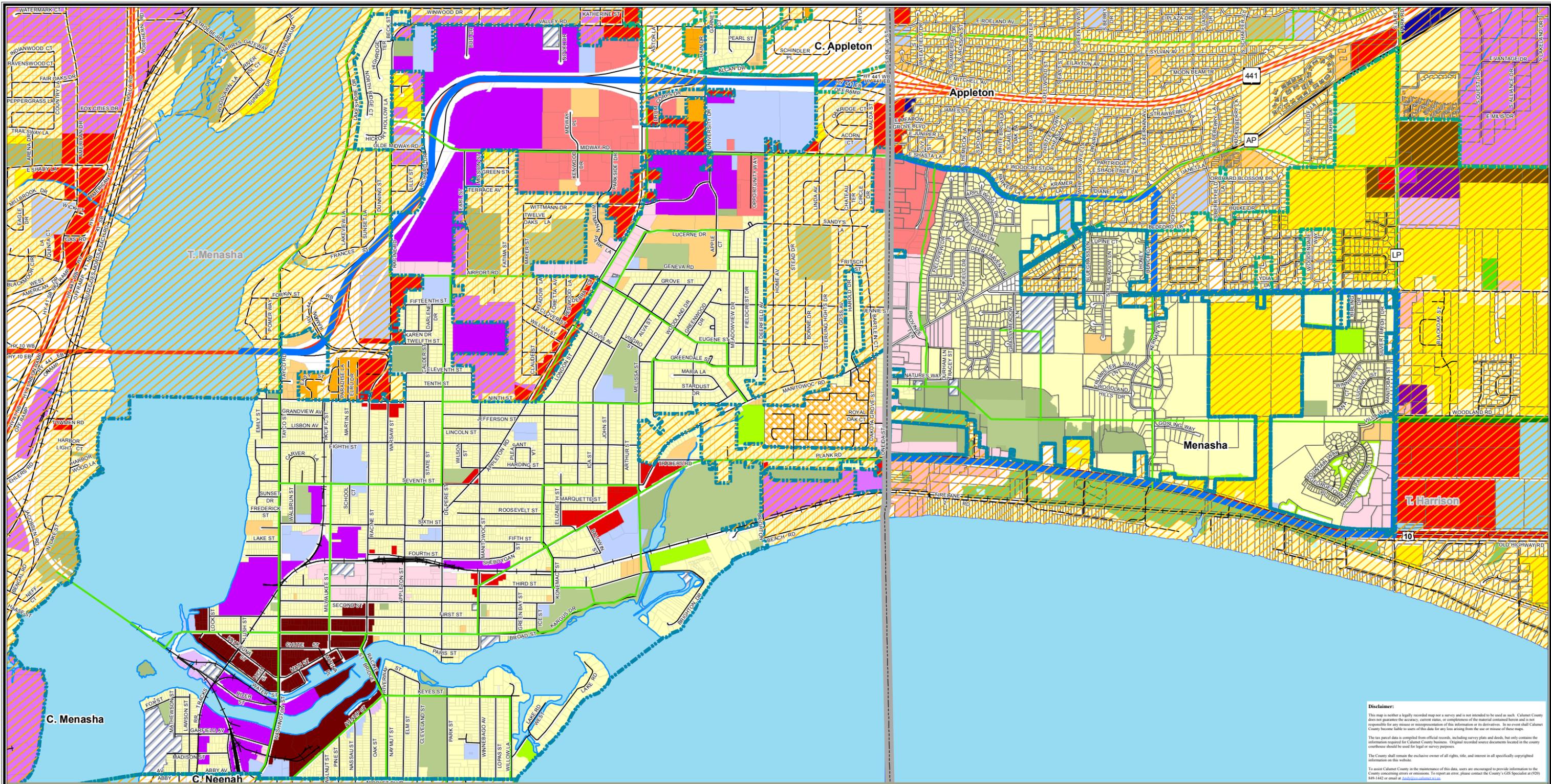
Motion for adoption seconded by: Commissioner Catherine Cruickshank

Voting Aye: 7 Voting Nay: 0

Mayor Donald Merkes

ATTEST:

Plan Commission Secretary



Disclaimer:
 This map neither a legally recorded map nor a survey and is not intended to be used as such. Calumet County does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse or misrepresentation of this information or its derivatives. In no event shall Calumet County become liable to users of this data for any loss arising from the use or misuse of these maps.
 The tax parcel data is compiled from official records, including survey plans and deeds, but only contains the information required for Calumet County business. Original recorded source documents located in the county courthouse should be used for legal or survey purposes.
 The County shall remain the exclusive owner of all rights, title, and interest in all specifically copyrighted information on this website.
 To assist Calumet County in the maintenance of this data, users are encouraged to provide information to the County concerning errors or omissions. To report an error, please contact the County's GIS Specialist at (920) 688-1442 or email at land@calumetcountycolorado.com.

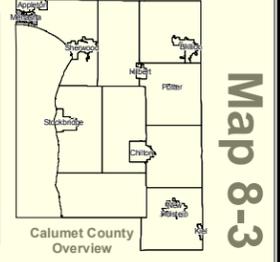
Future Land Use

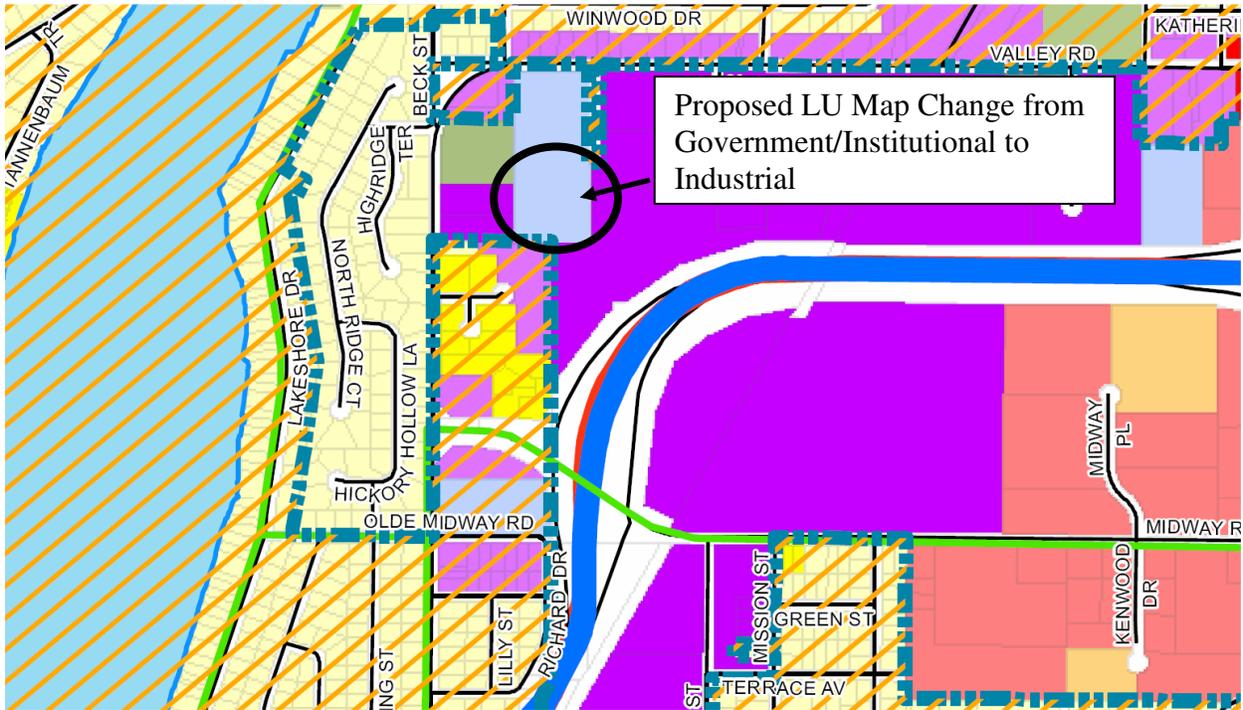
City of Menasha, Calumet & Winnebago Counties

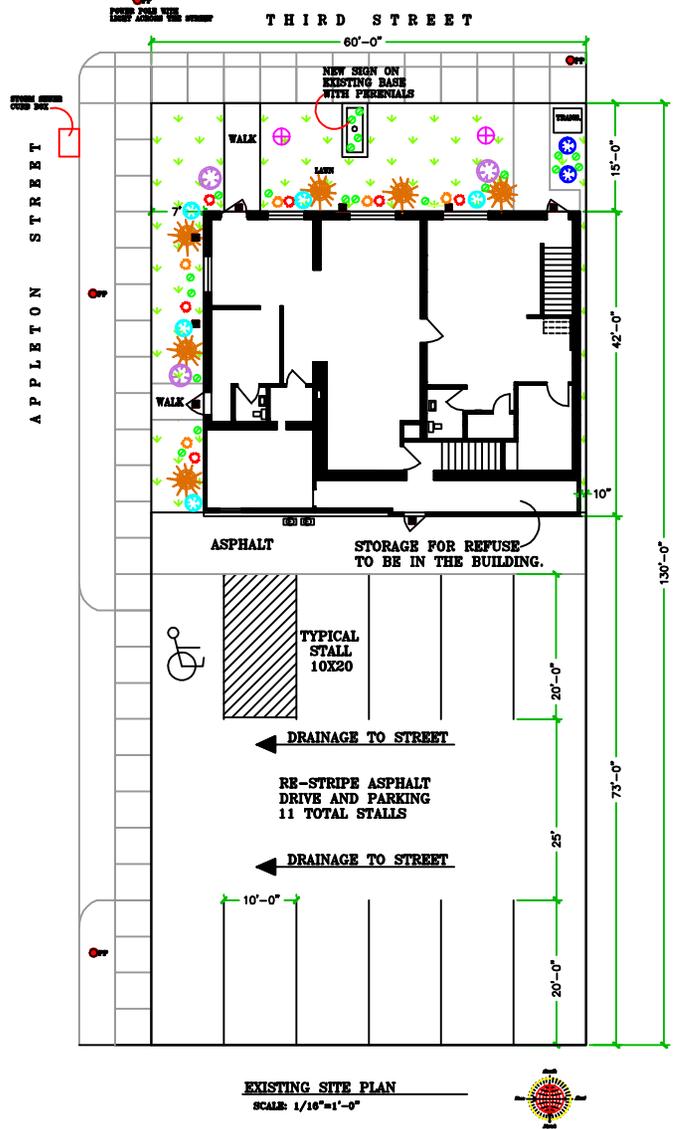
This Harrison future land use data was developed by the Town of Harrison working with Martenson & Eisele, Inc.

<ul style="list-style-type: none"> Railroad Federal Highways State Highways County Highways Local Roads City Streets Rivers 	<ul style="list-style-type: none"> Lakes Parks and Public Lands Parcel Boundaries City of Menasha Boundary Other Municipal Boundaries County Line Menasha Growth Management Boundary Trails 	<p>Menasha Future Land Use</p> <ul style="list-style-type: none"> Low Density Residential Multiple Family Residential Mobile Home Park Community Commercial Regional Destination Commercial Mixed Use Neighborhood Center Mixed Use Commercial Core 	<ul style="list-style-type: none"> Industrial Government/Institutional Mixed Use Area Utilities/Communications Public Parking Open Space Parks and Recreation <p>Town of Menasha Future Land Use</p> <ul style="list-style-type: none"> Low Density Residential 	<ul style="list-style-type: none"> Medium Density Residential High Density Residential Commercial Industrial Public/Institutional Recreational Agricultural Utilities/Communications 	<p>Harrison Existing Land Use</p> <ul style="list-style-type: none"> Wetlands Single Family Residential (sewered) Two Family Residential Multi-Family Residential Mobile Home Park Commercial 	<ul style="list-style-type: none"> Industrial Public/Institutional Utilities Quarries Parks and Recreation Recreational Trails Water 	<p>Harrison Future Land Use</p> <ul style="list-style-type: none"> Woodlands Special Ag/Nurseries Farmstead Homes Light Industrial Single Family Residential (sewered) Single Family Residential (unsewered) 	<p>Appleton Future Land Use</p> <ul style="list-style-type: none"> Single Family Residential Multiple Family Residential Multi-Tenant Building Commercial Industrial Institutional Recreational/Open Space
---	---	--	--	--	--	--	---	---

Map Date: May 19, 2008
 Calumet County LIO
 206 Court St
 Chilton WI 53014
 920-849-1442
 1 inch equals 1,975 feet







NEW BUSINESS OFFICE FOR VETERANS OF FOREIGN WARS

REMOVE ALL EXISTING BUSHES, SHRUBS AND PLANTS FROM AROUND THE BUILDING.

75W INC. CAN SOFFIT LIGHT

AREAS

BUILDING.....	2,180 SF
PARKING AND WALKS.....	4,485 SF
GREEN SPACE.....	1,135 SF
TOTAL LOT (130'X80').....	7,800 SF

PLANT SCHEDULE			
SYMBOL	QUANTITY	PLANT NAME--COMMON	MATURE SIZE
EVERGREEN			
ATC	6	ARBORVITAE - TECHNYP	15'-20' HIGH
YDC	4	ARBORVITAE - GLOBE	4'-6' HIGH
TREES			
CRJ	2	INDIAN SUMMER CRABAPPLE	12'-14' HIGH
SHRUBS			
BBD	5	BURNING BUSH COMPACTA	8'-10' HIGH
LMK	2	LILAC - MISS KIM	6'-7' HIGH
SLP	6	SPIRAEA - LITTLE PRINCESS (PINK)	2'-4' HIGH
VRD	5	DOGWOOD - REDOSIER	8'-12' HIGH
PERRENIALS/GRASSES/GROUNDCOVERS			
PMD	6	BLACK-EYED SUSAN - GOLDSTURM	24" HIGH
	2	DAYLILY - STELLA DE ORO	12" HIGH
	2	SEDUM - AUTUMN JOY	18" HIGH
	2	SALVIA - MAY NIGHT	18" HIGH
	2	CONEFLOWER - WHITE SWAN	3' HIGH
			5'-7' HIGH
			18" - 36" HIGH
		LAWN	
		MULCH	

12-12-08

RJA

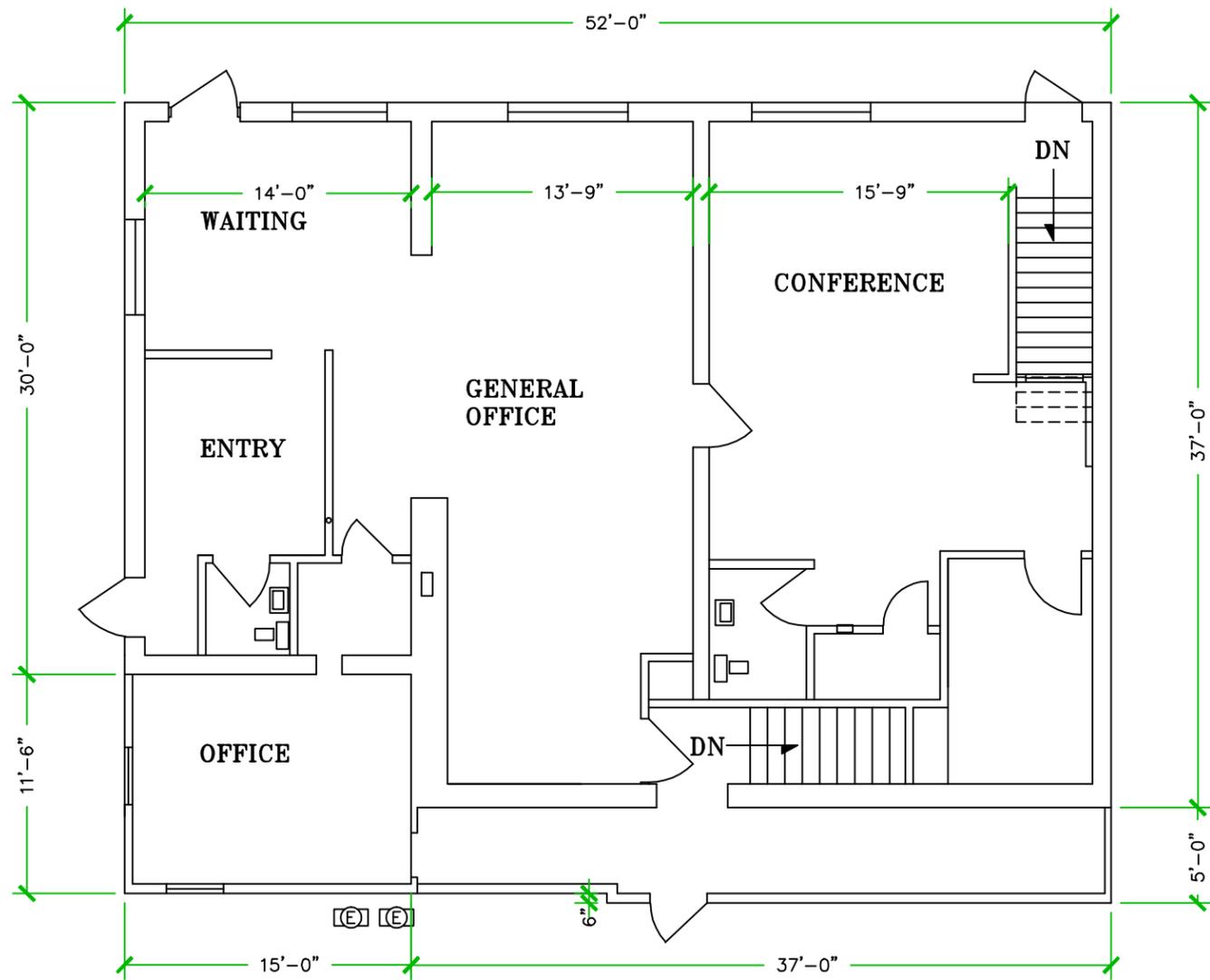
DATE

CONTRACTING SPECIALISTS INC.
325 N. COMMERCIAL ST.
MERRILL, WI 54656
PHONE: (920) 686-8700
FAX: (920) 686-8703

AS-BUILT PLANS FOR
EXISTING OFFICE BUILDING AT:
542/546 3RD STREET
MERRILL, WISCONSIN

A1.0

00000.0



EXISTING FIRST FLOOR PLAN
 SCALE: 1/16"=1'-0"

DATE: 12-10-08
 DRAWN BY: RJA
 CHECKED BY:

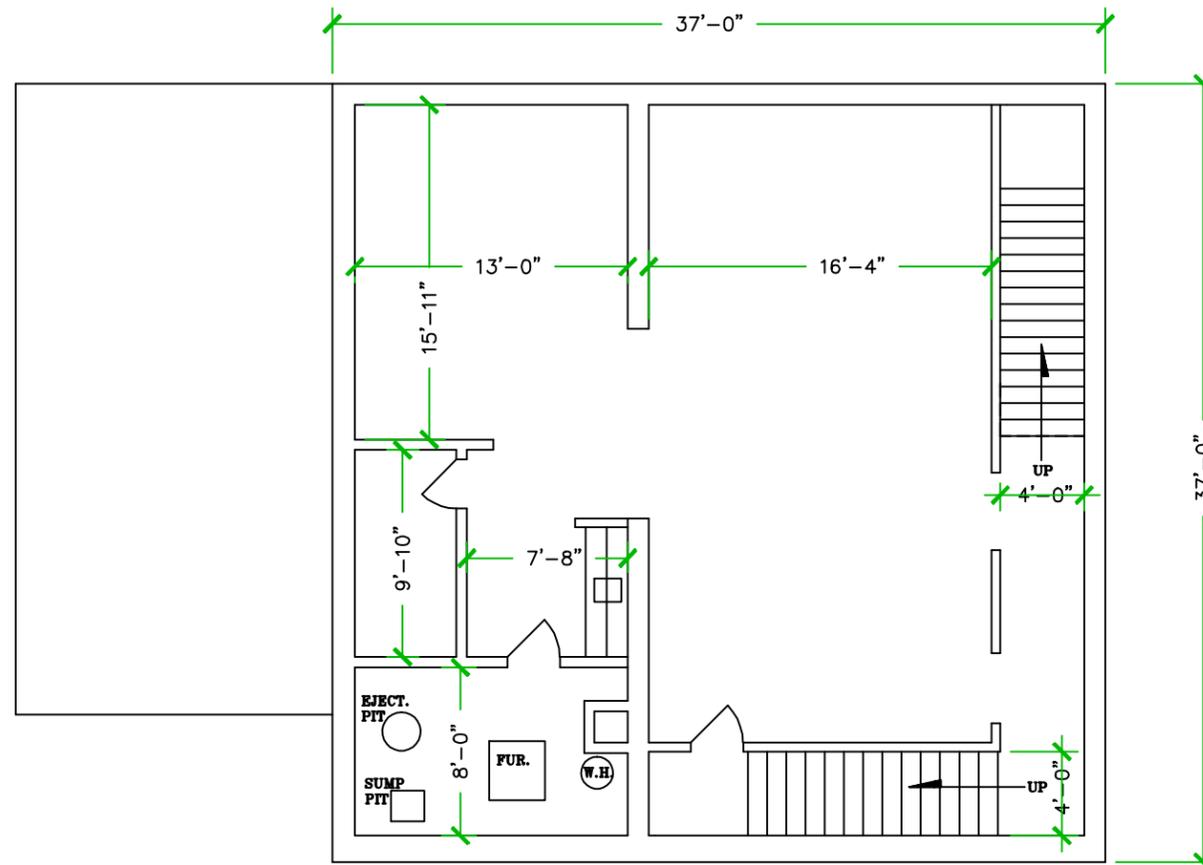
REVISION	DATE

CONTRACTING SPECIALISTS INC.
 325 N. COMMERCIAL ST.
 MENAHEA, WI 54956
 PHONE: (920) 886-8700
 FAX: (920) 886-8703

**AS - BUILT PLANS FOR
 EXISTING OFFICE BUILDING AT:**
 542/546 3RD STREET
 MENAHEA, WISCONSIN

A0.1

00000.0



EXISTING BASEMENT FLOOR PLAN

SCALE: 1/16"=1'-0"

DATE: 12-10-08
 DRAWN BY: RJA
 CHECKED BY:

REVISION	DATE

CONTRACTING SPECIALISTS INC.

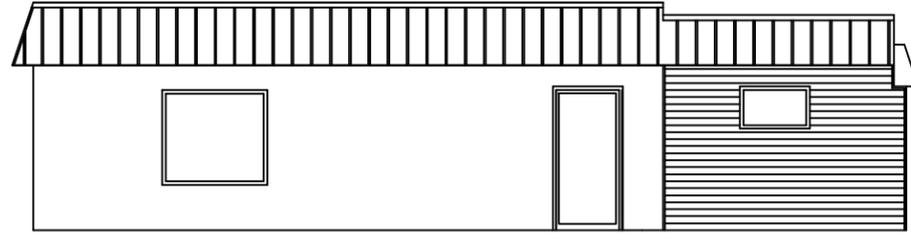
325 N. COMMERCIAL ST.
 MENASHA, WI 54956
 PHONE: (920) 886-8700
 FAX: (920) 886-8703

AS - BUILT PLANS FOR
 EXISTING OFFICE BUILDING AT:

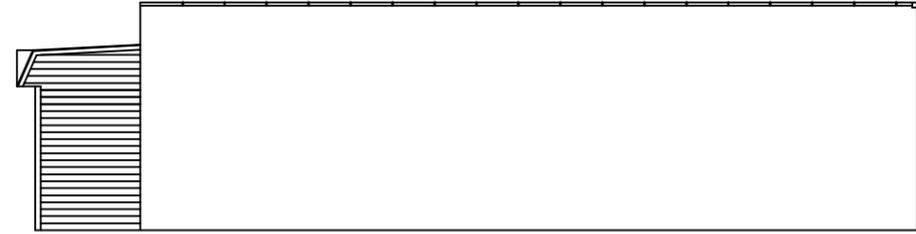
542/546 3RD STREET
 MENASHA, WISCONSIN

A0.1

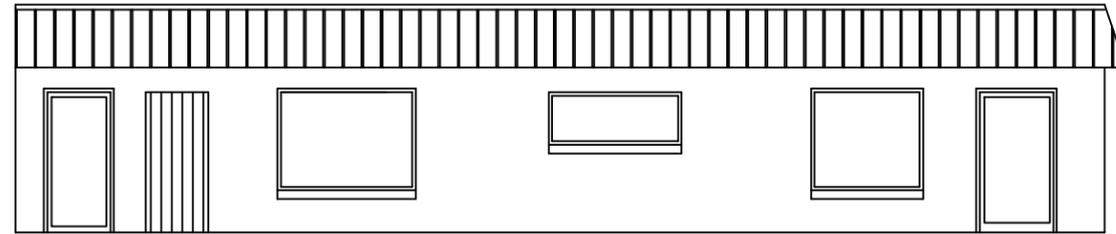
00000.0



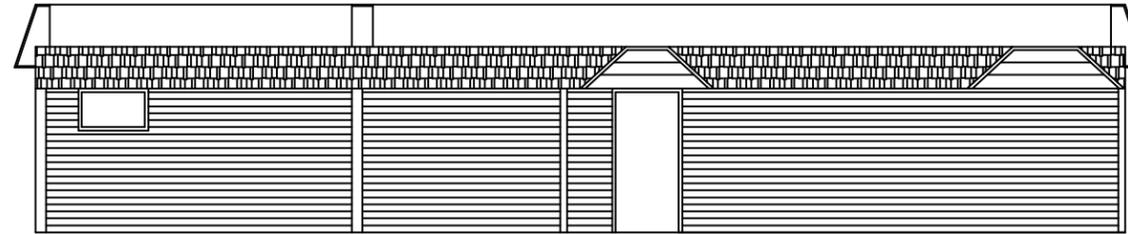
EXISTING EAST ELEVATION
SCALE: 1/16"=1'-0"



EXISTING WEST ELEVATION
SCALE: 1/16"=1'-0"



EXISTING SOUTH ELEVATION
SCALE: 1/16"=1'-0"



EXISTING NORTH ELEVATION
SCALE: 1/16"=1'-0"

DATE: 12-10-08
DRAWN BY: RJA
CHECKED BY:

DATE	REVISION

CONTRACTING SPECIALISTS INC.

325 N. COMMERCIAL ST.
MEEVAH, WI 54956
PHONE: (920) 886-8700
FAX: (920) 886-8703

AS - BUILT PLANS FOR
EXISTING OFFICE BUILDING AT:

542/546 3RD STREET
CITY OF MEEVAH, WISCONSIN

A0.3

00000.0













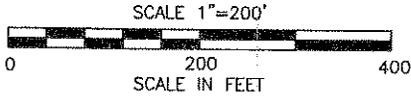


CERTIFIED SURVEY MAP NO. _____

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Bearings are referenced to the north line of the Southwest 1/4, Section 2, assumed to bear N 89°56'14" E

Survey for:
Miron
1471 McMahon Road
Neenah, WI 54956

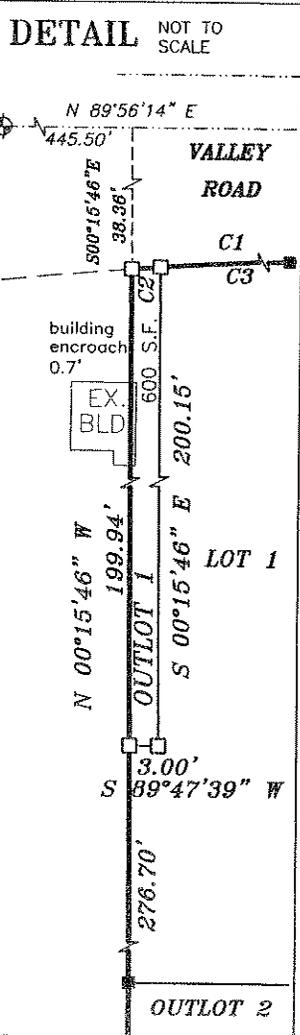
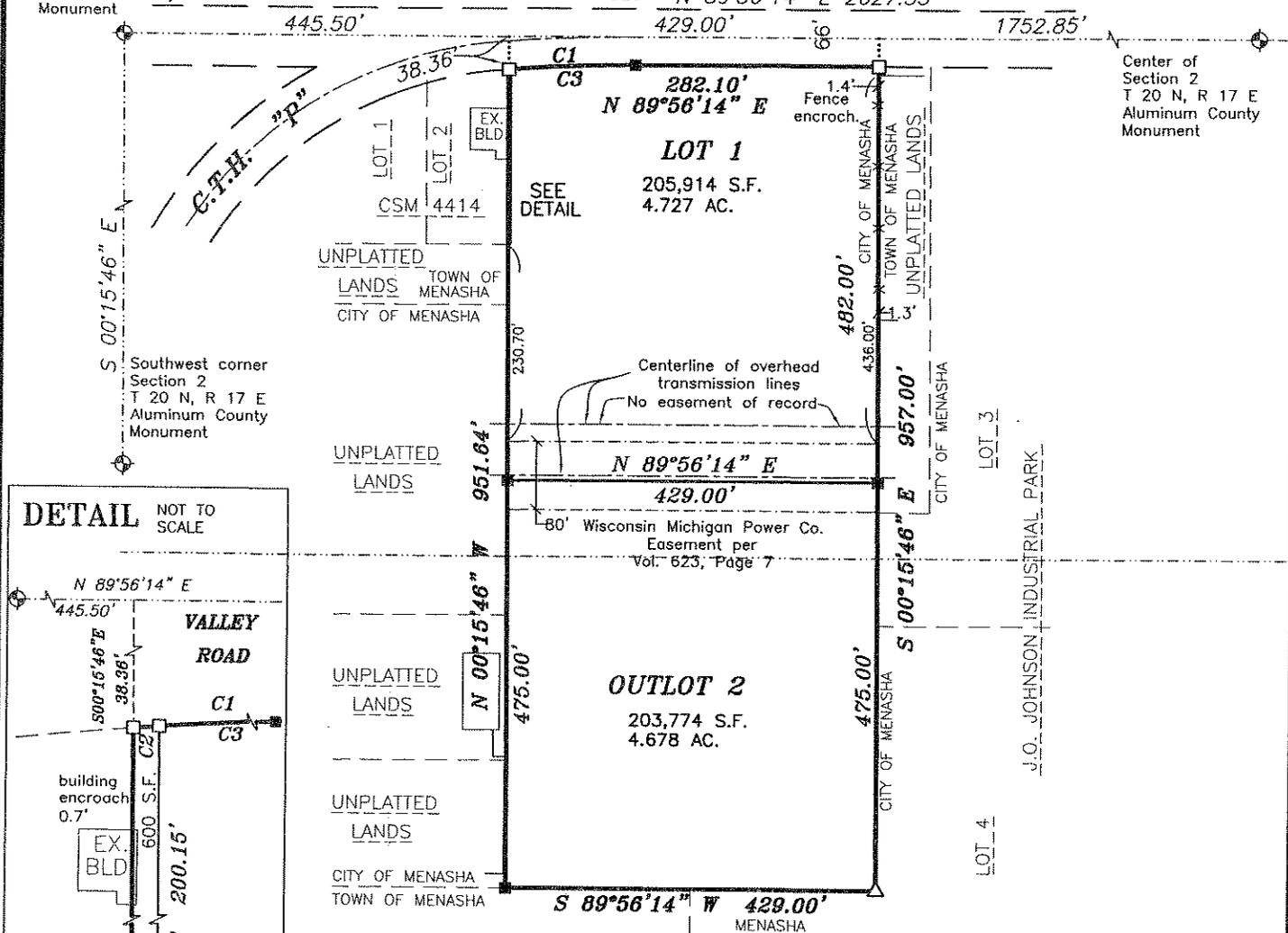


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West 1/4 corner
Section 2
T 20 N, R 17 E
Aluminum County
Monument

VALLEY ROAD N 89°56'14" E 2627.35'

Center of
Section 2
T 20 N, R 17 E
Aluminum County
Monument



WISCONSIN
GARY A. ZAHNINGER
S-2098
STOCKBRIDGE
WI
LAND SURVEYOR
Gary A. Zahninger
10-66-08

NOTE:
THE INTENT FOR OUTLOTS 1
AND 2 IS TO BE ADDED TO
ADJOINING LANDS.

- LEGEND
- 1" O.D. IRON PIPE SET, 18" LONG, WEIGHING 1.130 LBS. PER LIN. FOOT
 - 1" O.D. IRON PIPE FOUND
 - △ 1-1/4" O.D REBAR FOUND
 - ◇ GOVERNMENT CORNER
 - *-* FENCE LINE

Martenson & Eisele, Inc.

1377 Midway Road
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www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

PROJECT NO. 264-212a
FILE 264212a_csm SHEET 1 OF 3
THIS INSTRUMENT WAS DRAFTED BY: pae

CERTIFIED SURVEY MAP NO. _____

Surveyor's Certificate:

I, Gary A. Zahringer, a Registered Wisconsin Land Surveyor, do hereby certify:

that I have surveyed, mapped, and divided at the direction of Miron, part of the Northwest 1/4 of the Southwest 1/4, Section 2, Town 20 North, Range 17 East, City of Menasha, Winnebago County, Wisconsin, more fully described as follows:

Commencing at the west 1/4 corner of Section 2; thence along the north line of the Southwest 1/4 of said Section 2, North 89 degrees 56 minutes 14 seconds East, 445.50 feet; thence South 00 degrees 15 minutes 46 seconds East, 38.36 feet to the point of beginning;

thence along the south right of way line of Valley Road, 147.01 feet along the arc of a curve to the right, having a radius of 2017.00 feet and a chord which bears North 87 degrees 50 minutes 57.0 seconds East, 146.98 feet;

thence continuing along said south right of way line,

North 89 degrees 56 minutes 14 seconds East, 282.10 feet;

thence along the west line of J.O. JOHNSON INDUSTRIAL PARK and its extension thereof,

South 00 degrees 15 minutes 46 seconds East, 957.00 feet;

thence continuing along the westerly line of said J.O. JOHNSON INDUSTRIAL PARK and along the north line of Certified Survey Map No. 4837, South 89 degrees 56 minutes 14 seconds West, 429.00 feet;

thence along the east line of Certified Survey Map No. 4414 and its extension thereof,

North 00 degrees 15 minutes 46 seconds West, 951.64 feet;

to the point of beginning, containing 410,288 square feet (9.419 acres). Subject to all easements and restrictions of record.

That I have fully complied with Chapter 236.34 of the Wisconsin Statutes in surveying, dividing, and mapping the same and the City of Menasha Subdivision Ordinances.

That this map is a correct representation of all exterior boundaries of the land surveyed and the division thereof.

Given under my hand this 6th day of October, 2008.

Gary A. Zahringer

Gary A. Zahringer, Registered Wisconsin Land Surveyor S-2098



This Certified Survey Map is contained wholly within the property described in the following recorded instruments:

Owners of Record:	Recording Information:	Parcel Number:
St. John's Polish Congregation	Vol. 181 Page 565	740076200

PROJECT NO. 264-212a

FILE 264212a_csm SHEET 2 OF 3

THIS INSTRUMENT WAS DRAFTED BY: pce

CERTIFIED SURVEY MAP NO. _____

Owner's Certificate:

I, 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 _____, 2008.

(print or type name)

(signature)

State of Wisconsin)
)SS
_____ County)

Personally came before me on the _____ day of _____, 2008, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

_____ my commission expires _____
(Notary name)

Common Council Resolution:

Resolved by the Common Council of the City of Menasha, that this Certified Survey Map is hereby approved. Passed and approved by resolution number

_____ this _____ day of _____, 2008.

Dated this _____ day of _____, 2008.

Mayor

City Clerk

Treasurer's Certificate:

I hereby certify that there are no unpaid taxes or unpaid special assessments on any of the lands shown hereon.

City Treasurer

County Treasurer

Date:

Date:



PROJECT NO. 264-212a

FILE 264212a_csm SHEET 3 OF 3

THIS INSTRUMENT WAS DRAFTED BY: pae

**Common Sense Solutions LLC
P.O. Box 311
Menasha, WI 54952-0311**

December 5, 2008

Mr. Tom Stoffel
Controller
City of Menasha
140 Main Street
Menasha WI 54952-3190

AMENDMENT TO THE BELOW CONTRACT:

The contract below is hereby amended to include services provided by Common Sense Solutions under the same terms and conditions as outlined below for the period Jan. 1, 2009 through Dec.31, 2009. All other terms and conditions of the contract remain the same as outlined below.

Agreed to by the parties this ____ day of December, 2008.

For Common Sense Solutions LLC:

For the City of Menasha:



Larry Schmitz, President

Mr. Tom Stoffel, Controller

Subject: Proposal to Provide Information Technology Consulting Services for 2008

Dear Mr. Stoffel:

It is our understanding that the City of Menasha (hereinafter referred to as the "City") would like to continue to utilize the services of Mr. Larry Schmitz, CCP, CMC , of Common Sense Solutions LLC (hereinafter referred to as "Common Sense Solutions"), to provide information technology consulting services to the City for the year 2008.

These services would be provided to the City by Common Sense Solutions on an "as needed" basis under your direction and subject to your approval. These services would be billed to the City on a monthly basis. Charges for these services will be billed at \$200.00 per hour plus out-of-pocket expenses.

Invoices for Common Sense Solutions services will be submitted on a monthly basis and are subject to a 1% per month service fee if not paid by the 25th of the following month.

Other terms of this engagement would be as outlined below.

Confidentiality

In the course of performing the services outlined above, under the City's direction, we may be exposed to, or have access to, materials or information the City considers confidential. Accordingly, we would be pleased to sign a confidentiality agreement drafted by the City.

Ownership of system & materials: The City of Menasha has exclusive rights of ownership of any resulting system or products, and is responsible for disclosure of information to any other interested parties.

System suitability/Final Decisions: The City of Menasha is responsible for the final selection and functionality of any hardware or software selected by the City based on recommendations provided by us. We cannot guarantee the suitability of any systems as they relate to the City's requirements. Common Sense Solutions will use its experience and best efforts to provide the City with recommendations and advice. However, the final decision, and the impact of such decision, to act on those recommendations will rest solely with the City.

Termination of services: Either party may terminate this agreement at any time by delivering written notice to the other party's business address. If the City terminates this agreement, they agree to pay for all services performed up to the time Common Sense Solutions receives written notice of the termination.

Disputes

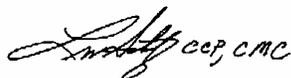
Any controversy or claim arising out of or relating to this contract, or breach thereof, shall be settled by binding arbitration administered by the American Arbitration Association under its Commercial Arbitration Rules, and judgement on the award rendered by the arbitrator may be entered in any court with jurisdiction.

This proposal represents the entire agreement between Common Sense Solutions LLC and the City of Menasha. No other agreement, whether written or verbal, is considered binding upon either party.

Summary

In summary, we are pleased about the prospect of being able to continue to provide these consulting services to the City of Menasha. If you have any questions, please call Larry Schmitz at 731-9058.

Sincerely,



Larry Schmitz

Mr. Tom Stoffel
City of Menasha

September 17, 2008
Page 3

Common Sense Solutions LLC

ENGAGEMENT ACCEPTED BY CITY OF MENASHA:

Signature and Title/date

Approved as to form
JSB 12-12-08
Jeffrey S. Brandt, City Attorney



AVASTONE
TECHNOLOGIES, LLC

1700 Stephen Street, P.O. Box 347, Little Chute, WI 54140-0347

www.AvastoneTech.com

800.236.7914 • 920.687.4123 (Main) • 920.788.7739 (Fax)

A New Look At A Familiar Idea

City of Menasha – Website Transfer and Modifications Proposal

Prepared for: Jeff Lacey and Patrick James

Prepared by: Rhonda Nowak

Sales Representative: Chris Mott

December 15th, 2008

CONFIDENTIALITY STATEMENT

This document contains proprietary information. We ask that you do not release the information contained within this document without the written consent of Avastone Technologies, LLC. Please provide the same level of security for the information contained within this document as you would provide for your company's data.

Overview

Domain -<http://www.cityofmenasha-wi.gov>

The City of Menasha will be transferring their website hosting to servers located at the City of Menasha. This proposal addresses the tasks involved with moving the website from Heartland's servers to the City of Menasha's servers. Also addressed are several website modifications requested by the City of Menasha. The website transfer will be estimated separately from the website modifications.

Project Details

Website Transfer¹

The following is a list of tasks associated with the website transfer from Heartland's Data Center to the City of Menasha's web and SQL servers.

- Obtain remote access to the City of Menasha's web and SQL servers. Analyze server setups to prepare for website transfer.
- Install PHP 5.2.6-0.1 This is the version of PHP which is on the Heartland server where the website currently resides.
- Verify the type of database the City of Menasha's website is currently utilizing (MySql or MS SQL). If MySql is being used, analyze and possibly convert to MS SQL.
- Verify that there are no hardcoded IPs in the website code.
- Move the current website, calendar, databases to the City of Menasha's servers.
- Test the calendar, website and contact forms.
- Setup the DMZ.
- Overall website testing.
- Project Administration.

Website Modifications

- Create a Google Analytics account and install Google Analytics tracking code on the site. Wrap the current video in separate Google Analytics code to track downloads. Avastone will provide the City of Menasha the video wrap code, so the City of Menasha can insert the code around the videos in the future.
- Right column modifications where the contact information most often appears.
 - Contact information type page – http://www.cityofmenasha-wi.gov/content/departments/city_attorney/index.php
 - Police page with images and contact information - http://www.cityofmenasha-wi.gov/content/departments/police_department/index.php

¹ The Website Transfer will be facilitated by Avastone with the exception of the DMZ setup and Data Center support. DMZ setup and Data Center support are Heartland tasks and will be billed separately from the Avastone project.

- Example page without a right column - http://www.cityofmenasha-wi.gov/content/government/common_council/index.php
- Avastone will modify the behavior of the right column to encompass the mouseover hover whereby the contact information appears. A second suggestion is to move the contact information to another position within the template.
- Lock the top navigation, so that when scrolling vertically on the page, the top navigation remains locked in place.
- Fix the Google website search. Provide the City of Menasha with documentation on procedure to keep the Google website search up to date.

City of Menasha Web and SQL Server Specifications

- Web Server - Windows 2003 Standard Edition, dual core, 3GHZ, 4 Gig RAM
- Bandwidth – 10 MEG up and down
- SQL Server – 64 bit Zeon dual core, 4 Gig RAM
- Has a firewall



Project Estimates and Fees

Avastone Technologies, LLC bills by the hour for all services performed for the client. Estimates are created using the best business judgment of Avastone, and are given to a client to provide an idea of the anticipated scope and cost of a project. However, given the limited nature of information supplied to Avastone Technologies, LLC by any client for use in estimating, estimates cannot be considered binding. Client will only pay actual time incurred as supported by the Statement of Work. Avastone will immediately inform client if actual cost is expected to exceed 120% of the estimated cost. Final billing will reflect actual development time.

Avastone’s hourly rate - \$95.00
Heartland’s hourly rate - \$150.00

Website Transfer (23 hours)\$2,405.00²

- Web Server Setup, PHP Installation, Database Setup, and Website Transfer 14 hours
- DMZ Setup 2 hours
- Data Center Support 2 hours
- Quality Assurance 2 hours
- Project Administration 3 hours

Website Modifications (13 hours)\$1,235.00

- Install Google Analytics 2 hours
- Right column modifications 3 hours
- Lock Navigation 1 hour
- Fix Google Website Search 2 hours
- Quality Assurance 2 hours
- Project Administration 3 hours

² This quote is an estimate and due to variations in production environments, should an issue arise that consumes unexpected time and resources, Avastone will notify the City of Menasha regarding the overage and will charge \$95/hr based on actual time spent.



Acceptance of Proposal

Avastone Technologies requires the Acceptance of Proposal be signed and a copy be sent back in order to start the engagement. Any changes to this document must be submitted to Avastone Technologies. Upon notification, Avastone will revise and resubmit the document for signature.

Project Items		Accept	Decline
Website Transfer.....	\$2,405.00	<input type="checkbox"/>	<input type="checkbox"/>
Website Modifications.....	\$1,235.00	<input type="checkbox"/>	<input type="checkbox"/>
Avastone Website Support Block (5 hours).....	\$470.00	<input type="checkbox"/>	<input type="checkbox"/>
Avastone Website Support Block (10 hours).....	\$950.00	<input type="checkbox"/>	<input type="checkbox"/>

*Prices do not include applicable taxes.

Signature: _____

Print Name: _____

Company: City of Menasha

Date: _____

Signature signifies acceptance of the proposed solution and the scope of the project.

Fax Signed copy to: Chris Janssen (920) 788-7739

City of Menasha – Website Transfer / Website Modifications
December 15th, 2008

Upon approval of this project, Avastone will provide the customer with a Software Development Agreement. This agreement warrants for a period of sixty (60) days after acceptance of the final deliverables (the "Warranty Period") as outlined in this proposal. If it is discovered during the Warranty Period that the software fails to conform to the specifications, Avastone will promptly remedy such nonconformity at no additional charge. Nonconformities encountered outside of the warranty period will be corrected on either a time or material basis or under a separate annual software maintenance agreement (an "Extended Warranty").

Non-Solicitation of Avastone Personnel. *During the term of this Agreement, and for a period of one (1) year after the termination of this Agreement by either party for whatever reason, Buyer shall not, directly or indirectly, encourage any employee of Avastone, who became known to Buyer by virtue of such employee's providing services under this agreement, to terminate his or her employment with Avastone. In addition, during the term of this Agreement, and for a period of one (1) year after the termination of this Agreement by either party for whatever reason, Buyer shall not, directly or indirectly, solicit any employee of Avastone, who became known to Buyer by virtue of such employee's providing services under this Agreement, for employment which would end or diminish that employee's service with Avastone. Buyer acknowledges that Avastone will suffer irreparable harm as a result of Buyer's violation of this paragraph and that Avastone may bring an action for injunctive relief and/or actual damages to enforce this provision.*



Neenah ~ Menasha Professional Fire Fighters, Inc.

International Association Of Fire Fighters Local 275

Brian Goldschmidt, President
Mike Janke, Vice-President
Nate Monfort, Vice-President
Jamie Leonard, Secretary
Pete Anderson, Treasurer

December 11, 2008

Jeff Brandt
City of Menasha Attorney
140 Main Street
Menasha, WI 54952

Dear Jeff,

On December 9th, 2008, the International Association of Fire Fighters Local 275, Neenah-Menasha Professional Fire Fighters, conducted a meeting to present and vote on the Tentative Agreement that was reached at our negotiations on November 17th, 2008.

The Bargaining Committee of Local 275 is pleased to inform you that the Tentative Agreement was approved at this meeting.

I would like to thank you, Neenah City Attorney Jim Godlewski and Chief Vander Wyst for your time and cooperation. If you should have any questions or concerns, please feel free to call me.

Sincerely,

Brian Goldschmidt
President
I.A.F.F., Local 275
Neenah-Menasha Professional Fire Fighters

c.c. Chief Vander Wyst

Tentative Agreement – November 17, 2008
City of Neenah & Neenah-Menasha Professional Firefighters Local 275

2009: Health Insurance based on Attached Sheets dated 10/28/08 for 2009
Dental: Proposal dated 10/29/08
Wages: 2% - 1/1; 1% - 7/1
Cert pay increase \$15 to \$606

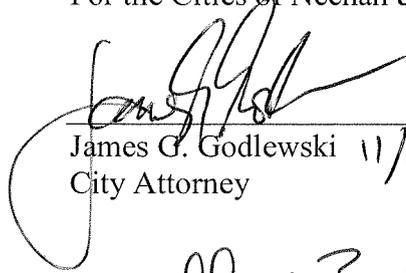
2010: Health Insurance based on Attached Sheets dated 10/28/08 for 2010
Dental unchanged from 2009
Wages: 2% / 1% Split (1/1/10 and 7/1/10)
Cert pay increase \$15 to \$621

Other items:

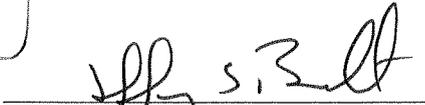
1. Term: 2 yr- 2009-2010
2. Accept Union initial #1 (Same at Cities' #1): adding Assistant Chiefs to list of exclusions from unit.
3. Accept Union initial #2: remove wording "such as: desk, file, typewriter, etc."
4. Grievance procedures: City rejects change to Step 1 ^{except for 2 to 10 days} accept changes to Step 2 & 3. (Accepted by union in 11/13/08 #1)
5. Union #4: Funeral Leave: agree to make language uniform for grandchildren with other Neenah unions. (Accept union #1, 11/13/08) *1 day - current step-children*
6. Reject Union 5 through 8.
7. Fitness: Cities assume maintenance costs on Cities provided equipment; Cities/union split on cost of new equipment
8. Union #14: Ok on 3-week span; no to drop change.
9. OK to eliminate retired personnel from Side 5. *Firefighters to 3rd category as appropriate.*
10. Clothing allowance: Increase to \$450. Chief may require steel toed shoes. *(Delete List + last sentence of "Third Category" paragraph & change firefighter position)*
11. Layoff policy: accept Union proposal 11/13/08 #5 with modification that it apply to union personnel only; drop last sentence of proposal. On call-back, employee placed at seniority level that existed as of date of layoff.
12. *Accept typo changes id by Heather.*
13. *Accept #1 from common Council 1-5-09, page 130 - just a word*

Tentative Agreement Terms – November 17, 2008
Neenah-Menasha Professional Firefighters Local 275
Page 2

For the Cities of Neenah & Menasha:

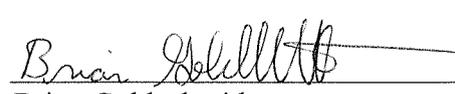


James G. Godlewski 11/17/08
City Attorney

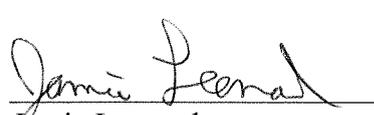


Jeff Brandt 11/17/08
City Attorney

For NMPFF Local 275:



Brian Goldschmidt
President



Jamie Leonard
Secretary

AN ORDINANCE RELATING TO POST-CONSTRUCTION STORMWATER MANAGEMENT

Introduced by Alderman Hendricks.

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

SECTION 1: Title 6, Chapter 7 is created as follows:

CITY OF MENASHA POST-CONSTRUCTION STORM WATER MANAGEMENT ZONING ORDINANCE

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AN ORDINANCE RELATING TO POST-CONSTRUCTION STORM WATER MANAGEMENT

**AN ORDINANCE TO CREATE CHAPTER 7 OF THE CODE OF THE CITY OF MENASHA RELATING
TO THE CONTROL OF POST-CONSTRUCTION RUNOFF**

FOREWORD.

The intent of this ordinance is to reduce the amount of post-construction storm water and associated pollutants reaching waters of the state. Use of this ordinance by municipalities will foster the consistent statewide application of post-construction performance standards for new development and redevelopment contained in subchapters III and IV of chapter NR 151, Wis. Adm. Code.

TITLE 6, CHAPTER 7

POST-CONSTRUCTION STORM WATER MANAGEMENT

6-7-1 AUTHORITY.

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

6-7-2 FINDINGS OF FACT.

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

- (1) Degrade physical stream habitat by increasing stream bank erosion, increasing streambed scour, diminishing groundwater recharge, diminishing stream base flows and increasing stream temperature.
- (2) Diminish the capacity of lakes and streams to support fish, aquatic life, recreational and water supply uses by increasing pollutant loading of sediment, suspended solids, nutrients, heavy metals, bacteria, pathogens and other urban pollutants.
- (3) Alter wetland communities by changing wetland hydrology and by increasing pollutant loads.

- (4) Reduce the quality of groundwater by increasing pollutant loading.
- (5) Threaten public health, safety, property and general welfare by overtaxing storm sewers, drainage ways, and other minor drainage facilities.
- (6) Threaten public health, safety, property and general welfare by increasing major flood peaks and volumes.
- (7) Undermine floodplain management efforts by increasing the incidence and levels of flooding.

6-7-3 PURPOSE AND INTENT.

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

6-7-4 APPLICABILITY AND JURISDICTION.

(1) **APPLICABILITY.**

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

(2) **JURISDICTION.**

This ordinance applies to post construction sites within the boundaries and jurisdiction of the City of Menasha.

(3) **EXCLUSIONS.**

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

6-7-5 DEFINITIONS.

- (1) "Administering authority" means a governmental employee, or a regional planning commission empowered under s. 62.234, Wis. Stats., that is designated by the Common Council to administer this ordinance.
- (2) "Agricultural activity area" means the part of the farm where there is planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or outside yarding of livestock, including sod farms and silviculture. Practices in this area may include waterways,

- (3) "Agricultural production area" means the part of the farm where there is concentrated production activity or impervious surfaces. Agricultural production areas include buildings, driveways, parking areas, feed storage structures, manure storage structures, and other impervious surfaces. The agricultural production area does not include the agricultural activity area.
- (4) "Average annual rainfall" means a calendar year of precipitation, excluding snow, which is considered typical. For purposes of this ordinance, average annual rainfall means measured precipitation in Green Bay, Wisconsin between March 29 and November 25, 1969.
- (5) "Best management practice" or "BMP" means structural or non-structural measures, practices, techniques or devices employed to avoid or minimize sediment or pollutants carried in runoff to waters of the state.
- (6) "Business day" means a day the office of the Department of Public Works is routinely and customarily open for business.
- (7) "Cease and desist order" means a court-issued order to halt land disturbing construction activity that is being conducted without the required permit.
- (8) "Combined sewer system" means a system for conveying both sanitary sewage and storm water runoff.
- (9) "Common plan of development or sale" means a development or sale where multiple separate and distinct land disturbing construction activities may be taking place at different times on different schedules but under one plan. A common plan of development or sale includes, but is not limited to, subdivision plats, certified survey maps, and other developments.
- (10) "Connected imperviousness" means an impervious surface that is directly connected to a separate storm sewer or water of the state via an impervious flow path.
- (11) "Construction site" means an area upon which one or more land disturbing construction activities occur, including areas that are part of a larger common plan of development or sale.
- (12) "Design storm" means a hypothetical discrete rainstorm characterized by a specific duration, temporal distribution, rainfall intensity, return frequency, and total depth of rainfall. The TR-55, Type II, 24-hour design storms for City of Menasha are: 1-year, [2.2] inches; 2-year, [2.5] inches; 5-year, [3.3] inches; 10-year, [3.8] inches; 25-year, [4.4] inches; and 100-year, [5.3] inches.
- (13) "Development" means residential, commercial, industrial, institutional, or other land uses and associated roads.
- (14) "Division of land" means the creation from one or more parcels or building sites of additional parcels or building sites where such creation occurs at one time or through the successive partition within a 5 year period.
- (15) "Effective infiltration area" means the area of the infiltration system that is used to infiltrate runoff and does not include the area used for site access, berms or pretreatment.

- (16) "Erosion" means the process by which the land's surface is worn away by the action of wind, water, ice or gravity.
- (17) "Exceptional resource waters" means waters listed in s. NR 102.11, Wis. Adm. Code.
- (18) "Extraterritorial" means the unincorporated area within 3 miles of the corporate limits of a first, second, or third class city, or within 1.5 miles of a fourth class city or village.
- (19) "Final stabilization" means that all land disturbing construction activities at the construction site have been completed and that a uniform, perennial, vegetative cover has been established, with a density of at least 70% of the cover, for the unpaved areas and areas not covered by permanent structures, or employment of equivalent permanent stabilization measures.
- (20) "Financial guarantee" means a performance bond, maintenance bond, surety bond, irrevocable letter of credit, or similar guarantees submitted to the Department of Public Works by the responsible party to assure that requirements of the ordinance are carried out in compliance with the storm water management plan.
- (21) "Governing body" means town board of supervisors, county board of supervisors, city council, village board of trustees or village council.
- (22) "Highway" has the meaning given in s. 340.01 (22), Wis. Stats.
- (23) "Highway reconditioning" has the meaning given in s. 84.013 (1)(b), Wis. Stats.
- (24) "Highway reconstruction" has the meaning given in s. 84.013(1)(c), Wis. Stats.
- (25) "Highway resurfacing" has the meaning given in s. 84.013(1)(d), Wis. Stats.
- (26) "Impervious surface" means an area that releases as runoff all or a large portion of the precipitation that falls on it, except for frozen soil. Rooftops, sidewalks, driveways, parking lots and streets are examples of areas that typically are impervious. Gravel surfaces are considered impervious, unless specifically designed to encourage infiltration.
- (27) "In-fill area" means a new development area located within existing urban sewer service areas, surrounded by already existing development or existing development and natural or man-made features where development cannot occur..
- (28) "Infiltration" means the entry of precipitation or runoff into or through the soil.
- (29) "Infiltration system" means a device or practice such as a basin, trench, rain garden or swale designed specifically to encourage infiltration, but does not include natural infiltration in pervious surfaces such as lawns, redirecting of rooftop downspouts onto lawns or minimal infiltration from practices, such as swales or road side channels designed for conveyance and pollutant removal only.
- (30) "Karst feature" means an area or surficial geologic feature subject to bedrock dissolution so that it is likely to provide a conduit to groundwater, and may include caves, enlarged fractures, mine features, exposed bedrock surfaces, sinkholes, springs, seeps or swallets.
- (31) "Land disturbing construction activity" (or "disturbance") means any man-made alteration of the land surface resulting in a change in the topography or existing vegetative or non-vegetative soil

- (32) "Maintenance agreement" means a legal document that provides for long-term maintenance of storm water management and best management practices.
- (33) "MEP" or "maximum extent practicable" means a level of implementing best management practices in order to achieve a performance standard specified in this ordinance which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features. MEP allows flexibility in the way to meet the performance standards and may vary based on the performance standard and site conditions.
- (34) "Minor reconstruction of a highway" means reconstruction of a highway that is limited to 1.5 miles in continuous or aggregate total length of realignment and that does not exceed 100 feet in width of roadbed widening.
- (35) "New development" means that portion of a post-construction site where impervious surfaces are being created or expanded. Any disturbance where the amount of impervious area for the post-development condition is greater than the pre-development condition is classified as new development. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (36) "Off-site" means located outside the property boundary described in the permit application.
- (37) "On-site" means located within the property boundary described in the permit application.
- (38) "Ordinary high-water mark" has the meaning given in s. NR 115.03(6), Wis. Adm. Code.
- (39) "Outstanding resource waters" means waters listed in s. NR 102.10, Wis. Adm. Code.
- (40) "Percent fines" means the percentage of a given sample of soil, which passes through a # 200 sieve.
- (41) "Performance standard" means a narrative or measurable number specifying the minimum acceptable outcome for a facility or practice.
- (42) "Permit" means a written authorization made by the Department of Public Works to the applicant to conduct land disturbing construction activity or to discharge post-construction runoff to waters of the state.
- (43) "Permit administration fee" means a sum of money paid to the Department of Public Works by the permit applicant for the purpose of recouping the expenses incurred by the authority in administering the permit.
- (44) "Pervious surface" means an area that releases as runoff a small portion of the precipitation that falls on it. Lawns, gardens, parks, forests or other similar vegetated areas are examples of surfaces that typically are pervious.

- (45) "Pollutant" has the meaning given in s. 283.01(13), Wis. Stats.
- (46) "Pollution" has the meaning given in s. 281.01(10), Wis. Stats.
- (47) "Post-construction site" means a construction site following the completion of land disturbing construction activity and final site stabilization.
- (48) "Post-development" means the extent and distribution of land cover types present after the completion of land disturbing construction activity and final site stabilization.
- (49) "Pre-development" means the extent and distribution of land cover types present before the initiation of land disturbing construction activity, assuming that all land uses prior to development activity are managed in an environmentally sound manner.
- (50) "Preventive action limit" has the meaning given in s. NR 140.05(17), Wis. Adm. Code.
- (51) "Redevelopment " means that portion of a post-construction site where impervious surfaces are being reconstructed, replaced, or reconfigured. Any disturbance where the amount of impervious area for the post-development condition is equal to or less than the pre-development condition is classified as redevelopment. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (52) "Responsible party" means any entity holding fee title to the property or other person contracted or obligated by other agreement to implement and maintain post-construction storm water BMPs.
- (53) "Routine maintenance" means that portion of a post-construction site where pre-development impervious surfaces are being maintained to preserve the original line and grade, hydraulic capacity, drainage pattern, configuration, or purpose of the facility. Remodeling of buildings and resurfacing of parking lots, streets, driveways, and sidewalks are examples of routine maintenance, provided the lower ½ of the impervious surface's granular base is not disturbed. The disturbance shall be classified as redevelopment if the lower ½ of the granular base associated with the pre-development impervious surface is disturbed or if the soil located beneath the impervious surface is exposed. For purposes of this ordinance, a post-construction site is classified as new development, redevelopment, routine maintenance, or some combination of these three classifications as appropriate.
- (54) "Runoff" means storm water or precipitation including rain, snow or ice melt or similar water that moves on the land surface via sheet or channelized flow.
- (55) "Separate storm sewer" means a conveyance or system of conveyances including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all of the following criteria:
 - (a) Is designed or used for collecting water or conveying runoff.
 - (b) Is not part of a combined sewer system.
 - (c) Is not draining to a storm water treatment device or system.
 - (d) Discharges directly or indirectly to waters of the state.

- (56) "Site" means the entire area included in the legal description of the land on which the land disturbing construction activity occurred.
- (57) "Stop work order" means an order issued by the Department of Public Works which requires that all construction activity on the site be stopped.
- (58) "Storm water management plan" means a comprehensive plan designed to reduce the discharge of pollutants from storm water after the site has undergone final stabilization following completion of the construction activity.
- (59) "Storm water management system plan" is a comprehensive plan designed to reduce the discharge of runoff and pollutants from hydrologic units on a regional or municipal scale.
- (60) "Technical standard" means a document that specifies design, predicted performance and operation and maintenance specifications for a material, device or method.
- (61) "Top of the channel" means an edge, or point on the landscape, landward from the ordinary high-water mark of a surface water of the state, where the slope of the land begins to be less than 12% continually for at least 50 feet. If the slope of the land is 12% or less continually for the initial 50 feet, landward from the ordinary high-water mark, the top of the channel is the ordinary high-water mark.
- (62) "TR-55" means the United States Department of Agriculture, Natural Resources Conservation Service (previously Soil Conservation Service), Urban Hydrology for Small Watersheds, Second Edition, Technical Release 55, June 1986.
- (63) "Transportation facility" means a public street, a public road, a public highway, a public mass transit facility, a public-use airport, a public trail, or any other public work for transportation purposes such as harbor improvements under s. 85.095(1)(b), Stats.
- (64) "Type II distribution" means a rainfall type curve as established in the "United States Department of Agriculture, Soil Conservation Service, Technical Paper 149, published 1973". The Type II curve is applicable to all of Wisconsin and represents the most intense storm pattern.
- (65) "Waters of the state" has the meaning given in s. 281.01 (18), Wis. Stats.

6-7-6 TECHNICAL STANDARDS.

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

- (1) Technical standards identified, developed or disseminated by the Wisconsin Department of Natural Resources under subchapter V of chapter NR 151, Wis. Adm. Code.
- (2) Technical standards and guidance identified within the City of Menasha Storm Water Reference Guide.

- (3) Where technical standards have not been identified or developed by the Wisconsin Department of Natural Resources, other technical standards may be used provided that the methods have been approved by the Department of Public Works.
- (4) In this ordinance, the following year(s) and location(s) [has or have] been selected as average annual rainfall(s): Green Bay, 1969 (Mar. 29-Nov. 25).

6-7-7 PERFORMANCE STANDARDS.

- (1) RESPONSIBLE PARTY. The responsible party shall implement a post-construction storm water management plan that incorporates the requirements of this section.
- (2) PLAN. A written storm water management plan in accordance with Section 6-7-9 shall be developed and implemented for each post-construction site.
- (3) REQUIREMENTS. The storm water management plan shall meet the following minimum requirements to the maximum extent practicable:
 - (a) TOTAL SUSPENDED SOLIDS. BMPs shall be designed, installed and maintained to control total suspended solids carried in runoff from the post-construction site as follows. The total suspended solids reduction shall be based on the average annual rainfall, as compared to no runoff management controls.
 - 1. For post-construction sites with 20,000 square feet or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance, the following is required:
 - a. Reduce the total suspended solids load by 80% for new development.
 - b. Reduce the total suspended solids load by 40% for redevelopment.
 - c. No total suspended solids load reduction is required for routine maintenance areas, unless runoff from the routine maintenance area discharges into a proposed water quality BMP.
 - 2. For post-construction sites with less than 20,000 square feet of impervious surface disturbance, reduce the total suspended solids load using BMPs from the City of Menasha Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.
 - 3. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after the adoption date [Insert adoption date] of this ordinance are required to satisfy the performance standards within Section 6-7-7(3)(a)1.a, b, and c.

4. The amount of total suspended solids control previously required for the site shall not be reduced as a result of the proposed development or disturbance.
5. Notwithstanding subds. 1. through 4., if the design cannot achieve the applicable total suspended solids reduction specified, the storm water management plan shall include a written and site-specific explanation why that level of reduction is not attained and the total suspended solids load shall be reduced to the maximum extent practicable.

(b) PEAK DISCHARGE. BMPs shall be designed, installed and maintained to control peak discharges from the post-construction site as follows:

1. For post-construction sites creating 20,000 square feet or more of impervious surface area and post-construction sites with 1 acre or more of land disturbance, the following is required:
 - a. The peak post-development discharge rate shall not exceed the peak pre-development discharge rate for the 2-year, 10-year, and 100-year, 24-hour design storms. These peak discharge requirements apply to new development and redevelopment areas. No peak discharge control is required for routine maintenance areas, unless runoff from the routine maintenance area discharges into a proposed peak flow control facility.
 - b. TR-55 methodology shall be used for peak discharge calculations, unless the administering authority approves an equivalent methodology. The meaning of “hydrologic soil group” and “runoff curve number” are as determined in TR-55. Redevelopment may use existing peak discharge calculations. For new development and infill, peak pre-development discharge rates shall be determined using the following “meadow” runoff curve numbers:

Maximum Pre-Development Runoff Curve Numbers - Meadow				
Hydrologic Soil Group	A	B	C	D
Runoff Curve Number	30	58	71	78

2. For post-construction sites with less than 20,000 square feet of impervious surface disturbance, reduce peak post-development discharge rates using BMPs from the City of Menasha Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.
3. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after the adoption date of this ordinance are required to satisfy the performance standards within Section 6-7-7(3)(b)1.a and b.

4. The amount of peak discharge control previously required for the site shall not be reduced as a result of the proposed development or disturbance.
 5. An adequate outfall shall be provided for each point of concentrated discharge from the post-construction site. An adequate outfall consists of non-erosive discharge velocities and reasonable downstream conveyance.
 6. Exemptions. The following transportation facilities are not required to meet the peak discharge requirements of this paragraph (b) provided the transportation facility is not part of a larger common plan of development or sale:
 - a. A transportation facility where the change in hydrology due to development does not increase the existing surface water elevation at any point within the downstream receiving surface water by more than 0.01 of a foot for the 2-year, 24-hour storm event.
 - b. A highway reconstruction site.
 - c. A transportation facility that is part of a redevelopment project.
 - d. Sites which discharge into a major water body. This includes the Fox River, Little Lake Butte des Morts and Lake Winnebago.
- (c) INFILTRATION. BMPs shall be designed, installed, and maintained to infiltrate runoff in accordance with the following, except as provided in subds. 8. through 11.
1. For residential developments with 20,000 square feet or more of impervious surface disturbance and residential developments with 1 acre or more of land disturbance, one of the following shall be met:
 - a. Infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 90% of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 1% of the project site is required as an effective infiltration area.
 - b. Infiltrate 25% of the post-development runoff from the 2 year -24 hour design storm with a type II distribution. Separate curve numbers for pervious and impervious surfaces shall be used to calculate runoff volumes and not composite curve numbers as defined in TR-55. However, when designing appropriate infiltration systems to meet this requirement, no more than 1% of the project site is required as an effective infiltration area.
 2. For non-residential developments with 20,000 square feet or more of impervious surface disturbance and non-residential developments with 1 acre or more of

- a. Infiltrate sufficient runoff volume so that the post-development infiltration volume shall be at least 60% of the pre-development infiltration volume, based on an average annual rainfall. However, when designing appropriate infiltration systems to meet this requirement, no more than 2% of the project site is required as an effective infiltration area.
 - b. Infiltrate 10% of the runoff from the 2 year - 24 hour design storm with a type II distribution. Separate curve numbers for pervious and impervious surfaces shall be used to calculate runoff volumes, and not composite curve numbers as defined in TR-55. However, when designing appropriate infiltration systems to meet this requirement, no more than 2% of the project site is required as an effective infiltration area.
3. Pre-development condition shall assume “good hydrologic conditions” for appropriate land covers as identified in TR-55 or an equivalent methodology approved by the administering authority. The meaning of “hydrologic soil group” and “runoff curve number” are as determined in TR-55. However, when pre-development land cover is cropland, rather than using TR-55 values for cropland, the following runoff curve numbers shall be used:

Maximum Pre-Development Runoff Curve Numbers - Cropland				
Hydrologic Soil Group	A	B	C	D
Runoff Curve Number	56	70	79	83

- 4. For residential and non-residential developments with less than 20,000 square feet of new impervious surfaces, infiltrate runoff volume using BMPs from the City of Menasha Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.
- 5. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after the adoption date of this ordinance are required to satisfy the performance standards within Section 6-7-7(3)(c)1, 2, and 3.
- 6. The amount of infiltration previously required for the site shall not be reduced as a result of the proposed development or disturbance.
- 7. Before infiltrating runoff, pretreatment shall be required for parking lot runoff and for runoff from new road construction in commercial, industrial and institutional areas that will enter an infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging prior to scheduled maintenance and to protect groundwater quality in accordance with subd. 11. Pretreatment options

may include, but are not limited to, oil/grease separation, sedimentation, biofiltration, filtration, swales or filter strips.

8. Exclusions. Infiltration of runoff from the following areas are prohibited from meeting the infiltration requirements of this paragraph (c):
 - a. Areas associated with tier 1 industrial facilities identified in s. NR 216.21(2)(a), Wis. Adm. Code, including storage, loading, rooftop and parking.
 - b. Storage and loading areas of tier 2 industrial facilities identified in s. NR 216.21(2)(b), Wis. Adm. Code.
 - c. Fueling and vehicle maintenance areas.
 - d. Areas within 1000 feet upgradient or within 100 feet downgradient of karst features.
 - e. Areas with less than 3 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock, except this subd. 8.e. does not prohibit infiltration of roof runoff.
 - f. Areas with runoff from industrial, commercial and institutional parking lots and roads and residential arterial roads with less than 5 feet separation distance from the bottom of the infiltration system to the elevation of seasonal high groundwater or the top of bedrock.
 - g. Areas within 400 feet of a community water system well as specified in s. NR 811.16(4), Wis. Adm. Code, or within 100 feet of a private well as specified in s. NR 812.08(4), Wis. Adm. Code, for runoff infiltrated from commercial, industrial and institutional land uses or regional devices for residential development.
 - h. Areas where contaminants of concern, as defined in s. NR 720.03(2), Wis. Adm. Code are present in the soil through which infiltration will occur.
 - i. Any area where the soil does not exhibit one of the following soil characteristics between the bottom of the infiltration system and the seasonal high groundwater and top of bedrock: at least a 3-foot soil layer with 20% fines or greater; or at least a 5-foot soil layer with 10% fines or greater. This does not apply where the soil medium within the infiltration system provides an equivalent level of protection. This subd. 8.i. does not prohibit infiltration of roof runoff.
9. Exemptions. Infiltration of runoff from the following areas are not required to meet the infiltration requirements of this paragraph (c):

- a. Areas where the infiltration rate of the soil is less than 0.6 inches/hour measured at the site.
 - b. Parking areas and access roads less than 5,000 square feet for commercial and industrial development.
 - c. Redevelopment and routine maintenance areas.
 - d. In-fill areas less than 5 acres.
 - e. Infiltration areas during periods when the soil on the site is frozen.
 - f. Roads in commercial, industrial and institutional land uses, and arterial residential roads.
 - g. Highways provided the transportation facility is not part of a larger common plan of development or sale.
10. Where alternate uses of runoff are employed, such as for toilet flushing, laundry or irrigation, such alternate use shall be given equal credit toward the infiltration volume required by this paragraph.
11. a. Infiltration systems designed in accordance with this paragraph shall, to the extent technically and economically feasible, minimize the level of pollutants infiltrating to groundwater and shall maintain compliance with the preventive action limit at a point of standards application in accordance with ch. NR 140, Wis. Adm. Code. However, if site specific information indicates that compliance with a preventive action limit is not achievable, the infiltration BMP may not be installed or shall be modified to prevent infiltration to the maximum extent practicable.
- b. Notwithstanding subd. par. a., the discharge from BMPs shall remain below the enforcement standard at the point of standards application.

(d) **PROTECTIVE AREAS.**

1. "Protective area" means an area of land that commences at the top of the channel of lakes, streams and rivers, or at the delineated boundary of wetlands, and that is the greatest of the following widths, as measured horizontally from the top of the channel or delineated wetland boundary to the closest impervious surface. However, in this paragraph, "protective area" does not include any area of land adjacent to any stream enclosed within a pipe or culvert, such that runoff cannot enter the enclosure at this location.

Protective Area	Required Setback
Outstanding resource waters and exceptional resource waters, and for wetlands in areas of special natural resource interest as specified in s.	75 feet; and determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff

NR 103.04	susceptibility of the wetland in accordance with the standards and criteria in s. NR 103.03
Perennial and intermittent streams identified on a United States geological survey 7.5-minute series topographic map, or a county soil survey map, whichever is more current	50 feet
Lakes	50 feet
Highly susceptible wetlands (includes the following types: fens, sedge meadows, bogs, low prairies, conifer swamps, shrub swamps, other forested wetlands, fresh wet meadows, shallow marshes, deep marshes and seasonably flooded basins)	50 feet; determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in s. NR 103.03
Less susceptible wetlands (includes degraded wetlands dominated by invasive species such as reed canary grass)	10% of the average wetland width, but no less than 10 feet nor more than 30 feet; determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in s. NR 103.03
Concentrated flow channels with drainage areas greater than 130 acres	10 feet

- f. In subd. 1.a., d. and e., determinations of the extent of the protective area adjacent to wetlands shall be made on the basis of the sensitivity and runoff susceptibility of the wetland in accordance with the standards and criteria in s. NR 103.03.
 - g. For concentrated flow channels with drainage areas greater than 130 acres, 10 feet.
2. Wetlands shall be delineated. Wetland boundary delineations shall be made in accordance with s. NR 103.08(1m). This paragraph (d) does not apply to wetlands that have been completely filled in accordance with all applicable state and federal regulations. The protective area for wetlands that have been partially filled in accordance with all applicable state and federal regulations shall be measured from the wetland boundary delineation after fill has been placed.
 3. This paragraph (d) applies to post-construction sites located within a protective area, except those areas exempted pursuant to subd. 6 below.
 4. The following requirements shall be met:

- a. Impervious surfaces shall be kept out of the protective area to the maximum extent practicable. The storm water management plan shall contain a written site-specific explanation for any parts of the protective area that are disturbed during construction.
 - b. Where land disturbing construction activity occurs within a protective area, and where no impervious surface is present, adequate sod or self-sustaining vegetative cover of 70% or greater shall be established and maintained. The adequate sod or self-sustaining vegetative cover shall be sufficient to provide for bank stability, maintenance of fish habitat and filtering of pollutants from upslope overland flow areas under sheet flow conditions. Non-vegetative materials, such as rock riprap, may be employed on the bank as necessary to prevent erosion, such as on steep slopes or where high velocity flows occur.
 - c. Best management practices such as filter strips, swales, or wet detention basins, that are designed to control pollutants from non-point sources may be located in the protective area.
- 5. A protective area established or created after the adoption date of this ordinance shall not be eliminated or reduced, except as allowed in subd. 6.b, c, or d below.
- 6. Exemptions. The following areas are not required to meet the protective area requirements of this paragraph (d):
 - a. Redevelopment and routine maintenance areas provided the minimum requirements within in subd. 5 above are satisfied.
 - b. Structures that cross or access surface waters such as boat landings, bridges and culverts.
 - c. Structures constructed in accordance with s. 59.692(1v), Wis. Stats.
 - d. Post-construction sites from which runoff does not enter the surface water, except to the extent that vegetative ground cover is necessary to maintain bank stability.
- (e) **FUELING AND VEHICLE MAINTENANCE AREAS.** Fueling and vehicle maintenance areas shall, to the maximum extent practicable, have BMPs designed, installed and maintained to reduce petroleum within runoff, such that the runoff that enters waters of the state contains no visible petroleum sheen.
- (f) **SWALE TREATMENT FOR TRANSPORTATION FACILITIES.** This Section 6-7-7(3)(f) is not applicable to transportation facilities that are part of a larger common plan of development or sale.

1. Applicability. Except as provided in subd. 2., transportation facilities that use swales for runoff conveyance and pollutant removal meet all of the requirements of this section, if the swales are designed to the maximum extent practicable to do all of the following:
 - a. Be vegetated. However, where appropriate, non-vegetative measures may be employed to prevent erosion or provide for runoff treatment, such as rock riprap stabilization or check dams.
 - b. Carry runoff through a swale for 200 feet or more in length that is designed with a flow velocity no greater than 1.5 feet per second for the peak flow generated using either a 2-year, 24-hour design storm or a 2-year storm with a duration equal to the time of concentration as appropriate. If a swale of 200 feet in length cannot be designed with a flow velocity of 1.5 feet per second or less, then the flow velocity shall be reduced to the maximum extent practicable.

2. Exemptions. The Department of Public Works may, consistent with water quality standards, require other provisions of this section be met on a transportation facility with an average daily travel of vehicles greater than 2500 and where the initial surface water of the state that the runoff directly enters is any of the following:
 - a. An outstanding resource water.
 - b. An exceptional resource water.
 - c. Waters listed in s. 303(d) of the federal clean water act that are identified as impaired in whole or in part, due to nonpoint source impacts.
 - d. Waters where targeted performance standards are developed under s. NR 151.004, Wis. Adm. Code, to meet water quality standards.

(g) EXEMPTIONS. The following areas are not required to meet the performance standards within Section 6-7-7(3):

1. Agricultural production areas with less than 100,000 square feet of impervious surface disturbance.
2. Underground utility construction such as water, sewer, gas, electric, telephone, cable television, and fiber optic lines. This exemption does not apply to the construction of any above ground structures associated with utility construction.
3. The following transportation facilities are exempt, provided the transportation facility is not part of a larger common plan of development or sale.
 - a. Reconditioning or resurfacing of a highway.

- b. Minor reconstruction of a highway. Notwithstanding this exemption, the protective area requirements within NR 151.24(6) Wisconsin Administrative Code apply to minor reconstruction of a highway.
- c. A redevelopment transportation facility with no increase in exposed parking lots or roads.
- d. A transportation facility with less than 10% connected imperviousness based on complete development of the transportation facility, provided the cumulative area of all parking lots and rooftops is less than one acre.
- e. Routine maintenance for transportation facilities if performed to maintain the original line and grade, hydraulic capacity or original purpose of the facility.

(4) GENERAL CONSIDERATIONS FOR ON-SITE AND OFF-SITE STORM WATER

MANAGEMENT MEASURES. The following considerations shall be observed in managing runoff:

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

(5) LOCATION AND REGIONAL TREATMENT OPTION.

- (a) The BMPs may be located on-site or off-site as part of a regional storm water device, practice or system.
- (b) Post-construction runoff within a non-navigable surface water that flows into a BMP, such as a wet detention pond, is not required to meet the performance standards of this ordinance. Post-construction BMPs may be located in non-navigable surface waters.
- (c) Except as allowed under par. (d), post-construction runoff from new development shall meet the post-construction performance standards prior to entering a navigable surface water.
- (d) Post-construction runoff from any development within a navigable surface water that flows into a BMP is not required to meet the performance standards of this ordinance if:
 - 1. The BMP was constructed prior to the effective date of this ordinance and the BMP either received a permit issued under ch. 30, Stats., or the BMP did not require a ch. 30, Wis. Stats., permit; and

2. The BMP is designed to provide runoff treatment from future upland development.
- (e) Runoff from existing development, redevelopment and in-fill areas shall meet the post-construction performance standards in accordance with this paragraph.
1. To the maximum extent practicable, BMPs shall be located to treat runoff prior to discharge to navigable surface waters.
 2. Post-construction BMPs for such runoff may be located in a navigable surface water if allowable under all other applicable federal, state and local regulations such as ch. NR 103, Wis. Adm. Code and ch. 30, Wis. Stats.
- (f) The discharge of runoff from a BMP, such as a wet detention pond, or after a series of such BMPs is subject to this chapter.
- (g) The Department of Public Works may approve off-site management measures provided that all of the following conditions are met:
1. The Department of Public Works determines that the post-construction runoff is covered by a storm water management system plan that is approved by the City of Menasha and that contains management requirements consistent with the purpose and intent of this ordinance.
 2. The off-site facility meets all of the following conditions:
 - a. The facility is in place.
 - b. The facility is designed and adequately sized to provide a level of storm water control equal to or greater than that which would be afforded by on-site practices meeting the performance standards of this ordinance.
 - c. The facility has a legally obligated entity responsible for its long-term operation and maintenance.
- (h) Where a regional treatment option exists such that the Department of Public Works exempts the applicant from all or part of the minimum on-site storm water management requirements, the applicant shall be required to pay a fee in an amount determined in negotiation with the Department of Public Works. In determining the fee for post-construction runoff, the Department of Public Works shall consider an equitable distribution of the cost for land, engineering design, construction, and maintenance of the regional treatment option.
- (6) **ALTERNATE REQUIREMENTS.** The Department of Public Works may establish storm water management requirements more stringent than those set forth in this section if the Department of

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

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

- (1) PERMIT REQUIRED. No responsible party may undertake a land disturbing construction activity without receiving a post-construction runoff permit from the Department of Public Works prior to commencing the proposed activity.

- (2) PERMIT APPLICATION AND FEES. Unless specifically excluded by this ordinance, any responsible party desiring a permit shall submit to the Department of Public Works a permit application made on a form provided by the Department of Public Works for that purpose.
 - (a) Unless otherwise excepted by this ordinance, a permit application must be accompanied by a storm water management plan, a maintenance agreement and a non-refundable permit administration fee.
 - (b) The storm water management plan shall be prepared to meet the requirements of Section 6-6-7 and Section 6-6-9, the maintenance agreement shall be prepared to meet the requirements of Section 6-6-10, the financial guarantee shall meet the requirements of Section 6-6-11, and fees shall be those established by the Common Council as set forth in Section 6-6-12.

- (3) REVIEW AND APPROVAL OF PERMIT APPLICATION. The Department of Public Works shall review any permit application that is submitted with a storm water management plan, maintenance agreement, and the required fee. The following approval procedure shall be used:
 - (a) Within [20] business days of the receipt of a complete permit application, including all items as required by sub. (2), the Department of Public Works shall inform the applicant whether the application, plan and maintenance agreement has been approved or not approved based on the requirements of this ordinance.
 - (b) If the storm water permit application, plan and maintenance agreement are approved, or if an agreed upon payment of fees in lieu of storm water management practices is made, the Department of Public Works shall issue the permit.

- (c) If the storm water permit application, plan or maintenance agreement is not approved, the Department of Public Works shall detail in writing the reasons for denial.
 - (d) The Department of Public Works may request additional information from the applicant. If additional information is submitted, the Department of Public Works shall have [20] business days from the date the additional information is received to inform the applicant that the plan and maintenance agreement are either approved or not approved.
 - (e) Failure by the Department of Public Works to inform the permit applicant of a decision within [20] business days of a required submittal shall be deemed to mean approval of the submittal and the applicant may proceed as if a permit had been issued.
- (4) PERMIT REQUIREMENTS. All permits issued under this ordinance shall be subject to the following conditions, and holders of permits issued under this ordinance shall be deemed to have accepted these conditions. The Department of Public Works may suspend or revoke a permit for violation of a permit condition, following written notification to the responsible party. An action by the Department of Public Works to suspend or revoke this permit may be appealed in accordance with Section 6-7-14.
- (a) Compliance with this permit does not relieve the responsible party of the responsibility to comply with other applicable federal, state, and local laws and regulations.
 - (b) The responsible party shall design and install all structural and non-structural storm water management measures in accordance with the approved storm water management plan and this permit.
 - (c) The responsible party shall notify the Department of Public Works at least 5 business days before commencing any work in conjunction with the implementation of the storm water management plan, and within [10] business days upon completion of the storm water management practices. If required as a special condition under sub. (5), the responsible party shall make additional notification according to a schedule set forth by the Department of Public Works so that practice installations can be inspected during construction.
 - (d) Practice installations required as part of this ordinance shall be certified "as built" by a licensed professional engineer. Completed storm water management practices must pass a final inspection by the Department of Public Works or its designee to determine if they are in accordance with the approved storm water management plan and ordinance. The Department of Public Works or its designee shall notify the responsible party in writing of any changes required in such practices to bring them into compliance with the conditions of this permit.

- (e) The responsible party shall submit any proposed modifications to the Department of Public Works for approval prior to incorporation into the storm water management plan and execution by the responsible party.
 - (f) The responsible party shall maintain all storm water management practices in accordance with the storm water management plan until the practices either become the responsibility of the City of Menasha, or are transferred to subsequent private owners as specified in the approved maintenance agreement.
 - (g) The responsible party authorizes the Department of Public Works to perform any work or operations necessary to bring storm water management measures into conformance with the approved storm water management plan, and consents to a special assessment or charge against the property as authorized under subch. VII of ch. 66, Wis. Stats., or to charging such costs against the financial guarantee posted under Section 6-7-11.
 - (h) If so directed by the Department of Public Works, the responsible party shall repair at the responsible party's own expense all damage to adjoining municipal facilities and drainage ways caused by runoff, where such damage is caused by activities that are not in compliance with the approved storm water management plan.
 - (i) The responsible party shall permit property access to the Department of Public Works or its designee for the purpose of inspecting the property for compliance with the approved storm water management plan and this permit.
 - (j) Where site development or redevelopment involves changes in direction, increases in peak rate and/or total volume of runoff from a site, the Department of Public Works may require the responsible party to make appropriate legal arrangements with affected property owners concerning the prevention of endangerment to property or public safety.
 - (k) The responsible party is subject to the enforcement actions and penalties detailed in Section 6-7-13, if the responsible party fails to comply with the terms of this permit.
 - (l) The permit applicant shall post the "Certificate of Permit Coverage" in a conspicuous location at the construction site.
- (5) PERMIT CONDITIONS. Permits issued under this subsection may include conditions established by Department of Public Works in addition to the requirements needed to meet the performance standards in Section 6-7-7 or a financial guarantee as provided for in Section 6-7-11.
- (6) PERMIT DURATION. Permits issued under this section shall be valid from the date of issuance through the date the Department of Public Works notifies the responsible party that all storm water management practices have passed the final inspection required under sub. (4)(d).

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

6-7-9 STORM WATER MANAGEMENT PLAN.

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

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

6-7-10 MAINTENANCE AGREEMENT.

- (1) MAINTENANCE AGREEMENT REQUIRED. The maintenance agreement required under Section 6-7-8(2) for storm water management practices shall be an agreement between the Department of Public Works and the responsible party to provide for maintenance of storm water practices beyond the duration period of this permit. The maintenance agreement shall be filed with the County Register of Deeds as a property deed restriction so that it is binding upon all subsequent owners of the land served by the storm water management practices.

- (2) **AGREEMENT PROVISIONS.** The maintenance agreement shall contain the following information and provisions and be consistent with the maintenance plan required by Section 6-7-9(1)(f):
- (a) Identification of the storm water facilities and designation of the drainage area served by the facilities.
 - (b) A schedule for regular maintenance of each aspect of the storm water management system consistent with the storm water management plan required under Section 6-7-8(2).
 - (c) Identification of the responsible party(s), organization or city, county, town or village responsible for long term maintenance of the storm water management practices identified in the storm water management plan required under Section 6-7-8(2).
 - (d) Requirement that the responsible party(s), organization, or city, county, town or village shall maintain storm water management practices in accordance with the schedule included in par. (b).
 - (e) Requirement that for commercial and industrial project, the responsible party(s) or organization provide inspection results to the Department of Public Works.
 - (e) Authorization for the Department of Public Works to access the property to conduct inspections of storm water management practices as necessary to ascertain that the practices are being maintained and operated in accordance with the agreement.
 - (f) A requirement on the Department of Public Works to maintain public records of the results of the site inspections, to inform the party responsible for maintenance of the inspection results, and to specifically indicate any corrective actions required to bring the storm water management practice into proper working condition.
 - (g) Agreement that the party designated under par. (c), as responsible for long term maintenance of the storm water management practices, shall be notified by the Department of Public Works of maintenance problems which require correction. The specified corrective actions shall be undertaken within a reasonable time frame as set by the Department of Public Works.
 - (h) Authorization of the Department of Public Works to perform the corrected actions identified in the inspection report if the responsible party designated under par. (c) does not make the required corrections in the specified time period. The Department of Public Works shall enter the amount due on the tax rolls and collect the money as a special charge against the property pursuant to subch. VII of ch. 66, Wis. Stats.
- (3) **ALTERNATE REQUIREMENTS.** The Department of Public Works may prescribe alternative requirements for applicants seeking an exemption to on-site storm water management

performance standards under Section 6-7-7(5) or for applicants seeking a permit for a post-construction site with less than 20,000 square feet of impervious surface disturbance.

6-7-11 FINANCIAL GUARANTEE.

- (1) ESTABLISHMENT OF THE GUARANTEE. A financial guarantee in the form of a cash escrow deposit with the City, or a letter of credit for the benefit of the City and in the name of the City in an amount not to exceed the estimated cost of construction and the estimated cost of maintenance of the storm water management practices during the period which the designated party in the maintenance agreement has maintenance responsibility. The financial guarantee shall give the Department of Public Works the authorization to use the funds to complete the storm water management practices if the responsible party defaults or does not properly implement the approved storm water management plan, upon written notice to the responsible party by the Department of Public Works that the requirements of this ordinance have not been met.

- (2) CONDITIONS FOR RELEASE. Conditions for the release of the financial guarantee are as follows:
 - (a) The Department of Public Works shall release the portion of the financial guarantee established under this section, less any costs incurred by the Department of Public Works to complete installation of practices, upon submission of "as built plans" by a licensed professional engineer. The Department of Public Works may make provisions for a partial pro-rata release of the financial guarantee based on the completion of various development stages.
 - (b) The Department of Public Works shall release the portion of the financial guarantee established under this section to assure maintenance of storm water practices, less any costs incurred by the Department of Public Works, at such time that the responsibility for practice maintenance is passed on to another entity via an approved maintenance agreement.

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

6-7-12 FEE SCHEDULE.

The fees referred to in other sections of this ordinance shall be established by the Department of Public Works and may from time to time be modified by resolution. A schedule of the fees established by the Board of Public Works shall be available for review in the office of the Department of Public Works.

6-7-13 ENFORCEMENT.

- (1) Any land disturbing construction activity or post-construction runoff initiated after the effective date of this ordinance by any person, firm, association, or corporation subject to the ordinance provisions shall be deemed a violation unless conducted in accordance with the requirements of this ordinance.
- (2) The Department of Public Works shall notify the responsible party by personal service and/or certified mail of any non-complying land disturbing construction activity or post-construction runoff. The notice shall describe the nature of the violation, remedial actions needed, a schedule for remedial action, and additional enforcement action which may be taken.
- (3) Upon receipt of notification from the Department of Public Works under sub. (2), the responsible party shall correct work that does not comply with the storm water management plan or other provisions of this permit. The responsible party shall make corrections as necessary to meet the specifications and schedule set forth by the Department of Public Works in the notice.
- (4) If the violations to a permit issued pursuant to this ordinance are likely to result in damage to properties, public facilities, or waters of the state, the Department of Public Works may enter the land and take emergency actions necessary to prevent such damage. The costs incurred by the Department of Public Works plus interest and legal costs shall be billed to the responsible party.
- (5) The Department of Public Works is authorized to post a stop work order on all land disturbing construction activity that is in violation of this ordinance, or to request the city attorney to obtain a cease and desist order in any court with jurisdiction.
- (6) The Department of Public Works may revoke a permit issued under this ordinance for non-compliance with ordinance provisions.
- (7) Any permit revocation, stop work order, or cease and desist order shall remain in effect unless retracted by the Department of Public Works or by a court with jurisdiction.

- (8) The Department of Public Works is authorized to refer any violation of this ordinance, or of a stop work order or cease and desist order issued pursuant to this ordinance, to the city attorney for the commencement of further legal proceedings in any court with jurisdiction.
- (9) Any person, firm, association, or corporation who does not comply with the provisions of this ordinance shall be subject to the penalties listed in Sec. 1-1-7. Each day that the violation exists shall constitute a separate offense.
- (10) Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.
- (11) When the Department of Public Works determines that the holder of a permit issued pursuant to this ordinance has failed to follow practices set forth in the storm water management plan, or has failed to comply with schedules set forth in said storm water management plan, the Department of Public Works or a party designated by the Department of Public Works may enter upon the land and perform the work or other operations necessary to bring the condition of said lands into conformance with requirements of the approved plan. The Department of Public Works shall keep a detailed accounting of the costs and expenses of performing this work. These costs and expenses shall be deducted from any financial security posted pursuant to Section 6-7-11 of this ordinance. Where such a security has not been established, or where such a security is insufficient to cover these costs, the costs and expenses shall be entered on the tax roll as a special charge against the property and collected with any other taxes levied thereon.

6-7-14 APPEALS.

- (1) **BOARD OF PUBLIC WORKS.** The Board of Public Works, created pursuant to Sec. 2-2-5 of the City of Menasha ordinances pursuant to Chapter 66, Wis. Stats, shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Department of Public Works in administering this ordinance. The board shall also use the rules, procedures, duties, and powers authorized by statute in hearing and deciding appeals. Upon appeal, the board may authorize variances from the provisions of this ordinance that are not contrary to the public interest, and where owing to special conditions a literal enforcement of the ordinance will result in unnecessary hardship.

(2) WHO MAY APPEAL. Appeals to the Board of Public Works may be taken by any aggrieved person or by an officer, department, board, or bureau of the City of Menasha affected by any decision of the Department of Public Works.

6-7-15 SEVERABILITY.

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

6-7-16 EFFECTIVE DATE.

This ordinance shall be in force and effect from and after its adoption and publication. The above and foregoing ordinance was duly adopted by the Common Council of the City of Menasha on the [number] day of [month], 2008.

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

Passed and approved this _____ day of _____, 2008.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ATTORNEY'S NOTE:

CITY OF MENASHA STORMWATER REFERENCE GUIDE
FOR THE:
POST-CONSTRUCTION STORMWATER MANAGEMENT ORDINANCE

SEPTEMBER, 2008

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EXECUTIVE SUMMARY

The City of Menasha Stormwater Reference Guide (Reference Guide) has been created to act as a companion to the Post-Construction Stormwater Management Ordinance (Ordinance). The Ordinance cites the Reference Guide as the resource for details that were omitted from the model Ordinance due to the potential for variations in each municipality's permitting process and level of expertise in regard to the Ordinance. Items in the Reference Guide can be changed without the public hearing process as the changes are administrative and/or technical and do not affect the Ordinance's intent and requirements. The Reference Guide is organized similar to the Post-Construction Stormwater Management Ordinance for ease of relating the comments in the Reference Guide to the appropriate sections in the ordinance.

Post-Construction Stormwater Management Ordinance							
Site	Requirements ^a						
	Sediment (TSS)	Peak Discharge	Infiltration		Protective Area	Fueling & Vehicle Maintenance Areas	
			Residential	Non-Residential			
< 20,000 ft² Impervious Surface ^b	No Numeric Standard	No Numeric Standard	No Numeric Standard	No Numeric Standard	Width Varies	No Visible Petroleum Sheen	
> 20,000 ft² Impervious Surface	New Development	80%	2/10/100	90% of pre-development infiltration volume	60% of pre-development infiltration volume	Width Varies	No Visible Petroleum Sheen
	Redevelopment	40%	2/10/100	Exempt	Exempt	Potentially Exempt	No Visible Petroleum Sheen
	Routine Maintenance Area	None, unless discharging into a BMP	None, unless discharging into a BMP	Exempt	Exempt	Potentially Exempt	No Visible Petroleum Sheen
Transportation Facilities ^c	-Carry runoff through a grass swale a minimum of 200 feet long. -Velocity in grass swale < 1.5 ft/s for the 2-yr, 24- hour storm peak discharge.						

^a Summary of Performance Standards of the Post-Construction Stormwater Management Zoning Ordinance. See Ordinance and this Reference Guide for specific requirements, exemptions and prohibitions.

^b The impervious surface areas created after the adoption date of the Ordinance are cumulative. For example, if a site first adds 18,000 ft² of parking and then adds a 2,001 ft² building the following year, the site is held to the >20,000 ft² requirements at that time.

^c Provides alternative criteria for transportation facilities with grass swale drainage systems. The alternative criteria may be used by the applicant to satisfy Section S.07 Performance Standards. The alternative criteria may not be used for transportation facilities that are part of a larger common plan of development.

S.01 AUTHORITY

S.02 FINDINGS OF FACT

S.03 PURPOSE AND INTENT

- (1) PURPOSE
- (2) INTENT

S.04 APPLICABILITY AND JURISDICTION

- (1) APPLICABILITY
- (2) JURISDICTION
- (3) EXCLUSIONS

The Wisconsin Department of Transportation (WisDOT) has entered into a memorandum of understanding with the Wisconsin Department of Natural Resources that satisfies s. 281.33 (2), Wis. Stats., such that activities directed and supervised by WisDOT are exempt from this Ordinance.

Activities directed and supervised by the local municipality are covered by this Ordinance.

S.05 DEFINITIONS

“Biofiltration system” means a bioretention system which does not qualify for any infiltration credit pursuant to S.07(3)(c) of the Post-Construction Stormwater Management Ordinance.

“Structural height” means the difference in elevation in feet between the point of lowest elevation of the top of the embankment before overtopping and the lowest elevation of the downstream toe of embankment.

S.06 TECHNICAL STANDARDS

Below is a list of Technical Standards and Guidance Documents that shall be used to satisfy Performance Standards contained in the ordinance. Technical Standards specify the minimum criteria for a best management practice (BMP). Guidance Documents contain recommendations and additional “how to” guidance. Performance Standards take precedence over Technical Standards and Technical Standards take precedence over Guidance Documents.

- (a) **Technical Standards:** The following are applicable Wisconsin Department of Natural Resources (DNR) Conservation Practice Standards or Technical Standards:
 - 1001 Wet Detention Basin
 - 1002 Site Evaluation for Stormwater Infiltration
 - 1003 Infiltration Basin
 - 1004 Bioretention For Infiltration
 - 1005 Vegetated Infiltration Swale
 - 1006 Method for Predicting the Efficiency of Proprietary Storm Water Sedimentation Devices
 - 1100 Interim Turf Nutrient Management
 - S100 Compost

These standards may be found on the DNR website.

- (b) **Local Modifications to Technical Standards:** The following are local requirements which are intended to supplement, clarify, or supersede DNR Technical Standards.

1001 - Wet Detention Basin

Dry Detention Basin-

- Dry detention ponds shall be designed to meet requirements in Technical Standard 1001, except criteria contained in Sections V.A.2, V.B., and V.C.
- Dry detention ponds shall be designed to meet the local modifications provided below for Technical Standard 1001, except permanent pool and extended detention volume criteria.
- Dry detention ponds shall not receive any water quality or TSS credit, unless written approval is obtained from the DNR. The approval letter must specifically indicate the amount of TSS credit provided by the dry pond.
- Dry detention pond shall have a minimum bottom slope to the principal outlet of 1%. The applicant may request a waiver if site characteristics create a hardship.
- As part of the Operation & Maintenance Plan, sediment accumulation in the dry pond shall be monitored. Accumulated sediment shall be removed when 5% to 10% of the storage volume is lost for the 2-year, 24-hour design storm.

Pond Watershed-

- Wet ponds are not recommended for small watersheds (< 15 acres in clay soil). A wet pond located in a small watershed may develop stagnation problems and become a public nuisance. Public acceptance of stormwater BMPs is important to the success of a local stormwater program. Dry ponds, biofiltration, proprietary devices, and other BMPs are recommended for small watersheds.

100-Year Floodplain-

- Wet and dry detention ponds shall not be located in a 100-year floodway or 100-year flood storage area unless a hydrologic and hydraulic study is conducted in accordance with NR 116. Easements will be required if the flood study indicates the 100-year floodway or flood storage area is impacted by the pond or its embankment. Ponds shall not impede 100-year flood conveyance along navigable streams and non-navigable channels.

Permanent Pool-

- Pool Shape- A minimum length to width ratio of 3:1 is required between the principal inlet and principal outlet. The applicant may request a waiver if site characteristics create a hardship. Redevelopment and pond retrofit projects may be eligible for a waiver. Typically, new development is not eligible for a waiver.
- Liner- If soils are more permeable than a saturated hydraulic conductivity of 1×10^{-5} cm/sec, a liner is needed to maintain permanent pool levels. If soils are tighter than a saturated hydraulic conductivity of 1×10^{-7} cm/sec, no liner is needed (e.g. sandy clay loam, clay loam, silty clay loam, sandy clay, silty clay, or clay). A risk analysis shall be conducted if soils are between a saturated hydraulic conductivity of 1×10^{-5} cm/sec and 1×10^{-7} cm/sec. The risk analysis shall include proximity to public wells (400 ft) and private wells (100 ft), depth to groundwater and bedrock, and source pollutants (Tier 1 & Tier 2 Industries, fueling & maintenance areas). Liner materials can be soil, bentonite or synthetic.

- Aerators- Generally, aerators are not allowed unless written approval is obtained from the Wisconsin DNR. The approval letter must specifically state the proposed aerators are acceptable.

Extended Detention Volume-

- Disregard Section V.A.2.b(2) of Technical Standard 1001. If the wet pond's pollutant removal is not determined with SLAMM or P8, the 1-year, 24-hour design storm shall be released from the wet pond using the following formula:

$$Q_{\text{outflow}} = V_s * SA$$

Q_{outflow} = maximum allowable 1-year discharge rate (cfs)

V_s = 5.12×10^{-5} ft/sec settling velocity

SA = surface area of permanent pool (square feet)

Peak Flow Control-

- Do not use Table 2 in Technical Standard 1001. Use the maximum pre-development runoff curve numbers contained in the Post-Construction Stormwater Management Ordinance.
- It is recommended that the developer and designer contact the local municipality to discuss peak discharge requirements for the site early in the design process. The local municipality may have adopted alternative peak discharge requirements for the site which are different than the Post-Construction Stormwater Management Ordinance. At a minimum, the peak discharge requirements contained in NR 151 shall be met.

Inflows-

- Pipe inlets shall be protected from soil washouts due to seepage along the pipe's granular bedding and backfill. Rip-rap or other protection shall be placed around the entire pipe perimeter.
- Other inflow points shall be protected from scour and erosion.

Principal Outlet-

- All flows shall pass through the principal outlet during the 2-year and 10-year, 24-hour design storms. The principal outlet shall consist of one or more flow control structures and discharge pipes.
- Pipes- Generally concrete, PVC, or CMP are the preferred pipe materials. Corrugated PE will tend to jack-up due to frost heave and flotation. The minimum recommended pipe diameter is 12-inches.
- Orifices- Orifices smaller than 4 inches are not recommended due to the potential for clogging. Consider using a 6-inch perforated drain pipe and restrictor plate (refer to Section V.B.8 of Technical Standard 1004 for guidance). The total opening area of all perforation holes combined shall be sufficient to allow the drain pipe to discharge at full capacity, as would occur if there were no orifice restriction. Backfilling the drain pipe with 1-inched washed stone provides protection from clogging.
- Trash racks or other equivalent litter control devices are required for all outlet openings that control the 2-year, 24-hour design storm. The maximum bar spacing shall be less than 2-inches and less than $\frac{1}{2}$ the smallest opening dimension, whichever is more restrictive. The minimum surface area for the trash rack shall be 5 to 10 times the outlet's cross sectional area to prevent

clogging. Trash racks keep litter and debris in the pond and prevent it from discharging into streams, rivers, and lakes.

- Trash racks are also required for other outlet openings that have a width, height, or diameter less than 12-inches. The maximum bar spacing shall be less than $\frac{1}{2}$ the smallest opening dimension. The minimum surface area for the trash rack shall be at 5 to 10 times the outlet's cross sectional area to prevent clogging.
- Reverse-sloped pipes and other underwater outlets may impact a wet pond's TSS removal efficiency. Outlets that draw water from below the permanent pool's surface elevation reduce the effective surface area and depth of the permanent pool. If reverse-sloped pipes and other underwater outlets are used, special consideration is required for SLAMM & P8 modeling to ensure accurate water quality results. Also, underwater outlets may freeze during winter.

Flap Gates-

- Flap gates are required if the 2-year or 10-year, 24-hour design storm flows backward through the principal outlet. Backwater from a down slope conveyance system may impact a pond's water quality and/or flood control performance.
- Flap gates are not required if the permanent pool's water surface elevation is higher than the 10-year water elevation at the pond outlet (i.e. tailwater).
- Flap gates may be required if the permanent pool's water surface elevation is lower than the 10-year water elevation at the pond outlet (i.e. tailwater). If hydrographs are available for the tailwater condition, an evaluation can be performed to determine if flap gates are required due to backwater. If hydrographs are not available, flap gates are required.
- Flap gates shall not impede flow in down slope channels or streams.
- Ice accumulation within the down slope conveyance system shall be considered during flap gate and principal outlet design.

Tailwater-

- Tailwater conditions shall be evaluated at the pond outlet.
- Tailwater conditions along lakes, rivers, and streams may be obtained from available 100-year floodplain studies.
- Tailwater conditions may require that 2, 10, and/or 100-year, 24-hour runoff volumes be held in the pond, without release, until the down slope hydrograph allows the pond and flap gate to discharge flow.
- It is recommended that the designer contact the local municipality to discuss tailwater conditions early in the design process. The local municipality may have information available to assist with the tailwater evaluation.

Emergency Spillway-

- The routed 2-year and 10-year, 24-hour design storm may not pass through the emergency spillway. The routed 100-year, 24-hour design storm may not pass through the emergency spillway if the pond is designed to have a:
 - Structural height > 6 feet and flood storage capacity > 50 acre-feet, or
 - Structural height > 25 feet and flood storage capacity > 15 acre-feet.
- Backwater from a down slope conveyance system may not pass through the emergency spillway during the 2-year or 10-year, 24-hour design storm. Also, backwater may not pass through the emergency spillway during the 100-year,

24-hour design storm, unless a hydrologic and hydraulic evaluation indicates the site's peak discharge requirements are still satisfied, despite the backwater.

- When feasible, the emergency spillway should not be constructed on an embankment or over fill material. Spillways constructed on an embankment or over fill material are more prone to failure.
- The emergency spillway shall be constructed of permanent materials (i.e. poured concrete, grouted riprap, articulated concrete block, etc.) if the spillway is constructed on an embankment. The permanent material shall extend from the top of embankment to the down slope toe of embankment. The permanent material shall be shaped to contain flows and reduce potential for erosion and embankment failure.

Topsoil & Seeding-

- Topsoil is required in the safety shelf to encourage wetland plant growth (12-inch minimum thickness).
- When feasible, install a wetland seed mix or mature plants in the safety shelf to improve pond safety, reduce wave erosion along the shoreline, improve pollutant removal, and discourage geese residence. Use non-invasive species.
- When feasible, maintain a high grass buffer around the permanent pool's perimeter. The high grass buffer will further improve pond safety and geese control. Also, the perimeter of the permanent pool is typically the most difficult area to mow due to saturated soil conditions.

Record Drawings-

- Surveyed record drawings certified by a Professional Engineer shall be submitted upon completion of construction of all wet and dry ponds. As part of the record drawings, the Professional Engineer may need to verify BMP performance using computer modeling. Refer to record drawing checklist for requirements.

1002 - Site Evaluation for Stormwater Infiltration

- A site layout should not be developed until Step B is complete. Information obtained from Step B is used to:
 - Identify soil textures within the site.
 - Identify infiltration exclusions and exemptions.
 - Develop a site layout and identify potential infiltration device locations.
- For Step B, the minimum number of initial test pits or soil borings required for a new development area are as follows:
 - Two for the initial 10 acres, plus one per 10 acres thereafter.
 - One per soil unit. Soil units are depicted on NRCS Soil Survey Maps.
 - Example calculations:
 - 4 acres with 1 soil unit = min. of 2 test pits or soil borings
 - 20 acres with 2 soil units = min. of 3 test pits or soil borings.
 - 20 acres with 5 soil units = min. of 5 test pits or soil borings.
 - 34 acres with 3 soil units = min. of 4 test pits or soil borings.
- Upon completion of Step B, it is recommended that the developer and designer meet with the municipality to discuss infiltration requirements for the development to avoid redesign during permit submittal.
- Information obtained from Step C is used to design each infiltration device. As part of Step C, a second set of test pits or soil borings are required. Refer to Table 1, Technical Standard 1002 for test pit or soil boring requirements.

1003 - Infiltration Basin

- Record Drawings- Surveyed record drawings certified by a Professional Engineer shall be submitted upon completion of construction of all infiltration basins. As part of the record drawings, the Professional Engineer may need to verify BMP performance using computer modeling. Refer to record drawing checklist for requirements.

1004 - Bioretention For Infiltration

- Biofiltration systems shall be designed to meet requirements in Technical Standard 1004, except for the storage layer and sand/native soil interface layer. Also, the engineered soil planting bed may be reduced to a 30 inch thickness.
- Rain Gardens shall be designed to meet requirements in Technical Standard 1004, except for the engineered soil planting bed, storage layer, underdrain, and sand/native soil interface layer. Rain Gardens are typically used in residential areas. Rain Gardens are primarily intended for roof runoff, but may also be used for lawn, sidewalk and driveway runoff.
- SLAMM, P8 or an equivalent methodology shall be used to evaluate the TSS reduction associated with a bioretention, biofiltration, or rain garden BMP.
- Record Drawings- Surveyed record drawings certified by a Professional Engineer shall be submitted upon completion of construction of all bioretention and biofiltration facilities. As part of the record drawings, the Professional Engineer may need to verify BMP performance using computer modeling. Also, as part of the record drawings, the contractor shall certify the bioretention or biofiltration device was constructed in accordance with the approved construction plans and that the installed engineered soil complies with the material specifications. Refer to record drawing checklist for requirements.

1005 – Vegetated Infiltration Swale

- Grass swales shall meet the following design criteria if the applicant plans to take credit for TSS reductions calculated by SLAMM or P8.

Bottom Width	Trapezoid or parabolic shape with max. 6 ft width
Side Slopes	4:1 or flatter for triangular shaped swales (waiver is needed if steeper) 3:1 or flatter for trapezoidal channels (waiver is needed if steeper)
Longitudinal Slope	4% maximum (waiver is needed if steeper)
Flow Velocity	1.5 fps or less for 2-year storm. The vegetation type, mowing height, depth of flow, and O&M Plan must be consistent with the selected Manning's 'n' value.

- The grass swale infiltration rate used in SLAMM or P8 shall be obtained from Table 2, Technical Standard 1002. The design infiltration rate shall be based on the most confining soil layer within 5 feet of the grass swale's bottom elevation.
- Minimum longitudinal slope for a grass swale is 1%. The applicant may request a waiver if site characteristics create a hardship.
- Grass swales shall be designed for a 2-inch lawn height. If an alternative height is desired, it is recommended that the developer and designer contact the local municipality early in the design process to obtain

approval. The local municipality may have ordinances or other design criteria which dictate the allowable mowing height.

- Driveway culverts shall be considered when the swale length (density) is determined for purposes of SLAMM or P8 modeling. The maximum allowable culvert length for each lot shall be specified on the plans.
- Minimize or mitigate soil compaction during grading activities.
- Grassed swales shall be designed for the proper drainage area. Generally, it will be best to have one or two sizes to be used wherever needed throughout the development. The design shall be based on the largest drainage area served.
- Grassed swales shall be designed according to the planned vegetation type and maintenance that will be provided. Generally, grassed channels will be designed to have stable velocities when the vegetation is shortest and adequate capacity when the vegetation is longest.

1006 - Method for Predicting the Efficiency of Proprietary Storm Water Sedimentation Devices

- The DNR is currently developing Technical Standard 1006 for proprietary devices. Until this Technical Standard is complete, proprietary devices shall comply with DNR guidance developed as part of the "Meeting New State Regulations: Post-Construction Stormwater Management Workshops".

(c) **Guidance Documents:** The following are the applicable Guidance Documents:

- S100 Compost
- Guidance for the Establishment of Protective Areas for Wetlands
- "Construction Site" Definition – "Common Plan of Development"
- Technical Note for Sizing Infiltration Basins and Bioretention Devices
- Rain Gardens: A How-To Manual for Homeowners (see above local modifications to Technical Standard 1004). UW-Extension Publications
- Meeting New State Regulations: Post-Construction Stormwater Management Workshops - details on the WiDNR website
- Estimating Residue Using the Line Transect Method (UW-Extension A3533).
- The Wisconsin Stormwater Manual
- Wisconsin Department of Transportation (DOT) - Facilities Development Manual
- Wisconsin DOT Standard Specifications for Highway and Structure Construction
- Other National Publications

(d) **Local Easement Requirements:**

- Easements are typically required for BMPs and conveyance systems that serve more than one property owner or lot. Conveyance systems include storm sewers, grass swales, channels, streams, and overland relief paths. Easement widths will vary.
- An ingress / egress easement or direct access to a public street is typically required for BMPs that serve more than one property owner or lot.
- It is recommended that the developer and designer contact the local municipality early in the design process to discuss easements and width requirements.

S.07 PERFORMANCE STANDARDS

(1) **RESPONSIBLE PARTY**

(2) **PLAN**

(3) **REQUIREMENTS**

(a) **TOTAL SUSPENDED SOLIDS**

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to meet the ordinance’s numeric performance standards. All other post-construction sites are not required to meet these numeric performance standards. BMP design guidance is provided below in Section (h) for sites with less than 20,000 sq.ft. of impervious surface disturbance.

Computer Models:

Pollutant loading models such as SLAMM, DETPOND, P8 or an approved equivalent methodology may be used to evaluate the efficiency of the design in reducing total suspended solids. Information on how to access SLAMM and P8 is available on the WiDNR website or contact the stormwater coordinator in the runoff management section of the bureau of watershed management at (608) 267-7694.

Use the most recent version of SLAMM, DETPOND and P8. The applicant may request a waiver of this requirement.

Design Clarifications:

No Controls- “No Controls” is the baseline condition for each site. No TSS credit is provided for meeting the baseline condition. The baseline condition is defined as follows:

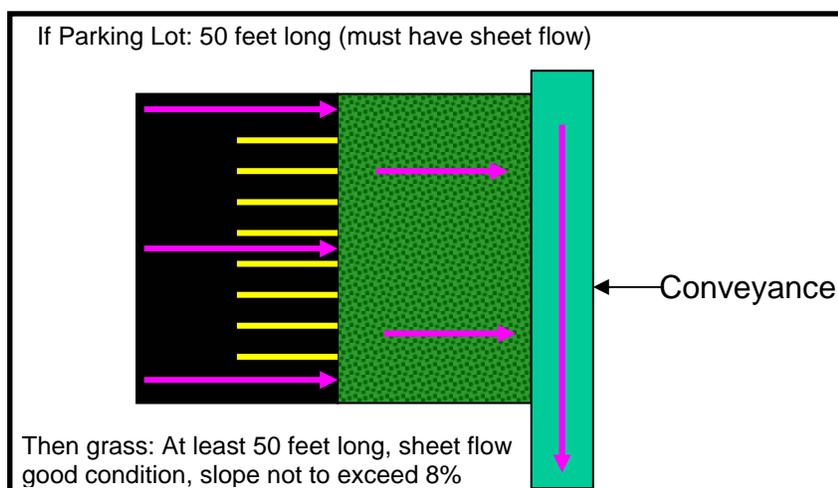
- Assume site is stabilized (no erosion).
- Assume proposed impervious surfaces are in place. Impervious surface reductions (e.g. reduced street width) can not be used to claim TSS credit; however, impervious surface reductions will lower runoff volumes which will reduce the required size for stormwater management BMPs.
- Assume no stormwater management BMPs.
- Assume curb and gutter / storm sewer drainage system in fair condition.
- If the applicant intends to claim TSS credit for disconnecting an impervious surface, the “No Controls” condition shall be based on the “typical” percent connected impervious values established by the DNR:

LAND USE	% CONNECTED
Open space / undeveloped	5
Suburban Residential	7
Park	10
Cemetery	12
Low Density Residential	14
Medium Density Residential – With Alley	25
Medium Density Residential – No Alley	28
Schools - Institutional	39
High Density Residential – With Alley	42
High Density Residential – No Alley	42
Mobile Home Residential	47
Freeway	51
Multi-Family Residential	51

Miscellaneous Institutional	59
Medium Industrial	64
High Rise Residential	65
Light Industrial	71
Office Park – Commercial	74
Hospital – Institutional	76
Commercial Strip Mall	91
Shopping Center – Commercial	91
Commercial Downtown	96

Disconnection- TSS credit is provided for runoff volume reductions associated with disconnecting impervious surfaces beyond the “typical” percent connected impervious values established by the DNR. In order to consider an impervious surface as “disconnected”, the following criteria shall be met:

- Residential Roofs: Discharge runoff over a minimum 20-foot long pervious surface that is in good condition and graded for sheet flow.
- Other Impervious Surfaces:
 - Source area flow length may not exceed 75 feet.
 - Source area and pervious area must be graded for sheet flow.
 - Pervious area must be in good condition, have a slope less than 8%, and have a flow length at least as long as the contributing impervious area’s length (but never less than 20 feet).



Source: DNR Post-Construction Stormwater Management Workshops

Street Sweeping & Catch Basin Cleaning- No TSS credit is provided for street sweeping, catch basin cleaning, or other management type BMPs in new development areas.

Infiltration Rate- The design infiltration rate for a BMP shall be based on the most confining soil layer within 5 feet of the BMP’s bottom elevation. Infiltration rates shall be obtained from Table 2, Technical Standard 1002.

Grass Swale- The grass swale infiltration rate used in SLAMM or P8 shall be obtained from Table 2, Technical Standard 1002. For SLAMM, the typical swale geometry shall be entered in lieu of using the “Wetted Width” option. SLAMM will calculate the “Wetted Width” for each rain event based on the typical swale geometry.

Uncontrolled Areas- The performance standard for TSS is a site standard, not a BMP standard. Often, a site contains uncontrolled areas that do not flow through a BMP (e.g. wet pond, grass swale). Typically, it is necessary to increase the TSS reduction provided by other onsite BMPs in order to offset or over compensate for these uncontrolled areas.

Routine Maintenance Areas– No performance standard or TSS reduction is required for routine maintenance areas. However, the applicant is responsible for proper performance of onsite BMPs. In order to ensure proper BMP performance, the applicant has two options:

- Divert the routine maintenance area around onsite BMPs, or
- Include runoff volumes from the routine maintenance area in onsite BMP calculations. However, no TSS credit is provided for the routine maintenance area unless it is reclassified as redevelopment.

Offsite Drainage Areas– The applicant is not responsible for satisfying TSS performance standards for offsite areas that drain into the project site. However, the applicant is responsible for proper performance of onsite BMPs. In order to ensure proper onsite BMP performance, the applicant has two options:

- Divert offsite runoff around onsite BMPs, or
- Include offsite runoff volumes in onsite BMP calculations. The amount of onsite TSS credit is determined by multiplying the BMP's percent TSS reduction by the base TSS load for the onsite area.

Example Calculations:

The development site currently contains 30 acres of institutional land uses and 70 acres of agricultural land uses. The entire 100 acre site will be disturbed as part of the proposed project. Within the 100 acre site, the developer plans to:

- Redevelop 20 acres (existing institutional) into a new commercial area.
- Conduct routine maintenance on 10 acres of existing asphalt parking lot (existing institutional). Parking lot will be part of new commercial area.
- Develop 70 acres (existing agriculture) into a new residential area.

The “No Controls” or base TSS load is computed as follows:

- Commercial area = 20 acres x 600 lbs/acre = 12,000 lbs
- Residential area = 70 acres x 400 lbs/acre = 28,000 lbs
- “No Controls” TSS Load = 40,000 lbs

The “TSS Reduction Required” is computed as follows:

- Commercial area = 12,000 lbs x 40% (redevelopment) = 4,800 lbs
- Residential area = 28,000 lbs x 80% (new development) = 22,400 lbs
- “TSS Reduction Required” = (4,800 + 22,400) / 40,000
= 0.68 or 68%

A wet pond is proposed for the site. The pond achieves an 80% TSS reduction for its 130 acre watershed. The 130 acre watershed includes 20 acres of commercial area, 10 acres of commercial parking lot, 60 acres of residential area, and 40 acres of offsite residential area.

- Commercial area = 12,000 lbs x 80% (wet pond) = 9,600 lbs
- Commercial parking lot = 8,000 lbs x 80% (wet pond) = 6,400 lbs
- Residential area (60 acres) = 24,000 lbs x 80% (wet pond) = 19,200 lbs
- Offsite residential area = 16,000 lbs x 80% (wet pond) = 12,800 lbs
- Pond TSS Reduction = (9,600 + 6,400 + 19,200 + 12,800) / 60,000
= 0.80 or 80%

The “TSS Reduction Provided” is computed as follows:

- Commercial area = 12,000 lbs x 80% (wet pond) = 9,600 lbs
- Residential area (60 acres) = 24,000 lbs x 80% (wet pond) = 19,200 lbs
- Residential area (10 acres) = 4,000 lbs x 0% (uncontrolled) = 0 lbs
- “TSS Reduction Provided” = (9,600 + 19,200 + 0) / 40,000
= 0.72 or 72%

72% > 68%, therefore the TSS requirement is satisfied.

In the example, the 10 acre commercial parking lot could have been included in the "TSS Reduction Required" and "TSS Reduction Provided" calculations if it was reclassified as redevelopment, as opposed to routine maintenance. The reclassification would have allowed the applicant to plan for future reconstruction of the 10 acre commercial parking lot.

In the example, the 40 acre offsite residential area could have been included in the "TSS Reduction Required" and "TSS Reduction Provided" calculations if it was a regional pond, as opposed to an onsite pond. A regional pond would have allowed the owner of the 40 acre offsite residential area to take credit for the TSS reduction provided by the wet pond.

(b) PEAK DISCHARGE

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to meet the ordinance's numeric performance standards. All other post-construction sites are not required to meet these numeric performance standards. BMP design guidance is provided below in Section (h) for sites with less than 20,000 sq.ft. of impervious surface disturbance.

Computer Models:

Peak discharge rates shall be evaluated using TR-55 methodology and a computer model. NRCS recently released a new Windows version of TR-55 referred to as WinTR-55. Unfortunately, WinTR-55 has some unacceptable restrictions in computing T_c and the computations for outlet structures are too approximate to be useable. Therefore, WinTR-55 is not acceptable software.

Other software packages are acceptable if they match the results and methodology of TR-55 (DOS version). There are multiple hydrology/pond routing computer programs available. They must be approved by the administering authority. Examples of common computer programs are HEC-HMS, XPSWMM, HydroCAD, HydraFlow, PondPack, etc.

Each pre-development watershed shall be evaluated for peak discharge. It is not accurate or necessary to "link" all of the pre-development watersheds to determine the ultimate allowable discharge for the site. The allowable discharge for each outfall shall be determined based on the individual pre-development watershed as discussed more in depth below in "TR-55 Methodology Clarifications".

TR-55 Methodology Clarifications:

Time of Concentration (T_c)-

Pre-Development Requirements

- The T_c route shall be the route that takes the longest time to reach the outfall and not necessarily the furthest point in the watershed.
- The T_c route shall be shown to scale on the pre-development contours with each flow segment labeled.
- The pre-development T_c should typically be at least 30 minutes in NE Wisconsin. This may not apply to small sites.
- A Manning's "n" value of 0.24 shall be used for sheet flow "meadow" conditions. For redevelopment areas, assume impervious surfaces do not exist.
- The sheet flow length before development in NE Wisconsin is usually 250' to 300'. This may not apply to small sites.

- For shallow concentrated flow, “unpaved” or “paved” shall be used to represent vegetated swales and paved swales, respectively.

Post-Development Requirements

- The T_c route shall incorporate and represent the development. If the development is large, consider dividing the development into multiple watersheds.
- T_c will almost always be shorter after development.
- The T_c route shall be shown to scale on the post-development drainage plan with each flow segment labeled.
- The sheet flow length after development will seldom be greater than 50’ to 100’ due to the grading around homes and buildings. A sheet flow length of greater than 100 feet requires approval from the reviewing authority (except for large paved parking areas).
- A Manning’s “n” value of 0.24 is appropriate for sheet flow “lawn” conditions.
- The minimum sheet flow slope shall be 2% for residential lawns.
- For shallow concentrated flow, “unpaved” or “paved” shall be used to represent vegetated swales and paved swales, respectively.
- The T_c flow path stops when it reaches the inflow of a wet or dry detention basin.
- The post-development T_c is important for determining the correct storage volume required. See the Storage Volume for Detention Basins section below.

Runoff Curve Numbers (CN)-

Pre-Development Requirements

- The following Curve Numbers shall be used for “meadow” conditions:

Maximum Pre-Development Runoff Curve Numbers (meadow)				
Hydrologic Soil Group	A	B	C	D
Curve Number	30	58	71	78

- Existing concentrated wooded areas shall be modeled as “Woods, Good Hydrologic Condition” with curve numbers of 30, 55, 70, and 77 for hydrologic soil groups A, B, C, and D, respectively.
- Soil units can be found in the applicable County Soil Survey (or, if provided, on the [Municipality’s] website.)
- The appropriate hydrologic soil groups are located at the following website: <http://soildatamart.nrcs.usda.gov/County.aspx?State=WI>

To get an online soils report, do the following:

1. Select the appropriate County.
2. Select the “Generate Reports” button.
3. Select the appropriate soils for the site (hold the ctrl key for multiple).
4. Select the report type (RUSLE2 Related Attributes or Water Features) below to get the Hydrologic Group(s) for the site.
5. Select the “Generate Report” button.

**Notice that a number of soils have different hydrologic soil groups than those shown in the original County USDA Soils book. The Internet groups are the ones to use.

Post-Development Requirements

- The Runoff Curve Number for lawns shall be used for developed areas that will be vegetated. Woods, wetland, or prairie areas preserved with a recorded document may be modeled as such.

Pre/Post-Development Curve Number Determination for Permeable Soils

- Refer to the Site Evaluation for Infiltration Report to verify that soils mapped in hydrologic groups A or B are well drained. If not well drained use the County USDA Soils Books hydrologic group explanation to determine the appropriate hydrologic group.
- If the existing site consists of multiple hydrologic groups, especially a combination of highly permeable and non-permeable, consideration shall be given to the proposed site balance cut/fill. See Appendix A of TR-55 for discussion on disturbed soil profiles as a result of urbanization.

Example: The site consists of 30% Hydrologic Group A soils and 70% Hydrologic Group C soils. The following scenarios shall be handled as noted:

1. If the site earthwork does not balance within the respective Hydrologic Group and it is anticipated that the “C” soils will be filled on the “A” soils, the “C” soil RCN shall be used.
2. If the site earthwork balances within each respective Hydrologic Group and it is anticipated that offsite fill will be required to achieve the desired dwelling elevations, the “C” soil RCN shall be used.
3. If the site balances within each respective Hydrologic Group and no or minimal fill is anticipated on the “A” soils, compaction mitigation shall be provided.

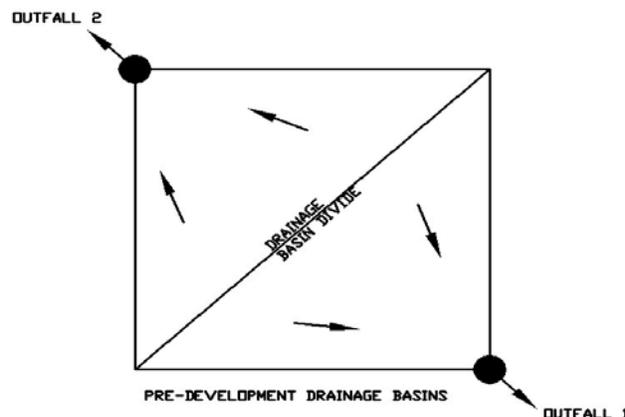
Drainage Area-

Pre-Development Requirements

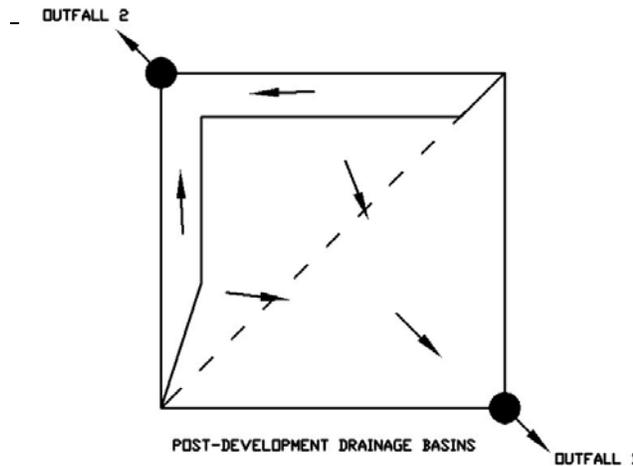
- Determine the total contributing drainage area to the development, including offsite properties.
- If the pre-developed site consists of multiple drainage basins, each outfall shall be evaluated for peak discharge.

Example:

The pre-development site shown below is 40 acres and consists of 2 drainage basins, each 20 acres. Each outfall has a peak discharge of 4, 8, and 12 cfs for the 2, 10, and 100-year design storms, respectively.



The post-development site shown below is the same 40 acres; however, Outfall 1 now has 30 acres draining to it and Outfall 2, 10 acres.



The post-development discharges for Outfall 2 are 3, 6, and 9 cfs for the 2-, 10-, and 100-year design storms, respectively. Outfall 2 meets the peak discharge requirements of the Ordinance because the post-development peak discharges are below the pre-development discharges for Outfall 2.

The post-development discharges for Outfall 1 are 12, 24, and 36 cfs for the 2-, 10-, and 100-year design storms, respectively. Outfall 1 does not meet the peak discharge requirements of the Ordinance. Stormwater facilities have to be installed to lower the post-development peak discharges to the pre-development discharges of 4, 8, and 12 cfs for the 2-, 10-, and 100-year design storms, respectively.

Below is an example of appropriate Stormwater Management Plan summary tables as required:

Pre-Development Peak Discharges			
Design Storm	2-year	10-year	100-year
Outfall 1	4 cfs	8 cfs	12 cfs
Outfall 2	4 cfs	8 cfs	12 cfs

Post-Development Peak Discharges			
Design Storm	2-year	10-year	100-year
Outfall 1 (undetained)	3.6 cfs (12 cfs)	7.5 cfs (24 cfs)	10.9 cfs (36 cfs)
Outfall 2	3 cfs	6 cfs	9 cfs

Post-Development Requirements

- The design of stormwater runoff control facilities shall be based on the total contributing drainage area, not just the area being developed. Any off-site drainage area must be included in the plan facilities or safely diverted around the planned facilities.
- Off-site contributing areas that are not diverted must use the meadow condition runoff curve number for pre-development flow computations whether the off-site area is presently developed or not.
- Offsite contributing areas that are diverted shall use the highest anticipated runoff curve number for the offsite area for a safe design. Also, the diversion shall provide 0.3' of freeboard and assume 10%

settlement for the 100-year flow. The conveyance shall be contained within an easement. The discharge location for the diversion shall be at the pre-developed outfall or at a stable location.

- If more than 30% of the drainage area will be impervious, it will often be necessary to divide the drainage area into a pervious sub-area and impervious sub-area for correct computation of peak flow.

Peak Discharge Method-

- For Wisconsin, use the Type II, 24-hour rainfall distribution for design storms.
- Natural depressions shall be evaluated or considered when determining peak discharge rates for the predevelopment condition.

Storage Volume for Detention Basins (TR-55)-

- The approximate storage-routing curves should not be used if the adjustment for ponding (discussed above in the peak discharge section) is used.
- This manual method is good for determining quick estimates of the effects of temporary detention on peak discharges. Computer programs that utilize TR-20 provide more accurate methods of analysis and routing.
- The procedure should not be used to perform final design if an error in storage of 25 percent cannot be tolerated. Figure 6-1 may significantly overestimate the required storage capacity.
- When the peak outflow discharge is too close to post-development peak inflow discharge, parameters that affect the rate of rise of a hydrograph become especially significant.

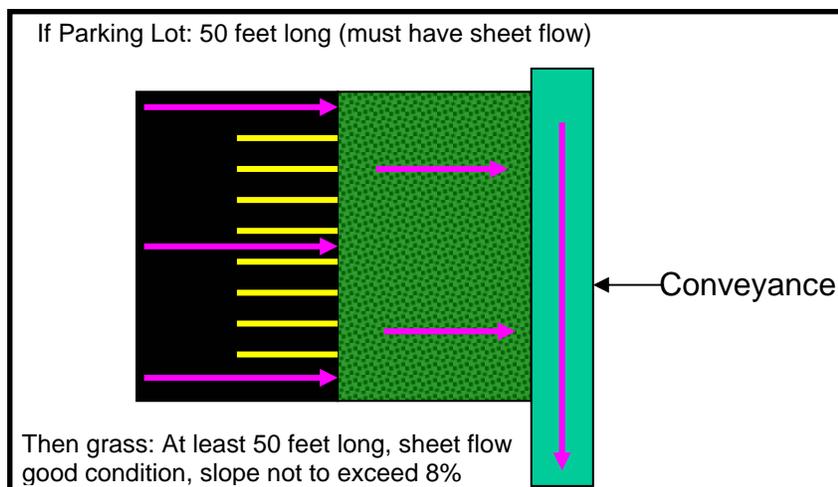
Design Clarifications:

It is recommended that the developer and designer contact the local municipality to discuss peak discharge requirements for the site early in the design process. The local municipality may have adopted alternative peak discharge requirements for the site which are different than the Post-Construction Stormwater Management Ordinance. At a minimum, the peak discharge requirements contained in NR 151 shall be met.

Outfalls- Performance standards for peak discharge shall be satisfied at each outfall associated with the site. Department of Public Works approval is required if post-development peak discharge rates are not less than or equal to pre-development peak discharge rates at each outfall.

Disconnection- Disconnecting impervious surfaces can help achieve the peak discharge requirement. Disconnecting impervious surfaces not only reduces runoff volumes, but also increases time of concentration. In order to consider an impervious surface as "disconnected", the following criteria shall be met:

- Residential Roofs: Discharge runoff over a minimum 20 foot long pervious surface that is in good condition and graded for sheet flow.
- Other Impervious Surfaces:
 - Source area flow length may not exceed 75 feet.
 - Source area and pervious area must be graded for sheet flow.
 - Pervious area must be in good condition, have a slope less than 8%, and have a flow length at least as long as the contributing impervious area's length (but never less than 20 feet).



Source: DNR Post-Construction Stormwater Management Workshops

Uncontrolled Areas- The performance standard for peak discharge is an outfall standard. Often, a site contains an uncontrolled area for each outfall that does not flow through a BMP (e.g. wet pond). Typically, it is necessary to increase the peak discharge control provided by the onsite BMP in order to offset or over compensate for the uncontrolled area.

Routine Maintenance Areas- No performance standard or peak discharge reduction is required for routine maintenance areas. However, the applicant is responsible for proper performance of onsite BMPs. In order to ensure proper BMP performance, the applicant has two options:

- Divert the routine maintenance area around onsite BMPs, or
- Include runoff volumes from the routine maintenance area in onsite BMP calculations. For the predevelopment condition, routine maintenance areas shall be modeled as a meadow land use. For the post-development condition, routine maintenance areas shall be modeled using the actual site conditions.

(c) INFILTRATION

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to meet the ordinance's numeric performance standards. All other post-construction sites are not required to meet these numeric performance standards. BMP design guidance is provided below in Section (h) for sites with less than 20,000 sq.ft. of impervious surface disturbance.

Computer Models:

A model that calculates runoff volume, such as RECARGA, SLAMM, P8, TR-55, or an approved equivalent methodology may be used to evaluate the efficiency of the infiltration design. Information on how to access RECARGA, SLAMM, or P8 is available on the web or contact the stormwater coordinator in the runoff management section of the bureau of watershed management at (608) 267-7694.

Use the most recent version of RECARGA, SLAMM, and P8. The applicant may request a waiver of this requirement.

Depending on the type of infiltration device, groundwater mounding may need to be evaluated. Refer to Table 1, Technical Standard 1002 for groundwater mounding requirements. A model that calculates groundwater mounding is

available on the web or contact the stormwater coordinator in the runoff management section of the bureau of watershed management at (608) 267-7694.

Design Clarifications:

Maximum required Effective Infiltration Area (EIA) is calculated as follows:

- For residential land uses, the EIA cap is 1% of the project site. For residential, the project site is defined as the area of land disturbance.
- For non-residential land uses, the EIA cap is 2% of the project site. For non-residential, the project site is defined as the portion of land disturbance dedicated to rooftops and parking lots.
- Excluded and exempted areas are included in the EIA cap calculation.
- The maximum required EIA cap may be voluntarily exceeded.

Exclusions- Infiltration from source areas or at locations identified in section in the ordinance is not prohibited. Rather, credit will not be given toward achieving the infiltration requirement. Runoff from excluded areas does not have to be included in calculating the infiltration goal. However, if runoff from an excluded area flows through an infiltration BMP, the following is required:

- Use caution. These source areas and locations are excluded from the ordinance's infiltration requirement due to groundwater contamination concerns. The municipality is not responsible for the applicant's decision to infiltrate this runoff. The applicant is solely responsible for NR 140 compliance and groundwater protection.
- The BMP design must take runoff from excluded areas into account to assure the device can safely handle the additional flow and volume.

Exemptions- Infiltration from source areas or at locations identified in section S.07(3)(c)9 of the ordinance is not required. Despite the ordinance, the applicant may choose to infiltrate exempted runoff. If exempted runoff is infiltrated, credit will be given toward achieving the infiltration requirement. Runoff from exempted areas does not have to be included in calculating the infiltration goal. However, if runoff from an exempted area flows through an infiltration BMP, the BMP design must take it into account to assure the device can safely handle the additional flow and volume.

Groundwater Protection- It is the applicant's sole responsibility to protect groundwater. Compliance with Preventative Action Limits (PAL) contained in NR 140 must be maintained. Also, infiltration system discharges must remain below Enforcement Standards (ES) contain in NR 140. DNR Technical Standards should meet these groundwater protection requirements.

Maximum Extent Practicable (MEP):

- Definition takes into consideration best available technology, cost-effectiveness, natural resource protection, historic preservation, human safety & welfare, and site conditions (see ordinance).
- Topography- To achieve the infiltration requirement, maximum extent practicable should not be interpreted to require significant topography changes that create an excessive financial burden. Two feet or less of elevation change is considered reasonable and to the MEP.
- Pumping- To achieve the infiltration requirement, maximum extent practicable should not be interpreted to require stormwater pumping.

Routine Maintenance Areas- No performance standard or infiltration requirement is provided for routine maintenance areas. However, the applicant is responsible for proper performance of onsite BMPs. In order to ensure proper BMP performance, the applicant has two options:

- Divert the routine maintenance area around onsite BMPs, or

- Include runoff volumes from the routine maintenance area in onsite BMP calculations. The applicant will receive credit for infiltrating runoff from the routine maintenance area provided it is not an excluded area.

Offsite Drainage Areas– The applicant is not responsible for satisfying infiltration performance standards for offsite areas that drain into the project site. However, the applicant is responsible for proper performance of onsite BMPs. In order to ensure proper onsite BMP performance, the applicant has two options:

- Divert offsite runoff around onsite BMPs, or
- Include offsite runoff volumes in the onsite BMP calculations. The amount of onsite credit is determined by prorating the infiltration volume. The applicant will not receive credit for infiltrating offsite runoff, unless the BMP is a regional facility.

Alternative Uses- The volume of runoff used for alternative uses will be credited towards the infiltration requirement. Alternative uses may include toilet flushing, laundry, and irrigation (e.g. cisterns, rain barrels, green roofs). In addition to the stormwater benefits, these alternative uses may also reduce municipal invoices for drinking water.

Example Calculations:

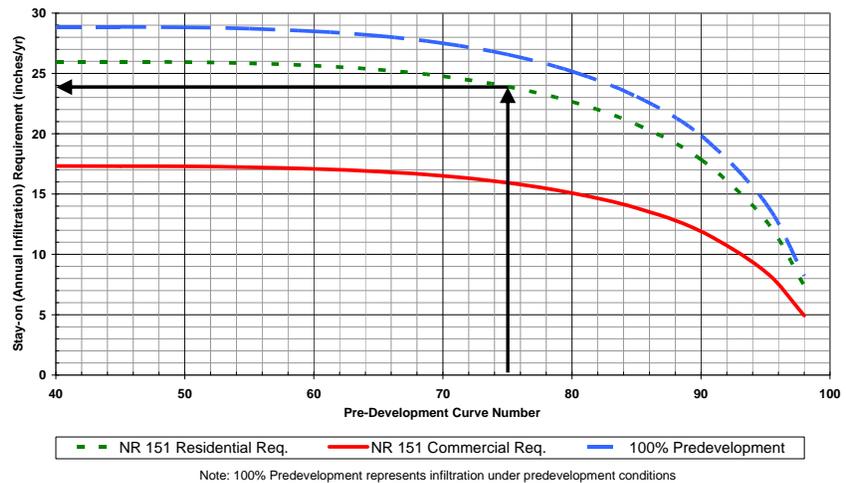
The site is currently 100 acres of cropland. Following development, the site will be 30 acres medium residential, 20 acres commercial, and 50 acres cropland. Native soils in the area to be developed are sandy loams, silt loams and silty clay loams. Hydrologic soil groups are B and C with an average pre-development curve number of 75. A site investigation using Step B of the DNR Technical Standard 1002, Site Evaluation for Stormwater Infiltration, determined that 10 of the acres to be developed into medium residential have an infiltration rate of 0.10 in/hr and are therefore exempt from the infiltration requirements. The site investigation also determined that 10 acres to be developed into commercial are excluded from the infiltration requirements. The post-development curve number for the pervious portions of the residential and commercial components will be 80, based on TR-55. The residential component will be 40% impervious. The commercial component will be 80% impervious.

The residential and commercial components will meet the infiltration requirements using two infiltration basins. Upon completion of a preliminary site layout, two locations were chosen for investigation using Step C of Technical Standard 1002. The first location investigated was in the residential area that is not exempt from the infiltration requirements. The soil texture at the residential infiltration basin site is a sandy loam with a design infiltration rate of 0.5 in/hr. The second location investigated was in the commercial area that is not excluded from the infiltration requirements. The soil texture at the commercial infiltration basin site is a loamy sand with a design infiltration rate of 1.63 in/hr.

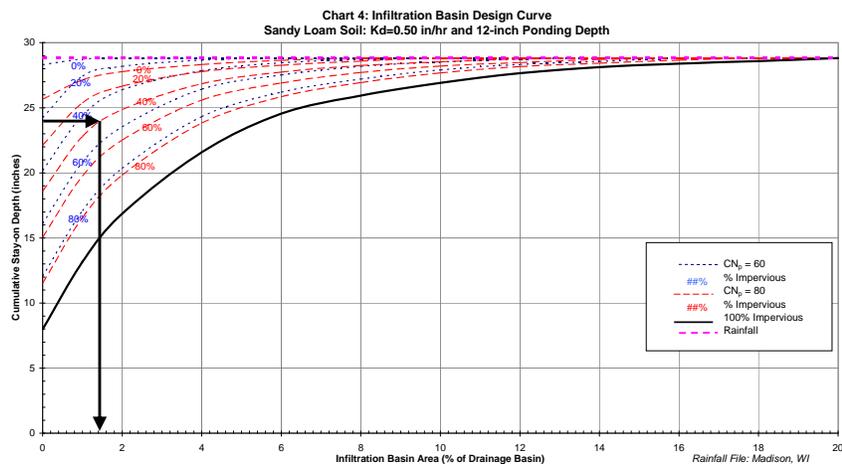
Step 1: Determine Infiltration Basin Size - Residential Component

Step 1A: Determine Target Stay-on Depth – Residential
Using Chart 1, the target stay-on depth is 24 inches/year.

CHART 1 - TARGET STAY-ON (ANNUAL INFILTRATION) REQUIREMENT
Based on the annual 1981 Rainfall for Madison, WI



Step 1B: Determine Preliminary Effective Infiltration Area – Residential
Using Chart 4, the preliminary effective infiltration area needed for the infiltration basin is 12,197 square feet ($43,560 \times 20 \text{ acres} \times 1.4\%$).



Step 1C: Maximum Required Effective Infiltration Area – Residential

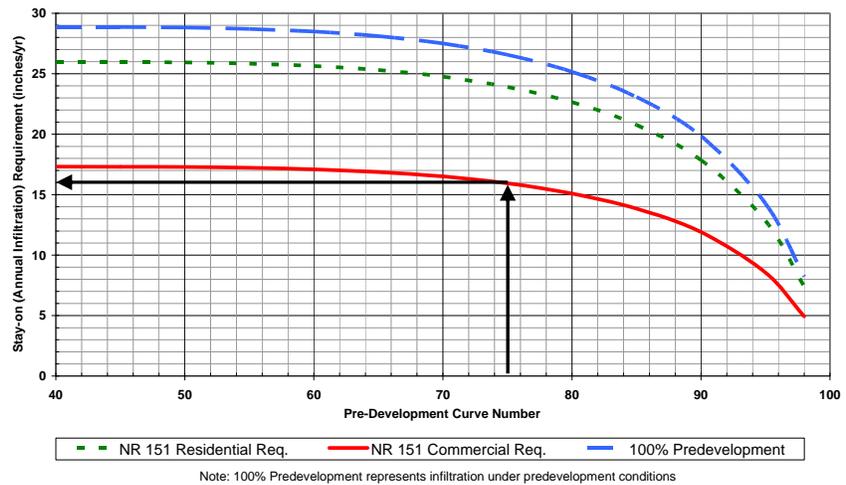
- Residential Land Disturbance (30 acres total)
 - Building roof 5 acres
 - Driveway & sidewalk 2 acres
 - Street 5 acres
 - Lawn / landscaping 18 acres
- Maximum Required EIA = 13,068 sq.ft. ($43,560 \times 30 \text{ acres} \times 1\%$)

Step 1D: Determine Final Effective Infiltration Area – Residential
Using Technical Standard 1003, the preliminary effective infiltration area of 12,197 sq.ft. needs to be adjusted (depth, slope, cell configuration) to determine the final effective infiltration area. Groundwater mounding also needs to be checked. The maximum EIA cap does not appear to impact the infiltration basin's size (12,197 sq.ft. < 13,068 sq.ft.).

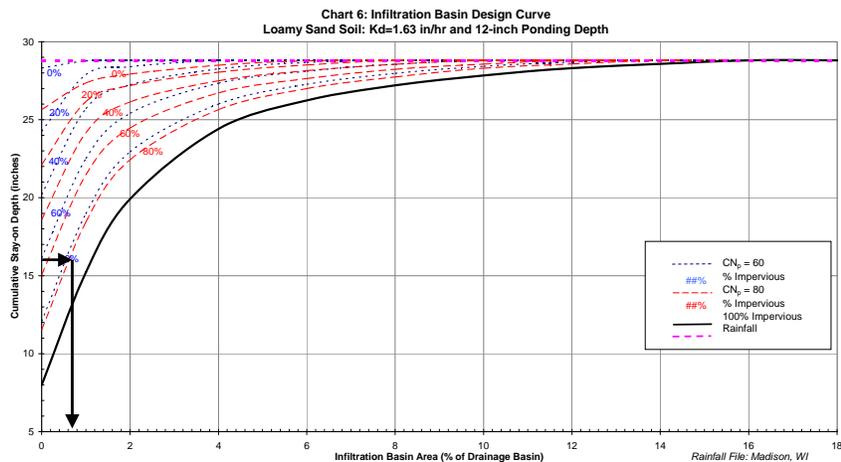
Step 2: Determine Infiltration Basin Size – Commercial Component

Step 2A: Determine Target Stay-on Depth – Commercial
Using Chart 1, the target stay-on depth is 16 inches/year.

CHART 1 - TARGET STAY-ON (ANNUAL INFILTRATION) REQUIREMENT
Based on the annual 1981 Rainfall for Madison, WI



Step 2B: Determine Preliminary Effective Infiltration Area – Commercial
Using Chart 6, the preliminary effective infiltration area needed for the infiltration basin is 2,614 square feet ($43,560 \times 10 \text{ acres} \times 0.6\%$).



Step 2C: Maximum Required Effective Infiltration Area – Commercial

- Non-Residential Land Disturbance (20 acres total)
 - Building roof 6 acres
 - Parking lot 7 acres
 - Street 3 acres
 - Lawn / landscaping 4 acre
- Maximum Required EIA = 11,326 sq.ft. ($43,560 \times 13 \text{ acres} \times 2\%$)

Step 2D: Determine Final Effective Infiltration Area – Commercial

Using Technical Standard 1003, the preliminary effective infiltration area of 2,614 sq.ft. needs to be adjusted (depth, slope, cell configuration) to determine the final effective infiltration area. Groundwater mounding also needs to be checked. The maximum EIA cap does not appear to impact the infiltration basin's size (2,614 sq.ft. < 11,326 sq.ft.).

(d) PROTECTIVE AREAS

All post-construction sites are required to meet the ordinance's protective area performance standards.

Design Clarifications:

Adjacent Property Owners- If a stream or channel is placed or relocated along a property line, an easement is required from any property owners impacted by the protective area's new location. Also, if a stormwater facility or structure is proposed within an onsite stream or channel, 100-year flood elevations shall be evaluated to determine if offsite property owners are impacted by backwater or a flood elevation increase. An easement is required from any property owners impacted by backwater.

Wetland Delineations- Wetland delineations shall be performed by a professional soil scientist, professional hydrologist, or other qualified individual approved by the administering authority. The individual performing the delineation shall classify the wetland as a less susceptible wetland, highly susceptible wetland, exceptional resource water, or outstanding resource water.

Disturbances- Protective areas may be disturbed as part of a project, if necessary. Disturbed areas must be stabilized from erosion and restored with a self-sustaining vegetation.

Type of Vegetation- It is recommended that seeding of non-invasive vegetative cover be used in the protective areas. Vegetation that is flood and drought tolerant and can provide long-term bank stability because of an extensive root system is preferable. Vegetative cover can be measured using the line transect method described in the University of Wisconsin Extension publication number A3533, titled "Estimating Residue Using the Line Transect Method".

Best Management Practices-

- BMPs may be located in protective areas (ponds, swales, etc.)
- Other state and local regulations may apply to BMPs located in protective areas and waters of the state, including the following:
 - Navigation, Dams, & Bridges (Chapter 30 and 31, Stats.)
 - Wetland Water Quality Standards (NR 103)
 - Wetlands (US Army Corps of Engineers Section 404 regulations)
 - Shoreland Management (NR 115, NR 117, & local regulations)
 - Floodplain Management (NR 116 & local regulations).
- For purposes of section S.07(3)(d)6.d of the ordinance, a vegetated protective area to filter runoff pollutants from post-construction sites is not necessary since runoff is not entering the surface water at that location. Other practices, necessary to meet the requirements of this section, such as a swale or basin, will need to be designed and implemented to reduce runoff pollutants before the runoff enters a surface water of the state.

(e) FUELING AND VEHICLE MAINTENANCE AREAS:

All post-construction sites are required to meet the ordinance's no visible petroleum sheen performance standard.

Design Clarifications:

The following BMPs are recommended to meet the performance standards contained within section 6-7-7(3)(e) of the ordinance:

- Enclose vehicle maintenance areas in a building or under a roof.
- Install a roof or canopy over fueling areas.
- Divert runoff away from fueling and vehicle maintenance areas.
- Keep adsorbent spill cleanup materials onsite at all times.
- Install an oil / water separator and/or biofiltration device.

- Post the spill response phone numbers in conspicuous onsite locations. The municipality's Illicit Discharge Ordinance requires reporting of hazardous spills. The local municipality's spill response phone number is 967-3500 and the DNR's 24-hour spill response phone number is 1-800-943-0003.

(f) SWALE TREATMENT FOR TRANSPORTATION FACILITIES

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to meet the ordinance's numeric performance standards. All other post-construction sites are not required to meet these numeric performance standards. BMP design guidance is provided below in Section (h) for sites with less than 20,000 sq.ft. of impervious surface disturbance.

Design Clarifications:

For purposes of section 6-7-7(3)(f)1.a of the ordinance, it is preferred that tall and dense vegetation be maintained within the swale due to its greater effectiveness at enhancing runoff pollutant removal.

For purposes of section 6-7-7(3)(f)1.b of the ordinance, check dams may be included in the swale design to slow runoff flows and improve pollutant removal. Transportation facilities with continuous features such as curb and gutter, sidewalks or parking lanes do not comply with the design requirements of section S.07(3)(f)1.b of the ordinance. However, a limited amount of structural measures such as curb and gutter may be allowed as necessary to account for other concerns such as human safety or resource protection.

For purposes of section 6-7-7(3)(f)2 of the ordinance, the Department of Natural Resource's regional stormwater staff can determine if additional BMPs, beyond a water quality swale, are needed.

(g) EXEMPTIONS FOR 6-7-7(3) PERFORMANCE STANDARDS

Projects that consist of only the construction of bicycle paths or pedestrian trails generally meet the exception found under section 6-7-7(3)(g)3.d of the ordinance, as these facilities have minimal connected imperviousness.

(h) SITES WITH LESS THAN 20,000 SQ.FT. OF IMPERVIOUS SURFACE DISTURBANCE

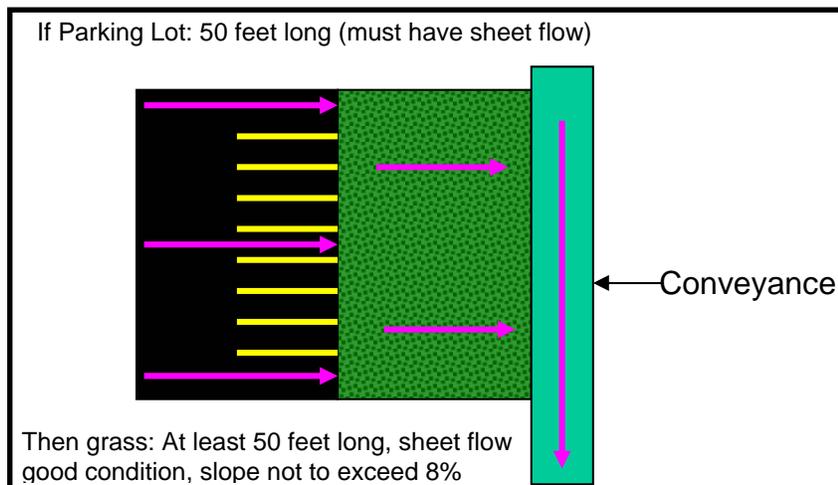
Pursuant to 6-7-7(6) of the ordinance, the municipality may establish stormwater management requirements more stringent than those set forth in this section if the municipality determines that an added level of protection is needed.

Design Clarifications:

For a post-construction site with less than 20,000 sq.ft. of impervious surface disturbance, the applicant shall comply with the protective area requirements in section 6-7-7(3)(d) of the ordinance, petroleum sheen requirements in section 6-7-7(3)(e) of the ordinance, and one of the two requirements provided below. It is recommended that the developer and designer contact the local municipality early in the design process to discuss which requirement must be complied with:

1. Disconnect impervious surfaces. 90% or more of disturbed impervious surfaces must be disconnected. In order to consider an impervious surface as "disconnected", the following criteria shall be met:
 - Roofs: Discharge runoff over a minimum 20 foot long pervious surface that is in good condition and graded for sheet flow.

- Other Impervious Surfaces:
 - Source area flow length may not exceed 75 feet.
 - Source area and pervious area must be graded for sheet flow.
 - Pervious area must be in good condition, have a slope less than 8%, and have a flow length at least as long as the contributing impervious area's length (but never less than 20 feet).



Source: DNR Post-Construction Stormwater Management Workshops

2. Use the following best management practices and good housekeeping practices to reduce peak flow rates, improve water quality, and encourage infiltration:
 - Vehicle and equipment maintenance shall be performed inside buildings when feasible. Used fluids / batteries shall be stored and disposed of properly. Repair any vehicle leaks as soon as possible.
 - Outdoor trash bins are required for fast food restaurants, convenience stores, and gas stations. Litter shall be cleaned up daily and disposed of properly.
 - Fertilizers shall be used sparingly for lawn areas. Fertilizers shall be immediately swept off streets, parking lots, driveways, and sidewalks. Soil testing and compliance with Technical Standard 1100 (Turf Nutrient Management) is also encouraged.
 - Stream, shoreline, swale, and other erosion problems shall be repaired as part of the development project when feasible.
 - Roof downspouts, parking lots, driveways, and sidewalks shall discharge stormwater runoff to lawn or other pervious areas when feasible. Rain barrels are also encouraged at roof downspouts to store water for irrigation and watering landscaped areas (reduces municipal water invoice).
 - Create depressions in lawn areas and other landscape areas to temporarily store and treat stormwater runoff from roofs, parking lots, driveways and sidewalks when feasible. Grass swales, biofiltration devices, bioretention devices, and rain gardens are also encouraged when feasible.
 - Filter baskets shall be installed in parking lot catch basins when feasible.
 - Preserve wooded areas, trees, shrubs, and other native vegetation that are in good condition when feasible.

- Topographic surveys and plans shall be on 1929 NGVD vertical datum.
- Grass swales shall be designed with a minimum longitudinal slope of 1%. This may be reduced to 0.75% subject Department of Public Works approval.
- Storm sewers shall be designed for a 10-year design storm. A copy of storm sewer design calculations, time of concentration paths, tailwater conditions, and watershed maps shall be submitted.
- Culverts shall be designed for a 25, 50 or 100-year design storm, depending on location. Contact the municipality for more specific design guidance. A copy of culvert design calculations, time of concentration paths, tailwater conditions, and watershed maps shall be submitted.
- Overland flow paths shall be designed for a 100-year design storm. Flow paths shall be provided for street low points and other depressions. The location of overland flow paths shall be shown on the plans. The maximum depth of ponding in street low points shall be 9-inches. The 9-inch depth is measured at the street centerline.
- Minimum finished ground elevations shall be provided for buildings if deemed necessary to provide reasonable flood protection. The minimum finished ground elevation shall be > 1 foot above the 100-year flood elevation and extend at least 15 feet beyond the building. Minimum elevations may need to be specified for lakes, rivers, streams, ponds, and overland flow paths.
- Department of Public Works approval is required if a post-development “point discharge” was “sheet flow” during the pre-development condition.
- The applicant may request a waiver or lesser design standard if site characteristics create a hardship.

Maximum Permissible Velocities for Channels			
Channel Cover	Slope Range %	Erosion-resistant soils	Easily eroded soils
Bermuda Grass	0-5	8 fps	6 fps
	5-10	7 fps	5 fps
	>10	6 fps	4 fps
Buffalo grass, Kentucky bluegrass, Smooth brome, blue grama	0-5	7 fps	5 fps
	5-10	6 fps	4 fps
	>10	5 fps	3 fps
Grass mixture	0-5	5 fps	4 fps
	5-10	4 fps	3 fps
	Do not use on slopes steeper than 10%, except for side slopes in a combination channel.		
Lespedeza sericea, weeping love grass Ischaemum (yellow bluestem), kudzu, alfalfa, crabgrass	0-5	3.5 fps	2.5 fps
	Do not use on slopes steeper than 5%, except for side slopes in a combination channel.		
Annuals – used on mild slopes or as temporary protection until permanent covers are established, common lespedeza, Sudan grass	0-5	3.5 fps	2.5 fps
	Use on slopes steeper than 5% is not recommended		

Source – Chow Open Channel Hydraulics

(4) CONSIDERATIONS FOR ONSITE / OFFSITE STORMWATER MANAGEMENT MEASURES

All proposed land development activities should be planned, designed, and implemented:

1. In a manner that best fits the terrain of the site, avoiding steep slopes and other environmentally sensitive areas;
2. According to the unique resource conditions at, around, and downstream from a given site;
3. According to the principles of Low Impact Development. Use source controls rather than end-of-pipe treatment. Reduce, prevent and mitigate the adverse impacts of development by maintaining infiltration, reducing frequency and volume of discharges, reducing peak flows, and maintaining groundwater recharge. These goals can be accomplished by using:
 - Reduced impervious surfaces
 - Functional grading to slow runoff and thereby lengthen the time of concentration
 - Vegetated channels rather than paving or pipes
 - Disconnection of impervious surfaces; drain to vegetated areas
 - Bioretention (rain gardens) and filtration (buffer) landscape areas
 - Any other techniques that reduce the runoff curve number (RCN) or increase the time of concentration (Tc)
 - Use wet detention basins after all source area practices and techniques have been employed

Overall, the goal is to design the site as an integral, living part of the environment with careful use of principles and practices that are both low impact on runoff and simple for people to maintain and live with.

4. To maintain groundwater recharge areas and the infiltration capacity of native soils by avoiding the unnecessary filling of large natural depressions or compaction of upper soil horizons by construction equipment;
5. To maintain soil infiltration by keeping all topsoil on site;
6. To provide the protective area, shoreland, wetland, and environmentally sensitive area setback along all water courses; and
7. According to the sequence in the "Treatment Train":
 - a. First do source controls:
 - Reduce impervious areas to the maximum extent possible
 - Maintain undisturbed soil
 - Maintain existing trees, shrubs and vegetation
 - b. Next do lot controls
 - Grade lots to create long areas of overland flow rather than channels
 - Minimize directly connected impervious areas by such practices as directing roof water to vegetated areas and draining driveways to grass rather than the street
 - Include "rain gardens" (undrained areas that will pond water)
 - c. Then do site controls
 - Use grassed waterways and diversions rather than paved channels
 - Maintain wetlands
 - Use vegetated road ditches rather than curb and gutter
 - Use wet detention basins. They can have pools 5 or more feet deep or may be designed as wetlands, but existing wetlands cannot be incorporated into stormwater facilities.
 - Use off line detention basins
 - d. Finally, do Regional controls such as regional detention basins.

(5) LOCATION AND REGIONAL TREATMENT OPTION

When using a private regional treatment facility, a letter is required from the owner of the regional facility. At a minimum, the letter shall state the following:

- Regional facility complies with ordinance requirements,
- Site can use regional facility for ordinance compliance, and
- Maintenance agreement for regional facility has been recorded at the County Register of Deeds.

(6) ALTERNATE REQUIREMENTS

S.08 PERMITTING REQUIREMENTS, PROCEDURES AND FEES

(1) PERMIT REQUIRED

(2) PERMIT APPLICATION AND FEES

(3) REVIEW AND APPROVAL OF PERMIT APPLICATION

(4) PERMIT REQUIREMENTS

The permit applicant is required to post the permit in a conspicuous place at the construction site.

Record Drawings-

- Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to have record drawings. Record drawings shall be signed by a licensed Professional Engineer. Agricultural land uses, unless they are exceptionally large or special in some other way, are not required to have record drawings. Typically, agricultural land uses will not need anything more than review and acceptance by the administering authority.
- Post-construction sites with less than 20,000 sq.ft. of impervious surface disturbance are not typically required to have record drawings. Typically, sites with less than 20,000 sq.ft. of impervious surface disturbance will not need anything more than review and acceptance by the administering authority.

(5) PERMIT CONDITIONS

(6) PERMIT DURATION

(7) ALTERNATE REQUIREMENTS

S.09 STORMWATER MANAGEMENT PLAN

(1) PLAN REQUIREMENTS

The stormwater management plan for post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance shall contain, at a minimum, the following information.

- (a) Name, address, and telephone number for the following or their designees: landowner; developer; project engineer for practice design and certification; person(s) responsible for installation of stormwater management practices; and person(s) responsible for maintenance of stormwater management practices prior to the transfer, if any, of maintenance responsibility to another party.

- (b) A proper legal description of the property proposed to be developed, referenced to the U.S. Public Land Survey system or to block and lot numbers within a recorded land subdivision plat.
- (c) Pre-development site conditions, including:
 - 1. One or more site maps at a scale of not less than 1 inch equals [100] feet. The site maps shall show the following: site location and legal property description; predominant soil types and hydrologic soil groups; existing cover type and condition; one foot topographic contours of the site; topography and drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; watercourses that may affect or be affected by runoff from the site; flow path and direction for all stormwater conveyance sections; watershed boundaries used in hydrology determinations to show compliance with performance standards; lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site; limits of the 100 year floodplain; location of wells and wellhead protection areas covering the project area and delineated pursuant to s. NR 811.16, Wis. Adm. Code.
 - 2. Hydrology and pollutant loading computations as needed to show compliance with performance standards. All major assumptions used in developing input parameters shall be clearly stated. The geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s).
- (d) Post-development site conditions, including:
 - 1. Explanation of the provisions to preserve and use natural topography and land cover features to minimize changes in peak flow runoff rates and volumes to surface waters and wetlands.
 - 2. Explanation of any restrictions on stormwater management measures in the development area imposed by wellhead protection plans and ordinances.
 - a. Stormwater infiltration systems and ponds shall be located at least 400 feet from a well serving a community water system unless the Wisconsin Department of Natural Resources and municipality concur that a lesser separation distance would provide adequate protection of a well from contamination.
 - b. Stormwater management practices shall be located with a minimum separation distance from any well serving a non-community or private water system as listed within s. NR 812.08.
 - 3. One or more site maps at a scale of not less than 1 inch equals [100] feet showing the following: post-construction pervious areas including vegetative cover type and condition; impervious surfaces including all buildings, structures, and pavement; post-construction one foot topographic contours of the site; post-construction drainage network including enough of the contiguous properties to show runoff patterns onto, through, and from the site; locations and dimensions of drainage easements; locations of maintenance easements specified in the maintenance agreement; flow path and direction for all stormwater conveyance sections; location and type of all stormwater management conveyance and treatment practices, including the onsite and offsite tributary drainage area; location and type of conveyance system that will carry runoff from the drainage and treatment practices to the nearest adequate outlet such as a curbed street, storm drain, or natural drainage way; watershed boundaries used in hydrology and pollutant loading calculations and any changes to lakes, streams, wetlands, channels, ditches, and other watercourses on and immediately adjacent to the site.
 - 4. Hydrology and pollutant loading computations as needed to show compliance with performance standards. The computations shall be made for each discharge point in the development, and the geographic areas used in making the calculations shall be clearly cross-referenced to the required map(s).

5. Results of investigations of soils and groundwater required for the placement and design of stormwater management measures. When permanent infiltration systems are used, appropriate onsite testing shall be conducted to determine if seasonal groundwater elevation or top of bedrock is within 5 feet of the proposed infiltration system. Detailed drawings including cross-sections and profiles of all permanent stormwater conveyance and treatment practices.
- (e) A description and installation schedule for the stormwater management practices needed to meet the performance standards in 6-7-7.
- (f) A maintenance plan developed for the life of each stormwater management practice including the required maintenance activities and maintenance activity schedule.
- (g) Cost estimates for the construction, operation, and maintenance of each stormwater management practice.
- (h) Other information requested in writing by the [administering authority] to determine compliance of the proposed stormwater management measures with the provisions of this ordinance.
- (i) All site investigations, plans, designs, computations, and drawings shall be certified by a [licensed professional engineer] to be prepared in accordance with accepted engineering practice and requirements of this ordinance.

(2) ALTERNATE REQUIREMENTS

S.10 MAINTENANCE AGREEMENT

(1) MAINTENANCE AGREEMENT REQUIRED

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to have a maintenance agreement. The applicant shall use the municipality's standard forms for the maintenance agreement. The local municipality is responsible for recording the signed maintenance agreement at the County Register of Deeds.

Post-construction sites with less than 20,000 sq.ft. of impervious surface disturbance are not typically required to have a maintenance agreement.

Sites utilizing a private regional treatment facility are not typically required to have a maintenance agreement. However, a maintenance agreement is required for the regional facility.

(2) AGREEMENT PROVISIONS

(3) ALTERNATE REQUIREMENTS

S.11 FINANCIAL GUARANTEE

(1) ESTABLISHMENT OF GUARANTEE

Post-construction sites with 20,000 sq.ft. or more of impervious surface disturbance and post-construction sites with 1 acre or more of land disturbance are required to have a financial guarantee. The financial guarantee includes the cost associated with stormwater BMPs, record drawings, project administration, and contingencies.

Post-construction sites with less than 20,000 sq.ft. of impervious surface disturbance are not typically required to have a financial guarantee.

Sites utilizing the regional treatment option are not typically required to have a financial guarantee.

(2) CONDITIONS FOR RELEASE

The financial guarantee shall not be released until the applicant conducts a final inspection with a municipal representative, submits "record drawings" certified by a licensed Professional Engineer, completes punch list items, and pays fees.

(3) ALTERNATE REQUIREMENTS

S.12 FEE SCHEDULE

S.13 ENFORCEMENT

S.14 APPEALS

(1) BOARD OF APPEALS OR ADJUSTMENT

(2) WHO MAY APPEAL

S.15 SEVERABILITY

S.16 EFFECTIVE DATE

W:\DRAFTING\Nav\NEWSC\Erosion Control Committee\5 - NEWSC Post Construction Stormwater Reference Guide Final 08152007.doc

ORDINANCE O - 23 - 08

AN ORDINANCE RELATING TO PUBLIC SITES AND OPEN SPACES

Introduced by Aldermen Taylor and Wisneski

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

SECTION 1: Sec. 14-1-16(d)(2)d. is amended by deleting Two Hundred Seventy-five (\$275.00) and inserting in lieu thereof Five Hundred Fifty (\$550.00).

SECTION 2: Sec. 14-1-16(d)(2)e. is amended by adding:

Any fee that remains unpaid after one year shall constitute a special charge pursuant to sec. 3-2-12.

SECTION 3: Sec. 14-1-16(d)(2)g. is created to read:

g. Notwithstanding sec. 14-1-16(d)(2)f, the Park and Recreation Director is authorized to expend amounts less than \$5000 without the specific approval of the Common Council

SECTION 4: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this _____ day of _____,

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O -24- 08

AN ORDINANCE RELATING TO REZONING NOTICES

Introduced by Alderman Benner

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

SECTION 1: Sec. 13 – 1 – 142 is amended and recreated to read as follows:

The City Clerk or Community Development Department shall notify all property owners immediately adjacent and extending one hundred (100) feet from or directly opposite the property and extending one hundred (100) feet from the street frontage of the opposite land. Such notice shall be by ~~regular~~ *first class* mail and shall include the proposed rezoning, the date of the informal hearing before the Plan Commission, and the date of the formal hearing before the Common Council. Such notice shall be sent not less than seven (7) days prior to the informal hearing. The Clerk shall, with all due diligence, ascertain who all the owners of the property are. Failure to notify all owners where, with due diligence, such information cannot be obtained will not invalidate a rezoning ordinance per se. *Copies of all notices shall be filed with the Clerk.* The Clerk shall call upon the City Planner and Assessor for aid in their endeavor.

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

Passed and approved this _____ day of _____,

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O – 1 – 09

AN ORDINANCE AMENDING THE CITY OF MENASHA COMPREHENSIVE PLAN

Introduced by Mayor Merkes on the recommendation of the Plan Commission.

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

SECTION 1: The City of Menasha Year 2030 Comprehensive Plan, approved August 18, 2008 is amended as follows:

The land designation of Outlot 2, CSM 6330 as shown on the attached reference map (attachment A) is changed from Government/Institutional to Industrial.

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

Passed and approved this _____ day of _____, 2009

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

ORDINANCE O-3-09

AN ORDINANCE AMENDING TITLE 13 BY MAKING CERTAIN CHANGES IN THE DISTRICT (St. John’s Polish Cemetery (part), Valley Road)

Introduced by Mayor Merkes

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

SECTION 1: The Zoning Ordinance Title 13 and the Zoning District made a part thereof is hereby amended by changing the following property on Valley Road from R-1 Single Family Residential to I-1 Industrial, described as follows:

Outlot 2 of CSM 6330, City of Menasha, Winnebago County, as recorded in the Winnebago County Register of Deeds office as Document #1488226.

SECTION TWO: All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

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

Passed and approved this _____ day of _____, 2009.

Donald Merkes, Mayor

ATTEST: _____
Deborah A. Galeazzi, City Clerk

RESOLUTION R-23-08

RESOLUTION PERTAINING TO EQUIVALENT RUNOFF UNIT (ERU) CHARGES FOR STORM WATER UTILITY

Introduced by Mayor Merkes

WHEREAS, the ordinance creating a storm water utility contains a provision that charges for storm water services for each lot within the City of Menasha shall be made by resolution.

THEREFORE, BE IT RESOLVED, that the storm water charge shall be based on the Equivalent Runoff Unit (ERU) and the charge for one (1) ERU shall be: \$ 65.00

BE IT FURTHER RESOLVED that the contents of this resolution will be applicable to service billed by the Menasha Utilities or the City of Menasha on or after January 1, 2009.

BE IT FURTHER RESOLVED that the Comptroller and Director of Public Works shall report to the Mayor and the Common Council as to whether the rates are still appropriate at least annually.

Passed and approved this 5th day of January, 2009.

Donald Merkes, Mayor

Deborah A. Galeazzi, City Clerk

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 12/18/08-12/31/08 Checks # 19541-19727	\$ 391,283.86
Payroll Checks for 12/18/08-12/31/08 Checks # 42582-42985	<u>305,552.19</u>
Total	\$ 696,836.05

**Gaps in the sequence of accounts payable check numbers may be caused by: voiding checks at the start of a new check run to set up printing of the checks correctly, having a large number of invoices on a particular vendor which causes the payment to be printed on more than one accounts payable check , incorrect alphabetizing of a vendor causing the accounts payable check to appear out of sequence or software/printer problems which result in accounts payable checks being printed incorrectly and needing to be discarded.

Menasha Employees Credit Union-Employee Deductions

Menasha Employees Local 1035-Union Dues

Menasha Employees Local 1035B-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

AMT-Garnishments

Date: Thursday, December 18, 2008
 Time: 09:43AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 9
 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
01075 ACCURATE SUSPENSION WAREHOUSE	8020027	31731	54	10-149-383	25.34	HEADLAMP STOCK
	Check Date 12/18/2008	Check Nbr	019541		Check Total:	25.34
01465 ALL-SPORT TROPHY	40464	31100	55	07-201-300	145.00	SOFTBALL LEAGUE PLAQUES
	Check Date 12/18/2008	Check Nbr	019542		Check Total:	145.00
01675 AMT		31100	21	04-299-022	150.00	
	Check Date 12/18/2008	Check Nbr	019543		Check Total:	150.00
01805 ARROW AUDIO	4072	31100	51	10-115-240	70.00	REPAIR DEPT HEAD MICROPHONE
	Check Date 12/18/2008	Check Nbr	019544		Check Total:	70.00
19120 AT&T	920R09453012	31100	51	10-115-221	100.39	MONTHLY SERVICE
	920R09453012	31201	54	10-301-221	267.83	MONTHLY SERVICE
	Check Date 12/18/2008	Check Nbr	019579		Check Total:	368.22
02040 BADGER HIGHWAYS CO INC	143826	31100	55	07-202-300	475.82	REPAIR RD/KOSLO LATERAL
	143803	31100	55	07-202-300	53.89	STONE/KOSLO PARK REPAIR
	2008-01(FINAL)	31490	21	04-205-000	15,198.78	NEW STREET CONSTRUCTION
	2008-01(FINAL)	31100	54	10-121-822	-21,450.10	NEW STREET CONSTRUCTION
	2008-01(FINAL)	31490	54	10-121-822	131,574.81	NEW STREET CONSTRUCTION
	2008-01(FINAL)	31100	54	10-134-822	-1,997.50	NEW STREET CONSTRUCTION
	2008-01(FINAL)	31490	54	10-134-822	3,196.25	NEW STREET CONSTRUCTION
	2008-01(FINAL)	31490	54	10-301-822	1,820.00	NEW STREET CONSTRUCTION
	Check Date 12/18/2008	Check Nbr	019545		Check Total:	128,871.95

Date: Thursday, December 18, 2008
 Time: 09:43AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 2 of 9
 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02335 BECK ELECTRIC INC	E300	31100	54	10-131-216	124.00	REPLACE LOAD SWITCH
	E251	31731	54	10-149-240	219.25	ELECTRIC SHOP HEATER MOTOR
	E309	31731	54	10-149-240	169.51	REPAIR CONDUIT IN SINK AREA
	E304	31731	54	10-149-240	269.70	AIR COMPRESSOR
	E299	31100	55	07-202-204	54.00	CHECK WIRING IN KOSLO PARK
	Check Date	12/18/2008	Check Nbr	019546	Check Total:	836.46
03058 CALUMET COUNTY PLANNING DEPT	111008	31100	56	03-202-291	200.00	YEAR 2030 COMP PLAN
		Check Date	12/18/2008	Check Nbr	019547	Check Total:
03585 COMMUNITY HOUSING COORDINATOR	114	31100	56	03-202-216	1,600.00	COMP HOUSING PLAN DEC 2008
		Check Date	12/18/2008	Check Nbr	019549	Check Total:
03842 CULLIGAN WATERCARE SERVICES	113008	31100	51	10-115-201	17.85	COOLER RENTAL
	113008	31731	54	10-149-313	5.95	COOLER RENTAL
		Check Date	12/18/2008	Check Nbr	019550	Check Total:
04450 DWD-UI	539025	31100	55	10-215-162	3,336.00	BRIDGE
		Check Date	12/18/2008	Check Nbr	019551	Check Total:
06065 FAMILY THERAPY & ANXIETY CTR	120408	31100	52	08-101-215	50.00	SERVICES PROVIDED TO PD
		Check Date	12/18/2008	Check Nbr	019552	Check Total:
06520 FOX STAMP SIGN & SPECIALTY	157114	31100	55	07-203-310	55.80	STAMP INK
		Check Date	12/18/2008	Check Nbr	019553	Check Total:
06665 GENE FREDERICKSON TRUCKING	15141	31100	55	07-202-300	126.00	TOPSOIL/BARKER TRAIL
		Check Date	12/18/2008	Check Nbr	019554	Check Total:

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07210 GERMANIA HALL	1568	31827	53	09-212-300	1,382.55	CHRISTMAS BANQUET
	Check Date 12/18/2008	Check Nbr	019555		Check Total:	1,382.55
07255 GOLD CROSS AMBULANCE SERVICE	0026255-IN	31100	52	08-101-315	73.84	CLAMSHELL WITH GLOVES/MASK
	Check Date 12/18/2008	Check Nbr	019556		Check Total:	73.84
07265 GOOD ARMSTRONG TRAINING	1434	31100	53	09-103-337	185.00	ASBESTOS SUPERVISOR TRAINING
	Check Date 12/18/2008	Check Nbr	019557		Check Total:	185.00
07580 GUNDERSON UNIFORM & LINEN RENT	1276004	31100	51	10-115-201	15.76	MOP/MAT SERVICE
	1276004	31100	53	09-212-313	3.47	MOP/MAT SERVICE
	1276004	31100	55	07-202-313	3.48	MOP/MAT SERVICE
	1283961	31100	51	10-115-201	15.76	MOP/MAT SERVICE
	1283961	31100	53	09-212-313	3.47	MOP/MAT SERVICE
	1283961	31100	55	07-202-313	3.48	MOP/MAT SERVICE
	Check Date 12/18/2008	Check Nbr	019558		Check Total:	45.42
08537 HSBC BUSINESS SOLUTIONS	30166	31100	51	04-109-315	229.99	MS WORD FOR DMS PC
	Check Date 12/18/2008	Check Nbr	019559		Check Total:	229.99
09105 INDEPENDENT INSPECTIONS LTD	302050	31100	52	03-301-216	3,017.46	PERMITS NOVEMBER 2008
	Check Date 12/18/2008	Check Nbr	019560		Check Total:	3,017.46
11175 LORETTA KJEMHUS	121208	31100	53	09-102-331	17.73	MILEAGE
	121208	31100	53	09-118-331	16.20	MILEAGE
	Check Date 12/18/2008	Check Nbr	019561		Check Total:	33.93
13083 MARSH ELECTRONICS INC	221425501	31731	54	10-149-383	228.00	SWITCH
	Check Date 12/18/2008	Check Nbr	019562		Check Total:	228.00

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13149 MATTHEWS COMMERCIAL TIRE CTR	027954	31731	54	10-149-382	787.40	STOCK/TIRE REPAIR
	027938	31731	54	10-149-382	979.00	STOCK
Check Date	12/18/2008	Check Nbr	019563		Check Total:	1,766.40
13345 MENARDS-APPLETON EAST	91817	31100	53	09-212-300	-5.96	BULLETIN BRD CREDIT
	24593	31100	54	10-131-300	225.17	TRANS MULTI LITES/CALBE TIES
Check Date	12/18/2008	Check Nbr	019564		Check Total:	219.21
13360 MENASHA ELECTRIC & WATER UTILI	003149	31201	54	10-302-250	18,679.18	OCT SEWER CHG CALC
	120408	31100	12	04-399-000	901.32	FIRE DEPT
	120408	31100	12	04-399-000	175.82	FIRE DEPT
	120408	31100	12	04-399-000	6.01	TRAFFIC LIGHTS
	120408	31100	52	08-101-223	1,244.67	POLICE DEPT
	120408	31100	52	08-101-225	242.81	POLICE DEPT
	120408	31100	54	10-131-223	389.76	TRAFFIC LIGHTS
	120408	31100	54	10-131-225	37.86	TRAFFIC LIGHTS
	120408	31731	54	10-149-223	1,046.74	PWF
	120408	31731	54	10-149-225	282.38	PWF
	120408	31201	54	10-301-223	20.69	LIFT STATIONS
	120408	31266	54	10-308-223	8.48	RECYCLING
	120408	31100	55	06-101-223	2,449.93	LIBRARY
	120408	31100	55	06-101-225	448.13	LIBRARY
	120408	31100	55	07-202-223	1,401.26	PARKS
	120408	31100	55	07-203-223	129.60	SWIMMING POOL
	120408	31100	55	07-203-225	344.25	SWIMMING POOL
	120408	31100	55	10-215-223	19.37	LIFT BRIDGES
	003096	31100	54	10-143-250	338.04	COST TO AID BECK ELEC/DAMAGE
	Check Date	12/18/2008	Check Nbr	019565		Check Total:

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13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,757.00	
		31100	21	04-299-020	15,678.00	
	Check Date	12/18/2008	Check Nbr	019566	Check Total:	17,435.00
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	260.00	
	Check Date	12/18/2008	Check Nbr	019567	Check Total:	260.00
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	248.16	
	Check Date	12/18/2008	Check Nbr	019568	Check Total:	248.16
13460 MENASHA TREASURER	121608	31100	46	04-157-000	30.00	APPLY AGAINST TAXES 2-147
	121608	31100	48	04-598-000	0.24	
	Check Date	12/18/2008	Check Nbr	019569	Check Total:	30.24
	121608	31100	22	04-201-000	2,946.02	PREPAID TAXES/812 NICOLET BLVD
	121608	31100	22	04-201-000	2,440.77	PREPAID TAXES/436 NICOLET BLVD
	121608	31100	22	04-201-000	2,551.30	PREPAID TAXES/54 FOX
	121608	31100	22	04-201-000	3,559.53	PREPAID TAXES/1684 DRUM CORPS
	121608	31100	22	04-201-000	3,386.29	PREPAID TAXES/524 SIXTH ST
	121608	31100	22	04-201-000	1,576.56	PREPAID TAXES/1264 BRIARWOOD
	121608	31100	22	04-201-000	3,256.66	PREPAID TAXES/944 MARQUETTE
	121608	31100	22	04-201-000	1,116.44	PREPAID TAXES/719 BROAD ST
	121608	31100	22	04-201-000	1,786.78	PREPAID TAXES/126 WATER ST
	121608	31100	54	10-134-250	2.47	PREPAID TAXES/PROVINCE TERRACE
	Check Date	12/18/2008	Check Nbr	019570	Check Total:	22,622.82
15149 JAMES OMACHINSKI	121108	31100	21	04-229-000	30.00	REFUND OVERPAID INVOICE 8943
	Check Date	12/18/2008	Check Nbr	019571	Check Total:	30.00

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03405 ONE COMMUNICATIONS	120208	31100	12	04-399-000	11.42	BUILDING INSPECT
	120208	31100	12	04-399-000	440.54	MENASHA UTILITIES
	120208	31207	12	04-399-000	23.81	MARINA
	120208	31100	51	01-102-221	13.45	MAYOR
	120208	31100	51	02-103-221	5.71	ATTORNEY
	120208	31100	51	02-104-221	17.26	CLERK
	120208	31100	51	02-105-221	17.26	PERSONNEL
	120208	31100	51	04-106-221	45.97	FINANCE
	120208	31100	51	04-107-221	5.35	ASSESSOR
	120208	31100	51	04-109-221	27.96	IT
	120208	31100	51	10-115-221	77.89	CITY HALL
	120208	31100	52	05-701-221	64.25	EOC
	120208	31100	52	08-101-221	390.45	POLICE
	120208	31100	53	09-102-221	96.01	HEALTH
	120208	31100	53	09-212-221	39.44	SENIOR CENTER
	120208	31100	54	10-111-221	59.38	ENGINEERING
	120208	31100	54	10-131-221	5.35	SIGN
	120208	31731	54	10-149-221	51.93	GARAGER
	120208	31100	55	06-101-221	193.38	LIBRARY
	120208	31100	55	07-201-221	27.45	REC
120208	31100	55	07-202-221	121.94	PARKS	
120208	31100	55	07-203-221	55.03	POOL	
120208	31100	55	10-215-221	50.78	BRIDGE	
120208	31100	56	03-202-221	27.87	COM DEV	
Check Date 12/18/2008 Check Nbr 019548					Check Total:	1,869.88
15238 OSHKOSH FIRE & POLICE EQPT INC	129420	31824	52	08-101-295	382.20	SPOTLIGHT/INSTALLATION
	Check Date 12/18/2008 Check Nbr 019573					Check Total:

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16025 PACKER CITY INTERNATIONAL	3283240075	31731	54	10-149-383	35.76	AIR FILTERS
	3283290014	31731	54	10-149-383	75.75	CRIMPS
	328330001	31731	54	10-149-383	18.37	AIR FILTERS
	Check Date 12/18/2008	Check Nbr	019574		Check Total:	129.88
16820 PSYCHOLOGICAL CONSULTANTS OF	111908	31100	52	08-101-215	450.00	POLICE OFFICER ASSESSMENT
		Check Date 12/18/2008	Check Nbr	019575	Check Total:	450.00
18160 REDI-WELDING CO	13808	31731	54	10-149-300	95.00	TAILGATE SPREADER
		Check Date 12/18/2008	Check Nbr	019576	Check Total:	95.00
18200 REINDERS INC	850126-00	31100	55	07-202-300	367.27	KOSLO TURFACE
		Check Date 12/18/2008	Check Nbr	019577	Check Total:	367.27
18400 ROAD EQUIPMENT	WA493094	31731	54	10-149-383	59.09	VEHICLE PART
		Check Date 12/18/2008	Check Nbr	019578	Check Total:	59.09
19155 PAUL SCHEPPF	113008	31100	52	08-101-338	140.51	K9 SCHOOL/MEALS
		Check Date 12/18/2008	Check Nbr	019580	Check Total:	140.51
19388 DUANE SHUKOSKI	169	31100	55	07-201-300	45.00	WEB HOSTING JEFFERSON PARK
		Check Date 12/18/2008	Check Nbr	019581	Check Total:	45.00
19435 SNAP-ON TOOLS	184504	31731	54	10-149-315	75.52	SHOP TOOL TO PULL INJ ON ENG
		Check Date 12/18/2008	Check Nbr	019582	Check Total:	75.52
21045 UNIFIRST CORPORATION	0970041235	31731	54	10-149-201	95.91	MAT/MOP/CLOTHING PROTECTION
		Check Date 12/18/2008	Check Nbr	019583	Check Total:	95.91

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21050 UNIFORM SHOPPE	174492	31100	52	08-101-193	534.75	CLOTHING
	Check Date 12/18/2008	Check Nbr	019584		Check Total:	534.75
21060 UNITED PAPER CORPORATION	12275	31100	13	04-106-000	81.30	50# ICE MELT
	Check Date 12/18/2008	Check Nbr	019585		Check Total:	81.30
21095 UNITED WAY FOX CITIES		31100	21	04-299-021	60.75	
	Check Date 12/18/2008	Check Nbr	019586		Check Total:	60.75
21226 US OIL CO INC	824582	31100	13	04-103-000	3.00	FEDERAL LUST TAX
	824583	31100	13	04-103-000	5.01	FEDERAL LUST TAX
	Check Date 12/18/2008	Check Nbr	019587		Check Total:	8.01
21230 US PETROLEUM EQUIPMENT	169037	31207	55	07-205-242	382.60	FUEL TANK TESTING
	Check Date 12/18/2008	Check Nbr	019588		Check Total:	382.60
22040 VALLEY DIESEL INJECTION INC	36252	31731	54	10-149-383	114.56	DURATHERM
	Check Date 12/18/2008	Check Nbr	019589		Check Total:	114.56
22310 VARITECH INDUSTRIES INC	114336	31731	54	10-149-383	33.01	PRESSURE GAUGE
	114254	31731	54	10-149-383	67.90	STOCK PARTS
	Check Date 12/18/2008	Check Nbr	019590		Check Total:	100.91
15190 VEOLIA ES SOLID WASTE MIDWEST	B4212547	31100	12	04-399-000	138.28	BROAD ST RECYCLING
	Check Date 12/18/2008	Check Nbr	019572		Check Total:	138.28
23152 WE ENERGIES	112508	31100	53	09-102-224	28.89	316 RACINE ST
	120308	31100	55	07-202-223	35.45	CONSERVANCY
	Check Date 12/18/2008	Check Nbr	019591		Check Total:	64.34

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23450 WISCONSIN STATE LAB OF HYGIENE	3705949	31278	53	09-116-216	144.00	LHR REHAB/929 MARQUETTE
	Check Date 12/18/2008	Check Nbr	019592		Check Total:	144.00
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	515.23	
		31100	21	04-299-016	138.40	
		31100	21	04-299-015	711.92	
	Check Date 12/18/2008	Check Nbr	019593		Check Total:	1,365.55
Grand Total:					218,538.20	

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01132 ADT SECURITY SERVICES INC	84023126	31100	55	06-101-240	1,403.07	SECURITY SYSTEM CONTRACT
	Check Date 12/22/2008	Check Nbr 019594			Check Total: 1,403.07	
01160 ALLIANCE ENTERTAINMENT CORP	PJB33411895	31100	55	06-101-314	92.14	LIBRARY MATERIALS
	PJB33518563	31100	55	06-101-314	22.92	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019595			Check Total: 115.06	
01529 AMAZON	762833477358	31100	55	06-101-314	31.11	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019596			Check Total: 31.11	
19120 AT&T	608T66150012	31100	55	06-101-314	42.45	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019620			Check Total: 42.45	

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02115 BAKER & TAYLOR INC	2022454142	31100	55	06-101-314	16.50	LIBRARY MATERIALS
	5009642322	31100	55	06-101-314	102.98	LIBRARY MATERIALS
	5009687334	31100	55	06-101-314	97.73	LIBRARY MATERIALS
	H51480810	31100	55	06-101-314	64.77	LIBRARY MATERIALS
	H51997760	31100	55	06-101-314	20.87	LIBRARY MATERIALS
	H52916000	31100	55	06-101-314	358.29	LIBRARY MATERIALS
	H52916001	31100	55	06-101-314	251.06	LIBRARY MATERIALS
	H52916010	31100	55	06-101-314	106.50	LIBRARY MATERIALS
	H53465701	31100	55	06-101-314	187.71	LIBRARY MATERIALS
	2022348006	31100	55	06-101-314	523.62	LIBRARY MATERIALS
	2022369338	31100	55	06-101-314	337.61	LIBRARY MATERIALS
	20252389374	31100	55	06-101-314	420.53	LIBRARY MATERIALS
	2022400850	31100	55	06-101-314	705.17	LIBRARY MATERIALS
	2022412887	31100	55	06-101-314	784.90	LIBRARY MATERIALS
	2022436245	31100	55	06-101-314	487.48	LIBRARY MATERIALS
	2022456945	31100	55	06-101-314	570.35	LIBRARY MATERIAL
	2022305824CR	31100	55	06-101-314	-18.87	CREDIT
	2022463023	31100	55	06-101-314	828.53	LIBRARY MATERIALS
	2022475448	31100	55	06-101-314	920.44	LIBRARY MATERIALS
	2022485142	31100	55	06-101-314	593.88	LIBRARY MATERIALS
2022489107	31100	55	06-101-314	1,340.22	LIBRARY MATERIALS	
2022501130	31100	55	06-101-314	541.88	LIBRARY MATERIAL	
H53465700	31100	55	06-101-314	76.94	LIBRARY MATERIALS	
Check Date	12/22/2008	Check Nbr	019598		Check Total:	9,319.09
02428 KATHY BESON	12182008	31100	55	06-101-316	46.00	PROGRAM SUPPLIES
	Check Date	12/22/2008	Check Nbr	019599		Check Total:
02635 BOOK WHOLESALERS INC	M132922B	31100	55	06-101-314	9.16	LIBRARY MATERIALS
	M135088B	31100	55	06-101-314	12.63	LIBRARY MATERIALS
Check Date	12/22/2008	Check Nbr	019600		Check Total:	21.79

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03265 CENTER POINT LARGE PRINT	741735	31100	55	06-101-314	39.54	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019601			Check Total: 39.54	
04141 TERRY DAWSON	12182008	31100	55	06-101-314	10.00	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019602			Check Total: 10.00	
06671 FRESH BRANDS DISTRIBUTING INC	4778560	31100	55	06-101-316	60.32	PROGRAM SUPPLIES
	Check Date 12/22/2008	Check Nbr 019603			Check Total: 60.32	
07044 GALE	16020631	31100	55	06-101-314	82.28	LIBRARY MATERIALS
	16043857	31100	55	06-101-314	213.28	LIBRARY MATERIALS
	16045375	31100	55	06-101-314	23.96	LIBRARY MATERIALS
	16048564	31100	55	06-101-314	38.93	LIBRARY MATERIALS
	16051985	31100	55	06-101-314	51.12	LIBRARY MATERIALS
	16053789	31100	55	06-101-314	428.00	LIBRARY MATERIALS
	16056075	31100	55	06-101-314	56.72	LIBRARY MATERIALS
	16074930	31100	55	06-101-314	107.84	LIBRARY MATERIALS
	16081896	31100	55	06-101-314	74.72	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019604			Check Total: 1,076.85	
07099 GATEWAY AMERICA SPORTS	213	31100	55	06-101-314	40.00	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019605			Check Total: 40.00	
08109 ANN HARDGINSKI	12192008	31100	55	06-101-316	17.92	PROGRAM SUPPLIES
	12172008	31100	55	06-101-331	7.61	MILEAGE REIMBURSEMENT
	Check Date 12/22/2008	Check Nbr 019606			Check Total: 25.53	
08442 DIANE HOFFMANN	12182008	31100	55	06-101-314	19.00	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019607			Check Total: 19.00	

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09125 INFORMATION TODAY INC	1183595-B1	31100	55	06-101-314	318.55	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr	019608		Check Total:	318.55
09135 INGRAM LIBRARY SERVICES	39449530	31100	55	06-101-314	52.00	LIBRARY MATERIALS
	39449531	31100	55	06-101-314	33.65	LIBRARY MATERIALS
	39572034	31100	55	06-101-314	63.94	LIBRARY MATERIALS
	39572035	31100	55	06-101-314	50.70	LIBRARY MATERIALS
	39572036	31100	55	06-101-314	109.53	LIBRARY MATERIALS
	39778267	31100	55	06-101-314	136.15	LIBRARY MATERIALS
	39778268	31100	55	06-101-314	35.00	LIBRARY MATERIALS
	39778269	31100	55	06-101-314	16.10	LIBRARY MATERIALS
	39778270	31100	55	06-101-314	15.59	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr	019609		Check Total:	512.66
11155 KITZ & PFEIL INC	11-20-603046	31100	55	06-101-313	-12.00	CREDIT
	11-20-140046	31100	55	06-101-313	36.83	HOUSEKEEPING SUPPLIES
	11-20-626898	31100	55	06-101-313	0.36	FINANCE CHARGE
	11-25-140112	31100	55	06-101-313	8.08	HOUSEKEEPING SUPPLIES
	12-01-140234	31100	55	06-101-313	13.77	HOUSEKEEPING SUPPLIES
	12-10-140028	31100	55	06-101-313	13.20	HOUSEKEEPING SUPPLIES
	Check Date 12/22/2008	Check Nbr	019610		Check Total:	60.24
13045 MANDERFIELD BAKERY	305012	31100	55	06-101-316	17.25	PROGRAM SUPPLIES
	Check Date 12/22/2008	Check Nbr	019611		Check Total:	17.25

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13610 MIDWEST TAPE	1761123	31100	55	06-101-314	72.42	LIBRARY MATERIALS
	1749924	31100	55	06-101-314	137.94	LIBRARY MATERIALS
	1755731	31100	55	06-101-314	114.95	LIBRARY MATERIALS
	1755732	31100	55	06-101-314	17.99	LIBRARY MATERIALS
	1761547	31100	55	06-101-314	174.92	LIBRARY MATERIALS
	1765789	31100	55	06-101-314	164.91	LIBRARY MATERIALS
	1765790	31100	55	06-101-314	114.95	LIBRARY MATERIALS
	1765791	31100	55	06-101-314	101.93	LIBRARY MATERIALS
	1772006	31100	55	06-101-314	391.76	LIBRARY MATERIALS
	1772007	31100	55	06-101-314	129.95	LIBRARY MATERIALS
1772008	31100	55	06-101-314	157.89	LIBRARY MATERIALS	
Check Date	12/22/2008	Check Nbr	019612		Check Total:	1,579.61
13675 MINITEX	57988	31100	55	06-101-300	482.00	DEPARTMENT SUPPLIES
	Check Date	12/22/2008	Check Nbr	019613		Check Total:
13720 MODERN BUSINESS MACHINES	26172382	31100	55	06-101-243	386.18	PHOTOCOPIER SERVICE CONTRACT
	Check Date	12/22/2008	Check Nbr	019614		Check Total:
13755 MORTON SAFETY	351240	31100	55	06-101-313	18.95	FIRST AID SUPPLIES
	Check Date	12/22/2008	Check Nbr	019615		Check Total:
15210 ORIENTAL TRADING CO INC	628814191-01	31100	55	06-101-316	135.78	PROGRAM SUPPLIES
	Check Date	12/22/2008	Check Nbr	019616		Check Total:
16127 CASSANDRA PAYNE	12182008	31100	55	06-101-331	140.40	MILEAGE REIMBURSEMENT
	12172008	31100	55	06-101-333	109.00	LODGING REIMBURSEMENT
	Check Date	12/22/2008	Check Nbr	019617		Check Total:

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17050 QUALITY BOOKS INC	125414	31100	55	06-101-314	14.04	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019618			Check Total: 14.04	
18094 RANDOM HOUSE INC	1085582833	31100	55	06-101-314	502.40	LIBRARY MATERIALS
	1085582834	31100	55	06-101-314	84.00	LIBRARY MATERIALS
	1085582835	31100	55	06-101-314	72.00	LIBRARY MATERIALS
	1085615544	31100	55	06-101-314	135.20	LIBRARY MATERIALS
	1085615545	31100	55	06-101-314	24.00	LIBRARY MATERIALS
	1085658284	31100	55	06-101-314	255.20	LIBRARY MATERIALS
	1085685620	31100	55	06-101-314	103.20	LIBRARY MATERIALS
	1085701104	31100	55	06-101-314	72.00	LIBRARY MATEIALS
	1085701105	31100	55	06-101-314	32.00	LIBRARY MATERIALS
	1085701106	31100	55	06-101-314	88.00	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019619			Check Total: 1,368.00	
19290 KRISTIN SEEFELDT	12182008	31100	55	06-101-331	22.05	MILEAGE REIMBURSEMENT
	Check Date 12/22/2008	Check Nbr 019621			Check Total: 22.05	
19385 SHOWCASES	243941	31100	55	06-101-300	97.20	DEPARTMENT SUPPLIES
	Check Date 12/22/2008	Check Nbr 019623			Check Total: 97.20	
21054 UNIQUE MANAGEMENT SERVICES INC	179371	31100	46	04-171-000	241.65	COLLECTION AGENCY FEES
	Check Date 12/22/2008	Check Nbr 019624			Check Total: 241.65	
23191 DOUG WHEELER	12182008	31100	55	06-101-314	10.00	LIBRARY MATERIALS
	Check Date 12/22/2008	Check Nbr 019625			Check Total: 10.00	
23215 WIL-KIL PEST CONTROL	15261709	31100	55	06-101-240	343.38	PEST CONTROL CONTRACT
	Check Date 12/22/2008	Check Nbr 019626			Check Total: 343.38	

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23293 WINNEFOX LIBRARY SYSTEM	3239	31100	55	06-101-316	192.50	PROGRAM SUPPLIES
	3219	31100	55	06-101-314	35.00	LIBRARY MATERIALS
	3239DUP	31100	55	06-101-314	36.25	LIBRARY MATERIALS
Check Date	12/22/2008	Check Nbr	019627		Check Total:	263.75
23465 WISCONSIN TAXPAYERS ALLIANCE	12182008	31100	55	06-101-314	11.85	LIBRARY MATERIALS
	Check Date	12/22/2008	Check Nbr	019628	Check Total:	11.85
19328 ZACHARY SHARP	12182008	31100	55	06-101-314	20.00	LIBRARY MATERIALS
	Check Date	12/22/2008	Check Nbr	019622	Check Total:	20.00
Grand Total:					18,402.35	

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01315 AIRGAS NORTH CENTRAL	105757005	31100	55	07-202-204	28.80	ACETYLENE/ARGON/OXYGEN CYL
	105757006	31731	54	10-149-242	68.10	ACETYLENE/ARGON/OXYGEN CYL
	Check Date 12/23/2008	Check Nbr	019629		Check Total:	96.90
01745 APPLETON HYDRAULIC COMPONENTS	17048	31731	54	10-149-383	795.78	CUSTOM CYLINDER
		Check Date 12/23/2008	Check Nbr	019630	Check Total:	795.78
01842 ASSOCIATED APPRAISAL	6933	31100	51	04-107-219	4,707.03	PROFESSIONAL SERVICES
	6933	31100	51	04-107-310	5.36	POSTAGE/SUPPLIES/ENV/PHONE/ETC
	Check Date 12/23/2008	Check Nbr	019631	Check Total:	4,712.39	
02050 BADGER LAB & ENGINEERING INC	INV000035695	31201	54	10-301-212	766.00	GRAPHICS PACKAGING WW SAMPLING
	INV000035694	31201	54	10-301-212	911.00	DURA FIBRE WW SAMPLING
	INV000035693	31201	54	10-301-212	766.00	ALCAN PACKAGING SAMPLING
	INV000035698	31201	54	10-301-212	911.00	MONDI PACKAGING SAMPLING
	INV000035697	31201	54	10-301-212	956.00	INTERTAPE POLYMER SAMPLING
	INV000035696	31201	54	10-301-212	766.00	GUNDERSON CLEANERS WW SAMPLING
	Check Date 12/23/2008	Check Nbr	019632	Check Total:	5,076.00	
02105 BAHCALL RUBBER CO INC	458775-001	31731	54	10-149-383	333.53	DYNAMIC BMRS
	Check Date 12/23/2008	Check Nbr	019633	Check Total:	333.53	
02223 BATTERY HUB	1460	31731	54	10-149-300	20.16	BULK BATTERIES
	Check Date 12/23/2008	Check Nbr	019634	Check Total:	20.16	
02335 BECK ELECTRIC INC	E305	31100	54	10-131-216	90.05	REPLACE FUSES ON POLES
	Check Date 12/23/2008	Check Nbr	019635	Check Total:	90.05	
02410 BERGSTROM		31100	52	08-101-803	24,137.82	NEW SQUAD 22
	Check Date 12/23/2008	Check Nbr	019636	Check Total:	24,137.82	

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02796 BUBRICK'S	183572	31100	52	08-101-310	120.04	CALENDARS/OFFICE SUPPLIES
	Check Date 12/23/2008	Check Nbr	019637		Check Total: 120.04	
04275 DIGICORPORATION	55083	31100	54	10-304-291	69.00	FOLDING FEE/HAZ MATERIAL LISTS
	87677	31100	51	04-106-291	318.00	TAX BILL ENVELOPES
	Check Date 12/23/2008	Check Nbr	019638		Check Total: 387.00	

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05100 ELAN CARDMEMBER SERVICE	121108	31100	21	04-269-000	1,104.00	GRAND OPERA HOUSE/SR CENTER
	121108	31100	51	04-109-315	-79.99	RETURN ADOBE ACROBAT 9
	121108	31100	51	04-109-315	79.99	ADOBE ACROBAT 9
	121108	31100	51	04-109-338	40.00	MEALS/TRAINING IT
	121108	31100	51	04-109-338	15.98	MEALS/TRAINING IT
	121108	31100	51	04-109-338	25.27	MEALS/TRAINING IT
	121108	31100	51	04-109-338	7.03	MEALS/TRAINING IT
	121108	31100	51	04-109-338	55.23	MEALS/TRAINING IT
	121108	31100	51	04-109-338	569.32	MEALS/TRAINING IT
	121108	31100	51	04-109-338	33.62	MEALS/TRAINING IT
	121108	31100	51	04-109-338	9.63	MEALS/TRAINING IT
	121108	31100	51	10-115-201	54.00	WATER RIGHT
	121108	31100	51	10-115-310	186.95	TONER/CITY HALL
	121108	31100	52	08-101-310	195.93	TONER/POLICE
	121108	31100	52	08-101-313	18.00	WATER RIGHT
	121108	31100	52	08-101-322	62.98	BARNES & NOBLE/POLICE
	121108	31100	52	08-101-322	39.92	BARNES & NOBLE/POLICE
	121108	31100	52	08-101-333	267.00	LOWELL CENTER/MADISON
	121108	31100	52	08-101-338	10.11	CHARLEY STEAKERY/MADISON
	121108	31100	52	08-101-338	12.31	QDOBA/MADISON
	121108	31100	52	08-101-338	26.70	CHILIS/MADISON
	121108	31731	54	10-149-313	36.00	WATER RIGHT
121108	31100	55	06-101-311	102.59	BADGER MAILING/LIBRARY	
121108	31100	55	07-201-338	106.30	WISE GUY PIZZERIA/TUNGATE	
Check Date	12/23/2008	Check Nbr	019639	Check Total:	2,978.87	
05270 EZ GLIDE	0109459-IN	31100	54	10-124-244	238.00	BALL STEEL ROLLERS/BRACKETS
	Check Date	12/23/2008	Check Nbr	019640	Check Total:	238.00

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06065 FAMILY THERAPY & ANXIETY CTR	120408	31100	52	08-101-215	50.00	SERVICES PROVIDED TO PD
	121608	31100	52	08-101-215	183.75	SERVICES PROVIDED
	Check Date 12/23/2008	Check Nbr	019641		Check Total: 233.75	
06075 FASTENAL COMPANY	WINEE40501	31100	55	07-202-300	37.64	CHRISTMAS TIES
		Check Date 12/23/2008	Check Nbr	019642	Check Total: 37.64	
06115 FERRELLGAS	1024774274	31266	54	10-307-216	94.87	LIQUEFIED PETROLEUM GAS
		Check Date 12/23/2008	Check Nbr	019643	Check Total: 94.87	
06365 FORCE AMERICA INC	02088630	31731	54	10-149-383	79.78	SWITCH ROCKER ON/OFF
		Check Date 12/23/2008	Check Nbr	019644	Check Total: 79.78	
07055 GALL'S INC	5966327800022	31100	52	08-101-193	37.89	STREET PRO GEAR BAG
	5966327800014	31100	52	08-101-193	152.93	PEPPER SPRAY/CASE/RADIO CASE
	5966327800014	31100	52	08-103-300	9.00	RAIN JACKET
	Check Date 12/23/2008	Check Nbr	019645	Check Total: 199.82		
07081 GANNETT WISCONSIN MEDIA	0003730333	31100	51	02-117-292	144.50	LEGALS
	0003730333	31100	51	04-101-292	1,042.87	LEGALS
	Check Date 12/23/2008	Check Nbr	019646	Check Total: 1,187.37		
07580 GUNDERSON UNIFORM & LINEN RENT	1285750	31100	51	10-115-201	15.76	MOP/MAT SERVICE
	1285750	31100	53	09-212-313	3.47	MOP/MAT SERVICE
	1285750	31100	55	07-202-313	3.48	MOP/MAT SERVICE
	Check Date 12/23/2008	Check Nbr	019647	Check Total: 22.71		
08235 HEARTLAND LABEL PRINTERS INC	86569-H	31100	51	04-109-214	146.65	ADDL WEB SPACE
		Check Date 12/23/2008	Check Nbr	019648	Check Total: 146.65	

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09290 INTERSTATE BATTERY OF GREEN BA	90050096	31731	54	10-149-383	-939.65	CORE CREDIT
	90049820	31731	54	10-149-383	1,211.50	BATTERIES
	Check Date 12/23/2008	Check Nbr	019649		Check Total:	271.85
11365 KUNDINGER FLUID POWER INC	50038689	31731	54	10-149-315	2,612.45	COMPRESSOR/START UP KIT
		Check Date 12/23/2008	Check Nbr	019650	Check Total:	2,612.45
12250 LAWSON PRODUCTS INC	7529347	31731	54	10-149-300	411.15	STOCK
		Check Date 12/23/2008	Check Nbr	019651	Check Total:	411.15
13175 M-B COMPANIES INC	131328	31731	54	10-149-383	793.56	HYDRAULIC MOTOR
	131248	31731	54	10-149-383	95.73	TENSION SPRING
		Check Date 12/23/2008	Check Nbr	019653	Check Total:	889.29
13149 MATTHEWS COMMERCIAL TIRE CTR	027960	31731	54	10-149-382	391.60	TIRE SERVICE
	028003	31731	54	10-149-382	418.24	TIRE SERVICE
	027959	31731	54	10-149-382	251.70	TIRE SERVICE
	028010	31731	54	10-149-382	56.45	TIRE SERVICE
		Check Date 12/23/2008	Check Nbr	019652	Check Total:	1,117.99
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,757.00	
		Check Date 12/23/2008	Check Nbr	019654	Check Total:	1,757.00
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	260.00	
		Check Date 12/23/2008	Check Nbr	019655	Check Total:	260.00
13460 MENASHA TREASURER	121908	31100	21	04-229-000	137.60	3-571 TAX PAYMENT
		Check Date 12/23/2008	Check Nbr	019656	Check Total:	137.60

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15048 OFFICE DEPOT	402485837	31100	51	04-106-310	12.32	PENS
	Check Date 12/23/2008	Check Nbr	019657		Check Total:	12.32
15080 OFFICEMAX INC	408038	31100	53	09-212-310	65.10	OFFICE SUPPLIES
	408122	31100	53	09-212-310	-20.97	OFFICE SUPPLY RETURN
	Check Date 12/23/2008	Check Nbr	019658		Check Total:	44.13
16025 PACKER CITY INTERNATIONAL	3283310009	31731	54	10-149-383	55.50	GAUGE
	3283370061	31731	54	10-149-383	87.42	BRACKET/LAMP/MTG BRKT
	3283370062	31731	54	10-149-383	219.31	DCI KIT/ADAPCBLS
	3283360052	31731	54	10-149-383	15.90	CLAMPS
	3283360056	31731	54	10-149-383	19.14	FLEX
	Check Date 12/23/2008	Check Nbr	019659		Check Total:	397.27
19693 STEPP EQUIPMENT COMPANY	269207	31731	54	10-149-383	237.78	PIN/WHEEL ASSY
	269371	31731	54	10-149-383	24.90	PIN
	Check Date 12/23/2008	Check Nbr	019660		Check Total:	262.68
19765 SUNGARD PUBLIC SECTOR INC	886437	31100	51	04-109-339	1,620.31	ONSITE TRAINING COSTS
	886806	31100	51	04-109-243	2,227.00	MAINTENANCE JAN 1-31-2009
	Check Date 12/23/2008	Check Nbr	019661		Check Total:	3,847.31
20030 BRENDA TAUBEL	121908	31100	51	02-105-336	102.96	MILEAGE/SOLOMON SUN PRAIRIE
	Check Date 12/23/2008	Check Nbr	019662		Check Total:	102.96
21045 UNIFIRST CORPORATION	0970041545	31731	54	10-149-201	96.91	MAT/MOP/CLOTHING SERVICE
	Check Date 12/23/2008	Check Nbr	019663		Check Total:	96.91
21060 UNITED PAPER CORPORATION	12495	31100	51	10-115-313	15.45	FOAM SOAP
	Check Date 12/23/2008	Check Nbr	019664		Check Total:	15.45

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21200 UR WASHINSTUFF INC	10015	31100	52	08-101-295	28.55	5 CAR WAHSES/NOV 8
	Check Date 12/23/2008	Check Nbr	019665		Check Total:	28.55
21226 US OIL CO INC	826578	31100	13	04-103-000	2,897.44	NO LEAD GAS
	826575	31100	13	04-103-000	11,342.92	FUEL OIL
	Check Date 12/23/2008	Check Nbr	019666		Check Total:	14,240.36
22060 VALLEY GLASS INC	33796	31731	54	10-149-240	20.42	BATHROOM MIRROR
	Check Date 12/23/2008	Check Nbr	019667		Check Total:	20.42
23090 WATERBLAST LLC	10960	31731	54	10-149-242	50.00	REPAIR NOZZLE ON WAND
	Check Date 12/23/2008	Check Nbr	019668		Check Total:	50.00
23152 WE ENERGIES	120408	31100	55	07-202-224	54.93	2170 PLANK RD
	Check Date 12/23/2008	Check Nbr	019669		Check Total:	54.93
23275 WINNEBAGO COUNTY TREASURER	DECEMBER	31310	57	04-101-610	1,678.77	WINN CO IND DEV PROJ/PRINCIPAL
	DECEMBER	31310	57	04-201-620	471.23	WINN CO IND DEV PROJ/INTEREST
	Check Date 12/23/2008	Check Nbr	019670		Check Total:	2,150.00
23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	515.23	
		31100	21	04-299-016	138.40	
	Check Date 12/23/2008	Check Nbr	019671		Check Total:	653.63
Grand Total:					70,423.38	

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01053 ACCENT BUSINESS SOLUTIONS INC	218221	31100	51	10-115-243	460.02	COPIER MAINTENANCE
	Check Date 12/31/2008	Check Nbr	019672		Check Total: 460.02	
01210 AFFINITY OCCUPATIONAL HEALTH	232986	31100	51	02-105-216	127.00	DRUG SCREENING
	231883	31100	51	02-105-216	226.00	PREPLACEMENT EXAM
	Check Date 12/31/2008	Check Nbr	019673		Check Total: 353.00	
01675 AMT		31100	21	04-299-022	150.00	
	Check Date 12/31/2008	Check Nbr	019674		Check Total: 150.00	
01763 APPLETON SIGN COMPANY	1303	31100	52	08-101-295	499.00	SQUAD CAR GRAPHICS
	Check Date 12/31/2008	Check Nbr	019675		Check Total: 499.00	
01765 APPLETON STEEL INC	22814	31100	55	07-202-300	306.35	MILWAUKEE FOUNTAIN COVER
	Check Date 12/31/2008	Check Nbr	019676		Check Total: 306.35	
02040 BADGER HIGHWAYS CO INC	143934	31100	54	10-124-300	81.53	SALT BARRELS
	Check Date 12/31/2008	Check Nbr	019677		Check Total: 81.53	
02050 BADGER LAB & ENGINEERING INC	INV000035743	31201	54	10-301-212	712.00	WHITING PAPER WW SAMPLING
	Check Date 12/31/2008	Check Nbr	019678		Check Total: 712.00	
02545 BLUE PRINT SERVICE CO INC	21251	31100	54	10-111-300	500.00	INK JET BOND
	21251	31100	56	03-202-291	829.28	INK JET BOND
	Check Date 12/31/2008	Check Nbr	019679		Check Total: 1,329.28	
02565 BOARDMAN LAW FIRM	181697	31100	51	02-103-211	553.50	DRAFT MODEL VIDEO ORDINANCE
	Check Date 12/31/2008	Check Nbr	019680		Check Total: 553.50	

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02796 BUBRICK'S	186342	31731	54	10-149-310	38.99	OFFICE SUPPLIES
	186342	31100	55	07-202-310	18.89	OFFICE SUPPLIES
	Check Date 12/31/2008	Check Nbr 019681			Check Total: 57.88	
03247 CDW GOVERNMENT INC	MPS8261	31100	51	04-109-315	70.46	IMAGE DRIVES/FINANCE/HR
	Check Date 12/31/2008	Check Nbr 019682			Check Total: 70.46	
03560 COMMON SENSE SOLUTIONS LLC	122308	31100	51	04-109-214	968.72	PROFESSIONAL SERVICES/IT
	Check Date 12/31/2008	Check Nbr 019683			Check Total: 968.72	
03810 CRI RECYCLING SERVICE INC	21084	31266	54	10-307-216	280.00	EMPTY DRUM OF GRANULAR MATERIA
	Check Date 12/31/2008	Check Nbr 019684			Check Total: 280.00	
04135 DAVIS & KUELTHAU SC	300662	31100	51	02-105-211	736.00	MEDIATION PREPARATION
	Check Date 12/31/2008	Check Nbr 019685			Check Total: 736.00	
04275 DIGICORPORATION	55121	31100	13	04-113-000	-13.16	ADJUSTMENT
	55121	31100	52	08-101-291	62.16	POLICE BUSINESS CARDS
	87691	31100	55	07-201-291	1,316.55	WINTER/SPRING ACTIVITY GUIDE
	87767	31100	13	04-113-000	-107.90	ADJUSTMENT
	87767	31100	51	04-106-291	183.90	WINDOW ENVELOPES/FINANCE
	Check Date 12/31/2008	Check Nbr 019686			Check Total: 1,441.55	
05200 ENTERPRISE SYSTEMS GROUP	0020021-IN	31100	51	04-109-214	221.00	SERVICE TO CAMERA IN CELL
	Check Date 12/31/2008	Check Nbr 019687			Check Total: 221.00	
06075 FASTENAL COMPANY	WINEE40600	31100	55	07-202-240	34.24	COVER REPAIR
	WINEE40565	31100	55	07-202-240	19.93	COVER REPAIR
	WINEE40452	31100	55	07-202-240	19.37	
	Check Date 12/31/2008	Check Nbr 019688			Check Total: 73.54	

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06110 FERGUSON ENTERPRISES INC #448	0405924	31731	54	10-149-240	255.01	SINKS/PUBLIC WORKS
	Check Date 12/31/2008	Check Nbr	019689		Check Total:	255.01
06115 FERRELLGAS	1025104534	31266	54	10-307-216	96.29	LIQUEFIED PETROLUEM GAS
	Check Date 12/31/2008	Check Nbr	019690		Check Total:	96.29
06520 FOX STAMP SIGN & SPECIALTY	164196	31100	53	09-102-310	59.20	RUBBER STAMPS FOR RN'S
	Check Date 12/31/2008	Check Nbr	019691		Check Total:	59.20
06565 FOX VALLEY HUMANE ASSOCIATION	121508	31100	53	08-115-250	1,446.98	7 ANIMALS/NOV 2008
	Check Date 12/31/2008	Check Nbr	019692		Check Total:	1,446.98
07055 GALL'S INC	5967155500015	31100	52	08-101-315	66.76	CUFFS/CUFF CASE
	Check Date 12/31/2008	Check Nbr	019693		Check Total:	66.76
07250 GMN CONSULTING LLC	3337	31100	51	04-109-214	3,900.00	TIME BLOCK AGREEMENT/IT
	Check Date 12/31/2008	Check Nbr	019694		Check Total:	3,900.00
07580 GUNDERSON UNIFORM & LINEN RENT	1284838	31100	52	08-101-310	31.70	MAT/TOWEL SERVICE
	1286664	31100	52	08-101-313	31.70	TOWEL/MAT SERVICE
	Check Date 12/31/2008	Check Nbr	019695		Check Total:	63.40
12250 LAWSON PRODUCTS INC	7580822	31731	54	10-149-300	541.00	STOCK SUPPLIES
	Check Date 12/31/2008	Check Nbr	019696		Check Total:	541.00
13097 MARSHALL & ILSLEY TRUST-MILW	5120582	31100	51	02-105-216	260.00	MONTHLY FEES
	Check Date 12/31/2008	Check Nbr	019697		Check Total:	260.00

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13345 MENARDS-APPLETON EAST	29267	31731	54	10-149-240	127.39	SINKS/PUBLIC WORKS	
	29267	31100	55	07-202-300	239.64	FOUNTAIN COVER	
	29034	31731	54	10-149-240	53.10	SINKS/PUBLIC WORKS	
Check Date		12/31/2008	Check Nbr		019698	Check Total:	420.13
13360 MENASHA ELECTRIC & WATER UTILI	121608	31100	12	04-399-000	17.30	TRAFFIC LIGHTS	
	121608	31100	51	04-109-214	763.00	DARK FIBER CONNECTION	
	121608	31100	51	10-115-223	1,364.13	CITY BUILDINGS	
	121608	31100	51	10-115-225	252.66	CITY BUILDINGS	
	121608	31100	53	09-212-223	277.08	SENIOR CENTER	
	121608	31100	53	09-212-225	77.24	SENIOR CENTER	
	121608	31100	54	10-131-223	310.56	TRAFFIC LIGHTS	
	121608	31201	54	10-301-223	24.06	LIFT STATION	
	121608	31100	55	04-221-223	8.48	CURTIS REED SQUARE	
	121608	31100	55	07-202-223	797.99	PARKS	
	121608	31100	55	07-202-225	295.71	PARKS	
	121608	31207	55	07-205-223	403.68	MARINA	
	121608	31207	55	07-205-225	33.81	MARINA	
	121608	31100	55	10-215-223	16.91	LIFT BRIDGES	
Check Date		12/31/2008	Check Nbr		019699	Check Total:	4,642.61
13370 MENASHA EMPLOYEES CREDIT UNION		31100	21	04-299-020	1,767.00		
		31100	21	04-299-020	16,068.00		
Check Date		12/31/2008	Check Nbr		019700	Check Total:	17,835.00
13375 MENASHA EMPLOYEES LOCAL 1035		31100	21	04-299-031	260.00		
Check Date		12/31/2008	Check Nbr		019701	Check Total:	260.00
13377 MENASHA EMPLOYEES LOCAL 1035B		31100	21	04-299-032	248.16		
Check Date		12/31/2008	Check Nbr		019702	Check Total:	248.16

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13400 MENASHA JOINT SCHOOL DISTRICT	122408	31100	41	04-103-000	5,919.19	DECEMBER MOBILE HOME TAX
	Check Date 12/31/2008	Check Nbr	019703		Check Total:	5,919.19
13425 MENASHA POLICE DEPARTMENT	122308	31824	52	08-101-215	58.05	K9 UNIT
	122308	31100	52	08-101-300	77.40	SUPPLIES
	122308	31100	52	08-101-333	13.59	MEETINGS
	Check Date 12/31/2008	Check Nbr	019704		Check Total:	149.04
13755 MORTON SAFETY	326927	31100	55	07-202-204	29.28	MEDICAL SUPPLIES
	326926	31731	54	10-149-215	33.22	MEDICAL SUPPLIES
	Check Date 12/31/2008	Check Nbr	019705		Check Total:	62.50
14215 NEENAH-MENASHA MUNICIPAL COURT	122208	31100	21	04-229-000	242.80	BOND
	122208	31100	21	04-229-000	323.00	BOND
	Check Date 12/31/2008	Check Nbr	019706		Check Total:	565.80
14220 NEENAH-MENASHA SEWERAGE COMM	2008-222	31201	54	10-301-211	18,996.04	FOX RIVER CLEANUP REIMBURSE
	2008-219	31201	54	10-301-211	861.75	INS MATTERS/FOX RIVER CLEAN UP
	Check Date 12/31/2008	Check Nbr	019707		Check Total:	19,857.79
16025 PACKER CITY INTERNATIONAL	3283390020	31731	54	10-149-383	25.80	LUBEFILT
	3283400053	31731	54	10-149-383	19.31	HUB CAPS
	3283400054	31731	54	10-149-383	38.62	HUB CAPS
	3283390070	31731	54	10-149-383	64.85	AIR FILT
	Check Date 12/31/2008	Check Nbr	019708		Check Total:	148.58
16320 PITNEY BOWES	692229	31100	51	10-115-310	226.90	POSTAGE MACHINE SUPPLIES
	4842044-DC08	31100	51	10-115-243	375.00	POSTAGE MACHINE TERM RENTAL
	Check Date 12/31/2008	Check Nbr	019709		Check Total:	601.90

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16775 DAVID POWELL	122708	31100	51	10-115-331	24.59	MILEAGE
	Check Date 12/31/2008	Check Nbr	019710		Check Total:	24.59
18160 REDI-WELDING CO	13813	31731	54	10-149-300	36.50	PIPE
	Check Date 12/31/2008	Check Nbr	019711		Check Total:	36.50
18200 REINDERS INC	1232652-00	31731	54	10-149-383	922.70	CLUTCH REPLACE KIT/NUT-LOCK
	Check Date 12/31/2008	Check Nbr	019712		Check Total:	922.70
19080 SAM'S CLUB	6998	31100	55	07-201-300	85.76	HAYRIDE SUPPLIES
	Check Date 12/31/2008	Check Nbr	019713		Check Total:	85.76
19330 SHAWANO COUNTY CLERK OF COURTS	122208	31100	21	04-229-000	394.20	BOND
	Check Date 12/31/2008	Check Nbr	019714		Check Total:	394.20
19380 SHOPKO STORES INC	5377	31827	53	09-212-300	54.55	SENIOR CENTER
	Check Date 12/31/2008	Check Nbr	019715		Check Total:	54.55
19725 STREICHERS PROF POLICE EQUIPME	1580986	31100	52	08-101-193	118.96	SHOES/GLOVES/TACTICAL GEAR
	Check Date 12/31/2008	Check Nbr	019716		Check Total:	118.96
19742 STEVE STUMPF LANDSCAPING	2003	31100	55	07-202-300	160.00	HOLIDAY HAYRIDE HAY BALES
	Check Date 12/31/2008	Check Nbr	019717		Check Total:	160.00
20325 TRAFFIC & PARKING CONTROL CO	309227	31100	54	10-131-300	224.13	REPLACEMENT STOCK ON HAND
	Check Date 12/31/2008	Check Nbr	019718		Check Total:	224.13
21045 UNIFIRST CORPORATION	0970041869	31731	54	10-149-201	96.91	MAT/MOP/CLOTHING PROTECTION
	Check Date 12/31/2008	Check Nbr	019719		Check Total:	96.91

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21095 UNITED WAY FOX CITIES		31100	21	04-299-021	60.75	
	Check Date 12/31/2008	Check Nbr	019720		Check Total: 60.75	
22060 VALLEY GLASS INC	17722	31731	54	10-149-240	20.42	MIRROR/WASHROOM
	Check Date 12/31/2008	Check Nbr	019721		Check Total: 20.42	
22360 VIERBICHER	3	31489	56	03-202-216	3,175.00	TOPGRAPHIC SITE SURVEY
	Check Date 12/31/2008	Check Nbr	019722		Check Total: 3,175.00	
23119 WAUSHARA COUNTY CLERK OF COURT	122208	31100	21	04-229-000	298.00	BOND
	Check Date 12/31/2008	Check Nbr	019723		Check Total: 298.00	
23152 WE ENERGIES	121908	31100	12	04-399-000	802.38	BILL TO N-M FIRE RESCUE
	121908	31100	51	10-115-224	2,477.41	CITY HALL
	121908	31100	52	08-101-224	1,108.04	POLICE
	121908	31100	53	09-212-224	388.19	SENIOR CENTER
	121908	31731	54	10-149-224	900.09	GARAGE
	121908	31100	55	06-101-224	1,843.46	LIBRARY
	121908	31100	55	07-202-224	1,059.56	PARKS
	121908	31100	55	07-203-224	114.59	POOL
	121908	31207	55	07-205-224	81.45	MARINA
	121808	31100	54	10-143-223	2,028.30	STREET LIGHTS
	Check Date 12/31/2008	Check Nbr	019724		Check Total: 10,803.47	
23165 WEST PAYMENT CENTER	817276295	31100	51	02-103-322	100.27	INFORMATION CHARGES
	Check Date 12/31/2008	Check Nbr	019725		Check Total: 100.27	
23250 WINNEBAGO COUNTY CLERK OF COUR	122208	31100	21	04-229-000	285.00	BOND
	Check Date 12/31/2008	Check Nbr	019726		Check Total: 285.00	

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23455 WISCONSIN SUPPORT COLLECTIONS		31100	21	04-299-015	515.23	
		31100	21	04-299-016	138.40	
		31100	21	04-299-015	711.92	
Check Date	12/31/2008	Check Nbr	019727	Check Total:	1,365.55	
Grand Total:					83,919.93	