

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 March 16, 2009  
6:00 PM  
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
  - 1. Moment of Silence for James A. Adams, a former Menasha mayor
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY  
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
  - 1. CDD Keil – Update on 230-232 Main Street (Ald. Taylor)
  - 2. CDD Keil, PWD Radtke, PRD Tungate – Update on Tayco Street Bridge Museum-opening and equipment repairs (Ald. Taylor)
  - 3. CDD Keil – Update on Lake Park Villas (Ald. Pack)
  - 4. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 3/2/09](#)
- b. [Board of Public Works, 3/2/09](#)
- c. [Board of Health, 1/28/09](#)
- d. [Library Board, 2/19/09](#)
- e. [Parks and Recreation Board, 3/9/09](#)
- f. [Water and Light Commission, 2/25/09](#)
- g. [Water and Light Commission, 2/25/09, Closed Session](#)

Communications:

- h. [Comp. Stoffel, 2/27/09; Positive Pay agreement with FNB](#)
- i. [Customers First! Newsletter, 3/2009; The Wire](#)
- j. [League of Women Voters presents, 3/19/09; Menasha's Aldermanic Voters' Forum](#)
- k. [The Municipality, 3/2009; Minute taking responsibilities](#)
- l. [Menasha Historical Society Newsletter, 3/2009](#)
- m. [Winn. Cnty, 3/11/09; Weekly testing of outdoor warning sirens 2009](#)

"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."

## G. CONSENT AGENDA

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

### Minutes to approve:

1. [Common Council, 3/2/09](#)
2. [Special Common Council, 3/9/09](#)

### Administration Committee, 3/2/09 – Recommends Approval of:

3. [Agreement and Contract between Advocap, Inc. and Menasha Committee on Aging with Menasha Senior Center, January 1, 2009-December 31, 2009, and authorize signatures.](#)
4. [Approval of keeping the Weights and Measures fees for the licensing period July 1, 2009-June 30, 2010 the same as 2008-09 licensing period.](#)
5. [Approval of proposed fees for the licensing period July 1, 2009-June 30, 2010: a\) DHFS Agent of the State; b\) DATCP Agent of the State; c\) Tattoo Parlor/Body Piercing Establishments.](#)

### Board of Public Works, 3/2/09 – Recommends Approval of:

6. [Change Order – Carl Bowers & Sons Construction Co., Province Terrace; Contract Unit No. TIF 9 2006-07; DEDUCT: \\$116,272.10 \(Change Order No. 3 and Final\)](#)
7. [Payment – Carl Bowers & Sons Construction Co., Province Terrace; Contract Unit No. TIF 9 2006-07; \\$4,523.50 \(Payment No. 4 and Final\)](#)
8. [Recommendation to Award Contract for Third Street Water Main Replacement – DeGroot, Inc. of Green Bay in the amount of \\$598,292.47 \(Recommended by the Menasha Utilities\)](#)

### Parks and Recreation Board, 3/9/09 – Recommends Approval of:

9. [Reciprocity agreements with Cities of Appleton and Neenah and Town of Menasha for 2009-2011](#)

## H. ITEMS REMOVED FROM CONSENT AGENDA

## I. ORDINANCES AND RESOLUTIONS

## J. ACTION ITEMS

1. [Fee for Outdoor Alcoholic Beverage Service Permit](#)
2. [Accounts Payable and Payroll for the term 3/5/09-3/12/09 in the amount of \\$422,075.10](#)

## 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

Notice of Spring Election – Tuesday, April 7, 2009

Monday, April 6, 2009 - Council Chambers  
Common Council – 6:00 p.m.

Administration Committee – to be determined  
Board of Public Works – to be determined

CITY OF MENASHA  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 2, 2009  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:50 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

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

C. MINUTES TO APPROVE

1. [Administration Committee, 2/16/09](#)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve minutes  
Motion carried on voice vote.

D. ACTION ITEMS

1. [Due Process Hearing - Juanita's Hacienda, Inc. d/b/a Korona Klub, Juana Bevers, agent, 190 Main Street, Menasha](#)

CA/HRD Brandt explained Korona Klub was convicted of having underage persons on the premium in Dec. 2007 and per City ordinance 50 demerit points should be assessed. The 50 points will remain on their record for 24 months.

Juana Bevers questioned why it took so long to assess the demerit points and when the 24 months starts.

CA/HRD Brandt explained his office recently received the information about the conviction and the 24 months runs from the date of violation, Nov. 2007.

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to assess 50 demerit points.  
Motion carried on roll call 8-0.

2. [Agreement and Contract between Advocap, Inc. and Menasha Committee on Aging with Menasha Senior Center, January 1, 2009-December 31, 2009, and authorize signatures.](#)

PHD Nett explained this agreement has been in place for several years. It allows Advocap to serve lunches to seniors at the Senior Center.

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

3. [Approval of keeping the Weights and Measures fees for the licensing period July 1, 2009-June 30, 2010 the same as 2008-09 licensing period. \(Recommendation of Board of Health\)](#)

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

4. [Approval of proposed fees for the licensing period July 1, 2009-June 30, 2010: a\) DHFS Agent of the State; b\) DATCP Agent of the State; c\) Tattoo Parlor/Body Piercing Establishments. \(Recommendation of Board of Health\)](#)

PHD Nett explained most of the fees will stay the same. The changes are the pre-inspection and re-inspections fees. Some inspections are more complex and take more of the City Sanitarian's time. The fees for tattoo parlors/body piercing establishments are remaining the same.

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

#### E. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Pamerter to adjourn at 7:04 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  
March 2, 2009  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Pack at 7:48 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Pamenter, Taylor

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

C. MINUTES TO APPROVE

1. [February 16, 2009](#)

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

Motion carried on voice vote

D. ACTION ITEMS

1. [Change Order – Carl Bowers & Sons Construction Co., Province Terrace; Contract Unit No. TIF 9 2006-07; DEDUCT: \\$116,272.10 \(Change Order No. 3 and Final\)](#)

DPW Radtke explained the deduct results from the City street crew doing the asphalt paving as agreed upon with the contractor

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

Motion carried on voice vote

2. [Payment – Carl Bowers & Sons Construction Co., Province Terrace; Contract Unit No. TIF 9 2006-07; \\$4,523.50 \(Payment No. 4 and Final\)](#)

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

Motion carried on voice vote

3. [Recommendation to Award Contract for Third Street Water Main Replacement – Menasha Utilities](#)

Lonnie Pichler from Menasha Utilities was questioned about residents being notified when the work will begin. He replied that the contractor DeGroot Inc will be notifying residents and businesses after the pre-construction meeting when the start date is determined. The tentative start date is March 23.

Moved by Ald. Michalkiewicz, seconded by Ald. Hendricks, to recommend to Common Council DeGroot Inc. be awarded the contract

Motion carried on voice vote

E. ADJOURNMENT

Moved by Ald. Pamenter, seconded by Ald. Taylor to adjourn at 7:55 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**

**01-28-2009**

**MINUTES**

- A. Meeting called to order at 8:30 AM by Chairman C. Rusin.
- B. Present: Dorothy Jankowski, Dr. Teresa Shoberg, Candyce Rusin, Susan Nett  
Excused: Lori Asmus
- C. MINUTES TO APPROVE
  - 1. Motion to approve minutes from December 10, 2008 meeting made by T. Shoberg and seconded by D. Jankowski. Motion carried.
- D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
  - 1. December 2008 Communicable Disease Report distributed and discussed. T. Shoberg questioned if Menasha was the only one with an increasing incidence of sexually transmitted diseases and if yes, why? S. Nett shared with board members that the CDC reports an increase in sexually transmitted diseases nationwide. As a health department, we have been presenting information to the high school health classes on STD's and preventive measures. Ages of cases reported here vary from as young as 14 to as old as the mid 40's.
  - 2. 2008 Wisconsin Counties Health Ranking report distributed.
  - 3. MCH Program – Index of Start Strong Indicators 2008 distributed. This report shows key indicators of the health status of mothers and newborns broken down by county. This report is taken from 2007 birth data.
  - 4. A report on “Smokeless Tobacco in the US” from the Campaign for Tobacco-Free Kids was distributed. Statistics show some recent declines in youth spit tobacco use, however usage in boys remains at 13.4%. Most view this form of tobacco as not harmful however it is known to cause oral cancer. T. Shoberg related she has young female as well as male patients that use smokeless tobacco and do not realize the health risk involved. Most think it is healthier because they aren't blowing smoke in the faces of others, yet they forget about the oral cancer.
- E. ACTION ITEMS
  - 1. Parochial School Fees – School Year 2009-10. S. Nett presented the proposed fees for the parochial schools for the coming school year. (See attached page.) Two parochial schools in the city contract for services. Annual revenue from these two contracts averages about \$350 per year. The proposed fees for all the

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categories except the dental hygienist remain the same as the current school year. The hourly rate for the dental hygienist is proposed to increase from \$32/hr to \$34/hr. S. Nett explained the increase needed here is to cover the additional cost of benefits for this employee who has gone from 1/2 time benefits to 2/3 time benefits. T. Shoberg questioned if costs are met using the proposed rates. S. Nett related the hourly costs per position are met. D. Jankowski questioned what type of services the public health aide provides. S. Nett explained that position monitors the immunization school law requirements and that the parochial schools now have access to the state database for immunizations so they are able to do their own checking and have used the services of the public health aide very minimally. Most of the service provided are the dental, vision, and hearing screenings with nurse follow-up as needed, and dental health education. On occasion, the nurses might be consulted to assist with a student with special health care needs. The sanitarian primarily does the meal site inspections if the school participates in the USDA school lunch program. C. Rusin questioned what is done if there is a communicable disease outbreak at one of the parochial schools such as pertussis. Do they pay us for our time to investigate? S. Nett explained there is no fee charged for communicable disease follow-up because ultimately that is a community issue and the health department's primary role is the prevention and control of communicable disease in the community. Motion to recommend the proposed parochial school fees for the school year 2009-10 to the common council for approval made by D. Jankowski and seconded by T. Shoberg. Motion carried.

2. S. Nett presented the health department policy on 24/7 coverage and explained that for some reason this policy was never approved by the BOH. T. Shoberg questioned the difference between a salaried exempt and salaried non-exempt employee. S. Nett explained one position has supervisory authority and the other does not. C. Rusin questioned at what point are the part time staff called to respond. S. Nett explained only when a full time staff person can't be reached. Motion to approve the 24/7 policy made by T. Shoberg and seconded by D. Jankowski. Motion carried.
3. 2009-10 Agent of the State Fees – DHS. S. Nett explained the fees for this year will be brought to the council at the April meeting. Factors to consider when setting the fees this year include the state is raising their fees so our reimbursement to them increases. The state allows each agent to set their own fees to cover 100% of the agent's costs. S. Nett handed out a fee comparison chart showing agent fees in the area so board members could review and requested this item be held over for the Feb. meeting. Motion to hold this item made by D. Jankowski and seconded by T. Shoberg. Motion carried.
4. 2009-10 Agent of the State Fees – DATCP. S. Nett requested board members review the chart of comparison fees and asked for this item to be held over for the Feb. meeting. Motion to hold this item made by D. Jankowski and seconded by T. Shoberg. Motion carried.
5. Tattoo Parlor/Body Piercing Establishment Fees – 2009-10. S. Nett explained that the one and only tattoo establishment in the city closed last year because of health issues with the owner. S. Nett recommends reviewing the fees and continue

having a fee schedule because there could be a tattoo parlor in the future in the city. S. Nett requested this item be held over to next month for further discussion. Motion to hold item made by D. Jankowski and seconded by T. Shoberg. Motion carried.

F. HELD OVER BUSINESS

1. None

G. Motion to adjourn at 9:25 AM made by T. Shoberg and seconded by D. Jankowski. Motion carried.

**CITY OF MENASHA**  
**Park Board**  
**1<sup>st</sup> Floor Conference Room, City Hall – 140 Main Street**  
March 9, 2009  
**DRAFT MINUTES**

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**A. CALL TO ORDER**

Meeting called to order by Vice-Chairman T. Konetzke at 6:06 PM.

**B. ROLL CALL/EXCUSED ABSENCES**

MEMBERS PRESENT: Ald. Michael Taylor, Ron Suttner, Tom Konetzke, Mary Francis, Nancy Barker and George Korth

MEMBERS EXCUSED: Chr. Dick Sturm

OTHERS PRESENT: PRD Tungate, Stan Martenson and Mike King

**C. MINTUES TO APPROVE-MINUTES**

1. **Minutes to Approve:**

Moved by G. Korth, seconded by N. Barker to approve the minutes of the meeting. One misspelled word will be corrected. Motion carried 6-0.

**D. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS**

1. **Update on Calumet County's Friendship Trail Planning – Oneida to LP**

PRD Tungate reported the Calumet County Planning Department has spent some time recently on laying out a Friendship Trail route option north of STH 10/114 instead of the previously preferred option of running the trail south of STH 10/114. Calumet County administers federal grant funds earmarked for the Friendship Trail and thus has a role in the location of the trail. County Planners are also investigating and plan to submit a proposal for receiving Federal Stimulus funds for a portion of the Oneida to Lake Park Road segment.

2. **Jefferson Park Binwall Repair Update**

Ald. Taylor complimented the park crew for removing a damaged section of shoreline binwall in Jefferson Park. He also suggested that it might be wise to perform the complete repair of the damaged section while the water levels were still low. Staff will look into the feasibility of doing this.

3. **E-mail from PRD Tungate about Public Comments Section**

PRD Tungate reminded Board members to call in or e-mail topics for the agenda. This will alleviate any concern about whether a subject/topic can be discussed during the meeting.

**E. DISCUSSION ITEMS**

1. **Reduced Seasonal Boat Launch Fees for Disabled Veterans – Ald. Taylor**

Ald. M. Taylor suggested the possibility of having a reduced seasonal boat launch fee for any disabled veteran. Several ideas were discussed. PRD Tungate will bring back a rule change to the Reduced Season Pool Pass and Recreation Program that would include disabled veterans.

**F. ACTION ITEMS**

1. **Recommend Staff Proposal for Accepting Land in Lieu Fee in the Woodland Hills Development – Referred to Park Board by Plan Commission**

PRD Tungate explained a potential new route for the Friendship Trail between Oneida and Lake Park Road. Part of the route would go through property owned by developer Mike Hagens who currently is seeking approval for platting the Second Addition of Woodland Hills subdivision. The Board felt it was in the city's best interest to pursue accepting parkland in lieu of fess. Motion by N. Barker, seconded by G. Korth to negotiate and accept land in lieu of fees related to the Second Addition of Woodland Hills (Woodland Hills Heights). Motion carried 6-0.

2. **Recommend Reciprocity Agreements with the Cities of Appleton and Neenah and Town of Menasha**

Discussion was held on the three reciprocity agreements with Appleton, Neenah and the Town of Menasha. The agreements are for a three year period instead of one. Some concern was expressed that the amount of fees waived for non-residents was somewhat disproportionate between the communities. PRD Tungate stated that this fluctuates from year to year and is dependent on how much (or how little) difference a community has between resident and non-resident fees by program. Overall, the Board supported retaining the agreements which have been passed by the other communities. Motion by N. Barker, seconded by G. Korth to recommend approval of reciprocity agreements with Appleton, Neenah and the Town of Menasha for 2009-2011. Motion carried 6-0.

3. **Recommend Route for Friendship Trail (Oneida to LP) and Setting a Public Hearing at an Appropriate Time**

The Board held any action on revising the recommended route for the Friendship Trail (Oneida to LP) until a public meeting was held to solicit input from the public.

**G. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY**

Five (5) minute time limit for each person

1. N. Barker commented on the Tayco Street Bridge Museum and asked that the Army Reserve Building be placed on the next month's agenda.
2. Ald. M. Taylor commented that staff should check out the ice shoved up on the Municipal Beach shore.

**H. ADJOURNMENT**

Moved by G. Korth, seconded N. Barker by to adjourn at 8:39 PM. Motion carried 6-0.

**D R A F T**  
**MINUTES OF REGULAR MEETING**  
**ELISHA D. SMITH PUBLIC LIBRARY TRUSTEES**

**February 19, 2009**

**Call to order** at 4:35 p.m. by Secretary Paul Eisen

Present: Derouin, Eisen, Werley, Wicihowski

Absent: Enos, Fuchs, Nebel, Stanke

Also present: Director Saecker and K. Seefeldt (Administrative Assistant)

**Authorization of Bills**

1. Motion to authorize payment of the December list of bills from the 2008 budget and
2. Motion to authorize payment of the February list of bills from the 2009 budget by Werley, seconded by Wicihowski, and carried unanimously.

**Consent Business**

3. Approve minutes from the Board meeting of January 15, 2009.

**Motion**

Motion to approve minutes from the Board meeting of January 15, 2009 as presented by Derouin, seconded by Wicihowski, and carried unanimously.

**Director's Report/Information Items**

4. Statistics. Lending continues to be strong. Circulation increased 15.9% overall over January 2008. We continue to see a significant increase in lending of books, magazines, CD-Books and DVDs. Our website and blog figures broke 70,000 visits in January.
5. Donations. We received our first online donations via PayPal and the website in 2008. Cheri Authement donated \$250 and Theodore Eisch donated \$75.
6. Congratulations Kris. Administrative Assistant Kris Seefeldt will be celebrating her 25<sup>th</sup> years as a Menasha Public Library employee in March.
7. Vandals. We have been having issues with teenage patrons. We will continue to enforce a strict code of conduct. Police are aware of the situation and are doing periodic walkthroughs to help alleviate problems.
8. New Website. We launched a new web site in early February. We are now able to have rotating information on the front page, more featured events, larger fonts and more space for images.
9. New Staff. Vanessa Taylir, our new teen librarian, began work on February 2. We have also hired Ana Acosta as a part-time reference librarian. As a native Spanish speaker, Ana will be beneficial in helping to meet the needs of our community.
10. Library Year. Board members received a schedule of library events for 2009.
11. Staff Meetings. Staff meetings for 2009 are scheduled to be held on February 18, May 19, and August 13. A staff retreat will be scheduled in October. Dir. Saecker tentatively plans to schedule a speaker who will address time management.
12. Winnefox Services. Board members were given information from Winnefox detailing the services provided to our library in 2008.
13. Net Lender Payment. Winnefox will be paying our library \$1,710.41 for being a net-lender on the shared circulation system. We are the second largest lender in Winnefox. The payment will be deposited into our WALs fund and will be spent on technology.

### **Discussion/Action Items**

14. EOEP. Director Saecker presented an Emergency Operations and Evacuation Plan for the Board's approval. We now have maps posted throughout the building to inform staff and patrons where to go in case of an emergency. Each staff member will receive a copy of the plan. Some have been assigned to act as coordinators in case of an evacuation. Eisen noted that the library's fire alarms only sound internally to alert staff and patrons. They are not connected directly to the City's Fire Department. Staff will be instructed to call the Fire Department for assistance in case of an emergency.

### **Motion**

Motion to approve the Emergency Operations and Evacuation Plan as presented by Werley, seconded by Derouin, and carried unanimously.

15. Trustee Essentials #5. This item was tabled until the Board's April meeting.

### **Announcements**

Items that will be included on the March agenda include 1) the annual report from the Community Foundation and 2) requesting input from the Board on whether they prefer to return to a 4:00 p.m. start time for their monthly meetings.

### **Adjournment**

Motion to adjourn the meeting at 5:03 p.m. by Wicichowski, seconded by Derouin, and carried unanimously.

### **Future meeting dates**

The next regular board meeting will be held in the Gegan Room on Thursday, March 19, 2009 at 4:30 p.m.

Respectfully submitted,  
Paul Eisen, Secretary  
Kris Seefeldt, Recording Secretary

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

February 25, 2009

**Draft**

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:30 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; Dick Sturm, Manager of Steam Production; 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 about the services of the City Attorney provided to the Utility and outsourced legal expenses for previous years. She also stated she has difficulty understanding the steam plant financials with the lack of consistency and continuity contained in the financials. Ms. Nebel questioned whether the January net income would continue through the next 12 months, in addition to the possibility of selling the utility.

Joanne Roush, 409 Cleveland, commented on recommendations contained in the Moody's report, and lack of transparency in communication to the community.

Mary Ann Mulvey, 274 Misty Meadows Lane, spoke on the lack of communication with the Common Council when the decision was made to re-commission the Steam Plant, until there was a financial need. She also commented on the City's rating and the lack of financing for some services due to the debt of the Steam Plant.

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

- A. Minutes of the Regular Meeting of January 28, 2009.
- B. Minutes of the Special Meetings of Feb. 3, Feb. 9, and Feb. 16, 2009.
- C. Minutes of the Closed Sessions of Jan. 28 (Personnel), Feb. 3, Feb. 9 (GM Interview), and Feb. 16, 2009.
- D. Approve and warrant payments summarized by checks dated Feb. 12 - 25, 2009, which includes Net Payroll Voucher Checks, Void O & M Check #036852, and Operation and Maintenance Voucher Checks for a total of \$1,456,818.67, 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 March 19, August 14-15, Sept. 25, Oct. 16, Nov. 14, and Dec. 10, 2008 WPPI Executive Committee meetings  
Copy of memorandum dated January 27, 2009, to WPPI Energy Managers, from WPPI Energy CEO Roy Thilly, re: Developments  
Copy of February 2009 Menasha Utilities Benefit Bulletin

Copy of letter dated February 13, to Menasha Utilities, from Lisa Weiner, UWFV Foundation, re: Thank You for Scholarship

Item IV. December and January Financial and Operations Statements – Manager of Business Operations Krause commented on the unaudited version of the financials statements. The audit went well and a report should be back in a few weeks.

On the December electric income statement, the sales were down about 2.5% for the year, and on the water income statement, the Town of Menasha took 16% more water from us than the previous three years. The steam sales revenues were down about 1.4% and the rest of the variance was due to the pricing budget of steam for sale opposed to actual charges under the steam contracts. Outside services for the month were large due to legal expenses from strategic planning, environmental services, steam contract negotiations, and the annual total includes PCI litigation. The net result for the Steam Utility shows the debt coverage for the revenue debt is 2.1, which meets the 1.2 required by the bond resolution. Telecommunications did end up negative for the year so there will be a need to put an additional loan on the books; this item will be discussed further later in the meeting.

On the January electric statement, the kilowatt hours are close to budget and the variance was related to power costs. The water income statement reflects that the Town of Menasha is still taking additional water. The steam variance is due to interim pricing until steam contracts can be negotiated. There were no MISO sales for the month because the market was not favorable, and there was less in coal expenses, auxiliary power, and chemicals to offset that revenue.

Manager of Steam Production Sturm reported the #3 boiler was brought on line Sunday to facilitate the testing of the back pressure turbine. There are a couple of work details that need to be completed while the boiler is on line, but it will probably be back off line by the weekend. If the MISO market does not develop, the current plan is to keep #3 off-line.

Mrs. Krause added ATC did make a contribution towards the fiber network and that is reflected on the cash flow and income statements.

After discussion, the Commission accepted the December and January Financial and Operations Statements as presented.

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

Item VI. There were no Purchase Orders over \$10,000.00 issued since the last Commission.

Item VII. Unfinished Business, Update on General Manager Position – Comm. President Allwardt reported William Cook declined the offer extended for the General Manager position. The next steps will be discussed in the closed session following this meeting.

Workout Plan – Mrs. Krause stated the majority of staff time has been spent on item #1, Increase Net Revenue of the Steam Utility. The Steam Operations Superintendent position was awarded to Gregg Peterson, and he started his new responsibilities on February 16.

Mr. Sturm gave an update on the status of the heat recovery project, and performance testing done yesterday by Dresser Rand. Final analysis and calculations from the performance test are being completed in Wellsville. The performance testing went satisfactory; governor and steam map adjustments will be made at a later date when the Dresser Rand field engineer is available.

Comm. Merkes asked about warranty issues, and if a third party testing should be completed. Mr. Sturm stated a third party testing could be done, but did not see a benefit from the extra expense. The warranty issues would be discussed after the analysis of the performance testing is complete, and after warranty work that Dresser Rand is currently undertaking has been completed.

Storm Water Update – Mayor Merkes gave an update on work being completed by the Community Development Department. Billing records have just been received from WE Energies and they are being integrated with Menasha Utilities records. Information from Martenson and Eisele was received yesterday to be coordinated into the database. The database should be sent to the Utility by the first week of March.

Manager of Customer and Utility Services Rodriguez stated they are just finishing up internally with entering information and tables.

Update on Electric Rate Cases – Mrs. Krause stated there is nothing new to report. The Public Service Commission is not moving on the PCAC roll-in.

2009 Chemical Budget – Mrs. Krause reviewed the four year comparison included in the packet of water production and chemical costs. Similar information from area communities has also been requested. The PSC is willing to have a discussion regarding this information.

Third Street Water Main Project & Financing Recommendation – Electric and Water Distribution Supervisor Pichler reviewed the bid opening held last week. Low bidder for the project was DeGroot, Inc. of Green Bay, at \$598,292.47. The bids were higher than the engineering estimate due to cost of materials, and a 300 ft. portion of DePere Street that was added by the Department of Transportation.

The motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved on roll call to recommend the Board of Public Works approve award of the Third Street Water Main Project contract to DeGroot, Inc. and to approve financing for the project through the Safe Drinking Water Loan Program, and to recommend the Common Council also approve award of this contract to DeGroot, Inc., of Green Bay, in the amount of \$598,292.47 and approve financing for the project.

Item VIII. New Business, Appleton Street Water Main Replacement – Interim General Manager Verhagen reported the City of Menasha is scheduled to reconstruct Appleton Street, which would be an opportunity to replace a water main that is 100 years old. Records indicate there have not been a significant amount of main breaks in that pipe. It is a major water flow for the river crossing, but the history doesn't suggest doing anything with it. The opportunity for

financing through the Safe Drinking Water Fund is available if this main replacement could be connected with the Third Street project under the application. The application for funding refers to Third Street and not adjoining streets, so it is not likely to get funding from the SDWF. If the City is going to proceed with the Appleton Street project, it is his recommendation not to replace the water main at this time as the water budget does not have enough operating income to support it.

Electric Depreciation Fund Loan to TELCO – Mrs. Krause reviewed the information included in the packet to support the projects as well as the debt short-fall from last year. An additional loan of \$53, 289 is being requested. A request was made by the Commission to evaluate the TELCO rates and look at a comparison of others for the next meeting.

The motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved on roll call to authorize the additional loan from the Electric Depreciation Fund to TELCO.

Item IX. There were no Project Reports for this meeting.

Item X. Staff Reports, Interim General Manager – Mr. Verhagen reported a significant amount of his time has been spent with customers and contract negotiations, and to move the steam customers into a situation to develop sustainable rates for the steam utility.

Comm. Guidote asked about recruiting other steam customers. Mr. Verhagen stated a meeting had been held with another potential customer. They have environmental concerns that need to be addressed in addition to steam pricing. If opportunities overlap for both parties, they would be interesting in discussing those.

Electric and Water Distribution/Safety Report – Mr. Pichler gave an update on development of a new addition to Woodland Hills.

Mayor Merkes reported there is an ordinance coming through that would regulate utility boxes and negate the visual impact of some of the larger boxes.

Mr. Pichler added there are currently seven customers with frozen water services.

Steam Utility – there were no additional questions to the report presented.

Water Plant – Water Plant Supervisor Sturm reported annual maintenance is being done. Water usage has decreased for January compared to last January, which adds to the difficulty of meeting the budget. He added there has not been any communication from the DNR on the UV evaluation/certification.

Telecommunications & Substations – Technical Services Engineer Teale reported on a discussion with the Town of Menasha regarding a joint project to install fiber across the train trestle. There is also potential for another fiber customer downtown.

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

Customer and Utility Services – Mr. Rodriguez reported training has been held on the new credit card payment system, and it will probably be implemented next week. He will also be attending a workshop in March regarding the Tax Return Intercept Program (TRIP). This voluntary program would give utilities the ability to collect unpaid utility bills through the customer's State tax return refunds. Manitowoc is currently using this program with very good results.

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:

Mary Nebel, 713 First Street, spoke regarding claims against the Utility, the Materials Event Notice, and the lack of transparency in communications.

Joanne Roush, 409 Cleveland Street, spoke about the lack of a clear cost to produce steam and for operations, and the volatility of the MISO market. She asked if the Utility was insured for losses in the event of potential litigation, and the inability to fulfill steam contracts. She also spoke on the potential steam customer and some of the environmental issues. Ms. Roush asked what parties are benefiting from the artificially suppressed, basically subsidized through borrowing, telecommunications rates.

Comm. Guidote asked for permission to address the gallery. He thanked the gallery for their diligence and appreciates their concern. With regard to the issue of transparency, there have been a lot of closed sessions. It means the problems are being worked on, and the reason for the closed sessions is the Commission and staff are strategizing and trying to create our negotiation posture moving forward. It is difficult to do that in open session because we lose our negotiation edge. Because these items need to be done in closed session, they don't look very transparent. He stated some of the top legal talent and investment banking talent who have been through similar situations. We are facing extraordinary challenges with the steam utility and a lot of concerns being stated by the gallery are the same concerns of the Commission and staff. Principally, there are five items being worked on that are vital to the viability of the steam plant. 1) Steam contract renegotiation – in order to maintain a viable plant we need contracts that are going to be fair to both sides. 2) If another customer can be recruited, it would certainly help the financial picture but we can't recruit them based on old contract language. To a certain extent we have to get the emissions issues figured out, and to get the other contracts figured out before another customer could be added. 3) We are dealing with the DNR on the Notice of Violation, and we are dealing with an environmental lawyer who is representing us on that issue. This issue is currently in negotiations, thus the reason for closed sessions. We are also in negotiations with two current customers, and those claims get back into the contract terms and the fairness of those contracts. A lot of our closed sessions have been dealing with trying to figure out how to get a better deal for the City without driving our customers away. It is a pretty fine balance, but we are trying to address it. 4) That all leads to a financial workout, and we have a September date to deal with; we are very aware of it, but a lot of pieces have to fall into place before we get a comprehensive plan on the financial workout. This is where our investment bankers come into play. They are working with a team of lawyers and Carol Wirth to put together something that

works. Certain things have to fall in place before we can formulate a clear path. 5) The last thing is the general manager search. As Comm. Allwardt stated we've had a minor set-back but we are going to proceed ahead. We are working on the issues being discussed, and we are concerned about the same things the gallery has stated. Given the fact the gallery doesn't have the ability to participate in the closed sessions, the frustration is understandable.

Ms. Nebel asked about information on legal fees. Comm. Guidote stated he did not have that information for year end, but it was not cheap. Given the fact that we're dealing with difficult circumstances we need to have good people on board. In terms of communication with the Council, there was a joint meeting last week, and there is a fair amount of transparency between the Commission and Common Council. The Council is fully aware of everything that the Commission knows at this point, and because of that, the level of the City's commitment is high in terms of getting a workout. There are a lot of issues, and it is his opinion that we have a good team put together to address these issues one by one. As things clear up one by one, we'll have a clearer path forward.

Ms. Roush thanked Comm. Guidote for his comments, and stated her concern is that the issues are complex and she questioned whether the Commission is satisfied with the path being taken. There are no finances to correct the big problems. This is not a local problem for Menasha, especially given the economic times. The coal fired plant is a problem from the perspective of the environmental community, and the regulators. What control systems and other measures are available and how closely is that being looked at? Ms. Roush also commented on the MISO market and on analysts to predict that market. It has been her concern for a long time that there is not the capacity to solve these problems on our own, and she asked about the qualifications of the people working on these issues.

Item XII. The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved on roll call at 9:15 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 Steam Customer 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: MARK L. ALLWARDT  
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.

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

February 25, 2009

**Draft**

Commission President Mark Allwardt called the Closed Session to order at 9:15 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Merkes, 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 Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, and Manager of Steam Production Sturm.

The purpose of the Closed Session was to discuss the General Manager position.

Mrs. Krause and Mr. Sturm departed at 9:30 a.m.

There being no further business, the motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to adjourn at 9:55 a.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.

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First National Bank - Fox Valley  
Positive Pay Agreement

This Agreement is made this 27<sup>th</sup> day of Feb, 20 09, by and between City of Menasha ("you" and "your") and First National Bank Fox Valley.

**RECITALS**

- 1) Company wishes to begin using the First National Bank Fox Valley Positive Pay service. You agree to abide by the rules set forth below now in effect or as they may be changed from time to time.

**AGREEMENT**

- 1) Positive Pay verifies your Positive Pay file against checks being presented to us for payment. Any paper item presented to us for payment that does not match the Positive Pay file will be an exception or violation. The following sets forth the description of an exception or violation:
  - a) Items presented for payment through our in-clearings (deposited items) not matching your issue file will be exceptions. You will have an automated option within Ecorp to work with your exceptions as they arise. It is your responsibility to resolve your Positive Pay Exceptions each business day between the hours of 7:30 am – 2:00pm (CST). For purposes of this agreement, a business day is defined as every day except Saturdays, Sundays and federal holidays.
  - b) Items presented to us for immediate payment (cashing a check at the bank) not matching your issue file will be an exception. A bank representative may contact you by phone for instruction on a Positive Pay Exception. In the event that we cannot contact an Authorized Representative for instruction on a Positive Pay Exception, we will return or refuse to pay the item. Authorized Representatives are designated below.
- 2) Uploading Files. The Positive Pay file must be uploaded to our system as soon as checks are being disbursed. Positive Pay files can be uploaded to our system on a monthly, weekly, daily and/or hourly basis.
- 3) Software. You may create your file in any desired application (i.e., Note Pad, Excel, etc.). You must provide a list of all outstanding checks at the time you begin using this service.
- 4) ACH Entries. Positive Pay will not stop the payment of checks that have been converted to ACH entries. ACH Rules prohibit the conversion of business checks as long as they meet the standards published in the ACH Rules. You are responsible for assuring that your checks meet these standards to utilize the Positive Pay service. Tell us at once if you believe a check has been improperly converted to an ACH entry.
- 5) Ordering Checks. We encourage you to use Safeguard™ for your check printing needs to assure that your business checks meet the standards in the ACH Rules. If you order or print business checks from any check printing vendor other than Safeguard™, you agree to insure the MICR encoding ink is of high quality. Not using business checks with high quality MICR ink could result in a large number of Positive Pay exceptions.
- 6) Notices, Instructions, Etc.
  - a) Except as otherwise expressly provided herein, we shall not be required to act upon any notice or instruction received from you or any other person.
  - b) We shall be entitled to rely on any written notice or other written communication believed by us in good faith to be genuine and to have been signed by an Authorized Representative, and any such communication shall be deemed to have been signed by such person. The names and signatures of Authorized Representatives are set forth below. You may add or delete any Authorized Representatives by written notice to us signed by at least two (or one, if only one exists) Authorized Representatives other than that being added or deleted. Such notice shall be effective on the second business day following the day of our receipt.
  - c) Except as otherwise expressly provided herein, any written notice or communication shall be delivered, or sent to:

Attn: Deposit Operations  
First National Bank Fox Valley  
PO Box 629  
Neenah, WI 54957-0627

And, if to Company, addressed to:

Attention: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, and Zip: \_\_\_\_\_

Unless another address is substituted by notice delivered or sent as provided herein. Except as otherwise expressly provided herein, any such notice shall be deemed given when received.

- 7) **Periodic Statement.** The periodic statement issued by us for your account will reflect entries credited and debited to your account. You agree to notify us promptly of any discrepancy between your records and the information shown on any such periodic statement. If you fail to notify us within 30 days of receipt of a periodic statement, you agree that we shall not be liable for any other losses resulting from your failure to give such notice. In addition, you can use Business Online Cash Management to view daily transactions on your account.
- 8) **Fees.** The fees for this service are: \$75 per month. These fees are subject to change.
- 9) **Disclaimer of Warranty.** YOU ACKNOWLEDGE THAT THE INFORMATION FILE MUST BE PROVIDED IN A READABLE FORMAT TO INTERFACE WITH OUR COMPUTERS, AND ASSUME THE RISK THAT OUR COMPUTER MIGHT NOT BE OPERATIONAL AT ALL TIMES. WE MAKE NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE PROGRAM, OUR COMPUTERS OR ITS USE AND HEREBY DISCLAIM ANY WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE.
- 10) **Liability; Limitations on Liability; Indemnity.**
  - a) We shall be responsible only for performing the services expressly provided for in this Agreement, and shall be liable only for our gross negligence in performing those services. We shall not be responsible for your acts or omissions (including without limitation the amount, accuracy, timeliness of transmittal or authorization of any file received from you) or those of any other person. We are authorized by you to process transactions in accordance with the information that we receive in the issued file transmission from you. You shall be solely responsible for the information contained in the file, and we shall have no responsibility for erroneous data provided by you. You will indemnify and hold us harmless from and against any loss, charge, liability, cost, fee or expense (including attorneys' fees and expenses) we suffer or incur resulting from any lawsuit, claim, arbitration or other action, actual or threatened, arising under or in connection with this Agreement, excluding those lawsuits, claims, arbitrations or other actions arising out of our gross negligence.
  - b) In no event shall we be liable for any consequential, special, punitive or indirect loss or damage that you may incur or suffer in connection with this Agreement, including losses or damages from subsequent wrongful dishonor resulting from our acts or omissions pursuant to this Agreement.
  - c) We shall be excused from failing to act or delay in acting if such failure or delay is caused by legal constraint, interruption of transmission or communication facilities, equipment failure, war, act of terror, emergency conditions or other circumstances beyond our control.
- 11) **Amendments.** From time to time, we may amend any of the terms and conditions contained in this Agreement. Such amendments shall become effective upon receipt of notice by you or such later date as may be stated in our notice to you.
- 12) **Termination.** You and we may terminate this Agreement at any time. Such termination shall be effective on the second business day following the day of receipt of written notice of such termination or such later date as is specified in that notice. We reserve the right to terminate this Agreement immediately upon providing written notice of such termination to you. Any termination of this Agreement shall not affect any of our rights and your obligations arising prior to such termination, or your payment obligations with respect to services performed by us prior to termination, or any other obligations that survive termination of this Agreement.
- 13) **Entire Agreement.** This Agreement, together with the Account Agreement, is the complete and exclusive statement of the agreement between you and us with respect to the subject matter hereof and supersedes any prior agreement(s) between you and us with respect to such subject matter. In the event of any inconsistency between the terms of this Agreement and the Account Agreement, the terms of this Agreement shall govern. In the event performance of the services provided herein in accordance with the terms of this Agreement would result in a violation of any present or future statute, regulation or government policy to which we are subject, and which governs or affects the transactions contemplated by this Agreement, then this Agreement shall be deemed amended to the extent necessary to comply with such statute, regulation or policy, and we shall incur no liability to you as a result of such violation or amendment. No course of dealing between you and us will constitute a modification of this Agreement or constitute an agreement between you and us, regardless of whatever practices and procedures you and us may use.
- 14) **Assignment.** You may not assign this Agreement or any of the rights or duties hereunder to any person without our prior written consent. We may assign this Agreement to an affiliate or any successor or assign.

- 15) Waiver. We may waive enforcement of any provision of this Agreement. Any such waiver shall not affect our rights with respect to any other transaction or modify the terms of this Agreement.
- 16) Binding Agreement; Benefit. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives, successors and assigns. This Agreement is not for the benefit of any other person, and no other person shall have any right against you or us hereunder.
- 17) Severability. In the event that any provision of this Agreement shall be determined to be invalid, illegal or unenforceable to any extent, the remainder of this Agreement shall not be impaired or otherwise affected and shall continue to be valid and enforceable to the fullest extent permitted by law.

The following account (s) will be set up with Positive Pay:

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Authorized Representatives:

| Name | Signature | Phone Number |
|------|-----------|--------------|
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|      |           |              |

IN WITNESS WHEREOF the parties have caused this Agreement to be executed by their duly authorized officers, effective as of the date first above written.

Customer: City of Menasha  
 By: Thomas Steffel  
 Title: Comptroller/Treasurer

Bank: First National Bank Fox Valley

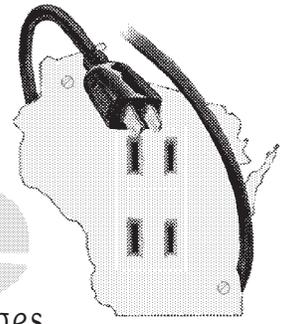
By: Kathleen Baumreich  
 Title: SI Vice President

Approved as to form

JSB 2-27-09  
 Jeffrey S. Brandt, City Attorney

A Coalition  
to preserve  
Wisconsin's  
Reliable and  
Affordable  
Electricity

# Customers First! the Wire



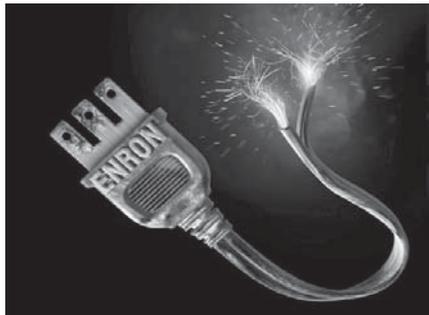
Plugging you in to electric industry changes

608/286-0784 • P.O. Box 54 • Madison, WI 53701 • www.customersfirst.org • MARCH 2009 • Vol. 14, No. 3

## Enron again, again

Last month we noted it's still not over for one of the kingpins of the Enron operation, as Jeff Skilling continues fighting his convictions on appeal. Now we learn that a prominent TV news magazine has made a connection between last year's phenomenal energy price increases—specifically tied to oil—and market speculation that had its genesis in a 1990s Enron lobbying campaign.

In a recent edition of CBS' *60 Minutes*, reporter Steve Kroft dug into what drove crude oil prices from \$69 to nearly \$150 a barrel through parts of



2007 and '08 and found sources who told him the primary cause was market speculation by people and organizations with no intention of ever taking delivery of a drop of oil.

You've heard that before. You probably *hadn't* heard what got it all started. The answer, according to *60 Minutes*, was deregulation of commodity futures trading engineered by the granddaddy of electric utility deregulation, Enron.

Not that Enron was doing the speculative trading. The bogus energy giant had long since fallen into chaos and bankruptcy. But responding to Enron lobbying, the federal government in 2000 deregulated futures trading so that the buying and selling of oil contracts would be done secretly, without public or government oversight.

Michael Greenberger, former head of the U.S. Commodity Futures Trading Commission, told *60 Minutes* Enron wanted oil futures trading deregulated because it intended to set up its own futures market.

"Without the controls that had been placed on speculators, they would have the ability to drive the price of energy products in any way they wanted to take it," Greenberg said.

If correct, that would explain why last year's oil prices were going up when they should have been going down.

The *60 Minutes* report cited a Massachusetts Institute of Technology (MIT) report and data from the Department of Energy showing that supply and demand couldn't account for the run-up in oil prices: Worldwide supply was increasing at the same time worldwide demand was decreasing, and yet the price kept going up.

But demand from speculative investors, most of whom didn't actually want any oil, kept driving the futures price higher and higher.

Who was doing the buying? According to *60 Minutes*, hedge fund manager Michael Masters identified the California state pension fund, the Harvard Endowment, big institutional investors, and clients of Wall Street investment banks like Goldman Sachs, Morgan Stanley, and J.P. Morgan. In 2008, 27 barrels of oil were being traded every day on the New York Mercantile Exchange for every one barrel actually being consumed in the U.S., *60 Minutes* said. 💡

## Win one for the Shipper

Electricity consumers in nine states will benefit from a mid-February decision by the Surface Transportation Board, ordering rate reductions and reparation payments totaling an estimated \$345 million from the Burlington Northern Santa Fe Railroad to Western Fuels Association and Basin Electric Power Cooperative.

The regulatory board found the coal-shipping rates Burlington Northern has been charging the utilities—to roughly six times the variable cost of providing service—to be unlawfully high and ordered them reduced approximately 60 percent.

STB Chairman Charles Nottingham, who visited Wisconsin in 2007 to hear concerns from shippers with no competitive alternative to monopoly rail providers—"captive" shippers—**Continued on page 2...**

## Register now for CFC POWER Breakfast

Registration is open for the *Customers First!* Spring POWER Breakfast at the Concourse Hotel in Madison Wednesday, April 1.

This free event offers the opportunity to hear from distinguished experts on two important topics for Wisconsin energy stakeholders. One is the federal economic stimulus plan and its implications for energy customers and providers; the other concerns issues affecting transmission policy and planning.

Registration is available online at [www.regonline.com/cfcpowerbreakfast2009](http://www.regonline.com/cfcpowerbreakfast2009).

More information on the half-day event is available from *Customers First!* Executive Director Matt Bromley at 608-286-0784 or [mbromley@customersfirst.org](mailto:mbromley@customersfirst.org).

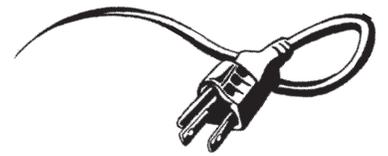
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers,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

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



## KEEPING CURRENT

With CFC Executive Director Matt Bromley



A big chunk of the \$787 billion federal economic stimulus money approved by Congress and signed into law by President Obama last month will be steered towards energy-related programs. How this money will affect energy consumers is clearer in some areas than others.

The stimulus plan's most immediate impact on ratepayers and consumers is likely to come from the grants and tax credits intended to promote energy efficiency. Included in the package is \$5 billion for home weatherization grants for low- and middle-income families—grants that according to the White House and congressional leaders will result in an average savings of \$350 per year on the home energy bills of one million families. Also included is \$300 million to provide consumers with rebates for buying energy efficient Energy Star appliances to replace older, less efficient ones, which should help lower energy bills.

Consumers should also directly benefit from the billions of dollars the federal stimulus package gives to state and local governments for energy efficiency and conservation programs. State governments will divvy up \$3.1 billion in state energy grants for efficiency and renewable energy programs, and local governments get \$3.2 billion. Exactly how consumers will see this money will be mostly left up to state and local officials, but existing efficiency and conservation programs are likely conduits to funnel some of the money to energy users.

What's less likely to cause an immediate impact on energy costs, but is nevertheless intended to lower utility bills over the long haul, is the stimulus plan's investment in the nation's energy infrastructure. More than \$11 billion is set aside to improve the nation's electricity grid, such as the construction of 3,000 miles of new transmission lines to help relieve congestion and bring renewable energy to load centers. The White House is calling for some of the money to be used to install 40 million "smart meters" that can provide power use information in real time encouraging more cost-effective use of energy.

Clean energy gets a lot of attention in the stimulus package. According to the White House, the stimulus plan's investments in clean energy are expected to double the nation's renewable energy generating capacity over three years. The plan creates a Clean Energy Finance Authority that, combined with renewable tax credits, will leverage an additional \$100 billion in private investment in the renewables sector.

Those interested in learning more about the stimulus plan and its potential impact on ratepayers may wish to attend the *Customers First!* POWER Breakfast April 1 in Madison. Details about the event are provided elsewhere in this edition of *The Wire*. 



Bromley

## Shippers win

Continued from front page...

decision was both bipartisan and unanimous and said customers had been—"bearing the burden of these unreasonably high transportation rates in their monthly electric bills, a burden they should no longer be forced to bear."

As the single largest award ever given a captive shipper by the STB, the decision requires Burlington Northern to promptly pay back \$100 million for overcharges from 2004 through 2008 and to negotiate the amount of additional damages. The benefit will flow to customers in Colorado, Iowa, Minnesota, Montana, Nebraska, New Mexico, North and South Dakota, and Wyoming.

Robert Szabo, executive director of Customers United for Rail Equity (CURE) called the decision a great victory but noted it had taken more than four years and cost the plaintiffs \$9 million to prosecute their case.

Szabo said captive shippers lacking the means to contest a case for such an extended period underscore the need for legislation making the rate-challenge process more accessible.

"The vast majority of captive rail customers continue to be denied access to the STB due to the cost, time, and complexity of the STB rate-challenge process," he said, noting that no captive agricultural shipping rate has been challenged at the agency in 27 years. 

# Transmission operators see big bucks for infrastructure

East of the Rockies and west of the Mississippi there's a lot of wind energy potential—enough to supply 20 percent of eastern U.S. electricity requirements by 2024, according to regional transmission operators.

They also say we'll need a trillion dollars worth of construction to realize the benefit. The Joint Coordinated System Plan released last month anticipates \$1.1 trillion in capital costs for new generation facilities and \$80 billion to build 15,000 miles of new transmission lines.

The plan represents the product thus far from a collaborative effort launched in 2007 by the Midwest Independent System Operator (MISO), Pennsylvania-New Jersey-Maryland Interconnection (PJM), Tennessee Valley Authority (TVA), Mid-continent Area Power Pool (MAPP), Southwest Power Pool (SPP), and key members of the Southeast Reliability Corporation (SERC).

Even under a "reference scenario" of 5 percent wind energy by 2024, a situation the study regards as "business as usual with respect to wind development," a need for 10,000 miles of new extra-high voltage transmission lines at a cost of \$50 billion, and \$700 billion in capital costs for generation are foreseen.

"The transmission required under this scenario enables renewable and base load steam energy generated in the western side of the Eastern Interconnection to reach a wider area and has the potential to reduce energy costs to Eastern consumers," the February report says, adding that the required investments "may have benefits that exceed costs on an aggregate interregional basis."

Both scenarios envision transporting more wind energy from the Dakotas and Minnesota to northeastern and southeastern

states. Wisconsin would be a candidate for large, new transmission lines in either case.

The reference scenario would add 345-kilovolt lines from North La Crosse to the Columbia Power Plant near Portage and from the Salem substation near Dubuque, Iowa, to West Madison.

The 20-percent wind scenario would add

those two lines along with a direct-current 800-kilovolt line from the Arrowhead substation north of Duluth, traversing western Wisconsin to cross the Mississippi River in the vicinity of Pierce County, and terminating in southeastern Minnesota.

For some time, Wisconsin regulators have been anticipating that plans to sell energy from the Dakotas into the MISO and PJM

Interconnection would trigger a debate over who will pay for the new infrastructure and which states' consumers will obtain the most benefit.

Base load steam generation would continue playing a major role under either of the two scenarios outlined in the plan, supplying 54 percent of eastern U.S. power needs under the reference scenario and 42 percent even with the more ambitious development of 20-percent wind. 💡

## Energy saver tip

Don't run a half-empty dishwasher. It takes hot water, detergent, and electricity to do the job no matter what you wash, so wait until you have a full load and get the most out of what you use. And if the appliance has an air-dry or energy-saver cycle, using it can save you even more. 💡



# Who says restructuring is a loser?

If you think there are no advantages to electric utility restructuring, you probably just overlooked the billion dollars Constellation Energy Group paid to Warren Buffett's Berkshire Hathaway earlier this year, settling up a loan and adding \$5 million in interest.

That was Buffett's reward for floating a loan to the troubled utility holding company and subsequently being spurned in the associated takeover bid. Win-win.

Meanwhile, Maryland lawmakers last month were moving to give state regulators authority to approve or deny the proposed acquisition of half of Constellation's nuclear generation assets by EDF—not the Environmental Defense Fund—*Electricite de France*, a French government-owned utility.

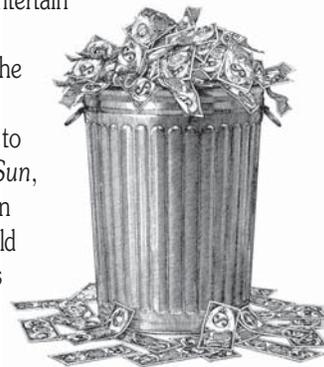
Under existing law, it's not clear that state regulators have oversight of the transaction. The initial announcements of the proposed EDF takeover specifically asserted they did not. But the state Public Service Commission is investigating the deal and has set a hearing for this month to entertain questions about whether it's in the public interest.

According to the *Baltimore Sun*, Governor Martin O'Malley has told Constellation its customers deserve "a full airing and

understanding" of the proposed French connection and the financial problems that necessitated Buffett's billion-dollar rescue last year.

In a letter to the company, O'Malley said, "It is ultimately in [Constellation's] interest to answer these questions, demonstrate how it is proceeding on a path of fiscal responsibility, and restore public and regulatory confidence in its operations," according to the *Sun*.

The company maintains the legislation is unneeded and that it's cooperating with regulators. 💡





# Quotable Quotes

*"This was when Enron was riding high. And what Enron wanted, Enron got."*

—Former Commodity Futures Trading Commission Chair Michael Greenberger, describing the 1990s lobbying effort that brought federal deregulation of oil futures trading and, Greenberg says, drove last year's price spikes in defiance of supply and demand, quoted on *CBS 60 Minutes*, January 11, 2009

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



**www.customersfirst.org**

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

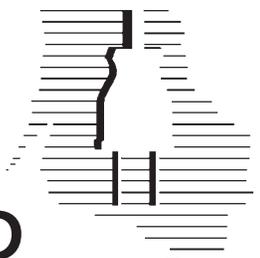
## Customers First! Plugging Wisconsin In



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to preserve  
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Madison, WI 53701

## Customers First!



*The League of Women Voters of Neenah-Menasha  
presents.....*

## **MENASHA'S VOTERS' FORUM**

### **ALDERMANIC DISTRICTS**

District 1: Jason Pamerter  
Chris Klein

District 3: Susan Wisneski  
Stanley Sevenich

District 7: Marshall Spencer  
Jim Englebert  
Randy Wolfgram

**Thursday, March 19, 2009  
6:30-8:00PM**

**Menasha Senior Center  
116 Main Street, Menasha**

**Written questions will be accepted  
from the public.**

**Election Date: APRIL 7, 2009**

To: Council  
From: Clerk

## FREQUENTLY ASKED QUESTIONS:

By Claire Silverman, Legal Counsel

**F**ew topics have relevance for all municipalities; the taking of minutes is one exception. All municipalities, regardless of size, population or other characteristics, must keep a record of their proceedings. Understandably, League attorneys receive many questions on this important topic.

This legal comment attempts to answer the questions that municipal officials most frequently ask pertaining to the responsibility to record the "proceedings" or "minutes" as they are commonly called.

### WHAT GOVERNMENTAL BODIES ARE REQUIRED TO KEEP MINUTES?

Village boards and common councils are required, by statute, to keep a full record of their proceedings.<sup>1</sup> Statutes also re-

quire that other governmental bodies, such as boards and commissions, keep minutes.<sup>2</sup> Although committees are not governed by statute, there is no basis for concluding that committees need not keep a record of their proceedings. If a committee failed to keep minutes, there would be no record reflecting that a quorum convened and considered or took action regarding certain matters. This lack of a record would undermine or defeat the purpose for which the committee was created.

### WHO IS RESPONSIBLE FOR TAKING MINUTES?

The municipal clerk is responsible for attending village board and common council meetings and taking minutes.<sup>3</sup> If the clerk is unable to attend, then it is the deputy clerk's responsibility, assuming one has been appointed, to attend the meeting and take minutes.<sup>4</sup> In a situation where both the clerk and deputy clerk are unavailable, it is necessary to temporarily designate someone as the person responsible for taking minutes.

In the case of governmental bodies other than the village board or common council, there is wide variation between

municipalities as to who is responsible for recording the proceedings. Some factors that influence the designation include the size of the municipality and the availability of municipal personnel to staff meetings, as well as the number of governmental bodies and the frequency with which they meet.

Frequently, a member of the governmental body is designated as secretary for the body and is responsible for taking minutes. In other instances, the responsibility for taking minutes is shared by members of the group, with the chair or the body designating a member on a per-meeting basis.

### WHAT MUST BE INCLUDED IN THE MINUTES?

State law requires that city and village clerks keep a "full record" and "the full minutes: for meetings of their respective governing bodies." Wis. Stat. secs. 61.25(3) and 62.09(11)(b). "Full" is not statutorily defined, but is commonly defined to mean compete. This does not mean the minutes must contain a detailed description of everything that transpires at a meeting. However, complete minutes are more than a summary and should

1. See Wis. Stat. secs. 61.32 and 62.11(4).

2. See, e.g., Wis. Stat. sec. 62.13(5)(i) (police and fire commission), secs. 62.23(7)(e)(3) or 62.23(6)(f) and (h) (zoning board of appeals or the governing body sitting in place of the ZBA), sec. 66.1001(4)(b) (plan commission) and sec. 70.47(7)(bb) (board of review).

3. Wis. Stat. secs. 61.25(3) and 62.09(11)(b).

4. Wis. Stat. secs. 61.19 and 62.09(11)(i).

5. Wis. Stat. sec. 985.01(4).

# Minutes Minutiae

provide sufficient detail for the reader to know what occurred and understand the decision made. Complete minutes are also more than what is contained in the “proceedings” that must be published. “Proceedings,” when published in newspapers, means the substance of every official action taken by a local governing body at any meeting, regular or special.<sup>5</sup> “Substance” is defined as “an intelligible abstract or synopsis of the essential elements of the official action taken by a local governing body, including the subject matter of a motion, the persons making and seconding the motion and the roll call vote on the motion. . . .”<sup>6</sup> Ordinances and resolutions published as required by law need not be republished in the proceedings. A reference to their subject matter is sufficient.<sup>7</sup>

What should be included in the minutes will also depend on the type of body involved. Where a governmental body is sitting in a quasi-judicial capacity and making a decision based on evidence presented to the body, the minutes should reflect the basis for the body’s decision. This is statutorily required in some instances. For example, sec. 125.51(1)(c)1, Stats., prohibits a governing body or committee dealing with alcohol license renewals from denying an application for renewal of an existing license unless the clerk includes a statement of the reason for the denial in the minutes.

There are some other instances where statutes require that certain information be included in the minutes. For example, the open meeting law requires that certain information be included in the minutes whenever a governmental body convenes in closed session. A motion to go into closed session must be carried by a majority vote in such manner that the vote of each member is ascertained and recorded in the minutes. The law also prohibits a motion to convene in closed session from being adopted unless the chief presiding officer announces to those present at the meeting at which such motion is made, the nature of the business to be considered at such closed session, and the specific exemption or exemptions authorizing the closed session. That announcement must be made part of the record of the meeting.<sup>8</sup>

## HOW DETAILED SHOULD MINUTES BE?

The answer to this question depends on whom you ask. Some believe minutes should be extremely concise and contain only a description of the subject matter considered and any substantive actions taken by the body. Others believe that the minutes should be concise, but detailed enough to ensure that there is an adequate history. Finally, others believe that minutes should capture everything that

happened at the meeting and should contain an almost verbatim account of all discussion on a matter, including the views of the individual members present. This is really a matter of personal taste and the subject of endless debate. There are different philosophies but no correct answer.

In my opinion, the best level of detail is one that is somewhere between the two extremes. In order for the minutes to create a meaningful history of what the governing body has done, there will be times when additional information will be helpful and will aid someone reading the minutes at a later date. Sometimes, however, additional information does not add much. Including every detail can make minor details seem much more important than they are, and it can elevate the importance of the details so that they obscure the significance of the action taken by the body.

## WHO PREVAILS IF THE CLERK AND GOVERNING BODY HAVE CONFLICTING VIEWS REGARDING THE APPROPRIATE LEVEL OF DETAIL TO BE INCLUDED IN THE MINUTES?

Where there is disagreement, it is best when a compromise can be reached. Be-

*see Minutes  
continued on page 92*

6. Wis. Stat. sec. 985.01(6), Stats. See also sec. 19.88(3).

7. *Id.*

8. Wis. Stat. sec. 19.85(1).

see Minutes  
from page 91

cause the governing body and the clerk both play a vital role in the minutes, it is important that the clerk and the governing body both feel that the minutes fairly and accurately reflect what transpired at the meeting. However, where agreement cannot be reached, it's important to remember that although the clerk is responsible for taking the minutes, the minutes must be approved by the governing body. Thus, it is the governing body's decision that ultimately will determine what is included in the minutes.

**WHAT CAN THE CLERK DO IF THE CLERK FEELS THAT THE MINUTES APPROVED BY THE GOVERNING**

**BODY ARE INCOMPLETE OR DO NOT FAIRLY REFLECT WHAT TRANSPIRED AT THE MEETING? CAN THE CLERK AMEND THE MINUTES OR INCLUDE ADDITIONAL INFORMATION IN THE MINUTES?**

No. Although there is no statute or case law which governs this kind of situation, it is my opinion that the clerk has no authority to amend the minutes or include something in the minutes that the governing body did not approve. However, the clerk has the statutory duty to take the minutes and therefore arguably has some responsibility if the approved minutes are incomplete or bear no resemblance to what actually happened at the meeting.

If a clerk truly believes that the substantive record is inaccurate, and it's not

just a question of style or preference, then the clerk might choose to prepare and insert in the minute book a statement indicating his or her reasons for disagreeing with the minutes approved by the governing body. Such a note would not, however, be part of the official minutes.

**DO MINUTES NEED TO BE TAKEN IN A CLOSED SESSION?**

Yes. Any substantive actions taken in the closed session (motions, seconds, votes), must be recorded to the same extent as in open session. The statutes requiring that minutes be kept, and the open meeting law, which requires that the motions and roll call votes of each meeting of a governmental body shall be recorded, preserved, and open to public inspection to



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the extent prescribed by the public records law,<sup>9</sup> do not distinguish between closed and open sessions. However, if the body does not act in closed session, the minutes from the closed session might simply note that there was a motion, second, and vote to go back into open session.

Since the purpose of going into closed session is to keep the discussion confidential, it is not advisable to create a written summary of the discussion or to tape a closed session. Such an action creates a record which can then be requested and which may well have to be disclosed. In most instances, substantive actions can and should be taken in open session. Thus, there will rarely be a need to take extensive minutes in closed session.

Voting in closed session is only appropriate where the decision is an integral part of the discussion and voting in open session would undermine the purpose for moving into closed session in the first place. An example of such an instance would be where competitive or bargaining reasons require that a governing body go into closed session under Wis. Stat. sec. 19.85(1)(e) to discuss the purchase of public property. It clearly makes no sense for a governing body to go into closed session to consider the matter and then return to open session to announce that the governing body will attempt to purchase the specified property at \$125,000 but is willing to pay as much as \$175,000. When it is appropriate to vote in closed session, there will be closed session minutes.

**HOW SHOULD MINUTES OF A CLOSED SESSION BE APPROVED?**

In many instances, the minutes of a closed session can be approved in open session with other minutes because it is

the discussion itself and not the decision reached by the governmental body which is intended to be confidential. In situations like that described above, where the reason for requiring confidentiality continues to exist and would be impaired by the public disclosure of the minutes or by public discussion concerning the minutes, the minutes can likely be approved in closed session pursuant to the same statutory exemption which authorized the closed session in the first instance.

**WHERE SHOULD THE MINUTES FROM A CLOSED SESSION BE KEPT?**

There is no defined method for dealing with the minutes from a closed session. However, it makes sense to keep them in a sealed envelope or apart from other minutes while the need for confidentiality continues to exist. This gives the custodian the ability to determine whether the records can be released if someone requests them. However, closed session minutes should not be indefinitely sealed or kept apart from the rest of the minutes if the need for confidentiality is not ongoing.

It's important to remember that minutes from a closed session are not automatically exempt from disclosure under the public records law. They are public records and there is a strong presumption that the public is entitled to access. A request for those records will require the custodian to balance the public benefit from disclosure of the records against the public harm that will result from disclosure. If the need for confidentiality continues to exist, then the records custodian can deny the request and explain the specific harm that will result from

*see Minutes continued on page 94*

VOTING IN CLOSED SESSION IS ONLY APPROPRIATE WHERE THE DECISION IS AN INTEGRAL PART OF THE DISCUSSION AND VOTING IN OPEN SESSION WOULD UNDERMINE THE PURPOSE FOR MOVING INTO CLOSED SESSION IN THE FIRST PLACE.

9. Wis. Stat. sec. 19.88(3).

see Minutes  
from page 93

disclosure. The open meeting law exemptions that allow closed sessions to be held are indicative of public policy under the public records law.<sup>10</sup>

**Is THERE A TIME PERIOD WITHIN WHICH MINUTES MUST BE APPROVED?**

No. The statutes do not set forth a time frame for the approval of minutes. When possible, it is desirable that minutes be approved at the next meeting of the body while the events of the meeting are fresh in the members' minds. This is not always possible. Where a body meets once or twice a month, there is usually suffi-

cient time between meetings for the minutes to be put in proper form. Where a body meets more frequently, there may not be time to prepare the minutes before the next meeting. What is reasonable will also depend on what other things demand the clerk's attention at a given point in time.

**MUST MINUTES BE APPROVED AT A MEETING OF THE GOVERNING BODY OR CAN THEY BE APPROVED BY CIRCULATING THEM TO MEMBERS OF THE BODY AND HAVING MEMBERS SUBMIT ANY OBJECTIONS WITHIN A CERTAIN TIME PERIOD?**

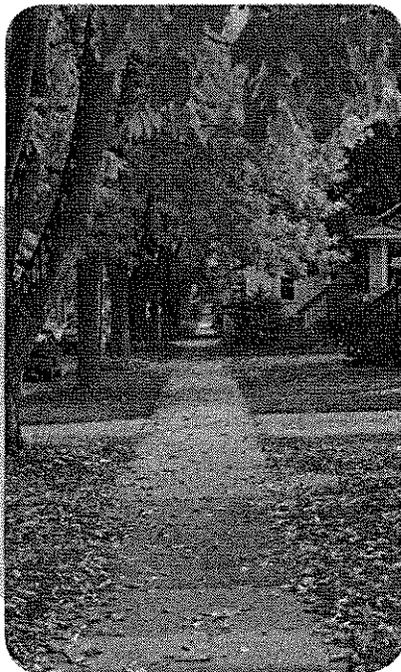
Final approval of minutes must be done at a properly convened meeting.<sup>11</sup> There

are several reasons supporting this conclusion. First, the open meeting law is premised on a strong legislative policy of open government which would be frustrated if official action were taken outside of a meeting.<sup>12</sup> Also, case law and the weight of authority require that action be taken at a meeting. According to 4 MC-QUILLIN, MUNICIPAL CORPORATIONS (3rd ed., revised), sec. 13.07:

The fundamental principle is that the affairs of a corporate body can be transacted only at a valid corporate meeting. . . . Acting separately and individually [the officers] can do nothing to bind such body. [Footnotes omitted.]

10. Wis. Stat. sec. 19.35(1).  
11. Governing Bodies 308.

12. Wis. Stat. sec. 19.81.



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Regarding boards, commissions and committees, sec. 13.30 of MCQUILLIN provides:

[A]lthough the contrary has also been held, if the act is one requiring the exercise of discretion and judgment, in which case it is usually termed a judicial act, unless provision is otherwise made by law, the persons to whom the authority is given must meet and confer and be present when the act is performed . . . .

Wisconsin case law supports the conclusion that action must be taken at a meeting. In *State ex rel. Mayer v. Schuffenhauer*, 213 Wis. 29, 33, 250 N.W. 767 (1933), the Wisconsin Supreme Court quoted an earlier edition of McQuillin for the proposition that a discretionary act may be performed by members of the board only at a meeting. In addition, in *McNolty v. Board of School Directors of the Town of Morse*, 102 Wis. 261, 263-264, 78 N.W. 439 (1899), the court stated:

It is familiar law that when a board of public officers is about to perform an act requiring the exercise of discretion and judgment the members must all meet and confer together, or must all be properly notified of such meeting, in order to make the action binding. Individual and independent action, even by a majority of the members of the board, will not suffice.

Although the approval of minutes can be characterized as a routine function, there is an exercise of discretion involved because each member must de-

cide whether he or she agrees with the characterization of the prior meeting's activities in the minutes.

**WHEN DO MINUTES HAVE TO BE PUBLISHED AND WHEN CAN THEY BE POSTED?**

In villages where a newspaper is published in the village,<sup>13</sup> minutes of the village board must be published in the paper as a Class 1 notice. If no newspaper is published in the village, the village board may cause the proceedings to be published in a newspaper having general circulation in the village, posted in several public places or publicized in some other fashion as directed by the board.<sup>14</sup> In cities, minutes of the common council must be published in the official newspaper as a Class 1 notice.<sup>15</sup> The statutes do not require that minutes of other governmental bodies be published.

**WHAT HAPPENS IF MINUTES ARE NOT PUBLISHED OR POSTED AS REQUIRED BY LAW?**

Wisconsin law does not define the consequences for failing to publish or post minutes as required by law. The most likely conclusion is that if minutes are not published or posted as required by law, it gives an opponent a basis for challenging the actions therein but does not necessarily void the actions taken by the governing body. In contrast, ordinances do not take effect until they are published or posted as required by law.<sup>16</sup>

**HOW LONG SHOULD MINUTES BE RETAINED?**

Unlike other records, minutes should be permanently retained because they provide the historic record of the govern-

mental body's actions. Minutes are a particularly important information source and record for decisions with long-term consequences such as rezonings, ordinance enactments and amendments, and other similar actions.

**WHAT IS THE PROPER PROCEDURE FOR AMENDING MINUTES? SHOULD THE CHANGES BE MADE WITHIN THE ORIGINAL MINUTES OR IS IT SUFFICIENT IF THE MINUTES FROM THE MEETING WHEN THE AMENDMENT IS MADE REFLECT THAT THE MINUTES FROM A SPECIFIC PRIOR MEETING WERE AMENDED?**

This usually will not be a predicament because the minutes will not be included in the official minute book until they have been approved and any changes directed by the governing body prior to approval should be made before the minutes are included in the minute book. If it happens that the minutes are subsequently revised after the initial approval, there is no defined "correct" method for amending the minutes. Nonetheless, it's my opinion that it is much more advantageous to make changes within the original minutes so that someone does not have to read all subsequent minutes to determine whether the minutes have been revised at a later time.

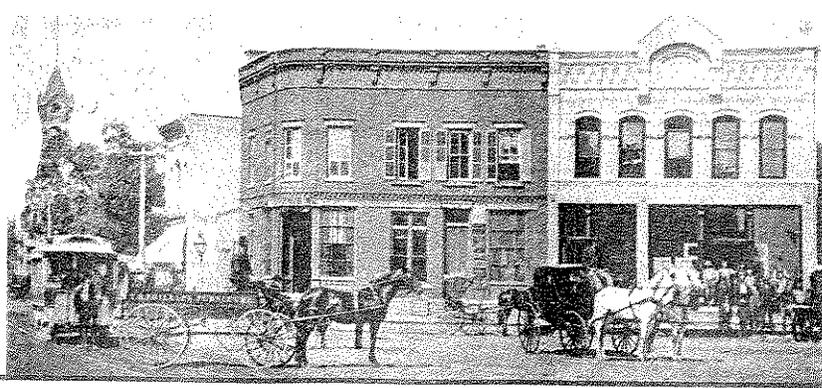
**WHERE SHOULD MINUTES BE KEPT?**

Minutes should be kept in a minute book in chronological order.<sup>17</sup>

Governing Bodies 373 R1

13. A newspaper is "published" at the place from which its mailing permit is issued. See Wis. Stat. sec. 958.01(5).  
14. Wis. Stat. sec. 61.32.

15. Wis. Stat. sec. 62.11(4).  
16. Wis. Stat. secs. 61.50(1) and 62.11(4).  
17. Wis. Stat. sec. 61.25(3).



MENASHA CITY SQUARE 1888

## MENASHA HISTORICAL SOCIETY NEWSLETTER MARCH, 2009

### LOOKING BACK

Our interesting visit to view Neenah's Octagon House was informational and enjoyable. Executive Director, Dave Dexter, escorted us and we viewed their collection of period furnishings. Thank you, Dave. The noon lunch saw us visiting Rep. Dean Kaufert's Under the Dome tavern. Nancy Barker gave us some historical facts about the place. All in all it was a worthwhile visit with our neighbors.

### LOOKING AHEAD

This month, on Thursday, March 12 we will meet at Menasha's Fire Station at 430 First Street. We will meet at 10:00 a.m. You will feel pride as you tour the Joint Department and learn of all our firefighters do for the communities. Lunch will follow at Michiels on Highway 47, Appleton Road. If you have any questions about arrangements, call Nancy Barker at 725-1441.

### NEXT MONTH

In April we will return to our "home" and meet on Thursday, April 9 at 7:00 p.m. at our newly restored Resource Center. You will be surprised to see our freshly painted and newly organized headquarters. Katie LaMore and Jeff and Jean Chew have been "busy beavers" completely updating, organizing, and displaying all our resources and artifacts. The program that Thursday evening will be provided by our neighbor, Jack Speech, former president of the Neenah Society. He will speak on the "History of Neenah". We seem to be having a series of programs connecting us with our neighboring city. This could not have happened a few years ago, but we are pleased that we are able to profit from our close friendship.

## IRISHFEST

Menasha Action Council and Menasha Library are sponsoring Irishfest on Saturday, March 21, at Germania Hall. Doors open at 5:30 p.m.; dinner and program are at 6:30-9:30 p.m. There will be Irish food, dancing, and music. Also in store are door prizes, stories, and blarney. Tickets are \$25.00 per person and must be purchased in advance at First National Bank, Germanias, or Menasha Library. Irish attire is appreciated.

## IRISH FACTS

Did you know the Irish drink more tea than any other nationality?  
Did you know that 16% of Americans claim to be of Irish descent? The other 84% are green with envy. (Ouch)

## NOTES FROM "MEMORIES OF MENASHA"

In 1998 as a part of the Wisconsin Sesquicentennial our Society published a pamphlet filled with stories remembered by our local citizens. Mildred L. Reimer wrote a story she called "The Fire Station". In connection with our next program we are reproducing Mildred's story.

"The time was 1920, the place was City of Menasha Fire Department, located in the area where Naut's Landing and Menasha Senior Center are located. I lived about a half a block down from the fire station on the opposite side of the street next to the laundry, which is still there. At that time it was owned by Ben Plowright. It was located on the corner of Main and Clay Street. Down a ways across from the laundry was a big barn and that is where the "fire horses" were kept. They were big, strong beautiful horses - two of them - and when the alarm went off, the fire fighters would have to leave the station, get the horses, and take them to the station, where they hitched them to the pumper. Then away they went at a high speed. They pounded the pavement, sparks flying from their hoofs. It was an exciting, awesome thing to see, and I thought the driver was a real hero. I even remember his name. It was Jack Dombrowski. I don't recall if they got to the fires in time to put them out - I suppose they did - or if it was just a wild ride. Of course, the pumper had to be taken back as well as the horses."



**Winnebago County**  
Office of Emergency Management

*The Wave of the Future*

# Memorandum

March 11, 2009

**TO:** Mike Brooks, Winnebago County Sheriff  
Bill Tedlie, Chief Deputy Sheriff's Department  
Cherilyn Eischen, Captain Administration Division  
Todd Christopherson, Lieutenant Patrol  
Kathy Biggar, E-911 Communications Manager  
Winnebago County Police Chiefs  
Winnebago County Fire Chiefs  
Mark Harris, Winnebago County Executive  
Tom Ellis, Emergency Management Committee Chairman

**FROM:** Linda C. Kollmann, Emergency Management Director

**SUBJECT: Weekly Testing of Outdoor Warning Sirens 2009 – WINNEBAGO COUNTY**

---

Winnebago County Emergency Management will resume weekly testing of outdoor warning sirens on Saturday, **March 28, 2009 at 12:00 noon.** Siren test activation will continue on a weekly basis through September at precisely 12:00 noon on each Saturday of the month. **Test siren activation will not occur if severe weather conditions are imminent.**

Note! On Thursday, April 23, 2009 Winnebago County will participate in the statewide tornado drill. More information will be sent out closer to the test date.

Thank you for your support of Emergency Management.

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday March 2, 2009  
MINUTES

DRAFT

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. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Pamerter, Taylor

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Brunn, FX Vander Wyst, DPW Radtke, CDD Keil,  
C/T Stoffel, PHD Nett, Clerk Galeazzi, and the Press

DEPT. HEAD EXCUSED: PRD Tungate

D. PUBLIC HEARING

1. On the proposed ordinances as follows: a) A charter ordinance relating to appointment of the City Assessor; b) A charter ordinance relating to appointment of the City Clerk; c) A charter ordinance relating to appointment of the City Attorney

Joanne Roush, 409 Cleveland Street. Support change to Charter Ordinances, Mayor should be accountable for staff

James Taylor, 340 Broad Street. Oppose change to Charter Ordinances, need checks and balances, should look into outsourcing options

Nancy Barker, 506 Keyes Street. Nothing wrong with current ordinance, has worked well in the past.

Stan Sevenich, 645 9<sup>th</sup> Street. Oppose change to Charter Ordinances, too much power to Mayor, need more people involved to make right decision.

Michael Taylor, 545 Broad Street. Oppose change to Charter Ordinances, will take power away from Council.

Jim Englebert, 1209 Greendale Street. Oppose change to Charter Ordinances, need checks and balances, have heard no reason why to change.

Dan Zelinski, 647 Paris Street. Should look into out-sourcing City Attorney/HR Director position, other municipalities outsource.

Tom Lingnofski, 837 7<sup>th</sup> Street. Menasha has Council/Mayor form of government, Council makes final decision.

Jeff Brandt, 904 Meadowview Drive. Clarified other municipalities that outsource City Attorney/HR Director.

Mary Ann Mulvey, 274 Misty Meadows, Oppose change to Charter Ordinances, procedure has worked in past, no need to change.

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

five (5) minute time limit for each person)

Chris Klein, 730 Keyes Street. Mayor's memo on hiring freeze, good thing during current economic times.

Kara Witthun, 3041 Winnipeg Street. Explain tax claim filed; she did not receive proper notice of Board of Review hearing, error on her assessment was made by Assessor, should be corrected.

Stan Sevenich, 645 9<sup>th</sup> Street. Witthun claim; should hold Board of Review more than once a year.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Chief Vander Wyst – Update on Fire Dept. Driver Simulator (Ald. Taylor)

FC Vander Wyst reported NM Fire Rescue received a grant from FEMA for the purchase of a Regional Driver's Simulator for use by other fire departments. NMFR will act as the host and will pay the 20% matching funds up front. So far they have 9 other communities committed that will be reimbursing NMFR. The 20% matching funds comes to \$44,600, with off setting revenues of \$38,053.02 from the other participating departments and NMFR's total share will be \$6,550, \$2,656 is Menasha's portion and \$3,894 is Neenah's portion. If approved by both Common Councils to proceed with the purchase of the driver's simulator, Requests for Proposals will be sent out to vendors. FC Vander Wyst commended his staff for their hard work on preparing the grant application.

- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS, cont'd/  
2. CDD Keil – Introduction of Amy Kester and Alisa Kahler

CDD Keil introduced Amy Kester and Alisa Kahler. Alisa is an intern and will be working on the Stormwater billing process. Amy has worked for the City of Menasha in the past in the position of Associate Planner. Amy will be working approx. 22 hours a week helping with multiple tasks.

3. CA/HRD Brandt – Update on City Attorney and Park Superintendent resumes received

CA/HRD Brandt reported so far they have received 12 resumes for the Park Superintendent position. The deadline for submitting resumes is March 13. After that date the resumes received will be reviewed by PRD Tungate and CA/HRD Brandt and schedule interviews.

Five resumes have been received for the City Attorney/HR Director position. The deadline is March 13.

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

Minutes to receive:

- a. [Administration Committee, 2/16/09](#)
- b. [Board of Public Works, 2/16/09](#)
- c. [Board of Appeals, 2/10/08](#)
- d. [Landmarks Commission, 1/14/09](#)
- e. [Personnel Committee, 2/16/09](#)
- f. [Plan Commission, 1/20/09, 2/17/09](#)
- g. [NM Fire Rescue, 2/24/09; Finance & Personnel Committee](#)
- h. [NM Sewerage Commission, 1/27/09](#)
- i. [Safety Committee, 1/7/09; City Hall](#)
- j. [Safety Committee, 1/20/09; Public Works and Parks](#)
- k. [Water & Light Commission, 2/9/09, 2/16/09](#); Closed Session
- l. [Water & Light Commission, 2/9/09, 2/16/09](#); Special Session

Communications:

- m. [American Transmission Company, 2/24/09; Reconstruction of 3<sup>rd</sup> Street](#)
- n. [Board of Commissioners of Public Lands, 2/18/09; Receipt of application of State Trust Fund Loan](#)
- o. [CDD Keil, 2/24/09; Status of Stormwater Utility Billing](#)
- p. [Dept. of Transportation, 2/16/09; Invitation to Tri-County Freeway Expansion meeting](#)
- q. [Fox Valley Technical College, 2/9/09; intent to appoint district board members](#)
- r. [Mary Nebel, 2/24/09; Ordinance pertaining to City Attorney appointment](#)
- s. [Mayor Merkes, 2/26/09; Hiring/Purchasing](#)
- t. [Menasha Utilities, 2/19/09; Steam Detail for the months ending 12/31/08 & 1/31/09](#)
- u. [PWD Radtke, 2/20/09; resident letters regarding the Sewer System Evaluation Survey \(SSES\)- Foundation Drain and Sump Pump Inspections](#)
- v. [State Division of Emergency Mgmt, 2/17/09; Disaster recovery aids award](#)
- w. [Town of Menasha Utility Commission minutes, 12/15/08, 1/5/09, 1/19/09, 2/9/09](#)
- x. [Valley Home Builders Assoc., 2/17/09; 2009 Winter Wonderland of Homes](#)
- y. [Waverly Sanitary District minutes, 1/13/09](#)

Moved by Ald. Michalkiewicz, seconded by Ald. Hendricks to recess to Administration Committee. (6:47pm)  
Motion carried on voice vote.

Reconvened (7:05pm)

Ald. Benner requested if no objection to moved to Item M. No objection.

## G. CONSENT AGENDA

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

### Minutes to approve:

1. [Common Council, 2/16/09](#)
2. [Common Council Closed Session; 8/7/06, 1/15/07, 12/3/07, 3/3/08, 6/2/08, 7/7/08](#)
3. [Special Joint Common Council & Menasha Electric & Water Utility Commission, 2/18/09](#)
4. [Joint Common Council & Menasha Electric & Water Utility Commission Closed Session; 12/3/07, 8/4/08](#)

### Administration Committee, 2/16/09 – Recommends Approval of:

5. [Memorandum of Understanding for Tuberculosis Clinical Services between Wisconsin Division of Public Health, Bureau of Communicable Disease and Menasha Health Department, July 1, 2008-June 30, 2009, and authorize signature.](#)

### Board of Public Works, 2/16/09 – Recommends Approval of:

6. [Recommendation to Increase Rental Dumpster Fee from \\$30 to \\$35](#)
7. [Approval of City of Menasha Minimum Wage Rates](#)

### NM Fire Rescue, Joint Finance & Personnel Committee, 2/24/09 – Recommends Approval of:

8. Purchasing the drivers simulator and pay the required 20% matching grant fund of \$44,600 with off setting revenues of \$38,053.02 from the other eight participating departments and NMFR's total share will be \$6,550.11,

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve Items 1-8 of Consent Agenda.  
Motion carried on roll call 8-0.

## H. ITEMS REMOVED FROM CONSENT AGENDA

None

## I. ORDINANCES AND RESOLUTIONS

1. [O-4-09 A Charter Ordinance Relating to Appointment of the City Assessor \(Recommended by Personnel Committee, Introduced by Alderman Pack\)](#)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to adopt O-4-09

Discussion

Motion failed on roll call 3-5.

Ald. Pack, Hendricks, Michalkiewicz – yes

Ald. Pamerter, Taylor, Wisneski, Zelinski, Benner – no

2. [O-5-09 A Charter Ordinance Relating to Appointment of the City Clerk \(Recommended by Personnel Committee, Introduced by Alderman Pack\)](#)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to adopt O-5-09

Motion failed on roll call 4-4.

Ald. Pamerter, Pack, Hendricks, Michalkiewicz – yes.

Ald. Taylor, Wisneski, Zelinski, Benner – no

3. [O-6-09 A Charter Ordinance Relating to Appointment of the City Attorney \(Recommended by Personnel Committee, introduced by Alderman Pack\)](#)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to adopt O-6-09

Discussion

Moved by Ald. Zelinski, seconded by Ald. Taylor to add to Section 3 "A firm may be designated as City Attorney".

Motion carried on roll call 6-2

Ald. Pamerter, Taylor, Wisneski, Hendricks, Zelinski, Benner – yes

Ald. Pack, Michalkiewicz – no

Motion to adopt O-6-09 failed on roll call 5-3.

Ald. Pamerter, Wisneski, Pack, Hendricks, Michalkiewicz – yes

Ald. Taylor, Zelinski, Benner – no

(Clerk's Note – requires a 2/3 vote to pass)

I. ORDINANCES AND RESOLUTIONS cont'd.

4. [O-9-09 – An ordinance relating to the installation of utility cabinets \(Introduced by Ald. Benner and recommended by the Plan Commission\)](#)

Moved by Ald. Benner, seconded by Ald. Taylor to adopt O-9-09  
Motion carried on roll call 8-0.

5. [O-10-09 – An Ordinance Relating to open burning \(Introduced by Ald. Wisneski and recommended by the NM Fire Rescue, Finance & Personnel Committee\)](#)

Moved by Ald. Hendricks, seconded by Ald. Benner to refer back to NMFR Jt Finance & Personnel Comm.  
Motion carried on voice vote

6. [Motion to remove from the table – O-8-09 An Ordinance Relating to Appointment of Department Heads \(Recommended by the Personnel Committee and Introduced by Alderman Pack\) \(Tabled 2/2/09\).](#)

Moved by Ald. Wisneski, seconded by Ald. Benner to remove from the table  
Motion carried on roll call 7-1. Ald. Zelinski - no

Moved by Ald. Wisneski, seconded by Ald. Pamerter to adopt O-8-09  
Discussion  
Motion failed on roll call 0-8.

J. ACTION ITEMS

1. [Accounts Payable and Payroll for the term 2/19/09-2/26/09 in the amount of \\$874,732.71](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Accounts Payable and Payroll.  
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Mayor's Appointments to the AD-HOC Sustainability Board:  
a. [Sadie Schroeder, 634 ½ Broad St.](#)

Moved by Ald. Wisneski, seconded by Ald. Zelinski to approve appointment  
Motion carried on voice vote

L. CLAIMS AGAINST THE CITY

None

M. HELD OVER BUSINESS

1. [A motion is in order for the Common Council to deny the Witthun tax claim \(Held 2/16/09\).](#)

Moved by Ald. Benner, seconded by Ald. Taylor to approve claim as the Assessor made a clerical error.  
Discussion  
Motion carried on roll call 7-1. Ald. Michalkiewicz – no

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)  
No one spoke.

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Michalkiewicz to adjourn at 7:47 p.m.  
Motion carried on voice vote

Respectfully submitted by  
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA  
Special Common Council  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 9, 2009  
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 5:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Pamenter, Taylor

EXCUSED: Ald. Wisneski

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, Clerk Galeazzi, and the Press

D. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Steve Pack, 823 Emily Street. Support Council appointment of City Attorney without a term. Ad-Hoc Attorney Study Committee recommending not outsourcing, allow Mayor and Personnel Committee to select CA/HRD, need to act quickly on appointment.

Chris Klein, 730 Keyes Street. Need to have an in-house Attorney to represent the City in many functions; should look at outsourcing as a short-term option.

E. ACTION ITEMS

1. City Attorney/Human Resources Director Search

a) Outsourcing

Discussion ensued on the pros and cons of outsourcing the City Attorney/Human Resources Director position as a permanent or a short-term solution.

Moved by Ald. Taylor, seconded by Ald. Zelinski to outsource City Attorney/HR Director for the interim.

Motion failed on roll call 3-4.

Ald. Taylor, Zelinski, Michalkiewicz – yes

Ald. Pamenter, Pack, Hendricks, Benner – no

b) Appointment Process

Discussion ensued on the process of appointing a City Attorney/HR Director.

Moved by Ald. Pack, seconded by Ald. Pamenter to have Personnel Committee hire CA/HRD without a term.

Discussion on motion would be a change to the Charter Ordinance.

Ald. Pack and Pamenter withdrew their motion.

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to have as a Council appointment the City Attorney/HR Director position.  
Motion carried on roll call 7-0.

Discussion ensued on forming a search committee to review the applications and make a recommendation to Council. Also discussed were previous procedures to fill vacancies of City Clerk and City Attorney.

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to form a Committee consisting of Personnel Committee Chairman and Vice-Chairman, Administration Committee Chairman, Dept Heads C/T Stoffel, PC Stanke, CA/HRD Brandt, representative from Menasha Utilities and Mayor to narrow the candidates down to two for the Council to interview, background check and psychological review for the final two candidates, and can reopen search if needed.

Discussion ensued on which Department Heads to include. Also having only two Council members on the Committee.

Moved by Ald. Pack, seconded by Ald. Pamerter to amend to remove Administration Committee Chairman.  
Motion carried on roll call 6-1 Ald. Taylor – no.

Moved by Ald. Zelinski, seconded by Ald. Hendricks to include Community Development Director as one of the Dept. Heads on the Committee.  
Motion carried on voice vote,

Motion as amended carried on roll call 7-0.

Moved by Ald. Pack, seconded by Ald. Hendricks to allow the Mayor to hire an Attorney on an interim basis.  
Motion carried on roll call 7-0.

## F. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to adjourn at 6:26 p.m.  
Motion carried on voice vote.

Respectfully submitted by  
Deborah A. Galeazzi, City Clerk

## FEE RECIPROCITY USAGE 2008

### Appleton Residents in Menasha (1/1/2008 – 12/31/2008)

|                         |                              |                             |
|-------------------------|------------------------------|-----------------------------|
| Tot Lot – 1             | Youth Baseball – 2           | Youth Kickball – 1          |
| Youth Tennis – 6        | Small Group Youth Tennis – 2 | Gymnastics – 2              |
| Youth Flag Football – 2 | Tiny Tots – 5                | Adult Feel 'n Fit – 9       |
| Senior Boat Launch – 76 | Boat Launch – 93             | Boat Launch Lost/Stolen – 1 |
| Single Boat Slip – 4    | Double Boat Slip – 3         | Pavilion Rentals – 30       |
| Swim Lessons – 7        | Family Pool Passes – 5       | Fieldtrips - 1              |

**Total: 250**

**Revenue Difference: \$5,471.00**

### Menasha Residents in Appleton

|   |                        |                        |
|---|------------------------|------------------------|
| Adult Dance/Fitness – 4                 | Certifications – 1     | Field Trips – 7        |
| Park Pavilion Rentals – 9               | Swim Lessons – 19      | Youth Sports – 1       |
| Youth Swim Coupons – 1                  | Adult Swim Coupons – 1 | Family Swim Passes – 5 |
| Youth Tennis/Young Child/Preschool - 13 |                        |                        |

**Total: 99**

**Revenue Difference: \$2,665.00**

### Neenah Residents in Menasha (1/1/2008 – 12/31/2008)

|                        |                              |                              |
|------------------------|------------------------------|------------------------------|
| Skateboard Lessons – 2 | Tot Lot – 2                  | Youth Baseball – 2           |
| Youth Kickball – 1     | Childs Play – 1              | Open Playground – 4          |
| Youth Tennis – 3       | Small Group Youth Tennis – 1 | Adult Tennis – 1             |
| Gymnastics – 7         | Youth Junior Golf – 2        | Youth/Adult Golf Lessons - 2 |
| Tiny Tots – 3          | Adult Slimnastics – 1        | Adult Feel 'n Fit – 2        |
| Adult Hooping – 5      | Senior Boat Launch – 1       | Boat Launch – 6              |
| Single Boat Slip – 2   | Double Boat Slip – 4         | Pavilion Rentals – 23        |
| Swim Lessons – 12      | Family Pool Passes – 2       | Fieldtrips - 7               |

**Total: 96**

**Revenue Difference: \$2,025.00**

### Menasha Residents in Neenah

No breakdown available. Neenah dropped all non-resident fees (except swimming pool programs and facility rentals) in 2007. They no longer track the number of non-residents that pay resident rates.

**Total: 28**

**Revenue Difference: \$475.00**

**Town of Menasha Residents in City of Menasha (1/1/2008-12/31/2008)**

|                         |                       |                              |
|-------------------------|-----------------------|------------------------------|
| Skateboard Lessons – 2  | Tot Lot – 1           | Youth Baseball – 8           |
| Youth Kickball – 1      | Youth Tennis – 11     | Small Group Youth Tennis – 2 |
| Gymnastics – 9          | Youth Junior Golf – 1 | Youth/Adult Golf Lessons – 4 |
| Youth Flag Football – 8 | Tiny Tots – 10        | Adult Slimnatics – 2         |
| Adult Feel 'n Fit – 5   | Adult Hooping – 1     | Pavilion Rentals – 13        |
| Fieldtrips - 5          |                       |                              |

**Total: 83**

**Revenue Difference: \$1,860.00**

**City of Menasha Residents in Town of Menasha**

|                              |                           |                        |
|------------------------------|---------------------------|------------------------|
| Tumbling – 3                 | Dance-Preschool – 2       | Dance – 2              |
| Synergie – 1                 | Crafty Creations – 2      | Mothers Day A & C – 1  |
| Young Rembrandts – 1         | Tumbling – 4              | Sports Sampler – 3     |
| Soccer – 7                   | Pilates – 1               | Yoga – 1               |
| Fathers Day A & C – 1        | Tiny Tots Fun/Fitness – 1 | Camp Superhero – 2     |
| Dance – 2                    | Dance – 1                 | Yoga – 2               |
| Pilates – 2                  | Jr. Golf Mini Camp – 1    | Tennis – 2             |
| Kiddie Camp – 6              | Afternoon Adventures – 7  | Young Chefs – 3        |
| Movin with Music – 2         | Tumbling 3 & 4 – 2        | Tumbling Par/Child – 1 |
| Youth Flag Football – 1      | Intro Soccer – 2          | Tae Kwon Do – 3        |
| Christmas Craft Workshop – 1 | Sports 4 Kids – 1         | Dance – 4              |
| Dance – 5                    | Digital Photo – 2         |                        |

**Total: 85**

**Revenue Difference: \$490.00**

**Directors Note:** The revenue difference (fees waived) is not directly proportionate to the amount of people because non-resident fees vary widely among the communities.

**AGREEMENT FOR RECIPROCITY BETWEEN  
APPLETON AND MENASHA  
FOR PARKS AND RECREATION SERVICES  
2009-2011**

The City of Appleton, Wisconsin, and the City of Menasha, Wisconsin, hereby agree to grant residency status to the citizens of the opposite community for the sole purpose and privilege of participating in each city's park and recreation services.

- 1) The scope of this agreement is limited to the granting of the privileges of residency.
- 2) Each city retains complete control of the policies, operation, administration, and funding of the facilities and services it provides.
- 3) The home community will supply the reciprocating community with residency information for participant verification.
- 4) This agreement shall be in effect from January 1, 2009, through December 31, 2011. It may be extended for another term by mutual agreement of both cities. With thirty days notice to the other city, either community may terminate, without penalty, this agreement.

Date: \_\_\_\_\_

\_\_\_\_\_  
Mayor of Appleton

\_\_\_\_\_  
Mayor of Menasha

\_\_\_\_\_  
Appleton City Clerk

\_\_\_\_\_  
Menasha City Clerk

\_\_\_\_\_  
Appleton City Attorney

\_\_\_\_\_  
Menasha City Attorney

**AGREEMENT FOR RECIPROCITY BETWEEN  
NEENAH AND MENASHA  
PARK & RECREATION DEPARTMENTS  
2009 - 2011**

The Park & Recreation Departments of the City of Neenah, WI and the City of Menasha, WI, hereby agree to grant resident status, in regard to fees, to the citizens of the other community for the sole purpose of participating in each city's park and recreation services, for the term of this agreement listed below.

- 1) The scope of this agreement is limited to the granting of the privileges of residency in regard to fees only.
- 2) Each city retains complete control of the policies, operation, administration and funding of the facilities and services it provides. This includes, but is not limited to, policies that allow registration priorities to city residents.
- 3) The home community will supply the reciprocating community with residency information for participant verification at the reciprocating community.
- 4) This agreement shall be in effect from January 1, 2009 through December 31, <sup>2011</sup>2009. The agreement may be extended for another term by mutual agreement of both cities, or terminated, without penalty, by either city, with thirty days written notice to the other city.

  
\_\_\_\_\_  
Neenah P&R Commission

\_\_\_\_\_  
Menasha P&R Board

  
\_\_\_\_\_  
Mayor of Neenah

\_\_\_\_\_  
Mayor of Menasha

  
\_\_\_\_\_  
Neenah City Clerk

\_\_\_\_\_  
Menasha City Clerk

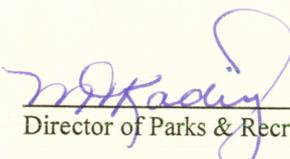
AGREEMENT FOR RECIPROCITY BETWEEN  
THE CITY AND TOWN OF MENASHA  
PARK & RECREATION DEPARTMENTS  
~2009-2011~

The Park & Recreation Departments of the City of Menasha, WI and the Town of Menasha, WI, hereby agree to grant resident status, in regard to fees, to the citizens of the other community for the sole purpose of participating in each municipality's park and recreation services, for the term of this agreement listed below.

- 1) The scope of this agreement is limited to the granting of the privileges of residency in regard to fees only.
- 2) Each municipality retains complete control of the policies, operation, administration, and funding of the facilities and services it provides. This includes, but is not limited to, policies that allow registration priorities to municipal residents.
- 3) The City of Menasha reserves the right to charge a non-resident fee for seasonal boat launch passes, swimming lessons and pool passes.
- 4) Each municipality will verify proof of residency of participants from the other community and supply residency information for participant verification.
- 5) This agreement shall be in effect from January 1, 2009 through December 31, 2011. The agreement may be extended for another term by mutual agreement of both municipalities, or terminated, without penalty, by either municipality, with thirty days written notice to the other community.

  
Chairman, Town of Menasha Park Commission

\_\_\_\_\_  
Mayor, City of Menasha

  
Director of Parks & Recreation, Town of Menasha

\_\_\_\_\_  
City Clerk, City of Menasha



MEMO

TO: Common Council and Mayor Merkes  
FROM: Debbie Galeazzi, City Clerk  
SUBJECT: Fee for Outdoor Alcoholic Beverage Service Permit  
DATE: March 12, 2009

In accordance with Section 7-2-17 of the Municipal Code, the Common Council shall approve the fee for Outdoor Beverage Service permits. It is the recommendation of the Clerk's office to charge a \$25 annual fee for the permit. Section 7-2-17 also requires that all property owners within 150 feet of the outdoor area be notified of a request for a permit. I feel a \$25 fee will cover the cost of notifying the property owners.

## CITY OF MENASHA DISBURSEMENTS

|   |                   |
|---|-------------------|
| Accounts Payable for 3/5/09-3/12/09<br>Checks # 20432-20567 | \$ 263,838.93     |
| Payroll Checks for 3/5/09-3/12/09                           | <u>158,236.17</u> |
| Total   | \$ 422,075.10     |

\*\*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

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20432    | 14        | ACCURATE SUSPENSION WAREH |            |         | 03/05/2009 | 731-1022-541.30-18 | 52.56 *                                   | 52.56       |
| 20433    | 20        | ADVANCED PROTECTIVE DEVIC |            |         | 03/05/2009 | 100-0801-521.19-03 | 570.00 *                                  | 570.00      |
| 20434    | 541       | ANDERSON, POLLY           |            |         | 03/05/2009 | 100-0903-531.33-01 | 27.61 *                                   | 27.61       |
| 20435    | 58        | ARING EQUIPMENT CO INC    |            |         | 03/05/2009 | 731-1022-541.38-03 | 55.58 *                                   | 55.58       |
| 20436    | 70        | BADGER HIGHWAYS CO INC    |            |         | 03/05/2009 | 100-1003-541.30-18 | 234.58 *                                  | 234.58      |
| 20437    | 72        | BAHCALL RUBBER CO INC     |            |         | 03/05/2009 | 731-1022-541.38-03 | 218.94 *                                  | 218.94      |
| 20438    | 582       | BATTERY HUB               |            |         | 03/05/2009 | 731-1022-541.38-03 | 59.50 *                                   | 59.50       |
| 20439    | 80        | BECK ELECTRIC INC         |            |         | 03/05/2009 | 100-1008-541.24-04 | 80.00                                     | 80.00       |
|          |           |                           |            |         | 03/05/2009 | 100-1001-514.24-03 | 269.38                                    | 269.38      |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.24-03 | 56.00                                     | 56.00       |
|          |           |                           |            |         | 03/05/2009 | 207-0707-552.24-03 | 39.34                                     | 39.34       |
|          |           |                           |            |         | 03/05/2009 | 100-1008-541.24-04 | 320.00                                    | 320.00      |
|          |           |                           |            |         | 03/05/2009 | 100-1008-541.24-04 | 602.88                                    | 602.88      |
|          |           |                           |            |         | 03/05/2009 | 100-1008-541.30-18 | 2.65                                      | 2.65        |
|          |           |                           |            |         | 03/05/2009 | 100-1008-541.24-04 | 240.00                                    | 240.00      |
|          |           |                           |            |         |            |                    | 1,610.25 *                                | 1,610.25    |
| 20440    | 88        | BOARDMAN LAW FIRM         |            |         | 03/05/2009 | 100-0201-512.21-01 | 72.47 *                                   | 72.47       |
| 20441    | 99        | BRAZEE ACE HARDWARE       |            |         | 03/05/2009 | 731-1022-541.30-13 | 6.99                                      | 6.99        |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-18 | 12.72                                     | 12.72       |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-18 | 26.98                                     | 26.98       |
|          |           |                           |            |         |            |                    | 46.69 *                                   | 46.69       |
| 20442    | 103       | BUBRICK'S                 |            |         | 03/05/2009 | 100-0703-553.30-10 | 8.83                                      | 8.83        |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.30-10 | 154.26                                    | 154.26      |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.30-10 | 126.56                                    | 126.56      |
|          |           |                           |            |         |            |                    | 289.65 *                                  | 289.65      |
| 20443    | 104       | BULL, SYLVIA              |            |         | 03/05/2009 | 100-0920-531.33-01 | 55.36 *                                   | 55.36       |
| 20444    | 106       | CALUMET COUNTY CLERK OF C |            |         | 03/05/2009 | 100-0000-201.03-00 | 165.00                                    | 165.00      |
| 20445    | 115       | CDW GOVERNMENT INC        |            |         | 03/05/2009 | 100-0403-513.30-15 | 165.00 *                                  | 165.00      |
|          |           |                           |            |         |            |                    | 5,011.32                                  | 5,011.32    |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE   | ACCOUNT  | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN)      | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|--|--|--|-------------|
| 20445    | 115       | CDW GOVERNMENT INC        |            |         |  |  | 5,011.32 *                                     | 5,011.32    |
| 20446    | 592       | CORCORAN GLASS AND PAINT  |            |         | 03/05/2009   | 100-0903-531.24-03   | 263.00<br>263.00 *                             | 263.00      |
| 20447    | 129       | CUMMINS NPOWER LLC        |            |         | 03/05/2009   | 731-1022-541.38-03   | 61.43<br>61.43 *                               | 61.43       |
| 20448    | 136       | DAVIS & KUELTHAU SC       |            |         | 03/05/2009   | 100-0202-512.21-01   | 782.00<br>782.00 *                             | 782.00      |
| 20449    | 544       | DAVIS, VALERIE            |            |         | 03/05/2009<br>03/05/2009   | 100-0903-531.33-01<br>100-0905-531.33-01   | 33.11<br>3.28<br>36.39 *                       | 36.39       |
| 20450    | 585       | FALCON ASSOCIATES INC     |            |         | 03/05/2009   | 100-0703-553.29-03   | 135.00<br>135.00 *                             | 135.00      |
| 20451    | 153       | FERGUSON ENTERPRISES INC  |            |         | 03/05/2009   | 100-0703-553.24-03   | 93.36<br>93.36 *                               | 93.36       |
| 20452    | 154       | FERRELLGAS                |            |         | 03/05/2009   | 266-1027-543.21-06   | 93.09<br>93.09 *                               | 93.09       |
| 20453    | 162       | FOX VALLEY TECHNICAL COLL |            |         | 03/05/2009   | 100-0000-201.03-00   | 6.16<br>6.16 *                                 | 6.16        |
| 20454    | 1         | GARY FISHER               |            |         | 03/05/2009   | 100-1006-541.30-18   | 50.00<br>50.00 *                               | 50.00       |
| 20455    | 1         | GERARD HENDRIKS           |            |         | 03/05/2009   | 100-1006-541.30-18   | 50.00<br>50.00 *                               | 50.00       |
| 20456    | 593       | GROESCHEL, CHRIS          |            |         | 03/05/2009   | 100-0801-521.33-03   | 5.25<br>5.25 *                                 | 5.25        |
| 20457    | 183       | GUNDERSON UNIFORM & LINEN |            |         | 03/05/2009<br>03/05/2009<br>03/05/2009<br>03/05/2009<br>03/05/2009 | 100-1001-514.20-01<br>100-0920-531.30-13<br>100-0703-553.30-13<br>100-1001-514.20-01<br>100-0920-531.30-13<br>100-0703-553.30-13 | 24.89<br>3.47<br>3.48<br>24.89<br>3.47<br>3.48 | 24.89       |
| 20458    | 192       | HOME DEPOT CREDIT SERVICE |            |         | 03/05/2009   | 100-0703-553.24-03   | 281.53<br>281.53 *                             | 281.53      |
| 20459    | 209       | IOD INCORPORATED          |            |         | 03/05/2009   | 100-0801-521.21-05   | 7.44<br>7.44 *                                 | 7.44        |
| 20460    | 594       | JAGLA, DAVID N            |            |         | 03/05/2009   | 100-0801-521.33-03   | 8.05   | 8.05        |

| CHECK NO | VENDOR NO | VENDOR NAME      | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|------------------|------------|---------|------------|--------------------|---|-------------|
| 20460    | 594       | JAGLA, DAVID N   |            |         |            |                    | 8.05                                      | 8.05        |
| 20461    | 220       | KITZ & PEILL INC |            |         | 03/05/2009 | 731-1022-541.30-18 | 79.72                                     | 79.72       |
| 20462    | 220       | KITZ & PEILL INC |            |         | 03/05/2009 | 100-0703-553.30-15 | 42.27                                     | 42.27       |
| 20463    | 220       | KITZ & PEILL INC |            |         | 03/05/2009 | 100-0703-553.24-03 | 14.13                                     | 14.13       |
| 20464    | 220       | KITZ & PEILL INC |            |         | 03/05/2009 | 100-0801-521.30-13 | 17.52                                     | 17.52       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 13.39                                     | 13.39       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 5.28                                      | 5.28        |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.24-03 | 5.28                                      | 5.28        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 10.41                                     | 10.41       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 31.71                                     | 31.71       |
|          |           |                  |            |         | 03/05/2009 | 100-0801-521.30-18 | 24.35                                     | 24.35       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 5.97                                      | 5.97        |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.24-03 | 5.97                                      | 5.97        |
|          |           |                  |            |         | 03/05/2009 | 601-1020-543.30-18 | 16.89                                     | 16.89       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 13.78                                     | 13.78       |
|          |           |                  |            |         | 03/05/2009 | 100-0801-521.30-13 | 3.86                                      | 3.86        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 5.36                                      | 5.36        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-15 | 15.60                                     | 15.60       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-13 | 13.48                                     | 13.48       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 2.16                                      | 2.16        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 19.86                                     | 19.86       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 7.56                                      | 7.56        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-13 | 17.53                                     | 17.53       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 19.78                                     | 19.78       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 22.42                                     | 22.42       |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.30-18 | 28.32                                     | 28.32       |
|          |           |                  |            |         | 03/05/2009 | 601-1020-543.30-18 | 11.68                                     | 11.68       |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.38-03 | 57.36                                     | 57.36       |
|          |           |                  |            |         | 03/05/2009 | 100-1001-514.30-13 | 11.68                                     | 11.68       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 8.88                                      | 8.88        |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.30-18 | 10.23                                     | 10.23       |
|          |           |                  |            |         | 03/05/2009 | 100-1001-514.30-13 | 8.68                                      | 8.68        |
|          |           |                  |            |         | 03/05/2009 | 731-1022-541.38-03 | 9.99                                      | 9.99        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 13.37                                     | 13.37       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 13.08                                     | 13.08       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 7.72                                      | 7.72        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 35.95                                     | 35.95       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-05 | 11.30                                     | 11.30       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.32-01 | .81                                       | .81         |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-05 | 31.25                                     | 31.25       |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-05 | 5.39                                      | 5.39        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 15.44                                     | 15.44       |
|          |           |                  |            |         | 03/05/2009 | 100-0704-552.30-18 | 4.32                                      | 4.32        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.24-03 | 8.98                                      | 8.98        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 10.77                                     | 10.77       |
|          |           |                  |            |         | 03/05/2009 | 100-0704-552.30-18 | 1.80                                      | 1.80        |
|          |           |                  |            |         | 03/05/2009 | 100-0703-553.30-18 | 8.35                                      | 8.35        |

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ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20464    | 220       | KITZ & PFEIL INC          |            |         | 03/05/2009 | 731-1022-541.30-18 | 4.94                                      |             |
|          |           |                           |            |         | 03/05/2009 | 601-1020-543.30-18 | 20.77                                     |             |
|          |           |                           |            |         | 03/05/2009 | 100-0704-552.30-18 | 2.14                                      |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-18 | 14.39                                     |             |
|          |           |                           |            |         |            |                    | 771.87 *                                  | 771.87      |
| 20465    | 222       | KJEMHUS, LORETTA          |            |         | 03/05/2009 | 100-0903-531.33-01 | 40.83                                     |             |
|          |           |                           |            |         |            |                    | 40.83 *                                   | 40.83       |
| 20466    | 226       | KRAMER AND RIDGE COMPANY  |            |         | 03/05/2009 | 731-1022-541.30-18 | 18.39                                     |             |
|          |           |                           |            |         |            |                    | 18.39 *                                   | 18.39       |
| 20467    | 227       | KRUEGER TRUE VALUE        |            |         | 03/05/2009 | 100-0703-553.24-03 | 52.70                                     |             |
|          |           |                           |            |         |            |                    | 52.70 *                                   | 52.70       |
| 20468    | 231       | LAFORCE                   |            |         | 03/05/2009 | 100-0703-553.24-03 | 15.35                                     |             |
|          |           |                           |            |         |            |                    | 15.35 *                                   | 15.35       |
| 20469    | 237       | LAPPEN SECURITY PRODUCTS  |            |         | 03/05/2009 | 100-0501-522.24-03 | 648.52                                    |             |
|          |           |                           |            |         |            |                    | 648.52 *                                  | 648.52      |
| 20470    | 239       | LAWSON PRODUCTS INC       |            |         | 03/05/2009 | 731-1022-541.30-18 | 838.03                                    |             |
|          |           |                           |            |         |            |                    | 838.03 *                                  | 838.03      |
| 20471    | 245       | LINCOLN CONTRACTORS SUPPL |            |         | 03/05/2009 | 731-1022-541.30-18 | 69.95                                     |             |
|          |           |                           |            |         |            |                    | 69.95 *                                   | 69.95       |
| 20472    | 250       | MARSH ELECTRONICS INC     |            |         | 03/05/2009 | 731-1022-541.38-03 | 5.00                                      |             |
|          |           |                           |            |         |            |                    | 5.00 *                                    | 5.00        |
| 20473    | 252       | MARSHALL & ILSLEY TRUST-M |            |         | 03/05/2009 | 100-0202-512.21-06 | 260.00                                    |             |
|          |           |                           |            |         |            |                    | 260.00 *                                  | 260.00      |
| 20474    | 254       | MATTHEWS COMMERCIAL TIRE  |            |         | 03/05/2009 | 731-1022-541.38-02 | 915.18                                    |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-02 | 761.40                                    |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-02 | 1,844.35                                  |             |
|          |           |                           |            |         |            |                    | 3,520.93 *                                | 3,520.93    |
| 20475    | 264       | MENARDS-APPLETON EAST     |            |         | 03/05/2009 | 100-0703-553.30-18 | 342.90                                    |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.24-03 | 91.87                                     |             |
|          |           |                           |            |         |            |                    | 434.77 *                                  | 434.77      |
| 20476    | 267       | MENASHA EMPLOYEES CREDIT  | PR0305     |         | 03/05/2009 | 100-0000-202.05-00 | 1,792.00                                  |             |
|          |           |                           |            |         |            |                    | 1,792.00 *                                | 1,792.00    |
| 20477    | 269       | MENASHA EMPLOYEES LOCAL 1 | PR0305     |         | 03/05/2009 | 100-0000-202.06-00 | 260.00                                    |             |
|          |           |                           |            |         |            |                    | 260.00 *                                  | 260.00      |
| 20478    | 271       | MENASHA JOINT SCHOOL DIST |            |         | 03/05/2009 | 100-0000-201.03-00 | 31.64                                     |             |
|          |           |                           |            |         |            |                    | 31.64 *                                   | 31.64       |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT (NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|--|-------------|
| 20479    | 446       | MENASHA POLICE DEPARTMENT |            |         | 03/05/2009 | 100-0801-521.30-11 | 17.50                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.30-18 | 12.49                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.33-03 | 9.32                                   |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.34-04 | 2.00                                   |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.34-03 | 70.81                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.33-03 | 22.43                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0801-521.29-05 | 19.50                                  |             |
|          |           |                           |            |         |            |                    | 154.05 *                               | 154.05      |
| 20480    | 272       | MENASHA POSTMASTER        |            |         | 03/05/2009 | 100-0920-531.30-11 | 55.00                                  |             |
|          |           |                           |            |         |            |                    | 55.00 *                                | 55.00       |
| 20481    | 452       | MENASHA TREASURER         |            |         | 03/05/2009 | 100-0000-201.02-00 | 7.55                                   |             |
|          |           |                           |            |         | 03/05/2009 | 100-0202-512.30-10 | 8.39                                   |             |
|          |           |                           |            |         | 03/05/2009 | 100-0202-512.30-11 | .17                                    |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-11 | .75                                    |             |
|          |           |                           |            |         | 03/05/2009 | 100-0903-531.33-01 | 31.77                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-1002-541.30-11 | 38.45                                  |             |
|          |           |                           |            |         | 03/05/2009 | 601-1020-543.30-18 | 8.39                                   |             |
|          |           |                           |            |         |            |                    | 95.47 *                                | 95.47       |
| 20482    | 286       | MORTON SAFETY             |            |         | 03/05/2009 | 731-1022-541.30-18 | 23.70                                  |             |
|          |           |                           |            |         |            |                    | 23.70 *                                | 23.70       |
| 20483    | 2         | N&M AUTO SUPPLY           |            |         | 03/05/2009 | 731-1022-541.38-03 | 27.26                                  |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-03 | 8.08                                   |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.30-18 | 12.24                                  |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.30-18 | 7.95                                   |             |
|          |           |                           |            |         |            |                    | 55.53 *                                | 55.53       |
| 20484    | 295       | NEENAH-MENASHA MUNICIPAL  |            |         | 03/05/2009 | 100-0000-201.03-00 | 134.00                                 |             |
|          |           |                           |            |         | 03/05/2009 | 100-0000-201.03-00 | 197.00                                 |             |
|          |           |                           |            |         | 03/05/2009 | 100-0000-201.03-00 | 134.00                                 |             |
|          |           |                           |            |         |            |                    | 465.00 *                               | 465.00      |
| 20485    | 296       | NEENAH-MENASHA SEWERAGE C |            |         | 03/05/2009 | 601-1021-543.25-01 | 12,280.00                              |             |
|          |           |                           |            |         | 03/05/2009 | 601-1021-543.25-01 | 54,300.37                              |             |
|          |           |                           |            |         |            |                    | 66,580.37 *                            | 66,580.37   |
| 20486    | 492       | NEENAH, CITY OF           |            |         | 03/05/2009 | 100-0205-512.25-01 | 2,520.00                               |             |
|          |           |                           |            |         |            |                    | 2,520.00 *                             | 2,520.00    |
| 20487    | 303       | NOFFKE LUMBER INC         |            |         | 03/05/2009 | 100-0703-553.30-18 | 10.49                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-18 | 85.26                                  |             |
|          |           |                           |            |         |            |                    | 95.75 *                                | 95.75       |
| 20488    | 311       | OFFICEMAX INC             |            |         | 03/05/2009 | 731-1022-541.30-13 | 87.98                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-13 | 50.98                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-1002-541.30-10 | 7.99                                   |             |
|          |           |                           |            |         |            |                    | 146.95 *                               | 146.95      |

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20489    | 317       | PACKER CITY INTERNATIONAL |            |         | 03/05/2009 | 731-1022-541.38-03 | 156.42                                    |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-03 | 24.41                                     |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-03 | 35.18                                     |             |
|          |           |                           |            |         | 03/05/2009 | 731-1022-541.38-03 | 42.59                                     |             |
|          |           |                           |            |         |            |                    | 258.60 *                                  | 258.60      |
| 20490    | 591       | PICARD, ROGER             |            |         | 03/05/2009 | 100-0801-521.33-03 | 7.61                                      |             |
|          |           |                           |            |         |            |                    | 7.61 *                                    | 7.61        |
| 20491    | 329       | PRO-X SYSTEMS LAWCARE     |            |         | 03/05/2009 | 100-0703-553.20-06 | 286.75                                    |             |
|          |           |                           |            |         |            |                    | 286.75 *                                  | 286.75      |
| 20492    | 399       | UNIFIRST CORPORATION      |            |         | 03/05/2009 | 731-1022-541.20-01 | 90.11                                     |             |
|          |           |                           |            |         |            |                    | 90.11 *                                   | 90.11       |
| 20493    | 354       | WAUSAU EQUIPMENT COMPANY  |            |         | 03/05/2009 | 100-1006-541.30-18 | 277.20                                    |             |
|          |           |                           |            |         |            |                    | 277.20 *                                  | 277.20      |
| 20494    | 431       | WE ENERGIES               |            |         | 03/05/2009 | 100-1012-541.22-03 | 2,082.44                                  |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.22-03 | 15.32                                     |             |
|          |           |                           |            |         |            |                    | 2,097.76 *                                | 2,097.76    |
| 20495    | 436       | WIL-KIL PEST CONTROL      |            |         | 03/05/2009 | 731-1022-541.20-01 | 63.00                                     |             |
|          |           |                           |            |         |            |                    | 63.00 *                                   | 63.00       |
| 20496    | 438       | WINNEBAGO COUNTY CLERK OF |            |         | 03/05/2009 | 100-0000-201.03-00 | 250.00                                    |             |
|          |           |                           |            |         |            |                    | 250.00 *                                  | 250.00      |
| 20497    | 440       | WINNEBAGO COUNTY TREASURE |            |         | 03/05/2009 | 100-0000-201.03-00 | 19.94                                     |             |
|          |           |                           |            |         | 03/05/2009 | 100-0000-201.03-00 | 1,182.50                                  |             |
|          |           |                           |            |         |            |                    | 1,202.44 *                                | 1,202.44    |
| 20498    | 590       | WISCONSIN EMERGENCY MANAG |            |         | 03/05/2009 | 207-0707-552.32-01 | 180.00                                    |             |
|          |           |                           |            |         | 03/05/2009 | 100-0704-552.32-01 | 355.00                                    |             |
|          |           |                           |            |         |            |                    | 535.00 *                                  | 535.00      |
| 20499    | 476       | WISCONSIN SUPPORT COLLECT | PR0305     |         | 03/05/2009 | 100-0000-202.03-00 | 515.23                                    |             |
|          |           |                           | PR0305     |         | 03/05/2009 | 100-0000-202.04-00 | 138.40                                    |             |
|          |           |                           |            |         |            |                    | 653.63 *                                  | 653.63      |

BANK/CHECK TOTAL 95,079.79

ALL BANKS/CHECKS TOTAL 95,079.79

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 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/03  
 REPORT NUMBER 13  
 PAGE 1

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20487*   | 303       | NOFFKE LUMBER INC         |            |         | 03/05/2009 | 100-0703-553.30-18 | 85.26-                                    |             |
|          |           |                           |            |         | 03/05/2009 | 100-0703-553.30-18 | 10.49-                                    |             |
|          |           |                           |            |         |            |                    | 95.75-                                    | VOIDED      |
| 20500    | 12        | ACCENT FLORAL & GIFTS LLC |            |         | 03/12/2009 | 100-0408-552.30-16 | 40.00                                     |             |
|          |           |                           |            |         |            |                    | 40.00                                     | 40.00       |
| 20501    | 24        | AIRGAS NORTH CENTRAL      |            |         | 03/12/2009 | 731-1022-541.30-18 | 21.47                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.30-15 | 66.43                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.30-15 | 15.07                                     |             |
|          |           |                           |            |         |            |                    | 102.97                                    | 102.97      |
| 20502    | 39        | AMERICAN PLANNING ASSOCIA |            |         | 03/12/2009 | 100-0304-562.32-01 | 333.00                                    |             |
|          |           |                           |            |         |            |                    | 333.00                                    | 333.00      |
| 20503    | 46        | AMT                       | PR0312     |         | 03/12/2009 | 100-0000-202.08-00 | 150.00                                    |             |
|          |           |                           |            |         |            |                    | 150.00                                    | 150.00      |
| 20504    | 55        | APPLETON STEEL INC        |            |         | 03/12/2009 | 100-0703-553.30-18 | 119.60                                    |             |
|          |           |                           |            |         |            |                    | 119.60                                    | 119.60      |
| 20505    | 56        | APPLETON, CITY OF         |            |         | 03/12/2009 | 100-0302-542.25-01 | 43,752.00                                 |             |
|          |           |                           |            |         |            |                    | 43,752.00                                 | 43,752.00   |
| 20506    | 70        | BADGER HIGHWAYS CO INC    |            |         | 03/12/2009 | 100-1002-541.30-18 | 105.45                                    |             |
|          |           |                           |            |         |            |                    | 105.45                                    | 105.45      |
| 20507    | 582       | BATTERY HUB               |            |         | 03/12/2009 | 100-1016-543.30-18 | 18.50                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-1003-541.30-18 | 45.99                                     |             |
|          |           |                           |            |         |            |                    | 64.49                                     | 64.49       |
| 20508    | 83        | BERGSTROM                 |            |         | 03/12/2009 | 100-0801-521.29-05 | 699.36                                    |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 44.73                                     |             |
|          |           |                           |            |         |            |                    | 744.09                                    | 744.09      |
| 20509    | 103       | BUBRICK'S                 |            |         | 03/12/2009 | 731-1022-541.30-10 | 7.58                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.30-10 | 16.47                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0801-521.30-10 | 89.54                                     |             |
|          |           |                           |            |         |            |                    | 113.59                                    | 113.59      |
| 20510    | 1         | BURNS, MICHAEL            | MR         |         | 03/12/2009 | 100-0000-123.00-00 | 14.02                                     |             |
|          |           |                           |            |         |            |                    | 14.02                                     | 14.02       |
| 20511    | 115       | CDW GOVERNMENT INC        |            |         | 03/12/2009 | 100-0801-521.30-10 | 149.66                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0403-513.30-15 | 18,589.92                                 |             |
|          |           |                           |            |         | 03/12/2009 | 100-0403-513.30-15 | 65.50                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0403-513.30-15 | 11.36                                     |             |
|          |           |                           |            |         |            |                    | 18,816.44                                 | 18,816.44   |
| 20512    | 118       | CLEAR WATER CAR WASH      |            |         | 03/12/2009 | 100-0801-521.29-05 | 17.99                                     |             |
|          |           |                           |            |         |            |                    | 17.99                                     | 17.99       |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20513    | 119       | COMMON SENSE SOLUTIONS LL |            |         | 03/12/2009 | 100-0403-513.21-04 | 52.80<br>52.80 *                          | 52.80       |
| 20514    | 595       | DAVIES WATER #1476        |            |         | 03/12/2009 | 601-1020-543.30-18 | 102.20<br>102.20 *                        | 102.20      |
| 20515    | 483       | DEPARTMENT OF WORKFORCE D |            |         | 03/12/2009 | 100-1019-552.15-09 | 4,136.00<br>4,136.00 *                    | 4,136.00    |
| 20516    | 141       | DIGICORPORATION           |            |         | 03/12/2009 | 100-0920-531.29-01 | 81.90                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0000-134.00-00 | 29.90-                                    |             |
|          |           |                           |            |         |            |                    | 52.00 *                                   | 52.00       |
| 20517    | 154       | FERRELLGAS                |            |         | 03/12/2009 | 266-1027-543.30-18 | 86.69<br>86.69 *                          | 86.69       |
| 20518    | 163       | FOX VALLEY TRUCK          |            |         | 03/12/2009 | 731-1022-541.38-03 | 61.23<br>61.23 *                          | 61.23       |
| 20519    | 167       | GALLS INC                 |            |         | 03/12/2009 | 100-0801-521.29-05 | 452.70                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0801-521.29-05 | 462.71<br>915.41 *                        | 915.41      |
| 20520    | 170       | GANNETT WISCONSIN MEDIA   |            |         | 03/12/2009 | 100-0204-512.29-02 | 25.50                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0405-513.29-02 | 1,181.69<br>1,207.19 *                    | 1,207.19    |
| 20521    | 183       | GUNDERSON UNIFORM & LINEN |            |         | 03/12/2009 | 100-1001-514.20-01 | 22.68                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0801-521.30-13 | 32.44<br>55.12 *                          | 55.12       |
| 20522    | 601       | HARP, JILL                |            |         | 03/12/2009 | 100-0304-562.33-01 | 41.55<br>41.55 *                          | 41.55       |
| 20523    | 200       | INFINITY TECHNOLOGY INC   |            |         | 03/12/2009 | 100-0403-513.80-01 | 9,691.34<br>9,691.34 *                    | 9,691.34    |
| 20524    | 208       | INTERSTATE BATTERY OF GRE |            |         | 03/12/2009 | 731-1022-541.38-03 | 334.80<br>334.80 *                        | 334.80      |
| 20525    | 216       | JX ENTERPRISES INC        |            |         | 03/12/2009 | 731-1022-541.38-03 | 179.22<br>179.22 *                        | 179.22      |
| 20526    | 217       | KAEMPFER & ASSOCIATES INC |            |         | 03/12/2009 | 601-1020-543.21-02 | 482.14                                    |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.21-02 | 535.03                                    |             |
|          |           |                           |            |         | 03/12/2009 | 601-0000-196.00-00 | 2,427.23<br>2,68.42                       | 2,68.42     |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.21-02 | 1,154.66                                  |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.21-02 | 4,100.19<br>185.46                        | 4,100.19    |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.21-02 | 9,153.13 *                                | 9,153.13    |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20527    | 219       | KEIL, GREG                |            |         | 03/12/2009 | 100-0000-201.02-00 | 145.04                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0304-562.33-01 | 97.35                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0304-562.33-03 | 7.00                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0304-562.30-11 | 17.50                                     |             |
|          |           |                           |            |         |            |                    | 266.89                                    | 266.89      |
| 20528    | 234       | LAKE PARK VILLAS HOMEOWNE |            |         | 03/12/2009 | 100-0703-553.21-06 | 24.36                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.22-03 | 32.78                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-1012-541.22-03 | 32.37                                     |             |
|          |           |                           |            |         | 03/12/2009 | 625-1010-541.22-03 | 30.76                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0305-562.21-01 | 220.40                                    |             |
|          |           |                           |            |         |            |                    | 340.67                                    | 340.67      |
| 20529    | 245       | LINCOLN CONTRACTORS SUPPL |            |         | 03/12/2009 | 100-1003-541.30-15 | 1,278.00                                  |             |
|          |           |                           |            |         |            |                    | 1,278.00                                  | 1,278.00    |
| 20530    | 248       | MANAWA TELEPHONE CO       |            |         | 03/12/2009 | 100-0403-513.22-01 | 39.95                                     |             |
|          |           |                           |            |         |            |                    | 39.95                                     | 39.95       |
| 20531    | 264       | MENARDS-APPLETON EAST     |            |         | 03/12/2009 | 100-0703-553.30-18 | 3.96                                      |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.24-03 | 21.90                                     |             |
|          |           |                           |            |         |            |                    | 25.86                                     | 25.86       |
| 20532    | 267       | MENASHA EMPLOYEES CREDIT  | PR0312     |         | 03/12/2009 | 100-0000-202.05-00 | 1,792.00                                  |             |
|          |           |                           | PR0312     |         | 03/12/2009 | 100-0000-202.05-00 | 16,745.00                                 |             |
|          |           |                           |            |         |            |                    | 18,537.00                                 | 18,537.00   |
| 20533    | 268       | MENASHA EMPLOYEES CREDIT  | PR0312     |         | 03/12/2009 | 100-0000-202.10-00 | 129.22                                    |             |
|          |           |                           |            |         |            |                    | 129.22                                    | 129.22      |
| 20534    | 269       | MENASHA EMPLOYEES LOCAL 1 | PR0312     |         | 03/12/2009 | 100-0000-202.06-00 | 260.00                                    |             |
|          |           |                           |            |         |            |                    | 260.00                                    | 260.00      |
| 20535    | 270       | MENASHA EMPLOYEES LOCAL 1 | PR0312     |         | 03/12/2009 | 100-0000-202.07-00 | 260.13                                    |             |
|          |           |                           |            |         |            |                    | 260.13                                    | 260.13      |
| 20536    | 266       | MENASHA UTILITIES         |            |         | 03/12/2009 | 100-1008-541.22-03 | 207.39                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.22-03 | 503.27                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.22-05 | 62.36                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0000-123.00-00 | 7.65                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0903-531.22-03 | 113.45                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0903-531.22-05 | 34.93                                     |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.22-03 | 51.53                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.22-03 | 13.30                                     |             |
|          |           |                           |            |         |            |                    | 993.88                                    | 993.88      |
| 20537    | 280       | MINNESOTA LIFE INSURANCE  |            |         | 03/12/2009 | 100-0000-204.07-00 | 2,446.90                                  |             |
|          |           |                           |            |         |            |                    | 2,446.90                                  | 2,446.90    |
| 20538    | 286       | MORTON SAFETY             |            |         | 03/12/2009 | 731-1022-541.30-18 | 36.00                                     |             |
|          |           |                           |            |         |            |                    | 36.00                                     | 36.00       |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20539    | 2         | N&M AUTO SUPPLY           |            |         | 03/12/2009 | 731-1022-541.38-03 | 104.94                                    |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 7.74                                      |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 6.46                                      |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 19.88                                     |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 13.66                                     |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 139.76                                    | 139.76      |
| 20540    | 296       | NEENAH-MENASHA SEWERAGE C |            |         | 03/12/2009 | 601-1020-543.21-01 | 11,045.75                                 |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.21-01 | 9,831.12                                  |             |
|          |           |                           |            |         |            |                    | 20,876.87                                 | 20,876.87   |
| 20541    | 603       | NEIL GREEN                |            |         | 03/12/2009 | 601-1020-543.21-02 | 312.50                                    |             |
|          |           |                           |            |         |            |                    | 312.50                                    | 312.50      |
| 20542    | 303       | NOFFKE LUMBER INC         |            |         | 03/12/2009 | 100-0703-553.30-18 | 22.24                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.30-18 | 85.26                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.30-18 | 34.39                                     |             |
|          |           |                           |            |         |            |                    | 73.11                                     | 73.11       |
| 20543    | 308       | NUCPS/TI ALUMNI ASSN      |            |         | 03/12/2009 | 100-0801-521.32-01 | 50.00                                     |             |
|          |           |                           |            |         |            |                    | 50.00                                     | 50.00       |
| 20544    | 310       | OFFICE DEPOT              |            |         | 03/12/2009 | 100-0918-531.30-10 | 11.54                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0903-531.30-10 | 10.53                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0401-513.30-10 | 62.22                                     |             |
|          |           |                           |            |         |            |                    | 84.29                                     | 84.29       |
| 20545    | 317       | PACKER CITY INTERNATIONAL |            |         | 03/12/2009 | 731-1022-541.38-03 | 7.55                                      |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 127.90                                    |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 112.76                                    |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 9.03                                      |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 37.30                                     |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.38-03 | 7.55                                      |             |
|          |           |                           |            |         |            |                    | 302.09                                    | 302.09      |
| 20546    | 319       | PARTS ASSOCIATES INC      |            |         | 03/12/2009 | 731-1022-541.30-18 | 206.71                                    |             |
|          |           |                           |            |         |            |                    | 206.71                                    | 206.71      |
| 20547    | 338       | REDI-WELDING CO           |            |         | 03/12/2009 | 731-1022-541.30-18 | 102.00                                    |             |
|          |           |                           |            |         |            |                    | 102.00                                    | 102.00      |
| 20548    | 341       | RESERVE ACCOUNT           |            |         | 03/12/2009 | 100-0000-133.00-00 | 6,000.00                                  |             |
|          |           |                           |            |         |            |                    | 6,000.00                                  | 6,000.00    |
| 20549    | 360       | SERVICEMASTER BUILDING MA |            |         | 03/12/2009 | 100-0801-521.20-01 | 1,395.00                                  |             |
|          |           |                           |            |         |            |                    | 1,395.00                                  | 1,395.00    |
| 20550    | 361       | SHERWIN-WILLIAMS CO       |            |         | 03/12/2009 | 731-1022-541.24-03 | 110.90                                    |             |
|          |           |                           |            |         |            |                    | 110.90                                    | 110.90      |
| 20551    | 597       | TAYLOR, BARB              |            |         | 03/12/2009 | 100-0920-531.33-01 | 20.48                                     |             |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|----------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20551    | 597       | TAYLOR, BARB              |            |         | 03/12/2009 | 100-0801-521.21-05 | 20.48 *                                   | 20.48       |
| 20552    | 387       | THEDACARE                 |            |         | 03/12/2009 | 100-0801-521.21-05 | 110.40<br>110.40 *                        | 110.40      |
| 20553    | 393       | TOUGH SOLUTIONS           |            |         | 03/12/2009 | 100-0801-521.29-05 | 448.47<br>448.47 *                        | 448.47      |
| 20554    | 606       | TWIN CITY VETERANS        |            |         | 03/12/2009 | 100-0408-552.30-16 | 600.00<br>600.00 *                        | 600.00      |
| 20555    | 399       | UNIFIRST CORPORATION      |            |         | 03/12/2009 | 731-1022-541.20-01 | 96.91<br>96.91 *                          | 96.91       |
| 20556    | 405       | UNITED WAY FOX CITIES     | PR0312     |         | 03/12/2009 | 100-0000-202.09-00 | 81.00<br>81.00 *                          | 81.00       |
| 20557    | 408       | US CELLULAR               |            |         | 03/12/2009 | 100-0101-511.22-01 | 45.15                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0204-512.22-01 | 3.70                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0201-512.22-01 | 66.19                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0401-513.22-01 | 4.51                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0403-513.22-01 | 113.39                                    |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.22-01 | 3.70                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-1001-514.22-01 | 36.94                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0601-551.22-01 | 5.10                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0801-521.22-01 | 427.76                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0919-531.22-01 | 32.40                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0904-531.22-01 | 34.19                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-1002-541.22-01 | 105.80                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0702-552.22-01 | 40.85                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-0704-552.22-01 | 7.40                                      |             |
|          |           |                           |            |         | 03/12/2009 | 100-0703-553.22-01 | 117.44                                    |             |
|          |           |                           |            |         | 03/12/2009 | 100-0304-562.22-01 | 10.30                                     |             |
|          |           |                           |            |         | 03/12/2009 | 731-1022-541.22-01 | 69.04                                     |             |
|          |           |                           |            |         | 03/12/2009 | 100-1008-541.22-01 | 6.80                                      |             |
|          |           |                           |            |         | 03/12/2009 | 601-1020-543.22-01 | 12.90                                     |             |
|          |           |                           |            |         |            |                    | 1,143.56 *                                | 1,143.56    |
| 20558    | 410       | US OIL CO INC             |            |         | 03/12/2009 | 731-1022-541.24-02 | 36.00<br>36.00 *                          | 36.00       |
| 20559    | 513       | VALLEY DIESEL INJECTION I |            |         | 03/12/2009 | 731-1022-541.29-04 | 1,601.19<br>1,601.19 *                    | 1,601.19    |
| 20560    | 598       | VAN HANDEL EXCAVATING INC |            |         | 03/12/2009 | 100-1006-541.30-18 | 1,345.00<br>1,345.00 *                    | 1,345.00    |
| 20561    | 600       | WAI                       |            |         | 03/12/2009 | 100-0801-521.32-01 | 60.00<br>60.00 *                          | 60.00       |
| 20562    | 425       | WARNING LITES OF APPLETON |            |         | 03/12/2009 | 100-1008-541.30-18 | 38.00                                     |             |

ACCOUNTS PAYABLE CHECK REGISTER

| CHECK NO               | VENDOR NO | VENDOR NAME               | VOUCHER NO | P.O. NO | DATE       | ACCOUNT            | REMITTANCE AMOUNT<br>(NET OF DISC/RETAIN) | CHECK TOTAL |
|------------------------|-----------|---------------------------|------------|---------|------------|--------------------|---|-------------|
| 20562                  | 425       | WARNING LITES OF APPLETON |            |         | 03/12/2009 | 733-0206-512.51-07 | 38.00 *                                   | 38.00       |
| 20563                  | 428       | WAUSAU SIGNATURE AGENCY   |            |         |            |                    | 4,758.00                                  |             |
|                        |           |                           |            |         |            |                    | 4,758.00 *                                | 4,758.00    |
| 20564                  | 432       | WERNER ELECTRIC SUPPLY CO |            |         | 03/12/2009 | 100-0000-132.00-00 | 155.64                                    |             |
|                        |           |                           |            |         | 03/12/2009 | 100-0703-553.24-03 | 19.25                                     |             |
|                        |           |                           |            |         | 03/12/2009 | 731-1022-541.24-03 | 108.96                                    |             |
|                        |           |                           |            |         |            |                    | 283.85 *                                  | 283.85      |
| 20565                  | 440       | WINNEBAGO COUNTY TREASURE |            |         | 03/12/2009 | 266-1029-543.21-06 | 1,651.00                                  |             |
|                        |           |                           |            |         | 03/12/2009 | 100-1016-543.25-01 | 6,846.22                                  |             |
|                        |           |                           |            |         | 03/12/2009 | 100-1017-543.25-01 | 2,238.21                                  |             |
|                        |           |                           |            |         | 03/12/2009 | 266-1027-543.25-01 | 891.60                                    |             |
|                        |           |                           |            |         | 03/12/2009 | 100-0805-521.25-01 | 198.00                                    |             |
|                        |           |                           |            |         |            |                    | 11,825.03 *                               | 11,825.03   |
| 20566                  | 476       | WISCONSIN SUPPORT COLLECT | PR0312     |         | 03/12/2009 | 100-0000-202.03-00 | 515.23                                    |             |
|                        |           |                           | PR0312     |         | 03/12/2009 | 100-0000-202.04-00 | 138.40                                    |             |
|                        |           |                           | PR0312     |         | 03/12/2009 | 100-0000-202.03-00 | 711.92                                    |             |
|                        |           |                           |            |         |            |                    | 1,365.55 *                                | 1,365.55    |
| 20567                  | 596       | 976-PRAXAIR DISTRIBUTION  |            |         | 03/12/2009 | 827-0920-531.30-18 | 168.34                                    |             |
|                        |           |                           |            |         | 03/12/2009 | 100-0703-553.24-02 | 67.31                                     |             |
|                        |           |                           |            |         |            |                    | 235.65 *                                  | 235.65      |
| BANK/CHECK TOTAL       |           |                           |            |         |            |                    | 168,663.39                                | 168,759.14  |
| ALL BANKS/CHECKS TOTAL |           |                           |            |         |            |                    | 168,663.39                                | 168,759.14  |