

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 2, 2009
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- 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
- 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. Chief Vander Wyst – Update on Fire Dept. Driver Simulator (Ald. Taylor)
 - 2. CDD Keil – Introduction of Amy Kester and Alisa Kahler
 - 3. CA/HRD Brandt – Update on City Attorney and Park Superintendent resumes received
 - 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 3rd 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

"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."

- 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

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, 2/2/09 – 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, 2/2/09 – 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,

H. ITEMS REMOVED FROM CONSENT AGENDA

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)
- 2. O-5-09 A Charter Ordinance Relating to Appointment of the City Clerk (Recommended by Personnel Committee, Introduced by Alderman Pack)
- 3. O-6-09 A Charter Ordinance Relating to Appointment of the City Attorney (Recommended by Personnel Committee, introduced by Alderman Pack)
- 4. O-9-09 – An ordinance relating to the installation of utility cabinets (Introduced by Ald. Benner and recommended by the Plan Commission)
- 5. O-10-09 – An Ordinance Relating to open burning (Introduced by Ald. Wisneski and recommended by the NM Fire Rescue, Finance & Personnel Committee)
- 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).

J. ACTION ITEMS

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

K. APPOINTMENTS

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

L. CLAIMS AGAINST THE CITY

M. HELD OVER BUSINESS

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

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

O. ADJOURNMENT

MEETING NOTICE

**Monday, March 16, 2009 - Council Chambers
Common Council – 6:00 p.m.
Administration Committee – to be determined
Board of Public Works – to be determined**

**City of Menasha
Public Hearing**

Notice is hereby given that a Public Hearing will be held by the City of Menasha Common Council on Monday March 2, 2009 at 6:00 p.m. , or shortly after the Common Council meeting is called to order, in the City Hall Council Chambers, 140 Main St., on the proposed ordinances, as follows:

A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY ASSESSOR
AND;
A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY CLERK
AND;
A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY ATTORNEY

The three Charter Ordinances would make the positions of City Assessor, City Clerk and City Attorney appointed by the Mayor with confirmation by the Common Council. In the case of the City Assessor, a firm may be designated. The current three year term for each of these offices will be eliminated by these Charter Ordinances.

If passed the Charter Ordinances shall take effect sixty (60) days after its publication unless within such sixty (60) days a referendum petition is filed as provided for by s 66.0101 Wis Status. In such event, the ordinances shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

Copies of the three Charter Ordinances can be obtained from the Clerk's office or on the City Website.

Interested persons objecting or supporting the proposed ordinances are invited to attend the public hearing.

Deborah A. Galeazzi
City Clerk

Publish: Feb. 20, 2009

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 16, 2009
MINUTES

DRAFT

A. CALL TO ORDER

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

B. ROLL CALL/EXCUSED ABSENCES

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

EXCUSED: Ald. Pamenter, Michalkiewicz

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

C. MINUTES TO APPROVE

1. Administration Committee, 2/2/09

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

Motion carried on voice vote

D. ACTION ITEMS

1. 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.

PHD Nett explained this is a new contract with Division of Public Health. It will be up for
renewal in June. The short time frame is do to the Menasha Health Dept. just getting
approved by the State to service tuberculosis cases. This will help City residences that
are uninsured or under-insured.

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

Motion carried on voice vote

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Hendricks to adjourn at 6:35 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
February 16, 2009
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Pack at 6:35 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

EXCUSED: Ald. Pamenter, Michalkiewicz

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

C. MINUTES TO APPROVE

1. [February 2, 2009](#)

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

D. ACTION ITEMS

1. [Recommendation to Increase Rental Dumpster Fee from \\$30 to \\$35](#)

DPW Radtke explained an increase in the tipping fees at the Winnebago County landfill and an increase in other operational costs has made it necessary to increase the dumpster rental fee. These fees compare favorably with Winnebago County's rates for dumpster rental. The last increase was in 2004. This covers residential dumpster rentals.

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

2. [Approval of City of Menasha Minimum Wage Rates](#)

DPW Radtke explained the 2009 increase is 2%. In past years the increase has typically been 3%. Most contractors pay more than the City's minimum rates.

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

E. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Wisneski to adjourn at 6:41 p.m.
Motion carried on roll call

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
BOARD OF APPEALS
Third Floor Council Chambers
140 Main Street, Menasha
February 10, 2009
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Klein at 11:00 a.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Comm Eckstein, Koslowski, Klein

ALSO PRESENT: CA/HRD Brandt, AP Beckendorf, Clerk Galeazzi,
Kevin & Julia LeNoble, Leon Church, Cathy & Marty Pavich

C. MINUTES TO APPROVE

1. Board of Appeals, 9/24/08

Moved by Comm. Koslowski, seconded by Comm. Eckstein to approve minutes
Motion carried on voice vote.

D. ACTION ITEMS

1. Request for Variance, Kevin and Julia LeNoble, 533 Broad Street

Clerk Galeazzi reported public hearing notice was properly noticed. It was published in the local newspaper and sent to property owners within 100 feet of subject property.

CA/HRD Brandt explained to the Commissioners they act on the evidence and testimony presented at today's hearing.

CA/HRD Brandt swore in the people that would be speaking in front of the Board.

AP Beckendorf explained staff's reason for not allowing the variance. She presented a map of a section of the City showing other properties with a similar lot size of the applicants. Granting the variance could adversely impact public interest by creating a precedent. Staff feels the applicants have other options for a new garage on the lot in a manner that complies with all requirements of the zoning ordinances.

Leon Church, Sweetwood Builders. He has explored other options with the LeNobles. Part of the lot is in the flood plain, which limits their options.

Kevin LeNoble, 533 Broad Street, explained the property was vacant when they purchased it a few years ago. Adding an attached garage would increase the value of the property.

Cathy Pavich, 529 Broad Street. She remodeled her property in 2003 and revised the original plans for a garage to stay within the requirements of the zoning ordinances. They have lived with the restriction. Also, if the variance is granted the width between their garage and the LeNoble's garage would be reduce which could cause a safety issue.

D. ACTION ITEMS, Cont'd

1. Request for Variance, Kevin and Julia LeNoble, 533 Broad Street, cont'd

Julia LeNoble, 533 Broad Street, explained they are required to purchase flood insurance as the current garage is located in a floodplain. Building an attached garage will not block the neighbor's view of the water. She showed pictures to the Board.

Marty Pavich, 529 Broad Street. Concerned with safety, mainly fire. Allowing to build so close to lot line would limit width between structures, which may cause limited access to the back of his property. Mr. Pavich showed the Board pictures of the two properties.

Commissioners asked questions.

Moved by Comm. Koslowski, seconded by Comm. Klein to deny variance.

Discussion

Moved on roll call 3-0.

E. ADJOURNMENT

Moved by Comm. Eckstein, seconded by Comm. Koslowski to adjourn at 11:46 a.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
LANDMARKS COMMISSION
COUNCIL CHAMBERS

DATE: 1-14-09

MINUTE NOTES
CHE—SECRETARY

0. REGULAR MEETING

1. CALL TO ORDER

- a. TIME: 4:01 pm
- b. CHAIR: Joe

2. ROLL

a. LANDMARKS MEMBERS (Mark Present or Absent)

- i. Chair: Joe Weidert - present
- ii. Vice Chair: Patti Rudolph - absent
- iii. Ald. Jason Pamenter - present
- iv. Kristi Lynch - absent
- v. Mary Nebel - present
- vi. Chris Evenson - present
- vii. Charlie Cross - absent

b. OTHERS PRESENT

- i. Jessica Beckendorf
- ii. Frank Prokash
- iii. Mayor Merkes arrived for last 15 minutes of meeting
- iv. _____
- v. _____

3. MINUTES

- a. Date(s) of meeting minutes: 11-11-08
- b. Motions:
 - i. Amendments: None
 - ii. Motion to approve:
 - 1. By: Jason
 - 2. 2nd: Mary
 - 3. Result: Approved

4. PUBLIC COMMENTS ON MATTERS OF CONCERN TO THE CITY

- a. Item: Frank Prokash inquired about the status of his signage plans as an agenda item, while indicating he was not yet ready to present it to the commission. He will work with Jessica on determining his options.

5. SUBSTANTIVE AGENDA ITEMS

A. E-1, Action Plan

- i. Discussion Item
- ii. Attachments: None
- iii. Presenter: Joe
- iii. Discussion: Joe raised two issues: Coming up with an agenda of action items at the start of each year so that commission action can be more proactive and progress can be measured as goals are achieved. Each of the commission members are to come up with a few suggestions to be reviewed and agreed on at the next meeting. The suggestions are to be forwarded to Joe. The second item was scheduling a meeting with the historical society which had been requested. One known focus of the meeting would be trying to plan and coordinate activities (e.g. Historic Preservation Month). Joe will coordinate a meeting with the society with a non-quorum delegation from the commission (tentatively Joe, Mary and Chris) for a meeting at the Memorial Building.

B. E-2 Historic Preservation Grant Update

- i. Discussion Item
- ii. Attachments: 1-14-09 e-mail from Traci Schnell on current status of survey
- iii. Presenter: Jessica
- iii. Discussion: The status is summarized in the e-mail, basically indicating weather has hindered the work and that the survey work should be done by the end of March 2009.

C. E-3, Revolving Loan Status

i. Discussion Item

Attachments: None

iii. Presenter: Jessica

1. Discussion: Jessica had requested the figures from the controller, but had not had response, apparently due to press of business. Jessica will try and get the figures and distribute to the commission members by e-mail.

D. E-4 Project Status 163 Main St

i. Discussion Item

ii. Attachments: None

iii. Presenter: Jessica

- iv. Discussion: No contact able to be made with building owner, despite attempts through contractor. Joe raised issue over mechanism for confirming and tracking grant and loan status.

E. F-1 Sign Guidelines and Proposed Ordinance Changes

i. Action Item

ii. Attachments: Draft of revised guidelines and ordinance

iii. Presenter: Jessica

- iii. Discussion: Jessica reviewed the substantive changes made since last draft was reviewed, as shown in italics on the new drafts. The square footage for projecting signs was revised to provide 1 square foot per linear foot of storefront, up to a maximum of 25 square feet. As to plaque signs, they will also be permitted to display brief historic content (e.g. "Est. 2009"). In addition, Mary Nebel had a list of typographical and format corrections that she reviewed and will give to Jessica to incorporate.

- iv. Motion: To approve the latest draft of the sign guidelines and draft ordinance and submit to the Plan Commission, with the substantive amendments set forth in the above discussion and the typographical and format changes supplied by Mary.

1. By: Chris
2. 2nd: Jason
3. Result: Approved

7. ADJOURNMENT

- a. TIME: 5:45 pm
- b. MOTION
 - i. BY: Chris
 - ii. 2ND: Jason
 - iii. Result: Approved

DRAFT

CITY OF MENASHA
PERSONNEL COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 16, 2009
MINUTES

A. CALL TO ORDER

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

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Taylor, Wisneski, Pack, Hendricks, Zelinski, Benner, Mayor Merkes

EXCUSED: Ald. Pamenter, Michalkiewicz

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

C. MINUTES TO APPROVE

1. Personnel Committee, 1/19/09

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

Motion carried on roll call

D. ACTION ITEMS

1. Update on Arbitration between the City of Menasha and Local 603, AFSCME (Police)

CA/HRD Brandt explained the City and Local 603 Union have been unable to come to an agreement so there is an arbitration meeting scheduled for March 11, 2009. The two sides can continue to negotiate with an arbitrator present.

2. Update on Arbitration between the City of Menasha and Local 1035B, AFSCME
(City Hall & Police Support Staff)

CA/HRD Brandt explained the City and Local 1035B Union have been unable to come to an agreement so arbitration will need to be scheduled. There has not been a date set yet.

3. Update on Arbitration between the City of Menasha and Local 1035, AFSCME
(Public Works)

CA/HRD Brandt explained Local 1035 Union has filled for arbitration. No date has been set.

4. Update on City Attorney/Human Resources Position

CA/HRD Brandt reported an employment ad for City Attorney/ Human Resource Director has been published in multiple places including newspapers and websites as directed by Mayor Merkes. The job description has been revised.

D. ACTION ITEMS, Cont'd.

5. Update on Park Superintendent Position

CA/HRD Brandt reported PRD Tungate has revised the job description for Park Superintendent. They have met with staff to discuss different options and decided to keep the position as is. PRD Tungate reported he has placed an employment ad in multiple locations including newspapers and websites.

6. Update on Associate Planner Position.

CDD Keil reported with the departure of AP Jessica Beckendorf, he and Mayor Merkes have discussed a new staff arrangement for the Community Development Dept. A former intern has returned for a limited time and they also have two part-time people that have both worked in the Community Development Dept. in the past. They will review this arrangement at budget time to see how it is working out.

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Wisneski to adjourn at 7:25 p.m.
Motion carried on voice vote

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

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

January 20, 2009

3:30 PM

MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:30 p.m. by DPW Radtke.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: Catherine Cruickshank

OTHERS PRESENT: CDD Keil, AP Beckendorf, Jim Dreifuerst, Steve Winter, and Lonnie Pichler.

C. MINUTES TO APPROVE

1. Minutes of the January 6, 2009 Plan Commission Meeting.
 - a. Moved by Comm. Sanders, seconded by Ald. Benner to approve the January 6, 2009 Plan Commission meeting minutes. The motion carried.

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

Jim Dreifuerst, representing AT&T, stated his concerns regarding restrictions in the proposed utility cabinet ordinance.

E. COMMUNICATIONS

1. Local Land Use Planning and Zoning – A WisLine Teleconference Series 2009.
 - a. There was no discussion.

F. DISCUSSION

1. Proposed Ordinance O-XX-09 Relating Utility Cabinets.
 - a. CDD Keil reviewed changes to the proposed ordinance that were made since the January 6, 2009 Plan Commission meeting. These changes were the result of a meeting held with Menasha Utilities staff.
 - b. Commissioners discussed the following:
 - I. Placement of cabinets in new subdivisions. Steve Winter, representing AT&T, stated that any new subdivision and green spaces will be served underground.

- II. Required submittal materials and application requirements. Lonnie Pichler, representing Menasha Utilities, explained his concern regarding the amount of time it would take to assemble the submission materials.
 - III. Industry standard cabinet sizes.
 - IV. The purpose of this planning and permit process.
 - V. Timeframe of permit and how it can best be timed with the plat approval process and purchase of easements.
 - VI. Cabinet colors limited by manufacturers.
 - VII. Coordinating the proposed permit process with excavation permits.
 - VIII. Lettering and logo size and color.
 - IX. The effect the cabinets have on aesthetics.
 - c. This item was held pending further review.
2. Proposed Ordinance O-XX-09 Relating to Comprehensive Plan Amendments.
- a. AP Beckendorf described the proposed process and ordinance provisions.
 - b. Commissioners discussed the following:
 - I. Coordinating the timing of the annual meeting with the start of construction season.
 - II. Approval criteria.
 - III. Fees.
 - c. This item was held pending further review.

G. ACTION ITEMS

- 1. None.

H. ADJOURNMENT

Moved by Comm. Schmidt, seconded by Comm. Sanders to adjourn at 4:57 p.m. The motion carried.

Minutes respectfully submitted by Jessica Beckendorf, Associate Planner

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

February 17, 2009

3:30 PM

MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:30 p.m. by Mayor Donald Merkes.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: David Schmidt

OTHERS PRESENT: CDD Keil, Lonnie Pichler and Stan Martenson

C. MINUTES TO APPROVE

1. Minutes of the February 3, 2009 Plan Commission Meeting.
 - a. Moved by Comm. Sanders, seconded by DPW Radtke to approve the February 3, 2009 Plan Commission meeting minutes. The motion carried.

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

No one spoke.

E. DISCUSSION

1. None

F. ACTION ITEMS

1. Preliminary Plat – Second Addition to Woodland Hills
 - a. Commissioners discussed the following:
 - I. Parkland dedication
 - II. Bike/pedestrian connections and trail routes
 - III. Area served by the proposed stormwater ponds
 - IV. Dedication of stormwater ponds to the city
 - V. Relationship of stormwater ponds/watertable/placement of fill
 - VI. Navigability status
 - VII. Roundabout at Villa Way
 - VIII. Right-of-way standards/street width standards
 - IX. Wider street width (37') extending east from the proposed roundabout
 - X. Location of main circuit and primary circuit switch cabinets
 - XI. Side lot drainage/easements 105/106, 115/116

- XII. Utility easements – Menasha Utilities – possible issues with easements in rear yard
- XIII. Preparation of landscaping plans for boulevards and roundabout
- b. This item will be forwarded to the Park Board for review.

G. ADJOURNMENT

Moved by Comm. Sanders, seconded by Comm. Cruickshank to adjourn at 4:21 p.m. The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director

DRAFT

Neenah-Menasha Fire Rescue
Finance & Personnel Committee Meeting
Tuesday, February 24, 2009
3rd Floor Council Chambers – City of Menasha

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

Present: Ald. Ahles, Zelinski, Hendricks and Stevenson

Excused: Ald. Wisneski and Lange.

Also Present: Chief Vander Wyst, Director Stoffel and Administrative Assistant Theisen.

Approval of Minutes: The Committee reviewed the minutes from January 27, 2009.
MSC Ahles/Hendricks to approve the minutes from January 27, 2009, all voting aye.

Month End Budget Report: The Committee reviewed the January 2009 month end budget report. Chief Vander Wyst noted that we are over in the clothing allowance budget due to the union negotiating an additional \$50 in their 2009 clothing allowance. This was not known when the budget was put together in 2008. The Other Facility Outlay account is almost expended. This is for the sixth year payment on the phone system. **MSC Hendricks/Ahles to accept and place on file the January 2009 month end budget report, all voting aye.**

Monthly and Year End Activity Report: The Committee reviewed the January 2008.
MSC Zelinsk/Ahles to accept the January 2009 activity report and place on file, all voting aye.

Town of Menasha and Town of Clayton Discussions: Chief Vander Wyst updated the group with his Town of Menasha proposal. He was told that the Board will be meeting with the Town of Menasha Fire Department to review the proposal and will hear back after that meeting is held. At this time, there is no additional news on the Town of Clayton proposal.

Regional Driver's Simulator Grant: Chief Vander Wyst notified the Committee we are ready to proceed with purchasing the Driver's Simulator Grant. Of the 13 departments in Winnebago County, 9 have committed to the grant. A spreadsheet detailing the cost for each department was reviewed. Chief Vander Wyst explained again with this regional grant, NMFR applied and acts as the "host" and has to pay the full 20% matching grant funds, which equals \$44,600. Of the \$44,600 total grant award, NMFR's share is \$6,550.11. \$3,894 is the City of Neenah portion and \$2,656 is the City of Menasha portion, using the current consolidation budget formula. The remaining eight departments would pay the remaining \$38,058.02 back to NMFR. The next step is to approve the matching grant funds so we can proceed with purchasing the simulator. The entire matching grant dollars was put into the 2009 budget. We are in the process of

putting together an RFP for the simulator. Once it is decided upon which simulator will be purchased then the nine departments will meet to put together a Memorandum of Understanding (similar to the Life Safety House) so every department participating pays their share of the maintenance and insurance for the simulator. **MSC Ahles/Hendricks recommend the Common Council's of Neenah and Menasha proceed with 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, all voting aye.**

Teleconference Grant Update: Chief Vander Wyst notified the Committee that we were notified that we did not get this grant.

Garage Door Replacement for Station #32: Chief Vander Wyst discussed the two quotes for replacement of the garage doors at Station 32 (125 E. Columbian Ave.). This was put into the 2009 Capital Improvement Budget and is an expense that is paid entirely by the City of Neenah, per the Consolidation Agreement. This expense has been put off for the last two years. **MSC Ahles/Hendricks to approve the low quote from EZ Glide for a total of \$8,882.00, \$7,682.00 for replacement of four garage doors and \$1,200 for the springs, all voting aye.**

Replacement of Garage Heaters at Station 36: Chief Vander Wyst discussed the malfunctioning heater at Station 36 (901 Airport Rd.). Information was reviewed from Adam Alix, City of Menasha regarding the estimates they received. We are able to receive the City of Menasha contract pricing for these heaters. This expense is entirely a City of Menasha expense and there is money in the current 2009 budget that can be used for the replacement. Both heaters are malfunctioning and one is currently giving off carbon monoxide. We will replace one unit right away and see if we can get by without purchasing the second unit until fall.

Purchase of a new staff vehicle: Chief Vander Wyst discussed the need for an additional staff vehicle for NMFR. There are many cases where we do not have enough vehicles to use. Currently, the mechanics at Station 35 do not have any type of a staff vehicle to use to obtain parts and go to other stations to do repair work. Therefore, an engine has to be used so they can do their mechanic work. He said he would like to purchase a low mileage, used vehicle. The Committee discussed the need for an additional staff vehicle and acknowledged that there is money in the budget for this. They asked Chief Vander Wyst to put together information on the current vehicle inventory, who uses the vehicles, what they are used for and the estimated annual mileage. This should be brought back to the next meeting for review. Ald. Zelinski also asked that Chief Vander Wyst check with both Cities to see if there are any vehicles that departments may be getting rid of that NMFR could use.

City of Neenah Open Burning Ordinance #1247 and City of Menasha Sec.5-2-7: Chief Vander Wyst reviewed the current open burning policy for both Cities. Both ordinances are identical for both communities. NMFR has issues with the current ordinance they way it is written. It is not clear-cut and is hard for our department to enforce. He also

discussed a form that is being developed that would document open burning calls and possible attach fines for people who are burning either without a permit or with a permit but not within the guidelines. **MSC Ahles/Hendricks recommend Common Council's of Neenah and Menasha make the proposed changes to City of Neenah Ordinance 1247 Open Burning and City of Menasha Sec.5-2-7 Open Burning, all voting aye.**

MSC Zelinski/Hendricks to adjourn at 6:30 p.m., all voting aye.

Respectfully Submitted,

Len Vander Wyst
Chief

LV/tt

NEENAH-MENASHA SEWERAGE COMMISSION

Regular Meeting

Tuesday January 27, 2009

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

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

Also Present: Mike Sambs (Waverly); Paul Much, Jim Peichl (MCO).

Minutes from the meeting of December 23, 2008; Commissioner G. Falck requested to amend the minutes under Correspondence, item D to add the word Menasha before Deputy Clerk to further clarify the community. Motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to approve the minutes of the Regular Meeting of December 23, 2008 as amended. Motion carried unanimously.

Correspondence

The following correspondence was discussed:

- A. December 27, 2008 letter from Robin Coburn, Town of Neenah to the NMSC.
RE: Appointment of Gordon Falck as Commissioner on the NMSC.

Budget, Finance, Personnel

Accountant Voigt presented the preliminary financial statements for the month of December 2008. The auditors will be here February 9-10 to begin the financial audit of 2008. After discussion, motion made by Commission D. Youngquist, seconded by Commissioner R. Zielinski to accept the financial statement for the month of December and place it on file. Motion carried unanimously.

Accountant Voigt presented MCO Invoice #13263 in the amount of \$120,451.17 for the month of February 2009. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner G. Falck to approve MCO Invoice #13263 in the amount of \$120,451.17 for the month of February 2009 and to pay the invoice after February 1. Motion carried unanimously.

Accountant Voigt presented the Accountants Report for the month of December. The money market rates have continued to go down. Income generated for the Commission by MCO in December totaled \$3,700; for 2008 the total is \$31,900. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to accept the Accountants Report for the month of December 2008. Motion carried unanimously.

McMahon Invoices #44583 and #44584 were presented for payment. After discussion, motion by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to approve for payment McMahon Invoices #44583 and #44584. Motion carried unanimously.

Operations, Engineering, Planning

Manager Much presented and discussed the operating report for the month of December 2008. The plant is running well. Manager Much pointed out the graphs attached to the operating report. Commission President W. Zielinski questioned why there was an increase in BOD's in December for all communities. After discussion, motion by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to accept the operating report for the month of December 2008. Motion carried unanimously.

Manager Much presented and discussed NMSC Resolution 2009-1. There are some minor changes to be made to the document provided to the Commissioners. These changes will be made and the document will be brought to the February meeting for final discussion and approval. It was questioned how will the enforcement work; it will not be by the cities but by the NMSC. Eventually this will be incorporated into the pretreatment rules and regulations. The individual working on the Fats, Oil, and Grease program will also work on the Mercury reduction program.

Manager Much reported there is currently no new information to report regarding the sludge-to-sludge heat exchanger.

Manager Much reported to the Commission on the Biogas engine that is for sale and discussed at the December meeting. Two trips were made to inspect the unit. On the first trip the unit was not operating; the second trip was made when the unit was operating. The unit was very quiet. The engine was made in Germany and modifications have been made to debug the unit. The asking price is \$150,000; they are willing to sell the unit for \$100,000 or possibly for even less. They are selling the unit because they purchased a different unit that is three times larger. This engine is located near Waterloo, Wisconsin; the unit is approximately the same size as the unit we previously had operating. Commissioner G. Falck indicated we should consider performing some type of rebuild with this unit before it is placed into operation. After discussion, motion made by Commissioner D. Youngquist, seconded by Commissioner R. Zielinski to authorize the purchase, delivery and installation of the 230kW Biogas CHP not to exceed \$150,000. Motion carried unanimously.

Sewer Extension Request. Manager Much presented a sewer extension request received from Graef, Anhalt, Schloemer & Associates for the PH Glatfelter Mill Site Redevelopment located in the City of Neenah. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner G. Falck to approve the sewer extension request for the PH Glatfelter Mill Site Redevelopment. Motion carried unanimously.

Manager Much reported on the status of the Lab Office HVAC Study. The firm providing this study was given the okay to proceed.

Old Business

Interceptor ownership. No new information to report.

Biosolids Management. No new information to report.

Other Business to Legally Come Befor the Commission

Election of Officers. The Commission discussed the officers of the NMSC. After discussion, motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to unanimously re-elect the current slate of officers. Motion carried unanimously. The officers of the NMSC are: President – William Zielinski, Vice-President – Raymond Zielinski, Secretary/Treasurer – Kathy Bauer.

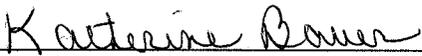
Vouchers

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to approve operating and payroll fund vouchers #130734 through #130795 in the amount of \$281,860.26. Motion carried unanimously.

Motion made by Commissioner R. Zielinski, seconded by Commissioner D. Youngquist to adjourn the meeting. Motion carried unanimously. Meeting adjourned at 8:56 a.m.



President



Secretary

THE NEXT REGULAR MEETING IS ON TUESDAY February 24th 2009.



**City Hall Safety Committee
Minutes
January 7, 2009**

Meeting called to order at 1:20 PM

Present: Adam Alix, Sylvia Bull, Todd Drew, Sue Nett, Tom Stoffel, Tasha Saecker

Absent: Jeff Brandt, Brian Tungate, Kristi Heim

A. Motion to approve minutes made by S. Bull and seconded by T. Stoffel.

B. Old Business

1. EOEP Signage – All signs have been posted at the library. A. Alix to provide copies to S. Nett and T. Saecker. Simple signs have been put up at the Senior Center. Signage at City Hall and Health Department still in process. T. Drew will consult with B. Stenz – CVMIC regarding requirements to have posted signs at Hart Park Pavilion, Memorial Building, Jefferson Park Pavilion, Jefferson Park Pool and Marina buildings. T. Drew will also check with B. Tungate regarding any signage which may already have been put in place at the Jefferson Park Pool Building.

C. New Business

1. Monthly Safety Topic – Good Service...They Deserve It was distributed and discussed.
2. Injury review – Two patron injuries were discussed both had to do with falls related to snow and ice. One incident report was at the Library which involved the individual breaking a hip as a result of a fall. The other incident was at the Senior Center which involved an individual falling due to ice from the weekend ice storm. Discussion related to additional steps that could be taken to avoid this type of issue in the future including pre-salting approach and parking lot, delayed opening and/or closure on days which snow and ice is an issue. S. Nett expressed hesitation to close the Senior Center due to the meal site and that some seniors rely on this as their only significant meal of the day. The issue of additional attention to

plowing and salting will be brought up at the next DPW/ Parks Safety Committee Meeting.

Issue was also raise by S. Bull regarding the non-employee incident reporting form to include Victim signature along with Witness signiture in the witness section. Change to the form will be made.

3. CVMIC / Menasha Health Department to conduct building walk thru on February 25, 2009. Projected schedule is 8:00 AM Public Works Facility, 10:00 AM Library, 1:30 PM City Hall.

D. Training

1. **Bloodborne Pathogen Review** – Completed
2. **Areas of Focus for (2009)**
 - Hazard Communication Refresher to be conducted in conjunction with EOEP Orientation. Date and format (classroom vs. on-line) to be determined.
 - Asbestos Awareness refresher (on-line) for all employees who work in close proximity to asbestos containing materials. Training to include all employees who received initial training. IT Department will require initial asbestos awareness training (classroom). T. Stoffel had questions regarding the necessity to have IT be included. T. Drew stated that based on previous year IT had the majority of potential contact. T. Drew further stated that the training was simply to make the IT Department aware of asbestos materials, locations of asbestos containing materials in City of Menasha Buildings and procedures in the event a potential disturbance exists including procedure to inform contractors (i.e. running cables above ceiling tiles).

E. Meeting adjourned at 2:10 PM



**PUBLIC WORKS AND PARKS SAFETY COMMITTEE
MINUTES
January 20, 2009**

Meeting called to order at 8:05 AM.

Present: Jim Julius, Bob Huss, Tim Jacobson, Jeff Nieland, Mark Radke,
Adam Alix, Todd Drew, Sue Nett, Bill Basler, Cory Gordon

Absent: Ken Popelka, Brian Tungate, Jeff Brandt, Matt Schultz replaced on committee by
Bill Basler Sr.

A. Motion to approve minutes from December 16, 2008 meeting made by B. Huss second
by J. Nieland.

B. Old Business

1. Safety Shoe Policy Update – C. Gordon presented tasks conducted by
Engineering Staff which would require safety shoes. Lifting manhole covers /
frames was cited as the only regular activity. C. Gordon stated safety shoes
would be maintained in trucks. T. Drew to amend Draft PPE Policy to state
Engineering Staff to wear safety shoes while lifting manhole covers and frames
and as necessary to include any other applicable activity. Motion made C. Gordon
second B. Basler – unanimous vote to approve motion.
2. Maintenance Shop Oil Tanks/ Tires – On hold due to weather. Oil Equipment Co.
will be consulted regarding piping tanks once moved.

C. New Business

1. Monthly Safety Topic – "Good Service... They Deserve it" was discussed and
distributed. Topic covers the importance of treating people with courtesy and
respect which will help avoid escalation of incidents.
2. Injury Review – A single injury was reviewed from DPW. Employee slipped on ice
as he was exiting recycling truck. Injury did not involve any time loss. Issue was
unavoidable due to extreme ice issue following ice storm. Recommendation was
to provide employees with ice cleats to help avoid slips and falls on ice. M. Radke
stated ice cleats would be provided for employee use on an as needed basis.
3. 2009 Objectives – Discussed in Training portion of the agenda.
4. 2009 Facility Walk-thru – to be conducted with CVMIC on February 25th
beginning at the Public Works Facility between 8:00 AM – 8:30 AM. Safety
Committee members encouraged to participate in the facility walk-thru.
5. Senior Center Parking Lot – Discussion of regular practices of salting and
clearing. M. Radke stated some procedural changes had been made. T. Jacobson
stated ice was impossible to avoid. Additional discussion on the merit of closing
the Senior Center in cases such as that.

D. Training

1. Flammable Storage/ MSDS/ Fire Extinguisher Access Training – T. Drew stated training is complete, waiting for IT Department regarding a computer that can be set up at the Public Works Facility.
2. Asbestos Awareness Refresher – T. Drew stated the refresher training will be conducted in the same computer based format as the Bloodborne Pathogen and Flammable Storage Training. New employees will be required to receive the initial class room training (~30-45 minutes).
3. Driver Training DPW/Parks Emphasis – T. Drew to research options based on CVMIC information and Fox Valley Technical College.
4. Respirator Fit Testing – All DPW/Parks employees assigned respirators to receive annual fit testing and care and maintenance refresher March – April 2009. All sessions to be conducted at 7:00 AM weather dependant.
5. Hearing Screening – Annual hearing testing to be conducted between March-May 2009 at Affinity Occupational Health Office on Appleton Road, Menasha.
6. EOEP Signage and Training – Spring 2009 pending completion of signs.
7. CPR/ First Aid – To be conducted by Loretta Kjemhus City of Menasha Health Department. T. Drew will consult with L.Kjemhus regarding her schedule. Dates to be discussed at the February meeting.

E. Meeting adjourned at 8:45 AM. Next meeting February 24, 2009 at 9:00 AM

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

February 9, 2009

Draft

Commission President Mark Allwardt called the Closed Session to order at 6:50 a.m., upon the unanimously approved motion by Comm. Fahrbach, and seconded by Comm. Merkes, pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: General Manager Candidate Interview

Commissioners Fahrbach, Guidote, and Merkes were present on roll call by Commission President Allwardt. Also present was Manager of Business Operations Krause, and William Cook Jr., candidate for the General Manager position.

The purpose of the Closed Session was to interview a candidate for the General Manager position.

Mrs. Krause and Mr. Cook departed at 9:00 a.m.

There being no further business, the motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved to adjourn at 9:25 a.m.

BY: JOSEPH P GUIDOTE
Acting 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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CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

February 16, 2009

Draft

Commission President Mark Allwardt called the Closed Session to order at 7:30 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Watson, pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: General Manager Candidate Interviews

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen and Manager of Business Operations Krause.

The purpose of the Closed Session was to discuss the interviews held with two candidates for the General Manager position.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved at 8:00 a.m. to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

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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SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

February 9, 2009

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 6:50 A.M., with Commissioners Bob Fahrbach, Joe Guidote, and Don Merkes present on roll call. Also present was Melanie Krause, Manager of Business Operations.

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

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

Item III. The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved on roll call at 6:50 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: General Manager Candidate Interview

And 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

The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved at 9:30 a.m. to adjourn from Closed Session and reconvene into Open Session of the Water and Light Commission.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 9:30 a.m.

By: Joseph P. Guidote
Acting Secretary

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

SPECIAL MEETING OF THE WATER AND LIGHT COMMISSION

February 16, 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 was Carl Verhagen, Interim General Manager, and Melanie Krause, Manager of Business Operations.

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

Item III. The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved on roll call at 7:30 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: General Manager Candidate Interviews

After discussion, the motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved at 8:00 a.m. to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

The motion by Comm. Guidote, seconded by Comm. Merkes, was unanimously approved to extend an offer to William Cook, Jr. for the General Manager position, and to allow staff to negotiate the salary and benefit package.

There being no further business, the motion by Comm. Watson, seconded by Comm. Merkes, was unanimously approved to adjourn at 8:05 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.

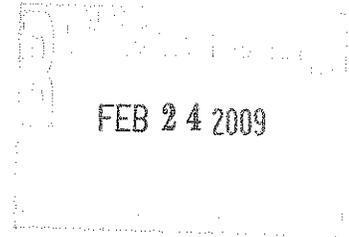


MAILING ADDRESS: P.O. BOX 6113 ■ DE PERE, WI 54115-6113
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920-338-6500 ■ Toll Free: 866-899-3204 ■ Fax: 920-338-6501 ■ www.atcllc.com

February 20, 2009

Donald Merkes
Mayor, City of Menasha
140 Main St
Menasha, WI 54952



Dear Mayor Merkes:

As you know, the Wisconsin Department of Transportation is planning to widen and reconstruct a portion of State Highway 114, also known as 3rd Street, in Menasha. Although the DOT construction is not scheduled to begin until approximately May 1, 2009, there is a great deal of related work that must be completed in advance of the actual highway construction. Some of this work – the relocation of We Energies' gas line, for example – is already underway.

American Transmission Co. owns the 138kV electric transmission line that connects the Tayco and Melissa Substations in Menasha. The segment of this line and the associated poles that currently run along State Highway 114/3rd Street, roughly between Konemac St. and Milwaukee St., also require relocation due to the DOT highway project. (A project area map is enclosed for your reference.)

As part of this relocation, we will be replacing approximately 16 poles (14 will be wood; two will be steel), and the overhead electric transmission lines will be moved and attached to the new poles. We will also be installing a new shield wire along the tops of the poles. Some tree trimming and/or removal along the corridor may be needed in order to accomplish our work.

ATC plans to begin the necessary electric transmission line and pole relocation activities along the north side of 3rd Street on or about March 20, 2009, although some site clearing and other preparation work may be started prior to this time. In general, the flow of our construction activities will be moving from the east to the west along the route. We expect to complete all of our construction activities by the last week of April 2009.

During construction, most or all of the west-bound lane (on the north side) of 3rd Street/ State Highway 114 will be closed and controlled, although access to those residences and businesses along the route will remain open. The sidewalk on the north side of the street, however, will not be accessible.

Landowners who will be directly impacted by ATC's project, including any forestry work, pole relocation/replacement work, or other construction activities, will be receiving a notification and information letter virtually identical to this one. They will also be contacted in advance of the work on or near their property by Jim Briggs, our construction coordinator, or by Jim Schroeder, line superintendent with Great Lakes Line Builders, our construction contractor for this project.

Please feel free to contact me if you have questions or if you'd like additional information about the project. I can be reached by phone directly at 920-338-6550, or toll-free at 866-899-3204, ext. 6550. You can also send me e-mail at: dhovde@atcllc.com

If you have questions once our construction starts in March, please contact Jim Briggs (ATC construction coordinator) or Jim Schroeder (Great Lakes Line Builders line superintendent). Jim Briggs can be reached by calling his office at 262-506-6974, or his mobile number, 414-651-1830. He can also be contacted by e-mail at: jbriggs@atcllc.com. Jim Schroeder can be reached by calling his office at 920-882-1170, or his mobile number, 920-740-7619. He can also be contacted by e-mail at: JSchroeder@gllbinc.com.

As I'm sure you also know, there are several other service providers that will also be performing work as a result of the DOT project. All will be working in the same corridor along 3rd Street/STH 114; some of them have facilities and/or equipment that will be attached to our poles. In any case, these companies/entities include:

City of Menasha – including sewerage and related facilities. This work has already been completed. Contact Mark Radtke, Director of Public Works; phone: 920-967-3611; e-mail: mradtke@ci.menasha.wi.us.

Menasha Utilities – local electric distribution lines. (Also responsible for water facilities.) Their work will take place at approximately the same time as ours. Contact Lonnie Pichler, Electric & Water Distribution Supervisor; phone: 920-967-3421, cell: 920-475-4736.

We Energies (electric) – regional electric distribution system. Their work will take place at approximately that same time as ours, and for a short while following the completion of our work. Contact Jim Quinn, Customer Service Technician; phone: 920-380-3401, cell: 920-450-9430. (Note: Great Lakes Line Builders will be doing this work. Jim Schroeder, with Great Lakes, can be reached by calling his office at 920-882-1170, or his mobile number, 920-740-7619. He can also be contacted by e-mail at: JSchroeder@gllbinc.com.)

We Energies (gas) – local and regional gas distribution system. This work is currently underway. Contact Cody Beckman, Designer; phone: 920-380-3422, cell: 920-428-1038.

Time-Warner Cable – cable television, communication and internet service provider. This work will occur after the completion of ATC's construction activities. Contact Vince Albin, Construction Administrator; phone: 920-831-9249, cell: 920-378-0444.

AT&T – telecommunications and data transfer provider. This work will occur after the completion of ATC's construction activities, and will be primarily underground. Contact Gail Rammer, Telecommunications Specialist; phone: 920-735-3288, toll free in Wisconsin: 800-924-3290.

Again, feel free to contact me at any time if you have questions or concerns about our electric transmission line project. Thanks in advance for your patience and cooperation as we work to maintain and improve electric reliability.

Sincerely,



David Hovde
Senior Local Relations Representative

Enclosure



Douglas La Follette, *Secretary of State*
Dawn Marie Sass, *State Treasurer*
J.B. Van Hollen, *Attorney General*
Tia Nelson, *Executive Secretary*

125 S. Webster Street
Room 200
PO Box 8943
Madison, WI 53708-8943

608 266-1370 INFORMATION
608 266-0034 LOANS
608 267-2787 FAX
bcpl.state.wi.us

Managing Wisconsin's trust assets for public education.

February 18, 2009

Ms. Deborah Galeazzi, Clerk
City of Menasha
140 Main St
Menasha, WI 54952-3190

Re: **City of Menasha**
Calumet And Winnebago County
Loan #: 02009167
Purpose: Refinance revenue bond anticipation notes
Amount: \$7,000,000.00
Filed: February 18, 2009

Dear Ms. Galeazzi:

Thank you for your application for a State Trust Fund Loan. Your application has been conditionally approved by our Loan Committee and has been forwarded to the Office of the Attorney General for legal review on behalf of the Board of Commissioners of Public Lands.

We will notify you when the loan review has been completed. Assuming your application is found to meet the requirements outlined in Subchapter II of Chapter 24, Wisconsin Statutes, you will receive instructions from us about how to request disbursement of funds from your State Trust Fund loan. Loan proceeds will be available to you for one year from the date of the loan's final approval. You may request an extension if circumstances warrant.

If there are any changes to your anticipated schedule of disbursements, please notify us in writing. If you have any questions regarding this stage of the process or if I can be of further assistance, please feel free to contact me at (608) 266-0034.

Sincerely,



Scott D. Eastwood
Loan Analyst

RECEIVED

FEB 20 2009

CITY OF MENASHA
BY dg



Memorandum

To: Menasha Utility Commissioners
From: Greg Keil, CDD *OK*
Date: February 24, 2009
RE: Status of Stormwater Utility Billing

Alisa Kahler, an intern in the Community Development Department, has been working since February 2nd on integrating information from several databases to tie the Equivalent Runoff Units (ERU's) from the city's parcel list to the billing addresses provided by Menasha Utilities and WeEnergies.

Martenson and Eisele, Inc. was contracted to calculate the ERU's and assign them to all parcels in the city other than those classified as one and two family residential. This data was assembled last October, and is being updated with a completion date of February 24th. Upon receipt of this data, Alisa will complete the process of tying the parcel information to billing addresses. A formula will then be applied to calculate the stormwater utility charges related to the ERU's. These charges will then be assigned to the appropriate billing address for each parcel.

Upon completion of these tasks, the resulting database will be brought into the city's GIS system to enable graphic display of the information and to provide a means of checking the assignment of ERU's to individual land parcels.

This process has been time consuming because of the sheer volume of records that need to be integrated (over 16,000 billing records and over 6,500 parcels) Our goal is to turn this information over to Menasha Utilities the first week in March.



Division of Transportation
System Development
Northeast Regional Office
944 Vanderperren Way
PO Box 28080
Green Bay, WI 54324-0080

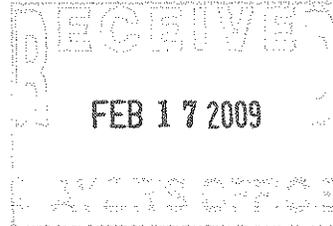
Jim Doyle, Governor
Frank J. Busalacchi, Secretary
Internet web site: www.dot.wisconsin.gov

Telephone: (920)492-5643
Facsimile (FAX): (920)492-5640
E-mail: greenbay.dtd@dot.state.wi.us

February 16, 2009

**Local Officials/Interest Groups
Meeting Notice**

Tri-County Freeway Expansion
CTH CB—Oneida Street
USH 10/STH 441
Winnebago County
WisDOT Project I.D. 1517-07-00



Greetings:

The Wisconsin Department of Transportation (WisDOT) Northeast Regional Office in Green Bay invites you to attend an update meeting on the Tri-County Freeway Expansion project. The meeting will be on **Tuesday, March 3, 2009 at the town of Menasha Community Center, 1000 Valley Road, Menasha.** It will start at 1 p.m. and conclude by 3 p.m.

The purpose of the meeting is to update you about some proposed design refinements to the concept plans developed during the original 2002-2004 Tri-County Freeway corridor study. Design refinements are being evaluated in response to a 2007 safety study of the overall Tri-County Freeway conducted as part of the Highway Safety Improvement Program.

We look forward to meeting with you on March 3. If you have any questions at this time, please call me at (920) 492-5708 or send e-mail to william.bertrand@dot.state.wi.us.

Sincerely,

Bill Bertrand, P.E.
Project Manager



Dr. Susan A. May, President

1825 N. Bluemound Drive, P.O. Box 2277 • Appleton, WI 54912-2277
Phone (920) 735-5600 • Toll-free 1-800-735-FVTC (3882)
TTY (920) 993-5106 • FAX (920) 735-2582 • www.fvtc.edu

February 9, 2009

INTENT TO APPOINT DISTRICT BOARD MEMBERS

As Chairperson of the Fox Valley Technical College District Board Appointment Committee, I would like to inform you that the following appointments will be made to the Fox Valley Technical College District Board effective July 1, 2009.

- ◆ Employer: 3-year term expiring June 30, 2012
- ◆ Employee: 3-year term expiring June 30, 2012
- ◆ School District Administrator: 3-year term expiring June 30, 2012

These appointments are necessary because of the expiration of the following incumbents' terms:

- ◆ Employer: Kitty Alaily
- ◆ Employee: Sally Mielke
- ◆ School District Administrator: William Fitzpatrick

A Public Hearing / Board Appointment Committee Meeting has been scheduled on **Wednesday, March 25, 2009 at 8:00 p.m.** in Room C190 B&C of the Appleton Campus of Fox Valley Technical College located at 1825 North Bluemound Drive in Appleton, Wisconsin.

Attached, please find a **legal notice** outlining the procedures that must be followed in applying for district board membership. Affidavits/applications and informational materials may be received by contacting:

Vicky Van Hout, Assistant to the President
Fox Valley Technical College – Room A104P
1825 North Bluemound Drive
Appleton, WI 54914
Phone: (920) 735-5731
Email: vanhout@fvtc.edu

Applications and affidavits **must be submitted, in writing, on or before Wednesday, February 25, 2009 at 4:00 p.m.** to:

Sharon Fenlon-Chairperson
Board Appointment Committee
Fox Valley Technical College
P.O. Box 2277
Appleton, WI 54912-2277

Any assistance you can provide in nominating or encouraging candidates for membership will be appreciated.

Sincerely,

Sharon Fenlon, Chair
FVTC Board Appointment Committee

CLASS I LEGAL NOTICE

**NOTICE OF INTENT TO APPOINT
FOX VALLEY TECHNICAL COLLEGE DISTRICT BOARD MEMBERS**

Notice is hereby given that the Board Appointment Committee of the Fox Valley Technical College District Board will accept applications for the appointments of three persons to the Fox Valley Technical College District Board, in accordance with the Appointment Committee's Plan of Representation, which specifies categories of membership as well as geographic areas of representation within the district. All positions will commence on July 1, 2009, and upon certification of the Wisconsin Technical College System Board. All positions carry three-year terms expiring June 30, 2012. Following is a list of openings:

**ONE Employer
One Employee
One School District Administrator**

An **EMPLOYER MEMBER** is defined as someone with the authority to recommend any of the following: hire, transfer, suspend, discipline, lay-off, recall, adjust grievances, promote, discharge, assign or reward. The exception is a person who acts in the capacity of an officer or agent of a labor organization, even though that person may have the power to hire, etc.

An **EMPLOYEE MEMBER** is defined as a person who is employed, but does not meet any of the criteria in the Employer category. The only exception to this criteria is that a person who acts in the capacity of an officer or agent of a labor organization is considered an Employee even though that person may have the power to hire, etc., as listed in the Employer section above.

A **SCHOOL DISTRICT ADMINISTRATOR** is defined as someone employed as a school district superintendent, supervising principal, or other person who acts as the administrative head of a school district, and who holds an administrator's license.

Candidates must reside in one of the following K-12 school districts:

Appleton	Iola-Scandinavia	Neenah	Waupaca
Brillion	Kaukauna	New London	Wautoma
Chilton	Kimberly	Omro	Westfield
Clintonville	Little Chute	Oshkosh	Weyauwega-Fremont
Freedom	Manawa-Little Wolf	Seymour	Wild Rose
Hilbert	Marion	Shiocton	Winneconne
Hortonville	Menasha	Stockbridge	Wrightstown

The **Plan of Representation** states that equal consideration is given to the general population distribution within the FVTC District as well as to the distribution of women and minorities. Consideration is also given to representatives of business and industry as required for employer and employee representatives. Board members receive no compensation, except for expenses incurred in the performance of their duties.

Applications must be submitted in writing on forms that may be obtained by contacting Vicky Van Hout, Board Appointment Coordinator at the FVTC Appleton Campus located at 1825 North Bluemound Drive in Appleton, WI 54914, or by calling (920) 735-5731, or by email at vanhout@fvtc.edu.

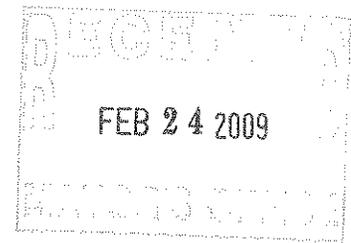
Applications must include a notarized affidavit certifying that the applicant is a bona fide resident of the Fox Valley Technical College District, plus a current resume' and at least two letters of recommendation. **Applications will be accepted no later than 4:00 p.m. on February 25, 2009.**

The **Public Hearing** date has been established for **Wednesday, March 25, 2009 at 8:00 p.m.**, in Room C190 B&C of the FVTC Appleton Campus located at 1825 North Bluemound Drive in Appleton, Wisconsin. Candidates for Board consideration must be present to be interviewed by the Committee, and give an oral presentation, no longer than five minutes in length. No additional names will be accepted from the floor at the time of this meeting.

Ms. Sharon Fenlon, Chair
Board Appointment Committee
Fox Valley Technical College
1825 North Bluemound Drive
Appleton, WI 54914

To be published: February 12, 2009

Mary Nebel
713 First Street
Menasha Resident



To: Common Council members, Mayor Merkes and place in Council packet for March 2, 2009

You have been introduced to an ordinance to change how our city attorney is hired.

We are being advised and trained by Legal Counsel (read Roehling & Write 2004) to focus on legal risks as opposed to employee motivation, morale, commitment and loyalty.

Please be advised that most employees of state governments in the USA are not at-will employees, nor are US federal government employees, nor are union employees as they are covered under collective bargaining. Also, only the US and some of Japan have utilized this principal. Industrialized nations do not. Why is this? Because at-will employment is primarily used to protect business and it has surpassed its life cycle.

Recent judicial proceedings have now recognized exceptions to the at-will doctrine that many believe has eroded its effectiveness. It has been shown to harm retention and recruitment efforts and can jeopardize our city as a whole.

The practice evolved in the 1870's when there existed master-servant relationships. It has become antiquated with new discriminatory regulation. So why not embrace and institute a good-cause doctrine? Have you, yourselves personally, really evaluated the impact of such a contract that we have never had in the past?

I have researched the 12 cities and villages in Wisconsin similar to our size (15-20,000). The majority out-source their attorney on an as-needed basis, some are part-time hires, and a few are elected on a ballot. We do neither and I wonder if you haven't fully researched your potential options.

Even though you may fire at will, an employee may also quit at-will. Costs remain substantial for firing without good cause. You are misinformed if you think you can just let an employee go at-will without suffering consequences. It's not easy and simple because you elect this doctrine.

One must consider if at-will employment has reached its point in the cycle and where it should be considered for abolishment. A good-cause doctrine would be more beneficial establishing the greatest good for the greatest number of people within our city government and should be considered more ethical than the at-will employment.

It seems we haven't an option to out-source our attorney position. Therefore, I request that the position remain with the city council alderman to choose their attorney for a 3-year period. A mayoral appointment could only politicize it.

I ask you to vehemently review what comparable cities are doing (or request my paperwork), ask really why you wish to change what has worked, and consider what your city of 16,800 can afford because the approval of this action may undoubtedly blow up in your face.



Memorandum

TO: Department Heads
FROM: Mayor Merkes 
SUBJECT: Hiring / Purchasing
DATE: 26 February 2009

In light of the local economy and financial situation we are faced with at the current time, I am asking that each of you carefully scrutinize all spending and curtail non-essential expenditures at this point. Purchases that support essential services should be maintained and travel the normal channels. It is understood that some purchases are required to maintain day to day operations and these purchases should also continue to follow the normal channels. As is current policy, all purchases of items or services exceeding \$2500, including budgeted items must have prior written authorization by the mayor.

All new hires will need to be approved by the mayor's office until further notice. Summer recreation program employees at levels equal or less than the 2008 season, as well as bridge tender positions will be exempt at this time. These positions should be considered carefully and weighed against expected registration numbers and cost recovery. It is essential that both HR and the mayor's office be notified before the hiring process begins for all future hires.

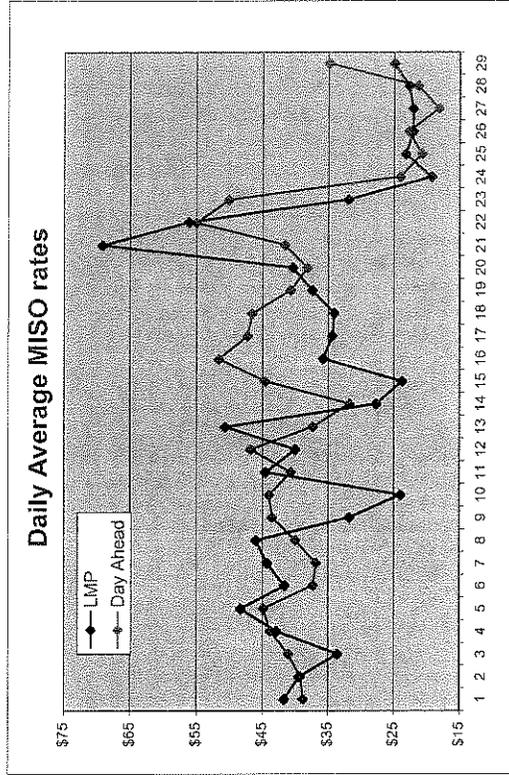
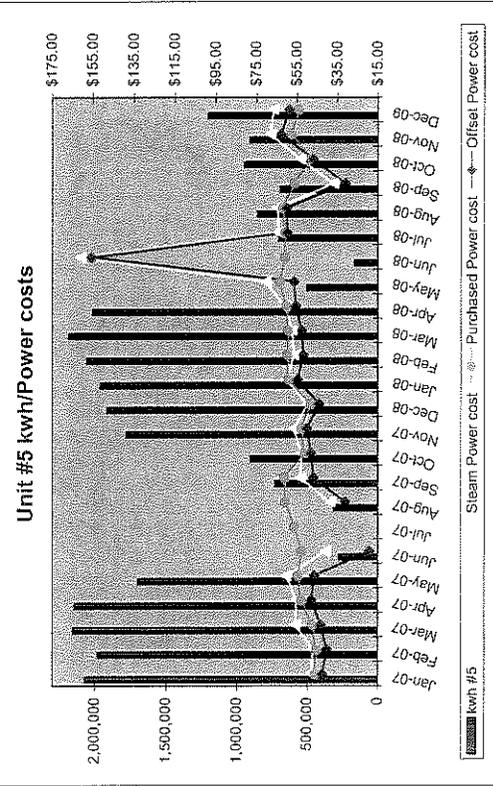
This policy will be revised as the city's and state's financial situation become clearer. As we gather more information we will be better able to assess their impact on the city's budget for both 2009 and 2010. Until then I appreciate your cooperation in these difficult times.

Menasha Utilities
Steam Detail
For the Twelve Months Ending December 31, 2008

	Current Month		Actual	Year-to-Date		Annual Budget
	Actual	Budget		Variance	Actual	
Operating Revenues						
Steam Sales - Sonoco	\$661,365.56	\$771,069.02	\$7,609,709.38	\$9,247,958.92	\$9,247,958.92	
Steam Sales - Alcan	44,693.90	52,633.79	370,706.42	457,784.79	457,784.79	
Steam Sales - Whiting	35,742.90	43,522.95	380,333.80	485,169.97	485,169.97	
Electric Sales	79,994.35	105,249.49	859,915.13	742,944.54	742,944.54	
MISO Sales	106,995.52	106,632.29	2,808,336.33	2,250,064.38	2,250,064.38	
Capacity Payment	13,734.02	13,334.00	167,786.62	163,288.00	163,288.00	
Forfeited Discounts-Late Charges			1,623.67			
Total Operating Revenues	942,526.25	1,092,435.89	12,198,411.35	13,347,544.40	13,347,544.40	
Operation and Maintenance Expenses						
Steam Power Generation						
Labor	162,503.26	107,339.41	1,517,672.38	1,288,076.00	1,288,076.00	
Coal	483,874.35	502,991.27	5,116,036.06	6,154,125.89	6,154,125.89	
Ash Disposal	12,965.85	10,297.62	138,974.46	125,991.80	125,991.80	
Other Fuel Expenses	8,949.48	3,667.00	57,245.28	44,004.00	44,004.00	
Steam Expenses	2,204.59	8,633.37	56,374.08	103,600.00	103,600.00	
City Water and Sewer	16,846.55	17,593.74	227,434.41	179,434.14	179,434.14	
Electric Expenses	623.00	2,158.37	5,480.79	25,900.00	25,900.00	
Miscellaneous Steam Power Expenses	20,437.16	4,532.13	83,707.29	942,020.37	942,020.37	
Auxiliary Power	81,040.45	81,974.63	956,374.94	15,540.00	15,540.00	
Maintenance of Structures	974.80	1,295.00	3,568.23	14,354.57	14,354.57	
Maintenance of Boiler Plant	76,175.75	10,125.00	254,027.95	301,500.00	301,500.00	
Maintenance of Electric Plant	(5,232.20)	8,333.37	21,307.48	100,000.00	100,000.00	
Maintenance of Miscellaneous Steam Plant	1,767.23	833.37	22,098.36	10,000.00	10,000.00	
Total Steam Power Generation	863,130.27	759,774.28	8,462,301.71	9,344,578.20	9,344,578.20	
Distribution Expenses						
Chemical Expense	11,622.91	11,568.63	121,699.71	138,824.00	138,824.00	
Steam Line Expense	406.00	157.88	8,438.67	1,895.00	1,895.00	
Customer Installation	200.00	479.38	8,536.73	5,753.00	5,753.00	
Miscellaneous Expense	339.22	1,181.13	34,143.75	14,174.00	14,174.00	
Maintenance of Mains	400.20	172.37	2,182.29	2,068.00	2,068.00	
Maintenance of Services			1,038.51			
Maintenance of Meters						
Total Distribution Expenses	12,968.33	13,559.39	176,239.66	162,714.00	162,714.00	
Administrative and General Expenses						
Administrative and General Salaries	2,587.62	7,765.96	40,647.69	93,191.52	93,191.52	
Office Supplies and Expenses	248.15	416.63	5,336.00	5,000.00	5,000.00	
Outside Services Employed	318,470.85	5,963.00	544,939.06	80,105.00	80,105.00	
Property Insurance	4,552.04	3,750.00	54,624.48	45,000.00	45,000.00	
Injuries and Damages	2,716.00	3,467.50	29,543.41	41,610.00	41,610.00	
Employee Pensions and Benefits	37,797.98	33,461.39	351,822.26	403,780.01	403,780.01	
Miscellaneous General Expenses	2,159.21	846.00	7,789.72	19,783.00	19,783.00	
Vehicle Cleaning	(122.14)	(0.11)				
Power Operated Clearing	(7,128.17)					
Rents	50.00	50.00	600.00	600.00	600.00	
Total Administrative and General Expenses	361,331.54	55,720.37	1,035,302.62	689,069.53	689,069.53	
Total Operation and Maintenance Expenses	1,237,430.14	829,054.04	9,673,843.99	10,196,361.73	10,196,361.73	
Other Operating Expenses						

STEAM DISTRIBUTION FOR DECEMBER 2008

	Monthly Total	Budget	YTD	YTD Budget
Total Steam purchased				
Sonoco	64,586	62,536	743,136	750,037
Alcan	4,469	4,269	37,367	37,128
Whiting	3,574	3,541	38,033	43,512
Steam Total	72,630	70,346	818,536	830,677
Total Generation kwh	0	0	0	0
MISO Market				
Unit #3	524,380	397,070	20,163,784	10,710,000
Unit #4	990,455	664,299	31,155,223	30,918,000
Real-Time - MISO Average MISO Price	613,162	424,352	15,789,341	38.53
Day-Ahead - MISO Average MISO Price	901,673	637,017	35,529,666	41,628,000
Total MISO Market	1,514,835	1,061,369	51,319,007	41,628,000
Behind the Meter Unit #5 Average Price**	538,551	663,803	14,163,839	12,811,000
MW Total	2,053,386	1,725,172	65,482,846	54,439,000



Menasha Utilities
Steam Detail
For the Month Ending January 31, 2009

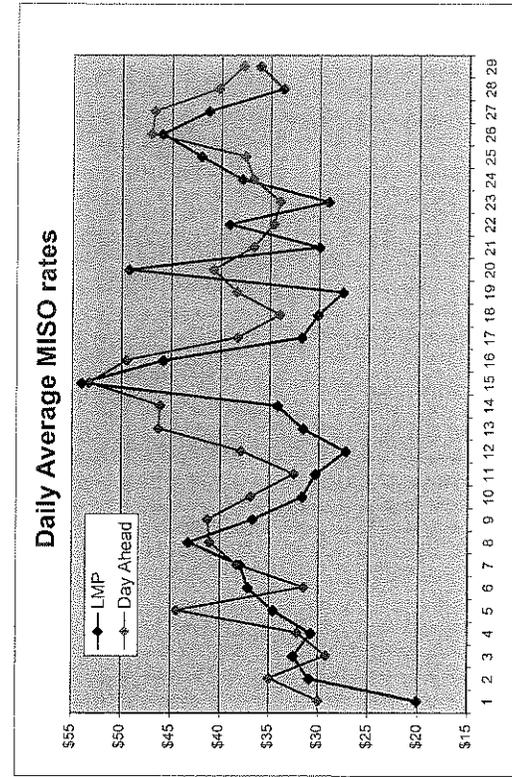
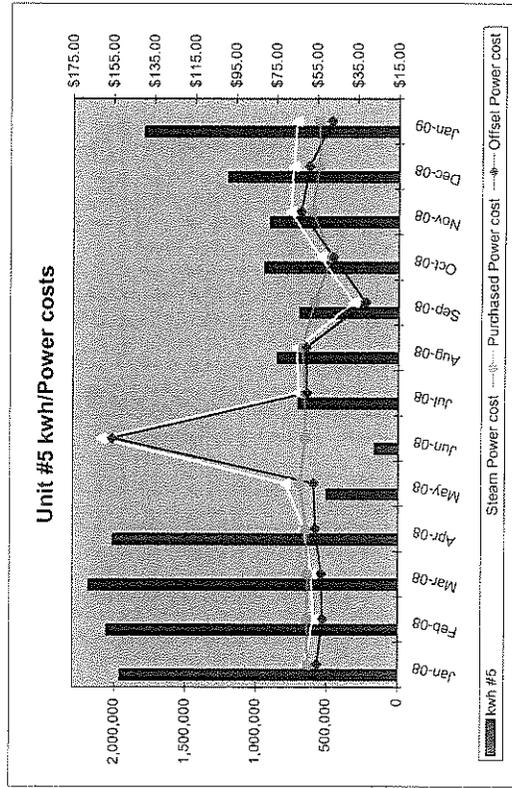
	Current Month		Year-to-Date		Annual Budget
	Actual	Budget	Actual	Budget	
Operating Revenues					
Steam Sales - Sonoco	\$753,555.24	\$795,342.94	\$753,555.24	\$795,342.94	\$8,543,839.45
Steam Sales - Alcan	44,832.83	43,419.04	44,832.83	43,419.04	417,042.35
Steam Sales - Whiting	41,731.85	46,957.19	41,731.85	46,957.19	464,176.92
Electric Sales	120,175.53	147,880.04	120,175.53	147,880.04	1,224,408.33
MISO Sales	13,734.02	204,016.73	13,734.02	204,016.73	2,750,992.54
Capacity Payment	357.43	13,734.02	357.43	13,734.02	172,685.26
Forfeited Discounts-Late Charges					
Total Operating Revenues	974,386.90	1,251,349.96	974,386.90	1,251,349.96	13,573,144.85
Operation and Maintenance Expenses					
Steam Power Generation					
Labor	90,199.48	129,164.99	90,199.48	129,164.99	1,553,979.85
Coal	324,735.35	456,185.00	324,735.35	456,185.00	6,104,100.00
Ash Disposal	8,860.73	14,424.00	8,860.73	14,424.00	166,056.00
Other Fuel Expenses	2,208.83	5,310.00	2,208.83	5,310.00	63,720.00
Steam Expenses	617.57	1,500.00	617.57	1,500.00	97,600.00
City Water and Sewer	18,180.28	26,156.41	18,180.28	26,156.41	258,173.40
Electric Expenses	333.00	750.00	333.00	750.00	12,100.00
Miscellaneous Steam Power Expenses	3,520.95	5,928.08	3,520.95	5,928.08	69,943.40
Auxiliary Power	74,457.44	95,435.21	74,457.44	95,435.21	1,068,598.04
Maintenance of Structures	135.99	833.33	135.99	833.33	10,000.00
Maintenance of Boiler Plant	14,055.90	5,080.00	14,055.90	5,080.00	320,960.00
Maintenance of Electric Plant	398.91	1,500.00	398.91	1,500.00	50,000.00
Maintenance of Miscellaneous Steam Plant	90.48	1,200.00	90.48	1,200.00	36,800.00
Total Steam Power Generation	537,794.91	743,467.02	537,794.91	743,467.02	9,812,030.69
Distribution Expenses					
Chemical Expense	7,435.45	15,005.29	7,435.45	15,005.29	145,000.00
Steam Line Expense	57.51	625.00	57.51	625.00	10,000.00
Customer Installation	921.43	200.00	921.43	200.00	10,000.00
Maintenance of Mains	254.96	500.00	254.96	500.00	25,000.00
Maintenance of Services		400.00		400.00	4,800.00
Maintenance of Meters		200.00		200.00	2,400.00
Total Distribution Expenses	8,669.35	16,930.29	8,669.35	16,930.29	197,200.00
Administrative and General Expenses					
Administrative and General Salaries	1,343.53	3,117.86	1,343.53	3,117.86	37,414.37
Office Supplies and Expenses	25.97	325.00	25.97	325.00	6,235.00
Outside Services Employed	12,275.97	5,022.00	12,275.97	5,022.00	51,363.00
Property Insurance	4,151.16	4,665.81	4,151.16	4,665.81	55,989.75
Injuries and Damages	2,997.21	3,785.42	2,997.21	3,785.42	45,425.07
Employee Pensions and Benefits	47,494.99	56,656.87	47,494.99	56,656.87	445,352.38
Miscellaneous General Expenses	452.61	2,773.87	452.61	2,773.87	17,533.69
Vehicle Clearing	56.40		56.40		
Power Operated Clearing	783.16	50.00	783.16	50.00	600.00
Rents	50.00		50.00		
Maintenance of General Plant	60.00		60.00		
Total Administrative and General Expenses	69,691.00	76,396.83	69,691.00	76,396.83	659,913.26
Total Operation and Maintenance Expenses	616,155.26	836,794.14	616,155.26	836,794.14	10,669,143.95
Other Operating Expenses					

Menasha Utilities
Steam Detail
For the Month Ending January 31, 2009

	Current Month		Year-to-Date		Annual Budget
	Actual	Budget	Actual	Budget	
GE Water Treatment Lease Expense	\$29,166.03	\$29,166.03	\$29,166.03	\$29,166.03	\$349,992.36
Taxes	6,570.46	9,863.57	6,570.46	9,863.57	118,362.78
Total Other Operating Expenses	35,736.49	39,029.60	35,736.49	39,029.60	465,355.14
Total Operating Expenses	651,891.75	875,823.74	651,891.75	875,823.74	11,137,499.09
Net Operating Income (Loss)	322,495.15	375,526.22	322,495.15	375,526.22	2,435,645.76
Other Income					
Interest and Dividend Income	8,731.27	8,040.00	8,731.27	8,040.00	88,091.00
Total Other Income	8,731.27	8,040.00	8,731.27	8,040.00	88,091.00
Income Before Interest Charges	331,226.42	383,566.22	331,226.42	383,566.22	2,523,736.76
Interest Charges					
Interest on Long-Term Debt	100,615.67	100,658.32	100,615.67	100,658.32	1,428,242.36
Interest on Debt to Municipality	76,598.33	78,436.83	76,598.33	78,436.83	941,241.96
Other Interest Expense	1,650.84	2,200.00	1,650.84	2,200.00	13,000.00
Total Interest Charges	178,864.84	181,295.15	178,864.84	181,295.15	2,382,484.32
Net Income (Loss)	152,361.58	202,271.07	152,361.58	202,271.07	141,252.44

STEAM DISTRIBUTION FOR JANUARY 2009

	Monthly Total	Budget	YTD	YTD Budget
Total Steam purchased				
Sonoco	75,963	70,697	75,963	70,697
Aican	4,641	3,947	4,641	3,947
Whiting	4,338	4,269	4,338	4,269
Steam Total	84,942	78,913	84,942	78,913
Total Generation kwh	On-Peak	Off-Peak	Monthly Total	YTD
MISO Market	0	0	0	0
Unit #3	0	0	0	0
Unit #4	0	0	0	0
Real-Time - MISO	0	0	0	0
Average MISO Price			0.00	0.00
Day-Ahead - MISO	0	0	0	0
Average MISO Price			53.69	53.69
Total MISO Market	0	0	0	0
Behind the Meter				
Unit #5	728,102	1,064,606	1,792,708	2,311,000
Average Price			64.95	63.99
MW Total	728,102	1,064,606	1,792,708	6,111,000





February 20, 2009

«Owner»
«Owner2»
«Owner_Address»
«Owner_City», «Owner_State» «Owner_Zip»

«Property_Address»

To Whom It May Concern:

City of Menasha Sewer System Evaluation Survey (SSES) – Phase No. 1
Foundation Drain and Sump Pump Inspections

In January of 2009 we sent you a letter requesting to do a follow-up inspection to the original inspection performed on your property in 2002. As was stated in the previous letter, at the direction of the Wisconsin Department of Natural Resources we are currently doing a follow-up audit in Phase 1. We are requesting a follow-up inspection to confirm the existing inspection information and complete any missing inspection data. **To complete the overall inspection process, please have all floor drains on the lowest level located and accessible prior to your inspection appointment.**

Please contact this office to arrange for an on-site inspection of your property. It is important that your property be re-inspected as part of the overall inspection program and to complete the audit process.

A schedule of inspection dates has been set for March 2-6 and March 9-13, 2009. Inspections may be scheduled for Monday through Friday, with the first appointment starting at 7:20 AM and the last appointment at 5:40 PM. Your cooperation is imperative to meet the DNR established deadline. Please contact our office at (920) 967-3610 between 8:00 AM and 4:00 PM, Monday through Friday to schedule your inspection. We will make every effort to conduct the inspection at a time and date that is convenient for you.

The SSES program is extremely important to the City of Menasha. Please contact Tim Montour or me at 920-967-3610 if you have any questions. Thank you for your continued cooperation.

Sincerely,

Mark Radtke
Public Works Director

C: Mayor Merkes
Common Council (Communication)



City of Menasha • Department of Public Works

February 20, 2009

«Owner»
«Owner_2»
«Owner_address»
«City», «State» «Zip»

«Rental_Address»

City of Menasha Sewer System Evaluation Survey (SSES) - Phase No. 4, Segment 1 Foundation Drain and Sump Pump Inspections

In January of 2009 a letter was sent requesting that you contact our office to schedule an appointment to inspect your property. To date, we have had no response from you.

Your property needs to be checked for correct storm and drain water disposal. The purpose of this inspection program is to identify any buildings that may have sump pumps, foundation drains or other types of drainage systems improperly connected to the sanitary sewer system. Such connections are improper under both the state codes and City Sewer Use Ordinance. It is imperative that your property be inspected as part of the overall inspection program.

All properties with improvements need to be inspected; including those with or without sump pumps and basements

It is extremely important to the City of Menasha to inspect all buildings to identify clear water sources. The City Council passed Ordinance 0-7-04 on June 7, 2004 (see attached) which allows the City to impose a sewer user surcharge to any user who does not allow authorized City representatives to inspect their property.

Surcharges for residential properties with two or less dwelling units will start at \$50 per month. You will be billed the sewer user surcharge if an inspection is not scheduled and completed. In the event the property owner refuses to cooperate with this inspection process, State law does provide for an issuance of an inspection warrant.

Please contact this office at 967-3610 to schedule an inspection. Inspections may be scheduled for Monday through Friday, with the first appointment starting at 7:20 AM and the last appointment at 5:40 PM. We will try to accommodate inspections outside of these time slots if necessary. Inspections will take approximately fifteen minutes. **Prior to your scheduled inspection, please have all floor drains on the lowest level identified and accessible.** The next inspection schedule has been set for March 2 through March 6 and March 9 through March 13, 2009.

To avoid the \$50 per month sewer surcharge, please arrange to have your property inspected.

Sincerely,

Mark Radtke
Public Works Director

Enclosure

C: Mayor Merkes
Common Council (Communication)



City of Menasha • Department of Public Works

February 20, 2009

«Owner»
«Owner2»
«Owner_address»
«Owner_City», «Owner_State» «Owner_Zip»

«Property_Address»

City of Menasha Sewer System Evaluation Survey (SSES) - Phase No. 1 Foundation Drain and Sump Pump Inspections

In January of 2009 a letter was sent requesting that you contact our office to schedule an appointment to inspect your property. To date, we have had no response from you.

Your property needs to be checked for correct storm and drain water disposal. The purpose of this inspection program is to identify any buildings that may have sump pumps, foundation drains or other types of drainage systems improperly connected to the sanitary sewer system. Such connections are improper under both the state codes and City Sewer Use Ordinance. It is imperative that your property be inspected as part of the overall inspection program.

All properties with improvements need to be inspected; including those with or without sump pumps and basements

It is extremely important to the City of Menasha to inspect all buildings to identify clear water sources. The City Council passed Ordinance 0-7-04 on June 7, 2004 (see attached) which allows the City to impose a sewer user surcharge to any user who does not allow authorized City representatives to inspect their property.

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Please contact this office at 967-3610 to schedule an inspection. Inspections may be scheduled for Monday through Friday, with the first appointment starting at 7:20 AM and the last appointment at 5:40 PM. We will try to accommodate inspections outside of these time slots if necessary. Inspections will take approximately fifteen minutes. **Prior to your scheduled inspection, please have all floor drains on the lowest level identified and accessible.** The next inspection schedule has been set for March 2 through March 6 and March 9 through March 13, 2009.

To avoid the \$50 per month sewer surcharge, please arrange to have your property inspected.

Sincerely,

Mark Radtke
Public Works Director

Enclosure

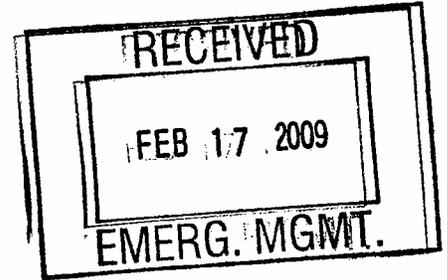
C: Mayor Merkes
Common Council (Communication)

DISASTER RECOVERY AIDS AWARD

**Department of Military Affairs
Division of Emergency Management
Post Office Box 7865
Madison, WI 53707-7865**

February 14, 2009

MENASHA, CITY OF
737 SOUTH CAMPBELL RD
OSHKOSH, WI 54901



Dear Grant Recipient:

Enclosed is the payment in the amount of \$5,907.69 for supplement No. N awarded for eligible disaster related costs under Presidential Disaster Declaration FEMA-1768-DR-WI.

Subgrantee: MENASHA, CITY OF 139-50825-00

This award is composed of federal and state funds. The federal portion totals \$5,601.59 and is classified in the catalog of Federal Domestic Assistance (CFDA) as Number 83.544. The state portion of the award is \$306.10 and has a State Assistance Number of 465.305.

If you have any questions about this award, please call the State Division of Emergency Management at (608) 242-3252.

Sincerely,

David LaWall
Public Assistance Grants Officer
State Division of Emergency Management
Management

Linda Kollmann
Director
Winnebago County Emergency

Town of Menasha Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, December 15, 2008

Minutes

1. Call to Order, Pledge of Allegiance and Roll Call

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance.

Secretary Backman took roll call and present were President Tews, Commissioners Gerhart, Hanson, Ziegler and Youngquist.

Also present were Administrator Sturgell, Finance Dir. Piergrossi, Com. Dev. Dir. Dearborn, Engineer Werner, Wastewater Supt. Laabs, Water Supt. Roth, Barb Knaack, Melvin Schultz, Winn. Cty. Supervisor Joanne Sievert, Dale McNamee. Excused was Accts. Mgr/Deputy Treas. Pagel

2. Awards/Presentations

3. Public Forum

4. Discussion Items

5. Old Business

6. New Business

a) 081215-1:UD Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing

MOTION: Youngquist/Ziegler to adopt as submitted not to exceed an additional \$2,850,780.

Commissioner Youngquist questioned using the actual amount being borrowed for 2009 Water Utility projects and Finance Director Piergrossi explained these were only estimates already included and approved in the budget. On the motion, motion carried.

b) 081215-2:UD Change Order No. 1 - 2008 Water Main Reconstruction Projects Final Cost and Quantities Adjustments for Ninth St., Tayco St., Lakeshore Dr., Olde Midway Rd., and Palisades Dr.

MOTION: Gerhart/Ziegler to adopt as submitted. Motion carried.

c) 081215-3:UD Expenditures

MOTION: Youngquist/Ziegler to approve the expenditures as submitted with the exception of none. Motion carried.

7. Ordinances/Policies/Agreements

8. Approval of Minutes

a) Regular Meeting - November 24, 2008

MOTION: Youngquist/Hanson to dispense with the reading of the above minutes and approve as submitted. Motion carried.

9. Correspondence

a) Water Pumpage Report - November 2008

b) Water Main Break Report - November 2008

c) Letter - Southwood Drive Apartments in Compliance

MOTION: Youngquist/Ziegler to accept the correspondence for filing as submitted. Motion carried.

10. Reports

a) President Tews - Holiday Greetings: President Tews and the entire Commission wished everyone a very Merry Christmas and a happy New Year, and hopes all will be safe this holiday season.

- b) **Commissioner Youngquist - Listening Session Dates:** Commissioner Youngquist stated the listening sessions last year were sparsely attended and hopes for better attendance in 2009. A new day and time has been chosen: Tuesdays at 6:30 pm. The first session will be held at the Municipal Complex, Tues. 1/13/09, then on 2/17/09 at the Community Center (Maple Rm.), next on 3/17/09 at the Municipal Complex. Dates will be in The Bridge newsletter.

11. Motions by Commissioners

12. Adjournment

At 5:22 p.m., MOTION: Hanson/Ziegler to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

Town of Menasha Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, January 5, 2009

Minutes

1. Call to Order, Pledge of Allegiance and Roll Call

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and present were President Tews, Commissioners Gerhart, Hanson, Ziegler and Youngquist. Also present were Administrator Sturgell, Finance Dir. Piergrossi, Com. Dev. Dir. Dearborn, Wastewater Supt. Laabs, Water Supt. Roth, Barb Knaack, and Josh Woodside. Excused was Accts. Mgr/Deputy Treas. Pagel

2. Awards/Presentations

3. Public Forum - Non-Agendized Utility Related Matters

4. Discussion Items

5. Old Business

6. New Business

a) 090105-1:UD Expenditures

MOTION: Youngquist/Ziegler to approve the expenditures as submitted with the exception of none. Motion carried.

7. Ordinances/Policies/Agreements

8. Approval of Minutes

9. Correspondence

10. Reports

a) President Tews - New Year's Greetings: Wished everyone a Happy New Year, and stated in these troubled times in this nation to keep our heads up and hopes things go well in the future as we move forward. Supervisor Hanson hopes we can stay on course and stick with our budget, and continue to do as good as we are.

11. Motions by Commissioners

12. Adjournment

At 5:03 p.m., MOTION: Ziegler/Youngquist to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

Town of Menasha Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, January 19, 2009

Minutes

1. Call to Order, Pledge of Allegiance and Roll Call

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and present were President Tews, Commissioners Gerhart, Hanson, Youngquist and Ziegler (at 5:03 pm). Also present were Administrator Sturgell, Finance Dir. Piergrossi, Com. Dev. Dir. Dearborn, Engineer Werner, Wastewater Supt. Laabs, Water Supt. Roth, Melvin Schultz. Excused was Accts. Mgr/Deputy Treas. Pagel.

2. Awards/Presentations

3. Public Forum

4. Discussion Items

5. Old Business

6. New Business

a) 090119-1:UD Expenditures

MOTION: Hanson/Youngquist to approve the expenditures as submitted with the exception of none. Motion carried.

7. Ordinances/Policies/Agreements

8. Approval of Minutes

a) Regular Utility District Meeting - October 13, 2008

b) Regular Utility District Meeting - October 27, 2008

MOTION: Gerhart/Tews to dispense with reading of the above minutes and approve as submitted. After discussion, MOTION: Gerhart/Tews to amend the Oct. 27 minutes and add a side note: *GCMW will be using short-term borrowing for the construction of the out flow pipe upgrade. Motion carried 4-1 on the amendment to the Oct. 27 minutes, with Commissioner Hanson abstaining due to non-attendance.

9. Correspondence

a) Water Pumpage Report - December 2008

b) Water Main Breaks - December 2008

MOTION: Youngquist/Hanson to accept the correspondence for filing as submitted. Motion carried.

10. Reports

a) **Wastewater Superintendent Laabs - Midway Road Televising and Cleaning Project (Lalonde Contractors):** Last October when constructing Midway Road, Lalonde Contractors plugged the sewer with concrete and gravel and had to return to re-televising approximately 8000 ft. at a cost of over \$9,300; then had to return and clean out 7,350 ft. and agreed to pay for this work as well at an additional cost of approximately \$7,000.

b) **Water Superintendent Roth - Well Project Update:** At well #7 on University Drive, the crew lost a couple of days work due to cold weather but resumed today with 100 ft. of drilling left of a total 570 feet. They will also begin drilling the casing at well #8 on American Drive; President Tews asked when this well would be completed, and Water Supt. Roth projected it would be done by summer.

11. Motions by Commissioners

12. Adjournment

At 5:10 p.m., MOTION: Gerhart/Hanson to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

Town of Menasha Utility District Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, February 9, 2009

Minutes

1. Call to Order, Pledge of Allegiance and Roll Call

President Arden Tews called the meeting to order at 5:00 p.m., followed by the Pledge of Allegiance. Secretary Backman took roll call and present were President Tews, Commissioners Gerhart, Hanson, and Ziegler. Also present were Administrator Sturgell, Finance Dir. Piergrossi, Accts. Mgr/Deputy Treas. Pagel, Com. Dev. Dir. Dearborn, Wastewater Supt. Laabs, Water Supt. Roth, Engineer Werner, Melvin Schultz, Barb Knaack, Darren Putzer. Excused was Supervisor Youngquist

2. Awards/Presentations

3. Public Forum

4. Discussion Items

5. Old Business

6. New Business

a) 090209-1:UD Expenditures

MOTION: Gerhart/Ziegler to approve the expenditures as submitted with the exception of none. The Board asked questions about the expenditures including the status of drilling well #7. Water Supt. Roth explained drilling had slowed when earlier the drill bit got stuck; there is approximately 70 feet left to go. On the motion, motion carried.

7. Ordinances/Policies/Agreements

8. Approval of Minutes

- a) Regular Utility District Meeting - November 10, 2008
- b) Special Utility Commission Meeting - November 17, 2008
- c) Regular Utility District Meeting - December 15, 2008
- d) Regular Utility District Meeting - January 5, 2009

MOTION: Ziegler/Hanson to dispense with reading the above minutes and approve as submitted. Motion carried.

9. Correspondence

- a) Water Main Breaks Report - January 2009
- b) Water Pumpage Report - January 2009

MOTION: Hanson/Gerhart to accept the correspondence as submitted. Motion carried.

10. Reports

a) Water Superintendent Roth

- Clarification on City of Neenah Lead in Water Alert: Supt. Roth explained that the City of Neenah hired a firm to mail out the Notices and had mistakenly sent them to everyone with a mailing address of Neenah and erroneously included Town residents. Board and staff had received a few telephone calls, and it was explained that the Town announced the correction to the public.
- Well Project Update: Supt. Roth gave an update on well #8.

b) Wastewater Superintendent Laabs

- **2008 Year-End Report:** Supt. Laabs gave a report on the 2008 Industrial Surcharges and 2008 Loadings for Grand Chute-Menasha West Sewerage and Neenah-Menasha Sewerage.
- **Demonstration of New Sewer Televising Camera and Equipment:** All of the Board members and the staff assembled in the Street garage to view a demonstration of a newly purchased televising camera and equipment used to televise the sewer lines. Afterwards, everyone returned to the Assembly Room to conclude the meeting.

11. **Motions by Commissioners**

12. **Adjournment**

At 5:32 p.m., MOTION: Hanson/Gerhart to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary



Valley Home Builders Association

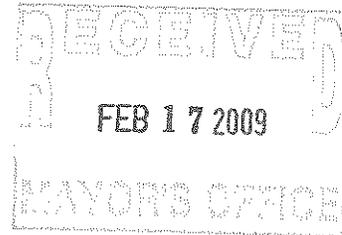
920 W. Association Drive • Appleton, WI 54914

(920) 731-7931 • Fax: (920) 731-7968

www.vhba.com

January 28, 2009

Mayor Don Merkes
140 Main Street
Menasha, WI 54952



Dear Mayor Merkes:

The Valley Home Builders Association proudly announces that the 2009 Winter Wonderland of Homes features 3 new homes in Menasha.

This event will bring thousands of people to the Fox Valley on February 21-28 and March 1 to visit 52 new homes in 18 communities. We encourage you to welcome visitors to the following homes in Menasha:

- 1029 Tana Lane
- 1065 Silver Birch Drive
- 960 Kernan Avenue

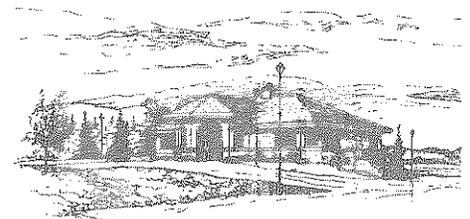
Considering the large number of people that will tour the home in Menasha in the coming weeks, we take this opportunity to inform you that the Winter Wonderland of Homes may produce an increase in traffic. To help you prepare for this possibility, we've enclosed an event schedule and a map showing locations of all the homes in the parade.

The 825+ members of the Valley Home Builders Association look forward to highlighting Menasha as a great place to work, live and play.

As always, please call (920) 731-7931 or e-mail christine@vhba.com if you have any questions, comments or concerns.

Sincerely,

Christine Shaefer
Executive Vice President
Valley Home Builders Association



- PROPOSED MINUTES -**WAVERLY SANITARY DISTRICT****January 13, 2009****District Office - N8722 County Rd. LP**

The meeting was called to order at 8:30 a.m. by Commissioner Helein.

Present: Commissioner Helein (WCH)	System Operator Krueger (RWK)
Commissioner Fulcer (LJF)	System Operator Van Zeeland (TGV)
Commissioner Samsb (MLS)	System Operator Dornfeld (DWD)
Engineer Martenson (SCM)	Office Mgr. Girdley (CMG)
Resident Jerry Lopas	Admin. Asst. Hallock (SAH)

Approval/acceptance of the 12/09/08 Meeting Minutes was accomplished through LJF's motion and MLS' second. Motion carried 3-0.

Receipt acknowledgement and approval of the December 2008 Preliminary Financial and Budget Comparison Reports did not occur. CMG will review of the Preliminary Reports for WSD's 2008 Audit preparation before the Reports are distributed to the Commission.

Invoices were approved for payment and checks were signed prior to the meeting.

COMMUNITIES/CUSTOMERS/SERVICE CONCERNS**Appleton's Rate Review – CMG to report situation status****(Telephonic Public Hearing: 12/9/08 – 10:30 a.m.)**

CMG stated there has not been any contact from the COA since the 12/5/08 E-mail received from COA that CMG reviewed at WSD's 12/09/08 meeting.

WSD has a 90-day time frame from COA's rate effective date to apply to the PSC for a PWAC (Purchase Water Adjustment Clause) based on the COA's rate increase date to WSD.

Rock II LLC (Waverly Beach Sports Bar) Road Reservation – Amended easement receipt status

SCM/WSD have not received contact/information regarding this situation since WSD's 12/09/08 meeting. SCM/CMG briefly reviewed the information received for/discussed at WSD's 12/09/08 meeting. An access easement will be required if this matter progresses. SCM is currently working on WSD's 1983 Right-Of-Way Easement amendment.

WAVERLY SANITARY DISTRICT

January 13, 2009

Page 2

COMMUNITIES/CUSTOMERS/SERVICE CONCERNS - CONTINUED**KC Service Inquiry – Waiver of Assessment status // General discussion**

SCM stated he has not received any additional information since WSD's 12/11/08 meeting. The Waiver of Assessment form has not been provided to KC for signature because KC has not submitted plans. CMG suggested the Waiver of Assessment form be sent to Dan Pociask as discussed at the 12/11/08 meeting.

VHE II-5 (Warehouse Specialists) – Water main easement receipt status // General discussion

SCM reported there is a water main easement for the extension as it currently exists. An easement and right-of-way will be required when the extension is complete. Warehouse Specialists has made application with the Calumet Co. Hwy. Dept. for one access to Midway Rd. located on the north east corner of its east property line. The TOH is supportive of the access request. If approved, this will be the site for WSD's future metering station. WSD will upsize the 8" main to a 12" main that will serve as WSD's 2nd water connection to COA. SCM anticipates the water main installation will begin again during spring 2009. The access issues and WSD's metering pit location should be resolved by that time. The right-of-way that Warehouse Specialists dedicated to the TOH has not been turned over to the COA because TOH is waiting until the various issues are resolved. US Express has made application for three driveway accesses to accommodate its proposed convenience center.

OLD BUSINESS**- Water Sample Tests' Results**

RWK reported all five tests taken on 12/17/08 were determined as safe by the State of Wisconsin. (Attachment #1, pp. 1-5)

- Force Main Connection – Meter station's current monitoring data discussion**- Menasha's written assurance of sampling suspension – Receipt status**

SCM stated NMSC's 12/08 invoice (outstanding) will reflect test results from LS#1's updated equipment. The flow data for LS #1 and LS #4 based on NMSC's 11/08 invoice is currently being reviewed. There is a 10% variance between WSD's measuring data and what WSD is being billed for in the TOM/COM's favor. A problem is suspected at LS #4. RWK will review the last 3-4 months' data. After the new equipment data is received, SCM will review the weekend BOD/solid suspension results to see if they correlate with sampling results taken during the week better than they did before LS#1's new equipment installation. If the flows are too high, WSD is being overcharged for BOD/SS.

CMG stated the COM's written assurance of sampling suspension remains outstanding.

- Future Water Supply Connection (2nd) to Appleton – Future station's site acquisition status

SCM stated the driveway access issues were discussed under the VHE II-5 (Warehouse Specialists) Agenda item. During SCM/Kaster's recent contact, Kaster informed SCM that Kaster/Mahn are once again willing to sell property to WSD for WSD's metering station if interest still exists.

WAVERLY SANITARY DISTRICT

January 13, 2009

Page 3

GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS)

- **2nd Addition to Woodland Hills – Project status report/Waiver of Assessment receipt status**
SCM reported Hagens is proceeding with preliminary plats. Hagens is platting approximately 17-40 lots east toward Wieckert's old home and north toward Wieckert's new home. Hagens will proceed in the spring based on the economic conditions. SCM will provide another Waiver of Assessment for Hagens' signature and return.
- **Birling Court Extension (Andrysezyk) – Project status report**
SCM/WSD have not received contact/information regarding this project since WSD's 12/09/08 meeting.
- **Lake Park Condominiums – Project status report**
SCM reported Kaster/Mahn anticipate changing their development plans. They are considering other options rather than condos and public streets rather than private. Kaster/Mahn are communicating with Rennis and TOH regarding access issues.
- **Outagamie LLC Future Development – Project status report (18 acres)**
Location: North of Woodland Terrace and south of Manitowoc Rd.
SCM/WSD have not received contact/information regarding this project since WSD's 12/09/08 Meeting.
- **1st Addition – Lake Park Heights – Project status report**
SCM/WSD have not received contact/information regarding this project since WSD's 12/09/08 Meeting.
- **Crestwood Subdivision – Location: Southside of Midway Road – Off Cottonwood Drive – Between Eternal Love Lutheran Church and Barker Farm Estates**
SCM/WSD have not received contact/information regarding this project since WSD's 12/09/08 Meeting.

NEW BUSINESS

- **Establish the February Meeting Date – Tuesday, February 10, 2009 (8:30 a.m.) District Office**
Tuesday, February 10, 2009 at 8:30 a.m. was established as the February meeting date/time. The meeting will be held at the District's office.

WAVERLY SANITARY DISTRICT

January 13, 2009

Page 4

OFFICE REPORT (Attachment #2, pp. 1-9)

CMG briefly reviewed the Office Report for those in attendance. All items reviewed are included in the attached Office Report.

FIELD REPORT (Attachment #3A, pp. 1-5 & Attachment #3B)

A Field Report was not submitted for meeting minutes' attachment.

RWK reported the TOH damaged a manhole located at Kernan/Manitowoc Rd. while plowing snow. Town Road Superintendent Kesler informed RWK the TOH would reimburse WSD for the manhole repair. CMG invoiced TOH for \$1,189.20 payable by 1/15/09.

WSD will soon begin this year's 10-year meter change program changing 156 meters during 2009.

Matt's Welding is in the process of making hose brackets and bins for hose storage for the 6" pumps, extending the hitch on the green pump, and fabricating a cord bin for the large generator.

WSD personnel recently cleared snow from a fire hydrant after a resident reported the snow covered hydrant located near her property. This was the only contact WSD received regarding snow covered hydrants.

OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION**Town of Harrison Meeting Change and Fire Dept.'s Request for Continued Use of WSD's Garbage Dumpster**

MLS stated the TOH will now hold one meeting per month, to be scheduled on the last Tuesday of each month, rather than scheduling two meetings per month as is current practice.

MLS reported TOH Fire Depts. have recently merged Fire Station #1 & #2. The merged Fire Dept.'s cleanup committee requests WSD's permission for continued use of WSD's dumpsters for its trash/recycling. The Commission agreed to permit the Fire Dept.'s continued use of WSD's dumpsters.

Mail Delivery Received after Business Hours at WSD

CMG reported WSD's mail is often received after business hours causing the mail to remain in the mailbox over night. This leaves the mail vulnerable to tampering. CMG spoke with Post Master on several occasions and the only solution suggested by the Post Master is that WSD rent a Post Office box for \$42.00 per year. WSD could retrieve the mail by 10:00 a.m. daily. LJF agrees WSD should utilize a Post Office box. MLS/WCH stated WSD should not rent a box. WCH stated he will retrieve the mail if received after hours. RWK/SCM suggested WSD explore purchasing an on-site mail box that locks with a standard key utilized by the mailman. Lake Park Villas utilizes a locked mail box for its mail delivery. SCM will provide CMG with Lake Park Villas' locked mail box information. CMG will explore the possibility of obtaining an on-site mail box that locks thru the Post Office.

Since there wasn't any other business to legally come before the Commission, LJF motioned/MLS seconded meeting adjournment.

Meeting adjourned at 9:10 a.m.

Submitted by Susan A. Hallock

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday February 16, 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. Taylor, Wisneski, Pack, Hendricks, Zelinski, Benner

EXCUSED: Ald. Pamentor, Michalkiewicz

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

D. PUBLIC HEARING

None

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

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

Jay Schroeder, 1296 N. Lake Street, Neenah. Running for Winnebago County Executive, will have listing session.

Mike Radue, owner of Fox Cinema. Closing of Third Street during reconstruction of street will be bad for his business; would like City to reconsider project.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

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

Minutes to receive:

- a. [Administration Committee, 2/2/09](#)
- b. [Board of Public Works, 2/2/09](#)
- c. [Board of Appeals, 9/24/08](#)
- d. [Committee on Aging, 1/11/09](#)
- e. [Parks and Recreation Board, 2/9/09](#)
- f. [Plan Commission, 2/3/09](#)
- g. [Sustainability Board, 1/20/09](#)
- h. [Water and Light Commission, 1/28/09](#)
- i. [Water and Light Commission, 1/28/09; Closed Session](#)
- j. [Water and Light Commission, 2/3/09; Special Session](#)

Communications:

- k. [Menasha Historical Society Newsletter, February 2009](#)
- l. [Ald. Taylor, 2/9/09; Wisconsin Circuit Court Access- Winnebago County Case](#)
- m. [PRD Tungate, 2/4/09; Wisconsin Park & Recreation Association newsletter](#)
- n. [CA/HR Brandt, 2/11/09; HR Director vacancy ad for City of Green Bay](#)
- o. [Representative Kaufert, 1/29/09; receipt of transportation infrastructure system resolution](#)

Ald. Benner – Minutes C, would like to receive minutes sooner to keep current with issues.

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, 2/2/09](#)

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

2. [Approval of the proposed parochial school fees for school year 2009-2010](#)
3. [Revised Building Inspection Contract – Independent Inspections, Ltd. \(ILL\)](#)

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

4. [Change Order – Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; Time Extension to March 15, 2009 \(Change Order No. 1A\)](#)
5. [Payment - Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \\$61,050.00 \(Payment No. 8\)](#)
6. [Payment - National Power Rodding Corporation - City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; \\$6,261.49 \(Payment No. 3\)](#)
7. [Recommendation to Execute Master Agreement with SEH for Stormwater Management Services](#)
8. [Recommendation to Execute Service Addendum with SEH for PermiTrack MS4](#)
9. [Recommendation to Execute Service Addendum with SEH for PermiTrack ESC](#)

Parks and Recreation Board, 2/9/09 – Recommends Approval of:

10. [2009 Fees for Parks, Recreation, Pool, Marina, Forestry and Cemetery services](#)

Ald. Zelinski requested to remove item 10 from the Consent Agenda

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve items 1-9 of Consent Agenda.
Motion carried on roll call 6-0

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Taylor, seconded by Ald. Pack to approve item 10 of Consent Agenda

Discussion

Moved by Ald. Zelinski to keep pool fees at current price. No Second
Motion failed.

Motion to approve item 10 carried on roll call 5-1. Ald. Zelinski – no.

I. ORDINANCES AND RESOLUTIONS

1. [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. Wisneski to suspend the rules and take up O-9-09

Discussion

Motion failed on roll call 0-6.

J. ACTION ITEMS

1. [Accounts Payable and Payroll for the term 2/5/09-2/12/09 in the amount of \\$3,470,404.44](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Accounts Payable and Payroll.
Motion carried on roll call 6-0.

K. APPOINTMENTS

1. Mayor's Appointments to the Landmark's Commission:
 - a. Reappointment of Kristi Lynch, for the term of March 1, 2009 – March 1, 2012

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

- b. [Appointment of Bernard Zimmerman, 353 Cleveland St., for the term of March 1, 2009 – March 1, 2012](#)

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

2. Mayor's Appointments to the Board of Appeals
 1. [Ken Kubiak, 1214 Fieldview Dr., for the term of February 1, 2009 – February 1, 2012](#)

Moved by Ald. Hendricks, seconded by Ald. Pack to approve appointment
Motion carried on voice vote

3. AD-HOC Cable TV Committee
 - a. [LD Tasha Saecker, Nancy Biese, Steve Grenell](#)

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

L. CLAIMS AGAINST THE CITY

1. [A motion is in order for the Common Council to deny the Witthun tax claim.](#)

Moved by Ald. Benner, seconded by Ald. Taylor to hold for two weeks
Item held.

2. [A motion is in order for the Common Council to deny the claim of Wisconsin Housing Preservation Corp. for recovery of unlawful taxes for 1400 Lucerne Dr.](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to deny the claim
Motion carried on roll call 6-0

3. [A motion is in order for the Common Council to deny the claim of Wisconsin Housing Preservation Corp. for recovery of unlawful taxes for 37 Tayco St.](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to deny the claim
Motion carried on roll call 6-0

M. HELD OVER BUSINESS

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Pack to adjourn at 6:24 p.m.

Motion carried on voice vote

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
COMMON COUNCIL
Common Council Chambers
140 Main Street, Menasha, WI
August 7, 2006
MINUTES

DRAFT

I. Call to order by Mayor Laux at 5:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz
Also Present: Mayor Laux, CA/HRD Brandt, Comp/Treasurer Stoffel, MU GM Young,
Utility Commission Member Carla Watson, Clerk Galeazzi.

IV. NEW BUSINESS

A. Motion to Adjourn into Closed Session pursuant to sec. 19.85(1) (g) 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;
(PCI v. Menasha Utilities)

Moved by Ald. Wisneski seconded by Ald. Pack to adjourn into Closed Session pursuant to sec. 19.85(1) (g) 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;
(PCI v. Menasha Utilities)

Motion carried on roll call 8-0.

II. CLOSED SESSION.

A. Roll call.

Present: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz
Also Present: Mayor Laux, CA/HRD Brandt, Comp/Treasurer Stoffel, MU GM Young,
Utility Commission Member Carla Watson, Clerk Galeazzi.

B. PCI v. Menasha Utilities

CA/HRD Brandt explained the lawsuit PCI has filed against Menasha Utilities and City of Menasha.

The process is to select an arbitrator to sort things out. The selection of an arbitrator will take place after Sept 1, 2006 and then a hearing will be scheduled. Anticipate the hearing will not take place until after Jan. 1, 2007. The Utilities has Attorney Jim Bartzten representing them.

CA/HRD Brandt and MU GM Young answered questions.

III. ADJOURNMENT.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to adjourn at 5:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
CLOSED SESSION COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
January 15, 2007
Minutes

DRAFT

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

II. Roll Call

Present: Ald. Wisneski, Hendricks, Michalkiewicz, Chase, Merkes

Excused: Ald. Pack, Eckstein

Absent: Ald. Taylor

Also Present: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel
Attorney Rohan, Clerk Galeazzi.

III. Discussion

A. Motion to Adjourn into Closed Session pursuant to Sec. 19.85(1)(g) 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. (Lake Park Villas).

Moved by Ald. Wisneski seconded by Ald. Michalkiewicz to adjourn into closed session.
Motion carried on roll call 5-0.

Ald. Taylor arrived at 5:05p.m.

B. Roll Call in Closed Session.

Present: Ald. Taylor, Wisneski, Hendricks, Michalkiewicz, Chase, Merkes.

Excused: Ald. Pack, Eckstein

Also Present: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel,
Clerk Galeazzi, Attorney Rohan

C. Update on Lake Park Villas

CA/HRD Brandt introduced Attorney Rohan from Davis & Kuelthau. Attorney Rohan will be representing the City during the receivership process of WISCO. He explained receivership and the procedure with the court system. He explained the City status during the receivership process. He recommended the City have the Athletica Health Facility appraised.

Discussion ensued on the status of the Lake Park Villas condominium units and the marketing and selling of lots in that area.

III. Adjournment

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to adjourn at 6:15 p.m.
Motion carried on roll call.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
Closed Session
140 Main Street, 3rd Floor Council Chambers
December 3, 2007
MINUTES

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 5:00 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack (5:20p.m.), Hendricks, Eckstein, Michalkiewicz
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, C/T Stoffel, Carol Wirth (RBC Capital Markets), Clerk Galeazzi

3. DISCUSSION

- A. Motion to Adjourn into Closed Session pursuant to sec. 19.85(1) (g) 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; (Lake Park Villas)

Moved by Ald. Wisneski, seconded by Ald. Taylor to adjourn into Closed Session
Motion carried on roll call 7-0.

- B. Closed Session

A. Roll Call

PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack (5:20p.m.), Hendricks, Eckstein, Michalkiewicz
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, C/T Stoffel, Carol Wirth (RBC Capital Markets), Clerk Galeazzi

B. Lake Park Villas

Attorney Tom Rohan joined meeting via teleconference. Lake Park receiver has hired a company from Chicago area is put Athletica Fitness Center and Club House up for auction. The auction is scheduled for January 22, 2008. City has an option to bid on the properties. The City only holds a mortgage on Athletica Fitness Center. The Courts will need to approve any transaction.

Discussion ensued on if property is worth appraised value, if City bids how it should be marketed, other uses for the buildings.

4. ADJOURNMENT

- A. Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adjourn at 5:49 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Closed Session
140 Main Street, 3rd Floor Council Chambers
March 3, 2008
MINUTES

DRAFT

1. CALL TO ORDER

A. Meeting called to order by Mayor Laux at 7:58 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, C/T Stoffel,
Clerk Galeazzi

3. DISCUSSION

A. Motion to convene in closed session under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by members of the group and the group as a whole with respect to their joint defense in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation.

Moved by Ald Taylor, seconded by Ald. Michalkiewicz to adjourn into closed session
Motion carried on roll call 8-0

B. Closed Session

A. Roll Call

PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, DPW Radtke, CDD Keil, C/T Stoffel,
Clerk Galeazzi

B. Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation.

CA/HRD Brandt explained the process of the PCB clean-up. He also explained the mediation between the municipalities and the mills is not going well. There is talk of law suites. Municipalities with treatment facilities may be involved in law suite. If the City of Menasha would be part of the law suit, current insurance will not cover. CA/HRD Brandt explained the importance of paper documents and electronically stored information pertaining to this subject. This covers both business and personnel computers.

4. ADJOURNMENT

A. Moved by Ald. Eckstein, seconded by Ald. Pack to adjourn at 8:25 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

1. CALL TO ORDER

- A. Meeting called to order by Mayor Merkes at 8:55 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Zelinski, Michalkiewicz, Benner, Pamerter, Taylor, Wisneski, Pack, Hendricks
ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Clerk Galeazzi

3. DISCUSSION

- A. Motion to convene in closed session under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by members of the group and the group as a whole with respect to their joint defense in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation.

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to convene into closed session

Motion carried by roll call 8-0.

B. 1) ROLL CALL

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

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Clerk Galeazzi

2) Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation

CA/HRD Brandt updated the Council on the latest event with the PCB. There has been word from the Attorneys representing the area municipalities that there might be a law suit filed by the area paper mills. He explained the history of how PCB were deposited into the Fox River by the paper mills. The EPA and Fish and Wild Life Administration starting cleaning up the Fox River and state legislature has passed some regulations regarding depositing contaminated materials into the water. Neenah-Menasha Sewerage did some depositing of contamination into the water through the treatment of waste. N-M Sewerage did what was required to treat waste. CA/HRD Brandt did know who would be named responsible parties on the law suit. The City of Menasha does have some insurance to cover depending on how the law suit is filed.

CA/HRD Brandt answered questions from the Council.

4. ADJOURNMENT

- A. Moved by Alderman Michalkiewicz, seconded by Alderman Pack to adjourn at 9:31 p.m.
Motion carried on voice vote

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Closed Session
City Hall-140 Main St.-Council Chambers-3rd Floor
July 7, 2008
MINUTES

1. CALL TO ORDER

Meeting called to order by Mayor Merkes at 8:55 p.m.

2. ROLL CALL/EXCUSED ABSENCES

A. Roll call

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

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, MUGM Young, Atty Bartzen, Clerk Galeazzi

3. DISCUSSION

A. Motion to convene in closed session under Section 19.85(1)(e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: PCI Arbitration.

Moved by Alderman Wisneski, seconded by Alderman Hendricks to move to convene in closed session

Motion Passed

Results:

Roll Call:

AYES: Benner, Hendricks, Pack, Pamentor, Taylor, Wisneski, Zelinski (7)

B. Roll call

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

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, MUGM Young, Atty Bartzen, Clerk Galeazzi

C. PCI Arbitration

CA/HRD Brandt and GM Young updated the Council on what happened with the litigation and the process of mediation scheduled for July 30. If nothing resolved during mediation, then arbitration is scheduled for August 25. Depositions are being taken in preparation of mediation. Things discussed during mediation can not be used during arbitration. CA/HRD Jeff Brandt, Atty. Jim Bartzen, MG Doug Young, Mayor Don Merkes, and Comm. Mark Allwardt will be attending the mediation.

4. ADJOURNMENT

A. Adjournment

Moved by Alderman Pack, seconded by Alderman Hendricks to adjourn at 9:35 p.m.

Motion Carried on voice vote

Results:

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Joint Common Council and Menasha Utilities Comm
140 Main Street, 3rd Floor Council Chambers
Closed Session
December 3, 2007
MINUTES

DRAFT

1. CALL TO ORDER

- A. Meeting Called to Order by Mayor Laux at 7:40 p.m.

2. ROLL CALL/EXCUSED ABSENCES

- A. PRESENT: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz
Comm. Allwardt, Fahrbach, Laux
EXCUSED: Comm. Martenson, Watson
ALSO PRESENT: CA/HRD Brandt, C/T Stoffel, Carol Wirth (RBC Capital Markets),
Clerk Galeazzi

3. DISCUSSION

- A. PCI Arbitration

CA/HRD Brandt explained the arbitration hearing is scheduled for June 2008. PCI filed motions to disqualify the Utilities attorneys due to a conflict of interest and to depose them in the alternative. The arbitrator denied both motions. Depositions are in process. Settlement discussions have not taken place. PCI Errors and Omissions Limits are \$2,000,000 Insurance coverage from the \$5,000,000 umbrella policy is uncertain.

- B. Equipment Operations

CA/HRD Brandt explain no current plan to initiate litigation for any equipment. The priority is to improve steam plant efficiency as called for by Sargent & Lundy. Dresser Rand has been working with staff to solve turbine problems.

- C. Steam contract Negotiations

CA/HRD Brandt explained GM Doug Young is the lead person on the negotiations of the steam contracts. Any amendments to the contracts require approval of the Commission. Other steam customers are being considered according to Commission priority plan .

4. ADJOURNMENT

- A. Moved by Ald. Wisneski, seconded by Ald. Pack to adjourn at 8:23 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Joint Common Council and Menasha Utilities Comm.
140 Main Street, 3rd Floor Council Chambers
August 4, 2008

MINUTES

+ Back Print

1. CALL TO ORDER

Meeting called to order by President Allwardt at 5:00 p.m.

2. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

3. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

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

EXCUSED: Ald. Benner

COMMISSIONER: Allwardt, Watson, Merkes,

EXCUSED: Comm Guidote, Fahrbach

ALSO PRESENT: CA/HRD Brandt, MUGM Young, Clerk Galeazzi, Atty Jim Bartzen

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

Five (5) minute time limit for each person

A. People from the gallery to be heard: only pertaining to matters on the agenda - five (5) minute time limit for each person.

No one spoke

5. DISCUSSION

A. Motion to Adjourn into Closed Session pursuant to Sec. 19.85(1)(g) 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: (PCI Arbitration)

Moved by Comm. Watson, seconded by Ald. Wisneski to adjourn into closed session at 5:03 pm.
Motion carried on roll call 10-0 (All voting aye)

B. Closed Session 1) Roll Call 2) PCI Arbitration

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

EXCUSED: Ald. Benner

COMMISSIONERS: Allwardt, Watson, Mayor Merkes

EXCUSED: Comm. Guidote, Fahrbach

ALSO PRESENT: CA/HRD Brandt, MUGM Young, Clerk Galeazzi, Atty Jim Bartzen

CA/HRD Brandt explained the mediation agreement. The Council received a copy of the agreement. The Utility Commission has the authority to accept the agreement. The agreement has a non-disparagement clause.

Attorney Jim Bartzan explained if the agreement is accepted it will then be released to the public. He gave a brief overall of the mediation settlement. It started out with the City demanding \$1.7 million and the final settlement was \$875,000. The agreement has PCI paying \$1 million to Utilities and Utilities paying PCI \$140,000. PCI would then pay the subcontractor, Pasco, Inc, \$65,000 for outstanding bills. Both parties deny any liability and the settlement does not constitute an admission of liability. The agreement will end all claims relating to the steam plant project.

Atty Bartzan feels it is a reasonable settlement which will allow both parties to move on. There is no appeals process with mediation. If this case would go to arbitration there could be a chances to get more in damages, but the attorney fees will be increased. There is also the chance it will be less of a settlement.

6. ADJOURNMENT

A. Menasha Common Council

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adjourn at 5:43 p.m.
Motion carried on voice vote.

B. Menasha Utilities Commission - Motion to reconvene in Open Session to complete items on the agenda of Special Menasha Utilities Commission meeting of August 4, 2008

Moved by Comm. Watson, seconded by Mayor Merkes to adjourn at 5:44 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, City Clerk

CITY OF MENASHA
Special Joint Common Council and
Menasha Electric and Water Utility Commission
Third Floor Council Chambers
140 Main Street, Menasha
February 18, 2009
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Taylor, Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner
Comm. Allwardt, Watson, Guidote, Mayor Merkes.

EXCUSED: Ald. Pamerter and Comm. Fahrback.

ALSO PRESENT: Carol Wirth (WFPF), Charles Forrest (Stern Brothers),
CA/HRD Brandt, MU Interim GM Carl Verhagen,
Steam Plant Mgr. Dick Sturm, DPW Radtke, CDD Keil, PHD Nett,
FC Vander Wyst, Lt. Brunn, Clerk Galeazzi.

C. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

D. ACTION ITEMS

1. Update on Utilities General Manager search.

Comm Allwardt reported 33 resumes were received for the General Manager position. That number was narrowed down by staff to 17. Then staff and Commissioners narrowed it down to five. Phone interviews were conducted and two candidates were invited for a personal interview. The Utility Commission interviewed both candidates and voted to make an offer of employment to William Cook. They are waiting to hear back from Mr. Cook.

2. Motion to Adjourn into Closed Session pursuant to sec. 19.85(1) (g) 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; and pursuant to sec 19.85(1) (e) deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.
(Steam Plant)

Moved by Ald. Wisneski, seconded by Ald. Pack to adjourn into closed session at 6:05 p.m.

Motion carried on roll call 7-0.

Moved by Comm. Guidote, seconded by Comm Watson to adjourn into closed session at 6:06 p.m.

Motion carried on roll 4-0

Respectfully submitted by
Deborah A. Galeazzi, City Clerk

CHARTER ORDINANCE O - 4 - 09

A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY ASSESSOR

Introduced by Alderman Pack

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

SECTION 1: Charter Ordinance O-28-83 is repealed and recreated to read as follows:

Home Rule Provision. The City of Menasha hereby elects, pursuant to sec. 62.09, Wis. Stats., and Chapter 66, Wis. Stats. to provide for the appointment of the assessor.

SECTION 2: Charter Ordinance Provisions. This ordinance shall be deemed to be an amendment of the Charter of the City of Menasha relating to the term of the office of assessor and sec. 62.09(1) of the statutes of the State of Wisconsin being a part of the general charter law of the City of Menasha, Wisconsin shall not apply to the assessor insofar as statutory terms conflict with this ordinance.

SECTION 3: How selected. The Mayor shall appoint the assessor, with confirmation by the Common Council. A firm may be designated as City Assessor.

SECTION 4: Term: There shall be no specific term designated for the City Assessor.

SECTION 5: This is a charter ordinance and shall take effect sixty (60) days after its publication unless within such sixty (60) day period a referendum petition is filed as provided for by s. 66.0101 Wis. Stats. In such event, this ordinance shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

Passed and approved this _____ day of _____, 2009.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Attorney's Note: This is a charter ordinance and requires an affirmative vote of two-thirds of the Common Council. It has been recommended by the Ad-Hoc City Attorney Search Committee.

CHARTER ORDINANCE O - 5 - 09

A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY CLERK

Introduced by Alderman Pack

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

SECTION 1: Charter Ordinance O-21-80 is repealed and recreated to read as follows:

Home Rule Provision. The City of Menasha hereby elects, pursuant to sec. 62.09, Wis. Stats., and Chapter 66, Wis. Stats. to provide for the appointment of the City Clerk.

SECTION 2: Charter Ordinance Provisions. This ordinance shall be deemed to be an amendment of the Charter of the City of Menasha relating to the term of the office of City Clerk and sec. 62.09(1) of the statutes of the State of Wisconsin being a part of the general charter law of the City of Menasha, Wisconsin shall not apply to the City Clerk insofar as statutory terms conflict with this ordinance.

SECTION 3: How selected. The Mayor shall appoint the City Clerk, with confirmation by the Common Council.

SECTION 4: Term: There shall be no specific term designated for the City Clerk.

SECTION 5: This is a charter ordinance and shall take effect sixty (60) days after its publication unless within such sixty (60) day period a referendum petition is filed as provided for by s. 66.0101 Wis. Stats. In such event, this ordinance shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

SECTION 6: Any other ordinances in conflict with ordinance are hereby repealed.

Passed and approved this _____ day of _____, 2009.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Attorney's Note: This is a charter ordinance and requires an affirmative vote of two-thirds of the Common Council. It has been recommended by the Ad-Hoc City Attorney Search Committee.

CHARTER ORDINANCE O - 6 - 09

A CHARTER ORDINANCE RELATING TO APPOINTMENT OF THE CITY ATTORNEY

Introduced by Alderman Pack

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

SECTION 1: Charter Ordinance O-4-80 is repealed and recreated to read as follows:

Home Rule Provision. The City of Menasha hereby elects, pursuant to sec. 62.09, Wis. Stats., and Chapter 66, Wis. Stats. to provide for the appointment of the City Clerk.

SECTION 2: Charter Ordinance Provisions. This ordinance shall be deemed to be an amendment of the Charter of the City of Menasha relating to the term of the office of City Attorney and sec. 62.09(1) of the statutes of the State of Wisconsin being a part of the general charter law of the City of Menasha, Wisconsin shall not apply to the City Attorney insofar as statutory terms conflict with this ordinance.

SECTION 3: How selected. The Mayor shall appoint the City Attorney, with confirmation by the Common Council. The City Attorney may be a combined position with that of the Human Resources Director.

SECTION 4: Term: There shall be no specific term designated for the City Attorney.

SECTION 5; This is a charter ordinance and shall take effect sixty (60) days after its publication unless within such sixty (60) day period a referendum petition is filed as provided for by s. 66.0101 Wis. Stats. In such event, this ordinance shall not take effect until it shall have been submitted to a referendum vote of the electors and approved by a majority of the electors voting thereon.

SECTION 6: Any other ordinances in conflict with ordinance are hereby repealed.

Passed and approved this _____ day of _____, 2009.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Attorney's Note: This is a charter ordinance and requires an affirmative vote of two-thirds of the Common Council. It has been recommended by the Ad-Hoc City Attorney Search Committee.

AN ORDINANCE RELATING TO THE INSTALLATION OF UTILITY CABINETS

Introduced by Alderman Benner

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

SECTION 1: Chapter 4, Title 9 is created to read as follows:

SEC. 9-4-1 UTILITY CABINETS REGULATED.

(a) Public franchise utility cabinets, electric distribution system cabinets and telecommunication system utility cabinets, hereafter referred to as Utility Cabinets, are subject to requirements of this section.

SEC. 9-4-2 APPLICABILITY.

(a) A permit is required for the installation of all Utility Cabinets except as follows:

- (1) Cabinets under 32 cubic feet and less than four feet in height located in the rear yard or outside of a front yard setback.

SEC. 9-4-3 APPLICATION REQUIREMENTS.

Application for the installation of Utility Cabinets shall be made on forms available from the Director of Public Works or his/her designee hereafter referred to as DPW and shall include the following information:

- (a) Name, address, phone number and e-mail address of the applicant.
- (b) A description of the project including the relationship of the Utility Cabinet(s) to the overall utility system and the size and location of related elements of the proposed Utility Cabinet.
- (c) A description of the function of the cabinet documenting the required size of the cabinet and the maximum spacing from other cabinets serving a related function.
- (d) A site plan showing the location of the proposed cabinet in relation to street right-of-way, sidewalks, terraces, driveways, above ground utilities, trees, traffic control devices, fences, hedges, and structures within 100 feet of the proposed site.
- (e) A scaled drawing showing the dimensions of the cabinet and base. The drawing shall indicate the color of the cabinet and shall depict the location and size of any lettering, logo's or other symbols that may be applied on or attached to the cabinet. The location of any electric meters shall also be depicted.
- (f) An affidavit stating that property owners within 100 feet of the proposed utility cabinet installation were notified of the proposed installation. Such notice shall include a description of the size, height, location and appearance of the utility cabinet and also describe any proposed landscaping or other means of screening the cabinet. Such notice shall include the contact person at the utility and be sent by certified mail, return receipt requested at least five working days prior to submitting to application to the DPW.
- (g) Any other information the DPW may determine as relevant to the placement of the Utility Cabinet.
- (h) Payment of a Utility Cabinet application fee in an amount set by the Common Council.

SEC. 9-4-4 GUIDELINES FOR PLACEMENT OF UTILITY CABINETS.

Wherever feasible, utility cabinets should be placed in rear yards or other areas not visible from the street right-of-way. If practical alternatives to placing the cabinets in the right-of-way or front yard setback do not exist, cabinets shall be screened in a manner consistent with the criteria for transitional areas outlined in Sec. 13-1-17(3) of the Menasha Code of Ordinances.

SEC. 9-4-5 PERMIT ISSUANCE:

Following review, the DPW may issue, deny, or issue with conditions a permit for the proposed Utility Cabinet within 30 days of receipt of the completed application. If denied, the DPW shall state the reasons for such denial in writing. The DPW may attach conditions to the permit related to the size, height, location or appearance of the Utility Cabinet including requirements for landscaping or other screening of the cabinet. The DPW shall consider the following criteria when evaluating a permit application for a Utility Cabinet:

- (a) The rationale set forth by the applicant in Sec. 9-4-3(b & c) stating the need for a Utility Cabinet at the specified location.
- (b) The location of the Utility Cabinet in relation to the features described in 9-4-3(d).
- (c) The overall appearance of the Utility Cabinet including the features described in 9-4-3(e).
- (d) Other factors as may be relevant to the placement of the Utility Cabinet.

SEC. 9-4-6 APPEAL.

The applicant may appeal any permit denial or condition attached to the Utility Cabinet permit. Such appeal shall be made, in writing, to the Board of Public Works within 30 days of permit denial or issuance with conditions. In considering an appeal of a permit denial, the Board of Public Works may affirm the DPW's denial, or grant the permit with such conditions as it deems necessary. In considering an appeal of permit conditions, the Board of Public Works may affirm the conditions as noted by the DPW, or rescind, modify or add conditions as it deems necessary.

SEC. 9-4-7 REVOCATION.

Permits for Utility Cabinets may be revoked by the DPW if:

- (a) The project is not constructed in accordance with the plan submitted under Sec. 4(a).
- (b) The conditions attached to the permit by the DPW have not been met within 180 days of permit issuance.
- (c) The use of the cabinet has been discontinued for a period of not less than 60 days.

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

Passed and approved this _____ day of February, 2009.

Donald J. Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

AN ORDINANCE RELATING TO RECREATIONAL FIRES

Introduced by Aldermen Hendricks and Wisneski

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

SECTION 1: Sec. 5-2-7 is repealed and recreated to read:

SEC. 5-2-7 OPEN BURNING.

(a) **OPEN BURNING PROHIBITED.** No person, firm or corporation shall build any outdoor fire within the corporate limits of the City of Menasha excepting as set forth in Subsection (b) of this Section.

(b) **EXCEPTIONS.**

(1) Outdoor cooking over a fire contained in a device or structure designed for such use.

a. Material used to make a cooking fire cannot include construction **materials**, trash or rubbish.

b. All cooking devices must be in good working condition to prevent the possible spread of fire;

c. For all multi-family dwellings more than one story in height, the use and/or storage of any propane or charcoal portable cooking device or any portable fireplace device is strictly prohibited above the first floor occupancy.

d. For all multi-family dwellings more than one story in height, the use of any open or closed outdoor cooking device, any portable fireplace device, or any open flame device is prohibited within ten (10) feet of the structure on the ground floor or any combustible material on the ground floor.

e. 1. It is the intent of the City of Menasha that citizens shall have the opportunity to have recreational fires at single-family and two-family dwellings provided that such fires are in strict compliance with restrictions relating to recreational fires. It is further the intent of the City of Menasha that the Police

Department and **Neenah-Menasha Fire Rescue** ~~Fire Department~~ shall strictly enforce these restrictions so as to insure that such fires do not compromise safety ~~nor annoy neighbors~~. Such enforcement shall require an investigation into any complaint and an independent determination by either the Police Department or **Neenah-Menasha Fire Rescue** ~~the Fire Department~~ as to whether a particular recreational fire is in compliance with these regulations.

2. A recreational fire is a campfire for the purpose of recreation and personal enjoyment.

3. A portable fire pit is a structure or device intended to contain and control outdoor wood fires. This shall include a structure which although not portable, is designed to contain and control outdoor wood fires.

4. An in-ground fire pit is defined as a fire pit surrounded on the outside by a non-combustible material such as concrete block or rocks.

4. No recreational fire may be started or allowed to continue burning unless such recreational fire is contained in a portable fire pit **or an in-ground fire pit.**

5. No recreational fire, portable fire pit, **or in-ground fire pit** shall be closer than 10 feet from any building, structure, shed, garage, fence, or any combustible material.

6. All recreational fires shall not have a diameter larger than 2 feet nor may the fire extend more than 2 feet above the pit.

The fire pit shall be surrounded on the outside by a non-combustible material such as concrete block or rocks.

7. "Portable" fire pits, such as devices commercially designed and intended to control and contain outdoor wood fires, may be used in accordance with the manufacturer's specifications, these regulations, and must be based 120294 5 : 4 upon a non-combustible surface.

8. No recreational fire shall be started or allowed to continue burning when the wind direction or wind speed will cause smoke, embers, or other burning materials to be carried by the wind toward any building or other combustible materials, nor anytime when the wind speed exceeds 7mph. Smoke from any recreational fire shall not create a nuisance for neighboring property owners. The fire shall be completely extinguished **based upon the findings of the required investigation conducted by either the Police Department or Neenah-Menasha Fire Rescue.** ~~immediately upon the complaint of any smoke nuisance.~~ The Police Department and **Neenah-Menasha Fire Rescue** ~~the Fire Department~~ shall strictly enforce this section so as to comply with the intent of section e.1. of this ordinance.

9. Material for recreational fires or portable fire pit shall not include rubbish, garbage, recyclable items, trash **or** any material made of ~~or~~ petroleum-based materials, and shall not contain any flammable or combustible liquids, except for devices which are designed to burn LP gas. Such LP gas devices shall not use the LP gas as an accelerant for other flammable materials.

10. Adequate fire suppression equipment shall be immediately available to control or extinguish the recreational fire.

Adequate fire suppression shall be a garden hose or a large bucket of water within two feet of the fire.

11. All recreational fires or portable fire pits shall be attended at all times by at least one responsible person of age 18 or older from the ignition of the fire until the fire is completely extinguished.

12. The property owner and/or person who have started any recreational fire shall hold the City harmless from any and all damages caused by a recreational fire.

13. Any party who has started or maintains a recreational fire as defined shall pay any and all costs incurred by **Neenah-Menasha Fire Rescue** ~~the Fire Department~~ for any service related call as a result of a recreational fire NOT in compliance with these requirements, if deemed necessary by the Fire Chief.

14. Any person who wishes to have a recreational fire in a portable fire pit **or in-ground fire pit** must obtain a permit prior to such fire. The permit shall contain the name and address of the location where the portable fire pit is to be used. Such permit is not transferable to any other person nor any other location.

15. The permit specified in paragraph 14 shall require an annual fee of \$15.00 to be paid to and collected by the Finance Department. A copy of Sec. 5-2-7 shall be provided along with the permit.

16. No recreational fire shall be started or allowed to continue unless the permit and the copy of the ordinance can be produced and shown to anyone who requests to see the permit.

17. No recreational fire may be started or allowed to continue between 12:00 a.m. and 6:00 p.m. Any such fire is presumed unreasonable and must be extinguished upon demand.

18. Any recreational fire, ~~or~~ portable fire pit **or in-ground fire pit** not in compliance with all the terms of Sec. 5-2-7 may, in addition to any other penalties, result in the permanent revocation of the permit.

19. The City Clerk shall send to any permittee a copy of any subsequent amendments to Sec. 5-2-7. Any such amendments may be sent by regular mail to any permittee.

20. Permits for recreational fires shall be issued only to the property owner or to a tenant, provided that the tenant supplies the City Clerk with a letter of

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

Passed and approved this _____ day of _____, 2009

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

Atty. Note: The changes to the ordinance appear in this draft. If approved, the ordinance will be formalized. It was believed that it would be easier for the CC to have its first review as the redlined version.

ORDINANCE O - 8 - 09

AN ORDINANCE RELATING TO APPOINTMENT OF DEPARTMENT HEADS

Introduced by Alderman Pack

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

SECTION 1: Sec. 2-3-2(b) is repealed and recreated to read as follows:

How selected. The Mayor shall appoint the department heads, with confirmation by the Common Council.

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

Passed and approved this _____ day of _____, 2009.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 2/19/09-2/26/09 \$ 701,109.28
Checks # 20243-20431

Payroll Checks for 2/19/09-2/26/09 173,623.43

Total \$ 874,732.71

**Gaps in the sequence of accounts payable check numbers may be caused by: voiding checks at the start of a new check run to set up printing of the checks correctly, having a large number of invoices on a particular vendor which causes the payment to be printed on more than one accounts payable check , incorrect alphabetizing of a vendor causing the accounts payable check to appear out of sequence or software/printer problems which result in accounts payable checks being printed incorrectly and needing to be discarded.

Menasha Employees Credit Union-Employee Deductions

Menasha Employees Local 1035-Union Dues

Menasha Employees Local 1035B-Union Dues

Wisconsin Support Collections-Child/Spousal Support

United Way-Employee Donations

AMT-Garnishments

Date: Thursday, February 19, 2009
 Time: 09:33AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 1
 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02335 BECK ELECTRIC INC	E323	31100	54	10-131-216	124.00	REPAIR ONEIDA/MANITOWOC RD
	Check Date 2/19/2009	Check Nbr 020243			Check Total: 124.00	
07057 GALLS INCORPORATED	5969543800016	31100	52	08-101-193	29.32	LEATHER DRESS GLOVES
	Check Date 2/19/2009	Check Nbr 020244			Check Total: 29.32	
13360 MENASHA ELECTRIC & WATER UTILI	003200	31201	54	10-302-250	22,884.97	DEC 08 SEWER CHGS
	Check Date 2/19/2009	Check Nbr 020245			Check Total: 22,884.97	
19130 DIANE SCHABACH	021309	31207	55	07-205-381	3,859.25	CREDIT CARD PROCESSING FEES
	Check Date 2/19/2009	Check Nbr 020246			Check Total: 3,859.25	
23275 WINNEBAGO COUNTY TREASURER	HY102935	31100	54	10-111-212	313.29	BRIDGE INSPECTION CHARGES
	Check Date 2/19/2009	Check Nbr 020247			Check Total: 313.29	
Grand Total:					27,210.83	

PREPARED 02/19/2009, 11:42:10
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 9

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20248	14	ACCURATE SUSPENSION WAREH			02/19/2009	731-1022-541.38-03	17.00	17.00
20249	503	AT&T			02/19/2009	100-1001-514.22-01 601-1020-543.22-01	92.00 248.00	340.00
20250	80	BECK ELECTRIC INC			02/19/2009	100-0501-522.24-03 100-1008-541.21-06	229.73 341.12	570.85
20251	559	BITS & BLADES INC			02/19/2009	100-0703-553.24-02	117.50	117.50
20252	97	BRANDT,JEFFREY			02/19/2009	100-0201-512.33-01 100-0201-512.33-03	203.58 20.00	223.58
20253	103	HUBBICK'S			02/19/2009	731-1022-541.30-10 731-1022-541.30-10 100-0703-553.30-10	102.13 10.45 10.45	123.03
20254	561	CONTRACTING SPECIALISTS I			02/19/2009	100-0704-552.21-02	400.00	400.00
20255	128	CULLIGAN WATERCARE SERVIC			02/19/2009	100-1001-514.20-01 731-1022-541.30-13	17.85 5.95	23.80
20256	129	CUMMINS NFORMER LLC			02/19/2009	731-1022-541.38-03	272.32	272.32
20257	566	ENVIRO SCIENCES/ALPHA ENE			02/19/2009	100-0907-531.30-18	545.00	545.00
20258	151	FABCO EQUIPMENT INC			02/19/2009	731-1022-541.38-03	59.57	59.57
20259	153	FERGUSON ENTERPRISES INC			02/19/2009	731-1022-541.24-03 731-1022-541.24-03	170.67 241.52	412.19
20260	159	FORCE AMERICA INC			02/19/2009	731-1022-541.38-03	374.66	374.66
20261	160	FOX STAMP SIGN & SPECIALT			02/19/2009	100-1002-541.30-10	77.29	77.29
20262	161	FOX VALLEY HUMANE ASSOCIA			02/19/2009	100-0806-532.25-01	1,484.76	1,484.76

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 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 9
 PAGE 2

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20263	558	FRANK'S RADIO			02/19/2009	100-0801-521.30-15	160.00	160.00
20264	562	GOLD CROSS AMBULANCE SERV			02/19/2009	100-0804-521.34-02	476.00	476.00
20265	183	GUNDERSON UNIFORM & LINEN			02/19/2009	100-0801-521.30-13	31.70	31.70
20266	560	HEALTHY INFANT AND CHILD			02/19/2009	100-0903-531.32-01	20.00	20.00
20267	205	INSITUFORN TECHNOLOGIES O			02/19/2009	601-0000-196.00-00	61,050.00	61,050.00
20268	214	JOHN'S REPAIR & TOWING LT			02/19/2009	100-0801-521.29-05	137.50	137.50
20269	216	JX ENTERPRISES INC			02/19/2009	731-1022-541.38-03	2.62	2.62
20270	217	KAMPEER & ASSOCIATES INC			02/19/2009	601-1020-543.21-02	865.06	865.06
					02/19/2009	601-0000-196.00-00	2,082.40	2,082.40
					02/19/2009	601-1020-543.21-02	401.20	401.20
					02/19/2009	601-1020-543.21-02	1,906.92	1,906.92
					02/19/2009	601-1020-543.21-02	891.55	891.55
					02/19/2009	601-1020-543.21-02	6,147.13	6,147.13
20271	231	IAFORCE			02/19/2009	100-0703-553.24-03	99.77	99.77
20272	234	LAKE PARK VILLAS HOMEOWNE			02/19/2009	100-0305-562.51-03	454.72	454.72
					02/19/2009	100-0703-553.22-03	38.09	38.09
					02/19/2009	100-1012-541.22-03	35.48	35.48
					02/19/2009	625-1010-541.22-03	30.66	30.66
					02/19/2009	100-0305-562.21-01	936.70	936.70
					02/19/2009	1,495.65	1,495.65	
20273	239	LAWSON PRODUCTS INC			02/19/2009	731-1022-541.30-18	77.92	77.92
20274	249	MANDERFIELD BAKERY			02/19/2009	827-0920-531.30-18	30.00	30.00
20275	254	MATTHEWS COMMERCIAL TIRE			02/19/2009	731-1022-541.38-02	395.00	395.00
					02/19/2009	731-1022-541.38-02	80.85	80.85
					02/19/2009	475.85	475.85	
20276	264	MENARDS-APPLETON EAST			02/19/2009	731-1022-541.24-03	57.13	57.13
					02/19/2009	731-1022-541.24-03	95.82	95.82
					02/19/2009	152.95	152.95	

PREPARED 02/19/2009, 11:42:10
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 9
 PAGE 3

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20277	266	MENASHA ELECTRIC & WATER			02/19/2009	100-1008-541.22-03	1,165.49	
					02/19/2009	100-1008-541.22-05	30.59	
					02/19/2009	601-1020-543.22-03	126.09	
					02/19/2009	100-0704-552.22-03	129.60	
					02/19/2009	100-0704-552.22-05	344.25	
					02/19/2009	731-1022-541.22-03	2,157.34	
					02/19/2009	731-1022-541.22-05	669.99	
					02/19/2009	266-1028-543.22-03	8.48	
					02/19/2009	100-0801-521.22-03	1,437.36	
					02/19/2009	100-0801-521.22-05	272.20	
					02/19/2009	100-0000-123.00-00	1,040.84	
					02/19/2009	100-0000-123.00-00	197.11	
					02/19/2009	100-0601-551.22-03	2,671.74	
					02/19/2009	100-0601-551.22-05	440.86	
					02/19/2009	100-1019-552.22-03	570.16	
					02/19/2009	100-1019-552.22-05	3.47	
					02/19/2009	100-0000-123.00-00	8.72	
					02/19/2009	100-0703-553.22-03	1,300.76	
							12,575.05	12,575.05
20278	267	MENASHA EMPLOYEES CREDIT	PR0219		02/19/2009	100-0000-202.05-00	1,792.00	
20279	269	MENASHA EMPLOYEES LOCAL 1	PR0219		02/19/2009	100-0000-202.06-00	1,792.00	1,792.00
							260.00	260.00
20280	2	MEM AUTO SUPPLY			02/19/2009	731-1022-541.38-03	25.00	
					02/19/2009	731-1022-541.38-03	12.12	
					02/19/2009	731-1022-541.38-03	9.80	
					02/19/2009	731-1022-541.30-18	179.98	
					02/19/2009	731-1022-541.38-03	6.46	
							233.36	233.36
20281	579	NATIONAL POWER RODDING CO			02/19/2009	601-0000-196.00-00	6,261.49	
							6,261.49	6,261.49
20282	303	NOFKE LUMBER INC			02/19/2009	100-0703-553.30-18	176.14	
					02/19/2009	100-0703-553.30-18	4.87	
					02/19/2009	100-0703-553.30-18	34.39	
							215.40	215.40
20283	304	NORTH AMERICAN SALT CO			02/19/2009	100-1006-541.30-18	12,439.41	
							12,439.41	12,439.41
20284	116	ONE COMMUNICATIONS			02/19/2009	100-0402-513.22-01	5.29	
					02/19/2009	100-0201-512.22-01	9.61	
					02/19/2009	100-0000-123.00-00	10.80	
					02/19/2009	100-0203-512.22-01	18.19	
					02/19/2009	100-0304-562.22-01	36.39	
					02/19/2009	100-1001-514.22-01	76.84	
					02/19/2009	100-0401-513.22-01	45.16	

PREPARED 02/19/2009, 11:42:10
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 9
 PAGE 4

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20284	116	ONE COMMUNICATIONS			02/19/2009	731-1022-541.22-01	56.82	
					02/19/2009	100-0903-531.22-01	91.99	
					02/19/2009	100-0403-513.22-01	22.69	
					02/19/2009	100-0601-551.22-01	206.53	
					02/19/2009	100-0101-511.22-01	13.42	
					02/19/2009	100-0702-552.22-01	19.50	
					02/19/2009	100-0703-553.22-01	117.82	
					02/19/2009	100-0202-512.22-01	16.27	
					02/19/2009	100-0801-521.22-01	366.20	
					02/19/2009	100-1002-541.22-01	60.24	
					02/19/2009	100-0920-531.22-01	40.61	
					02/19/2009	100-1008-541.22-01	5.29	
					02/19/2009	100-0502-522.22-01	63.49	
					02/19/2009	100-1019-552.22-01	49.60	
					02/19/2009	207-0000-123.00-00	21.83	
					02/19/2009	100-0704-552.22-01	54.44	
					02/19/2009	100-0000-123.00-00	443.69	
							1,852.71	1,852.71
20285	315	ORIENTAL TRADING CO INC			02/19/2009	100-0702-552.30-18	24.97	
							24.97	24.97
20286	317	PACER CITY INTERNATIONAL			02/19/2009	731-1022-541.38-03	4.05	
					02/19/2009	731-1022-541.38-03	9.48	
					02/19/2009	731-1022-541.38-03	3.58	
					02/19/2009	731-1022-541.38-03	89.31	
					02/19/2009	731-1022-541.38-03	100.16	
					02/19/2009	731-1022-541.38-03	14.34	
					02/19/2009	731-1022-541.38-03	32.53	
					02/19/2009	731-1022-541.38-03	11.83	
					02/19/2009	731-1022-541.38-03	41.49	
							223.79	223.79
20287	501	PIGGLY WIGGLY MIDWEST LLC			02/19/2009	827-0920-531.30-18	33.23	
							33.23	33.23
20288	338	REDI-WELDING CO			02/19/2009	731-1022-541.30-18	159.00	
							159.00	159.00
20289	552	SAGEN MORPHO INC			02/19/2009	100-0801-521.24-02	363.83	
							363.83	363.83
20290	380	SUNGARD PUBLIC SECTOR INC			02/19/2009	100-0403-513.34-04	3,747.13	
							3,747.13	3,747.13
20291	382	SWIDERSKI EQUIPMENT INC			02/19/2009	731-1022-541.29-04	1,489.87	
							1,489.87	1,489.87
20292	564	THOMPSON POLYGRAPH SERVIC			02/19/2009	100-0801-521.21-06	350.00	
							350.00	350.00

PREPARED 02/19/2009, 11:42:10
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

PAGE 5
 ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 9

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20293	399	UNIFIRST CORPORATION			02/19/2009	731-1022-541.20-01	90.11	90.11
20294	403	UNITED PAPER CORPORATION			02/19/2009	100-1001-514.30-10	629.00	629.00
20295	314	VEOLIA ES SOLID WASTE MID			02/19/2009	100-0000-123.00-00	111.00	111.00
20296	114	MC INDUSTRIAL SUPPLY COMP			02/19/2009	731-1022-541.38-03	12.94	12.94
20297	431	WE ENERGIES			02/19/2009	100-0903-531.22-04	104.35	104.35
20298	432	WERNER ELECTRIC SUPPLY CO			02/19/2009	100-0000-132.00-00	865.26	865.26
20299	435	WG INC			02/19/2009	100-1001-514.30-13	124.32	989.58
20300	436	MIL-KIL PEST CONTROL			02/19/2009	100-0702-552.30-18	15.00	15.00
20301	476	WISCONSIN SUPPORT COLLECT PRO219			02/19/2009	731-1022-541.20-07	63.00	63.00
20302	479	ZARNOTH BRUSH WORKS INC			02/19/2009	100-0000-202.03-00	515.23	515.23
						100-0000-202.04-00	138.40	138.40
						100-0703-553.30-15	653.63	653.63
							441.00	441.00
BANK/CHECK TOTAL							120,529.49	120,529.49
ALL BANKS/CHECKS TOTAL							120,529.49	120,529.49

Date: Tuesday, February 24, 2009
 Time: 11:03AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 1
 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
02115 BAKER & TAYLOR INC	2022734799	31100	55	06-101-314	80.11	LIBRARY MATERIALS
	H63894350	31100	55	06-101-314	62.52	LIBRARY MATERIALS
	H63894351	31100	55	06-101-314	83.40	LIBRARY MATERIALS
	2022761472	31100	55	06-101-314	95.59	LIBRARY MATERIALS
	2022782736	31100	55	06-101-314	43.59	LIBRARY MATERIALS
	2022807873	31100	55	06-101-314	55.95	LIBRARY MATERIALS
	2022823944	31100	55	06-101-314	86.00	LIBRARY MATERIALS
	2022844729	31100	55	06-101-314	37.18	LIBRARY MATERIALS
	H66485260	31100	55	06-101-314	14.39	LIBRARY MATERIALS
	2022850672	31100	55	06-101-314	18.20	LIBRARY MATERIALS
H63549760	31100	55	06-101-314	35.94	LIBRARY MATERIALS	
Check Date	2/24/2009	Check Nbr	020303	Check Total:	612.87	
07044 GALE	16135480	31100	55	06-101-314	20.76	LIBRARY MATERIALS
	16136349	31100	55	06-101-314	55.12	LIBRARY MATERIALS
	16140760	31100	55	06-101-314	20.76	LIBRARY MATERIALS
	16161765	31100	55	06-101-314	25.56	LIBRARY MATERIALS
Check Date	2/24/2009	Check Nbr	020304	Check Total:	122.20	
Grand Total:					735.07	

Date: Thursday, February 26, 2009
 Time: 09:53AM
 User: MGRIESBACH

CITY OF MENASHA
Check Register - w/Alternate Description

Page: 1 of 1
 Report: 03630Alt.rpt
 Company: 31100

Vendor ID / Name	Invoice Nbr	CpnyID	Acct	Subaccount	Amount	Invoice Description
13120 MARTENSON & EISELE INC	43632	31100	54	10-134-212	3,924.00	STORM WATER UTILITY
	Check Date 2/26/2009	Check Nbr 020340			Check Total: 3,924.00	
14205 CITY OF NEENAH TREASURER	31729	31100	52	05-201-803	193.48	ATV SKID UNIT ITEMS
	Check Date 2/26/2009	Check Nbr 020341			Check Total: 193.48	
19130 DIANE SCHABACH	350920	31100	21	04-214-000	42.28	REFUND DOUBLE PAYMENT
	350920	31207	46	04-182-000	845.52	REFUND DOUBLE PAYMENT
	Check Date 2/26/2009	Check Nbr 020342			Check Total: 887.80	
22120 VALLEY POPCORN CO INC	86029	31100	55	07-203-317	106.75	POPCORN
	Check Date 2/26/2009	Check Nbr 020343			Check Total: 106.75	
22360 VIERBICHER	5	31489	56	03-202-216	4,725.00	REDEVELOPMENT SITE PLAN
	Check Date 2/26/2009	Check Nbr 020344			Check Total: 4,725.00	
Grand Total:					9,837.03	

PREPARED 02/26/2009, 10:54:30
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

PAGE 1
 ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 11

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20345	11	ACCENT BUSINESS SOLUTIONS			02/26/2009	100-0920-531.24-01	1,031.12	1,031.12
20346	12	ACCENT FLORAL & GIFTS LLC			02/26/2009	100-0408-552.30-16	40.00	40.00
20347	14	ACCURATE SUSPENSION WAREH			02/26/2009	731-1022-541.38-03	36.58	36.58
20348	22	AFFINITY OCCUPATIONAL BEN			02/26/2009	100-0202-512.21-05	101.00	101.00
20349	24	AIRGAS NORTH CENTRAL			02/26/2009	731-1022-541.30-18	50.00	50.00
20350	29	ALL-SPORT TROPHY			02/26/2009	731-1022-541.24-03	62.99	62.99
20351	46	AMT	PRO226		02/26/2009	731-1022-541.24-03	57.55	57.55
20352	52	APPLETON RADIATOR INC			02/26/2009	100-0702-552.30-18	16.00	16.00
20353	5	ASSOCIATED APPRAISAL CONS			02/26/2009	100-0402-513.30-10	32.00	32.00
20354	72	BANCALL RUBBER CO INC			02/26/2009	100-0402-513.30-10	4,775.00	4,775.00
20355	78	DAYCOM INC			02/26/2009	100-0801-521.29-05	9.66	9.66
20356	80	BECK ELECTRIC INC			02/26/2009	731-1022-541.38-03	4,784.66	4,784.66
20357	83	BERGSTROM			02/26/2009	100-0920-531.24-03	11.66	11.66
20358	89	BOELTER COMPANIES			02/26/2009	100-1008-541.21-06	2,214.62	2,214.62
20359	557	CARTOGRAPH SYSTEMS INC			02/26/2009	731-1022-541.38-03	2,326.28	2,326.28
						100-0403-513.24-04	1,000.00	1,000.00
							1,029.73	1,029.73
							71.48	71.48
							96.00	96.00
							167.48	167.48
							82.27	82.27
							127.34	127.34
							127.34	127.34

PROGRAM: GM346L
 City of Menasha

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20359	557	CARTOGRAPH SYSTEMS INC			02/26/2009	100-0801-521.30-10	1,000.00	1,000.00
20360	115	CDM GOVERNMENT INC			02/26/2009	100-0403-513.30-10	4.60	
					02/26/2009	100-0801-521.30-10	27.44	
					02/26/2009	100-0801-521.30-10	73.50	
							105.54	105.54
20361	120	COMMUNITY HOUSING COORDIN			02/26/2009	100-0304-562.21-06	1,800.00	1,800.00
20362	129	CUMMINS NPOWER LLC			02/26/2009	731-1022-541.38-03	70.93	
					02/26/2009	731-1022-541.38-03	143.75	
							214.68	214.68
20363	136	DAVIS & KUELTHAU SC			02/26/2009	601-1020-543.21-01	1,737.50	1,737.50
20364	147	DUNKER & ASSOCIATES &			02/26/2009	100-0903-531.29-06	1,737.50	1,737.50
							2,977.75	2,977.75
20365	149	ELAN CARDMEMBER SERVICE			02/26/2009	100-0903-531.30-18	87.95	
20366	149	ELAN CARDMEMBER SERVICE			02/26/2009	100-0918-531.30-18	1,632.88	
20367	149	ELAN CARDMEMBER SERVICE			02/26/2009	100-0702-552.20-05	70.00	
					02/26/2009	100-0703-553.34-02	440.00	
					02/26/2009	100-0801-521.30-13	144.94	
					02/26/2009	100-0704-552.34-02	770.00	
					02/26/2009	100-0403-513.34-02	12.95	
					02/26/2009	100-0403-513.34-04	66.80	
					02/26/2009	100-0403-513.30-15	129.99	
					02/26/2009	100-0801-521.30-10	242.90	
					02/26/2009	100-1001-514.30-10	280.91	
					02/26/2009	100-0801-521.34-02	203.00	
					02/26/2009	100-0801-521.34-02	70.00	
					02/26/2009	100-0801-521.19-03	186.09	
					02/26/2009	100-0801-521.32-01	120.00	
					02/26/2009	100-0801-521.19-03	14.49	
					02/26/2009	100-0801-521.30-13	176.96	
					02/26/2009	100-0801-521.32-02	49.00	
					02/26/2009	100-0801-521.30-15	454.16	
					02/26/2009	100-0801-521.34-02	185.00	
					02/26/2009	100-0801-521.19-03	51.42	
					02/26/2009	100-0801-521.32-01	200.00	
					02/26/2009	100-0802-521.30-18	24.98	
					02/26/2009	100-0803-521.30-18	124.00	
					02/26/2009	100-0802-521.30-18	94.75	
					02/26/2009	100-0801-521.34-02	95.00	
					02/26/2009	100-0801-521.34-02	367.40	
					02/26/2009	100-0801-521.34-02	425.00	
					02/26/2009	100-0801-521.30-15	326.31	

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20367	149	ELAN CARDMEMBER SERVICE			02/26/2009	100-0801-521.34-04	7.00	
					02/26/2009	100-0801-521.33-03	20.38	
					02/26/2009	100-0801-521.33-03	7.65	
					02/26/2009	824-0801-521.32-01	45.00	
					02/26/2009	100-0601-551.30-16	20.00	
					02/26/2009	100-0601-551.30-10	70.91	
							7,216.82	7,216.82
20368	583	ENVIRONMENTAL SYSTEMS RES			02/26/2009	100-0403-513.24-04	1,900.00	
							1,900.00	1,900.00
20369	3	FAMILY THERAPY & ANXIETY			02/26/2009	100-0801-521.21-05	252.50	
							252.50	252.50
20370	584	FOX CITIES CHAMBER FOUNDA			02/26/2009	100-0304-562.32-01	2,500.00	
							2,500.00	2,500.00
20371	588	FOX WOLF WATERSHED ALLIAN			02/26/2009	625-1010-541.33-02	110.00	
					02/26/2009	625-1010-541.33-02	110.00	
							220.00	220.00
20372	179	GRAY'S INC			02/26/2009	100-1006-541.30-15	8,971.39	
					02/26/2009	100-1006-541.30-15	1,550.00	
							10,521.39	10,521.39
20373	196	HSBC BUSINESS SOLUTIONS			02/26/2009	100-0904-531.30-15	38.99	
					02/26/2009	100-0403-513.30-15	396.33	
					02/26/2009	100-0403-513.30-10	18.51	
					02/26/2009	100-0403-513.30-10	1.29	
							455.12	455.12
20374	199	INDEPENDENT INSPECTIONS I			02/26/2009	100-0301-523.21-06	4,436.52	
							4,436.52	4,436.52
20375	580	INTERNATIONAL INSTITUTE O			02/26/2009	100-0203-512.34-02	510.00	
							510.00	510.00
20376	214	JOHN'S REPAIR & TOWING LL			02/26/2009	100-0801-521.29-05	95.00	
							95.00	95.00
20377	224	KONE INC			02/26/2009	100-1001-514.20-04	230.49	
							230.49	230.49
20378	229	KONDINGER FLUID POWER INC			02/26/2009	731-1022-541.38-03	90.30	
					02/26/2009	731-1022-541.38-03	1,011.34	
					02/26/2009	731-1022-541.38-03	225.63	
					02/26/2009	731-1022-541.38-03	89.27	
							1,416.54	1,416.54
20379	230	KUSTON SIGNALS INC			02/26/2009	100-0801-521.30-15	2,798.00	
							2,798.00	2,798.00

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/REPAIR)	CHECK TOTAL
20380	231	LAFORCE			02/26/2009	100-0703-553.24-03	123.20	123.20
20381	481	LARK UNIFORM OUTFITTERS I			02/26/2009	100-0801-521.19-03	118.85	118.85
20382	555	LITTLE FALLS MACHINE INC			02/26/2009	731-1022-541.38-03	72.70	72.70
20383	254	MATTHEWS COMMERCIAL TIRE			02/26/2009	731-1022-541.38-02	198.95	198.95
20384	264	MENARDS-APPLETON EAST			02/26/2009	100-0703-553.30-18	82.56	82.56
20385	266	MENASHA ELECTRIC & WATER			02/26/2009	100-1008-541.22-03	321.95	321.95
					02/26/2009	100-0000-123.00-00	14.91	14.91
					02/26/2009	100-0403-513.21-04	1,472.66	1,472.66
					02/26/2009	100-0703-553.22-03	506.23	506.23
					02/26/2009	100-0703-553.22-05	165.55	165.55
					02/26/2009	100-1001-514.22-03	1,324.21	1,324.21
					02/26/2009	100-1001-514.22-05	252.66	252.66
					02/26/2009	100-1019-552.22-03	93.39	93.39
					02/26/2009	100-0920-531.22-03	305.91	305.91
					02/26/2009	100-0920-531.22-05	77.24	77.24
					02/26/2009	100-0408-552.22-03	8.48	8.48
					02/26/2009	601-1020-543.22-03	24.52	24.52
					02/26/2009	207-0707-552.22-03	389.12	389.12
					02/26/2009	207-0707-552.22-05	33.81	33.81
					02/26/2009	100-1012-541.22-03	15,968.29	15,968.29
					02/26/2009	100-1012-541.22-03	74.40	74.40
							21,033.33	21,033.33
20386	267	MENASHA EMPLOYERS CREDIT	PRO226		02/26/2009	100-0000-202.05-00	1,792.00	1,792.00
			PRO226		02/26/2009	100-0000-202.05-00	16,725.00	16,725.00
							18,517.00	18,517.00
20387	269	MENASHA EMPLOYERS LOCAL 1	PRO226		02/26/2009	100-0000-202.06-00	260.00	260.00
20388	270	MENASHA EMPLOYERS LOCAL 1	PRO226		02/26/2009	100-0000-202.07-00	260.13	260.13
20389	271	MENASHA JOINT SCHOOL DIST			02/26/2009	100-0000-412.00-00	5,914.43	5,914.43
20390	272	MENASHA POSTMASTER			02/26/2009	100-1001-514.30-11	180.00	180.00
20391	2	M&M AUTO SUPPLY			02/26/2009	731-1022-541.38-03	30.30	30.30

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20392	492	MENASH, CITY OF			02/26/2009	100-0501-522.25-01	241,716.00	241,716.00
20393	586	NEI-TURNER MEDIA GROUP			02/26/2009	207-0707-552.29-03	395.00	395.00
20394	299	NETWORK HEALTH PLAN			02/26/2009	100-0000-204.08-00	119,494.45	
					02/26/2009	100-0000-204.11-00	8,062.45	
							127,577.90	127,577.90
20395	302	NIELSON COMMUNICATIONS			02/26/2009	731-1022-541.30-15	2,489.00	2,489.00
20396	303	NOFFKE LUMBER INC			02/26/2009	100-0703-553.24-05	10.49	10.49
20397	310	OFFICE DEPOT			02/26/2009	100-0702-552.30-10	14.85	14.85
					02/26/2009	100-0304-562.30-10	16.57	16.57
							31.42	31.42
20398	311	OFFICEMAX INC			02/26/2009	100-0920-531.30-11	123.68	123.68
20399	317	PACKER CITY INTERNATIONAL			02/26/2009	731-1022-541.38-03	20.16	20.16
					02/26/2009	731-1022-541.38-03	21.93	21.93
					02/26/2009	731-1022-541.38-03	4.07	4.07
					02/26/2009	731-1022-541.38-03	249.28	249.28
					02/26/2009	731-1022-541.38-03	86.10	86.10
							381.54	381.54
20400	548	POYNETTE IRON WORKS INC			02/26/2009	100-1016-543.30-15	834.00	834.00
20401	563	QUALIFICATION TARGETS INC			02/26/2009	100-0801-521.30-18	146.88	146.88
20402	338	RBDI-WELDING CO			02/26/2009	731-1022-541.30-18	53.04	53.04
20403	344	ROAD EQUIPMENT			02/26/2009	731-1022-541.38-03	25.11	25.11
					02/26/2009	731-1022-541.38-03	102.22	102.22
							102.22	102.22
20405	553	SCHEIN, HENRY			02/26/2009	100-0909-531.30-18	484.70	484.70
20406	456	SHOBERG, TERESA			02/26/2009	100-0903-531.21-05	150.00	150.00

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20407	362	SHOPKO STORES INC			02/26/2009	100-0801-521.30-18	11.98	11.98
20408	380	SUNGARD PUBLIC SECTOR INC			02/26/2009	100-0403-513.24-04	2,227.00	2,227.00
20409	381	SUPERIOR CHEMICAL CORP			02/26/2009	731-1022-541.30-18	222.50	222.50
20410	554	TJ CONEVERA'S INC			02/26/2009	100-0801-521.30-18	1,105.00	1,105.00
					02/26/2009	100-0801-521.30-18	1,435.89	1,435.89
					02/26/2009	100-1002-541.33-02	2,540.89	2,540.89
20411	399	UNIPIRST CORPORATION			02/26/2009	731-1022-541.20-01	96.91	96.91
					02/26/2009	731-1022-541.20-01	193.82	193.82
20412	405	UNITED MAY FOX CITIES	PR0226		02/26/2009	100-0000-202.09-00	73.00	73.00
20413	406	UNITEL INC			02/26/2009	100-0403-513.30-15	539.00	539.00
20414	589	UNIVERSITY OF WISCONSIN-E			02/26/2009	100-1002-541.33-02	45.00	45.00
					02/26/2009	731-1022-541.33-02	45.00	45.00
					02/26/2009	731-1022-541.33-02	45.00	45.00
					02/26/2009	100-1002-541.33-02	45.00	45.00
					02/26/2009	100-1002-541.33-02	45.00	45.00
					02/26/2009	100-1002-541.33-02	270.00	270.00
20415	407	UR WASHINGTON INC			02/26/2009	100-0801-521.29-05	137.04	137.04
20416	410	UR OIL CO INC			02/26/2009	731-1022-541.24-02	12.00	12.00
20417	420	VALLEY POPCORN CO INC			02/26/2009	100-0704-552.30-17	99.80	99.80
					02/26/2009	100-0704-552.30-17	18.95	18.95
					02/26/2009	100-0704-552.30-17	118.75	118.75
20418	421	VISION INSURANCE PLAN OF			02/26/2009	100-0000-204.10-00	1,066.90	1,066.90
20419	427	WATERBLAST LLC			02/26/2009	731-1022-541.30-18	265.00	265.00
20420	429	MAVERLY SANITARY DISTRICT			02/26/2009	100-0703-553.22-05	39.16	39.16
20421	431	ME ENERGIES			02/26/2009	100-0000-123.00-00	2,132.50	2,132.50

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20421	431	WE ENERGIES			02/26/2009	100-1001-514.22-04	2,209.07	
					02/26/2009	100-0801-521.22-04	2,944.89	
					02/26/2009	100-0920-531.22-04	664.03	
					02/26/2009	100-0601-551.22-04	5,200.48	
					02/26/2009	100-0703-553.22-04	1,505.39	
					02/26/2009	100-0704-552.22-04	470.49	
					02/26/2009	207-0707-552.22-04	96.00	
					02/26/2009	731-1022-541.22-04	12,768.92	
					02/26/2009	100-0703-553.22-03	36.16	
					02/26/2009	100-0701-533.22-03	9.03	
					02/26/2009	100-0701-533.22-03	7.98	
							28,044.94	28,044.94
20422	432	WERWER ELECTRIC SUPPLY CO			02/26/2009	100-0000-132.00-00	1,056.56	
					02/26/2009	100-0703-553.24-03	58.26	
							1,114.82	1,114.82
20423	433	WEST PAYMENT CENTER			02/26/2009	100-0201-512.32-01	107.29	
							107.29	107.29
20424	434	WEYERS EQUIPMENT INC			02/26/2009	100-0703-553.24-02	95.96	
							95.96	95.96
20425	440	WINNEBAGO COUNTY TREASURER			02/26/2009	310-0410-571.61-02	465.63	
					02/26/2009	310-0409-571.61-01	1,684.37	
							2,150.00	2,150.00
20426	442	WISCONSIN ALLIANCE OF CIT			02/26/2009	100-0101-511.32-01	2,371.00	
							2,371.00	2,371.00
20427	466	WISCONSIN DEPT OF REVENUE			02/26/2009	100-0403-513.25-01	6.23	
					02/26/2009	100-0403-513.25-01	8,588.41	
							8,594.64	8,594.64
20428	587	WISCONSIN PARK & RECREATI			02/26/2009	100-0703-553.29-03	75.00	
							75.00	75.00
20429	476	WISCONSIN SUPPORT COLLECT	PR0226		02/26/2009	100-0000-202.03-00	515.23	
			PR0226		02/26/2009	100-0000-202.04-00	138.40	
			PR0226		02/26/2009	100-0000-202.03-00	711.92	
							1,365.55	1,365.55
20430	581	WM RECYCLE AMERICA			02/26/2009	266-1027-543.21-06	44.66	
							44.66	44.66
20431	479	ZARNOTH BRUSH WORKS INC			02/26/2009	625-1005-541.30-15	438.00	
					02/26/2009	100-0703-553.30-15	375.00	
							813.00	813.00
BANK/CHECK TOTAL							524,872.71	524,872.71

PREPARED 02/26/2009, 8:44:32
 PROGRAM: GN346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 10
 PAGE 1

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20229*	540	SCHMAIZ AUTO INC			02/12/2009	100-0801-521.29-05	100.00-	VOIDED
							100.00-	
20305	11	ACCENT BUSINESS SOLUTIONS			02/26/2009	100-0601-551.24-04	386.33	386.33
								VOIDED
20306	74	BAKER & TAYLOR INC			02/26/2009	100-0601-551.30-14	240.83	
20307	74	BAKER & TAYLOR INC			02/26/2009	100-0601-551.30-14	112.99	
					02/26/2009	100-0601-551.30-14	174.90	
					02/26/2009	100-0601-551.30-14	87.71	
					02/26/2009	100-0601-551.30-14	129.45	
					02/26/2009	100-0601-551.30-14	82.70	
					02/26/2009	100-0601-551.30-14	21.59	
					02/26/2009	100-0601-551.30-14	275.46	
					02/26/2009	100-0601-551.30-14	25.18	
					02/26/2009	100-0601-551.30-14	9.35	
					02/26/2009	100-0601-551.30-14	282.08	
					02/26/2009	100-0601-551.30-14	207.89	
					02/26/2009	100-0601-551.30-14	40.34	
					02/26/2009	100-0601-551.30-14	724.36	
					02/26/2009	100-0601-551.30-14	393.13	
					02/26/2009	100-0601-551.30-14	469.27	
					02/26/2009	100-0601-551.30-14	531.17	
					02/26/2009	100-0601-551.30-14	353.39	
					02/26/2009	100-0601-551.30-14	418.42	
					02/26/2009	100-0601-551.30-14	553.20	
					02/26/2009	100-0601-551.30-14	481.97	
					02/26/2009	100-0601-551.30-14	544.50	
							6,159.88	6,159.88
20308	95	BOURECY & CO INC, THOMAS			02/26/2009	100-0601-551.30-14	139.50	139.50
20309	547	BUILDERS SERVICE CENTER			02/26/2009	100-0601-551.24-03	401.50	401.50
20310	115	CDW GOVERNMENT INC			02/26/2009	100-0601-551.30-10	707.10	
					02/26/2009	100-0601-551.30-10	72.85	
					02/26/2009	100-0601-551.30-10	60.97	
							840.92	840.92
20311	570	CENTER POINT LARGE PRINT			02/26/2009	100-0601-551.30-14	38.94	38.94
20312	571	CONKEY'S BOOK STORE			02/26/2009	100-0601-551.30-14	145.34	145.34
20313	575	DALTON, DAN			02/26/2009	100-0601-551.30-16	16.00	16.00

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20314	138	DEMCO INC			02/26/2009	100-0601-551.30-18	363.11	363.11
20315	166	GALE			02/26/2009	100-0601-551.30-14	38.93	38.93
20316	170	GANNETT WISCONSIN MEDIA			02/26/2009	100-0601-551.30-14	202.12	202.12
20317	567	HANNAH, TOM			02/26/2009	100-0601-551.20-05	200.00	200.00
20318	191	HIGHSMITH COMPANY INC			02/26/2009	100-0601-551.30-10	12.08	12.08
					02/26/2009	100-0601-551.30-18	111.62	111.62
							123.70	123.70
20319	576	HUGHES, JAN			02/26/2009	100-0601-551.30-16	10.65	10.65
20320	201	INFOBASE PUBLISHING			02/26/2009	100-0601-551.30-14	73.50	73.50
20321	572	INGRAM LIBRARY SERVICES			02/26/2009	100-0601-551.30-14	63.22	63.22
					02/26/2009	100-0601-551.30-14	17.04	17.04
					02/26/2009	100-0601-551.30-14	16.67	16.67
					02/26/2009	100-0601-551.30-14	17.59	17.59
					02/26/2009	100-0601-551.30-14	166.68	166.68
					02/26/2009	100-0601-551.30-14	34.61	34.61
					02/26/2009	100-0601-551.30-14	36.08	36.08
					02/26/2009	100-0601-551.30-14	35.02	35.02
					02/26/2009	100-0601-551.30-14	16.44	16.44
					02/26/2009	100-0601-551.30-14	18.39	18.39
					02/26/2009	100-0601-551.30-14	49.78	49.78
							471.52	471.52
20322	220	KITTS & PERIL INC			02/26/2009	100-0601-551.24-03	.72	.72
					02/26/2009	100-0601-551.30-13	18.33	18.33
					02/26/2009	100-0601-551.30-13	17.70	17.70
					02/26/2009	100-0601-551.30-13	35.48	35.48
							72.23	72.23
20323	577	LIBRARY STORE INC			02/26/2009	100-0601-551.30-18	90.09	90.09
20324	249	MANDERFIELD BAKERY			02/26/2009	100-0601-551.34-03	13.85	13.85
20325	277	WIDWEST TAPE			02/26/2009	100-0601-551.30-14	648.63	648.63
					02/26/2009	100-0601-551.30-14	332.85	332.85
							981.48	981.48

PREPARED 02/26/2009, 8:44:32
 PROGRAM: GM346L
 City of Menasha

ACCOUNTS PAYABLE CHECK REGISTER

ACCOUNTING PERIOD 2009/02
 REPORT NUMBER 10
 PAGE 3

CHECK NO	VENDOR NO	VENDOR NAME	VOUCHER NO	P.O. NO	DATE	ACCOUNT	REMITTANCE AMOUNT (NET OF DISC/RETAIN)	CHECK TOTAL
20326	524	MINITEX			02/26/2009	100-0601-551.30-18	670.00	670.00
20327	282	MODERN BUSINESS MACHINES			02/26/2009	100-0601-551.24-04	478.84	478.84
20328	573	NEWSBANK INC			02/26/2009	100-0601-551.30-14	3,340.00	3,340.00
20329	568	NOSKOWIAK, CAROL			02/26/2009	100-0601-551.20-05	50.00	50.00
20330	578	INVOLVED INC			02/26/2009	100-0601-551.32-01	95.00	95.00
20331	310	OFFICE DEPOT			02/26/2009	100-0601-551.30-10	431.28	431.28
20332	309	OFFICE DEPOT CREDIT PLAN			02/26/2009	100-0601-551.30-10	178.80	178.80
20333	312	OGDEN PLUMBING & HEATING			02/26/2009	100-0601-551.24-03	189.00	189.00
20334	315	ORIENTAL TRADING CO INC			02/26/2009	100-0601-551.30-16	410.21	410.21
20335	574	RANDON HOUSE INC			02/26/2009	100-0601-551.30-14	18.00	18.00
					02/26/2009	100-0601-551.30-14	24.00	24.00
					02/26/2009	100-0601-551.30-14	24.00	24.00
					02/26/2009	100-0601-551.30-14	64.00	64.00
					02/26/2009	100-0601-551.30-14	180.00	180.00
					02/26/2009	100-0601-551.30-14	72.00	72.00
					02/26/2009	100-0601-551.30-14	144.00	144.00
					02/26/2009	100-0601-551.30-14	96.00	96.00
					02/26/2009	100-0601-551.30-14	622.00	622.00
20336	569	RHYME BUSINESS PRODUCTS			02/26/2009	100-0601-551.30-10	144.99	144.99
					02/26/2009	100-0601-551.30-10	133.27	133.27
					02/26/2009	100-0601-551.30-10	278.26	278.26
20337	401	UNIQUE MANAGEMENT SERVICE			02/26/2009	100-0000-441.19-00	358.00	358.00
20338	525	WING, JULIE			02/26/2009	100-0601-551.30-18	17.83	17.83
					02/26/2009	100-0601-551.30-18	35.34	35.34
					02/26/2009	100-0601-551.30-18	53.17	53.17

BANK/CHECK TOTAL 17,824.15
 ALL BANKS/CHECKS TOTAL 17,824.15

February 14, 2009

Sadie A Schroeder
634 1/2 Broad Street
Menasha, WI 54952
(920) 475-2511

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

Dear Mayor Merkes,

I am writing this letter to express my interest in becoming a member of the City of Menasha's Sustainability Board. I hope to contribute in the efforts to make Menasha a healthier place to live.

Please find my resume' of related experience attached.

Sincerely,

A handwritten signature in cursive script that reads "Sadie Schroeder". The signature is written in dark ink and is positioned above the printed name.

Sadie A Schroeder

Sadie A Schroeder
634 1/2 Broad Street
Menasha, WI 54952
(920) 475-2511

Resume of experience related to "Sustainability" topics

- Associate Degree in Natural Resource Management from Fox Valley Technical College.

Topics studied:

- Forestry
 - Plant Identification
 - Fisheries management
 - Soils engineering
 - Water quality management/wastewater treatment
 - Wildlife management
 - Surveying
- "Wild Ones" member for approximately 10 years.
 - Experience prepping for, seeding and burning prairie restoration projects
 - Attended MREA Energy Fair in Custer, WI.
 - Extensive reading of articles related to alternative energy sources, organic gardening, conservation, native landscaping, wildlife management and other related topics.
 - Studied alternative building materials.
 - Over the past 15 years I have made efforts in my life to: use few chemicals, reduce waste, recycle, eat healthy and conserve when possible.
 - Currently attending a study circle group for The Natural Step for Communities.



City of Menasha • Office of the City Attorney
Jeffrey S. Brandt, City Attorney

MEMO

TO: Common Council
Mayor Merkes

FROM: CA/HR Brandt JSB

SUBJECT: Witthuhn tax claim

DATE: February 11, 2009

I recommended that you deny the Witthuhn claim. The Witthuhns have misinterpreted the law when they claim this is a palpable error under sec. 74.33(1)(a) or (f).

Subsection (1)(a) provides:

A clerical error has been made in the description of the property or in the computation of the tax.

Subsection (1)(f) provides:

An arithmetic, transpositional or similar error has occurred..

What has occurred is that the Assessor used an incorrect measurement for determining value. The incorrect measurement was not the result of wither a clerical or arithmetic error. The proper remedy for the Witthuhns would be through the Board of Review process. They filed to timely file any objection to through the Board of Review. As I understand it, the Witthuhns claim that they did not receive their notice of assessment. This happened because they moved from the address they provided for the mailing of the tax bill on their Wisconsin Transfer Tax Return, failed to notify the City and failed to have the proper forwarding order with the Post Office. As a fail safe process, the City is required to post notice of the Open Book and Board of Review as well as publish those dates. All the proper procedures were done.

As such, there is no remedy for 2008. However, the Assessor has changed the dimensions of the property for the 2009 tax cycle. The Council meeting to consider this recommendation is February 16, 2009. An opportunity to address the Common Council is provided to all citizens at the beginning of the meeting.

Please contact me if you have any questions.

Cc/ Kara Witthuhn

140 Main Street • Menasha, Wisconsin 54952-3190
(920) 967-5117 • Fax (920) 967-5273 • E-mail: jbrandt@ci.menasha.wi.us

January 28, 2009

City Clerk
Third Floor, City Hall
140 Main Street
Menasha, WI 54952

Ms. Galeazzi,

I am writing this letter per § 74.35, Wis. Stats., to request a partial refund of the 2008 property tax that we paid for our property located at 3041 Winnipeg Street, Menasha. The city's appraiser, Associated Appraisal Consultants, Inc., has acknowledged that there has been an error in the computation of our assessment in the amount of \$33,500 due to inaccurate square footage calculations. Therefore, we have overpaid 2008 property taxes by approximately \$847.60.

We believe that we are entitled to this refund as defined in § 74.33(1)(a) and (f), Wis. Stats., because "a clerical error has been made in the description of the property or in the computation of the tax" and "an arithmetic, transpositional or similar error has occurred." These statements apply due to the acknowledgement that the assessed value of our home was overstated due to miscalculations of the square footage; therefore, the property tax calculations were based on inaccurate numbers.

We appreciate your prompt attention in this matter. If you have further questions, feel free to contact me at any time.

Sincerely,



Kara Witthuhn
3041 Winnipeg Street
Menasha, WI 54952
920.882.6291 (home)
920.540.4995 (cell)

cc: Mayor Don Merkes
Tom Stoeffel
Kevin Benner

RECEIVED
JAN 28 2009
CITY OF MENASHA
BY dg



TO: City of Menasha Common Council
Mayor Merkes
Attorney Brandt

FROM: Kara and Clifford Witthuhn, 3041 Winnipeg Street, Menasha

SUBJECT: Re: Witthuhn tax claim

DATE: February 24, 2009

Dear members of the Common Council,

I am writing to ask that you support the claim that we have made to the City of Menasha as will be discussed at the Common Council meeting on March 2, 2009. Per the information outlined below, you will see that we have fully complied with the law in making this claim and ask that you approve our request.

We have received Attorney Brandt's letter stating that we needed to comply with the Board of Review to resolve this issue; however, the statutes clearly state differently. Per sections 74.33 and 74.35, Wisconsin Stats., we are eligible to apply for the recovery of unlawful taxes if we:

- 1) meet the grounds for a claim as outlined in s. 74.33 (1) and
- 2) file a claim with the taxation district by January 31 of the year in which the tax is payable.

According to statutes, we are not required to comply with the Board of Review process unless "the alleged error is solely that the assessor placed a valuation on the property that is excessive."

As stated in our claim filed on January 28, 2009, we have grounds for this claim as defined in the following:

- 74.33 Sharing and charging back of taxes due to palpable errors. (1) GROUNDS.** After the tax roll has been delivered to the treasurer of the taxation district under s. 74.03, the governing body of the taxation district may refund or rescind in whole or in part any general property tax shown in the tax roll, including agreed-upon interest, if:
- (a) A clerical error has been made in the description of the property or in the computation of the tax.
 - (b) The assessment included real property improvements which did not exist on the date under s. 70.10 for making the assessment.
 - (c) The property is exempt by law from taxation, except as provided

under sub. (2).

(d) The property is not located in the taxation district for which the tax roll was prepared.

(e) A double assessment has been made.

(f) An arithmetic, transpositional or similar error has occurred.

(2) EXCEPTIONS. The governing body of a taxation district may not refund or rescind any tax under this section if the alleged error may be appealed under s. 70.995 (8) (c) or if the alleged error is solely that the assessor placed a valuation on the property that is excessive.

Specifically, we are eligible for a refund because “a clerical error has been made in the description of the property or in the computation of the tax”. Per the Property Record Card on file, the description of our property was incorrect (see attached). The record reflects inaccurate square footage and the drawing that is depicted in the record indicates that our house is 43 feet in deep on the main body of the house, 26 feet deep on the exterior garage wall and 38 feet deep on the interior garage wall. However, we have verified by external measurements that these numbers should be represented as 33, 26, and 28, respectively; these are also the numbers that are reflected on our blueprint that is on file with the city. Based on these facts, it is also clear that “an arithmetic, transpositional or similar error has occurred”.

It should be noted that this error has been acknowledged per a letter dated December 31, 2008, from Mark Brown of Associated Appraisal Consultants (see attached). The letter states “your assessment was inadvertently based upon inaccurate square footage calculations” and reports that our assessment was overstated by \$33,500. Therefore, we have paid taxes in excess of approximately \$847.60.

We have also consulted with Allan Land, District Supervisor of Equalization from the Wisconsin Department of Revenue, and he has advised us to file a claim per s. 74.35, Wis. Stats.

As a result of this error and the advice of Mr. Land, we have filed for recovery of unlawful taxes as instructed by the statutes. Please see the attached letter that we have submitted as a claim according to the following:

74.35 Recovery of unlawful taxes. (1) DEFINITIONS. In this section “unlawful tax” means a general property tax with respect to which one or more errors specified in s. 74.33 (1) (a) to (f) were made. “Unlawful tax” does not include a tax in respect to which the alleged defect is solely that the assessor placed a valuation on the property that is excessive.

(2) CLAIM AGAINST TAXATION DISTRICT. (a) A person aggrieved by the levy and collection of an unlawful tax assessed against his or her property may file a claim to recover the unlawful tax against the taxation district which collected the tax.

(b) A claim filed under this section shall meet all of the following conditions:

1. Be in writing.
2. State the alleged circumstances giving rise to the claim, including the basis for the claim as specified in s. 74.33 (1) (a) to (e).
3. State as accurately as possible the amount of the claim.
4. Be signed by the claimant or his or her agent.
5. Be served on the clerk of the taxation district in the manner prescribed in s. 801.11 (4).

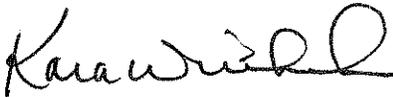
In conclusion, we have met grounds for this claim and we have filed in accordance with the statutes. Therefore, we are eligible for a refund of the excess taxes that were charged as a result of the error that occurred in the assessment our property. We ask that you allow that we be granted a refund as soon as possible.

Attached please also find the following supporting documentation:

- Wisconsin Statutes, sections 74.33 and 74.35
(<http://www.legis.state.wi.us/statutes/Stat0074.pdf>)
- Pages 10-11, *Guide for Property Owners* from Wisconsin Department of Revenue
(<http://www.dor.state.wi.us/pubs/slf/pb060.pdf>)
- Letter written to Mark Brown, Associated Appraisal Consultants, on December 17, 2008
- Reply from Mark Brown on December 31, 2008
- Property Record of 3041 Winnipeg Street, Menasha (12/16/08)
- 2008 Real Property Tax Bill/Receipt of payment

We appreciate your time and attention to this matter. We plan to attend the Common Council meeting on March 2 to be available during the discussion of this claim. Please also feel free to contact us at any time if you need further clarification or have additional questions (see contact information below).

Sincerely,



Kara Witthuhn
3041 Winnipeg St.
Menasha, WI 54952
920.882.6291 (home)
920.540.4995 (cell)

allocate to each tax incremental district within the taxation district its proportionate share of taxes on improvements on leased land.

(3) APPROVAL OF PAYMENT NOT REQUIRED. The taxation district treasurer shall make payments required under subs. (1) and (2) whether or not the governing body of the taxation district has approved those payments. Following a payment required under subs. (1) and (2), the taxation district treasurer shall prepare and transmit a voucher for that payment to the governing body of the taxation district.

History: 1987 a. 378; 1991 a. 39; 1995 a. 408; 2001 a. 16; 2003 a. 33, 228; 2005 a. 241, 418; 2007 a. 97.

74.31 Failure to settle timely. If the taxation district treasurer or county treasurer does not settle as required under ss. 74.23 to 74.30:

(1) INTEREST CHARGE. The taxation district or county which has not settled shall pay 12% annual interest on the amount not timely paid to the taxing jurisdiction, including this state, to which money is due, calculated from the date settlement was required.

(2) PENALTY. The taxing jurisdiction, including this state, to which money is due may demand, in writing, payment from the taxation district or county which has not settled. If, within 3 days after receipt of a written demand, settlement is not made, the taxation district or county shall pay the taxing jurisdiction, including this state, making the demand a 5% penalty on the amount remaining unpaid.

History: 1987 a. 387; 1991 a. 39.

SUBCHAPTER V

ADJUSTMENT

74.33 Sharing and charging back of taxes due to palpable errors. (1) GROUNDS. After the tax roll has been delivered to the treasurer of the taxation district under s. 74.03, the governing body of the taxation district may refund or rescind in whole or in part any general property tax shown in the tax roll, including agreed-upon interest, if:

(a) A clerical error has been made in the description of the property or in the computation of the tax.

(b) The assessment included real property improvements which did not exist on the date under s. 70.10 for making the assessment.

(c) The property is exempt by law from taxation, except as provided under sub. (2).

(d) The property is not located in the taxation district for which the tax roll was prepared.

(e) A double assessment has been made.

(f) An arithmetic, transpositional or similar error has occurred.

(2) EXCEPTIONS. The governing body of a taxation district may not refund or rescind any tax under this section if the alleged error may be appealed under s. 70.995 (8) (c) or if the alleged error is solely that the assessor placed a valuation on the property that is excessive.

(3) CHARGING BACK AND SHARING TAXES. If an error under sub. (1) has been discovered, the governing body of the taxation district shall proceed under s. 74.41.

History: 1987 a. 378; 1991 a. 39; 1993 a. 307; 1995 a. 408.

A potential error in classifying a mobile home as real, not personal, property was not a clerical error under sub. (1) (a), nor could it be considered to be the inclusion of a real property improvement that did not exist under sub. (1) (b), as the property did exist. *Ahrens v. Town of Fulton*, 2000 WI App. 268, 240 Wis. 2d 124, 621 N.W.2d 643, 99-2466. Affirmed on other grounds, 2002 WI 29, 251 Wis.2d 135, 641 N.W.2d 423, 99-2466.

74.35 Recovery of unlawful taxes. (1) DEFINITIONS. In this section "unlawful tax" means a general property tax with respect to which one or more errors specified in s. 74.33 (1) (a) to (f) were made. "Unlawful tax" does not include a tax in respect to which the alleged defect is solely that the assessor placed a valuation on the property that is excessive.

(2) CLAIM AGAINST TAXATION DISTRICT. (a) A person aggrieved by the levy and collection of an unlawful tax assessed against his or her property may file a claim to recover the unlawful tax against the taxation district which collected the tax.

(b) A claim filed under this section shall meet all of the following conditions:

1. Be in writing.

2. State the alleged circumstances giving rise to the claim, including the basis for the claim as specified in s. 74.33 (1) (a) to (e).

3. State as accurately as possible the amount of the claim.

4. Be signed by the claimant or his or her agent.

5. Be served on the clerk of the taxation district in the manner prescribed in s. 801.11 (4).

(2m) EXCLUSIVE PROCEDURE. A claim that property is exempt, other than a claim that property is exempt under s. 70.11 (21) or (27), may be made only in an action under this section. Such a claim may not be made by means of an action under s. 74.33 or an action for a declaratory judgment under s. 806.04.

(3) ACTION ON CLAIM. (a) In this subsection, to "disallow" a claim means either to deny the claim in whole or in part or to fail to take final action on the claim within 90 days after the claim is filed.

(b) The taxation district shall notify the claimant by certified or registered mail whether the claim is allowed or disallowed within 90 days after the claim is filed.

(c) If the governing body of the taxation district determines that an unlawful tax has been paid and that the claim for recovery of the unlawful tax has complied with all legal requirements, the governing body shall allow the claim. The taxation district treasurer shall pay the claim not later than 90 days after the claim is allowed.

(d) If the taxation district disallows the claim, the claimant may commence an action in circuit court to recover the amount of the claim not allowed. The action shall be commenced within 90 days after the claimant receives notice by certified or registered mail that the claim is disallowed.

(4) INTEREST. The amount of a claim filed under sub. (2) or an action commenced under sub. (3) may include interest computed from the date of filing the claim against the taxation district, at the rate of 0.8% per month.

(5) LIMITATIONS ON BRINGING CLAIMS. (a) Except as provided under par. (b), a claim under this section shall be filed by January 31 of the year in which the tax is payable.

(b) A claim under this section for recovery of taxes paid to the wrong taxation district shall be filed within 2 years after the last date specified for timely payment of the tax under s. 74.11, 74.12 or 74.87.

(c) No claim may be filed or maintained under this section unless the tax for which the claim is filed, or any authorized installment payment of the tax, is timely paid under s. 74.11, 74.12 or 74.87.

(d) No claim may be made under this section based on the contention that the tax was unlawful because the property is exempt from taxation under s. 70.11 (21) or (27).

(6) COMPENSATION FOR TAXATION DISTRICT. If taxes are refunded under sub. (3), the governing body of the taxation district may proceed under s. 74.41.

History: 1987 a. 378; 1989 a. 104; 1991 a. 39; 1997 a. 237; 2007 a. 19.

74.37 Claim on excessive assessment. (1) DEFINITION. In this section, a "claim for an excessive assessment" or an "action for an excessive assessment" means a claim or action, respectively, by an aggrieved person to recover that amount of general property tax imposed because the assessment of property was excessive.

Wisconsin Statute 70.47(7)(ae) requires anyone planning to protest an assessment must provide the Board, in writing, their estimate of the value of the land and of all improvements that are the subject of the person's objection and specify the information that the person used to arrive at that estimate. In particular, an objector should have considerable information that is relevant to the market value of their non-agricultural property. This would include a recent arm's-length sale of your property, and recent sales of comparable properties. Other factors include: size and location of the lot, size and age of the building, original cost, depreciation and obsolescence, zoning restrictions and income potential, presence or absence of various building components; and any other factors or conditions which affect the market value of the property.

Can I Appeal the Board of Review's Decision?

Yes, there are two avenues of appeal of the Board of Review decision available to the property owner. One is to circuit court under Section 70.47(13) of the Wisconsin Statutes, and the other is to the Department of Revenue under Section 70.85. If a number of property owners feel that there are severe inequities in the entire assessment roll, they may appeal for a reassessment of the entire municipality under Section 70.75.

How Would I Appeal a Board of Review Decision Under Section 70.47(13)?

Section 70.47(13) provides for an appeal of a Board of Review determination to be by action of certiorari (a court order to review the written record of the hearing) to the circuit court. The court will not issue an order unless an appeal is made to the circuit court within 90 days after the taxpayer receives notification from the Board of Review. No new evidence may be submitted. The court decides the case solely on the basis of the written record made at the Board of Review.

If the court finds any errors in the proceedings of the Board which make the assessment void, it sends the assessment back to the Board for further proceedings and retains jurisdiction of the matter until the Board has determined an assessment in accordance with the court's order. Whenever the Board has made its final adjournment prior to the court's decision, the court may order the municipality to reconvene the Board.

What are the Procedures for Appealing a Board of Review Decision under Section 70.85?

When appealing a Board of Review decision under Section 70.85, a written complaint must be received by the Department of Revenue within 20 days after the taxpayer receives the Board's determination, or within 30 days of the date specified in the affidavit under Section 70.47(12), if the taxpayer does not receive the notice. A filing fee of \$100 must be submitted along with the complaint. Both real and personal property may be appealed under this section. The Department may not review the assessment if it is within 10 percent of the general level of assessment of all other

property in the municipality, or if the property's value exceeds \$1,000,000 as determined by the Board of Review.

The Department may revalue the property and equalize the assessment without the intervention of the Board of Review, if the revaluation can be accomplished before November 1 of the year in which the assessment is made or within 60 days of the receipt of the written complaint, whichever is later. The value, if adjusted by the Department, shall be substituted for the original value in the assessment and tax rolls and taxes computed and paid accordingly.

Appeal of the Department's decision can be made by an action for certiorari in the circuit court of the county in which the property is located.

Can I Protest My Taxes at the Time of Payment?

Unless your taxes are illegal in some respect and you are prepared to file a claim in circuit court for recovery of the unlawful tax, the "protest" has little value. The time for appealing your assessment has passed by the time the taxes are determined.

What is an Unlawful Tax?

Section 74.35 provides for the recovery of unlawful taxes under very specific conditions. An unlawful tax occurs when one or more of the following errors are made:

- a clerical error was made in the description of the property or in the computation of the tax;
- the assessment included real property improvements which did not exist on the assessment date (January 1);
- the property was exempt from taxation;
- the property was not located in the municipality;
- a double assessment was made; or
- an arithmetic, transpositional or similar error has occurred.

Please note that an "unlawful tax" *does not include judgmental questions about the valuation.* Valuation issues must be addressed through the Board of Review appeal process.

How can I Recover an Unlawful Tax?

You can recover unlawful taxes under Section 74.35 by filing a claim with your municipality.

How Do I File a Claim With My Municipality Under Sec. 74.35 Stats.?

A claim for recovery of unlawful taxes must include all of the following conditions:

- be in writing,
- state the alleged circumstances for the claim,
- state the amount of the claim,
- be signed by the claimant or the claimant's agent, and

- be served to the municipal clerk.

A claim for the recovery of unlawful taxes paid to the wrong municipality must be filed within two years after the last date specified for timely payment of the tax. All other claims for recovery of unlawful taxes must be filed by January 31 of the year in which the tax is payable. No claim may be made unless the tax, or any authorized payment of the tax, is timely paid.

What is a Claim on Excessive Assessment?

Section 74.37 allows a person to file a claim to recover the amount of general property tax imposed because the assessment of the property was excessive.

How Do I File a Claim on Excessive Assessment?

You file a claim on excessive assessment under section 74.37 with your municipality.

How Do I File a Claim With My Municipality Under Sec. 74.37 Stats.?

In order to file a claim on excessive assessment, the taxpayer must have appealed to the Board of Review (unless notice under 70.365 was not given). The claim must be filed by January 31 of the year in which the tax is payable. The claim must include all of the following:

- be in writing,
- state the alleged circumstances for the claim,
- state the amount of the claim,
- be signed by the claimant or the claimant's agent, and
- be served to the municipal clerk

A claim on excessive assessment *cannot* be filed if the Board of Review's determination was appealed to the Department of Revenue or to Circuit Court. No claim may be made unless the tax is timely paid.

What if the Municipality Denies a Claim Under Sec. 74.35 or Sec. 74.37 Stats.?

If the municipality denies the claim, it must notify you by certified or registered mail within 90 days after the claim is filed. You may appeal the decision to Circuit Court if you feel the decision is incorrect. You must commence action within 90 days after receiving notice that the claim is denied.

If the municipality does not act on the claim within 90 days, you have 90 days to appeal to Circuit Court.

If the Municipality Allows a Claim Under Sec. 74.35 or Sec. 74.37 Stats., When Do I Receive Payment?

The municipality must pay the claim within 90 days after the claim is allowed.

December 17, 2008

Mr. Mark Brown
Associated Appraisal Consultants, Inc.
P.O. Box 2111
Appleton, WI 54912-2111

Re: Property Assessment at 3041 Winnipeg Street, Menasha

Dear Sir,

I am writing this letter to document a palpable error that has been made in the assessment of our home located at 3041 Winnipeg Street, Menasha. The square footage reflected in our current assessment is in significant excess of our actual square footage as reflected below:

	<u>2008 Assessment</u>	<u>Actual</u>
Full Basement	1600	1271
First Floor	1600	1271
Second Floor	1530	1154
FBLA	196	0
Attached Garage	1160	872

In reviewing the Property Record Card that I obtained from your office, it appears that the mathematical error has occurred due to the depth of our house being misrepresented in your calculations. According to the record, it is indicated that our house is 43 feet in deep on the main body of the house, 26 feet deep on the exterior garage wall and 38 feet deep on the interior garage wall. However, we have verified by external measurements that these numbers should be represented as 33, 26, and 28, respectively. Please see our blue prints as on file with the City of Menasha if needed to verify these dimensions.

As a result of these errors, our taxes have been billed excessively and we are requesting that you refund the excessive funds that we have paid to the City of Menasha. We appreciate your prompt attention in this matter. If you have further questions, feel free to contact me at any time at 882-6291 (home) or 540-4995 (mobile).

Sincerely,

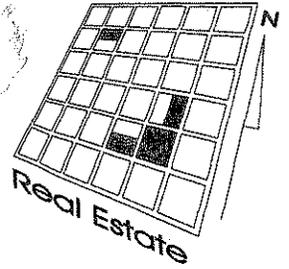


Kara Witthuhn
3041 Winnipeg Street
Menasha, WI 549542

Cc: Tom Stoeffel, City of Menasha Comptroller
Greg Keil, City of Menasha Community Development Director
Kevin Benner, Alderman

Associated Appraisal Consultants, Inc.

Appleton ■ Hurley ■ Lake Geneva



December 31, 2008

Kara & Clifford Witthuhn
3041 Winnipeg St
Menasha, WI 54952

Dear Mr. & Mrs. Witthuhn,

We spoke on the phone recently regarding the assessment on your new home in the City of Menasha (parcel 7-00815-52). As we discussed, all assessments of new construction in Wisconsin are based on the property as it stands on the first day of the year.

On January 1st 2008, your new home at 3041 Winnipeg Street was valued at 100% complete. Unfortunately, however, your assessment was inadvertently based upon inaccurate square footage calculations. As a result the assessed value of your property was overstated.

The actual 2008 assessment was:

LAND	\$41,300
HOUSE	\$239,700 (should have been \$206,200).
TOTAL	\$281,000

This means the assessment was overstated by \$33,500.

Since this discrepancy was not discovered until after the tax bills were issued, it is now too late to correct the error for this year. Therefore, the taxes must be paid in full for 2008 as billed.

As compensation, however, I will reduce your assessment in 2009 by \$67,000 to account for the overage in 2008. This credit will then be removed for 2010 and the assessment will then go back to full value. You should expect to receive a formal notice of assessment around May of 2009 and again in 2010.

If I can be of any further assistance, please call me at 1-800-721-4157.

Sincerely,

Mark Brown
Project Manager
Associated Appraisal Consultants, Inc.

December 16, 2008

2009 Property Records

Tax key number: 7-00815-52

Property address: 3041 Winnipeg St

Neighborhood / zoning: Lake Park Heights / LD

Traffic / water / sanitary: Light / City water / Sewer

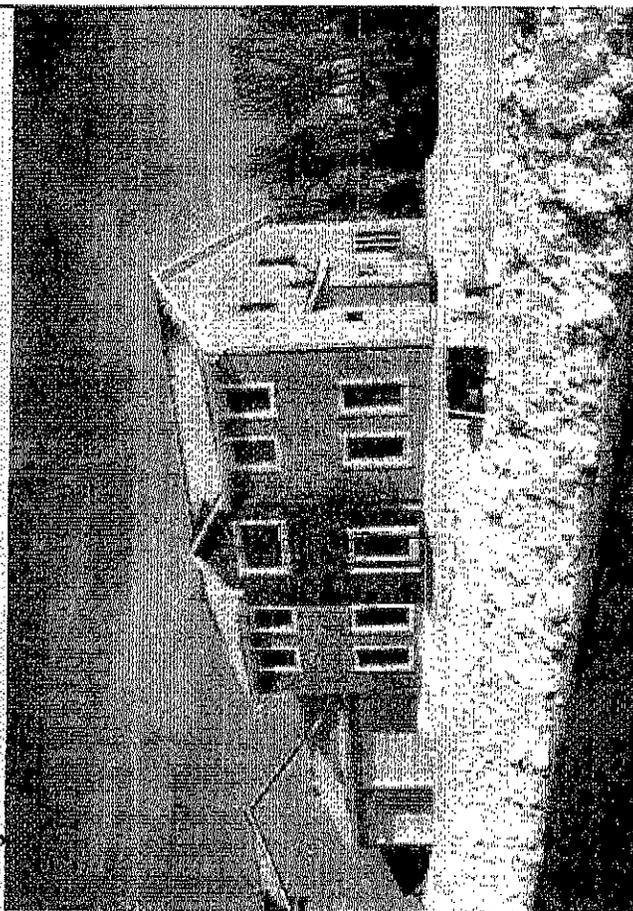
Legal description: LAKE PARK HEIGHTS LOT 52

Summary of Assessment	
Land	\$41,300
Improvements	\$239,700
Total value	\$281,000

Summary of Last Valid Sale	
Date	10/3/2005
Price	\$ 48,900
Time adjusted price	\$ 47,800

Qty	Tax Classification	Unit of Measure	Width	Depth	Sq. Ft.	Acres	Waterfront	Description	Assess Value
1	Residential	Square feet			13,761	0.316			\$41,300
									Total land: \$41,300

Residential Building	
Entrance:	Gained
Year built:	2007
Story height:	2 story
Style:	Colonial
Use:	Single family
Exterior wall:	Alum/Vinyl
Roof type:	Asphalt shingles
Heating:	Gas, forced air
Cooling:	A/C, same ducts
Bedrooms:	4
Family rooms:	
Baths:	2 full, 1 half
Total rooms:	4
Whirl / hot tubs:	1 whirlpool, 0 hot
Masonry FPS:	
Metal FPS:	
Gas only FPS:	1 openings
Bsmt garage:	
Shed dormers:	
Gablehip dorm:	
Full basement:	1,600 SF
Crawl space:	
Rec room:	
FBLA:	196 SF
First floor:	1,600 SF
Second floor:	1,519 SF
Finished attic:	
Unfinished attic:	
Unfinished area:	
All garage, frame or cb:	1,160 SF
Masonry adjust:	
Grade factor:	C+
Condition:	Average
Percent complete:	100%
Masonry adjust:	100 SF

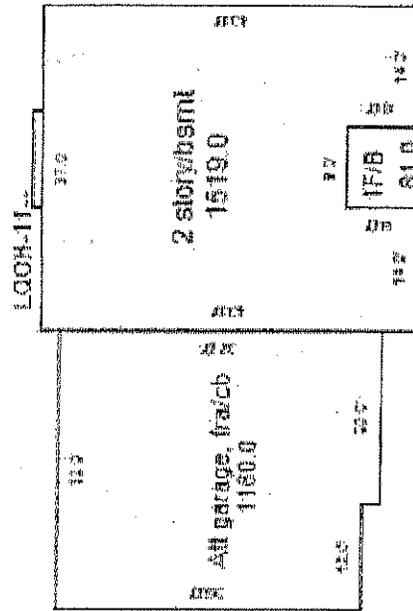


Residential assessed building value: \$239,700 Total square feet: 3,315

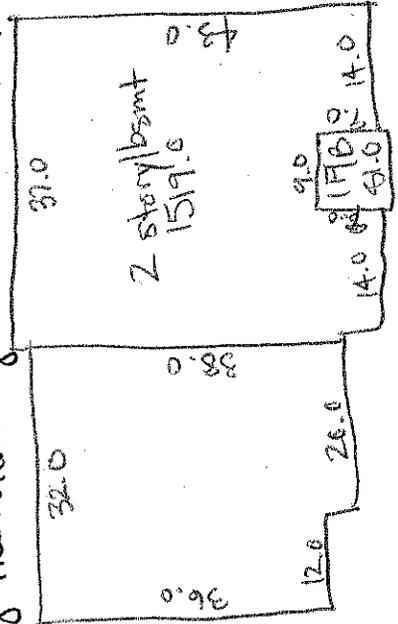
December 16, 2008

2009 Property Records

Floor plan for 2 story Alum/Vinyl Colonial



Due to being an illegible faxed copy, I called to verify the following numbers (12/16/08):



Search by...

Tax key number

3041 Winnipeg St, MENASHA

CITY TREASURER
 CITY OF MENASHA
 140 MAIN STREET
 MENASHA WI 54952

STATE OF WISCONSIN REAL PROPERTY TAX BILL FOR 2008

City of Menasha County of Calumet

PROPERTY ID/PROPERTY ADDRESS 7-00815-52 3041 WINNIPEG ST

CLIFFORD R WITTHUHN
 KARA L WITTHUHN
 1083 STILLMEADOW LN APT 6
 MENASHA WI 54952

Assessed Value Land	Ass'd Value Improvements	Total Assessed Value	Ave. Assmt. Ratio	Net Assessed Value Rate (Does NOT reflect Lottery/Gaming Credit)
41,300	239,700	281,000	.9363	.0239600
Est. Fair Mkt Land	Est. Fair Mkt. Improvements	Total Est. Fair Mkt.	A Star in This Box Means Unpaid Prior Year Taxes	School taxes reduced by school levy tax credit
44,100	256,000	300,100	<input type="checkbox"/>	376.93

<u>Tax Jurisdiction</u>	<u>2007 Est. State Aids Allocated Tax Dist.</u>	<u>2008 Est. State Aids Allocated Tax Dist.</u>	<u>2007 Net Tax</u>	<u>2008 Net Tax</u>	<u>% Tax Change</u>
STATE OF WISCONSIN			7.33	50.95	
COUNTY OF CALUMET	91610	99146	175.29	1,228.28	
CITY OF MENASHA	818290	826837	390.16	2,730.22	
APPLETON SCH. DISTRICT	1518678	1583223	290.56	2,026.97	
VOC. SCHOOL DIST	67094	65556	72.17	505.07	
UTILITY DISTRICT			25.61	191.28	
TOTAL	2495672	2574762	961.12	6,732.77	
		First Dollar Credit		31.23	
		Lottery/Gaming Credit		72.07	
		Net Property Tax	961.12	6,701.54	

Make Check Payable to: City of Menasha	Full Payment Due On or Before January 31, 2009	Net Property Tax 6,701.54
	6,701.54	<i>less lotter</i> -72.07
1 st Installment due - January 31 2009	1,675.37	PAID DEC 18 2008 CITY OF MENASHA FINANCE DEPT.
2 nd Installment due - March 31 2009	1,675.39	
3 rd Installment due - May 31 2009	1,675.39	
4 th Installment due - July 31 2009	1,675.39	

LAKE PARK HEIGHTS LOT 52

IMPORTANT: Correspondence should refer to Property ID – See reverse side for Important Information. Be sure this description covers your property. This description is for property tax bill only and may not be a full legal description.

TOTAL DUE FOR FULL PAYMENT
 Pay by January 31, 2009

\$ 6,701.54 *6629.47*

Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and if applicable, penalty. (*See reverse side).