

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, June 15, 2009
6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. [Update on Valley Transit – Deborah Wetter & Jason Kakatsch](#)
 - 2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. [Administration Committee, 6/1/09](#)
 - b. [Board of Public Works, 6/1/09](#)
 - c. [Committee on Aging, 4/9/09](#)
 - d. IT Steering Committee; [4/15/09](#), [5/20/09](#)
 - e. [Library Board, 5/21/09](#)
 - f. [Library, 5/21/09; Investment Committee](#)
 - g. [Library, 6/5/09; Finance Committee](#)
 - h. [Plan Commission, 6/2/09](#)
 - i. [Police Commission, 5/21/09](#)
 - j. [Sustainability Board, 5/19/09](#)
 - k. [Water & Light Commission, 5/27/09](#)
 - l. [Water & Light Commission, 5/27/09; Closed Session](#)
 - Communications:
 - m. [Gov. Doyle to the Wreath Factory, 4/28/09; Congratulations on expansion](#)
 - n. [Calumet Cty Treasurer to John VanderWielen, 5/22/09; Delinquent 2005 RE Taxes](#)
 - o. [Summons in a Civil Case, Sierra Club vs. City of Menasha, et al.](#)
 - p. [Public Works Facility, 6/1/09; May 2009 Disposal Violations](#)
 - q. [PWD Radtke, 6/8/09; E-mail re: Broad Street proposed engineering study](#)
 - r. [DPW to residents, 6/8/09; refuse collection alteration at 3rd St.](#)
 - s. [Hunton & Williams, 6/10/09; Report on Steam Utility](#)
 - t. [CDD Keil, 6/9/09; graffiti Ordinance Administration](#)
 - u. [Waverly Sanitary District minutes, 5/12/09](#)

"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."

- v. [Mayor Merkes to Federal Railroad Administration, 6/9/09; Notice of Quiet Zone #2 & #3 Establishment](#)
- w. [Atty Rich Carlson, 6/8/09; Review of proposed agreement with Precision Retirement Group, Inc.](#)

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, 6/1/09](#)
- 2. [Special Common Council, 6/3/09](#)

Information Technology, 5/20/09 – Recommends Approval of:

- 3. [Print management agreement between Merizon Group Inc. and City of Menasha for toner and repair services and authorize signature](#)

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ORDINANCES AND RESOLUTIONS

- 1. [O-16-09 – Ordinance relating to Height, Setback and Area Exceptions \(Recommended by Plan Commission, introduced by Ald. Benner\)](#)
- 2. [R-14-09 - Resolution Relating to 2010 Census Complete Count Committee Recommended by Administration Committee, introduced by Mayor Merkes\)](#)

J. ACTION ITEMS

- 1. [Accounts Payable and Payroll for the term 6/4/09-6/11/09 in the amount of \\$1,728,964.11](#)
- 2. [Licenses: Renewal liquor and malt beverage applications for the licensing year July 1, 2009-June 30, 2010 for:](#)
 - a) [Get Reel, Inc, d/b/a Fox Cinema, 400 Third Street](#)
 - b) [Menasha Grill, Inc., 204 Main Street](#)
 - c) [Lake Park Swim & Fitness, 730 Lake Park Road](#)
- 3. [License: "Class A" Liquor License Application, Buddi Sagar Subedi, for the premises at 209 Racine Street, Menasha for the licensing year 2009-2010.](#)
- 4. [License: Class "B" and Class C Liquor License Application, Mario Nunez, for the premises at 14 Tayco Street, Menasha for the licensing year 2009-2010](#)
- 5. Request for Outdoor Alcoholic Beverage Permits for the licensing year July 1, 2009-June 30, 2010 for the following:
 - a) [Peter Kemps, d/b/a Jitter Lounge, 23 Main Street](#)
 - b) [The Bar at Lake Park, d/b/a Sliders, 890 Lake Park Road](#)
 - c) [Mario Nunez, d/b/a Mi Casa Mexican Grill, 14 Tayco Street](#)
- 6. [Street Use Application – CommunityFest Parade, July 3, 2009, 9:00PM-10:15PM \(CommunityFest Committee\)](#)
- 7. [Consideration to eliminate 1% midpoint adjustment \(cost of living increase 2009\) for non-represented employees for 2009](#)
- 8. [Consideration to eliminate 1% midpoint adjustment \(cost of living increase 2009\) for Supervisory Lieutenants for 2009](#)
- 9. Appoint Neenah City Attorney James Godlewski to act as special counsel for the purpose of negotiating with IAFF Local 275 regarding a contract reopener for the 2009-2010 contract to find cost savings in anticipation of budget shortfalls for 2010 (memo available at Council Meeting).

K. APPOINTMENTS

1. Mayor Appointment to Library Board
 - a. [Appointment of Gary Wisneski, 1232 De Pere St., for the term of July 1, 2009 – July 1, 2012](#)
 - b. Reappointment of Kathy Wicichowski, 341 Willow Ln, for the term of July 1, 2009 – July 1, 2012

L. CLAIMS AGAINST THE CITY

M. HELD OVER BUSINESS

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

O. ADJOURNMENT

MEETING NOTICE

**Monday, July 6, 2009 - Council Chambers
Common Council – 6:00 PM
Administration Committee – to be determined
Board of Public Works – to be determined**

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
June 1, 2009
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 7:10 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

ALSO PRESENT: Mayor Merkes, Atty Rich Carlson, PC Stanke, DPW Radtke,
CDD Keil, C/T Stoffel, Clerk Galeazzi, and the Press.

C. MINUTES TO APPROVE

1. Administration Committee, 5/18/09

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

D. ACTION ITEMS

1. Appeal of Denial of Operator's License – Kathryn A. Harding

PC Stanke explained his reason for denying an operator's license to Kathryn A. Harding was past convictions of three OWI and possession of the drug THC.

Kathryn A. Harding explained she has had a clean record since 2005.

Kathy Bayer, licensed agent for R&R Bar, stated Kathryn is a good worker and believes everyone should have a second chance to prove themselves.

PC Stanke explained temporary licenses have been issued with conditions. He has a set of guidelines that he follows. He would be open to any suggestions on guidelines from the Council.

Atty Carlson stated it is at the discretion of the Committee as to how long a person should wait from their last conviction before being granted an operator's license.

Moved by Ald. Pack, seconded by Ald. Pamerter to deny an Operator's License to Kathryn Harding.

Motion carried on roll call 6-2.

Ald. Pamerter, Wisneski, Pack, Zelinski, Englebert, Benner – yes

Ald. Taylor, Hendricks – no

2. R-14-09 Resolution Relating To 2010 Census Complete Count Committee

Mayor Merkes explained this resolution will authorize the creation of a count committee to help with the 2010 census. He will bring forth names of citizens for recommendation to this committee.

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

Motion carried on voice vote.

3. Retain Jeff Brandt as Consultant/Interim City Attorney (Ald. Pack) (Held 5/18/09)

Mayor Merkes reported Atty. Brandt revised his original proposal. He would hold office hours at City Hall one day a week and then be available on an as needed basis. Mayor Merkes stated the City Attorney Search Committee has been interviewing candidates and should have a recommendation soon.

Discussion ensued that the Council has given Mayor Merkes authorization to hire interim legal representation. Mayor Merkes currently has interim attorneys representing the City on an as needed basis.

Moved by Ald. Pack to retain Jeff Brandt as an interim City Attorney.
No second, motion dies.

E. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Taylor to adjourn at 7:35 p.m.
Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
June 1, 2009
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:36 p.m.

B. ROLL CALL/EXCUSED ABSENCES

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

ALSO PRESENT: Mayor Merkes, Atty Rich Carlson, PC Stanke, DPW Radtke,
CDD Keil, Clerk Galeazzi, and the Press.

C. MINUTES TO APPROVE

1. May 18, 2009

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

D. ACTION ITEMS

1. Authorization to Conduct Engineering Study to Explore Conversion of Broad Street
from One-Way Traffic to Two-Way Traffic.

DPW Radtke is recommending an engineering study as the last study on this part of
Broad Street was 1996. It is time for a new study.

Moved by Ald. Pack, seconded by Ald. Wisneski to authorize staff to conduct an
engineering study.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Benner to adjourn at 7:45 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk

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

**CITY OF MENASHA
COMMITTEE ON AGING
Menasha Senior Center
116 Main Street, Menasha**

**April 9, 2009
7:45 AM**

MINUTES

A. CALL TO ORDER

1. Meeting called to order at 7:50am

B. ROLL CALL/EXCUSED ABSENCES

Present: Mary Luke, Bob Jankowski, Joyce Klundt, Roy Rogers, Sue Steffen, Lee Murphy, Sue Nett, Sylvia Bull and Jean Wollerman.

C. MINUTES TO APPROVE

1. Motion made by R. Rogers, seconded by S. Nett to approve March 12, 2009, minutes, with two corrections: change heading "AGENDA" to "MINUTES" and include Roy Rogers as being present at the meeting. Carried.

D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS

1. **Commission on Aging** – J. Klundt reported that the Valley Transit system has a new para transit bus, called Running, Inc.. It will be replacing Kobussen.
2. **Financial Report** – S. Nett stated that MSC was under budget for 2008. A 2009 report is not available at this time.
3. **Senior Center Supervisor** –
 - a. A resident of Menasha, who wishes to remain anonymous, donated a Nintendo Wii to the center, with an additional control. Staff will begin promoting this game and scheduling activities.
 - b. The meal-site coupon is in the City of Menasha's spring newsletter, *The Horizon*. S. Bull will report any response to it. The meal-site received five responses to the coupon in *The Senior Chatter*.
 - c. The May Banquet will be held on May 13 at Germania Hall from 12:30-2:30pm. S. Bull asked committee members to again donate paper products for the popular paper products raffle gift bag for the event.
 - d. A committee member asked if MSC could in some way honor Veterans. After some discussion, it was decided that MSC would have a large party/banquet in November (in lieu of the Christmas Banquet). Jean Wollerman suggested combining efforts with the N-M YMCA - all agreed. We will ask the Y-Nots to be entertainment and we will ask for sponsorship from the community as well.

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha Senior Center at 967-3530 24-hours in advance of the meeting for the City to arrange special accommodations."

E. DISCUSSION

1. Election of Officers –Motion made by R. Rogers, seconded by B. Jankowski to re-elect Joyce Klundt to another term of Chairperson to the City of Menasha Committee on Aging. Carried Thank you Joyce for your willingness to continue this position. Motion made by L. Murphy, seconded by M. Lueke to nominate Sue Steffen for the Vice Chairperson position. Carried. Thank you Sue for accepting this position.
2. Winnebago County grant – S. Nett informed committee members that she has submitted this grant to the Menasha Common Council for their approval on 4/20. It will then be forwarded to Winnebago County.

F. HELD OVER BUSINESS

1. Accreditation – S. Bull announced that the Menasha Senior Center now has accreditation status with the Wisconsin Association of Senior Centers. The accreditation was held on April 9. A plaque will be issued to the senior center with plans to promote and celebrate this achievement with the Menasha Common Council and the seniors at the May Banquet. S. Bull expressed her sincere appreciation for the Accreditation Committee member's hard work as well as the support from all Committee on Aging members.

G. ADJOURNMENT

Motion made by B. Jankowski, seconded by S. Steffen to adjourn meeting at 9:01am. Carried.

Next meeting:
May 14 at 7:45am

Please call 967-3530 if you CANNOT attend.

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

**CITY OF MENASHA
IT STEERING COMMITTEE
Gegan Room, Menasha Public Library
440 First Street, Menasha**

April 15, 2009

8:15 AM

MINUTES

A. CALL TO ORDER

The meeting was called to order at 8:32 AM by CHAIRMAN Wisneski.

B. ROLL CALL/EXCUSED ABSENCES

Present: CHAIRMAN Wisneski, ITMgr Lacey, PC Stanke and PWS Jacobson.

Excused: COMP Stoffel, HR Specialist Taubel

Also Present: IT Supv James, PL Brunn

C. MINUTES TO APPROVE

1. March 18, 2009

Motion made by ITMgr Lacey, seconded by PL Brunn, to approve the minutes of the March 18, 2009 IT Steering Committee meeting as submitted. Motion carried.

D. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THIS AGENDA.

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

None

E. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Committee monthly update on status of projects/operations/costs

ITMgr Lacey distributed and reviewed the IT Department report for the year to date through March 2009. 30% of budget expended also includes many purchases made already for the year.

ITMgr Lacey also mentioned that he is going to get a new web filter for the internet. The one we had was supposed to be big enough to handle the amount of traffic we have but it is not sufficient. He is dealing to get a full credit on a larger one as the one we bought was not sufficient as they alleged it would be.

New PC's are being installed for the Health Department. The schedule after that is that the third floor of City Hall will be next, then PWF, then second floor. The Senior Center will be done sometime in between. This process of putting the new PC's in should take until July to get all set up. There are 35 PC's total.

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

In the Senior Center lab area, a terminal server service will be installed instead, which is similar to the old dumb terminals and one main server. This alleviates the possibility of viruses entering the city system.

Other updates: The City Sanitarian software for inspections is being adjusted to account for three (3) levels of restaurant inspections. The PWF excavation module is working well. It saves paperwork. PWS Jacobson said they will be looking for a notebook for him to enter his measurements on site instead of returning to the office, then it can be transmitted from the site to the Finance Department for immediate billing instead of having to be relayed through Dorothy at the office.

ITMgr Lacey mentioned that he hopes to install a city-wide wireless system in 2011 that would be of benefit to Police and DPW alike; he would have to expand the contract with the schools in order to install antennas on the roofs. He explained how he would set it up to lock out public access but enable it to work for specific computer addresses, still maintaining the security integrity needed.

There are some issues with the PD and the County Computer Aided Dispatch system (CAD). We must do our upgrades on the Advanced Window Workplaces & GPS (which the Shift Commander and the Clerk have) as they send them out, but the implementation of these upgrades hampers OUR City of Menasha system, unless we get full information about all the software. We're having little luck in getting the support of the County to clarify this situation. As an example, we have been without GPS since Tuesday or Wednesday last week because of this problem and the supervisor either doesn't return calls or cancels unexpectedly when a conference call is set up. Chief Stanke will try to resolve this with the Sheriff or will talk to Board Supervisor Griesbach for help with the IT support from the County.

F. ACTION ITEMS

1. Intranet

HR Specialist Taubel, ITMgr Lacey and ITSupv James attended a meeting and demo on Sharepoint, a free intranet information shareware which is an option for us. It was quite technical and had little demonstration of the application at work but we will get it and have HR work with it first. This project is a work in progress and the item should remain on the agendas for future meetings. Our first priority is to get the internet website services transferred onto our server then we can load this on.

2. Print Care / Print Management

We are getting quotes on this service and should have received them in time for the May committee meeting for review. It is anticipated that this will save money and will operate similar to the copy machine program of maintenance and repair. Having toner inventory control in the hands of only one person has resulted in a savings of about \$5,000 per year to the City; this expansion should have similar savings as we now have 2-3 major repair calls for printers a year which would be alleviated.

3. GovDeals / Surplus equipment

A salesperson stopped by with materials advertising this website which auctions surplus government items and is meant strictly for government agencies. There is no upfront charge for

posting on the website but they collect 7.5% on the final total purchase price as their fee. A signed contract is required to list on the site; before anything is done with them, our attorney would have to review the contract. It is mentioned merely as another informational option that exists for web sales of surplus property.

4. Committee discussion on next IT Steering Committee Meeting Date – May 20, 2009
All agreed to this date at 8:15 AM in the Gegan Room at the Menasha Public Library.

G. ADJOURNMENT

Motion by PC Stanke, seconded by ITMgr Lacey to adjourn. Motion carried. Meeting adjourned at 9:16 AM.

Respectfully submitted,

Sue Wisneski
Acting Committee Secretary

| | Budget \$ | YTD \$ | % used YTD |
|---------------------|------------------|------------------|-------------------|
| Total Budget | \$348,510 | \$105,108 | 30% |

January 2009 through March 2009

**I.T. Department
Projects
March 18, 2009 through April 14, 2009**

Open Requests/Projects

- **Hardware**
 - Research Hardware for Budget 2009
 - Research Hardware for future City IT projects.
- **Software**
 - Moving Website from Heartland Servers to City of Menasha Servers.
 - Website updates
 - Health Charting
 - Permit Application development
 - PWF Excavation Billing Module

Current Requests/Projects

- **Software**
 - Tax file updates
 - Assist Assessor Dept with reporting.
- **Hardware**
 - Deploy new PCs.
- **Application**
 - Modify Inspection Input forms for City Sanitarian.

Completed Requests/Projects

- **Application**
 - Train users on Meetings and Agendas posting to Website process.
 - Work with Senior Center on Newsletter.
- **Hardware**
 - Updated Computer Aided Dispatching, Advanced Windows Workstation, and ATM clients on installed Police PCs.
 - Distribute new Payroll PCs.
- **Software**
 - New Finance/HR Reporting (QREP/Cognos Impromptu) software deployment.

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

**CITY OF MENASHA
IT STEERING COMMITTEE
Gegan Room, Menasha Public Library
440 First Street, Menasha**

May 20, 2009

8:15 AM

MINUTES

A. CALL TO ORDER

Meeting called to order at 8:15 AM by CHAIRMAN Wisneski.

B. ROLL CALL/EXCUSED ABSENCES

Present: CHAIRMAN Wisneski, AP Kester, COMP Stoffel, HR Specialist Taubel, ITMgr Lacey, PC Stanke and PWS Jacobson

Also Present: ITSUpv James, PL Brunn and Mr. Larry Schmitz of Common Sense Solutions LLC.

C. MINUTES TO APPROVE

1. Approval of Minutes of April 15, 2009 IT Steering Committee meeting.

Motion by ITMgr Lacey, seconded by PC Stanke to approve the minutes of the April 15, 2009 IT Steering Committee meeting. Motion carried.

D. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THIS AGENDA.

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

None

E. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Committee monthly update on status of projects/operations/costs

ITMgr Lacey updated the Committee on the transition of the City web page from the host to the City website. He and ITSUpv James also explained what work must be done when the City changes to the new MarketDrive 2009 update. Because there are many changes in how information is entered and cataloged, there will be extensive work on updating all the other programs which use the data from MarketDrive. ITMgr Lacey also has been working with Neenah-Menasha Fire Rescue on making sure the Emergency Operations Center is ready in case of an emergency. ITMgr Lacey also informed the Committee that new PCs have been

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

installed on third floor and at the Health Department and Senior Center. Next will be installation of new PCs on second floor and at the Public Works Facility.

F. ACTION ITEMS

1. <http://www.your-communities.com> Feedback e-mail from Website to Mayor.

After a brief discussion it was recommended that this item be referred to Community Development for their opinion on whether it would be an effective marking tool for that department to use.

2. Verizon Cell Phone Bid Request
 - a. Push to talk feature (Parks/PWF)

ITSupv James opened the discussion, explaining that he had met with a Verizon representative to discuss what their cell phone service could provide. It was his understanding that there no longer was a consortium of users, but in fact each user group had an individual contract. PC Stanke corrected ITSupv James on that point; that there still is a consortium of users in operation. The next contract comes due in March, 2010 and the consortium will send out an RFP for services and Verizon will be asked to submit a bid at that time. The push to talk feature is not currently offered by US Cellular and ITSupv James thought that it would be of benefit to the Public Works and Parks Departments. PWS Jacobson explained how he thought the push to talk feature could work in his department. PC Stanke countered that having those cell phones leave the group would result in some type of separation charge and diminish any benefits. CHAIRMAN Wisneski thought the consortium should be allowed to select the service levels and provider as they have done in the past.

3. Intranet

No update for this month. This item will appear on the agenda for the next meeting.

4. PrintCare- Print Management Services -Toner and Repair Services Package
 - a. Bids from:
 - I. MBM
 - II. Accent Business Solutions
 - III. Ricoh
 - IV.

No proposal was received from Ricoh. ITSupv James explained to the committee how this was a time-saving service for the IT Department. Mr. Schmitz and ITMgr Lacey both thought the proposal from Modern Business Machines (MBM) was the most complete and warranted further negotiation. It is Mr. Schmitz goal to have the City pay only for what it really uses, not to pay on a projected use by month. Motion by PC Stanke, seconded by ITMgr Lacey to continue negotiations with MBM until ITMgr Lacey and Mr. Schmitz are satisfied the contract provides the services the City expects, and then forward the agreement to legal counsel for review and finally to the Common Council for approval. The Committee does not need to review the final agreement. ITSupv James informed the Committee that the supply of toner is low so quick action on this agreement is needed. Motion carried.

5. "Patrol" login and Patrol officer Passwords

ITMgr Lacey explained to the Committee that currently all patrol officers use a generic password to access email. However, they do not receive notice when the password expires and consequently they could not access email for days until their password is reset. To avoid this happening in the future, the IT Department is proposing that each officer create a unique password for login purposes. This will result in additional licensing fees for the City and may take patrol officers a little longer to log in, but it will save time for the IT Department staff in not having to reset passwords that expire. Motion by ITMgr Lacey, seconded by CHAIRMAN Wisneski to authorize the IT Department to make the necessary changes, which will include a budgetary impact, to the mode in which patrol officers access the email system. Motion carried.

6. Committee discussion on next IT Steering Committee Meeting Date – June-17-09

After discussion, by consensus of the Committee members present, the next Information Technology Steering Committee meeting will be held on Wednesday, June 17th, at 8:15 AM in the Gegan Room of the Menasha Public Library.

G. ADJOURNMENT

Motion by HR Specialist Taubel, seconded by ITMgr Lacey to adjourn. Motion carried. Meeting adjourned at 9:07 AM.

Respectfully submitted,

Thomas Stoffel
Committee Secretary

| | Budget \$ | YTD \$ | % used YTD |
|---------------------|------------------|------------------|-------------------|
| Total Budget | \$348,510 | \$123,202 | 35.35% |

January 2009 through April 2009

**I.T. Department
Projects
April 15, 2009 through May 19, 2009**

Open Requests/Projects

- **Hardware**
 - Research Hardware for Budget 2009
 - Research Hardware for future City IT projects.
- **Software**
 - Website updates
 - Health Charting
 - Permit Application development
 - PWF Excavation Billing Module

Current Requests/Projects

- **Software**
 - Moving Website from Heartland Servers to City of Menasha Servers.
 - Tax file updates
 - Assist Assessor Dept with reporting.
- **Hardware**
 - Deploy PCs to City Hall second floor and PWF.
 - Create Terminal Server environment for Senior Center Computer Lab.
- **Application**
 - Work with Print Service providers on Print Care contracts.

Completed Requests/Projects

- **Application**
 - Train users on Meetings and Agendas posting to Website process.
 - Work with Senior Center on Newsletter.
 - Worked with Health Department on the Volunteer list database and e-mail group for emergency preparedness.
 - Alterations to the Weights and Measures Databases at Health Department.
- **Hardware**
 - Deploy new PCs for Health Department, Senior Center and City Hall third floor.
 - Worked with Safety Committee and EOC Manager on labeling and creating a Map for the EOC.

MINUTES OF REGULAR MEETING
ELISHA D. SMITH PUBLIC LIBRARY TRUSTEES

May 21, 2009

Call to order at 4:02 p.m. by President Fuchs

Present: Derouin, Eisen, Enos, Fuchs, Stanke, Werley, Wicihowski

Absent: Nebel

Also present: Director Saecker, J. Bongers (Head of Adult & Technical Services), K. Seefeldt (Administrative Assistant)

Authorization of Bills

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

Consent Business

2. Approve minutes from the Board meeting of April 23, 2009.

Motion

Motion to approve minutes from the Board meeting of April 23, 2009 as presented by Eisen, seconded by Stanke, and carried unanimously.

Director's Report/Information Items

3. Statistics. Monthly statistics for April 2009 were par with those from the previous year. The adult department saw an increase of 11.8%, while the children's department fell 12% after last year's record increase of 32%. We continue to see an increase in usage of our meeting rooms.
4. Endowment. An Endowment report for the first quarter was distributed to the Board. Community Foundation investments continue to be down due to the economy. We recently merged two smaller CDs into a larger one totaling \$11,418. This will come due in March of 2010.
5. Investment Committee. The Investment Committee will meet following this Board meeting to discuss our Endowment investments.
6. Finance Committee. The Finance Committee will meet in May or early June to discuss the future needs of the library and determine what parts of the Long Range Plan will need funding. Budget issues for 2010 will also be discussed.
7. Fox Cities Reads. The 2009 Fox Cities Reads was a tremendous success. Events were very well attended, some with standing room only.
8. Diversity Committee. Our new staff Diversity Committee is made up of a group of employees eager to find ways to meet the diverse needs of our community. They have already gotten library newsletters onto Meals on Wheels deliveries, contacted the local Fox Cities Arc to arrange to have special needs children participate with Library staff in the Memorial Day parade, and are working with Banta teachers to arrange to have children in special and regular education classes participate in a craft project after story times. The group is currently working on distributing library newsletters directly to a variety of groups and agencies in our community that serve diverse segments of our population.

9. Game Computer in the Children's Room. We now have educational games installed on a computer in the Children's Department. The games are primarily for reading, but may also include art, math and other educational subjects.
10. May Staff Meeting. A staff meeting was held on May 19. Todd Drew, Sanitarian for the City of Menasha, conducted a safety course for staff on the correct way to lift boxes, push carts, and move heavy items.
11. Trustee 101 Workshops. Winnefox is offering three workshops for library trustees. Those interested in attending may contact Kris Seefeldt or the director to register.
12. WAPL. Three library staff members, Cassie Payne, Vanessa Taylir and Director Saecker, attended WAPL this year in Wisconsin Dells. Cassie Payne and Director Saecker each presented programs as well. The conference provided many good ideas to those who attended.
13. State of America's Libraries Report. The Public Libraries portion of the recent State of America's Libraries Report was distributed to Board members. Director Saecker summarized the main points of the report.

Discussion/Action Items

14. Trustee Essentials #8. Ros Stanke reviewed Trustee Essential #8 *Developing the Library Budget*. Discussion ensued.

Announcements

Jill Enos volunteered to review Trustee Essential #9 *Managing the Library's Money* at the Board's June meeting.

Director Saecker made Board members aware of a controversial topic currently being reviewed by the West Bend Public Library Board regarding a request they received to restrict access of young adults to sexually explicit books and materials in their library. Board members requested that Director Saecker provide them with a brief summary of what is occurring in West Bend.

Adjournment

Motion to adjourn the meeting at 4:25 p.m. by Werley, seconded by Enos, and carried unanimously.

Future meeting dates

The next regular board meeting will be held in the Gegan Room on Thursday, June 18, 2009 at 4:00 p.m.

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

Elisha D. Smith Public Library

Board of Trustees, Investment Committee

Thursday, May 21st at 4:30 pm

Minutes

Present: Ros Stanke, Keith Fuchs, Jill Enos, Paul Eisen and Director, Tasha Saecker

The Investment Committee met to discuss possible changes to our Endowment Investments held in the Community Foundation and those invested through First National Bank.

Every spring, the Community Foundation allows the library to receive a grant from the Endowment Funds. This year the amount is \$5,877.06. Stanke moved, Fuchs seconded to receive the entire amount as a grant, to be placed in a CD at First National Bank. Motion passed.

Stanke moved, Fuchs seconded to adjourn the meeting. Motion passed.

Meeting adjourned at 4:45 pm.

Respectfully submitted,

Tasha Saecker

Finance Committee Meeting

Elisha D. Smith Public Library – Board of Trustees

Friday, June 5th, 2009

Minutes

Present: Jill Enos (Chair), John Nebel, Kathy Wicichowski and Director Tasha Saecker

The meeting was called to order at 4:05 pm in the Administrative Meeting Room.

Two items were added to the agenda at Nebel's request: Reviewing Matching Options for the Gates Grant and the Bylaws of the Friends of the Elisha D. Smith Public Library.

Director Saecker spoke about the general budget outlook and her concerns for the 2010 budget. Other libraries in the area are seeing flat funding for 2010. There are no firm numbers at this time for our budget process.

Director Saecker recapped the monetary impact of the Long Range Plan items, explaining that all of the items for 2010 can be done within the existing budget figures. That changes if the library sees cuts in 2010.

Wicichowski mentioned her interest in the teen programming for 2010 mentioned in the Long Range Plan. She also asked about the sequence of the Teen Advisory Group following the programming portion of the plan. Director Saecker will look at moving the Advisory Group to 2010.

Nebel mentioned concerns about Director Saecker taking minutes while being involved in the meeting. Chair Enos didn't see a problem so the meeting continued with Director Saecker taking minutes.

Chair Enos asked about what the library would do if we had more funding. Director Saecker spoke about opportunities with a Goodwill branch location or a mobile facility. Full board support would have to be garnered before moving ahead with a project of that magnitude.

A discussion about extending library hours on either summer Saturdays or Sundays was held. It was decided if funding is available the library will conduct a survey of library users to find out what hours would be of most benefit to the community.

Director Saecker also talked about the library roof and the fact that the library has an old roof attached to a new roof. The roof cost has already been brought to the City's attention as a capital cost. It will most likely have to be replaced in the next five years.

Chair Enos recommended that the Finance Committee ask all board members to think about priorities and have funding at the top of their mind. They recommend that the library look at additional open hours on summer weekends and be ready to react to budget numbers as they are received.

Nebel brought up his concerns about how the library will fund the matching portion of the Gates Grant. Director Saecker explained that the matching funds will be covered by the technology funds at WALC, just as the self-check machines were funded last year.

Nebel requested access to the Friends of the Library bylaws to better understand the monetary relationship between the Friends and the library board. Director Saecker questioned the relevancy of the request. The committee members were given copies of the requested document following the meeting.

The meeting adjourned at 4:45 pm. Motion by Nebel/second by Wicikowski.

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
June 2, 2009
MINUTES

A. CALL TO ORDER

The meeting was called was called to order at 3:38 p.m. by Mayor Donald Merkes.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Norm Sanders

OTHERS PRESENT: CDD Keil

C. MINTUES TO APPROVE

1. Minutes of the May 19, 2009 Plan Commission Meeting

Moved by Ald. Benner, seconded by Comm. Sturm to approve the May 19, 2009 Plan Commission meeting minutes.

The motion carried.

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

1. No one spoke.

E. DISCUSSION

1. Rezoning of 910 – 912 Clovis Avenue R-1 to R-2

CDD Keil stated that he had been contacted by the real estate broker representing this property with regard to the property zoning and use. The property is zoned R-1 Single Family Residential. The housing unit was constructed as a side-by-side duplex in the mid-1960's and has been occupied as such since. The duplex can continued to be used as such, but if it is damaged beyond 50 percent of its value, or if the two family use is discontinued for a year or more, it would need to be rebuilt or reoccupied as a single family dwelling. The realtor reported that this was problematic for the lender, as the rental income is considered in the financing. CDD Keil requested input from the Plan Commissioner's on what, if any, steps should be taken to address this scenario.

Commissioners discussed the relationship of the subject property to other properties zoned or used as two family, the prevalence of this situation elsewhere in the community, the distinction between properties built as two-family structures vs. those converted fro single to two family, the possibility of applying standards to, or creating overlay districts where under or wherein such rezonings would be permissible.

This item was held pending the generation of additional information/options by staff.

F. ACTION ITEMS

1. Proposed Amendment to Title 13, Article B Related to the Height, Setback and Area Exceptions

CDD Keil stated that this amendment was proposed to limit the placement of structures in

close proximity to drainageways. This item was held over from the May 19 meeting to obtain related information from the International Building Code requirements. Ald. Benner reviewed the IBC standards as they relate to foundations and setbacks from slopes.

Commissioners discussed how these standards might be applied in specific circumstances. Following discussion, Ald. Benner made and DPW Radtke seconded a motion to recommend approval of amendments to Title 13, Article B related to height, setback and area exceptions.

The motion carried.

G. ADJOURNMENT

Moved by Comm. Schmidt, seconded by Ald. Benner to adjourn at 4:23 p.m.

The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director

City of Menasha



MENASHA POLICE COMMISSION MEETING MINUTES

DATE: May 21, 2009 5:00 PM

I Roll call

Commissioner Liebhauser called the regular bimonthly meeting to order at 5:00pm at the Menasha Safety Building, 430 First Street, Menasha, WI.

II Attendance

Present: Barb Ballard, Ron Duuck, Jim Liebhauser, Terri Reuss, Craig Wussow, Marshall Spencer, Chief Stanke.

Excused absence: None

III Minutes from March 19, 2009

- Ron Duuck motioned to accept. Terri Reuss seconded motion. Unanimous approval

IV Elections:

- President- Ron Duuck nominated Jim Liebhauser. Terri Reuss seconded. Unanimous approval
- Vice President- Terri Reuss nominated Ron Duuck. Craig Wussow seconded. Unanimous approval
- Secretary- Craig Wussow nominated Marshall Spencer. Ron Duuck seconded. Unanimous approval

V Report of department heads/ Staff/ Consultants

Police report; Chief Stanke.

1. Training Certificates:

- Mark Mauthe, Dave Jagla, Jim Verkuilen Wisconsin Association of Identification
- Matt Albrecht attended Highway Safety Conference, Green Bay
- Ron Bouchard and Dave Jagla U.S. Attorney's Office/ State wide terrorism Conference
- Jamal Kwar Instructor Development Course FVTC
- Jim Verkuilen IACP 1st Responder Basic Training FVTC
- Nick Thorn Radar Operation Certification, FVTC
- Paul Scheppf Clandestine Laboratory Investigations,
- Matthew Albrecht Traffic and Impaired Driving Law Program UW Law School
- Amy Cook Safety Childhood Conference for School Liaison Officers, US Attorney's office
- Paul Scheppf Selection and Interviewing CVMIC
- Larry Bonneville, Chuck Sahr and Bob Stanke Back Ground Investigation for Public Safety Positions, West Allis PD
- Mike Brunn- Chief Executive: leadership Course, The Southern Police Institute Fond du Lac, WI
- Ron Bouchard and Dave Jagla WAHI's training Lake Geneva, WI
- Matthew Albrecht Selection and Interviewing CVMIC, Menasha, WI
- Brett Halderson-Wound Ballistic Workshop. NEWTC
- Matt Lenss-Basic Sniper Course, NEWTC
- Paul Scheppf -tracking certification

2. MPD participated in joint ventures with Town of Menasha, Winnebago Sheriff's Dept, Winnebago County Emergency Government, Gold Cross, Neenah/ Menasha Rescue and Menasha Joint Schools in active shooter Scenario

3. Lt Tim Styka received MBA from UW.

4. Received letter of thanks from Mr. & Mrs. Ron Duuck, complementing Officer Picard COPS hiring Recovery Grant request-Should have results between 7-1 and 9-1.

5. Chief Stanke attended Bargaining in a Recession training; Davis Kuethau Law Firm

VI Old business: none

VII New business: none

VIII Correspondence: none

IX Next meeting

July 16, 2009

X Adjournment

Terri Reuss motioned to adjourn at 5:54PM. Craig Wussow seconded the motion. Unanimous approval

Respectively Submitted,
Marshall Spencer
Commissioner, Secretary

**CITY OF MENASHA
SUSTAINABILITY BOARD
Common Council Chambers
140 Main Street, Menasha
Tuesday, May 19, 2009**

Minutes

A. CALL TO ORDER

Meeting called to order by Sadie Schroeder at 6:35 p.m.

B. ROLL CALL/EXCUSED ABSENCES

Present: Mike Dillon, Roger Kanitz, Sadie Schroeder, Becky Bauer

Excused: Linda Stoll, Trevor Frank

Also present: CDD Greg Keil, Catherine Neiswender, Kevin Abernathy

C. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE SUSTAINABILITY BOARD

No one spoke

D. MINUTES TO APPROVE

1. Sustainability Board Minutes, 5/19/09

Motion made by Mike Dillon, seconded by Becky Bauer to approve the minutes of the February 17, 2009 meeting.

The motion carried

E. COMMUNICATIONS

1. Farm Fresh Market Update

Kristin Sewall sent a memo to the board describing vendor contacts and marketing initiatives. Fifteen vendors are expected this year.

2. 2009 Conservation Expo

Mike Dillon distributed information on the 3rd Annual Conservation Expo to be held on Saturday, May 30 at the Sunnyview Expo Center.

3. Creation of Local Environmental Talk Show

Sadie Schroeder reported on a conversation she had with representatives of 91.1 The Avenue regarding possibilities for an environmental talk show. Commissioners discussed the format of the show and possibilities for other venues including UTube and cumus Broadcasting as well as potential sponsors of the show.

F. DISCUSSION ITEMS

1. Green Scene Art Show

Mike Dillon reported that the program has evolved away from the art show concept and is now focusing on several events at Heckrodt Wetland Reserve. SCA Tissue will also be holding water quality related events.

2. Report on City Department TNS Presentations/Sustainability Policy

CDD Keil reported that not much progress had been made on putting this together, largely due to departmental work priorities. Several suggestions were made, including looking at processes that were used by other communities to engage staff in sustainability training.

3. Status Report on Pool Baseline Study
CDD Keil reported this is on hold pending the hiring of a new park superintendent.
4. Status Report on Demonstration Projects
A meeting was held on May 11 to evaluate the preliminary design for the rain garden at the ECWRPC office site. Final plans are to be prepared over the next several weeks.
5. Sustainability Board Volunteer Form
About a dozen people responded to the solicitation in the city newsletter. Commissioners discussed placing volunteer forms at various locations, including the farmer's market and to mail to participants in TNS study circles. It was also suggested that the Sustainability Board Chair write a letter to the respondents acknowledging their statement of interest and possibly inviting them to some sort of kick-off meeting.
6. Status report on Valley Transit Meeting
Roger Kanitz reported that a meeting was held with city staff and representatives of Valley Transit and the East Central Wisconsin Regional Planning Commission. Discussion focused on meeting community needs and expanding the system. Valley Transit expressed a willingness to consider changes in the current system/services to better serve the community.
7. Beloit City Center Vision Template:
Roger Kanitz suggested that a vision for central Menasha be established somewhat along the lines of what was done in the City of Beloit. CDD Keil is to prepare information on previous planning /visioning carried out in the City of Menasha and distribute that information to board members.
8. Status report on Walking & Bike Audit
CDD Keil reported that he had received the walking and bike audit from Linda Stoll and that an intern in the Community Development Department will begin working on the project when her current assignment related to the Menasha Stormwater Utility is complete. Becky Bauer is to coordinate assistance from students with inputting data.
9. Status report on Neighborhood Electric Vehicle Ordinance
CDD Keil reported that Information was provided to the East Central Wisconsin Regional Planning Commission. They will be compiling a map showing where the use of NEV's is permissible in the Fox Cities area.

G. ACTION ITEMS

1. Set next meeting date
Next meeting set for June 16, 2009

H. REPORT OF COMMISSIONERS

None

I. ADJOURNMENT

Motion made by Sadie Schroeder, seconded by Mike Dillon to adjourn at 8:35 p.m.
The motion carried.

*Respectfully Submitted by
Community Development Director Greg Keil*

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

May 27, 2009

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:30 A.M., with Commissioners Bob Fahrback, Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Carl Verhagen, Interim General Manager; Melanie Krause, Manager of Business Operations; Steve Grenell, Project Engineer; Lonnie Pichler, Electric Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Kristin Schalinski, Business Operations Accountant; Dick Sturm, Manager of Steam Production; Jerry Sturm, Water Plant Supervisor; John Teale, Technical Services Engineer; Chris Voigtlander, Energy Services Representative, and the Press.

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

Mary Nebel, 713 First Street, spoke regarding Commission correspondence referencing the claim from Sonoco-U.S. Mills and the notification terminating the boiler lease at Sonoco.

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

- A. Minutes of the Regular Meeting of April 23, 2009.
- B. Minutes of the Special Joint Common Council and Menasha Utilities Commission meeting of April 22, 2009.
- C. Approve and warrant payments summarized by checks dated April 30, and May 7 - 27, 2009, which includes Net Payroll Voucher Checks, Void O & M Check #037555, and Operation and Maintenance Voucher Checks for a total of \$1,811,766.26, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- D. Correspondence, as listed.
 - Copy of proposed minutes from December 11, 2008, WPPI Energy Board of Directors meeting (approved at 5/14/2009 meeting)
 - Copy of minutes from March 20 MEUW Board of Directors meeting (approved at 5/15/09 meeting)
 - Copy of memorandum dated May 1 to Member Directors, from WPPI Energy Director of Marketing & Outreach Lauri Isaacson, re: American Recovery and Reinvestment Act of 2009
 - Copy of letter dated May 1 to City of Menasha and Menasha Utilities from, REC Capital market Corporation, re: Request for Investor Call
 - Copy May 5 Post Crescent article, re: WPS files for 4.95% rate hike
 - Copy of letter dated May 11 to Mayor Donald Merkes, from Zirkin Cutler Investments, Inc., re: City of Menasha Bond Anticipation Notes
 - Copy of letter dated May 18 to WI DNR, from Commission President Mark Allwardt, re: Air Pollution Construction Permit Application

Copy of letter dated May 20 to Anita Gallucci, Boardman Law Firm, from Michael Simpson, Reinhart Attorneys at Law, re: City of Menasha/Menasha Utilities and Sonoco-U.S. Mills

Copy of letter dated May 20 to Interim General Manager Verhagen, from Michael Simpson, Reinhart Attorneys at Law, RE: Notification Terminating Boiler Lease, Sonoco-U.S. Mills

Comm. President Allwardt asked Interim General Manager Verhagen to review the correspondence regarding the termination of the boiler lease.

Mr. Verhagen explained Menasha Utilities leased the use of Sonoco's boilers to assist with maintenance during scheduled outages of existing boilers.

Comm. Allwardt asked about the number of claims with Sonoco; Mr. Verhagen stated there is just one claim regarding 2008 and 2009 overcharges. Attempts have been made through the attorneys to arrange discussions, and the next step is to choose an arbitrator if that is the direction to proceed.

In reply to Comm. Allwardt's question regarding a conference call with bondholders, Mr. Verhagen commented that arrangements would be made for a conference call with the bondholders once the Common Council takes action at their meeting.

Item IV. April Financial and Operations Statement – Manager of Business Operations Krause reported there is an OSHA reportable hearing loss with a decibel shift.

On the electric financial statement, the CP3 and CP4 customers are down consumption wise, and the steam plant consumption is also down for the month.

The water income statement reflects less water being taken, although the Town of Menasha is still taking more water than they have in the past. The water treatment expenses are still being driven by the chemical costs.

The steam takes are 17% less than budget, and include the pricing difference. There were no MISO sales for the month, but it was offset by coal, chemicals, water and power. The maintenance expenses are under budget due to the April outage being postponed.

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

Item V. Claims Against The Utility – Mrs. Krause stated the latest from Sonoco was included in the correspondence.

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

Item VII. Unfinished Business, Storm Water Update – Manager of Customer and Utility Services Rodriguez reported they are continuing to work with the City during the second month of billing.

Item VIII. New Business, MEUW Annual Conference – Mr. Verhagen stated the conference will be June 24 – 26 in Manitowoc. Interested Commissioners and staff should contact Lindy to register.

WPPI Energy Shared Savings Program – Mr. Rodriguez reviewed the information included in the packet regarding this low interest rate program for commercial customers. The program would provide upfront energy savings to commercial customers to fund energy efficiency projects without providing their own upfront capital. There is a stipulation in the program where WPPI Energy and Menasha Utilities would split any defaulted amount 50/50; if that would happen Commitment to Community funds would be utilized. If the program is approved, WPPI Energy will coordinate filing the tariffs with the PSC.

The motion by Comm. Watson, seconded by Comm. Merkes, was unanimously approved on roll call to participate in the Shared Savings Program.

WPPI Energy Stimulus Project Concepts – Mrs. Krause reviewed information received at the WPPI Energy Board of Directors meeting on May 14. WPPI Energy is looking at filing joint applications with members once the guidelines and applications are released for the projects.

Stern Brothers & Co. Analysis and Recommendation – Comm. Allwardt stated there has been no change since the initial recommendation to cease operations. The next step would be for the Commission to approve the following Resolution of the Menasha Utilities Commission Regarding Cessation of Steam Utility Operations, and to forward it to the Common Council:

**RESOLUTION OF THE MENASHA UTILITIES COMMISSION
REGARDING CESSATION OF STEAM UTILITY OPERATIONS**

WHEREAS, the Menasha Utilities Commission ("Commission") has entire charge and management of the City of Menasha's municipal steam utility (the "Steam Utility"), subject to the general control and supervision of the City of Menasha ("City") pursuant to Section 9-5-1 of the City of Menasha municipal ordinances and Wis. Stat. § 66.0805; and

WHEREAS, unforeseeable events beyond the reasonable control of the City, the Commission, and the Steam Utility have made it impossible for the Steam Utility to generate sufficient revenues to recover its current and projected operation and maintenance costs, to meet debt coverage requirements, and to perform its obligations, including (i) unforeseeable increases in the cost of converting plant operations to better facilitate the burning of Powder River Basin coal; (ii) unforeseeable increases in the cost of fuel supply and transport; (iii) unforeseeable decreases in customer demand for steam supply; (iv) unprecedented decreases in spot market prices for electricity; and (v) pending actions by the Wisconsin Department of Natural Resources, the federal Environmental Protection Agency and the Sierra Club to require the installation of pollution control equipment, and in the case of the latter, to no longer burn coal at

all, actions which pose additional financial and litigation risks at present and in the foreseeable future at an as yet unknown additional cost that cannot be borne by the Steam Utility or the City; and

WHEREAS, the financial firm of Stern Brothers & Co. ("Stern Brothers") has analyzed the current and prospective financial performance of the Steam Utility with a view toward determining whether and under what conditions the City would be able to structure a refinancing of its existing steam utility related financial obligations, which include \$24 million in principal and interest on revenue bond anticipation notes, which are due to be paid in full on September 1, 2009 ("Revenue BANS"); and

WHEREAS, the result of this analysis is contained in a report designated "Menasha Steam Utility Strategy Analysis and Recommendation," which the Commission has reviewed; and

WHEREAS, Stern Brothers concludes that, under the existing steam supply contracts, the Steam Utility will be unable to cover operating expenses in 2009 and beyond and will not generate sufficient revenues to provide payment for any of the revenue or general obligation notes issued to finance the Steam Utility and therefore cannot access the financial markets to refinance the Revenue BANS, and

WHEREAS, as a result of this conclusion, Stern Brothers recommends that the Steam Utility cease operating the steam plant facilities, which recommendation the Commission hereby adopts on the grounds that it is in the best interests of the City and its taxpayers; and

WHEREAS, City and utility staff, together with Stern Brothers and a team of expert consultants and legal advisors have been actively working to develop a work-out strategy and will continue to do so in an effort to minimize the impact of the Steam Utility ceasing to operate the steam plant facility on the City, its taxpayers, its steam customers, and bondholders.

NOW, THEREFORE, BE IT RESOLVED BY THE MENASHA UTILITIES COMMISSION:

1. That the Commission recommends to the Common Council of the City of Menasha that the Common Council authorize and direct the Steam Utility to cease its operation of the steam plant facility, effective July 3, 2009.

2. That the Commission recommends to the Common Council of the City of Menasha that the Common Council authorize and direct the Commission President, the Interim General Manager, staff and employees of Menasha Utilities, and, as may be appropriate, their designees (i) to issue a notice to all existing Steam Utility customers that the Steam Utility will no longer operate the steam plant facility, such notice to be issued no later than June 3, 2009, or such date as may be designated by the Common Council; (ii) to take all steps necessary to terminate any and all Steam Utility agreements with customers, vendors, or others, the termination of which is necessary due to the cessation of steam plant operations by the Steam Utility; (iii) to timely inform all other necessary parties of the Steam Utility ceasing to operate the steam plant facility; and (iv) to undertake all steps necessary to ensure that such directives be

undertaken in accordance with prudent utility and business practices, and in a manner designed to preserve as much value of the steam plant facility as may be practicable.

3. That the Commission recommends to the Common Council of the City of Menasha that, in order to preserve the value of the steam plant facility for possible sale, the Common Council authorize and direct the Commission President, the Interim General Manager, staff and employees of Menasha Utilities, and, as may be appropriate, their designees, to further evaluate alternatives for the facility to continue operating in a combined heat/power configuration and to maintain the operational readiness of the facility so it can be reactivated in the future.

4. That the Commission recommends to the Common Council of the City of Menasha that the Common Council authorize and direct the Commission President, the Interim General Manager, staff and employees of Menasha Utilities, and, as may be appropriate, their designees, to take all steps necessary to develop and implement a work-out plan for the purpose of minimizing the impact of the Steam Utility ceasing to operate the steam plant facility on the City, its taxpayers, its steam customers, and bondholders, such plan to be subject to approval by the Common Council.

Mayor Merkes added it has been a very trying time for everyone. When he took office a year ago, the expectation was this issue could be worked out and we could move forward. Approximately six months ago with the departure of the general manager a lot of things came to light that he was unaware of, and it became clear that we had a very large issue on our hands. As we move forward, all the main players that started this project are no longer with the City and taxpayers and Commission have been left to clean up the mess. He commended staff and Commission for all the work done on the project; it has been a very difficult project. We have learned about the importance of contractors we choose, the importance of legal counsel to review items, and we are taking it all into consideration as we move forward in this process. He also commended Alcan for their willingness to work with us, their openness on the contracts, and for being a very good customer to the Utility and City. A contract with SCA was never secured before the project was started, and SCA cannot be blamed for making a business decision that they could produce steam more efficiently on their own. Finally, he thanked the employees at the Steam Plant. They have worked extremely hard to make this project viable, and the actual operations at the plant have not been an issue for quite some time. Some of the construction problems were solved by the employees at the plant and they have done an outstanding job. It is a very sad time to be doing this, but we cannot continue to subsidize corporations at the expense of taxpayers at this point. If we can't at least break even on the project we have to move forward.

Comm. Guidote added the reason it took this long to come to a resolution was that we did try to explore as many options as we could. We knew from the outset it was going to be a daunting task to keep the Steam Plant afloat, but we owed it to the City, the customers, and the employees to try to make it work. In order for that to happen there had to be a number of things fall into place – renegotiated contracts, a favorable arbitration ruling; and environmental issues.

Comm. Allwardt stated preliminary costs for shutting down the Steam Utility are fairly large, which include the claims, an environmental violation legal expense, and decommissioning. He questioned where the money is coming from after the assets of the Steam Utility are gone. Mr. Verhagen responded the obligation falls to the City. The Electric and Water Utility, by virtue of its structure of being regulated, has restrictive covenants that control any subsidizing into other areas. The Electric and Water Utilities would have no obligation for the remaining unpaid debt. Mrs. Krause added there would be only a small portion on the personnel and unemployment side because some of the steam plant employees split their time between electric and steam, so their share of time spent in electric would be a cost to electric.

Mr. Verhagen commented the impact on electric and water is that the Steam Plant was a customer, and it will have a significant impact on budgets due to lost revenue.

Comm. Fahrback asked about potential sale of the facility and its assets. Mr. Verhagen stated if action is taken, the next step will be to investigate interest in the plant. The attempt to move forward with the air permit process will be to try and enhance the value of the plant so someone could take on the place and re-start it. During the next few months we will need to see how we can maximize the benefit of the Steam Plant to the advantage of the City. There is still a lot of work to be done to investigate all options.

The motion by Comm. Fahrback, seconded by Comm. Guidote, was unanimous on roll call to adopt the resolution and recommend the Common Council authorize cessation of Steam Utility operations.

Stern Brothers & Co. Recommendation to Engage Bond Counsel to Assist City in Bondholders Negotiations – Mayor Merkes reported on the interview with one bond counsel, and Stern Brothers is seeking a second quote from another bond counsel. Counsel would guide us on issues with bondholders and the workout plan for the Steam Utility. We feel it is important to have someone with experience and who specializes in bond workout plans.

The motion by Comm. Guidote, seconded by Comm. Fahrback, was unanimously approved to recommend the Common Council engage special bond counsel to assist the City.

Item IX. Project Reports, Third Street Water Main Project – Electric and Water Distribution Supervisor Pichler reported the project is almost complete; there is some lawn restoration to finish along with restoring Polonia Street. There were some savings on restoration and changes in the field which should result in a savings of approximately \$10,000.00.

Item X. Staff Reports, Interim General Manager – Mr. Verhagen thanked the Commission for their support and efforts to make this decision. He also thanked the Steam Team: Melanie Krause, Dick Sturm, and Steve Grenell, for all their help. This is not something that was done easily; there was a lot of effort and a lot of hard work.

Comm. Fahrback, on behalf of the Commission, thanked Mr. Verhagen for all his guidance.

Electric and Water Distribution/Safety Report – Mr. Pichler added the lighting for Third Street is being re-ordered because the incorrect item was shipped.

Steam Utility – Mr. Sturm stated with the decision that has been made, staff will still maintain safe and efficient operations until the doors close. Steve Grenell has obtained some flexibility with the coal vendor to ensure the fuel supply will fit our operation, and there will not be any penalties in the fuel area. There is still an outstanding purchase order for the desuperheater pump. The machined repair on that pump is still holding at this time, and attempts will be made not to use the purchase order unless absolutely necessary.

Water Plant – Water Plant Supervisor Jerry Sturm reported more chemicals are being used, and costs are higher. A phone conversation was held recently with the PSC regarding a chemical rate adjustment and full rate case application would need to be made for implementation.

Mrs. Krause added the PSC did not like the administrative part associated with a chemical cost adjustment on a monthly basis and tracking it. They might be more open to considering higher thresholds in the future. Even if the rate impact would be minor, it may be more beneficial to realign our rate structure with the chemical portion.

Telecommunications & Substations – Technical Services Engineer Teale stated he is still reviewing potential listing of future customers and hopes to have it completely for the next meeting.

Mayor Merkes asked about a strategic plan, and Mr. Teale expects to have some information on a plan at the next meeting also.

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

Customer and Utility Services – Mr. Rodriguez added the number of web credit card payments has decreased. It appears customers are coming into the office to make their payment instead.

In response to Comm. Fahrback's question regarding disconnections, Mr. Rodriguez stated there are approximately 30 – 40 per billing cycle. Appropriate reconnection charges are made according to the tariffs in place.

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

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

Mary Ann Mulvey, 274 Misty Meadows Lane, request a copy of the resolution.

Tim Gosz, 98 Fox Street, stated it was a sad day for the City of Menasha; the Utility has been a huge asset for the City. He has worked for the Utility his entire life, and believes the motives of the Commission were good. To blame the few people that are no longer here is misguided. If the Commission would listen more to the people that are employed, a lot of these mistakes could

have been avoided. No one was ever held accountable for the mistakes made at the Steam Plant. There is a lot of expertise within the Steam Utility, and it is his opinion the Commission has let the people of Menasha down. As an employee, and citizen of Menasha, he does not have much confidence left in the Commission and it may be time for some of the Commissioners to step down and let some new leadership come in with a fresh outlook to lead the Utility back so it can be an asset to the City.

Joanne Roush, 409 Cleveland Street, spoke on the lack of a business plan and lack of finances regarding the closure of the steam plant. She also spoke about the lack of proper structure in place to ensure accountability to the broader interests of the City.

Item XII. The motion by Comm. Fahrbach, seconded by Comm. Merkes, was unanimously approved on roll call at 9:05 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (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, and (e) of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. RE: Steam Customer Contracts and Potential Litigation

And 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: Personnel: Staffing & Transition Plan

The motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved at 10:45 am to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

A discussion was held regarding the employee transition plan once the Common Council takes action on the resolution concerning cessation of Steam Plant operations.

The motion by Comm. Guidote, seconded by Comm. Merkes was unanimous to approve the organizational chart and to direct staff to create job descriptions to fit the structure.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 11:40 a.m.

By: MARK L. ALLWARDT
President

CARLA R. WATSON
Secretary

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

CLOSED SESSION OF THE WATER AND LIGHT COMMISSION

May 27, 2009

Draft

Commission President Mark Allwardt called the Closed Session to order at 10:15 a.m., upon the unanimously approved motion by Comm. Guidote, 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: Personnel: Staffing & Transition Plan

Commissioners Fahrbach, Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Interim General Manager Verhagen, Manager of Business Operations Krause, Manager of Steam Production Sturm, and Project Engineer Grenell.

The purpose of the Closed Session was to discuss personnel and staffing.

The motion by Comm. Merkes, seconded by Comm Watson, was unanimously approved at 10:45 am to adjourn from Closed Session and to reconvene into Open Session of the Water and Light Commission.

A discussion was held regarding the employee transition plan once the Common Council takes action on the resolution concerning cessation of Steam Plant operations.

The motion by Comm. Guidote, seconded by Comm. Merkes was unanimous to approve the organizational chart and to direct staff to create job descriptions to fit the structure. There being no further business, the motion by Comm. Merkes, seconded by Comm. Fahrbach, was unanimously approved to adjourn at 11:40 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.



JIM DOYLE
GOVERNOR
STATE OF WISCONSIN

To:CC
From: Mayor
Merkes
FYI

April 28, 2009

Michael Beeck and Jeff Buser
The Wreath Factory
220 Main St.
Menasha, WI 54952

Dear Michael and Jeff:

Congratulations on the growth and expansion of the Wreath Factory in Menasha. You should be very proud to be playing such a vital role in the growing business community of Menasha.

Your addition to the Wreath Factory has added to the diversity of options available to area residents and will enhance the character of the community.

Best of luck as you continue to build a successful business in Wisconsin.

Sincerely,

Jim Doyle
Governor

POST OFFICE BOX 7863 • MADISON, WISCONSIN 53704-7863
TELEPHONE: (608) 266-1212 • FAX: (608) 267-8983 • WWW.WISGOV.STATE.WI.US



Calumet County Treasurer

206 Court St.
Chilton, WI 53014

Michael V. Schlaak

FILE COPY

Chilton (920) 849-1457
Fax (920) 849-1469
Appleton Area (920) 989-2700
Email MikeS@co.calumet.wi.us

May 22nd, 2009

John VanderWielen
1981 E Midway Rd.
Menasha, WI 54952

RE: Delinquent 2005 and prior Real Estate Taxes

This letter is to inform you that the Calumet County Treasurer's office has amended the **FINAL REDEMPTION DATE** for payment of your property taxes. This is the final step in the foreclosure process for the property listed in this packet. This parcel is clearly identified by a unique parcel number and tax identification number.

This process is pursuant to Section 75.521 of the Wisconsin State Statutes and is on file in the Calumet County Clerk of Courts and Treasurer's office.

The **FINAL** day to redeem this property is **July 23rd, 2009** if delinquent taxes for **ALL** past due tax years are paid in full. After this date, Calumet County will begin court proceedings to take title to this property.

Please contact our office for information on the total amount necessary to redeem this property immediately.

Sincerely,

Michael V. Schlaak
Enclosures

cc: Beverly VanderWielen
Ramamaohan & Suhasini Turlapati
Anchor Bank, FSB
City of Menasha Clerk, Debbie Galeazzi
Calumet County Board Chair, William Barribeau

RECEIVED
JUN 1 2009

CITY OF MENASHA
BY dg

**DESCRIPTION
PARCEL A**

Lot One (1), of Certified Survey Map No. 1939, filed in the office of the Register of Deeds for Calumet County, Wisconsin in Volume 14 of Certified Survey Maps on Page 6, as Document No. 262087, being part of Lot 3 of Certified Survey Map 1873, recorded in Volume 13 on Page 205, as Document No. 255041, being part of the Northwest ¼ of Section 7, Township 20 North, Range 18 East, City of Menasha, Calumet County, Wisconsin.

Tax Key No.: 7-00050-04

ADDRESS: 1981 Midway Rd, Menasha, WI 54952

INTERESTED PARTIES

John L. Vander Wielen
Beverly A. Vander Wielen
Ramamohan V. Turlapati
Suhasini Turlapati
AnchorBank, FSB

| YEAR OF TAX | YEAR OF SALE | PRINCIPAL SUM OF TAX LIEN |
|-------------|--------------|---------------------------|
| 2005 | 2006 | \$11,933.79 |
| 2006 | 2007 | \$14,258.71 |
| 2007 | 2008 | \$14,010.79 |
| | TOTAL | \$40,203.29 |



CALUMET COUNTY TREASURER
206 COURT STREET

CHILTON WI 530141198
Phone: (920) 849-1457
5/22/09

| | |
|---------------------------------------|-------------------------------|
| Parcel Number | 1028 |
| 251-0000-0000000-000-0-H70050-04-000A | 251 H 7 00050 04 |
| VANDERWIELEN JOHN L | Legal Description |
| 412 N WHITE OAK DR | 1981 E MIDWAY RD |
| APPLETON, WI 54915 | NW1/4 NW1/4 SEC. 7-20-18 |
| | LOT 1 CSM #1939 VOL 14 PAGE 6 |
| | 1.002 AC |

* * D E L I N Q U E N T T A X S T A T E M E N T * *

| TAX YEAR | BASE TAX | PENALTY/INT | OTHER +/- | TOTAL DUE |
|-----------|-----------|-------------|-----------|-----------|
| ===== | ===== | ===== | ===== | ===== |
| 05-2 | 11,933.79 | 7,160.28 | 200.00 | 19,294.07 |
| 06-2 | 14,258.71 | 5,988.66 | .00 | 20,247.37 |
| 07-2 | 14,010.79 | 3,362.59 | .00 | 17,373.38 |
| Total Due | 40,203.29 | 16,511.53 | 200.00 | 56,914.82 |

This is a statement of your delinquent REAL ESTATE TAX ROLL
as of 05/22/09.

IF THIS STATEMENT LISTS TAX YEARS 2005 OR EARLIER, your property can be foreclosed per WI STAT.75.521. A \$200 IN-REM fee will also be charged to your account. Penalty & interest charges are compounded each month. The total due stated above must be received or post-marked by May 31st, 2009.

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2005 THROUGH 2008,
No. 1

**ORDER APPOINTING
GUARDIAN AD LITEM
Class Code No. 30404**

UPON reading the petition of Pamela A. Captain, Corporation Counsel for Calumet County, in the above-entitled proceedings in rem, from which it satisfactorily appears that under the provisions of Section 75.521 (12) of the Wisconsin Statutes, it is necessary that a guardian ad litem be appointed to serve for all persons known or unknown, who have or may have an interest in the lands described in the list of tax liens mentioned in the caption herein, and who are or may be minors or incompetents at the time of the filing of such list of tax liens, and,

Being satisfied that James Ungrodt is a fit, competent, and suitable person to be appointed as such guardian ad litem;

NOW, THEREFORE, IT IS ORDERED That James Ungrodt, an attorney of Calumet County, Wisconsin, be and hereby is appointed guardian ad litem for all persons known or unknown, who have or may have an interest in the land described in the list of tax liens mentioned in the caption herein, and who are or may be minors or incompetents at the time of the filing of such list of tax liens to appear for such persons and protect and defend their interest in the above-entitled proceeding in rem.

Dated May 18, 2009.

BY THE COURT


Donald Poppy, Circuit Court Judge

AUTHENTICATED COPY
Case # 09-CV-180
Date MAY 18 2009
Calumet County Clerk of Courts
Barbara VanAkkeren

Case No. _____
**NOTICE OF COMMENCEMENT PROCEEDING IN REM
TO FORECLOSE TAX LIENS BY CALUMET COUNTY**

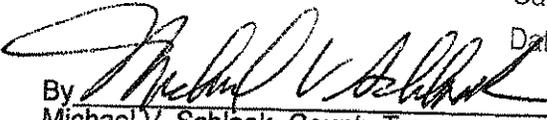
PLEASE TAKE NOTICE that all persons having or claiming to have any right, title or interest in or lien upon the real property described in the list of tax liens, No. 1 on file in the office of the Clerk of Circuit Court of Calumet County dated May 18, 2009, and hereinabove set forth are hereby notified that the filing of such list of tax liens in the office of the Clerk of Circuit Court for Calumet County constitutes the commencement by said Calumet County of a special proceeding in the Circuit Court for Calumet County to foreclose the tax liens therein described by foreclosure proceedings in rem and that a notice of the pendency of such proceedings against each piece or parcel of land therein described was filed in the office of the Clerk of Circuit Court on May 18, 2009. Such proceeding was brought against the real property herein described only and is to foreclose the tax liens described in such list. No personal judgment will be entered herein for such taxes, assessments or other legal charges or any part thereof.

TAKE FURTHER NOTICE that all persons having or claiming to have any right, title, or interest in or lien upon the real property described in said list of tax liens are hereby notified that a certified copy of such list of tax liens has been posted in the office of the County Treasurer of Calumet County and will remain posted for public inspection up to and including **July 23, 2009**, which date is hereby fixed as a last day for redemption.

TAKE FURTHER NOTICE that any person having or claiming to have any right, title, or interest in or lien upon any such parcel may, on or before said **July 23, 2009**, redeem such delinquent tax liens by paying to the County Treasurer of Calumet County, the amount of all such unpaid tax liens and in addition thereto, all interest and penalties which have accrued on said unpaid tax liens, computed to and including the date of redemption.

Dated May 18, 2009.

CALUMET COUNTY

By 
Michael V. Schlaak, County Treasurer

AUTHENTICATED COPY
Case # 09-CV-180
Date MAY 18 2009

Calumet County Clerk of Courts
Barbara VanAkkeren

STATE OF WISCONSIN

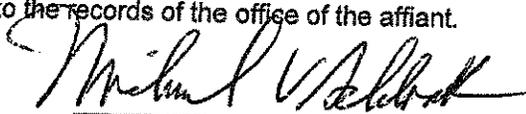
CIRCUIT COURT

CALUMET COUNTY

AFFIDAVIT
Class Code No. 30404

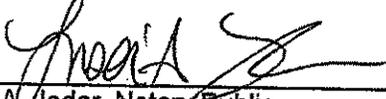
State of Wisconsin)
) SS.
Calumet County)

Michael V. Schlaak, being first duly sworn, on oath states that he is the County Treasurer of Calumet County, Wisconsin, and that the foregoing list of tax liens and statements and data therein contained are true and correct according to the records of the office of the affiant.



Michael V. Schlaak

Subscribed and sworn to before me on
May 18, 2009.



Lisa A. Jodar, Notary Public
My Commission expires: 12/16/12

AUTHENTICATED COPY

Case # 09-CV-180

Date MAY 18 2009

Calumet County Clerk of Courts
Barbara VanAkkeren

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2005 THROUGH 2008
No. 1

APPLICATION FOR APPOINTMENT
OF GUARDIAN AD LITEM
Class Code No. 30404

State of Wisconsin)
) SS.
Calumet County)

Pamela A. Captain, being first duly sworn, states that she is the Corporation Counsel in and for Calumet County; that the above-entitled proceeding in rem has been commenced and is now pending in this court and is brought for the foreclosure of tax liens pursuant to Wisconsin Statutes Section 75.521. That under the provisions of said Section 75.521 (12), it is necessary that a guardian ad litem be appointed to serve for all persons known or unknown who have or may have an interest in the lands described in the list of tax liens mentioned in the caption herein, and who are or who may be minors or incompetents at the time of the filing of such list of tax liens, and that application, therefore, is hereby made.



Pamela A. Captain
State Bar #1023192
Calumet County Corporation Counsel
206 Court Street
Chilton, WI 53014-1198
(414) 849-1443

Subscribed and sworn to before me on
May 18, 2009.



Lisa A. Jodar, Notary Public
My Commission expires 12/16/12

AUTHENTICATED COPY

Case # 09-CV-180

Date MAY 18 2009

Calumet County Clerk of Courts
Barbara VanAkkeren

STATE OF WISCONSIN

CIRCUIT COURT

CALUMET COUNTY

IN THE MATTER OF FORECLOSURE OF
TAX LIENS UNDER SECTION 75.521,
WISCONSIN STATUTES, BY
CALUMET COUNTY, LIST OF TAX LIENS
FOR THE YEARS 2005 THROUGH 2008,
No. 1

**PETITION AND NOTICE AND
LIST OF TAX LIENS OF CALUMET
COUNTY BEING FORECLOSED BY
PROCEEDING IN REM
Class Code No. 30404**

AUTHENTICATED COPY

Case # 09-CV-180

Date MAY 18 2009

Calumet County Clerk of Courts
Barbara VanAkkeren

TO THE CIRCUIT COURT FOR CALUMET COUNTY, WISCONSIN:

NOW COMES Calumet County, State of Wisconsin, by Michael V. Schlaak, its County Treasurer

and Pamela A. Captain, Corporation Counsel, and files this list of tax liens of Calumet County for the taxes of 2005 through 2008, sales of 2006 through 2009, and alleges and shows to the Court:

1. That each of the following described parcels of land has been sold to Calumet County for delinquent taxes and some tax certificates, therefore, have been outstanding for three or more years.
2. That Calumet County is now the owner and holder of the tax liens for the taxes of the years indicated in this list, as evidenced by the tax sale certificates numbered below.
3. That Calumet County has, pursuant Section 66-1 of the Calumet County Code of Ordinances, elected to proceed under Section 75.521 of the Wisconsin Statutes for the purpose of enforcing tax liens in said county.
4. That said list, made and filed pursuant to the provisions of Wisconsin Statutes Section 75.521, is as follows, to wit:

Interest on the principal sum of each tax lien listed above is charged at the rate of 1 percent per month from January 1 of the year of sale through August 31, 1987, and at the rate of 1 1/2 percent (including penalty) per month from September 1, 1987, to the date of redemption.

All descriptions by lot and block numbers refer to plats and maps filed in the office of the Register of Deeds of Calumet County, WI.

5. That no municipalities other than Calumet County, have any right, title or interest in the above-described lands or in the tax liens or in the proceeds therefor, except as stated herein.

WHEREFORE, Calumet County petitions for judgment vesting title to each of said parcels of land in said Calumet County, Wisconsin, as of the date of entry of judgment in this action, and barring and foreclosing any and all claims whatsoever of the former owner, and any person having any right, title,

interest, claim, lien or equity of redemption and any person claiming through and under them to said lands since the date of filing this list of tax liens in the office of the Clerk of Circuit Court of Calumet County.

Dated May 18, 2009.

CALUMET COUNTY, WISCONSIN

By



Michael V. Schlaak, Calumet County Treasurer



Pamela A. Captain, State Bar #1023192
Calumet County Corporation Counsel

United States District Court

EASTERN DISTRICT OF WISCONSIN

Sierra Club

v.

SUMMONS IN A CIVIL CASE

City of Menasha, et al.

CASE NUMBER: 09-C-122

TO: (Name and Address Defendant)

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

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (Name and Address)

David C. Bender
Garvey McNeil & McGillivray, SC
634 W. Main Street, Ste 101
Madison, WI 53703

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

JON W. SANFILIPPO
CLERK

February 6, 2009
DATE

Chris A. Sexton
(BY) DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
NORTHERN DIVISION

SIERRA CLUB,
85 Second Street, 2nd Floor
San Francisco, CA 94105

Plaintiff,

vs.

CITY OF MENASHA,
140 Main Street,
Menasha, WI 54952, and

MENASHA UTILITIES
321 Milwaukee Street
Menasha, WI 54952-0340

Defendants.

'09 FEB -6 10 30

Civil Action No. 09-C-122

COMPLAINT

Plaintiff, Sierra Club, by its undersigned attorneys, alleges as follows:

INTRODUCTION

1. This is a civil action for civil penalties, declaratory and injunctive relief, with costs and fees, under the Clean Air Act ("the Act" or "CAA"), 42 U.S.C. §§ 7401, *et seq.*

2. Sierra Club seeks an order requiring the Defendants, the City of Menasha, Wisconsin and the Menasha Utilities, to comply with the requirements of the Act at the power plant located at 198 River Street, Menasha, Wisconsin ("River Street Plant"),

which is owned and operated by the Defendants and to forfeit penalties for violations of the CAA at the plant.

3. The River Street Plant is a coal-fired power plant consisting of two stoker-fed boilers and associated equipment that emits tons of carbon dioxide, nitrogen oxides, sulfur oxides, particulate matter and carbon monoxide. Those pollutants contribute to climate change, respiratory distress, cardiovascular disease, and premature mortality. Nitrogen oxides and sulfur oxides in the air also contribute to acid rain, which sterilizes lakes and damages property. Presence of those pollutants in the atmosphere is also associated with increased hospital admissions and emergency room visits.

4. On one or more occasions, Defendants modified and thereafter operated the boilers and steam distribution system at the River Street Plant without first obtaining appropriate permits authorizing that construction, without meeting emission limits that are "best available control technology," and without installing appropriate technology to control emissions of nitrogen oxides, sulfur dioxides, particulate matter, and other pollutants as required by the Act and its implementing regulations.

5. As a result of the Defendants' operation of the plant following those unlawful modifications, and in the absence of appropriate controls, unlawful amounts of various pollutants have been, and continue to be, released into the atmosphere, aggravating air pollution locally and far downwind from this plant.

6. An order from this Court directing Defendants to obtain the required permits, which necessitate compliance with best available control technology limits,

installation of modern pollution controls and a demonstration to the appropriate regulatory agencies that emissions from the facility will not result in unlawful amounts of air pollution, will improve air quality for thousands of Wisconsin residents, including Sierra Club's members. It will also reduce illness and protect lakes and streams from further degradation due to the fallout from acid rain and mercury deposition.

7. If Defendants comply with the Act, including the Prevention of Significant Deterioration ("PSD") program, 42 U.S.C. §§ 7470-7479, the plant will significantly decrease its annual air pollution emissions.

PARTIES

8. Plaintiff Sierra Club is an incorporated, not-for-profit organization with its headquarters at 85 Second Street, 2nd Floor, San Francisco, California and its Wisconsin Chapter Office at 222 S. Hamilton St., Suite 1, Madison, WI 53703-3201. Its purpose is to preserve, protect, and enhance the natural environment. Its mission includes reducing and eliminating pollution from the mining, combustion, and waste disposal of coal, which negatively affects Sierra Club's members as well as members of the public. Sierra Club has over 1.3 million members and supporters nationwide, including approximately 15,000 members in Wisconsin.

9. Defendant City of Menasha, Wisconsin, is a municipality in the State of Wisconsin that owns the River Street Plant through Menasha Utilities.

10. Defendant Menasha Utilities is a division of the City of Menasha that provides utility services to the Menasha area and operates the River Street Plant.

11. Each of the defendants is a "person" within the meaning of Sections 302(e) and 304(a)(3) of the Act, 42 U.S.C. § 7602(e), 7604(a)(3).

STANDING

12. Sierra Club has members who live, work, and recreate in the City of Menasha, as well as neighboring areas in the Fox River Valley and downwind from the plant. These members are impacted negatively by air pollution emissions from the plant. The health and welfare of Sierra Club's members, as well as their enjoyment of outdoor activities, has been and continues to be harmed by air pollution from the plant.

13. An order of this Court enjoining Defendants from operating the plant and/or requiring Defendants to procure a PSD permit with current best available control technology standards for the major modification(s) that have been made at the plant, will redress the injuries to Sierra Club's members because of the significant decreases in air pollution that will be required under a new permit.

JURISDICTION AND VENUE

14. This Court has subject matter jurisdiction over the claims set forth in this complaint pursuant to 42 U.S.C. § 7604(a), 28 U.S.C. §§ 1331, 1355, and 2201. The relief requested by the Plaintiff is authorized by statute in 28 U.S.C. §§ 2201 and 2202, and 42 U.S.C. § 7604.

15. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) because the Defendants reside in, and all or a substantial part of the events or omissions giving rise to the claims herein occurred in, the Eastern District of Wisconsin. Venue is also proper pursuant to 42 U.S.C. § 7604(c)(1) because this action is for violations at the River Street Plant, which is located within the Eastern District of Wisconsin.

16. No prior notice is required for the claims set forth below. 42 U.S.C. § 7604(a)(3).

GENERAL ALLEGATIONS

17. The Act requires that the United States Environmental Protection Agency (EPA) promulgate National Ambient Air Quality Standards (NAAQS), which are upper limits on air pollution, to protect public health and welfare, 42 U.S.C. § 7409.

18. The Act also requires each state to designate those areas within its boundaries where the air quality meets or exceeds NAAQS for each pollutant. An area that meets the NAAQS for a particular pollutant is termed an "attainment" area, whereas an area that exceeds the NAAQS is a "nonattainment" area. Areas for which there is insufficient information to determine compliance with NAAQS are "unclassifiable," 42 U.S.C. § 7407(d).

19. The River Street Plant is located at 198 River Street, Menasha, Winnebago County, Wisconsin.

20. At the times relevant to this complaint, Winnebago County was classified as either "attainment" or "unclassifiable" for all pollutants.

21. Defendants are government entities that own and are responsible for the operations of the River Street Plant.

22. The River Street Plant consists of two coal-fired boilers and associated equipment that create steam for use either to turn two turbine generators with a combined rating of 21.5 megawatts ("MW") of electricity and/or to distribute to area industrial facilities.

23. The two boilers at the River Street Plant are rated at 113.8 and 201.9 million British Thermal Units (MMBtu) per hour.

24. The River Street Plant does not have the current ability to generate more than 24.99 MW of electricity for distribution to the grid.

25. Coal is the predominant fuel for the boilers at the River Street Plant.

26. The River Street Plant has the potential to emit in excess of 100 tons per year of the following pollutants: carbon dioxide, nitrogen oxides, sulfur dioxide, carbon monoxide, and particulate matter.

27. The River Street Plant is a "major emitting facility" or "major stationary source" as those terms are used in 42 U.S.C. § 7475(a), 40 C.F.R. §§ 52.21(a)(2), (b)(1) and Wis. Admin. Code §§ NR 405.02(22).

28. Any major stationary source in an attainment or unclassifiable area that intends to construct a "major modification" must first obtain a PSD permit, 42 U.S.C. § 7475(a), 40 C.F.R. § 52.21, Wis. Stat. § 285.60 and Wis. Admin. Code § NR 405.01.

FIRST CLAIM FOR RELIEF

(Commencing Construction of a Major Modification Without a PSD Permit)

29. Paragraphs 1 through 28 are realleged and incorporated herein by reference.

30. At various times, Defendants commenced construction of one or more major modifications, affecting the boilers and associated equipment at the River Street Plant. Each such major modification was a physical change or change in method of operation which resulted in significant net emission increases, as defined by 40 C.F.R. § 52.21(b)(3)(i) and Wis. Admin. Code §§ NR 405.02(24), (27) of one or more pollutants.

31. Defendants continue to violate Section 165(a) of the Act, 42 U.S.C. § 7475(a), and the PSD regulations set forth in the Wisconsin State Implementation Plan, Wis. Stat. § 285.60, *et seq.*, and Wis. Admin. Code ch. NR 405, by, *inter alia*, their continuing failure to obtain the required PSD permit for major modifications to the River Street Plant.

32. Based upon the foregoing, Defendants have violated and continue to violate Section 165(a) of the Act, 42 U.S.C. § 7475(a), 40 C.F.R. § 52.21, Wis. Stat. § 285.60 and Wis. Admin. Code ch. NR 405. Unless restrained by an order of this Court, these and similar violations of the PSD provisions of the Act will continue at the River Street Plant.

33. The PSD violations set forth above entitle Plaintiff to injunctive relief and subject Defendants to civil penalties, 42 U.S.C. §§ 7413 and 7604.

SECOND CLAIM FOR RELIEF

(Declaratory Relief)

34. Paragraphs 1 through 33 are realleged and incorporated herein by reference.

35. Pursuant to 28 U.S.C. §§ 2201 and 2202, Sierra Club is entitled to a declaration that Defendants violated the Act by commencing one or more major modifications of the River Street Plant without a PSD permit, that the River Street Plant is a modified source for purposes of the PSD programs, and such further necessary or proper relief as may be granted by the Court.

PRAYER FOR RELIEF

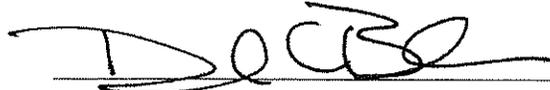
WHEREFORE, Plaintiff Sierra Club respectfully prays for this Court to:

- A. Declare that the Defendants were required to obtain a PSD permit for the changes to the River Street Plant described above;
- B. Declare that the River Street Plant is a modified source for purposes of the PSD program;
- C. Enjoin Defendants from operating the River Street Plant unless and until Defendants apply for and obtain a lawfully-issued PSD permit;
- D. Order the Defendants to apply for permits that are in conformity with the requirements of the PSD provisions of the Act for each modification that Defendants commenced without first obtaining a PSD permit;

- E. Order the Defendants to remedy their past violations by, *inter alia*, requiring the Defendants to install, as appropriate, the necessary pollution controls to meet best available control technology emission limits;
- F. Order the Defendants to take appropriate actions to remedy, mitigate, and offset the harm to public health and the environment caused by the violations of the Act alleged above;
- G. Order the Defendants to conduct audits of their operations to determine if any additional modifications have occurred that would require them to meet the PSD requirements and to report the results of these audits to Sierra Club and the EPA;
- H. Order the Defendants to pay civil penalties in 42 U.S.C. §§ 7413, 7604, as adjusted by 40 CFR 19.4, including a beneficial mitigation project pursuant to 42 U.S.C. § 7604(g)(2) that will decrease air pollution in the immediate vicinity of the River Street Plant where Sierra Club's members live and recreate;
- I. Order the Defendants to pay Sierra Club's costs of this action, including reasonable attorney fees, pursuant to CAA § 304(d), 42 U.S.C. § 7604(d);
- J. Retain jurisdiction over this action to ensure compliance with the Court's Order; and
- K. Any other relief that the Court finds is just and equitable.

Respectfully submitted this 4th day of February, 2009.

GARVEY MCNEIL & MCGILLIVRAY, S.C.



David C. Bender

Wisconsin State Bar No. 1046012

Pamela R. McGillivray

Wisconsin State Bar No. 1034194

Christa Westerberg

Wisconsin State Bar No. 1040530

Carols A. Pabellon

Wisconsin State Bar No. 1046945

634 W. Main Street, Ste 101

Madison, WI 53703

Telephone: (608) 256-1003

Facsimile: (608) 256-0933

bender@gmmattorneys.com

westerberg@gmmattorneys.com

mcgillivray@gmmattorneys.com

pabellon@gmmattorneys.com

Attorneys for the Plaintiff Sierra Club

Carol A. Schmidt

From: Mark Radtke
Sent: Monday, June 08, 2009 3:36 PM
To: Carol A. Schmidt
Subject: FW: Broad Street - Proposed Engineering Study

Mark Radtke
Director of Public Works
City of Menasha
Tel. (920) 967-3610
Fax (920) 967-5272
mradtke@ci.menasha.wi.us

-----Original Message-----

From: Mark Radtke
Sent: Monday, June 01, 2009 2:02 PM
To: 'Sandra Dabill'
Cc: Don Merkes
Subject: RE: Broad Street - Proposed Engineering Study

Sandra,

Please see my answers in red following each question below. Let me know if you have any remaining questions.

Thanks. Mark

Mark Radtke
Director of Public Works
City of Menasha
Tel. (920) 967-3610
Fax (920) 967-5272
mradtke@ci.menasha.wi.us

-----Original Message-----

From: Sandra Dabill [mailto:SDabill@mcmgrp.com]
Sent: Monday, June 01, 2009 10:05 AM
To: Don Merkes; Mark Radtke
Subject: Broad Street - Proposed Engineering Study

Good Morning Mark... As a resident of the 500 block of Broad Street - I just have a few questions/comments regarding the proposed Traffic Study on the one-way portion of Broad Street (east of Racine)...

1) I agree that a 'traffic study' should be completed prior to any changes in traffic control. In the past, we have had the tendency to 'react' prior to studying the situation.

Regarding the 'Traffic Study', I'm curious if the study's focus is primarily geared toward 'vehicular traffic' (the fastest way from point A to point B)... rather than encompassing the 'big picture', including pedestrian traffic, bicycle traffic, and the residents residing on Broad.

The study follows guidelines in the Manual of Uniform Traffic Control Devices. It will consider traffic volumes, traffic speeds, pedestrian and bicycle traffic, accident history, potential traffic conflicts, parking issues and land use.

My concern is that 'IF' the study is focused on what is 'best' for vehicular traffic, and does not take into consideration

both pedestrians and bicyclists, the resultant conclusion of the study could be flawed - encouraging faster speeds on Broad Street to 'move' traffic; which could create a hazardous condition between vehicles, bicyclists (especially families returning from Jefferson Park/Trestle Trail) and pedestrians... which, is basically the situation that now exists on the eastern half of Broad Street.

Furthermore, I am curious if the study would taken into consideration the intersection of Broad and Racine... My primary concern is the speed at which traffic flows on Racine and the difficulty both pedestrians and bicyclists have with crossing Racine. I, personally, am not in favor of a 'flashing' walk-light or any mechanical means of traffic control (signals, etc.), but am wondering if , 'thinking outside the box', a single-lane round-about would 'fit' into that intersection...which would create an a 'yield' for pedestrians/bicyclists... and, perhaps act to slow traffic on Racine in the process. While I was never a 'fan' of roundabouts, I am sold on the one located on First Street (Neenah), adjacent to Theda Clark - it is functional, moves traffic, provides a cross-walk, yet is aesthetically pleasing (trees / landscaping / peninsula)...

The study will definitely include the intersection at Broad and Racine. In my opinion, that is one of the greatest concerns I have about converting Broad Street to a two-way street. I like your idea about a roundabout, but there likely is insufficient space at that intersection to construct even a single lane roundabout.

I just wanted to toss out a few questions...

Thank you for your time... I look forward to reading the study's recommendations.

Have a good day.

Sandra Dabill Taylor
545 Broad Street

June 8, 2009

Dear Resident,

Due the increased level of construction on Third Street it has become necessary for us to alter the refuse and recycling collection from your neighborhood. Since we will be unable to operate our refuse and recycling trucks on Third Street you will be required to bring refuse and recycling to the designated corner areas.

Public Works will be locating a dumpster for the collection of your refuse at the intersections of Tayco Street (Monday pickup), Milwaukee Street (Monday pickup), Appleton Street (Tuesday pickup), and Manitowoc Street (Wednesday pickup). The refuse dumpster will be serviced on a weekly basis on your regularly scheduled collection day.

Recycling should be located in an area near the dumpster for collection on your scheduled cycle. Placing recyclable paper products away from the recyclable containers will be most helpful.

Your help in keeping these collection areas neat will be appreciated. Should you need to dispose of bulky items (chairs, dressers, carpet) please tag them as required with the appropriate sticker and keep them outside of the dumpster. The temporary collection location is being used by all the residents in your Third Street neighborhood, please be considerate and follow these requests.

This collection process will continue until we are again able to use Third Street and access your address from the road.

Should you have any questions, please contact our office 920-967-3620, Monday thru Friday, 7:00 until 3:00.

Sincerely,

Department of Public Work
City of Menasha

Cc: Mayor Merkes
Common Council



MEMORANDUM

TO: Mayor Donald Merkes
Common Council of the City of
Menasha, Wisconsin

DATE: June 10, 2009

FROM: Andrew R. Kintzinger
Special Counsel to City

FILE: 75931.000002

Re: Report for June 15, 2009 Common Council Meeting

At its meeting on June 3, 2009, the Common Council decided to take under advisement the recommendation of the Utilities Commission that the Common Council authorize and direct the Steam Utility to cease its operation of the steam plant facility.

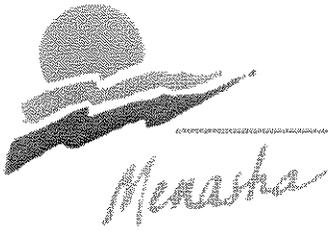
After the June 3, 2009 meeting, RBC Capital Markets ("RBC"), the underwriter of the steam utility note anticipation notes, revenue bond anticipation notes and general obligation promissory notes (collectively, the "Obligations"), contacted Hunton & Williams requesting that a meeting of holders of the Obligations (the "Bondholders") be scheduled prior to the Common Council taking action upon the Utilities Commission's recommendation. Certain Bondholders also contacted the City directly regarding the status of cessation of the facility.

After consultation among Stern Brothers, Hunton, City officials and Utilities Commission personnel, it was determined that the City would notify RBC and Bondholders of a meeting of bondholders to be held at 1:00 p.m., Thursday, June 18, 2009, at a site close to the Milwaukee airport. This time and site will facilitate travel for Bondholder representatives who are located in various cities on east and west coasts.

Notice of the Bondholder's meeting was provided to the nationally recognized municipal securities information repositories on June 10, 2009. The same Notice was provided to a list of last known Bondholders at best available addresses on June 10, 2009.

The primary purpose of the meeting will be for the City representative(s), Stern Brothers and Hunton to hear Bondholders' comments and questions regarding the Obligations and the potential cessation of the steam utility operations. The City, Stern Brothers or Hunton may provide additional information to Bondholders at this meeting, if appropriate. Any additional information provided to Bondholders at this meeting will be provided by the City to the market generally in a subsequent material event notice.

A report of the Bondholder's meeting will be provided to the Common Council prior to its next meeting following the Bondholder's meeting.



MEMORANDUM

To: Common Council

From: Greg Keil, CDD *Keil*

Date: June 9, 2009

RE: Graffiti Ordinance Administration

The attached Menasha Ordinance 11-7-4(p) relating to graffiti provides for administration of portions of the ordinance by the "Director of Community Development or his/her designee". I am hereby designating Code Enforcement Officer Polzien to act in that capacity. This will streamline the process for removing graffiti from properties that have been vandalized in this manner as the police department is already engaged in documenting graffiti violations. Chief Stanke and Officer Polzien are agreeable to Officer Polzien having an expanded role in the enforcement of graffiti violations.

accomplished, or which do not conform to the permit.

- (l) **OPEN EXCAVATIONS.** All open and unguarded pits, wells, excavations or unused basements accessible from any public street, alley or sidewalk.
- (m) **ABANDONED REFRIGERATORS.** All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside.
- (n) **FLAMMABLE LIQUIDS.** Repeated or continuous violations of the Ordinances of the City or laws of the State relating to the storage of flammable liquids.
- (o) **UNREMOVED SNOW.** All snow and ice not removed or sprinkled with ashes, sawdust, sand or other chemical removers, as provided in this Code.
- (p) **GRAFFITI.**
 - (1) Graffiti is described as any inscription, word, figure, or design marked, etched, scratched, drawn or painted with spray paint, liquid paint, ink, chalk, dye, or other similar substances on buildings, fences, structures, and other similar places without the express permission of the owner or operator of the property.
 - (2) Every owner or occupant of a structure or property defaced by graffiti shall notify the police department of the graffiti before removing or covering the graffiti.
 - (3) Every owner of a structure or property defaced by graffiti shall comply with the terms of a written order of the Director of Community Development or his/her designee served personally as specified in Sec. 801.10 and 801.11, Wisconsin Statutes.
 - (4) In the event any owner or occupant fails to comply with the order specified in sec. 11-7-4(p)(3), the City shall have the graffiti covered or removed and all costs, fees and expenses will be deemed a special charge pursuant to sec. 3-2-12 and placed on such owners' real estate taxes if not paid.
 - (5) Any owner or occupant served an order under sec. 11-7-4(p)(3) may petition the Common Council for relief of such order. Such petition must be in writing and filed not more than thirty days from the date of service. The Administration Committee shall hold a hearing on such petition and enter any appropriate order. The aggrieved party may be represented at such hearing. Testimony is not required to substantiate the existence of the graffiti. The issues shall be limited to the appropriateness of the order of the Director of Community Development.
 - (6) This ordinance shall not apply to hopscotch grids or such other generally accepted game configurations which are placed on parking lots, sidewalks, streets, or other similar areas in chalk or other washable substance.

SEC. 11-7-5 PUBLIC NUISANCES OFFENDING MORALS AND DECENCY.

The following acts, omissions, places, conditions and things are public nuisances offending public morals and decency, but such enumeration shall not exclude other nuisances offending public morals and decency defined elsewhere in the Menasha City Code:

- (1) Disorderly Houses. All disorderly houses, bawdy houses, houses of ill fame, gambling sexual intercourse or gambling.
- (2) Gambling Houses. All gambling devices and slot machines.
- (3) Unlicensed Sales of Liquor and Fermented Malt Beverages. All Places where intoxicating liquor or fermented malt beverages are sold, possessed, stored, brewed, bottled, manufactured or rectified without a permit or license as provided for by City ordinances.
- (4) Continuous Violation of City Ordinances. Any place or premises within the City where City ordinances or State laws relating to public health, safety, peace, morals or welfare are openly, continuously, repeatedly and intentionally violated.
- (5) Illegal Drinking. Any place or premises resorted to for drinking intoxicating liquor or

- PROPOSED MINUTES -**WAVERLY SANITARY DISTRICT**

May 12, 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 VanZeeland (TGV) |
| Commissioner Fulcer (LJF) | System Operator Dornfeld (DWD) |
| Commissioner Sambs (MLS) | Office Mgr. Girdley (CMG) |
| Engineer Martenson (SCM) | Admin. Asst. Hallock (SAH) |
| Resident Jerry Lopas | |

Approval/acceptance of the 4/14, 4/17, and 4/29/09 Meeting Minutes was accomplished through LJF's motion and MLS' second. Motion carried 3-0.

Receipt acknowledgement and approval of the April 2009 Financial and Budget Comparison Reports was accomplished through MLS's motion and LJF's second. Motion carried 3-0.

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

COMMUNITIES/CUSTOMERS/SERVICE CONCERNS**Clear Water Inspection Procedure – CMG to report project requirements/status**

CMG stated Joann Ashauer recently provided a copy of Darboy's clear water inspection ordinance and related correspondence issued to area Title Companies, as well the list of Title Companies notified, for WSD's reference/use. CMG will generate an ordinance, mirroring Darboy's, for adoption at the 6/9/09 meeting. The Commission agreed the ordinance will state a \$40 inspection fee and be effective 7/1/09. SCM suggested rather than stating the inspection fee amount in the ordinance, when WSD adopts the ordinance, WSD should also adopt a resolution to control the inspection fee. The fee can then be adjusted utilizing an annual resolution. SCM also suggested CJH be contacted for guidance.

Rock II LLC (Waverly Beach Sports Bar) Road Reservation – Status report/Amended easement receipt

SCM /WSD have not received contact/information regarding this project since WSD's 4/14/09 meeting. TOH Administrator Fluke stated at WSD's 4/14/09 meeting that Attorney Frassetto and the TOH are still working through the process.

KC Service Inquiry – Building and Waiver of Assessment receipt status

SCM /WSD have not received contact/information regarding this project since WSD's 4/14/09 meeting.

WAVERLY SANITARY DISTRICT

May 12, 2009

Page 2

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

TGV reported all five tests, two taken on 3/4/09, and three taken on 3/18/09, were determined as safe by the State of Wisconsin. (Attachment #1, pp. 1-5)

- Future Water Supply Connection (2nd) to Appleton – Future station's site acquisition status**– PSC's approval status****– COA's w. main connection approval status**

CMG stated PSC approval has been received for WSD's second connection with COA. Written approval for WSD's second connection to COA remains outstanding. However, SCM has received verbal approval from the COA. SCM will schedule a meeting with COA's Public Works Director Paula Vandehey to discuss acquiring COA's access property south of the Midway Rd. right-of-way that would be immediately north of Warehouse Specialist's property which is north of the property already dedicated to TOH. The Town will deed it later to WSD. The 12" water main, to which WSD will connect, must be installed by June 1, 2009. VHE-II-5 continues to believe WSD has influence with TOH/Calumet Co. regarding access permit issuance issues between Town/County.

- Midway Road Water Main Extension – Receipt status of required project acceptance items**– Payment #1 (Final) Certificate approval request/action**

SCM reported the water main extension project is complete and all required project acceptance items have been completed/received. SCM recommended the Commission authorize Payment #1 in the amount of \$25,837.50 to be issued to Roger Bowers Const. Note: The payment request exceeds the actual bid amount by \$1937.50.

MLS motioned/LJF seconded final payment authorization/issuance as stated above. Motion carried 3-0.

- VHE II-5 (Warehouse Specialists) – Water main easement to be received after installation – prior to project acceptance

SCM stated this project is scheduled to proceed soon.

GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS)**- Woodland Hills Heights – Project status report**

SCM stated the projected project start date is June 2009.

- Birling Court Extension (Andrysczyk) – Project status report

SCM/WSD have not received contact/information regarding this project since WSD's 4/14/09 meeting.

WAVERLY SANITARY DISTRICT

May 12, 2009

Page 3

GENERAL CONSTRUCTION STATUS (INDIVIDUAL PROJECTS) CONTINUED

- **Lake Park Condominiums – Project status report**
SCM/WSD have not received contact/information regarding this project since WSD's 4/14/09 meeting.

- **Outagamie LLC Future Development – Project status report (18 acres)**
Location: North of Woodland Terrace and south of Manitowoc Rd.
SCM stated Calumet County is in the process of adopting a zoning ordinance to change the lot sizes for possible development. This project will not proceed until ordinance adoption occurs.

- **1st Addition – Lake Park Heights – Project status report**
SCM/WSD have not received contact/information regarding this project since WSD's 4/14/09 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 4/14/09 meeting.

NEW BUSINESS

- **Establish the June Meeting Date – Tuesday, June 9, 2009 (8:30 a.m.) District Office**
Tuesday, June 9, 2009 at 8:30 a.m. was established as the June meeting date/time. The meeting will be held at the District's office.

OFFICE REPORT (Attachment #2, pp. 1-11)

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

CMG noted Martenson & Eisele was recognized as the Post Crescent's 2009 Small Business of the Year. All those in attendance extended their congratulations to M&E.

CMG reported receipt of an email from SCM regarding outstanding blacktop work for two driveways affected by the July 2007 Manitowoc Rd. water main looping project. SCM stated we have first and second year ditch maintenance warranties. We have not been paid for either of these. Bill Bowers to complete the driveway's blacktop restoration in the near future.

WAVERLY SANITARY DISTRICT

May 12, 2009

Page 4

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

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

TGV reported Davies Water completed the work on the fire hydrants affected by Waterous' recall of hydrants manufactured between 1999 and 2004 due to defective rods. The 18 hydrants that were leaking after the rod replacement were repaired by Davies Water on 5/11/09.

TGV reported hydrant flushing is approximately 75% complete with a projected completion date of 5/21/09.

OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION**Secured Mail Box for District -- Installation location discussion**

After general discussion, it was determined the new secured mail box will fit, with some stand modifications, on the current mail box's stand. The Commission agreed field personnel will remove WSD's current mailbox and install the secured mail box in the same location, utilizing the base/post installed for the original mailbox.

OTHER BUSINESS TO LEGALLY COME BEFORE THE COMMISSION - CONTINUED**District Payment Drop Box -- Removal confirmation discussion**

CMG provided written notification to American Payment Centers regarding the 90-day contact requirement for service contract termination on March 12, 2009. WSD can purchase the current drop box, recently replaced due to weathering, for \$1355. Due to possible conflict with the Post Office if a secured mailbox were utilized as WSD's payment drop box, the Commission agreed WSD will purchase its currently leased drop box from American Payment Centers.

MLS motioned/LJF seconded WSD purchase the drop box for \$1355. Motion carried 3-0. CMG will notify American Payment Centers that WSD will purchase the drop box before the box's scheduled removal date.

Memorial Day Holiday Hours -- Closing Approval for Friday-5/22/09 and Holiday-5/25/09

The Commission agreed WSD will close 5/22/08 thru 5/15/09 for the Memorial Holiday. Proper closing posting will occur at WSD's three designated posting locations.

WSD's Sign Base Deterioration Reported by RWK at WSD's 4/14/09 Meeting

WCH reported he contacted Dave Stubbs at Keller Structures to report/discuss the sign's foundation damage caused by frost that was reported by RWK at the 4/14/09 meeting. Stubbs suggested WCH contact Appleton Sign, the company that provided the sign. CMG stated Sanderfoot Masonry installed the sign's footing measuring 3' 6" x 11' by 1' 6" thick. WCH will contact Stubbs again as well as Sanderfoot Masonry regarding the sign's foundation damage. MLS suggested contact with Jeff Schwabenlander at Keller Structures because Schwabenlander assisted with issues incurred during/after building construction.

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

Meeting adjourned at 9:05 a.m.

Submitted by Susan A. Hallock



COPY

City of Menasha • Department of Public Works

June 9, 2009

Ms. Jo Strang
Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

RE: Notice of Quiet Zone Establishment
City of Menasha Quiet Zone #2 (Industrial Spur)

Dear Ms. Strang:

The City of Menasha wishes to establish a 24-hour Pre-Rule Quiet Zone identified as City of Menasha Quiet Zone #2. The following information is submitted as required by Section 222.43(b)(2).

1. A list of each grade crossing within this quiet zone is enclosed.
2. Horn restrictions will be observed on a 24-hour basis.
3. There are no improvements proposed for this quiet zone. The basis for establishing this quiet zone is in accordance with Section 222.41 (a) (1) (ii). The QZRI is below the NSRT. Enclosed is the quiet zone data upon which we are relying.
4. The involved Grade Crossing Inventory Form for each crossing within this zone is enclosed.
5. The required Notice of Intent, in accordance with Section 222.43(a)(1), was mailed on February 11, 2009.
6. The person responsible for monitoring compliance with 49 CFR 222 is:

Mark Radtke
Director of Public Works
City of Menasha
140 Main Street
Menasha, WI 54952
Telephone 920-967-3610
Fax 920-967-5272
E-mail: mradtke@ci.menasha.wi.us

7. Parties notified in accordance with Section 222.43(a)(3):

- A. Thomas Healey
Canadian National Railway
17641 South Ashland Avenue
Homeland, IL 60430
- B. Robert Stanke, Chief
City of Menasha Police Department
430 First Street
Menasha, WI 54952
- C. Jared Kinziger
Wisconsin Department of Transportation
Northeast Region
PO Box 28080
Green Bay, WI 54304-0080
- D. Doug Wood
Wisconsin Office of the Commissioner of Railroads
610 N. Whitney Way, Room 10
PO Box 8968
Madison, WI 53708-8968
- E. Ron Adams
WisDOT
Bureau of Railroads and Harbors
4802 Sheboygan Avenue, Room 701
Madison, WI 53707
- F. Ms. Jo Strang
Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

This information submitted to you for the Quiet Zone continuation is accurate and complete to the best of my knowledge and belief.

Please contact Mark Radtke if you need additional information or have any questions.

Sincerely,



Donald Merkes
Mayor

C: Mark Radtke, Public Works Director
Menasha Common Council



COPY

City of Menasha • Department of Public Works

June 9, 2009

Ms. Jo Strang
Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

RE: Notice of Quiet Zone Establishment
City of Menasha Quiet Zone #3 (Industrial Spur)

Dear Ms. Strang:

The City of Menasha wishes to establish a 24-hour Pre-Rule Quiet Zone identified as City of Menasha Quiet Zone #3. The following information is submitted as required by Section 222.43(b)(2).

1. A list of each grade crossing within this quiet zone is enclosed.
2. Horn restrictions will be observed on a 24-hour basis.
3. There are no improvements proposed for this quiet zone. The basis for establishing this quiet zone is in accordance with Section 222.41 (a) (1) (ii). The QZRI is below the NSRT. Enclosed is the quiet zone data upon which we are relying.
4. The Involved Grade Crossing Inventory Form for each crossing within this zone is enclosed.
5. The required Notice of Intent, in accordance with Section 222.43(a)(1), was mailed on February 11, 2009.
6. The person responsible for monitoring compliance with 49 CFR 222 is:

Mark Radtke
Director of Public Works
City of Menasha
140 Main Street
Menasha, WI 54952
Telephone 920-967-3610
Fax 920-967-5272
E-mail: mradtke@ci.menasha.wi.us

7. Parties notified in accordance with Section 222.43(a)(3):

- A. Thomas Healey
Canadian National Railway
17641 South Ashland Avenue
Homeland, IL 60430
- B. Robert Stanke, Chief
City of Menasha Police Department
430 First Street
Menasha, WI 54952
- C. Jared Kinziger
Wisconsin Department of Transportation
Northeast Region
PO Box 28080
Green Bay, WI 54304-0080
- D. Doug Wood
Wisconsin Office of the Commissioner of Railroads
610 N. Whitney Way, Room 10
PO Box 8968
Madison, WI 53708-8968
- E. Ron Adams
WisDOT
Bureau of Railroads and Harbors
4802 Sheboygan Avenue, Room 701
Madison, WI 53707
- F. Ms. Jo Strang
Associate Administrator for Safety
Federal Railroad Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

This information submitted to you for the Quiet Zone continuation is accurate and complete to the best of my knowledge and belief.

Please contact Mark Radtke if you need additional information or have any questions.

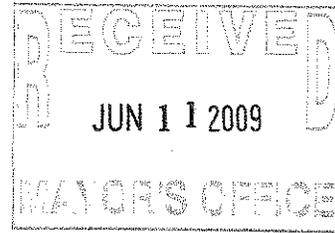
Sincerely,


Donald Merkes
Mayor

C: Mark Radtke, Public Works Director
Menasha Common Council



June 8, 2009



A
Wisconsin
Service
Corporation

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

ATTORNEYS
AT LAW

Re: Prime Plan Service Agreement with Precision Retirement Group, Inc.

Dear Mayor Merkes,

Lawrence C. Silton

Stephen A. Seifert

Richard J. Carlson

William L. Stroik

Adam N. Skaric

Bree A. Madison

Ryan P. Thompson

Based on your request, I reviewed the Prime Service Agreement proposed by Precision Retirement Group, Inc. regarding the services provided as a Contract Administrator for the City of Menasha's benefit plan. The contract does not contain any unusually burdensome provisions, however, the contract does have a couple of provisions that the City of Menasha should be aware of before signing the document.

- The City of Menasha would be responsible for a one time fee of \$3,500.00 dollars should you decide to terminate the contract. The bulk of the remaining cost set out in the fee schedule will be at the expense of the plan's participants.
- The Agreement with Precision Retirement Group, Inc. will be construed using the laws established in North Carolina and any dispute pertaining to the contract will be heard in Chapel Hill, North Carolina.
- The Agreement calls for all disputes pertaining to the Agreement to be settled exclusively through an arbitration process consistent with the American Arbitration Association.

The above mentioned provisions are not unusual for this type of agreement, but it is important that you understand and consider how the above provisions may affect the City of Menasha upon the termination of the Agreement or if a dispute should arise.

Please contact me if you have any questions.

Best regards,

SILTON SEIFERT CARLSON, S.C.

Rich Carlson
Attorney at Law
rpt



PELION BENEFITS, INC.
1414 Raleigh Road, Suite 405
Chapel Hill, NC 27517
Tel 888.532.7526
Fax 919.942.2804

**City of Menasha
Medical Expense Reimbursement Plan
and Prime Trust Administrative
Service Agreement**

This Agreement is made as of the last date set forth below by and between Pelion Benefits, Inc. (hereinafter referred to as "Pelion"), and the undersigned Employer (hereinafter referred to as the "Employer"). This agreement will become effective on the date executed and shall remain in effect unless changed or terminated in writing by Pelion or the Employer. This Agreement shall be the sole Agreement between the parties, and shall supersede any other agreement(s), oral or written.

1. ENGAGEMENT

Pelion agrees to function as a Contract Administrator for the Employer's benefit Plan (hereinafter known as the "Plan"). The Employer will act in the capacity of the Plan Administrator as defined in ERISA §3(21)(A). Pelion does not function as an investment, legal, or tax adviser with regard to the Plan.

The Employer agrees to assume the duties and responsibilities as the Plan Administrator. The Employer agrees to indemnify and hold Pelion (and its affiliates) harmless from any claims arising out of the Plan Administrator's failure to perform its duties, unless such claims against Pelion result from gross negligence or willful misconduct by Pelion.

The Employer further agrees to seek the advice of a qualified attorney as the Employer deems necessary as to matters that might arise regarding the adoption and operation of the Plan.

I. SERVICES TO BE PERFORMED BY PELION:

A. Plan Consultation, Design, and Plan Documents. Pelion will work with the Employer to prepare the Plan and its related documents. This shall include:

1. Providing the Employer with an Adoption Agreement that includes current options available for customizing the Plan in accordance with the Employer's instructions,
2. Establishing a Plan Services Guide, which includes the forms necessary to administer the Plan,
3. Automating all forms for easy downloading, and
4. Pelion will assist with the Plan submission to the IRS, if appropriate.

- B. Website Access. Pelion will provide the Employer and the Plan Participants with 24 hour access to real-time account information, self-directed transactions, on-line enrollment, and participant Plan information via the Pelion designated website.
- C. Toll-free Call Center. Pelion will provide access to account information via our Toll-free Call Center that can be accessed by telephone during normal business hours.
- D. Plan Conversion. If the Plan is currently with another Third Party Administrator (“TPA”), Pelion will work with the retiring TPA to arrange the transfer of all data and assets related to and in accordance with the Plan.
- E. IRS & DOL Reporting. Pelion will prepare and file most documents required by the IRS and DOL with regard to the Plan.
- F. Coverage & Discrimination Testing. Pelion will perform all coverage and discrimination testing for the Plan if required by the IRS or DOL.
- G. Distribution Processing. Pelion will process all requests for distribution, including loans, hardship distributions, and distributions as a result termination of employment of any Participant. Pelion will also perform both federal and state tax withholding as required.
- H. Periodic Plan Evaluation. Pelion will periodically review the Plan with regard to, but not limited to, vesting percentages, contributions, earning, forfeitures, participation levels, and compliance with regulations.
- I. Periodic Participant Reports. Pelion will prepare quarterly statements that reflect all financial transactions of the Plan and its Participants. Quarterly statements for the Plan and its Participants will be provided to the Employer. Participants will receive annual statements with regard to their individual account(s).
- J. Qualified Domestic Relations Order Processing. Pelion will process all domestic relations orders with regard to the Plan and its Participants.
- K. Technical Consulting. Pelion will provide the Employer with consulting services of an experienced Senior Plan Analyst on our staff with regard to Plan formulation, implementation, operation, and compliance.
- L. Account Administrator. Pelion will provide the Employer with Senior Plan Analyst who will act as their key contact and resource at Pelion.
- M. Books and Records. Pelion will maintain the required books and records of all transactions placed through it in accordance with the Employee Retirement Income Security Act of 1974 (“ERISA”) , if applicable, as well as additional IRS and DOL regulations.

II. EMPLOYER RESPONSIBILITIES

- A. The Employer shall provide Pelion with accurate and timely information on all matters relating to the operation of the Plan. It is agreed and understood that the Employer is ultimately responsible for the accuracy of the data supplied.

B. The Employer shall be responsible for the timely filing of governmental reports received from Pelion and for the accuracy of the contents with the exception of clerical errors made by Pelion in preparation of the report.

C. The Employer shall be responsible for notifying Pelion of other Plans and any change in the corporate status of the Employer.

III. A. ADMINISTRATIVE SERVICE FEE SCHEDULE – MEDICAL EXPENSE REIMBURSEMENT PLAN

Administration Fees

| | |
|----------------------------|----------------------------------|
| Plan Document Fee | \$ 660.00 one time fee *** |
| Participant Fee | \$ 5.50 each monthly ** |
| Distribution Fee (Checks) | \$ 8.00 each for Checks ** |
| Distribution Fee (ACH) | \$ 4.00 each for ACH transfer ** |
| Minimum Administration Fee | \$ 100.00 per quarter *** |

Ongoing Support

| | |
|-------------------------------|----------------------|
| Internet and Toll-free Access | No added fee or cost |
| Enrollment Booklets | No added fee or cost |

Termination Support:

| | |
|--|---------------------------|
| Termination of Plan – The Trust will be terminated. Employer will be provided a final accounting of participant values and forward a check for entire trust value. | \$ 3,500.00 one time fee* |
| Electronic Deconversion Plan: Export of plan records to another Administrator. | \$1,500.00 one time fee* |

Miscellaneous Fees:

| | |
|---------------|-------------------|
| Audit Support | \$ 275.00 hourly* |
| Form 1099 | \$ 25.00 each** |

* Paid by Employer

** Paid by Participant Account

*** Paid by PRG

The preceding Schedule of Fees reflects the charges for services specified in this Agreement. Any changes in the Schedule of Fees will be communicated to the Employer in writing at least 30 days prior to the effective date of such change.

In the event the Employer fails to pay administrative fees in accordance with the invoice provisions it will hold Pelion harmless in the event that such failure results in the suspension

or cessation of administrative services by Pelion. The Employer and the Plan Administrator are responsible for the prudent and timely activities associated and or connected with the ongoing administration of the Plan. Also the Employer herein grants Pelion authority to collect any fees outstanding more than 30 days from the Plan, or in the event of plan termination or plan transfer, Pelion is given permission to remove fees due from the Plan at the date of such notice by the Employer.

IV. MISCELLANEOUS

- A. Modification of Agreement. Except as otherwise provided herein, this Agreement may be modified only in writing and signed by all parties to this Agreement. Such modification shall not be deemed a cancellation of this Agreement.
- B. Regulatory Review. This Agreement may be submitted to be approved by regulatory and self-regulatory bodies vested with the authority to review and approve this Agreement or any amendment or modifications hereto. In the event any such regulatory body disapproves of any provision of this Agreement the parties hereto agree to bargain in good faith to achieve the requisite approval.
- C. Dispute. Any dispute, controversy or claim arising out of this Agreement or the performance or breach hereof respecting an Account which the parties have not been able to settle amicably shall be settled exclusively by arbitration in accordance with the American Arbitration Association unless the parties mutually agree to arbitration in accordance with any and all Arbitration Procedures by arbitrators appointed in accordance with such procedures.
- D. Investigation of Facts. Pelion will not be bound to make any investigation into the facts surrounding any transaction that it may have with the Employer. Pelion will not be under any responsibility for compliance by the Employer with any laws or regulations that may be applicable to the Employer.
- E. Assignment. This Agreement shall be binding upon all successors, assigns or transferees of both parties hereto, irrespective of any change with regard to the name of or the personnel of the Employer or Pelion. Any assignment of the Agreement shall be subject to the requisite review and/or approval of any regulatory or self-regulatory agency or body whose review and/or approval must be obtained prior to the effectiveness and validity of such assignment. No assignment of this Agreement shall be valid unless the non-assigning party consents to such an assignment in writing; such consent shall not, however, be unreasonably withheld any party. Any assignment by either Pelion or the Employer to any subsidiary that it may create or to a company affiliated with or controlled directly or indirectly by it will be deemed valid and enforceable in the absence of any consent from the other party.
- F. Choice of Law. This Agreement shall be governed by and construed in accordance with the laws of the State of North Carolina; provided, however, that if any North Carolina law or laws require or permit the application of the laws of any other jurisdiction to this Agreement, such North Carolina law or laws shall be disregarded with the effect that the remaining laws of the State of North Carolina shall nonetheless apply.

Further, the parties agree that any claims or legal proceedings under this Agreement shall be heard in Chapel Hill, North Carolina.

- G. Headings. The headings preceding the sections hereof have been inserted for convenience and reference only and shall not be construed to affect the meaning, construction or effect of this Agreement.
- H. No Ties. This Agreement shall cover only the types of services set forth herein and is in no way intended nor shall it be construed to bestow upon the Employer any special treatment regarding any other arrangements, agreements or understandings which presently exist between the Employer and Pelion or which may hereinafter exist. The Employer shall be under no obligation whatsoever to deal with Pelion or any of its subsidiaries or any companies controlled directly or indirectly by or affiliated with Pelion, in any capacity other than as set forth in this Agreement. Likewise, Pelion shall be under no obligation whatsoever to deal with the Employer or any of its affiliates in any capacity other than as set forth in this Agreement.
- I. Remedies Cumulative. The enumeration herein of specific remedies shall not be exclusive of any other remedies. Any delay or failure by any party to this Agreement to exercise any right, power, remedy or privilege herein contained, or now or hereafter existing under any applicable statute or law, shall not be construed to be a waiver of such right, power, remedy or privilege or to limit the exercise of such right, power, remedy or privilege. No single, partial or other exercise of any such right, power, remedy or privilege shall preclude the further exercise thereof or the exercise of any other right, power remedy or privilege.
- J. Time is of the Essence. The parties agree that, with respect to the time deadlines stated in this Agreement or documents incorporated by reference herein, time is of the essence.
- K. Severability. If any provision of this Agreement is found by any court or other tribunal of competent jurisdiction to be invalid or unenforceable in any jurisdiction, that provision shall be unenforceable in such jurisdiction only and the remainder of this Agreement shall remain effective in such jurisdiction as if such unenforceable provision had not been contained herein. The enforceability of such provision shall otherwise be in effect and remain enforceable in all other jurisdictions.
- L. Force Majeure. No party shall be liable for delay or failure in performance hereunder due to causes beyond its control, including acts of God, fires, strikes, acts of war or intervention by any governmental authority, and each party shall take steps to minimize any such delay.
- M. No Agency. Nothing in this Agreement or to be done pursuant to its terms and conditions is intended to, or shall, create a partnership, joint venture or principal-agent relationship, for federal tax purposes or otherwise, between the parties hereto or shall confer upon either party the power or authority to bind the other party in any transaction with third parties.
- N. Notices. All notices and other communications required or permitted hereunder shall be effective if in writing and delivered personally or sent by telecopier, Federal Express or registered or certified mail, return receipt requested, postage prepaid, addressed:

To:
PELION BENEFITS, INC.
1414 Raleigh Road, Suite 405
Chapel Hill, NC 27517
888.532.7526

To the Employer: With regard to the address set forth below the Employer's signature at the end of this Agreement, unless otherwise specified herein, such notices or other communications shall be deemed effective:

- on the date delivered, if delivered personally,
- two business days after being sent, if sent by Federal Express,
- one business day after being sent, if sent by telecopier with confirmation of good transmission and receipt, and
- three business days after being sent, if sent by registered or certified mail, postage prepaid, return receipt requested. Each of the parties herewith shall be entitled to specify another address by giving notice as aforesaid to each of the other parties hereto.

V. TERMINATION OF SERVICES

Any party may terminate this Agreement by giving the other party written notice at least thirty days in advance of the effective date of such termination, except that any termination by Pelion that shall be based upon breach of contract by the Employer. Such notice from the Employer must include the name and address of the new administrator and, if appropriate the name(s) of the Successor Trustee(s). Also, Pelion will charge for all services related to plan termination or plan transfer independently on a time and material basis.

VI. ACKNOWLEDGMENT

The Employer acknowledges that it has consulted to the extent the Employer deems necessary with legal and tax advisers. Solely the provisions of this Agreement will govern the actions of Pelion. Pelion shall not be required to review any action taken by the Employer or the Plan Administrator and shall be fully protected in taking, permitting or omitting any actions on the basis of the Employer's action. Pelion shall incur no liability or responsibility for acting at the directions of the Employer or Plan Administrator.

VII. ACCEPTANCE

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement as of the last date set forth below.

PELION BENEFITS, INC.

By: _____

Steven Salzman

Dated: _____

EMPLOYER:

[Employer Name]

By: _____

[Printed Name and Title]

Address: _____

Phone: _____

Email: _____

Dated: _____

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, June 1, 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. Englebert, Benner, Pamentor, Taylor, Wisneski, Pack, Hendricks, Zelinski
ALSO PRESENT: Mayor Merkes, Atty Rich Carlson, PC Stanke, FC Vander Wyst, DPW Radtke,
CDD Keil, C/T Stoffel, PHD Nett, Clerk Galeazzi and the Press
DEPT. HEAD EXCUSED: PRD Tungate

D. PUBLIC HEARING

1. Proposed amendment to Title 13, Article B of the Code of Ordinances relating to zoning height, area, and setback exceptions.
No one spoke
2. Proposed various amendments to Title 13, Article F of the Code of Ordinances related to the regulation of signs.
No one spoke
3. Proposed creation of an ordinance establishing criteria for proposing and enacting amendments to the City of Menasha Comprehensive Plan.
No one spoke

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

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

1. Jan Chase, 176 Royal Oak (5 Oaks Park). Stormwater utility fee to residents at 5 Oak Park is higher than other City property owners, ask that it be reviewed.
2. Jeff Riedl, 408 Appleton St. Council needs to focus on major items and less on minor things, need to replace City Attorney and Steam Plant issues.
3. Nancy Zelinski, 647 Paris St. 2-way traffic pattern on Broad St. is needed.
4. Chris Klein, 730 Keyes St. 1) Mayor still planning to hire new police office; 2) Have had almost one year to hire replacement for City Attorney; 3) Status of Lake Park; 4) Council needs to look at all opportunities to save money.
5. Mary Ann Mulvey, 274 Misty Meadows (5 Oaks Park). Stormwater utility fee, 5 Oaks Park residents should be treated the same as other City property owners.
6. Mary Nebel, 713 First St. 1) Thank steam plant employees for hard work; 2) Mayor given authorization to hire interim legal counsel, other municipalities outsource city attorney position.
7. Scott Page, 628 Paris St. Support changing Broad Street to 2-way traffic.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Public Health Nurse Nett – Recognize Menasha Senior Center in achieving statewide accreditation through the Wisconsin Association of Senior Centers

PHD Nett explained a committee of City residents and Senior Center staff have worked hard for over a year on having the Menasha Senior Center achieve statewide accreditation. Currently there is only 20-25 Senior Centers in the state that have achieved this accreditation. The Menasha Senior Center provides a lot of services with a small staff.

Mark Ziemer from the Wisconsin Association of Senior Centers presented a plaque to Sylvia Bull, Senior Center Coordinator. Sylvia thanked the members of the committee for their hard work.

2. Mayor Merkes - Receipt of Innovations in Urban Forestry Award

Mayor Merkes showed the Council the Innovations In Urban Forestry Award from the WI Urban Forestry Council. The City received the award for the clean-up of contaminated soil on Railroad Street

DRAFT

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS, Cont'd

3. PWD Radtke – Status of single stream recycling

PWD Radtke explained Winnebago County will no longer accept the blue recycling bags at the processing center. The City policy on recycling will need to re-write. Once done, a recommendation will be sent to Council. Winnebago County Waste Board is encouraging switching to single stream recycling. The City has the equipment to make the switch.

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

Minutes to receive:

- a. Administration Committee, 5/18/09
- b. Board of Public Works, 5/18/09
- c. Board of Health, 4/8/09
- d. N-M Fire Rescue, 5/26/09; Finance & Personnel Committee
- e. N-M Fire Rescue, 5/27/09; Joint Fire Commission
- f. Parks and Recreation Board, 5/11/09
- g. Plan Commission, 5/19/09
- h. Safety Committee, 3/19/09; Police
- i. Safety Committee, 4/1/09; City Hall
- j. Safety Committee, 4/21/09; Public Works and Parks

Communications:

- k. Ald. Taylor, 5/26/09; Notice of Sheriff's Sale & Legal Desc.: Headwaters Condominium LLC
- l. Menasha Utilities, 5/28/09; Steam Detail for months ending April 30, 2009
- m. Mayor Merkes/PWD Radtke/CDD Keil, 5/28/09; Storm Water Runoff Charge- 5 Oaks Park
- n. Menasha Sustainability Board, 5/28/09; Farm Fresh Market Flyer
- o. Waverly Sanitary District minutes, 4/14/09

Ald. Taylor-Minutes C, Items D3 Preparedness Planning. PHD Nett explained the committee and their activities; Comm. N, encourage residents to attend Farm Fresh Market.

Ald. Benner-Comm. M, will look at solution for 5 Oaks Park residents on stormwater utility fee

Ald. Pack-Comm. M, understand concern of residents at 5 Oaks Park.

Ald. Zelinski-Comm. M, look at way condominium units are billed for stormwater utility fee

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. Joint Common Council & Menasha Utilities Commission, 5/12/09
2. Common Council, 5/18/09

Administration Committee, 5/18/09 – Recommends Approval of:

3. Accept quote of The Post Crescent as the official City newspaper, May 2009-May 2010.

Board of Public Works, 5/18/09 – Recommends Approval of:

4. Street Use Application – 22nd Annual Steak Fry for Boaters & Guests; Saturday, June 20, 2009; 4:00 PM – 10:00 PM (City of Menasha Marina)
5. Street Use Application – 12th Annual Corn Roast for Boaters & Guests; Saturday, September 5, 2009, 2009; 4:00 PM – 10:00 PM (City of Menasha Marina)
6. Street Use Application – Sun Runner; Saturday, June 20, 2009; 7:00 AM – 11:00 PM; (Menasha Action Council)

Plan Commission, 5/19/09 – Recommends Approval of:

7. Retaining the road reservation at 921 Midway Rd. based on the finding that access may be needed for development of the adjacent vacant parcel to the south of the 921 Midway Rd. parcel

Ald. Wisneski requested Item 6 be removed from Consent Agenda.

Moved by Ald. Zelinski, seconded by Ald. Hendricks to approve Items 1-5 & 7 of Consent Agenda
Motion carried on roll call 8-0.

DRAFT

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Hendricks, seconded by Ald. Taylor to approve Item 6 of Consent Agenda, (Street Use Application-Sun Runner) beyond the six hour limitation. Special mitigating circumstances is public safety concerns. Public will be going between Broad Street lot and Faith Technology parking lot during the event.

Discussion

Motion carried on roll call 8-0

I. ORDINANCES AND RESOLUTIONS

1. O-14-09 – An Ordinance relating to signs (Recommend by the Plan Commission, Introduced by Ald. Benner)

Moved by Ald. Benner, seconded by Ald. Wisneski to adopt O-14-09

Discussion

Motion carried on roll call 8-0

2. O-15-09 – An Ordinance relating to comprehensive plan amendments (Recommend by the Plan Commission, Introduced by Ald. Benner)

Moved by Ald. Benner, seconded by Ald. Pamerter to adopt O-15-09

Motion carried on roll call 8-0.

3. R-13-09 Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property; Southfield West and Tana Lane (2" Temporary Asphalt Pavement) (Recommended by the Board of Public Works, Introduced by Ald. Pack)

Moved by Ald. Pack, seconded by Ald. Taylor to adopt R-13-09

Motion carried on roll call 8-0.

J. ACTION ITEMS

1. Accounts Payable and Payroll for the term 5/21/09-5/28/09 in the amount of \$899,516.52

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Account Payable and Payroll

Discussion

Motion carried on roll call 8-0.

2. Licenses: Renewal liquor and malt beverage applications on file with City Clerk for the licensing year July 1, 2009-June 30, 2010.

Moved by Ald. Wisneski, seconded by Ald. Pack to approve applications on file except for Ramsey & Ramsey, Get Reel (Fox Cinema), Menasha Grill, and Lake Park Swim & Fitness.

Discussion

Motion carried on roll call 8-0.

3. Request for Outdoor Alcoholic Beverage Permits for the licensing year July 1, 2009-June 30, 2010 for the following:

- a) Stone Toad Bar Grill, 1109 S. Oneida Street
- b) Hot Brass, d/b/a The Locker Room, 800 Plank Road
- c) Nauts Landing, 124 Main Street
- d) Wiseguys Pizzeria & Pub, 1440 S. Oneida Street

Moved by Ald. Hendricks, seconded by Ald. Taylor to approve Outdoor Alcoholic Beverage permits.

Motion carried on roll call 8-0

4. Approval to Retain Legal Counsel to Assist City in Bondholders Negotiations (Steam Utility)

Mayor Merkes explained what the legal counsel will be retained for. He also explained there is a potential conflict of interest with Hunton & Williams. He is waiting for clarification on this conflict. He asks the Council to either hold to table this item.

Moved by Ald. Wisneski, seconded by Ald. Englebert to hold

Item is held.

DRAFT

K. APPOINTMENTS

None

L. CLAIMS AGAINST THE CITY

None

M. HELD OVER BUSINESS

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke

O. ADJOURNMENT

Moved by Ald. Pamerter, seconded by Ald. Pack to adjourn at 7:02 p.m.

Motion carried on voice vote.

7:09 – Reconvene

Mayor Merkes explained after reviewing City ordinance, Action item J4 (Approval to Retain Legal Counsel to Assist City in Bondholders Negotiations) will need to be reconsidered as a Hold Motion holds an item until the next regularly scheduled meeting. The item will need to appear on a Special Common Council meeting scheduled for June 3, 2009.

Moved by Ald. Wisneski, seconded by Ald. Taylor to reconsider Approval to Retain Legal Counsel to Assist City in Bond holders Negotiations (Steam Utility)

Motion to reconsider carried on voice vote.

No Action taken on item J4

Moved by Ald. Pack, seconded by Ald. Wisneski to adjourn at 7:10p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk

CITY OF MENASHA
Special Common Council
Third Floor Council Chambers
140 Main Street, Menasha
June 3, 2009
MINUTES

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

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

ALSO PRESENT: Mayor Merkes, PC Stanke, C/T Stoffel, Clerk Galeazzi, and the Press.
Charles Forrest (Stern Brothers) and Attorney Andrew Kintzinger (Hunton & Williams)
via the telephone.

D. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

1. Stan Sevenich, 645 9th St. He has following Steam Plant issue from beginning;
Council needs to take a tough stand; tough decisions will need to be made.
2. Mary Ann Mulvey, 274 Misty Meadows. Past Council had not always received
important information in a timely matter on the Steam Plant.
3. Mary Nebel, 713 1st St. Time to stop the blame and move on.
4. Mike Mannikko, 2926 Silver Birch Ct. Concern with what the next step will be;
concern with tax implementation from Steam Plant.

Clerk Note – a letter addressed to Mayor Merkes from RBC Capital Markets was given
to the clerk for distribution to the Council. The letter requests the Council provide answers
to the investors on some important questions. A request for a conference call with
BAN holders was requested.

E. ACTION ITEMS

1. Approval to Retain Legal Counsel to Assist City in Bondholders Negotiations
(Steam Utility)

Mayor Merkes explained the conflict of interest with hiring Hunton & Williams as legal
counsel. The proposal submitted by Hunton & Williams addresses the conflict of interest

Council members asked questions of Andrew Kintzinger and Charles Forrest.

Moved by Ald. Pack, seconded by Ald. Taylor to approve Hunton & Williams as legal
Counsel to assist City in bondholders negotiations

Motion carried on roll call 8-0.

2. R-15-09 Resolution of the City of Menasha Common Council Regarding Appointment of Special Counsel and Consideration of Cessation of Steam Utility Operations

Moved by Ald. Pack, seconded by Ald. Zelinski to hold.

Mayor Merkes explained adopting this resolution will allow the City to retain Hunton & Williams as special municipal finance counsel and the City only take under advisement the recommendations in the Utility Commission Resolution regarding ceasing operation at the steam plant facility.

Ald. Pack and Zelinski withdrew their motion to hold.

Moved by Ald. Englebert, seconded by Ald. Wisneski to adopt O-15-09.
Motion carried on roll call 8-0

F. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Hendricks to adjourn at 5:56 p.m.
Motion carried on voice vote

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk

MBM PrintCare

Agreement # _____

This Print Management Agreement with all Attachments, Schedules and Addenda shall be collectively referred to as this "Agreement".

Between

The City of Menasha (herein referred to as "Customer")

And

Merizon Group, Inc (Herein referred to as "MBM")
620 N Lynddale Drive Appleton WI 54912

Services

MBM will provide Customer a Print Management service as described in Standard Terms and Conditions and attached "Scope of Services" for all equipment and OEM accessories (referred to as "the Equipment") on the attached Schedule "A".

MBM will provide on-site support as described in the Agreement.

Additional Services may be added to this agreement by Addendum signed by both parties.

Print Management Fee

Customer shall pay a base monthly Print Management fee to MBM. Such fee is determined by multiplying the agreed cost per image by the number of monthly images included in the monthly base image allowance. Additional images made during month will be billed at the beginning of the month following at the agreed cost per image.

This Agreement shall carry a cost per page for Black of \$.0187 and a monthly base image allowance of 25,000 Black images. This agreement shall also carry a cost per page for Color of \$0.052 for service only, and a monthly base image allowance for Color of 0 images. Color supplies toners are at your expense.

If the 25,000 monthly image allowance is not consumed in a month a credit will be issued in the following month for unused images.

Payment Terms: Net 10 Days

Term of Agreement

This Agreement shall have a twenty-four (24) month term unless terminated or extended as provided herein.

This Agreement shall commence immediately upon approval of Agreement by both parties at which point, MBM shall commence the Implementation Procedure as described in Attachment "A".

Terms and Conditions

Both parties agree to the terms and conditions set forth herein. Customer acknowledges that it has read the terms and conditions of the Agreement. _____ (Initial)

This Agreement shall be governed and construed in accordance with the laws of the State of Wisconsin.

Merizon Group, Inc

By: _____

Name: _____

Its: _____

Date: _____

By: _____

Name: _____

Title: _____

Date: _____

Standard Terms and Conditions

1. General Scope of Coverage

This Agreement covers black toner cartridges, maintenance kits, parts and labor for adjustments and repairs as necessitated by normal use of the equipment. Issues related to network connectivity and print controllers are excluded. Damage to the equipment or its parts arising out of misuse, abuse, negligence, or causes beyond MBM's control are not covered. MBM may terminate this agreement in the event equipment is modified, altered or serviced by personnel other than those employed by MBM or without consent of MBM. Coverage may be terminated on equipment that has been out of production for ten or more years.

On-site hours are from 8:00am to 5:00pm Monday through Friday excluding MBM Holidays (New Year's Day, Good Friday PM, Memorial Day, July Fourth holiday, Labor Day, Thanksgiving and day following, Christmas Eve PM, Christmas Day, New Year's Eve PM)

2. Addition/ of Equipment

Customer is required to immediately notify MBM upon installation of any additional equipment at Customer's site capable of using MBM supplied toner cartridges. Upon installation, such equipment shall automatically be covered by this Agreement and additional monthly pages will be added to the base amount monthly. Said equipment shall be considered the Equipment for all purposes under this agreement.

MBM may, within thirty days of such notification by the Customer provide written notice to the Customer of intent to re-price the Agreement. The Customer shall have thirty days from receipt of notice to accept the new terms or cancel the Agreement.

3. Extensions

This Agreement will be extended for additional 12 month terms unless written notice of intent to cancel is provided by either party not less than thirty (30) days prior to expiration

4. Non-Performance

In the event that MBM does not perform the services to the Customer's satisfaction, Customer shall inform MBM in writing and MBM shall have a period of thirty (30) days to correct any deficiencies in performance. Should MBM still be unable to correct the problem, the Customer shall have the option to cancel this Agreement.

5. Cancellation

If the Agreement is cancelled as provided for in Section 3 or Section 4 above, or section 10 below, the Customer will not incur any penalty or Liquidated Damages.

If the Agreement is cancelled by the Customer for any reason other than as provided Section 3 or Section 4 above the following Liquidated Damages will apply:

Months 1 -- 24 An amount equal to 3 times the monthly base amount not to exceed one half the remaining payments due.

In the event the Agreement is cancelled for any reason, the Customer shall:

- a) Permit MBM to remove any MBM owned equipment and supplies covered under this Agreement
- b) Pay all charges due and owing to MBM through the date of removal of such equipment and/ or supplies

In the event the contract billing falls below an average of 20,000 images in any three month period, MBM may cancel the Agreement after providing a thirty day written notice of intent to cancel.

6. Confidentiality

MBM recognizes that it must conduct its activities in a manner designed to protect any information concerning its affiliates or Customers (such information herein referred to collectively as the "Information") from improper use or disclosure. MBM agrees to treat Customer's Information on a confidential basis. MBM further agrees that it will not disclose any Customer Information, without Customer's prior written consent, to any person, firm or corporation except (1) to authorize Customer representatives or (2) to employees of MBM who have to perform the services contemplated hereunder. MBM agrees upon request to have its employees execute written undertakings to comply with the confidentiality requirements set forth under this paragraph.

7. Insurance

MBM shall at all times during the term of this Agreement maintain, at its cost, customary levels of the following types of insurance: general liability, workers compensation liability and, if appropriate to the services rendered, automobile liability (including bodily injury and property damage)

8. Indemnification

Customer shall indemnify and hold MBM harmless from any claim, demand, liability, and cause of action or damage for actual or alleged infringement of any intellectual property rights or copyrights arising alleged against the customer from the performance of services under this Agreement. Customer agrees to defend MBM at Customer's sole expense, against all suits, action or proceedings in which MBM is made a defendant for actual or alleged infringement of any intellectual property rights by the customer.

Other than as provided above, each party agrees to hold harmless, defend and indemnify the other party against any liability, demand, claim or cause of action for personal injury or property damage due to or arising out of the acts of that party, its agents and employees. However, each party shall have no obligation to hold harmless, defend or indemnify the other from or for liability arising from the other's own intentional or negligent acts.

9. Miscellaneous

This Agreement supersedes all prior discussions or understandings between the parties related to managed print services. This Agreement cannot be changed or terminated orally. No modification of this Agreement shall be binding unless signed by the party against whom it sought to be enforced.

If any provision of this Agreement is held to be invalid or unenforceable, the remainder of the Agreement shall still be construed as valid and enforceable.

Renewal of this agreement is subject to price and provision changes. The Customer shall have thirty days to cancel the agreement without penalty if such changes are found to be unacceptable.

No waiver shall be deemed to be made by any party of any of its rights hereunder unless, the same shall be in writing signed by the waiving party and any waiver shall be a waiver only with respect to the specific instance involved and shall in no way impair the rights or obligations of any party in any respect at any other time.

10. Assignability

Neither the Customer nor MBM, can assign its interest in or delegate its duties under this Agreement without the written concurrence of the other party. If there is such a transfer or delegation of responsibility that is not agreeable to both parties, the agreement shall be considered cancelled.

11. Breach or Default

If the Customer does not pay all charges for services as provided hereunder, promptly when due: (1) MBM may (a) refuse to provide service or supplies for the Equipment or (b) furnish service and supplies on a C.O.D. "Per Call" basis at published rates and (2) the Customer agrees to pay MBM costs and expenses of collection including the reasonable attorney's fee permitted by law in addition to all other rights and remedies available to MBM.

Scope of Services Print Management Agreement

1. Management Team

MBM will assign a PrintCare Representative. All service requests should be directed to Customer Service at 888-374-8151. Please have the appropriate ID number to give to the customer support representative.

2. Implementation

Upon approval of this Agreement by both parties, MBM will complete an inspection of the Equipment to be serviced under this Agreement. Following inspection, a MBM identification tag will be attached to the Equipment. Charges may apply for repair of Equipment that is initially found to be in a condition deficient to a standard of "reasonable wear and tear". Such charges will be detailed for the Customer and, if unacceptable, may be cause for the Customer to terminate this agreement without penalty within fifteen (15) days of notification of charges.

3. Print Management Services

Print Management Services are inclusive of but not limited to the following:

a) Hardware Support Services

Total Quality Call- Your primary MBM technician, under the guidelines of the Standard Terms and Conditions, will act proactively as they follow a standard procedure for addressing hardware failures involving resolution of the immediate failure followed by a completion of a multi-point check list replacing high mortality parts as needed.

Supplies- All supplies will be OEM compatible unless noted in this agreement. Supplies will be shipped per customer request but limited to a quantity required based on prints generated under this agreement. MICR and color toner are excluded.

Response Time- MBM will respond to service calls placed to the Customer Support Center (electronic or voice mail) within an average of four (4) hours for down machine call placement.

Remote Support- MBM may remotely monitor and support the Equipment for more timely and accurate resolution of problems.

Service Loaners- if we cannot repair your printer in your office we will provide a loaner until your printer is repaired.

b) Network Support

Solution Group- MBM's PrintCare Group will be available to provide support for application specific printing challenges. Following a needs analysis, the PrintCare Group, if appropriate, will provide a "Scope of Services" and program quote for your approval.

c) Contract Management

Quarterly Print Management Meeting- MBM will meet with you periodically, but not more than once per quarter to review the Agreement, MBM's performance and Equipment performance.

Asset Management- The MBM PrintCare Group will maintain an accurate inventory of all Equipment and associated print volumes. MBM will proactively offer solutions that would improve the conditions of the Agreement including, but not limited to, reallocation of resources for improved performance, cost reduction initiatives and recommendations for any new technology.

4. Escalation

MBM uses a management system designed to automatically monitor and alert your Print Management team when response times, equipment performance and technician performance fall below MBM's standards. Following such alerts, measures will be taken to correct any deficiencies.

ORDINANCE O-16-09

AN ORDINANCE RELATING TO HEIGHT, SETBACK, AND AREA EXCEPTIONS

Introduced by Ald. Benner at the recommendation of the Plan Commission.

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

SECTION 1: Article B, SEC.13-1-14(k) is created to read as follows:

- (k) No principal structure or accessory structure erected after June 1, 2009 shall be placed within ten (10) feet of a dedicated drainage easement.

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

Passed and approved this day of June, 2009.

Donald Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

RESOLUTION R – 14 – 09

RESOLUTION RELATING TO 2010 CENSUS COMPLETE COUNT COMMITTEE

Introduced by Mayor Merkes

WHEREAS, our United States Constitution requires a Census of the population of our nation every ten years; and

WHEREAS, Census information is used to determine how many members our state has in the United States House of Representatives and is also used to determine districts in our state legislature and local governing bodies; and

WHEREAS, having an accurate and complete Census count is important to our community in determining Federal and State aids and grants, economic development, housing assistance, transportation improvements and many other uses; and

WHEREAS, every resident of our community counts and deserves to be counted,

THEREFORE, BE IT RESOLVED, that the Common Council of the City of Menasha recognizes the importance of the 2010 Census and agrees to form a Complete Count Committee and to promote the Census to assure that all residents of our community are counted.

Passed and approved this day of June, 2009.

Donald Merkes, Mayor

Attest:

Deborah A. Galeazzi, City Clerk

CITY OF MENASHA DISBURSEMENTS

| | |
|---|-------------------|
| Accounts Payable for 6/4/09-6/11/09 Checks # 21462-21627 | \$1,554,951.40 |
| Payroll Checks for 6/4/09-6/11/09 | <u>174,012.71</u> |
| Total | \$1,728,964.11 |

**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

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description | | | | |
|-----------------------------------|--------------|------------|----------------|------------------------|--------|-----------------------|--------|------------------------|-------|---------|
| AAA SANITATION INC | 21462 | 6/4/2009 | 158473 | 100-0703-553.20-09 | 50.49 | PORTABLE TOILETS | | | | |
| | | | | 100-0703-553.20-09 | 168.30 | PORTABLE TOILETS | | | | |
| | | | | 158717 | | | | | | |
| | | | | Total for check: 21462 | | | 218.79 | | | |
| AIRGAS NORTH CENTRAL | 21463 | 6/4/2009 | 105358297 | 100-0703-553.30-18 | 47.58 | RECHARGE EXTINGUISHER | | | | |
| | | | | Total for check: 21463 | | | 47.58 | | | |
| AMERICAN RED CROSS NEENAH-MENASHA | 21464 | 6/4/2009 | 2357 | 100-0903-531.34-02 | 5.00 | CPRAED CLASSES | | | | |
| | | | | 100-0920-531.34-02 | 5.00 | CPRAED CLASSES | | | | |
| | | | | 100-0401-513.34-02 | 10.00 | CPRAED CLASSES | | | | |
| | | | | 100-0203-512.34-02 | 10.00 | CPRAED CLASSES | | | | |
| | | | | 100-0202-512.34-02 | 5.00 | CPRAED CLASSES | | | | |
| | | | | 100-0601-551.34-02 | 20.00 | CPRAED CLASSES | | | | |
| | | | | 100-0703-553.34-02 | 5.00 | CPRAED CLASSES | | | | |
| | | | | Total for check: 21464 | | | 60.00 | | | |
| | | | | POLLY ANDERSON | 21465 | 6/4/2009 | 053109 | 100-0903-531.33-01 | 25.68 | MILEAGE |
| | | | | | | | | Total for check: 21465 | | |
| BECK ELECTRIC INC | 21466 | 6/4/2009 | F104 | 100-1008-541.21-06 | 80.00 | WALK BUTTON | | | | |
| | | | | 100-1008-541.21-06 | 106.88 | REPLACE RED LED | | | | |
| | | | | 100-1008-541.21-06 | 298.88 | TRAFFIC LIGHT REPAIR | | | | |
| | | | | Total for check: 21466 | | | 485.76 | | | |

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------------|--------------|------------|-------------------------------|--------------------|-----------------|--------------------------|
| BIZNET | 21467 | 6/4/2009 | 051309 | 100-1003-541.29-01 | 159.00 | PARKING PERMITS |
| | | | Total for check: 21467 | | 159.00 | |
| BOB PALMER | 21468 | 6/4/2009 | PALMER | 827-0920-531.20-05 | 60.00 | ENTERTAINMENT JULY PARTY |
| | | | Total for check: 21468 | | 60.00 | |
| BRAZEE ACE HARDWARE | 21469 | 6/4/2009 | 004912 | 100-0703-553.30-18 | 20.49 | DECK SCREWS |
| | | | Total for check: 21469 | | 20.49 | |
| BRUCE MUNICIPAL EQUIPMENT INC | 21470 | 6/4/2009 | 5091578 | 731-1022-541.38-03 | 226.03 | WHEEL SPINDLE |
| | | | Total for check: 21470 | | 226.03 | |
| BUBRICKS | 21471 | 6/4/2009 | 226538 | 100-0801-521.30-10 | 79.05 | OFFICE SUPPLIES |
| | | | 226924 | 100-0903-531.24-01 | 65.27 | LOCKING HOLDER |
| | | | Total for check: 21471 | | 144.32 | |
| CAREW CONCRETE & SUPPLY CO INC | 21472 | 6/4/2009 | 803173 | 100-1003-541.30-18 | 178.00 | 821 THIRD ST |
| | | | 803334 | 100-1009-541.30-18 | 126.00 | 821 THIRD ST |
| | | | 804803 | 100-1003-541.30-18 | 94.00 | 821 THIRD ST |
| | | | Total for check: 21472 | | 2,607.92 | CONCRETE/TAYCO ST |
| | | | | | 3,005.92 | |
| COMMON SENSE SOLUTIONS LLC | 21473 | 6/4/2009 | 060209 | 100-0403-513.21-04 | 23.10 | OUT OF POCKET |
| | | | Total for check: 21473 | | 23.10 | |

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-------------------------------|------------------------|------------|----------------|--------------------|----------|--------------------------|
| DAVEL ENGINEERING | 21474 | 6/4/2009 | 5226 | 625-0304-562.21-02 | 250.00 | STORM WATER PLAN REVIEW |
| | Total for check: 21474 | | | | 250.00 | |
| | | | | | | |
| VALERIE DAVIS | 21475 | 6/4/2009 | 050609 | 100-0903-531.33-01 | 38.85 | MILEAGE |
| | | | | 100-0905-531.33-01 | 4.21 | MILEAGE |
| | Total for check: 21475 | | | | 43.06 | |
| | | | | | | |
| DIGICORPORATION | 21476 | 6/4/2009 | 92162 | 731-1022-541.29-01 | 320.00 | EQUIPMENT/JOB TICKETS |
| | | 6/4/2009 | 92194 | 100-0401-513.29-01 | 183.90 | FINANCE ENVELOPES |
| | | | | 100-0000-134.00-00 | (107.90) | FINANCE ENVELOPES |
| | | 6/4/2009 | 92251 | 266-1029-543.29-01 | 130.93 | FREON COLLECTION PERMITS |
| Total for check: 21476 | | | | 526.93 | | |
| | | | | | | |
| DOROTHY RISKA | 21477 | 6/4/2009 | RISKA | 100-0000-201.11-00 | 48.00 | TRIP CANCEL REFUND |
| | Total for check: 21477 | | | | 48.00 | |
| | | | | | | |
| FERGUSON ENTERPRISES INC #448 | 21478 | 6/4/2009 | 0451917 | 100-0704-552.24-04 | 129.90 | LOCHINVAR PART POOL |
| | Total for check: 21478 | | | | 129.90 | |
| | | | | | | |
| FIRST SUPPLY LLC | 21479 | 6/4/2009 | 7854702-00 | 100-0704-552.24-03 | 13.38 | PVL SEAL |
| | Total for check: 21479 | | | | 13.38 | |
| | | | | | | |
| DEBBIE GALEAZZI | 21480 | 6/4/2009 | 052809 | 100-0203-512.34-03 | 366.96 | LODGING/CONFERENCE |
| | Total for check: 21480 | | | | 366.96 | |

AP Check Register

Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|------------------------|------------|----------------|--------------------|--------|----------------|
| GE CHEMICAL | 21481 | 6/4/2009 | 3981 | 731-1022-541.30-18 | 384.40 | 55 GALLON DRUM |
| | | | | | | FOAM FILTER |
| | | | | | | |
| | Total for check: 21481 | | | | 384.40 | |
| GRAINGER INC | 21482 | 6/4/2009 | 9896119030 | 100-0703-553.30-18 | 25.47 | CHEMICAL PACK |
| | | | | | | |
| | | | | | | |
| | Total for check: 21482 | | | | 95.34 | |
| GUNDERSON UNIFORM & LINEN RENTAL | 21483 | 6/4/2009 | 1305341 | 100-1001-514.20-01 | 15.76 | MOPMAT SERVICE |
| | | | | | | |
| | | | | | | |
| | Total for check: 21483 | | | | 22.71 | |
| JILL HARP | 21484 | 6/4/2009 | 060109 | 100-0304-562.30-11 | 8.80 | MILEAGE |
| | | | | | | |
| | | | | | | |
| | Total for check: 21484 | | | | 29.86 | |
| HEARTLAND LABEL PRINTERS INC | 21485 | 6/4/2009 | 96457-H | 100-0403-513.21-04 | 199.95 | WEB AGREEMENT |
| | | | | | | |
| | | | | | | |
| | Total for check: 21485 | | | | 199.95 | |
| INTERSTATE BATTERY OF GREEN BAY | 21486 | 6/4/2009 | 171304 | 731-1022-541.38-03 | 199.90 | BATTERY |
| | | | | | | |
| | | | | | | |
| | Total for check: 21486 | | | | 199.90 | |

AP Check Register
Check Date: 6/4/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description | | |
|----------------------------------|--------------|------------|----------------|--|--------|---------------------|--|--|
| IRENE & GREG RESCH | 21487 | 6/4/2009 | RESCH | 100-0000-201.11-00 | 96.00 | TRIP CANCEL REFUND | | |
| | | | | Total for check: 21487 96.00 | | | | |
| | | | | | | | | |
| JOHN'S SAW SERVICE | 21488 | 6/4/2009 | 7634 | 731-1022-541.38-03 | 13.98 | PARTS/TRIMMER | | |
| | | | | Total for check: 21488 13.98 | | | | |
| | | | | | | | | |
| LAKE PARK VILLAS HOMEOWNERS ASSN | 21489 | 6/4/2009 | 053109 | 100-0703-553.21-06 | 899.27 | UTILITIES/POND | | |
| | | | | 100-0703-553.22-03 | 171.16 | UTILITIES/POND | | |
| | | | | 100-1012-541.22-03 | 30.07 | UTILITIES/POND | | |
| | | | | 625-1010-541.22-03 | 502.39 | UTILITIES/POND | | |
| | | | | 625-1010-541.21-06 | 32.28 | UTILITIES/POND | | |
| | | | | Total for check: 21489 1,635.17 | | | | |
| | | | | | | | | |
| LAWSON PRODUCTS INC | 21490 | 6/4/2009 | 8055668 | 731-1022-541.38-03 | 307.96 | STOCK | | |
| | | | | 8098662 | 81.15 | STOCK | | |
| | | | | Total for check: 21490 389.11 | | | | |
| | | | | | | | | |
| LEE & KATIE MURPHY | 21491 | 6/4/2009 | MURPHY | 100-0000-201.11-00 | 96.00 | TRIP CANCEL REFUND | | |
| | | | | Total for check: 21491 96.00 | | | | |
| | | | | | | | | |
| LINCOLN CONTRACTORS SUPPLY INC | 21492 | 6/4/2009 | 10499950 | 100-1003-541.30-15 | 169.53 | HAND/CONCRETE TOOLS | | |
| | | | | 100-1009-541.30-15 | 400.00 | HAND/CONCRETE TOOLS | | |
| | | | | Total for check: 21492 569.53 | | | | |

AP Check Register
Check Date: 6/4/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------------|--------------|------------|-------------------------------|--------------------|------------------|---------------------------|
| LLOYD & MARCELLA PETERSON | 21493 | 6/4/2009 | PETERSON | 100-0000-201.11-00 | 20.00 | TRIP CANCEL REFUND |
| | | | Total for check: 21493 | | 20.00 | |
| LW ALLEN INC | 21494 | 6/4/2009 | 085550 | 601-1020-543.21-06 | 16,555.00 | FIELD SERVICE/PUMP REPAIR |
| | | | Total for check: 21494 | | 16,555.00 | |
| MATTHEWS TIRE & SERVICE CENTER | 21495 | 6/4/2009 | 29397 | 731-1022-541.38-02 | 371.88 | AEOLUS TIRES |
| | | | 29399 | 731-1022-541.38-02 | 24.84 | FLAT REPAIR |
| | | | Total for check: 21495 | | 396.72 | |
| MEMORIAL FLORISTS INC | 21496 | 6/4/2009 | 02483381 | 100-1003-541.30-18 | 381.83 | FLOWERS |
| | | | 02484154 | 100-1003-541.30-18 | 156.06 | FLOWERS |
| | | | Total for check: 21496 | | 537.89 | |
| MENARDS-APPLETON EAST | 21497 | 6/4/2009 | 68495 | 100-1008-541.30-18 | 87.40 | BOLTS/BINS |
| | | | Total for check: 21497 | | 87.40 | |
| MENASHA EMPLOYEES CREDIT UNION | 21498 | 6/4/2009 | 20090604 | 100-0000-202.05-00 | 2,150.00 | PAYROLL SUMMARY |
| | | | | 100-0000-202.05-00 | 16,750.00 | PAYROLL SUMMARY |
| | | | Total for check: 21498 | | 18,900.00 | |
| MENASHA EMPLOYEES CREDIT UNION | 21499 | 6/4/2009 | 20090604 | 100-0000-202.10-00 | 119.99 | PAYROLL SUMMARY |
| | | | Total for check: 21499 | | 119.99 | |

AP Check Register
Check Date: 6/4/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description | | | | |
|-------------------------------|-------------------------------|----------------------|----------------|------------------------|---------------|-----------------|------------|--------------------|--------|----------------------|
| MENASHA EMPLOYEES LOCAL 1035 | 21500 | 6/4/2009 | 20090604 | 100-0000-202.06-00 | 310.00 | PAYROLL SUMMARY | | | | |
| | Total for check: 21500 | | | | <u>310.00</u> | | | | | |
| | MENASHA EMPLOYEES LOCAL 1035B | | | | | | | | | |
| POSTMASTER | 21501 | 6/4/2009 | 20090604 | 100-0000-202.07-00 | 260.13 | PAYROLL SUMMARY | | | | |
| | Total for check: 21501 | | | | <u>260.13</u> | | | | | |
| MENASHA EMPLOYEES LOCAL 1035B | 21502 | 6/4/2009 | 060109 | 100-0920-531.30-11 | 50.00 | JULY NEWSLETTER | | | | |
| | Total for check: 21502 | | | | <u>50.00</u> | | | | | |
| MENASHA TREASURER | 21503 | 6/4/2009 | 060309 | 100-0202-512.30-11 | 0.44 | PETTY CASH | | | | |
| | | | | 100-0401-513.30-11 | 0.61 | PETTY CASH | | | | |
| | | | | 100-0902-524.30-18 | 20.00 | PETTY CASH | | | | |
| | | | | 100-0918-531.34-03 | 13.96 | PETTY CASH | | | | |
| | | | | 100-1002-541.30-11 | 5.10 | PETTY CASH | | | | |
| | | | | 100-0903-531.33-01 | 67.80 | PETTY CASH | | | | |
| | | | | 100-0906-531.33-01 | 2.34 | PETTY CASH | | | | |
| | | | | Total for check: 21503 | | | | <u>110.25</u> | | |
| | | | | MENASHA UTILITIES | 21504 | 6/4/2009 | BILLING #1 | 100-1008-541.22-03 | 256.83 | ELECTRIC/WATER/STORM |
| | | | | | | | | 100-0000-123.00-00 | 14.02 | ELECTRIC/WATER/STORM |
| 100-0403-513.21-04 | 1,827.50 | ELECTRIC/WATER/STORM | | | | | | | | |
| 207-0707-552.22-03 | 100.62 | ELECTRIC/WATER/STORM | | | | | | | | |
| 207-0707-552.22-05 | 33.81 | ELECTRIC/WATER/STORM | | | | | | | | |
| 207-0707-552.22-06 | 22.75 | ELECTRIC/WATER/STORM | | | | | | | | |
| 100-0703-553.22-03 | 617.62 | ELECTRIC/WATER/STORM | | | | | | | | |
| 100-0703-553.22-05 | 238.25 | ELECTRIC/WATER/STORM | | | | | | | | |
| 100-0703-553.22-06 | 41.42 | ELECTRIC/WATER/STORM | | | | | | | | |
| | | | | | | | | | | |

AP Check Register
Check Date: 6/4/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|--------------|-------------|-------------------------------|--------------------|-----------------|-----------------------------|
| MENASHA UTILITIES... | 21504... | 6/4/2009... | BILLING #1... | 100-1001-514.22-03 | 1,635.06 | ELECTRIC/WATER/STORM |
| | | | | 100-1001-514.22-05 | 259.93 | ELECTRIC/WATER/STORM |
| | | | | 100-1001-514.22-06 | 33.31 | ELECTRIC/WATER/STORM |
| | | | | 100-1019-552.22-03 | 126.15 | ELECTRIC/WATER/STORM |
| | | | | 100-0920-531.22-03 | 304.39 | ELECTRIC/WATER/STORM |
| | | | | 100-0920-531.22-05 | 77.24 | ELECTRIC/WATER/STORM |
| | | | | 100-0408-552.22-03 | 16.96 | ELECTRIC/WATER/STORM |
| | | | | 100-1013-541.22-06 | 177.93 | ELECTRIC/WATER/STORM |
| | | | | 601-1020-543.22-03 | 28.05 | ELECTRIC/WATER/STORM |
| | | | | 601-1020-543.22-06 | 11.37 | ELECTRIC/WATER/STORM |
| | | | Total for check: 21504 | | 5,823.20 | |
| MORTON PHARMACY | 21505 | 6/4/2009 | 26169721 | 100-0914-531.30-18 | 11.26 | EPINEPHRINE |
| | | | Total for check: 21505 | | 11.26 | |
| MORTON SAFETY | 21506 | 6/4/2009 | 393795 | 731-1022-541.30-18 | 35.70 | EYEWEAR/EAR PLUGS |
| | | | Total for check: 21506 | | 35.70 | |
| N&M AUTO SUPPLY | 21507 | 6/4/2009 | 265554 | 731-1022-541.38-03 | 14.93 | FUEL FILTER |
| | | | | 731-1022-541.38-03 | 15.38 | OIL FILTER/SPARK PLUG STOCK |
| | | | | 731-1022-541.38-03 | 205.13 | VEHICLE PARTS |
| | | | | 731-1022-541.38-03 | 9.47 | FUEL FILTER |
| | | | Total for check: 21507 | | 244.91 | |
| NEENAH-MENASHA SEWERAGE COMMISSI | 21508 | 6/4/2009 | 2009-091 | 601-1021-543.25-01 | 59,820.81 | WASTEWATER TREATMENT |
| | | | | | | JUNE 2009 |

AP Check Register
Check Date: 6/4/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|--------------|------------|------------------------|--------------------|-----------|-------------------------------|
| NEENAH-MENASHA SEWERAGE COMMISSI | 21508 | 6/4/2009 | 2009-097 | 601-1021-543.25-01 | 11,657.00 | BOND ISSUE INTEREST JUNE 2009 |
| | | | Total for check: 21508 | | 71,477.81 | |
| NEVCO SCOREBOARD COMPANY | 21509 | 6/4/2009 | 97623 | 100-0703-553.24-03 | 18.43 | POP RIVET ALUM |
| | | | Total for check: 21509 | | 18.43 | |
| NOFFKE LUMBER INC | 21510 | 6/4/2009 | 090520816898 | 100-0703-553.30-18 | 24.52 | TREATED LUMBER |
| | | | 090520816986 | 100-0703-553.30-18 | 135.54 | NEW 441 SIGN |
| | | | Total for check: 21510 | | 160.06 | |
| OFFICEMAX INC | 21511 | 6/4/2009 | 1296000037409 | 100-0801-521.30-10 | 101.96 | TONER POLICE |
| | | | Total for check: 21511 | | 101.96 | |
| OTTER CREEK | 21512 | 6/4/2009 | 052109 | 100-0703-553.30-18 | 43.98 | CONTAINER |
| | | | Total for check: 21512 | | 43.98 | |
| PACKER CITY INTERNATIONAL | 21513 | 6/4/2009 | 3291310011 | 731-1022-541.38-03 | 62.52 | TRANS FI |
| | | | 3291310018 | 731-1022-541.38-03 | 43.61 | AIR FILTER/LUBE FILTERS |
| | | | Total for check: 21513 | | 106.13 | |
| POSTAL ANNEX | 21514 | 6/4/2009 | 147461 | 100-0801-521.30-11 | 19.53 | POSTAGE |
| | | | 147606 | 100-0801-521.30-11 | 6.84 | POSTAGE |
| | | | 148067 | 100-0801-521.30-11 | 20.90 | POSTAGE |
| | | | 148294 | 100-0801-521.30-11 | 6.84 | POSTAGE |

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------------|--------------|------------|------------------------|--------------------|----------|--------------------------------|
| POSTAL ANNEX... | 21514... | 6/4/2009 | 148397 | 100-0801-521.30-11 | 9.97 | POSTAGE |
| | | | Total for check: 21514 | | 64.08 | |
| PRO-X SYSTEMS LAWN CARE | 21515 | 6/4/2009 | 94277 | 100-0703-553.20-06 | 199.83 | FERTILIZER |
| | | | Total for check: 21515 | | 199.83 | |
| SCHILLER'S TREE SERVICE INC | 21516 | 6/4/2009 | 16309 | 100-0706-561.20-06 | 1,911.00 | STUMP REMOVALS |
| | | | Total for check: 21516 | | 1,911.00 | |
| SECURITY FENCE & SUPPLY CO INC | 21517 | 6/4/2009 | 2009-17971-IN | 100-0703-553.24-05 | 2,090.00 | CHAINLINK FENCE JEFFERSON WEST |
| | | | Total for check: 21517 | | 2,090.00 | |
| SHANNON WILLS | 21518 | 6/4/2009 | WILLS | 100-0000-441.25-00 | 20.00 | PARK CANCEL REFUND |
| | | | Total for check: 21518 | | 20.00 | |
| SPORTS GRAPHICS | 21519 | 6/4/2009 | 51009-1 | 100-0702-552.30-18 | 40.00 | POLOS |
| | | | Total for check: 21519 | | 40.00 | |
| TIM STYKA | 21520 | 6/4/2009 | 060309 | 100-0801-521.19-01 | 2,000.00 | MBA REIMBURSEMENT |
| | | | Total for check: 21520 | | 2,000.00 | |
| SUSAN SKRZYPCZAK | 21521 | 6/4/2009 | SKRZYPCZAK | 601-1020-543.21-02 | 607.50 | REIMBURSE SUMP PUMP/PIT |
| | | | Total for check: 21521 | | 607.50 | |

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description | |
|-------------------------|------------------------------|------------------------|----------------|--------------------|--------------------|--------------------------|---------------------|
| THOMAS ZELLER | 21522 | 6/4/2009 | ZELLER | 601-1020-543.21-02 | 675.00 | REIMBURSE SUMP PUMP/PIT | |
| | Total for check: 21522 | | | | 675.00 | | |
| | TRAFFIC & PARKING CONTROL CO | 21523 | 6/4/2009 | 317573 | 100-1008-541.30-18 | 1,524.35 | WATER/SOLVENT PAINT |
| | | Total for check: 21523 | | | | 1,524.35 | |
| UNIFIRST CORPORATION | 21524 | 6/4/2009 | 097 0048906 | 731-1022-541.20-01 | 97.91 | MAT/MOP/CLOTHING SERVICE | |
| | Total for check: 21524 | | | | 97.91 | | |
| UNITED WAY FOX CITIES | 21525 | 6/4/2009 | 20090604 | 100-0000-202.09-00 | 76.00 | PAYROLL SUMMARY | |
| | Total for check: 21525 | | | | 76.00 | | |
| UNIVERSITY OF WISCONSIN | 21526 | 6/4/2009 | 1185005 | 100-1002-541.34-02 | 45.00 | PROGRAM FEE | |
| | Total for check: 21526 | | | | 45.00 | T MONTOUR | |
| US OIL CO INC | 21527 | 6/4/2009 | 108083 | 100-0000-141.00-00 | (601.20) | CONTRACT PREPAY CREDIT | |
| | | 6/4/2009 | 108084 | 100-0000-131.00-00 | 7,423.11 | NO LEAD | |
| | | 6/4/2009 | 108116 | 100-0000-131.00-00 | 9,795.74 | FUEL OIL | |
| | | 6/4/2009 | 108838 | 100-0000-131.00-00 | (9,795.74) | CREDIT | |
| | | 6/4/2009 | 108839 | 100-0000-131.00-00 | 15,293.12 | DIESEL | |
| | | 6/4/2009 | 108868 | 100-0000-141.00-00 | (1,001.80) | CONTRACT PREPAY CREDIT | |
| | Total for check: 21527 | | | | 21,113.23 | | |

AP Check Register
Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-------------------------------------|------------------------|------------|----------------|--------------------|----------|-----------------------------------|
| UW-GREEN BAY, OUTREACH GOVERNMENT | 21528 | 6/4/2009 | SASSMAN | 100-0401-513.34-02 | 419.00 | MUNICIPAL TREAS INST REGISTRATION |
| | Total for check: 21528 | | | | 419.00 | |
| | | | | | | |
| VALLEY CHEMICAL LLC | 21529 | 6/4/2009 | 0023342-JN | 100-0704-552.30-18 | 163.44 | TRI CHLOR TABS |
| | Total for check: 21529 | | | | 163.44 | |
| | | | | | | |
| WATERBLAST LLC | 21530 | 6/4/2009 | 11296 | 731-1022-541.30-18 | 275.00 | PRESSURE WASHER SOAP |
| | Total for check: 21530 | | | | 275.00 | |
| | | | | | | |
| WE ENERGIES | 21531 | 6/4/2009 | 05209 | 100-1012-541.22-03 | 1,971.53 | STREET LIGHTS 140 MAIN |
| | Total for check: 21531 | | | | 1,971.53 | |
| | | | | | | |
| WEHA | 21532 | 6/4/2009 | 06029 | 100-0904-531.32-01 | 40.00 | MEMBERSHIP RENEWAL TODD DREW |
| | Total for check: 21532 | | | | 40.00 | |
| | | | | | | |
| WIL-KIL PEST CONTROL | 21533 | 6/4/2009 | 1468525 | 731-1022-541.20-07 | 63.00 | COMMERCIAL CONTRACT |
| | Total for check: 21533 | | | | 63.00 | |
| | | | | | | |
| WINNEBAGO COUNTY REGISTER OF DEEDS | 21534 | 6/4/2009 | 060309 | 100-0000-201.03-00 | 11.00 | RECORDING COSTS |
| | Total for check: 21534 | | | | 11.00 | |
| | | | | | | |
| WISCONSIN CHIEFS OF POLICE ASSN INC | 21535 | 6/4/2009 | 05209 | 100-0801-521.21-06 | 1,227.50 | POLICE ENTRY LEVEL EXAMS |
| | Total for check: 21535 | | | | 1,227.50 | |
| | | | | | | |

AP Check Register

Check Date: 6/4/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|------------------------|------------|--------------------|--------------------|----------|-----------------|
| WISCONSIN DEPT OF AGRICULTURE | 21536 | 6/4/2009 | 4309 | 100-0902-524.21-05 | 222.50 | TEST WEIGHTS |
| | Total for check: 21536 | | | | 222.50 | |
| | | | | | | |
| WISCONSIN DEPT OF TRANSPORTATION | 21537 | 6/4/2009 | L00240 | 100-1003-541.82-02 | 953.66 | FEDERAL PROJECT |
| | 6/4/2009 | L00242 | 100-1003-541.82-02 | 52.40 | 52.40 | FEDERAL PROJECT |
| | Total for check: 21537 | | | | 1,006.06 | |
| | | | | | | |
| WISCONSIN SUPPORT COLLECTIONS | 21538 | 6/4/2009 | 20090604 | 100-0000-202.03-00 | 515.23 | PAYROLL SUMMARY |
| | | | | 100-0000-202.04-00 | 138.40 | PAYROLL SUMMARY |
| | | | | 100-0000-202.03-00 | 711.92 | PAYROLL SUMMARY |
| Total for check: 21538 | | | | 1,365.55 | | |
| | | | | | | |
| ZARNOTH BRUSH WORKS INC | 21539 | 6/4/2009 | 0122859-IN | 625-1005-541.30-15 | 737.00 | BROOM REFILL |
| | Total for check: 21539 | | | | 737.00 | |
| | | | | <u>162,923.15</u> | | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------|--------------|------------|----------------|-------------------------------|------------------|-------------------------|
| ADVANTIDGE INC | 21540 | 6/11/2009 | 216510 | 100-0801-521.30-10 | 90.87 | 50 CARD/50 RIBBON |
| | | | | Total for check: 21540 | 90.87 | |
| | | | | | | |
| ALL-SPORT TROPHY | 21541 | 6/11/2009 | 41205 | 100-0702-552.30-18 | 247.00 | TRACK MEET RIBBONS |
| | | | | Total for check: 21541 | 247.00 | |
| | | | | | | |
| AMMUNITION | 21542 | 6/11/2009 | 177134 | 100-0801-521.30-18 | 522.50 | 180 GR ACCUBOND BH GOLD |
| | | | | Total for check: 21542 | 522.50 | |
| | | | | | | |
| APPLETON SCHOOL DISTRICT | 21543 | 6/11/2009 | 061009 | 100-0000-203.05-00 | 58,236.95 | TAX COLLECTION PAYMENTS |
| | | | | Total for check: 21543 | 58,236.95 | |
| | | | | | | |
| BADGER HIGHWAYS CO INC | 21544 | 6/11/2009 | 145073 | 100-1003-541.30-18 | 162.57 | COLD MIX |
| | | | | Total for check: 21544 | 162.57 | |
| | | | | | | |
| MARSEILLES BAYER | 21545 | 6/11/2009 | 060909 | 100-0402-513.10-07 | 50.00 | BOARD OF REVIEW |
| | | | | Total for check: 21545 | 50.00 | |
| | | | | | | |
| BECK ELECTRIC INC | 21546 | 6/11/2009 | F95 | 100-0704-552.24-03 | 151.38 | WIRE EXHAUST FAN |
| | | | | Total for check: 21546 | 151.38 | |
| | | | | | | |
| BOARDMAN LAW FIRM | 21547 | 6/11/2009 | 187268 | 100-0201-512.21-01 | 557.84 | CABLE REGULATORY ORD |
| | | | | Total for check: 21547 | 557.84 | |
| | | | | | | |
| BRAZEE ACE HARDWARE | 21548 | 6/11/2009 | 005060 | 100-0703-553.30-18 | 11.99 | POLY SPRAYER |
| | | | | Total for check: 21548 | 11.99 | |
| | | | | | | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-------------------------------|--------------|------------|-------------------------------|--------------------|------------------|----------------------------|
| BRAZEE ACE HARDWARE... | 21548... | 6/11/2009 | 005069 | 100-0703-553.30-18 | 15.49 | ALCOHOL DENATURD GAL |
| | | 6/11/2009 | 005074 | 100-0703-553.30-15 | 25.99 | TIEDOWN RATCHET |
| | | 6/11/2009 | 005080 | 100-0703-553.30-18 | 20.00 | RENTAL |
| | | | Total for check: 21548 | | 73.47 | |
| BRUCE MUNICIPAL EQUIPMENT INC | 21549 | 6/11/2009 | 5091668 | 731-1022-541.38-03 | 981.02 | HUB ASSY |
| | | | Total for check: 21549 | | 981.02 | |
| CALUMET COUNTY TREASURER | 21550 | 6/11/2009 | 061009 | 100-0000-203.01-00 | 43,519.50 | TAX COLLECTION PAYMENTS |
| | | | | 100-0000-203.08-00 | 1,916.70 | TAX COLLECTION PAYMENTS |
| | | | Total for check: 21550 | | 45,436.20 | |
| CATHY TESCH | 21551 | 6/11/2009 | TESCH | 100-0000-441.23-00 | 2.50 | PARK CANCELLATION |
| | | | Total for check: 21551 | | 2.50 | |
| CLEAR WATER CAR WASH | 21552 | 6/11/2009 | 2585 | 100-0801-521.29-05 | 44.95 | CARPET AND WASH DETAIL |
| | | | Total for check: 21552 | | 44.95 | |
| CONSTANCE METKO | 21553 | 6/11/2009 | METKO | 100-0000-201.11-00 | 33.00 | TRIP REFUND |
| | | | Total for check: 21553 | | 33.00 | |
| DAN PAMENTER | 21554 | 6/11/2009 | PAMENTER | 203-0306-562.70-01 | 2,500.00 | FASCADDE GRANT IMPROVEMENT |
| | | | Total for check: 21554 | | 2,500.00 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|--------------|------------|-------------------------------|--------------------|-------------------|----------------------------|
| DENA KORDUS | 21555 | 6/11/2009 | KORDUS | 100-0000-441.24-00 | 90.00 | POOL PASS REFUND |
| | | | Total for check: 21555 | | 90.00 | |
| DEPARTMENT OF WORKFORCE DEVELOPN | 21556 | 6/11/2009 | 896702 | 100-1019-552.15-09 | 124.00 | BRIDGE |
| | | | Total for check: 21556 | | 124.00 | |
| FAMILY THERAPY & ANXIETY CENTER | 21557 | 6/11/2009 | 053109 | 100-0801-521.21-05 | 175.49 | SERVICES PROVIDED PD |
| | | | Total for check: 21557 | | 175.49 | |
| FOX EXCAVATING LLC | 21558 | 6/11/2009 | 1038 | 485-0304-562.82-02 | 5,000.00 | RETAINING WALL NATURES WAY |
| | | | Total for check: 21558 | | 5,000.00 | |
| FOX VALLEY TECHNICAL COLLEGE | 21559 | 6/11/2009 | 061009 | 100-0000-203.04-00 | 137,993.25 | TAX COLLECTION PAYMENTS |
| | | | Total for check: 21559 | | 137,993.25 | |
| GANNETT WISCONSIN MEDIA | 21560 | 6/11/2009 | 0004076774 | 100-0405-513.29-02 | 1,212.56 | LEGALS |
| | | | | 100-0203-512.29-02 | 469.51 | LEGALS |
| | | | Total for check: 21560 | | 1,682.07 | |
| GUNDERSON UNIFORM & LINEN RENTAL | 21561 | 6/11/2009 | 1306316 | 100-0801-521.30-13 | 32.44 | TOWEL/MAT SERVICE |
| | | | Total for check: 21561 | | 32.44 | |
| HANS NELSON | 21562 | 6/11/2009 | NELSON | 601-1020-543.21-02 | 189.00 | REIMBURSE SUMP PUMP/PIT |
| | | | Total for check: 21562 | | 189.00 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-----------------------------|--------------|------------|-------------------------------|--------------------|-----------------|--------------------------|
| HOME DEPOT CREDIT SERVICES | 21563 | 6/11/2009 | 2992065 | 100-0704-552.24-03 | 266.86 | PAINT SUPPLIES |
| | | | 7034668 | 100-0704-552.24-03 | 156.39 | BULL NOSE CAULK |
| | | | 8174041 | 207-0707-552.24-03 | 13.16 | MARINA SOD |
| | | | Total for check: 21563 | | 436.41 | |
| HORST DISTRIBUTING INC | 21564 | 6/11/2009 | 534990 | 100-0703-553.30-18 | 251.70 | ATHLETIC PAINT/WHITE |
| | | | Total for check: 21564 | | 251.70 | |
| HUB INTERNATIONAL | 21565 | 6/11/2009 | HUB | 733-0000-201.03-00 | 174.20 | TWIN CITY VETERANS |
| | | | Total for check: 21565 | | 174.20 | |
| INDEPENDENT INSPECTIONS LTD | 21566 | 6/11/2009 | 302648 | 100-0301-523.21-06 | 6,701.48 | PERMITS MAY 2009 |
| | | | Total for check: 21566 | | 6,701.48 | |
| JX ENTERPRISES INC | 21567 | 6/11/2009 | D291400037 | 731-1022-541.38-03 | 95.49 | SEAL KIT |
| | | | Total for check: 21567 | | 95.49 | |
| KAEMPFER & ASSOCIATES INC | 21568 | 6/11/2009 | 14662 | 601-1020-543.21-02 | 206.55 | IND DISC REG PROG |
| | | | 14663 | 601-0000-196.00-00 | 1,550.35 | WW COLL SYS REHAB IMPROV |
| | | | 14664 | 601-1020-543.21-02 | 1,422.98 | FLOW BYPASSING OVERFLOW |
| | | | 14665 | 601-1020-543.21-02 | 1,788.38 | LIFT STATION IMPROV |
| | | | 14666 | 601-1020-543.21-02 | 947.79 | WW COLL SYS IMPROV |
| | | | 14667 | 601-1020-543.21-02 | 500.16 | SSES MANHOLE INSPECTION |
| | | | Total for check: 21568 | | 6,416.21 | |
| KITZ & PFEIL INC | 21571 | 6/11/2009 | 042114-0008 | 100-0703-553.24-03 | 7.72 | PLAS WING TYPE NUTS |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|---------------------|--------------|-------------|--------------------|--------------------|-------------------------|------------------------|
| KITZ & PFEIL INC... | 21571... | 6/11/2009 | 042114-0070 | 731-1022-541.24-03 | 3.40 | BOX COERWELDED SQ BOX |
| | | 6/11/2009 | 042114-0074 | 100-0703-553.30-18 | 12.73 | JIG SAW BLADE |
| | | 6/11/2009 | 042114-0103 | 100-1001-514.30-13 | 6.29 | BI-PIN HALO BULB |
| | | 6/11/2009 | 042114-0180 | 100-0801-521.29-05 | 5.39 | SEALANT |
| | | 6/11/2009 | 042214-0166 | 100-0703-553.24-03 | 23.39 | TINT BASE |
| | | 6/11/2009 | 042314-0004 | 100-0703-553.30-13 | 12.99 | PAINT SUPPLIES |
| | | 6/11/2009 | 042409-0003 | 100-0704-552.24-03 | 15.70 | PAINT SUPPLIES |
| | | 6/11/2009 | 042414-0056 | 731-1022-541.38-03 | (21.06) | SPARK PLUG/MISC RETURN |
| | | 6/11/2009 | 042709-0022 | 100-0706-561.30-18 | 8.98 | COIL GALV WIRE |
| | | 6/11/2009 | 042714-0177 | 100-0703-553.30-13 | 1.49 | 100W SW BULBS |
| | | 6/11/2009 | 042814-0055 | 100-1008-541.30-18 | 3.83 | CONDUIT LOCKNUTS |
| | | 6/11/2009 | 042914-0011 | 100-1022-541.30-18 | 47.67 | LAG BOLTS/WASHERS |
| | | 6/11/2009 | 043014-0051 | 731-1022-541.30-18 | 5.02 | DRY ROOF CEMENT |
| | | 6/11/2009 | 050414-0009 | 100-0703-553.30-13 | 8.98 | HALO BULBS |
| | 6/11/2009 | 050414-0197 | 731-1022-541.30-18 | 8.98 | FOAM SEALANT | |
| | 6/11/2009 | 050509-0034 | 100-0703-553.30-13 | 17.99 | HOSE | |
| | 6/11/2009 | 050514-0116 | 100-0801-521.30-13 | 23.36 | DISINFECTANT/LYSOL | |
| | 6/11/2009 | 050514-0273 | 100-0703-553.24-03 | 20.76 | STAKER TOOL/CONNECTORS | |
| | 6/11/2009 | 050609-0008 | 207-0707-552.24-03 | 3.81 | CLAMP | |
| | 6/11/2009 | 050614-0007 | 731-1022-541.30-13 | 6.82 | SW LGT BULBS | |
| | 6/11/2009 | 050614-0037 | 731-1022-541.30-18 | 8.54 | STL ROD | |
| | 6/11/2009 | 050614-0050 | 100-0204-512.24-04 | 19.08 | CW FLUO BULB | |
| | 6/11/2009 | 050614-0058 | 100-0704-552.24-03 | 2.04 | HARDWARE MISC | |
| | 6/11/2009 | 050809-0061 | 100-0703-553.30-18 | 45.12 | LOCK WASHERS/NUTS | |
| | 6/11/2009 | 051109-0022 | 100-0703-553.30-15 | 36.37 | PIN PUNCHES | |
| | 6/11/2009 | 051114-0007 | 601-1020-543.30-18 | 19.31 | HOSE CLASPS/ELBOWS/MISC | |
| | 6/11/2009 | 051114-0038 | 731-1022-541.30-18 | 8.54 | TIE DOWN | |
| | 6/11/2009 | 051114-0171 | 100-0703-553.24-03 | 15.77 | PVC PIPE/ELBOWS/MISC | |
| | 6/11/2009 | | 100-0703-553.30-18 | 12.57 | SCRAPER/BLADES | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-----------------------|--------------|------------|------------------------|----------------------------------|----------|--------------------------|
| KITZ & PFEIL INC... | 21571... | 6/11/2009 | 051209-0042 | 100-0703-553.30-18 | 14.46 | ENAMEL |
| | | 6/11/2009 | 051214-0053 | 731-1022-541.38-03 | 24.12 | HOSE BARB/BARB INSERT |
| | | 6/11/2009 | 051409-0016 | 731-1022-541.38-03 | 9.60 | BRONZ BUSHING |
| | | 6/11/2009 | 051414-0009 | 731-1022-541.38-03 | 7.97 | HARDWARE MISC |
| | | 6/11/2009 | 051414-0068 | 100-0704-552.24-03 | 15.28 | PUSH COUPLING/STOP |
| | | 6/11/2009 | 051503-0038 | 100-0703-553.24-02 | 5.20 | CAP-FUEL TANK |
| | | 6/11/2009 | 051514-0157 | 731-1022-541.30-18 | 13.47 | FOAM SEALANT |
| | | 6/11/2009 | 051809-0004 | 100-0703-553.30-15 | 20.64 | TROWELS |
| | | 6/11/2009 | 051814-0100 | 100-0902-524.30-18 | 5.39 | ENAMEL |
| | | 6/11/2009 | 051914-0010 | 100-1003-541.30-18 | 10.78 | DUCT TAPE |
| JOYCE KLUNDT | | 6/11/2009 | 051914-0116 | 100-0703-553.30-18 | 17.41 | SCRAPER BLADES |
| | | 6/11/2009 | 052014-0058 | 100-0704-552.24-03 | 49.25 | PAINT TOOL/MISC |
| | 21572 | 6/11/2009 | 060909 | 100-0402-513.10-07 | 50.00 | BOARD OF REVIEW |
| | | | Total for check: 21572 | | 50.00 | |
| KOBUSSEN BUSES LTD | 21573 | 6/11/2009 | 131327 | 100-0000-201.11-00 | 125.00 | BUS TO PAC |
| | | | Total for check: 21573 | | 125.00 | |
| KRUEGER CONSTRUCTION | 21574 | 6/11/2009 | | KRUEGER CONST 100-0000-201.03-00 | 35.00 | OVERPAY PARK TICK REFUND |
| | | | Total for check: 21574 | | 35.00 | |
| KRUEGER LUMBER CO INC | 21575 | 6/11/2009 | 0040683-IN | 100-0703-553.21-06 | 556.25 | SHREDDED BARK |
| | | | | 100-0703-553.30-18 | 556.25 | SHREDDED BARK |
| | | | Total for check: 21575 | | 1,112.50 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description | | | |
|--------------------------------|--------------|------------|----------------|--------------------|---------------|-------------------------------|--------------------|----------|-------------------|
| LEE RECREATION LLC | 21576 | 6/11/2009 | 8051 | 100-0703-553.24-02 | 138.43 | STEERING WHEEL ASSY | | | |
| | | | | | | | | | |
| | | | | | | Total for check: 21576 | | | |
| | | | | | 138.43 | | | | |
| LEVENHAGEN CORPORATION | 21577 | 6/11/2009 | 67877 | 207-0707-552.38-01 | 3,414.72 | LEAD FREE GAS | | | |
| | | | | | | 67914 | 207-0707-552.38-01 | 2,711.09 | LEAD FREE GAS |
| | | | | | | 67926 | 207-0707-552.38-01 | 212.88 | LEAD FREE GAS |
| | | | | | | 67937 | 207-0707-552.38-01 | 1,866.43 | LEAD FREE GAS |
| | | | | | | Total for check: 21577 | 8,205.12 | | |
| LINCOLN CONTRACTORS SUPPLY INC | 21578 | 6/11/2009 | 10501780 | 100-1003-541.30-15 | 100.00 | STOCK | | | |
| | | | | | | 60294501 | 100-1003-541.30-18 | 32.00 | DRILL FOR DOWELS |
| | | | | | | Total for check: 21578 | 132.00 | | |
| LISA VON NEUPERT | 21579 | 6/11/2009 | VONNEUPERT | 601-1020-543.21-02 | 567.50 | REIMBURSE SUMP PUMP/PIT | | | |
| | | | | | | Total for check: 21579 | 567.50 | | |
| MANAWA TELEPHONE CO | 21580 | 6/11/2009 | JUNE2009 | 100-0403-513.22-01 | 39.95 | INTERNET SERVICE | | | |
| | | | | | | Total for check: 21580 | 39.95 | | |
| MATTHEWS TIRE & SERVICE CENTER | 21581 | 6/11/2009 | 29530 | 731-1022-541.38-02 | 46.24 | FLAT REPAIR STOCK | | | |
| | | | | | | 29531 | 731-1022-541.38-02 | 40.96 | FLAT REPAIR STOCK |
| | | | | | | 345852 | 731-1022-541.38-02 | 273.36 | STOCK |
| | | | | | | Total for check: 21581 | 360.56 | | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------------|--------------|------------|-------------------------------|--------------------|-------------------|-------------------------|
| WILLIAM MAYER | 21582 | 6/11/2009 | 060909 | 100-0402-513.10-07 | 50.00 | BOARD OF REVIEW |
| | | | Total for check: 21582 | | 50.00 | |
| MEMORIAL FLORISTS INC | 21583 | 6/11/2009 | 02466339 | 827-0920-531.30-18 | 87.50 | SPRING BANQUET FLOWERS |
| | | | Total for check: 21583 | | 87.50 | |
| MENASHA EMPLOYEES CREDIT UNION | 21584 | 6/11/2009 | 20090611 | 100-0000-202.05-00 | 2,150.00 | PAYROLL SUMMARY |
| | | | Total for check: 21584 | | 2,150.00 | |
| MENASHA EMPLOYEES LOCAL 1035 | 21585 | 6/11/2009 | 20090611 | 100-0000-202.06-00 | 310.00 | PAYROLL SUMMARY |
| | | | Total for check: 21585 | | 310.00 | |
| MENASHA JOINT SCHOOL DISTRICT | 21586 | 6/11/2009 | 061009 | 100-0000-203.03-00 | 645,796.93 | TAX COLLECTION PAYMENTS |
| | | | Total for check: 21586 | | 645,796.93 | |
| MENASHA SENIOR CENTER | 21587 | 6/11/2009 | 061109 | 827-0920-531.30-18 | 86.94 | PETTY CASH |
| | | | Total for check: 21587 | | 86.94 | |
| MENASHA UTILITIES | 21588 | 6/11/2009 | 003267 | 601-1021-543.25-01 | 19,277.81 | SEWER CHARGES |
| | | | 060809 | 100-1012-541.22-03 | 14,316.87 | PUBLIC STREET LIGHTING |
| | | | BILLING #2 | 100-1008-541.22-03 | 166.00 | ELECTRIC/WATER |
| | | | | 100-0703-553.22-03 | 508.62 | ELECTRIC/WATER |
| | | | | 100-0703-553.22-05 | 62.36 | ELECTRIC/WATER |
| | | | | 100-0000-123.00-00 | 8.02 | ELECTRIC/WATER |
| | | | | 100-0903-531.22-03 | 123.07 | ELECTRIC/WATER |
| | | | | 100-0903-531.22-05 | 42.20 | ELECTRIC/WATER |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|--------------------------|--------------|--------------|-------------------------------|--------------------|------------------|--------------------------------|
| MENASHA UTILITIES... | 21588... | 6/11/2009... | BILLING #2... | 601-1020-543.22-03 | 78.43 | ELECTRIC/WATER |
| | | | | 100-0703-553.22-03 | 12.12 | ELECTRIC/WATER |
| | | | Total for check: 21588 | | 34,595.50 | |
| MILWAUKEE SPORTING GOODS | 21589 | 6/11/2009 | 03908-00 | 100-0702-552.30-18 | 733.94 | SOFTBALLS |
| | | | Total for check: 21589 | | 733.94 | |
| MORTON PHARMACY | 21590 | 6/11/2009 | 0383244705 | 100-0704-552.30-10 | 14.57 | STERILE PADS/TAPE |
| | | | Total for check: 21590 | | 14.57 | |
| MORTON SAFETY | 21591 | 6/11/2009 | 394254 | 731-1022-541.30-18 | 73.49 | RAINSUITS |
| | | | Total for check: 21591 | | 73.49 | |
| N&M AUTO SUPPLY | 21592 | 6/11/2009 | 266500 | 731-1022-541.38-03 | 18.28 | DAYTIME RUNNING LAMP |
| | | 6/11/2009 | 266511 | 731-1022-541.38-03 | 123.71 | SHOCK/SENSA-TRAC LOAD ADJUSTER |
| | | 6/11/2009 | 266588 | 731-1022-541.38-03 | 151.63 | VARIOUS PARTS |
| | | 6/11/2009 | 266636 | 731-1022-541.38-03 | (50.80) | RESPONSE SHOCK CREDIT |
| | | 6/11/2009 | 266740 | 731-1022-541.38-03 | 37.19 | FLANGE STOCK |
| | | 6/11/2009 | 266908 | 731-1022-541.38-03 | 2.17 | PCV VALVE |
| | | 6/11/2009 | 267308 | 731-1022-541.38-03 | 144.22 | MUFFLER/TAI PIPE |
| | | | Total for check: 21592 | | 426.40 | |
| NATIONAL BAND AND TAG CO | 21593 | 6/11/2009 | 279681 | 100-0704-552.30-10 | 174.82 | DEEP WATER PASSES |
| | | | Total for check: 21593 | | 174.82 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------|------------------------|------------|--------------------|--------------------|------------|----------------------|
| NRC | 21594 | 6/11/2009 | 4663 | 489-0304-562.21-06 | 3,856.41 | NOAA GRANT |
| | Total for check: 21594 | | | | 3,856.41 | |
| | | | | | | |
| OFFICEMAX INC | 21595 | 6/11/2009 | 429747 | 100-0304-562.30-10 | 6.29 | OFFICE SUPPLIES/PENS |
| | Total for check: 21595 | | | | 6.29 | |
| | | | | | | |
| OX BOW SPORTSMAN CLUB | 21596 | 6/11/2009 | 060509 | 100-0801-521.32-01 | 100.00 | FIREARMS TRAINING |
| | Total for check: 21596 | | | | 100.00 | |
| | | | | | | |
| PACKER CITY INTERNATIONAL | 21597 | 6/11/2009 | 3291340039 | 731-1022-541.38-03 | 27.53 | AIR FILTER |
| | 6/11/2009 | 3291400051 | 731-1022-541.38-03 | 11.91 | AIR FILTER | |
| | Total for check: 21597 | | | | 39.44 | |
| | | | | | | |
| PEPSI AMERICAS | 21598 | 6/11/2009 | 9220313920 | 100-0704-552.30-17 | 794.44 | SODA |
| | Total for check: 21598 | | | | 794.44 | |
| | | | | | | |
| PRECISION RETIREMENT GROUP | 21599 | 6/11/2009 | 1001 | 100-0202-512.21-06 | 660.00 | PRIME TRUST DOCUMENT |
| | Total for check: 21599 | | | | 660.00 | |
| | | | | | | |
| REDI-WELDING CO | 21600 | 6/11/2009 | 13868 | 731-1022-541.30-18 | 41.00 | TUBING/ANGLE |
| | Total for check: 21600 | | | | 41.00 | |
| | | | | | | |
| NORMAN SANDERS | 21601 | 6/11/2009 | 066909 | 100-0402-513.10-07 | 50.00 | BOARD OF REVIEW |
| | Total for check: 21601 | | | | 50.00 | |
| | | | | | | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|------------------------------------|-------------------------------|------------|-----------------------------------|--------------------|--------------------|--|
| SERVICEMASTER BUILDING MAINTENANCE | 21602 | 6/11/2009 | 123561 | 100-0801-521.20-01 | 1,395.00 | JANITORIAL SERVICE |
| | | 6/11/2009 | 123595 | 100-0801-521.20-01 | 50.00 | JANITORIAL SERVICE |
| | Total for check: 21602 | | | | 1,445.00 | |
| | SHOPKO STORES INC | 21603 | 6/11/2009 | 50173 | 100-0704-552.30-10 | 65.92 |
| Total for check: 21603 | | | | 65.92 | | |
| SPEEDY CLEAN | 21604 | 6/11/2009 | 10148 | 601-1020-543.21-06 | 1,920.49 | FINAL PAYMENT |
| | Total for check: 21604 | | | | 1,920.49 | |
| | SPORTS GRAPHICS | 21605 | 6/11/2009 | 51909-3 | 731-1022-541.30-18 | 91.50 |
| | | 6/11/2009 | 60209-6 | 100-0703-553.30-18 | 91.50 | T-SHIRTS |
| | | 6/11/2009 | | 100-0702-552.30-18 | 20.00 | STAFF T-SHIRTS |
| Total for check: 21605 | | | | 203.00 | | |
| ST MARY'S | 21606 | 6/11/2009 | ST MARY/A1 ELEV100-0801-521.24-03 | | 175.00 | REIMBURSE ELEVATOR REPAIRSWAT TRAINING |
| | Total for check: 21606 | | | | 175.00 | |
| STANLEY SECURITY SOLUTIONS INC | 21607 | 6/11/2009 | CH-507542 | 207-0707-552.30-18 | 185.44 | MARINA KEYS |
| | Total for check: 21607 | | | | 185.44 | |
| SWIDERSKI EQUIPMENT INC | 21608 | 6/11/2009 | 019727 | 731-1022-541.38-03 | 152.48 | BOLTS/PINS/BUSHINGS |
| | Total for check: 21608 | | | | 152.48 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|------------------------|------------------------|------------|--------------------|--------------------|--------------------|--------------------------|
| THEDACARE | 21609 | 6/11/2009 | 9200060520 | 100-0801-521.21-05 | 276.00 | VENIPUNCTURE |
| | Total for check: 21609 | | | | <u>276.00</u> | |
| | THOMAS SMITH | 21610 | 6/11/2009 | SMITH | 601-1020-543.21-02 | 612.50 |
| Total for check: 21610 | | | | <u>612.50</u> | | |
| UNIFIRST CORPORATION | 21611 | 6/11/2009 | 09700049191 | 731-1022-541.20-01 | 97.91 | MAT/MOP/CLOTHING SERVICE |
| | Total for check: 21611 | | | | <u>97.91</u> | |
| | UNIFORM SHOPPE | 21612 | 6/11/2009 | 178950 | 100-0804-521.30-18 | 266.85 |
| Total for check: 21612 | | | | <u>266.85</u> | | |
| US CELLULAR | 21613 | 6/11/2009 | 200267787-063 | 100-0101-511.22-01 | 56.40 | CELL PHONES |
| | | | | 100-0204-512.22-01 | 3.70 | CELL PHONES |
| | | | | 100-0201-512.22-01 | 66.19 | CELL PHONES |
| | | | | 100-0401-513.22-01 | 5.80 | CELL PHONES |
| | | | | 100-0403-513.22-01 | 107.64 | CELL PHONES |
| | | | | 601-1020-543.22-01 | 3.70 | CELL PHONES |
| | | | | 100-1001-514.22-01 | 36.64 | CELL PHONES |
| | | | | 100-0601-551.22-01 | 5.10 | CELL PHONES |
| | | | | 100-0801-521.22-01 | 453.81 | CELL PHONES |
| | | | | 100-0919-531.22-01 | 35.90 | CELL PHONES |
| | | | | 100-0904-531.22-01 | 32.69 | CELL PHONES |
| | | | | 100-1002-541.22-01 | 118.65 | CELL PHONES |
| | | | | 100-0702-552.22-01 | 67.10 | CELL PHONES |
| | | | 100-0704-552.22-01 | 7.40 | CELL PHONES | |
| | | | 100-0703-553.22-01 | 150.74 | CELL PHONES | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-----------------------------|--------------|--------------|-------------------------------|-------------------------------|-----------------|-------------------------|
| US CELLULAR... | 21613... | 6/11/2009... | 200267787-063... | 100-0304-562.22-01 | 13.20 | CELL PHONES |
| | | | | 731-1022-541.22-01 | 85.39 | CELL PHONES |
| | | | | 100-1008-541.22-01 | 6.65 | CELL PHONES |
| | | | | 601-1020-543.22-01 | 12.35 | CELL PHONES |
| | | | Total for check: 21613 | | 1,269.05 | |
| VALLEY CHEMICAL LLC | 21614 | 6/11/2009 | 0023449-IN | 100-0704-552.30-18 | 336.18 | POOL EQUIPMENT |
| | | | | Total for check: 21614 | 336.18 | |
| VALLEY DIESEL INJECTION INC | 21615 | 6/11/2009 | 37426 | 731-1022-541.38-03 | 16.59 | FLANGE CONN |
| | | | | Total for check: 21615 | 16.59 | |
| VALLEY POPCORN CO INC | 21616 | 6/11/2009 | 90008 | 100-0704-552.30-17 | 245.25 | POPCORN |
| | | | | Total for check: 21616 | 245.25 | |
| WAVERLY SANITARY DISTRICT | 21617 | 6/11/2009 | 061009 | 100-0000-203.07-00 | 6,846.02 | TAX COLLECTION PAYMENTS |
| | | | | Total for check: 21617 | 6,846.02 | |
| WEDA | 21618 | 6/11/2009 | 061009 | 100-0304-562.32-01 | 242.00 | 2009 DUES |
| | | | | Total for check: 21618 | 242.00 | |
| WERNER ELECTRIC SUPPLY CO | 21619 | 6/11/2009 | S2745082.001 | 100-0703-553.24-03 | 23.76 | JEFFERSON LIGHTBULBS |
| | | | | Total for check: 21619 | 23.76 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|---|------------------------|------------|----------------|--------------------|------------|-------------------------|
| WG INC | 21620 | 6/11/2009 | 290356 | 100-0704-552.24-03 | 140.55 | POOL SIGNAGE |
| | Total for check: 21620 | | | | 140.55 | |
| | | | | | | |
| WIL-KIL PEST CONTROL | 21621 | 6/11/2009 | 1468616 | 100-0920-531.20-07 | 104.00 | EXT INSECT |
| | Total for check: 21621 | | | | 104.00 | |
| WINNEBAGO COUNTY | 21622 | 6/11/2009 | PK16-09 | 207-0707-552.29-05 | 2,650.00 | BUOY INSTALLATION |
| | Total for check: 21622 | | | | 2,650.00 | |
| WINNEBAGO COUNTY TREASURER | 21623 | 6/11/2009 | MAY | 310-0409-571.61-01 | 1,692.81 | INDUSTRIAL DEV PROJECT |
| | | | | 310-0410-571.61-02 | 457.19 | INDUSTRIAL DEV PROJECT |
| | Total for check: 21623 | | | | 2,150.00 | |
| WINNEBAGO COUNTY TREASURER | 21624 | 6/11/2009 | 061009 | 100-0000-203.02-00 | 388,634.41 | TAX COLLECTION PAYMENTS |
| | Total for check: 21624 | | | | 401,524.26 | |
| WISCONSIN SUPPORT COLLECTIONS | 21625 | 6/11/2009 | 20090611 | 100-0000-202.03-00 | 515.23 | PAYROLL SUMMARY |
| | Total for check: 21625 | | | | 653.63 | |
| WOLFINGER WATER & BACKHOE SERV LLC21626 | 7486 | 6/11/2009 | | 100-0701-533.24-03 | 525.50 | CONTROL BOX RESTHAVEN |
| | Total for check: 21626 | | | | 525.50 | |

AP Check Register
Check Date: 6/11/2009

Date: 6/11/2009

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|-------------------|--------------|------------|------------------------|--------------------|---------------------|-----------------|
| RAYMOND ZIELINSKI | 21627 | 6/11/2009 | 060909 | 100-0402-513.10-07 | 50.00 | BOARD OF REVIEW |
| | | | Total for check: 21627 | | 50.00 | |
| | | | | | <u>1,392,028.25</u> | |



June 11, 2009

To: Common Council

From: Debbie Galeazzi, Clerk *Deb*

Subject: Liquor License Applications for 2009-2010 Licensing Year

At the June 1, 2009 meeting, the Common Council deferred action on the renewal liquor license applications for Menasha Grill, Get Reel (Fox Cinema) and Lake Park Swim & Fitness.

All financial obligations to the City have been met by Menasha Grill and Lake Park Swim & Fitness. Staff recommends approving the license for Menasha Grill and Lake Park Swim & Fitness.

Get Reel (Fox Cinema), 400 Third Street, has real estate and personal property taxes due. I have talked to Mike Radue from Get Reel and he understands their current license will expire on June 30, 2009.



June 11, 2009

To: Common Council
From: Debbie Galeazzi, Clerk ^{DGB}
Subject: Buddi Sagar Subedi
209 Racine Street

A "Class A" application to deal in liquor and fermented malt beverages for the 2009-2010 licensing year has been filed by Buddi Sagar Subedi for the premises at 209 Racine Street

The Police Dept. has done a background check on the Mr. Subedi and has no reason to deny a license based on their findings. The Fire Dept., Health Dept., and Building Inspectors have inspected the property and find the property is in compliances with City codes. The Menasha Utilities reports the account is current. C/T Stoffel reports taxes on the property are paid.

I see no reason to withhold action on this license.

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 20 09 ;
ending June 30 20 10

TO THE GOVERNING BODY of the: Town of } MENASHA
 Village of }
 City of }

County of WINNEBAGO Aldermanic Dist. No. _____ (if required by ordinance)

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): SUBEDI, BUDI SAGAR Buddi Sagar

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

| Title | Name | Home Address | Post Office & Zip Code |
|-----------------------|------|--------------|------------------------|
| President/Member | | | |
| Vice President/Member | | | |
| Secretary/Member | | | |
| Treasurer/Member | | | |
| Agent | | | |
| Directors/Managers | | | |

3. Trade Name N.P. MART (Nava PusPa Mart) Business Phone Number 920-725-7068
4. Address of Premises 209 Racine Street Post Office & Zip Code Menasha 54952

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

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

10. Legal description (omit if street address is given above): _____
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? Gurpal Wisconsin station llc
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776] Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 6th day of May, 20 09

Deborah A. Moleazzi
(Clerk/Notary Public)

[Signature]
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires 8/5/2012

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

| | | | |
|--|--------------------------------|---------------------------------|-----------------------------------|
| Date received and filed with municipal clerk <u>5/6/09</u> | Date reported to council/board | Date provisional license issued | Signature of Clerk / Deputy Clerk |
| Date license granted | Date license issued | License number issued | |

**AUXILIARY QUESTIONNAIRE
ALCOHOL BEVERAGE LICENSE APPLICATION**

Submit to municipal clerk.

| | | | | | |
|---|-------------------|-------------------------------|-------------------------------|--------------------------------------|--------------------------|
| INDIVIDUAL'S FULL NAME (Please Print) (Last Name) SUBEDI | | (First Name) BUDDI | (Middle Name) SAGAR | SOCIAL SECURITY NUMBER [REDACTED] | |
| HOME ADDRESS (Street/Route) 1619 Racine Rd #5, Menasha, WI, 54952 | | POST OFFICE Menasha | | STATE WI | ZIP CODE 54952 |
| HOME PHONE NUMBER 920-750-0739 | AGE [REDACTED] | DATE OF BIRTH [REDACTED] | | PLACE OF BIRTH NEPAL | |

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

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- _____ of _____
(Officer/Director/Member/Manager/Agent) (NAME OF CORPORATION, LIMITED LIABILITY COMPANY OR NONPROFIT ORGANIZATION)
which is making application for an alcohol beverage license.

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

1. How long have you continuously resided in Wisconsin prior to this date? four Year
2. Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipality? . Yes No
(If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending.) (If more room is needed, continue on reverse side of this form.)
3. Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any municipality? Yes No
(If yes, describe status of charges pending.)
4. Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
(If yes, identify.) _____
(NAME, LOCATION AND TYPE OF LICENSE/PERMIT)
5. Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery permit or wholesale liquor permit in the State of Wisconsin? Yes No
(If yes, identify.) _____
(NAME OF WHOLESALE LICENSEE OR PERMITTEE) (ADDRESS BY CITY AND COUNTY)
6. Named individual must list in chronological order last two employers.

| | | |
|--|---|--|
| Employer's Name <u>Gurpal Station LLC</u> | Employer's Address <u>209 Racine St. Menasha</u> | Employed From To <u>2006 Jan to Present Dec</u> |
|--|---|--|

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

Subscribed and sworn to before me

this 6th day of May, 2009
Deborah A. Malencki
(CLERK/NOTARY PUBLIC)

[Signature]
(SIGNATURE OF NAMED INDIVIDUAL)

My commission expires 8/5/2012



Menasha

City of Menasha • Department of Community Development

To: Debbie Galeazzi
From: Building Inspection Department
Date: 6-4-09

RE: Liquor License Inspection

Address: 209 Racine ST

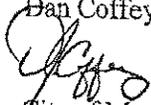
The premise at the above address has been inspected for compliance with State and Local Building Codes and found to be:

COMPLIANT

NON - COMPLIANT
Recommend delaying license approval until all Violations are corrected.

Respectfully submitted

City of Menasha Building Inspector

Dan Coffey

City of Menasha Building Inspector



Date: June 10, 2009

To: City of Menasha Common Council

From: Todd Drew, R.S. – Sanitarian
City of Menasha Health Department

Re: Liquor License Applications – N.P. Mart and Mi Casa Mexican Grill

An inspection was conducted at the N.P. Mart and Mi Casa Mexican Grill which submitted a liquor license application for the July 1, 2009 - June 30, 2010 license year.

The health inspection conducted in these establishments included standard sanitation, equipment condition, food safety, plumbing, employee hygiene, toilet and hand washing facilities, insect and rodent control and general condition using Wisconsin Administrative Code and the Wisconsin Food Code (Food Establishment Code) as a basis for inspection procedures.

The inspections conducted in these establishments did not cite any health violations which would necessitate a recommendation to hold either of the liquor license applications. Non-critical violations were cited at the N.P. Mart which will be addressed with the Owner and a re-inspection will be conducted to ensure compliance within 7 days.

If you should have any questions regarding this information, please do not hesitate to contact me.



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Assistant Chief/Fire Marshal Al Auxier

DATE: June 10, 2009

RE: Liquor License for El Jaripeo #2 Restaurant, 14 Tayco Street &
Liquor License for the Marathon Station, 209 Racine Street

Neenah-Menasha Fire Rescue, NMFR, did Liquor License inspections of both the 14 Tayco Street and 209 Racine Street properties and did find fire violations but none that would prevent the approval of the Liquor License for both locations. Therefore, NMFR would recommend approval of the Liquor License for these properties.

Call or email me with any questions or concerns.

Al Auxier
Assistant Chief/Fire Marshal
Neenah-Menasha Fire Rescue
aauxier@nmfire.org
(920)886-6203, office
(920)209-9509, cell



A Dhaliwal Enterprises Company

Gurpal Wisconsin Stations LLC

May 15, 2009

Ms Deborah A Galeazzi
City of Menasha
140 Main Street
Menasha, WI 54952-3190

Re license for beer, wine, and or alcohol spirits

Please accept this as notice that Gurpal Wisconsin Stations LLC does wish to surrender its license to sell beer, wine and related products at the location known as Marathon # 4253 with an address of 209 Racine Street. Surrender of this license will be effective on or before June 30, 2009

A handwritten signature in black ink, appearing to read 'John Gerth', is written over the typed name.

John Gerth
Manager
Bulk Petroleum Corporation
&
Gurpal Wisconsin Stations LLC



June 11, 2009

To: Common Council
From: Debbie Galeazzi, Clerk *Deb*
Subject: Mario Nunez, 14 Tayco Street

A Class "B" and Class C application to deal in fermented malt beverages and wine for the 2009-2010 licensing year has been filed by Mario Nunez for the premises at 14 Tayco Street.

The Police Dept. has done a background check on Mr. Nunez and has no reason to deny a license based on their findings. The Fire Dept., Health Dept., and Building Inspectors have inspected the property and find the property is in compliances with City codes.

Mr. Nunez told me he will have all utilities and taxes current as of June 15. I will report to the Council on Monday if all financial obligations to the City have been paid.

ORIGINAL ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning July 1 2009 ;
ending June 30 2010

TO THE GOVERNING BODY of the: Town of } Menasha
 Village of }
 City of }
County of Winnebago Aldermanic Dist. No. _____ (if required by ordinance)

| Applicant's Wisconsin Seller's Permit Number | |
|--|--|
| Federal Employer Identification Number (FEIN) | |
| LICENSE REQUESTED ▶ | |
| TYPE | FEE |
| <input type="checkbox"/> Class A beer | \$ |
| <input checked="" type="checkbox"/> Class B beer | \$ <u>100.00</u> |
| <input type="checkbox"/> Wholesale beer | \$ |
| <input checked="" type="checkbox"/> Class C wine | \$ <u>100.00</u> \$ 150.00 |
| <input type="checkbox"/> Class A liquor | \$ |
| <input type="checkbox"/> Class B liquor | \$ |
| <input type="checkbox"/> Reserve Class B liquor | \$ |
| Publication fee | \$ <u>50.00</u> |
| TOTAL FEE | \$ |

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): ▶ Mario Nunez

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

| | | | |
|-------------------------------|--------------------|--------------------|------------------------|
| Title | Name | Home Address | Post Office & Zip Code |
| President/Member <u>Owner</u> | <u>Mario Nunez</u> | <u>14 Tayco St</u> | <u>54952</u> |
| Vice President/Member | | | |
| Secretary/Member | | | |
| Treasurer/Member | | | |
| Agent ▶ | | | |
| Directors/Managers | | | |

3. Trade Name ▶ Mi Casa Mexican Grill Business Phone Number (920) 720-3600
4. Address of Premises ▶ 14 Tayco St Post Office & Zip Code ▶ Menasha 54952

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) Corporate/limited liability company applicants only: Insert state _____ and date _____ of registration.
(b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
(c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) First Floor
10. Legal description (omit if street address is given above): 14 Tayco St, Menasha
11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
(b) If yes, under what name was license issued? El Toripeo Mexican Restaurant
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand a Wisconsin Seller's Permit must be applied for and issued in the same name as that shown in Section 2, above? [phone (608) 266-2776]. Yes No
14. Is the applicant indebted to any wholesaler beyond 15 days for beer or 30 days for liquor? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME
this 13th day of May, 2009
Deborah A. Halasz
(Clerk/Notary Public)
My commission expires 8/5/2012

Mario Nunez
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner/Individual)
Mario Nunez
(Officer of Corporation/Member/Manager of Limited Liability Company /Partner)
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

| TO BE COMPLETED BY CLERK | | | |
|---|--------------------------------|---------------------------------|-----------------------------------|
| Date received and filed with municipal clerk <u>5/13/09</u> | Date reported to council/board | Date provisional license issued | Signature of Clerk / Deputy Clerk |
| Date license granted | Date license issued | License number issued | |

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

| | | | | | |
|---|--|------------------------------|------------------------------------|---|--------------------------|
| INDIVIDUAL'S FULL NAME (Please Print) (Last Name) <u>NUNEZ</u> | | (First Name) <u>Mario</u> | (Middle Name) <u>A</u> | SOCIAL SECURITY NUMBER <u>[REDACTED]</u> | |
| HOME ADDRESS (Street/Route) <u>14 Tayco St.</u> | | <u>B</u> | POST OFFICE | STATE <u>WF</u> | ZIP CODE <u>54952</u> |
| HOME PHONE NUMBER <u>(920) 720-3600</u> | | AGE <u>[REDACTED]</u> | DATE OF BIRTH <u>[REDACTED]</u> | PLACE OF BIRTH <u>Mexico</u> | |

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

- Applying for an alcohol beverage license as an individual.
- A member of a partnership which is making application for an alcohol beverage license.
- _____ of _____
(Officer/Director/Member/Manager/Agent) (NAME OF CORPORATION, LIMITED LIABILITY COMPANY OR NONPROFIT ORGANIZATION)
which is making application for an alcohol beverage license.

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

- How long have you continuously resided in Wisconsin prior to this date? 18 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any municipality? Yes No
(If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending.) (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any municipality? Yes No
(If yes, describe status of charges pending.)
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
(If yes, identify.) _____
(NAME, LOCATION AND TYPE OF LICENSE/PERMIT)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer license, brewery permit or wholesale liquor permit in the State of Wisconsin? Yes No
(If yes, identify.) _____
(NAME OF WHOLESALE LICENSEE OR PERMITTEE) (ADDRESS BY CITY AND COUNTY)

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

| | | | |
|-------------------------|----------------------------|------------------|----------------|
| Employer's Name | Employer's Address | Employed From | To |
| <u>Valley Packaging</u> | <u>Leamer Rd. Appleton</u> | <u>May-26-06</u> | <u>Present</u> |

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

Subscribed and sworn to before me
 this 13th day of May, 2009
Deborah A. Balazzi
 (CLERK/NOTARY PUBLIC)
 My commission expires 8/5/2012

Mario A. Nunez
 (SIGNATURE OF NAMED INDIVIDUAL)



Menasha

City of Menasha • Department of Community Development

To: Debbie Galeazzi
From: Building Inspection Department
Date: 6-8-09

RE: Liquor License Inspection

Address: 14 TAYCO

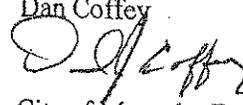
The premise at the above address has been inspected for compliance with State and Local Building Codes and found to be:

COMPLIANT

NON - COMPLIANT
Recommend delaying license approval until all Violations are corrected.

Respectfully submitted

City of Menasha Building Inspector

Dan Coffey

City of Menasha Building Inspector



Date: June 10, 2009

To: City of Menasha Common Council

From: Todd Drew, R.S. – Sanitarian
City of Menasha Health Department

Re: **Liquor License Applications – N.P. Mart and Mi Casa Mexican Grill**

An inspection was conducted at the N.P. Mart and Mi Casa Mexican Grill which submitted a liquor license application for the July 1, 2009 - June 30, 2010 license year.

The health inspection conducted in these establishments included standard sanitation, equipment condition, food safety, plumbing, employee hygiene, toilet and hand washing facilities, insect and rodent control and general condition using Wisconsin Administrative Code and the Wisconsin Food Code (Food Establishment Code) as a basis for inspection procedures.

The inspections conducted in these establishments did not cite any health violations which would necessitate a recommendation to hold either of the liquor license applications. Non-critical violations were cited at the N.P. Mart which will be addressed with the Owner and a re-inspection will be conducted to ensure compliance within 7 days.

If you should have any questions regarding this information, please do not hesitate to contact me.



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Assistant Chief/Fire Marshal Al Auxier

DATE: June 10, 2009

RE: Liquor License for El Jaripeo #2 Restaurant, 14 Tayco Street &
Liquor License for the Marathon Station, 209 Racine Street

Neenah-Menasha Fire Rescue, NMFR, did Liquor License inspections of both the 14 Tayco Street and 209 Racine Street properties and did find fire violations but none that would prevent the approval of the Liquor License for both locations. Therefore, NMFR would recommend approval of the Liquor License for these properties.

Call or email me with any questions or concerns.

Al Auxier
Assistant Chief/Fire Marshal
Neenah-Menasha Fire Rescue
aauxier@nmfire.org
(920)886-6203, office
(920)209-9509, cell

El jaripeo 2 Mexican restaurant

May 28 ,2009

Ms Deborah a galeazzi
City of Menasha
140 main street
Menasha, wi 54952

Re license for beer and wine coolers

Please accept this as notice that el jaripeo 2llp does wish to surrender its license to sell beer and wine coolers products at the location known as el jaripeo 2 with an address of 14 tayco st surrender of this license will be effective on or before june 30,2009



Oscar Sandoval and Antonio Sandoval
Owner
Oa partnership

City of Menasha
Application for Outdoor Extension of Retail "Class B", Class "B"
And/or "Class C" License

Date: MAR 21-09

Name: Peter J. Kempf, Jitters Lounge
(Individuals/Partners/Registered Name of Corporation/LLC)

If Partnership, Corporation of LLC, list names and addresses of all members
Peter Kempf, 104 River St. Kaukauna, Wis 54130

Address of premise 93 Main St, Menasha, Wis.

Description of area for which this outdoor extension is being applied for _____

Trade Name: Jitters Lounge

Business Phone: 920-720-6006

Please attach the following: \$25 application fee
 Site plan/drawing of the outdoor area
 New Modified No Changes from original

All requirements of Section 7-2-17 of City of Menasha Municipal Code have been followed.
(copy of Section 7-2-17 attached).

I certify that the proposed outdoor extension shall be operated in compliance with the requirements of Section 7-2-17 and maintained as shown on the attached site plan and/or drawing

Signature:  Signature: _____

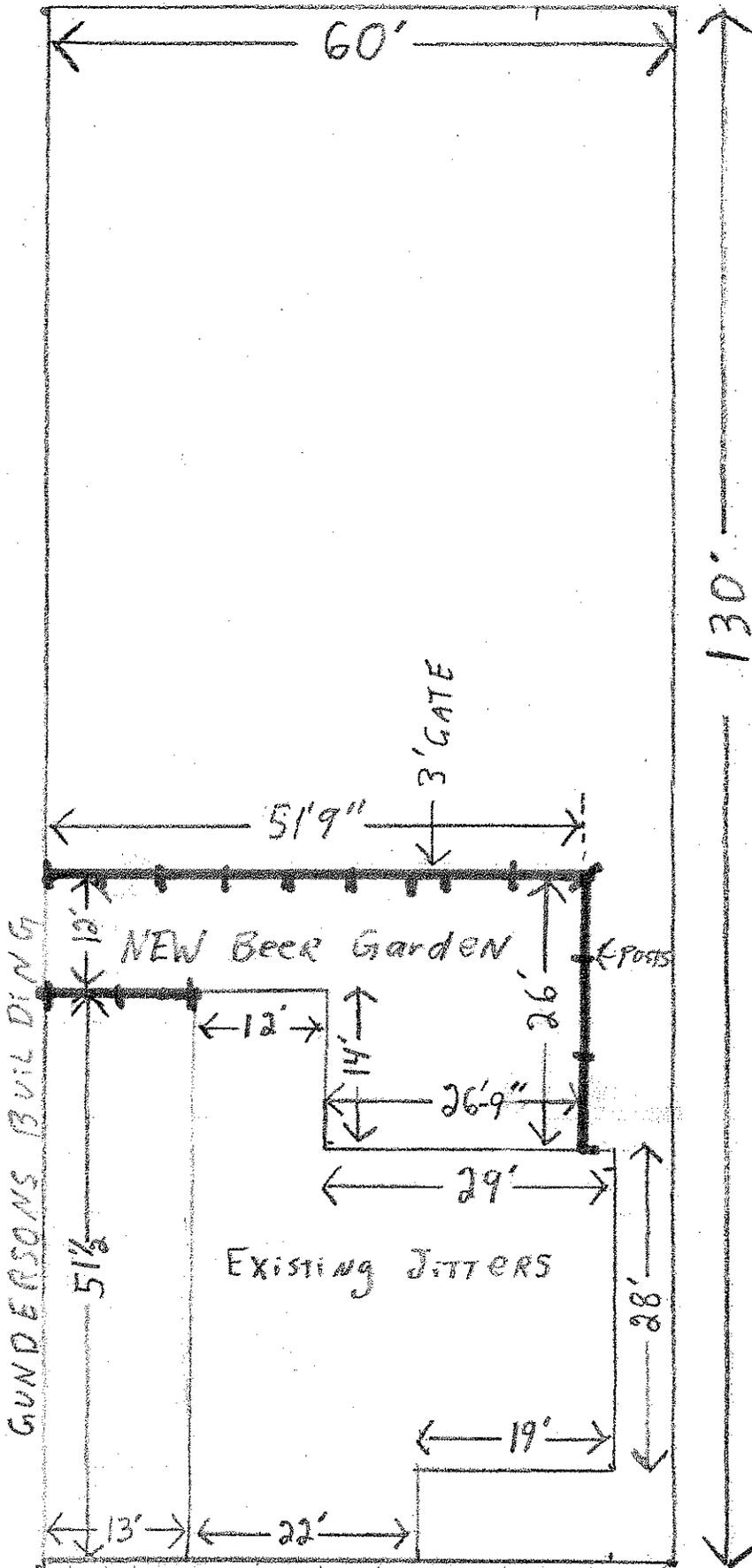
TO BE COMPLETED BY CLERK

Date Received: 3/20/09

Fee Paid: \$25⁰⁰ 3/20/09

Inspections Completed: _____

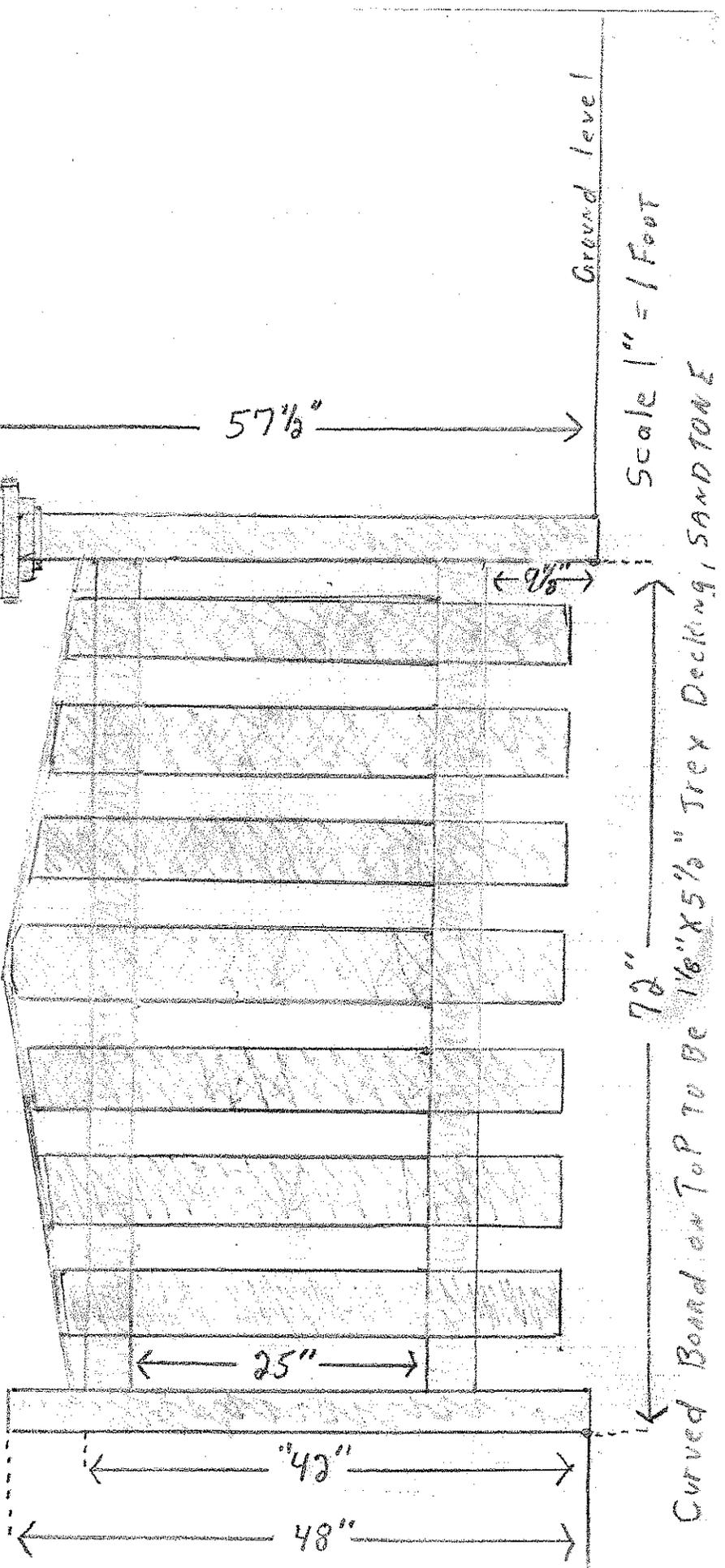
Date to Council: _____

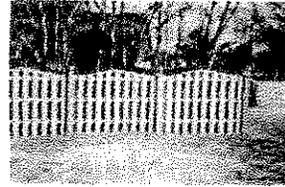
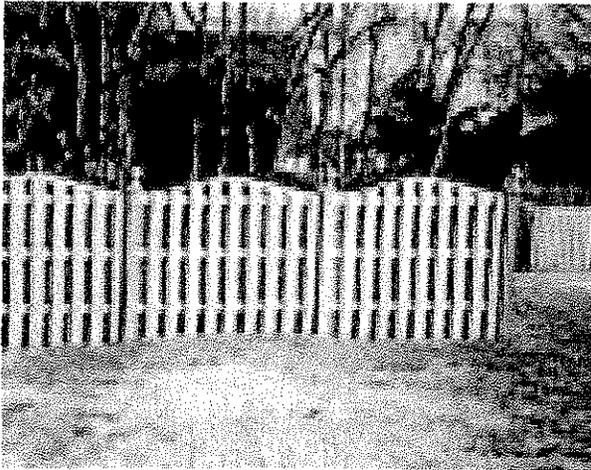


2057 Ft² EXISTING JITTERS
 1028 1/2 Ft² MAX. Beer Garden
 985 1/2 Ft² New Beer Garden

Scale 1" = 15 Feet MAIN STREET

Posts Treated 4"X4" Set 5' Down in Concrete
 Horizontal Treated 2"X4"
 Fencing to Be 5/4"X6" Treated Lumber with 3/16" radius edge on 4 sides
 Fencing to Be Alternating on Both sides, 7 Boards on outside, 8 on inside
 Post Toppers to Be 6 Pieces Treated Lumber, Top to Be 5" - 3"X3" 450 on Top,
 Put on 5 1/2"X5 1/2", Put on 7 1/2"X7 1/2", Put on 9 1/2"X9 1/2"
 TRIMED with 1 1/2"X2 3/4", on Top of 3/4"X1 3/4"







Memorandum

TO: Common Council
FROM: Greg Keil, CDD *CK*
Date: June 11, 2009
RE: Outdoor Alcohol Beverage Permit – Sliders

The Outdoor Alcohol Beverage Permit application from Slider's does not fully comply with ordinance requirements in as much as the existing fence does not meet the minimum height requirement of 42 inches (it is 32 inches). The outdoor seating area and fence were constructed as part of the original Sabini's Restaurant. No alcohol was served on the patio at that time. Also, the current ordinance dealing with outdoor service was not in effect at that time.

Should the Common Council elect to waive the fence height requirement, it is my recommendation that it do so based on findings specific to this site, e.g.:

- The fence was installed prior to the effective date of the current ordinance
- It is not practical to increase the height of the fence to meet ordinance requirements
- The outdoor seating area is not located in close proximity to adjoining properties

City of Menasha
Application for Outdoor Extension of Retail "Class B", Class "B"
And/or "Class C" License

Date: 4-13-2009

Name: THE BAR AT LAKE PARK LLC
(Individuals/Partners/Registered Name of Corporation/LLC)

If Partnership, Corporation of LLC, list names and addresses of all members

FREDRICK JAEGER 103744 HILLOVIEW APPLETON, WI 54913
KIM BISCHKE 4004 E. APPLETON DR. APPLETON WI 54911
MICHAEL READER 407 S. STATE ST WAUWATONA, WI 54981

Address of premise 890 LAKE PARK ROAD

Description of area for which this outdoor extension is being applied for 31' BY 40'
PATIO ON WEST SIDE OF BUILDING

Trade Name: SLIDERS BAR & CORNER

Business Phone: 920-831-9550

Please attach the following: \$25 application fee
 Site plan/drawing of the outdoor area
 New Modified No Changes from original

All requirements of Section 7-2-17 of City of Menasha Municipal Code have been followed.
(copy of Section 7-2-17 attached).

I certify that the proposed outdoor extension shall be operated in compliance with the requirements of Section 7-2-17 and maintained as shown on the attached site plan and/or drawing

Signature: [Handwritten Signature] Signature: 4-13-09

TO BE COMPLETED BY CLERK

Date Received: _____

Fee Paid: _____

Inspections Completed: _____

Date to Council: _____

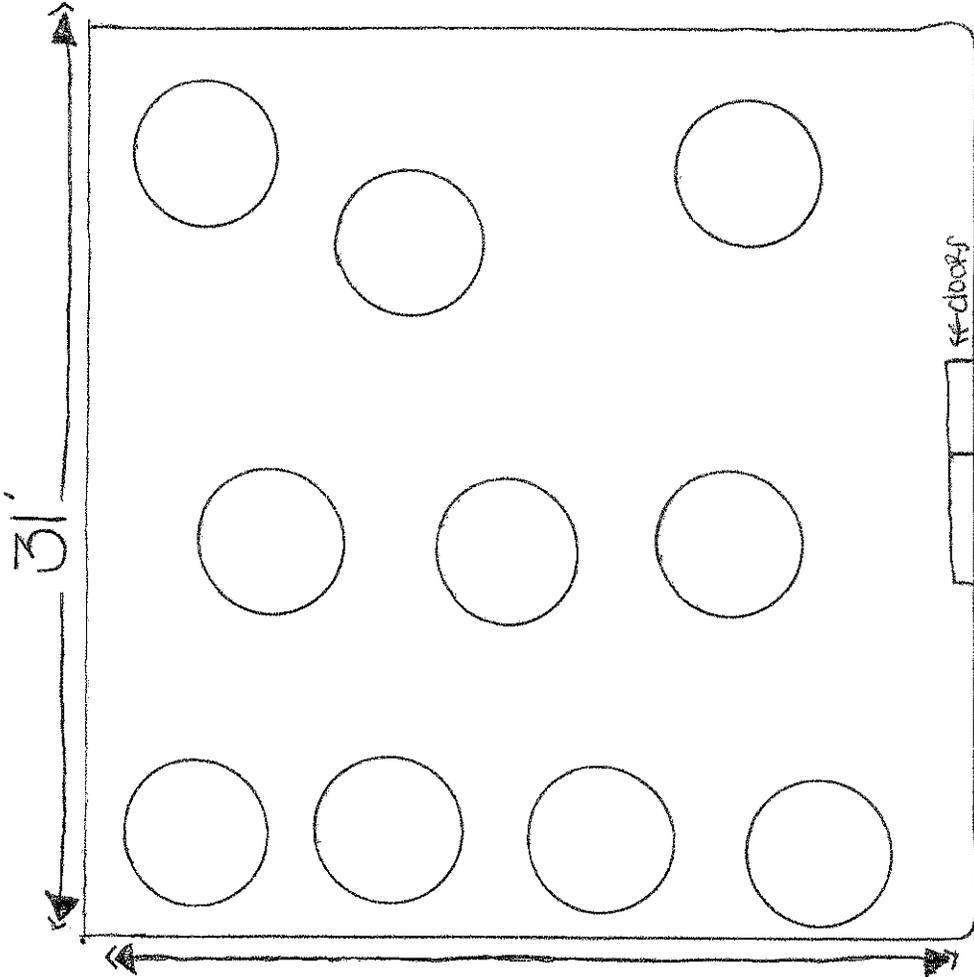
Sidlers

LAKE PARK RD.

MENASHA

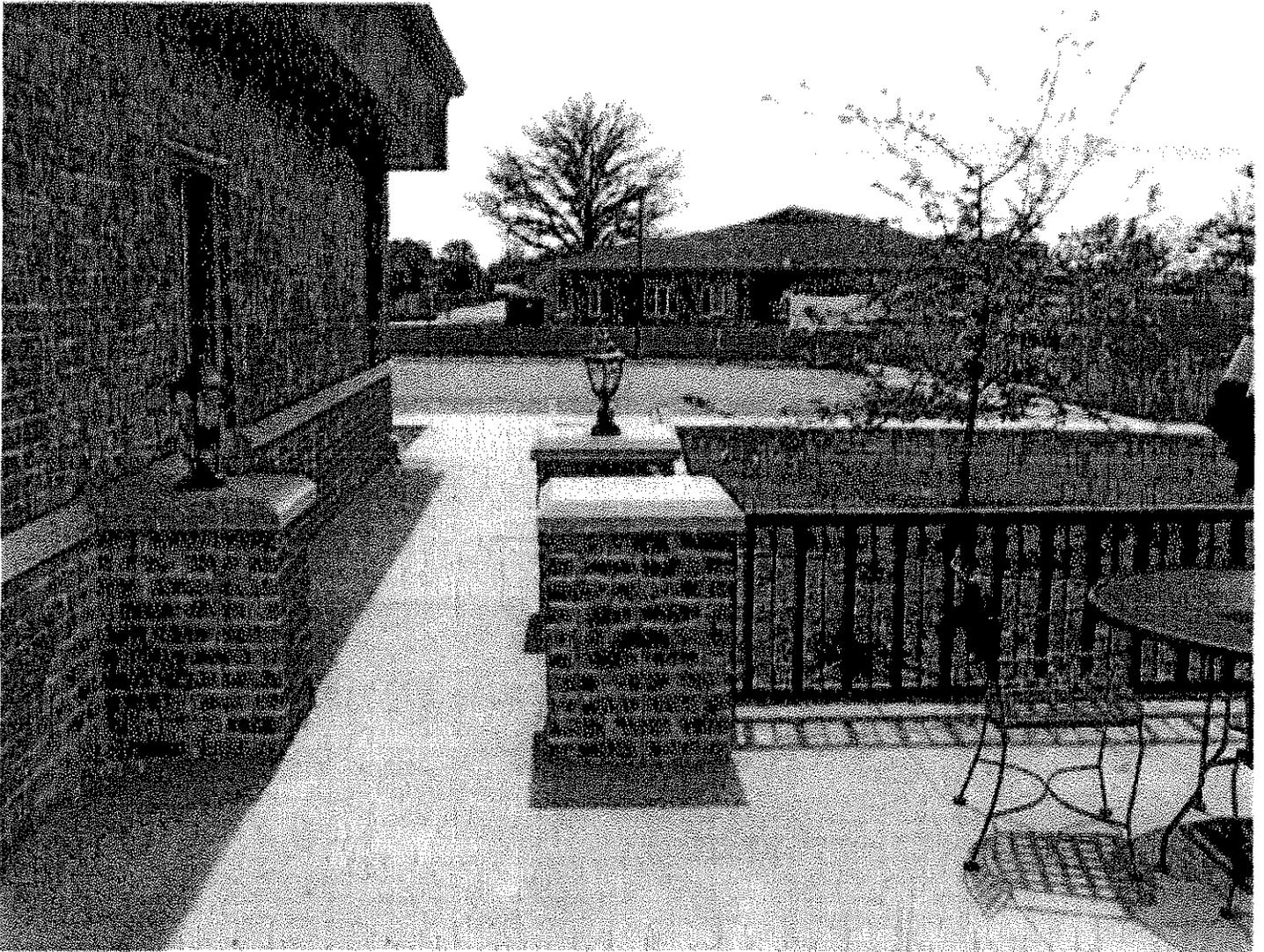
890 LAKE PARK ROAD
MENASHA, WI 54952

40'



Building







City of Menasha
Application for Outdoor Extension of Retail "Class B", Class "B"
And/or "Class C" License

Date: 5-13-09
Name: Mi Casa Mexican Grill
(Individuals/Partners/Registered Name of Corporation/LLC)

If Partnership, Corporation of LLC, list names and addresses of all members
Mario Nuñez 14 Tayco St Menasha

Address of premise 14 Tayco St. Menasha WI 54952

Description of area for which this outdoor extension is being applied for Served
Food and Alcohol

Trade Name: Mi Casa Mexican Grill

Business Phone: (920) 720-3600

Please attach the following: _____ \$25 application fee
_____ Site plan/drawing of the outdoor area
 New Modified No Changes from original

All requirements of Section 7-2-17 of City of Menasha Municipal Code have been followed.
(copy of Section 7-2-17 attached).

I certify that the proposed outdoor extension shall be operated in compliance with the requirements of Section 7-2-17 and maintained as shown on the attached site plan and/or drawing

Signature: Mario D. Nuñez Signature: _____

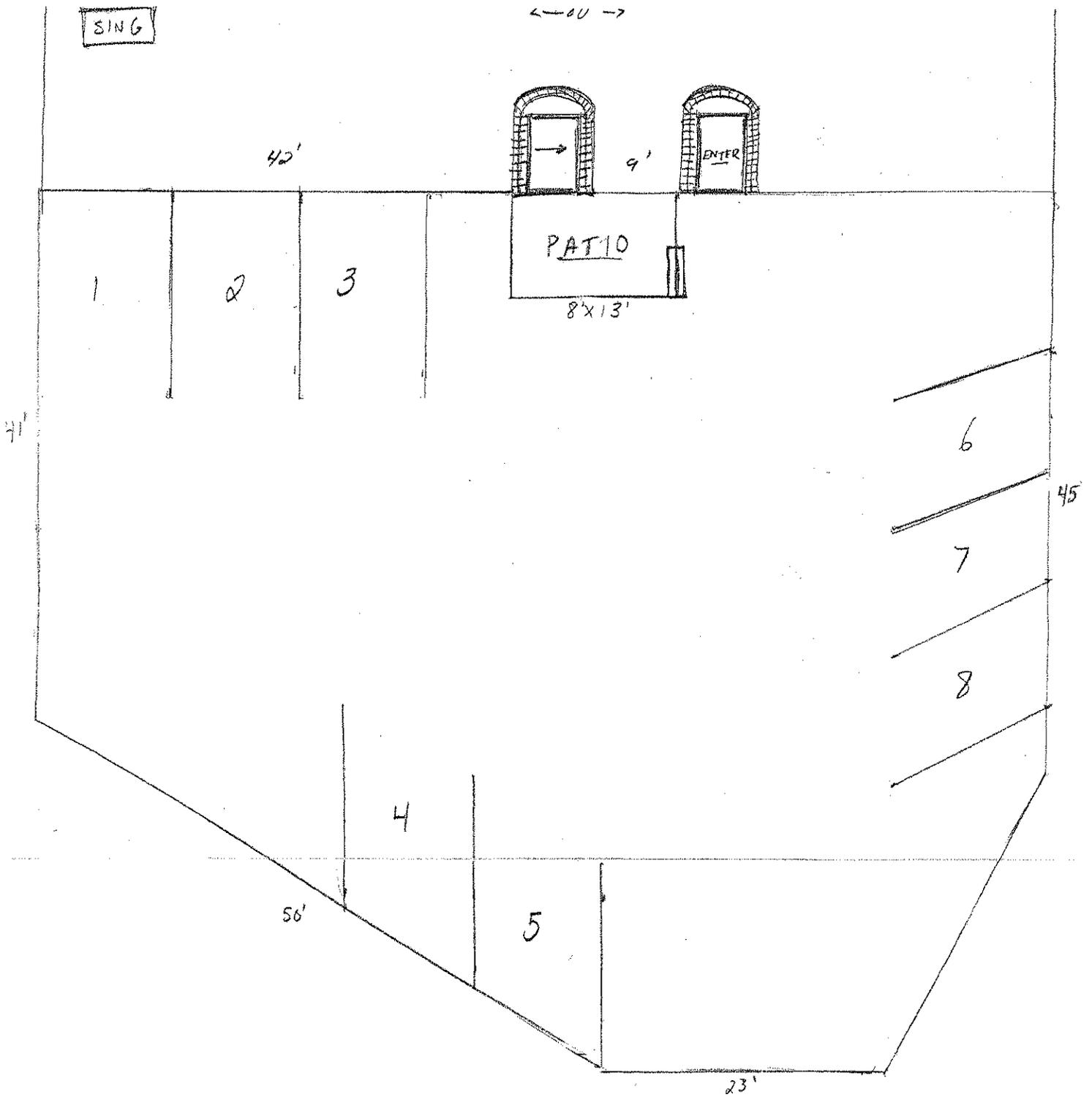
TO BE COMPLETED BY CLERK

Date Received: 5/13/09

Fee Paid: _____

Inspections Completed: _____

Date to Council: _____





STREET USE APPLICATION

Sponsored by: CommunityFest Committee

Responsible Person: Mayor Don Merkes

Address: 140 Main Street
Menasha, WI 54952

Phone: 920-967-3600

Email Address: dmerkes@ci.menasha.wi.us

Street Use Date: July 3, 2009
Start Time: 9:00 PM
9:15 PM Parade
End Time: 10:15 PM
Number of Units: 32

Street Route: (Attach Map) Parade starts at 9:15 PM at Riverside Park, West on Wisconsin Avenue
Description of Use North on Commercial Street, North on Washington Street, East on Main Street, Disband on Milwaukee Street

Liability Insurance has been secured in the amount of \$ _____ with the City of Menasha named as the additional insured.

Insurance Company: Covered by City of Menasha Tulip Policy per Mayor Merkes.
Policy No. NA
(Attached is a copy of the insurance certificate).

Date: 3 June 2009 Applicant's Signature: [Signature]

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of Twenty-Five Dollars (\$25.00). Make checks payable to City of Menasha. See highlighted portion of the attached City of Menasha Municipal Code.

Note to events planning to use City Parks and/or greenspace: Any multi-day event or event which plans to sell beer and/or wine to the public must appear before the Parks and Recreation Board.

TO BE COMPLETED BY CITY STAFF

Scheduled Park & Recreation Board Review Date: _____
Not Required: _____ Approved: _____ Denied: _____

Scheduled Common Council Review Date: _____
Approved: _____ Denied: _____

APPROVAL: _____
Police Dept. [Signature] Fire Dept. [Signature] Public Works Dept. [Signature] City Attorney _____



Memorandum

TO: Common Council

FROM: Mayor Merkes 

SUBJECT: 2009 Non Represented Employee July Wage Increases

DATE: 11 June 2009

Due to the uncertainty of both the city and state budgets for 2010 I am recommending that the city eliminate the 1% salary increase scheduled for all non-represented employees this July.

Taking action on this recommendation would freeze the midpoint of all non-represented employees at the current level through the end of 2009. Union contracts with Local 1035, 1035B and 603 for 2009-10 have not yet been approved, and this action is unrelated to ongoing union negotiations/arbitration.

We are predicting reductions in shared revenue of \$81,000 for 2010, along with substantial increases in health insurance, state retirement contribution, landfill tipping fees, road salt, and darkfiber rental costs. This could lead to a gap of \$500,000 or more in the 2010 budget. There have been ongoing discussions on creating efficiencies, and cost saving measures. Taking this action will preserve funds to help fill the gap in the 2010 budget.

City of Menasha Mayor's Office



Application of interest for Menasha Boards, Commissions, Committees

Name Gary Wisneski

Address 1232 Delere Street
Menasha, WI 54952

Daytime Phone (920) 751-7407 (RR Donelley)

Evening Phone (920) 725-6826

E-Mail gary.g.wisneski@rrd.com OR suewiz@aol.com

What appointment are you seeking? You may check more than one box.

- Board of Appeals
- Board of Review
- Board of Health
- Committee on Aging **(2)**
- Heckrodt Wetland Reserve Board
- Housing Authority
- Landmarks Commission
- Library Board **(1)**

- N-M Joint Fire Commission
- N-M Sewerage Commission
- Parks & Recreation Board **(3)**
- Plan Commission
- Police Commission
- Redevelopment Authority
- Sustainability Board
- Utilities Commission
- Other _____

Do you currently serve on other boards, commissions, committees, or hold an elected office? yes no (Detail Below)

Please provide or attach a brief statement outlining your interest and qualifications of this appointment:

Have had a lifelong interest in sports/recreation. Have been a coach, umpire/referee, (+ spectator) for 45+ years.

Am Aged!! (AARP member + qualify for senior discounts)
Love reading + writing poetry.

(Works 7-3p daily)
Please sign and date: Gary G. Wisneski 5/23/09