It is expected that a Quorum of the Personnel Committee, Board of Public Works, 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
Special Joint Common Council and
Menasha Electric and Water Utility Commission
Third Floor Council Chambers
140 Main Street, Menasha
September 14, 2009
5:00 PM

AMENDED AGENDA

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

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

E. DISCUSSION/ACTION ITEMS
1. Decommissioning Plan/Cost
2. Decommissioning Team
3. Severance

F. MENASHA ELECTRIC AND WATER UTILITY COMMISSION ADJOURNMENT

G. DISCUSSION/ACTION ITEMS
1. Ordinance Changes/Appropriation of Funds

H. ADJOURNMENT

"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."

DECOMMISSIONING AND EMPLOYEE TRANSITION PLAN

COMMISSION AND COUNCIL ACTION:

Decommissioning Plan and Costs: The decommissioning after plant shut down plan is attached and includes the absolute essentials items needed to preserve the value of the facility and the steps management feels are needed to ensure prudent utility and business practices are kept. The management of the utility has had discussions with Boardman Law Firm in regards to the meaning of this since the resolutions that the City Council and the Commission passed state this. The prudent utility standard requires at a minimum that a utility exercise reasonable care in this decision. The prudent business practice standard requires the standard for negligence; namely, it requires a determination of whether the utility acted in a manner consistent with the performance of other utilities. These decisions need to be made in good faith, under the given circumstances, and at the relevant point in time to preserve the value of the plant.

Management prepared three options with the recommendation of Option A with the total budget impact of $281,528. This plan needs the approval of the commission and the council since the overall decommissioning and operational costs have a financial impact. Management feels Option B and Option C fall below good engineering practice and come with an increasingly high risk to the plant.

The 2009 budget impact without looking at customer claims or terminations fees is estimated at over $1.8 million. This is comprised of the following:

Decommission	
281,528	Labor and Materials for Saleable Condition
Operational	
376,983	Unemployment and Personnel
122,423	Lease agreements
160,000	Environmental legal or NOV
614,000	Strategic team costs
277,160	Estimated Cash shortage Aug-Oct including final operational invoices with no revenue
1,832,094	**Total Costs**

The funds that are available from the reserve fund are $1,105,309 with a shortfall of $726,785.

The priority of items on the decommissioning list are:

1. Ro Denim System – There is a requirement in the GE lease agreement that the items that were financed be dismantled and returned to Chicago. The RO equipment needs to be returned, however other items financed by GE still need to be addressed as well as a determination of the costs for those items. We are having discussions with GE on different options including trying to sell it with the facility. Total cost labor and materials $78,296.
2. Coal and Ash System – The PRB coal and all the dust needs to be entirely removed from the facility due to combustibility of the coal. Total cost labor and materials $40,872.

3. Fire System and Dust Control System – The PRB coal and all the dust needs to be entirely removed from the facility due to combustibility of the coal. Total cost labor and materials $9,984.
4. Supervision and Contingency – Management was planning on being involved in supervising this project and we also planned for some contingency for some unknown costs. Total cost of labor and materials $42,460.
5. Building including the heating system – In order to keep equipment in good condition a base level of heat needs to be provided to the building over the winter as well as power to facility to protect the basement from freezing and then potential flooding since it is below water level. Total cost labor and materials $56,081.
6. Underground System – Per the agreements with our steam customers we agreed to a physical separation. Total cost labor and materials $5,996.
7. Boilers and Auxiliaries – The boilers need to be put in a dry lay-up state in order to preserve the boilers and all the water needs to be drained prior to winter. Total cost labor and materials $28,799.
8. Steam Systems – All the water needs to be drained prior to winter. Total cost labor and materials $3,328.
9. Chemical Systems – Proper disposal of the chemicals onsite. Total cost labor and materials $4,496.
10. Security of the building – Changing the locks and protecting the facility from theft including continued rounds. Total cost of labor and materials $11,216.

Decommissioning Team: We propose 6-8 people for the decommissioning team which consists of 2 management and 4-6 union members. We were asked by the union if the team could be larger and from a management perspective with the tasks needed to complete we felt 6 people for 8 weeks or 8 people for 6 weeks is manageable and still stays within the budget of $119,184. There are two decisions that will need to be made to determine what staff will be laid off and when.

- A decision needs to be made on the size of the decommissioning crew (6 or 8 man crew but the financial impact is the same).
- A decision on if the decommissioning crew consists of the next staff on the seniority list at the steam plant or if we will use the employees to be transferred to the electric utility from the transition plan approved by the commission in this process.

Severance package: In discussions with the union they had asked if the Commission/Council would consider a package for those 19 employees that will be on laid off. The employees are currently entitled to unemployment and vacation/benefit payout. In addition, would there be consideration for those that would take voluntary layoff or for the few employees' near retirement but had not planned on it at this point but if a package is an option it could prevent some from layoff.

Steam Plant De- Commissioning After Plant Shut Down
Option A - Absolute Essentials Rev 3 - Sept 14, 2009

Equipment	Activity	Risk of Damage	Crew Size	Man Hours	MU Labor $	Outside Source	Cost	Demo Cost
Boilers and Auxiliaries								
Stack	Ensure drain is open	Ice bursting drain line or bursting stack liner, corrosion	2	16	$832			
Baghouse	Remove excess ash from ductwork	Corrosion of ductwork & ash setting up like concrete		0	$0			
	Inspect Tube Sheet for Excess Ash	Corrosion of tube sheet & ash setting up like concrete		0	$0			
	Empty Hoppers of Ash	Corrosion of hoppers & ash setting up like concrete	2	8	$416	H2O Under Pressure	$10,000	
	Close inlet and Outlet Dampers, Clean Shelf	Inflow of cold air in winter causing freezing of boiler components		0	$0			
Boiler Gas Side	Air Lance - Clean - Empty Hoppers	Corrosion of hoppers & ash setting up like concrete	2	40	$2,080			
Boiler Water Side	Drain - Including Economizers, Include #1&2 Boilers	Ice bursting economizer & boiler tubes, corrosion	2	8	$416			
	Dry Lay Up -with Nitrogen and Desiccant	Corrosion, ice damage	2	100	$5,200	Nitrogen 1 year @ 3 bottles / week	$7,775	
Boiler Feed Pumps	Drain	Corrosion, ice damage		0	$0			
Deaerators	Drain & Dry	Corrosion, ice damage	2	32	$1,664			
Boiler Waterside	Inspection - State required	Loss of Operating Permit, Loss of confirmation that boiler meets code	1	8	$416			
Coal & Ash System					$0			
Silo	Empty - Inspect ensure no coal present	Fire, explosion & corrosion during storage period		0	$0			
	Clean - Water Wash	Fire, explosion & corrosion during storage period	2	32	$1,664			
Coal Conveyors and Building	Clean and Water Wash	Fire, explosion & corrosion during storage period	4	480	$24,960	H2O Under Pressure	$10,000	
	Disposal of coal and ash from cleanup				$0	Veolia	$3,000	
	Clean out sewer settling basins			0	$0			
Ash Silo	Empty, Clean, Inspect	Corrosion of silo components & ash setting up like concrete	2	16	$832			
Air System	Drain Coolers	Ice bursting drain line or bursting stack liner, corrosion	2	8	$416			
Turbine/ Gnnarators					$0			
Turbines	Empty Hotwells	Ice bursting piping or bursting hotwells liner, corrosion	Completed	0	$0			
	Drain Oil Cooler	Ice bursting piping or bursting oil cooler, corrosion	Completed	0	$0			
	Drain Air Coolers	Ice bursting piping or bursting air cooler, corrosion	Completed	0	$0			
Circulating Water Pumps	Close Suction Valves & Drain Pumps				$0			
					$0			
Chemical System	Keep Intact-assign chemical to another user free or at low cost	Disposal cost would be incurred	2	48	$2,496			
	Disposal of Chemicals not assignable	Oxygen scavenger has short shelf life and would be useless after 6 mo			$0		$2,000	
Steam Systems	Open All Drains	Ice bursting piping & corrosion	2	32	$1,664			
Condensate Systems	Open All Drains	Ice bursting piping & corrosion	2	32	$1,664			
Underground Systems & Man Holes	Physical Separation	Conduit for hazardous material migrating onto customer site	2	48	$2,496	Jamar	$3,500	
Building	Prep and Clean Up		2	40	$2,080			
Building Heating System	Tune-up gas heating boiler	Freeze damage to building and equipment	2	16	$832	PBBS	$669	
	Boiler chemicals					Hercules	$2,500	
	Natural Gas for first heating season	Freeze damage to building and equipment			$0	WE	$50,000	
Fire System	Drain	Freeze damage to building and equipment	2	32	$1,664			
Dust Control System	Clean, Remove Bags	Fire, explosion & corrosion during storage period	2	160	$8,320			
	Consider Fire Hazard in Ducts and Bags				$0			
Security	Change all Door Locks	Unauthorized entry of building losses due to theft of property			$0	Lock Smith	$400	
	Routine security and building inspection	Unauthorized entry of building losses due to theft of property & heat ops	1	205	$10,816			
	New Key in Lock Box for Fire Dept			0	$0			
DCS	Remove Monitors & Processors	Losses due to theft		0	$0			
Radio	John Teale	Charged to Elect & Water		0	$0			
Ups		Charged to Elect & Water		0	$0			
					$0			
Elevator	Turn Power Off				$0			
Warehoused and Outdoor Materials Storage	Move Indoors at Plant	Prevent losses due to theft		0	$0			
Tools	Inventory- Before De-Commissioning	Prevent losses due to theft		0	$0			
Oil & Grease Supplies	Leave in Oil Room	Minimal fire risk		0	$0			
Bin Stock	Move to secure location	Prevent losses due to theft		0	$0			
RO Demin System	Empty chemical tanks Acid/Caustic	Required to terminate GE Lease	1	32	$1,664			
Exact GE Requirements are unknown	Remove Resin from 8 Vessels	Required to terminate GE Lease	4	160	$8,320			
GE definition of "Equipment" is unknown	Drain oil from all pump skids	Required to terminate GE Lease	1	16	$832			
	Disconnect all electrical wiring	Required to terminate GE Lease	2	160	$8,320			
	Disconnect flanges at skid perimeter	Required to terminate GE Lease	2	80	$4,160			
	Removal of Skidded Equipment & Shipment to Chicago	Required to terminate GE Lease			$0	Miron	$54,000	
	Disposal of resins	Required to terminate GE Lease			$0		$1,000	
Supervision of all tasks			2	480	$24,960			
Miscellaneous					$0	Veolia	$2,500	
MSW Disposal	Disposal of municipal solid waste generated in shutdown					Contingency	$15,000	
Demolition					$0			
De-water Intake System - Temporary					$0	Lunde Construction		$47,991
Asbestos Survey					$0	Eagle Environmental Testing		$10,000
Asbestos Removal					$0	ARI		$500,000
Building Demolition	2 ft removal of foundations, level site				$0	State Wide Rating		$325,000
Permanent bulk head of water intakes					$0	Lunde Construction		$26,122
					$0			
Totals			52	2292	$119,184		$162,344	$909,113
Total MU and Outsourced Cost							$281,528	

Steam Plant De- Commissioning After Plant Shut Down
Option B - Not Recommended Rev 3 - Sept 14, 2009

Equipment	Activity	Risk of Damage	Crew Size	Man Hours	MU Labor $	Outside Source	Cost	Demo Cost
Boilers and Auxiliaries								
Stack	Ensure drain is open	Ice bursting drain line or bursting stack liner, corrosion	0	0	$0			
Baghouse	Remove excess ash from ductwork	Corrosion of ductwork & ash setting up like concrete		0	$0			
	Inspect Tube Sheet for Excess Ash	Corrosion of tube sheet & ash setting up like concrete		0	$0			
	Empty Hoppers of Ash	Corrosion of hoppers & ash setting up like concrete	0	0	$0	H2O Under Pressure	$10,000	
	Close Inlet and Outlet Dampers, Clean Shell	Inflow of cold air in winter causing freezing of boiler components		0	$0			
Boiler Gas Side	Air Lance - Clean - Empty Hoppers	Corrosion of hoppers & ash setting up like concrete	0	0	$0			
Boiler Water Side	Drain - Including Economizers, Include #1&2 Boilers	Ice bursting economizer & boiler tubes, corrosion	2	3	$416			
	Dry Lay Up -with Nitrogen and Desiccant	Corrosion, ice damage	0	0	$0	Nitrogen 1 year @ 3 bottles / week		
Boiler Feed Pumps	Drain	Corrosion, ice damage		0	$0			
Deaerators	Drain & Dry	Corrosion, ice damage	2	32	$1,664			
Boiler Waterside	Inspection - State required	Loss of Operating Permit, Loss of confirmation that boiler meets code	1	8	$416			
Coal & Ash System					$0			
Silo	Empty - Inspect ensure no coal present	Fire, explosion & corrosion during storage period		0	$0			
	Clean - Water Wash	Fire, explosion & corrosion during storage period	2	32	$1,664			
Coal Conveyors and Building	Clean and Water Wash	Fire, explosion & corrosion during storage period	4	480	$24,960	H2O Under Pressure	$10,000	
	Disposal of coal and ash from cleanup				$0	Veolia	$3,000	
	Clean out sewer settling basins			0	$0			
Ash Silo	Empty, Clean, Inspect	Corrosion of silo components & ash setting up like concrete	0	0	$0			
Air System	Drain Coolers	Ice bursting drain line or bursting stack liner, corrosion	0	0	$0			
Turbine/ Generators					$0			
Turbines	Empty Hotwells	Ice bursting piping or bursting hotwells liner, corrosion	Completed	0	$0			
	Drain Oil Cooler	Ice bursting piping or bursting oil cooler, corrosion	Completed	0	$0			
	Drain Air Coolers	Ice bursting piping or bursting air cooler, corrosion	Completed	0	$0			
Circulating Water Pumps	Close Suction Valves & Drain Pumps				$0			
					$0			
Chemical System	Keep intact-assign chemical to another user free or at low cost	Disposal cost would be incurred	0	0	$0			
	Disposal of Chemicals not assignable	Oxygen scavenger has short shelf life and would be useless after 6 mo			$0			
Steam Systems	Open All Drains	Ice bursting piping & corrosion	0	0	$0			
Condensate Systems	Open All Drains	Ice bursting piping & corrosion	0	0	$0			
Underground Systems & Man Holes	Physical Separation	Conduit for hazardous material migrating onto customer site	2	16	$832	Jamar	$3,500	
Building	Prep and Clean Up		0	0	$0			
Building Heating System	Tune-up gas heating boiler	Freeze damage to building and equipment	2	16	$832	PBBS	$669	
	Boiler chemicals					Hercules	$2,500	
	Natural Gas for first heating season	Freeze damage to building and equipment			$0	WE	$50,000	
Fire System	Drain	Freeze damage to building and equipment	2	32	$1,664			
Dust Control System	Clean, Remove Bags	Fire, explosion & corrosion during storage period	2	160	$8,320			
	Consider Fire Hazard in Ducts and Bags				$0			
Security	Change all Door Locks	Unauthorized entry of building losses due to theft of property			$0	Lock Smith	$400	
	Routine security and building inspection	Unauthorized entry of building losses due to theft of property & heat ops	0	0	$0			
	New Key in Lock Box for Fire Dept			0	$0			
DCS	Remove Monitors & Processors	Losses due to theft		0	$0			
Radio	John Teale	Charged to Elect & Water		0	$0			
Ups		Charged to Elect & Water		0	$0			
					$0			
Elevator	Turn Power Off				$0			
Warehoused and Outdoor Materials Storage	Move Indoors at Plant	Prevent losses due to theft		0	$0			
Tools	Inventory- Before De-Commissioning	Prevent losses due to theft		0	$0			
Oil & Grease Supplies	Leave in Oil Room	Minimal fire risk		0	$0			
Bin Stock	Move to secure location	Prevent losses due to theft		0	$0			
RO Demin System	Empty chemical tanks Acid/Caustic	Required to terminate GE Lease	1	32	$1,664			
Exact GE Requirements are unknown	Remove Resin from 8 Vessels	Required to terminate GE Lease	4	160	$8,320			
GE definition of "Equipment" is unknown	Drain oil from all pump skids	Required to terminate GE Lease	1	16	$832			
	Disconnect all electrical wiring	Required to terminate GE Lease	2	160	$8,320			
	Disconnect flanges at skid perimeter	Required to terminate GE Lease	2	80	$4,160			
	Removal of Skidded Equipment & Shipment to Chicago	Required to terminate GE Lease			$0	Miron	$54,000	
	Disposal of resins	Required to terminate GE Lease			$0		$1,000	
Supervision of all tasks			2	100	$5,200			
Miscellaneous					$0	Veolia	$1,000	
MSW Disposal	Disposal of municipal solid waste generated in shutdown					Contingency	$14,000	
Demolition					$0			
De-water Intake System - Temporary					$0	Lunda Construction		$47,991
Asbestos Survey					$0	Eagle Environmental Testing		$10,000
Asbestos Removal					$0	ARI		$500,000
Building Demolition	2 ft removal of foundations, level site				$0	State Wide Razing		$325,000
Permanent bulk head of water intakes					$0	Lunda Construction		$28,122
Totals			31	1332	$69,264		$150,069	$909,113
Total MU and Outsourced Cost							$219,333	

Steam Plant De- Commissioning After Plant Shut Down
Option C - Not Recommended Rev 3 - Sept 14, 2009

Equipment	Activity	Risk of Damage	Crew Size	Man Hours	MU Labor $	Outside Source	Cost	Demo Cost
Boilers and Auxiliaries								
Stack	Ensure drain is open	Ice bursting drain line or bursting stack liner, corrosion	0	0	$0			
Baghouse	Remove excess ash from ductwork	Corrosion of ductwork & ash setting up like concrete		0	$0			
	Inspect Tube Sheet for Excess Ash	Corrosion of tube sheet & ash setting up like concrete		0	$0			
	Empty Hoppers of Ash	Corrosion of hoppers & ash setting up like concrete	0	0	$0	H2O Under Pressure		
	Close Inlet and Outlet Dampers, Clean Shelf	Inflow of cold air in winter causing freezing of boiler components		0	$0			
Boiler Gas Side	Air Lance - Clean - Empty Hoppers	Corrosion of hoppers & ash setting up like concrete	0	0	$0			
Boiler Water Side	Drain - Including Economizers, Include #1&2 Boilers	Ice bursting economizer & boiler tubes, corrosion	2	8	$416			
	Dry Lay Up -with Nitrogen and Desiccant	Corrosion, ice damage	0	0	$0	Nitrogen 1 year @ 3 bottles / week		
Boiler Feed Pumps	Drain	Corrosion, ice damage		0	$0			
Deaerealors	Drain & Dry	Corrosion, ice damage	2	32	$1,664			
Boiler Waterside	Inspection - State required	Loss of Operating Permit, Loss of confirmation that boiler meets code	1	8	$416			
Coal & Ash System					$0			
Silo	Empty - Inspect ensure no coal present	Fire, explosion & corrosion during storage period		0	$0			
	Clean - Water Wash	Fire, explosion & corrosion during storage period			$0			
Coal Conveyors and Building	Clean and Water Wash	Fire, explosion & corrosion during storage period			$0	H2O Under Pressure		
	Disposal of coal and ash from cleanup				$0	Veolia		
	Clean out sewer settling basins			0	$0			
Ash Silo	Empty, Clean, Inspect	Corrosion of silo components & ash setting up like concrete	0	0	$0			
Air System	Drain Coolers	Ice bursting drain line or bursting stack liner, corrosion	0	0	$0			
Turbine/ Generators					$0			
Turbines	Empty Hotwells	Ice bursting piping or bursting hotwells liner, corrosion	Completed	0	$0			
	Drain Oil Cooler	Ice bursting piping or bursting oil cooler, corrosion	Completed	0	$0			
	Drain Air Coolers	Ice bursting piping or bursting air cooler, corrosion	Completed	0	$0			
Circulating Water Pumps	Close Suction Valves & Drain Pumps				$0			
					$0			
Chemical System	Keep Intact assign chemical to another user free or at low cost	Disposal cost would be incurred	0	0	$0			
	Disposal of Chemicals not assignable	Oxygen scavenger has short shelf life and would be useless after 6 mo			$0			
Steam Systems	Open All Drains	Ice bursting piping & corrosion	0	0	$0			
Condensate Systems	Open All Drains	Ice bursting piping & corrosion	0	0	$0			
Underground Systems & Man Holes	Physical Separation	Conduit for hazardous material migrating onto customer site	2	32	$1,664	Jamar	$3,500	
Building	Prep and Clean Up		0	0	$0			
Building Heating System	Tune-up gas heating boiler	Freeze damage to building and equipment	2	16	$832	PBBS	$669	
	Boiler chemicals					Hercules	$2,500	
	Natural Gas for first heating season	Freeze damage to building and equipment			$0	WE	$50,000	
Fire System	Drain	Freeze damage to building and equipment	2	32	$1,664			
Dust Control System	Clean, Remove Bags	Fire, explosion & corrosion during storage period	2	160	$8,320			
	Consider Fire Hazard in Ducts and Bags				$0			
Security	Change all Door Locks	Unauthorized entry of building losses due to theft of property			$0	Lock Smith	$400	
	Routine security and building inspection	Unauthorized entry of building losses due to theft of property & heat ops	0	0	$0			
	New Key in Lock Box for Fire Dept			0	$0			
DCS	Remove Monitors & Processors	Losses due to theft		0	$0			
Radio	John Teale	Charged to Elect & Water		0	$0			
Ups		Charged to Elect & Water		0	$0			
					$0			
Elevator	Turn Power Off				$0			
Warehoused and Outdoor Materials Storage	Move indoors at Plant	Prevent losses due to theft		0	$0			
Tools	Inventory- Before De-Commissioning	Prevent losses due to theft		0	$0			
Oil & Grease Supplies	Leave in Oil Room	Minimal fire risk		0	$0			
Bin Stock	Move to secure location	Prevent losses due to theft		0	$0			
RO Demin System	Empty chemical tanks Acid/Caustic	Required to terminate GE Lease	1	32	$1,664			
Exact GE Requirements are unknown	Remove Resin from 8 Vessels	Required to terminate GE Lease	4	160	$8,320			
GE definition of "Equipment" is unknown	Drain oil from all pump skids	Required to terminate GE Lease	1	16	$832			
	Disconnect all electrical wiring	Required to terminate GE Lease	2	160	$8,320			
	Disconnect flanges at skid perimeter	Required to terminate GE Lease	2	80	$4,160			
	Removal of Skidded Equipment & Shipment to Chicago	Required to terminate GE Lease			$0	Miron	$54,000	
	Disposal of resins	Required to terminate GE Lease			$0		$1,000	
Supervision of all tasks			2	102	$5,304			
Miscellaneous					$0	Veolia		
MSW Disposal	Disposal of municipal solid waste generated in shutdown					Contingency		
Demolition					$0			
De-water Intake System - Temporary					$0	Lunda Construction		$47,991
Asbestos Survey					$0	Eagle Environmental Testing		$10,000
Asbestos Removal					$0	ARI		$500,000
Building Demolition	2 ft removal of foundations, level site				$0	State Wide Razing		$325,000
Permanent bulk head of water intakes					$0	Lunda Construction		$26,122
					$0			
Totals			25	838	$43,576		$112,069	$909,113
Total MU and Outsourced Cost							$155,645	

ORDINANCE O - 20 -99

AN ORDINANCE RELATING TO THE UNDESIGNATED FUND BALANCE OF THE GENERAL FUND OPERATING BALANCE

Introduced by Alderman Weber

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

SECTION 1: Sec. 3 -1- 3(c) (5) is created to read as follows:

> The annual budget submitted by the Mayor and approved by the Common Council shall maintain the undesignated general fund balance at not less than 10% of general fund budgeted expenditures.

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

Passed and approved this 16th day of August, 1999.

Joseph F. Laux, Mayor

ATTEST:

Joan Smogoleski, City Clerk

MEMORANDUM

TO: Mayor Merkes, Council President Hendricks and the members of the City of Menasha Common Council

FROM: Tom Stoffel - Comptroller/Treasurer TS

DATE: 09/11/2009

SUBJECT: Budget Adjustments/Transfers/Appropriation of Funds

Funds to pay for any expenses related to the Menasha Steam Utility shutdown would require changes to the City's 2009 operations budget. No funds were included in the current budget for that purpose. As required by State Statute

65.90(5)(a)

(a) Except as provided in par. (b) and except for alterations made pursuant to a hearing under sub. (4), the amount of tax to be levied or certified, the amounts of the various appropriations and the purposes for such appropriations stated in a budget required under sub. (1) may not be changed unless authorized by a vote of two-thirds of the entire membership of the governing body of the municipality. Any municipality, except a town, which makes changes under this paragraph shall publish a class 1 notice thereof, under ch. 985, within 10 days after any change is made. Failure to give notice shall preclude any changes in the proposed budget and alterations thereto made under sub. (4).

a two-thirds vote of the Common Council is required to make any change, transfer or appropriate any additional funds. In the case of Menasha, two-thirds can only be reached if six council members vote in the affirmative, hence a three-quarters vote is needed