

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 February 15, 2010

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. [PRD Tungate – Revisions to City Code Section 12-1-12 Selling of Merchandise in Parks and Public Grounds \(O-4-10\)](#)
 - 2. Kim Pischke & Kris Oates – Lake Park Villas market plan
 - 3. CA/HRD Captain – WPPI update
 - 4. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 2/1/10](#)
- b. [Board of Public Works, 2/1/10](#)
- c. [Library Board, 1/21/10](#)
- d. [Parks and Recreation Board, 2/8/10](#)
- e. [Plan Commission, 2/2/10](#)
- f. [Police Commission, 1/21/10](#)
- g. [Water & Light Commission, 1/27/10](#)
- h. [Water & Light Commission, 1/27/10; Closed Session](#)

Communications:

- i. [Calumet County Administrator, Open house invitation to City & Village officials](#)
- j. [CDD Keil, 2/11/10; Building Permit Summary](#)
- k. [Clerk Galeazzi, 2/2/10; Problem with Camera Equipment](#)
- l. [Customers First! Newsletter, *the Wire*; January 2010, February 2010](#)
- m. [Public Service Commission of Wisconsin meeting notice, 2/12/10](#)
- n. [PWD Radtke, 2/3/10; Minimum Wage Rates](#)
- o. [U.S. Fedreal Energy Regulatory Commission, 2/8/10; Notice of application for transfer of license \(NewPage Wisconsin System Inc. and Kaukauna utilities\)](#)

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

G. CONSENT AGENDA

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

Minutes to approve:

1. [Common Council, 2/1/10](#)

Administration Committee, 2/1/10 – Recommends Approval of:

2. [Equipment Purchase Request for AT&T U-Verse TV Public Access Channel to Broadcast City of Menasha Common Council Meetings.](#)

Board of Public Works, 2/1/10 – Recommends Approval of:

3. [Maintaining the 2010 Minimum Wage Rates at the previous year's rates](#)
4. [Tayco Street Pond Operation and Maintenance Agreement \(Town of Menasha/City of Menasha\)](#)
5. [Manitowoc Road Rehabilitation Project Agreement \(Town of Menasha/City of Menasha\)](#)

Parks and Recreation Board, 2/8/10 – Recommends Approval of:

6. [Agreement with Neenah-Menasha YMCA for 2010 Grunski Runski](#)

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 2/4/10 to 2/11/10 in the amount of \\$4,317,900.23](#)

J. ORDINANCES AND RESOLUTIONS

1. [O-4-10 – Ordinance Relating to Selling of Merchandise in Parks and Public Grounds \(no action will be taken\)\(Introduced by Ald. Roush, recommended by Parks & Recreation Board\)](#)
2. [R-5-10 – Resolution Opposing Wisconsin Department of Revenue \(DOR\) County Assessment Proposal\(Introduced by Ald. Wisneski, recommended by Administration Committee\)](#)
3. [R-6-10 – Resolution Authorizing Redemption of the Taxable General Obligation Promissory Notes \(Steam Utility Project\), Dated August 22, 2007 \(Introduced by Mayor Merkes\)](#)
4. [R-7-10 – Resolution to Place Referendum on the April 6, 2010 spring Election Ballot to Sell Electric Utility Assets to WPPI Energy \(Introduced by Mayor Merkes\)](#)

K. APPOINTMENTS

L. HELD OVER BUSINESS

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

N. RECESS TO ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS

O. CLAIMS AGAINST THE CITY

1. State ex rel. American Bank vs. City of Menasha et al., Case No. 10-cv-0077, Winnebago County Circuit Court
2. LaFayette Life Insurance Co. Et al. Vs. City of Menasha et.al., Case No. 4:09CV 0064, US District Court Northern District of Indiana
3. Motion to Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e)&(g): Deliberating or negotiating the purchasing of public properties, the investigating of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (American Bank vs. City of Menasha and LaFayette Life Ins. Co., et al. Vs. City of Menasha)
4. Return into Open Session
5. Actions if any needed as a result of the Closed Session discussion

P. ADJOURNMENT

MEETING NOTICE

Tuesday, February 16, 2010 – Spring Primary Election

Monday, March 1, 2010 - Council Chambers

Common Council – 6:00 p.m.

Administration Committee – 7:00 p.m.

Board of Public Works – 7:30 p.m.

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
February 1, 2010
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. Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert, Benner
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, DPW Radtke, CDD Keil,
C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. Administration Committee, 1/18/10

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

D. ACTION ITEMS

1. Equipment Purchase Request for AT&T U-Verse TV Public Access Channel to Broadcast City of Menasha Common Council Meetings.

CA/HRD Captain explained AT&T has been discussing with the Cities of Menasha, Neenah, Appleton and Green Bay about broadcasting their council meetings to the U-Verse customers. Currently, only Time Warner Cable customers have access to the broadcast of the meetings. The most cost effective way to accomplish the broadcast is to take the Time Warner signal and upload it directly to the AT&T U-verse system. The cost for the equipment is approximately \$3,641.96. The cost to the four municipalities involved would be \$910.49. There is ongoing discussion with other municipalities that benefit from uploading the signal to participate and share the cost. UW-Fox Valley will purchase and house the equipment. The Cities of Neenah and Appleton Councils have approved the purchase of the equipment.

When asked about franchise fees, C/T Stoffel replied that both Time Warner and AT&T both pay franchise fees to the City.

Moved by Ald. Taylor, seconded by Ald. Roush to recommend to the Common Council approval of equipment purchase not to exceed \$910.49.

Motion carried on voice vote.

2. R-5-10 – Resolution Opposing Wisconsin Department of Revenue (DOR) County Assessment Proposal. (Ald. Wisneski)

Ald. Wisneski commended that even if it looks like this item may not make it to the State Legislature, she would still want the State to know the City's position on this issue.

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

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Zelinski to adjourn at 7:26 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
February 1, 2010
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Taylor at 7:27 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert, Benner
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, DPW Radtke, CDD Keil,
C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

C. MINUTES TO APPROVE

1. January 18, 2010

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

D. ACTION ITEMS

1. Approval of City of Menasha 2010 Minimum Wage Rates

DPW Radtke explained a Wisconsin Department of Workforce Development prevailing wage rate determination is now required for municipal contracts exceeding \$25,000. The City of Menasha minimum wage rate schedule is used for publicly bid contracts of \$25,000 or less. The Council approves the City minimum wage rates annually.

Discussion ensued regarding the need to adjust the rates at all given that some private contractors have frozen wages for their employees.

Moved by Ald. Pack, seconded by Ald. Zelinski to recommend to Common Council to maintain the 2010 minimum wage rates at previous year's rate.

Motion carried on roll call 5-3

Ald. Taylor, Wisneski, Pack, Englebert, Zelinski – yes

Ald. Roush, Hendricks, Benner – no.

2. Tayco Street Pond Operation and Maintenance Agreement (Town of Menasha/City of Menasha)

DPW Radtke explained this agreement establishes the terms for the operation and maintenance of the Tayco Street joint stormwater pond with Town of Menasha. The Town of Menasha will be the lead agency. The agreement will be reviewed every five years to reconsider the percentage of TSS reduction allocated to each community.

Moved by Ald. Wisneski, seconded by Ald. Pack to recommend approve to Common Council.

Motion carried on voice vote.

3. Manitowoc Road Rehabilitation Project Agreement (Town of Menasha/City of Menasha)

DPW Radtke explained this agreement sets the cost sharing terms for the Manitowoc Road pavement rehabilitation project and required advance storm sewer work. This project is an ARRA project, receiving Federal stimulus funds. The Town of Menasha is the lead agency and will be entering into agreement with the Wisconsin Dept. of Transportation. Some preliminary storm sewer improvement work is required in advance of the resurfacing project. The cost for the storm sewer work is not eligible for stimulus funding, so the City and Town will be responsible for the cost of the work done in each of their respective jurisdictions.

Moved by Ald. Zelinski, seconded by Ald. Englebert to recommend approval to Common Council.

Motion carried on voice vote.

E. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Wisneski, to adjourn at 7:44 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk

D R A F T
MINUTES OF REGULAR MEETING
ELISHA D. SMITH PUBLIC LIBRARY TRUSTEES
January 21, 2010

Call to order at 4:01 p.m. by President Enos

Present: Derouin, Eisen, Enos, Nebel, Werley, Wicihowski

Absent: Carlson, Wisneski

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 December list of bills from the 2009 budget and the January bills from the 2010 budget by Werley, seconded by Wicihowski, and carried unanimously.

Consent Business

2. Approve minutes from the Library Board meeting of December 17, 2009.

A roll call vote was taken in closed session when a motion was made to authorize a 2.5% pay raise for the Director effective January 1, 2010. This resulted in a split vote. Mayor Merkes advised that the minutes be amended to include the names of the individuals and how they voted. Also, a member of the Common Council requested that the minutes be amended to clarify the pay increase percentage awarded to library employees - referred to in agenda item #11(b).

Board members discussed whether minutes taken in closed session must to be amended in closed session. Director Saecker will check into this.

Motion

Motion to table approval of the minutes of the December 17th meeting until the next meeting by Eisen, seconded by Werley and carried unanimously.

Joe Bongers entered the meeting at 4:06 p.m.

Director's Report/Information Items

3. Statistics. Total lending was up 4.3% over December 2008. In 2009, we saw the highest circulation ever for the library. 566,660 items were circulated. Director Saecker commended staff for their excellent customer service, great collections and vibrant programming.
4. Annual Website Statistics. Our website statistics were impressive for 2009. The site had 877,157 visits and 2,984,381 page views. Director Saecker also reported that we received over 1200 donated books this past year as a result of her Kids' Lit blog. These books are sent to her free of charge by publishers who hope she will review them on her blog. They are added to our collection, which is a cost savings to us.
5. Annual Meeting Room Usage. We are seeing great success in our meeting room usage. In 2009, public meeting rooms were used more than any previous year with a total of 697 meetings. The

Story Room in the Children's Department and the tutoring room in the Reference Department also saw record usage this year.

6. Endowment. We received an anonymous donation of \$500 to the Endowment. We also received a bequest of \$6,500 from the estate of Isabel Brich. This was designated as a donation to the Children's Department and will be used to benefit needy families in our community. Our CD investments were discussed. Eisen asked if we had checked investment rates at other banking facilities. Director Saecker noted that First National Bank routinely offers us their best rates. Other board members agreed that FNB's rates were good. Director Saecker will check what rates are being offered by other banks and credit unions.
7. Webinar Opportunity. Three one-hour webinars will be offered to Trustees in February by ALA's Office of Intellectual Freedom and the Association of Library Trustees, Advocates, Friends & Foundations. The discussion topic will be controversial materials in library collections. Board members were encouraged to participate.
8. Staff Meeting Schedule. We plan to hold four staff meetings in 2010. On February 17th, we will have NAMI speak on how to best serve individuals with mental illness. On April 13th, the Hearing Loss Association of the Fox Valley Region will address serving individuals who are deaf or hard of hearing. A speaker has not been selected yet for the July 19th meeting and the date of the fourth meeting is yet to be determined. Board members are welcome to attend any of these meetings.
9. Materials Budget Line. Director Saecker distributed a summary of spending allocations for sub-accounts within the library materials budget. She noted that the budget for library materials was reduced by 9% from last year due to a decrease in available funding.

Discussion/Action Items

10. December 31st Lift. The City's Common Council approved a 1% salary lift for their non-rep employees effective December 31, 2010. Director Saecker requested that the Board approve the 1% lift for library employees.

Motion

Motion to approve a 1% salary lift for library employees effective December 31, 2010 by Eisen, seconded by Derouin, and carried unanimously.

11. Director Goals for 2010. Director Saecker presented her goals for 2010. They were based on recommendations made at her recent evaluation and on objectives from the Long Range Plan. Werley noted that goal #11 "*To continue to serve on the following boards: Fox Cities Book Festival, Fox Valley Library Council, WI Center for the Book, WI Library Association, Wisconsin LSTA Advisory Board, Cooperative Children's Book Center Advisory Board, WLA We-Lead Board, WLA Website Redesign Board and WLA 2010 Conference Committee as Program Co-Chair*" and also goal #12 "*To continue doing presentations on technology and libraries for conferences and library systems*" were important but should not be considered to be goals. President Enos commented that items 11 and 12 could be reworded as measurable goals. Discussion ensued. Eisen commended the director for her exceptional level of participation on these boards and committees. He also commended her staff for effectively overseeing library operations in her absence.

Motion

Motion to approve the Director's goals for 2010 as presented by Eisen, seconded by Wicuhowski, and carried unanimously.

12. Staff Appreciation. The Library Board sponsored an employee appreciation breakfast in the past. Director Saecker noted that National Library Week is held in April and that we also have a staff meeting scheduled for the morning of April 13th. She recommended that the Policies and Personnel Committee meet to discuss whether the board would like to sponsor a staff appreciation breakfast on April 13th.
13. Trustee Essentials #14. The discussion of Trustee Essential #14 was tabled until the February meeting. Rick Carlson will lead us in the discussion. A handout on open meetings law was distributed.

Adjournment

Motion to adjourn the meeting at 4:31 p.m. by Derouin, seconded by Wicihowski, and carried unanimously.

Future meeting dates

The next regular board meeting will be held in the Gegan Room on Thursday, February 18, 2010 at 4:00 p.m.

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

**CITY OF MENASHA
PARKS AND RECREATION BOARD
Council Chambers, City Hall – 140 Main Street
February 8, 2010
DRAFT MINUTES**

A. CALL TO ORDER

Meeting called to order by Chr. D. Sturm at 6:01 PM. Amended agenda and revised draft resolution was distributed to the Board.

B. ROLL CALL/EXCUSED ABSENCES

MEMBERS PRESENT: Chr. D. Sturm, Ald. Joanne Roush, Tom Konetzke, Ron Suttner, Lisa Hopwood, Nancy Barker, and George Korth

MEMBERS EXCUSED: None

OTHERS PRESENT: PRD Tungate, PS Maas and CA Captain

C. MINTUES TO APPROVE

1. Minutes of the January 11, 2010 Park Board Meeting

Moved by G. Korth, seconded by T. Konetzke to approve the minutes of the January 11, 2010 Park Board meeting per revision offered by T. Konetzke – Add under Park Project and Vandalism Report that he was in favor of a historic or patriotic interior theme being pursued for the Memorial Building, possibly as an accent to the Isle of Valor. Other members seemed to concur. PS Maas offered a second revision under the same category. Add – the City did receive an Urban Forestry Grant. Motion carried 7-0.

D. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA

Five (5) minute limit for each person.

1. None

E. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Youth Liaison to Park Board – Introduction of Kirstyn Kennedy

PRD Tungate reported that Kirstyn Kennedy, the new youth liaison to the Park Board, could not attend tonight's meeting.

2. Park Project and Vandalism Update – PS Maas

PS Maas reported that no park vandalism occurred last month. Other recent projects or work done by Park Staff include: new sign installation at Resthaven Cemetery, new sign to be installed at the Conservancy, ice rink flooding, picnic table construction, some donated soil for the bike trail landscape berm has been placed, upstairs of the Memorial Building has been painted, new tree trimming contractor for will be sought. New and revised cemetery rules and policies are being developed and will be brought to the Board in the future. Board had questions about treated lumber versus recycled plastic boards for picnic tables. Also, it was mentioned that the Park Crew will not attempt to trim trees near power lines or generally above 35 feet.

3. Copy of Army Reserve Building Lease

The Army Reserve building lease was briefly discussed. A 2004 copy was attached to the agenda. Board members requested to receive a copy of the original lease if a copy could be found. N. Barker will attempt to find out more about Federal Government plans for the Reserve building.

4. Regional Park Update – PRD Tungate

PRD Tungate and CDD Keil have met with the landowner of property identified as a potential regional park site. An offer to purchase (contingent on approval by three communities) will be drafted and presented to the owner.

5. Update on WE Energies Abby Street Site – PRD Tungate

PRD Tungate updated the Board on the WE Energies Abby Street property. City of Neenah

appears tentatively interested in being involved in investigating uses for the site. CDD Keil has made contact with WE Energies officials and they may have some interest in possibly donating the land or making the site available for public use. An official from the Neenah-Menasha Water Treatment Plant has also been contacted about land adjacent to the WE Energies site. Commission approval for any use of the land would be required. PRD Tungate suggested that a study committee with people from Menasha and Neenah be formed to further investigate possible uses for the site. Board members commented that the site may be too small for a viable dog park, although they did discount the possibility of some other use. PRD Tungate will contact Neenah and Winnebago County park officials to seek their input.

F. DISCUSSION ITEMS

1. Memorial Building – Ron Suttner

R. Suttner expressed frustration about park staff seemingly thwarting his efforts to receive donations of paint, curtains, etc. to approve the interior appearance of the Memorial Building. PRD Tungate and other staff will set up a meeting with Mr. Suttner to resolve any issues and try to establish some short and long term maintenance goals for the building.

G. ACTION ITEMS

1. Request to Cut Identified Diseased or Damaged Trees – PS Maas

PS Maas described several photos of trees primarily in Resthaven Cemetery that are in poor condition. He would like to remove these trees along with three other park trees previously reviewed by the Board. PS Maas stated it was his intent to replant trees in the cemetery. Moved by G. Korth, seconded by T. Konetzke to approve removal of seven trees as identified by PS Maas in the cemetery and parks. Motion carried 7-0.

2. Agreement with Neenah-Menasha YMCA for 2010 Grunski Runski

PRD Tungate explained the benefits of entering into an agreement with the Neenah-Menasha YMCA for this year's Grunski Runski. Increased attendance, cost savings and securing larger sponsorships were the primary benefits. Moved by T. Konetzke, seconded by G. Korth to recommend the agreement for Common Council approval. Motion carried 7-0.

3. Revision to Ordinance 12-1-12 Selling Merchandise in Parks and Public Grounds

Considerable discussion was held on revising the ordinance that would allow the sale of merchandise in the parks and public grounds by people other than those affiliated with a bona fide non-profit organization. Both the sale of merchandise and allowing signage through a sponsorship program would be allowed. In regards to setting sponsorship rules, it was the Board intent to begin with Koslo Park. It was noted that sponsorship signage has already been used to fund the purchase of a scoreboard several years ago. Future rules will likely be drafted for locations such as Jefferson Park and the pool. CA Captain was present to answer questions and stated First Amendment rights must be considered when rules are drafted. She is also willing to review the rules the Park Board drafts. She reiterated that the change to the ordinance merely allows certain things to occur, but that the Board would set the specific rules and regulations. The general sense from the Board seemed to be a desire to move slowly with any vending agreements or sponsorship signs and they expressed a desire to protect the look and integrity of the park system. PRD Tungate stated that the motivation for the ordinance revision comes from the need to begin seeking new funding sources to fund park improvements in the future. Moved by T. Konetzke, seconded by G. Korth to recommend revised Ordinance 12-1-12 Selling Merchandise in Parks and Public Grounds to the Common Council with the desire for PRD Tungate to initiate discussion with the Council as to how the Park Board intends to proceed upon its passage. Motion carried 7-0.

4. Draft Resolution Dealing with Ordinance 12-1-12

Discussion was held on a draft resolution that will create a segregated fund(s) with proceeds generated from sponsorships and sale of merchandise in the parks. Several comments and revisions were offered. The Board seemed to be in favor of the concept, but several questions still needed to be answered. PRD Tungate will meet with Comptroller Stoffel and CA Captain to discuss the resolution language. This topic will be placed on the March meeting agenda.

H. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA

Five (5) minute time limit for each person.

1. None

I. ADJOURNMENT

Moved by T. Konezke, seconded by G. Korth to adjourn at 9:01 PM. It was noted that the March meeting will be held at the Memorial Building. Motion carried 7-0.

**CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
February 2, 2010
DRAFT MINUTES**

A. CALL TO ORDER

The meeting was called was called to order at 3:35 p.m. by Mayor Donald Merkes.

B. ROLL CALL/EXCUSED ABSENCES

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

PLAN COMMISSION MEMBERS EXCUSED: None

OTHERS PRESENT: CDD Keil

C. MINTUES TO APPROVE

1. **Minutes of the January 19, 2010 Plan Commission Meeting**

Moved by Comm. Homan, seconded by Comm. Schmidt to approve the January 5, 2010 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. **Complete Streets Policy**

Commissioners viewed a slide show presentation on the benefits of adopting and implementing complete street guidelines and discussed implications relative to the city's current sidewalk policy and related safety, cost, homeowner preference considerations.

Staff is to assemble examples of policies adopted by other communities.

2. **Mixed Use Zoning Districts and Form Based Codes**

Mayor Merkes and Comm. Homan reported that they had made some preliminary contacts with other communities who have had experience with form based codes and more information would be forthcoming.

3. **Comprehensive Plan Review – Prioritization of Issues**

CDD Keil stated that he had not completed this task and that the suggested priorities would be available at the next Plan Commission meeting.

4. **Abby Street Substation**

CDD Keil reported that he had further discussions with WE Energies concerning the potential acquisition of the site. They are planning on some limited environmental site assessment work and will be giving further consideration to the city's inquiry about donating the site or reaching some other accommodation for public use.

CDD Keil is to report back with any new developments.

5. **Natures Way Easement**

CDD Keil reported that the individual requesting the easement release had not responded to contacts, and that no new information is available. He is to make follow-up contacts and report back at the next Plan Commission meeting.

6. **Dedication of Access Easements as Public Streets – Midway Crossings Development – Bob Drifka**

CDD Keil reported that neither the Department of Transportation nor Calumet County responded to his inquiry regarding permitting conversion of the existing driveway access from private driveways to public streets. He is to make follow-up contacts with DOT and Calumet County and report back at the next meeting.

G. ACTION ITEMS

1. None

H. ADJOURNMENT

Motion by Ald. Benner, seconded by Comm. Schmidt to adjourn at 4:53 PM.

The motion carried.

Minutes respectfully submitted by Greg Keil, Community Development Director



MENASHA POLICE COMMISSION MEETING MINUTES
DRAFT

DATE: January 21, 2010

Commissioner Liebhauser called the regular bimonthly meeting to order at 5:30pm at the Menasha Safety Building, 430 First Street, Menasha, WI.

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

Absent:

1. Meeting Minutes.

- Duuck moved to accept the November 19, 2009. minutes,
- Reuss seconded the motion.
- The motion was unanimously supported.

2. Police Report – Chief Stanke.

Training Certificates:

- Mike Brunn, Dave Jagla, Chuck Sahr, Bev Sawyer CVMIC Safety Committee Awareness.
- Angela Hanchek, CVMIC Understanding Employee Differences.
- Matte Albrecht, Fundamentals of Police Supervision
- Jamal Kavar and Paul Scheppf, DCI Basic Drug Investigation
- Jeff Jorgenson Emotional Survival for Law Enforcement
- Pete Sawyer Advanced Roadside Impaired Driving Enforcement

3. Correspondence None

4. Old Business: None

5. New Business: None

6. Next Meeting: March 18, 2010.

7. Adjourn, motion by Wussow, seconded by Duuck at 5:37pm.

Menasha alderpersons 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; however no official Acton of any of these bodies will be taken.

Menasha is committed to its diverse population. Our non- English speaking population or those with disabilities are invited to contact the Chief of Police at 967-3500 at least 24-hours in advance to ensure special accommodations can be made.

Respectfully submitted,

Marshall Spencer
Commissioner, Secretary

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

January 27, 2010

Draft

Commission President Allwardt called the Regular Meeting of the Water and Light Commission to order at 7:35 A.M., with Commissioners Bob Fahrback, Joe Guidote, Don Merkes, and Carla Watson present on roll call. Also present were Melanie Krause, Co-General Manager/Business Operations; Dick Sturm, Co-General Manager/Engineering and Operations; Steve Grenell, Project Engineer; Kristin Hubertus, Business Operations Accountant; Lonnie Pichler, Electric and Water Distribution Supervisor; Dave Rodriguez, Customer and Utility Services Manager; Jerry Sturm, Water Plant Supervisor; and John Teale, Technical Services Engineer.

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

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

- A. Minutes of the Regular Meeting of December 16, 2009.
- B. Minutes of the Special Joint Common Council and Menasha Utilities Commission Meeting of December 7, 2009.
- C. Minutes of the Special Meeting of January 18, 2010.
- D. Approve and warrant payments summarized by checks dated Dec. 23 – 31, 2009, and Jan. 7 - 27, 2010, which includes Net Payroll Voucher Checks, Void O & M Checks #039098 & 039190, and Operation and Maintenance Voucher Checks for a total of \$1,179,816.39, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call.
- E. Correspondence, as listed.
 - Copy of minutes from WPPI Energy Sept. 18 Board of Directors meeting, and proposed minutes from Nov. 19 and Dec. 10 Executive Committee meetings
 - Copy of letter dated Dec. 4, 2009, to Menasha Utilities from St. Joseph Food Program, re: Donation Thank You.
 - Copy of Journal Sentinel news article dated Dec. 8, 2009, re: Public Power CEO to step down in 2011
 - Copy of letter dated December 16, 2009, to Menasha Utilities, from Double Portion Soup Kitchen and Pantry, re: Donation Thank You
 - Copy of letter memorandum dated Dec. 28, 2009, to all WPPI Energy Directors, Alternates, Representatives and Managers, from WPPI Energy CEO Roy Thilly, re: Developments
 - Copy of letter dated January 13, 2010, to Menasha Utilities, from Heckrodt Wetland Reserve, re: Donation Thank You
 - Copy of January 2010 Insight Magazine article titled "Power down"
 - Copy of Public Notice to all Customers (December bill insert), PSC Prehearing Conference Memorandum, and PSC Notice of Proceeding and Prehearing Conference

Item IV. Financial and Operations Statement – there was no financial and operations report this month. Co-General Manager/Business Operations Krause added the December financial statements will be available at the next meeting after the audit.

Item V. Claims Against The Utility – Co-General Manager/Business Operations Krause reported on a claim received from Hastings Mutual Insurance Company on behalf of their client Robert Jaworski. After investigation of the incident, it was found that the Menasha Utilities dump truck has not been in North Chase, WI, and was not used on the date in question.

The motion by Comm. Guidote, seconded by Comm. Fahrback, was unanimously approved on roll call to disallow the claim of Robert Jaworski/Hastings Mutual Insurance Company and that they are advised of their statutory rights pursuant to Wis. Stats. 893.80.

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

Item VII. Unfinished Business, Taxroll/Landlord Ad Hoc Committee – Manager of Customer and Utility Services Rodriguez gave an update on the formation of an ad hoc committee and a tentative mission statement. He would like to have a committee of six or seven individuals set-up and make a recommendation of members at the next meeting.

Mike King, Post Crescent, arrived at 7:40 a.m.

Comm. President Allwardt advanced to Agenda Item VIII, New Business, Report from Collection Agency – Mr. Rodriguez introduced Suzanne Gizella, Vice President Sales, Financial Control Solutions. Ms. Gizella reviewed the collection process and the performance of their agency in addition to answering questions from the Commission.

Project Engineer Grenell arrived at 7:55 a.m.

Update on Menasha Utilities Email System – Technical Services Engineer Teale reported the issue of WPPI reading Menasha Utilities' emails was resolved because WPPI only acts as a pass through system. A discussion was held at the last meeting regarding moving to the City email system or providing in-house archiving of emails. Costs for these options were included in the packet for this meeting. The City adjusted their original reoccurring costs late yesterday, and Mr. Teale distributed the revised options.

With the adjusted costs Menasha Utilities would be required to provide all the administrative support functions for the email system. Jeff Lacey, City of Menasha IT Dept., added the Utilities would be set up as an organizational unit within the City network, and Mr. Teale would be granted all access to the unit.

Co-General Manager/Engineering and Operations Sturm asked about the change in philosophy regarding someone other than City IT personnel in the server making adjustments for malfunctions. Mr. Lacey stated after additional research they are more comfortable granting that access and they do not anticipate any additional costs to those outlined in the memorandum.

Mr. Teale reported the Menasha Utilities' Unit 1 option would meet archiving requirements immediately and the vendor is offering a 30 day trial to test email retrieval capability and storage. The vendor has also tested their unit with Groupwise as well as Microsoft Outlook.

Mayor Merkes raised concerns regarding efficiencies of sharing calendars and contact lists throughout the City and Utility, operating two separate archiving systems and their long term costs, the search capabilities if two areas need to be searched if there is a public records request, making sure there is an archival copy of everything, and duplicate mirrored systems in different buildings so that data is not lost. Sharing potentials and other efficiencies would be more important than the long-term costs of running two separate systems.

Mrs. Krause mentioned a condition in the PSC rate application approval where all inter-departmental contracts and agreements need to be outlined, cost justified, and approved by the PSC. This item would need to be approved by the Public Service Commission with the rate order.

At the end of the discussion, the Commission requested the information provided be revised for the next meeting, including the pros and cons of the items, in order to determine the best long term value for everyone.

Mike King, Post Crescent, departed at 8:35 a.m., and Commissioner Fahrback departed at 9:00 a.m.

Item VIII. New Business, Sedimentation Basin Repairs – Water Plant Supervisor Sturm reviewed the specifications on what needs to be done to repair the sedimentation basins. Mrs. Krause stated this project was included in the budget for the second half of the year after the proposed water rate increase would be in place. A copy of the McMahon report on the condition of the sedimentation basin was distributed. Engineering would need to begin in July in order to have a contractor on site in November.

The Commission requested this item be brought back to the June meeting after there is a decision on the water rate case.

Water Tower Storage Evaluation – Mr. Jerry Sturm reviewed the bids received from four engineering firms. McMahon Associates has a very good understanding of the water system and they have a lot of information on the system to be utilized.

The motion by Comm. Guidote, seconded by Comm. Watson, was unanimous on roll call to approve McMahon Associates for the Evaluation of the City of Menasha Water System at a cost of \$6,900. Funds for this project will be utilized from the Water Utility Reserve Fund and the project is budgeted for May.

Notice of Call for Voluntary Additional Capital Contributions in 2010 – Mrs. Krause reported notice needed to be given to ATC by January 15, and following past practice, authorization was given to WPPI Energy to make the additional capital contribution call.

The motion by Comm. Merkes, seconded by Comm. Watson, was unanimously approved on roll call to authorize WPPI Energy to make the voluntary additional capital contribution in 2010.

Review of Co-General Managers Positions – Comm. President Allwardt asked for input on how the co-general manager concept is working, are there things that should be changed, and are the

co-general managers receiving proper support from the Commission. Comm. Guidote requested feedback from Mrs. Krause and Mr. Sturm.

Mr. Sturm stated the Utility and the City are in extraordinary times, and having a co-general manager to consult with has been invaluable. There are a number of future items that have been discussed to move the Utility forward and those things have not gotten the attention they deserve. It's not a factor of having a single manager or co-managers, it the fact there is an enormous need taking so much energy and time of two managers. Mrs. Krause agreed with Mr. Sturm's comments, and added they have been faced with more than any one person should handle and to have a dual role and have support on the technical and financial side, as well as support from staff has been invaluable. Moving forward there are a lot of things they would like to do in the Utility, and hopefully those changes can be made in the future. Mr. Sturm added they have very capable staff and complimented them on the initiative taken and independence exercised in order to keep the Utility functions running.

Mayor Merkes added that he has seen better communication due to the collaborative nature of the two co-general managers, and would like to review the positions in another six months.

Comm. Watson questioned the support of the Commission, and Mr. Sturm stated he felt they were adequately supported and Commissioners have been available when additional support is needed. Mrs. Krause added there has been more involvement from the Commission in the past year, and would like to see that continue in the future.

Item IX. Project Reports, Hwy. 114 Joint Pole Line with WE Energies – Electric and Water Distribution Supervisor Pichler gave an update on the project to increase reliability for customers in the area, and stated WE Energies awarded their bid to Great Lakes. A recommendation will be made at the next meeting for Menasha Utilities portion of this project.

Item X. Staff Reports, Co-General Manager/Engineering and Operations – there were no additional questions to the report presented.

Electric and Water Distribution/Safety Report – Mr. Pichler stated underground work has started at the Mission Village development. A year-end report for system reliability was included this month. There were a total of 23 outages reported for 2009 which is down considerably from past years.

Water Plant – Mr. Sturm commended Project Engineer Grenell for the progress being made on the soda ash system. The UV system certification process is being worked on.

Project Engineer – there were no additional questions to the report presented.

Telecommunications & Substations– Mr. Teale added staff will be traveling to Reedsburg next week to discuss their telecommunications utility.

Co-General Manager/Business Operations – Mrs. Krause gave an update on the PSC hearings; the majority of the public who attended the hearing did support the transaction. The PSC did suggest changes to the rate application including changes in the cost of service study to make increases more uniform across the board within a rate class. Final briefs are due today, and an

order is expected by February 23. As part of the rate application, WPPI Energy completed a due diligence of the electric distribution system. The report indicates the system is in good condition, and the full report will be filed with the PSC.

Customer and Utility Services/Key Accounts – Mr. Rodriguez added the Harris software will be upgraded and training will start next week.

Mr. Dick Sturm announced Mike Malmstead has been hired as the WPPI Energy Services Representative for Menasha, New London, and Oconto Falls.

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

David Zelinski, 57 Appleton Street, commented on the membership of the ad hoc committee.

Dan Zelinski, 647 Paris Street, commented on the membership of the ad hoc committee and the dollar amount of uncollectible bills that is collected by Financial Control Solutions. He also inquired about the status of repairs at Winz Park. Comm. President Allwardt asked if funds were budgeted for 2010 for this project, and asked staff to give an update at the next meeting.

Item XII. The motion by Comm. Guidote, seconded by Comm. Watson, was unanimously approved on roll call at 10:05 a.m. to convene into Closed Session pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: Review of Co-General Managers

After discussion, the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn from Closed Session and to reconvene into Open Session of the Regular Meeting of the Water and Light Commission.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn at 10:45 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

January 27, 2010

Draft

Commission President Mark Allwardt called the Closed Session to order at 10:05 a.m., upon the unanimously approved motion by Comm. Guidote, and seconded by Comm. Watson, pursuant to Section 19.85 (1) (c) of the Wisconsin Statutes for the purpose of considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. RE: Review of Co-General Managers

Commissioners Guidote, Merkes, and Watson were present on roll call by Commission President Allwardt. Also present were Co-General Manager/Business Operations Krause and Co-General Manager/Engineering and Operations Sturm.

The purpose of the Closed Session was to discuss the performance evaluation of the Co-General Managers.

Mrs. Krause and Mr. Sturm departed at 10:15 a.m.

After discussion, the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn from Closed Session and to reconvene into Open Session of the Regular Meeting of the Water and Light Commission.

There being no further business, the motion by Comm. Merkes, seconded by Comm. Guidote, was unanimously approved to adjourn at 10:45 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.

\\comm\closed Jan 27.doc



CALUMET COUNTY ADMINISTRATOR

Jay Shambeau, Administrator
Patricia K. Glynn, Administrative Assistant

206 Court St. Chilton WI 53014-1198 www.co.calumet.wi.us
Phone: 920/849-1448 or 920/989-2700 Fax: 920/849-1475 Email: shambeau.jay@co.calumet.wi.us

MEMO

TO: Mayor Don Merkes, City of Menasha
Debbie Galeazzi, Clerk, City of Menasha

FROM: Jay Shambeau, Calumet County Administrator

DATE: January 27, 2010

RE: Open House invitation to City and Village officials (see attachment)

Calumet County is considering the construction of a new highway facility. Our current main facility located in Chilton was constructed in 1936 and has undergone two additions and many alterations throughout the years.

The sheer size of today's modern equipment and our operation's maintenance needs have changed significantly in the last 74 years. This facility no longer meets the needs of our highway operations. Coupled with numerous handicap accessibility and health and safety concerns, a recent pre-architectural study has recommended the construction of a new facility.

Please encourage all interested appointed and elected officials from your city or village to attend this open house. Additional information will be provided and your municipal leaders will be better informed if your constituents contact you for information.

Tours will be provided and you will have an opportunity to ask questions of county staff.

A copy of the pre-architectural study and additional information regarding the facility can be found by visiting the Calumet County website at www.co.calumet.wi.us; click on "Departments"; click on "Highway"; click on "Highway Facilities".

Thank you in advance for taking this opportunity to learn more about Calumet County's highway facility needs.

[Faint, illegible text, possibly a signature or stamp]

RECEIVED
JAN 28 2010
CITY OF MENASHA
BY *[Signature]*



City and Village officials are invited to an

Open House
of the Calumet County Highway Shop in Chilton

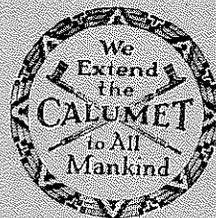
Tours of the facility and information regarding the recent Pre-Architectural Planning Report will be available.

• • •

Tuesday, February 23, 2010

5:30 p.m.—7:30 p.m.

Calumet County Highway Shop
241 E. Chestnut St.
Chilton, WI 53014





MEMO

TO: Common Council
FROM: Debbie Galeazzi, City Clerk
SUBJECT: Problem with Camera Equipment
DATE: February 2, 2010

At the February 1, 2010 Common Council meeting we experienced problems with the camera equipment. We were unable to detect the problem so the taping was stopped. Therefore the February 1, 2010 Common Council, Administration Committee and Board of Public Works meetings will not be broadcast on Time Warner Cable.

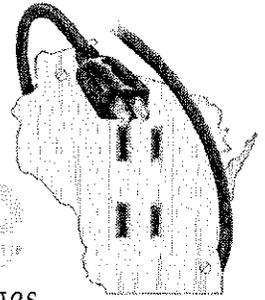
Patrick James from our IT Department was able to identify the problem. He discovered one of the power blocks was not functioning. He will be ordering a replacement and will have it before the February 15, 2010 meeting.

A Coalition
to preserve
Wisconsin's
Reliable and
Affordable
Electricity

Customers First!

the Wire

Plugging you in to electric industry changes



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PSC ponders wind-farm funding

A Chicago-based developer wants a utility to fund construction of a 100-turbine wind farm, but the utility is reluctant. State regulators are sorting it out.

Wisconsin's Public Service Commission (PSC) will decide whether Milwaukee-based WE Energies should put up the money for Invenergy LLC to build the proposed Ledge Wind Farm near Green Bay.

Milwaukee's *Daily Reporter* said last month that Invenergy, which is not a utility, expects the PSC to approve its proposal for the Ledge project in Brown County but might have difficulty coming up with cash up-front to build it.

A long-term financing commitment is crucial, Invenergy officials say, and they're looking to a purchased-power agreement, under which WE Energies would buy electricity generated from the Invenergy project.

With that in mind, Invenergy has asked the PSC to bring the Ledge project into its review of WE Energies' proposed Glacier Hills Wind Farm in Columbia County, tying approval of Glacier Hills to a requirement that WE Energies also buy power from the Ledge.

Glacier Hills is expected to cost more than



\$400 million. The cost estimate for the Invenergy project hasn't been disclosed.

Invenergy maintains the utility will need purchased power agreements to meet its state-mandated renewable energy quota, now 10 percent by 2015 and possibly soon to be expanded and accelerated by state and/or federal climate legislation.

WE Energies agrees it will need purchased power agreements but objects to having regulatory permission to build its own wind farm tied to one.

Invenergy is not new to Wisconsin. It has built other wind facilities in the state and has several purchased-power agreements with Wisconsin utilities. 

Waiting for the payoff

Some Pennsylvanians are hoping to see a revival of electric competition as rate caps expire and electricity prices shoot skyward. Cross your

fingers. Hold your breath. Good luck.

We've had quite a bit to say about Pennsylvania's electric restructuring over the years; it has arguably been the most interesting case study among the states that took the plunge. And it is now at a crossroads.

Legislated caps on retail electricity prices ended as of December 31. Allentown-based PPL, a dominant Pennsylvania utility, was expected to raise rates about 30 percent. There are alternative providers available and some customers are switching. The City of Allentown, for instance, has dropped PPL as its power provider after making a better deal with two providers based in Florida and Maryland.

What's waiting to be demonstrated,

Continued on page 3...

Save the Date!

Register now for this free Customers First! annual event

Registration is now open for the *Customers First!* POWER Breakfast at the Concourse Hotel in Madison on February 3. The free event offers the opportunity to hear from distinguished experts and policy makers on pending federal and state climate change legislation.

Registration is available online at www.regonline.com/clcpowerbreakfast. More information on the half-day event is available from *Customers First!* Executive Director Matt Bromley at 608-286-0784 or by e-mail to mbromley@customersfirst.org.

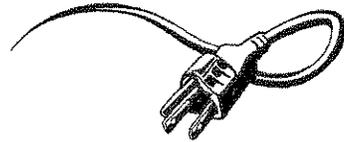
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers,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

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



KEEPING CURRENT

With CFC Executive Director Matt Bromley



Comprehensive legislation that incorporates many of the policy recommendations from the Governor's Task Force on Global Warming was finally unveiled last month. The *Customers First!* Coalition closely followed the Task Force's work from its first meeting in May 2007 through the release of its final report and recommendations in July 2008. We commended the Task Force for following an open, consensus-driven approach to develop a balanced package of policy recommendations to reduce greenhouse gas emissions in Wisconsin.

Since those recommendations were made, four legislators—Senator Jeff Plale, Senator Mark Miller, Representative Jim Soletski, and Representative Spencer Black—who head the Legislature's committees with jurisdiction over the subject matter, have been working with Task Force co-chairs Roy Thilly and Tia Nelson as well as members of the governor's administration to put the Task Force recommendations into legislation. When presenting the draft last month, the four legislators said it is intended to track the recommendations of the Task Force. They also said that changes are likely as the legislation works its way through the legislative process.

The legislation follows the Task Force recommendations in several areas. It establishes a goal to reduce greenhouse emissions by 2050 to at least 75 percent less than emissions in 2005, expands the state's energy conservation and efficiency program, enhances the renewable energy standards to 25 percent by 2025, and modifies the state's nuclear-plant "moratorium" law. It also beefs up building codes to make buildings more energy efficient, sets stricter vehicle emission standards, and prepares Wisconsin to act on low-carbon transportation-fuel standards that are designed in collaboration with other Midwestern states. Not included in the draft is a state cap-and-trade program—its omission consistent with the Task Force's preference for a federal program.

Expect vigorous debate in the Legislature over the next few months as legislators, interest groups, and the public weigh in.

A copy and description of the legislative draft are available on the Legislative Council's web site at www.legis.state.wi.us/lc/publications/climate/index.htm. The legislation will be a topic of discussion at the *Customers First!* Coalition's POWER Breakfast on February 3 in Madison, Wisconsin. Information about the free event is provided elsewhere in this edition of *The Wire*. 



Bromley

DOE allocates big bucks for carbon-capture projects

The U.S. Department of Energy has announced it will award more than \$3 billion, partially financed with federal economic stimulus funds, to accelerate carbon capture and sequestration projects in West Virginia, Alabama, and Texas.

An early-December announcement from Energy Secretary Steven Chu said the money would "accelerate the development of advanced coal technologies with carbon capture and storage at commercial scale."

Chu went on to say the projects, part of his department's Clean Coal Power Initiative, represent "part of our commitment to advancing carbon capture and storage technologies to

the point that widespread, affordable deployment can begin in eight to 10 years."

One of the three projects earmarked for funding plans to use a process incorporating chilled ammonia to capture an expected 90 percent of carbon dioxide from power-plant flue gases. Two of the three will use the captured CO₂ for enhanced recovery of oil from depleted wells.

The announcement said the projects would "make progress toward a capture and sequestration goal of less than 10-percent increase in the cost of electricity for gasification systems and less than 35 percent for combustion and oxycombustion systems." 

Of course, everything's bigger down there

The Fort Worth *Star-Telegram* reports that retail electric rates in Texas, where there's supposed to be competition, are higher than in surrounding states where there's not.

Wave of the future?

Researchers at the Air Force Academy say they're working on a new kind of propeller—which for them might not sound like progress—except that this one will efficiently produce electricity from ocean waves.

The Academy researchers say the device—a cycloidal propeller—is actually in use now on tugboats and other watercraft that require a high degree of maneuverability. It's driven by lift instead of drag and the researchers said early last month they've developed a durable and efficient system that uses the device to spin a generator and convert ocean wave energy into electricity.

The system is said to be usable at any location or depth. Small systems about a yard in diameter are currently being operated in laboratory settings. Testing of a system that's more than 130 feet in diameter is expected to begin in a *really big* laboratory setting at Oregon State University sometime this year. 💡

FERC whacks FPL

No doubt with memories of the big 2003 blackout in mind, federal regulators this fall made a demonstration of seriousness about system reliability, announcing a \$25 million fine against Florida Power and Light for a 2008 mishap that darkened much of the state for several hours.

That '03 blackout, you'll recall, affected parts of eight states and Canada and resulted in Congress, two years later, giving the Federal Energy Regulatory Commission (FERC) and the North American Electric Reliability Corporation authority to enforce reliability standards that, until then, utilities had applied voluntarily.

So this fall, when FERC took action on the February 2008 blackout that affected millions of Florida Power and Light customers, it pulled no punches. The \$25 million civil penalty comes on top of a broad program of system improvements the utility is being required to apply so as to prevent repeat incidents.

The settlement with the Florida utility is the first since the regulatory and reliability organizations received their new sets of teeth and Norman Bay, director of FERC's Office of Enforcement, took the opportunity to make a point.

"The message to the industry is clear," Bay said. "Compliance with the Standards is critical." 💡

For some, it's telling that those surrounding states with the lower rates—Louisiana, Arkansas, Oklahoma, and New Mexico—all maintained traditional utility regulation in the face of about half the states restructuring their energy utilities to varying degrees during the 1990s.

The *Star-Telegram* quotes Tom Smith, Texas director of Public Citizen, saying,—“The ultimate problem is that the market is designed to maximize profits for the power companies, and it's costing consumers more money.”

A small-business owner who's quoted in the story puts the focus on wholesale power market rules that pay all electricity generators the same rate regardless of their cost of production. A familiar feature in wholesale power markets, these rules call for all suppliers to be paid the same rate as the last generation facility needed to meet demand. Typically the last unit dispatched is the most expensive to run, and critics of the method point to the undeniable fact that this means big profits for coal and nuclear plants with low generation costs—the “base load” generation that runs all the time and produces the cheapest power.

On the other hand, supporters of Texas' deregulated retail power markets say they're working fine and have provided customers with a wide variety of choices, including more than a dozen plans offering retail rates between 8 and 9 cents per kilowatt-hour.



That would not be an unfavorable rate, but there is some question how long it will last. For about a year and a half, the weak economy has driven down demand for natural gas, the fuel used in many Texas power plants, especially those that are brought on line to meet peak demand.

Weak demand means cheaper electricity from gas. A booming economy would pretty surely put an end to that. 💡

PA payoff

Continued from front page...

though, is whether small accounts like individual residential customers will have the ability to make deals that leave them better off than before, or whether the competition for their business will simply occur among providers working from a price floor that suddenly shifts higher, with no ceiling overhead.

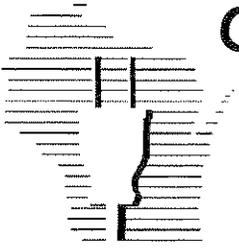
In December, the *Hazleton Standard-Speaker* posed a question everyone will soon be answering whether they want to or not, with the headline: “Was electric deregulation beneficial?” The story notes “only modest competition” for residential customers in the face of the big rate hikes.

Multiple factors are at work, including the general rise in energy prices since the late '90s, including higher fuel costs for utilities. That in itself has had a dampening effect on the ability of competitive suppliers to enter the market.

But now the cost of generated electricity is almost doubling for PPL customers. It will be instructive to watch what happens and see if the 1990s promise of competition is kept in the 2010s, or if the only payoff is to utilities and other power providers building their prices from a higher base. 💡

Energy saver tip

January is typically our coldest month. You can make it a bit warmer at little cost by using inexpensive heat deflectors to move warm air from floor registers laterally, heating rooms more evenly and keeping you more comfortable than if the output of your furnace is allowed to rise straight to the ceiling. 💡

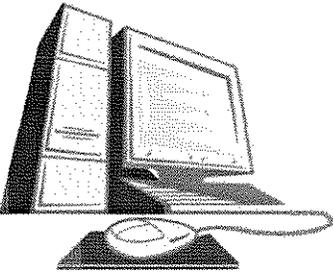


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Electricity

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web site at



www.customersfirst.org



Quotable Quotes

"We are now UPS—we deliver packages, we don't care where the boxes are from. Customers will see competitive offers and we hope they will take advantage of them."

—George Lewis, spokesman for Allentown, Pennsylvania-based utility PPL, explaining why his company doesn't care if all its retail customers buy power from someone else, quoted in the Hazelton, PA, *Standard-Speaker*, December 7, 2009

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

Customers First!
Plugging Wisconsin In

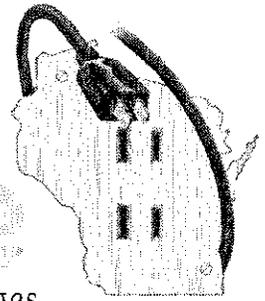


A Coalition
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the Wire

Plugging you in to electric industry changes



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State utilities meeting renewable goals

Back in December we noted that many states are missing or on course to fall short of their mandated renewable energy standards, and some have written their laws so goals can be met without really adding renewable capacity. But Wisconsin's Public Service Commission (PSC) now says this state's electricity providers are performing as well or better than they're required to in fulfilling their renewable obligations.

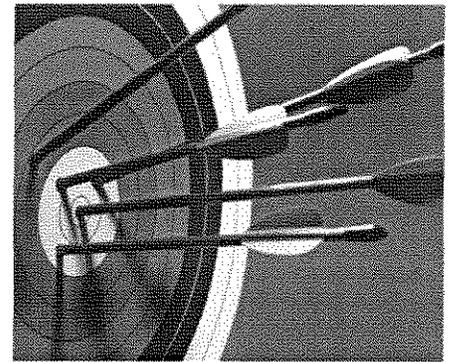
Our December item—based on a survey conducted last fall by *USA Today*—reported that of the 35 states that have adopted some version of a renewable portfolio standard (RPS), nine weren't making the grade.

A little more than two weeks later, the PSC came out with its own report, painting a much

different picture here in Wisconsin.

Reviewing utility performance through the end of 2008, the commission found all 118 electricity providers in Wisconsin meeting their RPS requirement and 112 exceeding it. That creates excess renewable resource credits that can be banked and used to ensure compliance in future years, the commission explained.

Current Wisconsin law requires Wisconsin retail electricity providers to obtain 10 percent of their electricity from renewable sources by 2015. In 2008, the commission said, they increased the amount of renewable electricity by nearly 1 percent. The state's utilities are now about halfway to meeting the 2015 requirement, with nearly 5 percent of the state's electricity being renewably sourced.



PSC Chairman Eric Callisto hailed the findings, stating, "Not only are Wisconsin's electric providers producing cleaner energy using more homegrown sources, they have a head start if new renewable energy requirements become law."

They will find that head start useful if recommendations from Governor Doyle's Task Force on Global Warming are enacted. (They were in the midst of public hearings at press time and could reach the state Senate and Assembly floors this month.)

The pending proposals would accelerate the 10-percent target to 2013, and set a more ambitious goal of 25-percent renewable by 2025.

In addition to the 90-turbine, 207-megawatt Glacier Hills Wind Park just approved by the PSC and noted elsewhere in this edition, recent additions to renewable capacity now on line or soon to come include:

- Wisconsin Public Service Corporation's 99-megawatt Crane Creek Wind Farm;
- Wisconsin Power and Light's 200-megawatt Bent Tree Wind Farm, expected on line this year; and

- The Bay Front Biomass Gasifier, owned by Xcel Energy's Northern States Power Wisconsin affiliate and expected on line in 2012.

New wind farm okayed

The Public Service Commission (PSC) said yes last month to a WE Energies request to build a 90-turbine wind farm covering some 27 square miles in the Columbia County Towns of Randolph and Scott. The facility, estimated to cost from \$335 million to \$435 million, is expected to produce a maximum of 207 megawatts of power.

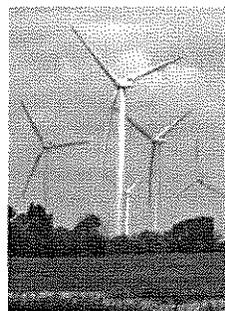
Not made a part of the decision was an earlier request from Chicago-based wind developer Invenergy, which had asked the commission to make approval of the Glacier Hills Wind Park contingent on WE Energies providing up-front financing for Invenergy's pending Ledge wind project in Brown County.

Invenergy cited uncertainties about developers being able to follow through with projects when they lack the continuous revenue stream available to public utilities like the Milwaukee-based WE Energies that are able to build projects on their own.

Invenergy has been involved in several Wisconsin wind projects now feeding power into the grid.

Upon completion, Glacier Hills will be Wisconsin's biggest wind farm according to PSC Chairman Eric Callisto, who added that the approval "will not only provide the state with a facility that will increase the capacity of generation from wind by 30 to 46 percent, but will also allow the utility to provide needed renewable and low-carbon energy to meet future [renewable energy] requirements."

Construction at the Columbia County site is expected to begin this spring with completion late next year.



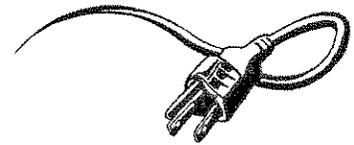
THE WIRE is a monthly publication of the *Customers First!* Coalition—a broad-based alliance of local governments, small businesses and farmers, environmental groups, labor and consumer groups, retirees and low-income families, municipal electric utilities, rural electric cooperatives, wholesale suppliers,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

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



KEEPING CURRENT

With CFC Executive Director Matt Bromley



It only took three decades, but significant reform of the nation's freight rail policy is finally gaining ground in Congress. In December, Senator Jay Rockefeller (D-West Virginia), chairman of the Senate Committee on Commerce, Science and Transportation and four of his committee members—two Republicans and two Democrats—unveiled legislation that they said will “address longstanding competitive imbalances for shippers by increasing rail competition, strengthening federal oversight, and improving shippers' access to regulatory relief.” The package of reforms, negotiated between Rockefeller and his colleagues over the last several months and introduced as the Surface Transportation Board Reauthorization Act of 2009 (S. 2889), was quickly and unanimously approved by Rockefeller's committee on December 17.

For many Wisconsin rail shippers and consumers, this couldn't come soon enough. Deregulation of the railroad industry in 1980 led to massive consolidation of rail carriers that resulted in fewer competitive transportation options available to shippers. In many parts of the country, including Wisconsin, there is only one railroad that a utility, paper manufacturer, agricultural producer, or other business that relies on rail can “choose.” And without effective oversight and regulation, the railroads have been able to exercise their market power over these captive shippers—charging excessive rates and providing inadequate service. In fact, a study released in 2009 by the Consumer Federation of America claims railroads overcharge consumers \$3 billion a year as a result of monopoly pricing power.



Bromley

S. 2889 is a good first step toward improving the rail-shipper imbalance. It expands and strengthens the federal Surface Transportation Board (STB) to ensure that the board will become more pro-active and

responsive to captive rail customer problems. It also improves customer access to competing rail systems through reciprocal switching, mandatory quoting of bottleneck rates to captive rail customers, and establishing a process at the STB for removing existing paper barriers and a ban on future paper barriers. (Paper barriers are “tying” agreements between a major railroad and a short-line railroad requiring all traffic on the short line to use the major railroad even if the short line has access to a competing major railroad.)

As of this writing, the legislation does not include a repeal of the railroads' antitrust exemptions, a major objective for rail customers that's being pushed in Congress by Senator Herb Kohl and Representative Tammy Baldwin. Rockefeller vowed to work with Kohl to see what antitrust language can be added to S. 2889 before it is considered by the full Senate. That's good news because the reforms put forth by the Commerce Committee will be stronger if backed by the full force of the nation's antitrust laws—laws that are fundamental to consumer protection. 💡

Gas demand to grow—maybe

An international energy market monitoring agency sees factors that could put an end to slack demand and comparatively low prices for natural gas—unless those factors end up prompting temporary overproduction.

The International Energy Agency (IEA) predicted near the end of 2009 that demand will begin growing again this year, but the prediction is based on an assumption that worldwide economic growth will resume. There are signs of that happening but the situation remains fluid. A second unknown in the forecast is the intensity of climate policy initiatives by worldwide

governments, the IEA said.

Climate policies that prompt an accelerated shift away from other fuels and meeting a bigger share of electric generation fuel requirements with natural gas would be expected to drive up demand. However, the IEA said such moves could prompt increased development of unconventional gas resources in North America and contribute to a “glut” over the near term.

Bottom line: Natural gas prices may be going up—unless they don't. The forecast was contained in the IEA's “World Energy Outlook 2009.” 💡

Senators want market scrutiny

Pennsylvania's two U.S. Senators, seeing electricity rates spiking with the expiration of legislated price caps, have asked federal regulators to examine whether deregulated wholesale power markets are performing in the best interest of consumers.

The theme here is not especially new. A number of stakeholders, the American Public Power Association prominent among them, have repeatedly questioned whether wholesale power markets operated by regional transmission organizations (RTOs) have been performing in the best interest of end-use electricity customers.

What is new is that both senators from Pennsylvania are now telling the head of the Federal Energy Regulatory Commission they want his agency to do more than it's done so far to assert the consumer's interest.

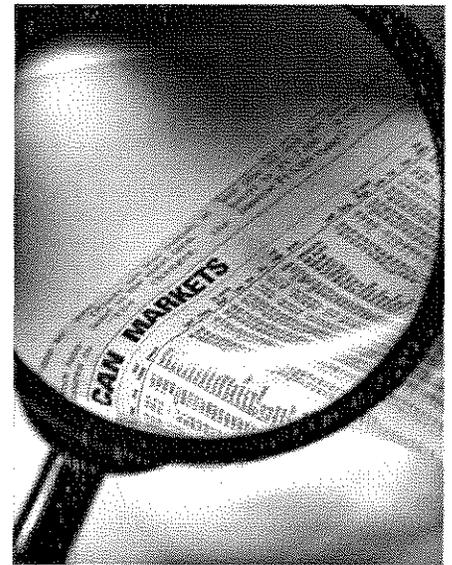
Specifically, Sens. Robert Casey, Jr. and

Arlen Specter have asked FERC Chairman Jon Wellinghoff to "undertake a substantive and comprehensive investigation...to determine whether PJM [Pennsylvania-New Jersey-Maryland] Interconnection and the other RTO-run markets are producing just and reasonable rates, and if not, to take the steps necessary to protect consumers."

"In the decade since electricity markets have been deregulated," the senators wrote, "rates have increased substantially compared to regions that did not deregulate and have posed greater hardships on consumers."

Wholesale power costs are passed directly on to end-use consumers, the senators note, citing a recent Penn State study warning, "Tens of thousands of jobs could be lost as businesses trim costs or shut down altogether to move to states with cheaper power."

Casey and Specter said the wholesale



markets "do not appear to be sufficiently competitive and thus have resulted in excessively high electricity rates for consumers and insufficient infrastructure investments to support future reliability."

They cited data analysis by the federal Energy Information Administration showing electricity rates "remain higher in deregulated states than in regulated states, and that this price disparity is increasing every year."

The Federal Power Act declares the intent to ensure a "complete, effective, and permanent bond of protection" from wholesale electric rates that go beyond what is "just and reasonable," they said. 💡

Texas regulators penalize suppliers

Fast exits from the Texas market in 2008 are proving to be a costly move for a pair of former retail electricity providers. The state's Public Utility Commission has announced it's fining them a total of almost \$4 million.

The Texas PUC announced the penalties in mid-January, faulting National Power Company, Inc., of Houston and Pre-Buy Electric, LLC, of Grapevine for multiple failures, including failure to refund customer deposits and failure to furnish information needed to transfer customers to other service providers.

Several retail power providers bailed out of

Texas markets over the course of a few weeks during the summer of 2008 when sharply rising wholesale electricity prices made it impossible for them to honor customer contracts without losing money.

The PUC was in the preliminary stages of

similar proceedings against a third provider that quit the market.

The Texas commission has been faulted for the low percentage of customer complaints resulting in disciplinary action against power

providers. A mid-January PUC statement announcing the actions against National Power and Pre-Buy said these were the first enforcement orders for 2010 and that 16 such orders, including more than \$4.3 million in penalties, were issued last year. 💡

More cow power on the grid

Dairyland Power Cooperative has inked an agreement with a Clark County dairy farm to provide more manure-based electricity—the fifth such project on the La Crosse-based generation and transmission cooperative's system.

The co-op announced last month it had signed an agreement with Bach Digester LLC to purchase the energy and capacity from a new anaerobic digester at Dorchester, in Clark County. Owner Steven Bach's dairy operation is on the distribution lines of Taylor Electric Cooperative.

The digester breaks down cow manure, yielding methane gas that is then used to fuel an on-site generator. The facility at the 1,200-cow dairy farm is expected to generate about 300 kilowatts, enough to power more than 200 average homes.

"We continue to seek opportunities to

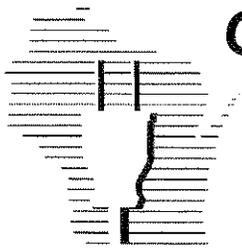
expand our renewable resources and appreciate working with Steven Bach and Taylor Electric to bring this environmentally friendly energy resource to our members," said Bill Berg, Dairyland president and CEO.

Dairyland owns three digester facilities, at Elk Mound, La Farge and Rice Lake. 💡



Energy saver tip

Efficient air circulation is a key to cold-weather comfort. A quick check of hot air registers and cold air returns to make sure they're clear and not blocked by drapes or furniture will help your furnace do its job more easily and might even allow you to be comfortable at a lower thermostat setting. 💡



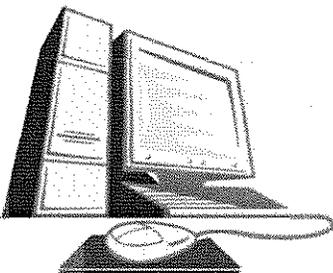
Customers First!

P.O. Box 54
Madison, WI 53701

A Coalition

to preserve
Wisconsin's
Reliable
and Affordable
Electricity

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



www.customersfirst.org



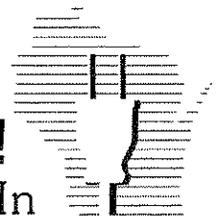
Quotable Quotes

"However, our home state is just one example of how wholesale markets have not produced the benefits of competition promised at the inception of their deregulation plans and instead have hurt consumers and the economy."

—U.S. Senators Robert Casey, Jr. and Arlen Specter (both D-PA), in a letter asking the Federal Energy Regulatory Commission and Chairman Jon Wellinghoff to scrutinize the performance of regional wholesale electricity markets, dated December 18, 2009

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

Customers First!
Plugging Wisconsin In



Public Service Commission of Wisconsin
Public Service Commission of Wisconsin Building*
Flambeau River Conference Room, 3rd Floor
610 North Whitney Way
Madison, Wisconsin

*This building is accessible to people using wheelchairs.

Open Meeting Agenda for Friday, February 12, 2010, at 10:30 a.m.

1. 5-BS-182 – Joint Application of Wisconsin Power and Light Company and the Village of Prairie du Sac for the Approval of the Boundary Line Agreement of December 7, 2009, and for Authority to Sell/Buy Certain Electric Distribution Facilities and to Transfer Nine Customers Served by the Same Facilities from Wisconsin Power and Light Company to the Village of Prairie du Sac, Sauk County, Wisconsin (proposed notice of investigation)
2. 5-BS-183 – Application of the City of Marshfield, as an Electric Public Utility, for Authority to Sell Certain 115 kV Transmission Facilities Located in the City of Marshfield, Wood County, Wisconsin, to American Transmission Company LLC (proposed notice of investigation)
3. 650-ER-102 – Application of the City of Boscobel, Grant County, Wisconsin, as an Electric Public Utility, for Authority to Increase Electric Rates (proposed notice of proceeding)
4. 6680-AE-113 – Application for Approval of an Affiliated Interest Agreement Between Wisconsin Power and Light Company and Interstate Power and Light Company (proposed notice of investigation)
5. 6680-AU-114 – Application for Approval of an Affiliated Interest Agreement Between Wisconsin Power and Light Company and Interstate Power and Light Company Regarding Transfer of Supply (proposed notice of investigation)
6. 2830-WR-106 – Application of Kewaskum Municipal Water Utility, Fond du Lac and Washington Counties, Wisconsin, for Authority to Revise its Public Fire Protection Charge Recovery Method (proposed notice of proceeding and telephonic hearing)

7. 5-AE-176 – Application of Wisconsin Public Service Corporation and Wisconsin Power and Light Company for Approvals Associated with Affiliated Electric Sale from Wisconsin River Power Company (draft final decision)

8. 5820-SB-124 – Application of Superior Water, Light and Power Company for Authority to Issue and Have Outstanding During 2010 Short-Term Indebtedness Not to Exceed Principal Amount of \$10,000,000

5820-AU-121 – Application of Superior Water, Light and Power Company for Approval of Short-Term Loans from its Parent, ALLETE, Inc. (Minnesota Power), Not to Exceed \$10,000,000 to be Outstanding at Any One Time During 2010 (draft certificate of authority and order)

9. 6690-SB-130 – Wisconsin Public Service Corporation’s Application for Authority to Issue and Have Outstanding Short-Term Indebtedness in Amounts Not to Exceed \$250,000,000 (draft certificate of authority and order)

10. 5-AE-118 – Application for Approval of Affiliated Interest Agreements Between Wisconsin Electric Power Company and Elm Road Generating Station

Appointment of the Unit Appraiser (suggested minute) (RN/JB memorandum of 2/3/10)

11. 5-CE-137 – Application of Wisconsin Power and Light Company and Wisconsin Electric Power Company for a Certificate of Authority to Install a Selective Catalytic Reduction System for Nitrogen Oxide Removal on Unit 5 at the Edgewater Generating Station, Sheboygan County, Wisconsin (interlocutory review) (suggested minute) (JL memorandum of 2/10/10)

12. 5-CE-138 – Joint Application of Wisconsin Power and Light Company, Wisconsin Public Service Corporation, and Madison Gas and Electric Company for a Certificate of Authority to Install Emissions Reduction Systems at the Columbia Energy Center Units 1 and 2 (interlocutory review) (suggested minute) (JL memorandum of 2/9/10)

13. 6680-GF-126 – Wisconsin Power and Light Company’s Request for Approval of an Experimental Economic Development Program Rider, and the Associated Approval of Deferral Treatment of Revenue Discounts (suggested minute) (RN/SS memorandum of 1/21/10)

14. 4220-FR-103 – Fuel Rules Proceeding to Adjust Northern States Power Company-Wisconsin, d/b/a Xcel Energy, 2009 Electric Rates Originally Set in Docket 4220-UR-115 (suggested minute) (RDN/RH memorandum of 2/5/10)

15. 6680-GF-127 – Wisconsin Power and Light Company’s Request for Deferral of Incremental Costs Necessary to Defend Against Claims of Environmental Non-Compliance (suggested minute) (RN/RAM memorandum of 2/4/10)

- * * 16. 5-EI-149 – Application of the City of Menasha and WPPI Energy for Approval of the Sale and Leaseback of Certain Electric Utility Facilities from Menasha to WPPI Energy, Sale to WPPI Energy of Menasha’s Ownership Shares in American Transmission Company, Authority for Menasha to Increase Electric Rates, and a Declaratory Ruling Regarding the Public Service Commission’s Continuing Jurisdiction Over WPPI Energy (discussion of record)

* * *

The next open meeting is scheduled for Friday, February 19, 2010, at 10:30 a.m.



Memorandum

DATE: February 3, 2010

TO: Menasha Common Council

FROM: Mark Radtke, Director of Public Works *MR*

RE: Minimum Wage Rates

Alderman Benner requested a copy of our most recent Prevailing Wage Rate decision from the State be included in the next Council packet. Enclosed is a copy of the State of Wisconsin Prevailing Wage Rate Determination for the Midway Business Park Street Construction Project from last year. The state wage rate determinations are specific by county so there may be slight variances between Calumet and Winnebago County projects. The State wage rates are, generally speaking, at least twice as high as the current City of Menasha minimum rates.

Enclosure

M:\word\CC memo re wage rates 2-3-10.doc

Jim Doyle
Governor
Roberta Gassman
Secretary
Jennifer A. Ortiz
Division Administrator



EQUAL RIGHTS DIVISION
201 East Washington Avenue, Room A300
P.O. Box 8928
Madison, WI 53708
Telephone: (608) 266-6860
Fax: (608) 267-4592
TTY: (608) 264-8752
<http://www.dwd.state.wi.us/>

State of Wisconsin
Department of Workforce Development

RECEIVED

DEPARTMENTAL ORDER

FEB 17 2009

MARK RADTKE, DIRECTOR OF PUBLIC WORKS
CITY OF MENASHA
140 MAIN ST
MENASHA, WI 54952

RE: MIDWAY BUSINESS PARK CONCRETE STREET AND SIDEWALK
CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN
Determination No. 200900292 Project No. 2009-01

The application which you filed or was filed on your behalf, by the person copied below, for a prevailing wage rate determination applicable to the above-referenced project has been received.

A survey was conducted to determine the prevailing wage rate for the trade(s) or occupation(s) needed to complete the project. The findings of the survey are set forth in the enclosed determination.

If you believe that the wage rate for any trade or occupation does not accurately reflect the prevailing wage rate in the city, village or town in which the project is located, you have the right to request the department to conduct an administrative review regarding such wage rate.

Your request must be made, in writing, within 30 days from the date indicated below and at least 10 days before the date a construction contract(s) is to be awarded or negotiated. Your request must also include wage rate information on at least three (3) similar projects located in the city, village or town where the proposed project is located on which some work was performed by the contested trade(s) or occupation(s) during the current survey period and which was previously considered by the department in issuing the enclosed determination. See s. DWD 290.10 of the Wisconsin Administrative Code and either s. 66.0903 (3)(br) or s. 103.49 (3)(c), Stats. for a complete explanation of the administrative review process.

Now, therefore, it is hereby ORDERED that the prevailing wage rates set forth in the enclosed determination shall only be applicable to the above referenced project. This ORDER shall be deemed a FINAL ORDER of this department unless a timely request for an administrative review is filed with the department or a construction contract(s) is not awarded or negotiated before the determination's expiration date.

DATED

2/16/2009

Enclosures

FOR THE DEPARTMENT

Rita Ruona, Investigator
Labor Standards Bureau
Construction Wage Standards Section
(608) 266-1898

PREVAILING WAGE RATE DETERMINATION

Issued by the State of Wisconsin
 Department of Workforce Development
 Pursuant to s. 66.0903, Stats.
 Issued On: 2/16/2009

DETERMINATION NUMBER: 200900292

EXPIRATION DATE: Prime Contracts MUST Be Awarded Or Negotiated On Or Before 12/31/2009. If NOT, You MUST Reapply.

DESCRIPTION OF PROJECT: MIDWAY BUSINESS PARK CONCRETE STREET AND SIDEWALK
 PROJECT NO: 2009-01

LOCATION OF PROJECT: CITY OF MENASHA, WINNEBAGO COUNTY, WISCONSIN

CONTRACTING AGENCY: CITY OF MENASHA

CLASSIFICATION: Contractors are required to call the Department of Workforce Development if there are any questions regarding the proper trade or classification to be used for any worker on a public works project.

OVERTIME: Time and one-half must be paid for all hours worked over 10 hours per day and 40 hours per calendar week and for all hours worked on Saturday, Sunday and the following six (6) holidays: January 1; the last Monday in May; July 4; the 1st Monday in September; the 4th Thursday in November; December 25; the day before if January 1, July 4 or December 25 falls on a Saturday, the day following if January 1, July 4 or December 25 falls on a Sunday.

FUTURE INCREASE: If indicated for a specific trade or occupation, the full amount of such increase MUST be added to the "TOTAL" indicated for such trade or occupation on the date(s) such increase(s) becomes effective.

PREMIUM PAY: If indicated for a specific trade or occupation, the full amount of such pay MUST be added to the "HOURLY BASIC RATE OF PAY" indicated for such trade or occupation, whenever such pay is applicable.

SUBJOURNEY: Wage rates may be available for some of the classifications indicated below with the exception of laborers, truck drivers and heavy equipment operators. Any employer that desires to use any subjourney classification on this project MUST request the applicable wage rate from this department PRIOR to the date such classification is used on this project. Form ERD-10880 is available for this purpose.

SEWER, WATER OR TUNNEL CONSTRUCTION

Includes those projects that primarily involve public sewer or water distribution, transmission or collection systems and related tunnel work (excluding buildings).

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Bricklayer, Blocklayer or Stonemason	27.98	13.20	41.18
Carpenter	27.51	13.48	40.99
Future Increase(s): Add \$2.25/hr on 6/1/2009; Add \$2.25/hr on 5/31/2010.			
Cement Finisher	27.00	12.83	39.83
Electrician	28.34	15.48	43.82
Fence Erector	17.35	3.08	20.43
Ironworker	26.78	18.14	44.92
Line Constructor (Electrical)	33.08	14.68	47.76
Pavement Marking Operator	26.52	17.13	43.65
Piledriver	26.61	12.86	39.47
Plumber	33.65	12.83	46.48
Steamfitter	30.16	12.98	43.14
Teledata Technician or Installer	20.69	10.17	30.86

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Tuckpointer, Caulker or Cleaner	27.98	13.20	41.18
Underwater Diver (Except on Great Lakes)	30.16	12.98	43.14
Well Driller or Pump Installer	23.52	13.90	37.42
Heavy Equipment Operator - ELECTRICAL LINE CONSTRUCTION ONLY	25.22	12.05	37.27
Light Equipment Operator -ELECTRICAL LINE CONSTRUCTION ONLY	26.48	15.50	41.98
Heavy Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	16.00	8.00	24.00
Light Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	21.50	11.00	32.50
Groundman - ELECTRICAL LINE CONSTRUCTION ONLY	18.19	10.04	28.23

TRUCK DRIVERS

Single Axle or Two Axle	17.75	3.50	21.25
Three or More Axle	18.00	0.00	18.00
Articulated, Euclid, Dumptr, Off Road Material Hauler	24.98	14.87	39.85
Pavement Marking Vehicle	20.06	11.55	31.61
Truck Mechanic	19.00	11.14	30.14

LABORERS

General Laborer	23.83	11.74	35.57
Future Increase(s): Add \$1.45/hr on 6/01/09; Add \$1.45/hr on 6/07/2010; Add \$1.45/hr on 6/06/2011 Premium Pay: Add \$.20 for blaster, bracer, manhole builder, caulker, bottomman and power tool; Add \$.55 for pipelayer; Add \$1.00 for 0-15 lbs. compressed air; Add \$2.00 for 15-30 lbs. compressed air; Add \$3.00 for over 30 lbs. compressed air.			
Landscapeer	23.28	11.14	34.42
Flagperson or Traffic Control Person	18.55	12.20	30.75
Fiber Optic Laborer (Outside, Other Than Concrete Encased)	16.58	12.00	28.58
Railroad Track Laborer	21.38	14.04	35.42

HEAVY EQUIPMENT OPERATORS

Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over; Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of 130,000 Lbs. or Over	31.12	16.41	47.53
Future Increase(s): Add \$2.00/hr on 6/1/2009; Add \$2.05/hr on 6/1/2010. Premium Pay: Add \$.25/hr for cranes with lifting capacity of 45 ton or over.			
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Traveling Crane (Bridge Type); Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes); Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of Under 130,000 Lbs.	25.50	1.67	27.17
Truck Mounted Hydraulic Crane (10 Tons or Under); Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Concrete Pump, Grout Pump, or Concrete Conveyor (Rotec or Bidwell Type); Concrete Breaker (Manual or Remote); Concrete Batch Plant; Power Subgrader; Concrete	28.97	15.83	44.80

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Spreader; Concrete Paver; Concrete Grinder or Planing Machine; Concrete Conveyor System; Concrete Slipform Placer; Curb and Gutter Machine; Roller (Over 5 Ton); Shouldering Machine; Boring Machine (Horizontal, Vertical or Directional); Air Track, Rotary or Percussion Drilling Machine; Straddle Carrier or Travel Lift, Manhoist or Elevator; Material or Stack Hoist; Trencher; Sideboom; Post Hole Digger or Driver; Tug or Launch (Not Performing Work on the Great Lakes)			
Farm or Industrial Type Tractor; Greaser; Compactor (Self-Propelled); Concrete Saw (Vermeer Type); Concrete Bump Cutter or Grooving Machine; Tining or Curing Machine; Roller (5 Ton or Under); Broom or Sweeper; Hoist (Tugger); Environmental Burner	28.56	15.79	44.35
Crusher, Screening or Wash Plant; Air, Electric or Hydraulic Jacking System; Air Compressor (400 CFM or Over); Generator (150 KW or Over); Pump (3 Inch or Over) or Well Points; Refrigeration Plant or Freeze Machine; Skid Steer Loader (With or Without Attachments); Robotic Tool Carrier (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor; High Pressure Utility Locating Machine (daylighting machine)	28.56	15.35	43.91
Oiler; Forklift	28.97	15.95	44.92

LOCAL STREET OR MISCELLANEOUS PAVING CONSTRUCTION

Includes roads, streets, alleys, trails, bridges, paths, racetracks, parking lots and driveways (except residential or agricultural), public sidewalks or other similar projects (excluding projects awarded by the Wisconsin Department of Transportation).

Bricklayer, Blocklayer or Stonemason	29.24	13.80	43.04
Future Increase(s): Add \$1.90 06/01/2009; Add \$1.95 05/31/2010			
Carpenter	27.51	13.48	40.99
Future Increase(s): Add \$2.25/hr on 6/1/2009; Add \$2.25/hr on 5/31/2010			
Cement Finisher	29.24	13.80	43.04
Future Increase(s): Add \$1.90 06/01/2009; Add \$1.95 05/31/2010			
Electrician	31.00	16.80	47.80
Future Increase(s): Add \$1.70/hr on 6/1/2009; Add \$1.70/hr on 6/1/2010			
Fence Erector	17.35	3.08	20.43
Ironworker	28.96	18.41	47.37
Line Constructor (Electrical)	33.08	14.68	47.76
Painter	21.61	7.52	29.13
Pavement Marking Operator	26.52	17.13	43.65
Piledriver	26.61	12.86	39.47
Roofer or Waterproofer	19.25	8.26	27.51
Teledata Technician or Installer	21.08	10.68	31.76
Future Increase(s): Add \$.90 on 6/1/09			
Tuckpointer, Caulker or Cleaner	27.98	13.20	41.18
Underwater Diver (Except on Great Lakes)	30.16	12.98	43.14
Heavy Equipment Operator - ELECTRICAL LINE CONSTRUCTION ONLY	25.22	12.05	37.27
Light Equipment Operator - ELECTRICAL LINE CONSTRUCTION ONLY	26.46	12.69	39.15
Heavy Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	23.16	11.48	34.64
Light Truck Driver - ELECTRICAL LINE CONSTRUCTION ONLY	21.50	11.00	32.50

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Groundman - ELECTRICAL LINE CONSTRUCTION ONLY	18.19	10.04	28.23

TRUCK DRIVERS

Single Axle or Two Axle	27.00	0.00	27.00
Three or More Axle	16.15	4.52	20.67
Articulated, Euclid, Dumptr, Off Road Material Hauler	29.89	16.41	46.30
Future Increase(s): Add \$1.75/hr on 6/1/2009; Add \$1.80/hr on 6/1/2010.			
Pavement Marking Vehicle	20.06	11.55	31.61
Shadow or Pilot Vehicle	35.51	0.00	35.51
Truck Mechanic	19.00	11.14	30.14

LABORERS

General Laborer	20.96	11.32	32.28
Landscaper	23.87	11.75	35.62
Future Increase(s): Add \$1.56/hr on 6/1/09; Add \$1.60/hr on 6/1/10; Add \$1.60/hr on 6/1/11; Add \$1.60/hr on 6/1/12; Add \$1.70/hr on 6/1/13; Add \$1.60/hr on 6/1/14.			
Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.25/hr for work performed under artificial illumination with traffic control.			
Flagperson or Traffic Control Person	19.60	10.59	30.19
Fiber Optic Laborer (Outside, Other Than Concrete Encased)	16.58	12.00	28.58
Railroad Track Laborer	21.38	14.04	35.42

**HEAVY EQUIPMENT OPERATORS
CONCRETE PAVEMENT OR BRIDGE WORK ONLY**

Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over	30.97	16.60	47.57
Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13.			
Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.			
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Backhoe (Track Type) Having a Mfg.'s Rated Capacity of 130,000 Lbs. or Over; Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes)	30.47	16.60	47.07
Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13.			
Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.			
Backhoe (Track Type) Having a Mfg.'s Rated Capacity of Under 130,000 Lbs.; Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Scraper (Self Propelled or Tractor Drawn) 5 cu yards or more capacity; Concrete Pump, Grout Pump or Concrete Conveyor (Rotec or Bidwell Type); Concrete Breaker (Manual or Remote); Concrete Batch Plant; Power	29.97	16.60	46.57

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
Subgrader, Concrete Spreader, Concrete Paver, Concrete Grinder or Planing Machine; Concrete Conveyor System; Concrete Slipform Placer; Curb and Gutter Machine; Air Track, Rotary or Percussion Drilling Machine; Straddle Carrier or Travel Lift; Trencher; Post Hole Digger or Driver; Tug or Launch (Not Performing Work on the Great Lakes) Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.			
Farm or Industrial Type Tractor, Greaser, Compactor (Self-Propelled); Concrete Saw (Vermeer Type); Concrete Bump Cutter or Grooving Machine; Tining or Curing Machine; Environmental Burner Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	29.97	16.60	46.57
Oilier; Crusher, Screening or Wash Plant; Air Compressor; Generator; Pump (3 Inch or Over) or Well Points; Forklift; Skid Steer Loader (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor	28.42	15.98	44.40
Fiber Optic Cable Equipment	26.46	12.69	39.15

**HEAVY EQUIPMENT OPERATORS
ASPHALT PAVEMENT OR OTHER WORK**

Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of Over 100 Tons; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 176 Feet or Over Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13. Premium Pay: Effective 6/1/09 for "Airport Pavement or State Highway Construction" project type only, add \$1.50/hr for work performed under artificial illumination with traffic control.	30.97	16.60	47.57
Crane, Tower Crane or Derrick, With or Without Attachments, With a Lifting Capacity of 100 Tons or Under; Crane, Tower Crane or Derrick, With Boom, Leads and/or Jib Lengths Measuring 175 Feet or Under; Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of 130,000 Lbs. or Over; Caisson Rig; Pile Driver; Dredge (Not Performing Work on the Great Lakes)	29.47	15.95	45.42
Backhoe (Track Type) Having a Mfgr.'s Rated Capacity of Under 130,000 Lbs.; Tractor or Truck Mounted Hydraulic Backhoe; Gradall (Cruz-Aire Type); Mechanic or Welder; Bulldozer or Endloader; Grader or Motor Patrol; Scraper (Self propelled or Tractor Drawn) 5 cu yards or more capacity; Concrete Breaker (Manual or Remote); Power Subgrader; Concrete Grinder or Planing Machine; Concrete Slipform Placer; Curb and Gutter Machine; Asphalt Plant; Asphalt Paver; Asphalt Screed; Asphalt Milling Machine; Roller (Over 5 Ton); Shouldering Machine; Trencher; Post Hole Digger or Driver Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on 6/1/12; Add \$2/hr on 6/1/13.	22.90	15.40	38.30
Farm or Industrial Type Tractor, Greaser, Compactor (Self-Propelled); Roller (5 Ton or Under); Broom or Sweeper; Environmental Burner Future Increase(s): Add \$1.75/hr on 6/1/09; Add \$1.85/hr on 6/1/10; Add \$1.95/hr on 6/1/11; Add \$2/hr on	22.90	15.40	38.30

Fringe Benefits Must Be Paid On All Hours Worked

<u>TRADE OR OCCUPATION</u>	<u>HOURLY BASIC RATE OF PAY</u>	<u>HOURLY FRINGE BENEFITS</u>	<u>TOTAL</u>
	\$	\$	\$
6/1/12; Add \$2/hr on 6/ 1/ 13.			
Oiler, Crusher, Screening or Wash Plant; Air Compressor; Generator; Pump (3 Inch or Over) or Well Points; Forklift; Skid Steer Loader (With or Without Attachments); Skid Rig; Stump Chipper; Mulcher; Vibratory Hammer or Extractor	22.97	15.95	38.92
Fiber Optic Cable Equipment	26.46	12.69	39.15

This document **MUST BE POSTED** by the **CONTRACTING AGENCY** in at least one conspicuous and easily accessible place on the site of the project. A local governmental unit may post this document at the place normally used to post public notices if there is no common site on the project. This document **MUST** remain posted during the entire time any worker is employed on the project and **MUST** be physically incorporated into the specifications and all contracts and most subcontracts. If you have any questions, please write to the Equal Rights Division, Labor Standards Bureau, P.O. Box 8926, Madison, Wisconsin 53708 or call (608) 266-1898.

The following statutory provisions apply to local governmental unit public works projects and are set forth below pursuant to the requirements of s. 66.0903 (8), Stats.

Each contractor, subcontractor or agent thereof performing work on a project that is subject to this section shall keep full and accurate records clearly indicating the name and trade or occupation of every person described in sub. (4) and an accurate record of the number of hours worked by each of those persons and the actual wages paid therefor.

Any contractor, subcontractor or agent thereof, who fails to pay the prevailing wage rate determined by the department under sub.(3) or who pays less than 1.5 times the hourly basic rate of pay for all hours worked in excess of the prevailing hours of labor determined under sub.(3), shall be liable to any affected employe in the amount of his or her unpaid wages, or his or her unpaid overtime compensation and in an additional equal amount as liquidated damages. An action to recover the liability may be maintained in any court of competent jurisdiction by any employe for and in behalf of that employe and other employes similarly situated. No employe may be a party plaintiff to any such action unless the employe consents in writing to become such a party and the consent is filed in the court in which the action is brought. Notwithstanding s. 814.04 (1), the court shall, in addition to any judgment awarded to the plaintiff, allow reasonable attorney fees and costs to be paid by the defendant.

UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

NewPage Wisconsin System Inc.
Kaukauna Utilities

Project No. 10674-015

NOTICE OF APPLICATION FOR TRANSFER OF LICENSE AND SOLICITING
COMMENTS AND MOTIONS TO INTERVENE

(January 29, 2010)

On January 25, 2010, NewPage Wisconsin System Inc. (transferor) and Kaukauna Utilities (transferee) filed an application for transfer of license of the Kimberly Project No. 10674 located on the Fox River in Outagamie County, Wisconsin.

The transferor and transferee seek Commission approval to transfer the license for the Kimberly Project from the transferor to the transferee.

Applicant Contacts: For transferor: Ronald O. Guay, NewPage Wisconsin System Inc., 35 Hartford Street, Rumford, ME 04276, (937) 369-2932, and Amy S. Koch, Patton Boggs LLP, 2550 M Street, NW, Washington, DC 20037, (202) 457-5618. For transferee: Mike Pedersen, Kaukauna Utilities, 777 Island Street, Kaukauna, WI 54130, (920) 766-5721, and Nancy J. Skancke, Law Offices of GKRSE, 1500 K St., NW Suite 330, Washington DC200005, (202) 408-5400.

FERC Contact: Steven Sachs, (202) 502-8666 or Steven.Sachs@ferc.gov.

Deadline for filing comments and motions to intervene: 30 days from the issuance of this notice. Comments and motions to intervene may be filed electronically via the Internet. See 18 CFR 385.2001(a)(1)(iii)(2009) and the instructions on the Commission's website under the "e-Filing" link. If unable to be filed electronically, documents may be paper-filed. To paper-file, an original and eight copies should be mailed to: Kimberly D. Bose, Secretary, Federal Energy Regulatory Commission, 888 First Street, NE, Washington, DC 20426. For more information on how to submit these types of filings please go to the Commission's website located at <http://www.ferc.gov/filing-comments.asp>. More information about this project can be viewed or printed on the eLibrary link of the Commission's website at <http://www.ferc.gov/docs-filing/elibrary.asp>. Enter the docket number (P-10674) in the docket number field to access the document. For assistance, call toll-free 1-866-208-3372.

FEB 08 2010

Kimberly D. Bose,
Secretary.

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, February 1, 2010
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. Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert, Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, Clerk Galeazzi and the Press

D. PUBLIC HEARING

None

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

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

No one spoke.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. PHD Nett – 2010 Census update

PHD Nett reported the Complete Count Census Committee has been meeting every two weeks. They have received a few posters and brochures that they have disbursed through out the City. They are waiting for more supplies. Information on the census has been put in several City mailings.

2. CDD Keil – Status of Wayfinding Signage

CDD Keil reported on a recent meeting with Lynn Peters from the Fox Cities Convention and Visitors Bureau. Wayfinding signage is a cost-share program with the Convention and Visitors Bureau. Staff presented a proposal for signage that the Convention and Visitors Bureau will review. After the proposal has been finalized, it will be presented to the Common Council for acceptance.

3. Representative Dean Kaufert – Legislative Report

Representative Kaufert reported on the recently passed State Budget and Legislation. He answered questions from Council members.

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

Minutes to receive:

- a. Administration Committee, 1/18/10
- b. Board of Public Works, 1/18/10
- c. Board of Health, 11/4/09
- d. Committee on Aging, 12/10/09
- e. Complete Count Committee; 12/2/09, 1/6/10
- f. IT Steering Committee, 1/20/10
- g. NM Fire Rescue, Joint Finance & Personnel Committee, 1/26/10
- h. NM Fire Rescue, Fire Commission, 1/27/10
- i. NM Sewerage Commission, 12/22/09
- j. Parks and Recreation Board, 1/11/10
- k. Plan Commission, 1/19/10
- l. Safety Committee, 11/5/09; City Hall
- m. Safety Committee, 11/24/09, 12/21/09; Public Works/Parks
- n. Water & Light Commission, 1/18/10; Special meeting

Communications:

- o. Mayor Merkes, 1/28/10: Support and sponsorship for the Fox Cities Regional Transit Authority
- p. Public Works Asst. Supt. Jeff Nieland, 1/26/10; Automated Single Stream Recycling Collection
- q. Public Works Facility, 1/24/10; November & December 2009 Disposal Violations Report
- r. Public Service Commission, 1/21/10; Request for Comments-General Directory Publication Issues – AT&T Wisconsin

DRAFT

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

4. Clerk Galeazzi - the following minutes and communications have been received and placed on file, Cont'd.
- s. Winnebago County, 1/27/10; Notice of commencement of proceedings in rem to foreclose tax liens by Winnebago County under Wis. Stats. 75.521

Ald. Wisneski: Comm. R (Public Service Comm.), AT&T is doing disservice to residents that do not have a computer.

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 in the "Items removed from the Consent Agenda" section. 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, 1/18/10

Administration Committee, 1/18/10 – Recommends Approval of:

2. Division of Public Health Contract #17382 for Childhood Lead, Immunization, Maternal Child Health, Prevention, and Radon Outreach, Jan. 1, 2010-Dec. 31, 2010, and authorized signature
3. Approval of the proposed parochial school fees for school year 2010-2011

Board of Public Works, 1/18/10 – Recommends Approval of:

4. Street Use Application – Team Hailey 5K Run/Walk for a Cure; Saturday, April 17, 2010; 8:00 AM – 10:30 AM

Plan Commission, 1/19/10 – Recommends Approval of

5. Certified Survey Map – Midway Road, subject to the City Attorney's review of the notation on the CSM relative to the driveway easement.

NM Fire Recue, Joint Finance & Personnel Committee, 1/26/10 – Recommends Approval of:

6. The purchase of one additional Firehouse Software license in the amount of \$1,310.00 and the funding source to be carry forward funds from Account #8114 from 2009 budget

Ald. Benner requested to remove item 5 from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve items 1-4 and 6 on Consent Agenda.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Wisneski to approve item 5 (Certified Survey Map – Midway Road)
Discussion: CA/HRD Captain reported she has reviewed the CSM and recommends a condition of an ingress/egress easement.

Moved by Ald. Benner, seconded by Ald. Hendricks to amend and add as a condition: an ingress/egress easement for Lot 2 acceptable to the Menasha Plan Commission and in a form approved by the City Attorney shall be recorded prior to the issuance of a building permit for either Lot 1 or Lot 2 of the CSM.

Motion on amendment carried by voice vote.

Motion as amended carried on roll call 8-0.

I. ACTION ITEMS

1. Accounts payable and payroll for the term 1/19/10-1/28/10 in the amount of \$ 897,506.88

Moved by Ald. Wisneski, seconded by Ald. Pack to approve accounts payable and payroll.

Discussion/Questions on expenditures.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. O-3-10 Ordinance Pertaining to Excavation Permits (Alderman Michael Taylor)

No action

2. R-2-10 – Resolution Relating to Reduction of Poll Workers (Introduced by Mayor Merkes)

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt R-2-10.

Motion carried on voice vote.

DRAFT

J. ORDINANCES AND RESOLUTIONS, Cont'd.

3. R-4-10 – Resolution in Support of AB 661 to Repeal State Statute Requiring Minimum Expenditures for Emergency Services (Introduced by Aldermen Roush & Hendricks)

Moved by Ald. Roush, seconded by Ald. Hendricks to adopt R-4-10

Discussion: Ald. Wisneski requested a similar resolution be prepared addressing the Library.

Motion carried on voice vote.

K. APPOINTMENTS

1. Mayor's appointment to the AD-HOC Sustainability Board

a. Christopher Bohne, 2413 Woodland Hills Dr., Menasha

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

Motion carried on voice vote.

2. Mayor's appointment to the Committee on Aging

a. Mary Lueke, 836 Ida Street, for the term of February 1, 2010 to February 1, 2013

b. Joyce Klundt, 976 8th Street, for the term of February 1, 2010 to February 1, 2013

Moved by Ald. Roush, seconded by Ald. Hendricks to approve appointments.

Motion carried on voice vote.

L. HELD OVER BUSINESS

None

M. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

N. RECESS TO ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS

Moved by Ald. Wisneski, seconded by Ald. Hendricks to recess at 7:06 p.m.

Motion carried on voice vote.

Reconvened at 7:45 p.m.

O. CLAIMS AGAINST THE CITY

1. State ex rel. American Bank vs. City of Menasha et al., Case No. 10-cv-0077, Winnebago County Circuit Court

Attorneys from Hunton & Williams, Andrew Kintzinger, Terence Rasmussen and Edward Fuhr attended via the telephone.

CA Captain explained the law suit that was filed by American Bank of Fond du Lac alleging that the City and Utilities denied a public records request by American Bank regarding the Steam Plant project. A quick response was necessary so CA Captain filed a Motion to Stay and Preliminary Response Showing Cause in Winnebago County Circuit Court and Hunton & Williams had a motion filed in the federal law suit in Indiana seeking a protective order.

Questions and discussion on both cases (American Bank and LaFayette Life Insurance).

Representative from Hunton & Williams recommended going into Closed Session to discuss further.

2. LaFayette Life Insurance Co. et al. vs. City of Menasha et al., Case No. 4:09CV0064, US District Court Northern District of Indiana

3. Motion to Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e)&(g): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and 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. (American Bank vs. City of Menasha and LaFayette Life Ins. Co., et al. vs. City of Menasha)

Moved by Ald. Wisneski, seconded by Ald. Pack to adjourn into Closed Session at 7:55 p.m.

Motion carried on roll call 8-0.

DRAFT

O. CLAIMS AGAINST THE CITY, Cont'd.

4. Return into Open Session

Moved by Ald. Wisneski, seconded by Ald. Pack to return to open session at 9:00 p.m.

Motion carried on voice vote.

5. Actions if any needed as a result of the Closed Sessions Discussion

Moved by Ald. Wisneski, seconded by Ald. Englebert to direct Mayor and City Attorney to sign a contract with Barnes & Thornburg LLP for legal services.

Motion carried on roll call 8-0.

P. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Wisneski to adjourn at 9:03 p.m.

Motion carried on roll call.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk

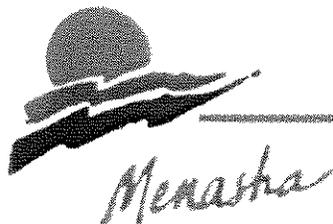
**CITY OF MENASHA, WISCONSIN
 JOB CLASSIFICATION & MINIMUM WAGE RATES
 FOR
 STREETS, HIGHWAYS, SIDEWALKS, & BRIDGE CONSTRUCTION
 Section 66.293(1), Wisconsin Statutes**

CLASSIFICATION	TOTAL MINIMUM COMPENSATION WAGES & FRINGES	
	EXISTING	2010 PROPOSED
Foreman	\$ 19.86	\$20.06
Formsetter	\$ 15.75	\$15.91
Finisher	\$ 17.80	\$17.98
Cement Mason	\$ 17.80	\$17.98
Truck Driver - Single Axle	\$ 14.93	\$15.08
Truck Driver - Tandem & Larger	\$ 15.75	\$15.91
Equipment Operator	\$ 18.58	\$18.77
Raker	\$ 15.75	\$15.91
Roller - Small	\$ 14.47	\$14.61
Laborer	\$ 13.55	\$13.69
Finisher Apprentice	\$ 14.93	\$15.08
Operator Apprentice	\$ 15.76	\$15.92
Carpenter	\$ 14.93	\$15.08
Bricklayer	\$ 17.80	\$17.98
Electrician	\$ 23.60	\$23.84

Any classification not specifically listed above shall be paid not less than the rate of a laborer.

I, Deborah A. Galeazzi, duly appointed City Clerk of the City of Menasha, Winnebago and Calumet counties, Wisconsin, do hereby certify that the contents above (Job Classification and Minimum Wage Rates) were passed and approved by the Menasha Common Council on _____, 20_____.

 Deborah A. Galeazzi, City Clerk



MEMORANDUM

To: Mayor and Common Council

From: PRD Tungate *BT*

Date: February 9, 2010

RE: Agreement with Neenah-Menasha YMCA for the 2010 Grunski Runski

On February 8, 2010, the Parks and Recreation Board unanimously approved a one year agreement to partner with the Neenah-Menasha YMCA on the 2010 Grunski Runski.

The benefits of entering into this agreement include:

- Assistance with securing more event sponsors
- Cost savings on mailing event forms
- Combined marketing efforts likely will lead to increased registrations
- Cost savings with use of YMCA volunteer staff
- A new kids event will be added
- Increased revenue for the City of Menasha (previous events conducted on an approximate breakeven basis)

**CITY OF MENASHA
NEENAH-MENASHA YMCA
SPECIAL EVENTS AGREEMENT**

Event: Otto Grunski 2 Mile/10 K Run/Walk and Kidski Runski (or mutually agreed to name)

Date: Saturday, August 14, 2010

Purpose of Agreement:

For the City of Menasha Parks and Recreation Department and Neenah/Menasha YMCA to collaborate in all aspects of putting on the Otto Grunski Runski (including the Kidski Runski). Together, these two events will be defined as one event as referenced below. The goal of this partnership is to enhance an existing healthful, family oriented event and to increase revenues that will be distributed equally between both organizations.

YMCA Responsibilities:

1. The YMCA will organize, market, staff and run a Kidski Runski fun run on the Friday night before or Saturday of the race.
2. The YMCA will serve as the mailing resource for event promotions in order to take advantage of lower rates.
3. The YMCA will provide (2) staff to serve in an event planning capacity.
4. The YMCA will work with City of Menasha staff to identify and secure event sponsors. The YMCA will provide materials and guidance, but will not make any direct requests.
5. The YMCA will provide (1) one themed water station, staffed by (2) two volunteers, along the Grunski race route. The YMCA will provide volunteers, decorations and tables. Water and cups will be reimbursed. The YMCA will provide a minimum of (4) four additional Grunski race volunteers.
6. The YMCA will assist in the development of race promotional materials for the event and will assist in the marketing of the event. Methods of promoting the event must be agreed in writing in advance by both organizations.

Compensation/Budget

1. Event planning staff from the YMCA and City of Menasha will agree on an event budget, with the intent of reducing expenses wherever possible.
2. This agreement acknowledges there may be a need for either organization to reimburse one another for some unique expenses related to the event.
3. The YMCA and City of Menasha will equally split all the expenses (except paid staff) within the agreed upon event budget associated with conducting the event.
4. The YMCA and the City of Menasha will receive an equal split of any net revenue from the event.

This agreement is for one year only and will be evaluated by both parties after the event.

City of Menasha Representative

Date **Approved**

Neenah-Menasha YMCA Representative

Date



Date

CITY OF MENASHA DISBURSEMENTS

Accounts Payable for 2/4/10-2/11/10 Checks # 24311-24479	\$4,159,867.12
Payroll Checks for 2/4/10-2/11/10	<u>158,033.11</u>
Total	\$4,317,900.23

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

**A gap in check numbers is due to more invoices being paid than fits on one check stub. In that case the last check stub used for that vendor is the check number that will show on the check register.

AP Check Register
Check Date: 2/4/2010

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
ACCENT BUSINESS SOLUTIONS INC	24311	2/4/2010	226766	100-0403-513.80-01	9,285.00	TASKALFA COPIER
		2/4/2010	227795	100-0801-521.30-10	25.61	TONER
			Total for check: 24311		<u>9,310.61</u>	
ACCURATE SUSPENSION WAREHOUSE	24312	2/4/2010	1022352	731-1022-541.30-18	193.68	NON CLOR BRAKLEEN
		2/4/2010	1022541	731-1022-541.30-18	39.38	GREASE GUN
			Total for check: 24312		<u>233.06</u>	
MARGARET ALLEN	24313	2/4/2010	020110	822-0413-554.30-16	250.00	HATTIE MINOR SCHOLARSHIP
			Total for check: 24313		<u>250.00</u>	
ALWAYS READY SERVICES	24314	2/4/2010	93475	100-0000-132.00-00	59.76	SPRAY NINE
			Total for check: 24314		<u>59.76</u>	
APPLETON SIGN COMPANY	24315	2/4/2010	2424	100-0801-521.29-05	499.00	VINYL GRAPHICS FOR SQUAD
			Total for check: 24315		<u>499.00</u>	
BAC HOME LOAN SERVICING	24316	2/4/2010	BAC	100-0000-121.01-00	1,789.28	RETURN PROPERTY TAX PYMT 5-284
			Total for check: 24316		<u>1,789.28</u>	
BAILEYS TEST STRIPS	24317	2/4/2010	10.10056	100-0904-531.30-15	30.50	DIGITAL THERMOMETER
			Total for check: 24317		<u>30.50</u>	
BARNES & THORNBURG LLP	24318	2/4/2010	1295226	100-0102-581.21-01	1,162.50	PROFESSIONAL SERVICES
			Total for check: 24318		<u>1,162.50</u>	
BAYCOM INC	24319	2/4/2010	46297	100-0801-521.29-05	238.00	ROLL THERMAL PAPER

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
BAYCOM INC...	24319...	2/4/2010	46352	100-0801-521.80-05	4,743.00	ARBITRATOR W/SOFTWARE
	Total for check: 24319				4,981.00	
	BERGSTROM	24320	2/4/2010	244342CVW	731-1022-541.38-03	17.00
Total for check: 24320				17.00		
BERNIE WAPP	24321	2/4/2010	WAPP	100-0000-201.13-00	18.00	COMPUTER CLASS REFUND
	Total for check: 24321				18.00	
BRAZEE ACE HARDWARE	24322	2/4/2010	007822	100-0703-553.24-03	10.98	DUCT TAPE/YELLOW PAINT SAFETY WALK
	007825	2/4/2010	007825	100-0703-553.24-03	6.99	STRIPING PAINT
	Total for check: 24322				17.97	
BUBRICK'S	24323	2/4/2010	295444	266-1027-543.30-18	29.98	OFFICE SUPPLIES
					7.60	OFFICE SUPPLIES
					7.58	OFFICE SUPPLIES
	2/4/2010	295447	100-0703-553.30-10	11.24	FOLDER	
	2/4/2010	296082	731-1022-541.30-10	25.80	STORAGE FILES	
	2/4/2010	296563	100-0801-521.30-10	125.00	PAPER	
Total for check: 24323				207.20		
CALLUMET COUNTY REGISTER OF DEEDS	24324	2/4/2010	011410	100-0402-513.29-01	6.00	COPY WOODLAND HILLS HTS
	Total for check: 24324				6.00	
CAREW CONCRETE & SUPPLY CO INC	24325	2/4/2010	830893	601-1020-543.30-18	138.00	CONCRETE
	Total for check: 24325				138.00	
CDW GOVERNMENT INC	24326	2/4/2010	RJH8213	100-0801-521.24-03	90.92	ANTISTATIC MATS

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Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
CDW GOVERNMENT INC...	24326...	2/4/2010	RJQ5812	100-0403-513.30-15	29.42	TRACKBALL MOUSE
			Total for check: 24326		<u>120.34</u>	
DAVIES WATER #1476	24327	2/4/2010	0062802	625-1010-541.30-18	366.00	CURB/GUT GRATES
			Total for check: 24327		<u>366.00</u>	
DEPARTMENT OF JUSTICE	24328	2/4/2010	DOJ	100-0801-521.34-02	200.00	REGISTRATION DCI DRUG INVESTIGATION
			Total for check: 24328		<u>200.00</u>	
DEPARTMENT OF WORKFORCE DEVELOPMENT	24329	2/4/2010	012610	100-0102-581.15-09	3,027.00	UNEMPLOYMENT INSURANCE
			Total for check: 24329		<u>3,027.00</u>	
DIGICORPORATION	24330	2/4/2010	100050	100-0801-521.29-01	124.32	BUSINESS CARDS A HANCHECK/P SAWYER
			Total for check: 24330		<u>98.00</u>	(26.32) BUSINESS CARDS A HANCHECK/P SAWYER
ENVIRO SCIENCES/ALPHA ENERGY INC	24331	2/4/2010	00010509	100-0000-201.17-00	535.00	RADON KITS & ANALYSIS
			Total for check: 24331		<u>535.00</u>	
ESRI	24332	2/4/2010	92111523	100-0403-513.24-04	1,900.00	MAINTENANCE CONTRACT
			Total for check: 24332		<u>1,900.00</u>	
FASTENAL COMPANY	24333	2/4/2010	WINEE50330	731-1022-541.38-03	7.23	KEYSTK
		2/4/2010	WINEE50394	100-1008-541.30-18	13.96	CABLE TIES
			Total for check: 24333		<u>21.19</u>	
FERRELLGAS	24334	2/4/2010	1031513893	100-0701-533.30-18	74.65	DOCK 100LB CYL
			Total for check: 24334		<u>74.65</u>	

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FOX CITIES PERFORMING ART CENTER	24335	2/4/2010	CATS	100-0000-201.11-00	450.00	BALANCE DUE FOR CATS	
				Total for check: 24335	450.00		
GRAY'S INC	24336	2/4/2010	27410	100-1006-541.30-15	8,936.10	PLOW BLADES	
				Total for check: 24336	8,936.10		
HEARTLAND LABEL PRINTERS INC	24337	2/4/2010	108375-H	100-0403-513.21-04	64.75	PRO RATED DNS HOSTING	
				108376-H	100-0403-513.21-04	12.95	DNS HOSTING AGREEMENT
				110096-H	100-0403-513.21-04	12.95	DNS HOSTING
				111994-H	100-0403-513.21-04	12.95	DNS HOSTING
Total for check: 24337	103.60						
HOTS CLEANING SYSTEMS INC	24338	2/4/2010	0069703-IN	731-1022-541.21-06	297.50	PRESSURE WASHER HOSE	
				Total for check: 24338	297.50		
HUNTON & WILLIAMS LLP	24339	2/4/2010	G849012	100-0102-581.21-01	46,694.58	PROFESSIONAL SERVICES STEAM UTILITY SHUTDOWN	
				G849013	100-0102-581.21-01	7,986.22	PROFESSIONAL SERVICES DEFENSE OF LITIGATION
				Total for check: 24339	54,680.80		
INDEPENDENT INSPECTIONS LTD	24340	2/4/2010	303445-C	100-0301-523.21-06	11,118.36	PERMITS FOR JANUARY 2010	
				Total for check: 24340	11,118.36		
INTERSTATE BATTERY OF GREEN BAY	24341	2/4/2010	90057667	731-1022-541.38-03	78.95	STOCK	
				Total for check: 24341	78.95		
KAEMPFER & ASSOCIATES INC	24342	2/4/2010	15252	601-1020-543.21-02	247.34	PROFESSIONAL SERVICES IND DISC REG PROG	
				15253	601-1020-543.21-02	5,850.00	PROFESSIONAL SERVICES WW COLLECTION SYS REHAB
				15254	601-1020-543.21-02	942.99	PROFESSIONAL SERVICES WW COLLECTION SYS IMPRO'

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KAEMPFER & ASSOCIATES INC...	24342...	2/4/2010	15255	601-1020-543.21-02	385.68	PROFESSIONAL SERVICES PHASE 4 SSES
			Total for check: 24342		<u>7,426.01</u>	
KUNDINGER FLUID POWER INC	24343	2/4/2010	50079194	731-1022-541.30-18	31.52	PRESSURE WASHER SWIVEL
		2/4/2010	50079197	731-1022-541.38-03	19.10	ELBOW/CONNECTOR
			Total for check: 24343		<u>50.62</u>	
LAWSON PRODUCTS INC	24344	2/4/2010	8798488	731-1022-541.30-18	445.65	STOCK
			Total for check: 24344		<u>445.65</u>	
LOWE'S BUSINESS ACCOUNT	24345	2/4/2010	02355	100-0703-553.30-18	31.00	PVC PIPES/STOCK
		2/4/2010	15971	100-0703-553.30-18	(1.48)	TAX EXEMPT CORRECTION
			Total for check: 24345		<u>29.52</u>	
MANDERFIELD BAKERY	24346	2/4/2010	330148	100-0910-531.30-18	21.45	HINI CLINIC COOKIES
			Total for check: 24346		<u>21.45</u>	
MATTHEWS TIRE & SERVICE CENTER	24347	2/4/2010	32423	731-1022-541.38-02	284.68	TIRE SERVICE
		2/4/2010	32424	731-1022-541.38-02	268.24	TIRE SERVICE
		2/4/2010	32495	731-1022-541.38-02	792.00	TIRE SERVICE
			Total for check: 24347		<u>1,344.92</u>	
MENASHA EMPLOYEES CREDIT UNION	24348	2/4/2010	20100204	100-0000-202.05-00	2,092.00	PAYROLL SUMMARY
			Total for check: 24348		<u>2,092.00</u>	
MENASHA EMPLOYEES LOCAL 1035	24349	2/4/2010	20100204	100-0000-202.06-00	270.00	PAYROLL SUMMARY
			Total for check: 24349		<u>270.00</u>	

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MENASHA SENIOR CENTER	24350	2/4/2010	PETTYCASH	827-0920-531.30-18	81.36	81.36 PARTY SUPPLIES
			Total for check: 24350			<u>81.36</u>
MENASHA UTILITIES	24351	2/4/2010	020410	100-0102-581.22-03	6,161.65	STEAM PLANT EXPENSES
				100-0102-581.21-01	86,482.57	STEAM PLANT EXPENSES
				100-0102-581.30-18	50.20	STEAM PLANT EXPENSES
				100-0102-581.20-09	1,037.40	STEAM PLANT EXPENSES
				100-0102-581.15-09	13,523.00	STEAM PLANT EXPENSES
				100-0102-581.22-05	405.52	STEAM PLANT EXPENSES
				100-0102-581.22-04	878.93	STEAM PLANT EXPENSES
				100-0102-581.30-15	3,027.89	STEAM PLANT EXPENSES
				100-0102-581.22-01	199.50	STEAM PLANT EXPENSES
				100-0102-581.38-01	34.77	STEAM PLANT EXPENSES
				100-0102-581.24-04	2,482.94	STEAM PLANT EXPENSES
			100-0102-581.21-02	479.50	STEAM PLANT EXPENSES	
			100-0102-581.20-01	90.24	STEAM PLANT EXPENSES	
			Total for check: 24351			<u>114,854.11</u>
MONOPRICE INC	24352	2/4/2010	2634709	100-0403-513.30-15	25.97	CABLES
			Total for check: 24352			<u>25.97</u>
MORTON SAFETY	24353	2/4/2010	455575	100-0901-515.30-18	276.90	ICE SHOE GRIPS
			Total for check: 24353			<u>276.90</u>
N&M AUTO SUPPLY	24355	2/4/2010	293584	731-1022-541.38-03	(82.50)	CORE DEPOSIT CREDIT
		2/4/2010	294576	731-1022-541.38-03	(30.00)	CORE DEPOSIT CREDIT
		2/4/2010	294657	731-1022-541.38-03	75.49	OXYGEN SENSOR
		2/4/2010	294928	731-1022-541.38-03	(110.00)	CORE DEPOSIT RETURN
		2/4/2010	295630	731-1022-541.30-18	12.00	BLUE BLAST
		2/4/2010	295760	731-1022-541.38-03	16.48	FUEL FILTER
		2/4/2010	295832	731-1022-541.38-03	33.50	HTR HOSE
	2/4/2010	296379	731-1022-541.38-03	4.78	VALVE STEMS	

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N&M AUTO SUPPLY...	24355...	2/4/2010	296429	731-1022-541.38-03	37.62	HALOGEN CAPSULE
		2/4/2010	297152	731-1022-541.30-18	4.25	EPOXY SYRINGE
		2/4/2010	297224	731-1022-541.38-03	26.46	HALOGEN CAPSULE
		2/4/2010	297231	731-1022-541.38-03	26.36	BLADE
		2/4/2010	297310	731-1022-541.38-03	9.84	CLAMP
		2/4/2010	297608	731-1022-541.38-03	42.74	BRAD PADS
		2/4/2010	297955	731-1022-541.38-03	10.48	CLAMP
		2/4/2010	297968	731-1022-541.38-03	13.74	UBOLT
		2/4/2010	298138	731-1022-541.38-03	279.49	FUEL PUMP ASSY
		2/4/2010	298197	731-1022-541.38-03	17.30	FUEL FILTER
NEENAH-MENASHA SEWERAGE COMMISSION	24356	2/4/2010	2010-014	601-1021-543.25-01	68,327.90	WASTEWATER TREATMENT FEB 2010
		2/4/2010	2010-020	601-1021-543.25-01	13,628.00	BOND ISSUE INTEREST FEB 2010
			Total for check: 24356		81,955.90	
NETWORK HEALTH PLAN	24357	2/4/2010	00415411	100-0000-204.08-00	134,068.69	EMPLOYEES
				100-0000-204.11-00	8,067.22	RETIRES/COBRA
			Total for check: 24357		142,135.91	
NOFFKE LUMBER INC	24358	2/4/2010	100120820565	100-0703-553.30-18	89.12	LUMBER
		2/4/2010	100120820577	100-0703-553.30-18	44.01	GROUND TREATED LUMBER
		2/4/2010	100120820589	100-0703-553.30-18	39.66	DG FIR
		2/4/2010	100120820641	100-0703-553.30-18	81.09	GRND CONTACT TRTD
			Total for check: 24358		253.88	
NORTH AMERICAN SALT CO	24359	2/4/2010	70460582	100-1006-541.30-18	35,230.96	HIGHWAY SALT
			Total for check: 24359		35,230.96	

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OSHKOSH TENT & AWNING CO INC	24360	2/4/2010	39518	100-0703-553.30-18	426.00	426.00 TIMES BOLD LETTERING
			Total for check: 24360		<u>426.00</u>	
PACKER CITY INTERNATIONAL	24361	2/4/2010	3200130029	731-1022-541.38-03	112.95	112.95 FILTERS/MIRROR/CLAMP
			Total for check: 24361		<u>112.95</u>	
REDI-WELDING CO	24362	2/4/2010	13979	731-1022-541.30-18	290.70	290.70 WATER TRUCK TUBING
			Total for check: 24362		<u>290.70</u>	
REINDERS INC	24363	2/4/2010	1281702-00	731-1022-541.38-03	20.22	20.22 THERMOSTAT GASKET
		2/4/2010	1281702-01	731-1022-541.38-03	38.60	38.60 THERMOSTAT
			Total for check: 24363		<u>58.82</u>	
RUTH RUCKS	24364	2/4/2010	RUCKS	827-0920-531.20-05	25.00	25.00 DONATION FOR ENTERTAINMEN
			Total for check: 24364		<u>25.00</u>	
SEH	24365	2/4/2010	226720	625-1010-541.30-12	336.00	336.00 PERMITRACKMS4
			Total for check: 24365		<u>336.00</u>	
SHERWIN INDUSTRIES INC	24366	2/4/2010	SS036017	100-1006-541.30-18	577.16	577.16 MARKER GUIDES
			Total for check: 24366		<u>577.16</u>	
SHOPKO STORES INC	24367	2/4/2010	50543	100-0801-521.30-18	12.99	12.99 9V BATTERY PACK
			Total for check: 24367		<u>12.99</u>	
SICARD	24368	2/4/2010	5166	100-1006-541.30-18	320.33	320.33 SCRAPER BLADE
			Total for check: 24368		<u>320.33</u>	

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SUBWAY	24369	2/4/2010	012710	100-0910-531.30-18	131.25	SANDWICHES HINI CLINIC
				Total for check: 24369	131.25	
SUPERIOR CHEMICAL CORP	24370	2/4/2010	14935	100-0000-132.00-00	393.95	ODOR COUNTERACTANT/MOPS
				Total for check: 24370	393.95	
BARB TAYLOR	24371	2/4/2010	122309	100-0920-531.33-01	11.00	MILEAGE
				Total for check: 24371	11.00	
UNIFIRST CORPORATION	24372	2/4/2010	097 0059283	731-1022-541.20-01	100.68	MAT/MOP/CLOTHING SERVICE
				Total for check: 24372	100.68	
VISION INSURANCE PLAN OF AMERICA	24373	2/4/2010	80834	100-0000-204.10-00	1,113.50	EMPLOYEES
				Total for check: 24373	1,113.50	
WAHPC	24374	2/4/2010	020210	100-0304-562.32-01	40.00	COMMISSION MEMBERSHIP
				Total for check: 24374	40.00	
WASC	24375	2/4/2010	012710	100-0920-531.32-01	10.00	ESSAY REGISTRATION
				Total for check: 24375	10.00	
WASC	24376	2/4/2010	011810	100-0920-531.32-01	65.00	2010 MEMBERSHIP RENEWAL
				Total for check: 24376	65.00	
WAUSAU EQUIPMENT COMPANY INC	24377	2/4/2010	137758	100-1006-541.30-18	269.15	SPRING
				Total for check: 24377	269.15	
WE ENERGIES	24378	2/4/2010	012110	100-1012-541.22-03	2,098.31	STREET LIGHTS
				012510	100-0000-123.00-00	1,527.60

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WE ENERGIES...	24378...	2/4/2010...	012510...	100-1001-514.22-04	2,423.25				
				100-0801-521.22-04	2,109.54				
				100-0920-531.22-04	560.96				
				100-0601-551.22-04	3,132.08				
				100-0703-553.22-04	1,344.03				
				100-0704-552.22-04	270.50				
				207-0707-552.22-04	85.88				
				731-1022-541.22-04	5,035.24				
				Total for check: 24378				18,587.39	
				WINNEBAGO COUNTY CLERK OF COURTS	24379	2/4/2010	BOND	100-0000-201.03-00	150.00
100-0000-201.03-00	100.00	BOND							
100-0000-201.03-00	350.00	BOND							
Total for check: 24379								600.00	
WINNEBAGO COUNTY TREASURER	24380	2/4/2010	IS100239	100-0801-521.22-01	5,751.14	LRMS MAINTENANCE CHARGES			
				Total for check: 24380				5,751.14	
WISCONSIN DEPT OF JUSTICE-TIME	24381	2/4/2010	I8555	100-0801-521.22-01	625.50	TERMINAL MAINTENANCE QTRLY			
				Total for check: 24381				625.50	
WISCONSIN EMERGENCY MANAGEMENT	24382	2/4/2010	020210	731-1022-541.25-01	485.00	ANNUAL INVENTORY FEE			
				Total for check: 24382				485.00	
WISCONSIN SUPPORT COLLECTIONS	24383	2/4/2010	20100204	100-0000-202.03-00	440.23	PAYROLL SUMMARY			
				Total for check: 24383				440.23	
					518,426.36				

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ACC PLANNED SERVICE INC	24384	2/11/2010	2279	731-1022-541.24-03	953.09	PM MAINTENANCE
	Total for check: 24384				<u>953.09</u>	
ACCURATE SUSPENSION WAREHOUSE	24385	2/11/2010	1022542	731-1022-541.30-18	57.33	PISTOL GREASE GUN
	Total for check: 24385				<u>57.33</u>	
ADVANTIDGE INC	24386	2/11/2010	219338	100-0801-521.30-10	69.76	50 CARD/50 RIBBON
	Total for check: 24386				<u>69.76</u>	
AIRGAS NORTH CENTRAL	24387	2/11/2010	105285740	731-1022-541.30-18	79.63	ACETYLENE CYL
	Total for check: 24387				<u>79.63</u>	
ALL-SPORT TROPHY	24388	2/11/2010	42281	100-0702-552.30-18	37.00	WINTER GALA AWARDS
	Total for check: 24388				<u>37.00</u>	
POLLY ANDERSON	24389	2/11/2010	013110	100-0903-531.33-01	19.20	MILEAGE
				100-0907-531.33-01	4.10	MILEAGE
	Total for check: 24389				<u>23.30</u>	
APPLETON SCHOOL DISTRICT	24390	2/11/2010	020910	100-0000-203.05-00	115,745.92	TAX COLLECTION PAYMENTS
	Total for check: 24390				<u>115,745.92</u>	
ARING EQUIPMENT CO INC	24391	2/11/2010	378324	731-1022-541.38-03	1,425.72	TURBOCHARGERS/GASKETS
	Total for check: 24391				<u>1,425.72</u>	
BAHCALL RUBBER CO INC	24392	2/11/2010	491205-001	731-1022-541.38-03	716.72	CRIMP FITTINGS
	Total for check: 24392				<u>716.72</u>	
BERGSTROM	24393	2/11/2010	109481FOR	731-1022-541.38-03	456.55	SENDER/TUBE ASSY

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BERGSTROM...	24393...	2/11/2010	109510FOR	731-1022-541.38-03	198.20	PIPE
		2/11/2010	109511FOR	731-1022-541.38-03	247.01	SENDER
			Total for check: 24393		901.76	
			BERGSTROM			
BERGSTROM	24394	2/11/2010	244374-1CVW	731-1022-541.38-03	74.96	PIPE
		2/11/2010	244880CVW	731-1022-541.38-03	36.69	HINGE ASSY
			Total for check: 24394		111.65	
			BOARDMAN LAW FIRM			
BOARDMAN LAW FIRM	24395	2/11/2010	194057	100-0102-581.21-01	26,975.78	PROFESSIONAL SERVICES STEAM PLANT
			Total for check: 24395		26,975.78	
			BRAZEE ACE HARDWARE			
	BRAZEE ACE HARDWARE	24396	2/11/2010	007873	100-0703-553.30-13	6.99
			Total for check: 24396		6.99	
			BUBRICK'S			
BUBRICK'S		24397	2/11/2010	299147	100-0801-521.30-10	102.23
		2/11/2010	299196	100-0801-521.30-10	24.67	OFFICE SUPPLIES
			Total for check: 24397		126.90	
			CALLUMET COUNTY TREASURER			
CALLUMET COUNTY TREASURER	24398	2/11/2010	020910	100-0000-203.01-00	82,980.44	TAX COLLECTION PAYMENTS
				100-0000-203.08-00	3,673.89	TAX COLLECTION PAYMENTS
			Total for check: 24398		86,654.33	
			CASPERS TRUCK EQUIPMENT INC			
CASPERS TRUCK EQUIPMENT INC	24399	2/11/2010	43393	100-1006-541.30-15	620.12	BLADES
		2/11/2010	43394	731-1022-541.38-03	92.07	STOCK SUPPLIES
			Total for check: 24399		712.19	
			CDW GOVERNMENT INC			
CDW GOVERNMENT INC	24400	2/11/2010	AP0900972	100-0703-553.21-02	300.00	DATA TRANSFER

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CDW GOVERNMENT INC...	24400...	2/11/2010	RLW8194	100-0801-521.30-10	23.00	DIGITAL STOR CDR SLEEVES
			Total for check: 24400		323.00	
	24401	2/11/2010	2839	100-0801-521.29-05	27.98	VEHICLE WASHES JANUARY 2010
			Total for check: 24401		27.98	
CUMINGS ELECTRICAL &	24402	2/11/2010	0008880-IN	263-0306-562.70-01	1,090.00	CDBG REHAB PROGRAM
			Total for check: 24402		1,090.00	
	24403	2/11/2010	KOBER	100-0000-441.13-00	25.00	CART DOWNGRADE REFUND
			Total for check: 24403		25.00	
DEPARTMENT OF WORKFORCE DEVELOPMENT	24404	2/11/2010	012410	100-0102-581.15-09	6,126.00	UNEMPLOYMENT 1/24/10-1/31/10
			Total for check: 24404		6,126.00	
	24405	2/11/2010	021010	100-1019-552.15-09	4,284.10	UNEMPLOYMENT
			100-0803-521.15-09	19.81	UNEMPLOYMENT	
			100-0801-521.15-09	974.51	UNEMPLOYMENT	
			100-0702-552.15-09	147.47	UNEMPLOYMENT	
			100-0601-551.15-09	16.96	UNEMPLOYMENT	
			Total for check: 24405		5,442.85	
EAGLE SIGN & DESIGN LLC	24406	2/11/2010	3528	100-0703-553.29-01	330.75	BOAT LAUNCH PERMITS
			Total for check: 24406		330.75	
	24407	2/11/2010	18 885125	731-1022-541.38-03	238.76	HUB
			Total for check: 24407		238.76	

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FASTENAL COMPANY	24408	2/11/2010	WINEE50510	100-0703-553.30-18	96.20	96.20 S KOOKS
			Total for check: 24408		<u>96.20</u>	
FERRELLGAS	24409	2/11/2010	1031721540	266-1027-543.21-06	111.00	111.00 LIQUEFIED PETROLEUM GAS
			Total for check: 24409		<u>111.00</u>	
FOX VALLEY TECHNICAL COLLEGE	24410	2/11/2010	020910	100-0000-203.04-00	335,846.61	335,846.61 TAX COLLECTION PAYMENTS
			Total for check: 24410		<u>335,846.61</u>	
FOX VALLEY TECHNICAL COLLEGE	24411	2/11/2010	020410	100-0000-201.03-00	6.18	6.18 AIDS PAYMENT
			Total for check: 24411		<u>6.18</u>	
GANNETT WISCONSIN MEDIA	24412	2/11/2010	0004558164	100-0405-513.29-02	603.99	603.99 LEGALS
			Total for check: 24412		<u>603.99</u>	
GRAINGER INC	24413	2/11/2010	9160942364	100-0703-553.30-15	388.36	388.36 HARNESS
		2/11/2010	9161679726	100-0703-553.30-15	(194.18)	(194.18) HARNESS
			Total for check: 24413		<u>194.18</u>	
GRAY'S INC	24414	2/11/2010	27366	100-1006-541.30-15	2,010.00	2,010.00 PLOW BLADES
			Total for check: 24414		<u>2,010.00</u>	
GUNDERSON UNIFORM & LINEN RENTAL	24415	2/11/2010	1341214	100-0801-521.30-13	32.63	32.63 TOWEL/MAT SERVICE
			Total for check: 24415		<u>32.63</u>	
HEARTLAND LABEL PRINTERS INC	24416	2/11/2010	051805	100-0403-513.21-04	(114.95)	(114.95) OVERPAYMENT CREDIT FROM 5/18/05
		2/11/2010	94667-RTN	100-0403-513.21-04	(300.00)	(300.00) HOSTING PACKAGE CREDIT

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HEARTLAND LABEL PRINTERS INC...	24416...	2/11/2010	HBS00027756	100-0403-513.24-04	2,298.00	BLACKFISH
	Total for check: 24416				<u>1,883.05</u>	
HORN PRECAST	24417	2/11/2010	3292	601-1020-543.30-18	24.00	6" ADJ RING
	Total for check: 24417				<u>24.00</u>	
JX ENTERPRISES INC	24418	2/11/2010	D200140057	731-1022-541.38-03	87.36	SOLENOID
		2/11/2010	D200180141	731-1022-541.38-03	127.38	STEP FUEL TANK
		2/11/2010	D200200003	731-1022-541.38-03	567.46	GREASERS
		2/11/2010	D200210029	731-1022-541.38-03	25.14	NOZZLE WIPER STOCK
		2/11/2010	D200260008	731-1022-541.38-03	354.32	SLACK AUTO 1.5
	Total for check: 24418				<u>1,161.66</u>	
KITZ & PFEIL INC	24419	2/11/2010	122103-0001	100-0703-553.24-02	49.81	TORO ROTOR BLADE
		2/11/2010	122114-0004	100-0703-553.30-18	5.74	BULB/SAND ROLL
		2/11/2010	122114-0012	100-0703-553.24-02	13.52	TORO REPAIR HARDWARE
		2/11/2010	122114-0095	100-0703-553.30-18	11.69	CARR BOLT
		2/11/2010	122314-0097	100-0703-553.30-18	9.59	HARDWARE MISC HART PARK
				207-0707-552.24-03	6.99	MARINA HARBOR HOUSE
		2/11/2010	122709-0008	100-0801-521.29-05	10.74	WINDSHIELD FLUID FOR SQUADS
		2/11/2010	122809-0008	100-0703-553.30-18	8.99	BOAT SNAP
		2/11/2010	122814-0020	731-1022-541.38-03	4.04	LITH BATTERY
		2/11/2010	122914-0102	100-0703-553.30-15	9.53	RECEPTACLE TESTER
		2/11/2010	123003-0013	100-0703-553.30-15	27.28	SAW CHAIN
		2/11/2010	123014-0001	100-0703-553.30-18	1.50	SINGLE SIDED KEY
		2/11/2010	123014-0025	100-0703-553.30-18	10.60	PVC PRIMER/CEMENT
		2/11/2010	123014-0072	100-0703-553.30-18	169.76	LOCK DE ICER/FLAG CORDS
	2/11/2010	123103-0004	100-0703-553.24-02	11.34	FUEL FILTER	
	2/11/2010	123114-0042	100-1001-514.30-13	15.28	JEFFY MELT/CONTACT CEMENT	
Total for check: 24419				<u>366.40</u>		

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KJ WASTE SYSTEMS INC	24420	2/11/2010	020410	266-1027-543.21-06	1,155.00	CORRUGATE/CO MINGLE CONTAINER RENTAL		
				Total for check: 24420	1,155.00			
LAWSON PRODUCTS INC	24421	2/11/2010	8840467	731-1022-541.30-18	420.46	STOCK SUPPLIES		
				Total for check: 24421	420.46			
MARIA LEON	24422	2/11/2010	020310	100-0201-512.21-06	50.00	COURT INTERPRETER		
				Total for check: 24422	50.00			
MANAWA TELEPHONE CO	24423	2/11/2010	FEB2010	100-0403-513.22-01	39.95	INTERNET SERVICE		
				Total for check: 24423	39.95			
MANDERFIELD BAKERY	24424	2/11/2010	329306	827-0920-531.30-18	16.25	JANUARY PARTY		
				Total for check: 24424	16.25			
MARSHALL & ILSLEY TRUST COMPANY NA	24425	2/11/2010	4002452	100-0202-512.21-06	260.00	FLEX BENEFIT FEE		
				Total for check: 24425	260.00			
MENARDS-APPLETON EAST	24426	2/11/2010	51299	731-1022-541.30-13	99.98	WINDTUNNELL VACUUM		
				2/11/2010	52371	100-1001-514.30-18	6.99	DRY ERASE BOARD
						100-0920-531.30-13	36.48	CLEAR BULBS
						100-0703-553.30-18	27.55	BOOKCASE/HOOKS
Total for check: 24426	171.00							
MENASHA EMPLOYEES CREDIT UNION	24427	2/11/2010	20100211	100-0000-202.05-00	18,927.00	PAYROLL SUMMARY		
				Total for check: 24427	18,927.00			

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MENASHA EMPLOYEES CREDIT UNION	24428	2/11/2010	20100211	100-0000-202.10-00	73.84	PAYROLL SUMMARY
	Total for check: 24428				<u>73.84</u>	
MENASHA EMPLOYEES LOCAL 1035	24429	2/11/2010	20100211	100-0000-202.06-00	270.00	PAYROLL SUMMARY
	Total for check: 24429				<u>270.00</u>	
MENASHA EMPLOYEES LOCAL 1035B	24430	2/11/2010	20100211	100-0000-202.07-00	286.40	PAYROLL SUMMARY
	Total for check: 24430				<u>286.40</u>	
MENASHA JOINT SCHOOL DISTRICT	24431	2/11/2010	020910	100-0000-203.03-00	1,708,199.60	TAX COLLECTION PAYMENTS
	Total for check: 24431				<u>1,708,199.60</u>	
MENASHA JOINT SCHOOL DISTRICT	24432	2/11/2010	020110	100-0000-201.03-00	33.84	AIDS PAYMENT
	Total for check: 24432				<u>33.84</u>	
MENASHA SENIOR CENTER	24433	2/11/2010	PETTYCASH	827-0920-531.30-18	91.00	PARTY SUPPLIES
	Total for check: 24433				<u>91.00</u>	
MENASHA TREASURER	24434	2/11/2010	PETTY CASH	100-0401-513.30-11	0.17	PETTY CASH
				100-0402-513.30-11	0.61	PETTY CASH
				100-0702-552.30-11	0.17	PETTY CASH
				100-0902-524.34-02	15.00	PETTY CASH
				100-0903-531.33-01	23.30	PETTY CASH
				100-0905-531.33-01	1.40	PETTY CASH
				100-0903-531.33-02	14.00	PETTY CASH
				100-0904-531.33-03	9.00	PETTY CASH
			100-0910-531.30-18	6.88	PETTY CASH	
			100-0907-531.30-10	14.46	PETTY CASH	

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MENASHA TREASURER...	24434...	2/11/2010...	PETTY CASH...	100-0910-531.33-02	28.00	PETTY CASH
			Total for check: 24434		112.99	
MENASHA UTILITIES	24435	2/11/2010	3413	625-1010-541.32-01	1,204.50	DIGGERS HOTLINE
				601-1020-543.32-01	1,204.50	DIGGERS HOTLINE
			BILLING#2	100-1008-541.22-03	248.68	ELEC OR WATER OR STORM
				100-0703-553.22-03	465.74	ELEC OR WATER OR STORM
				100-0703-553.22-05	62.36	ELEC OR WATER OR STORM
				100-0703-553.22-06	91.25	ELEC OR WATER OR STORM
				100-0000-123.00-00	7.75	ELEC OR WATER OR STORM
				100-0305-562.22-06	2.50	ELEC OR WATER OR STORM
				100-0903-531.22-03	154.09	ELEC OR WATER OR STORM
				100-0903-531.22-05	42.20	ELEC OR WATER OR STORM
				601-1020-543.22-03	59.95	ELEC OR WATER OR STORM
				100-0703-553.22-03	14.97	ELEC OR WATER OR STORM
			Total for check: 24435		3,558.49	
MICHAEL MUHLEBACH	24436	2/11/2010	MUHLEBACH	100-0000-441.13-00	24.50	CART DOWNGRADE REFUND
			Total for check: 24436		24.50	
MICHELS MATERIALS	24437	2/11/2010	222977	100-1006-541.30-18	1,206.26	SCREENED CHIPS
			Total for check: 24437		1,206.26	
MINNESOTA LIFE INSURANCE COMPANY	24438	2/11/2010	MARCH2010	100-0000-204.07-00	2,813.51	PREMIUM MARCH 2010
			Total for check: 24438		2,813.51	
MORTON SAFETY	24439	2/11/2010	455145	731-1022-541.30-18	19.20	SAFETY GLASSES
			Total for check: 24439		19.20	
N&M AUTO SUPPLY	24440	2/11/2010	298091	731-1022-541.38-03	(15.72)	CLAMP
			299660	731-1022-541.38-03	57.80	SWAY BAR REPAIR KIT

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N&M AUTO SUPPLY...	24440...	2/11/2010	299812	731-1022-541.38-03	1.02	STL DEEP CUP FRZ PLUG
		2/11/2010	299856	731-1022-541.38-03	34.09	BELT-SERPENTINE
		2/11/2010	299916	731-1022-541.38-03	66.81	HYDRAULIC FILTER
		2/11/2010	299920	731-1022-541.38-03	131.74	BRAKE PADS/ROTOR
		2/11/2010	300057	731-1022-541.38-03	117.51	BRAKE PADS/OIL FILTER
			Total for check: 24440		393.25	
NEENAH-MENASHA MUNICIPAL COURT	24441	2/11/2010	BCND	100-0000-201.03-00	134.00	BOND
				100-0000-201.03-00	331.00	BOND
			Total for check: 24441		465.00	
NIELSON COMMUNICATIONS	24442	2/11/2010	FV10-24835	731-1022-541.24-04	243.18	MOBILE ANTENNA MOUNTS
			Total for check: 24442		243.18	
OFFICE DEPOT	24443	2/11/2010	610876	100-0304-562.30-18	161.70	FILE CABINET
		2/11/2010	610880	100-0304-562.30-10	18.73	FILES/FOLDERS
			Total for check: 24443		219.35	
JEFF OLSON	24444	2/11/2010		100-0702-552.20-05	500.00	WINTER GALA-SNOW SCULPT
			Total for check: 24444		500.00	
PACKER CITY INTERNATIONAL	24445	2/11/2010	3200150002	731-1022-541.38-03	118.02	FAN
		2/11/2010	3200150049	731-1022-541.38-03	12.10	TAPER BE
			Total for check: 24445		130.12	
PARTS ASSOCIATES INC	24446	2/11/2010	PA10904673	731-1022-541.30-18	271.71	STOCK SUPPLIES
			Total for check: 24446		271.71	
POSTAL ANNEX	24447	2/11/2010	157456	266-1027-543.30-18	6.20	POSTAGE

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POSTAL ANNEX...	24447...	2/11/2010	157469	100-0801-521.30-11	6.94	POSTAGE
		2/11/2010	157680	100-0801-521.30-11	7.19	POSTAGE
		2/11/2010	157689	100-0801-521.30-11	7.38	POSTAGE
		2/11/2010	158095	100-0801-521.30-11	9.22	POSTAGE
		2/11/2010	158139	601-1020-543.30-11	13.45	POSTAGE
		2/11/2010	158161	266-1027-543.30-18	5.00	POSTAGE
		2/11/2010	158390	100-0403-513.30-11	14.88	POSTAGE
		2/11/2010	158488	100-0801-521.30-11	20.08	POSTAGE
		2/11/2010	158521	731-1022-541.30-11	30.01	POSTAGE
				Total for check: 24447	120.35	
PROCON DATA SYSTEMS INC	24448	2/11/2010	7207	100-0702-552.30-18	10.00	SIGN LETTERING
			Total for check: 24448	10.00		
	PSS WORLD MEDICAL INC	24449	2/11/2010	57444514	100-0905-531.30-18	150.63
		2/11/2010	57927800	100-0910-531.30-18	91.21	NEEDLES/SYRINGES
				100-0903-531.30-18	14.77	NEEDLES/SYRINGES
			Total for check: 24449	256.61		
RADTKE CHIMNEYS LLC &	24450	2/11/2010	021010	263-0306-562.70-01	910.00	CDBG REHAB PROGRAM
			Total for check: 24450	910.00		
REGISTRATION FEE TRUST	24451	2/11/2010	826FCY	100-0801-521.32-01	75.00	VEHICLE REG RENEW
			Total for check: 24451	75.00		
RICHARD GULLICKSON	24452	2/11/2010	GULLICKSON	100-0000-441.13-00	25.50	CART DOWNGRADE REFUND
			Total for check: 24452	25.50		

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ROSS IMAGING INC	24453	2/11/2010	60328	100-1001-514.24-04	821.41	CONTRACT OVERAGE
			Total for check: 24453		<u>821.41</u>	
SERVICEMASTER BUILDING MAINTENANCE	24454	2/11/2010	126060	100-0801-521.20-01	1,395.00	JANITORIAL SERVICE
			126156	100-0801-521.20-01	50.00	JANITORIAL SERVICE CLEAN GARAGE
			Total for check: 24454		<u>1,445.00</u>	
SICARD	24455	2/11/2010	5174	100-1006-541.30-15	600.80	SKATES
			Total for check: 24455		<u>600.80</u>	
SKF LUBRICATION SYSTEMS USA INC	24456	2/11/2010	375074	731-1022-541.38-03	218.59	TAP-M8X1 BANJO
			Total for check: 24456		<u>218.59</u>	
STAPLES BUSINESS ADVANTAGE	24457	2/11/2010	3130596283	100-0304-562.30-10	30.89	OFFICE SUPPLIES
				100-0702-552.30-10	6.21	OFFICE SUPPLIES
			Total for check: 24457		<u>37.10</u>	
SWIDERSKI EQUIPMENT INC	24458	2/11/2010	IF00947	731-1022-541.38-03	32.40	BUSHING/BOLT
			Total for check: 24458		<u>32.40</u>	
THEDACARE	24459	2/11/2010	9200172551	100-0801-521.21-05	335.20	VENIPUNCTURE
			Total for check: 24459		<u>335.20</u>	
UNIFIRST CORPORATION	24460	2/11/2010	097 0059637	731-1022-541.20-01	95.23	MAT/MOP/CLOTHING SERVICE
			Total for check: 24460		<u>95.23</u>	
UNITED WAY FOX CITIES	24461	2/11/2010	20100211	100-0000-202.09-00	72.75	PAYROLL SUMMARY
			Total for check: 24461		<u>72.75</u>	

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UNIVERSITY OF WISCONSIN OSHKOSH	24462	2/11/2010	8757	100-0702-552.20-03	105.00	AMERICORP PAYMENT
	Total for check: 24462				105.00	
US CELLULAR	24463	2/11/2010	200267787-071	100-0101-511.22-01	50.94	CELL PHONE
				100-0201-512.22-01	21.85	CELL PHONE
				100-0401-513.22-01	8.93	CELL PHONE
				100-0403-513.22-01	85.13	CELL PHONE
				601-1020-543.22-01	4.87	CELL PHONE
				100-1001-514.22-01	2.45	CELL PHONE
				100-0601-551.22-01	6.60	CELL PHONE
				100-0801-521.22-01	439.59	CELL PHONE
				100-0919-531.22-01	44.62	CELL PHONE
				100-0904-531.22-01	14.57	CELL PHONE
				100-1002-541.22-01	60.14	CELL PHONE
				100-0702-552.22-01	32.87	CELL PHONE
				100-0703-553.22-01	97.35	CELL PHONE
				100-0304-562.22-01	24.68	CELL PHONE
				731-1022-541.22-01	86.48	CELL PHONE
				100-1008-541.22-01	7.02	CELL PHONE
				601-1020-543.22-01	4.87	CELL PHONE
Total for check: 24463				983.56		
US OIL CO INC	24464	2/11/2010	237371	100-0000-141.00-00	(601.20)	CONTRACT PREPAY
				100-0000-141.00-00	601.20	REVERSE CREDIT
		2/11/2010	237373	100-0000-141.00-00	(640.00)	CONTRACT PREPAY
		2/11/2010	237374	100-0000-141.00-00	(500.20)	CONTRACT PREPAY
		2/11/2010	237375	100-0000-141.00-00	(572.80)	CONTRACT PREPAY
		2/11/2010	237376	100-0000-141.00-00	(1,101.20)	CONTRACT PREPAY
		2/11/2010	238000	100-0000-131.00-00	3.20	FED LUST TAX
		2/11/2010	238001	100-0000-131.00-00	2.86	FED LUST TAX
		2/11/2010	239223	100-0000-131.00-00	(12,041.26)	FUEL OIL
		2/11/2010	239224	100-0000-131.00-00	(5,700.87)	NO LEAD GAS
	Total for check: 24464				NOT ENTITLED TO	

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US OIL CO INC...	24464...	2/11/2010	239235	100-0000-131.00-00	16,801.36	FUEL OIL
		2/11/2010	239236	100-0000-131.00-00	6,176.06	NO LEAD GAS
			Total for check: 24464		<u>2,427.15</u>	
US PAPER MILLS	24465	2/11/2010	012110	267-0102-581.73-01	250,000.00	1ST PAYMENT
			Total for check: 24465		<u>250,000.00</u>	
VIERBICHER ASSOCIATES INC	24466	2/11/2010	013086507.00	489-0304-562.21-02	13,150.00	SHORELINE PARK PLAN
			Total for check: 24466		<u>13,150.00</u>	
WAVERLY SANITARY DISTRICT	24467	2/11/2010	020910	100-0000-203.07-00	12,807.73	TAX COLLECTION PAYMENTS
			Total for check: 24467		<u>12,807.73</u>	
WE ENERGIES	24468	2/11/2010	012610	100-0703-553.22-03	36.17	CONSERVANCY
			Total for check: 24468		<u>36.17</u>	
WIL-KIL PEST CONTROL	24469	2/11/2010	1592118	731-1022-541.20-07	63.00	COMMERCIAL CONTRACT
			Total for check: 24469		<u>63.00</u>	
WINNEBAGO COUNTY CLERK OF COURTS	24470	2/11/2010	BOND	100-0000-201.03-00	285.00	BOND
			Total for check: 24470		<u>285.00</u>	
WINNEBAGO COUNTY REGISTER OF DEEDS	24471	2/11/2010	139606	100-0703-553.21-08	19.00	DNR RECORDING FEE
			Total for check: 24471		<u>19.00</u>	
WINNEBAGO COUNTY TREASURER	24472	2/11/2010	LF115699	100-1016-543.25-01	9,528.28	LANDFILL FACILITY
				100-1017-543.25-01	2,921.44	LANDFILL FACILITY

AP Check Register
Check Date: 2/11/2010

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
WINNEBAGO COUNTY TREASURER...	24472...	2/11/2010	LF1115766	266-1027-543.25-01	1,486.95	LANDFILL FACILITY
			Total for check: 24472		13,936.67	
	24473	2/11/2010	020910	100-0000-203.02-00	978,370.87	TAX COLLECTION PAYMENTS
			100-0000-203.08-00	31,692.33	TAX COLLECTION PAYMENTS	
			Total for check: 24473		1,010,063.20	
WINNEBAGO COUNTY TREASURER	24474	2/11/2010	BOND	100-0000-201.03-00	20.06	AIDS PAYMENT
			Total for check: 24474		20.06	
WISCONSIN EMERGENCY MANAGEMENT	24475	2/11/2010	021010	100-0704-552.32-01	205.00	POOL CHEMICAL FEE
				207-0707-552.32-01	245.00	MARINA GAS FEE
			Total for check: 24475		450.00	
WISCONSIN PARK & RECREATION ASSN	24476	2/11/2010	15296	100-0703-553.29-03	35.00	INTERNSHIP POSTING
			Total for check: 24476		35.00	
WISCONSIN SUPPORT COLLECTIONS	24477	2/11/2010	20100211	100-0000-202.03-00	1,152.15	PAYROLL SUMMARY
			Total for check: 24477		1,152.15	
WMCA DISTRICT VI	24478	2/11/2010	020810	100-0203-512.34-02	16.00	REGISTRATION
				100-0203-512.34-03	24.00	REGISTRATION
			Total for check: 24478		40.00	
WRIGHT INDUSTRIAL INC	24479	2/11/2010	059015-IN	100-0000-132.00-00	320.92	BELTS/FLOOR FINISH/SPONGE
			Total for check: 24479		320.92	
					3,641,440.76	



MEMORANDUM

To: Mayor and Common Council

From: PRD Tungate BT

Date: February 9, 2010

RE: Revision to Section 12-1-12 Selling of Merchandise in Parks and Public Grounds of the City Code

On February 8, 2010, the Parks and Recreation Board approved a recommendation to revise Section 12-1-12 Selling of Merchandise in Parks and Public Grounds of the City Code.

These revisions are part of an effort to develop alternate funding sources for our park system. We all realize that continued reliance strictly on tax dollars to pay for park improvements can no longer be guaranteed.

The revised ordinance focuses on two changes. First, it will allow the sale of items in city parks by people obtaining a permit by the Department of Parks and Recreation or designee. Permits will not be considered until the Park Board enacts rules and regulations as indicated in the ordinance. The general consensus of the Park Board seems to be to proceed more slowly and conservatively with rulemaking that only benefits the majority of park users and does not negatively impact the overall park experience.

Secondly, the ordinance will allow consideration of park facility sponsorship and signage that accompanies such a program. The initial intent of the Park Board is to focus on sign rules for Koslo Park before considering other locations. There is a group of field users that will be selling sign panels for the existing scoreboard and on a future entranceway structure. Signs have been on the scoreboard since 2002 so to that extent, the ordinance revision validates an existing practice.

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

Introduced by Alderman Joanne Roush.

SECTION 1: Amend Title 12, CHAPTER 1, SEC.12-1-12 of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

Title 12 – Parks and Navigable Waters

**CHAPTER 1
Park Regulations**

SEC. 12-1-12 SELLING OF MERCHANDISE IN PARKS AND PUBLIC GROUNDS.

- (a) **SALES AND SOLICITATION FOR SALES PROHIBITED WITHOUT PERMIT.** ~~No merchandise, food or other concessions may be sold individuals or non-profit organizations for profit in City parks. No person shall sell or offer for sale any service, food, refreshment, article, merchandise or thing, nor solicit for or pursue any trade, occupation, business or profession, within any park, without first obtaining a written permit from the Director of Parks and Recreation or designee.~~
- (b) **SALES PERMITTED.** ~~All organizations which desire to sell food, merchandise or concessions to carry on their non-profit programs in City parks must first display to the satisfaction of the Director of Parks and Recreation evidence that such organization has received a tax-exempt status from the Wisconsin Department of Revenue.~~
- (c) **RULES AND REGULATIONS.** ~~Times and areas to be served, as well as the types of merchandise to be sold, shall be as determined by the Parks and Recreation Board and then by a permit only. The Parks and Recreation Board is directed to enact any and all reasonable rules and regulations to carry out the intent of this Section. Park facility sponsorships through signage or other means of recognition may be considered.~~
- (d) **EXCEPTIONS.** ~~This Section shall not apply to the selling of fermented malt beverages in the parks in the City of Menasha where a license has been granted by the Common Council. Such license shall imply the selling of food and merchandise usually associated with the selling of non-alcoholic beverages, food by a non-profit organization having a tax-exempt status. This Section shall not apply when the Mayor permits the same by issuing a proclamation in regard to an events of a community-wide interest that does not involve the sale or serving of alcoholic beverages.~~
- (e) **FEES.** Fees for the permits described above shall be recommended by the Parks and Recreation Board from time to time to the Common Council.

SECTION 2: This amending Ordinance shall take effect upon passage and publication as provided by law.

Passed and approved this _____ day of _____ 2010.

Don Merkes, Mayor

ATTEST:

Deborah A. Galeazzi, City Clerk

RESOLUTION NO. R-6-10

RESOLUTION AUTHORIZING REDEMPTION OF THE TAXABLE
GENERAL OBLIGATION PROMISSORY NOTES (STEAM UTILITY PROJECT),
DATED AUGUST 22, 2007

Introduced by Mayor Merkes:

WHEREAS, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City") has heretofore issued its Taxable General Obligation Promissory Notes (Steam Utility Project), dated August 22, 2007 (the "Notes");

WHEREAS, the City has found and determined that it is in the best interest of the City to refund the \$7,030,000 principal balance of the Notes with proceeds of a State Trust Fund Loan; and

WHEREAS, the City hereby finds that it is necessary and desirable to call \$7,030,000 in principal amount of the Notes (the "Refunded Notes") for redemption on April 1, 2010.

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

Section 1. Call of the Refunded Notes. The Refunded Notes shall be called for redemption on April 1, 2010 at the price of par plus accrued interest to the date of redemption.

Section 2. Call Notice to the Depository. The City Clerk is hereby authorized and directed to work with Wisconsin Public Finance Professionals, LLC ("WPFP") to cause notice of the call of the Refunded Notes to be given by providing a notice thereof, in substantially the form attached hereto as Exhibit A, by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission to The Depository Trust Company, New York, New York (the "Depository") not less than thirty (30) days nor more than sixty (60) days prior to April 1, 2010. Such notice to the Depository must be given no later than March 1, 2010. All such actions taken by the City or WPFP are hereby approved in all respects.

Section 3. Additional Call Notice for the Refunded Notes. In addition to the official notice of redemption provided for in Section 2 hereof, the City Clerk is hereby authorized and directed to work with WPFP to cause further notice of the redemption of the Refunded Notes to be provided to the Municipal Securities Rulemaking Board. Such further notice shall contain the information set forth in the Notice of Call provided on Exhibit A.

Adopted and recorded this 15th day of February, 2010.

Donald Merkes
Mayor

ATTEST:

(SEAL)

Deborah A. Galeazzi
City Clerk

QB\9659729.1

EXHIBIT A
NOTICE OF CALL*

Regarding

CITY OF MENASHA
CALUMET AND WINNEBAGO COUNTIES, WISCONSIN
\$13,930,000 TAXABLE GENERAL OBLIGATION PROMISSORY NOTES
(STEAM UTILITY PROJECT),
DATED AUGUST 22, 2007

NOTICE IS HEREBY GIVEN that the Notes of the above-referenced issue which mature on the date and in the amount; bear interest at the rate; and have a CUSIP No. as set forth below have been called by the City for prior payment on April 1, 2010 at the principal amount thereof plus accrued interest to the date of prepayment:

<u>Maturity Date</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
09/01/10	\$7,030,000**	5.60%	586464A90

The City shall deposit federal or other immediately available funds sufficient for such redemption at the office of The Depository Trust Company on or before April 1, 2010.

Said Notes will cease to bear interest on April 1, 2010.

By Order of the
Common Council
City of Menasha
City Clerk

Dated _____

* To be provided by registered or certified mail, overnight express delivery, facsimile transmission or electronic transmission to The Depository Trust Company, Attn: Supervisor, Call Notification Department, 55 Water Street, 50th Floor, New York, NY 10041-0099, not less than thirty (30) days nor more than sixty (60) days prior to April 1, 2010 and to the MSRB. Because the Notes are subject to the continuing disclosure requirements of SEC Rule 15c2-12 effective July 3, 1995, this Notice should also be filed with the MSRB through the Electronic Municipal Market Access (EMMA) System website at www.emma.msrb.org.

**Represents the principal amount outstanding of this maturity.

A Resolution to Place Referendum on the April 6, 2010 spring Election Ballot to Sell Electric Utility Assets to WPPI Energy

Introduced by Mayor Merkes

WHEREAS, On December 7, 2009, the Common Council of the City of Menasha adopted Resolution No. R-30-09, Resolution of the City of Menasha Common Council Authorizing A Preliminary Asset Sale Agreement With WPPI Energy Inc. For The Sale Of Certain City of Menasha Electric Utility Assets, and

WHEREAS, Resolution No. R-30-09, authorized the sale of City of Menasha electric utility assets to WPPI Energy ("WPPI") as well as the leaseback by the City of certain of those assets from WPPI (the "Transaction") and directed the Mayor and the City Clerk to take all other necessary actions in support of the Transaction, and

WHEREAS, An application to approve the Transaction was filed with the Public Service Commission of Wisconsin ("PSCW") as required by Wis. Stat. §§ 66.0817 and 196.80, and

WHEREAS, At its February 12, 2010 open meeting, the PSCW voted to approve the Transaction, and

WHEREAS, The Common Council, the Menasha Utilities Commission and the PSCW have each determined that the interests of the City of Menasha and its residents will be best served by the Transaction, and

WHEREAS, Pursuant to Wis. Stat. § 66.0817, the question of the sale of the electric utility assets must be submitted to the electors of the City of Menasha, and

WHEREAS, Under the proposed Transaction, electric utility distribution assets and the utility administration building located at 321 Milwaukee Street, Menasha, will be sold to WPPI and then be leased-back to the City for 20 years at net book value. The City will buy back the assets at the end of the lease term for a nominal sum. Ownership interests in American Transmission Company will be included in the sale. The total purchase price is approximately \$18,156,818. Money from the sale must be used to: (1) defease, redeem or satisfy existing electric utility debt; (2) establish a capital acquisition fund of \$1 million; (3) establish a lease reserve fund equal to one year's lease payments to WPPI; (4) establish an adequate working capital fund; (5) reimburse WPPI for external legal and consulting expenses relating to the transaction; and (6) satisfy claims of the holders of the revenue bond anticipation notes and other creditors of the City's steam facility. Among other requirements, the Transaction is conditioned upon Menasha obtaining a global settlement of all of the outstanding issues relating to its steam utility and the steam revenue anticipation notes.

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Menasha, That a Referendum be placed on the April 6, 2010 Spring Election Ballot, as follows: "Shall the City of Menasha sell its electric utility assets to WPPI Energy for the price and upon the terms approved by the Public Service Commission of Wisconsin? Answer: Yes or No."

Passed and approve this ____ day of _____, 2010.

Donald Merkes, Mayor

Attest:

Deborah A. Galeazzi, City Clerk