

It is expected that a Quorum of the Personnel Committee, Board of Public Works, and Common Council 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
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
December 5, 2016
6:30 PM
or immediately following Common Council
AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
 - 1. [Administration Committee, 11/7/16.](#)
- D. ACTION/DISCUSSION ITEMS
 - 1. [Petition for Annexation – Positive Ventures LLC – Racine Road/9th Street.](#)
 - 2. [Underground Storage Tank Liability Insurance.](#)
- E. ADJOURNMENT

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

CITY OF MENASHA
ADMINISTRATION COMMITTEE
Third Floor Council Chambers
140 Main Street, Menasha
November 7, 2016
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Nichols at 7:25 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krautkramer, Collier, Keehan, Zelinski, Spencer, Benner, Nichols

EXCUSED: Alderman Taylor

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, CDD Buck, ASD Steeno,
Engineer Supv. Montour, Clerk Galeazzi.

C. MINUTES TO APPROVE

1. [Administration Committee, 10/3/16.](#)

Moved by Ald. Keehan seconded by Ald. Krautkramer to approve minutes.

Motion carried on voice vote.

D. ACTION/DISCUSSION ITEMS

1. [Municipal Property Insurance Company \(MPIC\) Renewal 2017.](#)

CA Captain explained the insurance with Municipal Property Insurance Company if for City buildings and personal property. The 2017 premium is \$32,591 which is a slight increase from 2016. Staff recommends approving the renewal.

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Municipal Property Insurance Company (MPIC) renewal for 2017 at the premium of \$32,591.

Motion carried on roll call 7-0.

2. [Approval to Apply for and Accept \\$2,500 in Retail Program Standards Grant Funds.](#)

Chairman Nichols explained the request from PHD McKenney to apply for \$2,500 in grant funds. The grant funds will be used to offset 2017 wages and benefits needed to complete projects that assist the Menasha Health Department Environmental Health Program to conform with the Voluntary National Retail Food Regulatory Program Standards.

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council approval to apply for and accept \$2,500 in Retail Program Standards Grant Funds

Motion carried on roll call 7-0.

E. ADJOURNMENT

Moved by Ald. Benner seconded by Ald. Keehan to adjourn at 7:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk



MEMORANDUM

Date: November 29, 2016
To: Administration Committee
From: David Buck, CDD
RE: Petition for Annexation – Positive Ventures, LLC

Request

Positive Ventures, LLC, property owner, is proposing direct annexation (by unanimous approval) of a three parcels of land totaling 1.4 acres/45,584 square feet in area. The subject parcels included in this annexation request are located at 931 Racine Rd (Parcel # 008-0327), 940 Warsaw St (008-0328), and 522 Ninth St (008-0323), in the Town of Menasha.

Background & Analysis

The property is currently developed/improved with an automobile sales business, a towing/storage business, and a mixed-use personal service/residential within a former single-family home and has a Town of Menasha zoning designation of B-3 General Business District. At the request of the property owners, the subject lots were not included in the Intergovernmental Cooperation Agreement between the Village of Fox Crossing and the Town of Menasha (Jurisdictional Transfer) and remain in the Town of Menasha. The City has been in contact with the Village of Fox Crossing/Town of Menasha who have informed us and the property owner that they do not object to the annexation of the property into the City of Menasha.

The City of Menasha Year 2030 Comprehensive Plan designates this area as appropriate for commercial use and staff will be recommending the C-1 General Commercial District zoning designation to the Plan Commission as it is consistent with that recommendation and is also consistent with the existing land uses of the properties and the zoning of properties on the west (automobile service) and the south (professional office).

The Community Development Department supports the annexation as a logical extension of the city's municipal boundary. Furthermore, the proposed annexation will result in an estimated increase in tax base for the community of approximately \$380,000 (assessed value per Winnebago County Assessors website) when initially annexed with the potential for additional tax base if/when improved/redeveloped.

The Petition for Annexation has been distributed to parties identified within the Zoning Ordinance for impact reports, which are included in the Administration Committee packet for review and recommendation. The petition will be included on the Plan Commission agenda of December 6, 2016. The Petition for Annexation as well as the recommendations of the Administration Committee and Plan Commission will then be brought back to the Common Council in the form of an Ordinance on December 19, 2016.

Recommendation

Staff requests the Administration Committee forward the petition for annexation of 931 Racine Rd (Parcel # 008-0327), 940 Warsaw St (008-0328), and 522 Ninth St (008-0323) to the Common Council for approval.

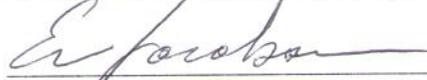
**PETITION FOR ANNEXATION OF LANDS
TO THE CITY OF MENASHA
DIRECT ANNEXATION BY UNANIMOUS CONSENT**

TO: City of Menasha
TO: Town of Menasha

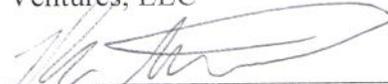
1. Pursuant to Section 66.0217 of the Wisconsin State Statues, we, the undersigned, being the sole owner(s) and elector(s) of the land described in Exhibit "A" attached hereto, petition for Direct Annexation by Unanimous Consent of the land described in said Exhibit "A" from the Town of Menasha, in Winnebago County, Wisconsin, to the City of Menasha.
2. The population of said land is 1. The number of electors that reside on the lands to be annexed is 1 and the undersigned are the sole owners, fee title holders and electors to all the land to be annexed.
3. Said land is contiguous to the City of Menasha and is presently part of the Town of Menasha, in Winnebago County, Wisconsin.
4. We, the undersigned, request that upon annexation, the land as described in Exhibit "A" be zoned as commercial.
5. Area of lands to be annexed contains 1.4 acres.
6. Tax Parcel number(s) of lands to be annexed: 008-0327, 008-0328, and 008-0323.
7. A copy of the petition is being mailed to the State of Wisconsin, Department of Administration, for review as requested by Section 66.0217(6), along with the annexation fee.
8. Attached is a complete legal description of the land to be annexed and a scale map of the land to be annexed.

Dated this 23rd day of November, 2016.

PROPERTY OWNER SIGNATURE(S):

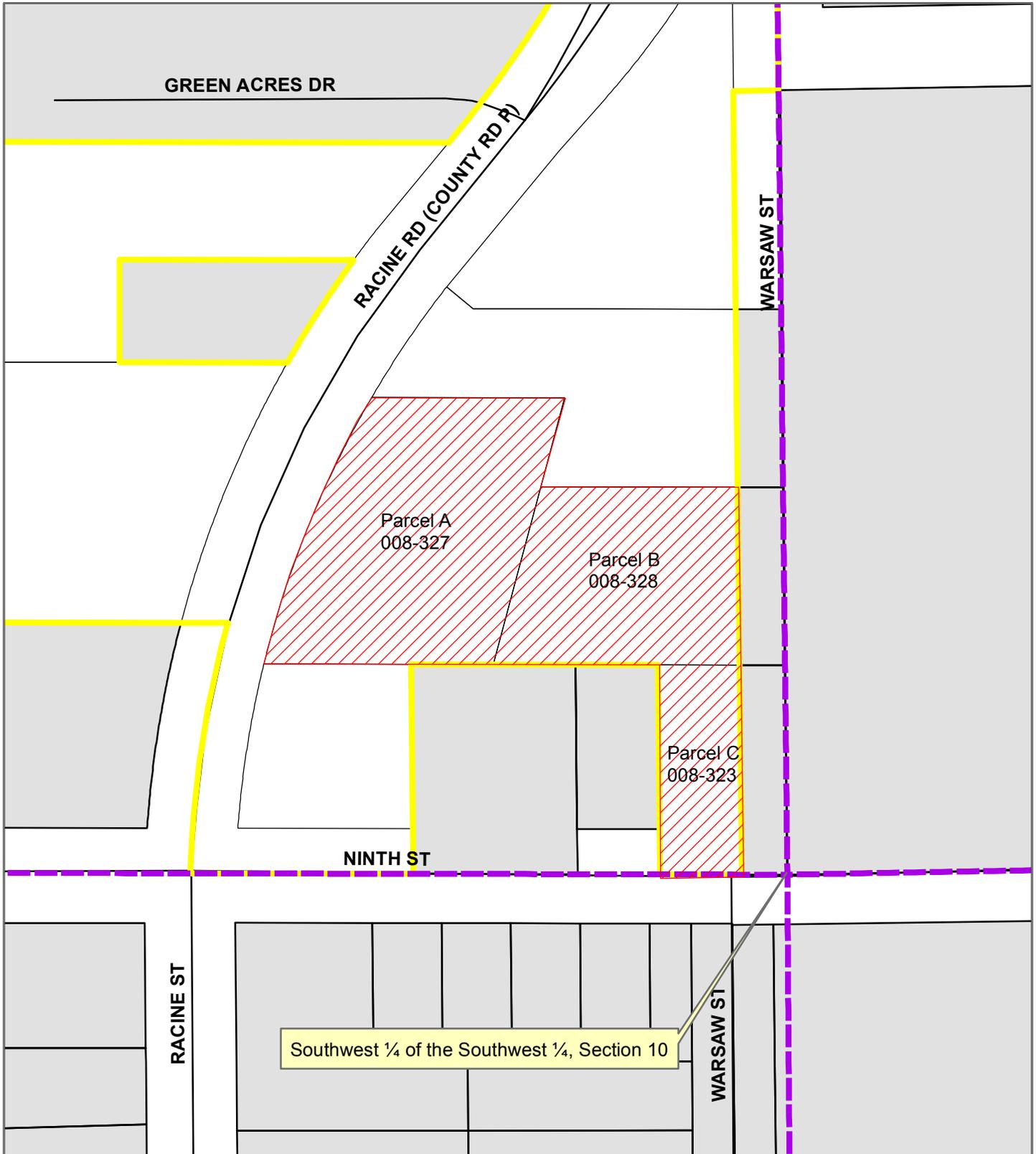


Eric Jacobson, Sole Member of Positive Ventures, LLC



Brad Wittmann

Exhibit B



Legend

-  Section Lines
-  City of Menasha Corporate Limits
-  Parcels Proposed for Annexation

Proposed Annexation





MEMORANDUM

To: Department Heads, Plan Commission, Park Board, Assessor, Menasha Utilities, Neenah-Menasha Fire Rescue and Menasha Joint School District

From: Kristi Heim, Community Development Coordinator

Date: November 28, 2016

RE: Annexation Impact Reports – Positive Ventures, LLC

The Administration Committee will be considering the proposed Positive Ventures, LLC annexation at its December 5, 2016 meeting, and if recommended for approval, an ordinance will be drafted for consideration by the Common Council at its December 19, 2016 meeting. **Please provide the City Clerk with your annexation impact report no later than Noon on Thursday, December 1, 2016.**

The parcels to be annexed are shown on the attached map. The total area of the annexation is 1.4 acres. The parcels will be zoned C-1, General Commercial District with a future use as a commercial development.



MEMORANDUM

TO: Administration Committee

FROM: David Buck, CDD

DATE: November 28, 2016

RE: Annexation Impact Report – Positive Ventures, LLC

The Department of Community Development has considered potential impacts of the proposed annexation of three parcels: 931 Racine Rd (Parcel # 008-0327), 940 Warsaw St (008-0328), and 522 Ninth St (008-0323) as it relates to the duties and functions of the department as well as its relationship to the orderly growth and development of the community.

The three parcels included in this annexation request total 1.4 acres/45,584 square feet in area and are currently developed/improved with an automobile sales business, a towing/storage business, and a mixed-use personal service/residential within a former single-family home. It is expected that this property will remain as-developed in the short-term and redevelop with unknown general commercial uses in the long-term.

The proposed annexation is consistent with the commercial land use designation included in the City of Menasha Year 2030 Comprehensive Plan. At the request of the property owners, the subject lots were not included in the Intergovernmental Cooperation Agreement between the Village of Fox Crossing and the Town of Menasha (Jurisdictional Transfer) and remain in the Town of Menasha.

There will be limited additional workload imposed upon the Community Development Department related to zoning, site plan review and building permit issuance and it is not anticipated that the addition of these lots will have a significant impact on the capacity of the Department to complete its operational functions.

Adding these parcels to the city will bring additional commercial land area into the city as well as allow for future land consolidation and potential redevelopment for general commercial uses. The proposed annexation will result in an estimated increase in tax base for the community of approximately \$380,000 (assessed value per Winnebago County Assessors website) when initially annexed with the potential for additional tax base if improved/redeveloped.

The Community Development Department supports the annexation as a logical extension of the city's municipal boundary which is adjacent to the subject parcels on the south and east.

MEMORANDUM

To: David Buck, Community Development Director

From: Peggy Steeno, Administrative Services Director

Date: November 30, 2016

RE: Annexation Impact Report – Positive Ventures, LLC

Pursuant to City of Menasha Ordinance 13-1-123, I am providing the following report regarding the above noted proposed annexation:

- The Administrative Services Department will not require any additional full-time personnel, equipment, buildings, or other improvements if the annexation is approved.
- The Administrative Services Department will not incur any costs over and above those costs normally incurred in any annexation if the annexation is approved.
- Based upon an estimated assessed value of \$380,600, as the land and buildings currently stand, at the City's current assessment rate of \$10.5701, the City would realize an increase in tax collections of approximately \$4,022.98, annually, if the annexation is approved.

Due to my statements above, and the absence of any negative effects, I am recommending that the Common Council vote to approve the annexation.



November 30, 2016

Memorandum

To: Debbie Galeazzi, City Clerk

From: Tim J. Montour – Engineering Supervisor

RE: Impact Report for the Proposed Positive Ventures, LLC Annexation

There would be relatively minor street related costs and minor recycling and refuse costs associated with servicing the proposed Positive Ventures, LLC annexation, but these costs would be easily supported by the expected added property value.

It is anticipated that no additional staffing will be needed to provide services for the proposed annexation in the area of Racine Road and Ninth Street. The Department is in favor of the proposed annexation.



To: Debbie Galeazzi, City Clerk
Kristi Heim, Community Development Coordinator

From: Tim Styka, Police Chief 

Date: November 28, 2016

RE: Annexation Impact Reports – Positive Ventures, LLC annexation

As with any annexation by the City, the service area for the Police Department does increase. However, I do not anticipate where this annexation would have an adverse impact requiring additional staffing or equipment above our current levels.



Memorandum

TO: Debbie Galeazzi, City of Menasha Clerk

FROM: Kevin Kloehn, Fire Chief Neenah-Menasha Fire Rescue

DATE: November 30, 2016

RE: Impact on the Positive Ventures, LLC annexation on Ninth St area.

In reviewing the proposed Positive Ventures, LLC annexation on/near Ninth/Racine, I found that the annexation would have no impact to the operations of Neenah-Menasha Fire Rescue as vacant property. However, if a structure were to be built on this property, the building would impact our inspection bureau. This would consist of up to 2 building inspections per year.

The property is well within our normal response time and protection capabilities that currently exist with Neenah-Menasha Fire Rescue.

Underground Storage Tank Liability

City of Menasha

140 Main Street
Menasha, WI 54952

Presented: November 18, 2016



Susan Blankenburg
Senior Vice President

Arthur J. Gallagher & Co. Insurance Brokers of CA., Inc.
License Number - 0726293
1255 Battery Street #450
San Francisco, CA 94111

Susan_Blankenburg@ajg.com
www.ajg.com

City of Menasha

Executive Summary

November 18, 2016

Pamela Captain
City of Menasha
140 Main Street
Menasha, WI 54952

Re: City Menasha
Underground Storage Tank Liability
Effective Dates: December 31, 2016 to December 31, 2017

Dear Pamela:

Arthur J. Gallagher & Co. Insurance Brokers of CA., Inc. appreciates the opportunity to present this renewal for your consideration. Thank you for allowing your Public Entity Team the opportunity to represent the City of Menasha for the placement of you Underground Storage Tank coverage.

Enclosed are your renewal quotes.

We would like to outline the following notable points for your consideration:

- Any entity not named above, may not be an insured entity. This may include partnerships and joint ventures.
- The proposed insurance carriers are:
 - Ace American Insurance Company (incumbent)
 - Tokio Marine Specialty Insurance Services (Philadelphia)
- Renewal Premium – Refer to “Marketing Summary”
- Defense costs are limited and included within the policy limits
- The policy is claims-made and contains the following restrictions and claims reporting requirements:
 - Refer to Policy Form for the definition of a claim.
 - Retroactive Date: 3/10/2011
 - Immediately report all claims to:
Ace American Insurance Company
Manager, Chubb Environmental Claims
Chubb Claims, P.O. Box 5103
Scranton, PA 18505-0510
Fax: (800) 951-4119
Email: CasualtyRiskEnvironmentalFirstNotice@chubb.com

Tokio Marine Specialty Insurance Company
claims@ucpm.com

To bind this policy, please refer to the “Client Authorization to Bind Coverage” page attached.

1. Note any changes you desire to be made.
2. Date and sign.
3. Please return by **December 1, 2016**

We appreciate your business and look forward to working with you in the coming year. Please contact me if you have any questions.

Sincerely,
Kylie Bailey, Client Service Executive

City of Menasha

Your Program

City of Menasha

Marketplace Review

We approached the following carriers in an effort to provide the most comprehensive and cost effective insurance program.

INSURANCE COMPANY	LINE OF COVERAGE	RESPONSE	PREMIUM
Ace American Insurance Company (incumbent)	Underground Storage tank Liability	Quoted	\$1M/\$2M w/\$25k deductible: \$5,034.00
Tokio Marine Specialty Insurance Company	Underground Storage Tank Liability	Recommended Quote	\$1M/\$1M w/\$25k deductible: \$1,851.94 \$1M/\$1M w/\$10k deductible: \$2,116.65 \$1M/\$1M w/\$5k deductible: \$2,276.30 \$1M/\$2M w/\$25k deductible: \$1,979.66 \$1M/\$2M w/\$10k deductible: \$2,263.94 \$1M/\$2M w/\$5k deductible: \$2,434.92
AIG	Underground Storage Tank Liability	Declined to quote – Tanks over 25 years old	-
Griffin Underwriting Services	Underground Storage Tank Liability	Declined to Quote – Noncompetitive	-

CHUBB®

ACE American Insurance Company
436 Walnut Street
Philadelphia, PA 19106

**TankSafe®
Storage Tank Liability
Insurance Policy
Quotation**

CHUBB ENVIRONMENTAL

QUOTE NO: Q123845
A.M. BEST RATING: A++ XV

DATE: 11/14/2016
TO: Arthur J. Gallagher & Co.

NAMED INSURED: City of Menasha

INCEPTION DATE: 12/31/2016

EXPIRATION DATE: 12/31/2017

RETROACTIVE DATE: See attached Schedule of Covered Storage Tanks

POLICY LIMITS: \$1,000,000 Per Storage Tank Incident Limit of Liability (Claims and Remediation Costs)
\$1,000,000 Aggregate Limit of Limit of Liability (Claims and Remediation Costs) for all Storage Tank Incidents
\$1,000,000 Aggregate Limit of Liability for all Legal Defense Expenses for all Storage Tank Incidents
\$2,000,000 Total Policy Aggregate Limit of Liability for all Storage Tank Incidents

DEDUCTIBLE: \$25,000 Per Storage Tank Incident

PREMIUM*: \$5,034.00

This premium shall be 0% minimum-earned as of the inception date of the policy identified above.

The premium in this quote includes commission in an amount equal to 15.00 % of such premium.

COMMISSION: 15.00 %

NUMBER OF COVERED STORAGE TANKS: See attached Schedule of Covered Storage Tanks

Terms & Exclusions: This quotation contemplates the use of Chubb forms, issued on the paper indicated below. All terms and conditions are per those forms and endorsements unless otherwise noted herein.

PF-31181 (10/10) TankSafe® Storage Tank Liability Insurance Policy

Endorsements: See Attachment A

Subjectivities: See Attachment B

OFAC NOTICE: The Office of Foreign Assets Control (OFAC) administers and enforces sanctions policy, based on Presidential declarations of "national emergency." OFAC has identified and listed numerous Foreign agents, Front organizations, Terrorists, Terrorist organizations, and Narcotics traffickers as "Specially Designated Nationals and Blocked Persons." This list can be located on the United States Treasury's web site – <http://www.treas.gov/ofac>. In accordance with OFAC regulations, if it is determined that you or any other proposed named insured has violated U.S. sanctions law or is a Specially Designated National or Blocked Person, as identified by OFAC, we reserve the right to withdraw this quote at any time prior to binding.

The U.S. Foreign Account Tax Compliance Act, commonly known as "FATCA", became the law in the U.S. in March of 2010 and becomes effective July 1, 2014. Pursuant to FATCA, brokers, producers, agents and/or clients may need to obtain withholding certificates from insurance companies. For information on how to obtain the applicable withholding certificate from Chubb U.S. insurance companies, please go to <http://www2.chubb.com/us-en/u-s-foreign-account-tax-compliance-act-fatca.aspx>.

Please read this quotation carefully, as the limits, coverage and other terms and conditions may vary significantly from those requested in your submission and/or from the expiring policy. Terms and conditions that are not specifically mentioned in this quotation are not included. The terms and conditions of this quotation supersede the submitted insurance specifications and all prior quotations. Actual coverage will be provided by and in accordance with the policy as issued.

The insurer is not bound by any statements made in the submission purporting to bind the insurer unless such statement is reflected in the policy or in an agreement signed by someone authorized to bind the insurer.

This quotation has been constructed on reliance of the data provided in the submission. A material change or misrepresentation of that data voids this quotation.

THIS BINDABLE QUOTATION SHALL EXPIRE SEVENTYFIVE (75) DAYS FROM THE DATE INDICATED AT THE TOP OF THIS DOCUMENT OR NO LATER THAN THE INCEPTION DATE OF COVERAGE.

THE PREMIUM INDICATED ABOVE MUST BE REMITTED TO US WITHIN THIRTY (30) DAYS OF THE INCEPTION DATE.

Thank you for the opportunity to quote on this risk. For underwriting questions or concerns, please contact Carlos Mora at 2156405212 (phone) or Carlos.Mora@Chubb.com (email).

***POLICYHOLDER DISCLOSURE NOTICE OF TERRORISM INSURANCE COVERAGE**

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism. *As defined in Section 102(1) of the Act.* The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury---in consultation with the Secretary of Homeland Security, and the Attorney General of the United States---to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% THROUGH 2015, 84% BEGINNING ON JANUARY 1, 2016; 83% BEGINNING ON JANUARY 1, 2017, 82% BEGINNING ON JANUARY 1, 2018; 81% BEGINNING ON JANUARY 1, 2019 and 80% BEGINNING ON JANUARY 1, 2020, OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Terrorism Risk Insurance Act premium: \$0

TR-19604D (01/15)

SCHEDULE OF COVERED STORAGE TANKS

Insured Facility Name and Address	Tank ID No.	Tank Size (gal.)	Tank Type (UST or AST)	Retroactive Date
City of Menasha Marina 1 Center Street Menasha Wisconsin 54952	1-1	1,000	UST	03/10/2011
City of Menasha Marina 1 Center Street Menasha Wisconsin 54952	1-2	1,000	UST	03/10/2011
City of Menasha Garage 455 Baldwin Street Menasha Wisconsin 54952	2-1	10,000	UST	03/10/2011
City of Menasha Garage 455 Baldwin Street Menasha Wisconsin 54952	2-2	5,000	UST	03/10/2011

ATTACHMENT A

ENDORSEMENTS

1	PF-31164	Schedule Of Covered Storage Tanks Endorsement
2	PF-31172	Financial Responsibility Condition Endorsement
3	PF-34075	Closure, Removal or Replacement Amendatory Endorsement
4	CC-1K11h	Signatures
5	PF-23728a	Terrorism Risk Insurance Act Endorsement
6	TRIA11c	Disclosure Pursuant To Terrorism Risk Insurance Act
7	ALL-20887	Producer Compensation Practices-Policies Policyholder Notice
8	WI ALL-38969	Important Notice - Wisconsin
9	ALL-5X51a	Wisconsin Notice to Policyholders
10	ALL-21101	Trade or Economic Sanctions Endorsement
11	ILP0010104	OFAC Advisory Notice to Policyholders

ATTACHMENT B

SUBJECTIVITIES

ALL TERMS, CONDITIONS, AND PRICING ARE SUBJECT TO RECEIPT, REVIEW AND APPROVAL OF THE FOLLOWING ITEMS PRIOR TO BINDING



Storage Tank Environmental Insurance Proposal

Named Insured: City of Menasha
Physical Address: 140 Main Street
Menasha WI 54952

Issuing Company: Tokio Marine Specialty Insurance Company

The Insurer listed in this proposal is Tokio Marine Specialty Insurance Company, this proposal is for coverage on an Excess & Surplus Lines basis. It is the responsibility of the broker to complete state-required documentation and to collect and submit all applicable surplus lines taxes and stamping fees.

Coverage: Storage Tank Environmental Policy

Covered Storage Tanks: See attached Storage Tank Schedule

Coverages and Limits of Insurance:

- | | |
|------------------------------------|---|
| A. Corrective Action: Storage Tank | \$1,000,000 per Confirmed Release |
| B. Bodily Injury & Property Damage | \$1,000,000 per Contamination Incident |
| C. Defense Expense | \$1,000,000 per Confirmed Release or Contamination Incident |
| D. Image Restoration | \$25,000 per Confirmed Release or Contamination Incident |
| Total Policy Aggregate Limit: | See Options Below |

Deductibles:

- | | |
|--|-------------------|
| Corrective Action Deductible: | See Options Below |
| Bodily Injury/Property Damage Deductible | See Options Below |
| Defense Expense Deductible | See Options Below |
| Image Restoration Coverage Deductible | See Options Below |

Retroactive Date: See attached Storage Tank Schedule

Proposed Effective Date: 12/31/2016

Policy Term: One year

Binding Conditions:

The following information must be received by the underwriter prior to binding:

1. Completed and Signed Storage Tank Environmental Program Application
2. Tank tightness tests required
3. Evidence of expiring policy is required
4. Producer Agreement

Financial Terms

Options	A	B	C	D	E	F
Limits	\$1M/\$1M	\$1M/\$1M	\$1M/\$1M	\$1M/\$2M	\$1M/\$2M	\$1M/\$2M
Deductibles	\$5,000	\$10,000	\$25,000	\$5,000	\$10,000	\$25,000
Premium	\$2,060.00	\$1,905.00	\$1,648.00	\$2,214.00	\$2,048.00	\$1,772.00
Policy Fee	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Surplus Lines Tax (WI) 3.000%	\$66.30	\$61.65	\$53.94	\$70.92	\$65.94	\$57.66
Total due by insured	\$2,276.30	\$2,116.65	\$1,851.94	\$2,434.92	\$2,263.94	\$1,979.66

Payment is due to UCPM, Inc. within 15 days from the effective date of coverage.

Terms:

Quote Expiration Date: 12/18/2016

Terrorism Coverage (TRIA): Included

Commission: 10%

Payment: In order to bind coverage, we must receive your written instructions confirming coverage(s) desired prior to releasing policy numbers. The full premium payment is due fifteen (15) days from the effective date of the coverage.

Policy Highlights

- Claims-Made Coverage
- Includes Loading & Unloading Coverage
- Natural Resources Damage Coverage
- Terrorism Coverage included

Policy Forms & Endorsements *(click on the document # below to view sample forms)*

- PIC-STEP-001 Storage Tank Environmental Policy Declarations
- PIC-STEP-002 Storage Tank Coverage
- PIC-STEP-003 Additional Insured (if applicable)
- PIC-STEP-004 Additional Named Insured Schedule (if applicable)
- PIC-STEP-005 Storage Tank Schedule
- PIC-STEP-010 Cap on Certified Acts of Terrorism

11/18/2016

UCPM, Inc.

STORAGE TANK SCHEDULE

Facility Details:

Location #	Facility Type:	Name of Facility	Facility Address	# of Tanks
1	Marina	City of Menasha Marina	1 Center Street Menasha, Wisconsin 54952	2
2	Other	City of Menasha Garage	455 Baldwin Street Menasha, Wisconsin 54952	2

Storage Tank Details UST:

Facility #	Install Date	Size (gallons)	Retro Date	Contents
1	3/10/1987	1,000	3/10/2011	Gasoline
1	3/10/1987	1,000	3/10/2011	Gasoline
2	3/10/1995	10,000	3/10/2011	Diesel
2	3/10/1995	5,000	3/10/2011	Gasoline

11/18/2016

UCPM, Inc.

City of Menasha

Premium Summary

The estimated program cost for the options are outlined in the following table:

LINE OF COVERAGE	EXPIRING PROGRAM		PROPOSED PROGRAMS		ESTIMATED COST
	CARRIER	EXPIRING COST	CARRIER	ESTIMATED COST	
Underground Storage Tank Liability	ACE American Insurance Company (Incumbent)	\$4,632.00	ACE American Insurance Company (Incumbent)	\$5,034.00	\$1,772.00
		-		-	\$57.66
		-		-	\$150.00
Total Estimated Program Cost		\$4,632.00		\$5,034.00	\$1,979.66

*TRIA coverage is included in both quotes.

Quote from Tokio Marine Specialty Insurance Company is valid until 12/31/2016
 Quote from ACE American Insurance Company is valid until 12/31/2016

Gallagher is responsible for the placement of the following lines of coverage:
 Underground Storage Tank Liability

It is understood that any other type of exposure/coverage is either self-insured or placed by another brokerage firm other than Gallagher. If you need help in placing other lines of coverage or covering other types of exposures, please contact your Gallagher representative.

This proposal of insurance features insurance policies which contain cancellation provisions to refund premium other than on a pro-rata basis for such occurrences including but not limited to non-payment of premium (short rate penalty provisions). At your request, we can detail the terms of such cancellation provisions.

City of Menasha

Bindable Quotations & Compensation Disclosure Schedule

Client Name: City of Menasha

COVERAGE(S)	CARRIER NAME(S)	EST. ANNUAL PREMIUM ¹	COMM. % OR FEE ²	WHOLESALE, MGA OR INTERMEDIARY NAME ³	COMM. % OR FEE ⁴	AJG OWNED? YES/NO
Underground Storage Tank Liability	Tokio Marine Specialty Insurance Company	\$1,979.66	10 %	N/A	N/A	N/A
Underground Storage Tank Liability	ACE American Insurance Company	\$5,034.00	15 %	N/A	N/A	N/A

Some carriers pay Gallagher supplemental or contingent commissions in addition to the policy commission. Contingent commissions are typically contingent upon performance factors such as growth, profit, volume or retention, while supplemental commissions are not. These supplemental or contingent commissions may range from less than 1% up to 10% of the policy premium. Please refer to the Compensation Disclosure or contact your Gallagher representative for additional information.

1 * A verbal quotation was received from this carrier. We are awaiting a quotation in writing. The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

** A written quotation was received from this carrier. The premium indicated is an estimate provided by the market. The actual premium and acceptance of the coverage requested will be determined by the market after a thorough review of the completed application.

2 The commission rate is a percentage of annual premium excluding taxes & fees.

* Gallagher is receiving 10 or 15% commission on this policy. The fee due Gallagher will be reduced by the amount of the commissions received.

3 We were able to obtain more advantageous terms and conditions for you through an intermediary/ wholesaler.

4 * The non-Gallagher intermediary/wholesaler did not provide their compensation information for this proposal. The usual and customary compensation to a wholesaler/ intermediary ranges from 5% to 12%, but we cannot verify that range is applicable in connection with this proposal.

City of Menasha

Proposal Disclosures

City of Menasha

Proposal Disclosures

The following disclosures are hereby made a part of this proposal. Please review these disclosures prior to signing the Client Authorization to Bind or e-mail confirmation.

Proposal Disclaimer IMPORTANT: The proposal is an outline of certain terms and conditions of the insurance proposed by the insurers, based on the information provided by your company. It does not include all the terms, coverages, exclusions, limitations and/or conditions of the actual policy contract language. The insurance policies themselves must be read for those details. Policy forms for your reference will be made available upon request.

We will not be operating in a fiduciary capacity, but only as your broker, obtaining a variety of coverage terms and conditions to protect the risks of your enterprise. We will seek to bind those coverages based upon your authorization; however, we can make no warranties in respect to policy limits or coverage considerations of the carrier. Actual coverage is determined by policy language, so read all policies carefully. Contact us with questions on these or any other issues of concern.

Compensation Disclosure One of the core values highlighted in The Gallagher Way states, "We are an Open Society," and our open society extends to the compensation Gallagher receives. In general, Gallagher may be compensated as follows:

1. Gallagher Companies are primarily compensated from the usual and customary commissions or fees received from the brokerage and servicing of insurance policies, annuity contracts, guarantee contracts and surety bonds (collectively "insurance coverages") handled for a client's account, which may vary from company to company and insurance coverage to insurance coverage. As permitted by law, Gallagher companies occasionally receive both commissions and fees.
2. In placing, renewing, consulting on or servicing your insurance coverages, Gallagher Companies may participate in contingent and supplemental commission arrangements with intermediaries and insurance companies. Contingent commissions provide for additional contingent compensation if underwriting, profitability, volume or retention goals are achieved. Such goals are typically based on the total amount of certain insurance coverages placed by Gallagher with the insurance company and/or through the intermediary, not on an individual policy basis. Some insurance markets, including Gallagher-owned intermediaries, have modified their commission schedule with Gallagher, resulting in an increase in some commission rates. These additional commissions, commonly referred to as "supplemental commissions" are known as of the effective date, but some insurance companies are paying this commission later and apart from when commission is normally paid at policy issuance. As a result, Gallagher may be considered to have an incentive to place your insurance coverages with a particular insurance company. Note: Upon request, your Gallagher representative can provide more specific market information regarding contingent and supplemental commission related to your insurance coverage.
3. Gallagher Companies may also receive investment income on fiduciary funds temporarily held by them, such as premiums or return premiums.
4. Gallagher Companies may access other facilities, including wholesalers, reinsurance intermediaries, captive managers, underwriting managers and others that act as intermediaries for both Gallagher and other brokers in the insurance marketplace. Gallagher Companies may own some of these facilities, in whole or in part. If such a facility was utilized in the placement of a client's account, the facility may have earned and retained customary brokerage commission or fees for its work.
5. Gallagher assists its customers in procuring premium finance quotes and unless prohibited by law may earn compensation for this value added service.
6. From time to time, Gallagher may participate in insurance company promotional events or training and development that insurers provide for Gallagher employees.
7. Gallagher strives to find appropriate coverage at a competitive price for our customers. In order

City of Menasha

Proposal Disclosures (Cont.)

to achieve these goals, we gather and analyze data about our customers and their insurance coverage. This data and the resulting analytical tools help us better understand the current marketplace, more accurately predict future trends and offer tailored solutions to our customers. The data may also be provided to insurers pursuant to consulting service agreements from which we earn fees.

If you have specific questions about the compensation received by Gallagher and its affiliates in relation to your insurance placements, please contact your Gallagher representative for more details.

In the event you wish to register a formal complaint regarding compensation Gallagher receives from insurers or third parties, please send an e-mail to Compensation_Complaints@ajg.com or send a letter to:

Compliance Officer
Arthur J. Gallagher & Co.
Two Pierce Place, 20th Floor
Itasca, IL 60143

TRIA/TRIPRA Disclaimer

If this proposal contains options to purchase TRIA/TRIPRA coverage, the proposed TRIA/TRIPRA program may not cover all terrorism losses. While the amendments to TRIA eliminated the distinction between foreign and domestic acts of terrorism, a number of lines of coverage excluded under the amendments passed in 2005 remain excluded including commercial automobile, burglary and theft insurance; surety insurance, farm owners multiple perils and professional liability (although directors and officers liability is specifically included). If such excluded coverages are required, we recommend that you consider purchasing a separate terrorism policy. Please note that a separate terrorism policy for these excluded coverages may be necessary to satisfy loan covenants or other contractual obligations. TRIPRA includes a \$100 billion cap on insurers' aggregate liability.

The TRIPRA program increases the amount needed in total losses by \$20 million each calendar year before the TRIPRA program responds from the 2015 trigger of \$100 million to \$200 million by the year 2020.

TRIPRA is set to expire on December 31, 2020. There is no certainty of extension, thus the coverage provided by your insurers may or may not extend beyond December 31, 2020. In the event you have loan covenants or other contractual obligations requiring that TRIA/TRIPRA be maintained throughout the duration of your policy period, we recommend that a separate "Stand Alone" terrorism policy be purchased to satisfy those obligations.

Actuarial Disclaimer

The information contained in this proposal is based on the historical loss experience and exposures provided to Arthur J. Gallagher & Co. Insurance Brokers of CA., Inc.. This proposal is not an actuarial study. Should you wish to have this proposal reviewed by an independent actuary, we will be pleased to provide you with a listing of actuaries for your use.

City of Menasha

Insurance Company Ratings and Admitted Status

PROPOSED INSURANCE COMPANIES	A.M. BEST'S RATING	ADMITTED / NON-ADMITTED
Ace American Insurance Company	A++ XV	Admitted
Tokio Marine Specialty Insurance Company	A++ XV	Non-Admitted

If the above indicated coverage is placed with a Non-Admitted Carrier, the carrier is doing business in the state as a surplus lines or non-admitted carrier. As such, this carrier is not subject to the same regulations which apply to an admitted carrier nor do they participate in any insurance guarantee fund applicable in that state.

*The above A.M. Best Rating was verified on the date the proposal document was created.

Guide to Best Ratings Rating Levels and Categories

LEVEL	CATEGORY	Financial Size Categories (In \$000 of Reported Policyholders' Surplus Plus Conditional Reserve Funds)			
A++, A+	Superior				
A, A-	Excellent	FSC I	Up to 1,000	FSC IX	250,000 to 500,000
B++, B+	Good	FSC II	1,000 to 2,000	FSC X	500,000 to 750,000
B, B-	Fair	FSC III	2,000 to 5,000	FSC XI	750,000 to 1,000,000
C++, C+	Marginal	FSC IV	5,000 to 10,000	FSC XII	1,000,000 to 1,250,000
C, C-	Weak	FSC V	10,000 to 25,000	FSC XIII	1,250,000 to 1,500,000
D	Poor	FSC VI	25,000 to 50,000	FSC XIV	1,500,000 to 2,000,000
E	Under Regulatory Supervision	FSC VII	50,000 to 100,000	FSC XV	2,000,000 or more
F	In Liquidation	FSC VIII	100,000 to 250,000		
S	Suspended				

Best's Insurance Reports, published annually by A.M. Best Company, Inc., presents comprehensive reports on the financial position, history, and transactions of insurance companies operating in the United States and Canada. Companies licensed to do business in the United States are assigned a Best's Rating which attempts to measure the comparative position of the company or association against industry averages.

A Best's Financial Strength Rating opinion addresses the relative ability of an insurer to meet its ongoing insurance obligations. It is not a warranty of a company's financial strength and ability to meet its obligations to policyholders. View the A.M. Best Important Notice: Best's Credit Ratings for a disclaimer notice and complete details at <http://www.ambest.com/ratings/notice>.

Best's Credit Ratings are under continuous review and subject to change and/or affirmation. For the latest Best's Credit Ratings and Best Credit Reports (which include Best Ratings), visit the A.M. Best website at <http://www.ambest.com>. See Guide to Best's Credit Ratings for explanation of use and charges. Copies of the Best's Insurance Reports for carriers listed above are also available upon request of your Gallagher representative.

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Gallagher companies use A.M. Best Company's rating services to evaluate the financial condition of insurers whose policies we propose to deliver. Gallagher companies make no representations and warranties concerning the solvency of any carrier, nor does it make any representation or warranty concerning the rating of the carrier which may change.

City of Menasha

Insurance Company Ratings and Admitted Status (Cont.)

GUIDE TO BEST'S FINANCIAL STRENGTH RATINGS			
A Best's Financial Strength Rating is an independent opinion of an insurer's financial strength and ability to meet its ongoing insurance policy and contract obligations. The rating is based on a comprehensive quantitative and qualitative evaluation of a company's balance sheet strength, operating performance and business profile.			
Best's Financial Strength Ratings			
	Rating	Descriptor	Definition
Secure	A++, A+	Superior	Assigned to companies that have, in our opinion, a superior ability to meet their ongoing insurance obligations.
	A, A-	Excellent	Assigned to companies that have, in our opinion, an excellent ability to meet their ongoing insurance obligations.
	B++, B+	Good	Assigned to companies that have, in our opinion, a good ability to meet their ongoing insurance obligations.
Vulnerable	B, B-	Fair	Assigned to companies that have, in our opinion, a fair ability to meet their ongoing insurance obligations. Financial strength is vulnerable to adverse changes in underwriting and economic conditions.
	C++, C+	Marginal	Assigned to companies that have, in our opinion, a marginal ability to meet their ongoing insurance obligations. Financial strength is vulnerable to adverse changes in underwriting and economic conditions.
	C, C-	Weak	Assigned to companies that have, in our opinion, a weak ability to meet their ongoing insurance obligations. Financial strength is very vulnerable to adverse changes in underwriting and economic conditions.
	D	Poor	Assigned to companies that have, in our opinion, a poor ability to meet their ongoing insurance obligations. Financial strength is extremely vulnerable to adverse changes in underwriting and economic conditions.
	E	Under Regulatory Supervision	Assigned to companies (and possibly their subsidiaries/affiliates) placed under a significant form of regulatory supervision, control or restraint - including cease and desist orders, conservatorship or rehabilitation, but not liquidation - that prevents conduct of normal, ongoing insurance operations.
	F	In Liquidation	Assigned to companies placed in liquidation by a court of law or by a forced liquidation.
	S	Suspended	Assigned to rated companies when sudden and significant events impact operations and rating implications cannot be evaluated due to a lack of timely or adequate information; or in cases where continued maintenance of the previously published rating opinion is in violation of evolving regulatory requirements.
Rating Modifiers			
Modifier	Descriptor	Definition	
u	Under Review	Indicates the rating may change in the near term, typically within six months. Generally is event driven, with positive, negative or developing implications.	
pd	Public Data	Indicates rating assigned to insurer that chose not to participate in A.M. Best's interactive rating process. (Discontinued in 2010)	
s	Syndicate	Indicates rating assigned to a Lloyd's syndicate.	
Rating Outlooks			
Indicates potential direction of a Best's Financial Strength Rating over an intermediate term, generally defined as 12 to 36 months.			
Positive	Indicates possible rating upgrade due to favorable financial/market trends relative to the current rating level.		
Negative	Indicates possible rating downgrade due to unfavorable financial/market trends relative to the current rating level.		
Stable	Indicates low likelihood of a rating change due to stable financial/market trends.		
Under Review Implications			
Indicates the potential direction of a Best's Financial Strength Rating that is in Under Review status based on information currently available.			
Positive	Indicates there is a reasonable likelihood the company's rating will be raised as a result of A.M. Best's analysis of a recent event.		
Negative	Indicates there is a reasonable likelihood the company's rating will be lowered as a result of A.M. Best's analysis of a recent event.		
Developing	Indicates there is uncertainty as to the final rating outcome, but there is a reasonable likelihood the company's rating will change as a result of A.M. Best's analysis of a recent event.		
Not Rated Designation			
NR: Assigned to companies that are not rated by A.M. Best.			
Rating Disclosure			
A Best's Financial Strength Rating opinion addresses the relative ability of an insurer to meet its ongoing insurance obligations. The ratings are not assigned to specific insurance policies or contracts and do not address any other risk, including, but not limited to, an insurer's claims-payment policies or procedures; the ability of the insurer to dispute or deny claims payment on grounds of misrepresentation or fraud; or any specific liability contractually borne by the policy or contract holder. A Best's Financial Strength Rating is not a recommendation to purchase, hold or terminate any insurance policy, contract or any other financial obligation issued by an insurer, nor does it address the suitability of any particular policy or contract for a specific purpose or purchaser. In arriving at a rating decision, A.M. Best relies on third-party audited financial data and/or other information provided to it. While this information is believed to be reliable, A.M. Best does not independently verify the accuracy or reliability of the information. For additional details, see A.M. Best's Terms of Use at www.ambest.com .			
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