

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, December 21, 2015**

**6:00 PM
AGENDA**

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
 - 1. Proposed rezoning of property located west of Kernan Avenue and north of USH 10/114, portions of Parcel #'s 7-01811-01, 7-01811-02, 7-01811-03 and 7-00700-72 from R-1 Single Family to Planned Unit Development.
- 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. FC Auxier – Introduction of new Firefighter Ben Fahrenkrug and administer Oath of Office.
 - 2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
 - a. Board of Health, 11/11/15.
 - b. Board of Public Works, 12/07/15.
 - c. Community on Aging, 11/12/15.
 - d. Landmarks Commission, 11/11/15 & 12/14/15.
 - e. NMFR Joint Finance & Personnel, 12/08/15.
 - f. Parks and Recreation Board, 11/10/15.
 - g. Plan Commission, 12/8/15.
 - h. Water & Light Commission, 12/16/15.
Communications:
 - i. Mayor Merkes, 12/17/15; Finance Department Security Improvements.
 - j. Mayor Merkes, 12/17/15; Joint Common Council/Menasha Utility Commission meeting.
- 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, 12/07/15.
Board of Public Works, 12/07/15 – Recommends the Approval of:
 - 2. Downtown Pedestrian Walkway Improvements.
 - 3. Change Order – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; DEDUCT: \$17,654.46 (Change Order No. 4 and Final).
 - 4. Change Order – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; DEDUCT: \$41,801.80 (Change Order No. 4 and Final).
 - 5. Payment – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; \$38,133.28 (Payment No. 6 & Final).
 - 6. Payment – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; \$40,426.94 (Payment No. 5 & Final).

Plan Commission, 12/8/15 – Recommends the Approval of:

7. Preliminary Plat for the Second Addition to Woodland Heights conditioned on the 50' setback line from the navigable stream being shown on the plat, staff review of the drainage easement widths, and the City of Menasha retain an outlot at the termination of the cul-de-sac.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 12/10/15 to 12/17/15 in the amount of \$566,794.68.
2. Beverage Operators License Applications for the 2015-2017 licensing period.
3. Fourth Amendment to the Lease Agreement between Morton Martin I LLC, Dumke and Associates, LLC and City of Menasha.
4. First Amendment to Development Agreement between Menasha Downtown Development, LLC and City of Menasha.
5. 2016 Municipal Property Insurance.
6. Underground Storage Tank Insurance.

J. HELD OVER BUSINESS

1. Street Use Application – First Eve; Thursday, December 31, 2015; 3:00 PM – 12:30 AM; (Doty Island Development Council and Community Forward, Inc.).

K. ORDINANCES AND RESOLUTIONS

L. APPOINTMENTS

1. Mayor's Appointment of Peggy Steeno to Fox Cities Hotel Room Tax Commission for the term 1/1/16 to 12/31/16.

M. CLAIMS AGAINST THE CITY

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

O. RECESS TO BOARD OF PUBLIC WORKS

P. ACTION ITEMS

1. Recommendation from Board of Public Works: Authorization to Execute Relocation Order for Third Street Bridge Project.
2. R-40-15 Resolution Inviting Town of Menasha to Mediate Boundary Issues.
3. Possible Motion to Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e) and (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 advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.(Incorporation of a portion of lands comprising the Town of Menasha, Winnebago County, WI. Case No.15-CV-452).
4. May reconvene into Open Session to act on what was discussed in Closed Session.

Q. ADJOURNMENT

MEETING NOTICE
Monday, January 4, 2016
Common Council Meeting – 6:00 p.m.
Committee Meetings to Follow

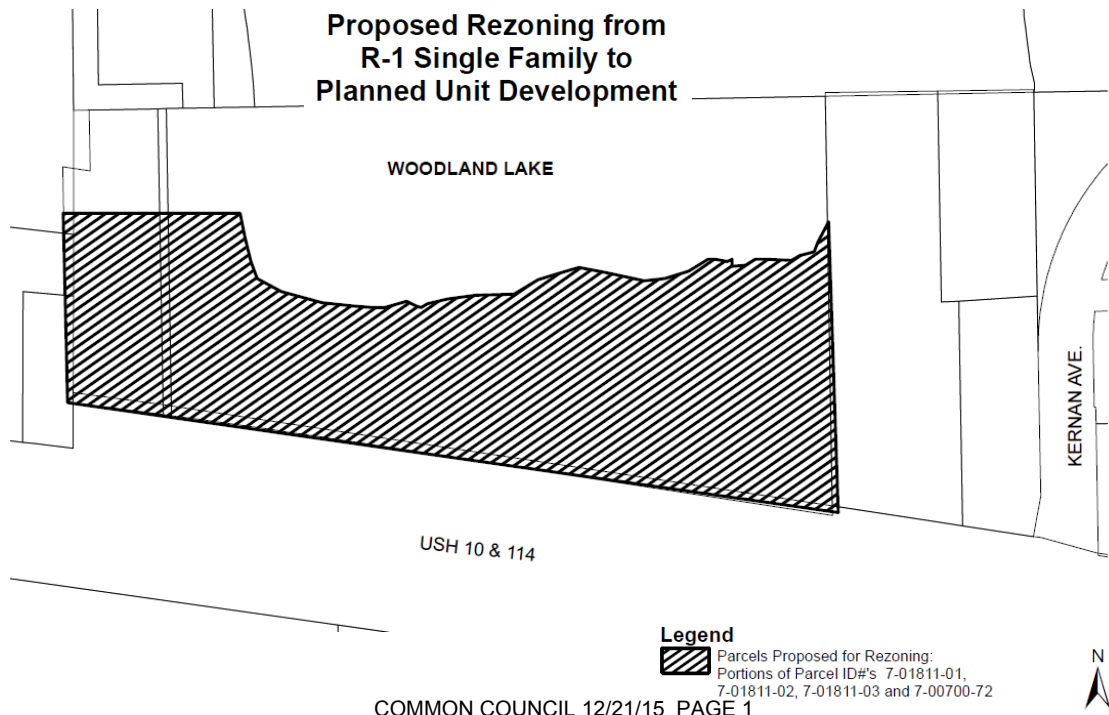
CITY OF MENASHA
Public Hearing

NOTICE IS HEREBY GIVEN that the City of Menasha will be holding a public hearing regarding the proposed rezoning of property located west of Kernan Avenue and north of USH 10/114, which includes portions of parcel numbers 7-01811-01, 7-01811-02, 7-01811-03 and 7-00700-72.

DESCRIPTION OF LANDS TO BE RE-ZONED:

A PART OF OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 2980 AS RECORDED IN VOLUME 24 OF MAPS ON PAGE 288 AS DOCUMENT NO. 414583 AND A PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 18, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF MENASHA, CALUMET COUNTY, WISCONSIN, CONTAINING 205,444 SQUARE FEET (4.716 ACRES) OF LAND BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18; THENCE S00°01'35"W (RECORDED AS S01°01'40"E), 1299.34 FEET ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 18 TO THE SOUTHEAST CORNER OF LOT 3 OF CERTIFIED SURVEY MAP NO. 2475 AS RECORDED IN VOLUME 19 OF MAPS ON PAGE 117; THENCE N80°51'05"W (RECORDED AS N81°54'20"W), 253.20 FEET ALONG THE SOUTH LINE OF SAID CERTIFIED SURVEY MAP NO. 2475 TO THE SOUTHWEST CORNER OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 2475; THENCE N00°01'35"E (RECORDED AS N01°01'40"W), 9.02 FEET ALONG THE WEST LINE OF SAID LOT 1 TO THE POINT OF BEGINNING; THENCE N80°52'19"W, 731.95 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF U.S.H. 10 AND S.T.H. 114 TO THE START OF A 11,573.18 FOOT RADIUS CURVE TO THE LEFT; THENCE 184.84 FEET ALONG THE ARC OF SAID CURVE BEING THE NORTH RIGHT-OF-WAY LINE OF SAID U.S.H. 10 & S.T.H. 114 HAVING A 184.84 FOOT CHORD WHICH BEARS N81°20'10"W TO THE WEST LINE OF THE EAST 35 ACRES OF SAID NORTHEAST 1/4; THENCE N00°01'35"E, 237.86 FEET ALONG SAID WEST LINE TO A POINT 15.00 FEET NORTH OF THE SOUTHWEST CORNER OF OUTLOT 1 OF SAID CERTIFIED SURVEY MAP NO. 2980; THENCE N89°57'17"E, 159.52 FEET ALONG A LINE 15 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID OUTLOT 1 TO THE STARTING POINT OF A MEANDER LINE TO THE SOUTHERLY SHORE OF WOODLAND LAKE, SAID POINT BEARS S89°57'17"W, 36 FEET MORE OR LESS FROM SAID SOUTHERLY SHORE; THENCE THE FOLLOWING FOUR CALLS ALONG SAID MEANDER LINE; THENCE S14°08'37"E, 128.18 FEET; THENCE S78°07'25"E, 156.66 FEET ; THENCE N85°16'28"E, 277.20 FEET; THENCE N84°05'36"E, 286.53 FEET TO THE WEST LINE OF LOT 1 OF SAID CERTIFIED SURVEY MAP NO. 2475 AND THE TERMINATION POINT OF SAID MEANDER LINE; SAID POINT BEARS S00°01'35"W (RECORDED AS S01°01'40"E), 70 FEET MORE OR LESS FROM THE SOUTHERLY SHORE OF SAID WOODLAND LAKE; THENCE S00°01'35"W (RECORDED AS S01°01'40"E), 144.75 FEET ALONG THE WEST LINE OF SAID LOT 1; THENCE N89°58'25"W, 4.00 FEET; THENCE S00°01'35"W, 20.00 FEET; THENCE S89°58'25"E, 4.00 FEET TO THE WEST LINE OF SAID LOT 1; THENCE S00°01'35"W (RECORDED AS S01°01'40"E), 112.98 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. INCLUDING ALL THOSE LANDS LYING BETWEEN THE ABOVE DESCRIBED MEANDER LINE AND THE SOUTHERLY SHORE OF WOODLAND LAKE AND THE RESPECTIVE LOT LINE EXTENDED TO SAID SOUTHERLY SHORE.



Rezoning of the property from R-1 Single Family to Planned Use Development is requested to enable the development of a condominium plat with single-family dwellings.

Public hearings will be held as follows:

Plan Commission

Date of Hearings: Tuesday, December 8, 2015

Time of Hearings: 3:30 p.m. or shortly thereafter

Place of Hearings: City Hall Council Chambers, 140 Main Street, Menasha

Common Council

Date of Hearings: Monday, December 21, 2015

Time of Hearings: 6:00 p.m. or shortly thereafter

Place of Hearings: City Hall Council Chambers, 140 Main Street, Menasha

Deborah A. Galeazzi
City Clerk

Publish: December 4 & 14, 2015.

CITY OF MENASHA BOARD OF HEALTH
Minutes
November 11, 2015

A. Meeting called to order at 8:05 AM by Chairman Candyce Rusin.

B. Present: Candyce Rusin, Lori Asmus, Teresa Rudolph, Nancy McKenney, Diane Hotynski
Staff: Liz Rosin, Kortney Dahm, Linda Palmbach

C. MINUTES TO APPROVE

1. Lori Asmus moved to approve October 14, 2015 minutes, seconded by Nancy McKenney.
Motion passed.

D. REPORT OF DEPT HEADS/STAFF/CONSULTANTS

Administrative: Budget Update – Nancy McKenney reported that the budget was approved by the Common Council. Nancy McKenney discussed all program budgets. Parochial fees have not been raised since 2013-2014 school year. This will be researched and considered at a future Board of Health meeting. The Medical Advisory Board will meet on December 11, 2015 at 9:30 a.m. at the Menasha Health Department. Head Injury and Seizure procedures will be agenda items.

Employee Safety Program: CVMIC walk through recommendations are being prioritized and addressed. The City of Menasha Safety Manual and Emergency Operation and Evacuation Plan are due for revision.

Sealer of Weights and Measures and Environmental Health Programs: Nancy McKenney noted that there would be an increase in these program work loads due to new entities in Menasha.

Public Health Department: The Communicable Disease Report was reviewed by the Board. The Board reviewed monthly and year-to-date Communicable Disease reports.

Kortney Dahm discussed update to seizure protocol for absence seizure and partial seizure.

Theresa Rudolf moved to approve new Absence and Partial seizure Procedures, Second by Lori Asmus.

Motion passed.

Health Screening 60+ Program: A Wellness Lab was held on November 17, 2015 at the Menasha Senior Center.

Maternal and Child Health: Vicki Schultz will be attending MCH training.

Prevention Program: The Division of Public Health has approved objectives including the second annual Corny Community Walk, community health assessment, and a quality improvement project.

Radon: In 2016, the Radon program will shift focus to working with realtors and builders. Vicki Schultz will be attending Radon mitigation training.

Dental Program: Loretta Kjemhus has completed screening in the schools and is applying fluoride varnish. Tammie Bauer is working with the Menasha High School to build the Oral Health for Children and Youth with Special Health Care Needs.

Dental Sealant Program: No report.

Lead Prevention Program: No report.

Immunization: The Menasha Health Department held an Immunization Clinic on October 23, 2016 at Butte Des Morts School. This was also an Emergency Preparedness exercise. Loretta Kjemhus and Vicki Schultz organized the event, coordinating with local volunteers, the Medical Reserve Corp, Menasha Police Department, the schools, and UW Oshkosh nursing students. The numbers of resident attending this clinic were down this year (approximately 197 participants). The Board discussed whether or not the Menasha Health Department could give the Shingles and Pneumovax vaccines. The Menasha Health Department will look into the costs of ordering vaccine.

Emergency Preparedness: No report

Senior Center: Jean Wollerman, supported by the City of Menasha, is applying for an Aging Mastery grant. The grant focuses on providing seniors with learning opportunities about topics such as health, social interaction and finances. If funded, curriculum materials will be provided by the National Council on Aging along with funding to offer the program.

Wellness: No report.

E. ACTION ITEMS: None

F. HELD OVER BUSINESS: None

G. ADJOURNMENT: Candyce Rusin adjourned the meeting at 9:05 am.

The next meeting will be on December 9th, 2015.

CITY OF MENASHA
Board of Public Works
Third Floor Council Chambers
140 Main Street, Menasha
December 7, 2015
MINUTES

DRAFT

A. CALL TO ORDER

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

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krautkramer, Olszewski, Keehan, Zelinski, Spencer, Benner, Nichols.

EXCUSED: Alderman Taylor.

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, DPW Radtke, ASD Steeno, PHD McKenney, Shane Bernau (Ken Saiki Design), Nick Vande Hey (McMahon), Clerk Galeazzi

C. MINUTES TO APPROVE

1. [November 16, 2015](#)

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

Motion carried on voice vote.

D. COMMUNICATION

1. [Calumet County Highway Commissioner Regarding Midway Road Speed Limit](#)

DPW Radtke explained the safety concerns of the speed limit on Midway Road from Oneida Street to Plank Road in Calumet County. Calumet County Highway Commissioner plans to bring forward a proposal to reduce the speed limit from 35 to 30 m.p.h.

E. DISCUSSION / ACTION ITEMS

1. Election of Vice-Chair

Chairman Krautkramer opened the floor to nominations.

Ald. Nichols nominated Ald. Olszewski as Vice-Chairman of Board of Public Works.

Having no other nominations, Chairman Krautkramer closed nominations.

A unanimous ballot was cast for Ald. Olszewski as Vice-Chairman for Board of Public Works.

2. [Presentation of Recommended Downtown Walkway Improvements](#)

DPW Radtke explained the City's obligation for improvements to the walkway between the office building and parking ramp and around the office building. A Steering Committee comprised of staff and citizens has been meeting with representatives of Ken Saiki Design Inc. to review and recommend the downtown improvements design plan.

Shane Bernau from Ken Saiki Design presented the Committee recommended pedestrian walkway design plan.

General discussion ensued on the proposed design plan including the budget and project cost estimate; materials to be used; timeline of the project; funding for project; maintenance of walkway; future improvements to end of Mill Street.

Moved by Ald. Nichols seconded by Ald. Keehan to recommend to Common Council the downtown pedestrian walkway improvements as presented.

Motion carried on roll call 7-0.

3. [Presentation of TMDL Storm Water Planning Grant Project](#)

Nick Vande Hey from McMahon Engineers/Architects updated the Board on the Total Maximum Daily Load (TMDL) Planning Grant the City received from Wisconsin Department of Natural Resources. He gave a presentation on what has been done and what still needs to be accomplished for the City to be compliant with stormwater requirements.

General discussion ensued on the timeline of the project and steps by the City to accomplish stormwater requirements. The draft report will be submitted for review at a future Board of Public Works meeting.

4. [Change Order – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; DEDUCT: \\$17,654.46 \(Change Order No. 4 and Final\)](#)

DPW Radtke explained changes in the trail resulted in a deduction of the final cost.

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Change Order for Janke General Contractors for Gilbert Riverfront Trail, Contract No. 2014-03, deduct of \$17,654.46 (Change Order No. 4 & Final).
Motion carried on roll call 7-0.

5. [Change Order – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; DEDUCT: \\$41,801.80 \(Change Order No. 4 and Final\)](#)

DPW Radtke explained changes to the trestle resulted in a deduction of the final cost.

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Change Order for Janke General Contractors for Gilbert Trestle Improvements, Contract No. 2014-04, deduct of \$41,801.80 (Change Order No. 4 & Final).
Motion carried on roll call 7-0.

6. [Payment – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; \\$38,133.28 \(Payment No. 6 & Final\)](#)

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Payment to Janke General Contractors for Gilbert Riverfront Trail, Contract No. 2014-03 in the amount of \$38,133.28 (Payment No. 6 & Final).
Motion carried on roll call 7-0.

7. [Payment – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; \\$40,426.94 \(Payment No. 5 & Final\)](#)

Moved by Ald. Benner seconded by Ald. Keehan to recommend to Common Council Payment to Janke General Contractors for Gilbert Trestle Improvements, Contract No. 2014-04 in the amount of \$40,426.94 (Payment No. 5 & Final).
Motion carried on roll call 7-0.

F. ADJOURNMENT

Moved by Ald. Keehan seconded by Ald. Benner to adjourn at 8:23 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk

**CITY OF MENASHA
COMMITTEE ON AGING
Menasha Senior Center
116 Main Street, Menasha
November 12, 2015
Minutes**

- A. Meeting called to order at 7:55 am.
Brenda Marks moved to change the Committee on Aging meeting time to 7:45 am, seconded by John Ruck.
Motion passed.
- B. Roll Call - Present: Joyce Klundt, Mary Lueke, Brenda Marks, Nancy McKenney, John Ruck, Jean Wollerman
Excused: Tom Stoffel
- C. MINUTES TO APPROVE
Mary Lueke moved to approve the October 15, 2015 minutes, seconded by John Ruck. Motion passed.
- D. NEW BUSINESS:
Parking: On November 17, 2015 there will be approximately 85 people coming for an event. December 8, 2015 there will be approximately 30 people coming for yoga class and 90 people coming for the Christmas Luncheon. Parking is difficult and requires coordination with the City and neighboring businesses. Jean Wollerman offered to speak with the Menasha Corporation and City Hall to accommodate parking during these events.
- E. REPORT OF DEPT HEADS/STAFF/CONSULTANTS
Senior Center: Jean Wollerman distributed participation reports. The Menasha Committee on Aging is invited to participate in the Neenah Committee on Aging to hear a presentation on pedestrian bike community project – Sharing the Road - on November 19, 2015 at 9:00 am.
Public Health: *Budget Update, Sixty Plus grant, and Senior Center grant*– Nancy McKenney explained grants were made available by Winnebago County. The Sixty Plus grant funds health and wellness services coordinated by the public health nurse and the Senior Center grant supports Senior Center management and operations along with City of Menasha funding. She received notice that the grants will be available to fund the programs in 2016 at the same amount as previous years. Jean Wollerman explained that although costs continue to rise, funding remains level, which poses challenges. John Ruck asked whether there were other ways to increase revenue (e.g. planned giving). He suggested that the budget discussion was related to developing a philosophical perspective and vision, along with priorities and a framework.
John Ruck moved to discuss the feasibility of a cost study as it relates to the budget, seconded by Brenda Marks.
Motion passed.
Nancy McKenney thanked the Committee for assisting with the Community Needs Assessment questionnaires. She will share results as they become available.
- F. HELD OVER BUSINESS
Mission Vision and Goals and Safety Manual will be held over.
Jean Wollerman indicated that she needed account detail to address the donor wall costs.
- ADJOURNMENT:
Brenda Marks motioned to adjourn, seconded by Mary Lueke. Motion passed.

The next meeting will be held on December 10, 2015 at the Senior Center, 116 Main Street, Menasha.

CITY OF MENASHA
Landmarks Commission
1st Floor Conference Room, City Hall - 140 Main Street
November 11, 2015
DRAFT MINUTES

A. CALL TO ORDER

Meeting called to order by Vice Chairman Brunette at 4:28 PM.

B. ROLL CALL/EXCUSED ABSENCES

LANDMARKS MEMBERS PRESENT: Commissioners Paul Brunette, Shellie Caudill, and Dean Wydeven.

LANDMARKS MEMBERS EXCUSED: Commissioners Alison Mayer and Tom Grade.

OTHERS PRESENT: AP Englebert.

C. MINUTES TO APPROVE

1. **Minutes of the October 13, 2015 Landmarks Commission Meeting**

Motion by Comm. Wydeven, seconded by Comm. Caudill to approve the minutes of the October 13, 2015 Landmarks Commission Meeting. The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA OR ANY ITEM RELATED TO THE RESPONSIBILITIES OF THE LANDMARKS COMMISSION

No one spoke.

E. COMMUNICATIONS

1. **Columns Newsletter, November 2015-January 2016**

F. ACTION ITEMS

1. **Application for Renovation/Remodel – 165-167 Main Street**

AP Englebert introduced the replacement of windows on the south façade of 165-167 Main Street. The new windows are proposed to be wrapped by a Milwaukee Cream style brick. Commissioners discussed the proposal and the existing condition of the building.

Motion by Comm. Caudill, seconded by Comm. Brunette to grant a certificate of appropriateness for the replacement of windows 165-167 Main Street. The motion carried.

G. DISCUSSION ITEMS

1. None.

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

None.

I. ADJOURNMENT

Motion by Comm. Caudill, seconded by Comm. Wydeven to adjourn at 4:43PM. The motion carried.

Respectfully submitted by AP Englebert.

CITY OF MENASHA
Landmarks Commission
Council Chambers, 3rd Floor
140 Main Street, Menasha
December 14, 2015
DRAFT MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Grade at 4:33 PM.

B. ROLL CALL/EXCUSED ABSENCES

LANDMARKS MEMBERS PRESENT: Commissioners Paul Brunette, Shellie Caudill, Alison Mayer, Tom Grade and Dean Wydeven.

LANDMARKS MEMBERS EXCUSED: Alderman Spencer.

OTHERS PRESENT: CDD Keil, AP Englebert, Pat DuFrane (Weathervane), and Tom Hoffman (Greenwood Project Management).

C. MINUTES TO APPROVE

1. **Minutes of the October 7, 2015 Landmarks Commission Meeting**

Motion by Comm. Wydeven, seconded by Comm. Mayer to approve the minutes of the October 7, 2015 Landmarks Commission Meeting with the addition of Nick Jevne's comment. The motion carried.

2. **Minutes of the November 11, 2015 Landmarks Commission Meeting**

Motion by Comm. Brunette, seconded by Comm. Wydeven to approve the minutes of the November 11, 2015 Landmarks Commission Meeting. The motion carried.

D. PUBLIC COMMENT ON ANY ITEM OF CONCERN ON THIS AGENDA OR ANY ITEM RELATED TO THE RESPONSIBILITIES OF THE LANDMARKS COMMISSION

No one spoke.

E. COMMUNICATIONS

1.

F. ACTION ITEMS

1. **Façade Improvement Grant Request – 186 Main Street – WeatherVane South Elevation**

Pat Dufrane (WeatherVane) introduced the proposed improvements for the south façade of the WeatherVane building. The proposal includes replacing windows on the former Korona Klub building to match existing windows at 186 Main, installing copper awnings, and cleaning the bricks.

Comm. Brunette inquired about the timeline of the renovations. Tom Hoffman (Greenwood Project Management) explained that they are eager to renovate the building as soon as the weather will allow. Motion by Comm. Brunette, seconded by Comm. Caudill to approve the matching grant request for \$2,500 for the south façade of 186 Main Street.

2. **Façade Improvement Grant Request – 186 Main Street – WeatherVane North Elevation**

Tom Hoffman detailed the proposed renovations to the north façade of the WeatherVane. CDD Keil explained that EIFS is not permitted within 3 feet of the ground. Motion by Comm. Caudill, seconded by Comm. Mayer to approve the matching grant request for \$2,500 conditioned on the resubmittal of a plan for building materials that meets city standards. The motion carried.

G. DISCUSSION ITEMS

1. **Façade Improvements – 2 Tayco Street**

Commissioners discussed the following:

- The current physical state of the building located at 2 Tayco Street
- The ability of the Landmarks Commission to pursue initiatives to preserve the façade
- Current boundaries of the historical districts

This item will be taken up again at the next meeting.

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

None.

I. ADJOURNMENT

Motion by Comm. Caudill, seconded by Comm. Wydeven to adjourn at 5:37PM. The motion carried.

Respectfully submitted by AP Englebert.

**NMFR Joint Finance & Personnel Committee Meeting
December 8, 2015 – 5:30 p.m.
2nd Floor Conference Room – City of Neenah**

Present: Ald. Stevenson, Kunz, Benner, Keehan and Ramos

Excused: Ald. Taylor

Also Present: Chief Auxier, Director Easker and OM Theisen

Public: No members of the public were present.

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

Minutes: The Committee reviewed the meeting minutes of October 27, 2015. **MSC Keehan/Ramos to approve the October 27, 2015 meetings, all voting aye.**

Budget: The Committee reviewed the October 2015 budget report. It was noted the November 2015 report was not available as the month end process was not finished by the Finance Department. Chief Auxier reviewed the salaries and benefits line items and said we will have a savings of around \$100,000 for the year. This is due to three retirements and one person who left and replacements were not hired right away. Once replacements were hired their starting salary was less than the person who left. Chief Auxier noted we will exceed our overtime budget due to various reasons. However, the salary savings will cover this. Chief Auxier discussed the rest of the budget areas and note that the Dive Team budget will exceed the budget by around \$10,000. However, the overall budget will have a savings and he expected to return around \$120,000 - \$125,000 and this will help offset the purchase of the unbudgeted fire truck. **MSC Keehan/Stevenson to approve the October 2015 budget report and place on file, all voting aye.**

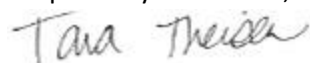
Activity Reports: The Committee reviewed the November activity and automatic aid reports. **MSC Stevenson/Keehan to approve the November 2015 activity and automatic aid reports, all voting aye.**

Sale of Pumper 35: The Committee reviewed the information regarding the sale of Pumper 35 for a total of \$6,220.00. Chief Auxier requested direction on what to do with the funds from the sale of this vehicle. He asked for consideration of using some of the proceeds to purchase equipment that is needed for the new engine and also to apply remaining proceeds to the maintenance of the motor vehicles line item. Discussion was held by the Committee regarding the proceeds from the sale and the need for equipment. **MSC Stevenson/Keehan recognize Chief Auxier's memo of December 3, 2015 and support the purchase of the equipment utilizing the 2015 budget and the revenue from the sale of the vehicle to be placed in NMFR's revenue account, all voting aye.**

2016 Meeting Schedule: This is informational only.

MSC Ramos/Stevenson to adjourn at 6:00 p.m., all voting aye.

Respectfully Submitted,



Tara Theisen
Management Assistant

CITY OF MENASHA
Parks and Recreation Board
City Hall – Council Chambers
November 10, 2015
MINUTES

A. CALL TO ORDER

The meeting was called to order by Chr. D Sturm at 6:00pm.

B. ROLL CALL/EXCUSED ABSENCES- members welcomed Brian Adesso to the Board.

MEMBERS PRESENT: Chr. D.Sturm, T. Marshall, L. Hopwood, N. Barker, S. Pawlowski, B. Adesso

MEMBERS EXCUSED: D. Zelinski

OTHERS PRESENT: PRD Tungate, PS Maas

C. MINUTES TO APPROVE

1. **Minutes of the October 12, 2015 Park Board Meeting:** Moved by L. Hopwood, seconded by N. Barker to approve the minutes of the October 12, 2015 Park Board meeting. Motion carried.

D. PUBLIC COMMENT ON ANY MATTER RELATED TO CITY PARKS AND RECREATION: None

E. REPORT OF DEPARTMENT HEADS/STAFF/OR CONSULTANTS

1. **Department Report:** PRD Tungate reported on a successful Pumpkin Hunt and talked about preparations being made for the Holiday Hayride on December 4. He also gave a short summary about the Common Council's review of the 2016 budget. Staff was asked several questions in the areas of hiring and projects and in general they seemed supportive of the funding allotted for parks and recreation for 2016. Election of Park Board officers will take place in December.
2. **Park, Pool and Vandalism Report:** PS Maas reported some vandalism to windows at Hart Park. Gilbert site benches and planting has been completed. East Central Regional Planning Commission staff was the latest volunteer group to help with planting.

F. DISCUSSION

1. **Clovis Grove PTO play equipment donation:** The Clovis Grove PTO has donated a piece of play equipment to be installed at Clovis Grove park by city staff. The piece will arrive in the next week or so. There is a small chance that it may be installed yet this fall.
2. **Loop the Little Lake Project Update:** Staff has met with City of Neenah officials about the route to be designated on the streets on Doty Island that will connect the two new pedestrian bridges. A map will be produced and each community seeks approval of the preferred route by running it through the appropriate oversight committee, etc. It was pointed out that people will be free to use whatever streets and sidewalks they want to get between the bridges, but that it made sense that one route would be officially signed and designated.
3. **Gilbert Site Project and Sponsorship Update:** Light pole sponsorships have been popular as of late. Approximately \$7,000 has been raised so far and some poles are still available. To date, around \$35,000 has been received as sponsorships for the project.
4. **Location and Time for December Board Meeting and Holiday Gathering:** It was determined that the Board would try to meet jointly with the Plan Commission to discuss and take action on the designated bike/pedestrian route through Doty Island as part of the Loop the Little Lake project. The preferred meeting time was 4:00pm on Tuesday, December 8. After meeting jointly, the Park

Board would conclude its meeting on the first floor at City Hall, followed by a holiday gathering at Wiseguys.

5. **Results of Winz Park Survey:** 16 people completed an online survey relative to Winz Park. 142 notices were mailed out. The Board was somewhat disappointed with the response, but felt that at least some worthwhile information was obtained. Several comments focused on the desire that whether or not the park remains, the area should be made more aesthetically pleasing. Responses were pretty evenly split on whether or not it was important to continue operating the park. Ten of fifteen respondents stated they did not use the park. Question 3 asked if the park were eliminated, what do you see as alternatives. Nine out of sixteen people thought that either no alternative was needed or some or all of the facilities could be replaced in nearby Jefferson Park. Respondents were evenly split on whether it was worth \$150,000 to repair the recreational surface.

G. ACTION ITEMS

1. **Recommend to discontinue the consideration to pursue fully rehabilitating the recreational surface at Winz Park and review possible alternatives:** The Board held a lengthy discussion on all the information and public feedback it has received pertaining to Winz Park. The possibility of holding off on action until next month was discussed. It was the consensus feeling that they have been very deliberate and inclusive of public input on this matter. It was felt that a decision needed to be made on the future of the site in large part because Menasha Utilities needed to take steps to maintain the deck/roof of the public water reservoir that falls under its responsibility. Members felt that this was a two step process. First, a decision should be made about continuing recreation on top of the reservoir. Second, could at least some of the lost recreation opportunity be made up. The second step would be an ongoing process and a decision on what would need to be made up in the future. Chr. D. Sturm could not see the logic in spending a considerable amount of money to place a new recreation surface over what is known to be a cracked and subpar concrete deck surface. Motioned by S. Pawlowski, seconded by L. Hopwood to discontinue recreational use and maintenance of Winz Park and return complete facility responsibilities to Menasha Utilities. PRD Tungate stated that CA Captain believed that the Board had the authority to take this step because of the non-traditional nature of the park and that MU has always had primary responsibility of the facility. Motion carried unanimously.

H. PUBLIC COMMENT ON ANY MATTER LISTED ON THE AGENDA

Five (5) minute time limit for each person

I. ADJOURNMENT

Motioned by L. Hopwood, seconded by N. Barker to adjourn at 7:58pm. Motion carried.

CITY OF MENASHA
Plan Commission
Council Chambers, City Hall – 140 Main Street
December 8, 2015
DRAFT MINUTES

A. CALL TO ORDER

The meeting was called to order at 3:32 PM by Mayor Merkes.

B. ROLL CALL/EXCUSED ABSENCES

PLAN COMMISSION MEMBERS PRESENT: Mayor Merkes, DPW Radtke, Commissioners Sturm, Schmidt, and DeCoster.

PLAN COMMISSION MEMBERS EXCUSED: Commissioner Cruickshank and Ald. Benner.

OTHERS PRESENT: CDD Keil, AP Englebert, and Dave Schmalz (McMahon Engineering).

3:30 PM – Informal Public Hearing Regarding the Proposed Rezoning of Parcels Immediately West of Kernan Avenue and North of STH10/114 – Portions of Parcels #'s 7-01811-01, 7-01811-02, 7-01811-03 and 7-00700-72 from R-1 Single Family to Planned Unit Development

Mayor Merkes opened the public hearing at 3:31PM

No one spoke.

The hearing was closed at 3:32PM

C. MINUTES TO APPROVE

1. Minutes of the November 17, 2015 Plan Commission Meeting

Motion by Comm. Schmidt, seconded by Comm. DeCoster to approve the November 17, 2015 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. None.

F. ACTION ITEMS

1. Proposed Rezoning of Portions of Parcel #'s 7-01811-01, 7-01811-02, 7-071811-03 and 7-00700-72 from R-1 Single Family to Planned Unit Development

CDD Keil introduced the property and explained that the reason the property owner is requesting a rezoning is due to a state highway setback that would render the development unfeasible. Commissioners discussed the following:

- The location of stormwater facilities to serve the site
- The need to have a public trail easement portrayed on the PUD plan as approved by the Development Agreement between the City of Menasha and Woodland Hills Development, LLC (approved 8/3/15)
- The locations of sewer and water easements on the property
- The ownership of existing roadway

Dave Schmalz commented on the stormwater pond and the proposed condo development. He expressed that the trail will be reflected in the final plans and stressed the importance of a publicly maintained street.

No action was taken.

2. **Planned Unit Development Review – Lake Cottage Estates**

This item was discussed with action item number one. No action was taken.

3. **Preliminary Plat Review – Second Addition to Woodland Heights**

AP Englebert introduced the preliminary plat for the Second Addition to Woodland Heights. The commissioners discussed the following:

- Location of the cul-de-sac
- Size of the drainage easement
- Sewer and water easement extensions
- Future roadway design

CDD Keil informed the Plan Commission that the stream on the plat is considered navigable and there needs to be a 50' shore yard setback depicted on the preliminary plat.

Motion by DPW, seconded by Comm. Sturm to approve the preliminary plat for the Second Addition to Woodland Heights conditioned on the 50' setback line from the navigable stream being shown on the plat, staff review of the drainage easement widths, and the City of Menasha retaining an outlot at the termination of the cul-de-sac. The motion carried.

H. ADJOURNMENT

Motion by Comm. DeCoster, seconded by Comm. Sturm to adjourn at 4:32 PM. The motion carried.

Minutes respectfully submitted by AP Englebert.

REGULAR MEETING OF THE WATER AND LIGHT COMMISSION

December 16, 2015

Draft

Commission Vice-President Zelinski called the Regular Meeting of the Water and Light Commission to order at 8:02 a.m., with Commissioners Roy Kordus, and Don Merkes, present on roll call. Also present were Melanie Krause, General Manager; Steve Grenell, Engineering Manager; William Menting, Electric Manager; Tim Gosz, Water Utility Manager; Kristin Hubertus, Finance Manager; Paula Maurer, Customer Services Manager; John Teale, Technical Services Engineer; and Dawn Lucier, Administrative and Accounting Assistant.

Those excused were Commissioners Allwardt and Smolinski.

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

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

- A. Minutes of the Regular Meeting of November 10, 2015
- B. Approve and warrant payments summarized by checks dated November 12-25 & December 3-16, 2015, which includes Net Payroll Voucher Checks, Void O & M Check #47420, Operation and Maintenance Voucher Checks for a total of \$1,067,097.23, and Operation and Maintenance Vouchers and Rebates to be paid prior to the next Regular Meeting. Motion approved unanimously on roll call
- C. Correspondence as listed:
 - Copy of letter dated November 19, from Public Service Commission RE: Final Decision related to docket 3560-ER-105
 - Copy of November 2015 MU Employee Newsletter
 - Copy of WPPI Energy Fiscal Year 2015 Third Quarter Highlights

Item IV. Claims Against The Utility – There were no claims discussed at this meeting.

Item V. Purchase Orders over \$10,000.00 issued since the last Commission meeting were presented for informational purposes along with annual purchase orders for 2016.

The motion by Comm. Kordus, seconded by Comm. Merkes, was unanimous to approve the purchase orders as presented.

Item VI. Unfinished Business, Long Term Power Supply Contract Extension – Included in the packet were the responses to questions the Commission requested from Quarles & Brady and WPPI Energy regarding the contract extension.

The Commission will look into scheduling a joint meeting with the Common Council.

Item VII. New Business, 2016 Commission Meeting Calendar – Commissioners discussed the proposed meeting schedule for the next year.

The motion by Comm. Kordus, seconded by Comm. Merkes, was unanimous to approve the 2016 Commission Meeting Calendar as presented.

Job Description Updates – Staff presented new job descriptions and pay scales to reflect the proposed apprentice, journeyman and senior/foreman role for several positions. Four positions were identified to follow the new structure: Lineman, Substation Technician, Electric Distribution Metering Technician, and Water Plant Maintenance Technician.

The motion by Comm. Kordus, seconded by Comm. Merkes, was unanimous to approve as presented.

Base Pay and Merit Based Pay System 2016 – Staff is recommending a 1.5% increase in base pay and 1.5% in total for merit pay based on the number of exceeding expectations earned.

The motion by Comm. Merkes, seconded by Comm. Kordus, was unanimous to approve the base pay and merit pay system for 2016 as budgeted.

Changes to Employee Handbook for 2016 – Updates to the employee handbook included language additions and clarifications, updated hours of work, and minor changes.

The motion by Comm. Merkes, seconded by Comm. Zelinski, was unanimous to approve the changes to the Employee Handbook for 2016.

Item VIII. Strategic Reports, Monthly Strategic Initiative Update – The November report was discussed.

October & November Financial and Project Status Reports – Electric consumption was lower than budget for the month of October and November with year-to-date 1% less than budget. Net Operating Income was greater than budgeted due mainly to lower cost of power.

Water usage was lower than budget, however, Net Operating Income is greater than budgeted due to lowered chemical and main break road repair expenses.

After discussion, the Commission accepted the October & November Financial and Project Status Reports as presented.

Project Reports, Water Plant projects – Work on the chemical feed building has been completed; staff is preparing for the purchase of the PLC equipment; and the wireless communication at the tower has been installed and is working as expected.

Metering Practice & Plan – Staff continues to replace residential meters with new AMR meters and a new free standing 3 phase CT cabinet has been installed at the One Menasha Center building.

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

Item X. The motion by Comm. Merkes, seconded by Comm. Zelinski, was unanimously approved on roll call to convene into Closed Session pursuant to Section 19.85 (1) (e), of the Wisconsin Statutes for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and (f) of the Wisconsin Statutes for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. RE: Delinquent Accounts

By: DAN ZELINSKI
Vice-President

ROY KORDUS
Secretary

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



M e m o r a n d u m

TO: Common Council
FROM: Mayor Merkes
SUBJECT: Finance Department Security Issues
DATE: 17 December 2015

Several years ago, security walkthrough was conducted at City Hall by the Police Department in order to identify safety and security vulnerabilities within and around the building. Numerous recommendations were made in a report given to the safety committee. One of those recommendations was to increase security in the finance area. This area of City Hall handles money and operates essentially as a banking facility. Due to the inherent risks associated with being a financial institution, there are best practices that should be implemented to provide a safe and secure work environment.

Best practices recommend several things. The ultimate goal is to delay an intruder/hostile person long enough to allow the employees to react and get to safety. This is often accomplished by creating barriers (visual and physical, controlling access, and having appropriate response policies in place.

The employee door in the finance area lobby should be secured to prevent unwanted entry into the employee work area. The current counter height is too low allowing someone to easily go over it to access an employee. Furthermore, the current setup allows someone to easily be able to reach over the counter and grab cash, etc., from the drawers. The best option to remedy this situation, without having to incur the expenses of completely rebuilding the counters and replacing the furniture/seating for the employees is to place a partition between employees and those wanting to gain access.

As a facility that deals with the public, we will be moving forward with installing a glass partition with 8" openings that allows for face to face communication and full natural surveillance for both customers and employees. In addition, this accommodates the ADA counter height requirement as well as the regular height counters. The 8" gap in the glass allows for easy communication and exchange of cash/papers/etc., yet makes it physically challenging for someone to try and climb or reach through. This option allows for the use of the current counter setup without having to make major renovations to the facility.

Finance Department





TO: Common Council
FROM: Donald Merkes, Mayor
DATE: 17 December 2015

RE: Joint Common Council / Menasha Utility Commission Meeting

We are looking to schedule a Joint Utility Commission / Common Council Meeting on Monday January 11 at 5:00PM.

The topic will be the WPPI long term power supply agreement extension.

Please forward your availability for this meeting to the Clerk.

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, December 7, 2015
MINUTES

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

A Moment of Silence was observed for Pearl Harbor Remembrance Day.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Krautkramer, Olszewski, Keehan, Zelinski, Spencer, Benner, Nichols.

EXCUSED: Alderman Taylor.

ALSO EXCUSED: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DPW Radtke, ASD Steeno, PRD Tungate, PHD McKenney, Clerk Galeazzi.

DEPT. HEAD EXCUSED: CDD Keil.

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

Minutes to receive:

a. [Board of Public Works, 11/16/15.](#)

b. [IT Steering Committee, 5/12/15.](#)

c. [Library Board, 11/19/15.](#)

d. [Personnel Committee, 11/16/15.](#)

e. [Plan Commission, 11/17/15.](#)

f. [Police Commission, 09/17/15.](#)

g. [Water and Light Commission, 11/10/15.](#)

Communications:

h. [Menasha Historical Society, December 2015.](#)

i. [HSD McKenney, 12/03/15; Menasha Health Department Secures Public Health Emergency Preparedness Training Funds.](#)

j. [Shannon Full, President/CEO of Fox Cities Chamber to Mayor Merkes, 12/01/15.](#)

Moved by Ald. Benner seconded by Ald. Keehan to receive Minutes and Communications a-j.

Motion carried on voice vote.

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. [Special Common Council, 11/16/15.](#)

2. [Common Council, 11/16/15.](#)

3. [Special Common Council, 11/23/15.](#)

Board of Public Works, 11/16/15 – Recommends the Approval of:

4. [Street Use Application – First Eve; Thursday, December 31, 2015; 3:00 PM – 12:30 AM; \(Doty Island Development Council and Community Forward, Inc.\).](#)
5. [Payment – Borsche Roofing Professionals, Inc.; Library/City Hall Re-Roofing Project; Contract Unit No. 2015-02; \\$1,000.00 \(Payment No. 3 & Final\).](#)

Personnel Committee, 11/16/15 – Recommends the Approval of:

6. [A 2% pay increase for City Non-Represented Employees, excluding Police Supervisory Lieutenants and Library Employees, effective 1/3/16.](#)
7. [A 1% pay increase plus a 1% lump sum bonus for Police Supervisory Lieutenants effective 1/3/16.](#)

Plan Commission, 11/17/15 – Recommends the Approval of:

8. [Certified Survey Map for 186 Main Street subject to staff review of applicable building codes.](#)

Ald. Krautkramer requested to remove item 4 from Consent Agenda.

Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda items 1-3 and 5-8.
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

CA Captain reported liability insurance has been received but the area that the insurance covers needs to be more specific. Also, the Street Use Application will need to be resigned and indicate the correct insurance coverage.

Moved by Ald. Benner seconded by Ald. Krautkramer to postpone until next meeting Street Use Application for First Eve on December 31, 2015, 3:00PM – 12:30AM (Doty Island Development Council and Community Forward, Inc.).
Motion carried on voice vote.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 11/19/15 to 12/03/15 in the amount of \\$1,563,668.08.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve accounts payable and payroll.
Motion carried on roll call 7-0.

2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve beverage operator's license applications for the 2015-2017 licensing period as listed in memo date 12/2/15.
Motion carried on roll call 7-0.

3. [First Amendment to Development Agreement Between the City of Menasha and Woodland Development, LLC Dated September 8, 2015.](#)

No action.

4. [Appointment of Election Inspectors for the City of Menasha for the 2016-2017 elections.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve appointment of election inspectors for the City of Menasha for the 2016-2017 elections as listed.
Motion carried on roll call 7-0.

J. HELD OVER BUSINESS

None

K. ORDINANCES AND RESOLUTIONS

None

L. APPOINTMENTS

1. [Mayor's Appointment of Samantha Zinth, 419 Naymut Street, Menasha, to the Landmarks Commission for the term of 12/07/15 to 03/01/2018.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve Mayor's appointment of Samantha Zinth, 419 Naymut Street, Menasha to the Landmarks Commission for term 12/7/15 to 03/1/18.
Motion carried on voice vote.

2. [Mayor's Appointment of Antoine Tines, 1840 Northridge Court, Menasha, as an Alternate on the Board of Appeals.](#)

Moved by Ald. Benner seconded by Ald. Keehan to approve Mayor's appointment of Antoine Tines, 1840 Northridge Court, Menasha as an alternate on the Board of Appeals.
Motion carried on voice vote.

3. [Mayor's Appointment of Antoine Tines, 1840 Northridge Court, Menasha, as an Alternate on the Housing Authority.](#)

Moved by Ald. Benner seconded by Ald. Keehan to approve Mayor's appointment of Antoine Tines, 1840 Northridge Court, Menasha as an alternate on the Housing Authority.
Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)
No one spoke.

O. ADJOURNMENT

Moved by Ald. Keehan seconded by Ald. Nichols to adjourn at 6:15 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk

Salvaged Stone Seating	1	LS	\$10,000.00	\$10,000.00			
Contingency - 10%	1	LS	\$10,790.50	\$10,790.50			
			Subtotal	\$118,695.50			

Main St. Bumpout @ Mill St Intersection							
Demo	680	SF	\$3.00	\$2,040.00	\$0.00	\$0.00	Completed by City crews
Concrete Paving, 5" thick, Reinforced	200	SF	\$5.00	\$1,000.00	\$5.00	\$1,000.00	
Curb & Gutter, 6" curb head + 24" gutter pan	68	LF	\$22.00	\$1,496.00	\$22.00	\$1,496.00	
Dectable Warning Plate	1	EA	\$300.00	\$300.00	\$150.00	\$150.00	Actual cost basis
Concrete pavement patching allowance - 8"	1	LS	\$8.00	\$8.00	\$1,000.00	\$1,000.00	
Shrubs	8	EA	\$60.00	\$480.00	\$60.00	\$480.00	
Perennials	45	EA	\$18.00	\$810.00	\$18.00	\$810.00	
Shredded Hardwood Bark Mulch	4	CY	\$28.00	\$112.00	\$28.00	\$112.00	
Planting Soil Mixture	20	CY	\$60.00	\$1,200.00	\$60.00	\$1,200.00	
Contingency - 10%	1	LS	\$483.60	\$483.60	\$624.80	\$624.80	
			Subtotal	\$7,929.60	Subtotal	\$6,872.80	

CHANGE ORDER

DATE: 8/17/2015

CHANGE ORDER NO: Four & Final

CONTRACTOR: Janke General Contractors
CONTRACT NO: Unit No. 2014-03
PROJECT: Gilbert Riverfront Trail

You are directed to make the changes noted below in the subject contract unit number.

I. Adjustment for incorrect Total	(\$100.00)
II. Quantity Changes (See Attached)	(\$17,554.46)

The changes result in the following adjustments:

CONTRACT-TOTAL

Prior to this Change Order	\$439,688.75
Adjustments per this Change Order	<u>(\$17,654.46)</u>
Current Contract Status	\$422,034.29
Completion Date Amended to	

Directed/Authorized
City of Menasha Dept. of Public Works
By: _____

Date: _____

Accepted

By: _____

Date: _____

**City of Menasha Contract Unit No. 2014-03
Gilbert Riverfront Trail**

PAYMENT No. 6 (Six) & Final

ITEM	QUANTITY	DESCRIPTION	BASE BID		YTD	CHANGES	
			UNIT PRICE	ITEM TOTAL		QUANTITY CHANGE	ITEM TOTAL
1	1	Site Mobilization (LS)	\$ 22,000.00	\$ 22,000.00	\$	0.00	\$ -
2	1	Construction Staking (LS)	\$ 4,500.00	\$ 4,500.00	\$	0.00	\$ -
3	1	Site Preparation (LS)	\$ 12,000.00	\$ 12,000.00	\$	0.00	\$ -
4	1	Common Excavation (LS)	\$ 39,000.00	\$ 39,000.00	\$	0.00	\$ -
5	14,525	Concrete Trail (5-inch) (SF)	\$ 4.70	\$ 68,267.50			
6	1,930	Concrete Paving Tinted (4-inch) (SF)	\$ 5.25	\$ 10,132.50	\$	-285.00	\$ (1,496.25)
7	160	Concrete Bench Pad (4-inch) (SF)	\$ 10.65	\$ 1,704.00	\$	0.00	\$ -
8	1	Concrete Steps (LS)	\$ 2,600.00	\$ 2,600.00			
9	315	Modular Block Wall (SF)	\$ 33.00	\$ 10,395.00			
10	28	Unilock Rivercrest Seat Wall (LF)	\$ 84.00	\$ 2,352.00	\$	-2.50	\$ (210.00)
11	2	Unilock Rivercrest Pier (EA)	\$ 1,500.00	\$ 3,000.00	\$	0.00	\$ -
12	1	Unilock Rivercrest Shelter Piers (LS)	\$ 7,400.00	\$ 7,400.00	\$	0.00	\$ -
13	1	Park Shelter Installation (LS)	\$ 4,000.00	\$ 4,000.00	\$	0.00	\$ -
14	49	12-inch HDPE Pipe with End Section (LF)	\$ 67.00	\$ 3,283.00	\$	42.00	\$ 2,841.00
15	65	6-inch HDPE Pipe (LF)	\$ 59.00	\$ 3,835.00	\$	-17.00	\$ (1,003.00)
16	1	24-inch Dia. Catchbasin with Grate (EA)	\$ 1,445.00	\$ 1,445.00	\$	0.00	\$ -
17	2	Sanitary Sewer MH Adjustment (EA)	\$ 337.00	\$ 674.00	\$	1.00	\$ 337.00
18	660	Base Aggregate Dense 1 1/4-inch (Ton)	\$ 25.00	\$ 17,000.00			
19	150	Heavy Riprap (Ton)	\$ 57.00	\$ 8,550.00			
20	50	Select Crushed Material (Ton)	\$ 76.00	\$ 3,800.00	\$	-11.10	\$ (843.60)
21	200	Limestone Outcrop Stone (Ton)	\$ 200.00	\$ 40,000.00			
22	1	Erosion and Sediment Control (LS)	\$ 4,830.00	\$ 4,830.00	\$	0.00	\$ -
23	330	Flex-A-Mat (SY)	\$ 73.00	\$ 24,090.00	\$	0.00	\$ -
24	1,625	Topsoil (CY)	\$ 23.00	\$ 37,375.00	\$	-535.00	\$ (12,305.00)
25	2,830	Turf Grass Seeding (SY)	\$ 1.10	\$ 3,113.00	\$	1894.00	\$ 2,083.40
26	105	Shredded Hardwood Mulch (CY)	\$ 58.00	\$ 6,090.00	\$	63.00	\$ 3,654.00
27	1	West Abutment (LS)	\$ 27,500.00	\$ 27,500.00			
28	1	East Abutment (LS)	\$ 31,000.00	\$ 31,000.00			
29	1,650	Sheet Piling (SF)	\$ 39.00	\$ 64,350.00			
30	950	2" PVC Electrical Conduit (LF)	\$ 8.25	\$ 7,837.50	\$	656.00	\$ 5,412.00
31	50	1" PVC Electrical Conduit (LF)	\$ 11.30	\$ 565.00	\$	0.00	\$ -
32	2	Post Mounted Outlet (EA)	\$ 325.00	\$ 650.00	\$	0.00	\$ -
33	10	Light Pole Base (EA)	\$ 460.00	\$ 4,600.00	\$	4.00	\$ 1,840.00
Total Base Bid (Items 1-33)				\$ 477,938.50	\$	\$ 208,558.55	

CO2	1	New Pile for west & east approaches (LS)	\$	28,800.00	\$	29,800.00	1.00	\$	28,800.00	0.00	\$	-
CO2	1	Wood for west & east approaches (LS)	\$	20,880.00	\$	20,880.00	1.00	\$	20,880.00	0.00	\$	-
CO2	1	Pile Backer Boards (LS)	\$	6,900.00	\$	6,900.00	1.00	\$	6,900.00	0.00	\$	-
CO2	1	Hardware (LS)	\$	10,681.75	\$	10,681.75	1.00	\$	10,681.75	0.00	\$	-
CO2	150	Fill for Ramping proposed Trail east end (CY)	\$	30.00	\$	4,500.00	208.00	\$	6,240.00	58.00	\$	1,740.00
CO2	1	Mobilization of Crane (LS)	\$	6,500.00	\$	6,500.00	1.00	\$	6,500.00	0.00	\$	-
CO2	1	Contractors re-engineering of approaches & decking (LS)	\$	6,500.00	\$	6,500.00	1.00	\$	6,500.00	0.00	\$	-
CO2	960	Base Aggregate Dense 1 1/4-inch (Ton)	\$	25.00	\$	24,500.00	847.86	\$	21,196.50	-132.14	\$	(3,303.50)
CO2	550	Heavy Riprap (Ton)	\$	57.00	\$	31,350.00	287.57	\$	16,391.49	-262.43	\$	(14,958.51)
CO2	195	Excavation Below sub-grade	\$	15.00	\$	2,925.00	217.00	\$	3,255.00	22.00	\$	330.00
CO2	13,750	Concrete Trail (5-inch) (SF)	\$	4.70	\$	64,625.00	13400.00	\$	62,980.00	-350.00	\$	(1,645.00)
CO2	1	Concrete Steps (LS)	\$	(2,600.00)	\$	(2,600.00)						
CO2	1	Modular Block Wall (SF)	\$	(10,395.00)	\$	(10,395.00)	85.70	\$	17,140.00	0.00	\$	-
CO2	85.7	Limestone Outcrop Stone (Ton)	\$	200.00	\$	17,140.00						
CO2	1	West Abutment (LS)	\$	(27,500.00)	\$	(27,500.00)						
CO2	1	East Abutment (LS)	\$	(31,000.00)	\$	(31,000.00)						
CO2	1,650	Sheet Piling (SF)	\$	(39.00)	\$	(64,350.00)						
		Total Contract After CO2	\$		\$	433,577.75		\$	416,023.29		\$	
CO3	175	12" Concrete Thickened Edge	\$	17.00	\$	2,975.00	175.00	\$	2,975.00	0.00	\$	-
CO3	253	5' Wide Concrete Ramp	\$	12.00	\$	3,036.00	253.00	\$	3,036.00	0.00	\$	-
		Total Contract After CO3	\$		\$	439,588.75		\$	422,034.29		\$	(17,554.46)

CHANGE ORDER

DATE: 8/24/2015

CHANGE ORDER NO: Four & Final

CONTRACTOR: Janke General Contractors
CONTRACT NO: Unit No. 2014-04
PROJECT: Gilbert Trestle Improvements

You are directed to make the changes noted below in the subject contract unit number.
I. Quantity Changes (See Attached)

The changes result in the following adjustments:

CONTRACT-TOTAL

Prior to this Change Order	<u>\$269,267.00</u>
Adjustments per this Change Order	<u>(\$41,801.80)</u>
Current Contract Status	\$227,465.20

Directed/Authorized
City of Menasha Dept. of Public Works
By: _____

Date: _____

Accepted

By: _____

Date: _____

Itemized Bid Tabulation
City of Menasha Contract Unit No. 2014-04
Gilbert Trestle Improvements

Payment No. 5 (Five) & Final

ITEM	QUANTITY	DESCRIPTION	BASE BID		YTD		CHANGES	
			UNIT PRICE	ITEM TOTAL	QUANTITY	ITEM TOTAL	QUANTITY CHANGE	ITEM TOTAL
1	1	Site Preparation/LS	\$ 20,000.00	\$ 20,000.00	1.00	\$ 20,000.00	0.00	\$ -
2	1	Timber Structures/LS	\$ 111,000.00	\$ 111,000.00	0.75	\$ 83,250.00	-0.25	\$ (27,750.00)
3	4,000	Composite Decking/SF	\$ 14.70	\$ 58,800.00				
4	800	Cable Railing/LF	\$ 115.00	\$ 92,000.00				
5	5	Electrical Junction Box/EA	\$ 345.00	\$ 1,725.00	0.00	\$ -	-5.00	\$ (1,725.00)
6	325	2" Flexible Liquid Tight Conduit/LF	\$ 30.00	\$ 9,750.00	200.00	\$ 6,000.00	-125.00	\$ (3,750.00)
7	90	1" Flexible Liquid Tight Conduit/LF	\$ 25.00	\$ 2,250.00	0.00	\$ -	-90.00	\$ (2,250.00)
		Total Base Bid (Items 1-7)		\$ 295,525.00		\$ 109,250.00		
CO2	1	Demo & Disposal of existing structure	\$ 26,000.00	\$ 26,000.00	1.00	\$ 26,000.00	0.00	\$ -
CO2	1	City to own unused rail posts	\$ 4,000.00	\$ 4,000.00	1.00	\$ 4,000.00	0.00	\$ -
CO2	1	Pile Cap	\$ 12,000.00	\$ 12,000.00	1.00	\$ 12,000.00	0.00	\$ -
CO2	1	Modification to Trestle sub decking	\$ (17,000.00)	\$ (17,000.00)	1.00	\$ (17,000.00)	0.00	\$ -
CO2	1	Remove Overlook	\$ (3,900.00)	\$ (3,900.00)	1.00	\$ (3,900.00)	0.00	\$ -
CO2	2,210	Composite Decking/SF	\$ 14.70	\$ 32,487.00	2116.00	\$ 31,105.20	-94.00	\$ (1,381.80)
CO2	442	Cable Railing/LF	\$ 115.00	\$ 50,830.00	399.00	\$ 45,885.00	-43.00	\$ (4,945.00)
		Total Contract After CO2		\$ 249,142.00		\$ 207,340.20		
CO3	175	Cable Railing Along Concrete Trail/LF	\$ 115.00	\$ 20,125.00	175.00	\$ 20,125.00	0.00	\$ -
		Total Contract After CO3		\$ 269,267.00		\$ 227,465.20		\$ (41,801.80)

Certificate of Payment

Date: August 17, 2015

Payment Request: 6 (Six) & Final

Contractor: Janke General Contractors

Address: 1223 River View Lane, Athens, WI 54411

Contract Unit No.: 2014-03

Project Description: Gilbert Riverfront Trail

Original Contract Amount	\$ 478,038.50
Change Order No.: 4	Amount: \$ -17,654.46
Previous Change Order(s): \$ -38,349.75	
Total Contract Amount (Including Change Orders)	\$ 422,034.29
Total Earned to Date (Summary Attached)	\$ 422,034.29
Less Retainage 0.00%	\$ 0.00
Amount Due	\$ 422,034.29
Previous Payments	\$ 383,901.01
Amount Due this Payment	\$ 38,133.28
Estimate Pay Period 7/30/15 - 8/17/15	

I certify that all bills for labor, equipment, materials and services are paid for which previous certificates for payment were issued.

Date: _____ By: _____

Lien Waivers from all subcontractors and suppliers shall accompany each Request for Payment. Affidavit of Compliance with Prevailing Wage Rates shall accompany Request for Final Payment.

Recommended for Payment

Director of Public Works: Mark Radtke Date: 12/3/15

Common Council Approval Date: _____

Finance Department

<u>Account Number</u>	<u>Budget</u>	<u>Charge to Account</u>
	\$	
	\$	
	\$	
	\$	

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Certificate of Payment

Date: August 24, 2015

Payment Request: 5 (Five) & Final

Contractor: Janke General Contractors

Address: 1223 River View Lane, Athens, WI 54411

Contract Unit No.: 2014-04

Project Description: Gilbert Trestle Improvements

Original Contract Amount	\$ 295,525.00
Change Order No.: 4	Amount: \$ -41,801.80
Previous Change Order(s): \$ -26,258.00	
Total Contract Amount (Including Change Orders)	\$ 227,465.20
Total Earned to Date (Summary Attached)	\$ 227,465.20
Less Retainage 0.00%	\$ 0.00
Amount Due	\$ 227,465.20
Previous Payments	\$ 187,038.26
Amount Due this Payment	\$ 40,426.94
Estimate Pay Period 8/13/15 - 8/24/15	

I certify that all bills for labor, equipment, materials and services are paid for which previous certificates for payment were issued.

Date: _____ By: _____

Lien Waivers from all subcontractors and suppliers shall accompany each Request for Payment. Affidavit of Compliance with Prevailing Wage Rates shall accompany Request for Final Payment.

Recommended for Payment

Director of Public Works: Mark Riedtke Date: 12/3/15

Common Council Approval Date: _____

Finance Department

<u>Account Number</u>	<u>Budget</u>	<u>Charge to Account</u>
	\$	
	\$	
	\$	
	\$	

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PRELIMINARY PLAT **SECOND ADDITION TO WOODLAND HILLS**
PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, AND PARTS OF THE
NORTHWEST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF
SECTION 17, TOWNSHIP 20 NORTH, RANGE 18 EAST, CITY OF MENASHA, CALUMET COUNTY,
WISCONSIN

LEGAL DESCRIPTION

PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, AND PARTS OF THE NORTHWEST 1/4 OF THE
NORTHWEST 1/4 AND THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 18
EAST, CITY OF MENASHA, CALUMET COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 17; THENCE SOUTH 89 DEGREES 36 MINUTES 26 SECONDS
WEST, ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 17, A DISTANCE OF 1288.50 FEET; TO THE
POINT OF BEGINNING; THENCE SOUTH 18 DEGREES 46 MINUTES 42 SECONDS WEST, A DISTANCE OF 39.49 FEET; THENCE
SOUTH 37 DEGREES 11 MINUTES 02 SECONDS WEST, A DISTANCE OF 23.18 FEET; THENCE SOUTH 15 DEGREES 30
MINUTES 39 SECONDS WEST, A DISTANCE OF 98.86 FEET; THENCE 56.51 FEET ALONG A CURVE TO THE LEFT, HAVING
A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS SOUTH 79 DEGREES 38 MINUTES 38 SECONDS WEST, 56.41 FEET;
THENCE SOUTH 73 DEGREES 51 MINUTES 45 SECONDS WEST, A DISTANCE OF 9.19 FEET; THENCE 110.55 FEET ALONG A
CURVE TO THE RIGHT, HAVING A RADIUS OF 220.00 FEET AND A CHORD THAT BEARS SOUTH 88 DEGREES 15 MINUTES 31
SECONDS WEST, 109.39 FEET; THENCE 13.87 FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 360.94 FEET
AND A CHORD THAT BEARS SOUTH 12 DEGREES 40 MINUTES 22 SECONDS WEST, 13.87 FEET; THENCE SOUTH 13 DEGREES
46 MINUTES 27 SECONDS WEST, A DISTANCE OF 60.13 FEET; THENCE 141.61 FEET ALONG A CURVE TO THE LEFT,
HAVING A RADIUS OF 280.00 FEET AND A CHORD THAT BEARS NORTH 88 DEGREES 21 MINUTES 04 SECONDS EAST,
140.11 FEET; THENCE NORTH 73 DEGREES 51 MINUTES 45 SECONDS EAST, A DISTANCE OF 9.19 FEET; THENCE 23.12
FEET ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 220.00 FEET AND A CHORD THAT BEARS NORTH 76 DEGREES
52 MINUTES 24 SECONDS EAST, 23.11 FEET; THENCE SOUTH 11 DEGREES 42 MINUTES 51 SECONDS WEST, A DISTANCE
OF 25.67 FEET; THENCE SOUTH 20 DEGREES 34 MINUTES 23 SECONDS WEST, A DISTANCE OF 62.94 FEET; THENCE
SOUTH 13 DEGREES 36 MINUTES 23 SECONDS WEST, A DISTANCE OF 93.59 FEET; THENCE NORTH 70 DEGREES 30
MINUTES 41 SECONDS WEST, A DISTANCE OF 190.66 FEET; THENCE 106.71 FEET ALONG A CURVE TO THE RIGHT,
HAVING A RADIUS OF 130.00 FEET AND A CHORD THAT BEARS SOUTH 78 DEGREES 35 MINUTES 08 SECONDS WEST,
103.74 FEET; THENCE NORTH 77 DEGREES 53 MINUTES 48 SECONDS WEST, A DISTANCE OF 116.51 FEET; THENCE NORTH
14 DEGREES 20 MINUTES 10 SECONDS EAST, A DISTANCE OF 60.05 FEET; THENCE SOUTH 77 DEGREES 53 MINUTES 58
SECONDS EAST, ALONG THE NORTH RIGHT-OF-WAY LINE OF GOSLING WAY, A DISTANCE OF 35.75 FEET; THENCE NORTH
13 DEGREES 46 MINUTES 26 SECONDS EAST, ALONG THE EAST LINE OF LOT 92 OF WOODLAND HILLS HEIGHTS, A
DISTANCE OF 174.41 FEET; THENCE NORTH 78 DEGREES 01 MINUTES 30 SECONDS WEST, ALONG THE NORTH LINE OF LOT
92 OF WOODLAND HILLS HEIGHTS, A DISTANCE OF 133.71 FEET; THENCE NORTH 13 DEGREES 46 MINUTES 26 SECONDS
EAST, ALONG THE EAST LINE OF WOODLAND HILLS HEIGHTS, A DISTANCE OF 60.12 FEET; THENCE NORTH 18 DEGREES
32 MINUTES 03 SECONDS EAST, CONTINUING ALONG THE EAST LINE OF WOODLAND HILLS HEIGHTS, A DISTANCE OF
415.93 FEET; THENCE NORTH 11 DEGREES 39 MINUTES 43 SECONDS EAST, CONTINUING ALONG THE EAST LINE OF
WOODLAND HILLS HEIGHTS, A DISTANCE OF 106.82 FEET; THENCE NORTH 10 DEGREES 15 MINUTES 47 SECONDS EAST,
CONTINUING ALONG THE EAST LINE OF WOODLAND HILLS HEIGHTS, A DISTANCE OF 25.71 FEET; THENCE NORTH 07
DEGREES 52 MINUTES 48 SECONDS EAST, A DISTANCE OF 134.13 FEET; THENCE NORTH 00 DEGREES 36 MINUTES 17
SECONDS WEST, A DISTANCE OF 81.81 FEET; THENCE NORTH 68 DEGREES 43 MINUTES 50 SECONDS EAST, A DISTANCE
OF 202.24; THENCE NORTH 29 DEGREES 29 MINUTES 59 SECONDS EAST, A DISTANCE OF 57.72 FEET; THENCE SOUTH 89
DEGREES 52 MINUTES 25 SECONDS EAST, A DISTANCE OF 123.56 FEET; THENCE SOUTH 00 DEGREES 07 MINUTES 35
SECONDS WEST, A DISTANCE OF 847.47 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 27 SECONDS EAST, A DISTANCE
OF 24.80 FEET TO THE POINT OF BEGINNING, CONTAINING 453,469 SQUARE FEET [10.410 ACRES].

UTILITY EASEMENTS - NO POLES OR BURIED CABLES ARE TO BE PLACED SUCH
THAT THE INSTALLATION WOULD DISTURB ANY SURVEY STAKE OR OBSTRUCT
VISION ALONG ANY LOT LINE OR STREET LINE. THE DISTURBANCE OF A
SURVEY STAKE BY ANYONE IS A VIOLATION OF SECTION 236.32 OF WISCONSIN
STATUTES. UTILITY EASEMENTS AS HEREIN SET FORTH ARE FOR THE USE OF
PUBLIC BODIES AND PRIVATE PUBLIC UTILITIES HAVING THE RIGHT TO SERVE
THE AREA.

NOTES

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN
PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL
MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE,
ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

THE LOCATION OF THE WETLANDS AS SHOWN ON THIS MAP WERE DELINEATED
BY NORTHERN ENGINEERING OCTOBER 2008 AND SUPPLIED DIGITALLY.
MARTENSON AND EISELE, INC. IS NOT RESPONSIBLE FOR THE WETLANDS
BOUNDARY ACCURACY IN ANY WAY.

BENCHMARKS

BM#1
TAG BOLT ON HYDRANT ON KERNAN AVENUE 500' NORTH OF GOSLING WAY
AT LOTS 25 AND 26 OF WOODLAND HILLS
ELEVATION = 760.29'
BM#2
TAG BOLT ON HYDRANT ON KERNAN AVENUE 200' SOUTH OF GOSLING WAY
AT LOTS 14 AND 15 OF WOODLAND HILLS
ELEVATION = 758.99'

NOTES

A. CONTOURS ARE 1 FOOT INTERVALS AND BASED ON THE USGS DATUM.
B. UTILITY EASEMENTS, LOCATIONS AND WIDTHS WILL BE SHOWN ON
THE FINAL PLAT.
C. PLAT ZONING IS RESIDENTIAL.

APPROVING AND OBJECTING AUTHORITIES

DEPARTMENT OF ADMINISTRATION
CITY OF MENASHA
CALUMET COUNTY
DEPARTMENT OF TRANSPORTATION

SUPPLEMENTARY DATA

TOTAL AREA 453,469 SQ. FT. (10.410 ACRES)
RIGHT OF WAY AREA 79,391 SQ. FT. (1.821 ACRES)
NET SUBDIVISION AREA 374,138 SQ. FT. (8.589 ACRES)
NUMBER OF LOTS 17
NUMBER OF OUTLOTS 0
AVERAGE LOT SIZE 22,000 SQ. FT.
TYPICAL LOT SIZE 100' x 200'
LINEAL FEET OF ROAD 1,245

CURVE TABLE:

NUMBER	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
C1	280.00'	11°33'46"	56.51'	S 79°38'38" W	56.41'
C2	220.00'	28°47'31"	110.55'	S 88°15'31" W	109.39'
C3	360.94'	02°12'09"	13.87'	S 12°40'22" W	13.87'
C4	280.00'	28°58'39"	141.61'	N 88°15'04" E	140.11'
C5	220.00'	06°01'19"	23.12'	N 76°52'24" E	23.11'
C6	130.00'	47°01'46"	106.71'	S 78°35'08" W	103.74'
C7	70.00'	88°19'35"	107.91'	N 57°56'14" E	97.54'
C8	130.00'	88°19'35"	200.41'	N 57°56'14" E	181.14'
C9	130.19'	41°13'57"	93.69'	N 34°24'35" E	91.68'
C10	300.94'	16°37'39"	87.33'	N 05°27'37" E	87.03'
C11	300.94'	02°11'44"	11.53'	N 12°40'35" E	11.53'
C12	300.94'	14°25'55"	75.80'	N 04°21'45" E	75.60'
C13	360.94'	16°37'39"	104.75'	N 05°27'37" E	104.38'
C14	360.94'	14°25'31"	90.87'	N 04°21'33" E	90.63'
C15	1030.00'	19°43'40"	354.64'	N 07°00'37" E	352.89'
C16	1030.00'	03°49'27"	68.75'	N 00°56'29" W	68.73'
C17	1030.00'	05°33'46"	100.00'	N 03°45'07" E	99.96'
C18	1030.00'	05°33'46"	100.00'	N 09°18'53" E	99.96'
C19	1030.00'	04°46'41"	85.90'	N 14°28'06" E	85.87'
C20	970.00'	19°43'40"	333.98'	N 07°00'37" E	332.34'
C21	970.00'	02°10'59"	36.96'	N 01°45'43" W	36.96'
C22	970.00'	07°22'33"	124.87'	N 03°01'03" E	124.78'
C23	970.00'	02°54'34"	100.04'	N 09°39'36" E	100.00'
C24	970.00'	04°15'34"	72.11'	N 14°44'40" E	72.08'
C25	740.20'	19°46'35"	255.49'	N 06°59'10" E	254.22'
C26	740.20'	01°07'14"	14.48'	N 16°18'50" E	14.48'
C27	740.20'	08°31'23"	110.11'	N 11°29'32" E	110.01'
C28	740.20'	08°47'31"	113.58'	N 02°50'05" E	113.47'
C29	740.20'	01°20'28"	17.33'	N 02°13'54" W	17.32'
C30	800.20'	19°02'40"	265.98'	N 07°21'07" E	264.76'
C31	800.20'	01°59'56"	27.92'	N 15°52'29" E	27.91'
C32	800.20'	08°33'00"	119.41'	N 10°36'02" E	119.30'
C33	800.20'	08°29'45"	118.65'	N 02°04'39" E	118.54'
C34	130.00'	78°28'46"	178.06'	N 36°20'15" E	164.47'
C35	130.00'	35°08'33"	79.74'	N 14°40'08" E	78.49'
C36	130.00'	37°30'40"	95.11'	N 50°59'45" E	83.60'
C37	130.00'	05°49'34"	13.22'	N 72°39'51" E	13.21'
C38	25.00'	110°42'42"	48.31'	N 53°11'08" E	41.13'
C39	60.00'	212°56'30"	223.01'	N 02°03'53" E	115.08'
C40	60.00'	104°32'18"	109.48'	S 52°08'13" E	94.91'
C41	60.00'	108°24'12"	113.53'	N 54°20'02" E	97.34'

TOPOGRAPHIC LEGEND

- 800' CONTOUR W/ ELEVATION
- SOIL BORING
- INFILTRATION SOIL BORING
- TOPSOIL DEPTH
- CONIFEROUS TREE
- DECIDUOUS TREE
- EXIST. WOODS LINE
- MAPPED WETLANDS
- OVERHEAD POWER LINES
- UNDERGROUND ELECTRIC
- UNDERGROUND TELEPHONE
- UNDERGROUND GAS
- UNDERGROUND CABLE TV
- EXIST. FENCE LINE
- SIGN
- EXIST. HYDRANT
- POWER POLE
- GUY
- LIGHT POLE
- TELEPHONE PEDESTAL
- ELECTRIC PEDESTAL
- CABLE PEDESTAL
- WATER VALVE
- GAS VALVE
- WATER STOP BOX
- EXIST. STORM MANHOLE
- STORM INLET
- YARD DRAIN
- EXIST. SANITARY MANHOLE
- EXIST. SAN. SEWER
- EXIST. STO. SEWER
- EXIST. WATER MAIN
- EXIST. SPOT ELEVATION

Martenson & Eisele, Inc.

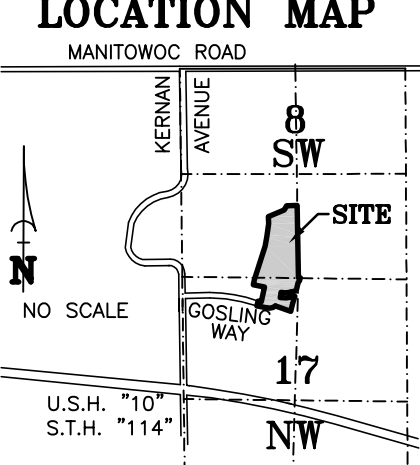
1377 Midway Road
Menasha, WI 54952
www.martenson-eisele.com
info@martenson-eisele.com
920.731.0381 1.800.236.0381

Planning
Environmental
Surveying
Engineering
Architecture

SCALE 1" = 60'
0 60 120

OWNER
WOODLAND DEVELOPMENT, LLC
C/O WIRE HAGENS
N319 BREEZEWOOD DRIVE
APPLETON, WI 54914

LOCATION MAP

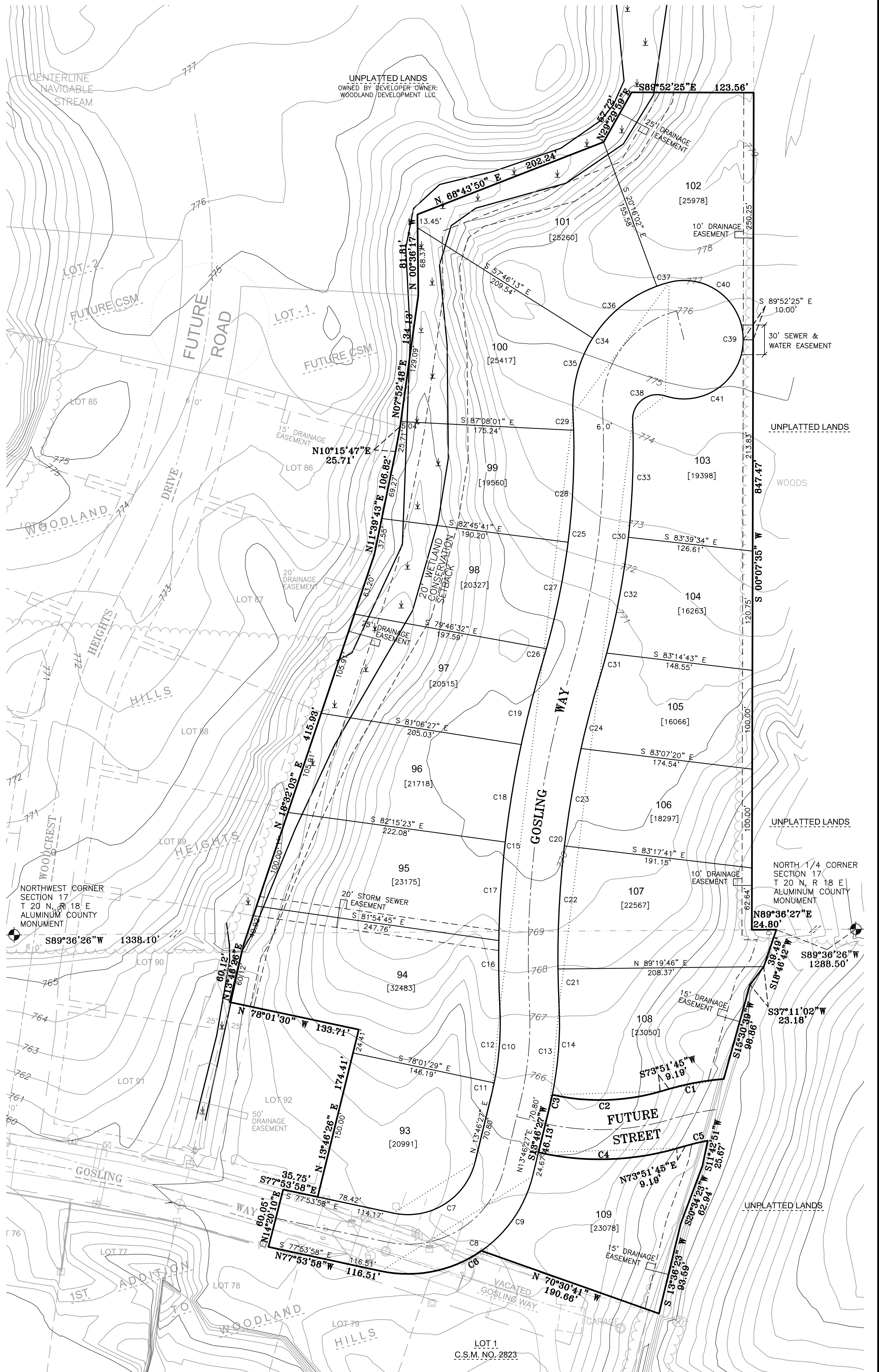


THE SOUTHWEST 1/4 OF SECTION 8
AND THE NORTHWEST 1/4 OF SECTION
17, TOWNSHIP 20 NORTH, RANGE 18
EAST, CITY OF MENASHA, CALUMET
COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, CHRISTOPHER R. CLEARY, HEREBY CERTIFY THAT THIS
PRELIMINARY PLAT IS A CORRECT REPRESENTATION OF
ALL EXISTING LAND DIVISIONS AND FEATURES, AND THAT
I HAVE COMPLIED WITH THE PROVISIONS OF CALUMET
COUNTY AND CITY OF MENASHA SUBDIVISION ORDINANCE.

CHRISTOPHER R CLEARY, R.L.S. S-2551 DATE



City of Menasha Disbursements

Weekly Accounts Payable	12/10/15-12/17/15	\$	263,482.99
	Checks # 52272-52374		
	Void check #47370	\$	(15.00)

Bi-Weekly Payroll	12/10/15	\$	197,401.55
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Additional Regular Cycle Accounts Payables -Paid Electronically

World Pay Charges	12/4/15	\$	2.00
Returned Check	12/5/15	\$	25.00
Delta Dental	12/9/15	\$	3,108.20
Community First Credit Union-Payroll Deductions	12/10/10	\$	5,404.00
Nationwide Retirement	12/11/15	\$	11,522.50
BMO Harris-Flex Spending	12/11/15	\$	3,581.15
Delta Dental	12/16/15	\$	1,462.40
Federal Tax Withholding	12/16/15	\$	80,819.89

\$ 105,925.14

Total

\$ 566,794.68

Items included on this list have been properly audited and certified by the City Comptroller and are being presented for approval by the Common Council.

Peggy Steeno
Peggy Steeno
Administrative Services Director

12/17/15
Date

Notes:

- Medical Expense Reimbursement Trust-Retirement Pay Out
- United Way-Employee Donations
- Wisconsin Support Collections-Child/Spousal Support
- WI SCTF-Child Support Annual Fee
- Gaps in check numbers indicate that more invoices being paid than fit on one check stub
(The last check stub used is the check number that will appear on the check register)

AP Check Register
Check Date: 12/10/2015

Date: 12/11/2015

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
ACC PLANNED SERVICE INC	52272	12/10/2015	15551	100-0920-531.24-03	40.68	Senior Center - Filters
		12/10/2015	15552	100-0801-521.24-03	511.88	Police Dept Maintenance
		12/10/2015	15553	100-1001-514.24-03	108.24	City Hall - Filters, Belt
	Total for check: 52272				660.80	
ACCURATE	52273	12/10/2015	1517093	731-1022-541.30-18	112.48	Thread Sealant/Heat Shrin
		12/10/2015	1517236	731-1022-541.30-18	316.08	Brake Rotor/Pads & Supply
	Total for check: 52273				428.56	
ALLIED SAFETY PRODUCTS	52274	12/10/2015	3452	731-1022-541.30-18	433.86	Gloves
					433.86	
BAHCALL RUBBER CO INC	52275	12/10/2015	721368-001	731-1022-541.38-03	46.66	Supplies
					46.66	
BAYCOM INC	52276	12/10/2015	EQUIPINV_000188	100-0801-521.29-04	619.00	Equipment
					619.00	
BERGSTROM	52277	12/10/2015	39395	731-1022-541.38-03	234.64	Buckle Assemblies
					234.64	
CYPRESS HOMES INC	52278	12/10/2015	920 WHISPER FAL	501-0304-562.21-11	11,941.72	Incentive-920 Whisper Fal
					11,941.72	
KORTNEY DAHM	52279	12/10/2015	DAHM KORTNEY	100-0903-531.33-01	30.00	November Expenses
					30.00	

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FELDMANN INC	52280	12/10/2015	0114707-IN	100-0703-553.29-01	30.00	Supplies
			Total for check: 52280		30.00	
FERGUSON ENTERPRISES #1020	52281	12/10/2015	2416486	100-1001-514.24-03	85.02	City Hall
			Total for check: 52281		85.02	
FOX STAMP SIGN & SPECIALTY	52282	12/10/2015	OE-52662	100-0405-513.30-18	38.95	Alderman Nameplate
			Total for check: 52282		38.95	
FOX VALLEY OVERHEAD DOOR INC	52283	12/10/2015	00049877	731-1022-541.24-03	114.00	PWF
			Total for check: 52283		114.00	
MARY FRITZ	52284	12/10/2015	FRITZ, MARY	100-0903-531.33-01	8.00	November Expenses
			Total for check: 52284		8.00	
GANNETT WISCONSIN MEDIA	52285	12/10/2015	0009426305	100-0405-513.29-02	578.26	Legals
				100-0203-512.29-02	47.97	Legals
				100-0204-512.29-02	113.26	Legals
			Total for check: 52285		739.49	
GAT SUPPLY INC	52286	12/10/2015	292832-1	100-1006-541.30-18	64.44	Supplies
			Total for check: 52286		64.44	
GREMMER & ASSOCIATES INC	52287	12/10/2015	1	625-1010-541.21-02	1,000.00	Festival Foods Stormwater
			Total for check: 52287		1,000.00	

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GUNDERSON CLEANERS	52288	12/10/2015	321496	100-0801-521.30-13	34.66	Towel/Mat Service
			Total for check: 52288		34.66	
GUNDERSON CLEANERS 11	52289	12/10/2015	294014	100-0801-521.19-04	28.30	Uniform Cleaning
			Total for check: 52289		28.30	
HOFF, KRISTIN	52290	12/10/2015	HOFFREFUND	100-0000-441.25-00	15.00	Refund
			Total for check: 52290		15.00	
HOME DEPOT CREDIT SERVICES	52291	12/10/2015	1033655	100-0703-553.24-03	35.90	Supplies
		12/10/2015	3730653	100-0920-531.24-03	539.75	SC Refuse Containment
		12/10/2015	4033407	100-0703-553.24-03	35.26	AC Cover, Tarp
		12/10/2015	6034126	100-1003-541.30-15	180.98	Hammer Drill
		12/10/2015	7621783	100-0801-521.30-13	79.97	PD - Cart
		12/10/2015	9580346	100-1001-514.82-01	31.43	Pressure Relief Fan
			Total for check: 52291		903.29	
INDEPENDENT INSPECTIONS LTD	52292	12/10/2015	310549	100-0301-523.21-06	17,691.68	November Permits
				100-0301-523.21-06	76.00	Special Inspections
			Total for check: 52292		17,767.68	
JIM'S GOLF CARS INC	52293	12/10/2015	61929	731-1022-541.38-03	70.53	Element, Filter
			Total for check: 52293		70.53	
JX ENTERPRISES INC	52294	12/10/2015	G-252870001	731-1022-541.38-03	13.88	Knob - Heater Control
		12/10/2015	G-252870007	731-1022-541.38-03	68.86	Bracket
		12/10/2015	G-252920018	731-1022-541.38-03	903.39	Pumps
			Total for check: 52294		986.13	

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KJ WASTE SYSTEMS INC	52295	12/10/2015	NOV RECYCLE	266-1027-543.21-06	715.00	November Recycling
			Total for check: 52295		715.00	
KOBUSSEN BUSES LTD	52296	12/10/2015	9131	100-0702-552.20-05	196.71	Bus
			Total for check: 52296		196.71	
LAPPEN SECURITY PRODUCTS INC	52297	12/10/2015	LSPQ32539	100-0801-521.24-03	42.50	Neuter Bow Key
			Total for check: 52297		42.50	
LEVENHAGEN CORPORATION	52298	12/10/2015	057997A-IN	100-0000-131.00-00	11,280.00	Fuel
			Total for check: 52298		11,280.00	
MENARDS-APPLETON EAST	52299	12/10/2015	85882	100-0703-553.24-03	5.28	Safety Hasp & Cover
				100-0601-551.24-03	6.59	Galvanized Rain Cap
			Total for check: 52299		11.87	
MENASHA JOINT SCHOOL DISTRICT	52300	12/10/2015	1260	100-0801-521.29-04	10.00	Replace MJSD ID Card
			Total for check: 52300		10.00	
MENASHA NEENAH MUNICIPAL COURT	52301	12/10/2015	MENASHA NEENAH	100-0000-201.03-00	322.80	Bond/MPD 15-364 & 15-363
			Total for check: 52301		322.80	
POSTMASTER	52302	12/10/2015	2015 TAX BILLS	100-0401-513.30-11	2,696.81	Postage for Tax Bills
			Total for check: 52302		2,696.81	
MENASHA TREASURER	52303	12/10/2015	POLICE DEPT	100-0801-521.30-18	8.39	Supplies
				100-0801-521.34-04	40.00	Training
				100-0801-521.34-03	15.74	Training (Meals/Lodging)

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MENASHA TREASURER...	52303...	12/10/2015...	POLICE DEPT...	100-0801-521.33-03	7.96	Travel (Meals/Lodging)
			Total for check: 52303		72.09	
MENASHA UTILITIES	52304	12/10/2015	004382	501-0304-562.21-06	8,734.97	Georgetown Street Lights
		12/10/2015	004388	625-0401-513.25-01	2,792.25	Storm Water Charges
				601-0401-513.25-02	23,196.58	Sewer Charge
		12/10/2015	MENASHA UTILITY	100-1008-541.22-03	193.69	Electric
				100-0703-553.22-03	162.52	Electric
				100-0703-553.22-05	216.24	Water/Sewer
				100-0703-553.22-06	143.40	Storm
				100-0903-531.22-03	199.03	Electric
				100-0903-531.22-05	45.42	Water/Sewer
				100-0000-123.00-00	8.44	Electric
				100-0305-562.22-03	7.66	Storm
				601-1020-543.22-03	87.73	Electric
		12/10/2015	STREET LIGHTS	100-1012-541.22-03	18,650.14	November Street Lighting
			Total for check: 52304		54,438.07	
MINNESOTA LIFE INSURANCE COMPANY	52305	12/10/2015	POLICY 002832L	100-0000-204.07-00	3,033.85	January Life Insurance
			Total for check: 52305		3,033.85	
N&M AUTO SUPPLY	52306	12/10/2015	545705	731-1022-541.38-03	5.12	Supplies
			Total for check: 52306		5.12	
NEENAH-MENASHA SEWERAGE COMMISSION	52307	12/10/2015	2015-213	601-1021-543.25-01	20,286.00	December Interest & Debt
			Total for check: 52307		20,286.00	
OFFICE DEPOT	52308	12/10/2015	5834793	100-0903-531.30-10	53.09	Supplies
			Total for check: 52308		53.09	

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OGDEN PLUMBING & HEATING INC	52309	12/10/2015	76452	731-0000-193.00-00	1,909.00	PWF Generator Project
			Total for check: 52309		1,909.00	
LINDA PALMBACH	52310	12/10/2015	PALMBACH LINDA	100-0903-531.33-01	14.04	November Expenses
			Total for check: 52310		14.04	
POMP'S TIRE SERVICE INC	52311	12/10/2015	320036848	731-1022-541.38-02	2,280.00	Tires
			Total for check: 52311		2,280.00	
RIESTERER & SCHNELL INC	52312	12/10/2015	562478	731-1022-541.38-03	37.17	Bushings & Oil Filters
		12/10/2015	568594	731-1022-541.38-03	560.52	Mulching Attach/Blade
			Total for check: 52312		597.69	
RIVERRESTORATION.ORG	52313	12/10/2015	655	100-0703-553.21-02	1,493.89	Engineering
			Total for check: 52313		1,493.89	
LIZ ROSIN	52314	12/10/2015	ROSIN LIZ	100-0903-531.33-01	13.99	November Expenses
			Total for check: 52314		13.99	
CHARLES SAHR	52315	12/10/2015	SAHR CHUCK	100-0801-521.19-03	29.39	Uniform Reimbursement
			Total for check: 52315		29.39	
SERVICEMASTER BUILDING MAINTENANCE	52316	12/10/2015	18213	100-1001-514.20-01	1,095.00	Janitorial - City Hall
		12/10/2015	18214	731-1022-541.20-01	494.00	Janitorial - PWF
		12/10/2015	18233	100-0903-531.20-01	490.00	Janitorial - Health Dept
			Total for check: 52316		2,079.00	
STAPLES ADVANTAGE	52317	12/10/2015	3284257456	100-0304-562.30-10	17.08	Supplies

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STAPLES ADVANTAGE...	52317...	12/10/2015...	3284257456...	100-0702-552.30-10	69.96	Supplies
			Total for check: 52317		87.04	
SYN-TECH SYSTEMS	52318	12/10/2015	119538	731-1022-541.24-06	244.00	Module Assy & Equipment
			Total for check: 52318		244.00	
UNIFIRST CORPORATION	52319	12/10/2015	097 0200238	731-1022-541.20-01	147.97	Clothing/Mat/Mops Service
			Total for check: 52319		147.97	
UNITED RENTALS INC	52320	12/10/2015	133622577-001	731-1022-541.30-18	195.00	Equipment Rental
			Total for check: 52320		195.00	
US CELLULAR	52321	12/10/2015	0110555572	100-0201-512.22-01	32.97	Attorney
				100-1019-552.22-01	1.30	Bridges
				601-1020-543.22-01	0.50	Confined Space
				100-0801-521.22-01	74.52	Police
				100-0904-531.22-01	73.65	Sanitarian
				100-1002-541.22-01	2.60	Engineering
				100-0702-552.22-01	54.17	Tungate
				100-0703-553.22-01	60.76	Park Department
				731-1022-541.22-01	57.07	Nieland
				100-1008-541.22-01	8.00	Bursack
				601-1020-543.22-01	0.50	Sewer Truck
			Total for check: 52321		366.04	
WE ENERGIES	52322	12/10/2015	WE ENERGIES	100-0703-553.22-03	38.71	Menasha Conservancy
				100-1008-541.22-04	75.16	Public Works Facility
			Total for check: 52322		113.87	

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WG INC	52323	12/10/2015	217920	100-0703-553.29-01	10.00	Holiday Hayride Decals
			Total for check: 52323		10.00	
WICHMANN FUNERAL HOME LAEMMRICH	52324	12/10/2015	OVERPAYMENT	100-0000-201.03-00	100.00	Overcharge-Invoice 11251
			Total for check: 52324		100.00	
WIL-KIL PEST CONTROL	52325	12/10/2015	2802684	731-1022-541.20-07	66.50	Contract - PWF
			Total for check: 52325		66.50	
WINNEBAGO COUNTY CLERK OF COURTS	52326	12/10/2015	WINNEBAGO CTY	100-0000-201.03-00	350.00	Bond/MPD 15-3841
				100-0000-201.03-00	150.00	Bond/MPD 15-3782
			Total for check: 52326		500.00	
WINNEBAGO COUNTY TREASURER	52327	12/10/2015	8154	100-1002-541.21-02	118.04	2015 Highway Charges
				625-1002-541.21-02	39.34	2015 Highway Charges
		12/10/2015	8161	100-0805-521.25-01	102.92	October Inmate Lodging
			Total for check: 52327		260.30	
WISCONSIN DEPARTMENT OF SAFETY &	52328	12/10/2015	DEPT OF SAFETY	100-1001-514.24-03	60.00	City Hall Elevator
			Total for check: 52328		60.00	
WISCONSIN DEPT OF SAFETY & PROF SVC	52329	12/10/2015	391686	100-1008-541.24-03	50.00	Elevator Permit - PD
			Total for check: 52329		50.00	
WISCONSIN SUPPORT COLLECTIONS	52330	12/10/2015	20151210	100-0000-202.03-00	632.88	PAYROLL SUMMARY
			Total for check: 52330		632.88	
ZANDER PRESS INC	52331	12/10/2015	71389	207-0707-552.29-01	144.12	Marina Envelopes

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ZANDER PRESS INC...	52331...	12/10/2015...	71389...	100-0000-134.00-00	(36.00)	Marina Envelopes
Total for check: 52331					<u>108.12</u>	
					<u>140,803.36</u>	

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ACCURATE	52332	12/17/2015	1517374	731-1022-541.30-18	131.08 Tools & Supplies	
			Total for check: 52332		131.08	
ADVANTAGE POLICE SUPPLY INC	52333	12/17/2015	15-1145	100-0801-521.30-15	521.00 Equipment	
			Total for check: 52333		521.00	
BAER, KARI	52334	12/17/2015	BAER, KARI	100-0000-441.24-00	20.00 Class Refund	
			Total for check: 52334		20.00	
BECK ELECTRIC INC	52335	12/17/2015	D1515-COM-ED-17	100-1013-541.21-06	187.00 Broad St Parking Lot	
			Total for check: 52335		187.00	
BERGSTROM	52336	12/17/2015	266926	100-0801-521.29-04	150.71 Vehicle Repair	
		12/17/2015	270570	100-0801-521.29-04	108.95 Vehicle Repair	
			Total for check: 52336		259.66	
BOMSKI CONSTRUCTION, JACK	52337	12/17/2015	BOMSKI CONST	263-0306-562.70-01	437.00 CDBG Rehab Program	
			Total for check: 52337		437.00	
BORSCHKE ROOFING PROFESSIONALS	52338	12/17/2015	FINAL 2015-02	470-0000-201.04-00	1,000.00 Final Payment 2015-02	
			Total for check: 52338		1,000.00	
PAMELA A CAPTAIN	52339	12/17/2015	CAPTAIN PAMELA	100-0201-512.33-01	60.32 November Expenses	
			Total for check: 52339		60.32	
UNEMPLOYMENT INSURANCE	52340	12/17/2015	000007340108	100-1019-552.15-09	1,003.00 Unemployment Compensation	

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UNEMPLOYMENT INSURANCE...	52340...	12/17/2015...	000007340108...	100-0703-553.15-09	626.00	Unemployment Compensation
			Total for check: 52340		1,629.00	
EARTHLINK BUSINESS	52341	12/17/2015	DEC 2015	100-0402-513.22-01	7.02	Landline Phone-Assessor
				100-0201-512.22-01	6.83	Landline Phone-Attorney
				100-0000-123.00-00	15.59	Landline Phone-Bldg Insp
				100-0203-512.22-01	14.19	Landline Phone-Clerk
				100-0304-562.22-01	25.54	Landline Phone-Com Dev
				100-1001-514.22-01	77.35	Landline Phone-City Hall
				100-0401-513.22-01	34.46	Landline Phone-Finance
				731-1022-541.22-01	27.73	Landline Phone-Garage
				100-0903-531.22-01	52.40	Landline Phone-Health
				743-0403-513.22-01	16.39	Landline Phone-IT
				100-0601-551.22-01	181.62	Landline Phone-Library
				100-0101-511.22-01	10.77	Landline Phone-Mayor
				100-0702-552.22-01	28.89	Landline Phone-Recreation
				100-0703-553.22-01	48.53	Landline Phone-Parks
				100-0202-512.22-01	17.26	Landline Phone-Personnel
				100-0801-521.22-01	267.80	Landline Phone-Police
				100-1002-541.22-01	45.01	Landline Phone-Engineer
				100-0920-531.22-01	14.09	Landline Phone-Senior Ctr
				100-1008-541.22-01	4.07	Landline Phone-Sign Shop
				100-0502-522.22-01	42.78	Landline Phone-EOC
				207-0000-123.00-00	28.69	Landline Phone-Marina
				100-0704-552.22-01	15.08	Landline Phone-Pool
				100-0000-123.00-00	321.05	Landline Phone-Utilities
			Total for check: 52341		1,303.14	
FERRELLGAS	52342	12/17/2015	1089604174	266-1027-543.30-18	144.15	Supplies
			Total for check: 52342		144.15	

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FOX VALLEY HUMANE ASSOCIATION	52343	12/17/2015	OCTOBER 2015	100-0806-532.25-01	1,063.50	October Fees
			Total for check: 52343		1,063.50	
GUSTMAN CHEVROLET SALES INC	52344	12/17/2015	38119	731-1022-541.38-03	25.86	Supplies
			Total for check: 52344		25.86	
JX ENTERPRISES INC	52345	12/17/2015	G-252950009	731-1022-541.38-03	9.32	Lamp Work
			Total for check: 52345		9.32	
KAEMPFER & ASSOCIATES INC	52346	12/17/2015	18117	601-1020-543.21-02	127.55	Significant SW MonitoringProject E145-01.07
		12/17/2015	18118	601-1020-543.21-02	489.73	NMSC WWTP Sampling Elval Project E145-01.10
		12/17/2015	18119	601-1020-543.21-02	255.09	9th St Monitor Station Project E145-01.13
			Total for check: 52346		872.37	
KITZ & PFEIL INC	52348	12/17/2015	102109-0009	100-0801-521.30-13	4.02	Dish Soap
		12/17/2015	102114-0007	100-1001-514.30-18	4.49	Mouse Trap
				100-0801-521.24-03	4.31	Bushing
				731-1022-541.24-03	4.49	Parts
		12/17/2015	102614-0008	100-0703-553.24-03	1.42	Smith Park-EMT Connectors
				100-0501-522.24-03	5.84	Station 36 - Switch
		12/17/2015	102714-0068	100-0703-553.30-18	39.34	Gilbert-Misc Hardware
		12/17/2015	102814-0002	100-1008-541.30-18	2.96	Lightpost Base-Main/Kauka
		12/17/2015	102814-0005	100-0501-522.24-03	11.69	Station 35-Seal Grout
		12/17/2015	102814-0036	100-0703-553.24-03	66.90	CLR Cleaner/Roof Sealant
		12/17/2015	102914-0030	100-0703-553.24-03	78.13	Filters/Antifreeze/Tray
		12/17/2015	102914-0040	100-0703-553.24-03	12.58	Supplies
		12/17/2015	103014-0008	100-0703-553.24-03	65.46	Hart Park Vandalism
		12/17/2015	103014-0090	100-0703-553.30-18	10.14	Shop - Misc Hardware
		12/17/2015	110214-0007	207-0707-552.30-18	10.78	Marina - Cable Ties
		12/17/2015	110214-0108	731-1022-541.30-18	24.26	Foam Sealant & Grab Hook
		12/17/2015	110309-0146	100-1008-541.30-18	26.40	Rental

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KITZ & PFEIL INC...	52348...	12/17/2015	110314-0014	731-1022-541.30-18	11.92	Keys
		12/17/2015	110314-0040	100-0703-553.30-18	6.29	Caulking Cord
		12/17/2015	110409-0003	100-1008-541.30-18	(26.40)	Rental/Credit
		12/17/2015	110414-0101	100-0703-553.30-18	6.74	Galv Wire
		12/17/2015	111614-022	100-0703-553.30-18	65.09	Shop/Trails-Misc Hardware
		12/17/2015	111703-0009	731-1022-541.38-03	6.49	Gasket/Screws/Spring
		12/17/2015	111814-0108	100-0703-553.30-18	21.57	Shop-Syringe & Tape
Total for check: 52348					464.91	
DARLENE KRAUS	52349	12/17/2015	CLOTHING ALLOW	100-0801-521.19-03	135.66	Reimbursement
	Total for check: 52349				135.66	
KWIK TRIP INC	52350	12/17/2015	3238406	100-0801-521.38-01	21.03	Fuel
	Total for check: 52350				21.03	
LEROY, JUSTIN	52351	12/17/2015	LEROY, JUSTIN	100-0000-201.03-00	10.00	Overpayment Ticket 56409
	Total for check: 52351				10.00	
LEVENHAGEN CORPORATION	52352	12/17/2015	88758	207-0707-552.38-01	2,215.63	Fuel
	Total for check: 52352				2,215.63	
MARCO	52353	12/17/2015	INV3001438	743-0403-513.29-01	135.03	Copier Usage
	Total for check: 52353				135.03	
MENARDS-APPLETON EAST	52354	12/17/2015	86193	100-0703-553.30-18	134.90	Lights
	Total for check: 52354				134.90	
POSTMASTER	52355	12/17/2015	PWF	100-1018-543.30-11	49.00	Postage
				100-1006-541.30-11	49.00	Postage

AP Check Register
Check Date: 12/17/2015

Date: 12/17/2015

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
POSTMASTER...	52355...	12/17/2015...	PWF...	266-1027-543.30-11	49.00	Postage
			Total for check: 52355		147.00	
MENASHA TREASURER	52356	12/17/2015	2-109	100-0000-212.00-00	12,318.42	320 Chute - Tax Prepay
		12/17/2015	2-336	100-0000-212.00-00	1,892.50	327 Eighth - Tax Prepay
		12/17/2015	4-402	100-0000-212.00-00	2,165.72	625 Manitowoc St-Tax Prep
		12/17/2015	5-266	100-0000-212.00-00	2,567.67	825 Third - Tax Prepay
			Total for check: 52356		18,944.31	
MENASHA UTILITIES	52357	12/17/2015	004389	100-0703-553.24-03	137.12	Conduit - Smith Park
		12/17/2015	MENASHA UTILITI	100-1008-541.22-03	267.41	Electric
				100-1008-541.22-05	45.42	Water/Sewer
				100-0704-552.22-03	262.51	Electric
				100-0704-552.22-05	415.40	Water/Sewer
				731-1022-541.22-03	1,227.44	Electric
				731-1022-541.22-05	437.60	Water/Sewer
				731-1022-541.22-06	1,017.32	Storm
				266-1028-543.22-06	82.49	Storm
				100-0801-521.22-05	338.49	Water/Sewer
				100-0801-521.22-03	1,253.42	Electric
				100-0801-521.22-06	70.74	Storm
				100-0000-123.00-00	907.65	Electric
				100-0000-123.00-00	245.11	Water/Sewer
				100-0000-123.00-00	51.23	Storm
				100-0801-521.22-03	14.59	Electric
				100-0601-551.22-03	3,282.95	Electric
				100-0601-551.22-05	523.70	Water/Sewer
				100-0601-551.22-06	117.03	Storm
				207-0707-552.22-05	141.00	Water/Sewer
				100-1019-552.22-03	428.08	Electric
				100-1019-552.22-05	12.38	Water/Sewer
				100-0000-123.00-00	10.84	Electric
				100-1001-514.22-05	12.38	Water/Sewer

AP Check Register

Check Date: 12/17/2015

Date: 12/17/2015

Vendor Name	Check Number	Check Date	Invoice Number	Account Number	Amount	Description
MENASHA UTILITIES...	52357...	12/17/2015...	MENASHA UTILITI...	100-1001-514.22-06	2.72	Storm
				100-0703-553.22-03	1,450.11	Electric
				100-0703-553.22-05	34.42	Water/Sewer
				100-0703-553.22-06	723.31	Storm
				485-0304-562.22-06	36.12	Storm
				457-0304-562.22-06	2.72	Storm
				485-0304-562.22-06	16.32	Storm
				457-0304-562.21-10	29.31	Electric
				100-0305-562.22-06	5.44	Storm
				501-0304-562.22-06	268.18	Storm
	12/17/2015	MENASHA UTILITY	100-0703-553.22-05	229.88	Main St. Fountain	
			100-0703-553.22-05	2,510.00	Cleveland & Keyes sts	
			Total for check: 52357			16,610.83
TOWN OF MENASHA UTILITY DISTRICT	52358	12/17/2015	2138	100-0703-553.22-05	76.80	Standby Water-1200 Geneva
		12/17/2015	2139	100-0703-553.22-05	9.60	Standby Water
	Total for check: 52358			86.40		
MINOR'S GARDEN CENTER INC	52359	12/17/2015	0084343	489-0703-562.82-02	937.00	Gilbert Site (TIF II)
					937.00	
OSHKOSH FIRE & POLICE EQUIPMENT INC	52360	12/17/2015	163044	100-0801-521.29-04	129.60	Squad Equipment
		12/17/2015	163070	100-0801-521.29-04	125.00	Squad Equipment
	Total for check: 52360			254.60		
SAFEGUARD BUSINESS SYTEMS	52361	12/17/2015	031109142	100-0202-512.29-01	170.55	W-2 Forms & Envelopes
					170.55	

AP Check Register
Check Date: 12/17/2015

Date: 12/17/2015

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
KEN SAIKI DESIGN INC	52362	12/17/2015	2015-044#1	493-0304-562.21-02	21,337.50	Pedestrian Walkway
			Total for check: 52362		21,337.50	
DIANE SCHABACH	52363	12/17/2015	328469	207-0707-552.38-01	774.99	Gas Sales-Card Fee Split
		12/17/2015	328471	207-0707-552.30-18	410.43	Marina Supplies
			Total for check: 52363		1,185.42	
SERVICEMASTER BUILDING MAINTENANCE	52364	12/17/2015	18231	100-0801-521.20-01	50.00	PD Garage - Janitorial
		12/17/2015	18242	100-0801-521.20-01	1,935.00	PD - Janitorial Service
			Total for check: 52364		1,985.00	
STAPLES ADVANTAGE	52365	12/17/2015	3284863571	100-0801-521.24-01	525.00	Chair
			Total for check: 52365		525.00	
STUMPF CREATIVE LANDSCAPES	52366	12/17/2015	STUMPF CREATIVE	100-0706-561.30-18	195.00	Tree
			Total for check: 52366		195.00	
SUPERIOR VISION INSURANCE PLAN	52367	12/17/2015	IA469780	100-0000-204.10-00	1,100.98	Vision Insurance
			Total for check: 52367		1,100.98	
THEDACARE LABORATORIES	52368	12/17/2015	12100529	100-0801-521.21-05	127.50	Legal Blood Charges
			Total for check: 52368		127.50	
UNIFIRST CORPORATION	52369	12/17/2015	097 0200701	731-1022-541.20-01	111.86	Clothing & Supply Service
			Total for check: 52369		111.86	

AP Check Register
Check Date: 12/17/2015

Date: 12/17/2015

<i>Vendor Name</i>	<i>Check Number</i>	<i>Check Date</i>	<i>Invoice Number</i>	<i>Account Number</i>	<i>Amount</i>	<i>Description</i>
WAVERLY SANITARY DISTRICT	52370	12/17/2015	WAVERLY SANITAR	100-0703-553.22-05	44.62	Sewer & Water-2170 Plank
			Total for check: 52370		44.62	
WE ENERGIES	52371	12/17/2015	WE ENERGIES	100-0701-533.22-03	16.80	North Street
				100-0701-533.22-03	16.80	North Street
			Total for check: 52371		33.60	
WINNEBAGO COUNTY TREASURER	52372	12/17/2015	8209	100-0204-512.80-04	45,610.00	New Voting Machines
			Total for check: 52372		45,610.00	
WINNEBAGO COUNTY TREASURER	52373	12/17/2015	5-00683-00	100-0000-201.03-00	2,379.90	Delinquent Tax Payment
			Total for check: 52373		2,379.90	
WISCONSIN DEPT OF JUSTICE	52374	12/17/2015	L7101T	100-0801-521.21-06	112.00	Name Searches
			Total for check: 52374		112.00	
					122,679.63	



To: Menasha Common Council
From: Jenny Groeschel and Ginger Tralongo, Police Records
RE: Beverage Operator License (Bartender) Applicants
Date: December 16, 2015

The below individuals have applied for a bartender license to serve, dispense and/or sell alcohol at a licensed establishment within the City. They have all met the criteria under the "Guidelines for Operator Licenses" approved by the Common Council. Therefore, staff is recommending the following people be **APPROVED** for an Operator's License for the 2015-2017 licensing period:

Karen Myszewski
Rodney Borsche
Janiece Zastrow
Davinder Singh
Jade Beyer

cc: chief via email



MEMORANDUM

To: City of Menasha Common Council

From: Nancy McKenney, RDH, MS, Public Health Director

Date: December 16, 2015

RE: Fourth Amendment to the Lease Agreement Between Morton Martin I LLC,
Dumke and Associates, LLC and the City of Menasha (316 Racine Street)

The purpose of this Memorandum is to request approval of the Fourth Amendment to the Lease Agreement for 316 Racine Street, as rental for the Health Department.

The proposed amendment is a two year lease. Provisions remain the same, with the exception of an increase in rent from \$4.00 per square foot in 2016 to \$4.50 per square foot in 2017.

FOURTH AMENDMENT to the LEASE AGREEMENT
Between Morton Martin I LLC, Dumke and Associates, LLC and the City of Menasha
DATED March 17, 2008
AMENDED December 21, 2010
AMENDED November 10, 2011
AMENDED September 17, 2013

THIS FOURTH AMENDMENT TO THE LEASE AGREEMENT, executed in Menasha, Wisconsin on this _____ day of December, 2015, is made effective between Morton Martin I LLC, OLH, LLC and the City of Menasha and is made with reference to the Lease Agreement dated March 17, 2008.

1. Add to paragraph 2. Term: (f) 2016 Renewal Term. This Lease Agreement shall recommence on January 1, 2016 and end December 31, 2017.
2. Extend the Third Amendment to the Lease Agreement dated September 17, 2013, Rental rate of \$4.00 per square foot for 1 more year.
3. Beginning January 1, 2017 Delete from paragraph 3. Rental: "\$4.00" and in its place add "\$4.50."
4. All other terms and conditions set forth in the initial agreement dated March 17, 2008, as amended, unless inconsistent with the above changes shall remain the same.

IN WITNESS WHEREOF, the undersigned have executed this Amendment as of the date first written above:

Morton Martin I LLC

Donald Merkes, Mayor
City of Menasha

OLH, LLC



Memorandum

To: Common Council
From: Greg Keil, CDD
Date: December 16, 2015
RE: First Amendment to Development Agreement between Menasha Downtown Development, LLC and City of Menasha

The proposed amendment to the development agreement is for the purpose of accelerating the completion of curb and sidewalk restoration associated with the office tower and the Broad Street ramp construction. Section 2.7 of the development agreement obligates the city to make certain improvements including "restoration and/or repair of all streets, sidewalks, gutters and curbs, adjacent to Building on Mill and Main Street and on the south side of Broad Street, necessary as a result of construction of the Project..." It is now proposed to assign this responsibility to the developer so as to enable the restoration work to take advantage of the favorable weather conditions we are experiencing. If the amendment is approved, restoration work will commence next week and be completed shortly thereafter.

Accelerating the restoration work will benefit both the developer and the city. Completing the restoration now will create a safe and orderly surface condition around the buildings. The developer's plan is to initiate occupancy of the office tower by April 15 with the tenants bringing in the necessary furniture, fixtures and equipment to operate their businesses. Employees are to follow the first week in May. Late winter conditions may not enable the grading and excavating necessary for the restoration work to take place consistent with that schedule, thereby creating unfavorable or hazardous conditions around the buildings for the tenants. The city will benefit from the public sidewalks being open now to provide circulation and full access to our downtown businesses.

This amendment will have negligible fiscal impact on the city. The city is already obligated to pay for the work. This amendment will simply oblige the developer to perform the work.

I urge you to support the proposed amendment.

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT TO DEVELOPMENT AGREEMENT is made by and between **MENASHA DOWNTOWN DEVELOPMENT, LLC** (“Developer”) and **CITY OF MENASHA, WISCONSIN** (“City”).

WHEREAS, Developer and City are parties to that certain Development Agreement recorded in the Winnebago County Register of Deeds on October 14, 2015 (“Development Agreement”); and

WHEREAS, Developer and City desire to make a slight modification to particular provisions of the Development Agreement to allow the project to be completed in a timely manner;

NOW THEREFORE, in consideration of the mutual agreements contained herein, and for additional consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

1. The following paragraph is hereby added to the Development Agreement:

“1.10. Restoration of Curb, Sidewalks, and Gutters. Developer shall be responsible for restoring the curb, sidewalks, and gutters adjacent to the Building on Mill and Main Streets and on the south side of Broad Street in accordance with City specifications.”

2. The words and numbers “One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00)” are deleted from the first sentence in paragraph 2.1 of the Development Agreement and are replaced with the following words and numbers: “one million eight hundred eight thousand nine hundred forty and 00/100 dollars (\$1,808,940.00).”

3. The following language is hereby added to the conclusion of the first sentence in paragraph 2.1 of the Agreement:

“...and (iii) City shall pay Developer \$58,940.00 upon the restoration of the curb, sidewalks, and gutters adjacent to the Building along Mill and Main Streets and the south side of Broad Street (the “Third Incentive Payment”).”

4. The first sentence of paragraph 2.7. (viii) is hereby deleted and replaced with the following language:

“restoration and/or repair of all streets adjacent to Building on Mill and Main Streets and on the south side of Broad Street, necessary as a result of the construction of the Project.”

5. Except as set forth herein, all terms and conditions of the Agreement are unchanged and remain in full force and effect.

COMMON COUNCIL 12/21/15 PAGE 58



MUNICIPAL PROPERTY INSURANCE COMPANY
2801 Crossroads Drive, Suite 2200, Madison, WI 53718 – (800) 968-4670

NEW POLICY – Policy Quotation: 735

Policy:
Term: 12:01am 1/1/2016 to 1/1/2017

Agent:

Named: City of Menasha
Insured: Pamela Captain
140 Main Street
Menasha, WI 54952

Phone: (920) 967-3602
County:

Coverage	Deductible	Coverage	Rate	Annual Premium
Buildings, Personal Property & Property in the Open	5,000	48,170,263	0.059	28,421
Contractors Equipment (Replacement Cost)	500	1,945,638	0.179	3,483
Monies and Securities	500	37,000	0.829	307

Total Annual Premium **\$32,211**

Comments

This quote is your estimated new policy premium amount with coverages and coverage amounts as shown.

This quote becomes null and void within 30 days of transaction effective date.

COMMERCIAL COVERAGE PROPOSAL

FOR

CITY OF MENASHA COVER PAGE

Submitted to:

THE MCCLOONE AGENCY INC.
1807 ERIE AVENUE
SHEBOYGAN, WI 53081

This proposal does not apply to the extent that trade or economic sanctions or other laws or regulations prohibit Chubb from offering or providing insurance. To the extent any such prohibitions apply, this proposal is void ab initio.

Information contained in this proposal is descriptive only. This proposal contains highlights or typical features available in our policies. These features are subject to change based upon underwriting and may or may not be available or apply to your policy. The precise coverage afforded is subject to the terms and conditions of the policies issued. The Company reserves the right, in its sole discretion, to amend or withdraw this Proposal if the Company becomes aware of any new, corrected or updated information that the Company reasonably believes would change its underwriting evaluation.

This quotation/proposal contemplates an integrated insurance program that includes all of the lines of business, terms and conditions outlined. The pricing and terms and conditions shown in this quotation/proposal cannot be separated. As such, if you reject individual components of the quote/proposal or any part of the program is cancelled and/or non-renewed, the terms and conditions of the remaining portion of the account are subject to reevaluation by the Company and all elements including program structure, pricing, as well as other terms and conditions will be subject to change.

This information is intended for producers that are properly licensed and authorized in at least one of the writing companies that comprise the Chubb Group of Insurance Companies (Chubb). If you are not a licensed and authorized Chubb producer, please direct this communication to the person in your office that holds such designations and contact Chubb to update the contact information for this policy.

For promotional purposes, Chubb refers to member insurers of the Chubb Group of Insurance Companies underwriting coverage: Federal Insurance Company, Vigilant Insurance Company, Pacific Indemnity Company, Great Northern Insurance Company, Northwestern Pacific Indemnity Company, Texas Pacific Indemnity Company, Chubb Custom Insurance Company, Chubb Indemnity Insurance Company, Chubb Insurance Company of New Jersey, Chubb National Insurance Company, Chubb Lloyds Insurance Company of Texas. Not all insurers do business in all jurisdictions.

Customary Classic for
CITY OF MENASHA

Chubb's *Customary Classic*, offers state-of-the-art insurance protection. This product builds on Chubb's tradition of leadership with its enhanced features, flexible approach to valuation and automatic limits of insurance for many coverages.

Some of the many benefits of *Customary Classic*:

- Modular format, with clear policy language and easy-to-use structure.
- An automatic blanket limit that allows insurance dollars to be spent where they are needed most following a loss.
- Broad "all-risk" property/income perils.
- Automatic limits for many coverages, with the option to purchase additional limits.
- Flexible approach to property valuation.
- Business income protection, including worldwide dependent business premises.

Since 1882, Chubb has provided property and casualty insurance to businesses around the world. Chubb continues to receive high ratings for financial strength and stability from A.M. Best, Standard & Poor's and Moody's, an important consideration that underscores an insurer's ability to pay its claims now and in the future. Every *Customary Classic* policy is backed by Chubb's financial stability, renowned claim and loss control service, global network and underwriting expertise.

December 2, 2015

Chubb Group of Insurance Companies



CHUBB GROUP OF INSURANCE COMPANIES

Western Underwriting Center

2155 West Pinnacle Peak Road
Phoenix, AZ 85027-1210

Telephone (800) 324-8223
Facsimile (877) 658-2634

December 7, 2015 Revised December 11, 2015

City Of Menasha

In care of The McClone Agency Inc.

Licensed Producer:

c/o Sherri Rusch-Regenwether

P.O. Box 1320

Sheboygan, WI 53082

Subject: City Of Menasha

Policy Type

MOD PROP

Policy Number

TBD

Effective Date

01/01/2016

Underwriting Company

Federal Insurance Company

Dear Sherri:

We are pleased to provide our Commercial Coverage Proposal for City Of Menasha. This quote is valid for 30 days from today and is subject to the following:

1. Obtaining complete addresses or legal descriptions for locations that are shown with just a street name
2. Satisfactory loss control survey and compliance with any critical recommendations

To facilitate your discussion of the coverages with the insured, we have outlined some of the features of the form. Please review the coverages carefully. This proposal outlines the extent of coverage that we will provide on the account and is subject to the terms and conditions of the policies. If you do not see a specific coverage listed on this proposal, it is not provided.

Please note that this proposal is subject to several legal requirements and prohibitions, which are described on the cover page of this proposal or within individual sections of the proposal, as appropriate. Please read these descriptions carefully.

Thank you for the opportunity to quote this account. We would be happy to discuss this proposal with you in further detail. Please call us if you have any questions.

Sincerely,

Michaelle Zbacnik

Underwriting Service Team	Phone	Email
Michaelle Zbacnik	625-580-2046	mzbacnik@chubb.com

Links to our Products and Capabilities

Product Highlights:

- 78 Reasons Why: Customary Property Protection

In today's competitive sales arena, you want to offer the best property product to your clients. And, you want to tell your clients exactly why it is the best. You can cite 78 reasons why *Customary Classic* is the answer. This brochure lists the many coverage features and limits of the *Customary Classic* property product with a \$250,000 blanket limit.

Product Comparison:

- Customary Classic: Property & Liability Product Comparison to Typical Industry Policy

Product comparison of the *Customary Classic* package product (\$250,000 blanket limit) to the typical industry package policy.

Corporate Capabilities:

- The Chubb Corporation Financial Ratings from S&P, Moody's and A M Best

- Loss Control for Commercial Customers

Overview of Loss Control Services resources, achievements and products

- Chubb At A Glance

Overview of Chubb financials and business operations

PREMIUM SUMMARY

<u>Policy Type</u>	<u>Premium</u>	<u>Commission</u>	<u>Payment Options</u>
Commercial Property Federal Insurance Company Policy No.: TBD	\$36,160 (\$1,000 ded)	15%	Annual/Agency Bill
Property	\$36,160		
Machinery Breakdown	Included in Property		
Taxes and Surcharges	\$0	0%	Prepaid
Commercial Property \$5,000 Deductible Federal Insurance Company Policy No.: TBD	\$34,990 (5K ded)	15%	Annual/Agency Bill
Property	\$34,990		
Machinery Breakdown	Included in Property		
Taxes and Surcharges	\$0	0%	Prepaid

Please note the underwriting company in which this quote is being offered. All insurers of the Chubb Group of Insurance Companies share the same financial ratings.

The portion attributable to Taxes, Surcharges and Other Charges is an estimate. The Insured is responsible for the total amount, if bound, shown on the premium bill and/or premium summary, regardless of the amount shown above.

Terrorism

Portion of premium attributable for Terrorism - Included in above premium

Property	\$3,245
*Ensuing Fire	\$628
Machinery Breakdown	Included in Property

**If you elect not to purchase coverage for terrorism and your policy provides commercial property insurance in a jurisdiction that has a statutory standard fire policy, the premium shown above for Ensuing Fire is the amount attributable to the insurance provided pursuant to that statutory standard fire policy. This coverage cannot be rejected.*

"Terrorism" refers to terrorism losses covered by the Terrorism Risk Insurance Act of the United States of America (15 USC 6701 note). Please refer to the Important Notice to Policyholders which outlines both the Federal Government's and the Insurance Company's obligation of payment under the Terrorism Risk Insurance Act.

Pamela Captain

From: Loann Le <Loann_Le@AJG.com>
Sent: Tuesday, December 08, 2015 4:51 PM
To: Pamela Captain
Cc: Patty Hernandez
Subject: RE: Underground Storage Tanks renewal
Attachments: AIG TankGuard application (City of Menasha).pdf; Colony Ins. UST application (City of Menasha).pdf

Ms. Captain,

Sorry it took longer than I expected. We have approached the following carriers for alternative UST quotations:

- 1) Colony Insurance Company and Great American Ins. Company – Rough premium indication between \$3,500 to \$5,000. This indication is subject to their complete, signed & dated application attached and confirmation of the followings:
 - a) For the marina, please include brief narrative / diagram showing the distance to water.
 - b) If any piping extends out over water/dock, please provide the distance over water/dock.
 - c) Tanks original installation date(s).
- 2) Commerce and Industry via Chamber Agency Services – Non-Bindable Indication at follows:

\$1,000,000	Limit
\$ 25,000	Deductible
\$ 2,301	Annual premium
\$ 45	Terrorism Additional premium
12/31/15	Retroactive Date

This indication is subject to the following:

- a) A complete, signed & dated AIG TankGuard application attached.
- b) A copy of the most recent Tank Tightness Passing Test performed within the last year.
- c) Confirmation of:
 - a) Are the tanks double-walled or single-walled?
 - b) Are the pipes double-walled or single-walled?
 - c) Method of pipe leak detection used?

Please let me know if you have any questions or required any clarifications. I await for your renewal instruction. Thank you and have a good afternoon Ms. Captain.

Best regards,

Loann Le
Area Vice President



Arthur J. Gallagher & Co.

1255 Battery Street, # 450 | San Francisco, CA 94111
o415.536.8419 | m650.438.2633 | f415.536.5777
loann_le@ajg.com
Arthur J. Gallagher & Co. Insurance Brokers of California, Inc.
CA License #0726293



"I would like to emphasize that the discussion set forth above is only an insurance/risk management perspective and is NOT legal advice. We do not provide legal advice, as we are not qualified to do so. I highly recommend that you seek the advice of legal counsel in order to become fully apprised of the legal implications related to these issues."

From: Pamela Captain [mailto:pcaptain@ci.menasha.wi.us]
Sent: Tuesday, December 08, 2015 8:29 AM
To: Loann Le
Subject: RE: Underground Storage Tanks renewal

Good morning, Loann –

Can you provide an update on this? Our last common council meeting before the end of the year is December 21 (with the agenda going out on the Thursday before or December 17). Thank you, Pam

From: Loann Le [mailto:Loann_Le@AJG.com]
Sent: Monday, November 02, 2015 8:19 PM
To: Pamela Captain
Subject: RE: Underground Storage Tanks renewal

Ms. Captain,

I can approach other markets for alternative quotes for comparison purpose and will get back to you shortly. Have a good evening Ms. Captain.

Loann Le

On Nov 2, 2015 5:53:20 PM, Pamela Captain <pcaptain@ci.menasha.wi.us> wrote:
Hi LoAnn –

I took the renewal quote to committee tonight and an alderman wants to know if we can get other companies to quote it to see if the price is competitive. Let me know what you think. Thanks!

Pamela A. Captain
City Attorney
City of Menasha
140 Main Street
Menasha, WI 54952

(920) 967-3608
(920) 967-5273 fax

From: Loann Le [mailto:Loann_Le@AJG.com]
Sent: Tuesday, October 27, 2015 5:47 PM


To: Pamela Captain
Subject: Underground Storage Tanks renewal

Ms. Captain,

The captioned coverage expires on December 31st. Attached is the renewal quote from ACE American Insurance Company, incumbent carrier for your review. The renewal premium is increased slightly from \$4,248 to \$4,632 as the policy is providing one more year of retroactive coverage from this point last year. Please review the attached renewal letter and let us know your renewal instruction no later than **December 4th**. If you have any questions or required any clarifications, please let us know. Thank you and have a good afternoon Ms. Captain.

Best regards,

Loann Le
Area Vice President

 **Arthur J. Gallagher & Co.**
1255 Battery Street, # 450 | San Francisco, CA 94111
o415.536.8419 | m650.438.2633 | f415.536.5777
loann_le@aig.com
Arthur J. Gallagher & Co. Insurance Brokers of California, Inc.
CA License #0726293

Please Note: Coverage cannot be bound or altered via email until confirmation is provided by Arthur J. Gallagher & Co. Insurance Brokers of California, Inc.



"I would like to emphasize that the discussion set forth above is only an insurance/risk management perspective and is NOT legal advice. We do not provide legal advice, as we are not qualified to do so. I highly recommend that you seek the advice of legal counsel in order to become fully apprised of the legal implications related to these issues."

**STREET USE APPLICATION**

Event: FIRST EVE
Sponsored by: DOTY ISLAND DEVELOPMENT COUNCIL
COMMUNITY FORWARD INC
Responsible Person: JAMES TAYLOR
Address: 340 BROAD ST
MENASHA

Street Use Date: 12-31-15/1-1-16
Start Time: 9:10 PM
End Time: 12:30 AM
Number of Units: _____
(Parades)

Email Address: _____

Phone: 723-4857

Street Route: ON FILE
Description of Use (attach map)

Liability Insurance has been secured in the amount of \$ 2,000,000 with the City of Menasha named as the additional insured. This is primary insurance.

Insurance Company: CC SERVICES NAUTILUS Insurance Co. Policy No. NN636184
(Attached are samples of the certificate of insurance and endorsement; each naming the City of Menasha as additional insured)

Date: 12-15-15 Applicant's Signature: James Taylor

Permit Fee: Each application for a Street Use Permit shall be accompanied by a fee of \$25.00 along with a Special Event Fee of \$25.00. Please make checks payable to City of Menasha.

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

TO BE COMPLETED BY CITY STAFF (Revised February 4, 2013)

Scheduled Park & Recreation Board Review Date: _____

Not Required: _____ Approved: _____ Denied: _____

Scheduled Common Council Review Date: 12-7-15

Approved: _____ Denied: _____

APPROVAL:

Police Dept. [Signature] Fire Dept. VG Public Works Dept. MR City Attorney _____

1897 FIRST EVE FOX CITIES

12-31-14 1415

9 10:30 PM - 12:30 AM

2/74

22ND

Marina Place

Barricades full width across Main

MAIN

MILL

Relocate

Street closed

limits to Racine/Main

CLOSURE

Street Closure at Senior Center driveway

Chute

US BANK ENT.

PARKING LOT ENT.

BROAD ST

MILWAUKEE

CENTER

Chute Marina traffic (across Main only)

EDGE SIDE

An Arizona Corporation

Policy No. NN636184

Renewal of Policy # _____
 Rewrite of Policy # _____
 Cross Ref. Policy # _____
 NIC Quote # _____

Inspection Ordered:

☐ Yes ☒ No

This insurance contract is with an insurer which has not obtained a certificate of authority to transact a regular insurance business in the state of Wisconsin, and is issued and delivered as a surplus line coverage pursuant to s. 618.41 of the Wisconsin Statutes. Section 618.43(1), Wisconsin Statutes, requires payment by the policyholder of 3.0% tax on gross premium.

Named Insured and Mailing Address

(No., Street, Town or City, County, State, Zip Code)

COMMUNITY FORWARD, INC.

340 BROAD ST
MENASHA WI 54952 3045
WINNEBAGO COUNTY

Agent and Mailing Address

Agency No. 02401 00

(No., Street, Town or City, County, State, Zip Code)

Gateway Underwriters Agency, Inc.
2458 Old Dorsett Road, Suite 110
Maryland Heights, MO 63043-2423

NO FLAT CANCELLATION

Policy Period: From 12/31/2015 to 01/02/2016 at 12:01 A.M. Standard Time at your mailing address shown above.

Business Description: SPECIAL EVENT-OUTDOOR NEW YEARS FESTIVAL

Tax State WI

Form of Business: ☐ Individual ☐ Partnership ☐ Joint Venture ☐ Trust ☐ Limited Liability Company (LLC)
☒ Organization, including a Corporation (but not including a Partnership, Joint Venture or LLC)

IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY,
WE WILL PROVIDE YOU THE INSURANCE STATED IN THIS POLICY.

THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED.
THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.

THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.			PREMIUM
Commercial General Liability Coverage Part			\$ 330.00
			\$
			\$
			\$
			\$
			\$
			\$
			\$
Tax & Fee Schedule		TOTAL ADVANCE PREMIUM	\$ 330.00
POLICY FEE	\$ 100.00	Minimum & Deposit	
SURPLUS LINES TAX	12.90	TOTAL TAXES & FEES	\$ 112.90
		TOTAL	\$ 442.90

Form(s) and Endorsement(s) made a part of this policy at time of issue:

Refer to Schedule of Forms and Endorsements.

GATEWAY UNDERWRITERS AGENCY, INC.

WILLIAM MARTIN
2601104

Countersigned: St. Louis, MO
11/24/2015 AS
TR

By

Countersignature or Authorized Representative, whichever is applicable

THESE DECLARATIONS TOGETHER WITH THE COMMON POLICY CONDITIONS, COVERAGE PART DECLARATIONS, COVERAGE PART COVERAGE FORM(S) AND FORMS AND ENDORSEMENTS, IF ANY, ISSUED TO FORM A PART THEREOF, COMPLETE THE ABOVE NUMBERED POLICY.

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E001 (02/14)

ORIGINAL

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

FULLY EARNED PREMIUM ENDORSEMENT

If this policy is cancelled at your request, the premium for this policy will be fully earned and no refund will be made.

Non-payment of premium is considered a request by the first Named Insured for cancellation of this policy.

All other terms and conditions of this policy remain unchanged.

COMMERCIAL GENERAL LIABILITY COVERAGE PART DECLARATIONS

POLICY NUMBER: **NN636184**

☐ Extension of Declarations is attached.

Effective Date: 12/31/2015 12:01 A.M. Standard Time

LIMITS OF INSURANCE

☐ If box is checked, refer to form **S132** Amendment of Limits of Insurance.

General Aggregate Limit (Other Than Products/Completed Operations)	\$	2,000,000	
Products/Completed Operations Aggregate Limit	\$	INCLUDED	
Personal and Advertising Injury Limit	\$	1,000,000	Any One Person Or Organization
Each Occurrence Limit	\$	1,000,000	
Damage To Premises Rented To You Limit	\$	100,000	Any One Premises
Medical Expense Limit	\$	5,000	Any One Person

RETROACTIVE DATE (CG 00 02 ONLY)

This insurance does not apply to "bodily injury", "property damage" or "personal and advertising injury" which occurs before the Retroactive Date, if any, shown here: NONE (Enter Date or "NONE" if no Retroactive Date applies)

BUSINESS DESCRIPTION AND LOCATION OF PREMISES

BUSINESS DESCRIPTION: SPECIAL EVENT-OUTDOOR NEW YEARS FESTIVAL

LOCATION OF ALL PREMISES YOU OWN, RENT, OR OCCUPY: ☐ Location address is same as mailing address.

1. CURTIS RD. SQ./MAIN ST.
MENASHA WI 54952-
- 2.

Additional locations (if any) will be shown on form **S170**, Commercial General Liability Coverage Part Declarations Extension.

LOCATION OF JOB SITE (If Designated Projects are to be Scheduled):

CODE # -	CLASSIFICATION	*	PREMIUM BASIS	RATE		ADVANCE PREMIUM
				Prem/Ops	Prod/Comp Ops	
90562	Special Events - Group II - Up to 500 average daily attendance Rate is Number of Days	t+	3	101.581	INCLUDED	305 INCLUDED
49950	Additional Insured - All Other	t	1	25.000		25 FE
	- FE=FULLY EARNED					

* PREMIUM BASIS SYMBOLS

+ = Products/Completed Operations are subject to the General Aggregate Limit

a = Area (per 1,000 sq. ft. of area)	o = Total Operating Expenditures (per \$1,000 Total Operating Expenditures)	s = Gross Sales (per \$1,000 of Gross Sales)
c = Total Cost (per \$1,000 of Total Cost)	p = Payroll (per \$1,000 of Payroll)	t = See Classification
m = Admissions (per 1,000 Admissions)		u = Units (per unit)

PREMIUM FOR THIS COVERAGE PART \$ 330

FORMS AND ENDORSEMENTS (other than applicable Forms and Endorsements shown elsewhere in the policy)

Forms and Endorsements applying to this Coverage Part and made part of this policy at time of issue:

Refer to Schedule of Forms and Endorsements

THESE DECLARATIONS ARE PART OF THE POLICY DECLARATIONS CONTAINING THE NAME OF THE INSURED AND THE POLICY PERIOD.

Includes copyrighted material of Insurance Services Office, Inc. with its permission.

S150 (07/09)

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED - OWNERS, LESSEES OR
CONTRACTORS - SCHEDULED PERSON OR ORGANIZATION**

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name Of Additional Insured Person(s) Or Organization(s):	Location(s) Of Covered Operations
CITY OF MENASHA 140 MAIN STREET, MENASHA, WI 54952	CURTIS RD. SQ./MAIN ST MENASHA WI 54952-
	-
	-
	-
	-

Information required to complete this Schedule, if not shown above, will be shown in the Declarations.

A. Section II - Who Is An Insured is amended to include as an additional insured the person(s) or organization(s) shown in the Schedule, but only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by:

1. Your acts or omissions; or
2. The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured(s) at the location(s) designated above.

B. With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

in villages and 4th class cities, of not less than \$10,000 in 3rd class cities, and of not less than \$20,000 in 2nd class cities.

(5) If an alternative procedure is adopted by ordinance in conformity with this section, the claim procedure required by ss. 61.25 (6), 61.51, 62.09 (10), 62.11 and 62.12 and other relevant provisions, except s. 893.80, is not applicable in the city or village.

History: 1971 c. 108 ss. 5, 6; 1971 c. 125 s. 523; 1977 c. 285 s. 12; 1979 c. 323; 1985 a. 29; 1991 a. 316; 1999 a. 150 s. 113; Stats. 1999 s. 66.0609; 2001 a. 16.

66.0611 Political subdivisions prohibited from levying tax on incomes. No county, city, village, town, or other unit of government authorized to levy taxes may assess, levy or collect any tax on income, or measured by income, and any tax so assessed or levied is void.

History: 1999 a. 150 s. 562; Stats. 1999 s. 66.0611.

66.0613 Assessment on racing prohibited. Notwithstanding subch. V of ch. 77, no county, town, city or village may levy or collect from any licensee, as defined in s. 562.01 (7), any fee, tax or assessment on any wager in any race, as defined in s. 562.01 (10), or on any admission to any racetrack, as defined in s. 562.01 (12), except as provided in s. 562.08.

History: 1987 a. 354; 1991 a. 39; 1999 a. 150 s. 564; Stats. 1999 s. 66.0613.

66.0615 Room tax; forfeitures. (1) In this section:

(a) "Commission" means an entity created by one municipality or by 2 or more municipalities in a zone, to coordinate tourism promotion and tourism development for the zone.

(am) "District" has the meaning given in s. 229.41 (4m).

(b) "Hotel" has the meaning given in s. 77.52 (2) (a) 1.

(c) "Motel" has the meaning given in s. 77.52 (2) (a) 1.

(d) "Municipality" means any city, village or town.

(dm) "Sponsoring municipality" means a city, village or town that creates a district either separately or in combination with another city, village, town or county.

(e) "Tourism" means travel for recreational, business or educational purposes.

(f) "Tourism entity" means a nonprofit organization that came into existence before January 1, 1992, spends at least 51 percent of its revenues on tourism promotion and tourism development, and provides destination marketing staff and services for the tourism industry in a municipality, except that if no such organization exists in a municipality on January 1, 2016, a municipality may contract with such an organization if one is created in the municipality.

(fm) "Tourism promotion and tourism development" means any of the following that are significantly used by transient tourists and reasonably likely to generate paid overnight stays at more than one establishment on which a tax under sub. (1m) (a) may be imposed, that are owned by different persons and located within a municipality in which a tax under this section is in effect; or, if the municipality has only one such establishment, reasonably likely to generate paid overnight stays in that establishment:

1. Marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motorcoach groups.

2. Transient tourist informational services.

3. Tangible municipal development, including a convention center.

(g) "Transient" has the meaning given in s. 77.52 (2) (a) 1.

(h) "Zone" means an area made up of 2 or more municipalities that, those municipalities agree, is a single destination as perceived by the traveling public.

(1m) (a) The governing body of a municipality may enact an ordinance, and a district, under par. (e), may adopt a resolution, imposing a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by hotelkeepers, motel operators and other persons furnishing accommodations that are

available to the public, irrespective of whether membership is required for use of the accommodations. A tax imposed under this paragraph may be collected from the consumer or user, but may not be imposed on sales to the federal government and persons listed under s. 77.54 (9a). A tax imposed under this paragraph by a municipality shall be paid to the municipality and, with regard to any tax revenue that may not be retained by the municipality, shall be forwarded to a tourism entity or a commission if one is created under par. (c), as provided in par. (d). Except as provided in par. (am), a tax imposed under this paragraph by a municipality may not exceed 8%. Except as provided in par. (am), if a tax greater than 8% under this paragraph is in effect on May 13, 1994, the municipality imposing the tax shall reduce the tax to 8%, effective on June 1, 1994.

(am) A municipality that imposes a room tax under par. (a) is not subject to the limit on the maximum amount of tax that may be imposed under that paragraph if any of the following apply:

1. The municipality is located in a county with a population of at least 380,000 and a convention center is being constructed or renovated within that county.

2. The municipality intends to use at least 60% of the revenue collected from its room tax, of any room tax that is greater than 7%, to fund all or part of the construction or renovation of a convention center that is located in a county with a population of at least 380,000.

3. The municipality is located in a county with a population of less than 380,000 and that county is not adjacent to a county with a population of at least 380,000, and the municipality is constructing a convention center or making improvements to an existing convention center.

4. The municipality has any long-term debt outstanding with which it financed any part of the construction or renovation of a convention center.

(b) 1. If a single municipality imposes a room tax under par. (a), the municipality may create a commission under par. (c). The commission shall contract with another organization to perform the functions of a tourism entity if no tourism entity exists in that municipality.

2. If 2 or more municipalities in a zone impose a room tax under par. (a), the municipalities shall enter into a contract under s. 66.0301 to create a commission under par. (c). If no tourism entity exists in any of the municipalities in the zone that have formed a commission, the commission shall contract with another organization in the zone to perform the functions of the tourism entity. Each municipality in a single zone that imposes a room tax shall levy the same percentage of tax. If the municipalities are unable to agree on the percentage of tax for the zone, the commission shall set the percentage.

3. A commission shall monitor the collection of room taxes from each municipality in a zone that has a room tax.

4. A commission shall contract with one tourism entity from the municipalities in the zone to obtain staff, support services and assistance in developing and implementing programs to promote the zone to visitors.

(c) 1. If a commission is created by a single municipality, the commission shall consist of 4 to 6 members. One of the commission members shall represent the Wisconsin hotel and motel industry. Members shall be appointed under subd. 3.

2. a. If the commission is created by more than one municipality in a zone, the commission shall consist of 3 members from each municipality in which annual tax collections exceed \$1,000,000, 2 members from each municipality in which annual tax collections exceed \$300,000 but are not more than \$1,000,000 and one member from each municipality in which annual tax collections are \$300,000 or less. Except as provided in subd. 2. b., members shall be appointed under subd. 3.

b. Two additional members, who represent the Wisconsin hotel and motel industry, shall be appointed to the commission by

the chairperson of the commission, shall serve for a one-year term at the pleasure of the chairperson and may be reappointed.

3. Members of the commission shall be appointed by the principal elected official in the municipality and shall be confirmed by a majority vote of the members of the municipality's governing body who are present when the vote is taken. Commissioners shall serve for a one-year term, at the pleasure of the appointing official, and may be reappointed.

4. The commission shall meet regularly, and, from among its members, it shall elect a chairperson, vice chairperson and secretary.

5. The commission shall report any delinquencies or inaccurate reporting to the municipality that is due the tax.

(d) 1. A municipality that first imposes a room tax under par. (a) after May 13, 1994, shall spend at least 70% of the amount collected on tourism promotion and tourism development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

2. Subject to par. (dm), if a municipality collects a room tax on May 13, 1994, it may retain not more than the same percentage of the room tax that it retains on May 13, 1994. If a municipality that collects a room tax on May 1, 1994, increases its room tax after May 1, 1994, the municipality may retain not more than the same percentage of the room tax that it retains on May 1, 1994, except that if the municipality is not exempt under par. (am) from the maximum tax that may be imposed under par. (a), the municipality shall spend at least 70% of the increased amount of room tax that it begins collecting after May 1, 1994, on tourism promotion and development. Any amount of room tax collected that must be spent on tourism promotion and tourism development shall either be forwarded to the commission for its municipality or zone if the municipality has created a commission, or forwarded to a tourism entity.

3. A commission shall use the room tax revenue that it receives from a municipality for tourism promotion and tourism development in the zone or in the municipality.

4. The commission shall report annually to each municipality from which it receives room tax revenue the purposes for which the revenues were spent.

5. The commission may not use any of the room tax revenue to construct or develop a lodging facility.

6. If a municipality issued debt or bond anticipation notes before January 1, 2005, to finance the construction of a municipally owned convention center or conference center, nothing in this section may prevent the municipality from meeting all of the terms of its obligation.

7. Notwithstanding the provisions of subds. 1. and 2., any amount of room tax revenue that a municipality described under s. 77.994 (3) is required to spend on tourism promotion and tourism development shall be forwarded to, and spent by, the municipality's tourism entity, unless the municipality creates a commission and forwards the revenue to the commission.

8. The governing body of a tourism entity shall include at least one owner or operator of a lodging facility that collects the room tax described in this section and that is located in the municipality for which the room tax is collected. Subdivision 4., as it applies to a commission, applies to a tourism entity.

(dm) Beginning with the room tax collected on January 1, 2017, by a municipality that collected a room tax on May 13, 1994, as described in par. (d) 2., and retained more than 30 percent of the room tax collected for purposes other than tourism promotion and tourism development, such a municipality may continue to retain, each year, the greater of either 30 percent of its current year revenues or one of the following amounts:

1. For fiscal year 2017, the same dollar amount of the room tax retained as the municipality retained in its 2014 fiscal year.

2. For fiscal year 2018, the same dollar amount of the room tax retained as the municipality retained in its 2013 fiscal year.

3. For fiscal year 2019, the same dollar amount of the room tax retained as the municipality retained in its 2012 fiscal year.

4. For fiscal year 2020, the same dollar amount of the room tax retained as the municipality retained in its 2011 fiscal year.

5. For fiscal year 2021 and thereafter, the same dollar amount of the room tax retained as the municipality retained in its 2010 fiscal year.

(e) 1. Subject to subd. 2., a district may adopt a resolution imposing a room tax under par. (a) in an amount not to exceed 3% of total room charges. A majority of the authorized members of the district's board may vote that, if the balance in a special debt service reserve fund of the district is less than the requirement under s. 229.50 (5), the room tax imposed by the district under this subdivision is 3% of total room charges beginning on the next January 1, April 1, July 1 or October 1 after the payment and this tax is irrevocable if any bonds issued by the district and secured by the special debt service reserve fund are outstanding. A room tax imposed by a district under this subdivision applies within the district's jurisdiction, as specified in s. 229.43, and the proceeds of the tax may be used only for the district's debt service on its bond obligations. If a district stops imposing and collecting a room tax, the district's sponsoring municipality may impose and collect a room tax under par. (a) on the date on which the district stops imposing and collecting its room tax.

2. In addition to the room tax that a district may impose under subd. 1., if the district's only sponsoring municipality is a 1st class city, the district may adopt a resolution imposing an additional room tax. The additional percentage of room tax under this subdivision shall be equal to the percentage of room tax imposed by the sponsoring municipality on the date on which the sponsoring municipality agrees to stop imposing and collecting its room tax, as described under s. 229.44 (15). A district shall begin collecting the additional room tax imposed under this subdivision on the date on which the sponsoring municipality stops imposing and collecting its room tax. A room tax imposed by a district under this subdivision applies only within the borders of the sponsoring municipality and may be used for any lawful purpose of the district.

3. A district adopting a resolution to impose the taxes under subd. 1. or 2. shall deliver a certified copy of the resolution to the secretary of revenue at least 120 days before its effective date.

(f) 1. The department of revenue shall administer the tax that is imposed under par. (a) by a district and may take any action, conduct any proceeding and impose interest and penalties.

2. Sections 77.51 (12m), (14), (14g), (15a), and (15b), 77.52 (3), (13), (14), (18), and (19), 77.522, 77.58 (1) to (5), (6m), and (7), 77.585, 77.59, 77.60, 77.61 (2), (3m), (5), (8), (9), (12) to (15), and (19m), and 77.62, as they apply to the taxes under subch. III of ch. 77, apply to the tax described under subd. 1.

3. From the appropriation under s. 20.835 (4) (gg), the department of revenue shall distribute 97.45% of the taxes collected under this paragraph for each district to that district and shall indicate to the district the taxes reported by each taxpayer in that district, no later than the end of the month following the end of the calendar quarter in which the amounts were collected. The taxes distributed shall be increased or decreased to reflect subsequent refunds, audit adjustments and all other adjustments. Interest paid on refunds of the tax under this paragraph shall be paid from the appropriation under s. 20.835 (4) (gg) at the rate under s. 77.60 (1) (a). Any district that receives a report along with a payment under this subdivision or subd. 2. is subject to the duties of confidentiality to which the department of revenue is subject under s. 77.61 (5).

5. Persons who are subject to the tax under this subsection, if that tax is administered by the department of revenue, shall register with the department. Any person who is required to register, including any person authorized to act on behalf of a person who

is required to register, who fails to do so is guilty of a misdemeanor.

(2) As a means of enforcing the collection of any room tax imposed by a municipality or a district under sub. (1m), the municipality or district may exchange audit and other information with the department of revenue and may do any of the following:

(a) If a municipality or district has probable cause to believe that the correct amount of room tax has not been assessed or that the tax return is not correct, inspect and audit the financial records of any person subject to sub. (1m) pertaining to the furnishing of accommodations to determine whether the correct amount of room tax is assessed and whether any room tax return is correct.

(b) Enact a schedule of forfeitures, not to exceed 5% of the tax under sub. (1m) or par. (c), to be imposed on any person subject to sub. (1m) who fails to comply with a request to inspect and audit the person's financial records under par. (a).

(c) Determine the tax under sub. (1m) according to its best judgment if a person required to make a return fails, neglects or refuses to do so for the amount, in the manner and form and within the time prescribed by the municipality or district.

(d) Require each person who is subject to par. (c) to pay an amount of taxes that the municipality or district determines to be due under par. (c) plus interest at the rate of 1% per month on the unpaid balance. No refund or modification of the payment determined may be granted until the person files a correct room tax return and permits the municipality or district to inspect and audit his or her financial records under par. (a).

(e) Enact a schedule of forfeitures, not to exceed 25% of the room tax due for the previous year under sub. (1m) or par. (c) or \$5,000, whichever is less, to be imposed for failure to pay the tax under sub. (1m).

(3) The municipality shall provide by ordinance and the district shall provide by resolution for the confidentiality of information obtained under sub. (2) but shall provide exceptions for persons using the information in the discharge of duties imposed by law or of the duties of their office or by order of a court. The municipality or district may provide for the publishing of statistics classified so as not to disclose the identity of particular returns. The municipality or district shall provide that persons violating ordinances or resolutions enacted under this subsection may be required to forfeit not less than \$100 nor more than \$500.

(4) (a) Annually, on or before May 1, on a form created and provided by the department of revenue, every municipality that imposes a tax under sub. (1m) shall certify and report to the department, beginning in 2017, all of the following:

1. The amount of room tax revenue collected, and the room tax rate imposed, by the municipality in the previous year.

2. A detailed accounting of the amounts of such revenue that were forwarded in the previous year for tourism promotion and tourism development, specifying the commission or tourism entity that received the revenue. The detailed accounting shall include expenditures of at least \$1,000 made by a commission or a tourism entity.

3. A list of each member of the commission and each member of the governing body of a tourism entity to which the municipality forwarded room tax revenue in the previous year, and the name of the business entity the member owns, operates, or is employed by, if any.

(b) The department of revenue shall collect the reports described in par. (a) and shall make them available to the public.

(c) The department of revenue may impose a penalty of not more than \$3,000 on a municipality that does not submit to the department the reports described in par. (a). A municipality may not use room tax revenue to pay a penalty imposed under this paragraph. The penalty shall be paid to the department of revenue.

History: 1983 a. 189, 514; 1993 a. 263, 467, 491; 1999 a. 9; 1999 a. 150 ss. 565 to 567; Stats. 1999 s. 66.0615; 2003 a. 203; 2005 a. 135; 2007 a. 20; 2009 a. 2; 2011 a. 18, 32; 2013 a. 20; 2015 a. 55, 60.

A city was authorized to enact a room tax. The gross receipts method was a fair and reasonable way of calculating the tax. *Blue Top Motel, Inc. v. City of Stevens Point*, 107 Wis. 2d 392, 320 N.W.2d 172 (1982).

Under sub. (1m) (am), this section favors expenditures to construct or improve convention facilities. However, sub. (1m) (am), only addresses when a municipality may impose a room tax rate of greater than 8% and is irrelevant when the city has not exceeded that maximum. The only restrictions the rest of the statute places on the use of room tax monies are found in sub. (1m) (d), which directs a municipality to spend a certain percentage on "tourism promotion and development, which means the promotion and development of travel for recreational, business, or educational purposes." *English Manor Bed and Breakfast v. City of Sheboygan*, 2006 WI App 91, 292 Wis. 2d 762, 716 N.W.2d 531, 05-1358.

66.0617 Impact fees. (1) DEFINITIONS. In this section:

(a) "Capital costs" means the capital costs to construct, expand or improve public facilities, including the cost of land, and including legal, engineering and design costs to construct, expand or improve public facilities, except that not more than 10% of capital costs may consist of legal, engineering and design costs unless the municipality can demonstrate that its legal, engineering and design costs which relate directly to the public improvement for which the impact fees were imposed exceed 10% of capital costs. "Capital costs" does not include other noncapital costs to construct, expand or improve public facilities, vehicles; or the costs of equipment to construct, expand or improve public facilities.

(b) "Developer" means a person that constructs or creates a land development.

(c) "Impact fees" means cash contributions, contributions of land or interests in land or any other items of value that are imposed on a developer by a municipality under this section.

(d) "Land development" means the construction or modification of improvements to real property that creates additional residential dwelling units within a municipality or that results in non-residential uses that create a need for new, expanded or improved public facilities within a municipality.

(e) "Municipality" means a city, village, or town.

(f) "Public facilities" means all of the following:

1. Highways as defined in s. 340.01 (22), and other transportation facilities, traffic control devices, facilities for collecting and treating sewage, facilities for collecting and treating storm and surface waters, facilities for pumping, storing, and distributing water, parks, playgrounds, and land for athletic fields, solid waste and recycling facilities, fire protection facilities, law enforcement facilities, emergency medical facilities and libraries. "Public facilities" does not include facilities owned by a school district.

2. Notwithstanding subd. 1., with regard to impact fees that were first imposed before June 14, 2006, "public facilities" includes other recreational facilities that were substantially completed by June 14, 2006. This subdivision does not apply on or after January 1, 2018.

(g) "Service area" means a geographic area delineated by a municipality within which there are public facilities.

(h) "Service standard" means a certain quantity or quality of public facilities relative to a certain number of persons, parcels of land or other appropriate measure, as specified by the municipality.

(2) GENERAL. (a) A municipality may enact an ordinance under this section that imposes impact fees on developers to pay for the capital costs that are necessary to accommodate land development.

(b) Subject to par. (c), this section does not prohibit or limit the authority of a municipality to finance public facilities by any other means authorized by law, except that the amount of an impact fee imposed by a municipality shall be reduced, under sub. (6) (d), to compensate for any other costs of public facilities imposed by the municipality on developers to provide or pay for capital costs.

(c) Beginning on May 1, 1995, a municipality may impose and collect impact fees only under this section.

(3) PUBLIC HEARING; NOTICE. Before enacting an ordinance that imposes impact fees, or amending an existing ordinance that



Memorandum

DATE: December 17, 2015

TO: Board of Public Works

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

RE: Authorization to Execute Relocation Order for Third Street Bridge Project

The Third Street Bridge is scheduled for replacement starting in the second half of 2016. As previously reported, this project requires the acquisition of several small portions of adjacent properties. Those properties include a portion of Jefferson Park and a privately owned property in the northeast quadrant of the project area.

Per state statutes, in order to proceed with the negotiations to acquire the necessary real estate interests in property, the Common Council needs to approve the Relocation Order for this project. The land interests and acquisitions referred to in the Relocation Order are identified on the corresponding Right of Way Plat (both documents are enclosed).

The areas needed for this project include acquisitions of 0.058 acres for Parcel No. 1 (Avalone property) and 0.11 acres for Parcel No. 2 (Jefferson Park). Additionally there are small temporary and permanent easements needed from Jefferson Park for the continuation of the sidewalk on the south side of Third Street to the proposed bridge. Parks and Recreation Director Tungate and the Park Board are aware of these needs and acknowledge the minimal impact to the park. The Right of Way Plat also lists the need to obtain the release of easement rights from various utilities which is standard procedure in these situations. Funds are budgeted for this work.

As soon as the Relocation Order is signed and recorded, we will direct our real estate consultant to initiate negotiations for the necessary right of way, easements and release of rights. This project has met with several extended delays due to the concerns regarding protection of habitat for the northern long eared bat, and the special documentation and land transfer needed for the acquisition of Jefferson Park property. Therefore, I am requesting authorization to execute the Relocation Order as soon as possible in order to allow our agent to proceed with negotiations in a timely manner to meet the proposed bidding schedule.

Enclosures

M:\word\BPW memo re Third Street Bridge relocation order_12-17-15.docx

LETTER OF TRANSMITTAL

To: Mark Radtke
City of Menasha
140 Main Street
Menasha, WI 54952

Date: December 7, 2015

Project No.: 4992-01-00

Final Plat Submittal for Signing

☒ Enclosed ☐ Under Separate Cover Via _____

No. of Copies	Description
2	Original Plat for signature
1	Relocation Order for signature

Sent to you for the following reason:

☐ For Approval ☐ Review Completed ☐ Revise and Resubmit
☐ For Your Use ☐ Not Reviewed ☐ Returned
☐ For Review and Comment ☒ **Signature and Filing**

Remarks:

Please sign and date the enclosed plats and relocation order where indicated. Upon signature and date please file with the Winnebago County Clerk's Office. Please return a signed version of one of the enclosed plats and a copy of the signed relocation order to Ayres Associates for use in our final plans.

Note: The date on the Right of Way Plat should match the date on the two dates you will add to the Relocation Order.

Copy to: Robillard, File

Signed: 

James R Cappeart

P.L.S.

Cappeartj@ayresassociates.com

920-327-7829

Project 4992-01-00	Road name C MENASHA, 3RD ST Fox River Bridge & Approaches	Highway Local Road	County Winnebago
Right of way plat date/	Plat sheet number(s) 4.01	Previously approved Relocation Order date	

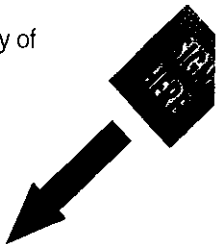
Description of termini of project:

A point located 538.37 feet north and 92.51 feet east of the meander corner on the west line of the southwest quarter of Section 13, Township 20 North, Range 17 East, said point being the **BEGINNING OF THIS RELOCATION ORDER**; thence Easterly 0.055 miles to point located 567.77 feet north and 380.41 feet east of the meander corner on the west line of the southwest quarter of Section 13, Township 20 North, Range 17 East, said point being the **END OF THIS RELOCATION ORDER**

To properly establish, lay out, widen, enlarge, extend, construct, reconstruct, improve, or maintain a portion of the highway designated above, it is necessary to relocate or change and acquire certain lands or interests in lands as shown on the right of way plat for the above project.

To effect this change, pursuant to authority granted under Sections 62.22 and 30.77, Wisconsin Statutes, the City of Menasha orders that:

1. The said road is laid out and established to the lines and widths as shown on the plat.
2. The required lands or interests in lands as shown on the plat shall be acquired by: City of Menasha
3. This order supersedes and amends any previous order issued by the: City of Menasha



 Name and Title Date

RESOLUTION R-40-15

RESOLUTION INVITING TOWN OF MENASHA TO MEDIATE BOUNDARY ISSUES

Introduced by Mayor Merkes

WHEREAS, The November 30, 2015, Response to City of Menasha Opposition to Incorporation Petition, Case No. 15-CV-452, Winnebago County, filed by Herrling Clark Law Firm Ltd., on behalf of the Petitioners for incorporation and Town of Menasha describes irregularities and islands on the east side of the Town of Menasha; and

WHEREAS, The Herrling Clark Law Firm Ltd., wrote, "A number of attempts have been made by the Town to seek a resolution ... These attempts have been to resolve the problem with a cooperative effort with the City."; and

WHEREAS, The Town and the City of Menasha did work cooperatively to partially resolve boundary and other matters when they entered into an Intermunicipal Agreement on April 13, 1998; and

WHEREAS, On December 15, 2015, at the Wisconsin Incorporation Review Board hearing to consider the Petition for Partial Incorporation of the Town of Menasha into the Village of Fox Crossing, there was an expression of concern of the islands and irregular boundaries on the east side of the Town of Menasha; and

WHEREAS, The Wisconsin Department of Administration has a list of available facilitators/mediators who are experienced working with communities which have faced similar boundary issues; and

WHEREAS, City of Menasha is committed to correcting the Town's misconception that the City of Menasha does not want to amicably work out boundary matters before any incorporation.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Common Council invites the Town of Menasha to join with the City of Menasha to impose a voluntarily stay on the Incorporation proceedings and secure a facilitator/mediator to help work out an amicable settlement of the boundary and other related disputes.

Passed and approved this day of , 2015.

Donald Merkes, Mayor
ATTEST:

Deborah A. Galeazzi, Clerk