

**CITY OF MENASHA
COMMON COUNCIL**

1. Join the meeting from your computer, tablet or smartphone.

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Monday, February 1, 2021

6:00 PM

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL
- D. TEMPORARY SUSPENSION OF THE RULES OF THE COMMON COUNCIL AND MAYOR TEL WEB CONFERENCE
- E. PUBLIC HEARING
- F. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. PHD McKenney, COVID-19 Update
 - 2. Clerk Krautkramer - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. Administration Committee, 1/18/21
 - b. Board of Public Works, 1/18/21
 - c. Library Board - Director Search Committee, 1/13/21
 - d. Personnel Committee, 1/18/21
 - e. Police Commission, 1/21/21
 - f. NMFR Joint Finance & Personnel Committee, 1/26/21
 - g. NM Joint Fire Rescue, 1/27/21
 - Communications:
 - e. Winter 2021 Lake Winnebago Strategy Conference Call
- G. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)

H. 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, 1/18/21

Board of Public Works, 1/18/21, Recommends Approval of:

2. Change Orders – Miron Construction Co., Inc.; PWF Facility Construction Project;
ADD \$10,408.66 (Change Order No. 15)
3. Payment – Miron Construction Co., Inc.; PWF Facility Construction Project
\$221,963.53 (Payment No. 10)

NM Joint Finance & Personnel Committee, 1/26/21, Recommends Approval of:

4. The Combined Recruit Class Memorandum of Understanding with Neenah-Menasha Fire Rescue, Oshkosh Fire Department and Grand Chute Fire Department.

Personnel Committee, 1/18/21, Recommends Approval of:

5. To accept the recommended revisions to Appendix O: Police Addendum as outlined in this memo: (1) Add \$4.00 per hour to the overtime rate for Supervisory Lieutenants; (2) Modify the minimum hours for court time for Supervisory Lieutenants; and (3) Change the payout date for the Physical Fitness Incentive to November

I. ITEMS REMOVED FROM THE CONSENT AGENDA

J. ACTION ITEMS

1. Accounts payable and payroll for the term of 1/15/21 – 1/28/21 in the amount of \$986,840.37
2. Beverage Operators License Applications for the 2019-2021 licensing period.
3. Request to Receive and Spend Wisconsin DHS, DPH ELC Enhancing Detection Supplemental Funds

K. HELD OVER BUSINESS

1. Check 70406 – Landmarks Façade Improvement Grant

L. ORDINANCES AND RESOLUTIONS

1. R-2-21 Emergency Sick Leave for Eligible Employees who have taken the COVID-19 Vaccination
2. R-3-21 Resolution Authorizing the Issuance and Sale of \$8,640,000 Electric System Revenue Refunding Bonds, Series 2021A of the City of Menasha, Calumet and Winnebago Counties, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds

M. APPOINTMENTS

1. Mayor's appointment of Lindsay Derencius to the Library Board for the term of 2/1/2021-7/1/2021

N. CLAIMS AGAINST THE CITY

O. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

P. ADJOURNMENT

MEETING NOTICE

Monday, February 15, 2021

Common Council Meeting – 6:00 p.m.

Committee Meetings to Follow

COVID-19 Pandemic Resilient City of Menasha Plan

Data Updates: January 28, 2020

Summary

- The weekly data summaries now include recommendations for strategies to use to reduce transmission of COVID-19 in the community. The tables in this report can be used as a guide for decision-makers.
- Attention International Travelers: On January 12, CDC issued an [Order](#) requiring all air passengers arriving to the US from a foreign country to get tested no more than 3 days before their flight departs and to provide proof of the negative result or documentation of having recovered from COVID-19 to the airline before boarding the flight. This Order will go into effect on January 26, 2021. [Read more here.](#)
- [Sign up here](#) to receive weekly emails from DHS containing updates, news and resources on the COVID-19 response and vaccine rollout! Due to short notice of vaccine availability and instability of vaccine allocation, eligible populations change quickly. The newsletter will provide new information about eligible populations for vaccinations along with other communications updates about the COVID-19 response. It will be sent out every Friday.
- COVID-19 vaccinations are underway in our state, our region, and our city. If you believe you fall into the [Phase 1A category](#), please reach out to us via this [Google Survey](#) and we will assist with finding you a vaccinator. Please visit the [WI DHS COVID-19 Vaccine webpage](#) for more information about the vaccination process. WI DHS has created a webpage to keep track of vaccine allocation and administration in Wisconsin. You can view the data [here](#).
 - An EUA was issued for both the Pfizer and Moderna COVID-19 vaccines.
 - The vaccine will be administered in phases, starting with Phase 1A. Right now, the doses we have in Wisconsin are available to frontline healthcare providers, skilled nursing facility staff and residents, police and fire personnel, and adults age 65+.
 - The City of Menasha Health Department has provided COVID-19 vaccinations to eligible Phase 1A individuals, as well as police and fire personnel.
- On January 19, 2021, DHS announced Wisconsin residents 65+ years old are eligible to receive the COVID-19 vaccine in Phase 1B beginning January 25. Wisconsin does not currently have enough vaccine to vaccinate all eligible populations, so it will take some time to vaccinate everyone eligible. The Menasha Health Department is not yet able to provide vaccine appointments to the general public, including those age 65 or older, as we are still working to provide the vaccine to individuals who fall within Phase 1A. Please see this [press release](#) for additional information. For the most up to date news, please visit [this website](#).
- On January 26, 2021, DHS announced new groups eligible to receive the vaccine tentatively on starting March 1. The groups include (in priority order): educators and child care, individuals enrolled in Medicaid long-term care programs, some public-facing essential workers like food supply, public transit, utility and communications infrastructure, and 911 operators, non-frontline health care essential personnel, congregate living facility staff and residents. Please see [this website](#) for more information.
- **There is still significant uncontrolled community spread of COVID-19 in our community. Assume you may be exposed to the virus when you are in public.**

- There are people living in our community who have the virus, but don't know it. Even these individuals who do not feel sick (or do not show symptoms – “asymptomatic”) can spread the virus to others. This is called “asymptomatic spread.”
- Some people know they are sick or that they are a close contact of someone with COVID-19, but they choose to go out in public anyway. These individuals are breaking isolation or quarantine and are exposing others to the virus. View [this fact sheet](#) for information about what the terms isolation and quarantine mean.
- **It is extremely important that you limit your trips outside of your home to essential errands only. Always wear a mask or face covering and maintain at least 6 feet of physical distance from others at all times. A mask/face covering is NOT a substitute for physical distancing. You need to do both. Do not attend group gatherings.**
- On January 19, 2021 Gov. Evers signed [Executive Order #104](#), and [Emergency Order #1](#) establishing a new public health emergency and a face covering requirement as the vaccine continues to be distributed across the state.
- The Wisconsin Department of Health Services (DHS) has information and resources to help you keep yourself, your family, and community healthy and safe. Check out the DHS [You Stop the Spread](#) website and the DHS [Making Safe Choices](#) website.
- Information about new COVID-19 variants can be found on this [CDC webpage](#). Scientists are working to learn more about the characteristics of these variants. Right now, there is no evidence that these variants cause more severe illness or increased risk of death.
- Currently in the City of Menasha the burden of confirmed COVID-19 cases is very high and the activity level is very high. The case rate for this 2-week period (Jan 13 – Jan 26) is 479.7 cases per 100,000 population, which is a decrease from a case rate of 622.5 cases per 100,000 population in the previous 2-week period (Jan 6– Jan 19).
- City of Menasha disease investigators have implemented crisis standards of practice for disease investigation and contact tracing. Using these crisis standards of practice, disease investigators were able to contact all confirmed cases of COVID-19 within 24 hours of the confirmed cases being communicated to the health department.
- Please visit our [COVID-19 testing sites webpage](#) for information about where you can go to get tested. Some site updates are listed below.
 - Reid Golf Course (WING): Monday-Wednesday, 8am-4pm. Schedule an appointment [here](#).
 - Sunnyview Expo Center (WING): Tuesday-Friday, 9am-5pm. No appointments.
 - A ThedaCare Mobile Testing unit will be at Christ the Rock Church in Menasha on Jan. 28 from 9am-5pm, for FREE COVID-19 testing. To register, please visit <https://doineedacovid19test.com/>. This is a self-swab (PCR) test observed by a ThedaCare staff member.

Background

This data summary provides preliminary data on the cases of COVID-19 in the City of Menasha from January 13, 2021 – January 26, 2021. Most data included in this report is for laboratory confirmed cases of COVID-19 (lab-confirmed). Some data is available for probable cases of COVID-19. See the next page for a definition of a probable case. Case counts utilized for all graphs and tables are based on the date public health staff received and recorded the test results. Numbers here may not represent final case counts for this reporting period.

More Information

Additional resources and information about COVID-19 can be found on the following websites:

- [City of Menasha Health Department COVID-19 webpage](#)
- [Wisconsin Department of Health Services](#)
- [Winnebago County Health Department](#)
- [Calumet County Public Health Division](#)
- [Centers for Disease Control and Prevention](#)

Metrics

Harvard Global Health Institute Model

| Metric | Thresholds | Current Status |
|--|--|------------------------------|
| City of Menasha Confirmed Case Incidence per 100,000 (7-day rolling average) | Red: >25 Yellow: 1<10 Orange: 10<25 Green: <1 | 29.4 cases per 100,000 / day |

Additional Metrics to Consider

| Metric | | Thresholds | Current Status |
|----------------------------------|--|--|---|
| Testing | Percent PCR Positive Tests (7-day average) | Red: >10% Yellow: 5-10% Green: <5% | 19.1% positive tests / day |
| | Daily Number of Tests (7-day average) | Red: <14 tests/day Yellow: 14-28 tests/day Green: >28 tests/day | 26.9 tests / day |
| Public Health Contact Timeliness | Disease Investigation | Red: PH is not able to contact all confirmed cases within 24 hours of PH receiving test result Green: PH is able to contact all confirmed cases within 24 hours of PH receiving test result | Able to contact all within 24 hours (with crisis standards of practice) |
| | Contact Tracing | Red: PH is not able to contact all within 48 hours Green: PH is able to contact all within 48 hours | Able to contact within 48 hours |

| | | | |
|--------------------|--|--|---|
| Hospital Capacity* | Percentage of hospital inpatient beds in the community that are occupied. | Red: > 90% Yellow: 80-90% Green: <80% | 95.5% of inpatient beds occupied |
| | Percentage of intensive care unit beds in the community that are occupied. | Red: > 90% Yellow: 80-90% Green: <80% | 83.5% ICU beds occupied |
| | Percentage of hospital inpatient beds in the community that are occupied by patients with COVID-19. | Red: >15% Yellow: 10-15% Light Green: 5-10% Dark Green: <5% | 10.5% beds occupied by patients with COVID-19 |

*Hospital capacity metrics are adapted from the *CDC indicators and thresholds for risk of introduction and transmission of COVID-19 in schools*, found here: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/indicators.html#thresholds>. Hospital capacity data are from the Emergency Management Resource (EMResource) system, as reported on a daily basis by participating hospitals. Since reporting is not mandatory, the data shown here may not accurately represent the current healthcare system capacity in our region. Hospital capacity data is collected and reported at the Healthcare Emergency Readiness Coalition (HERC) level. The City of Menasha is a part of HERC 6, or the Fox Valley HERC. Hospital capability information at the state and HERC level can be found here: <https://www.dhs.wisconsin.gov/covid-19/hosp-data.htm#capabilities>

Metrics for Suppression (Harvard Global Health)

The Harvard Global Health Institute created a document containing metrics for COVID-19 suppression, a framework to use as a guide for policymakers and the public. This framework includes recommendations that include key metrics that can be used as an evaluation tool for COVID-19 response and mitigation. Looking at the daily case incidence (number of daily new cases per 100,000 people) can determine which category the jurisdiction is currently in and how to best respond. Decision-makers should evaluate and review the different phasing plans to determine which strategies to employ at the current period of time.ⁱ

| Burden Class** (case rate per 100k) | | Risk Levels* (Case Incidence per 100,000) | Intensity of Control Effort Needed | |
|--|------------------------------|---|------------------------------------|--|
| Low (≤ 10) | | Green (< 1) | Daily new cases per 100,000 people | On track for containment, conditional on continuing use of viral testing and contact tracing |
| Moderate ($10 \leq 50$) | | Yellow ($1 < 5$) | Daily new cases per 100,000 people | Strategic choices must be made about which package of non-pharmaceutical interventions to use for control |
| Moderately High (same as moderate) ($50 \leq 100$) | | Yellow ($5 < 10$) | Daily new cases per 100,000 people | Strategic choices must be made about which package of non-pharmaceutical interventions to use for control |
| High ($100 \leq 350$) | | Orange ($10 < 25$) | Daily new cases per 100,000 people | Strategic choices must be made about which package of non-pharmaceutical interventions to use for control. Stay-at-home orders are advised, unless viral testing and contact tracing capacity are implementable at levels meeting surge indicator standards. |
| Very High ($350 \leq 1000$) | Critically High (> 1000) | Red (> 25) | Daily new cases per 100,000 people | Stay at home-orders necessary |

*Risk levels (Harvard Global Health Institute) are determined by case incidence per 100,000 people (7-day rolling average).

**Burden classes (WI Department of Health Services) are determined by the case rate (per 100,000 people) in a 14-day period.

Wisconsin DHS Framework

The Wisconsin Department of Health Services (DHS) has also developed and released a framework to guide decision-makers based on the activity levels in local jurisdictions in response to the current activity of COVID-19 in the community. The current categories for activity level are Low, Medium, High, Very High, and Critically High, and provide recommendations for mitigation strategies for each activity level category for jurisdictions to help guide the decision making process.¹ For each 2-week reporting period, a snapshot of the recommendations aligning with the activity level for that reporting period will be included in the City of Menasha Pandemic Resiliency Plan. Please note that each weekly pandemic plan will only include the recommendations aligning with the current activity level, it is recommended to refer back to the original background document to review the recommendations for other activity levels. This week's current activity level is Very High. Please consider the mitigation strategies outlined in the table below. The full document can be viewed here:

<https://www.dhs.wisconsin.gov/publications/p02789.pdf>

Critically High and Very High Mitigation



Activity-Specific Considerations

Note this is a menu of potential strategies to consider, it is not an all-inclusive list. The identification of local clusters associated with activities may indicate targeted strategies for specific sectors.

| | |
|---|--|
| <u>Travel</u> | Consider recommending people self monitor for symptoms of COVID-19 for 14 days after return from travel. |
| <u>Gatherings</u> | Indoors: Consider NO gatherings outside of household. Outdoors: Consider limiting outdoor gatherings to 10 people or fewer with physical distancing and face coverings. |
| <u>Bars/Restaurants</u> | Indoors: Restaurants: consider take-out, curb side-pick, or delivery only. Consider closing indoor bars. Outdoors: Restaurants: consider take-out, curb side-pick, or delivery only. Consider closing outdoor bars. |
| <u>Salons/Spas</u> | Consider not opening except minimum operations. |
| <u>Offices/Workplaces</u> | Consider allowing only essential workforce on-site with active monitoring of symptoms, physical distancing, and face coverings when feasible. |
| <u>Grocery Stores and Pharmacies</u> | Remain open but no dine-in, self-service or customer self-dispensing. |
| <u>Retail</u> | Consider only mail delivery and curbside pick-up; stores with outside entrances may allow up to 5 patrons to enter, for example. |
| <u>Gyms</u> | Consider not opening except minimum operations. |
| <u>Campgrounds</u> | Consider not opening except minimum operations. |
| <u>Hotels/Lodging</u> | Consider opening with strict sanitation protocols. |
| <u>Concerts/Festivals/Sports Events</u> | Consider not holding these events. |
| <u>Pools and Beaches</u> | Consider not opening except to minimum operations. |
| <u>Outdoor Amusement Parks</u> | Consider not opening except to minimum operations. |
| <u>Medical Services</u> | Emergency medical services should always be available and encouraged. If health care capacity is strained, consider scaling back routine and elective services. |

City of Menasha Weekly COVID-19 Status Summary

Case count, probable counts case rate per 100,000 people, burden class, trajectory and activity level in the City of Menasha and the State of Wisconsin for the past two weeks (Jan 13 – Jan 26)

| | Confirmed Case Count for Past 2 Weeks | Case Rate (per 100,000 people) | Burden Class* | Trajectory Class (N/A=no statistically significant change) | Activity Level | Population** |
|-----------------------|---------------------------------------|--------------------------------|---------------|--|----------------|--------------|
| Lab-Confirmed Cases | 84 | 479.7 | Very High | N/A | Very High | 17,510 |
| Probable Cases*** | 23 | 131.4 | High | N/A | High | 17,510 |
| Combined | 107 | 611.1 | Very High | N/A | Very High | |
| Wisconsin (Confirmed) | 23,280 | 402.7 | Very High | Shrinking | Very High | |

*Burden Class is based off of the case rate per 100,000 people in the past two weeks. See the next table for more information on Burden Status for the City of Menasha. Visit the DHS website for more information on this indicator at the state and county level <https://www.dhs.wisconsin.gov/covid-19/local.htm>

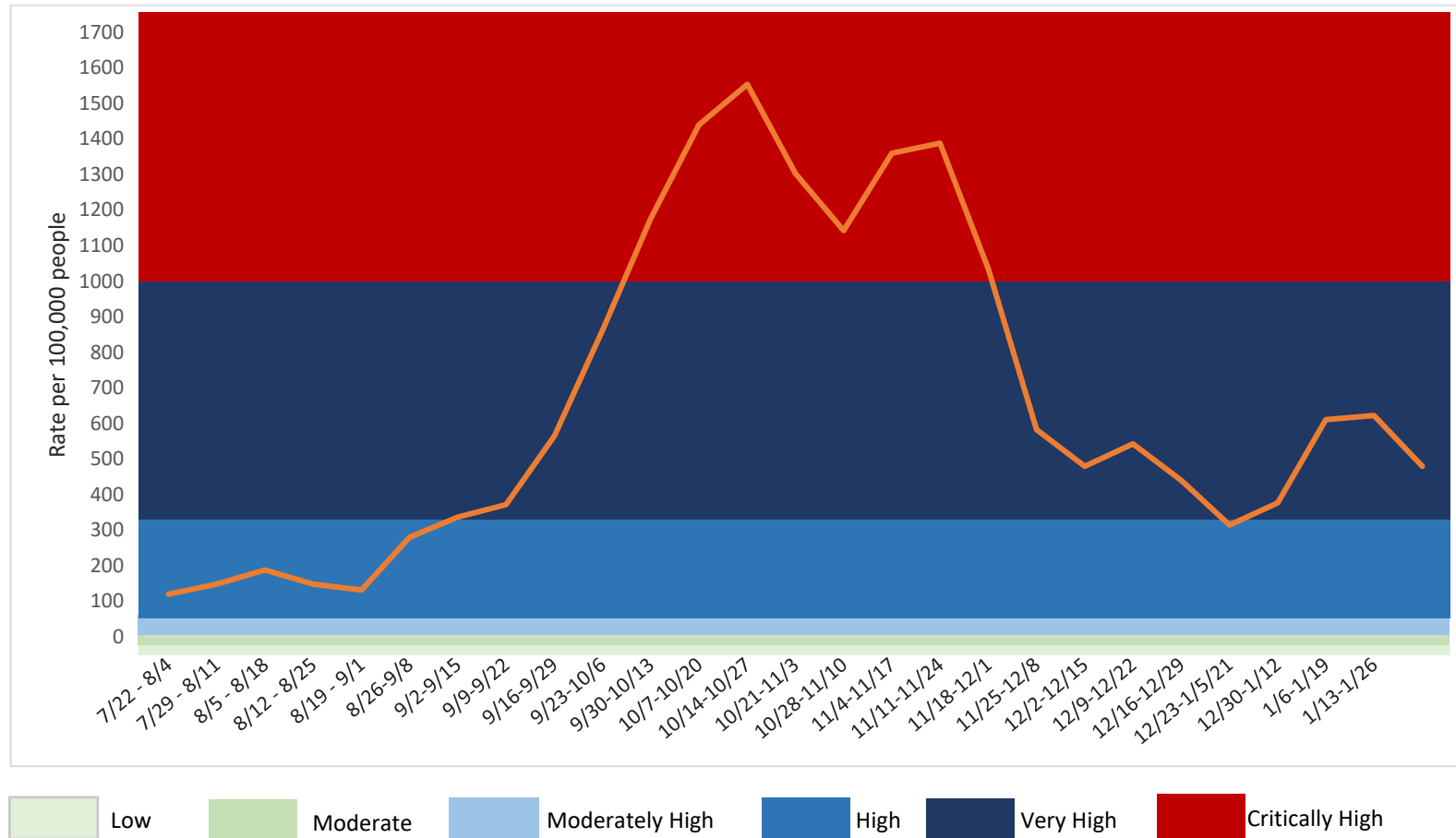
**Population for the City of Menasha was retrieved from https://doa.wi.gov/DIR/Final_Ests_Muni_2019.pdf

***A person is counted as a probable case of COVID-19 if they are not positive by a confirmatory laboratory test method (PCR/molecular test), but has tested positive using antigen test method OR has symptoms of COVID-19 AND has a known exposure to COVID-19 (for example, being in close contact of someone with COVID-19).

Burden (lab-confirmed case rate)

| Burden Status | Case Rate per 100,000 residents in the past two weeks | City of Menasha number of cases in the past two weeks |
|-----------------|---|---|
| Low | Case rate is less than or equal to 10. | Less than 2 cases. |
| Moderate | Case rate is greater than 10, but less than or equal to 50. | Greater than 1 cases, but less than or equal to 8 cases. |
| Moderately High | Case rate is greater than 50, but less than or equal to 100. | Greater than 8 cases, but less than or equal to 17 cases. |
| High | Case rate is greater than 100, but less than or equal to 350. | Greater than 17 cases, but less than or equal to 61 cases. |
| Very High | Case rate is greater than 350, but less than or equal to 1,000. | Greater than 61 cases, but less than or equal to 175 cases. |
| Critically High | Case rate is greater than 1,000. | Greater than 175 cases. |

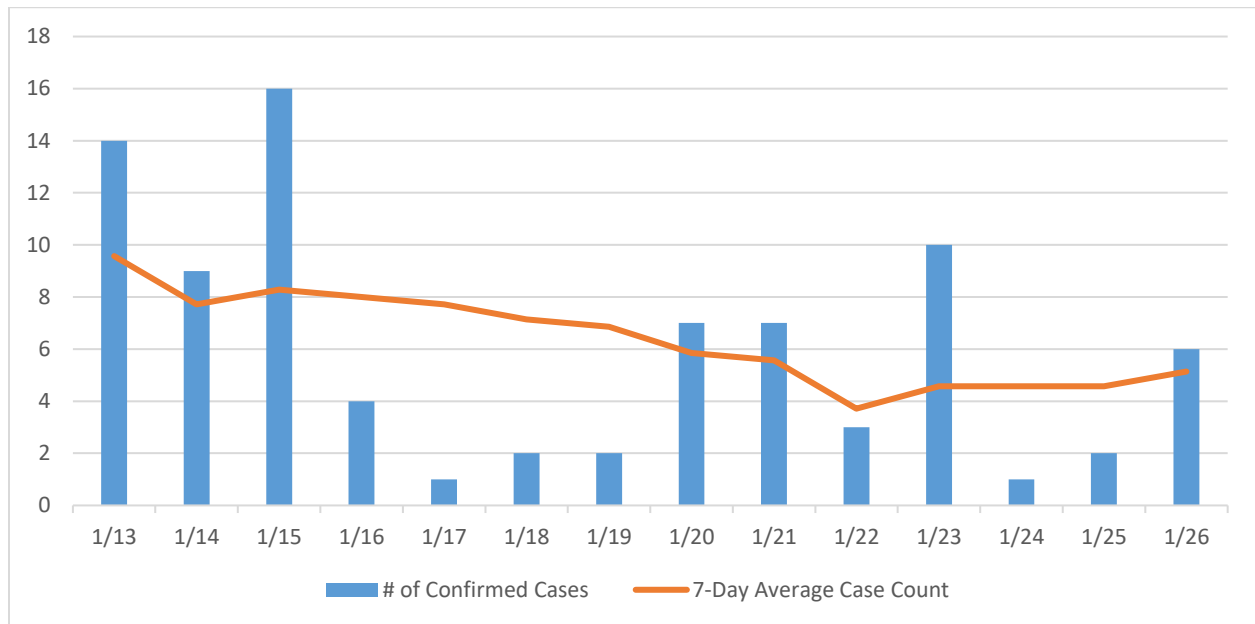
City of Menasha COVID-19 laboratory confirmed case rate trend and burden by 2-week periods*



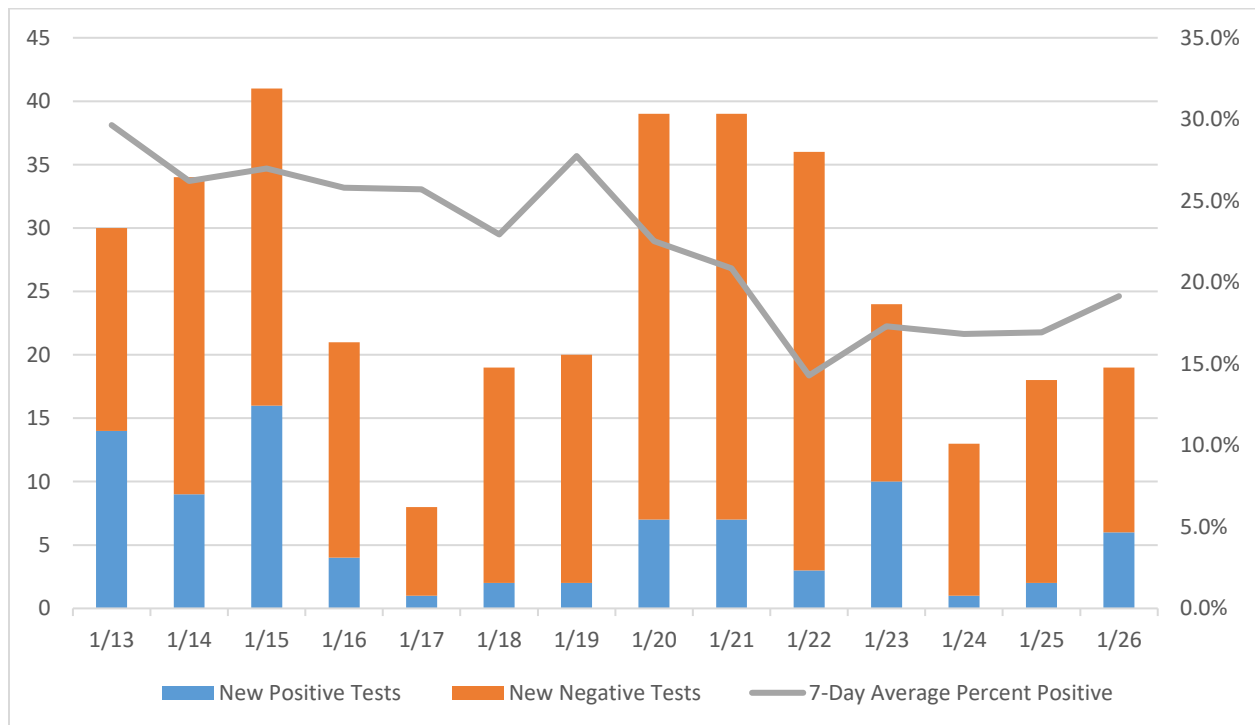
*see the table above for more information about burden status



Number of laboratory confirmed COVID-19 cases by day in the City of Menasha in the past two weeks (Jan 13 – Jan 26) and the 7 day average



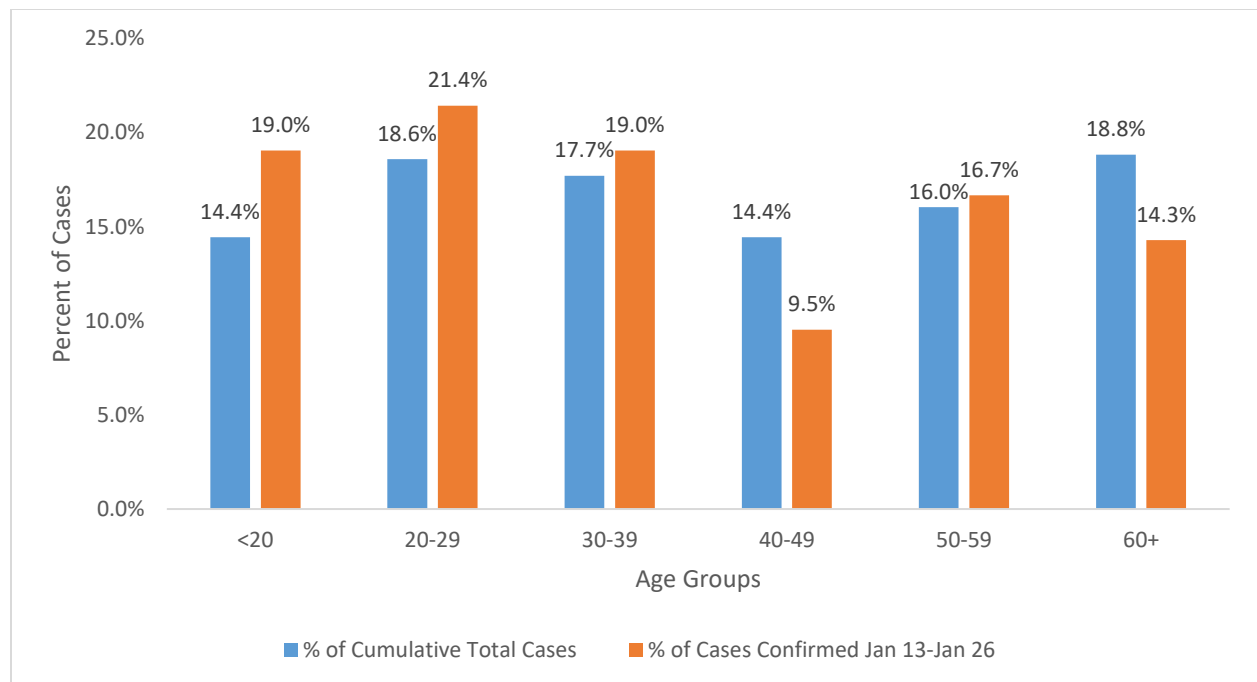
New COVID-19 tests, positive (PCR) and negative, by day and the 7-day average percent positive tests (Jan 13 – Jan 26)



Number and percentage of laboratory confirmed cases of COVID-19 by age:
cumulative and in the past two weeks (Jan 13 – Jan 26)

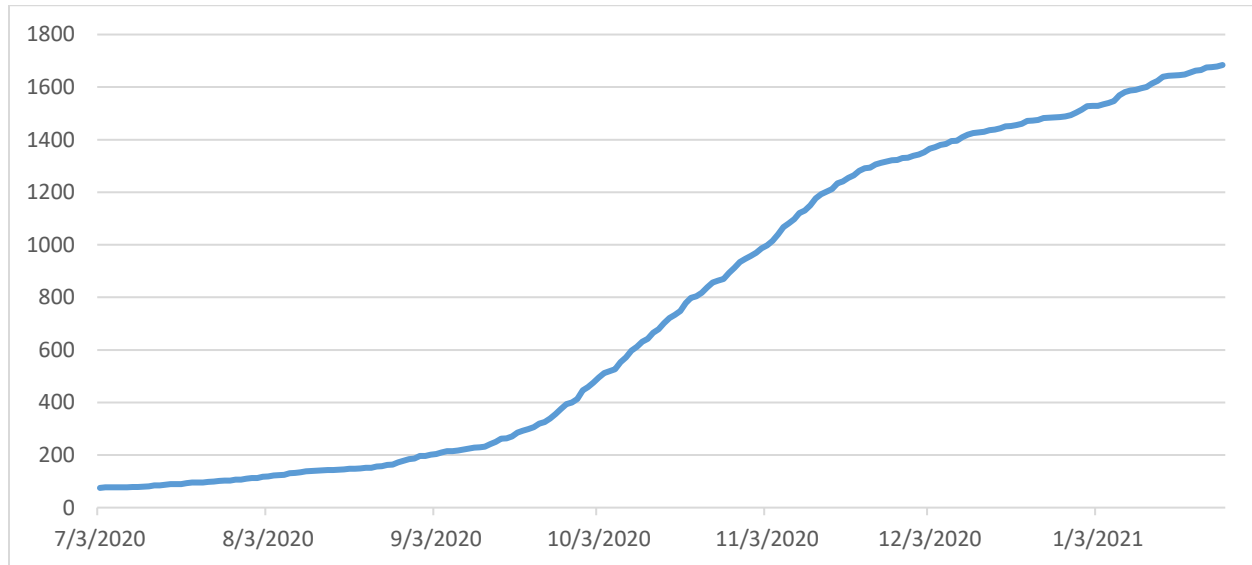
| Age Group | Cumulative total cases | | Cases in the past two weeks | |
|--------------|------------------------|---------------------------|-----------------------------|---------------------------------------|
| | Number of Cases | Percentage of Total Cases | Number of Cases | Percentage of Cases in Past Two Weeks |
| <20 | 243 | 14.4% | 16 | 19.0% |
| 20-29 | 313 | 18.6% | 18 | 21.4% |
| 30-39 | 298 | 17.7% | 16 | 19.0% |
| 40-49 | 243 | 14.4% | 8 | 9.5% |
| 50-59 | 270 | 16.0% | 14 | 16.7% |
| 60+ | 317 | 18.8% | 12 | 14.3% |
| Total | 1,684 | 100% | 84 | 100% |

Percentage of laboratory confirmed cases of COVID-19 by age: cumulative and in the past two weeks (Jan 13 – Jan 26)

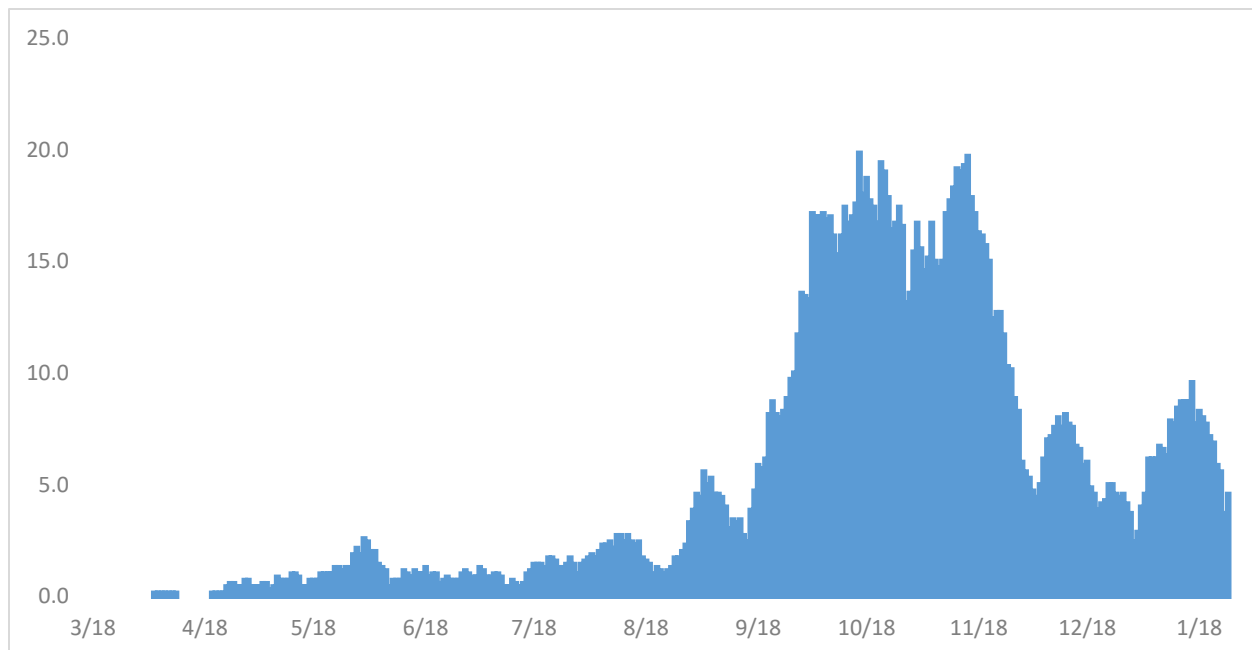




Cumulative number of laboratory confirmed cases of COVID-19 by date of symptom onset or diagnosis (as of Jan 26)



Average number of new cases of COVID-19 per day (7-Day rolling avg.) in the City of Menasha since March 2020 (as of Jan 26)





Active cases of COVID-19, lab-confirmed and probable, and total number of cases in the City of Menasha (as of Jan 26)

| | Number of Active Cases | Percent of Total Cases | Total Cases |
|---------------------|------------------------|------------------------|-------------|
| Lab-Confirmed Cases | 25 | 1.5% | 1,684 |
| Probable Cases | 11 | 6.3% | 175 |
| Total Active Cases | 36 | 1.9% | 1,859 |

ⁱ Harvard Global Health Institute, Center for Ethics, *Key Metrics for COVID Suppression*. 2020. Retrieved from: https://globalepidemics.org/wp-content/uploads/2020/06/key_metrics_and_indicators_v4.pdf

ⁱⁱ Wisconsin Department of Health Services, *Slowing the Spread of COVID-19: Mitigation Strategies for Wisconsin Communities*. 2020. Retrieved on January 4, 2021 from: <https://www.dhs.wisconsin.gov/publications/p02789.pdf>

CITY OF MENASHA
ADMINISTRATION COMMITTEE
TEL-WEB CONFERENCE
JANUARY 18, 2021
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Nichols at 7:35 p.m.

B. ROLL CALL

PRESENT: Ald. Schmidt, Tom Grade, Ted Grade, Ropella, Nichols, Taylor, Sevenich, Langdon
ALSO PRESENT: PC Styka, FC Kloehn, CDD Schroeder, DPW Alix, DDE Gordon,
FD Sassman, PHD McKenney, PRD Sackett, LD Lenz, CA/HRD Captain, Mayor Merkes,
Clerk Krautkramer

C. MINUTES TO APPROVE

1. January 4, 2021

Moved by Ald. Ropella seconded by Ald. Ted Grade to approve the minutes.

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. Review & Accept 2019 City of Menasha Financial Audit (Clifton Larsen Allen LLP)

Moved by Ald. Nichols seconded by Ald. Ropella to recommend to Common Council to review and accept the 2019 City of Menasha Financial Audit as prepared.

Motion carried on roll call 8-0.

David Maccoux, Clifton Larsen Allen LLP provided an overview of the City's Annual Financial Report including the executive summary and commented on the City's financial position and budgetary items.

General discussion ensued on Menasha-Neenah Municipal Court deficit, net change in fund balance, balance sheet, the City's value, and custodial fund.

E. ADJOURNMENT

Moved by Ald. Ropella seconded by Ald. Taylor to adjourn at 8:19 p.m.

Motion carried on voice vote.

Haley Krautkramer
City Clerk

CITY OF MENASHA
BOARD OF PUBLIC WORKS
TEL-WEB CONFERENCE
JANUARY 18, 2021
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Langdon at 8:19 p.m.

B. ROLL CALL

PRESENT: Ald. Schmidt, Tom Grade, Ted Grade, Ropella, Nichols, Taylor, Sevenich, Langdon

ALSO PRESENT: PC Styka, FC Kloehn, CDD Schroeder, DPW Alix, DDE Gordon, FD Sassman, PHD McKenney, PRD Sackett, LD Lenz, CA/HRD Captain, Mayor Merkes, Clerk Krautkramer

C. MINUTES TO APPROVE

1. January 4, 2021

Moved by Ald. Taylor seconded by Ald. Ted Grade to approve the minutes.

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. Change Orders – Miron Construction Co., Inc.; PWF Facility Construction Project;
ADD \$10,408.66 (Change Order No. 15)

Staff provided an overview of the change orders and commented on the four construction items funded through the Project Contingency Fund; (1) add water hose bib and 1 ½ water supply, (2) elimination of duct registers, (3) sign access panel and weather proofing, and (4) HVAC alterations. The construction of the new Public Works Facility is nearly complete and tours will be offered in the coming weeks.

Moved by Ald. Taylor seconded by Ald. Sevenich to recommend to Common Council for approval of Change Orders – Miron Construction Co., Inc.; PWF Facility Construction Project; ADD \$10,408.66 (Change Order No. 15).

Motion carried on roll call 8-0.

2. Payment – Miron Construction Co., Inc.; PWF Facility Construction Project
\$221,963.53 (Payment No. 10)

Staff provided an overview of the payment and commented on work that was completed through December 2020.

Moved by Ald. Taylor seconded by Ald. Ted Grade to recommend to Common Council for approval of Payment – Miron Construction Co., Inc.; PWF Facility Construction Project \$221,963.53 (Payment No. 10)

Motion carried on roll call 8-0.

E. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Ted Grade to adjourn at 8:31 p.m.

Motion carried on voice vote.

Haley Krautkramer, City Clerk

Minutes
Elisha D. Smith Public Library
Director Search Committee Meeting
January 13, 2021

Called to order at 2:00pm by Golz

Present: Robert Golz (Library Board of Trustees Chair), Jill Halverson (Library Board of Trustees Vice Chair), Candi Huber (City of Menasha Human Resources Coordinator), Jack Fry (Previous Library Director), and Jennifer Peterson (Menasha Joint School District PreK-12 District Library Media Supervisor)

Also Present: Kathy Dreyer (Business Manager)

Public Comment/Communication

None

Adjourn into Closed Session: Motion made by Fry, seconded by Halverson to adjourn into closed session pursuant to §19.85(1)(c), Wis. Stats., Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. [Review applications for director's position and determine interview questions.]

Roll call vote: all board members voted in favor, none opposed. The meeting adjourned into closed session at 2:02pm.

Adjourn into Open Session: Motion made by Fry to adjourn into open session, seconded by Halverson. Roll call vote: all board members voted in favor, none opposed. The meeting adjourned into open session at 3:18pm.

Adjournment

Motion to adjourn made at 3:19pm by Huber, seconded by Halverson. Motion carried unanimously.

Respectfully submitted,
Kathy Dreyer, Recording Secretary

CITY OF MENASHA
PERSONNEL COMMITTEE
TEL-WEB CONFERENCE
JANUARY 18, 2021
MINUTES

A. CALL TO ORDER

Meeting called to order by Chairman Ted Grade at 8:33 p.m.

B. ROLL CALL

PRESENT: Ald. Schmidt, Tom Grade, Ted Grade, Ropella, Nichols, Taylor, Sevenich, Langdon
ALSO PRESENT: PC Styka, FC Kloehn, CDD Schroeder, DPW Alix, DDE Gordon,
FD Sassman, PHD McKenney, PRD Sackett, LD Lenz, CA/HRD Captain, Mayor Merkes,
Clerk Krautkramer

C. MINUTES TO APPROVE

1. January 4, 2021

Moved by Ald. Nichols seconded by Ald. Tom Grade to approve the minutes.

Motion carried on voice vote.

D. DISCUSSION / ACTION ITEMS

1. 2021 Temporary Emergency Sick Leave for COVID-19

Moved by Mayor Merkes seconded by Ald. Tom Grade to recommend to Common Council to direct the City Attorney to prepare a Resolution, for the next Common Council meeting, to extend emergency sick leave for eligible employees who have taken the vaccination yet become subject to the effects of COVID-19.

Motion carried on roll call 9-0.

Staff provided an overview of the extension of temporary emergency sick leave for COVID-19 and commented on the hours available for temporary leave, vaccinated employee incentives, and an employee's usage of personal sick days if not vaccinated.

General discussion ensued on extra personal days, after vaccination symptoms, number of hours for paid leave, vaccination incentives, incentive eligibility, and vaccination dosage.

Moved by Ald. Nichols seconded by Ald. Sevenich to amend the original motion to include, that the policy become effective for employees who have received both doses of the vaccine.

Motion carried on roll call 9-0.

Original motion as amended carried on roll call 9-0.

2. Personnel Handbook Appendix O: Police Addendum Update

Staff provided an overview of the proposed revisions to various sections in Appendix O; Overtime (b), Court Appearances (e), and Physical Fitness Incentive (g).

General discussion ensued on:

- Lieutenant salary
- Overtime pay
- Police Officer candidate pool
- Body armor
- Fiscal impact
- Overtime salary comparables

Moved by Ald. Nichols seconded by Ald. Taylor to recommend to Common Council to accept the recommended revisions to Appendix O: Police Addendum as outlined in this memo: (1) Add \$4.00 per hour to the overtime rate for Supervisory Lieutenants; (2) Modify the minimum hours for court time for Supervisory Lieutenants; and (3) Change the payout date for the Physical Fitness Incentive to November.

Motion carried on roll call 9-0.

E. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Ropella to adjourn at 9:20 p.m.

Motion carried on voice vote.

Haley Krautkramer
City Clerk



Police Commission President Jim Meinke called the meeting to order January 21, 2021 at 4:30 PM, Menasha Safety Building, 430 First Street, Menasha, Wisconsin

Present: Commissioners James Meinke, Jerry Jakubek, Nancy Ball, Trevor Martin and Debbie Galeazzi, Chief Tim Styka and Lieutenant Matt Lenss

Absent: None

Minutes to Approve: Commissioner Meinke moved to approve the November 12, 2020 draft meeting minutes. Commissioner Galeazzi seconded the motion. The Commission unanimously approved the minutes.

Action Items: Lt. Matt Lenss presented information on Probationary Officer Derrick Rotta and Officer Kate Oberle. Both of them have completed the minimum 18 month probationary period and are meeting and/or exceeding the minimum qualifications of being a police officer. Commissioners Galeazzi, Meinke and Martin asked some questions on the probationary process, how progressive discipline works and expectations of being on time. Lt. Lenss and Chief Styka answered the questions. Commissioner Meinke then made a motion to give full employment status to Officer Derrick Rotta and Officer Kate Oberle. The motion was seconded by Commissioner Martin and then passed 5-0.

Discussion with Chief Styka:

Training:

- Anti-Harassment Training: All Personnel
- Active Listening to Support Effective Communication: Spiegel (2.5 hrs)
- CPR/AED Instructor: Schaefer & Gennrich (16 hrs)
- Background Investigations for Police Applicants: Nelson & Lenss (12 hrs)
- MEC: Child Abuse from Suspicion to Disclosure: Heinen (6 hrs)
- CART Recertification Exercise: Jorgenson & Thorn (4 hrs)
- How to Get the Job Done: Working through Burnout: Sawyer (ongoing)
- Instructor Update: Lenss (4 hrs)

Department Updates:

- Training Updates:
 - Jason Fredrickson, Michael Onley, Aaron Schafer, Jason Eake and Brian Van Alstyne are all in solo patrol.
 - Jon Van Schyndel is still currently on military leave. We have not been updated as to how long his assignment will continue.
- Hiring process: Interviews tonight. These candidates, if approved, will fill any possible openings.
- COVID-19 Updates: Overall we have continued to remain healthy. Our first group of employees have received the COVID-19 vaccine this week. The City is looking at a sick leave benefit to incentivize employee to get the vaccine.
- The 2021 Budget was approved by the Common Council in November. Funding for replacement body cameras and the introduction of a department wellness program were included. We will try and have Dep. Chief Hanchek come to a future meeting to explain more about the program as this was her project as part of the Command College.
- The Police Department learned a number of lessons from the network outage in December. While we are very reliant upon technology our staff was very creative in finding workarounds to maintain basic operations. We are working on an after action plan to identify more formal workarounds should a similar situation take place in the future.
- A four year labor agreement with the Union has been agreed to and ratified by both sides. The major change with the contract was switching to a true hourly wage vs a hybrid salaried/hourly system that was in place. There are a number of benefits to this including being able to compare our rate to other police departments rates in a more straightforward manner. This should help with recruitment and retention.
- Chief Styka presented a brief review of 2020 statistics/calls for service. Overall the number of calls and self-initiated activities were down due to COVID. However, despite overall calls being down some things like disturbances were actually up. This was attributed to people being at home and in close proximity to the same people over a long period of time. Drug calls were down for the year which we are hoping is good news. While addiction is certainly an issue in the area as a whole, the PD is hopeful that the MCCAP program is having a positive impact in decreasing drug issues in Menasha.

Motion to move into closed session: At 5:16 pm Commissioner Meinke made the motion into closed session for the purpose of conducting police officer candidate interviews. This was seconded by Commissioner Ball and approved 5-0.

The next meeting will be held Thursday, March 25, 2021 starting at 4:30 pm. Menasha Safety Building, 430 First Street, Menasha, Wisconsin.

Menasha alderpersons occasionally attend meetings of this body. It is possible that a quorum of Common Council, Board of Public Works, Administration Committee, Personnel Committee, may be attending; however no official Action of any of these bodies will be taken.

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

NMFR Joint Finance & Personnel Committee Meeting Minutes

January 26, 2021 – 5:30 p.m.

Virtual Meeting

Present: Ald. Boyette, Ald. Grade, Ald. Borchardt, Sevenich, Stevenson,

Excused: Ald Ropella

Also Present: Chief Kloehn, AC Krueger, Director Sassman, Director Easker and MA Ellis

Public: Mayor Merkes

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

Introduction of New Assistant Chief: Chief Kloehn introduced NMFR's new Assistant Chief/Fire Marshal to the committee.

Minutes: The Committee reviewed the meeting minutes from December 22, 2020. **MSC Grade/Borchardt to approve the December 22, 2020 minutes and place on file, all voting aye.**

Ald. Sevenich took over running the meeting due to Ald. Boyette's audio issues.

Activity & Automatic/Mutual Aid Reports: The Committee reviewed the December 2020, and year-to-date 2020 activity and automatic/mutual aid reports. **MSC Stevenson/Borchardt to approve the December 2020 and year-to-date 2020 activity and automatic/mutual aid reports and place on file, all voting aye.**

MOU with NMFR, Oshkosh Fire Department and Grand Chute Fire Department: The Committee reviewed the MOU with NMFR, Oshkosh Fire Department and Grand Chute Fire Department. Chief Kloehn explained the first joint recruit academy was held with NMFR and Oshkosh Fire Department. It went very well and Grand Chute would like to join. The benefits include more staff from each department to help with the training and with a larger number of people participating will make more realistic scenarios. As small groups finish one training session they will set up for the next group that comes in after them. This also helps keep our crews in service as we do not have to pull online staff members to help out with training. Ald. Sevenich asked how long the training was. Chief Kloehn explained how it's a 5-week training period. They train Monday through Friday, 8 hours a day, and once they are done they begin their 24-hour shifts. Ald. Sevenich said he likes the concept but doesn't like having townships involved as they are not trained as well as career firefighters. He doesn't feel we should be training townships firefighters to our level. Chief Kloehn did explain that Grand Chute is a township, however, they are a full-time career department. They just hired nine new firefighters to help get them to be a career department. He also noted that Appleton Fire Department and Grand Chute Fire Department do train together and have automatic aid with each other. Ald. Grade asked about cost sharing. Chief Kloehn explained how each department splits the costs equally. **Ald. Stevenson/Grade recommends the City of Neenah and City of Menasha Common Council approve the Combined Recruit Class Memorandum of Understanding with Neenah-Menasha Fire Rescue, Oshkosh Fire Department and Grand Chute Fire Department.** Ald. Sevenich said he won't vote for this as he feels area townships take advantage of Cities in many different areas. He understands Grand Chute's Fire Department is full-time but it is a township. **Grade, Boyette, Borchardt aye and Sevenich nay. The motion passes with a majority vote.**

MSC Stevenson/Borchardt to adjourn at 6:05 p.m., all voting aye.

Respectfully Submitted,

Tara A. Ellis

Tara Ellis

NMFR Joint Fire Commission Meeting Minutes

January 27, 2021 – 4:00 p.m.

Virtual Meeting

Present: Commissioners Jeff Englebert, Ken Kubiak, Mike Keehan, Mark Keating, Lewis and Kevin McCann

Also Present: Chief Kloehn, AC Krueger and MA Ellis

Public: No members of the public were present.

Commissioner Keehan called the meeting to order at 4:05 p.m.

New Assistant Chief: Chief Kloehn introduced Shane Krueger to the Commission.

Minutes: There were no minutes to approve.

Activity/Automatic & Mutual Aid Reports: The Committee reviewed the December 2020 and 2020 year-to-date activity and automatic & mutual aid reports. This is informational only and no action is requested.

Shift Commander, Fire Officer and Driver/Operator Promotions: The Commission reviewed the request for the promotions that are caused by two retirements.

MSC Kubiak/Keating to promote Pete Anderson and Amos Mikkelsen from Fire Officer to Shift Commander effective 1/20/21, all voting aye.

MSC Lewis/Kubiak to promote Jeff Ellis and Brian Goldschmidt from Driver/Operator to Fire Officer effective 1/20/21, all voting aye.

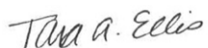
MSC Kubiak/Englebert to promote Pat Meyer and Jeff Schweitzer from Firefighter to Driver/Operator effective 1/20/21, all voting aye.

MSC Lewis/Englebert to promote Jamie Leonard from Driver/Operator to Fire Officer effective March 4, 2021 and contingent upon Mike Janke retiring, all voting aye

MSC Englebert/Lewis to promote Joe Muthig from Firefighter to Driver/Operator effective March 4, 2021 and contingent upon Mike Janke retiring, all voting aye.

MSC Englebert/Keating to adjourn at 4:35 p.m., all voting aye.

Respectfully Submitted,



Tara Ellis
Management Assistant



DEPARTMENT OF THE ARMY
WISCONSIN OPERATIONS OFFICE
CORPS OF ENGINEERS
2619 E. Capitol Drive
APPLETON, WISCONSIN 54911

January 25, 2021

SUBJECT: Winter 2021 Lake Winnebago Strategy Conference Call

To Our Lake Winnebago Partners:

You are invited to attend the winter strategy conference call concerning the regulation of the outflows from Lake Winnebago into the Lower Fox River. We will hold the conference call on Tuesday, February 9, 2021 at 10:00 AM (CDT). This conference call will be open to the public. The conference call information is provided below:

Participant Access Information

Toll-Free: 877-226-8152

Access Code: 9771711

Once you have joined the conference call, please press *6 to mute your phone. You may press *6 again during the call when you wish to speak. The pertinent information will also be posted to our website at: <https://www.lrc.usace.army.mil/Missions/Water-Management/Lake-Winnebago>

We look forward to your participation. If you have any questions, please contact Mr. Chadwick Shaw at (920) 380-7106 or chadwick.d.shaw@usace.army.mil.

CITY OF MENASHA
COMMON COUNCIL
TEL-WEB CONFERENCE
JANUARY 18, 2021
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:02 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

A Moment of Silence was observed in honor of Martin Luther King Jr. Day.

C. ROLL CALL

PRESENT: Ald. Schmidt, Tom Grade, Ted Grade, Ropella, Nichols, Taylor, Sevenich, Langdon

ALSO PRESENT: PC Styka, FC Kloehn, CDD Schroeder, DPW Alix, DDE Gordon, FD Sassman, PHD McKenney, PRD Sackett, LD Lenz, CA/HRD Captain, Mayor Merkes, Clerk Krautkramer

D. TEMPORARY SUSPENSION OF THE RULES OF THE COMMON COUNCIL AND MAYOR TEL WEB CONFERENCE

Moved by Ald. Sevenich seconded by Ald. Taylor to temporarily suspend the rules of the Common Council and Mayor to allow for the use of electronic devices.

Motion carried on voice vote.

E. PUBLIC HEARING

F. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS

1. PHD McKenney, COVID-19 Update

Staff provided an update on COVID-19 case counts, case rate, weekly data summary, laboratory confirmed cases, positivity rate, case rate burden, testing sites, variants, and vaccinations.

General discussion ensued on vaccinations and Health Department services.

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

Minutes to receive:

- a. Administration Committee, 1/4/2021
- b. Board of Public Works, 1/4/2021
- c. Landmarks Commission, 12/9/20
- d. Personnel Committee, 1/4/21
- e. Redevelopment Authority, 12/8/20
- f. Parks & Recreation Board, 12/8/20
- g. Committee on Aging, 12/11/20

Communications:

- h. 2020 Civic Commemorations Carryover

Moved by Ald. Sevenich seconded by Ald. Ted Grade to approve minutes and communications a-h.

Motion carried on voice vote.

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

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

Sandra DaBill Taylor, 545 Broad Street, Menasha. She commented on Health Department services, vaccination distribution locations, accounts payable and payroll items, the Strong Neighborhood Program, Legal services request for proposal, drive-thru services, suspension of the rules for virtual meetings, and financial audit.

H. 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, 1/4/2021

Administration Committee, 1/4/2021, Recommends Approval of:

2. Contracting with Spielbauer Fireworks for both 2021 and 2022

Board of Public Works, 1/4/2021, Recommends Approval of:

3. Change Order – MCC, Inc.; Contract Unit No. 2019-04; New Street Construction & Rehabilitation; ADD \$23,755.05 (Change Order No. 2)

4. Payment – MCC, Inc.; Contract Unit No. 2019-04; New Street Construction & Rehabilitation; \$23,755.05 (Payment No. 5 & Final)

Personnel Committee, 1/4/2021, Recommends Approval of:

5. The reclassification of the Public Health Aid position to Public Health Office Coordinator, with the salary schedule of \$21.22-\$26.58 matching that in similarity of the Deputy Clerk and Finance Clerk

Ald. Sevenich requested to remove items 1-5.

Mayor Merkes stated each item would be voted on separately.

I. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Moved by Ald. Sevenich seconded by Ald. Tom Grade to approve Consent Agenda item 1, Common Council, 1/4/2021.

Motion carried on voice vote.

2. Moved by Ald. Nichols seconded by Ald. Taylor to approve Consent Agenda item 2, Contracting with Spielbauer Fireworks for both 2021 and 2022 Communityfest fireworks show with an added provision that if the show was cancelled due to COVID-19 the deposit held by Spielbauer Fireworks would be applied to the 2022 show and there would be no cancellation fee for the 2021 show.

Motion carried on roll call 8-0.

3. Moved by Ald. Langdon seconded by Ald. Taylor to approve Consent Agenda item 3, Change Order – MCC, Inc.; Contract Unit No. 2019-04; New Street Construction & Rehabilitation; ADD \$23,755.05 (Change Order No. 2)

Motion carried on roll call 8-0.

4. Moved by Ald. Langdon seconded by Ald. Taylor to approve Consent Agenda item 4, Payment – MCC, Inc.; Contract Unit No. 2019-04; New Street Construction & Rehabilitation; \$23,755.05 (Payment No. 5 & Final)
Motion carried on roll call 8-0.
5. Moved by Ald. Ted Grade seconded by Ald. Nichols to approve Consent Agenda item 5, The reclassification of the Public Health Aid position to Public Health Office Coordinator, with the salary schedule of \$21.22-\$26.58 matching that in similarity of the Deputy Clerk and Finance Clerk.
Motion carried on roll call 8-0.

J. ACTION ITEMS

1. Accounts payable and payroll for the term of 1/1/21 – 1/14/21 in the amount of \$7,201,934.84

Moved by Ald. Nichols seconded by Ald. Ted Grade to approve Accounts payable and payroll for the term of 1/1/21 – 1/14/21 in the amount of \$7,201,934.84
Motion carried on roll call 8-0.

General discussion ensued on various items listed in accounts payable and payroll.

Staff offered clarification on various items in the accounts payable and payroll.

Moved by Ald. Taylor seconded by Ald. Ropella to hold check 70406 dated 1/7/2021 for Kimberly Massey in the amount of \$2,323.40 until the next meeting.

Motion carried on roll call 5-3.

Ald. Tom Grade, Ted Grade, Schmidt voted no.

2. Beverage Operators License Applications for the 2019-2021 licensing period

Moved by Ald. Nichols seconded by Ald. Tom Grade to approve the Beverage Operators License Applications for the 2019-2021 licensing period

Motion carried on roll call 8-0.

3. “Class A” Liquor License Application for KN LLC, d/b/a Menasha Marathon, Nawaraj Subedi, agent for the premise at 209 Racine Street, Menasha for the remainder of the 2020-2021 licensing year

Moved by Ald. Nichols seconded by Ald. Tom Grade to approve the “Class A” Liquor License Application for KN LLC, d/b/a Menasha Marathon, Nawaraj Subedi, agent for the premise at 209 Racine Street, Menasha for the remainder of the 2020-2021 licensing year.

Motion carried on roll call 8-0.

4. Strong Neighborhood Program Amendment

Moved by Ald. Tom Grade seconded by Ald. Schmidt to recommend to accept the Strong Neighborhoods Program which was amended at the Council Workshop on December 7, 2020.
Motion carried on roll call 8-0.

Staff provided an overview of the Strong Neighborhoods Program amendments and commented on first-time homebuyer applications and funds awarded, the minimum project values, and program benefits.

General discussion ensued on program objectives and qualifications, first-time homebuyer funds and incentives, minimum project values,

Moved by Ald. Sevenich seconded by Ald. Ropella to amend the original motion to eliminate the first-time homebuyers portion of the Strong Neighborhood Program.

Motion carried on roll call 6-2.

Ald. Schmidt and Tom Grade voted no.

Moved by Ald. Nichols seconded by Ald. Sevenich to amend the original motion to maintain the minimum project value of \$15,000.

Motion carried on roll call 6-2.

Ald. Schmidt and Tom Grade voted no.

Original motion as amended carried on roll call 8-0.

5. Ad-hoc Downtown Christmas Lights Committee

Moved by Ald. Ropella seconded by Ald. Tom Grade to approve the Holiday Lighting Committee for the City of Menasha for 2021 including the members as listed on the memo.

Motion carried on roll call 8-0.

General discussion ensued on virtual meeting accommodations.

K. HELD OVER BUSINESS

L. ORDINANCES AND RESOLUTIONS

M. APPOINTMENTS

N. CLAIMS AGAINST THE CITY

O. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Sandra DaBill Taylor, 545 Broad Street, Menasha. Strong Neighborhood program amendments.

P. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Tom Grade to adjourn at 7:35 p.m.

Motion carried on voice vote.

Haley Krautkramer
City Clerk



Memorandum

TO: NMFR Joint Finance & Personnel Committee

FROM: Chief Kevin Kloehn

DATE: January 20, 2021

RE: Joint Recruit Training Memorandum of Understanding

It has been one year since we held our first Joint Recruit Training Academy with the Oshkosh Fire Department. It was a very successful academy and other fire departments did express interest in joining this. One of these departments is Grand Chute. I've attached an updated Memorandum of Understanding that includes Grand Chute Fire Department joining NMFR and Oshkosh Fire Department. This agreement is very similar to the one we had with Oshkosh Fire Department last year. This MOU was created by Assistant City Attorney Adam Westbrook.

I'm asking for consideration and action to recommend the City of Neenah and Menasha Common Councils approve the Combined Recruit Class Memorandum on Understanding between Neenah-Menasha Fire Rescue, Oshkosh Fire Department and Grand Chute Fire Department.

If you have questions, please feel free to call me at 886-6203.

Thank you for your consideration.

KK/te

Enclosure

COMBINED RECRUIT CLASS
MEMORANDUM OF UNDERSTANDING

This Combined Recruit Class Memorandum of Understanding (the "MOU") entered into this _____ day of _____, 2021 by and between Neenah-Menasha Fire Rescue (NMFR), Oshkosh Fire Department (OFD), and Grand Chute Fire Department (GCFD).

W I T N E S S E T H

WHEREAS, NMFR, OFD, and GCFD ("the participating Departments") are all fire departments that hire and train new recruits throughout the year; and,

WHEREAS, the participating Departments are located in the same region and service areas and communities close to each other; and,

WHEREAS, in 2020 NMFR and OFD joined together to train new recruits to save on costs, increase training knowledge base, and create a more effective and diverse recruiting class.

WHEREAS, GCFD wishes to join NMFR and OFD in their joint training.

NOW THEREFORE, in consideration of the mutual promises contained herein, the parties agree to the following terms and conditions.

1. The participating Departments will hold two (2) Recruit Firefighter Classes each year; one in spring and one in fall.
2. The participating Departments' trainers will participate in both classes even when they do not have any recruits in the session.
3. The specific dates of the classes will be mutually agreed upon by the Chief of each department.
4. Recruit Classes will be held at the NMFR Training Center and the NMFR Training Tower located at Station #31, 1080 Breezewood Lane, Neenah, WI 54956 (the "Facility").
5. The participating Departments will share in the cost of training materials needed on a per-student basis. As a basis for developing the cost-sharing arrangement, the chiefs for all departments shall annually at the time of budget preparation create a budget for training in the succeeding year. The cost to train shall include a stipend for electricity and heating of the Facility
 - a. In the event a major cost is incurred to repair any of the training materials or equipment, the cost will be shared evenly by the participating Departments.
 - b. A list of any expenditures must be received by the participating Departments within 10 days of the completion of the recruit school in which the expense occurs. Any objections to expenses must be made in writing within 5 days of receiving the original expense request.

- c. NMFR will calculate the total charges to each participating Department and send out an invoice within 30 days of the completion of the recruit training. All invoices shall be paid within 30 days after receipt of the invoice.
6. Recruit Classes will be a five (5) week course held five (5) days a week, eight (8) hours a day.
7. The participating Departments will provide staffing to assist in each recruit class as mutually agreed upon by each department and at times may oversee members from the other department.
8. NMFR will provide the classroom space and training grounds along with an Engine and/or Quint. OFD and GCFD will be providing extra engines and ladder trucks as needed. There may be certain days that OFD or GCFD hosts a class at their respective station to better utilize equipment, but such a condition would be determined and approved in advance by the chiefs of each department.
9. OFD and GCFD shall be allowed to park equipment in Station #31 apparatus bay.
10. The participating Departments personnel and recruits shall be considered employees of their respective organizations at all times during the Recruit Class for all purposes including wages, salary, fringe benefits, retirement contributions, social security contributions, disability retirement contributions or benefits, unemployment compensation contributions or benefits, and workers compensation benefits.
11. The participating Departments shall indemnify and hold the others harmless from and against any and all claims, demands, actions, rights of action, damages, costs and expenses which shall or may arise by virtue of anything done or not done by the indemnifying party, except where caused by the willful misconduct of the party. Nothing in this agreement shall be construed to waive either party's rights and benefits under law, with regard to governmental immunity and limitation of liability pursuant to Wis. Stat. § 893.80
12. This agreement shall continue into perpetuity or until any party, with sixty (60) days written notice, notifies the other party of its intention to terminate the agreement.
13. Any notice required or desired to be served by either party upon the other may be served by depositing such notice in United States mail and addressed as follows:

To NMFR:

Neenah-Menasha Fire Rescue
Attn: Fire Chief
125 E Columbian Ave
Neenah, WI 54956

Neenah City Attorney
211 Walnut St.
Neenah, WI 54956

Menasha City Attorney
140 Main St.
Menasha, WI 54952

To OFD:

Oshkosh Fire Department
Attn: Fire Chief
101 Court St
Oshkosh, WI 54901

Oshkosh City Attorney
215 Church Ave.
Oshkosh, WI 54903

To GCFD:

Grand Chute Fire Department
Attn: Fire Chief
2250 Grand Chute Blvd
Appleton, WI 54913

Notices shall be deemed delivered two (2) business days after mailing.

IN WITNESS WHEREOF, the parties hereto accept the terms of this Agreement as of the
____ day of _____, 2021.

Neenah-Menasha Fire Rescue

By: _____
Fire Chief

Oshkosh Fire Department

By: _____
Fire Chief

Grand Chute Fire Department

By: _____
Fire Chief



To: Members of the Personnel Committee

From: Tim Styka, Police Chief

Date: January 13, 2021

RE: Appendix O: Police Addendum Update

BACKGROUND

Working in conjunction with Human Resources we periodically review the Personnel Handbook to identify any possible revisions or updates. With the ratification of the Union Contract, we have identified a few areas that we are recommending be changed.

ANALYSIS

There are three areas that we are recommending to change:

1. **Section III (b) Overtime:** In essence we have a situation where the officers will be making more than their supervisor if both are on overtime. Under the collective bargaining agreement a senior officer in Step 7 has an overtime rate that is \$.65 / hour more than a Patrol Lieutenant with 0-3 years of experience. This is clearly problematic. In 2014 the Personnel Committee approved a pay structure for the Lieutenants which placed them 5%, 7.5% and 10% above the officers they supervise. The recommendation is to add \$4.00 / hour to the overtime rate of the Supervisory Lieutenants. Straight time rates will NOT be impacted. This change will help to maintain a pay separation of the supervisors and those they supervise.
2. **Section III (e) Court Appearances:** The Handbook currently indicates that a supervisor receives a minimum of three hours of court time for testifying. We are recommending reducing that provision to only allow for three hours if the person testifies in person. This paragraph would be changed to read:

A minimum of three (3) hours will be allowed for time spent if officer is physically required to attend court, two (2) hours of overtime will be paid if the court appearance is held virtually or by phone. If the officer is on standby for phone or virtual testimony, a minimum of one (1) hour of overtime will apply. Court time in this provision shall not be compounded. Court time outside of scheduled working hours shall be included in the calculation of overtime, however, in the event an officer is not given 24 hours' notice of a court appearance, time will be calculated at 2-1/2 times the normal rate of pay

3. **Section III (g) Physical Fitness Incentive:** We are proposing changing the payout date from December to November. This is an administrative process that would make it easier for staff to process the payout by doing it on one date instead of two separate dates.

FISCAL IMPACT

There is no fiscal impact for items #2 and #3. For item #1 the impact will depend upon how much overtime the Supervisory Lieutenants will work. Generally speaking we treat the positions as salaried, but do pay overtime for certain things such as working vacant shifts so we are able to provide supervisory coverage 24/7. Based upon past years this amount can vary between \$2000-\$4000 which is accounted for in the overtime budget. Therefore, there will be no unplanned adverse impact on the budget.

RECOMMENDATION

We are requesting approval to: Accept the recommended revisions to Appendix O: Police Addendum as outlined in this memo: (1) Add \$4.00 per hour to the overtime rate for Supervisory Lieutenants; (2) Modify the minimum hours for court time for Supervisory Lieutenants; and (3) Change the payout date for the Physical Fitness Incentive to November.

City of Menasha Disbursements

| | | |
|-------------------------|---|--------------|
| Weekly Accounts Payable | 01/15/21 - 01/28/21 Checks # 70486-70569 | \$654,053.45 |
|-------------------------|---|--------------|

| | | |
|-------------------|---------|--------------|
| Bi-Weekly Payroll | 1/28/21 | \$206,614.69 |
|-------------------|---------|--------------|

Additional Regular Cycle Accounts Payables -Paid Electronically

| | | |
|--------------------------------------|----------|----------------------------|
| Banking Fees | 01/15/21 | \$75.00 |
| Nationwide Deferred Compensation | 01/19/21 | \$4,677.50 |
| Wisconsin Deferred Compensation | 01/19/21 | \$12,226.26 |
| Delta Dental | 01/20/21 | \$3,373.20 |
| Federal Tax Withholding | 01/20/21 | \$80,011.45 |
| Employee Benefits-HRA Claims | 01/21/21 | \$506.49 |
| Delta Dental | 01/27/21 | \$3,152.40 |
| State Tax Withholding | 01/28/21 | \$15,853.35 |
| Employee Benefits-HRA Claims | 01/28/21 | \$1,447.62 |
| Employee Benefits-Flex Spending | 01/28/21 | \$4,272.96 |
| Community First CU-Payroll Deduction | 01/28/21 | \$576.00 |
| | | <u>\$126,172.23</u> |
| Total | | <u><u>\$986,840.37</u></u> |

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

Craig Pearson

Craig Pearson
Finance Manager

1/28/2021

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: 1/21/2021

Date: 1/21/2021

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|------------------------------|------------------------|------------|----------------|--------------------|----------|---|
| JF AHERN CO | 70486 | 1/21/2021 | 415856 | 100-0703-553.24-03 | 207.85 | Inspections-Fire Equip Parks/Sr Ctr |
| | | | | 100-0920-531.24-03 | 298.48 | Inspections-Fire Equip Parks/Sr Ctr |
| | | 1/21/2021 | 415859 | 100-0801-521.24-03 | 159.20 | Inspections-PD |
| | | 1/21/2021 | 416737 | 731-1022-541.24-03 | 1,445.56 | Inspections-Garage |
| | Total for check: 70486 | | | | 2,111.09 | |
| ALL-SPORT TROPHY | 70487 | 1/21/2021 | 055440 | 100-0801-521.19-03 | 22.00 | Clothing-PD |
| | | 1/21/2021 | 055441 | 100-0801-521.19-03 | 16.00 | Clothing-PD |
| | Total for check: 70487 | | | | 38.00 | |
| BINDING EDGE | 70488 | 1/21/2021 | 43125 | 100-0401-513.29-01 | 1,346.63 | Tax Bill Printing |
| | | | | | 1,346.63 | |
| COMPLETE OFFICE OF WISCONSIN | 70489 | 1/21/2021 | 836824 | 100-0801-521.24-01 | 559.64 | Office Chairs |
| | | | | | 559.64 | |
| FACTORY MOTOR PARTS CO | 70490 | 1/21/2021 | 18-1905317 | 731-1022-541.38-03 | 14.08 | Air Filter Panel |
| | | | | | 14.08 | |
| FOX STAMP SIGN & SPECIALTY | 70491 | 1/21/2021 | 2062056 | 100-0203-512.30-18 | 41.99 | Notary Stamp Valerie |
| | | | | | 41.99 | |
| CHLOE HANSEN-DUNN | 70492 | 1/21/2021 | Hansen-Dunn | 100-0702-552.30-18 | 30.00 | Reimbursement Gymnastic Equip Repair |
| | | | | | 30.00 | |
| HEARTLAND BUSINESS SYSTEMS | 70493 | 1/21/2021 | 417028-H | 743-0403-513.24-04 | 2,170.05 | Netmotion Wireless - PD 1/20/21 - 1/20/22 |
| | | | | | 2,170.05 | |

AP Check Register

Check Date: 1/21/2021

Date: 1/21/2021

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|--------------|------------|-------------------------------|--------------------|------------------|---|
| KWIK TRIP INC | 70494 | 1/21/2021 | Acct #00244691 | 100-0801-521.38-01 | 138.87 | Fuel |
| | | | Total for check: 70494 | | 138.87 | |
| LAKE PARK VILLAS HOMEOWNERS ASSN | 70495 | 1/21/2021 | 115 | 501-0304-562.32-01 | 441.93 | LPV HOA Fee-Dec |
| | | | | | 362.25 | LPV HOA Fee-Jan |
| | | | Total for check: 70495 | | 804.18 | |
| LANDLORD SERVICES LLC | 70496 | 1/21/2021 | 30754 | 100-0801-521.21-06 | 23.00 | Credit Report |
| | | | Total for check: 70496 | | 23.00 | |
| M-B COMPANIES INC | 70497 | 1/21/2021 | 252228 | 731-1022-541.38-03 | 47.51 | Adjustment Arm |
| | | | Total for check: 70497 | | 47.51 | |
| MCC INC | 70498 | 1/21/2021 | MCC | 470-0000-201.04-00 | 19,687.85 | Contract #2019-04 Retainage |
| | | | | 470-1003-541.82-02 | (5,000.00) | Contract #2019-04 Liquidated Damages |
| | | | | 492-1003-541.82-02 | 3,551.34 | Contract #2019-04 New Street Construction |
| | | | | 625-0000-194.00-00 | 5,515.86 | Contract #2019-04 New Street Construction |
| | | | Total for check: 70498 | | 23,755.05 | |
| MENARDS-APPLETON EAST | 70499 | 1/21/2021 | 97019 | 100-0801-521.24-03 | 442.17 | Supplies |
| | | | Total for check: 70499 | | 442.17 | |
| MENASHA UTILITIES | 70500 | 1/21/2021 | Menasha Utility | 100-0000-123.00-00 | 824.04 | Electric 11/24/20 - 12/28/20 |
| | | | | | 271.66 | Water 11/24/20 - 12/28/20 |
| | | | | | 61.33 | Storm 11/24/20 - 12/28/20 |
| | | | | | 6.14 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0305-562.22-03 | 26.75 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0305-562.22-06 | 6.60 | Storm 11/24/20 - 12/28/20 |
| | | | | 100-0601-551.22-03 | 2,048.29 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0601-551.22-05 | 418.40 | Water 11/24/20 - 12/28/20 |

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Check Date: 1/21/2021

Date: 1/21/2021

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|---------------------------|--------------|--------------|-------------------------------|--------------------|------------------|------------------------------------|
| MENASHA UTILITIES... | 70500... | 1/21/2021... | Menasha Utility... | 100-0601-551.22-06 | 136.95 | Storm 11/24/20 - 12/28/20 |
| | | | | 100-0703-553.22-03 | 1,330.75 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0703-553.22-05 | 36.92 | Water 11/24/20 - 12/28/20 |
| | | | | 100-0703-553.22-06 | 886.06 | Storm 11/24/20 - 12/28/20 |
| | | | | 100-0704-552.22-03 | 224.67 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0704-552.22-05 | 452.65 | Water 11/24/20 - 12/28/20 |
| | | | | 100-0801-521.22-03 | 1,137.97 | Electric 11/24/20 - 12/28/20 |
| | | | | | 34.82 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-0801-521.22-05 | 375.14 | Water 11/24/20 - 12/28/20 |
| | | | | 100-0801-521.22-06 | 84.70 | Storm 11/24/20 - 12/28/20 |
| | | | | 100-1001-514.22-05 | 13.38 | Water 11/24/20 - 12/28/20 |
| | | | | 100-1001-514.22-06 | 3.30 | Storm 11/24/20 - 12/28/20 |
| | | | | 100-1008-541.22-03 | 35.44 | Electric 11/24/20 - 12/28/20 |
| | | | | 100-1008-541.22-05 | 13.38 | Water 11/24/20 - 12/28/20 |
| | | | | 100-1013-541.22-06 | 57.75 | Storm 11/24/20 - 12/28/20 |
| | | | | 207-0707-552.22-05 | 154.00 | Water 11/24/20 - 12/28/20 |
| | | | | 501-0304-562.22-03 | 164.94 | Electric 11/24/20 - 12/28/20 |
| | | | | 501-0304-562.22-05 | 26.76 | Water 11/24/20 - 12/28/20 |
| | | | | 501-0304-562.22-06 | 637.73 | Storm 11/24/20 - 12/28/20 |
| | | | | 601-1020-543.22-03 | 72.28 | Electric 11/24/20 - 12/28/20 |
| | | | | 731-1022-541.22-03 | 1,254.88 | Electric 11/24/20 - 12/28/20 |
| | | | | 731-1022-541.22-05 | 319.80 | Water 11/24/20 - 12/28/20 |
| | | | | 731-1022-541.22-06 | 1,286.18 | Storm 11/24/20 - 12/28/20 |
| | | 1/21/2021 | RoutesToRecover | 100-0000-201.03-00 | 3,502.26 | Routes to Recovery Grant Expenses |
| | | | Total for check: 70500 | | 15,905.92 | |
| MBM | 70501 | 1/21/2021 | IN541871 | 743-0403-513.29-01 | 804.79 | Production/PW Copier 11/26 - 12/25 |
| | | | | | | |
| | | | Total for check: 70501 | | 804.79 | |
| SAFEGUARD BUSINESS SYTEMS | 70502 | 1/21/2021 | 034318321 | 100-0202-512.29-01 | 34.37 | W-2's |
| | | | | | | |
| | | | Total for check: 70502 | | 34.37 | |

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Date: 1/21/2021

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------------|--------------|------------|-------------------------------|--------------------|-----------------|--|
| HENRY SCHEIN INC | 70503 | 1/21/2021 | 88001550 | 100-0909-531.30-18 | 112.29 | Mask Respirators |
| | | | Total for check: 70503 | | 112.29 | |
| SPIELBAUER FIREWORKS CO INC | 70504 | 1/21/2021 | 20Me6248 | 100-0408-552.21-06 | 7,000.00 | Fireworks Display Downpayment |
| | | | Total for check: 70504 | | 7,000.00 | |
| SUPERIOR VISION INSURANCE PLAN | 70505 | 1/21/2021 | 0000479253 | 100-0000-204.10-00 | 1,014.97 | Vision Ins-Jan |
| | | | Total for check: 70505 | | 1,014.97 | |
| TAPCO | 70506 | 1/21/2021 | I659554 | 100-1008-541.30-18 | 1,920.00 | Sheeting/Film/Tape |
| | | | Total for check: 70506 | | 1,920.00 | |
| UNIFIRST CORPORATION | 70507 | 1/21/2021 | 097 0323762 | 731-1022-541.20-01 | 150.64 | Cleaning Service |
| | | | Total for check: 70507 | | 150.64 | |
| WE ENERGIES | 70508 | 1/21/2021 | 0434-938-600 | 731-1022-541.22-04 | 3,370.65 | 455 Baldwin Street Gas 11/30/20 - 1/4/21 |
| | | 1/21/2021 | 4410-797-129 | 100-0703-553.22-03 | 33.60 | US Hwy 10 & STH 114 |
| | | | Total for check: 70508 | | 3,404.25 | |
| WINDSTREAM | 70509 | 1/21/2021 | 73401435 | 100-0601-551.22-01 | 51.92 | Lib Elevator Alarm-Jan |
| | | | Total for check: 70509 | | 51.92 | |
| WINNEBAGO COUNTY CLERK OF COURTS | 70510 | 1/21/2021 | Winn Co Clerk | 100-0000-201.03-00 | 150.00 | Bond Report #21-0066 |
| | | | | | 150.00 | Bond Report #21-0026 |
| | | | Total for check: 70510 | | 300.00 | |
| WISCONSIN MEDIA | 70511 | 1/21/2021 | 0003661347 | 100-0405-513.29-01 | 285.87 | Abbr Oct CC Min/Sewer TelCD Comp Review Plan |

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|--------------------|---------------------|-------------------|-------------------------------|-----------------------|------------------|---------------------------------------|
| WISCONSIN MEDIA... | 70511... | 1/21/2021 | 0003661561 | 100-0405-513.29-02 | 182.39 | Legal Notices |
| | | | Total for check: 70511 | | 468.26 | |
| WPPI ENERGY | 70512 | 1/21/2021 | INV14816 | 310-0409-571.61-01 | 494.50 | Street Light Project Jan Loan Payment |
| | | | Total for check: 70512 | | 494.50 | |
| | | | | | 63,184.17 | |

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| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|----------------------------|--------------|------------|------------------------|--------------------|----------|-----------------------------------|
| ACCURATE | 70513 | 1/28/2021 | 2016595 | 731-1022-541.38-03 | 66.02 | Brush/Battery Maintainer |
| | | 1/28/2021 | 2016741 | 731-1022-541.38-03 | 81.50 | Washers/Pin |
| | | 1/28/2021 | 2100104 | 731-1022-541.30-18 | 93.38 | Parts |
| | | | | 731-1022-541.38-03 | 270.80 | Parts |
| | | | Total for check: 70513 | | 511.70 | |
| AIRGAS USA LLC | 70514 | 1/28/2021 | 9108617153 | 731-1022-541.30-18 | 16.12 | Clmp Grnd/Beanie Wldrs |
| | | | | | 16.12 | |
| ALL-SPORT TROPHY | 70515 | 1/28/2021 | 055442 | 100-0801-521.30-18 | 608.00 | Door Plates |
| | | | | | 608.00 | |
| AMT | 70516 | 1/28/2021 | 20210128 | 100-0000-202.08-00 | 358.00 | PAYROLL SUMMARY |
| | | | | | 358.00 | |
| AUTOMATED COMFORT CONTROLS | 70517 | 1/28/2021 | 28002 | 100-0501-522.24-03 | 856.88 | 1/1/21 - 6/30/21 Agreement |
| | | | | 100-0601-551.24-03 | 1,581.16 | 1/1/21 - 6/30/21 Agreement |
| | | | | 100-0703-553.24-03 | 432.68 | 1/1/21 - 6/30/21 Agreement |
| | | | | 100-0801-521.24-03 | 856.89 | 1/1/21 - 6/30/21 Agreement |
| | | | | 100-0920-531.24-03 | 357.02 | 1/1/21 - 6/30/21 Agreement |
| | | | | 731-1022-541.24-03 | 1,570.95 | 1/1/21 - 6/30/21 Agreement |
| | | | Total for check: 70517 | | 5,655.58 | |
| AUTOZONE | 70518 | 1/28/2021 | 195164440 | 100-0801-521.29-04 | 6.99 | Bulb |
| | | | | | 6.99 | |
| BAYCOM INC | 70519 | 1/28/2021 | SRVCE0000031890 | 100-0801-521.24-02 | 5,266.08 | Service Agreement Radio Equipment |
| | | | | | 5,266.08 | |

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|----------------------------------|---------------------|-------------------|-------------------------------|-----------------------|-----------------|---------------------------|
| BERGSTROM | 70520 | 1/28/2021 | 359499 | 731-1022-541.38-04 | 291.71 | Ford Fusion Repair |
| | | | Total for check: 70520 | | 291.71 | |
| BLUE PRINT SERVICE CO INC | 70521 | 1/28/2021 | 140339 | 743-0403-513.24-04 | 1,200.00 | Eng Dept Plotter Contract |
| | | | Total for check: 70521 | | 1,200.00 | |
| CASCADE ENGINEERING | 70522 | 1/28/2021 | 30519227 | 266-1027-543.30-15 | 2,499.00 | Recycling Containers |
| | | | Total for check: 70522 | | 2,499.00 | |
| CASPERS TRUCK EQUIPMENT INC | 70523 | 1/28/2021 | 0047156-IN | 731-1022-541.38-03 | 502.88 | Parts |
| | | | Total for check: 70523 | | 502.88 | |
| COMPLETE OFFICE OF WISCONSIN | 70524 | 1/28/2021 | 851029 | 100-0801-521.24-01 | 359.69 | Office Chair |
| | | | Total for check: 70524 | | 359.69 | |
| CRESCENT ELECTRIC SUPPLY COMPANY | 70525 | 1/28/2021 | S508549487.002 | 100-1006-541.30-18 | 358.26 | Hubbell WD Male |
| | | 1/28/2021 | S508552518.002 | 100-1006-541.30-18 | 77.48 | Circuit Breakers |
| | | 1/28/2021 | S508569895.001 | 100-0801-521.24-03 | 18.59 | Wallplate/Levitons |
| | | 1/28/2021 | S508592059.001 | 100-1013-541.30-18 | 77.08 | Circuit Breakers/Flex |
| | | 1/28/2021 | S508592716.001 | 731-1022-541.24-03 | 40.39 | Mounting Stem |
| | | 1/28/2021 | S508606873.001 | 731-1022-541.24-03 | 53.34 | Parts |
| | | 1/28/2021 | S508606873.002 | 731-1022-541.24-03 | 7.57 | Cond Strp |
| | | 1/28/2021 | S508614522.001 | 731-1022-541.24-03 | 65.29 | Parts |
| | | 1/28/2021 | S508619322.001 | 731-1022-541.24-03 | 17.65 | Parts |
| | | | Total for check: 70525 | | 715.65 | |
| DOG WASTE DEPOT | 70526 | 1/28/2021 | 383846 | 100-0703-553.30-18 | 398.97 | Dog Waste Bags |
| | | | Total for check: 70526 | | 398.97 | |

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|-------------------------------------|---------------------|-------------------|-------------------------------|-----------------------|-----------------|-----------------------|------------|
| EAGLE SIGN & DESIGN | 70527 | 1/28/2021 | 13297 | 100-0703-553.29-01 | 300.00 | Boat Permit Decals | |
| | | | Total for check: 70527 | | 300.00 | | |
| EMPLOYEE BENEFITS CORPORATION | 70528 | 1/28/2021 | 3128699 | 100-0202-512.21-06 | 232.50 | Jan-Flex | |
| | | | | | 85.60 | Jan-Cobra | |
| | | | | 734-0416-513.21-06 | 468.00 | Jan-HRA | |
| | | | Total for check: 70528 | | 786.10 | | |
| ENVIRONMENTAL MGT & TESTING SERVICE | 70529 | 1/28/2021 | 2888 | 731-1022-541.24-03 | 75.00 | Asbestos Testing | PWF Office |
| | | | Total for check: 70529 | | 75.00 | | |
| FIRST AMERICAN TITLE INSURANCE CO | 70530 | 1/28/2021 | 925-650264503 | 100-0304-562.21-06 | 75.00 | Letter Report | |
| | | | Total for check: 70530 | | 75.00 | | |
| GUNDERSON CLEANERS | 70531 | 1/28/2021 | 943661 | 100-0801-521.30-13 | 52.71 | Cleaning Service | |
| | | | Total for check: 70531 | | 52.71 | | |
| GUSTMAN CHEVROLET SALES INC | 70532 | 1/28/2021 | 54466 | 731-1022-541.38-03 | 750.46 | Harness/Pipes | |
| | | 1/28/2021 | 54523 | 731-1022-541.38-03 | 442.58 | Gasket/Valve/Pump | |
| | | 1/28/2021 | 54526 | 731-1022-541.38-03 | 28.44 | Element | |
| | | 1/28/2021 | 55686 | 731-1022-541.38-03 | 24.65 | Strut | |
| | | | Total for check: 70532 | | 1,246.13 | | |
| HAENCO | 70533 | 1/28/2021 | 3810 | 100-0601-551.24-03 | 79.76 | Cleaning Supplies | |
| | | | Total for check: 70533 | | 79.76 | | |
| HEARTLAND BUSINESS SYSTEMS | 70534 | 1/28/2021 | 402815-RTN | 100-0801-521.30-12 | 207.45 | PD Wireless Access Pt | Remainder |

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|------------------------------------|---------------------|-------------------|-------------------------------|-----------------------|------------------|---------------------------------|
| HEARTLAND BUSINESS SYSTEMS... | 70534... | 1/28/2021 | 421510-H | 733-0206-512.73-01 | 25,000.00 | IT Incident Response Deductible |
| | | | Total for check: 70534 | | 25,207.45 | |
| THE HOME DEPOT PRO | 70535 | 1/28/2021 | 592450886 | 100-0703-553.30-18 | 231.25 | Padlocks |
| | | | Total for check: 70535 | | 231.25 | |
| KLINK HYDRAULICS LLC | 70536 | 1/28/2021 | 13193 | 731-1022-541.38-03 | 470.24 | Parts |
| | | 1/28/2021 | 13194 | 731-1022-541.38-03 | 32.82 | Adapter |
| | | 1/28/2021 | 13259 | 731-1022-541.38-03 | 33.18 | Adapters/Coupling |
| | | | Total for check: 70536 | | 536.24 | |
| MACQUEEN EQUIPMENT | 70537 | 1/28/2021 | P17838 | 731-1022-541.38-03 | 275.59 | Heater Motor/Fan |
| | | | Total for check: 70537 | | 275.59 | |
| MATTHEWS TIRE & SERVICE CENTER | 70538 | 1/28/2021 | 77263 | 731-1022-541.38-02 | 920.00 | Tires |
| | | | Total for check: 70538 | | 920.00 | |
| MEDICAL EXPENSE REIMBURSEMENT ACCT | 70539 | 1/28/2021 | 20210128 | 100-0000-202.08-00 | 29,306.69 | PAYROLL SUMMARY |
| | | | Total for check: 70539 | | 29,306.69 | |
| MENARDS-APPLETON EAST | 70540 | 1/28/2021 | 97332 | 100-0703-553.30-18 | 42.03 | Glue/Lobe |
| | | 1/28/2021 | 97411 | 100-1003-541.30-15 | 51.96 | Brooms |
| | | | Total for check: 70540 | | 93.99 | |
| MENARDS-APPLETON WEST | 70541 | 1/28/2021 | 36776 | 100-0922-531.30-18 | 51.65 | Election Supplies/Covid |
| | | | Total for check: 70541 | | 51.65 | |

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|------------------------|---------------------|-------------------|-------------------------------|-----------------------|-------------------|--|
| MENASHA UTILITIES | 70542 | 1/28/2021 | CVMIC Grant | 100-0000-201.03-00 | 486.50 | CVMIC Safety Grant |
| | | | Total for check: 70542 | | 486.50 | |
| MBM | 70543 | 1/28/2021 | IN543240 | 743-0403-513.29-01 | 185.28 | Various Printer Usage/Dec |
| | | | Total for check: 70543 | | 185.28 | |
| CITY OF NEENAH | 70544 | 1/28/2021 | 38103 | 470-0501-522.30-15 | 610.30 | Radio Batteries |
| | | | | | 324.76 | Gas Detector |
| | | | | | 379.73 | Wifi Access Point |
| | | | | | 1,959.34 | Thermal Imaging Cameras |
| | | 1/28/2021 | Fire/Rescue | 100-0501-522.25-01 | 294,058.00 | Fire/Rescue Services |
| | | | Total for check: 70544 | | 297,332.13 | |
| NEWSC | 70545 | 1/28/2021 | 2175 | 625-1010-541.32-01 | 1,770.00 | Membership Fees |
| | | | Total for check: 70545 | | 1,770.00 | |
| OMNISITE | 70546 | 1/28/2021 | 76870 | 601-1020-543.22-01 | 1,104.00 | Wireless Service |
| | | | Total for check: 70546 | | 1,104.00 | |
| PJC GROUP LLC | 70547 | 1/28/2021 | PJC TID 11 | 489-0305-562.73-01 | 16,293.56 | TID 11 Dvlpmnt Incentive Ahnaip Street |
| | | | Total for check: 70547 | | 16,293.56 | |
| PORTER LEE CORPORATION | 70548 | 1/28/2021 | 24840 | 743-0403-513.24-04 | 675.00 | Software Support Feb 2021 - Jan 2022 |
| | | | Total for check: 70548 | | 675.00 | |
| REDI-WELDING CO | 70549 | 1/28/2021 | 15453 | 731-1022-541.38-04 | 250.00 | Bench Top |
| | | 1/28/2021 | 15454 | 731-1022-541.38-03 | 750.94 | Tubing/Plate |
| | | | Total for check: 70549 | | 1,000.94 | |

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|------------------------------------|---------------------|-------------------|-----------------------|-----------------------|------------------|------------------------|----------------|
| REV.COM | 70550 | 1/28/2021 | 42240841 | 100-0405-513.21-08 | 193.75 | Recording Fees | December |
| Total for check: 70550 | | | | | 193.75 | | |
| DR TERESA RUDOLPH | 70551 | 1/28/2021 | City Physician | 100-0903-531.21-05 | 175.00 | City Physician | |
| Total for check: 70551 | | | | | 175.00 | | |
| SERVICE MOTOR COMPANY | 70552 | 1/28/2021 | P19188 | 731-1022-541.38-03 | 51.82 | Freight | |
| | | 1/28/2021 | P19189 | 731-1022-541.38-03 | (51.82) | Freight Credit | |
| | | 1/28/2021 | P41937 | 731-1022-541.38-03 | 51.82 | Priority Tube | |
| Total for check: 70552 | | | | | 51.82 | | |
| SERVICEMASTER BUILDING MAINTENANCE | 70553 | 1/28/2021 | 35695 | 731-1022-541.20-01 | 1,215.00 | Janitorial Service-Jan | PW |
| | | 1/28/2021 | 35700 | 100-0920-531.20-01 | 245.00 | Janitorial Service-Jan | Senior Center |
| Total for check: 70553 | | | | | 1,460.00 | | |
| STAPLES | 70554 | 1/28/2021 | 8060846915 | 100-0702-552.30-10 | 49.57 | Office Supplies | |
| Total for check: 70554 | | | | | 49.57 | | |
| SUPERION LLC | 70555 | 1/28/2021 | 304058 | 743-0403-513.24-04 | 2,758.35 | Financial Software-Nov | |
| | | 1/28/2021 | 304220 | 743-0403-513.24-04 | 2,758.35 | Financial Software-Dec | |
| Total for check: 70555 | | | | | 5,516.70 | | |
| SURE FIRE | 70556 | 1/28/2021 | SD20143 | 731-1022-541.82-01 | 4,622.00 | Vent Power Washer | |
| Total for check: 70556 | | | | | 4,622.00 | | |
| T&J CAPITAL HOLDINGS LLC | 70557 | 1/28/2021 | Bertram Dental | 487-0305-562.73-01 | 17,008.53 | TID 10 Dev Incentive | Bertram Dental |
| Total for check: 70557 | | | | | 17,008.53 | | |
| TIME WARNER CABLE | 70558 | 1/28/2021 | 095528601010121 | 100-0101-511.22-01 | 3.61 | Mayor Jan Phone | |

AP Check Register
Check Date: 1/28/2021

Date: 1/28/2021

| Vendor Name | Check Number | Check Date | Invoice Number | Account Number | Amount | Description |
|---------------------------------|--------------|--------------|--------------------|------------------------|----------|----------------------------------|
| TIME WARNER CABLE... | 70558... | 1/28/2021... | 095528601010121... | 100-0201-512.22-01 | 2.29 | Attorney Jan Phone |
| | | | | 100-0202-512.22-01 | 5.79 | Personnel Jan Phone |
| | | | | 100-0203-512.22-01 | 4.76 | Clerk Jan Phone |
| | | | | 100-0301-523.22-01 | 5.23 | Bld Insp Jan Phone |
| | | | | 100-0304-562.22-01 | 8.57 | Com Dev Jan Phone |
| | | | | 100-0401-513.22-01 | 11.57 | Finance Jan Phone |
| | | | | 100-0402-513.22-01 | 2.36 | Assessor Jan Phone |
| | | | | 100-0502-522.22-01 | 14.36 | EOC Jan Phone |
| | | | | 100-0601-551.22-01 | 60.95 | Library Jan Phone |
| | | | | 100-0702-552.22-01 | 9.69 | Rec Jan Phone |
| | | | | 100-0703-553.22-01 | 16.29 | Parks Jan Phone |
| | | | | 100-0704-552.22-01 | 5.06 | Pool Jan Phone |
| | | | | 100-0801-521.22-01 | 89.87 | PD Jan Phone |
| | | | | 100-0903-531.22-01 | 17.58 | Health Jan Phone |
| | | | | 100-0920-531.22-01 | 4.73 | Sr Ctr Jan Phone |
| | | | | 100-1001-514.22-01 | 25.96 | City Hall Jan Phone |
| | | | | 100-1002-541.22-01 | 15.10 | Eng Jan Phone |
| | | | | 100-1008-541.22-01 | 1.37 | Sign Jan Phone |
| | | | | 207-0000-123.00-00 | 9.63 | Marina Jan Phone |
| | | | | 731-1022-541.22-01 | 9.31 | Garage Jan Phone |
| | | | | 743-0403-513.22-01 | 5.50 | IT Jan Phone |
| Total for check: 70558 | | | | | 329.58 | |
| UNIFIRST CORPORATION | 70559 | 1/28/2021 | 097 0324206 | 731-1022-541.20-01 | 152.90 | Cleaning Service |
| | | | | Total for check: 70559 | | |
| UNIVERSITY OF WISCONSIN OSHKOSH | 70560 | 1/28/2021 | 18966 | 100-0405-513.21-08 | 1,260.00 | Videotaping/Council Mtg November |
| | | | | Total for check: 70560 | | |
| US PETROLEUM EQUIPMENT | 70561 | 1/28/2021 | 134316 | 731-1022-541.80-05 | 4,986.00 | Hose Reels |
| | | | | Total for check: 70561 | | |

AP Check Register
Check Date: 1/28/2021

Date: 1/28/2021

| <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> | |
|----------------------------|---------------------|-------------------|-------------------------------|-----------------------|-------------------|--------------------------|--------------------------|
| VALLEY EXTERIORS LLC | 70562 | 1/28/2021 | 361 | 204-0308-562.70-01 | 3,030.25 | MR-2020-26 | 339 Oak Street |
| | | | Total for check: 70562 | | 3,030.25 | | |
| VORPAHL FIRE & SAFETY | 70563 | 1/28/2021 | 215310967 | 100-0703-553.30-18 | 275.02 | Gloves | |
| | | | | 731-1022-541.30-18 | 275.02 | Gloves | |
| | | | Total for check: 70563 | | 550.04 | | |
| WE ENERGIES | 70564 | 1/28/2021 | 0428-970-058 | 100-0703-553.22-03 | 18.96 | North Street | Elec 12/4/20 - 1/8/21 |
| | | 1/28/2021 | 7097-295-547 | 100-0703-553.22-03 | 18.96 | North Street | Elec 12/4/20 - 1/8/21 |
| | | 1/28/2021 | 8247-844-693 | 100-0703-553.22-04 | 11.65 | 2170 Plank Road | Gas 12/13/20 - 1/17/21 |
| | | | Total for check: 70564 | | 49.57 | | |
| WEA INSURANCE TRUST | 70565 | 1/28/2021 | 1480110 | 100-0000-204.08-00 | 123,217.06 | Active - Feb | |
| | | | | 120-0000-204.11-00 | 5,533.34 | Retirees - Feb | |
| | | | Total for check: 70565 | | 128,750.40 | | |
| WINNEBAGO COUNTY TREASURER | 70566 | 1/28/2021 | 18628 | 100-0203-512.21-08 | 30.00 | Recording Fee | Site Improvement |
| | | | | 263-0306-562.21-08 | 30.00 | Recording Fee | Satisfaction of Mortgage |
| | | 1/28/2021 | 18821 | 100-1003-541.20-10 | 271.86 | Highway Maintenance | |
| | | 1/28/2021 | 18865 | 100-0805-521.25-01 | 257.30 | Stays | |
| | | 1/28/2021 | LF129121 | 266-1027-543.25-01 | 361.00 | Tires | |
| | | | | 266-1029-543.25-01 | 124.00 | Freon/Microwave Disposal | |
| | | 1/28/2021 | LF129194 | 100-1016-543.25-01 | 17,939.16 | Direct Haul | |
| | | | | 100-1017-543.25-01 | 3,256.26 | Direct Haul | |
| | | | | 266-1027-543.25-01 | 1,337.60 | Direct Haul | |
| | | | | 470-1022-541.82-01 | 1,467.06 | Direct Haul | |
| | | | Total for check: 70566 | | 25,074.24 | | |

AP Check Register
Check Date: 1/28/2021

Date: 1/28/2021

| <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> |
|-------------------------------|---------------------|-------------------|-------------------------------|-----------------------|-------------------|---------------------------|
| WISCONSIN DEPT OF JUSTICE | 70567 | 1/28/2021 | Acct #L7101T | 100-0801-521.21-06 | 70.00 | Transactions 12/1 - 12/31 |
| | | | Total for check: 70567 | | 70.00 | |
| WISCONSIN SUPPORT COLLECTIONS | 70568 | 1/28/2021 | 20210128 | 100-0000-202.03-00 | 614.59 | PAYROLL SUMMARY |
| | | | Total for check: 70568 | | 614.59 | |
| YOURMEMBERSHIP.COM INC | 70569 | 1/28/2021 | R49485046 | 100-0601-551.33-04 | 449.00 | Job Posting |
| | | | Total for check: 70569 | | 449.00 | |
| | | | | | 590,869.28 | |



To: Menasha Common Council

From: Haley Krautkramer, City Clerk

RE: Beverage Operator License (Bartender) Applicants

Date: 1/28/2021

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 2019-2021 licensing period:

Alexandria Brinkman
Abigail Liebhauser
Laura Schneider
Michael Woehrle



MEMORANDUM

To: Common Council
From: Nancy McKenney, MS, RDH, Public Health Director
Date: January 28, 2021
RE: Request to Receive and Spend Wisconsin DHS, DPH ELC Enhancing Detection Supplemental Funds

We are pleased to inform the Common Council that Menasha has been awarded the DHS DPH allocations to assist the City of Menasha to respond to the COVID-19 Public Health Emergency. In addition to \$130,400 previously allocated to support testing and contact tracing, we are requesting permission to receive and spend this additional award to support COVID-19 vaccination activities.

BACKGROUND: Funding awards have been allocated to the City of Menasha Health Department by the Wisconsin DHS, DPH from the ELC Enhancing Detection Supplemental Funds through the Centers for Disease Control and Prevention.

These funds (\$338,800) will be available through October 31, 2022, and can be used for salary, fringe, and other expenses associated with their COVID-19 vaccination efforts. DHS encourages prioritizing the funds to increase workforce capacity and enhance our state's response to COVID-19.

The City of Menasha Health Department proposes to hire vaccination teams to scale up efforts for general public vaccination when State supplies and authorization is obtained.

FISCAL IMPACT: This will increase 2020-2022 revenues and expenditures for COVID-19 Public Health Emergency response efforts.

RECOMMENDATION: Staff recommends receiving and spending these allocations to assist in responding to the COVID-19 Public Health Emergency with vaccination efforts.

SUGGESTED MOTION: The Menasha Common Council approves the Menasha Health Department request to receive and spend the DHS DPH ELC Award in the amount of \$338,400 for Menasha COVID-19 vaccination efforts.



MEMORANDUM

Date: February 2, 2021
To: Common Council
From: Community Development Department/SS
RE: Check 70406 – Landmarks Façade Improvement Grant

Within the check registry and accounts payroll at the January 18, 2021 Common Council, there was a check to Kimberly Massey, check number 70406, for the amount of \$2,323.40 for a façade grant of 230 Main Street. This check was held at this meeting for further consideration and discussion due to the concern of the improvement not meeting the intent of the program.

In the late 1980's/early 1990's the City Common Council created a façade improvement program to assist the commercial downtown properties providing both loans and grants. As of November of 2020 the balance of this fund was \$24,194.

An application for a façade grant for 230 Main Street was brought to the City of Menasha Landmarks Commission on September 30, 2020. It is noted in the application, due to the valuable art for the now current tenant, A Suess Perspective Art Gallery, a high quality window tinting was needed to protect it from UV damages and solar heating from the sun. It is noted in the minutes, the Landmarks Commission discussed its role to promote cultural as well as historic landmarks, its role in downtown revitalization, the placement of the tinted windows, the need for the proposed tenant, the effect on local foot traffic and local economy the gallery could have, the type of art being displayed, and the terms of the owners lease and opening date. Ultimately, finding cultural significance of the items being displayed within the historic building and the landmarks charge to promote and preserve the culture of Menasha, the Commission approved the grant request. These minutes were submitted and approved by the Common Council at the November 2, 2020 meeting.

Attached is the existing program details. Understanding concerns of this past approval following the previous Common Council meeting, staff feels strongly that this Policy can be updated to clearly clarify the purpose and intent of the program to ensure future approvals are in line with the original commitment of funds. With Common Council support, staff would like to bring forward a redline document to the Landmarks Commission at their next meeting on February 10, 2021 for the input and recommendation to the Common Council at the following meeting being February 15, 2021.

**Menasha Landmarks Commission
Facade Improvement Grant/Loan Policies**

Application for facade/grant loans shall be made to the Community Development Department on forms provided by the department.

I. Pre Application

The preliminary application shall include a description of the proposed work including a timetable with a projected start/completion date.

Such description shall include a listing of the number and type of improvements, the type of material, method of construction and color or colors of materials to be used and a rough cost estimate for completing the work.

II. Initial Consultation

The applicant shall meet with the Community Development Director to review the pre application. A preliminary assessment will be made of project eligibility and the appropriateness of materials and/or finishes to be used using National Park Service Guidelines for Rehabilitating Historic Buildings or other standards as may be adopted pursuant to the Landmark's Commission Ordinance. The Director of Community Development may consult with Landmark's Commission members, the State Historical Society, or others of recognized expertise in conducting such assessment.

III. Application

Following the initial consultation the Director of Community Development may authorize proceeding with the application for façade grant/loan funds. Such application shall include a detailed description of the project including those elements described in Section II.

For projects over \$1,000 two written estimates from bona-fide contractors or suppliers shall be submitted. If the owner is proposing to do the work only the cost of materials shall be eligible for funding.

The completed application will be scheduled for review at the next scheduled Landmarks meeting.

IV. Financial Assistance

A. Grants

Grants are available for approved projects on a dollar for dollar match basis up to a maximum of \$2,500 per building façade. A façade shall be defined as a

building elevation which has a primary exposure to a public street or is otherwise highly visible from space dedicated or leased to the public.

For projects related to the implementation of the TID #7 Project Plan, the grant amount may be increased to a maximum of \$10,000 per façade on a dollar for dollar match basis.

Grant funds will be dispersed upon submission of an invoice and verification of completion of the work by the Director of Community Development.

V. Loans

Loans are available for approved projects. Applications shall be reviewed by the Director of Community Development in consultation with the City Comptroller and City Attorney. Such review shall consider the financial capacity of the applicant to repay the loan, and any other considerations relevant to the project or loan program. The applicant may be required to submit corporate and/or personal financial statements, tax returns or other evidence of financial capacity. The applicant may be required to execute a mortgage or provide other means of securing the funds borrowed.

Approved loans will bear interest at the rate of 4% per annum and have a maximum term of one year per \$1,000 borrowed. The maximum loan amount is \$20,000 per project, with a maximum term of ten years.

For projects related to the implementation of the TID #7 Project Plan, loans will bear no interest and repayment of the principal amount shall be deferred until the property is sold or transferred. The maximum amount of the loan shall be \$30,000 per façade.



MEMORANDUM

To: Common Council
From: Alderperson Rebecca Nichols
Date: January 28, 2021
RE: Proposed Amendment to R-2-21

Background

I'm presenting my amendment to R-2-21 in memorandum form to assist with our virtual format and because it's a lengthy amendment. The amendment begins in the BE IT FURTHER RESOLVED portion of the resolution and reads as follows:

NOW THEREFORE BE IT RESOLVED, the City extends a temporary benefit of emergency sick leave, through June 30, 2021, to regular full and part time employees ~~who are fully vaccinated~~, in the following circumstances:

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay where the employee is unable to work because the employee is isolated or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or*
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual in the employee's household subject to isolation or quarantine (pursuant to Federal, State, or local government order or advice of a health care provider).*
- ~~*This benefit is retroactive to January 1st 2021, to employees for which the vaccine is not currently available and who, upon availability, become fully vaccinated. This benefit terminates if an employee who is eligible to receive the vaccine elects not to receive the vaccine or fails to become fully vaccinated.*~~

AND BE IT FURTHER RESOLVED the City shall provide an incentive in the amount of \$150 (\$50 after the first inoculation, \$100 after the second inoculation), to all employees who have been fully vaccinated at the time it is made available to them. This incentive includes NMFR employees and shall be funded at 40.17%, per the 2021 cost distribution formula."

In summary, this amendment extends the Emergency Sick Leave benefit to all employees through June 30, 2021, and it creates an incentive for all employees to get fully vaccinated. Note: any benefit granted to NMFR requires the approval of both Common Councils.

Fiscal Impact

The incentive as described above totals \$22,200 and would be included as part of a future Continuing Appropriations Resolution.



RESOLUTION R-2-21

A RESOLUTION REGARDING EMERGENCY SICK LEAVE FOR EMPLOYEES DURING A COVID-19 PUBLIC HEALTH EMERGENCY

Introduced by Mayor Merkes

WHEREAS, a novel strain of the coronavirus, known as COVID-19, has spread throughout the world, including the United States and the State of Wisconsin causing a pandemic;

WHEREAS, by statutory authority granted to Menasha's Public Health Officer, Emergency Operations Center Incident Command Systems (ICS) are activated and operating since February, 2020;

WHEREAS, on April 6, 2020 the Menasha Common Council, adopted R-17-20, declaring a PUBLIC HEALTH EMERGENCY in the City of Menasha and R-18-20, a RESOLUTION REGARDING CITY OPERATIONS DURING A COVID-19 PUBLIC HEALTH EMERGENCY, both of which are still in effect;

WHEREAS, the COVID-19 virus outbreak continues as progress is made to vaccinate as many people as possible in an effort to contain its spread;

WHEREAS, in order to ensure the City maintains sufficient staffing for essential services it provides, it is imperative all employees, who are medically able, take the vaccination when it is first made available to them;

WHEREAS, the Families First Coronavirus Response Act provided most employees paid emergency sick leave or expanded family medical leave for specified reasons related to COVID-19, during the pandemic, however, expiring December 31, 2020;

WHEREAS, in an effort to encourage employees to take all reasonable steps necessary to prevent exposure to the virus in order to ensure continuity of city services the Common Council and the Mayor support all employees who choose to get vaccinated against the COVID-19 virus;



NOW THEREFORE BE IT RESOLVED, the City extends a temporary benefit of emergency sick leave, through June 30, 2021, to regular full and part time employees who are fully vaccinated, in the following circumstances:

- *Two weeks (up to 80 hours) of **paid sick leave** at the employee's regular rate of pay* where the employee is unable to work because the employee is isolated or quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
- *Two weeks (up to 80 hours) of **paid sick leave** at two-thirds the employee's regular rate of pay* because the employee is unable to work because of a bona fide need to care for an individual in the employee's household subject to isolation or quarantine (pursuant to Federal, State, or local government order or advice of a health care provider).
- This benefit is retroactive to January 1st 2021, to employees for which the vaccine is not currently available and who, upon availability, become fully vaccinated. This benefit terminates if an employee who is eligible to receive the vaccine elects not to receive the vaccine or fails to become fully vaccinated.
- Reasonable accommodation will be made when required.

Adopted, approved and recorded February 1, 2021.

Recommended by:
Common Council

Motion/Second:

Passed:

Requires: Majority Vote

Donald Merkes, Mayor
ATTEST:

Haley Krautkramer, City Clerk



To: City of Menasha Common Council

From: Melanie Krause, General Manager

Date: January 27, 2021

RE: Resolution R-3-21: Resolution Authorizing the Issuance and Sale of \$8,640,000
Revenue Refunding Bonds, Series 2021A

Background Information

On January 4, 2021 the Common Council approved Resolution R-1-21 which allowed the City of enter the bond market to refinance the Utility State Trust Fund Loan.

At this Common Council Meeting we proposed \$8,640,000 Revenue Refunding Bonds:

- Refund the State Trust Fund Loan related to the Electric Utility debt which are currently at an interest rate of 4.25%. The proposed refunding is expected to reduce the debt service expense by approximately **\$1,223,997** over the next 8 years.

The attached resolution has been provided to you in draft form. A representative from Ehlers will be available at the February 1, 2021 Common Council meeting at which the final resolutions and exhibits will be provided. Ehlers is continuing to monitor market conditions and will up until the February 1, 2021 date of sale, and if necessary, the bond sale could be postponed or cancelled if we don't hit meaningful savings targets.

RESOLUTION NO. R-3-21

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF
\$8,385,000 ELECTRIC SYSTEM REVENUE REFUNDING BONDS, SERIES 2021A
OF THE CITY OF MENASHA, CALUMET AND WINNEBAGO COUNTIES, WISCONSIN,
AND PROVIDING FOR THE PAYMENT OF THE BONDS AND
OTHER DETAILS WITH RESPECT TO THE BONDS

Introduced by Mayor Merkes:

WHEREAS, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City") owns and operates its Electric System (the "System") which is operated for a public purpose as a public utility; and

WHEREAS, under the provisions of Section 66.0621, Wisconsin Statutes, any municipality in the State of Wisconsin may, by action of its governing body, provide funds for extending, adding to and improving a public utility or to refund obligations issued to finance such extensions, additions and improvements from the proceeds of bonds, which bonds are payable only from the income and revenues of such utility and are secured by a pledge of the revenues of the utility; and

WHEREAS, the City has outstanding its State Trust Fund Loan, dated March 1, 2017 (the "Refunded Obligations"), which was issued to prepay the City's capital lease with WPPI in connection with the sale and leaseback transaction of the System's distribution assets, including the utility administration building and the City's ownership interest in ATC with WPPI; and

WHEREAS, the City has determined that it is necessary and desirable to refund the Refunded Obligations (the "Refunding") for the purpose of achieving debt service cost savings; and

WHEREAS, it is necessary, desirable and in the best interests of the City to authorize and sell electric system revenue bonds (the "Bonds") for such purpose payable solely from the Revenues of the System, which bonds are to be authorized and issued pursuant to the provisions of Section 66.0621, Wisconsin Statutes; and

WHEREAS, other than the Refunded Obligations, the City has no bonds or obligations outstanding which are payable from the Revenues of the System; and

WHEREAS, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds; and

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on February 1, 2021; and

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on February 1, 2021; and

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, the Common Council of the City of Menasha, Calumet and Winnebago Counties, Wisconsin, do resolve that:

Section 1A. Ratification of the Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization of Bonds. For the purpose of paying the cost of the Refunding, the City shall borrow on the credit of the Revenues of the System the sum of \$8,385,000. Negotiable, fully-registered bonds of the City, in the denomination of \$5,000, or any whole multiple thereof, shall be issued in evidence thereof. The Bonds shall be designated "Electric System Revenue Refunding Bonds, Series 2021A", shall be numbered from R-1 upward and shall be dated February 17, 2021. The Bonds shall bear interest at the rates per annum set forth in the Proposal and shall mature on September 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference.

Interest on the Bonds shall be payable on March 1 and September 1 of each year, commencing September 1, 2021. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

The Bonds maturing on September 1, 2028 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on September 1, 2027 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the

City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

The schedule of maturities is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

The Common Council hereby determines that the Refunding is advantageous and necessary to the City.

Section 1C. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the City nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Special Redemption Fund provided for in Section 4 herein, and shall be a valid claim of the registered owner or owners thereof only against the Special Redemption Fund and the Revenues of the System pledged to such fund. Sufficient Revenues are hereby pledged to said Special Redemption Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the Bonds as the same becomes due.

Section 2. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 3. Definitions. In addition to the words defined elsewhere in this Resolution, the following words shall have the following meanings unless the context or use indicates another or different meaning or intent:

"Annual Debt Service Requirement" means the total amount of principal and interest due in any Fiscal Year on the Bonds and Parity Bonds.

"Bond Year" means the one-year period ending on a principal payment date or mandatory redemption date for the Bonds.

"Bulk Power Supply Engineer" means a nationally recognized engineer, or firm of engineers selected by the City and which has skill and expertise in the field of bulk power supply planning.

"Code" means the Internal Revenue Code of 1986, as amended.

"Credit Obligation" means any obligation of the City under a contract, lease, installment sales agreement or other instrument, including but not limited to any contract entered into with a municipal electric company pursuant to Section 66.0825(8), Wisconsin Statutes, to make payments for property, services or commodities for the benefit or use of the System whether or not the same are made available, furnished or received, or any other obligation of the City under which the City lends credit to or guarantees debts, claims or other obligations of any other person or entity for the purpose of obtaining property, services or other commodities for the System or for the purpose of financing the initial costs of any project of any other person or entity from which property, services or commodities are intended to be obtained for the benefit or use of the

System but only to the extent such obligation requires payment directly or indirectly from a designated fund or account provided for under this Resolution.

"DTC" means The Depository Trust Company, New York, New York, or any successor securities depository for the City with respect to the Bonds.

"Fiscal Year" means the fiscal year adopted by the City for the System, which is currently the calendar year.

"Net Revenues" means the Revenues minus all Operation and Maintenance Expenses of the System.

"Operation and Maintenance Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but excluding depreciation, debt service, tax equivalents, replacements and capital expenditures. Operation and Maintenance Expenses shall also include, without intent to limit the foregoing, all costs of purchasing, producing and delivering electric power and energy and specifically fuel costs, costs of transmission service, reserve service, interchange service, and all other costs of purchased power, including obligations under the Power Supply Contract between the City and WPPI, and all payments required by Credit Obligations.

"Parity Bonds" means additional bonds or obligations issued on a parity as to pledge and lien with the Bonds in accordance with the provisions of Section 7 of this Resolution.

"Power Supply Contract" means the Long Term Power Supply Contract for Participating Members between the City and WPPI entered into under Section 66.0825(8), Wisconsin Statutes.

"Reserve Requirement" means an amount, determined as of the date of issuance of the Bonds, equal to the least of (a) 10% of the stated principal amount of the Bonds (to the extent permitted pursuant to Section 148(d)(1) of the Code and Regulations); (b) the maximum annual debt service on the Bonds in a Bond Year; and (c) 125% of average annual debt service on the Bonds. If Parity Bonds which are to be secured by the Reserve Account are issued, the Reserve Requirement shall mean an amount, determined as of the date of issuance of the Parity Bonds, equal to the least of (a) the amount required to be on deposit in the Reserve Account prior to the issuance of such Parity Bonds, plus the amount permitted to be deposited therein from proceeds of the Parity Bonds pursuant to Section 148(d)(1) of the Code and Regulations; (b) the maximum annual debt service on outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued in a Bond Year; and (c) 125% of average annual debt service on the outstanding obligations secured by the Reserve Account and the Parity Bonds to be issued.

"Regulations" means the Regulations of the Commissioner of Internal Revenue under the Code.

"Revenues" means all income and revenue derived from operation of the System, including the revenues received from the City for services rendered to it and all moneys received from any other source, including income derived from investments.

"System" means the entire Electric System of the City including all property of every nature now or hereafter owned by the City for the generation, transmission, metering and distribution of electric power and energy, including all improvements and extensions thereto made by the City while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such System and including all appurtenances, contracts, leases, franchises and other intangibles.

"WPPI" means WPPI Energy, a municipal electric company organized under Section 66.0825, Wisconsin Statutes.

Section 4. Income and Revenue Funds. When the Bonds shall have been delivered in whole or in part, the Revenues shall be set aside into the Electric System Revenue Fund and then transferred to the following separate and special funds in the order of priority listed below, which funds are hereby created, to be used and applied as described below:

- Revenues in amounts sufficient to provide for the reasonable and proper operation and maintenance of the System through the payment of Operation and Maintenance Expenses shall be set aside into the Electric System Operation and Maintenance Fund (the "Operation and Maintenance Fund").

- Revenues in amounts sufficient to pay the principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement shall be set aside into the Electric System Revenue Bond and Interest Special Redemption Fund (the "Special Redemption Fund"), to be applied to the payment of the principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement. The monies standing in the Special Redemption Fund are irrevocably pledged to the payment of principal of and interest on the Bonds and Parity Bonds.

- Revenues in amounts sufficient to provide a proper and adequate depreciation account for the System shall be set aside into the Electric System Depreciation Fund (the "Depreciation Fund").

The Operation and Maintenance Fund and Depreciation Fund shall be deposited as received in public depositories to be selected by the Common Council in the manner required by Chapter 34, Wisconsin Statutes and may be invested in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Money in the Operation and Maintenance Fund shall be used to pay Operation and Maintenance Expenses as the same come due; money not immediately required for Operation and Maintenance Expenses shall be used to accumulate a reserve in the Operation and Maintenance Fund equal to estimated Operation and Maintenance Expenses for one month. Any money then available and remaining in the Operation and Maintenance Fund may be transferred to the Surplus Fund, which fund is hereby created.

Revenues shall be deposited in the Depreciation Fund each month until such amount as the Common Council may from time to time determine to constitute an adequate and reasonable depreciation account for the System (the "Depreciation Requirement") is accumulated therein. Money in the Depreciation Fund shall be available and shall be used, whenever necessary, to restore any deficiency in the Special Redemption Fund and for the maintenance of the Reserve

Account therein. When the Special Redemption Fund is sufficient for its purpose, funds in the Depreciation Fund may be expended for repairs, replacements, new construction, extensions or additions to the System. Any money on deposit in the Depreciation Fund in excess of the Depreciation Requirement which is not required during the current Fiscal Year for the purposes of the Depreciation Fund, may be transferred to the Surplus Fund.

It is the express intent and determination of the Common Council that the amount of Revenues to be set aside and paid into the Special Redemption Fund (including the Reserve Account) shall in any event be sufficient to pay principal of and interest on the Bonds and Parity Bonds and to meet the Reserve Requirement, and the City Treasurer shall each Fiscal Year deposit at least sufficient Revenues in the Special Redemption Fund to pay promptly all principal and interest falling due on the Bonds and Parity Bonds and to meet the Reserve Requirement.

The Revenues so set aside for payment of the principal of and interest on the Bonds and Parity Bonds shall be set apart and shall be paid into the Special Redemption Fund not later than the 10th day of each month. The amount deposited each month shall be not less than one-sixth of the interest next coming due, plus one-twelfth of the principal next maturing.

The minimum amounts to be so deposited for debt service on the Bonds are set forth on the Schedule.

The Special Redemption Fund shall be used for no purpose other than the payment of interest upon and principal of the Bonds and Parity Bonds promptly as the same become due and payable or to pay redemption premiums. All money in the Special Redemption Fund shall be deposited in a special account and invested in legal investments subject to Section 66.0603(1m), Wisconsin Statutes, and the monthly payments required to be made to the Special Redemption Fund shall be made directly to such account.

To additionally secure the payment of principal of and interest on the Bonds and Parity Bonds, an account designated the Debt Service Reserve Account (the "Reserve Account") is hereby established within the Special Redemption Fund. The City shall, upon the issuance of the Bonds, deposit an amount equal to the Reserve Requirement into the Reserve Account, and an amount equal to the Reserve Requirement shall be maintained in the Reserve Account.

The City covenants and agrees that at any time that the Reserve Account is drawn on and the amount in the Reserve Account shall be less than the Reserve Requirement, an amount equal to one-twelfth of the Reserve Requirement will be paid monthly into the Reserve Account from those funds in the Special Redemption Fund, the Operation and Maintenance Fund, the Depreciation Fund and the Surplus Fund which are in excess of the minimum amounts required by the preceding paragraphs to be paid therein until the Reserve Requirement will again have accumulated in the Reserve Account. No such payments need to be made into the Reserve Account at such times as the monies in the Reserve Account are equal to the highest remaining annual debt service requirement on the Bonds and Parity Bonds secured by the Reserve Account in any Bond Year. If at any time the amount on deposit in the Reserve Account exceeds the Reserve Requirement, the excess shall be transferred to the Special Redemption Fund and used to pay principal and interest on the Bonds. If for any reason there shall be insufficient funds on hand in the Special Redemption Fund to meet principal or interest becoming due on the Bonds or

Parity Bonds secured by the Reserve Account, then all sums then held in the Reserve Account shall be used to pay the portion of interest or principal on such Bonds or Parity Bonds becoming due as to which there would otherwise be default, and thereupon the payments required by this paragraph shall again be made into the Reserve Account until an amount equal to the Reserve Requirement is on deposit in the Reserve Account.

Funds in the Special Redemption Fund in excess of the minimum amounts required to be paid therein plus reserve requirements may be transferred to the Surplus Fund.

Money in the Surplus Fund shall first be used when necessary to meet requirements of the Operation and Maintenance Fund including the one month reserve, the Special Redemption Fund including the Reserve Account, and the Depreciation Fund. Any money then remaining in the Surplus Fund at the end of any Fiscal Year may be used only as permitted and in the order specified in Section 66.0811(2), Wisconsin Statutes. Money thereafter remaining in the Surplus Fund may be transferred to any of the funds or accounts created by this section.

Section 5. Service to the City. The reasonable cost and value of any service rendered to the City by the System by furnishing electric services for public purposes shall be charged against the City and shall be paid by it in monthly installments as the service accrues, out of the current revenues of the City collected or in the process of collection, exclusive of the Revenues, and out of the tax levy of the City made by it to raise money to meet its necessary current expenses. It is hereby found and determined that the reasonable cost and value of such service to the City in each year shall be in an amount which, together with Revenues of the System, will produce Net Revenues equivalent to not less than 1.25 times the Annual Debt Service Requirement. Such compensation for such service rendered to the City shall, in the manner provided hereinabove, be paid into the separate and special funds described in Section 4 of this Resolution. However, such payment is subject to (a) annual appropriations by the Common Council therefor, (b) approval of the Wisconsin Public Service Commission, or successors to its function, if necessary, and (c) applicable levy limits, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the City to make any such appropriation over and above the reasonable cost and value of services rendered to the City and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 6. Operation of System; City Covenants. It is covenanted and agreed by the City with the owner or owners of the Bonds, and each of them, that:

(a) The City will faithfully and punctually perform all duties with reference to the System required by the Constitution and Statutes of the State of Wisconsin, including the making and collecting of reasonable and sufficient rates lawfully established for services rendered by the System, and will collect and segregate the Revenues of the System and apply them to the respective funds and accounts described hereinabove;

(b) The City will not sell, lease, or in any manner dispose of the System, including any part thereof or any additions, extensions, or improvements that may be made part thereto, except that the City shall have the right to sell, lease or otherwise dispose of any property of the System found by the Common Council to be neither necessary nor useful in the

operation of the System, provided the proceeds received from such sale, lease or disposal shall be paid into the Special Redemption Fund or applied to the acquisition or construction of capital facilities for use in the normal operation of the System, and such payment shall not reduce the amounts otherwise required to be paid into the Special Redemption Fund;

(c) The City will pay or cause to be paid all lawful taxes, assessments, governmental charges, and claims for labor, materials or supplies which if unpaid could become a lien upon the System or its Revenues or could impair the security of the Bonds;

(d) The City will maintain in reasonably good condition and operate the System, and will establish, charge and collect such lawfully established rates and charges for the service rendered by the System, so that in each Fiscal Year Net Revenues shall not be less than 125% of the Annual Debt Service Requirement, and so that the Revenues of the System herein agreed to be set aside to provide for the payment of the Bonds and Parity Bonds and the interest thereon as the same becomes due and payable, and to meet the Reserve Requirement, will be sufficient for those purposes;

(e) The City will prepare a budget not less than sixty days prior to the end of each Fiscal Year and, in the event such budget indicates that the Net Revenues for each Fiscal Year will not exceed the Annual Debt Service Requirement for each corresponding Fiscal Year by the proportion stated hereunder, will take any and all steps permitted by law to increase rates so that the aforementioned proportion of Net Revenues to the Annual Debt Service Requirement shall be accomplished as promptly as possible;

(f) The City will keep proper books and accounts relative to the System separate from all other records of the City and will cause such books and accounts to be audited annually by a recognized independent firm of certified public accountants including a balance sheet and a profit and loss statement of the System as certified by such accountants. Each such audit, in addition to whatever matters may be thought proper by the accountants to be included therein shall include the following: (1) a statement in detail of the income and expenditures of the System for the Fiscal Year; (2) a statement of the Net Revenues of the System for such Fiscal Year; (3) a balance sheet as of the end of such Fiscal Year; (4) the accountants' comment regarding the manner in which the City has carried out the requirements of this Resolution and the accountants' recommendations for any changes or improvements in the operation of the System; (5) the number of connections to the System at the end of the Fiscal Year, for each user classification (i.e., residential, commercial, public and industrial); and (6) a list of the insurance policies in force at the end of the Fiscal Year setting out as to each policy the amount of the policy, the risks covered, the name of the insurer, and the expiration date of the policy; and

(g) So long as any of the Bonds are outstanding the City will carry for the benefit of the owners of the Bonds insurance of the kinds and in the amounts normally carried by private companies or other public bodies engaged in the operation of similar systems. All money received for loss of use and occupancy shall be considered Revenue of the System payable into the separate funds and accounts named in Section 4 of this Resolution. All money received for losses under any casualty policies shall be used in repairing the damage or in replacing the property destroyed provided that if the Common Council shall find it is inadvisable to repair such damage or replace such property and that the operation of the System has not been impaired

thereby, such money shall be deposited in the Special Redemption Fund, but in that event such payments shall not reduce the amounts otherwise required to be paid into the Special Redemption Fund.

Section 7. Additional Bonds. No bonds or obligations payable out of the Revenues of the System may be issued in such manner as to enjoy priority over the Bonds. Additional obligations may be issued if their lien and pledge is junior and subordinate to that of the Bonds. Additional obligations may be issued on a parity with the Bonds as to the pledge of Revenues of the System ("Parity Bonds") only if all of the following conditions are met:

(a) (i) The Net Revenues for the last completed Fiscal Year preceding the issuance of such additional obligations must have been at least equal to one and one-quarter (1.25) times the average combined annual interest and principal requirements on all Bonds and any Parity Bonds then outstanding payable from the Net Revenues of the System (other than Bonds and any Parity Bonds being refunded), and the obligations so proposed to be issued, for any succeeding Fiscal Year in which there shall be a principal maturity on such outstanding bonds; provided, however, that if prior to the authorization of such additional obligations the City shall have adopted and put into effect a revised schedule of rates, then the Net Revenues of the System for the last completed Fiscal Year which would, in the written opinion of a municipal advisor, independent consulting engineer or independent certified public accountant employed for that purpose, have resulted from such rates had they been in effect for such period may be used in lieu of the actual Net Revenues for the last completed Fiscal Year; or

(ii) A municipal advisor, independent certified public accountant or consulting professional engineer provides a certificate setting forth for each of the three Fiscal Years commencing with the Fiscal Year following that in which the projects financed by such additional obligations are to be completed, the projected Net Revenues and the maximum annual interest and principal requirements on all bonds outstanding payable from the Net Revenues of the System and on the obligations then to be issued (the "Maximum Annual Debt Service Requirement"); and demonstrating that for each such Fiscal Year the projected Net Revenues will be in an amount not less than 125% of such Maximum Annual Debt Service Requirement;

(b) The payments required to be made into the funds and accounts enumerated in Section 4 of this Resolution (including the Reserve Account, but not the Surplus Fund) must have been made in full.

(c) The Parity Bonds must have principal maturing on September 1 of each year in which principal falls due and interest falling due on March 1 and September 1 of each year.

(d) If the Parity Bonds are to be secured by the Reserve Account, the amount on deposit in the Reserve Account must be increased to an amount equal to the Reserve Requirement applicable upon the issuance of Parity Bonds as defined in Section 3 of this Resolution.

(e) The proceeds of the Parity Bonds must be used only for the purpose of providing additions, extensions or improvements to the System, or to refund obligations issued for such purpose.

Section 8. Credit Obligations. (a) To the extent permitted by law, the City may undertake any Credit Obligation which directly or indirectly requires payments from the Operation and Maintenance Fund, but only if it shall first obtain an opinion of a Bulk Power Supply Engineer to the effect that: (i) the property, services or commodities to be furnished pursuant to such Credit Obligation may be used beneficially by the City to meet the power and energy requirements of the System; and (ii) the obtaining of such property, services or commodities is technically and economically justifiable in accordance with prudent municipal utility management practice.

(b) To the extent permitted by law, the City may undertake any Credit Obligation that directly or indirectly requires payments from the Surplus Fund, subject to any prior use of such monies for the benefit of the Bonds pursuant to Section 4 of this Resolution without meeting the requirements of subsection (a).

(c) The Bulk Power Supply Engineer may, in making all estimates required to be made or necessary to render any opinion required under this Section, rely upon estimates supplied by other engineers or information supplied by other persons, including an authorized representative of the City, who the Bulk Power Supply Engineer believes to be qualified and to have access to the necessary information to make such estimates and to provide such information.

Section 9. Sale of Bonds. The bid of the Purchaser for the purchase price set forth in the Proposal be and it hereby is accepted and the Mayor and City Clerk are authorized and directed to execute an acceptance of the offer of said successful bidder on behalf of the City. The good faith deposit of the Purchaser shall be applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The officers of the City are authorized and directed to do any and all acts necessary to conclude delivery of the Bonds to the Purchaser, upon receipt of the purchase price, as soon after adoption of this Resolution as is convenient.

Section 10. Application of Bond Proceeds. All accrued interest received from the sale of the Bonds shall be deposited into the Special Redemption Fund. An amount of proceeds of the Bonds, to the extent necessary to make the amount on deposit in the Reserve Account equal to the Reserve Requirement, shall be deposited in the Reserve Account. An amount of proceeds of the Bonds sufficient to provide for the payment of the Refunded Obligations shall be deposited in a special account designated the "Refunding Fund" for that purpose. The balance remaining in said Refunding Fund after paying said costs shall be transferred to the Special Redemption Fund for use in payment of principal of and interest on the Bonds.

Section 11. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except:

a. The City may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and

b. This Resolution may be amended, in any respect, with the written consent of the owners of not less than two-thirds of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the City; provided, however, that no amendment shall permit any change in the pledge of Revenues derived from the System, or in the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 12. Defeasance. When all Bonds have been discharged, all pledges, liens, covenants and other rights granted to the owners thereof by this Resolution shall cease. The City may discharge all Bonds due on any date by depositing into a special account on or before that date a sum sufficient to pay the same in full; or if any Bonds should not be paid when due, it may nevertheless be discharged by depositing into a special account a sum sufficient to pay it in full with interest accrued from the due date to the date of such deposit. The City, at its option, may also discharge all Bonds called for redemption on any date when they are prepayable according to their terms, by depositing into a special account on or before that date a sum sufficient to pay them in full, with the required redemption premium, if any, provided that notice of redemption has been duly given as required by this Resolution. The City, at its option, may also discharge all Bonds of said issue at any time by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the City's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the City's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for. Upon such payment or deposit, in the amount and manner provided by this Section, all liability of the City with respect to the Bonds shall cease, terminate and be completely discharged, and the owners thereof shall be entitled only to payment out of the money so deposited.

Section 13. Investments and Arbitrage. Monies accumulated in any of the funds and accounts referred to in Sections 4 and 10 hereof which are not immediately needed for the respective purposes thereof, may be invested in legal investments subject to the provisions of Sec. 66.0603(1m), Wisconsin Statutes, until needed. All income derived from such investments shall be credited to the fund or account from which the investment was made; provided, however, that at any time that the Reserve Requirement is on deposit in the Reserve Account, any income derived from investment of the Reserve Account shall be deposited into the Special Redemption Fund and used to pay principal and interest on the Bonds. A separate banking account is not required for each of the funds and accounts established under this Resolution; however, the monies in each fund or account shall be accounted for separately by the City and used only for the respective purposes thereof. The proceeds of the Bonds shall be used solely for the purposes for which they are issued but may be temporarily invested until needed in legal

investments. No such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations.

An officer of the City, charged with the responsibility for issuing the Bonds, shall, on the basis of the facts, estimates and circumstances in existence on the date of closing, make such certifications as are necessary to permit the conclusion that the Bonds are not "arbitrage bonds" under Section 148 of the Code or the Regulations.

Section 14. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the City and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 10, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the City, the governing body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the City, its governing body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City.

Section 16. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 17. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 18. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 19. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

The foregoing covenants shall remain in full force and effect, notwithstanding the defeasance of the Bonds, until the date on which all of the Bonds have been paid in full.

Section 20. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 21. Redemption of Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on March 4, 2021 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to take all actions necessary for the redemption of the Refunded Obligations on their redemption date. Any and all actions heretofore taken by the officers and agents of the City to effectuate such redemption are hereby ratified and approved.

Section 22. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to Old National Bank at Closing for further distribution as directed by Ehlers.

Section 23. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or the Official Statement are hereby ratified and approved. In connection with the closing of the Bonds, the appropriate City official shall certify the Preliminary Official Statement and any addenda or the Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or the Official Statement to be distributed to the Purchaser.

Section 24. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 25. Record Book. The City shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 26. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 27. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of

the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent, sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 28. Conflicting Ordinances or Resolutions. All prior ordinances, resolutions, rules, or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage.

Adopted, approved and recorded February 1, 2021.

Donald Merkes
Mayor

ATTEST:

Haley Krautkramer
City Clerk

(SEAL)

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

NOTICE OF SALE

\$8,640,000* ELECTRIC SYSTEM REVENUE REFUNDING BONDS, SERIES 2021A CITY OF MENASHA, WISCONSIN

Bids for the purchase of \$8,640,000* Electric System Revenue Refunding Bonds, Series 2021A (the "Bonds") of the City of Menasha, Wisconsin (the "City") will be received at the offices of Ehlers and Associates, Inc. ("Ehlers"), 3060 Centre Pointe Drive, Roseville, Minnesota 55113-1105, municipal advisors to the City, until 10:30 A.M., Central Time, and **ELECTRONIC PROPOSALS** will be received via **PARITY**, in the manner described below, until 10:30 A.M. Central Time, on February 1, 2021, at which time they will be opened, read and tabulated. The bids will be presented to the Common Council for consideration for award by resolution at a meeting to be held at 6:00 P.M., Central Time, on the same date. The bid offering to purchase the Bonds upon the terms specified herein and most favorable to the City will be accepted unless all bids are rejected.

PURPOSE

The Bonds are being issued pursuant to Section 66.0621, Wisconsin Statutes, to provide funds for the public purpose of current refunding the City's State Trust Fund Loan, dated March 1, 2017. The Bonds are not general obligations of the City but are payable only from and secured by a pledge of Net Revenues of the Electric System.

DATES AND MATURITIES

The Bonds will be dated February 17, 2021, will be issued as fully registered Bonds in the denomination of \$5,000 each, or any integral multiple thereof, and will mature on September 1 as follows:

| <u>Year</u> | <u>Amount*</u> | <u>Year</u> | <u>Amount*</u> | <u>Year</u> | <u>Amount*</u> |
|-------------|----------------|-------------|----------------|-------------|----------------|
| 2021 | \$965,000 | 2024 | \$945,000 | 2027 | \$975,000 |
| 2022 | 925,000 | 2025 | 950,000 | 2028 | 985,000 |
| 2023 | 935,000 | 2026 | 960,000 | 2029 | 1,000,000 |

ADJUSTMENT OPTION

* The City reserves the right to increase or decrease the principal amount of the Bonds on the day of sale, in increments of \$5,000 each. Increases or decreases may be made in any maturity. If any principal amounts are adjusted, the purchase price proposed will be adjusted to maintain the same gross spread per \$1,000.

TERM BOND OPTION

Bids for the Bonds may contain a maturity schedule providing for any combination of serial bonds and term bonds, subject to mandatory redemption, so long as the amount of principal maturing or subject to mandatory redemption in each year conforms to the maturity schedule set forth above. All dates are inclusive.

INTEREST PAYMENT DATES AND RATES

Interest will be payable on September 1 and March 1 of each year, commencing September 1, 2021, to the registered owners of the Bonds appearing of record in the bond register as of the close of business on the 15th day (whether or not a business day) of the immediately preceding month. Interest will be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to rules of the Municipal Securities Rulemaking Board. All

Bonds of the same maturity must bear interest from date of issue until paid at a single, uniform rate. Each rate must be expressed in an integral multiple of 5/100 or 1/8 of 1%.

BOOK-ENTRY-ONLY FORMAT

Unless otherwise specified by the purchaser, the Bonds will be designated in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York ("DTC"). DTC will act as securities depository for the Bonds, and will be responsible for maintaining a book-entry system for recording the interests of its participants and the transfers of interests between its participants. The participants will be responsible for maintaining records regarding the beneficial interests of the individual purchasers of the Bonds. So long as Cede & Co. is the registered owner of the Bonds, all payments of principal and interest will be made to the depository which, in turn, will be obligated to remit such payments to its participants for subsequent disbursement to the beneficial owners of the Bonds.

PAYING AGENT

The City has selected the Finance Director to act as paying agent (the "Paying Agent"). The City reserves the right to remove the Paying Agent and to appoint a successor.

OPTIONAL REDEMPTION

At the option of the City, the Bonds maturing on or after September 1, 2028 shall be subject to optional redemption prior to maturity on September 1, 2027 or any date thereafter, at a price of par plus accrued interest.

Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the selection of the amounts and maturities of the Bonds to be redeemed shall be at the discretion of the City. If only part of the Bonds having a common maturity date are called for redemption, then the City or Paying Agent, if any, will notify DTC of the particular amount of such maturity to be redeemed. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interest in such maturity to be redeemed.

Notice of such call shall be given by sending a notice by registered or certified mail, facsimile or electronic transmission, overnight delivery service or in any other manner required by DTC, not less than 30 days nor more than 60 days prior to the date fixed for redemption to the registered owner of each Bond to be redeemed at the address shown on the registration books.

DELIVERY

On or about February 17, 2021, the Bonds will be delivered without cost to the winning bidder at DTC. On the day of closing, the City will furnish to the winning bidder the opinion of bond counsel hereinafter described, an arbitrage certification, and certificates verifying that no litigation in any manner questioning the validity of the Bonds is then pending or, to the best knowledge of officers of the City, threatened. Payment for the Bonds must be received by the City at its designated depository on the date of closing in immediately available funds.

LEGAL MATTERS

An opinion as to the validity of the Bonds and the exemption from federal taxation of the interest thereon will be furnished by Quarles & Brady LLP, Bond Counsel to the City, and will be available at the time of delivery of the Bonds. The legal opinion will be issued on the basis of existing law and will state that the Bonds are valid and binding special obligations of the City; provided that the rights of the owners of the Bonds and the enforceability of the Bonds may be limited by bankruptcy, insolvency, reorganization, moratorium, and other similar laws affecting creditors' rights and by equitable principles (which may be applied in either a legal or equitable proceeding). (See "FORM OF LEGAL OPINION" found in Appendix B of the Preliminary Official Statement.)

Quarles & Brady LLP has also been retained by the City to serve as Disclosure Counsel to the City with respect to the Bonds. Although, as Disclosure Counsel to the City, Quarles & Brady LLP has assisted the City with certain disclosure matters, Quarles & Brady LLP has not undertaken to independently verify the accuracy, completeness or sufficiency of this Official Statement or other offering material relating to the Bonds and assumes no responsibility whatsoever nor shall have any liability to any other party for the statements or information contained or incorporated by reference in this Official Statement. Further, Quarles & Brady LLP makes no representation as to the suitability of the Bonds for any investor.

SUBMISSION OF BIDS

Bids must not be for less than \$8,553,600 nor more than \$9,331,200 plus accrued interest on the principal sum of \$8,640,000 from date of original issue of the Bonds to date of delivery. Prior to the time established above for the opening of bids, interested parties may submit a bid as follows:

- 1) Electronically to bondsale@ehlers-inc.com; or
- 2) Electronically via **PARITY** in accordance with this Notice of Sale until 10:30 A.M. Central Time, but no bid will be received after the time for receiving bids specified above. To the extent any instructions or directions set forth in **PARITY** conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about **PARITY**, potential bidders may contact Ehlers or i-Deal LLC at 1359 Broadway, 2nd Floor, New York, New York 10018, Telephone (212) 849-5021.

Bids must be submitted to Ehlers via one of the methods described above and must be received prior to the time established above for the opening of bids. Each bid must be unconditional except as to legality. Neither the City nor Ehlers shall be responsible for any failure to receive a facsimile submission.

A good faith deposit ("Deposit") in the amount of \$172,800 shall be made by the winning bidder by wire transfer of funds. Such Deposit shall be received by Ehlers no later than two hours after the bid opening time. Wire transfer instructions will be provided to the winning bidder by Ehlers after the tabulation of bids. The City reserves the right to award the Bonds to a winning bidder whose wire transfer is initiated but not received by such time provided that such winning bidder's federal wire reference number has been received by such time. In the event the Deposit is not received as provided above, the City may award the Bonds to the bidder submitting the next best bid provided such bidder agrees to such award. The Deposit will be retained by the City as liquidated damages if the bid is accepted and the Purchaser fails to comply therewith.

The City and the winning bidder who chooses to so wire the Deposit hereby agree irrevocably that Ehlers shall be the escrow holder of the Deposit wired to such account subject only to these conditions and duties: 1) All income earned thereon shall be retained by the escrow holder as payment for its expenses; 2) If the bid is not accepted, Ehlers shall, at its expense, promptly return the Deposit amount to the winning bidder; 3) If the bid is accepted, the Deposit shall be returned to the winning bidder at the closing; 4) Ehlers shall bear all costs of maintaining the escrow account and returning the funds to the winning bidder; 5) Ehlers shall not be an insurer of the Deposit amount and shall have no liability hereunder except if it willfully fails to perform or recklessly disregards, its duties specified herein; and 6) FDIC insurance on deposits within the escrow account shall be limited to \$250,000 per bidder.

No bid can be withdrawn after the time set for receiving bids unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made.

AWARD

The Bonds will be awarded to the bidder offering the lowest interest rate to be determined on a True Interest Cost (TIC) basis. The City's computation of the interest rate of each bid, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Bonds will be awarded by lot. The City reserves the right to reject any and all bids and to waive any informality in any bid.

BOND INSURANCE

If the Bonds are qualified for any bond insurance policy, the purchase of such policy shall be at the sole option and expense of the winning bidder. Any cost for such insurance policy is to be paid by the winning bidder, except that, if the City requested and received a rating on the Bonds from a rating agency, the City will pay that rating fee. Any rating agency fees not requested by the City are the responsibility of the winning bidder.

Failure of the municipal bond insurer to issue the policy after the Bonds are awarded to the winning bidder shall not constitute cause for failure or refusal by the winning bidder to accept delivery of the Bonds.

CUSIP NUMBERS

The City will assume no obligation for the assignment or printing of CUSIP numbers on the Bonds or for the correctness of any numbers printed thereon, but will permit such numbers to be printed at the expense of the winning bidder, if the winning bidder waives any delay in delivery occasioned thereby.

QUALIFIED TAX-EXEMPT OBLIGATIONS

The City will designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

CONTINUING DISCLOSURE

In order to assist the Underwriters in complying with the provisions of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 the City will enter into an undertaking for the benefit of the holders of the Bonds. A description of the details and terms of the undertaking is set forth in Appendix D of the Official Statement.

NEW ISSUE PRICING

The winning bidder will be required to provide, in a timely manner, certain information necessary to compute the yield on the Bonds pursuant to the provisions of the Internal Revenue Code of 1986, as amended, and to provide a certificate which will be provided by Bond Counsel upon request.

(a) The winning bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate satisfactory to Bond Counsel setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City's municipal advisor identified herein and any notice or report to be provided to the City may be provided to the City's municipal advisor.

(b) The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

- (1) The City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential investors;
- (2) all bidders shall have an equal opportunity to bid;
- (3) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in this bid.

(c) If all of the requirements of a "competitive sale" are not satisfied, the City shall advise the winning bidder of such fact prior to the time of award of the sale of the Bonds to the winning bidder. In such event, any bid submitted will not be subject to cancellation or withdrawal and the City agrees to use the rule selected by the winning bidder on its bid form to determine the issue price for the Bonds. On its bid form, each bidder must select one of the following two rules for determining the issue price of the Bonds: (1) the first price at which 10% of a maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity or (2) the initial offering price to the public as of the sale date as the issue price of each maturity of the Bonds (the "hold-the-offering-price rule").

(d) If all of the requirements of a "competitive sale" are not satisfied and the winning bidder selects the hold-the-offering-price rule, the winning bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the "initial offering price"), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the hold-the-offering-price rule shall apply to any person at a price that is higher than the initial offering price to the public during the period starting on the sale date and ending on the earlier of the following:

- (1) the close of the fifth (5th) business day after the sale date; or
- (2) the date on which the underwriters have sold at least 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The winning bidder will advise the City promptly after the close of the fifth (5th) business day after the sale whether it has sold 10% of that maturity of the Bonds to the public at a price that is no higher than the initial offering price to the public.

The City acknowledges that in making the representation set forth above, the winning bidder will rely on:

(i) the agreement of each underwriter to comply with requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-price rule, if applicable to the Bonds, as set forth in an agreement among underwriters and the related pricing wires,

(ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires, and

(iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is party to such agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price rule of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule, if applicable to the Bonds, and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the hold-the-offering-price rule as applicable to the Bonds.

(e) If all of the requirements of a "competitive sale" are not satisfied and the winning bidder selects the 10% test, the winning bidder agrees to promptly report to the City, Bond Counsel and Ehlers the prices at which the Bonds have been sold to the public. That reporting obligation shall continue, whether or not the closing date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to each maturity of the Bonds, provided that, the winning bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the City or bond counsel.

(f) By submitting a bid, each bidder confirms that:

(i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is party to such third-party distribution agreement, as applicable, to:

(A) report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred until either all securities of that maturity allocated to it have been sold or it is notified by the winning bidder that either the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the City or bond counsel.

(B) comply with the hold-the-offering-price rule, if applicable, in each case if and for so long as directed by the winning bidder and as set forth in the related pricing wires, and

(ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group and each broker dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to:

(A) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and

(B) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public.

(g) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),
- (iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and
- (iv) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

PRELIMINARY OFFICIAL STATEMENT

Bidders may obtain a copy of the Preliminary Official Statement relating to the Bonds prior to the bid opening by request from Ehlers at www.ehlers-inc.com by connecting to the Bond Sales link. The Syndicate Manager will be provided with an electronic copy of the Final Official Statement within seven business days of the bid acceptance. Up to 10 printed copies of the Final Official Statement will be provided upon request. Additional copies of the Final Official Statement will be available at a cost of \$10.00 per copy.

Information for bidders and bid forms may be obtained from Ehlers at 3060 Centre Pointe Drive, Roseville, Minnesota 55113-1105, Telephone (651) 697-8500.

By Order of the Common Council

Jennifer Sassman, Finance Director/Treasurer
City of Menasha, Wisconsin

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

BID TABULATION

\$8,640,000* Electric System Revenue Refunding Bonds, Series 2021A

City of Menasha, Wisconsin

SALE: February 1, 2021

AWARD: BANKERS' BANK

Non-Rated

Tax Exempt - Bank Qualified

| NAME OF BIDDER | MATURITY (September 1) | RATE | REOFFERING YIELD | PRICE | NET INTEREST COST | TRUE INTEREST RATE |
|--|------------------------------|--------|---------------------|----------------|-------------------------|--------------------------|
| BANKERS' BANK Madison, Wisconsin | 2021 | 1.000% | 0.250% | \$8,744,979.60 | \$291,330.40 | 0.7287% |
| | 2022 | 1.000% | 0.300% | | | |
| | 2023 | 1.000% | 0.350% | | | |
| | 2024 | 1.000% | 0.400% | | | |
| | 2025 | 1.000% | 0.500% | | | |
| | 2026 | 1.000% | 0.600% | | | |
| | 2027 | 1.000% | 0.700% | | | |
| | 2028 | 1.000% | 0.800% | | | |
| | 2029 | 1.000% | 0.900% | | | |
| D.A. DAVIDSON Denver, Colorado | | | | \$8,913,878.90 | \$518,741.10 | 1.2796% |
| NORTHLAND SECURITIES, INC. Minneapolis, Minnesota | | | | \$8,876,052.80 | \$674,051.59 | 1.6791% |
| BAIRD Milwaukee, Wisconsin | | | | \$8,987,775.05 | \$841,154.95 | 2.0621% |

* Subsequent to bid opening the issue size was decreased to \$8,385,000.

Adjusted Price - \$8,487,053.75

Adjusted Net Interest Cost - \$282,432.08

Adjusted TIC - 0.7281%

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

BID FORM

The Common Council
City of Menasha, Wisconsin

February 1, 2021

RE: \$8,640,000* Electric System Revenue Refunding Bonds, Series 2021A (the "Bonds")
DATED: February 17, 2021

For all or none of the above Bonds, in accordance with the Notice of Sale and terms of the Global Book-Entry System (unless otherwise specified by the Purchaser) as stated in this Official Statement, we will pay you \$ 8,744,979.60 (not less than \$8,553,600 nor more than \$9,331,200) plus accrued interest to date of delivery for fully registered Bonds bearing interest rates and maturing in the stated years as follows:

| | | | | | | | | |
|-------------|-------|------|-------------|-------|------|-------------|-------|------|
| <u>1.00</u> | % due | 2021 | <u>1.00</u> | % due | 2024 | <u>1.00</u> | % due | 2027 |
| <u>1.00</u> | % due | 2022 | <u>1.00</u> | % due | 2025 | <u>1.00</u> | % due | 2028 |
| <u>1.00</u> | % due | 2023 | <u>1.00</u> | % due | 2026 | <u>1.00</u> | % due | 2029 |

* The City reserves the right to increase or decrease the principal amount of the Bonds on the day of sale, in increments of \$5,000 each. Increases or decreases may be made in any maturity. If any principal amounts are adjusted, the purchase price proposed will be adjusted to maintain the same gross spread per \$1,000.

All Bonds of the same maturity must bear interest from date of issue until paid at a single, uniform rate. Each rate must be expressed in an integral multiple of 5/100 or 1/8 of 1%.

A good faith deposit ("Deposit") in the amount of \$172,800 shall be made by the winning bidder by wire transfer of funds. Such Deposit shall be received by Ehlers no later than two hours after the bid opening time. Wire transfer instructions will be provided to the winning bidder by Ehlers after the tabulation of bids. The City reserves the right to award the Bonds to a winning bidder whose wire transfer is initiated but not received by such time provided that such winning bidder's federal wire reference number has been received by such time. In the event the Deposit is not received as provided above, the City may award the Bonds to the bidder submitting the next best bid provided such bidder agrees to such award. The Deposit will be retained by the City as liquidated damages if the bid is accepted and the Purchaser fails to comply therewith. We agree to the conditions and duties of Ehlers and Associates, Inc., as escrow holder of the Deposit, pursuant to the Notice of Sale. This bid is for prompt acceptance and is conditional upon delivery of said Bonds to The Depository Trust Company, New York, New York, in accordance with the Notice of Sale. Delivery is anticipated to be on or about February 17, 2021.

This bid is subject to the City's agreement to enter into a written undertaking to provide continuing disclosure under Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 as described in the Preliminary Official Statement for the Bonds.

We have received and reviewed the Official Statement, and any addenda thereto, and have submitted our requests for additional information or corrections to the Final Official Statement. As Syndicate Manager, we agree to provide the City with the reoffering price of the Bonds within 24 hours of the bid acceptance.

This bid is a firm offer for the purchase of the Bonds identified in the Notice of Sale, on the terms set forth in this bid form and the Notice of Sale, and is not subject to any conditions, except as permitted by the Notice of Sale.

By submitting this bid, we confirm that we are an underwriter and have an established industry reputation for underwriting new issuances of municipal bonds.
YES: ☒ NO: ☐

If the competitive sale requirements are not met, we elect to use either the: ☐ 10% test, or the ☒ hold-the-offering-price rule to determine the issue price of the Bonds.

Account Manager: Bankers' Bank By: Garratt Marr - FVP 

Account Members:

Award will be on a true interest cost basis. According to our computations (the correct computation being controlling in the award), the total dollar interest cost (including any discount or less any premium) computed from February 17, 2021 of the above bid is \$ 291,330.40 and the true interest cost (TIC) is .7287 %.

The foregoing offer is hereby accepted by and on behalf of the Common Council of the City of Menasha, Wisconsin, on February 1, 2021.

By: _____ By: _____
Title: _____ Title: _____

* Subsequent to bid opening the issue size was decreased to \$8,385,000.

Adjusted Price - \$8,487,053.75 Adjusted Net Interest Cost - \$282,432.08 Adjusted TIC - 0.7281%

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

City of Menasha, Wisconsin

\$8,385,000 Electric System Revenue Refunding Bonds, Series 2021A

SINGLE PURPOSE

Dated February 17, 2021 Winning Bidder: Bankers' Bank

Pricing Summary

| | Type of | | | Maturity | | | | Call | Dollar | |
|------------|--------------|--------|--------|----------------|----------|-----|-----------|------------|----------------|------------|
| Maturity | Bond | Coupon | Yield | Value | Price | YTM | Call Date | Price | Price | |
| 09/01/2021 | Serial Coupo | 1.000% | 0.250% | 930,000.00 | 100.403% | - | - | - | 933,747.90 | |
| 09/01/2022 | Serial Coupo | 1.000% | 0.300% | 900,000.00 | 101.073% | - | - | - | 909,657.00 | |
| 09/01/2023 | Serial Coupo | 1.000% | 0.350% | 910,000.00 | 101.641% | - | - | - | 924,933.10 | |
| 09/01/2024 | Serial Coupo | 1.000% | 0.400% | 920,000.00 | 102.106% | - | - | - | 939,375.20 | |
| 09/01/2025 | Serial Coupo | 1.000% | 0.500% | 925,000.00 | 102.241% | - | - | - | 945,729.25 | |
| 09/01/2026 | Serial Coupo | 1.000% | 0.600% | 935,000.00 | 102.175% | - | - | - | 955,336.25 | |
| 09/01/2027 | Serial Coupo | 1.000% | 0.700% | 945,000.00 | 101.914% | - | - | - | 963,087.30 | |
| 09/01/2028 | Serial Coupo | 1.000% | 0.800% | 955,000.00 | 101.271% | c | 0.826% | 09/01/2027 | 100.000% | 967,138.05 |
| 09/01/2029 | Serial Coupo | 1.000% | 0.900% | 965,000.00 | 100.633% | c | 0.923% | 09/01/2027 | 100.000% | 971,108.45 |
| Total | | - | - | \$8,385,000.00 | - | - | - | - | \$8,510,112.50 | |

Bid Information

| | |
|---------------------------------------|----------------|
| Par Amount of Bonds | \$8,385,000.00 |
| Reoffering Premium or (Discount) | 125,112.50 |
| Gross Production | \$8,510,112.50 |
| Total Underwriter's Discount (0.275%) | \$(23,058.75) |
| Bid (101.217%) | 8,487,053.75 |
| Total Purchase Price | \$8,487,053.75 |
| Bond Year Dollars | \$38,448.58 |
| Average Life | 4.585 Years |
| Average Coupon | 1.0000000% |
| Net Interest Cost (NIC) | 0.7345708% |
| True Interest Cost (TIC) | 0.7281929% |

EXHIBIT D-2

Debt Service Schedule

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

City of Menasha, Wisconsin

\$8,385,000 Electric System Revenue Refunding Bonds, Series 2021A

SINGLE PURPOSE

Dated February 17, 2021 Winning Bidder: Bankers' Bank

Debt Service Schedule

| Date | Principal | Coupon | Interest | Total P+I | Fiscal Total |
|--------------|-----------------------|--------|---------------------|-----------------------|--------------|
| 02/17/2021 | - | - | - | - | - |
| 09/01/2021 | 930,000.00 | 1.000% | 45,185.83 | 975,185.83 | 975,185.83 |
| 03/01/2022 | - | - | 37,275.00 | 37,275.00 | - |
| 09/01/2022 | 900,000.00 | 1.000% | 37,275.00 | 937,275.00 | 974,550.00 |
| 03/01/2023 | - | - | 32,775.00 | 32,775.00 | - |
| 09/01/2023 | 910,000.00 | 1.000% | 32,775.00 | 942,775.00 | 975,550.00 |
| 03/01/2024 | - | - | 28,225.00 | 28,225.00 | - |
| 09/01/2024 | 920,000.00 | 1.000% | 28,225.00 | 948,225.00 | 976,450.00 |
| 03/01/2025 | - | - | 23,625.00 | 23,625.00 | - |
| 09/01/2025 | 925,000.00 | 1.000% | 23,625.00 | 948,625.00 | 972,250.00 |
| 03/01/2026 | - | - | 19,000.00 | 19,000.00 | - |
| 09/01/2026 | 935,000.00 | 1.000% | 19,000.00 | 954,000.00 | 973,000.00 |
| 03/01/2027 | - | - | 14,325.00 | 14,325.00 | - |
| 09/01/2027 | 945,000.00 | 1.000% | 14,325.00 | 959,325.00 | 973,650.00 |
| 03/01/2028 | - | - | 9,600.00 | 9,600.00 | - |
| 09/01/2028 | 955,000.00 | 1.000% | 9,600.00 | 964,600.00 | 974,200.00 |
| 03/01/2029 | - | - | 4,825.00 | 4,825.00 | - |
| 09/01/2029 | 965,000.00 | 1.000% | 4,825.00 | 969,825.00 | 974,650.00 |
| Total | \$8,385,000.00 | - | \$384,485.83 | \$8,769,485.83 | - |

Yield Statistics

| | |
|-----------------------------------|-------------|
| Bond Year Dollars | \$38,448.58 |
| Average Life | 4.585 Years |
| Average Coupon | 1.0000000% |
| Net Interest Cost (NIC) | 0.7345708% |
| True Interest Cost (TIC) | 0.7281929% |
| Bond Yield for Arbitrage Purposes | 0.6674378% |
| All Inclusive Cost (AIC) | 0.9738213% |

IRS Form 8038

| | |
|---------------------------|-------------|
| Net Interest Cost | 0.6643680% |
| Weighted Average Maturity | 4.588 Years |

EXHIBIT E

(Form of Bond)

REGISTERED UNITED STATES OF AMERICA
STATE OF WISCONSIN DOLLARS
CALUMET AND WINNEBAGO COUNTIES
NO. R-____ CITY OF MENASHA \$_____
ELECTRIC SYSTEM REVENUE REFUNDING BOND, SERIES 2021

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
September 1, _____ February 17, 2021 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Menasha, Calumet and Winnebago Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), solely from the fund hereinafter specified, on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2021 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

The Bonds maturing on September 1, 2028 and thereafter are subject to redemption prior to maturity, at the option of the City, on September 1, 2027 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by

registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

This Bond is one of an issue aggregating \$8,385,000, issued for the purpose of paying the cost of refunding obligations of the City issued to finance additions, improvements and extensions to the City's Electric System, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, acts supplementary thereto and a Resolution adopted February 1, 2021, and entitled: "A Resolution Authorizing the Issuance and Sale of \$8,385,000 Electric System Revenue Refunding Bonds, Series 2021A of the City of Menasha, Calumet and Winnebago Counties, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds" (the "Resolution") and is payable only from the income and revenues of said Electric System. Such revenues have been set aside and pledged as a special fund for that purpose and identified as "Special Redemption Fund", created by the Resolution. This Bond does not constitute an indebtedness of the City within the meaning of any constitutional or statutory debt limitation or provision.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bonds to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for

the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

It is hereby certified, recited and declared that all conditions, things and acts required by law to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said City from the operation of its Electric System has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the City of Menasha, Calumet and Winnebago Counties, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF MENASHA,
CALUMET AND WINNEBAGO COUNTIES,
WISCONSIN

By: _____
Donald Merkes
Mayor

(SEAL)

By: _____
Haley Krautkramer
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

February 1, 2021

SALE DAY REPORT FOR:

City of Menasha, Wisconsin

**\$8,385,000 Electric System Revenue Refunding
Bonds, Series 2021A**



Prepared by:

Ehlers
N21W23350 Ridgeview Parkway
West,
Suite 100
Waukesha, WI 53188

Greg Johnson,
Senior Municipal Advisor

Jonathan Schatz,
Financial Specialist

BUILDING COMMUNITIES. IT'S WHAT WE DO.

COMPETITIVE SALE RESULTS

| | |
|------------------------|---|
| Purpose: | For the public purpose of current refunding the City's State Trust Fund Loan. |
| Number of Bids: | 4 |
| Low Bidder: | Bankers' Bank, Madison, Wisconsin |

Comparison from Lowest to Highest Bid: (TIC as bid)

| | |
|----------------------------|------------------|
| Low Bid | 0.7287% |
| High Bid | 2.0621% |
| Interest Difference | \$549,825 |

Summary of Sale Results:

| | |
|-------------------------|-------------|
| Principal Amount: | \$8,385,000 |
| Underwriter's Discount: | \$23,059 |
| Reoffering Premium: | \$125,113 |
| True Interest Cost: | 0.7281% |
| Costs of Issuance: | \$92,310 |
| Yields: | 0.25%-0.90% |
| Future Value Savings: | \$1,561,877 |
| Present Value Savings: | \$1,164,342 |
| Savings Percentage: | 13.544% |
| Total Net P&I | \$8,769,486 |

Notes: Future value savings is \$337,880 higher than the pre-sale estimate.

The City Treasurer will serve as Paying Agent on the Bonds.

The Bonds maturing September 1, 2028 and thereafter are callable September 1, 2027 or any date thereafter.

Closing Date: February 17, 2021

Common Council Action: Adopt a resolution awarding the sale of \$8,385,000 Electric System Revenue Refunding Bonds, Series 2021A.

Supplementary Attachments

- | | |
|--------------------|---------------------|
| ✓ Bid Tabulation | ✓ Refunding Savings |
| ✓ Sources and Uses | |

BID TABULATION

\$8,640,000* Electric System Revenue Refunding Bonds, Series 2021A

City of Menasha, Wisconsin

SALE: February 1, 2021

AWARD: BANKERS' BANK

Non-Rated

Tax Exempt - Bank Qualified

| NAME OF BIDDER | MATURITY (September 1) | RATE | REOFFERING YIELD | PRICE | NET INTEREST COST | TRUE INTEREST RATE |
|--|------------------------------|--------|---------------------|----------------|-------------------------|--------------------------|
| BANKERS' BANK Madison, Wisconsin | 2021 | 1.000% | 0.250% | \$8,744,979.60 | \$291,330.40 | 0.7287% |
| | 2022 | 1.000% | 0.300% | | | |
| | 2023 | 1.000% | 0.350% | | | |
| | 2024 | 1.000% | 0.400% | | | |
| | 2025 | 1.000% | 0.500% | | | |
| | 2026 | 1.000% | 0.600% | | | |
| | 2027 | 1.000% | 0.700% | | | |
| | 2028 | 1.000% | 0.800% | | | |
| | 2029 | 1.000% | 0.900% | | | |
| D.A. DAVIDSON Denver, Colorado | | | | \$8,913,878.90 | \$518,741.10 | 1.2796% |
| NORTHLAND SECURITIES, INC. Minneapolis, Minnesota | | | | \$8,876,052.80 | \$674,051.59 | 1.6791% |
| BAIRD Milwaukee, Wisconsin | | | | \$8,987,775.05 | \$841,154.95 | 2.0621% |

* Subsequent to bid opening the issue size was decreased to \$8,385,000.

Adjusted Price - \$8,487,053.75

Adjusted Net Interest Cost - \$282,432.08

Adjusted TIC - 0.7281%

BID TABULATION

\$8,640,000* Electric System Revenue Refunding Bonds, Series 2021A

City of Menasha, Wisconsin

SALE: February 1, 2021

AWARD: BANKERS' BANK

Non-Rated

Tax Exempt - Bank Qualified

| NAME OF BIDDER | MATURITY (September 1) | RATE | REOFFERING YIELD | PRICE | NET INTEREST COST | TRUE INTEREST RATE |
|--|------------------------------|--------|---------------------|----------------|-------------------------|--------------------------|
| BANKERS' BANK Madison, Wisconsin | 2021 | 1.000% | 0.250% | \$8,744,979.60 | \$291,330.40 | 0.7287% |
| | 2022 | 1.000% | 0.300% | | | |
| | 2023 | 1.000% | 0.350% | | | |
| | 2024 | 1.000% | 0.400% | | | |
| | 2025 | 1.000% | 0.500% | | | |
| | 2026 | 1.000% | 0.600% | | | |
| | 2027 | 1.000% | 0.700% | | | |
| | 2028 | 1.000% | 0.800% | | | |
| | 2029 | 1.000% | 0.900% | | | |
| D.A. DAVIDSON Denver, Colorado | | | | \$8,913,878.90 | \$518,741.10 | 1.2796% |
| NORTHLAND SECURITIES, INC. Minneapolis, Minnesota | | | | \$8,876,052.80 | \$674,051.59 | 1.6791% |
| BAIRD Milwaukee, Wisconsin | | | | \$8,987,775.05 | \$841,154.95 | 2.0621% |

* Subsequent to bid opening the issue size was decreased to \$8,385,000.

Adjusted Price - \$8,487,053.75

Adjusted Net Interest Cost - \$282,432.08

Adjusted TIC - 0.7281%

City of Menasha

Financing Plan

| | PRELIMINARY | FINAL |
|---|---|---|
| | Electric Revenue Refunding Bond, Series 2021 2/17/2021 | Electric Revenue Refunding Bond, Series 2021 2/17/2021 |
| Projects | | |
| P&I due on State Trust Fund Loan 3/4/2021 | 8,951,135 | 8,951,135 |
| Total Project Funds | 8,951,135 | 8,951,135 |
| Estimated Finance Related Expenses | | |
| Municipal Advisor | 53,700 | 53,700 |
| Bond Counsel | 25,000 | 23,400 |
| Disclosure Counsel | 15,000 | 15,210 |
| Paying Agent | 850 | 0 |
| Underwriter Discount | 10.00 86,400 | 2.75 23,059 |
| Reoffering Premium (built into rates) | 0 | (125,113) |
| Existing Debt Service Reserve Funds | (1,205,146) | (1,205,146) |
| New DSR Required | 864,000 | 838,500 |
| Existing Debt Service Funds on hand | (151,464) | (194,336) |
| Total Financing Required | 8,639,475 | 8,380,409 |
| Rounding | 525 | 4,591 |
| Net Issue Size | 8,640,000 | 8,385,000 |
| Difference | | (255,000) |

Final Refunding Savings - State Trust Fund Revenue Loan (Electric Utility)

Existing Debt Service To Be Refunded (No Longer Paid by Utility)

| Issue | State Trust Fund Loan | | | |
|--------------|--------------------------|--------|----------|-----------|
| Amount Dated | \$10,800,000 3/1/2017 | | | |
| Year | Prin (3/15) | Rate | Interest | Total |
| 2021 | 804,159 | 4.250% | 365,363 | 1,169,522 |
| 2022 | 838,336 | 4.250% | 331,187 | 1,169,522 |
| 2023 | 873,965 | 4.250% | 295,557 | 1,169,522 |
| 2024 | 910,400 | 4.250% | 259,122 | 1,169,522 |
| 2025 | 949,800 | 4.250% | 219,722 | 1,169,522 |
| 2026 | 990,167 | 4.250% | 179,355 | 1,169,522 |
| 2027 | 1,032,249 | 4.250% | 137,273 | 1,169,522 |
| 2028 | 1,075,864 | 4.250% | 93,658 | 1,169,522 |
| 2029 | 1,121,844 | 4.250% | 47,678 | 1,169,522 |

Total **8,596,783** **1,928,916** **10,525,699**

Debt Service After Refunding (to be Paid by Utility)

| Issue | Electric Revenue Refunding Bond, Series 2021 | | | |
|--------------|--|--------|----------|---------|
| Amount Dated | \$8,385,000 2/17/2021 | | | |
| Year | Prin (9/1) | Rate | Interest | Total |
| 2021 | 930,000 | 1.000% | 45,186 | 975,186 |
| 2022 | 900,000 | 1.000% | 74,550 | 974,550 |
| 2023 | 910,000 | 1.000% | 65,550 | 975,550 |
| 2024 | 920,000 | 1.000% | 56,450 | 976,450 |
| 2025 | 925,000 | 1.000% | 47,250 | 972,250 |
| 2026 | 935,000 | 1.000% | 38,000 | 973,000 |
| 2027 | 945,000 | 1.000% | 28,650 | 973,650 |
| 2028 | 955,000 | 1.000% | 19,200 | 974,200 |
| 2029 | 965,000 | 1.000% | 9,650 | 974,650 |

Total **8,385,000** **384,486** **8,769,486**

Prior Issue DS Funds

| |
|-----------|
| (194,336) |
|-----------|

(194,336)

Total Savings

| |
|---------|
| (0) |
| 194,972 |
| 193,972 |
| 193,072 |
| 197,272 |
| 196,522 |
| 195,872 |
| 195,322 |
| 194,872 |

1,561,877

Coverage based on Estimated 2020 Net Revenues

2.63
2.63
2.62
2.64
2.63
2.63
2.63
2.63

Pre-Sale Estimate 1,223,997

Difference **337,880**

PRESENT VALUE SAVINGS AT 13.544% OF REFUNDED PRINCIPAL TAKING INTO ACCOUNT DSR & FUNDS ON HAND **1,164,342**

Don Merkes

From: Derencius, Lindsay <Lindsay.Derencius@faithtechnologies.com>
Sent: Thursday, January 28, 2021 8:29 AM
To: Don Merkes
Subject: Thank you!

Good morning, Mayor Merkes –

Thank you again for taking the time to meet yesterday. As requested, I've included a brief write-up of myself to share with the board. Please let me know if anyone has any questions I can answer about myself.

My name is Lindsay Derencius and I'd like to share a little about myself and why I'm interested in joining the Menasha Public Library Board. I grew up in Neenah, but my family and I have resided in Menasha since 2013. We enjoy utilizing many community resources including local parks, walking trails, and of course, the library. I have worked for Faith Technologies for 10 years in the Talent Development department. I am currently the Director of Training Delivery where I lead our curriculum development and facilitation efforts for all technical, safety, and professional development programs. I'm passionate about learning and creating lifelong learners across our organization by incorporating learning into our culture rather than making it an individual event in an employee's time with the organization.

When it was recommended that I pursue a position of the Menasha Public Library Board, there were two things that sparked my interest. First, was my passion for lifelong learning. I see this as an opportunity to share that with the community and use my strengths to support community initiatives through the library. The Menasha Public Library is a fantastic resource for those in our community and I'd love to see more individuals using it. Another reason this position is of interest is the opportunity to be a part of something that gives back to the community. Giving back has always been a big part of my life through mission trips, donation drives, and a variety of volunteer events. The Neenah-Menasha area has always been my home. This is another way to align my strengths and interests in a way to give back to my community and hopefully, make an impact on the library.

Thank you!

Lindsay Derencius, MBA, PHR, SHRM-CP | Director of Training Delivery
o: (920) 751.9838 | m: (920) 619.3695
Faith Technologies, Inc.