



Town of Menasha

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Approved by the town citizens at the
Annual Town Meeting April 14, 2008

ANNUAL TOWN MEETING

St. Mary Central High School - 1050 Zephyr Drive
Monday, April 16, 2007

Minutes

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Chair Arden Tews called the Annual Town Meeting of the townspeople to order at 6:15 p.m. to allow those waiting to sign in and be seated. He then led the Pledge of Allegiance, followed by a moment of silence for those families who lost loved ones at a shooting at Virginia Tech.

TOWN OF MENASHA ELECTORS PRESENT - (388)

Richard Brayton, Dale Haug, Mark Schoeni, Robert P. Fritz, Mary Paul, Steve Hetzel, Mary Kresal, Robert Hamilton, Chris Fissel, Mark Diersen, Sandy Diersen, Ed Duessing, Robert Frankart, Beverly Jurgensen, Jerry Jurgensen, Kathy Helm, Karla Sattler, Victoria Cliff, Marilyn Anunson, Bruce Anunson, Sue Lefevre, Chris Reinsel, Laurie Thompson, John Lautenschlager, Jim Andrews, Wendy Seegers, Judy Murphy, Diana Leonard, Ted Jarosh, Vic Magnus, Jean Magnus, Colleen O'Brien, Virginia Mottl, George Mottl, John G. Zaborsky, Norman A. Miller, Tom Reuss, Sue Bellmer, Paul Eisen, Wayne Meyer, Mary Moreau, Len Kachinsky, Dee Lynch, Joyce Neveau, Julie Kersten, Penny Troiber, Rita M. Dillon, Richard H. Jones, Betty O'Neil, Karl Homberg, Eugene Hesselman, Don Jungenberg, Donald Simonis, Donna Rae, Janet Mulvey, Lawrence Mulvey, Todd Engleman, Carnene Collar, Mike Van Dyke, Lisa Van Dyke, Carol Schultz, Melvin Schultz, Janice Banks, Thomas Banks, Mark Cheslock, Pat Hickey, Thomas Witthun, Kay Burroughs, Douglas Cliff, David Puser, Scott Lefevre, Jeanne Krueger, Ron Krueger, Andy Thompson, Judy Lautenschlager, Matt Kuepper, Irene Kuepper, Sally Krahenbuhl, Bonnie Springhetti, Doris Bigalke, Emil Bigalke, Chris Foster, Claude Foster, Edward Fetzer, Orphie Hamilton, Loren Hamilton, Mike Lynch, Pam Mueller, Randy Mueller, Bob Bodway, Clarence Peterson, Charles Baxter, Marge Riedel, Joe Riedel, Lynne Lenius, Eileen Olmsted, David Olmsted, Bill VanEeckhout, Betty Zaborsky, Arden Tews, Diane Miller, L. Buckoski, Joyce Voissem, Tom Voissem, Helen Knuuti, Wilho Knuuti, Patrick Apitz, Joe Nemecek, William Ottow, Marian Rieckmann, Mike Lettier, Jay Schroeder, Dale Knaack, Dawn Kalm, Greg Michael, Robert Malinoski, Susan Kneepkens, Robert Kneepkens, Sandra LeMoine, Gary O'Neil, Cindy Phillips, Pat Beckerson, Sharon Jungenberg, Denis Danielsen, Judith Potratz, Bonnie McKenny, Richard McKenny, Jamie Reinhardt, Lynn Schweitzer, Tom Schweitzer, Gerald Clish, Amy Joe Aylward, Bonnie Resch, Barbara Hanson, Lyle Hanson, Jr., Bernice Gawinski, Jeff Sturgell, Martha Andrew, James Andrew, Gary Kresal, Patti Haase, Allen Haase, Lynn Koss, Rod McCants, Mike Porsche, Peter Mariahazy, Darlene Malueg, Jason Burns-Hall, Jacky Jung, Ernest Chris Johnson, Richard Martell, Lawrence Jones, Jane Houlihan, John Houlihan, Pat Peapenburg, Terri Cheslock, Brent Braun, Tom Helm, Julie Gasper, Curtis Sattler, Marni Pingel, Kevin Pingel, Debora Thomson, Scott Thomson, Julie Siewert, Dwight Siewert, Evelyn Konkel, Alan Pheifer, John Worm, Rosemary Baker, Dale Youngquist, Rogene Buckoski, Alvin Bellmer, Ronald Jahnke, Patricia McNulty, Marlene Voissem, Francis Voissem, Barbara Knaack, Scott Bricco, Pam Krull, Shannon Farah, John Peterson, Pat Thiel, Barbara Rieden, Annette Look, Robert Lang, Michael Barth, Judy Youngquist, Fred Riddell, Paula Fahrenkrug, David Resch, Kathleen Sylvester, Diane Smith, Stacey Radue, Jack Fair, Patricia Pheifer, Joyette Worm, Kate McQuillan, Suzanne Baker, David Baker, Jeff Roth, Thomas Schierl, Geraldine Jay, Karen Jahnke, Mary Joe Biedermann, Thomas McNulty, Sallie Ottow, Ron Rehbein, Ken Neveau, Dan Kersten, William Krull, Chad Farah, Mike Dillon, Emily Hess, Patricia Dobberke, Paul Rieden, Kathleen

Lang, Roger Clark, Cheryl Barth, Rachel Youngquist, Diane Riddell, John Swenson Jr., Lola Fissel, Tom Wood, Dianne Bender, Larry Bender, Don Collar, Carol Hickey, Robert Flater, Dale McNamee, Carol Shelbrach, Keith Kiesow, Bruce Goltz, Elaine Goltz, Lori Baldauf, Amy Frank, Sharon Andrews, Bill Polley, Casey Auer, Laurel Stahl, William Johnston, Christine Roth, Michael Campbell, Pat Boushley, Connie Polley, Paul Auer, Josh Woodside, Tammy Woodside, Beth Tiptanatoranin, Earl Stahl, David Day, Dean Spoehr, Garth Walling, Bob Reider, David Johnston, Brian Melzer, Dan Marquardt, Bob Leibold, Herb Kober, Betty Schettl, Debbie Swiertz, David Thurow, Carol Schaidler, Pete Brengosz, Gary Michalkiewicz, Albert Exenberger, Michael Miller, Jodie Cronin, Rae Tyrriver, Tom Frederick, Paul Riederer, Greg Schmidt, Barb Allen, Jim Donnellan, Lori Frederick, Colleen Pawlowski, Tom Pawlowski, Esther Walling, Shirley Neumann, Patricia Priske, Alan Priske, Mary Dorn, Steve Dorn, Kay Pavlik, Faye Grosek-Woods, John Schaidler, Cynthia Brengosz, Janice Exenberger, Mary Miller, Renee Krause, Paul Krause, Craig Koch, Diane Metzger-Schmidt, Kevin Price, Bruce Russell, Dennis Jochman, Patricia Day, Donna Pelosa, Jim Verkuilen, Donna Schuster, John Kobinsky, Roger Genske, Ken Koerner, Dennis Voss, Bob Liedl, Mike Steuerwald, Peter Sorensen, Carlos Sevilla, Lila Sevilla, Harold Schettl, Rob Lewis, Dan McMorrow, Frances Larson, Ray Kurtz, Jan McHugh, Tom McHugh, Tom Mangin, Jill Haygood, Donald Bies, Glen Biedermann, Douglas Greif, Paul VanderWielen, Maury Cox, Randy Gallow, Linda Hess, Don Hess, Jeffry Maroszek, James Affeldt, Mary Wruck, James Wruck, David Achtner, Linda Srnka, Nick German, Lori McNamee, Tom Fahrenkrug, Eric Hjortness, Don Wechsler, Debra Josiger-Holzem, Dan Magolski, Eddy Tauscher, Willis Timm, Greg Seeks, Laura Flottesmesch, Dale Counihan, Marina Miller, Aaron Sabel, Jean Kahl, Rose Marie Jarosh, Jeffrey Brazzale, Ruth Kobinsky, Andrea Colby, Melissa, Liedl, Daniel Robak, Garland Smith, Jamie Nickel, Allen Nickel, Pauline Delfeld, Lori Hein, Connie McMorrow, Wanda Schroeder, Werner Kuehn, Victor Sevilla, Teri Larkee, Dan Bies, Rick Timm, Char Nielsen, Terry Nielsen, Guy Hegg, Kris Koeppel, Sherry Sitor, Jerry Sitor, Susan Garcia Franz, Corine Blasczyk, Lou Blasczyk, Nicole Smith, William Smith, Gerald Voigt, Shari Voigt, Teri Landry, Shelly Allness, Eric Allness, Dan Karls, Lawrence Swiertz, Mark Isaac, Jane Isaac, John Ramich, Lisa Von Neupert, Tom Von Neupert

NON-RESIDENTS PRESENT - (29)

Myra Piergrossi, Amanda Ziegelbauer, Tami Thompson, Marie Shannon, Corey Reschke, Steve Laabs, George Dearborn, Tim Plagenz, Joan Burrill, Edward Bley, Michael Kading, Scott Boehlen, Tom Scheidegger of Virchow Krause, John Andres of Virchow Krause, Ron Pavlak, Richard Eiberger, Bob Freimuth, Karen Tweedie, Marie Grundy, Eugene Grundy, Jerry Porsche, Brad Werner, Brad Viegut, R. W. Baird & Co., Michael King, Karen Weinschrott, State Rep. Roger Roth, State Rep. Dean Kaufert, Lucas Telfer, Susan Phillips

2. INTRODUCTION OF TOWN BOARD AND TOWN STAFF

Chairman Tews introduced the board and staff members present to the townspeople.

3. SWEARING IN OF NEWLY ELECTED OFFICIALS

Clerk Karen Tweedie reaffirmed the swearing in of the re-elected officials by administering the Oath of Office to Supervisor #2 Barbara Hanson, Supervisor #4 Dale Youngquist, Town Chairman Arden Tews, and Municipal Judge Len Kachinsky.

4. AWARDS / PRESENTATIONS

a) Tree City U.S.A. Presentation

For the first time, the Town of Menasha has met the four standards to become a Tree City USA community sponsored by the National Arbor Day Foundation, to honor its commitment to community forestry. An award was presented by Tracy Salisbury of Wisc. Dept. of Natural Resources and Chairman Tews accepted this award on behalf of the town.

5. ANNUAL AUDIT REPORT - FISCAL YEAR 2006

a) Virchow Krause and Company, LLP

Certified Public Accountant John Andres of Virchow Krause and Co. reviewed the Utility District's 2006 audit including Financial Statements of the water and sewer utilities, the Rate of Return and Debt Coverage.

Certified Public Accountant Tom Scheidegger then reviewed the revenues and expenditures and other General Fund information for the Town. The undesignated General Fund balance is at 16% of 2007 Revenues. The recommendation is to be between 10%-20%.

Res. Jay Schroeder, Lake Street, asked the difference between the A1 and A3 ratings for the Town and the Utility, and what level the fund balance can be drawn down to before the rating would be changed. It was explained by Brad Viegut of R. W. Baird & Co., that it is not that simple. Various items are looked at regarding ratings. Mr. Viegut stated that fund balances should be in the middle of the recommendation, not the lowest level.

Res. Paul Eisen, Brighton Beach Rd., asked why there was a change to the net assets from 2005 to 2006 which was significant. Mr. Scheidegger stated that a few years ago the town was required to implement a new accounting standard to report on all accounts except utilities, a full accrual basis for the first time, and it was explained. Roads and other major infrastructure items were included for the first time from 2002-2006 where the Town recorded them as capital assets. All infrastructures prior to 2002 were added to the net assets in 2006, such as storm sewers and roads.

Res. John Schaidler, Shady Lane, questioned removal of SCA Tissue recycling processes from the roll book and the impact of SCA Tissue on the town. Assessor Eiberger answered that there have been two appeals, neither regarding recycling. The Town has won one appeal, and there is another for \$11 million which is still unsettled, and Assessor Eiberger explained the concerns.

Chairman Tews informed the audience that the Town of Menasha water rate is the second lowest in the Fox Valley.

6. APPROVAL OF MINUTES

- a) Annual Town Meeting - April 11, 2006
- b) Special Town Meeting of the Electors - November 14, 2006

MOTION: Resident Martha Andrew, seconded by resident Jeanne Krueger to approve the minutes noting a correction on the spelling of Nemecek. Motion carried unanimously on a voice vote.

7. OLD BUSINESS - None

8. NEW BUSINESS & DISCUSSION

- a) *Madison Update and Local Interchange 41/441 Update*

Chairman Tews opened the discussion and explained that two federal highways intersect at Hwy. 41 and Hwy. 10/441 without an interchange and it was designed for approximately 20,000 cars daily and is now upwards of 60,000 vehicles. There are growing concerns with slowing traffic movement, and also a lack of on and off ramps. He then introduced two State Representatives invited to speak at tonight's meeting, State Representatives Roger Roth and Dean Kaufert. Senator Mike Ellis was invited to attend the meeting but was out of town.

Representative Roth explained a bill called The Mandate Relief Act, which would require funding mandates for any of the items the State feels the local Towns are required to do, and explained these mandates. Representative Roth then discussed the interchange and stated the Environmental Impact Study has been completed along with the cost and scope of the project. It will increase the highway to six lanes from CTH CB to Oneida Street, and provide a full interchange for the US 10/41 and Hwy. 441 interchange. The approximate cost will be \$251 million, and along with Representative Kaufert plans to make the recommendation in 2008 to proceed with this project. There was brief mention of the SCA Tissue situation and Representative Roth stated they are working on this issue.

Representative Dean Kaufert talked about The Newark Decision, a 1953 interpretation of the law which allowed SCA Tissue to get off the tax roll because of a tax loophole for recycling; discussed the State budget in progress which contains many fee and tax increases; the Town of Menasha's increase in shared revenue; appropriation for Circuit Courts; more costly real estate transfer fees in buying homes and discussed transportation funds. Rep. Kaufert also stated he has been working on the Hwy. 41/441 issue and expressed the vital importance of the need for an interchange because of lack of a full turning section. He stated it hinders growth in the Town and it is a real safety issue for Police and Fire Departments.

b) The 63 Acres of Land on CTH CB and E. Shady Lane to be sold

Administrator Sturgell gave a presentation by providing various maps of the CB park land showing its boundaries, explained the sewer and water utilities run along the parcel of the property and described the result of the townspeople vote at the 2000 Annual Town Meeting to NOT sell the land to a developer, rather only to the Park Commission. Administrator Sturgell then went on to explain the renewed interest in the sale of the land and the timelines leading up to the area-wide assessments.

Res. William Ottow, Dunning Street, asked about the money savings of the sewer run through the CB park area, and Administrator Sturgell stated no other lines were run besides a line going to the north.

Res. Janice Banks, Shangra La Lane, asked that if the park land was sold, would the money go through the budget process.

Res. Dale McNamee, Whippletree Lane, spoke of the park land being used as a landfill and discussed the environmental impact; property zoned as R-5. Administrator Sturgell stated the land would have to be tested to determine this.

Res. Barbara Knaack, Irish Road, stated she did not believe the statement that the interceptor would not benefit the park land.

Res. Greg Michael, Lakeshore Drive, said he is happy to see the development and asked whether the town board can spread the assessments to all residents, and also give relief to those feeling the pressure of high costs.

Res. Paul Eisen, Brighton Beach Road, who lives near Waverly Beach, pointed out by reference of the 2007 Winnebago County plat map of the approximately 900 acres involved in the area-wide assessments, that 85% of the land is owned by as few as 12 people, of the total number of 53 people being special assessed. He suggested that land owners who own many acres of land not be charged for the first 5 acres on their assessments to ease their burden.

Res. Donna Peloza, Olde Buggy Drive, wants to be cautious not to set precedence of sharing assessments. She stated she was one who voted to keep the park; felt it important to keep the green space.

Res. Jim Andrew, Gavin Road, asked how long the town owned the park property (1970); asked about the distance of Michiel's quarry (close by) and commented about the safety.

Res. John Swenson, Tayco Road, asked how long the land will sit vacant; inquired as to a safe entrance to the property and where a parking lot could be located. Dir. Parks & Rec. Kading answered that there were three access points to consider.

Res. Mike Lynch, E. Shady Lane, explained he walked the property with Roger Genske; spoke of bald eagles, turkeys, hawks, white tailed deer etc.; walked the property with naturalists from Bubolz Nature Center and Mosquito Hill, and noted several species of trees 150-300 yrs. old and stated this area is priceless.

Park Director Kading gave his presentation of Benefits of a Quality Park and Recreation System, and discussed businesses, health, economic, environmental and social benefits and gave other factual information. See attached.

Res. Emil Bigalke, Clayton Avenue, spoke of his assessments; also walked the park land and sees tree stands and poor farmland; talked about the berm area and the sight of the quarry below.

Res. Barbara Knaack gave her presentation of several picture slides taken just last Friday of the park land showing garbage and junk strewn about the area, and gave her comments.

Res. William Ottow commented that in 2000 he voted to sell the park land, but if he knew then what he did now, he would have voted differently; compared CB park with a park in another community, and then asked the question of how dangerous our park land site really is.

Res. Gerald Voigt, Deer Prairie Drive, wondered about the costs associated with cleaning up a landfill; felt the property was in disrepair; wants it to stay agricultural land.

Res. Donna Peloza stated she has been a resident since 1991, had been a runner along Shady Lane before the trail; recognizes the wildlife about and encourages everyone to hang on to their green space.

Supervisor McQuillan stated she felt there were two separate issues here; 1) the assessment issue and 2) preserving land, and that they do not overlap.

Res. Robert Melnowski, Fieldcrest Drive, spoke of birding in other areas and the importance of the surroundings.

Res. Carlos Sevilla, Cold Spring Road, wants everyone to think of the generations to come when considering the park land.

Res. Kathy Sylvester, Gavin Road, wants to utilize the land to turn it into a nature park and educational center; save the woodlands; wants it turned over to the Park Commission.

Res. Joe Nemecek, Susan Avenue, 35 yr. resident and also a Commission member, reflected on the site when used as a landfill; spoke of planting 2000 trees from the DNR each year; stated it takes 25 yrs. to develop a park.

Res. Guy Hegg, Dunning Street, said everything (development) is happening on the west side and stated those on the east side should "watch their wallets".

Res. Clarence Petersen, Lakeshore Drive, spoke about safety in the park area and cited a study done by Ranger Services of the quality of the trees located throughout.

Upon approaching the podium, resident Tom Wood, 1314 Mayer Street, made a motion: To move that the CB park land be authorized for sale to the Park Commission.

Attorney Koehler explained that the town board already has that authority unless repealed. Town Attorney Chuck Koehler then suggested that their first motion should be whether or not to repeal that 2000 authority. He also asked if someone wanted to make a motion along these lines.

MOTION was read as follows:

Resident Gerald Sitor, Bridgeview Drive, made a motion, "To authorize the town board and town staff to officially map and change the zoning on the entire 63 acre property, historically known as CB Park, to P-1 Institutional and Recreational Park land. Furthermore, I move for them to dedicate this land, in perpetuity, as park and open space by the time of the Town Board Meeting on June 25, 2007". Resident Connie Polley seconded the motion. Motion carried.

Joshua Woodside, Lakeshore Drive, asked whether the June 25th date was practical for transfer of the sale of land to the Park Commission. Attorney Koehler answered that the date is only advisory (to the town board) because it is not specified in State Statutes, even though one may put the date in the motion if they wish to.

Res. Barbara Knaack made a motion that the CB park land be sold and that the \$17,000 designated for the study of this plan be removed from the budget. Attorney Koehler stated that the \$17,000 is not within the Town's powers of this meeting, and reiterated that whether the sale of the land is within the town's powers is something that has to be decided first.

Res. Sharon Andrews, Gavin Road, asked how their voting would affect their assessments, and Chair Tews answered that it does not.

Attorney Koehler then clarified before the vote:

*YES would mean you are in favor of the town transferring it to the Commission for park land.

*NO would mean you would repeal that authority.

Chairman Tews asked and it was requested by residents that a silent vote be conducted at this time. Several staff members collected the votes from the town residents, and counted them. The count reported by Chairman Tews was as follows:

YES	<u>298</u>
NO	<u>58</u>
UNVOTED	<u>3</u>

c) Any Other Business Permitted by Law to be Discussed

Res. William Ottow commented that we should stop annexation and not let border agreements be abused.

Res. Martha Andrew requested that the fire burning ordinance be revisited at a future town board meeting. By a show of hands, Chairman Tews asked residents whether they wanted to revisit the ordinance. It was the consensus by show of hands that the town board will revisit leaf burning at either a May or June Town Board meeting, and stated it will be posted on the town's website.

Fire Chief Kiesow clarified some of the issues of where residents can burn leaves (burn barrels, fire pits) and commented that there are many complaints of burning received and wanted to let residents know it costs the taxpayers \$300-500 each time the Fire Dept. has to respond to a call.

Res. Teri Larkee, Fieldcrest Drive, requested the town consider finishing the Cold Spring Road bike trail from Jacobsen Road down to Green Bay Road, which runs in front of the school.

9. SET 2008 ANNUAL TOWN MEETING

MOTION: Resident Martha Andrew, seconded by resident Sallie Ottow to set the next Annual Town Meeting for Monday, April 14, 2008 at 6:00 p.m. at the Municipal Complex Assembly Room. Motion carried unanimously on voice vote.

10. ADJOURNMENT

At 9:22 p.m., MOTION: Resident Lou Blasczyk, seconded by resident Dale McNamee to adjourn. Motion carried unanimously on voice vote.

Respectfully submitted,

Karen Tweedie, Town Clerk