



Town of Menasha

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To be approved by town citizens at an
Annual Town Meeting or Special Mtg. of the Electors

ANNUAL TOWN MEETING Municipal Complex - Assembly Room - 2000 Municipal Drive Monday, April 14, 2008

Minutes

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Town Chair Arden Tews called the Annual Town Meeting of the townspeople to order at 6:00 p.m. He then led the Pledge of Allegiance, followed by the National Anthem, sang by Caity Grassman, a student at St. Mary's Central High School. The audience applauded and Town Board members thanked Caity for her participation.

TOWN OF MENASHA ELECTORS PRESENT - (43)

Annette Look, Jeffrey Sturgell, Mike Lynch, Kathy Gerhart, Dennis Gerhart, Gerald Voigt, Kathy Sylvester, Shelly Allness, Dale McNamee, Arden Tews, Dale Youngquist, Mike Lettier, Laura Ziegler, Greg Ziegler, Elizabeth Eisen, Paul Eisen, Clarence Peterson, Barb Knaack, Mike Van Dyke, Morris Cox, Jay Schroeder, Len Kachinsky, Martha Andrew, Alvin Bellmer, Jeanne Krueger, Kris Koeppe, Barbara Marx, Allen Haase, Pat Dobberke, Mike Dillon, Randy Gallow, Barbara Hanson, Kelly McDonald, Bradd Seegers, Aaron Sabel, Douglas Greif, Judy Youngquist, Dee Lynch, Dale Knaack, Beverly Jurgensen, Bruce Marx, Rod McCants, Keith Kiesow

NON-RESIDENTS PRESENT - (13)

Richard Eiberger, Myra Piergrossi, Steve Laabs, Joan Burrill, Charles Ziegler, George Dearborn, Tom Scheidegger, Jeff Roth, Michael King, Dean Kaufert, Brian Kaye, Karen Backman

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 Backman reaffirmed the swearing in of the newly elected officials by administering the Oath of Office to Supervisor #1 Dennis Gerhart and Supervisor #3 Gregory Ziegler.

4. AWARDS / PRESENTATIONS

5. ANNUAL AUDIT REPORT - FISCAL YEAR 2007

a) Virchow Krause and Company, LLP

Certified Public Accountant Tom Scheidegger of Virchow Krause and Co. reviewed the Utility District's 2007 audit including financial statements of the water and sewer utilities, the Rate of Return and Debt Coverage. Mr. Scheidegger then reviewed the revenues and expenditures, and other General Fund information for the Town.

Resident Paul Eisen, Brighton Beach Road, questioned the water utility and the amount of fund balance as compared to the rate used to finance water utility operation, and noted the rise in the Town's water rates. Mr. Scheidegger stated normally the funds raised through taxes are segregated and not used toward the water utility. Finance Director Piergrossi stated there are three billing quarters of cash on hand for that purpose. She anticipates negativity in the water utility due to the new rates not yet in effect.

Resident Kathy Sylvester, Gavin Road, questioned how much of the growth and difference on the rate of return are (energy) costs that can not be avoided. Finance Director Piergrossi explained rate of return is for depreciation on infrastructure installed by the developer or special assessments charged for the pipe since this is not included in operating expenses along with the principal debt payments.

Resident Martha Andrew, Pages Point, questioned the projected water rate increase which was previously stated as 'may be occurring', and asked staff to follow up on whether it may not occur. Mr. Scheidegger answered by saying the water rate commission is always based on assumptions and various items which will affect what the actual return will be.

Resident Jay Schroeder, N. Lake Street, asked how much the utility unfunded depreciation was for current year and Finance Director Piergrossi answered that she thought it was about \$600,000. He also asked what the cumulative total of unfunded depreciation was and the amounts given were almost \$7 million for water, and \$14,750,000 for sewer. Mr. Scheidegger stated depreciation is usually funded at less than 5% and Dir. Piergrossi stated debt levels and borrowing must be looked at in making this funding decision. The utility has \$900,000 funded water depreciation with \$32 million in assets.

Chairman Tews presented a PowerPoint presentation. Discussed was a potential increase of 35% in water rates. Shown were comparisons of other municipalities' fixed charges, volume rates, and cost per 17,000 gallons per quarter. Some reasons for the rate increase are the loss of revenue from Kimberly Clark, a 52% increase when purchasing water from the City of Menasha to balance our well water, increase in the cost of salt, and increase in meter maintenance due to old meters requiring replacement. Chairman Tews reviewed a sample water bill shown on the screen and stated the increase will only be reflected on the amount for the water portion of your bill, and for public fire protection. The increase does not apply to the sewer portion.

6. APPROVAL OF MINUTES

a) Annual Town Meeting - April 16, 2007

b) Special Town Meeting of the Electors - November 27, 2007

MOTION: Resident Martha Andrew, seconded by resident Mike Lettier to approve the above minutes. Resident Mike Lynch requested an amendment to a), page 4, last paragraph changing the name to Roger Genske. MOTION: Resident Martha Andrew, seconded by resident Mike Lettier to amend the minutes. On the amendment, motion carried on voice vote. On the main motion, motion carried on a voice vote.

Resident Jay Schroeder directed the board to a paragraph in the Special Town Meeting of Electors minutes which Motion read, "...to approve the 2008 purchase of land for stormwater purposes in the maximum amount of \$1 million dollars..", and asked if going over the \$1 million would require another special meeting. Chairman Tews said yes it would.

7. OLD BUSINESS

8. NEW BUSINESS & DISCUSSION

a) Legislative Update

Representative Dean Kaufert attended the meeting and gave several updates.

The Great Lakes Water Contact: We and eight other states and Canada will sign an agreement to ensure our say about our diversion of the Great Lakes water basin.

The Budget Repair Bill: Assembly passed the budget repair bill to repair the \$5 million state budget. Shared revenue will not be cut.

New hospital tax: Proposed; which may be imposed on gross receipts with some money used to repair the state budget and some money returned back to the hospitals.

The Campaign Finance Repair Bill: Has gone nowhere but will try passing again in the future.

The Frankenstein Veto: On the floor; the Governor's use of his veto power to kill specific words and numbers and stitch remaining fragments together to create something that never passed the Legislation.

The smoking ban: Dead for this session; Mr. Kaufert agrees with it and will try to bring it back again in January.

The Hwy. 441/41 interchange: Issue is still being fought although Rep. Kaufert explained it needs to be enumerated but the transportation fund is tight right now and can't support this issue. He encouraged everyone to send letters to the Governor and explain the importance of the interchange. Chairman Tews gave statistics of the volume of cars per day going over the bridge; it was built for 29,000 cars per day to travel over the bridge and is now up to 65,000/day. Chairman Tews has also encouraged everyone to make contact with their State Representatives by sending a letter or e-mail to make a difference. He reminded the audience that this is not only in the Town of Menasha's best interest, but for the entire surrounding area and those who travel on the bridge who are impacted. Chairman Tews explained how the Town's Community Development Dept. hears frequently that development would happen here more quickly if we had an interchange.

Assessor Eiberger stated there was a 40-year old loophole in a recycling exemption that would have reduced millions of tax dollars for all communities in the State, and thanked Rep. Dean Kaufert for closing this loophole.

Resident Dale McNamee, Whippletree Lane, suggested levy limits be taken away from local government and expressed the difficulty with limits imposed by the State saying, they have handcuffed the municipalities with the needs they have. Rep. Kaufert said 60% of shared revenue does go back to local governments and feels the State must have some say to have a balance.

Resident Barbara Hanson stated the Town of Menasha will not have grocery stores locate here due to not having an interchange with very limited access to Hwy. 441/41 which is causing loss of revenues and stunting our growth.

Resident Jay Schroeder, N. Lake Street, stated he felt this part of the state does not get all the revenue and suggested 'earmarks'. Rep. Kaufert felt too many earmarks are not good, and explained.

Chairman Tews thanked Representative Kaufert for his attendance and once again encouraged contact with the State in speeding up the building of an interchange on Hwy 441/41. He stated if anyone needed contact information to inquire with the Community Development Department.

b) **Announcements**

By Chairman Tews:

- ◆ A Public Service Commission telephonic public hearing on the proposed water rate increase will be held at the Municipal Complex on May 1, 2008 at 10:00 a.m. Finance Director Piergrossi encouraged those who have suggestions and concerns to attend. You must be present at the hearing to address the PSC directly.
- ◆ The Tree City U.S.A. Award was once again awarded to the Town of Menasha and Chairman Tews encouraged everyone to plant a tree saying, it's healthy for the environment.
- ◆ Received a telephone call regarding the naming of CB Park. The land was known as the Tipler farm named after the landowner, and the town purchased this land. Now a proposed name was given to call it, 'Tipler CB Park'. Chairman Tews asked that it be considered when thinking about the naming of the park.
- ◆ Was contacted by State Representative Roger Roth who announced he was back safe from his deployment to Iraq.

Park Commissioner Mike Lynch stated last year residents voted on the CB Park land at the Annual Town Meeting and gave a recap; the chosen firm, Reukert-Mielke, will be presenting 3 conceptual plans and encouraged much public input. There will be at least two public input sessions held and those who attend will be actively involved in the planning. All residents who attended the last Annual Town Meeting will be formally invited to attend the first meeting on Monday, June 16 at 6:00 p.m. at the Municipal Complex. A final plan will be adopted at a Park Commission Meeting. He encouraged many residents to be there and be involved.

In addition, there are two public volunteer cleanup sessions planned: May 10 and June 21 from 9:00 am -12 noon. Meet at the old street garage on the corner of E. Shady Ln. & CTH CB.

Commissioner Lynch also announced several Park Commission meetings will be held this summer in various town parks, with the dates and locations published in The Bridge newsletter and on the Town's website.

Fire Chief Kiesow announced the household hazardous waste clean sweep program will be held for town residents on April 25 from 2-6 pm, and April 26 from 9 am - Noon, both at Fire Station #41 at 1000 Valley Road. Call 832-5277, Ext. 3 to make an appointment. Brochures are available for pickup at the town offices.

c) **Any Other Business Permitted by Law to be Discussed**

Resident Martha Andrew, Pages Point, congratulated the new board members. She requested the Sustainability Committee be placed on an agenda for discussion in the near future, and stated many residents were not aware of its formation until information was in the 2nd Qtr. of The Bridge newsletter.

Resident Dale McNamee, Whippetree Lane, wants to see strategic planning pursued, explained the results of such a plan, and encouraged board members to consider working with Judy Ruhl of FVTC.

Resident Jay Schroeder, N. Lake Street, spoke of a newspaper article on the Town of Grand Chute Police Dept. merger through use of a referendum; gave him an idea and researched zoning for the Town of Menasha; went door-to-door and found no one wants to stay under County Zoning; described the length of the process and stated we are dragging our feet; feels we should get the ball rolling to prevent strip clubs from coming in.

Mr. Schroeder then proposed that an advisory referendum be on the November General Election ballot. Chairman Tews asked for a motion.

MOTION was made by Resident Jay Schroeder to place a referendum question on the November ballot and read the proposed (advisory) referendum question:

Shall the Town of Menasha opt out of county zoning through a revision to the county zoning ordinance by April 14, 2009 -- Yes or No. Motion was seconded by resident Dale McNamee.

Attorney Koehler stated the referendum would be strictly advisory to the Town Board and non-binding.

Comm. Dev. Dir. Dearborn gave a timeline of past attempts to go before Winnebago County and get out of County zoning:

In 1990, studied the impacts of County vs. Town zoning;

In 1990, passed resolution requesting to withdraw from County zoning;

In 1993, asked Winnebago County to revise zoning fees- they did not;

In 2002, sent a letter to get out of County zoning;

In 2004, a Letter of Understanding was completed as part of the comprehensive planning effort.

Dir. Dearborn stated County would need to complete a comprehensive revision, and they are in the process right now along with choosing a consultant to assist them. He suggested residents contact County representatives to speed up the process, and stated a zoning ordinance would have to be created and can be completed very quickly. Director Dearborn further stated other methods to get out of County zoning would be incorporation, or a less desirable method, to do a joint ordinance with an adjacent city.

Resident Dale McNamee inquired about additional costs to the town were a referendum placed on the ballot seeing there would be an election in November, and stated he felt doing a referendum would make it loud and clear to Winnebago County.

Chairman Tews asked Clerk Backman to read the motion aloud.

"Shall the Town of Menasha opt out of county zoning through a revision to the county zoning ordinance by April 14, 2009 -- Yes or No".

Comm. Dev. Dir. Dearborn suggested a minor revision to the referendum's date of April 14, 2009 due to not having the option of opting out until County does their ordinance revision and we will not know when that will be. He stated we do have the Letter of Understanding with the County.

On the motion to place a referendum question on the November ballot, a hand count of votes was taken. Motion carried with 28 - YES and 0 - NO.

Resident Bradd Seegers, Shady Springs Drive, supports the completion of the West American Drive trail.

Resident Kathy Sylvester, Gavin Road, supports completion of the trail on Jacobsen Road.

9. SET 2009 ANNUAL TOWN MEETING

MOTION: Resident Martha Andrew, seconded by resident Morris Cox to set the next Annual Town Meeting for Tuesday, April 14, 2009 at 6:00 p.m. at the Municipal Complex Assembly Room.

Resident Paul Eisen, Brighton Beach Road, asked why there was a change in the day from Monday to Tuesday for next year's annual town meeting. Administrator Sturgell explained by state statute the preferred Annual Town Meeting date is the second Tuesday in April, as well as the start of the new terms and day for swearing in the new Supervisors. He stated Monday would have been prior to the new officials' terms.

On the motion to set the Annual Town Meeting, motion carried on voice vote.

10. ADJOURNMENT

At 7:42 p.m., MOTION: Resident Martha Andrew, seconded by resident Kathy Sylvester to adjourn. Motion carried unanimously on voice vote.

Respectfully submitted,

Karen Backman, Town Clerk