

**Special Joint Meeting
Town of Menasha Stormwater Utility Commission
and
City of Menasha Common Council**

**Wednesday, August 26, 2009 - 5:30 p.m.
Municipal Complex Assembly Room – 2000 Municipal Drive**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Discussion Item
 - a) Discussion Regarding the Tayco Pond Joint Project
5. Public Comments on Any Matter Listed on the Agenda
(Five minute time limit per person)
6. New Business
 - a) 090826-1:STM:SP Approve the Land Purchase for Tayco Pond
 - b) 090826-2:STM:SP Award Bid for Tayco Pond Project
 - c) Amend Joint Stormwater Feasibility Intermunicipal Agreement
7. Adjourn

*For those individuals who require the assistance of a sign language interpreter to participate in this meeting,
please call 720.7101 a minimum of five business days prior to the meeting.*

RES #090826-1:STM:SP

**AUTHORIZATION TO PURCHASE PORTIONS OF THE TAYCO ROAD PARCELS
#008-0298-14 AND #008-0310-01**

WHEREAS, the Town of Menasha is required by the Wisconsin Department of Natural Resources to meet federal stormwater requirements by removing 20% of Total Suspended Solids (TSS) from the Town's stormwater runoff by 2008 and remove 40% by 2013; and

WHEREAS, the Town of Menasha needs to construct a series of wet detention ponds to meet these requirements; and

WHEREAS, the Town of Menasha needs to purchase and acquire land on which to construct the needed ponds; and

WHEREAS, portions of Town of Menasha parcels #008-0298-14 and #008-0310-01, as indicated as Lot 1 in Attachment A, meets the preliminary requirements as determined by Town of Menasha Engineers to serve as a viable wet detention pond site that would aid the Town in reaching its stormwater goals; and

WHEREAS, a Phase 1 Environmental Site Assessment on the parcel has been ordered and completed; and

WHEREAS, Town staff ordered and received an independent appraisal on parcels #008-0298-14 and #008-0310-01 and took the value of the appraisal into consideration while negotiating for a fair price on the parcel; and

WHEREAS, the portions of Town of Menasha parcels #008-0298-14 and #008-0310-01, as indicated as Lot 1 in Attachment A, appraised at \$364,500; and

WHEREAS, the Town Assessors negotiated a tentative purchase agreement for the portions of Town of Menasha parcels #008-0298-14 and #008-0310-01, as indicated as Lot 1 in Attachment A, for \$364,500; and

WHEREAS, additional funds will be required to cover broker fees and other closing costs; and

WHEREAS, the Town budgeted \$1,780,100 in the 2009 Town Budget to utilize for stormwater purposes; and

WHEREAS, the Town residents approved a motion at a Special Town Meeting of the Electors on November 27, 2007 allowing the Town Board to expend up to \$1,000,000 to purchase land for stormwater purposes; and

WHEREAS, the Town of Menasha agrees to purchase this property in conjunction with the City of Menasha; and

WHEREAS, the Town of Menasha has entered into an Intermunicipal Agreement with the City of Menasha to construct a stormwater pond on the property with the City of Menasha; and

WHEREAS, per the Intermunicipal Agreement the Town and City agree to split the cost of the land purchase, commissions, and associated closing costs with 74.2% of the cost attributed to the City and 25.8% of the cost attributed to the Town.

NOW, THEREFORE BE IT RESOLVED by the Town of Menasha Board of Supervisors to approve the purchase of portions of Town of Menasha parcels #008-0298-14 and #008-0310-01, as indicated as Lot 1 in Attachment A, as negotiated by the Town Assessors; and

BE IT FURTHER RESOLVED that Finance Director Piergrossi be authorized to issue a check for the Town's share of the negotiated price plus associated broker fees and closing costs to complete the land transaction.

Adopted this 26th day of August, 2009

Requested by: Jeffrey Sturgell, Town Administrator
Submitted by: Arden Tews, Town Chairman

Arden Tews, Town Chairman

Attest: Karen Backman, Town Clerk

SP #090826-2:STM:SP

BID AWARD – TAYCO STORM WATER DETENTION POND

WHEREAS, the Environmental Protection Agency, through the State of Wisconsin Department of Natural Resources MS4 (Municipal Separate Storm Sewer System) Permit, has mandated that all municipalities implement storm water quality control measures; and

WHEREAS, the Environmental Protection Agency, through the State of Wisconsin Department of Natural Resources MS4 Permit, mandates that all municipalities reach a 40% total suspended solids reduction by March of 2013; and

WHEREAS, the Town of Menasha's Storm Water Utility includes the construction of the Tayco Storm Water Detention Pond; and

WHEREAS, the Town of Menasha, in conjunction with the City of Menasha, have entered into an inter-municipal agreement for the construction of the pond; and

WHEREAS, on August 17, 2009, sealed bids were due at 2:00 p.m. in the Street Department office, at which time they were publicly opened and read; and

WHEREAS, eight (8) bids were received, ranging in price from \$1,201,100.99 to \$1,824,365.76 (bid tabulation enclosed); and

WHEREAS, it is the recommendation of Project Engineer Andy Schmidt and Street Superintendent Randy Gallow to award the low bid to J & E Construction Co. Inc. in the amount of \$1,201,100.99, with work to begin once all permits and all required and approved documents relating to the Clean Water Fund Project and grant money awards have been received. A Notice to Proceed will then be signed with work to begin within sixty (60) consecutive calendar days after formal notice.

NOW, THEREFORE BE IT RESOLVED by the Town of Menasha Board of Supervisors to award the Tayco Storm Water Pond to **J & E Construction Co. Inc., 400 N. Military Road, P.O. Box 97, Stockbridge, WI 53088** in the amount of **\$1,201,100.99** with work to begin once all permits and all required and approved documents relating to the Clean Water Fund Project and grant money awards have been received.

Adopted this 26 day of August, 2009.

Requested by: Randy Gallow, Street Superintendent

Submitted by: Arden Tews, Town Chairman

Arden Tews, Town Chairman

Attest: Karen Backman, Town Clerk