

**Town of Menasha Stormwater Utility Commission Regular Meeting
Municipal Complex - Assembly Room - Monday, November 9, 2009**

Minutes

1. Call to Order, Pledge of Allegiance, and Roll Call

Pres. Tews called the Stormwater Utility Commission meeting to order at 5:30 p.m. followed by the Pledge of Allegiance. Secretary Backman took roll call and present were Pres. Tews, Comm. Gerhart, Hanson, Youngquist, Adm. Sturgell, Fin. Dir. Piergrossi Com. Dev. Dir. Dearborn, Engineer Reibold, Assessor Eiberger, and Street Supt. Gallow. Comm. Ziegler was excused.

Also present was Asst. Assessor Lucas Telfer, Barb Knaack, Melvin Schultz, Realtor John Coughlin

2. Awards/Presentations

3. Minutes to Approve

a) Stormwater Utility Commission Meeting - October 26, 2009

MOTION: Hanson/Gerhart to approve the minutes as submitted. Motion carried.

4. Minutes and Correspondence to Receive

5. Public forum on any matters of concern to the Town. The public may comment however, no action can be taken. Five minute time limit per person on non-repetitive matters.

6. Discussion Items

7. Unfinished Business

8. New Business-Resolutions/Ordinances/Policies

a) 091109-1:STM Authorization to Purchase the Independence Pond Parcel #008-4698

MOTION: Youngquist/Gerhart to approve the purchase in the amount of \$165,500 for the basic parcel and use of a temporary limited easement on parcel #008-0541; that there be a three-year option for the seller to repurchase it for the price the town is paying should we fail to put the pond in. Further, closing costs should not exceed \$14,000; and that everything presented is on the condition of the town's attorney providing final approval of all closing documents, and the finance director be directed to issue the appropriate checks for the purchase, the real estate brokerage fee, and all other closing costs. Further, to allow the stimulus funds from the Northern Road detention pond project denied by the DNR to be rolled over and used to purchase the Independence Pond property, to make it more beneficial to the town.

Assessor Eiberger explained the timeline necessary to purchase this property after the DNR rejected the application for the in-line stream on Northern Rd. He discussed the transfer of stimulus money to the Independence Pond project, updating of the appraisal from a year ago to a fair and current value of today, and discussed the situation of the temporary limited easement.

Adm. Sturgell explained when the opportunity came along to apply for the stimulus money for the pond projects, the town applied for the Cold Spring, Tayco Road and Northern Road ponds, but did not apply for Independence Pond at that time as the town did not know whether this land could be acquired.

Comm. Hanson inquired about the amount of stimulus money the town will receive for Independence Pond and Adm. Sturgell stated he was unsure at this time, but explained 50% of the project will be paid by the stimulus grant money and 50% by the (low interest) Clean Water Fund loan.

Comm. Hanson then asked whether the town planned beyond the three current pond sites, and Adm. Sturgell confirmed those are the only ponds to be constructed for now, but will wait to see what the DNR proposes with the NR151 plan. He further explained future plans for ponds, stated Mill Creek pond will not be allowed by the DNR, and difficulty with making the 40% requirement for particulates reduction.

Pres. Tews spoke about future steps and wanting to wait for the DNR's ruling on NR151. He stated if Independence Pond is approved, it will be at the November 23 meeting.

When Comm. Youngquist asked whether the details had been worked out with the seller in regard to the temporary limited easement, Assessor Eiberger explained it had been worked out and the town could close on the property on Nov. 12.
On roll call, motion carried 4-0.

b) 091109-2:STM Expenditures

MOTION: Youngquist/Gerhart to approve without exception. Motion carried.

9. Reports

10. Motions by Commissioners

11. Adjourn

At 5:47 p.m., MOTION: Gerhart/Hanson to adjourn. Motion carried.

Respectfully submitted,

Karen Backman, Secretary

Note: These minutes are not to be considered official until acted upon at an upcoming regular meeting, therefore, are subject to revision.