

Town of Menasha Stormwater Utility Commission Regular Meeting
Monday, November 9, 2009 - 5:30 p.m.
Municipal Complex – Assembly Room - 2000 Municipal Drive

Agenda

1. Call to Order, Pledge Allegiance, and Roll Call
2. Awards/Presentations
3. Minutes to Approve
 - a) Stormwater Utility Commission Meeting – October 26, 2009
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. To address the Commission, complete the Public Participation sign-up sheet.
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
 - b) 091109-2:STM Expenditures
9. Reports
10. Motions by Commissioners
11. Adjourn

RES #091109-1:STM

AUTHORIZATION TO PURCHASE THE INDEPENDENCE POND PARCEL #008-4698

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, the Town of Menasha parcel # 008-4698 meets the preliminary requirements as determined by the 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, the Town Assessor's Office ordered and received an independent appraisal on parcel # 008-4698 and took the value of that appraisal into consideration while negotiating for a fair price on the parcel; and

WHEREAS, the Town of Menasha Assessor's Office negotiated a tentative purchase agreement for Town of Menasha parcel # 008-4698 for \$165,500; and

WHEREAS, the Town of Menasha Assessor's Office included in the negotiated purchase price the use of a Temporary Limited Easement (TLE) on the adjacent Town of Menasha parcel # 008-0541 for construction purposes of the Independence Stormwater Pond; and

WHEREAS, the Town of Menasha Assessor's Office also included an agreement that the Town would grade and slope parcel # 008-0541 for the use of the Temporary Limited Easement (TLE); and

WHEREAS, the purchase agreement included an Option to Purchase Agreement for Enzo Realty LLP to purchase the Town of Menasha parcel # 008-4698 back at \$165,500 if the Town of Menasha does not construct the stormwater pond on or before a date of 3 years from the Town of Menasha's original purchase date, and

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

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

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

NOW, THEREFORE BE IT RESOLVED by the Stormwater Utility Commissioners to approve the purchase of Town of Menasha parcel # 008-4698 as negotiated by the Town of Menasha Assessor's Office, contingent upon the Town Attorney providing final approval of all closing documents; and

BE IT FURTHER RESOLVED that Finance Director Piergrossi be authorized to issue a check for the negotiated purchase price plus the associated real estate broker fee and closing costs to complete the land transaction.

Adopted this 9th day of November, 2009

Requested by: Jeff Sturgell, Town Administrator

Submitted by: Arden Tews, Commission President

Arden Tews, Commission President

Attest: Karen Backman, Commission Secretary

RES#091109-2:STM

EXPENDITURES

WHEREAS, The Town of Menasha Stormwater Utility has outstanding invoices totaling: \$10,497.38

WHEREAS, the disbursements are categorized below & the detail is attached:

Pending:	
Enterprise Fund: Storm Water 2009	1,996.90
Enterprise Fund Special Process Checks	8,500.48
Total:	<u>10,497.38</u>

NOW, THEREFORE BE IT RESOLVED; that the Town of Menasha Stormwater Utility Commission hereby authorizes the above expenditures to be paid by the Finance Department with the exception of _____.

Adopted this _____ day of _____, 2009

Requested by: Myra R. Piergrossi, Finance Director
Submitted by: Arden Tews, Commission President

Arden Tews, Commission President

Attest: _____
Karen Backman, Commission Secretary