

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
December 16, 1968

Meeting called to order by Commission President, DenDooven.

Present: Commissioners DenDooven, Krueger, McMyler, Austin and Haber; Acting Supt. Schuelke, Paul Rippl and Mr. Ernest Highley of Virchow, Krause and Company.

Absent: Attorney Crowley.

Minutes of the Special Meeting of November 20, 1968 and the Regular Meeting of November 26, 1968 were approved and ordered placed on file.

Commissioner Krueger reported on his telephone conversation with Mr. Martin, Superintendent of the Green Bay Metropolitan Sewage District, concerning control of the type of sewage entering their plant. Mr. Martin informed Commissioner Krueger that there was a law on the books, general in nature, controlling the type of sewage entering the plant.

Commissioner Haber reported to the Commission on the status of the Island Cleaners.

Mr. Ernest Highley, of Virchow, Krause and Company read and discussed his report as to procedures to follow in charges to Kimberly-Clark, Lakeview Mill relative to writing a new contract with Kimberly-Clark, Lakeview Mill. Following a discussion by the Commission, Commissioner Austin suggested that the report be revised on current rate of interest on bonds, revise percent of rate of return and then add a surcharge. Commissioner Austin also suggested a lower rate of return, so that the Commission could use this rate for future use for in City industry. After revisions, the report is to be turned over to Attorney Crowley, to draw up a new contract with Kimberly-Clark, Lakeview Mill, to be ready for January 15, 1969.

Moved by Commissioner Haber, seconded by Commissioner Krueger to authorize Virchow, Krause and Company to compute the 1967 cost, based on the first quarter of 1968, for flow and solids and total cost, this cost to be scaled down percentagewise to reflect 1967 cost. All voting aye; Commissioners DenDooven, McMyler, Krueger, Austin and Haber. Motion carried.

Commission President, DenDooven, presented to the Commission the tentative letter to be mailed to the Engineering Firms relative to the independent Engineering study to be made of the present Neenah-Menasha Sewerage Disposal Treatment Complex and its operation.

Acting Supt. Schuelke reported to the Commission on his telephone conversation with the Superintendent of the Kalamazoo, Michigan Waste Water Treatment Plant.

Acting Supt. Schuelke reported to the Commission on the condition and production of the Komline Coil Filters, and suggested repairs that could be made on the coils.

Commission authorized Acting Supt. Schuelke, to proceed with the hiring of new personnel needed for seven day plant operation.

On motion by Commissioner Haber, seconded by Commissioner Krueger operating Fund vouchers #1081 thru #1205 for the Month of November, 1968, in the amount of \$45,795.14 were approved. All voting aye; Commissioners DenDooven, McMyler, Krueger, Austin and Haber. Motion carried.

On motion by Commissioner McMyler, seconded by Commissioner Austin the meeting was adjourned. Motion carried.

Ed DenDooven  
President

Gilbert H. Krueger  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
January 15, 1969

In the absence of Commission President DenDooven, meeting was called to order by Commissioner Austin.

Present: Commissioners Austin, Krueger, and Haber; Attorney Crowley, Acting Supt. Schuelke and Paul Rippl. Robert P. Honold, Wendell R. Davis of the R. P. Honold Company, Inc. and Attorney F. A. Grote, Attorney for Honold Company, Inc. were also present.

Absent: Commissioners DenDooven and McMyler.

Meeting called for the disposition of the balance of \$27,995.75, less a credit of \$245.50 for a balance of \$27,750.25 due on contracts 2-64 and 6-66, and also the claim of the Honold Company, Inc. on the painting claim.

Attorney Grote reviewed the painting claim. His claim was for \$18,329.25 extra on contract, paid by Honold Company, Inc. to Bohlmann, to complete painting work after original contractor, Erdmann, was removed from job. He stated that a meeting held in March of 1968 reduced the claim by \$3,900.00. This reduction was decided by the Engineer to be taken out of contract, by change order, to complete Government audit, so that the Commission could receive remaining funds due the Commission from the Government. Original contract with Erdmann Painting was \$8,335.00. Honold paid Erdmann \$4,000.00. Honold Company's painting bill from Bohlmann was for \$22,329.25 less the \$4,000.00 paid Erdmann, leaving a balance of \$18,329.25


Commissioner Krueger questioned the basis that Bohlmann was hired. Mr. Robert P. Honold stated that Bohlmann was hired on a cost and material basis, and did not have a contract. He also stated he believed Bohlmann painted more than carried on Honold contract, and that the Commission benefited from Bohlmann's work. Attorney Grote stated at the meeting in March, between he and Attorney Crowley, he recommended a payment of \$10,000.00 so that claim would be settled.

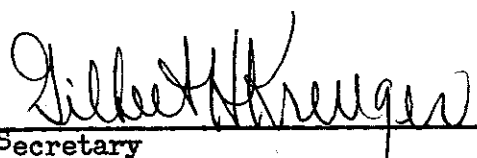
Attorney Grote stated that the R. P. Honold Company, Inc. would like the payment of \$27,750.25 now, and the balance of \$14,000.00 could be paid later. He asked for a meeting between he and Attorney Crowley to settle the claim, and the Commission to give an offer on the balance. He was informed that this would be decided at a meeting with the whole Commission present, at the next regular meeting of the Commission to be held January 20, 1969 and the Commission would report back to Attorney Grote.

Commissioner Krueger questioned if payment of \$27,750.25 is paid in full would the balance due Bohlmann be paid. Mr. Honold stated if extras can be paid, Bohlmann will be paid.

Commissioner Krueger asked for action which will require a complete reorganization of the Commission on an annual basis. He also called for a new election of Commission officers as soon as is practical. He also asked that the agenda for the meetings be prepared in advance and mailed to the Commissioners.

There being no further business, meeting was adjourned.

  
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Commissioner Austin

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

611

Regular Meeting  
January 20, 1969

Meeting called to order by Commission President, DenDooven.

Present: Commissioners DenDooven, Krueger, McMyler and Haber; Attorney Crowley, Acting Supt. Schuelke and Paul Rippl.

Absent: Commissioner Austin.

Minutes of the regular meeting of December 16, 1968 were approved and ordered placed on file.

Commission President, DenDooven, reviewed the R. P. Honold Company, Inc. contract and the remaining balance due to the R. P. Honold Company. The Commission also discussed the Bohlmann suit against R. P. Honold Company. Attorney Crowley informed the Commission that the Commission were never a part of the Bohlmann contract. He stated he would like to question Donohue and Associates, Inc. on Honold extras on painting contract. He also stated that the Engineer ordered sub-contractor, Erdmann, off the job for unsatisfactory work, and Honold hired Bohlmann to complete painting job. Attorney Crowley reviewed his letter, written to Honold Attorney, Grote, of November 29, 1968. It was the consensus of the Commission that a meeting with Mr. Robert Jones, of Donohue and Associates, Inc. was in order to settle the Bohlmann painting contract.

On motion by Commissioner McMyler, seconded by Commissioner Haber the Commission empower the Commission Attorney to take what ever action is necessary in the best interest of the Commission in the R. P. Honold-Bohlmann suit. All voting aye; Commissioner DenDooven, McMyler, Krueger and Haber. Motion carried.

President DenDooven informed the Commission that payment to R. P. Honold Company of \$27,750.25, (Final payment on Contract 2-64 of \$24,635.36 and contract 6-66 of \$3,114.89) be authorized if Attorney Crowley negotiations with the Honold Company are successful.

Moved by Commissioner McMyler, seconded by Commissioner Kraeger that the Commission empower Attorney Crowley, that having satisfied himself that the Bohlmann account is properly discharged, he may then request the Commission Acting Secretary to issue to R. P. Honold Company, Inc. a check in the amount of \$27,750.25. All voting aye; Commissioners DenDooven, McMyler, Krueger and Haber. Motion carried.

Commissioner McMyler reported to the Commission on progress being made on 1969 labor negotiations.

Commission President, DenDooven, discussed with the Commission the Virchow-Krause and Company report and contract with Kimberly-Clark Company. Payment to Virchow-Krause and Company was deferred until complete statement was received from Virchow-Krause and Company.

Commissioner Haber suggested writing a letter to Kimberly-Clark Company to arrange a meeting January 30, 1969 at 7:30 P. M. with representatives of Kimberly-Clark Corporation and full Commission to discuss the report and arrange for a new contract. Commission authorized Commission President, DenDooven, to write the letter.

Commission President, DenDooven, reported to the Commission that four engineering firms replied to the request of the Commission for an evaluation of the plant. The meetings to take place January 22, 1969 in the Commission office. The firms replying were Consoer, Townsend and Associates of Chicago, Illinois; Henningson, Durham and Richardson of Omaha, Nebraska; Roy F. Weston of Wilmette, Illinois and Greeley, Hansen of Chicago, Illinois. Two firms declined the invitation.

Commission discussed the payment received from the Town of Neenah, for sewer service to the Courtney Place sanitary district. The payment made was at the old rate of \$36.00 per unit. The Commission had authorized a new rate of \$75.00 per unit for 1969. Commission referred the matter to Attorney Crowley for disposition.

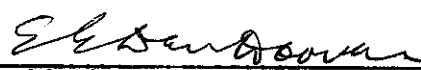
Payment to Lehrer Sanitary Service for wet hauling was discussed by the Commission. Acting Superintendent Schuelke was authorized to make a settlement with Lehrer.

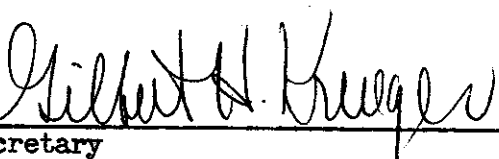
Reorganization of Commission was deferred until next regular meeting.

Moved by Commissioner Krueger, seconded by Commissioner Haber that Schench, Derscheid, Kuenzli, Sturtevant and Company be employed to audit Commission books for the year ended December 31, 1968. All voting aye; Commissioners DenDooven, McMyler, Krueger and Haber. Motion carried.

Commissioner Haber suggested that the Commission go ahead with the bricking up of the windows and repairing wall in refuse pit room. The Commission to engage a contractor on a time and material basis. Commissioner McMyler suggested contacting a qualified Contractor that has in his employ a licensed engineer to check construction. Attorney Crowley suggested obtaining two Contractors. Commissioner McMyler and Acting Superintendent Schuelke were authorized to obtain the Contractors.

On motion by Commissioner Haber, seconded by Commissioner Krueger the meeting was adjourned. All voting aye; Commissioners DenDooven, McMyler, Krueger and Haber. Motion carried.

  
President

  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
February 7, 1969

Meeting called to order by Commission President, DenDooven.

Present: Commissioners DenDooven, Krueger, Haber and Austin; Acting Supt. Schuelke and Paul Rippl.

Absent: Commissioner McMyler.

The Commission discussed repair to South wall and bricking-up of windows of refuse building. Commission President, DenDooven, read the proposal submitted by C. R. Meyer & Sons of Oshkosh, Wisconsin, on a time and material basis. President DenDooven suggested that the Commission take immediate action. Moved by Commissioner Haber, seconded by Commissioner Krueger that the Commission accept the C. R. Meyer and Sons Proposal of February 4, 1969 for repair to south wall and bricking up of refuse building windows on a time and material basis. Acting Supt. Schuelke to contact Mr. Nelson, of C. R. Meyer and Sons Company for immediate start of project. All voting aye; Commissioners DenDooven, Krueger, Haber and Austin. Motion carried.

The Commission discussed the payment to be made to Donohue and Associates, Inc. for engineering fees remaining on contract 2-64 (\$6,914.10) and contract 6-66 (\$2,631.36) in the amount of \$9,545.46. Commission President informed the Commission that payment had been authorized at a previous meeting. On a call of roll, to make payment, Commissioners DenDooven, Haber and Austin voted aye; abstaining, Commissioner Krueger. Acting Secretary was authorized to issue check in the amount of \$9,545.46 for Commission signature. The status of contract 3-64, in the amount of \$7,990.00, was discussed by the Commission and referred to Commission Attorney for disposition.

Commission President, DenDooven, again discussed with the Commission the R. P. Honold painting contract extras, and suggested that Commissioners Austin and Commission President, DenDooven meet with Commission Attorney Crowley for study of extras.

The Commission on recommendation by Commissioner Krueger, set the date of Wednesday, February 19, 1969 to interview the two remaining consulting Engineering Firms. The Commission to meet with representatives of one firm at 4:30 P. M. and the other firm at 7:30 P. M.


The President of the Commission informed the Commission of an invitation to a dinner meeting, by American Pipe Services, with the Mayors and Public Works Directors of both Cities and the Commission. The dinner meeting to be Thursday, February 27, 1969 at 5:30 P. M., place to be determined. Commission agreed to meeting. Commissioner Haber suggested getting a break down of cost, by sections, of the interceptor sewers. Commission President, DenDooven, to discuss this cost with Mr. Robert Pfeifferle, of American Pipe Services.

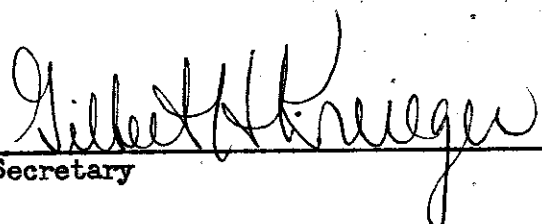
Commission President, DenDooven, informed the Commission of the interview of Monday, February 17, 1969 with Mr. Otto E. Green for position of Manager-Engineer. Commissioner McMyler to meet Mr. Green at Green Bay, Wisconsin and arrange a tour of the Plant and the City.

Commissioner Krueger discussed the payment received from the Town of Neenah for sanitary sewer service, and conversation he had with the Town of Neenah chairman. He suggested returning check and billing them for the amount due. A suggestion was made to hold the check and bill them for the balance due under the new rate. Commission President suggested that Commissioner Krueger work with Commission Attorney Crowley to see if settlement can be made.

Commission President DenDooven informed the Commission of a meeting with representatives of Kimberly-Clark Corporation to review the Virchow-Krause and Company report and also to discuss a new contract. The meeting is scheduled for Thursday, February 13, 1969 at 3:45 P. M. Commissioner Krueger also suggested sending the report, by Virchow and Krause Company on 1967 cost to Mr. Abbott Byfield, of Kimberly-Clark Corporation. Acting Secretary was instructed to mail report.

On motion by Commissioner Krueger, seconded by Commissioner Haber the meeting was adjourned. Motion carried.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
February 13, 1969

Meeting called to order by Commission President, DenDooven.

Present: Commissioners DenDooven, Krueger, McMyler and Haber; Acting Supt. Schuekke, and Paul Rippl. Alerman Ronald Schuerle; Mr. Abbott Byfield and Fr. Fred Hollenbeck of Kimberly-Clark Corporation, Lakeview Mill.

Absent: Commissioner Austin and Attorney Crowley.

Commission President DenDooven reviewed contract with Lakeview Mill. Contract expires February 15, 1969. Cost of present plant operation were also reviewed.

Commission President, DenDooven, turned meeting over to Commissioner Krueger. Commissioner Krueger read his report and study and presented charts showing Lakeview Mills flow and suspended solids for the years 1967, 1968 and projected to 1969. He stated that the Virchow, Krause and Company report, the auditing firm hired by the Commission, indicates that Lakeview Mill, based on flow and suspended solids loading, plus operation cost and debt reduction should have been \$46,906.84; Lakeview Mill paid \$13,184.92 for 1967. Commissioner Krueger's figures were \$42,131.04 for the same year. The 1968 payment on the same ratio should have been \$33,002.60. Lakeview Mill paid \$8,261.08, based on the contract with the commission. Commissioner Krueger's figures were \$50,675.40. Commissioner Krueger's cost for 1969, based on Virchow-Krause and Company report would be \$42,836.16.

Mr. Byfield stated that it was his contention that the meeting was called to write a new contract, and if the meeting continued on retroactive payment, he suggested this meeting adjourn and a new meeting be called with their legal counsel present. President DenDooven suggested to have legal counsel present for both parties. Commissioner Krueger suggested getting a meeting of legal counsel together and study conflict of interest. Commissioner Haber stated meeting should settle question of back-pay and then proceed to a new contract.

Mr. Hollenbeck thanked the Commission for sending the Virchow, Krause and Company report to them prior to the meeting. He suggested writing a contract that will follow a different pattern from the old contract; based on gallonage and a rate on solids due to secondary treatment. Payment to be made on that basis. Mr. Hollenbeck agreed with the Virchow, Krause and Company report, but questioned validity of surcharge.

Commissioner Krueger stated that they pay a surcharge of 25% to the City of Neenah for water usage.

Commissioner McMyler informed the representative of Lakeview Mill that Virchow, Krause and Company rewrote original report to change the 6% rate of return to 4.75% and then add a 25% surcharge to total billing. Report of Virchow, Krause was accepted by the Commission. Report can be used by Commission to figure rates for a number of years. Surcharge only negotiable item.


Mr. Hollenbeck stated the report was an incentive for Lakeview Mill to reduce solid loadings. Contract to be on a pound and gallonage, not on a set basis. The contract should agree to limits, no minimum, and a 100% surcharge on maximum. Commissioner McMyler questioned setting maximum loading. Could Lakeview Mill dispose of balance in case of an emergency? Mr. Hollenbeck informed him that they could.

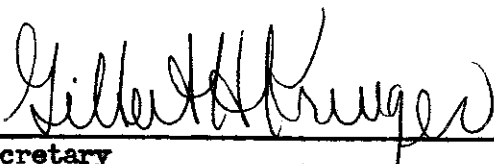
Commissioner Haber suggested writing the new contract on a yearly basis. This was approved by all present.

Commissioner Krueger suggested a monthly payment plan. Mr. Hollenbeck stated this was the way Lakeview Mill would like to handle the billing.

Commission President, DenDooven, suggested having another meeting between representatives of Lakeview Mill and the Commission, to draw up a new contract on the new Commission cost and added surcharge, after all parties had time to study their notes of this meeting.

There being no further business, meeting was adjourned.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
February 17, 1969

Prior to regular meeting, the Commission met in executive session to interview Mr. Otto Green, for the position of Manager-Engineer.

Meeting called to order by Commission President, DenDooven.

Present: Commissioners DenDooven, McMyler, Krueger and Haber; Attorney Crowley, Acting Supt. Schuelke and Paul Rippl.

Absent: Commissioner Austin.

Minutes of the Special Meeting of January 15, 1969; Regular Meeting of January 20, 1969 and Special Meeting of February 7, 1969 were approved and ordered placed on file.

1969 Labor negotiations were discussed following a report by Commission President, DenDooven.

Commission President DenDooven informed the Commission that Mr. Douglas Hyde, of American Can Company, called to arrange a meeting with the Commission, to discuss the handling of waste from their plant. Commission President, DenDooven, suggested that he and Acting Supt. Schuelke meet with American Can Company representatives. The meeting date to be Wednesday, February 26, at 4:00 o'clock P. M. He invited other members of the Commission to the meeting. Commissioner Haber stated, we should favor these people, because they pay a heavy tax load, yet send relatively small amounts of effluent for treatment.

Acting Supt. Schuelke reported to the Commission on the status of the repairs to the refuse building and the report of Mr. Jack Nelson of C. R. Meyer and Sons Company. Commissioner McMyler also discussed the information he received from Mr. Nelson. Acting Supt. Schuelke stated that C. R. Meyer And Sons Company hoped to start work this week.

Acting Supt. Schuelke discussed report received from Donohue & Associates on various steps to be taken to improve the plant operations. Because the Commission is presently interviewing Engineering Firms on the evaluation of the plant, the report was placed on file.

Commissioner Krueger suggested to the Commission that future minutes of the Commission meetings and the monthly reports be addressed to the City Clerks of Neenah and Menasha. The Commission authorized the Acting Secretary to mail the minutes and reports, for better distribution to the Councils of both Cities, to the City Clerks in the future.

Commissioner Krueger discussed status of the R. P. Henold Company account and also the Donohue and Associates account. Commission President, DenDooven, stated that he and Attorney Crowley would study these issues and report back to the Commission.

Commissioner Krueger informed the Commission that he would like to have a more comprehensive monthly report, to include plant operation, production and financial status. Acting Secretary was instructed to compile this information for future monthly reports.

On motion by Commissioner Haber, seconded by Commissioner Krueger the operating fund vouchers #1206 thru #1347 for the month of December, 1968, in the amount of \$52,489.72 were approved. All voting aye; Commissioners DenDooven, McMyler, Krueger and Haber. Motion carried.

On motion by Commissioner McMyler, seconded by Commissioner Haber meeting was adjourned. Motion carried.

E. DenDooven  
President

Robert H. Krueger  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
February 25, 1969

Meeting called to order at 7:30 P. M. by Commission President, DenDooven.

Present: Commissioners DenDooven, McMyler, Haber, Krueger, Austin and Attorney Crowley.

Commissioner McMyler distributed copies of his report on the Land and Water Use Seminar on the Lake Michigan Basin, which he attended on January 28, 29, 30 as a representative of the Commission.

Brief discussion was held covering the matter of the proper order of meeting procedure. Attorney Crowley was instructed to revise and simplify the procedure list as presented by Commissioner Krueger, and present same to Paul Rippl.

The subject of an annual reorganizational meeting of the Commission was discussed at length. Upon motion by Commissioner Haber, seconded by Commissioner Austin it was moved and passed unanimously that election of Commission officers be held tonight, and duly elected officers to take office on March 1, 1969 for a term of one year. Thereafter, annual election of officers to be held at the Commission's regularly scheduled meeting in February of each year, with officers holding a one year term, and assuming office on the following March of each year.

Commissioner Austin was nominated by Commissioner McMyler for President of the Commission, seconded by Commissioner Krueger. Commissioner Haber moved that nominations be closed, seconded by Commissioner McMyler. All voting aye; Secretary Krueger was instructed to cast a unanimous ballot for Commissioner Austin.

Commissioner McMyler was nominated by Commissioner Haber for Vice-President, seconded by Commissioner Austin. All voting aye. Commissioner Krueger moved that nominations be closed, and the Secretary be instructed to cast a unanimous ballot for Commissioner McMyler. All voting aye.

Commissioner Austin moved that Commissioner Krueger be reelected Secretary of the Commission, seconded by Commissioner Haber. Commissioner McMyler moved that nominations be closed and that secretary be instructed to cast a unanimous ballot for Commissioner Krueger. All voting aye.

Commissioners were brought up to date on the status of labor negotiations by Commissioner McMyler.

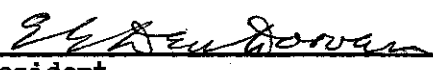
A short discussion was held relative to the hiring of an Engineer-Manager. It was agreed that Mr. E. Berce, of the John W. Siler and Associates of Milwaukee, Wisconsin be invited to meet with the Commissioners on Monday, March 3rd, to further discuss the matter.

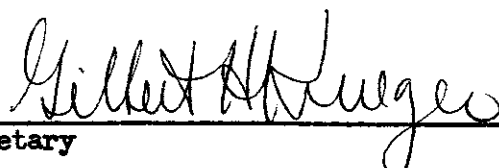
Matter of salary adjustments was discussed and resolved. Individuals concerned were Harland Schuelke, Paul Rippl, Harold Clifford and Attorney Crowley.

Acting Superintendent Schuelke was officially appointed to the position of Plant Superintendent.

Commission instructed Secretary Krueger to compose and get off a letter to Mr. Al Schoen, Division of Environmental Protection, Green Bay, Wisconsin stating that the Commission wishes to go on record as whole heartedly supporting the Governor's bill ORAP 200.

There being no further business upon motion by Commissioner Haber, seconded by Commissioner Krueger and all voting aye the meeting was adjourned at 10:30 P. M.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
February 29, 1969

As a result of engineering probes conducted by the C. R. Meyer & Sons Company, Oshkosh, Wisconsin into the refuse pit building, the seriousness of their findings precipitated the calling of an immediate meeting of the Commission.

Due to the unavailability of President DenDooven, President-elect Austin made contact with all other Commissioners late Friday A. M. to attend a consultation meeting with C. R. Meyer representative, Mr. E. (Jack) Nelson at 4:30 P. M.

Meeting called to order at 4:35 P. M. by Commissioner Austin.

Present: Commissioners Austin, Haber, Krueger and McMyler; Superintendent Schuelke, E (Jack) Nelson of C. R. Meyer & Sons Company and J. Bartz, Marathon Engineering, Inc. were also present.

Absent: Commissioner DenDooven and Attorney Crowley.

The problems involved were discussed in detail by Mr. Nelson, and a plan of attack was laid out for the Commissioners through conversation and detailed engineering drawings.

Upon motion by Commissioner McMyler, seconded by Commissioner Haber the C. R. Meyer & Sons Company was instructed to proceed at once on the necessary repair operation to the Refuse Waste Storage Area Building, work to be carried out on a cost plus basis. Their work to be coordinate with plant operations so as to complete project as quickly and as economically as possible, while at the same time allowing the plant to operate at as full capacity as possible. All voting aye. Motion carried,

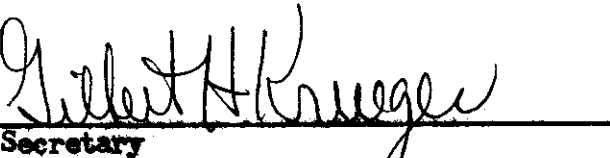
Time table indicates that work will be completed within a two month period, about May 1, 1969.

To keep cost down the Commission unanimously agreed to forego finishing windows to be closed off with brick and in their place solid panels of finished cement would be substituted. There to be painted trim color of building. This procedure, it was felt, would save approximately \$60,000.00, and at the same time would not detract from the aesthetics of the building.

Formal purchase or work order for the job to be issued, Monday, March 3, 1969

Meeting adjourned at 5:30 P. M.

  
Commissioner Nyle C. Austin

  
Secretary



Regular Meeting  
March 17, 1969

Meeting called to order by Commission President, Austin.

Present: Commissioners, Austin, McMyler, Krueger, DenDooven and Haber; Attorney Crowley, Supt. Schuelke and Paul Rippl.

Minutes of the Special Meeting February 13, 1969; Regular Meeting February 17, 1969; Special Meeting February 25, and Special meeting February 29, were approved and ordered placed on file.

Letter from Komline-Sanderson Engineering Corporation, pertaining to a service contract to service their equipment, was read and discussed by the Commission. Moved by Commissioner DenDooven, seconded by Commissioner Krueger that the Commission accept the service contract based on a one (1) call per year of two (2) days at \$200.00. All present voting aye; Commissioners Austin, McMyler, Krueger, DenDooven and Haber. Motion carried.

Commission Acting Secretary informed the Commission that copies of the 1969 Budget were mailed to mayor John Klein and Alderman Summer Parker per their request.

Communications were read and ordered placed on file. Commission President, Austin, stated that at future meetings only communications directed to Commission will be read.

Letter from C. R. Meyer and Sons Company requesting Commission to increase Builders' coverage under Commission's present policy to cover added cost of new repair work was discussed. Commission was informed that the McClone Agency had been contacted, and were to report back to Commission by letter. Commission authorized purchase of additional insurance if needed.

Commissioner Krueger's letter to Mr. Al Schoen, of the Department of Natural Resources of Green Bay, stating that the Neenah-Menasha Sewerage Commission wish to go on record as backing the Governor's ORAP 200 bill was read

Commission Attorney Crowley, discussed with Commission the Kimberly-Clark contract, based on flow and solids going through the meter at Lakeview Mill. Charges to be based on Virchow, Krause and Company report. Commissioner Krueger suggested that the Commission have installed their own metering system. Commissioner Krueger also requested daily reports, covering the four (4) day period when tests were made. Commission President Austin to contact Kimberly-Clark to request daily flow charts and record of suspended solids for the days the test was run. Commission President Austin suggested that he and Attorney Crowley meet to draw draft of contract using report presented by Commissioner Krueger based on Virchow, Krause figures for charges. The initial draft to be ready for April 21st. regular meeting.

Moved by Commissioner Krueger, seconded by Commissioner Haber that the Acting Secretary mail an invoice for payment to Kimberly-Clark, Lakeview Mill on gallonage and suspended solids submitted by Lakeview mill for the period of February 15, 1969 thru March 14, 1969, payment to be made according to terms set up by Virchow, Krause and Company report. All present voting aye. Motion carried.

Commissioner Krueger requested a legal opinion on conflict of interest, when 1958 contract was signed. Commission Attorney, Crowley, to report back to Commission at next regular meeting.

Proposal from Consoer-Townsend & Associates, for engineering services, was discussed by the Commission. Proposal was referred to Attorney Crowley for study.

Letter from American Can Company requesting permission for added loads of burnable waste on Saturday's was discussed by the Commission. Commissioner DenDooven reported on meeting with officials of American Can Company on loadings of burnable waste on Saturday. Commissioner Haber suggested added charges for Saturday loadings, because of added cost. Commissioner DenDooven suggested that he, Commissioner Haber and Supt. Schuelke formulate a communication, outlining suggested terms on cost and loadings with approval of Commission at next meeting. Moved by Commissioner Krueger, seconded by Commissioner McMyler that this committee formulate a communication for approval at the next Commission meeting. All present voting aye. Motion carried.

Commissioner DenDooven discussed with Commission request of Neenah Foundry to process waste now being dumped in the storm sewer. Commissioner DenDooven suggested if this looks feasible, work out trial arrangement of a few months, but not make a firm deal. Commissioner Haber stated the plant is overloaded now and it will be impossible to take additional loadings. Moved by Commissioner Haber, seconded by Commissioner Krueger that Commissioner DenDooven call Neenah Foundry officials and inform them that we will handle loadings when in position to do so. All present voting aye. Motion carried.

On motion by Commissioner McMyler, seconded by Commissioner Krueger payment #1, Special P. O. #73, C. R. Meyer & Sons Company, in the amount of \$969.55 was approved and ordered paid. All present voting aye; Commissioners Austin, McMyler, Krueger, DenDooven and Haber. Motion carried.

On motion by Commissioner McMyler, seconded by Commissioner Krueger operating fund vouchers #1 thru #109, for the month of January, 1969 in the amount of \$42,522.68 were approved. All present voting aye; Commissioners Austin, McMyler, Krueger, DenDooven and Haber. Motion carried.

On motion by Commissioner Krueger, seconded by Commissioner Haber operating fund vouchers #110 thru #232 for the month of February, 1969 in the amount of \$99,997.94 were approved. All present voting aye; Commissioners Austin, McMyler, Krueger, DenDooven and Haber. Motion carried.

Minutes of the Regular Meeting of March 17, 1969 continued on page 618

Minutes of the Regular Meeting of March 17, 1969 continued from page 617.

Commissioner Krueger discussed status of Town of Neenah payment for service to the Plummer Court sanitary district. Commission Attorney Crowley discussed conversation he had with official of the Township. Moved by Commissioner McMyler, seconded by Commissioner DenDooven that Commission President Austin, Commissioner Krueger and Commission Attorney Crowley meet with officials of the City of Neenah to discuss status of Town of Neenah Payment. All present voting aye. Motion carried.

Status of Honold contract and letter of January 27, 1969 to Attorney Grote, representing R. P. Honold Company was read and discussed. Commissioner Krueger read and reported on letters written by Donohue and Associates in regard to painters of Honold contract. Commissioner DenDooven stated that nowhere is found a change order in regard to the change of painters by the R. P. Honold Company. Attorney Crowley stated it was his contention that they were entitled to be heard. Commission instructed Attorney Crowley to notify Attorney Grote, R. P. Honold Company and Donohue & Associates to meet with the Commission at the next regular meeting of April 21st.

Request by American Pipe Services for a joint meeting of the Mayors, Public Works Directors of the two Cities and the Commission was discussed. Tentative dates for the meeting were March 25th. and April 1st. Superintendent Schuelke was instructed to call Mr. Robert Pfeifferle of American Pipe Services to set up the meeting on the dates suggested.

Superintendent Schuelke questioned need for sending weekly reports to Donohue and Associates. He was informed that the need no longer existed.

Commission instructed Superintendent Schuelke to call Riley Sanitary Service to refrain from sending waste from industrial firms located outside of the cities of Neenah and Menasha, to the plant.

Superintendent Schuelke reported to Commission on plant operation.

Commission President Austin called for an executive session of the Commission following the regular meeting.

There being no further business, meeting was adjourned.

  
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President

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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
April 9, 1969

Meeting called to order by Commission President Austin.

Present: Commissioners Austin, Krueger, McMyler, DenDooven and Haber; Paul Rippl

Absent: Attorney Crowley and Superintendent Schuelke.

Commission President Austin discussed with Commission the Consoer, Townsend and Associates, Engineering Firm, contract. It was suggested that the Consoer, Townsend & Associates representative meet with the Commission at their next regular meeting April 21, 1969 to discuss contract. Commission President Austin was instructed to contact the Engineering Firm to arrange meeting.

Commission President Austin discussed with the Commission the American Pipe Services contract. Commission President Austin's letter to the Mayor and Common Council of the two cities, on estimates of Commission cost for 1969 and 1970 to complete the work, was read.

The Commission discussed the application of the Neenah Foundry for sewer service. Commission President Austin suggested the Commission reconsider their stand taken in regard to this service. Commissioner Krueger reported on his conversation with Mr. Keating, of the Neenah Foundry, in regard to plans the Neenah Foundry has to settle out waste before introducing them into the sewer. It was suggested that Commission President Austin write a letter to the Neenah Foundry informing them that they should go ahead with their plans.

The Commission discussed the application of Neenah Water Plant for sewer service. It was the consensus of the Commission that the Commission should have a more detailed plan before acceptance of their application. Commissioner DenDooven suggested waiting until the consulting Engineering Firm makes their study of plant operation. At that time a meeting be arranged between the Commission and Neenah Water Department, with the consulting Engineer present, to discuss the problem. Commissioner Krueger suggested that Commission President, Austin, write a letter to the Neenah Water Department informing them of the Commission's action on the problem.

Letter from Mayor John Klein of Menasha, requesting a possible change of Commission's regular meeting night, due to the difficulty of the Menasha Council representative to attend meeting of the Commission on the third Monday of the Month, because of conflict with council meeting, was read. He wondered if the Commission meeting night could be changed to the second or fourth Monday. It was the consensus of the Commission that this change could be made. Acting Secretary was instructed to call Mayor Hassler and check with him if he has any preference to change of date.

On motion by Commissioner Krueger, seconded by Commissioner DenDooven the payment to John W. Siler & Associated, for Engineer-Manager assignment, in the amount of 132.51 was approved and ordered paid. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

On motion by Commissioner Krueger, seconded by Commissioner Haber the payment to Virchow, Krause and Company for audit to establish charges for out of City sewer service was approved and ordered paid. All present voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Bids for repair to arch, side walls, ignition arch, bridge wall, charging chute areas, east and west doors and bull nose in number 2 incinerator was presented to the Commission. Plibrico.- 60% Alumina - \$12,007.00; Crichton Corporation - 60% Alumina - \$9,962.00; A. P. Green - 60% Alumina - \$10,140.00. Superintendent Schuelke was instructed to review Crichton bid and check to see that specifications cover job required and if he is satisfied to go ahead with work on basis of 60% Alumina. On motion by Commissioner McMyler, seconded by Commissioner Krueger the low bid, by Crichton Corporation of \$9,962.00 was approved and accepted. All present voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

On motion by Commissioner McMyler, seconded by Commissioner Krueger payment to C. R. Meyer and Sons Company on Invoices No. 11234-\$2,127.36; No. 11330 - \$2,721.18; No. 11394 - \$2,465.81; No. 11407 - \$663.56; No. 11376 - \$3,626.57 in the amount of \$11,604.48 was approved and ordered paid. All present voting aye; Commissioners Austin, McMyler, Krueger, Haber, and DenDooven. Motion carried.

Commission Attorney Crowley's letter to town of Neenah Sanitary District for 1969 payment was read.

Commission Attorney Crowley's letter to Attorney Grote, representing R. P. Honold Company, and to Donahue and Associates inviting them to attend the regular meeting of April 21, 1969 at 8:00 o'clock P. M., was read.

Acting Secretary was instructed to compile a report on plant operations total expenditures for the years 1958 thru 1968, also the payments made by Kimberly-Clark - Lakeview Mill for 1958 thru 1968. Copy of the report to be mailed to all Commissioners.

Commission President Austin called for an executive session of the Commission following the special meeting.

On motion by Commissioner Krueger, seconded by Commissioner McMyler the meeting was adjourned. Motion carried,

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
April 21, 1969

Meeting called to order by Commission President, Austin.

Present: Commissioners Austin, Krueger, McMyler, DenDooven and Haber; Attorney Crowley, Supt. Schuelke and Paul Rippl; Alderman Paul Mueller and Ronald Schaurle; Robert Pfefferle and Russ Stevenson, American Pipe Services; Mr. Antonin Sterba, Consoer-Townsend & Associates; Mr. Robert Jones and William White, Donohue and Associates; Attorney Grote and Wendell Davis, R. P. Honold Company.

Minutes of the regular meeting of March 17, 1969 and Special meeting of April 9, 1969 were approved and ordered placed on file.

The Commission discussed American Pipe Services contract. The contract could not be accepted or signed at this time, because the City of Menasha had not given written approval of fund appropriations. The city of Neenah has presented written approval of the sum of \$62,500.00 as their portion of the estimated expenditure. On motion by Commissioner Krueger, seconded by Commissioner Haber on written approval of funds from the City of Menasha, and study and approval of contract by Commission Attorney Crowley, Commission President Austin and Commission Secretary Krueger were authorized to sign contract and work to commence forthwith. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Communications were read and ordered placed on file.

Letter from Kimberly-Clark Corporation concerning balance due for the period of January 1, thru February 14, 1969, based on fixed amount of \$7,000.00 annually was read and ordered placed on file.

Letter from Kimberly-Clark Corporation, Lakeview Division, on effluent to the interceptor for the period of March 15, thru April 14, 1969 was read. Acting Secretary was instructed to mail invoice to Kimberly-Clark Corporation, Lakeview Mill, for gallonage and suspended solids submitted by Lakeview Mill, for the 30 day period in the amount of \$1,090.14, payment to be made according to terms set up by Virchow-Krause and Company report.

Acting Secretary was instructed to call the Mayors of both Cities in regard to change of regular Commission meeting from the third Monday of the month to the second Tuesday of the month.

On motion by Commissioner Krueger, seconded by Commissioner Haber the operating fund vouchers #233 thru #364 for the month of March, 1969 in the amount of \$48,409.16 were approved. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Commission discussed the R. P. Honold Company painting contract. Attorney Grote, representing R. P. Honold Company presented recap of R. P. Honold painting work on contract. Commissioner Krueger reviewed letters written by Mr. Robert Jones, of Donohue and Associates, to R. P. Honold Company on this matter. Mr. Jones, of Donohue and Associates reviewed his stand, stating he did not know that the Honold Company was dealing with Bohlman, the painter hired to finish the work, on a time and material basis. Commission President Austin referred the matter to Attorney Crowley for disposition. Attorney Crowley was authorized to do what ever is necessary to finalize the problems, and report back to Commission, of the Commissions legal obligations, at the next regular meeting. A letter will then be written to Attorney Grote, representing R. P. Honold Company.

Mr. Antonin Sterba, of Consoer, Townsend & Associates Engineering firm reviewed contract for engineering study of plant operation. Following a discussion, Commission President, Austin, stated it was the original intent to have a preliminary study to modify plant, not for the future, but what can be done right now. Commissioner McMyler stated plans for increased chlorination of effluent be placed high on list of study. Commission President, Austin, ask if they could have their man sit in on monthly meetings. He was advised that this would be possible after work was in progress. Commission Attorney, Crowley, recommended that if Commission accepts contract, they sign for Division "A" only. Commissioner McMyler stated engineers will not proceed with division "B" without O. K. from Commission. Moved by Commissioner Haber, seconded by Commissioner Krueger that the Commission sign contract as written. Commission President and Commission Secretary authorized to sign contract. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Commissioner Krueger reviewed report form Kimberly-Clark, Lakeview mill on flow and solids on the days of March 7, 8, 9, 12 and 13, 1969.

Commissioner Krueger discussed the question of conflict of interest on Kimberly-Clark Corporation contract with Commission of 1958, and requested an appropriation of \$750.00 to hire an outside law firm to proceed with this issue. Commissioner Krueger withdrew his request; when a new approach to the problem was introduced. Commissioner Krueger stated that Kimberly-Clark Corporation, using positive cost figures for sewer service, owes the Commission \$33,721.92 for 1967 and \$24,741.52 for 1968 for a total amount of \$58,463.44. This amount is over and above the payments made. Commission Attorney, Crowley, recommended, because of added cost of operating the new plant, the Commission bill Kimberly-Clark Corporation for the added cost of 1967 and 1968, based on Virchow, Krause and Company formula, and Commission President and Commission Secretary draft a letter and bill based on Virchow, Krause report. Moved by Commissioner Krueger, seconded by Commissioner Haber that the Commission send Kimberly-Clark Corporation a bill and accompanying letter based on Virchow, Krause report for balance due of \$58,463.44. All present voting aye; Commissioner Austin, McMyler, Krueger, DenDooven and Haber. Motion carried.

Superintendent Schuelke reported to the Commission the need for raising of interceptor sewer manholes to street level, as requested by City of Menasha Public Works Director. Superintendent Schuelke was instructed to proceed with work.

Superintendent Schuelke discussed with Commission the need for a man for the position of foreman. Commission authorized Superintendent Schuelke to interview men for the position.

On motion by Commissioner DenDooven, seconded by Commissioner Haber, the report of the audit of the Commission books for the year 1968 was accepted. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

On motion by Commissioner DenDooven, seconded by Commissioner McMyler the acting Secretary was directed to submit a copy of the audit to each City Council, together with a check for the refund in the sum of \$353.00. With the City of Menasha to receive \$176.50 and the City of Neenah to receive \$176.50 as unexpended funds from the appropriations received from each City for 1968 operations. All present voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Report on progress of labor negotiations was presented by Commissioner McMyler. Commission gave full authority to labor negotiating committee to negotiate labor problems.

There being no further business, meeting was adjourned.

Wyle C. Austin  
President

Gilbert H. Krueger  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION  
Regular Meeting  
May 13, 1969

Meeting called to order by Commission President, Austin.

Present: Commissioners Austin, Krueger, McMyler, DenDooven and Haber; Attorney Crowley, Paul Rippl and Alderman Ronald Scheurle.

Absent: Supt. Schuelke and Alderman Mueller.

Minutes of the regular meeting of April 21, 1969 were approved and ordered placed on file.

Communications were read and ordered placed on file.

Letter from American Pipe Services, of April 30, 1969 was discussed. Attorney Crowley informed the Commission that all contracts, that effect the Commission, were signed. Moved by Commissioner Krueger, seconded by Commissioner DenDooven that Attorney Crowley be instructed to deliver the the signed contracts to the American Pipe Services. All present voting aye. Motion carried. Commissioner Krueger stated that Attorney Crowley should be commended for a job well done on contracts with American Pipe Services.

Letter from Kimberly-Clark Corporation, in connection with contract, was read and discussed. Commissioner Krueger presented his report on Kimberly-Clark Corporation, payments on old contract for 1967 and 1968 and balance of 1969 up to February 14, 1969. Commissioner Haber stated he would like an answer to Commission's letter and invoice by next meeting. Commissioner DenDooven stated that the Kimberly-Clark Corporation letter has to be answered and also request a prompt reply to Commission's letter and invoice. Commission President, Austin, was instructed to write a letter to Kimberly-Clark Corporation.

Letter from Donohue and Associates, Engineering Firm, was read and discussed. Moved by Commissioner McMyler, seconded by Commissioner Krueger that the Commission fulfill its obligation for remaining engineering fee of \$7,990.00 to Donohue and Associates, Inc. Voting aye; Commissioners Austin, McMyler, DenDooven and Haber. Abstaining Commissioner Krueger. Motion carried.

Moved by Commissioner Krueger, seconded by Commissioner Haber that the plant Superintendent and Chemist be authorized to attend the Central States Water Pollution Control Association annual meeting at Kenosha, Wisconsin on June 18, 19, 20, 1969, with all expenses paid. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Moved by Commissioner DenDooven, seconded by Commissioner Krueger that payment to Virchow, Krause and Company for audit to establish charge for Kimberly-Clark Corporation for 1967 of \$340.00, and payment to the auditing Firm of Schenck, Derscheid, Kuenzli, Sturtevant and Company for audit of Commission books for 1968 of \$275.00 be approved and ordered paid. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Moved by Commissioner Krueger, seconded by Commissioner Haber that payment to C. R. Meyer & Sons Company, covering Special Purchase Order #73 - Job 69-39, in the amount of \$26,790.65 be approved and ordered paid. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

On motion by Commissioner DenDooven, seconded by Commissioner Haber the operating fund vouchers #365 thru #484 for the month of April, 1969 in the amount of \$45,216.60 were approved. All voting aye; Commissioners Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

Report on progress of labor negotiations was presented by Commissioner McMyler.

Moved by Commissioner McMyler, seconded by Commissioner DenDooven that the Commission President, Austin, sign certification to pay entire Group Life Insurance Premium pending final favorable acceptance of Labor agreement. All voting aye; Motion carried.

Moved by Commissioner Krueger, seconded by Commissioner Haber that payment to John A. Siler & Associates in the amount of \$156.81, for Engineer-Manager assignment be approved and ordered paid. All voting aye; Commissioner Austin, McMyler, Krueger, Haber and DenDooven. Motion carried.

The Commission again discussed the payment of sewer service to the Town of Neenah, Commission instructed Commission Attorney Crowley to write a letter to Town of Neenah in regards to past due account, requesting that they act with dispatch in this matter.

Commission President, Austin called for an executive session of the Commission following the adjournment of the regular meeting.

There being no further business, meeting was adjourned.

Wyle C. Austin  
President

Gilbert H. Krueger  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
June 10, 1969

Meeting called to order by Commission President, Austin.

Present: Commissioners Austin, McMyler, Krueger, DenDooven and Haber; Supt. Schuelke and Paul Rippl.

Absent Attorney Crowley, Alderman Scheurle and Mueller.

Mr. James Lehrer, of Lehrer Sanitary Service, discussed ash hauling problems with the Commission. Commission President, Austin, informed him that the Commission would make a study of loadings and adjustments that can be made. Commission instructed Superintendent Schuelke to gather the necessary information and figures, This report to be ready for the Commission at the next meeting of the Commission.

Minutes of the Regular Meeting of May 13, 1969 were approved and ordered placed on file.

Communications were read and ordered placed on file.

Acting Secretary informed Commission that the Town of Neenah Sanitary District is represented by Fink Law Firm, and that Attorney Crowley will give a full report at the July meeting of the Commission.

Commission discussed the R. P. Honold & Company request for additional payment on painting contract. Commission deferred action until next regular meeting.

Letter from Kimberly-Clark Corporation on added payment on contract of 1958 for the years of 1967-1968 and January thru February 15, 1969, was read and discussed by the Commission. Commissioner Krueger discussed the letter and read his report. He requested that three issues be resolved:

- 1 - That the necessary funds to obtain a legal opinion on the matter of "Conflict of interest" will be appropriated.
- 2 - That the proper parties of the Kimberly-Clark Corporation will be informed that as of August 1, we will expect them to discontinue the use of the Neenah-Menasha Sewerage Commission interceptor completely.
- 3 - That beginning immediately we install a portable metering device. This to be used so that for the first time in over 30 years the Sewerage Commission can meter the flow from Lakeview Mill and will bill them for their waste water treatment using the Virchow, Krause formula which was accepted by the two Kimberly-Clark representatives who attended some months ago.

Superintendent Schuelke informed the Commission that a V notched Weir had been installed at the Lakeview Mill and read a report on sampling taken. Superintendent Schuelke also discussed with Commission a metering device recommended by American Pipe Services. Commissioner Haber suggested that the Commission return the check received from Kimberly-Clark Corporation. Commission President, Austin, informed the Commission that Attorney Crowley requested that the Commission take no action on the matter until the July meeting. The Commission deferred action until the next meeting of the Commission.

Commission deferred action on C. R. Meyer and Sons Company payment until final bill is presented.

Superintendent Schuelke presented an up to date progress report on American Pipe Services work on Commission interceptor sewer.

On motion by Commissioner DenDooven, seconded by Commissioner Haber operating fund vouchers #485 thru #614, for the month of May, 1969 in the amount of \$53,333.48 were approved. All present voting aye; Commissioners Austin, Krueger, McMyler, Haber and DenDooven. Motion carried.

Superintendent Schuelke reported to the Commission on refuse loadings from American Can Company. Commissioner DenDooven suggested that he, Commissioner Haber and Superintendent Schuelke meet to establish a rate for extra refuse loadings. Meeting date for Commissioners and Superintendent Schuelke to be Thursday, June 12, 1969.

Superintendent Schuelke informed the Commission of the need for a new Vacuum Pump for number one Komline Filter.

Superintendent Schuelke reported to Commission that the scheduled refuse pit opening to the public on Saturdays was not being used extensively and did not pay to continue keeping pit refuse room open on Saturday.

Superintendent Schuelke reported to Commission of the request made by Mr. Wayne Bryan, Neenah Public Works Director, for a meeting with the Commission to study emergency shut down of incineration and pit room. Superintendent Schuelke was instructed to call Mr. Bryan and have him set a date for the meeting that would be mutually agreeable to all parties.

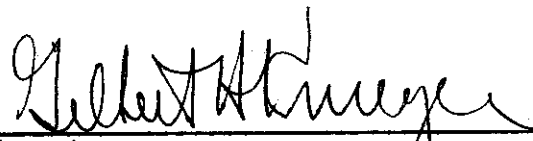
Superintendent Schuelke informed the Commission that Superintendent Jurgenson, Neenah Water Works, called and stated that the Neenah Water Works would be sending their waste to the plant in about a week, on a trial basis. Superintendent Schuelke also read a report from the Engineering Firm of Consoer, Townsend and Associates which stated that the added loadings and type of waste from the Neenah Water Works will effect our operation.

Commissioner McMyler reported to the Commission on progress of Labor negotiations.

Superintendent Schuelke was instructed by Commission to get cost of installing air conditioner in Commission office.

There being no further business, meeting was adjourned.

  
President

  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
July 8, 1969

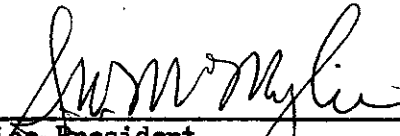
Meeting called to order by Commission Vice-President, McMyler.

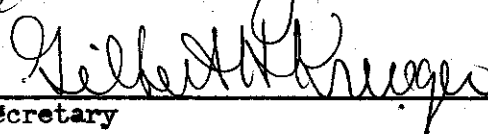
Minutes of the Regular Meeting of July 8, 1969 continued from Page 623.

Superintendent Schuelke reported on problem with repair to scale. It was suggested that he write a letter direct to factory.

Commission Vice-President McMyler called for an executive session of the Commission following adjournment of regular meeting.

On motion by Commissioner Haber, seconded by Commissioner DenDooven the meeting was adjourned. Motion carried.

  
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 Vice-President

  
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 Secretary

NEENAH-MENASHA SEWERAGE  
 COMMISSION

Special Meeting  
 August 5, 1969

Meeting called to order by Commission Vice-President, McMyler.

Present: Commissioners McMyler, Krueger, DenDooven and Haber; Attorney Crowley, Superintendent Schuelke, Paul Rippl. Mr. John C. Wollwage, Vice-President Kimberly-Clark Corporation was also present.

Vice-President McMyler stated meeting was called to discuss with Mr. Wollwage, Vice-President of Kimberly-Clark Corporation, the Kimberly-Clark, Lakeview Division 1959 contract. Vice-President McMyler presented a summary of old contract and adjusting cost at the end of 1966 construction period, and start up of secondary treatment operation; hiring of Virchow, Krause & Company, auditors, and charges based on Virchow, Krause new formula for 1967-68 and one and one half month of 1969

Commissioner Krueger presented his summary of the charges for the period of 1967-68 and one and one half month of 1969. His presentation also included charts showing payments made by Kimberly-Clark Corporation, Lakeview Division, and adjusted payments to be made under the Virchow, Krause & Company formula.

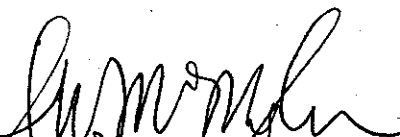
Mr. Wollwage, Vice-President of Kimberly-Clark Corporation distributed copies of his prepared report, a four point summary of Kimberly-Clark Corporation stand on 1959 contract and payments made to the Commission. He stated that because of the 1959 contract Kimberly-Clark recognizes no legal liability to pay the Commission any additional amount over and above the voluntary contribution of \$8,761.12 offered in Mr. Hollenbeck's letter of May 28, 1969. He also stated that Kimberly-Clark will continue to be ready to consider and discuss any pertinent points and to review their position in the light on any new information.

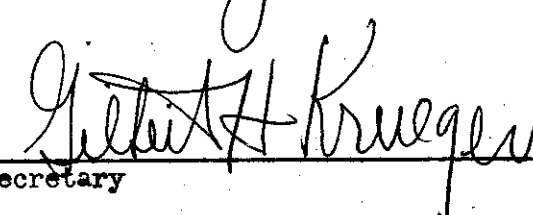
In the discussion that followed Commissioner Haber stated he hoped an agreement could be reached. He also stated that if an agreement cannot be reached, he will propose a motion at the next regular meeting, cutting off Lakeview Mill from the Neenah-Menasha Sewage Plant by October 1, 1969. At this point in the meeting Commissioner Haber left.

Vice-President McMyler informed Mr. Wollwage, that the Commission will further discuss the problem at the next regular meeting, and will keep him informed of the Commission's decision. There being no further discussion, Mr. Wollwage left the meeting.

Attorney Crowley informed the Commission of the subpoena served on the Commission by R. P. Harold Company on July 29, 1969, answerable in 20 days. Action in the Oshkosh Circuit Court. Attorney Crowley also informed the Commission that the handling of the court action would be over and above the regular monthly fee as Attorney for the Commission. All present agreed to the added fees for the Attorney.

There being no further business, the meeting was adjourned.

  
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 Vice-President

  
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 Secretary



NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
August 12, 1969

Meeting called to order by Vice-President, McMyler.

Present: Commissioners McMyler, Krueger and Haber; Attorney Crowley, Supt. Schuelke, Paul Rippl; Aldermen Schuerle and Steber.

Absent: Commissioner DenDooven.

Minutes of the Regular meeting of July 8, 1969 and Special Meeting of August 5, 1969 were approved and ordered placed on file.

Vice-President McMyler welcomed Alderman Donald Steber as representative to the Commission from the City of Neenah Council.

Vice-President McMyler informed the Commission that the candidate to fill the vacancy due to Mr. Austin resigning from the Commission, withdrew as commissioner.

Moved by Commissioner Haber, seconded by Commissioner Krueger that Vice-President McMyler be elected President of the Commission to fill vacancy due to the resignation of Mr. Austin. All voting aye. Motion carried.

Letter from Attorney Crowley to Town of Neenah regarding charges to the Courtney-Plummer Plat was read and discussed. Attorney Crowley discussed with the Commission the letter from Attorney Fink, representing the Town of Neenah in regard to the sewer charges. Attorney Crowley suggested that a conference with full Commission and Sanitary Board of the Town of Neenah present, be held to negotiate a contract. It was Commissioner Haber and Commissioner Krueger's intention that the bill at \$75.00 rate per home should be paid. Commission instructed Attorney Crowley to again try to collect the bill at the \$75.00 rate.

Commission discussed and approved acceptance of check from the Town of Menasha for sewer service.

Commissioner Krueger suggested that a bill for sewer charges be mailed to Town of ~~Neenah~~ ~~Chairman and Clerk~~ Comptroller of the City of Menasha. This bill to be ready for the next regular meeting of the Commission on September 9, 1969.

Commiss

Letter from American Can Company accepting meeting date of August 15, 1969 at 4:00 p.m. with Commission at Commission office to discuss their refuse problem, was read.

Communications were read and ordered placed on file.

Kimberly-Clark-Lakeview Division treatment charges were again discussed by Commission. Commissioner Haber moved that Lakeview Mill be disconnected from interceptor by October 1, 1969. Commissioner Krueger presented a summary of Kimberly-Clark Corporation meetings on treatment charges. For lack of a second Commissioner Haber amended his motion to read that Kimberly-Clark, Lakeview Division be disconnected as of October 1, 1969, unless the charges of \$62,042.58 are paid, and they are to be so notified, seconded by Commissioner Krueger. Voting aye; Commissioner Haber and Krueger. Nay, Commissioner McMyler. Motion carried. Commission President, McMyler was instructed to write letter to Kimberly-Clark Corporation,

Commissioner Haber reported on meeting of July 21, 1969, with Neenah Street and Sanitation Committee, with representatives from City of Menasha also present, regarding alternate rubbish disposal site, when plant incinerator is down. It was his suggestion that action on adding to present Incinerator operation wait until Commission receives full report from Consoer, Townsend & Associates, consulting Engineers. He also stated Lehrer Sanitary Service of Kaukauna, Wisconsin was to be contacted and a contract worked out to dump at his refuse site when incinerator plant was out of operation.

Commission discussed portable metering and sampling. Supt. Schuelke presented cost figures.

Commission President, McMyler informed the Commission of the letter received from Consoer, Townsend and Associates, consulting Engineers, that their report would be ready in the middle of later part of September, 1969.

Superintendent Schuelke presented to the Commission a progress report on work by American Pipe Services to Commission interceptor sewer. Commissioner Krueger stated that action should be taken for protection of open manholes while men are working. He was informed by Alderman Schuerle that the City of Menasha was aware of the danger, and would take action to provide protection of open manholes.

Letter from American Can Company Pilot-Tissue Machine sanitary sewer requirements was discussed by Commission. A report, by Plant Chemist, on loadings from Pilot Plant was read.

Minutes of the Regular Meeting of August 12, 1969 continued on Page 626.

On motion by Commissioner Haber, seconded by Commissioner Krueger operating fund vouchers #742 thru #872 for the month of July, 1969 in the amount of \$58,650.58 were approved. All present voting aye; Commissioners McMyler, Haber and Krueger. Motion carried.

On motion by Commissioner Krueger, seconded by Commissioner Haber payment to John W. Siler & Associates for Engineer-Manager Assignment in the amount of \$392.10 was approved. All present voting aye; Commissioners McMyler, Krueger and Haber. Motion carried.

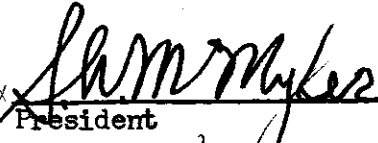
Superintendent Schuelke reported to the Commission on the repairs to scale. Added repairs are needed to repair load cells. The cost figure quoted by Fairbanks-Morse Inc. was \$4,000.00. Commission instructed Superintendent Schuelke to get additional quotations for the necessary repairs and report back to the Commission.

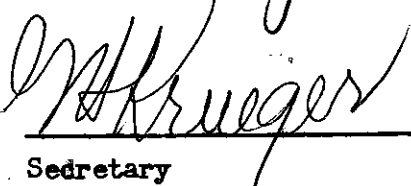
Superintendent Schuelke presented to the Commission cost figures of \$250.00 to \$425.00 for the painting of filled in windows in refuse pit building. Action was deferred until next regular meeting.

Superintendent Schuelke reported to the Commission on the effect on the system from the dumping, by the Neenah Water Works of 150,000 gallons of water and 5 tons of solids per day. The dumping started July 16 to August 4, 1969. August 12, 1969 they again turned their flow into the sewer without warning. Because of the high water, causing by-passing, a systematic check on the effect on the plant could not be properly made. Superintendent Schuelke was instructed to call Mr. Jurgenson, Superintendent of Neenah Water Works, and ask him why he cannot do it on a systematic basis. President McMyler suggested that if difficulties arise, he and Superintendent Schuelke meet with Mr. Jurgenson to discuss problem.

President McMyler announced to the Commission that Mr. Ronald E. St. Laurent, in a letter, dated August 7, 1969 from Mr. Gene Berce of John Siler & Associates, accepted the position of Engineer-Manager of the Neenah-Menasha Sewerage Commission. Starting date to be September 1 or as soon as possible after September 1, 1969.

On motion by Commissioner Krueger, seconded by Commissioner Haber, meeting was adjourned. Motion carried.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
September 9, 1969

Meeting called to order by Commission President, McMyler.

Present: Commissioners McMyler, Krueger, DenDooven, Haber and Commissioner elect Lyall Williams; Attorney Crowley, Superintendent Schuelke, Manager-Engineer Ronald St. Laurent, Paul Rippl and Alderman Steber. Mr. Fred VanKirk and Mr. Peter Laubenheimer of Consoer-Townsend and Associates were also present.

Absent: Alderman Schuerle.

Minutes of the Regular Meeting of August 12, 1969 were approved and ordered placed on file.

Moved by Commissioner Krueger, seconded by Commissioner Haber that Mr. Lyall Williams be

Letter from American Can Company on Saturday refuse hauling was read and discussed. Commissioner DenDooven suggested that he and Commissioner Haber meet and would have a report ready for the next regular meeting of the Commission. Further action was deferred until the next regular meeting.

Communications were read and ordered placed on file.

Attorney Crowley discussed with the Commission his letter to Attorney Grote, representing R.P. Honold Company. Attorney Crowley also presented a progress report of the suit, R.P. Honold versus Neenah-Menasha Sewerage Commission. Commission President McMyler, informed the Commission that he signed clarification of the answer on behalf of the Commission to the Honold complaint, as President.

Mr. Fred VanKirk, of Consoer-Townsend & Associates presented and discussed their interim report.

Phase 1 - to cover improvements in the operation and maintenance of the present plant facilities.

Phase 2 - to cover replacement or adding equipment to improve operation.

Mr. VanKirk also discussed the problem of chlorination of plant effluent with the Commission. Moved by Commissioner DenDooven, seconded by Commissioner Haber to authorize Consoer-Townsend & Associates to prepare detailed plans and specifications to provide necessary chlorination of effluent. All present voting aye; Commissioners McMyler, Krueger, Haber, DenDooven and Williams, Motion carried.

Commission requested the presence of Consoer-Townsend & Associates Engineers at the next regular meeting of October 14, 1969.

Superintendent Schuelke reported to Commission on progress of work completed by American Pipe Services, on Commission interceptor sewer. Commission directed Manager-Engineer St. Laurent and Superintendent Schuelke to meet with Neenah Public Works Director, Wayne Bryan, to see what progress is being made to repair leak at Badger Globe Mill.

Town of Neenah-Courtney-Plummer Flat problem was again discussed by the Commission. Commission President McMyler, informed the Commission that he and Attorney Crowley attended a meeting with Chairman of Town of Neenah and their Attorney.

Moved by Commissioner Haber, seconded by Commissioner DenDooven to direct our Attorney to accept payment of \$2,736.00 for 1969, draw up new contract for 1970, based on negotiated rate that will be determined at a meeting with Sanitary District #1, Town of Neenah officials and their attorney. The meeting will be held before October 1, 1969. Commissioner Haber and Attorney Crowley will represent the Commission. All present voting aye; Commissioners McMyler, Krueger, Haber, DenDooven and Williams. Motion carried.

Letter from City of Menasha suggesting that Commission bill Sanitary District #4, Town of Menasha, direct was read and discussed.

Moved by Commissioner Krueger, seconded by Commissioner Haber that Commission Attorney draw up new contract with Town of Menasha, Sanitary District #4 for 1970, at the rate of \$75.00 per connection, payment to be made in advance, so that Town of Neenah and Town of Menasha payment would be for the same year. All present voting aye; Commissioners McMyler, Krueger, Haber, DenDooven and Williams. Motion carried.

Letter pertaining to Kimberly-Clark, Lakeview Division treatment of sewage from Mr. Frangos, State of Wisconsin Department of Natural Resources, was read and discussed. Commission President, McMyler, was authorized to write letter to Mr. Frangos to arrange meeting. Letter from City of Neenah was also read.

At this point in the meeting, on motion by Commissioner Haber, seconded by Commissioner Krueger, the meeting was recessed to grant Alderman Ellis, of the City of Neenah, time to address the Commission on Kimberly-Clark, Lakeview Division, Problem and legality of old contract with Kimberly-Clark. After his presentation meeting was called back to order by Commission President, McMyler. Commission President, McMyler, asked Attorney Crowley for an opinion. Attorney Crowley questioned what the opinion was to be based upon. Commissioner Krueger stated that he was looking for conflict of interest and the legality of the contract, based on the State law which states a stockholder of a firm cannot do business with himself. Attorney Crowley questioned who was to be charged with conflict of interest. Commissioner Krueger named Mr. William Clifford, who at the time of the drawing of the contract, was Vice-President of Kimberly-Clark Corporation and a big stock holder in Kimberly-Clark Corporation, and was serving as President of the Neenah-Menasha Sewerage Commission. Commissioner Krueger suggested that an outside law firm handle the study of the old contract. Commission President, McMyler, suggested the job be assigned to Attorney Crowley. The Commission directed Attorney Crowley to give legal opinion at a special meeting, tentatively set for Friday, September 19, at 4:00 P.M.

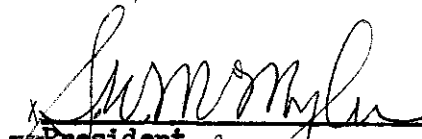
Minutes of the Regular Meeting of September 9, 1969 continued from Page 627.

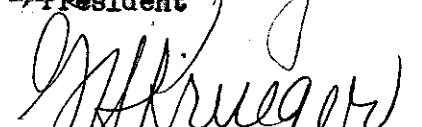
Commission discussed request of Budget report from City of Neenah. Commission instructed Commission President, McMyler, to call Mayor Hassler, of the City of Neenah, for extension of time for budget study.

Moved by Commissioner DenDooven, seconded by Commissioner Haber that payment to Attorney Crowley for service in connection with Honold versus Neenah-Menasha Sewerage Commission suit, in the amount of \$500.00 be approved, and paid from general operating fund. All present voting aye; Commissioners McMyler, Krueger, Haber, DenDooven and Williams. Motion carried.

On motion by Commissioner DenDooven, seconded by Commissioner Haber operating fund vouchers #873 thru #1003 for the month of August, 1969 in the amount of \$71,351.91 were approved. All present voting aye; Commissioners McMyler, Krueger, Haber, DenDooven, and Williams. Motion carried.

On motion by Commissioner DenDooven, seconded by Commissioner Williams the meeting was adjourned. Motion carried.

  
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 President

  
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 Secretary

NEENAH-MENASHA SEWERAGE  
 COMMISSION

Special Meeting  
 September 19, 1969

Commission President, McMyler, questioned if meeting should be called in executive session. Commissioner Krueger and Commissioner Haber, with no objection from the other Commissioners, called for an executive meeting. At this point, because of the meeting being called into executive session, Mr. William Hurlee, reporter for "The Paper" and Mr. Joseph Sensenbrenner, attorney were asked to leave.

Meeting called to order by Commission President, McMyler, to hear opinion, by Commission Attorney Crowley, on legality of contract in force with the Kimberly-Clark Corporation, for the last ten (10) years.

Present: Commissioners McMyler, Krueger, Haber, DenDooven and Williams; Attorney Crowley, Manager Ronald E. St. Laurent and Paul Rippl.

Commission Attorney Crowley presented to each Commissioner a copy of his opinion. Commission Attorney Crowley read and discussed his opinion, based on Conflict of Interest and legality of contract, with the Commission. The opinion is as follows:

"Office of:  
 Commission Attorney

September 19, 1969

Neenah-Menasha Sewerage Commission  
 Menasha, Wisconsin

Gentlemen:

You have requested a legal opinion on the contract between Neenah-Menasha Sewerage Commission and Kimberly-Clark Corporation dated December 29, 1958 for sewer service.

Your request regarding the contract is directed to:

- (1) Conflict of interest.
- (2) Legality of contract.

FACTS:

A contract between Neenah-Menasha Sewerage Commission and Kimberly-Clark Corporation for the disposal and treatment of sewage from the Kimberly-Clark Corporation's Lakeview Mill, located in the Town of Menasha, was first entered into in 1936. It was subsequently reviewed and renewed in 1949 and 1958. The 1958 renewal was for a period of ten(10) years beginning February 15, 1959 and ending February 15, 1969.

Minutes of the Special Meeting of September 19, 1969 continued on Page 629.

In 1958, two of the Neenah-Menasha Sewerage Commissioners were employed by Kimberly-Clark Corporation, and one was a corporate officer and stockholder.

The minutes of the Commission meeting of November, 1958 reveal that the contract in question was discussed and an agreement reached. The Commissioner, corporate officer and stockholder, was present and voted. The minutes of the Commission meeting of December, 1958 reveal authorization to sign the contract. The Commissioner, corporate officer and stockholder, was present, voted, but did not sign the contract.

LAW:

CONFLICT OF INTEREST

The section of the law applicable to the facts is 946.13 (1) (a) (b), and is as follows:

- "(1) Any public officer of public employe who does any of the following may be fined not more than \$500 or imprisoned not more than one year or both:
- "(a) In his private capacity, negotiates or bids for or enters into a contract in which he has a private pecuniary interest, direct or indirect, if at the same time he is authorized or required by law to participate in his capacity as such officer or employe in the making of that contract or to perform in regard to that contract some official function requiring the exercise of discretion on his part; or
- "(b) In his capacity as such officer or employe, participates in the making of a contract in which he has a private pecuniary interest, direct or indirect, or performs in regard to that contract some function requiring the exercise of discretion on his part."

Whether or not there is a violation of Section 946.13 (1) (b) is a question of concern for the office of the District Attorney. Any action in this area would be initiated by the office of the District Attorney on his own cognizance or that of a local resident. A violation of Section 946.13 (1) (b) would constitute a felony and occurred at the time the contract was authorized, December 1958, more than ten (10) years ago.

Section 939.74 (1) of the Wisconsin Statutes provides that the prosecution for a felony must be commenced within six (6) years, thus the Statute of Limitations has run.

LEGALITY OF CONTRACT

If a violation occurred within the meaning of Section 946.13 (1) (b), then the section of the law applicable to the facts is as follows:

"946.13 (3) A contract entered into in violation of this section is void and the state or political sub-division in whose behalf the contract was made incurs no liability thereon."

It is to be noted that under the contract in question, the Neenah-Menasha Sewerage Commission was receiving money and not paying money out. Therefore, the contract in question, although it may have been made in violation of a penal statute, is void. The Commission could have elected to exercise one of two options:

- (a) Enforce the terms of the contract; or
- (b) Declare the contract void;

Washington County vs Groth 198 Wis 56

64 Wisconsin Law Review 564

but the contract has expired.

CONCLUSIONS:

It is my opinion that there may have been a conflict of interest equal to a violation that would constitute a felony at the time the contract was consummated. However, the time to prosecute for the felony has expired. By the running of the Statute of Limitations, makes the question moot (Deprived of practical significance).

The contract has expired and any possible cause of action has died with the expiration. Any further proceedings would appear to be an exercise in futility.

Respectfully submitted,

MELVIN F. CROWLEY, Attorney"

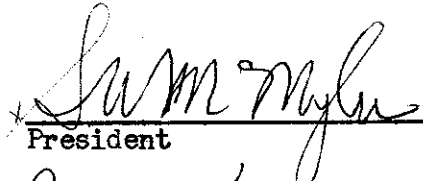
Moved by Commissioner Krueger, seconded by Commissioner DenDooven that the opinion by

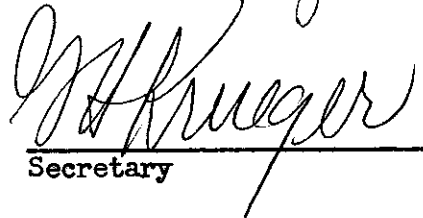
Minutes of the Special Meeting of September 19, 1969 continued from Page 629.

Commission Attorney Crowley, of September 19, 1969 be accepted. Voting aye; Commissioners McMyler, ~~Kraeger~~ DenDooven and Williams. Voting nay; Commissioner Haber. Motion carried.

Commission President, McMyler, called for another meeting to settle the issue as soon as possible. The date for the meeting is to be Monday, September 29, 1969 at 8:30 P.M. The meeting is to be called in executive session.

There being no further business, the meeting was adjourned.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting

September 29, 1969

Meeting called to order by Commission President, McMyler in executive session.

Present: Commissioners McMyler, Krueger, DenDooven, Haber and Williams; Attorney Crowley, Manager Ronald E. St. Laurent and Paul Rippl.

Requested by Commissioner Krueger that the correction to the minutes of Special Meeting of September 19, 1969, on the motion on acceptance of Attorney Crowley's Opinion on legality of contract and conflict of interest be made; the corrected motion was to read, "Moved by Commissioner Krueger, seconded by Commissioner DenDooven that the receipt of the opinion by Commission Attorney Crowley, of September 19, 1969 be acknowledge. Voting aye; Commissioners McMyler, Krueger, DenDooven and Williams. Voting, nay; Commissioner Haber. Motion carried." Minutes approved as amended.

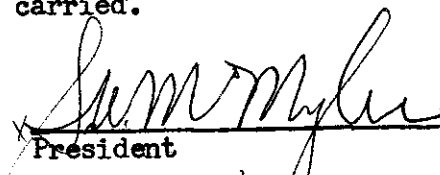
Commission President McMyler asked for questions on opinion. Following a discussion Commissioner Krueger asked for Opinion in laymen language, from Attorney Crowley.

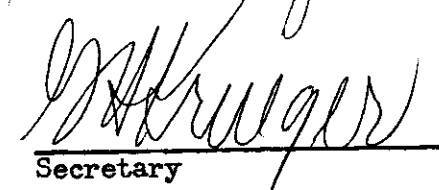
Commissioner Krueger read and discussed the opinion he received from his attorney, Attorney Don Herrling, of Appleton, Wisconsin. It was Commissioner Krueger's contention that the bill the Commission sent to Kimberly-Clark is collectable and that there is room for negotiations.

Moved by Commissioner Williams, seconded by Commissioner DenDooven that as a result of the review of the Commission Attorney's opinion on the sewer service contract, dated, December 29, 1958 with Kimberly-Clark Corporation, the Commission drop all proceedings against Kimberly-Clark Corporation and enter into a new contract on a equitable basis. Voting aye; Commissioners DenDooven, Williams and McMyler. Voting, Nay; Commissioners Krueger and Haber. Motion carried.

Commission Attorney Crowley discussed with Commission the meeting he and Commissioner Haber attended with officials of the Town of Neenah, regarding payment for sewer service to Courtney, Plummer Plat. He stated that payment of \$2,736.00 would be made immediately and the balance of the \$75.00 per unit due for 1968 would be paid over a period of three years at \$88.00 cost per unit. For this reason the Town of Neenah would like a contract for three years; with the Commission, collected on a direct basis from the town of Neenah, based on old contract with opening clauses. The Commission Attorney was instructed to negotiate a new contract.

There being no further business, on motion by Commissioner Krueger, seconded by Commissioner Haber the meeting was adjourned. All voting aye. Motion carried.

  
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President

  
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Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
October 14, 1969

Meeting called to order by Commission President, McMyler.

Present: Commissioners McMyler, Krueger, DenDooven, Haber and Williams; Attorney Crowley, Manager St. Laurent, Supt. Schuelke, Paul Rippl, Aldermen Scheurle and Steber. Anto Sterba, Gerald Brask and Peter Laubenheimer of Consoer, Townsend and Associates were also present.

Minutes of the Regular Meeting of September 9, 1969 and Special meetings of September 19, 1969 and September 29, 1969 in executive session were approved and ordered placed on file.

Manager, St. Laurent, discussed the interim report of Consoer, Townsend and Associates in regard to Chlorination improvement. Manager, St. Laurent recommended the change of location as recommended by Consoer, Townsend and Associates, to a location adjoining the present facilities. The Commission authorized the Engineering firm to proceed with plans for the recommended location.

Mr. Brask, of Consoer, Townsend and Associates, discussed with the Commission the interim report's recommended miscellaneous plant improvements. Manager St. Laurent recommended to the Commission that the miscellaneous plant improvements as recommended in the interim report be implemented.

Moved by Commissioner Haber, seconded by Commissioner Williams that the Commission accept the Manager's recommendation for miscellaneous plant improvements having to do with by-pass loop, return sledge, sludge facilities and thickner, as set forth in the Consoer, Townsend and Associates interim report of September 4, 1969. Voting aye, Commissioner McMyler, Krueger, Haber, Williams and DenDooven. Motion carried.

Communications were read and approved and ordered placed on file.

Letter from Attorney Fink, representing the Town of Neenah Sanitary District, Plummer Courtney Place was read and discussed. Commissioner Krueger discussed the contract. Commissioner DenDooven suggested that a letter be written and informing the Town of Neenah that this is it, period. Moved by Commissioner DenDooven, seconded by Commissioner Krueger that Attorney Crowley be instructed to notify Town of Neenah Officials that the contract, for service to the Courtney-Plummer Place be accepted as submitted, and a report of acceptance from their Commission be made within 15 days. All present voting aye. Motion carried.

The Commission discussed the payment for sewer service for 5 connections in the Town of Menasha, Sanitary District #4 for 1969. Attorney Crowley informed the Commission that the Town of Menasha should be billed every October 1, to coincide with their tax roll. Moved by Commissioner Williams, seconded by Commissioner DenDooven that the Commission instruct Attorney Crowley to present bill to Town of Menasha officials for five (5) connections at \$75.00 per connection for the year 1969. All present voting aye. Motion carried. - Acting Secretary was instructed to formulate bill for the five (5) connections at \$75.00 per connection in the amount of \$375.00 and present to Attorney Crowley.

Superintendent Schuelke reported to the Commission on progress being made by the American Pipe Services on cleaning and televising the Commission's interceptor sewer.

Report on status of Honold suit was presented by Attorney Crowley. He informed the Commission that the next move was up to the Honold Company. He also informed the Commission that admission of service of the answer to Honold Complaint was received and accepted by the Honold Attorney.

Commission deferred action on nomination and election of Vice-President for Commission until next meeting, because of possible naming of a new Commissioner.

Commissioner Haber reported to Commission on status of Island Cleaners operations, and that their grease removing equipment was now in full operation.

Commission instructed the plant manager to formulate a recommended oil ordinance for sanitary sewers.

Commission President, McMyler, discussed waste hauling contract. It was suggested that Mr. Lehrer be invited to next Commission meeting. It was also recommended that Manager, St. Laurent and Superintendent Schuelke meet with Mr. Lehrer of Lehrer Sanitary Service and discuss a new contract for ash hauling. The manager should mail out report of meeting to all Commissioners. Attorney Crowley suggested that Mr. Lehrer bring his own counsel with him to the meeting to discuss contract for ash hauling.

Minutes of the Regular Meeting of October 14, 1969 continued on Page 632.

Minutes of the Regular Meeting of October 14, 1969 continued from Page 631.

Manager St. Laurent reported to Commission of his meeting with Mr. Wayne Bryan, Public Works Director for the City of Neenah, on the Badger Globe leak, and the plans that the City of Neenah have to repair leak. The leak is to be repaired in January. Manager St. Laurent was instructed to report back to Commission on the progress on repairing the Badger Globe leak at the January meeting.

The Commission discussed the acceptance of the Kimberly-Clark-Lakeview Division, contract payment and voluntary contribution payment for the year 1968. Moved by Commissioner DenDooven, seconded by Commissioner Williams consistent with the decision of the meeting of September 29, 1969 that the Commission accept Kimberly-Clark checks in the amount of \$17,897.20 for deposit. Voting aye; Commissioners McMyler, DenDooven and Williams. Voting nay; Commissioners Krueger and Haber. Motion carried.

Commission discussed the closing of the plant gates on Saturday and to stop all refuse hauling to the plant on Saturday. Moved by Commissioner Haber, seconded by Commissioner Krueger to close plant gates on Saturday for all refuse hauling and the Lehrer Sanitary Service be locked in and out when hauling ashes from ash pit room, and the the American Can Company and Central Paper Company be so advised. All present voting aye. Motion carried.

On motion by Commissioner Haber, seconded by Commissioner DenDooven operating fund vouchers #1004 thru #1137 for the month of September, 1969 in the amount of \$55,664.74 were approved. Voting aye: Commissioners McMyler, Krueger, Haber, Williams and DenDooven. Motion carried.

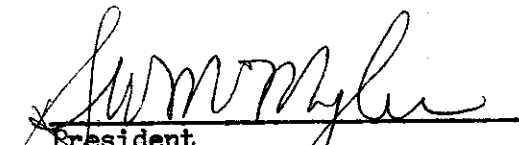
Moved by Commissioner Krueger, seconded by Commissioner Haber that payment to American Pipe Services of second estimate of work completed, dated September 9, 1969 under contracted dated June 18, 1969, in the amount of \$21,870.00 be approved. Voting aye: Commissioners McMyler, Krueger, Haber, Williams and DenDooven. Motion carried.

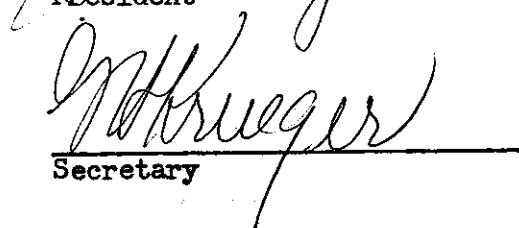
Manager St. Laurent informed the Commission of the need for refractory repairs, breeching, piping and load weighing cells repairs, and the advertising for bids for the repairs. Moved by Commissioner Williams, seconded by Commissioner DenDooven that Manager St. Laurent be authorized to advertise for bids for refractory repairs, breeching, piping and load weighing cells repairs. All present voting aye. Motion carried.

Commission authorized attendance of plant personnel to the Wisconsin Waste Water Works Operators Conference to be held at Green Bay, Wisconsin with expenses paid.

Executive session to follow adjournment of regular meeting.

On motion by Commissioner DenDooven, seconded by Commissioner Haber the meeting was adjourned. All present voting aye. Motion carried.

  
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 President

  
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 Secretary

NEENAH-MENASHA SEWERAGE  
 COMMISSION

Special Meeting  
 October 14, 1969

Meeting called to order by Commission President, McMyler, in executive session.

Present: Commissioners McMyler, DenDooven, Haber, Krueger and Williams; Attorney Crowley and Manager St. Laurent

The Commission approved the utilization of Mr. Robert (Bob) Hesson and his associates to represent the Commission during Union negotiation sessions.

Discussions covered the entire proposed 1970 Budget. Overall policy of three additional personnel has tacit approval. The same also applies for the remainder of the budget except for "Labor and Related Costs", some items in "Repairs and Supplies" and some items in "Capital Expenditures."

Minutes of the Special Meeting of October 14, 1969 continued on Page 633.



Minutes of the Special Meeting of October 14, 1969 continued from page 632.

The "Labor and Related Cost" will be evaluated again at the next executive meeting.

The following items are considered "Capital Expenditures - 1970" rather than repairs:

Rebuild furnace support structure and Traveling parts - 2 at \$23,000.	\$46,000
Break water system for whole plant	\$10,000
Filter Change Over	\$20,000

The following items under operating Budget, Capital Expenditures are considered "Capital Expenditures - 1970:

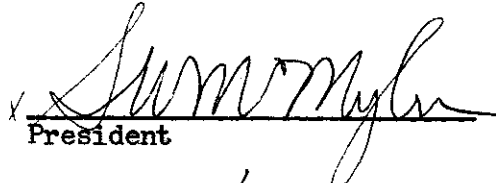
Raw Sludge Pumps	\$15,000
Raw Sludge Piping, Valves and Specials	\$10,000

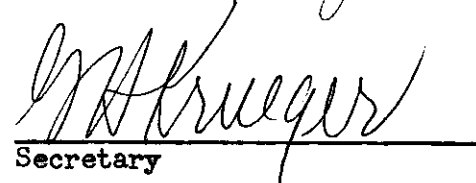
The following items under "Capital Expenditures - 1970 are deferred until another time - not 1970:

New equipment for furnace dosing system	\$30,000
Capacitors	8,000

It was noted that if chlorine in tank car units could be utilized, considerable savings could be realized - maybe the cost could be less than \$67.00 a ton. This method is to be investigated.

The meeting was adjourned until another date with the Commission's approval.

  
President

  
Secretary

The next special meeting in executive session is on October 21, 1969 at 7:00 P.M. in the Commission Room.

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
October 21, 1969

Meeting called to order by Commission President, McMyler in executive session.

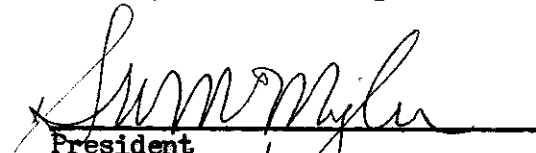
Present: Commissioners McMyler, Haber, Krueger, Williams and Wintheiser and Manager St. Laurent.

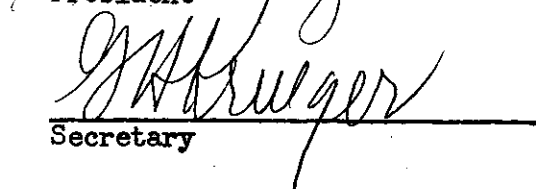
The Commission discussed and approved the proposed salaries of the Administrative Staff and instructed the Manager to inform the personnel not before December 15, 1969.

The remainder of the 1970 Budget including the Operating Budget - 1970 and the Capital Expenditures was discussed and approved.

The Manager was instructed to send this information to the Cities, Neenah and Menasha, and to ask for one or more of the Commissioners of that City to accompany him if that City wanted further explanations of the proposed expenses for 1970.

On motion by Commissioner Haber, seconded by Commissioner Krueger the meeting was adjourned.

  
President

  
Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
October 22, 1969

Neenah-Menasha Sewerage Commission, Kimberly-Clark Contract Negotiation Committee,  
Mr. Gilbert H. Krueger, Chairman.

The Committee met with the representative of Kimberly-Clark Corporation on October 22, 1969 at 4:00 p.m. in the Commission Room. Present were Commissioners Krueger, Haber, and Williams; Melvin F. Crowley, Commission Attorney; Ronald E. St. Laurent, Plant Manager; Raymond A. Jankowski, Engineering Services Manager of the Kimberly-Clark Corporation, Neenah Mill; Phil Edwards, reporter-Oshkosh Daily Northwestern; and Bill Hurrel-reporter for The Paper.


Mr. Krueger presented a visual review of various facts pertaining to cost vs services relative to the Lakeview Mill, (Kimberly Clark). Mr. Jankowski stated that the Lakeview Mill is in agreement with the present Virchow, Krause formula. Mr. Jankowski would consider any other plan presented by the Commission.

Presently there is no formulated plan to present to the Kimberly-Clark Corporation. It is possible that the Commission could consider an ad valorem real estate tax basis charge, a Virchow, Krause formula using present cost figures basis charge, or some other method yet to be determined.

It is apparent from the various discussions that Kimberly-Clark will negotiate down from our presented fair share costs.

The Kimberly-Clark Negotiation Committee agreed to go into executive session with the whole Commission to prepare a new schedule of payments to be presented to the Kimberly-Clark Corporation.

The meeting was then adjourned.

  
Chairman

NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
November 11, 1969

Meeting called to order by Commission President McMyler.

Present: Commissioners McMyler, Krueger, Haber, and Wintheiser; Attorney Crowley, Manager St. Laurent, Paul Rippl and Alderman Steber

Absent: Commissioner Williams and Alderman Scheurle.

Minutes of the Regular Meeting of October 14, 1969 and Special Meeting of October 14, 1969 were approved and ordered placed on file. Minutes of the Special Meeting of October 21, 1969 were read, for lack of approval in usual manner by returning card. Minutes were then approved on roll call. All present voting aye; Commissioners McMyler, Krueger, Haber and Wintheiser.

Commissioner Krueger, as chairman, reported to Commission on meeting of the Commission's Kimberly-Clark contract negotiating with representative of Kimberly-Clark Corporation Mr. J.R. Jankowski. Minutes of the Committee meeting were read and discusses. Minutes were approved on roll call. All present voting aye; Commissioners McMyler, Krueger, Haber, and Wintheiser.

Commissioner Krueger read his summary of the Kimberly-Clark contract negotiations. Moved by Commissioner Krueger, seconded by Commissioner Haber that money in the amount of \$2,500.00 be appropriated by this Commission to engage an Attorney for discovery proceedings against the Kimberly-Clark Corporation with the ultimate goal of having it determined through legal channels the amount of money to be recovered from Kimberly-Clark for the years still within the statue of limitations for service rendered Lakeview Mill for waste treatment. Viting aye; Commissioners Krueger Haber. Voting nay; Commissioners McMyler and Wintheiser. Motion lost for lack of majority.

Commission President McMyler read letter dated November 3, 1969 from Mr. Lyall Williams informing the Commission of his resignation from Commission. Moved by Commissioner Krueger, seconded by Haber to accept resignation of Mr. Lyall Williams as a member of the Commission. All present voting aye. Motion carried.

Commission Attorney, Crowley, read and discussed the contract with Town of Neenah, Courancy Place Sanitary District. He informed the Commission that the Town of Neenah accepted the Contract as presented by Commission. Moved by Commissioner Wintheiser, seconded by Commissioner Krueger that the contract as read be accepted and the President and Secretary sign the contract. All present voting aye; Commissioners McMyler,

Krueger, Haber and Wintheiser. Motion carried.

Attorney Crowley reported on status of the Town of Menasha Sanitary District #4 payment for 5 connections for the year 1969. He informed the Commission that the bill rendered was approved and that the check for 5 connections at \$75.00 per connection in the amount of \$375.00 will be in the mail Thursday, November 13, 1969 to close out 1969 billing, and that the billing for 1970 be mailed after January 1, 1970. Attorney Crowley advised the holding up of billing until midsummer in case there would be added connections.

Communications were read. Moved by Commissioner Wintheiser, seconded by Commissioner Krueger that the communications be approved and ordered placed on file. All present voting aye; motion carried.

Manager St. Laurent reported to Commission on progress by Consoer, Townsend and Associates and reviewed changes on plan for Chlorination addition. Plans will be presented for Commission approval with recommendations by the Manager. Because of the need to meet State regulations on chlorination, Commissioner Haber suggested a special meeting to approve plans and bids.

Manager St. Laurent informed the Commission that the American Pipe Services have completed the cleaning and televising of the Commission's interceptor sewer, with no major leaks discovered. Commissioner Krueger asked if American Pipe Services would present a final report. Manager St. Laurent informed the Commission that the report will be made after the first of the year.

Commission President, McMyler, informed the Commission of the need to fill office of Vice-President for the Commission and called for nominations. Moved by Commissioner Haber, seconded by Commissioner Krueger that Commissioner Wintheiser be nominated for Vice-President. All voting aye. Motion carried. Moved by Commissioner Krueger, seconded by Commissioner Haber that the nominations be closed. All voting aye. Commissioner Wintheiser elected Vice-President.

Commission President, McMyler, informed the Commission that due to the resignation of Commissioner Williams the vacancy for Commissioner at large will have to be filled, and that they should give some thought as to a candidate to fill the vacancy. The filling of the vacancy on the Commission to be carried over to the next meeting.

Commission instructed President McMyler to formulate a letter of appreciation, and send to Mr. DenDooven for his long service to the Commission.

Manager St. Laurent informed the Commission that the 1970 Budget has been presented to both Cities and that no formal answer has been received from either City.

Manager St. Laurent reported to Commission of his meeting with Jim Lehrer, of Lehrer Sanitary Service, in regard to ash hauling contract for remainder of the year. Also on arrangements to be made for next year.

Manager St. Laurent informed the Commission of the need, because of the work load, of one additional person for office and lab work. Moved by Commissioner Haber, seconded by Commissioner Wintheiser that the manager be authorized to hire one additional person for office-lab work. All voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Motion carried.

Manager St. Laurent informed the Commission of the waste material that Menasha Mill Supply wished to have burned in the incinerator. On displaying this material it was the consensus of all present that it was not practical to do this.

Manager St. Laurent informed the Commission of the Autocon Service Contract. This contract to service their equipment twice a year at \$85.00 a visit or \$170.00 per year. The contract to be set up on a year to year basis. Moved by Commissioner Krueger, seconded by Commissioner Wintheiser to authorize the Manager to enter into a service contract with Autocon. All present voting aye; Commissioners McMyler, Krueger, Haber and Wintheiser. Motion carried.

Manager St. Laurent reported to Commission on rebuilding of one coil filter. The preliminary information needed for advertising and construction has been requested.

Commission President, McMyler, reported to Commission on status of Union negotiations. He informed the Commission that the next meeting with the Union will be Wednesday, November 19, 1969.

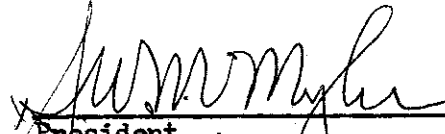
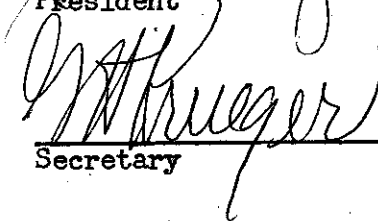
Manager St. Laurent presented to the Commission the General Contract form to be used in bidding for repair work to load cells on scale, breeching piping and refractory work. This work to be done this year.

On motion by Commissioner Haber, seconded by Commissioner Krueger operating fund vouchers #1138 thru #1273 for the Month of October, 1969 in the amount of \$71,988.34 were approved. All present voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Motion carried.

Minutes of the Regular Meeting of November 11, 1969 continued from Page 635.

Moved by Commissioner Haber, seconded by Commissioner Krueger that payment to Consoer, Townsend and Associates for services rendered in preparation of report in the amount of \$5,425.08 be approved. All present voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Motion carried.

On motion by Commissioner Krueger, seconded by Commissioner Haber the meeting was adjourned. Motion carried.

  
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 President  
  
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 Secretary

NEENAH-MENASHA SEWERAGE  
 COMMISSION

Special Meeting  
 November 21, 1969

Commission President McMyler called the meeting into executive session.

Present: Commissioners McMyler, Haber, Krueger and Wintheiser; Commission Attorney Crowley and Manager St. Laurent.

The purpose of the meeting was to discuss the Honold case.

- A. Commission Attorney Crowley proposed that the proceedings this afternoon be tape recorded to preserve the accuracy of all the transactions. It was stated by several Commissioners that minutes as recorded of past meetings have been reasonable and accurate and there was no reason to tape record Commission Meetings. As agreed by Commissioners, tape recording of the proceedings of the meeting was denied.

The status at the present time is the "Notice of Trial and Certificate of Readiness" has been received from the other party, Honold, etc. and a signature from the Commission's Attorney on this document means that the two parties are to be ready for trial within 30 days by judge. The suit cannot be placed on the 1970 calendar until signed. In order to proceed, Attorney Crowley needs authority to proceed. Signature also allows adverse examination to be made of various Sewerage Commission People. Presently there are 25 hours and other expenses to date relative to this Honold case. Presently interviewed are Mr. Zingsheim, Mr. Robert Jones, a Donohue Official and a surety official. Further contacts with the persons named above would need compensation for their time spent in this endeavor. The \$500.00 retainer is money placed into a working fund to cover various expenses in the defense of the case at hand.


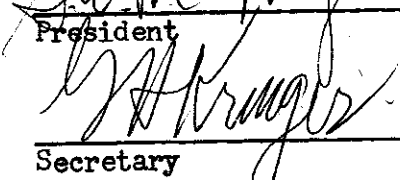
Mr. Krueger presented some information relative to his position, more or less as follows: At an executive session on the budget on October 21, 1969, with Commission President McMyler; Commissioners Haber, Krueger, Williams and Wintheiser and Manager St. Laurent present; It was agreed to have the President of the Commission ask Mr. Crowley if he would wish to resign knowing that some discontent is present. The attitude of all five Commissioners relative to the above is a reason for Mr. Krueger's present position. The Kimberly-Clark situation and the various facts such as the 11/18/58 meeting when Mr. Crowley was appointed as Commission Attorney and the contract was to be discussed at the next meeting, the 12/17/58 meeting in which Mr. Crowley was present and no contract discussion resulted, and the 12/28/58 meeting in which Mr. Crowley was not present when the contract was discussed and authorization for signature was approved.

Discussion now continues relative to having Mr. Crowley continue as Commission Attorney. Relative to the above, Commission President McMyler asked Commission Attorney Crowley if he wished to resign and to date no resignation has been received from the Commission Attorney. Mr. Crowley stated that he did not resign.

Discussion relative to retaining Mr. Crowley on the Honold case is that Mr. Crowley, as Attorney for that case, needed total approval by all the Commissioners in order to proceed. Commissioner Haber did not approve of Mr. Crowley continuing with the Honold case. Commissioner Krueger stated that the continuation of Mr. Crowley's work on the Honold case is not the question in point.

Mr. Crowley requested a copy of Mr. Krueger's statement as mentioned earlier. Commission President McMyler asked Commissioner Haber to find an attorney to take over the Honold case and stated that the attorney would need unanimous approval from the Commission. Commissioner Haber agreed to find this attorney.

There being no further business, the meeting was adjourned.

  
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 President  
  
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 Secretary

NEENAH-MENASHA SEWERAGE  
COMMISSION

Special Meeting  
November 25, 1969

Commission Vice-President Wintheiser questioned how the meeting should be called into session. Discussion favored an open session open to the public. It was mentioned that newspaper coverage could be possible since they were aware of the meeting.

Meeting called to order by Commission Vice-President to discuss the retention of Mr. Crowley as Commission Attorney.

Present: Commissioners Wintheiser, Haber and Krueger; Manager St. Laurent and later during the discussion of Commissioner Krueger's motion, Mr. Phil Edwards, reporter Oshkosh Daily Northwestern.

Absent: Commissioner McMyler and Commission Attorney Crowley.

Commissioner Krueger stated that this meeting is basically to discuss whether to retain Mr. Crowley as Commission Attorney. To quote Mr. Krueger -

"Whereas it was informally unanimously agreed on October 21, 1969 by Commissioners Williams, Krueger, Wintheiser, Haber and McMyler that Commission Attorney M. Crowley's employment in all respects with the Commission should be terminated, I hereby move that a formal written notice be addressed and mailed to Attorney Crowley stating that as of December 1, 1969 his services as Commission Attorney in all respects shall be terminated, and that by no later than December 8, 1969 he is requested to deliver to the Neenah-Menasha Sewerage Commission Plant Manager Ronald St. Laurent all correspondence, files and such other materials that are Commission Property." The motion was seconded by Commissioner Haber.

- Discussion by Commissioner Krueger followed with that - a. In his conversations with Mr. Dinius, recently of the Commission, Mr. Dinius indicated that some of his affairs with Commission Attorney Crowley could have been more efficient. b. Some of the facts behind the Honold case are - The subcontractor bid a very low price for the painting work to be done. - When the work failed to proceed according to specifications, the painting subcontractor was fired and Honold hired another painting contractor to complete the work on a cost plus basis. And Honold hired an attorney to help collect monies that he thought were due him.
- c. He would have subscribed to have Mr. Crowley handle the Honold case; but now, this is not so.
- d. What are the facts behind the \$500.00 check made out to Mr. Crowley and what is the breakdown?
- e. It was learned that Mr. Crowley went to Kiel with Mr. Zingsheim, leaving at 9:30 a.m. and arriving back at 2:30 p.m. and, according to Mr. Zingsheim, in the interest of the tax payers, if the Commission wished to reimburse him for the time spent, O.,.; but if not, he would not press for the compensation. Through Mr. Zingsheim, it was indicated that Mr. Jones was willing to do all he could in this matter.
- f. Relative to Mr. Herrling and the possibility that he would be on the case, it was learned that to date his only connection with the case is a letter written to the Commission and maybe some other party for payment of monies due Mr. Erdman.
- g. The Honold case now is about one year old as an active issue and for about \$17,000.00

As indicated by Commissioner Haber, the Commission cannot authorize payment for work beyond the terms of the contract.

On a roll call vote, voting aye: Commissioners Haber, Krueger and Wintheiser. Voting nay, none. Motion carried.

Commissioner Haber moved for adjournment, seconded by Commissioner Krueger. Motion carried. The meeting was adjourned.

*Thomas M. Wintheiser*  
 \_\_\_\_\_  
 Vice-President

*W. Krueger*  
 \_\_\_\_\_  
 Secretary



NEENAH-MENASHA SEWERAGE  
COMMISSION

Regular Meeting  
December 9, 1969

Meeting called to order by Commission President, McMyler.

Present: Commissioners McMyler, Krueger, Haber and Wintheiser; Manager St. Laurent, Superintendent Schuelke, Paul Rippl and Alderman Steber. Mr. Peter Laubenheimer of Consoer, Townsend & Associates was also present.

Absent: Alderman Scheurle

Minutes of the Regular Meeting of November 11, 1969 and Special Meetings of November 21, 1969 and November 25, 1969 were approved and ordered placed on file.

Communications were read and approved and ordered placed on file.

Manager St. Laurent reported to the Commission on progress of Consoer, Townsend and Associates in regard to proposed final report, proposed Chlorination improvements and Authorization to advertise for Chlorination Equipment. Manager St. Laurent recommended to the Commission the accepting of Chlorination expansion, with added cost for proposed building being adjacent to existing structure. Peter Laubenheimer of Consoer, Townsend & Associates reported to Commission on Chlorination addition and explained problems with footings needed in building addition to present structure. Following a discussion it was moved by Commissioner Wintheiser, seconded by Commissioner Haber that Consoer, Townsend and Associates be authorized to proceed with plans for the proposed Chlorination building adjacent to existing structure. All present voting aye. Motion carried.

Because of the excavating for footings, adding additional basement for storage purposes was discussed. If feasible, the Commission would call a special meeting to discuss the adding of additional basement space.

Commissioner Haber questioned delay by Consoer, Townsend & Associates and what could be done to speed up progress. The Commission discussed with Mr. Laubenheimer, of Consoer, Townsend & Associates, concern with getting plant in good working order. The Commission instructed Mr. Laubenheimer to pass on the information to Consoer, Townsend & Associates that the Commission was not satisfied with progress being made in getting the plant in good working order.

Because of State orders for chlorination of effluent, Manager St. Laurent recommended approval of advertising for bids on chlorination equipment. Moved by Commissioner Krusger, seconded by Commissioner Haber that the Commission approve the advertising for bids on chlorination equipment. All present voting aye. Motion carried.

Manager St. Laurent reported to Commission on Neenah Water Plant's request to dump their waste into the sanitary system for a trial period of one Month. He reported the effect of the Neenah Water Plant waste caused the loss of the two coil filters at the sewage plant. He also reported requesting Consoer, Townsend & Associates to evaluate the problems. This request an additional \$3,000.00 for Consoer, Townsend & Associates plant study. This raised the estimated cost for plant study by Consoer, Townsend & Associates from \$15,000.00 to \$18,000.00

Commissioner Haber recommended, as a Commissioner from Menasha, that this was a Neenah Water Plant Problem and that the City of Neenah be billed for additional cost. He recommended that Consoer, Townsend & Associates bill this portion of study separately. Moved by Commissioner Haber, seconded by Commissioner Wintheiser that the Commission authorize expenditure of \$3,000.00 for study, and that it be billed separately as a separate entity. Voting aye; Commissioners McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Status of 1970 budget was discussed by Commission. Moved by Commissioner Krueger, seconded by Commissioner Haber that the executive operating budget for 1970, in the amount of \$729,990.00 be approved as submitted. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Wintheiser that the Capital Expenditures Budget in the amount of \$331,000.00 be approved as submitted. Voting aye; Commissioners McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Commissioner Krueger discussed progress of Kimberly-Clark Negotiating Committee. Commissioner Krueger presented figures for charges based on Neenah's tax rate and debt retirement on Sewerage Plant Bonds. He stated he is waiting for Menasha to set a tax rate. He stated he would like an executive session of the Commission called when Menasha's tax rate situation is settled.

Commission President McMyler reported to Commission on progress of Union negotiations.

The Commission discussed the appointment of a new Commission Attorney. Commissioner Haber recommended the appointment of Attorney William Giese. Action on appointment of Commission Attorney was deferred to executive session later on in the regular meeting.

## Minutes of the Regular Meeting of December 9, 1969 cont'd.

Commission President McMyler discussed vacancy for Commissioner at large. Commissioner Krueger discussed Cities interference in selection of candidate for Commissioner at large. Commissioner Wintheiser presented the name of Mr. Harvey Buntrock as a candidate for Commissioner at large. Commissioner Krueger and Commissioner Haber stated they would rather think it over, and suggested deferring appointment until next regular meeting of January 13, 1970. Commission President McMyler recommended placing appointment early on the agenda, for the next regular meeting.

Manager St. Laurent stated that the Manager's Report was covered in the monthly operation report. He informed the Commission that No. 1 furnace was now out of operation and created an emergency. He recommended immediate repairs. Bids for this repair were received and opened. Manager St. Laurent informed the needs and condition of breeching piping. Bids for this repair were received and opened. Manager St. Laurent reported that load cells on scale were erratic and that we cannot get true weights at this time and that repairs were overdue. Bids for this repair were received and opened. Manager St. Laurent informed the Commission that the low bid of \$12,367.00 was presented by Crichton Corporation to repair #1 furnace using 70% Alumina fire brick and super Quality fire tile to repair the #2 furnace breeching area roof. Moved by Commissioner Haber, seconded by Commissioner Wintheiser to except the low bid of the Crichton Corporation for refractory repairs in the amount of \$12,367.00. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Manager St. Laurent informed the Commission that the low bidder for breeching piping repairs was the August Winter & Sons, Inc. in the amount of \$3,114.00. Moved by Commissioner Wintheiser, seconded by Commissioner Krueger that the Commission authorize repair to breeching piping and that the low bid of \$3,114.00 by August Winter & Sons, Inc. be accepted. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Manager St. Laurent informed the Commission that the low bidder for repairs to load cells was the Fairbank-Morse, Inc. in the amount of \$3,896.00. Moved by Commissioner Haber, seconded by Commissioner Wintheiser that the Commission authorize repair to load cells and that the low bid of \$3,896.00 by the Fairbanks-Morse, Inc. be accepted. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

Manager St. Laurent discussed with Commission and presented his drawings for sludge piping revision and asked for authorization to advertise for bids covering cost of revision. Moved by Commissioner Haber, seconded by Commissioner Krueger that the manager be authorized to advertise for bids for sludge piping revision. All present voting aye. Motion carried.

Manager St. Laurent reported to Commission on status of proposed improvement to convert a vacuum filter. He presented some cost figures received from the Binco Company. Conversion \$30,500 - 80% efficiency - cost of new unit \$39,000 - 100% efficiency. Following a discussion action was deferred until next regular meeting in January, 1970. Commission instructed Manager St. Laurent to prepare specifications for bid advertising.

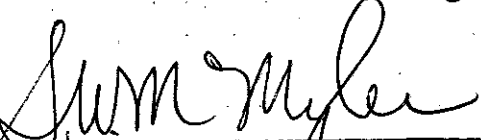
Manager St. Laurent reported to Commission on Union request for shift schedule change. He stated it was a policy change and would recommend it. Following a discussion, the Commission authorized the request for a shift change.

Moved by Commissioner Haber, seconded by Commissioner Krueger that operating fund vouchers #1274 thru #1405 for the month of November, 1969 in the amount of \$48,429.90 be approved. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. nays, none. Motion carried.

Moved by Commissioner Haber, seconded by Commissioner Wintheiser that payment to American Pipe Services for services rendered for cleaning interceptor sewer - final estimate \$19,896.25 and second estimate for work completed under contract for televiging interceptor sewer \$6,400.00 in the total amount of \$26,296.25 be approved. Voting aye; Commissioner McMyler, Haber, Krueger and Wintheiser. Nays, none. Motion carried.

The continuation of the meeting and the discussion of a proposed new Commission Attorney was placed under executive session with Mr. William R. Giese invited into the session. Present at this time are as follows: Commissioners McMyler, Haber, Krueger and Wintheiser, Manager St. Laurent and Mr. Giese. Various views relative to duties required of the Commission Attorney and his fee were discussed by all parties. Discussion being completed, the meeting was returned to an open session. On motion by Commissioner Haber, seconded by Commissioner Krueger that Mr. Giese be appointed Commission Attorney. All voting aye. Motion carried.

On motion by Commissioner Krueger, and seconded by Commissioner Haber the meeting be adjourned. Motion carried.

  
President

  
Secretary