

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, November 2, 2009
MINUTES**

DRAFT

- A. CALL TO ORDER
Meeting called to order by Mayor Merkes at 6:00 p.m.
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
PRESENT: Aldermen Benner, Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski, Englebert
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, Acting FC DeLeeuw, DPW Radtke,
CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi, and the Press
- D. PUBLIC HEARING
None
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY (five (5) minute time limit for each person)
None
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
1. Mayor Merkes & Gold Cross – Special Recognition of Library Staff
- Steve Krantz from Gold Cross Ambulance Service reported on a recent incident at the Library. Library Board member John Nebel suffered a heart attack while at a meeting at the Library. Mr. Krantz commended the Library staff and other board members for the quick response that saved Mr. Nebel's life. He also commended EMT and Gold Cross staff for the outstanding work.
- John Nebel thanked the Council for the installation of the AED at the Library. He thanked the Library staff and the others that helped save his life.
- Mayor Merkes presented Certificate of Heroism to Tasha Saecker, Kris Seefeldt, and Kathy Hanna (Library staff); Rick Carlson and Paul Eisner (Library Board members).
- LD Tasha Saecker thanked Library patron Amanda Jeszke for her assistance. Amanda was not able to attend the presentation.
2. Mark Brown, Associated Appraisal – Presentation on Property Assessment Procedure
- Mark Brown from Associated Appraisal spoke on the property assessment procedures used by Associated Appraisal. He explained the proper owners options if they do not agree with the assessed value of their property. Property assessment request forms are available in the office and on the website. Other than a total reevaluation year, they evaluate 25% of City properties each year. Included in the 25% are properties that have a change in property characteristics or conditions, i.e. sale of property, issuance of building, plumbing or electrical permit.
3. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
- a. [Administration Committee, 10/19/09](#)
 - b. [Board of Public Works, 10/19/09](#)
 - c. Committee on Aging, [7/9/09](#), [8/13/09](#), [9/10/09](#)
 - d. Landmarks Commission, [9/16/09](#), [10/14/09](#)
 - e. [NM Fire Rescue, Joint Finance & Personnel Committee, 10/27/09](#)
 - f. [NM Sewerage Commission, 9/22/09](#)
 - g. NM Sewerage Commission, [9/22/09](#), [9/25/09](#); Closed Session
 - h. [Parks & Recreation Board, 10/12/09](#)
 - i. [Personnel Committee, 10/19/09](#)
 - j. [Sustainability Board, 9/15/09](#)
 - k. [Water & Light Commission, 9/23/09](#)

3. Clerk Galeazzi - the following minutes and communications have been received and placed on file: cont'd.

Communications:

- l. [Thedacare press release, 10/7/09; Thedacare behavioral health renovating clinic](#)
- m. [Theadcare press release, 10/26/09; New state-of-the-art thedastar arrives](#)
- n. [U.S. EPA, 9/28/09; Federal Administrative Order to Waverly Sanitary District](#)
- o. [The Wire newsletter, 10/09; Customers First! Publication](#)
- p. [WPPI energy Press Release, 9/18/09; Menasha Utilities employee Dick Sturm recognized for community service](#)
- q. [WPPI energy Press Release, 9/18/09; Dave Rodriguez receives recognition for outstanding contributions to benefit municipal utilities](#)

Ald. Wisneski: Minutes K (Water & Light Comm.), only 3 members were in attendance, would like to add an Alderman and one more citizen representative to Commission; Comm. N (Letter from U.S. EPA), questioned how City water system is affected. Mayor Merkes explained a recent water test by Waverly Sanitary was done incorrectly; has no impact on City.

Ald. Hendricks: Minutes J (Sustainability Board), questioned where are funds budgeted for projects recommended by the board. CDD Keil explained the funds are part of Community Development budget.

Ald. Zelinski: Minutes J (Sustainability Board), questioned how requests of City staff are made for projects recommended by Board. CDD Keil explained requests are made through Community Development Dept.

G. CONSENT AGENDA

(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action in the "Items removed from the Consent Agenda" section. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:

1. [Common Council, 10/19/09](#)
2. [Special Common Council, 10/22/09](#)

Administration Committee, 10/19/09 – Recommends Approval of:

3. [Accept 2008 City of Menasha Audit Report](#)

Board of Public Works, 10/19/09 – Recommends Approval of:

4. [Payment – Vinton Construction Company; Contract Unit No. 2009-01; Midway Business Park Concrete Street and Walk Construction; \\$19,293.47 \(Payment No. 4\)](#)

NM Fire Rescue Joint Finance & Personnel Committee, 10/27/09 – Recommends Approval of:

5. The purchase of the Drager Thermal Imaging Camera for a total of \$8,850.00 and the purchase of a Panasonic Toughbook for a total of \$4,240.00.
6. The FEMA Firefighter Assistance construction grant for a total of \$1,208,522.00 with the City of Menasha's matching funds of \$132,452.00 plus decorative landscaping
7. The RFP for 2010 physicals for a total cost of \$29,907.90 with the City of Neenah's portion being \$ 17,863.99 and the City of Menasha's portion being \$12,043.91

Ald. Taylor requested items 5 & 7 be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Zelinski to approve items 1-4, and 6 of Consent Agenda
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Wisneski, seconded by Ald. Pack to approve item 5 of Consent Agenda.

Discussion: Acting FC DeLeeuw explained a Toughbook is a computer program. It is a replacement to a current program.

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Benner to approve item 7 of Consent Agenda.

Discussion: FC DeLeeuw explained the union contract allows for annual physicals for fire dept. staff.

Discussion ensued on approving 2010 expenditures in 2009. The budget has not been approved.

Motion carried on roll call 7-1. Ald. Hendricks – no

I. ACTION ITEMS

1. [Accounts payable and payroll for the term 10/20/09-10/29/09 in the amount of \\$829,062.75](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve accounts payable and payroll.

Discussion: Questions and explanation on certain expenditures.

Motion carried on roll call 8-0.

2. ["Class A" Liquor License Application, Walgreen Co., Mike Jacklin, Agent for the premises at 305 Racine Street, Menasha, for the 2009-2010 licensing year.](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to approve "Class A" liquor license.

Motion carried on roll call 8-0.

3. [Amendment #1 to Agreement with Menasha Joint School District \(School Health Aides\)](#)

Moved by Ald. Englebert, seconded by Ald. Pack to approve Amendment #1 to Agreement.

Discussion: PHD Nett explained the current contract does not include a health aide at the high school level and there is now a need for one.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-19-09 – An Ordinance Relating to All Night Parking Regulated, Prohibited Parking and Two Hour Parking Regulated. \(Introduced by Ald. Wisneski\)](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt O-19-09.

Motion carried on roll call 8-0.

2. [R-25-09 – A Resolution Adopting a Natural Hazards Mitigation Plan \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Hendricks, seconded by Ald. Englebert to adopt R-25-09.

Motion carried on roll call 8-0.

3. [R-27-09 – Resolution Authorizing Redemption of a Portion of the Taxable General Obligation Promissory Notes \(Steam Utility Project\), dated August 22, 2007 \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Taylor, seconded by Ald. Wisneski to adopt R-27-09.

Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Mayor's Appointments to the Ad-Hoc Sustainability Board

- a. [Jill Enos, 732 Nicolet Blvd, Menasha](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve appointment.

Motion carried on voice vote.

L. CLAIMS AGAINST THE CITY

1. A motion is in order for the Common Council to issue a formal notice of disallowance for the claim for the following and that they be advised of their statutory rights pursuant to Wis. Statute § 893.80

- a. [Ron Vander Zanden](#)

- b. [Lucille Edwards](#)

- c. [David Birling](#)

- d. [Leah Williams](#)

CA/HRD Captain explained the claim of Ron Vander Zanden. In investigating the claim no evidence was found of wrong doing on the part of the City. Staff is recommending denying the claim.

Moved by Ald. Pack, seconded by Ald. Englebert to deny claim of Ron Vander Zanden.

Discussion

Motion carried on roll call 7-1. Ald. Zelinski - no

CA/HRD Captain explained the claims filed by Lucille Edwards, David Birling and Leah Williams are from the Third Street construction project. The Wis. Dept. of Transportation is the responsible party. The complainants have been notified.

Moved by Ald. Wisneski, seconded by Ald. Benner to deny claims of Lucille Edwards, David Birling and Leah Williams.

Discussion

Motion carried on roll call 8-0.

M. HELD OVER BUSINESS

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)

O. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Hendricks to adjourn at 7:19 p.m.
Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk