

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, October 18, 2010
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 Zelinski, Englebert, Benner, Roush, Taylor, Wisneski, Langdon, Hendricks

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

DEPT. HEAD EXCUSED: PHD Nett

D. PUBLIC HEARING

None

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

(five (5) minute time limit for each person)

James Chatterton, President American Bank, Fond du Lac. Presented offer from bondholders to settle Steam Plant outstanding debt.

Jeff Harvey, 514 Broad St. Opposed to converting Broad Street to two-way traffic, safety issues.

Cathy Pavich, 529 Broad St. Opposed to converting Broad Street to two-way traffic.

Mary Nebel, 713 First St. Opposed to converting Broad Street to two-way traffic.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [CA/HRD Captain - Lawsuit filed against Neenah-Menasha Sewerage Commission, USA and State of Wisconsin vs. NCR Corporation et al., Case No. 10-C-910](#)

CA/HRD Captain reported on the lawsuit filed by the Federal government and State of Wisconsin for the PCB contamination to the Lower Fox River. The N-M Sewerage Commission was one of the defendants in the lawsuit. They are asking for reimbursement for some of the costs and damages of the PCB.

2. [Police Chief Stanke – CVMIC Annual Meeting](#)

PC Stanke reported the City of Menasha will be receiving a dividend of \$26,369.00 for being a member of CVMIC. This amount will be put into the insurance fund. Being a member of CVMIC has enabled the City to save a considerable amount of money on insurance premiums since 1987 when CVMIC was first incorporated. The City of Menasha was one of the founding members. CVMIC received an A.M. Best rating of excellent. Companies receiving this type of rating have a strong ability to meet policyholders and other contractual obligations over a long period of time.

PC Stanke presented Mayor Merkes with a bronze plaque from CVMIC for the City receiving a level 2 compliance on the risk assessment survey. The goal is to elevate that to a level 3 for the next survey.

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

Minutes to receive:

- a. [Administration Committee, 10/4/10](#)
- b. [Board of Public Works, 10/4/10](#)
- c. [Landmarks Commission, 9/8/10](#)
- d. [NM Fire-Rescue, 10/12/10; Joint Finance & Personnel Committee](#)
- e. [Parks and Recreation Board, 10/11/10](#)
- f. [Plan Commission, 10/5/10](#)
- g. [Police Commission, 9/16/10](#)
- h. [Sustainability Board, 9/21/10](#)

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

Communications:

- i. [Menasha Utilities, 9/10; Feasibility of unified Information Technology Dept. serving the City of Menasha and Menasha Utilities](#)
- j. [Public Works Facility, 10/7/10; Sept 2010 Disposal Violations](#)
- k. Town of Menasha Utility Commission minutes; [8/9/10](#), [8/23/10](#)
- l. [Waverly Sanitary District minutes, 9/14/10](#)
- m. [Wis. Dept. of Administration, 10/10/10; Final Estimate of 1/1/10 Population, Winnebago & Calumet Counties](#)
- n. Ice Miller LLP to Hunton & Williams LLP, 10/15/10; Steam Utility BAN Offer to the City of Menasha

Ald. Wisneski: Minutes F (Plan Comm.), 835 Oneida St., residents do not want a car lot;
Minutes G (Police Comm.), enlarge font size.

Ald. Hendricks: Comm. I (feasibility study), appreciate staff completing study.

Ald. Englebert; Comm J (PWF disposal violations), any change in violations since gate installed; cost of installing video cameras at PWF.

Ald. Roush, Comm J (PWF disposal violations), cost of installing video cameras.

Ald. Zelinski, Comm. J (PWF disposal violations), cameras at recycling center functioning.

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 on the Consent Agenda. 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, 10/4/10](#)

Administration Committee, 10/4/10; recommends approval of:

2. [Offer to Purchase, Lot 12 Midway Business Park, MHX3, LLC and to eliminate item 2C from Counter-Offer No. 2](#)
3. [Amendment #2 to Development Agreement between the City of Menasha and PJC Group LLC](#)

Plan Commission, 10/5/10; recommends approval of:

4. [Re-approval of Extraterritorial Certified Survey Map located on Appleton Road](#)

Parks and Recreation Board, 10/11/10; recommends approval of:

5. Raising the seasonal slip fee at the Marina from \$37.00 to \$37.50 per foot for 2011

Board of Public Works, 10/18/10; recommends approval of:

6. [Change Order: MOD #0005-00; Neenah-Menasha Fire Rescue Station #36; Miron Job #101520; ADD: \\$6,230.00](#)

Ald. Zelinski requested item 5 (raising seasonal slip fee at Marina) be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Wisneski 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. Hendricks, seconded by Ald. Langdon to approve item 5 (raising seasonal slip fee at Marina)

Discussion: PRD Tungate explained last increase was three years ago. Improvements have been made to the piers.

Motion carried roll call 8-0.

I. ACTION ITEMS

- a. [Accounts payable and payroll for the term of 10/7/10 to 10/14/10 in the amount of \\$633, 601.75](#)

Moved by Ald. Wisneski, seconded by Ald. Langdon to approve accounts payable and payroll.
Questions/Discussion on expenditures.
Motion carried on roll call 8-0.

- b. [Change of Agent to Denise Meyers for St. Patrick's Parish, 324 Nicolet Blvd.](#)

Moved by Ald. Wisneski, seconded by Ald. Langdon to approve Change of Agent
Motion carried on voice vote.

J. ORDINANCES AND RESOLUTIONS

1. [O-16-10 An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, Wisconsin \(Golden Eagle Properties, LLC Annexation\) \(Introduced by Mayor Merkes, recommended by the Plan Commission\)](#)

Moved by Ald. Hendricks, seconded by Ald. Benner to adopt O-16-10.
Discussion: CDD Keil explained the annexation is following State Statute and the boundary agreement.
Motion carried on roll call 8-0.

2. [O-17-10 An Ordinance Relating to Chronic Nuisance Premises \(Introduced by Ald. Hendricks, recommended by the Administration Committee\)](#)

No Action

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

(five (5) minute time limit for each person)

No one spoke

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Zelinski to adjourn at 6:58 p.m.
Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk