

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, December 21, 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: Ald. Zelinski, Englebert, Benner, Roush, Taylor, Wisneski, Pack, Hendricks

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, DPW Radtke, CDD Keil, PRD Tungate, C/T Stoffel, SC Supt. Bull, PWS Jacobson, Officer Scheppf, 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)

Chris Klein, 730 Keyes Street. Comments on marketing of Lake Park Villas Phase II lots.

Stan Sevenich, 645 9th Street. Comments on Lake Park Villas garage offer; purchase of recycling truck body

Tim Jacobson, 732 Paris Street. Cost to run Public Works facility in 2004 compared to 2010

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. CA/HRD Captain – Update on Asset Purchase Agreement with WPPI Energy

CA/HRD Captain reported WPPI approved the Asset Purchase Agreement. The agreement has been signed by City and Utility Commission representative and sent to WPPI. An application for approval has been submitted to the Public Service Commission of Wisconsin and there is a prehearing conference scheduled.

CA/HRD Captain is working on the pre-closing covenants.

2. Chief Stanke - Report of K-9 Unit

Officer Scheppf reported Gommez, the police dog has been with the department one year. In that time, he has helped seize over \$16,000 in drugs, drug paraphernalia, and cash. He has been used in tracking OWI and burglary suspects. He has impressed other area law enforcements. He is an asset to the department.

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

Minutes to receive:

- a. Administration Committee, 12/7/09
- b. [Board of Public Works, 12/7/09](#)
- c. [IT Steering Committee, 11/18/09](#)
- d. [Landmarks Commission, 11/11/09](#)
- e. [NM Sewerage Commission, 11/24/09](#)
- f. [Parking Committee, 12/2/09](#)
- g. [Parks and Recreation Board, 12/12/09](#)
- h. [Personnel Committee, 12/7/09](#)
- i. [Police Commission, 11/19/09](#)

Communications:

- j. [CA/HRD Captain, 12/17/09; Appleton Papers Inc. et al. vs. George A. Whiting Paper Co., et al. Case No. 08-C-16](#)
- k. [PRD Tungate to Ald. Wisneski, 12/8/09; Check to Fox Stamp](#)
- l. [Public Service Commission of Wisconsin, 12/14/09; Notice of proceeding & prehearing conference](#)
- m. Town of Menasha Utility Commission; [11/9/09, 11/23/09](#)
- n. [United Way Fox Cities, 12/8/09; Thank you for support letter](#)
- o. [Waverly Sanitary District minutes, 11/10/09](#)
- p. [Wis. DNR, 12/09; Wisconsin Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit \(MS4\) 2008 Annual Report](#)
- q. [WPPI Energy, 11/23/09; Typical bill Comparison Summary](#)

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, 12/7/09](#)
2. [Special Joint Council & Utilities Commission, 12/7/09](#)

Administration Committee, 12/7/09 – Recommends Approval of:

3. [Poll Worker Appointments for the City of Menasha for the 2010-2011 election years, pursuant to Wis. State Stats. §7.30](#)
4. [Proposed rental fees for Senior Center as amended](#)
5. [Listing Agreement with Core Development for the Lake Park Villas Phase II Lots and Parcels #7-01700-01, 7-01772-00 & 7-01700-02 as amended](#)

Board of Public Works, 12/7/09 – Recommends Approval of:

6. [Authorization to Purchase Recycling Truck Body](#)

Personnel Committee, 12/7/09 – Recommends Approval of:

7. [Consideration of salary increases for non-represented employees for 2010.](#)
8. [Consideration of salary increases for Supervisory Lieutenants for 2010](#)

Parks and Recreation Board, 12/14/09 – Recommends Approval of:

9. [Changes to 2010 Park, Recreation and Pool Fees](#)

Ald. Wisneski requested items 5 & 9 be removed from Consent Agenda.

Ald. Zelinski requested items 6-8 be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Pack to approve items 1-4 of Consent Agenda

Motion carried on roll call 8-0

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve item 5 of Consent Agenda (Listing Agreement with Core Development)

Discussion ensued on who should be responsible for cost of marketing and signage for the lots, landscaping costs, and if a marketing plan has been discussed or submitted.

CDD Keil explained the marketing and signage cost would be City responsibility as the City would maintain all marketing materials. Funds have been budgeted in Community Development budget for marketing of the lots.

Moved by Ald. Englebert, seconded by Ald. Pack to amend motion to include Broker should prepare marketing plan by the end of January and provided monthly updates to the Council.

Motion on amendment carried on roll call 8-0.

Motion as amended carried on roll call 8-0.

Moved by Ald. Taylor, seconded by Ald. Hendricks to approve item 6 of Consent Agenda (Purchase of Recycling Truck Body)

Discussion ensued on vehicle replacement schedule, what other vehicles could be used for recycle pickup, and the balance in the Equipment Replacement Fund.

Motion carried on roll call 8-0.

Moved by Ald. Englebert, seconded by Ald. Pack to approve items 7&8 of Consent Agenda (Salary increases for Non-represented employees and Supervisory Lieutenants.

Discussion ensued on retirement benefits for non-represented employees.

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

Moved by Ald. Wisneski, seconded by Ald. Roush to approve item 9 (2010 Park, Recreation and Pool Fees)

Discussion ensued on increase fees for swimming pool.

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

I. ACTION ITEMS

1. [Accounts payable and payroll for the term 12/10/09-12/17/09 in the amount of \\$398,817.47](#)

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

Discussion/questions on expenditures.

Motion carried on roll call 8-0.

2. [Lake Park Villas garage offer](#)

CDD Keil explained as directed by Council, he negotiated with JLKP Properties a release of their claim to the garage/storage unit at Lake Park Villas. He is requesting authorization from the Council to offer JLKP Properties 1/3 of the sale price to release their claim. The current offer from the Lake Park Villas Homeowners Association is \$15,500. JLKP Properties is requesting \$8,754.16 to cover all cost incurred since acquiring the property through court order from the receiver in 2007.

Discussion ensued on if JLKP Properties has a legal claim to the property and what actual costs have they incurred. Staff was directed to review and prepare a legal opinion if JLKP Properties has a legal right to the garage/storage unit and report at next meeting.

J. ORDINANCES AND RESOLUTIONS

1. [O-22-09 – An Ordinance Relating to Polling Places \(Introduced by Ald. Pack\)](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to adopt O-22-09

Motion carried on roll call 8-0.

2. [R-31-09 Resolution Pertaining to Equivalent Runoff Unit \(ERU\) Charges for Storm Water Utility](#)

Moved by Ald. Taylor, seconded by Ald. Roush to adopt R-31-09

Motion carried on roll call 8-0.

K. APPOINTMENTS

None

L. CLAIMS AGAINST THE CITY

None

M. HELD OVER BUSINESS

None

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

Tim Jacobson, 732 Paris Street. Thanked Council for their action on the recycling truck body purchase; comments on non-represented employees; comments on Lake Park Villas garage offer.

Bill Basler, 1241 Deerfield Ave. Public Works Dept. only requests vehicles when needed, only ask for the necessities.

O. ADJOURNMENT

Moved by Ald. Pack, seconded by Ald. Wisneski to adjourn at 8:24 p.m.

Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk