

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, July 18, 2011  
MINUTES

A. CALL TO ORDER

Meeting called to order by Council President Sevenich at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Klein, Taylor, Sevenich, Langdon, Krueger, Zelinski, Englebert, Benner  
ALSO PRESENT: CA/HRD Captain, FC Auxier, Acting PC Brunn, DPW Radtke, CDD Keil, C/T Stoffel,  
PRD Tungate, LD Lenz, Clerk Galeazzi and the Press  
DEPT. HEARDS EXCUSED: Mayor Merkes, 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)

Steve Pack, 823 Emily Street. Consider Dr. Larsen's offer to purchase lots on Racine Street.

Dr. Vern Larsen, 59 Racine Street. Purchase of lots on Racine Street.

Mary Nebel, 713 First Street. Purchase of lots on Racine Street by Dr. Larsen.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

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

Minutes to receive:

- a. [Administration Committee, 7/5/11](#)
- b. [Board of Public Works, 7/5/11](#)
- c. [NM Fire Rescue Joint Finance & Personnel Committee, 6/28/11](#)
- d. [Police Commission, 6/21/11](#)
- e. [Water & Light Commission, 6/29/11](#)

Communications:

- f. [Dr. Vernon Larsen, D.D.S., 7/7/11; interest in vacant property](#)
- g. [Gov. Walker, 6/30/11; Recycling provisions in the 2011-13 Biennial Budget](#)
- h. [Hunton & Williams, 6/21/11; Special Counsel to City of Menasha Bondholder Workout on Steam Utility](#)
- i. [Sen. Ellis, 7/5/11; receipt of City resolutions pertaining to the state's recycling grant program and use of public employees for public works projects](#)

Moved by Ald. Englebert, seconded by Ald. Benner to received Minutes and Communications A-I.

Discussion:

Ald. Klein: Comm. F (letter from Dr. Larsen), support Dr. Larsen's efforts, submit offer in writing.

Ald. Zelinski: Comm. F (letter from Dr. Larsen), questions about property acquired by eminent domain;

Comm. G (letter from Gov. Walker), questions on reductions in recycling grants.

**Motion carried on voice vote.**

## 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, 7/5/11](#)

Board of Public Works, 7/5/11; recommends approval of:

2. [Change Order - City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project: Sanitary Sewer Rehabilitation; Contract E145-11-01A, Terra Engineering & Construction Corporation; Change Order No. 1; DEDUCT: \\$51,989.50](#)
3. [Change Order - City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project; Sanitary Sewer Replacement; Contract E145-11-01B; Van Straten Construction Co., Inc.; Change Order No.1; DEDUCT: \\$3,150.00](#)
4. [Change Order - MOD # 0027-00; Neenah-Menasha Fire Rescue Station 36; Miron Job #101520; \\$0](#)
5. [Change Order - MOD # 0003-00; Neenah-Menasha Fire Rescue Station 36; Miron Job #101522; \(Advantage Purchasing LLC\); DEDUCT: \\$1,508.00](#)
6. [Change Order - MOD # 0028-00; Neenah-Menasha Fire Rescue Station 36; Miron Job #101520; ADD: \\$1,508.00](#)
7. [Change Order – ACC Planned Service; Contract No. 2011-01; Public Protection Facility HVAC Equipment Replacement; \(Riederer Engineering LLC Project No. 100927\); ADD: \\$3,596.00](#)
8. [Payment – ACC Planned Service; Contract No. 2011-01; Public Protection Facility HVAC Equipment Replacement; \\$61,755.02 \(Payment No. 1\)](#)

Moved by Ald. Taylor, seconded by Ald. Krueger to approve all items on Consent Agenda.

**Motion carried on roll call 8-0.**

## H. ITEMS REMOVED FROM CONSENT AGENDA

None

## I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 7/7/11 to 7/14/11 in the amount of \\$684,360.45](#)

Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll.

Discussion/Questions/Answers on expenditures.

**Motion carried on roll call 8-0.**

2. [Class “B” Beer and Class “C” Wine Liquor License Application of Weather Vane Restaurant, LLC, Patrick Dufrane, agent for the premise at 186 Main Street, d/b/a Weather Vane Restaurant for July 18, 2011 – June 30, 2012](#)

Moved by Ald. Klein, seconded by Ald. Benner to approve Class “B” and “Class C” license for Weather Vane Restaurant.

**Motion carried on voice vote.**

## J. ORDINANCES AND RESOLUTIONS

1. [R-29-11 Resolution Protecting Menasha’s Ability to Collect Unpaid Utility Bills Through the Tax Roll \(Recommendation of Utility Commission\) \(Introduced by Ald. Benner\)](#)

Moved by Ald. Benner, seconded by Ald. Englebert to adopt R-29-11

**Motion carried on roll call 5-3.**

Ald. Taylor, Sevenich, Langdon, Englebert, Benner – yes

Ald. Klein, Krueger, Zelinski - no

2. [R-30-11 Resolution Relating to Redistricting \(Mayoral Veto\)](#)

Moved by Ald. Krueger, seconded by Ald. Zelinski to override Mayor’s veto of R-30-11

Discussion ensued on the redistricting plan created by Council is equitable representation.

**Motion carried on roll call 6-2.**

Ald. Klein, Taylor, Sevenich, Langdon, Krueger, Zelinski – yes

Ald. Englebert, Benner – no

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

1. [Notice of Circumstances and Notice and Notice of Claim of Gerald T. Fink](#)

CA/HRD Captain explained the recent claim submitted by Gerald T. Fink. Her investigation into the incident does not warrant pursuing a settlement with Mr. Fink. CA/HRD Captain is recommending denying the claim.

Moved by Ald. Benner, seconded by Ald. Langdon to deny the claim of Gerald T. Fink.

**Motion carried on roll call 8-0.**

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. Langdon, seconded by Ald. Krueger to adjourn at 6:41 p.m.

**Motion carried on voice vote.**

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