

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, October 17, 2011  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:06 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

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

D. PUBLIC HEARING

None

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

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

Daryl Jones, 900 Keyes Street. Support trails in the City; encourage Council to accept DOT Grant  
Attorney Robert Bellin, Attorney for Thomas & Michael Schanke. Resolution approved by RDA.  
Jack Fry, 318 Willow Lane. Support trails in the City; encourage Council to accept DOT Grant  
Luann Martini, 2016 Dreamfield Lane. Support trails in the City.  
Linda Stoll, 1525 Rue Reynard Road. Support trails in the City.  
Dick Sturm, 1203 Greenwood Court. Support trails in the City.  
Mike Kading, 669 Appleton Road. Support trails in the City.  
Ron Pruss, 217 Lake Street. Complaint about calls to Police Dept.  
Nancy Brown-Keller, Appleton. Support trails in the City.  
Debra Dorn, 2021 Deer Haven, Drive. Support trails in the City.  
Luke Schiller, 389 Nassau Street. Support trails in the City.  
Lisa Hopwood, 1028 Manitoba Street. Support trails in the City.  
Rebecca Nichols, 402 Elm Street. Support trails in the City; encourage Council to accept DOT Grant  
Kip Golden, 1009 Tana Lane. Support trails in the City.  
Kristi Lynch, 330 Winnebago Avenue. Support trails in the City.  
Larry Baier, 1016 Lugano Street. Support trails in the City.

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, 10/3/11](#)
- b. [Administration Committee, 10/5/11; Special meeting](#)
- c. [Board of Public Works, 10/3/11](#)
- d. [Information Technology Steering Committee, 9/27/11](#)
- e. [NM Fire Rescue, Joint Finance & Personnel Committee; 10/10/11](#)
- f. [Plan Commission, 10/4/11](#)

Communications:

- g. [Ald. Sevenich; 10/12/11; Rally at Menasha Post Office](#)
- h. [CA/HRD Captain, 10/6/11; Police Chief Position](#)
- i. [Customers First! Newsletter, The Wire, October 2011](#)
- j. [Letter to Legislation; 10/5/11; Resolution opposing USPS transfer of carrier routes](#)
- k. [PRD Tungate, 10/13/11; Update on New Eastside Neighborhood Park](#)
- l. [Menasha Historical Society Newsletter, October 2011](#)
- m. [East Central WI Regional Planning Commission, 10/13/11; Province Terrace Trail](#)
- n. [Resident Jack Fry, 10/13/11; Trail Grant](#)

- o. [Resident Mary Nebel, 10/10/11; Trail Grant](#)
- p. [Resident Sadie Schroeder, 10/10/11; Trail Grant](#)
- q. [Mayor Merkes, 10/11/11; Trail usage information](#)
- r. [Public Works Facility, September 2011 Disposal Violations](#)
- s. [WI Dept. of Administration, 10/10/11; Final estimates of population for City of Menasha](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to receive Minutes & Communications A-S  
Discussion: Ald. Taylor & Sevenich, Comm. G, rally at Menasha Post Office.  
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, 10/3/11](#)
- 2. [Special Common Council, 10/10/11](#)

### Administration Committee, 10/3/11; recommends approval of:

- 3. [Joint Powers Agreement, Winnebago County Emergency 911 System, Dec. 1, 2011 -Nov. 30, 2012, and authorize signature](#)

### Board of Public Works, 10/3/11; recommends approval of:

- 4. [Payment – ACC Planned Service; Contract No. 2011-01; Public Protection Facility HVAC Equipment Replacement; \\$58,166.08 \(Payment No. 2\)](#)

### Plan Commission, 10/4/11; recommends approval of:

- 5. The sale of the Melissa Street Substation and grant of easement to WPPI as described in Items 6 & 7 below.
- 6. [The certified survey map creating the Melissa Street Substation parcel](#)
- 7. [The ingress/egress easement to the Melissa Street Substation](#)

### NM Fire Rescue Joint Finance & Personnel Committee, 10/10/11; recommends approval of:

- 8. Approval of the donation of the ambulance from Gold Cross Ambulance to Neenah-Menasha Fire Rescue, and approved appropriate costs for maintenance and repainting, for use by their Dive Team

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve items 1-8 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 10/6/11 to 10/13/11 in the amount of \\$ 515,627.68](#)

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

Motion carried on roll call 8-0.

- 2. [Counter-Offer No. 2, Riverside Builders Inc \(Dr. Vernon Larsen\), lots at 81 & 87 Racine Street and 504 Broad Street](#)

Moved by Ald. Klein, seconded by Ald. Zelinski to accept Counter-Offer No. 2

Discussion ensued on the City's Counter-Offer to Riverside Builders.

Ald. Klein withdrew his motion.

Moved by Ald. Klein, seconded by Ald. Taylor to hold this item.

Item is held.

- 3. Approval of solar project for Fire Station 36

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve solar project for Fire Station 36.

FC Auxier handed out a chart explaining the cost of the project and where funds will come from.

No tax dollars will be used for this project.

Motion carried on roll call 8-0.

I. ACTION ITEMS, cont'd.

4. [Authorization to Execute WisDOT State/Municipal Agreement for a Local Transportation Enhancement Project – Province Terrace Trail](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve authorization to execute WisDOT State/Municipal Agreement for a local transportation enhancement project – Province Terrace Trail. General discussion ensued on cost of the project; concerns on where City's portion of project will come from; importance of trail system.

Moved by Ald. Krueger, seconded by Ald. Sevenich to amend that Menasha's 20% contribution would not exceed \$78,652 and the total of other project expenditures not exceed \$22,000.

Motion on amendment carried on roll call 6-2.

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

Ald. Englebert, Benner – no

Motion as amended carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-14-11 An Ordinance Relating to Regulation of Firearms and Explosives](#)(Recommended by Administration Committee)(2<sup>nd</sup> Introduction)(Introduced by Mayor Merkes)

Moved by Ald. Englebert, seconded by Ald. Langdon to adopt O-14-11.

CA/HRD Captain explained the change in State Statute and how it relates to the change in City Ordinances.

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

2. [O-15-11 An Ordinance Relating to Carrying Concealed Weapons](#)(Recommended by Administration Committee)(2<sup>nd</sup> Introduction)

No action required.

3. [Substitute Amendment #1 to O-15-11-An Ordinance Relating to Carrying Concealed Weapons](#) (Introduced by Ald. Englebert)

Moved by Ald. Englebert, seconded by Ald. Benner to adopt Substitute Amendment #1 to O-15-11.

General discussion ensued on type of signage and having City staff make the signs.

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

4. [O-16-11 An Ordinance Relating to Disorderly Conduct](#)(Recommended by Administration Committee) (2<sup>nd</sup> Introduction) (Introduced by Mayor Merkes)

Moved by Ald. Benner, seconded by Ald. Englebert to adopt O-16-11.

CA/HRD Captain explained the importance of having local ordinance be consistent with State Statute.

Motion carried on roll call 8-0.

5. [O-17-11 An Ordinance Relating to Council Procedures \(Introduced by Ald. Taylor\)\(Recommended by Administration Committee\)\(2<sup>nd</sup> Introduction\)](#)

Moved by Ald. Taylor, seconded by Ald. Langdon to adopt O-17-11.

Motion carried on roll call 8-0.

6. [O-18-11 An Ordinance Amending Section 2-1-1 of Municipal Code \(Wards Boundaries\)](#)(Introduced by Ald. Krueger, recommended by Administration Committee, 1<sup>st</sup> Introduction)

No Action

7. [O-19-11 An Ordinance Amending Section 2-1-2 of Municipal Code \(Aldermanic Districts\)](#) (Introduced by Ald. Krueger, recommended by Administration Committee, 1<sup>st</sup> Introduction)

No Action

8. [R-37-11 - Resolution authorizing the issuance and sale of up to \\$872,956 sewerage system revenue bonds, series 2011, and providing for other details and covenants with respect thereto, and approval of related \\$872,956 financial assistance agreement \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-37-11.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS, cont'd.

9. [R-38-11 - Resolution authorizing the issuance and sale of up to \\$233,307 water system revenue bonds, series 2011, and providing for other details and covenants with respect thereto, and approval of related \\$259,230 financial assistance agreement \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-38-11.  
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. [Accept resignation letter from Paul Brunette from the Library Board](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to accept resignation letter from Paul Brunette  
Motion carried on voice vote.

2. Mayor's appointment to the Library Board

- a. [Becky Nichols, 402 Elm St., for the term of October 17, 2011 – July 1, 2013](#)

Moved by Ald. Sevenich, seconded by Ald. Benner to approve appointment of Becky Nichols to Library Board.  
Motion carried on voice vote.

3. Mayor's appointment to the Board of Review

- a. Patricia Rudolph, 1605 Northridge Ct., for the term of October 17, 2011 to July 1, 2016

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Patricia Rudolph to Board of Review.  
Motion carried on voice vote.

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)

Jack Fry, 318 Willow Lane. Thanked Council for their due diligence on moving forward on the trails.

O. ADJOURNMENT

Moved by Ald. Krueger, seconded by Ald. Benner to adjourn at 8:00 p.m.  
Motion carried on voice vote.

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