

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, October 21, 2013
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 (arrived at 6:25p.m.), Nichols, Taylor, Sevenich, Langdon, Keehan

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Captain Halderson, FC Auxier, DPW Radtke, CDD Keil, PRD Tungate, ASD Steeno, PHD Nett, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

1. [Special Use Permit – Advanced Aquatic Solutions – 145, 149 and 153 Kaukauna Street](#)

CDD Keil explained the request for a Special Use Permit by Advanced Aquatic Solutions in order to establish a marine construction company on non-conforming parcels.

No one spoke.

Mayor Merkes called the Public Hearing to a close.

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

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

Maria Tyson and Tony Belling, 224½ Washington Street, Neenah. Support liquor license for The Grog.

Stephanie Hansen, 318 Elm Street, Menasha. Request more recycling pickup for residents.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Presentation to K-9 Corp from Menasha VFW Post 2126 and Menasha American Legion Post 152

Michael Taylor, representing American Legion Post 152, Dave Mix, representing VFW Post 2126 and Jim Schlack made donations to the K-9 Corp. Officer Matt Spiegel accepted for the K-9 Corp and thanked all those who have donated to the fundraiser. They are getting close to their goal.

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

Minutes to receive:

- a. [Administrative Committee, 10/7/13](#)
- b. [Board of Public Works, 10/7/13](#)
- c. [IT Steering Committee, 8/20/13](#)
- d. [Landmarks Commission, 10/9/13](#)
- e. [Neenah-Menasha Sewerage Commission, 9/24/13](#)
- f. [Parks and Recreation Board, 10/14/13](#)
- g. [Parking Committee, 3/13/13](#)
- h. [Plan Commission, 10/8/13](#)
- i. Sustainability Board, [8/20/13](#), [9/17/13](#)
- j. Water and Light Commission – Special, [9/4/13](#), [10/11/13](#)
- k. Water and Light Commission, [9/11/13](#), [9/25/13](#)

Communications

- l. [Mark Radkte, Director of PW, Automated Refuse Collection Surcharges, 10/16/13](#)
- m. [Peter and Pamela DeWolf to Ald. Nichols, 10/16/13; Recycle Collection](#)
- n. [Roger Kanitz to Mayor Merkes and Ald. Benner, 10/17/13; Recycle Pick-up](#)
- o. [Barbara Ballard to Mayor Merkes, 10/17/13; Recycling](#)
- p. [Menasha Public Library Annual Report Fall 2013](#)
- q. [Menasha Utilities-General Manager named, 9/25/2013](#)
- r. [Waverly Sanitary District – Special, 9/26/13](#)
- s. [Fall 2013 Joint Recycling, Certificate of Recycling, 10/5/13](#)
- t. [Department of Public Works, September Disposal Violations, September 2013](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to received Minutes and Communications A-T.
General discussion ensued.
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, 10/7/13](#)

Administration Committee, 10/7/13 – Recommends the Approval of:

2. [Fox Valley Mutual Aid Agreement](#)

3. [Joint Powers Agreement Winnebago County Emergency 911 System, Dec. 1, 2013 - Nov. 30, 2014.](#)

Board of Public Works, 10/7/13 – Recommends the Approval of:

4. [Street Use Application – Fox Cities Jingle Bell Run; Saturday, November 9, 2013; 8:45 AM – 10:30 AM \(Arthritis Foundation\)](#)

5. Petition to dedicate River Lea Court to the City of Menasha and proposed improvements to the street be put into the 2014 budget and property owners be specially assessed equally.
6. Sustainability Board recommendations for 2014 Waste Reduction and Automation as outlined in memo dated October 3, 2013.

Plan Commission, 10/8/13, Recommends approval of:

7. [Special Use Permit - 145, 149, and 153 Kaukauna Street - Advanced Aquatic Solutions.](#)

- Groundcover in and around proposed landscape areas to consist of landscape grade mulch or decorative stone.
- Landscaping proposed in terrace adjacent to Water Street is subject to Parks Superintendent approval.
- An additional narrative describing site improvements be included for review by Common Council.

Parks and Recreation Board, 10/14/13 - Recommends the Approval of:

8. A one-time \$35 fee to all marina seasonal slip renters in 2014 to offset the cost of a security camera System

Ald. Sevenich requested to removed item 6 and Ald. Zelinski requested to remove item 7 from Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Keehan to approve Consent Agenda Items 1-5, & 8.

Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Sevenich, seconded by Ald. Taylor to approve Consent Agenda Item 6, Board of Public Works recommendation for 2014 Waste Reduction and Automation as outlined in memo dated Oct 3, 2013.

Moved by Ald. Nichols, seconded by Ald. Englebert to amend motion to include that the Department of Public Works study implementation of 18 annual curbside collections and other cost effective recycling program options beginning in 2015 using equipment included in the 2014 budget; and to bring a report to the Board of Public Works including projected recycling tonnage, projected refuse tonnage and projected costs.

Ald. Sevenich called Point of Order, amendment is not part of the topic on the agenda.
Mayor Merkes ruled the Point of Order is not germane, as the topic is on the agenda.

General discussion ensued on the item being referred back to the Board of Public Works.

Moved by Ald. Sevenich, seconded by Ald. Taylor to return item to Board of Public Works
Motion failed on roll call 2-5.

Ald. Sevenich, Taylor voted yes.

Ald. Nichols, Langdon, Keehan, Zelinski, Englebert voted no.

Moved by Ald. Sevenich, seconded by Ald. Taylor to hold the item.
Item held.

Ald. Benner arrived (6:25 p.m.)

Moved by Ald. Zelinski, seconded by Ald. Keehan to approve Consent Agenda Item 7, Special Use Permit - 145, 149, and 153 Kaukauna Street - Advanced Aquatic Solutions.

Chris Bauer, Advanced Aquatic Solutions, answered questions from the Council.

Motion carried on roll call 8-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 10/10/13 to 10/17/13 in the amount of \\$654,679.16.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve accounts payable and payroll.

General discussion ensued on expenditures.

Motion carried on roll call 8-0

2. ["Class B" liquor license application for The Grog of Menasha LLC, d/b/a The Grog, 546 Broad Street, Menasha, Ron Lewellyn, agent, to deal in intoxicating liquor and fermented malt beverages for the 2013-2014 licensing year.](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to approved "Class B" liquor license for The Grog of Menasha LLC, d/b/a The Grog, 546 Broad Street, Menasha, Ron Lewellyn agent to deal in intoxicating liquor and fermented malt beverages for the 2013-2014 licensing year.

General discussion ensued on inspections on the property.

Motion carried on roll call 8-0.

3. [Demolition of Army Reserve Buildings](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to authorize staff to proceed with the asbestos abatement for \$17,740 and site clearance/restoration work for \$63,900 using the US Army Corps of Engineers funds that were placed in the Park Land Dedication Account.

General discussion ensued on bids received and condition of the building.

Motion carried on roll call 8-0.

4. [Beverage Operators License Applications for the 2013-2015 licensing period.](#)

Moved by Ald. Nichols, seconded by Ald. Benner to approve Beverage Operators License application for the 2013-2015 licensing period as submitted.

Motion carried on roll call 8-0.

5. [Amendment Number One to Building Rooftop Space Option and Lease Agreement.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve Amendment Number One to Building Rooftop Space Option and Lease Agreement.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

K. APPOINTMENTS

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

O. RECESS TO ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS

Moved by Ald. Benner, seconded by Ald. Keehan to recess at 6:55 p.m.

Motion carried on voice vote.

Reconvened at 8:10 p.m.

P. ADJOURNMENT

Moved by Ald. Benner, seconded by Ald. Nichols to adjourn into Closed Session at 8:10 p.m. pursuant to Wis. Stats. §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (City of Menasha vs. Waverly Sanitary District et al. Calumet County Case No. [13-CV-189](#) & City of Kaukauna vs Village of Harrison et al. Case No. 13-CV-159).

Motion carried on roll call 8-0.

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