

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, November 18, 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, Nichols, Taylor, Sevenich, Langdon, Keehan
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil
ASD Steeno, PRD Tungate, PHD Nett, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

[Proposed City of Menasha Budget for the year 2014](#)

No one spoke.

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

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

Geraldine Jay, 1305 Lucerne Drive, Menasha. Proposed 28th Amendment to the U.S. Constitution.

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. [Administrative Committee, 11/4/13](#)
- b. [Board of Public Works, 11/4/13](#)
- c. [Housing Authority, 10/29/13](#)
- d. [Parks and Recreation Board, 11/11/13](#)
- e. [Water and Light Commission, 10/23/13](#)
- f. [Water and Light Commission - Special 10/16/13](#)

Communications:

- g. [Menasha Historical Society News, November 2013](#)

Moved by Ald. Benner, seconded by Ald. Langdon to receive Minutes and Communications A-G.

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, 11/4/13](#)
2. Budget Review Sessions, [11/6/13](#), [11/7/13](#), [11/11/13](#), [11/13/13](#)

Board of Public Works, 11/4/13 – Recommends the Approval of:

3. [Change Order – PTS Contractors, Inc.; Ninth Street Lift Station Improvements Project; Contract E145-13-01A; DEDUCT: \\$300.00 \(Change Order No. 1\)](#)
4. [Change Order – PTS Contractors, Inc.; Ninth Street Lift Station Improvements Project; Contract E145-13-01A; ADD: \\$2344.08 \(Change Order No. 2\)](#)
5. [Change Order – PTS Contractors, Inc.; Ninth Street Lift Station Improvements Project; Contract E145-13-01A; ADD: \\$1037.40 \(Change Order No. 3\)](#)
6. [Change Order #1; Menasha Utilities McM. No. M0002-930159.04; High Lift Pumping Station Yard Piping; DeGroot, Inc.; ADD: \\$11,490.00](#)
7. [Payment – PTS Contractors, Inc.; Ninth Street Lift Station Improvements Project; Contract E145-13-01A ; \\$272,689.44 \(Payment No. 1\)](#)

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agent items 1-7.

Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 11/7/13 to 11/14/13 in the amount of \\$617,958.55.](#)

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

General discussion ensued on expenditures.

Motion carried on roll call 8-0.

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

Moved by Ald. Nichols, seconded by Ald. Englebert to approve Beverage Operators License Application as submitted.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [R-17-13 – Resolution Levying Taxes For The Purpose Of Paying The Operating Expenses For The Year 2014 For The City Of Menasha. \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Benner, seconded by Ald. Keehan to adopt R-17-13.

Moved by Ald. Sevenich, seconded by Ald. Zelinski to amend to reduce by \$5,000 Public Works Facility-Fuel, Account # 731-1022-541-38-01.

General discussion ensued on the price of gas decreasing, how reductions in budget will affect other departments.

Motion carried on roll call 7-1. Ald. Nichols voted no.

Moved by Ald. Sevenich, seconded by Ald. Langdon to amend to reduce by \$1,000 Police Department-Fuel, Account #100-0801-521-38-01.

Motion carried on roll call 7-1. Ald. Nichols voted no.

Moved by Ald. Zelinski, seconded by Ald. Taylor to amend to reduce by \$107,886. Expenditures-General Fund accounts as follows: General Government by \$9,656, Public Safety by \$51,757, Health & Human Services by \$5,863, Public Works by \$18,965, Culture, Recreation & Education by \$19,304, Conservation & Development by \$2,114, Other Financing Uses by \$227.

Lengthy discussion ensued on the effects to each department and services provided to residents.

Motion to amend failed on roll call 3-5.

Ald. Taylor, Langdon, Zelinski voted yes.

Ald. Nichols, Sevenich, Keehan, Englebert, Benner voted no.

Motion to adopt R-17-13 as amended carried on roll call 5-3.

Ald. Nichols, Sevenich, Keehan, Englebert, Benner voted yes.

Ald. Taylor, Langdon, Zelinski voted no.

2. [R-18-13 – Resolution to Distribute Funding for the Fox Cities Regional Partnership. \(Introduced by Alderman Zelinski\)](#)

Moved by Ald. Zelinski, seconded by Ald. Langdon to adopt R-18-13.

General discussion ensued on when to disburse funds to Fox Cities Regional Partnership.

Motion failed on roll call 3-5.

Ald. Taylor, Sevenich, Zelinski voted yes.

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

3. [R-19-13 - Resolution Authorizing 2014 General Obligation Borrowing and the Issuance of Certificate of Indebtedness and Levying a Tax in Connection Therewith. \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Benner, seconded by Ald. Keehan to adopt R-19-13.

Motion carried on roll call 8-0.

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. Langdon, seconded by Ald. Keehan to recess at 7:36 p.m.

Motion carried on voice vote

Reconvened at 8:40 p.m.

P. CLOSED SESSION

Moved by Ald. Benner, seconded by Ald. Langdon to Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Updates on PCB Litigation, City of Menasha vs. Waverly Sanitary District et al. Calumet County Case No. 13-CV-189, and City of Kaukauna vs Village of Harrison et al. Case No. 13-CV-159.)

Motion carried on roll call 8-0.

Q. MAY RETURN INTO OPEN SESSION TO ACT ON ITEMS DISCUSSED IN CLOSED SESSION

R. ADJOURNMENT

Moved by Ald. Benner, seconded by Ald. Englebert to adjourn at 9:00 p.m.

Motion carried on voice vote.

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