

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, July 7, 2014  
MINUTES

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 Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert, Benner, Nichols  
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,  
PP Homan, ASD Steeno, PRD Tungate, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

1. [Public Hearing Regarding Proposed Amendments to Title 13 of the Menasha Code of Ordinances pertaining to Accommodating Bio-Retention Devices Within Perimeter and Parking Lot Landscaping Areas.](#)

CDD Keil explained amendments to the zoning code to permit the use of bio-retention devices within parking lot landscaping. The amendments will help with landscaping and stormwater management.

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)

Brendon Ribble, 1308 Oneida Street, Menasha. Development Agreement between City of Menasha and Ribble Trust.

Lisa Rexses, 340 Lisbon Street, Menasha. Flowers along Racine Street from Main to Third Streets.

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. [Board of Public Works, 6/16/14.](#)
- b. [Library Board, 6/19/14.](#)
- c. [Menasha Police Commission, 6/18/14.](#)
- d. [Neenah-Menasha Sewerage Commission, 5/27/14.](#)
- e. [NMFR Finance & Personnel Committee, 6/24/14.](#)
- f. [Personnel Committee, 6/16/14.](#)
- g. [Plan Commission, 6/17/14.](#)
- h. [Redevelopment Authority, 6/18/14.](#)
- i. Water and Light Commission, [5/28/14](#) and [6/25/14.](#)

Communications:

- j. [Tim Hanna, Mayor of Appleton, and Deborah Wetter, Valley Transit General Manager, 5/7/14, Expansion of the Transit Commission.](#)
- k. [Town of Menasha, Incorporation Review Ad Hoc Committee Meeting Minutes, 6/9/14.](#)
- l. [Derek Weyer, Wisconsin Department of Transportation to DPW Radtke, US 10 Corridor Study, 6/11/14.](#)
- m. [CDD Keil to Mike Hagens, Woodland Investments, LLC, 6/17/14.](#)
- n. [Mark Maley, Wisconsin Economic Development Corporation, 6/23/14, City of Menasha Awarded \\$250,000 State Grant for Downtown Grocery Store.](#)
- o. [Ruth Neecks, Board of Health, to Mayor Merkes, 6/28/14.](#)
- p. [Mike Hagens, Woodland Investments, LLC, 7/1/14.](#)
- q. [Petition for Annexation – Kay V. Burroughs Trust dated August 2, 2002, 7/2/2014.](#)

Moved by Ald. Benner, seconded by Ald. Keehan to receive Minutes and Communications A-Q.  
General discussion ensued on Communications N and P.  
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, 6/16/14.](#)

### Board of Public Works, 6/16/14 – Recommends the Approval of:

2. [Street Use Application – Race the Lake; Sunday, August 17, 2014; 7:00 AM – 9:30 AM \(DuTriRun/ARC of Menasha\).](#)
3. [Street Use Application – Frehley Gilmore Birthday Party; Saturday, July 12, 2014; 10:00 AM – 10:00 PM \(Boys & Girls Brigade\).](#)
4. [Recommendation to Submit Ballot Requesting Winnebago County to Refund the Recycling Revenue Surplus of \\$77,384.00 to Signing Municipalities Based Upon each Municipality's Actual Tonnage Processed and Sold for Year 2013.](#)
5. [Recommendation to Develop an Intergovernmental Agreement with Calumet County for the Reconstruction and Jurisdictional Transfer of Cty Trunk LP.](#)

### NMFR Finance & Personnel, 6/24/14 - Recommends the Approval of:

6. [Memorandum of Understanding on Search and Rescue Craft upon final approval of City Attorneys.](#)

### Personnel Committee, 6/16/14 – Recommends the Approval of:

7. [Prescription Safety Glasses Reimbursement.](#)

Ald. Sevenich requested to remove Consent Agenda item 7 (Prescription Safety Glasses Reimbursement).

Moved by Ald. Benner, seconded by Ald. Langdon to approved Consent Agenda items 1-6.  
Motion carried on roll call 8-0.

## H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Keehan to approved Consent Agenda item 7, To amend the Safety Manual, Personal Protection Equipment, Section 7.06 Eye and Face Protection to allow employees who are required to wear safety eye glasses and who require corrective lenses an option to wear prescription safety eye glasses (with side protection) and to provide reimbursement to the employee up to \$150.00 towards the cost of the corrective glasses not more than once every two (2) years.

Moved by Ald. Taylor, seconded by Ald. Zelinski to amend to require safety eye glasses have permanent side protection.

General discussion ensued on responsibilities of employees and City when it comes to safety equipment.  
Motion on amendment carried on roll call 5-3.

Ald. Taylor, Sevenich, Langdon, Zelinski, Englebert voted yes.

Ald. Nichols, Keehan, Benner voted no.

Original motion as amended carried on roll call 8-0.

## I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 6/19/14 to 7/3/14 in the amount of \\$1,411,153.73.](#)

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

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. Keehan to approve beverage operator's license applications of 2013-2015 licensing period as listed on memo dated July 2, 2014.

Motion carried on roll call 8-0.

3. Remove from Table –

- a. “Class B” Liquor and Malt, Menasha Grill Inc, d/b/a Menasha Grill, 204 Main Street, Menasha, Charlie Cross, agent.

Moved by Ald. Nichols, seconded by Ald. Keehan to remove from the table “Class B” Liquor and Malt License Application, Menasha Grill Inc, d/b/a Menasha Grill, 204 Main Street, Menasha, Charlie Cross, agent.

Motion carried on roll call 8-0.

Clerk Galeazzi reported the real estate taxes have not been paid and the business has closed.

Moved by Ald. Nichols, seconded by Ald. Langdon to deny the “Class B” Liquor and Malt License, Menasha Grill Inc, d/b/a Menasha Grill, 204 Main Street, Menasha, Charlie Cross, agent as there are outstanding financial obligations to the City.

Motion carried on roll call 8-0.

- b. Reserve “Class B” Liquor and Malt, Mrs. Fajitas LLC, d/b/a Mrs. Fajitas, 403 Racine Street, Menasha, Francisa Jaimes, agent.

Moved by Ald. Zelinski, seconded by Ald. Keehan to remove from the table Reserve “Class B” Liquor and Malt License Application, Mrs. Fajitas LLC, d/b/a Mrs. Fajitas, 403 Racine Street, Menasha, Francisa Jaimes, agent.

Motion carried on roll call 8-0.

Clerk Galeazzi reported real estate taxes have not been paid. Several attempts to contact the applicant have been made with no response.

General discussion ensued on the status of the business.

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

Item held.

J. ORDINANCES AND RESOLUTION

1. [O-14-14 An Ordinance Amending Title 13, Chapter 1 of the Code of Ordinances \(Landscaping Design and Material for Site Plan Requirements\) \(Introduced by Mayor Merkes\) \(Recommended by the Plan Commission\).](#)

Moved by Ald. Benner, seconded by Ald. Keehan to adopt O-14-14 An Ordinance Amending Title 13, Chapter 1 of the Code of Ordinances (Landscaping Design and Material for Site Plan Requirements).

General discussion ensued on requirements of businesses.

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

Item held.

2. [O-15-14 An Ordinance Amending Title 10, Chapter 1 of the Code of Ordinances \(Parking Regulations\) \(Introduced by Ald. Nichols\).](#)

Moved by Ald. Nichols, seconded Ald. Keehan to suspend the rules and take up O-15-14 An Ordinance Amending Title 10, Chapter 1 of the Code of Ordinances (Parking Regulations)

Motion carried on roll call 6-2.

Ald. Nichols, Taylor, Sevenich, Langdon, Keehan, Benner voted yes.

Ald. Zelinski, Englebert voted no.

Moved by Ald. Nichols, seconded by Ald. Keehan to adopt O-15-14 An Ordinance Amending Title 10, Chapter 1 of the Code of Ordinances (Parking Regulations)

General discussion ensued on most of the residents of Elm Street signed a petition to allow overnight parking on west side street; Elm Street is a narrow street with parking issues; test period of the parking regulation.

Moved by Ald. Zelinski, seconded by Ald. Benner to amend to include a sunset date of Oct. 31, 2014.

Motion on amendment carried on roll call 8-0.

Original motion as amended carried on roll call 8-0.

3. [R -18 -14 Acknowledging Review of City of Menasha 2013 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208](#). (Introduced by Alderman Sevenich) (Recommended by the Board of Public Works).

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-18-14 Acknowledging Review of City of Menasha 2013 Compliance Maintenance Annual Report under Wisconsin Administrative Code NR 208 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)

Michael Hagens, N319 Breezewood Drive, Appleton. Agenda item F1p, clarification on his letter to Council.

O. ADJOURNMENT

Moved by Ald. Englebert, seconded by Ald. Keehan to adjourn at 6:40 p.m.

Motion carried on voice vote.

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