

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, January 5, 2015  
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 Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert, Benner, Nichols  
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,  
ASD Steeno, PRD Tungate, LD Lenz, Clerk Galeazzi  
DEPT. HEAD EXCUSED: PHD McKenney

D. PUBLIC HEARING

1. [Proposed amendments to Title 13 of the Menasha Code of Ordinances pertaining to Electronic Message Center signage.](#)

CDD Keil explained the request from Kwik Trip for an electronic message center for a parcel zoned C-4. The proposed amendments would allow electronic message centers in C-3 and C-4 districts following application for and approval of a Special Use Permit.

No one spoke.

Mayor Merkes called the public hearing to close.

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

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

No one spoke.

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, 12/15/14.](#)
- b. [Library Board, 12/18/14](#)
- c. [Menasha Police Commission, 10/23/14.](#)
- d. [NMFR Fire Commission, 12/17/14.](#)
- e. [Neenah-Menasha Sewerage Commission, 11/25/14.](#)
- f. [Parks and Recreation Board, 12/08/14.](#)
- g. [Plan Commission, 12/16/14.](#)

Communications:

- h. [Calumet County Highway Department to Mayor Merkes, 12/11/14; Plans to reconstruct CTH LP from USH10 to CTH AP during the 2018 reconstruction season.](#)
- i. [Department of the Army, Corps of Engineers, 12/16/14; Upcoming conference-call regarding the Lake Winnebago drawdown strategy.](#)
- j. [LD Lenz, December 2014; Press Release, Meet K-9 Officer Athos at Luigi's on January 13, 2105.](#)
- k. [Waverly Sanitary District meeting minutes, 12/11/14.](#)
- l. [PHD McKenney, 1/5/15; City of Menasha Senior Center Renovation Update.](#)

Moved by Ald. Benner seconded by Ald. Sevenich to receive Minutes and Communications A-L.  
General discussion ensued on proposed amendments to Title 13 for electronic message centers.  
(Plan Commission Minutes).  
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, 12/15/14.](#)

Board of Public Works, 12/15/14 – Recommends the Approval of:

2. [Recommendation to Award – Contract Unit No. 2014-03; Gilbert Riverfront Trail; Janke General Contractors; \\$478,038.50.](#)

3. [Recommendation to Award – Contract Unit No. 2014-04; Gilbert Trestle Improvements; Janke General Contractors; \\$295,525.00.](#)

4. [Change Order – Janke General Contractors; Contract Unit No. 2014-03; Gilbert Riverfront Trail; DEDUCT: \\$35,155.00 \(Change Order No. One\).](#)

5. [Change Order – Janke General Contractors; Contract Unit No. 2014-04; Gilbert Trestle Improvements; DEDUCT: \\$5,000 \(Change Order No. One\).](#)

Plan Commission, 12/16/14 – Recommends the Approval of:

6. [Certified Survey Map – 820 Arthur Street.](#)

7. The Common Council to authorize the use of city staff and equipment to facilitate the salvage, relocation and storage of architectural elements from 175 Main Street for future reuse on city properties.

Ald. Langdon requested to remove from Consent Agenda items 2-5.

Ald. Sevenich requested to remove from Consent Agenda item 7.

Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda items 1&6.

Motion carried on roll call 8-0.

## H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Sevenich seconded by Ald. Englebort to approve Consent Agenda item 2, Recommendation to Award Contract Unit No. 2014-03 for Gilbert Riverfront Trail to Janke General Contractions for \$478,038.50.

General discussion ensued on funding for project coming from TIF #11; ASD Steeno explained TIF process and current status of TIF #11

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

Moved by Ald. Sevenich seconded by Ald. Englebort to approve Consent Agenda item 3, Recommendation to Award Contract Unit No. 2014-04 for Gilbert Trestle Improvements to Janke General Contractions for \$295,525.00.

General discussion ensued on the trestle modifications.

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

Moved by Ald. Sevenich seconded by Ald. Keehan to approve Consent Agenda item 4, Change Order for Janke General Contractors Contract Unit No. 2014-03 for Gilbert Riverfront Trail, deduct of \$35,155.00.

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

Moved by Ald. Sevenich seconded by Ald. Englebort to approve Consent Agenda item 5, Change Order for Janke General Contractors Contract Unit No. 2014-04 for Gilbert Trestle Improvements, deduct of \$5,000.00.

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

Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda item 7, authorize the use of City staff and equipment to facilitate the salvage, relocation and storage of architectural elements from 175 Main Street for future reuse on city properties.

General discussion ensued on the purpose of the items from 175 Main Street; it was suggested more discussion by City staff on the proper procedure of the request.

Ald. Benner and Ald. Keehan withdrew their motion.

No further action taken on this item.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 12/18/14 to 12/31/14 in the amount of \\$998,265.04.](#)

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 operators license applications listed in memo dated 12/30/14.  
Motion carried on roll call 8-0.

3. [Airadigm Communications, Inc. – Notice of Lease Termination.](#)

CA/HRD Captain explained the City has a Tower and Ground Space Lease Agreement with Airadigm Communications Inc. for space on the cell tower at the Public Works Facility. Airadigm Communications Inc business has been sold, but the leases were not part of the sale. Airadigm has proposed one year's rent payment to terminate the lease with the City. She recommends requiring a payment of two years' rent to terminate the lease.

Moved by Ald. Englebert seconded by Ald. Sevenich to notify Airadigm Communications Inc that the City will termination their lease with a payment of two years' rent.

General discussion ensued on the terms of the lease.

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 BOARD OF PUBLIC WORKS AND PERSONNEL COMMITTEE

Moved by Ald. Benner seconded by Ald. Keehan to recess at 7:14 p.m.

Motion carried on voice vote

Reconvene at 8:15 p.m.

P. ACTION ITEMS

Moved by Ald. Benner seconded by Ald. Englebert 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 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. Circuit Court Case Number 2013CV00189, Appellate case number 2014AP001576; and Intermunicipal Agreement dated October 28, 1999, between City of Menasha, Town of Harrison and Waverly Sanitary District and Village of Harrison November 11, 2014 annexations).

Motion carried on roll call 8-0.

May reconvene into open session immediately following any closed session in order to take action on the closed session items. Wis. Stat. 19.85(2).

No action taken.

Q. ADJOURNMENT

Moved by Ald. Englebert seconded by Ald. Benner to adjourn at 8:35 p.m.

Motion carried on voice vote.

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