

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, August 3, 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 Nichols, Taylor, Krautkramer, Langdon, Zelinski, Benner

EXCUSED: Alderman Keehan

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASD Steeno, PRD Tungate, PHD McKenney, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

None

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

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

Kathy Stahl, 44 DePere Street, Menasha. 1) Enforcement of illegal alcohol consumption at Jefferson Park and leaving refuse behind; 2) traffic cameras.

Rep. Amanda Stuck. Wisconsin State Budget.

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, 7/20/15](#)
- b. [Board of Public Works, 7/20/15](#)
- c. [Library Board, 7/16/15](#)
- d. [NMFR Joint Finance and Personnel Committee, 7/28/15](#)
- e. [NMFR Joint Fire Commission, 7/29/15](#)
- f. [Neenah-Menasha Sewerage Commission, 6/23/15](#)
- g. [Plan Commission, 7/21/15](#)
- h. [Redevelopment Authority, 7/15/15](#)
- i. [Winnebago County Joint Review Board, 7/16/15](#)

Communications:

- j. [ASD Steeno, 7/30/15; Human Resources Coordinator-Hiring Announcement](#)
- k. [K-9 Fundraiser Memorial Golf Outing on 9/11/15](#)
- l. [First Annual Menasha Corny Community Walk on 8/13/15](#)
- m. [Menasha Police Benevolent Assn., 7/24/15; Benevolent Purchase Supporting the K-9 Unit](#)
- n. [DPW Radtke, 7/30/15; Manitowoc Road Trail Project Rescheduled to 2016](#)
- o. [Ayres Associates, 7/23/15; Public Involvement Meeting-Proposed Reconstruction of Lake Park Rd.](#)

Moved by Ald. Benner seconded by Ald. Langdon to received Minutes and Communications A-O.

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 placed 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, 07/20/15.

Administration Committee, 07/20/15 – Recommends the Approval of:

2. Site Assessment Grant Agreement between the Wisconsin Economic Development Corporation (WEDC) and City of Menasha, and Development Agreement for Receipt and Reimbursement of SAG Grant Funds Agreement Between the City of Menasha and Warehousing of Wisconsin (WOW) Logistics.

Board of Public Works, 07/20/15 – Recommends the Approval of:

3. Street Use Application – Otto Grunski Runski; Saturday, August 8, 2015; 6:00 m – 11:00 AM (City of Menasha).
4. Payment – Janke General Contractors; Gilbert Riverfront Trail; Contract No. 2014-03; \$51,675.49 (Payment No. 4).
5. Payment – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; \$20,045.00 (Payment No. 2).
6. Payment – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Streets, Baker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street; Contract No. 2015-01; \$283,358.37 (Payment No. 2).

Plan Commission, 7/21/15 – Recommends the Approval of:

7. Third Street/Brighton Drive Greenspace Alterations as proposed.

NMFR Joint Finance and Personnel Committee, 7/28/15 – Recommends the Approval of:

8. Authorize hiring one firefighter subject to the retirement of an existing employee on September 4, 2015.
9. The modification to item 4.01 Budget and Cost Distribution Formula of Neenah-Menasha Fire Rescue's Merger Agreement and change this from a five part formula to a four part formula that would eliminate the square footage of buildings portion from the formula as outlined in Director Steeno's memo dated July 23, 2015.
10. The purchase of the SABER 28574 from Pierce Manufacturing for \$387,000 with an additional \$20,000 for equipment for a total cost of \$407,000. Each City Finance Director shall give information to their respective Common Council on funding sources available for each of their Cities for this unbudgeted purchase prior to each Common Council's approval.

Ald. Langdon requested to remove items 7 & 10 from Consent Agenda. Ald. Taylor requested to remove item 9 from Consent Agenda. Ald. Nichols requested to remove item 2 from Consent Agenda.

Moved by Ald. Benner seconded by Ald. Nichols to approve Consent Agenda items 1, 3, 4, 5, 6, 8.
Motion carried on roll call

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Nichols seconded by Ald. Langdon to approve Consent Agenda item 2, SAG Agreement between WEDC and City of Menasha and Development Agreement for Receipt and Reimbursement of SAG Funds Agreement between the City of Menasha and WOW Logistics.

CA Captain explained language changes to the Development Agreement request by WOW.

Moved by Ald. Nichols seconded by Ald. Langdon to amend to include in Development Agreement the language: *The timing of developing improvements on the property will be determined by the needs of WOW in accordance with the needs for expansion by its tenants occupying the adjoining property.*

Motion to amend carried on roll call 6-0.

Original motion as amended carried on roll call 6-0.

Moved by Ald. Taylor seconded by Ald. Zelinski, to refer Consent Agenda item 7, Third Street/Brighton Drive Greenspace Alterations as proposed to Parks & Recreation Board and Utility Commission.

General discussion ensued on property being considered a park, stabilizing shore wall, input from Parks and Utilities, parking issues, maintenance of property, classifying dead-end streets as parks, scheduling of Public Works crew to work on project.

Motion carried on roll call 6-0.

Moved by Ald. Benner seconded by Ald. Langdon to approve Consent Agenda item 9, Modifications to item 4.01 Budget and Cost Distribution Formula of Neenah-Menasha Fire Rescue's Merger Agreement and change this from a five part formula to a four part formula that would eliminate the square footage of buildings portion from the formula as outlined in Director Steeno's memo dated July 23, 2015.

ASD Steeno explained the fifth part of the formula is square footage of buildings and the inability of staff to provide the information required.

General discussion ensued on gathering square footage information of residential and commercial structures, lack of resources to provide square footage information, other factors of formula.

Motion carried on roll call 6-0.

Moved by Ald. Benner seconded by Ald. Nichols to approve Consent Agenda item 10, the purchase of the SABER 28574 from Pierce Manufacturing for \$387,000 with an additional \$20,000 for equipment for a total cost of \$407,000. Each City Finance Director shall give information to their respective Common Council on funding sources available for each of their Cities of this unbudgeted purchase prior to each Common Council's approval.

ASD Steeno explained as there is no funding source available the Council would need to do a formal budget amendment as this was not included in the 2015 budget and the borrowing for the year has been completed. She recommends including this item in the 2016 financing plan.

General discussion ensued on other funding sources, issues with truck being replaced, maintenance of vehicles, proposed replacement schedule.

Moved by Ald. Zelinski seconded by Ald. Langdon to postpone to next regular Common Council meeting.

Motion carried on roll call 6-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 07/21/15 to 07/30/15 in the amount of \\$1,168,081.86.](#)

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

Motion carried on roll call 6-0.

2. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve beverage operator's license applications as list in memo dated 7/30/15.

Motion carried on roll call 6-0.

3. Possible Motion to Reconsider – Denial of Beverage Operator's License Application.

CA Captain explained Mr. Neville did not receive the denial notice as there was an issued with the mailing and he is asking to appeal the decision of the Council.

Moved by Ald. Krautkramer seconded by Ald. Langdon to reconsider motion to deny beverage operator's license application of Thomas Neville.

Motion carried on roll call 6-0.

The original motion of 7/20/15; Moved by Ald. Nichols seconded by Ald. Keehan to deny beverage operator's license application for Thomas Neville as he does not meet the criteria under Guidelines for Operator Licenses.

Unanimous consent to hear from Mr. Neville.

Mr. Neville explained his situation to the Council and he asked Council to approve his beverage operator's license application.

Mr. Neville answered CA Captain's questions on the convictions he has received over the past three year.

Original motion to deny carried on roll call 6-0.

Moved by Ald. Nichols seconded by Ald. Langdon to deny beverage operator's license application for Dana Akers as she does not meet the criteria under Guidelines for Operator Licenses.
Motion carried on roll call 6-0.

4. [Accept Wisconsin Economic Development Corporation \(WEDC\) CDI Grant for Menasha Office Tower.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to accept Wisconsin Economic Development Corporation (WEDC) CDI Grant for Menasha Office Tower.
Motion carried on roll call 6-0.

5. [Development Agreement Between the City of Menasha and Woodland Developments, LLC.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve Development Agreement between the City of Menasha and Woodland Developments, LLC.

CDD Keil explained request of Mr. Hagen to extend timeline of development to 2021. He also explained the provision of trail notification is part of the Development Agreement.

General discussion ensued on the procedure used for notifying the property owner of trail installation, extension of timeline of development to 2021.

Unanimous consent to hear from Mr. Hagens.

Mr. Hagens addressed the Council on his procedure for notification to property owner of the trail installation. He also explained his request to extend the timeline for development.

Moved by Ald. Nichols seconded by Ald. Langdon to amend to include title policy provision in paragraph 8 and to change date to September 1, 2021 in paragraph 10 of the Development Agreement.
Motion on amendment carried on roll call 6-0.

General discussion ensued on condition of surrounding property, type of homes to be constructed on the subject property.
Original motion carried on roll call 6-0.

6. [Amendment to Listing Contract with Newmark Grubb Pfefferele for 901 Airport Road.](#)

Moved by Ald. Nichols seconded by Ald. Langdon to approve amendment to Listing Contract with Newmark Grubb Pfefferele for 901 Airport Road.
Motion carried on roll call 6-0.

7. [Transfer of City Property to Menasha Downtown Development, LLC \(Part of Marina Place Parking Lot\).](#)

Moved by Ald. Nichols seconded by Ald. Langdon to authorize conveyance of a portion of Marina Place parking lot to Menasha Downtown Development, LLC with a purchase price of \$1.00 and subject to reservation of public use and other conditions as described in paragraph 2.8 of the Development Agreement between the parties.

CA Captain explained the transfer of the property is in accordance with the Development Agreement with Menasha Downtown Development, LLC that has already been approved. Any amendments would require a change to the development agreement.

Motion carried on roll call 5-1. Ald. Zelinski voted no.

J. ORDINANCES AND RESOLUTIONS

None

K. APPOINTMENTS

None

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)

Kathy Stahl, 44 DePere Street, Menasha. Other factors to consider if making street dead ends park property.

O. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Langdon to adjourn at 8:26 p.m.

Motion carried on voice vote.

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