



**Memorandum**

To: Common Council  
From: Greg Keil, CDD *GK*  
Date: February 3, 2016  
RE: Acquisition of 867 Valley Road

Per action of the Common Council taken on March 17, 2014 (see attached) staff was authorized to pursue the acquisition of the above referenced property. The purpose of the acquisition was to facilitate environmental site clean-up in preparation for the future acquisition by and expansion of the adjacent Warehousing of Wisconsin (WOW) facilities. Subsequently, the city applied for and was awarded a Site Assessment Grant (SAG) in the amount of \$150,000 to be applied to environmental site work. Matching funds in the amount of \$175,000 are required and are to be used for property acquisition. At its expense WOW undertook a Phase 1 Environmental Assessment in 2014 and a wetland survey was also undertaken. A small pocket of wetlands were found in the area WOW was contemplating its expansion. Due to this condition and other factors WOW has elected not to proceed with its expansion plans.

City staff has made contact with WEDC regarding the status of the SAG grant and inquired whether the grant funds could still be used if the property were to be purchased by another entity. We received a positive response and have since met with two prospective purchasers who are interested in constructing self storage facilities on the site.

At this time I am seeking authorization of the Common Council to proceed with negotiating with the property owner and the prospective purchasers under the basic terms outlined in the attached. I recommend that we continue to pursue the acquisition of the property while we still have access to the grant funds to address the environmental site conditions.

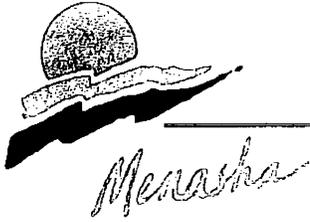


**Memorandum**

To: Common Council  
From: Greg Keil, CDD *GRK*  
Date: March 13, 2014  
RE: Plan Commission Recommendation Concerning Acquisition of 867 Valley Road

The Plan Commission has recommended that the city acquire the above-referenced property to facilitate the future expansion of the Warehousing of Wisconsin facilities on Valley Road. This expansion will enable Warehousing of Wisconsin to better accommodate the needs of a local paper manufacturer.

Per the attached memorandum to the Plan Commission, there are a number of steps involved with the acquisition of the property by the city and subsequent transfer to Warehousing of Wisconsin. The proposal to acquire the property is being brought forward at this time so that staff can proceed with some assurance that the Common Council is agreeable to the basic concept of acquiring the property to facilitate the expansion of Warehousing of Wisconsin. If the Common Council approves proceeding with the acquisition, it will need to take certain actions to acquire the property in a manner that minimizes city liability for existing environmental conditions and to enter into agreements to establish the parameters under which the sale and transfer of the property is to be accomplished. These procedures and agreements will be advanced to the Common Council for its future consideration.



**Memorandum**

To: Plan Commission  
From: Greg Keil, CDD  
Date: February 27, 2014  
RE: Acquisition of Opus Realty Property - 867 Valley Road

Staff has been working with representatives of Warehousing of Wisconsin (WOW) and the Wisconsin Department of Natural Resources concerning the potential expansion of WOW facilities into adjoining lands owned by Opus Realty, Inc. There is documented environmental contamination on the Opus Realty site which WOW desires to be remediated prior to its acquisition of the property. There are certain grant programs available to local units of government that are not available to private entities for site investigation and subsequent clean up, if required. WOW is requesting that the City of Menasha undertake the acquisition of the Opus Realty property to enable the use of grant program funds for site cleanup.

The tentative outline for such an acquisition involves the following basic steps:

- Acquisition of the Opus Realty property by the City of Menasha via a friendly condemnation procedure.
- Acquisition costs to be paid by WOW.
- Additional environmental site investigation, if required, to be performed by city using grant funds.
- Site remediation, if required, undertaken by city using grant funds.
- Building demolition/site clearance to be undertaken by city, using grant funds if available. Any demolition/site clearance cost not covered by grant funds to be paid by WOW.
- City to lease site to WOW until such time as a site closure letter is issued by WDNR.
- City to transfer property to WOW upon issuance of a site closure letter.

The purchase, sale or lease of property by the city requires the Plan Commission to make a recommendation to the Common Council regarding these transactions. I am requesting that the Plan Commission recommend that the city pursue the acquisition of the Opus Realty property to enable the future expansion of WOW's warehousing operations on Valley Road.

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, March 17, 2014  
AGENDA

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, Keehan

EXCUSED: Alderman Langdon

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, CDD Keil, ASD Steeno, PRD Tungate, LD Lenz, Engineering Suprv. Montour, Clerk Galeazzi

DEPT. HEAD EXCUSED: DPW Radtke, PHD Nett

D. PUBLIC HEARING

1. [Proposed Preliminary Resolution Authorizing Public Improvement and Levying Special Assessments Against Benefited Property. \(Gambsky Grove Subdivision, except Lot 1; First Addition to Southfield Subdivision; 1161, 1166, 1167, 11172 Harold Drive\)](#)

Engineering Suprv. Montour explained the work to be done and answered questions from residents.

The following people appeared and asked questions about the project:

Dave Thiede, 1143 Harold Drive, Menasha

Shane Keliher, 2145 Ridgecrest Drive, Menasha

Mark Beggs, 2142 Ridgecrest Drive, Menasha

Dave Hamilton, 1152 Grassymeadow, Menasha

Adam Landon, 1161 Harold Drive, Menasha

Matthew Pitts, 1137 Harold Drive, Menasha

Bob Aykens, 1112 Harold Drive, Menasha

Don Brown, 1153 Goss Avenue, Menasha

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

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

Brandon Ribble, 1308 Oneida Street, Menasha. Agreement with Ribble Trust allowing access to his land.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [PRD Tungate – Urban Forestry Project Partnership Award](#)

The City and CN were presented an award from Wisconsin Urban Forestry Division for their partnership in the 30 For 30 Project. CN provided the funding and City staff and multiple volunteer groups planted the trees.

Vince Maas accepted for the City and Kevin Soucie accepted for CN. Some members of the Menasha High School football team were present and recognized for their participation. Some members of the Council were also recognized for their participation.

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

Minutes to receive:

- a. [Administration Committee, 3/3/14](#)
- b. [Board of Public Works, 3/3/14](#)
- c. [NMFR Joint Finance & Personnel, 2/25/14](#)
- d. [Parking Committee 2/26/14](#)
- e. [Plan Commission, 3/10/14](#)
- f. [Redevelopment Authority, 3/4/14](#)

Communications:

- g. [Customers First! The Wire, March 2014](#)
- h. [Waverly Sanitary District minutes, 3/11/14](#)
- i. [WisDOT Northeast Region Fox River System 2014 Bridge Operation Schedule](#)

Moved by Ald. Benner, seconded by Ald. Keehan to receive Minutes and Communications A-I.  
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, 3/3/14](#)
2. [Special Joint Common Council, Plan Commission and Utility Commission, 2/27/14](#)

Board of Public Works, 3/3/14 – Recommends the Approval of:

3. [Recommendation to Award; London Street Watermain Replacement Project M0002-940117; Donald Hietpas & Sons, Inc.; \\$ 274,220.00 \(Menasha Utilities\)](#)

Neenah-Menasha Fire Rescue Joint Finance & Personnel, 2/25/14 – Recommends the Approval of:

4. [The repair costs for Quint 32 for a total cost of \\$13,879.50 from Fabel Collision Center. Funding shall be for the 2014 Maintenance of Motor Vehicle budget and recognize this may exceed the 2014 budget ine item.](#)
5. [The carry forward request of \\$2,995.92 from 2013 Capital Hardware Operating funds to 2014's budget to fund the replacement of cellular modems for the MDC's as they are needed.](#)

Plan Commission, 3/10/14 – Recommends the Approval of:

6. [Acquire the 867 Valley Road Property.](#)

Ald. Sevenich requested to remove item 6 (Acquire the 867 Valley Road property) from Consent Agenda.

Moved by Ald. Benner, seconded by Ald. Englebert to approve Consent Agenda items 1-5.  
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Englebert to approve Consent Agenda item 6, Plan Commission Recommendation to Acquire the 867 Valley Road property.

CDD Keil gave a brief history on the property and Warehousing of Wisconsin expansion plans. The Plan Commission has recommended the City purchase the property and help with any environmental contamination cleanup using grant fund programs available to local units of government. Warehousing of Wisconsin would then purchase the property for their expansion.

General discussion ensued on acquisition of the property.

Moved by Ald. Englebert, seconded by Ald. Sevenich to Pursue Acquisition of 867 Valley Road and follow basic steps outlined in memo from CDD Keil to Plan Commission dated 2/27/14.

Motion carried on roll call 7-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 3/6/14 to 3/13/14 in the amount of \\$556,294.97.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve accounts payable and payroll.  
Motion carried on roll call 7-0.

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 on memo dated 3/13/14.  
Motion carried on roll call 7-0.

Police Department is recommending denial of Operators License Application of Martina Hernandez-Geronimo. Ms. Hernandez-Geronimo addressed the Council. She explained the citations received and asked Council to approve her license. Ms. Hernandez-Geronimo asked for an opportunity to have representation to help understand some questions and procedure.

Moved by Ald. Benner, seconded by Ald. Nichols to hold this item.  
Item held.

3. [Gilbert Shoreline Park Trail Relocation and Pond Acquisition.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve Gilbert Shoreline Park trail relocation and pond acquisition.

General discussion on the new legal description provided, taking property off tax roll, additional cost of maintaining pond.

Motion carried on roll call 5-2.

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

Ald. Taylor, Zelinski voted no.

J. ORDINANCES AND RESOLUTIONS

1. [O-4-14 An Ordinance Amending title 11, Chapter 2 of the Code of Ordinances \(Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited, Includes Hunting\) \(Introduced by Ald. Nichols\) \(Held 3/3/14\)](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to adopt O-4-14.  
Motion carried on roll call 7-0.

2. [O-5-14 An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, Wisconsin \(Gemeli Real Estate Wisconsin, LLC Annexation\) \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Englebert, seconded by Ald. Nichols to adopt O-5-14.  
Motion carried on roll call 7-0.

3. [R-7-14 Final Resolution Authorizing Public Improvements and Levying Special Assessments Against Benefited Property. \(Introduced by Ald. Taylor\)](#)

Moved by Ald. Taylor, seconded by Ald. Sevenich to adopt R-7-14.  
Motion carried on roll call 7-0.

4. [R-8-14 Resolution Vacating a Portion of Georgetown Place \(Introduced by Ald. Englebert\)](#)

CDD Keil explained no action is required at this time. A public hearing will be held in the future on the vacation of a portion of Georgetown Place.

5. [R-9-14 Resolution Relating to Temporary Imposition for Suspension of Parking Regulations by the Parking Committee \(Introduced by Ald. Langdon\)](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to adopt R-9-14

CDD Keil explained the request from Menasha School District during the construction at the high school. General discussion ensued on the authority of the Police Chief regarding temporary parking regulations. Ald. Nichols withdrew her motion.

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. ADJOURNMENT

Moved by Ald. Nichols, seconded by Ald. Keehan to adjourn at 8:20 p.m.

Motion carried on voice vote.

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