CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, February 1, 2016
MINUTES

DRAFT

A. CALL TO ORDER
Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE
Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES
PRESENT: Aldermen Spencer, Benner, Nichols, Taylor, Krautkramer, Olszewski, Keehan, Zelinski.
ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DWP Rdtke, CDD Keil, ASD Steeno, PHD McKenney, Clerk Galeazzi.

D. PUBLIC HEARING

1. Special Use Permit by Creative Sign Company on behalf of Skogen's Festival Foods for a Business Center Sign located at 1405 Oneida Street, Menasha.

CDD Keil explained the request from Festival Foods. A Special Use Permit is required because of the type of zoning.

Sandra Dabill-Taylor, 545 Broad Street, Menasha. Asked why a second public hearing is scheduled for the same Special Use Permit. She suggested changing ordinance for all commercial signage be consistent.

CDD Keil explained a second public hearing is scheduled because it was discovered where the proposed sign will go is on different property.

Mayor Merkes closed the public hearing.

2. Proposed on-street bike/pedestrian route through Doty Island as part of the Loop the Little Lake Trail Project.

A short video was played on the Loop the Little Lake Trail Project.

PRD Tungate reported on the status of the project. He explained the recommendation for the route through Menasha recommended by the Plan Commission and Parks & Recreation Board.

Byron Kopitzke, 84 Mathewson Street, Menasha. Asked if CN Railroad has been contacted about project.

Tim Gosz, 98 Fox Street, Menasha. Concerns with parking issues.

Tim Jones, Greenway. Route looks satisfactory for connectivity and safety.

DPW Radtke explained staff has meet with representatives from CN Railroad but they have not finalized the crossing.

Mayor Merkes closed the public hearing.

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. Requesting two-way entrance to Broad Street ally.

Sandra Dabill-Taylor, 545 Broad Street, Menasha.1) R-3-16 Resolution Approving the Distribution of Remainder Funds for the Tax Incremental Financial District #1 Closure-funds should go back to taxpayers; 2) Landmarks Commission discussing designating section of Racine Street as historical district.

Andy Muth, 116 Fox Street, Menasha. Not support roundabouts in the City.

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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, 1/18/16.
b. Board of Public Works, 1/18/16.
c. City Hall Safety Committee, 12/3/15.
d. Landmarks Commission, 1/13/16.
e. Library Board, 1/21/16.
f. NMFR Joint Finance & Personnel Committee, 1/26/16.
g. Parks and Recreation Board, 12/8/15, 1/12/16.
h. Joint Parks & Recreation Board and Plan Commission, 1/12/16.
i. Plan Commission, 1/19/16.

Communications:

j. FC Auxier, 1/18/16: Retirement Letter.
k. ASD Steeno, 1/27/16; Website Update-Proceeding with Building/Creating New Website.

Moved by Ald. Taylor seconded by Ald. Keehan to receive Minutes and Communications A-K.
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, 1/18/16.
2. Special Joint Common Council and Water & Light Commission, 1/18/16.

Board of Public Works, 1/18/16 – Recommends the Approval of:

3. Change Order – Northeast Asphalt Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Streets, Barker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street; Contract No. 2015-01; DEDUCT: $11,151.55 (Change Oder No. 1 and Final)
4. Payment - Northeast Asphalt Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Streets, Barker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street; Contract No. 2015-01; $28,263.69 (Payment No. 7 and Final)
5. Authorization to Execute Conveyance of Rights in Land for Third Street Bridge Replacement Project:
   A. City of Menasha – Sanitary Sewer;
   B. City of Menasha, dba Menasha Utilities – Electric
   C. City of Menasha, dba Menasha Utilities – Water Main
6. Authorization to Execute Three Party Design Engineering Services Contract (Broad Street Reconstruction – Tayco Street to Racine Street)

Parks and Recreation Board, 1/12/16, Recommends the Approval of:

7. Revisions to Parks and Recreation Programs, Services and Fees for 2016.

Joint Parks and Recreation Board and Plan Commission, 1/12/16, Recommend the Approval of:

8. Menasha's portion of the on-street bicycle/pedestrian route along Doty Island as part of the Loop the Little Lake project with the route commencing on Lawson Street, proceeding north to Fox Street, then west on Fox Street to Mathewson Street, then north on Mathewson Street to the Fox River. In addition, keep open the possibility of considering in the future, the alternative off-street route along the shoreline behind the water treatment plant. Trail approach to the new bridge should be placed on the east side of the Mathewson Street right-of-way and that route marking should be done with signage although sharrows could be used if necessary.

Ald. Taylor requested to remove items 7 & 8 from Consent Agenda.

Moved by Ald. Taylor seconded by Keehan to approve Consent Agenda items1-6.
Motion carried on roll call 8-0.

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H. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda item 7, Revisions to Parks and Recreation Programs, Services and Fees for 2016.
General discussion ensued on fee schedule; policy for pool rental.

   Moved by Ald. Taylor seconded by Ald. Zelinski to refer item back to Parks and Recreation Board.
Motion carried on voice vote.

2. Moved by Ald. Benner seconded by Ald. Keehan to approve Consent Agenda item 8, Menasha's portion of the on-street bicycle/pedestrian route along Doty Island as part of the Loop the Little Lake project with the route commencing on Lawson Street, proceeding north to Fox Street, then west on Fox Street to Mathewson Street, then north on Mathewson Street to the Fox River. In addition, keep open the possibility of considering in the future, the alternative off-street route along the shoreline behind the water treatment plant. Trail approach to the new bridge should be placed on the east side of the Mathewson Street right-of-way and that route marking should be done with signage although sharrows could be used if necessary.
General discussion ensued on parking at Shepard Park; the alternative off-street route.

   Moved by Ald. Taylor seconded by Ald. Zelinski to refer item back to Parks & Recreation Board.
Motion failed on roll call 4-5.
Ald. Taylor, Krautkramer, Olszewski, Zelinski voted yes.
Ald. Nichols, Keehan, Spencer, Benner voted no. Mayor Merkes broke the tie by voting no.

   General discussion ensued on the recommendations from Plan Commission and Parks and Recreation Board; fundraising for the project; lighting and safety; reasons for selecting recommended route over alternative route; cost of alternative route.

   Moved by Ald. Zelinski seconded by Ald. Taylor to amend the original motion the City will designate a parking lot in Shepard Park and the City will look at alternate route along shoreline behind the water treatment plant.
General discussion ensued on feasibility and environmental study, cost to acquire property, timeline of study.

   Unanimous consent from Council to withdrew the motion.

   Moved by Ald. Benner seconded by Ald. Zelinski to amend the original motion to include the City will do a feasibility study on alternative off-street route along the shoreline behind the water treatment plant. The feasibility study will include cost of the trail, lighting, environmental study and 10 stall parking lot. The feasibility study should be completed by June 1.
Motion on amendment carried on roll call 8-0.

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

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 1/21/16-1/28/16 in the amount of $1,435,255.09.
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 2015-2017 licensing period.
Moved by Ald. Nichols seconded by Ald. Keehan to approve beverage operator's license applications as listed in memo date 1/27/16.
Motion carried on roll call 8-0.

Police Department recommends denying beverage operator's license application for Amanda Torres and Mallory Monroe as they do not meet the criteria under the established guidelines.

Council gave unanimous consent to hear from Amanda Torres.

Ms. Torres explained the citations received and how she has turned her life around since she received the citations.

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2. Beverage Operators License Applications for the 2015-2017 licensing period. (cont'd)

Moved by Ald. Spencer seconded by Ald. Benner to approve beverage operator's license application for Amanda Torres.
Motion carried on roll call 5-3.
Ald. Krautkramer, Olszewski, Keehan, Spencer and Benner voted yes.
Ald. Nichols, Taylor, Zelinski voted no.

Moved by Ald. Keehan seconded by Ald. Olszewski to deny beverage operator's license application for Mallory Monroe.
Motion carried on roll call 8-0.

3. Change of Agent for 13 Main Enterprises RCK LLC, 13 Main Street, from Choi Robert Schake to Dean Reggie Hinske.

Moved by Ald. Taylor seconded by Ald. Keehan to approve change of agent for 13 Main Enterprises RCK LLC, 13 Main Street, from Choi Robert Schake to Dean Reggie Hinske
Motion carried on roll call 8-0.

4. "Class B" Liquor License Application for Chicken Palace of Menasha, 1550 Appleton Road, Carlos Ayala, agent for the 2015-2016 licensing year.

Moved by Ald. Keehan seconded by Ald. Zelinski to approve "Class B" liquor license application for Chicken Palace of Menasha, 1550 Appleton Road, Carlos Ayala, agent for the 2015-2016 licensing year.
Motion carried on roll call 8-0.

5. Approve the Tentative Agreement with Local 275 as outlined in the January 14, 2016 summary and subject to ratification by Local 275 IAFF (Recommended by NMFR Joint Finance & Personnel Committee)

Moved by Ald. Keehan seconded by Ald. Benner to approve the Tentative Agreement with Local 275 as Outlined in the January 14, 2016 summary and subjet to ratification by Local 275 IAFF (Recommended by NMFR Joint Finance & Personnel Committee)
General discussion ensued on the agreement.
Motion carried on roll call 8-0.

J. HELD OVER BUSINESS

1. Ald. Taylor – Motion to Reconsider – R-2-16 - Resolution to Approve the Write Off General Uncollectible Accounts Receivables and Delinquent Personal Property.

Moved by Ald. Taylor to Reconsider R-2-16 Resolution to Approve the Write Off General Uncollectible Accounts Receivables and Delinquent Personal Property.
Motion failed on roll call 3-5.
Ald. Taylor, Zelinski, Benner voted yes. Ald. Nichols, Krautkramer, Olszewski, Keehan, Spencer voted no.
(Clerk's Note: A seconded is not required for a Motion to Reconsider, but it does require a 2/3 vote).

K. ORDINANCES AND RESOLUTIONS

1. R-3-16 Resolution Approving the Distribution of Remainder Funds from the Tax Incremental Financial District #1 Closure (Introduced by Ald. Spencer)

Moved by Ald. Spencer seconded by Ald. Benner to approve R-3-16 Resolution Approving the Distribution Of Remainder Funds from the Tax Incremental Financial District #1 Closure (Introduced by Ald. Spencer)
General discussion ensued on the use of the City's portion of remaining TIF funds since TIF #1 closed.
Motion carried on roll call 6-2.
Ald. Nichols, Krautkramer, Olszewski, Keehan, Spencer, Benner voted yes. Ald. Taylor, Zelinski voted no.

L. APPOINTMENTS

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)

PC Styka congratulated FC Auxier on his upcoming retirement.

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O. ADJOURNMENT
Moved by Ald. Taylor seconded by Ald. Krautkramer to adjourn at 8:46 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk