

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, May 20, 2013  
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 Sevenich, Keehan, Zelinski, Englebert, Benner, Nichols, Taylor

EXCUSED: Alderman Langdon

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,  
Dpty Treasurer Sassman, PRD Tungate, LD Lenz, Clerk Galeazzi

DEPT. HEAD EXCUSED: PHD Nett

D. PUBLIC HEARING

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. Recognition Plaque Presentation - 210 Main Street - Landmarks Commission

Tom Grade from Landmarks Commission presented a plaque to Joe & Mary Jo Weidert for the restoration of their building at 210 Main Street.

2. [Introduction of new Police Officers and Awards Presentation](#)

PC Styka introduced to the Council new officers, Dan Hoerneke, Marty Effert, Tony Edwards and Joshua Gallagher. New Officer Denton Heidemann was not available to attend meeting.

PC Styka recognized officers that received awards at the recent Police Department Awards Dinner.

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

Minutes to receive:

a. [Administration Committee, 5/6/13](#)

b. [Board of Public Works, 5/6/13](#)

c. [Neenah-Menasha Fire Rescue Joint Finance & Personnel, 5/7/13](#)

d. [Personnel Committee, 5/6/13](#)

e. [Water & Light Commission, 5/8/13](#)

Communications:

f. [Clerk Galeazzi, 5/15/13; City Business Cards](#)

g. [FC Auxier, 5/6/13; NMFR's Open House at Station 36](#)

h. [Certificate of Recycling, City of Menasha/Menasha Utilities](#)

i. [Library Strategic Plan 2013-2018](#)

j. [PRD Tungate, 5/16/13; Jefferson Park Refuse Containers](#)

k. [Valley Transit to Mayor Merkes, 5/13/13; Refund for 2012 Fixed Route Services](#)

l. [FC Auxier, 5/14/13; Demo Engine Purchase from Pierce](#)

Moved by Ald. Benner, seconded by Ald. Sevenich to receive Minutes and Communications A-L

General discussion ensued.

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, 5/6/13](#)

Personnel Committee, 5/6/13; Recommends approval of:

2. Establish salary range of Administrative Services Director at a Grade 1

Administration Committee, 5/6/13; Recommends approval of:

3. [Wellness incentives for participation in WEA initiatives](#)

Board of Public Works, 5/6/13; Recommends approval of:

4. [Street Use Application, Communityfest Parade of Lights, Wednesday July 3, 2013, 9:00pm-10:15pm \(Cities of Neenah and Menasha\)](#)

5. [Street Use Application, Otto Grunski Runski, Saturday August 10, 2013, 6:00am-11:00am \(City of Menasha\)](#)

6. [Change Order, Pieper Electric, Inc, Contract No. M0002-910283-B, High Lift Pumping Station; ADD \\$5,641.00 \(Change Order No. 2\)](#)

NMFR Joint Finance & Personnel, 5/7/13; Recommends approval of:

7. To create a 2013 NMFR Dive Team program budget and authorize the City of Neenah Finance Department to amend the current budget on file for the Dive Team to reflect \$2,000.00 for Overtime/Wages, \$660.00 Fringes, \$1,000.00 Schools/Seminars/Training, \$1,500.00 Maintenance of Operating Equipment and \$1,000.00 All Other Equipment for a total budget of \$6,160.00. The budget will be funded through the donated dollars currently in the Dive Team Trust Account

8. Look at the lease/purchase agreement of this demo vehicle in a timely fashion and Direct Administration to pursue reviewing this vehicle and discussing financing options with both Communities-NO ACTION NECESSARY

Ald. Benner requested to removed item 8 from Consent Agenda-no action necessary on this item.

Ald. Taylor requested to remove item 2 from Consent Agenda.

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agenda items 1, 3, 4, 5, 6, 7  
Motion carried on roll call 7-0.

#### H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Zelinski to approve Consent Agenda item 2, Establish salary range of Administrative Services Director at a Grade 1.

Discussion: Ald. Taylor stated he supports position, but not a salary at a Grade 1.

Motion carried on roll call 6-1. Ald. Taylor voted no

#### I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 5/9/13 to 5/16/13 in the amount of \\$381,695.31.](#)

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

Ald. Taylor requested to separate check #37274 (McMahon). He will abstain due to personal connections.

General discussion ensued on expenditures.

Motion to approve accounts payable and payroll minus check #37274 carried on roll call 7-0.

Motion to approve check #37274 carried on roll call 6-0. Ald. Taylor-abstained.

2. [Beverage Operators License Applications for the 2013-2015 licensing year.](#)

Moved by Ald. Benner, seconded by Ald. Englebert to approve list of Operators License applicants.  
Motion carried on roll call 7-0.

Moved by Ald. Benner, seconded by Ald. Nichols to deny Operators License for Ashley Burkett for providing inaccurate information on application.  
Ms. Burkett explained she was not familiar with the application and did not understand the question.  
General discussion ensued.  
Motion carried on roll call 4-3.  
Ald. Nichols, Taylor, Englebert, Benner voted yes  
Ald. Sevenich, Keehan, Zelinski voted no

Moved by Ald. Benner, seconded by Ald. Zelinski to deny Operator License for Sierra Will for three or more convictions in the last five years which would classify as habitual law offender according to City Guidelines For Operator Licenses.  
Motion carried on roll call 7-0.

3. [Tower and Ground Space Lease Agreement between City of Menasha and Airadigm Communications Inc at 455 Baldwin Street.](#)

Moved by Ald. Benner, seconded by Ald. Englebert to approve Tower and Ground Space Lease Agreement Between City of Menasha and Airadigm Communications Inc. at 455 Baldwin Street.  
General discussion ensued on the terms of the agreement  
Moved by Ald. Sevenich, seconded by Ald. Keehan to amend paragraph 16, Opportunity to Cure Defaults, change grace period from thirty (30) days to fifteen (15) days and paragraph 17, Transfer of Tenant's Interest, to allow tenant to assign interest to any entity which controls, is controlled by or is under the common control of tenant.  
Motion on amendment carried on roll call 7-0.  
Motion as amended carried on roll call 7-0.

4. [Acquisition of 221 Washington Street - Notice of Commencement of Proceedings in REM to Foreclose Tax Liens by Winnebago County Under Wis. Stats. 75.521.](#)

Moved by Ald. Benner, seconded by Ald. Nichols for acquisition of 221 Washington Street.  
General discussion ensued on the process of acquiring the property and the condition of the property.  
Moved by Ald. Englebert, seconded by Ald. Zelinski to amend to instruct staff to pursue the acquisition of 221 Washington Street.  
Motion on amendment carried on roll call 7-0.  
Motion as amended carried on roll call 7-0.

J. ORDINANCES AND RESOLUTION

1. [O-2-13 An Ordinance Amending Section 8-1-6 of the Code of Ordinances \(Destruction of Noxious Weeds\) \(Introduced by Ald. Keehan\)](#)

Moved by Ald. Keehan, seconded by Ald. Sevenich to adopt O-2-13.  
Motion carried on roll call 7-0.

2. [R-5-13 Resolution Continuing Appropriations \(Introduced by Ald. Nichols\)](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to adopt R-5-13.  
Motion carried on roll call 7-0.

3. [R-6-13 Resolution Transferring/Appropriating Funds \(Introduced by Ald. Nichols\)](#)

Moved by Ald. Nichols, seconded by Ald. Englebert to adopt R-6-13.  
Motion carried on roll call 7-0.

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)  
No one spoke.

O. ADJOURN

Moved by Ald. Nichols, seconded by Ald. Benner to adjourn at 7:56 p.m.  
Motion carried on voice vote.

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