

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, November 2, 2015
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Benner, Nichols, Taylor, Krautkramer, Keehan.

EXCUSED: Alderman Spencer, Zelinski.

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

Tim Gosz, 98 Fox Street, Menasha. Issues with route of Loop the Lake trail.

Byron Kopitzke, 84 Mathewson Street, Menasha. Issues with Loop the Lake trail and Shepard Park.

Mary Meyers, 522 Broad Street, Menasha. Safety concerns if Broad Street turned into 2-way street.

Jeff Harvey, 514 Broad Street, Menasha. Safety concerns if Broad Street turned into 2-way street.

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

Dan Emery, 736 Appleton Road, Menasha. Safety concerns if Broad Street turned into 2-way street.

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, 10/19/15.](#)

b. [Landmarks Commission, 10/13/15.](#)

c. [Library Board, 10/22/15.](#)

d. [NMFR Joint Finance & Personnel Committee, 10/27/15.](#)

e. [Neenah-Menasha Sewerage Commission, 09/22/15.](#)

f. [Plan Commission, 10/20/15.](#)

g. [Water and Light Commission, Special, 10/14/15.](#)

Communications:

h. [Addis Hilliker to Mayor Merkes, 09/22/15; Bridge Landing/Broad St.](#)

i. [CA Captain, 10/29/15; Circuit Court No. 2015CV452 In the Matter of INCORPORATION OF A PORTION OF THE LANDS COMPRISING THE TOWN OF MENASHA, Winnebago County, As a Village Pursuant to the Provisions of Ch. 66, Wisconsin Statutes.](#)

j. [Sandy Inselman to Mayor Merkes, 10/10/15; Thank you letter.](#)

k. [State of Wisconsin, Department of Natural Resources to CCD Keil 10/15/15; Final Case Closure With Continuing Obligations for the Property Located at 87 Racine Street, Menasha.](#)

l. [Waverly Sanitary District Meeting Minutes, 09/03/15.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to receive Minutes and Communications A-L.

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, 10/19/15.](#)

Board of Public Works, 10/19/15 – Recommends the Approval of:

2. [Payment – Borsche Roofing Professionals, Inc.; Library/City Hall Re-Roofing Project; Contract Unit No. 2015-02; \\$63,385.52 \(Payment No. 1\).](#)

3. [Stained Texas Rail Plain Concrete with Insets for Third Street Bridge Railing Design.](#)

NMFR Joint Finance and Personnel Committee, 10/27/15 – Recommends the Approval of:

4. [Employer Solutions as the vendor for Neenah-Menasha Fire Rescue's 2016 physicals and use the City of Neenah's HRA Vendor for the 2016 lab work for a total cost not to exceed \\$13,102.40.](#)

Plan Commission, 10/20/15 – Recommends the Approval of:

5. [Certified Survey Map – Oneida Street and Midway Crossing. The Certified Survey Map subject to the conditions described herein and to recommend approval of the variance to the subdivision code based on the following:](#)

- a. [The variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;](#)
- b. [The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property;](#)
- c. [Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result.](#)

[The approval of the Certified Survey Map is conditioned on the submittal of an ingress-egress easement to the benefit of the public as well as the relocation of a sidewalk easement to exist as a five foot easement along the north and west lot lines of Lot 3.](#)

6. [Certified Survey Map – Oneida Street and Province Link. The Certified Survey Map subject to the conditions described herein and to recommend approval of the variance to the subdivision code based on the following:](#)

- a. [The variance will not be detrimental to the public safety, health or welfare or injurious to other property or improvements in the neighborhood in which the property is located;](#)
- b. [The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property;](#)
- c. [Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result.](#)

[The approval of the Certified Survey Map is conditioned on the submittal of an ingress-egress easement to the benefit of the public as well as the relocation of a sidewalk easement to exist as a five foot easement along the west lot line of Lot 2.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to approve Consent Agenda items 1-6.

Motion carried on roll call 5-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 10/22/15 to 10/29/15 in the amount of \\$1,382,094.42.](#)

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

Motion carried on roll call 5-0.

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 dated 10/29/15.

Motion carried on roll call 5-0.

3. [Motion to Reconsider – Ald. Taylor – Beverage Operators License Application for Nichole Marie Verstoppen.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to reconsider the motion to deny beverage operator's license application for Nichole Marie Verstoppen.

Motion carried on roll call 5-0.

Unanimous consent of Council to allow Nichole Marie Verstoppen to speak.

Ms. Verstoppen explained some of the citations she received and the reason she did not list them on the beverage operator's license application. She also stated she was not able to attend the Common Council meeting when the beverage operator's license application was denied.

CA Captain questioned Ms. Verstoppen about the citations. Ms. Verstoppen was unable to recall the circumstances of bail jumping conviction.

Moved by Ald. Benner seconded by Ald. Keehan to deny the beverage operator's license application for Nichole Marie Verstoppen as she is considered an habitual offender under the established guidelines.

Motion carried on roll call 4-0. Ald. Taylor did not vote.

J. HELD OVER BUSINESS

1. [Board of Public Works, 10/05/15 – Recommends the Approval of:](#)

a. [Alternative J as the preferred option for the Racine Street Bridge replacement.](#)

Original motion: Moved by Ald. Nichols seconded by Ald. Keehan to approve Alternative J as the preferred option for the Racine Street Bridge Replacement.

General discussion ensued on putting this item to a vote of all City residents; maintenance cost of this type of bridge; State Statute requiring the City to take ownership of bridge; additional liability to the City; concerns if bridge is not replaced.

Unanimous consent of Council to allow Bill Bertrand from Dept. of Transportation to speak.

Mr. Bertrand explained the State Statute that requires municipalities to take ownership of a replacement bridge. He also explained Alternative J evolved from original Alternative F proposed by the DOT with recommended alteration from City staff and the public. He stated the DOT is only looking for input from the City on a replacement bridge.

Motion carried on roll call 4-1. Ald. Taylor voted no.

K. ORDINANCES AND RESOLUTIONS

None

L. APPOINTMENTS

1. [Mayor's Appointment of Brian Adesso, 1124 Silver Birch Drive, Menasha, to the Parks and Recreation Board for the term of 11/03/15 to 10/01/18.](#)

Moved by Ald. Benner seconded by Ald. Taylor to approve Mayor's Appointment of Brian Adesso to the Parks and Recreation Board for the term 11/3/15 to 10/1/18.

Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

None

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. Taylor seconded by Ald. Keehan to adjourn at 7:07 p.m.

Motion carried on voice vote.