

CITY OF MENASHA
Common Council
City Hall-140 Main St.-Council Chambers-3rd Floor
November 19, 2007

MINUTES

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1. CALL TO ORDER

Meeting called to order by Mayor Laux at 7:07 p.m.

2. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance - led by Butte Des Morts School Girl Scout Troop #291](#)

3. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

PRESENT: Ald. Michalkiewicz, Chase, Merkes, Taylor , Wisneski, Pack, Hendricks, Eckstein.

ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke,

AP Beckendorf, C/T Stoffel, PRD Tungate, PHD Nett, Clerk Galeazzi, and the Press.

B. -

4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 11/5/07](#)

B. [Budget Review Session, 11/1/07, 11/8/07, 11/12/07](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Wisneski to approve Minutes A&B.

Motion Carried on voice vote

Results:

Minutes to receive:

C. [Administration Committee, 11/5/07](#)

D. [Board of Public Works, 11/5/07](#)

E. [Personnel Committee, 10/15/07](#)

F. [Public Hearing, 11/5/07](#)

G. [Plan Commisison, 11/6/07](#)

Communications:

A. [Comp. Stoffel, 11/9/07; Budget- Dental Insurance Adjustments](#)

B. [Comp Stoffel, 11/9/07; Budget-Health Insurance Adjustment](#)

C. [Comp Stoffel, 11/9/07; Budget-Health Dept. revenues and expenditures](#)

D. [Comp. Stoffel, 11/15/07; 2008 Operations and Capital Budget Summary](#)

E. [Cities and Villages Mutual Insurance Company to CA/HRD Brandt, 11/15/07; Marsh and AIG Settlement and 2007 EPLI Rebate letter](#)

F. [Comp Stoffel, 11/13/07; Costs of procurement and demolition of 81and 87 Racine St. and 504 Broad St.](#)

G. [Ald. Chase, 11/5/07; Five Oaks Park Letter](#)

H. [Calumet County Legislative Committee, 10/19/07](#)

I. [PRD Tungate, 11/13/07; Fact Sheet: *Health Benefits of Parks and Recreation*](#)

J. [Tom Franz \(UW-Fox\) to Clerk Galeazzi, 11/9/07; recording of 11/5/07 Council Meeting](#)

K. [MU GM Young, 11/15/07; Response to a citizen's questions](#)

L. [Customers First! Newsletter, 11/07; *The Wire*](#)

M. [PWD Radtke, 11/15/07; 2007-2011 Street Improvement Program](#)

N. [PWD Radtke, 11/12/07; 2008 Budget Review-Midway Road Walk Project](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Eckstein to approve Minutes to Receive C-G and Communications A-N. Discussion: Ald Wisneski-Comm. M, Streets west of Tayco Street, Broad and Chute be part of the street improvement program; Comm. N-schedule of sidewalk installation.

Motion Carried on voice vote

Results:

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

Five (5) minute time limit for each person

A. [Public comments on any matter of concern to the City](#)

Michael Larsen , 2140 Grassy Plains Drive . Drainageway issue is a hazard, needs to be corrected.

Roger Kanitz, 516 Riverway. Encourage support of R-21-07 Resolution Supporting Eco-Municipality Concepts.

Linda Stoll, 1525 Rue Reynard Road . Support R-21-07 Resolution Supporting Eco-Municipality Concepts.

Mary Nebel, 713 First Street . Schreiber-Anderson Report relating to 81 & 87 Racine Street and 504 Broad Street .

Jeff Riedl , 408 Appleton Street . Police Dept. Budget

Scott Johnson, 1310 Lucerne Drive . Claim against the City.

6. CLAIMS AGAINST THE CITY

- A. [A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Scott Johnson and that he be advised of his statutory rights pursuant to Wis. Stats. 893.80.](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Eckstein to recommend to disallow claim. Discussion.

Motion Passed

Results:

Roll Call:

AYES: Eckstein , Hendricks , Michalkiewicz , Pack , Taylor , Wisneski (6)

NAYS: Chase , Merkes (2)

7. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. [CA/HRD Brandt - Cities and Villages Mutual Insurance Company, 2007 Award of Excellence-Silver and twenty year recognition](#)

In 2003, the City received an award from CVMIC for Risk Management. For 2007, another award from CVMIC was received. Also, the City was recognized for its 20 year membership with CVMIC. Joining CVMIC in 1988 has saved the City over \$4 million in premiums.

8. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission:

1. [10/30/07; Recommends approval of the Open Space and Recreation Facilities Plan 2007-2011](#)

No Action - see Item 9E.

2. [11/6/07; Recommends approval of the design concept for 81 and 87 Racine Street and 504 Broad Street based on the following findings - The design concept is consistent with the proposed Comprehensive Land Use Plan - The design concept is consistent with the Schreiber-Anderson Third/Racine Street Corridor plan. - The design concept is consistent with past council direction regarding the properties at 81 and 87 Racine Street and 504 Broad Street](#)

Moved by Alderman Merkes, seconded by Alderman Hendricks to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

B. Administration Committee:

1. [Agreement for property maintenance and tax listing services with Associated Appraisal Consultants for the assessment years 2008-2011, and authorize signature](#)

Moved by Ald. Wisneski, seconded by Ald. Chase to approve.

Moved by Ald. Merkes, seconded by Ald. Hendricks to have contract expire April 30, 2012.

Motion on amendment carried on roll call 8-0.

Motion as amended carried on roll call 7-1. Ald. Chase - no

2. [Amendment #1 to development agreement between PJC Group and City of Menasha, and authorize signature.](#)

Moved by Alderman Merkes, seconded by Alderman Pack to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

3. [Accounts payable and payroll for 11/8/07-11/15/07 in the amount of \\$539,137.46](#)

Moved by Alderman Wisneski, seconded by Alderman Eckstein to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

C. [Board of Public Works:](#)

1. [14th Annual Fox Cities New Year's Eve Celebration; Monday, December 31, 2007; 10:30 PM to 12:30 AM; Community Forward, Inc.](#)

Moved by Alderman Merkes, seconded by Alderman Chase to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , (7)
Wisneski

ABSTAIN: Taylor (1)

2. [Concerns regarding drainageway at 2140 Grassy Plains Drive](#)

Moved by Alderman Chase, seconded by Alderman Michalkiewicz to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

D. [Personnel Committee:](#)

1. [Recommends approval of the Employee ID Badge Policy](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Chase to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Michalkiewicz , Pack , Taylor , Wisneski (6)

NAYS: Hendricks , Merkes (2)

2. Recommends approval of consideration of April 1, 2008 and October 1, 2008 adjustments to all non-represented employees' salaries

Moved by Alderman Michalkiewicz, seconded by Alderman Chase to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Hendricks , Merkes , Michalkiewicz , Pack , Taylor , Wisneski (7)

NAYS: Eckstein (1)

3. Recommends approval of consideration of April 1, 2008 and October 1, 2008 adjustments to Supervisory Lieutenants' salaries.

Moved by Alderman Michalkiewicz, seconded by Alderman Wisneski to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Hendricks , Merkes , Michalkiewicz , Pack , Taylor , Wisneski (7)

NAYS: Eckstein (1)

9. ORDINANCES AND RESOLUTIONS

A. O-39-07 - Ordinance relating to park regulations (animals in parks)

No Action

B. R-19-07 - Resolution investigating the future use or sale of properties at 504 Broad St., 81 Racine St., 87 Racine St.

Moved by Alderman Hendricks, seconded by Alderman Eckstein to adopt R-19-07.

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

C. R-20-07-Resolution levying taxes for the purpose of paying the operating expenses for the year 2008 for the City of Menasha

Moved by Ald. Wisneski, seconded by Ald. Pack to take up R-20-07.

Motion carried on roll call 8-0.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to adopt R-20-07

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to reduce Dental Insurance to various departments by \$8,572 and \$571, and increase revenue account by \$371

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to reduce Health Insurance to various departments by \$97,606 and \$3,336, and increase revenue account by \$9,116.

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to reduce Fire Dept. Account #31100-52-05-201-250 by \$36,530.

Discussion

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Pack to increase Fire Dept. Account #31100-52-05-201-803 by \$560

Discussion

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Pack to increase Fire Dept. Account #31100-52-05-201-805 by \$330.

Discussion

Motion carried on roll call 8-0.

Moved by Ald. Merkes, seconded by Ald. Hendricks to increase Common Council Account #31100-51-04-101-805 by \$15,000 for purchase of video equipment for Council Chambers.

Discussion

Motion carried on roll call 7-1. Ald. Pack – no.

Moved by Ald. Merkes, seconded by Ald. Taylor to reduce Common Council Account #31100-51-101-218 by \$10,000

Motion carried on roll call 8-0.

Moved by Ald. Merkes, seconded by Ald. Hendricks to reduce IT Dept. Account #31100-51-04-109-315, Assessor-LCD Display by \$300

Motion carried on roll call 8-0.

Moved by Ald. Hendricks, seconded by Ald. Merkes to reduce IT Dept. Account #31100-51-04-109-821, Finance-Video Surveillance Equipment by \$5,700

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Hendricks, Eckstein, Chase – yes.

Ald. Wisneski, Pack, Michalkiewicz – no.

Moved by Ald. Hendricks, seconded by Ald. Taylor to reduce IT Dept. Account #31100-51-04-109-315, Emergency Replacements by \$2,000

Motion carried on roll call 7-1. Ald. Wisneski – no.

Moved by Ald. Wisneski, seconded by Ald. Merkes to reduce Police Dept. Account #31100-52-08-101-300, Photo Supplies by \$1,000

Motion carried on roll call 8-0.

Moved by Ald. Merkes, seconded by Ald. Taylor to increase Marina Account #31207-59-04-200-251 by \$500

Motion carried on roll call 7-1. Ald. Eckstein – no.

Moved by Ald. Merkes, seconded by Ald. Hendricks to reduce IT Dept. Account #31100-51-04-109-243 by \$10,000

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Pack, Hendricks, Chase – yes.

Ald. Wisneski, Eckstein, Michalkiewicz – no.

Moved by Ald. Merkes, seconded by Ald. Hendricks to increase IT Dept. Account #31100-51-04-109-801 by \$39,000

Discussion

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Wisneski, Hendricks, Chase – yes.

Ald. Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Hendricks, seconded by Ald. Merkes, to reduce Fire Dept. Account #31100-52-05-201-803, All-terrain Vehicle by \$7,256.

Discussion

Motion failed on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz, Chase – no.

Motion to adopt R-20-07 as amended carried on roll call 8-0.

D. [R-21-07 - Resolution supporting ECO-Municipality Concepts](#)

Moved by Alderman Merkes, seconded by Alderman Wisneski to adopt R-21-07 as amended in Committee.

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

E. [R-22-07 - Resolution for the adoption of the City of Menasha Open Space and Recreation Facilities Plan](#)

Moved by Alderman Wisneski, seconded by Alderman Eckstein to adopt R-22-07.

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

10. HELD OVER BUSINESS

A. [10/30/07; Plan Commission Recommends approval of the sale of 81 Racine Street and 504 Broad Street with the inclusion of a twenty-foot wide easement along the Racine Street frontage of 81 Racine Street for pedestrian trail and landscaping development.](#)

Moved by Alderman Merkes, seconded by Alderman Hendricks to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

B. [10/23/07; N-M Fire Rescue, Finance and Personnel Committee; recommends approval of Theda Care as the provider and double check the quote from them is for 68 department members and the physicals be performed in 2008 and paid for from the 2008 budget \(Held 11/5/07\)](#)

Moved by Alderman Wisneski, seconded by Alderman Michalkiewicz to approve .

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Hendricks , Merkes , Michalkiewicz , Pack , Taylor ,(8)
Wisneski

C. [Menasha Steam Plant Noise Issue \(Ald. Taylor\)](#)

Moved by Alderman Taylor, seconded by Alderman Wisneski to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Hendricks , Pack , Taylor , Wisneski (5)

NAYS: Eckstein , Merkes , Michalkiewicz (3)

D. [Menasha Health Department Relocation \(Ald. Taylor\)](#)

Moved by Alderman Taylor, seconded by Alderman Pack to table .

Motion Failed

Results:

Roll Call:

AYES: Merkes , Pack , Taylor , Wisneski (4)

NAYS: Chase , Eckstein , Hendricks , Michalkiewicz (4)

E. [Schreiber-Anderson Report, Racine Street Corridor \(Ald. Taylor\)](#)

Moved by Alderman Taylor, seconded by Alderman Merkes to table .

Motion Passed

Results:

Roll Call:

AYES: Hendricks , Merkes , Pack , Taylor , Wisneski (5)

NAYS: Chase , Eckstein , Michalkiewicz (3)

F. [Athletica Fitness LLC Health Club, Lake Park \(Ald. Taylor\)](#)

Moved by Alderman Taylor, seconded by Alderman Hendricks to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Hendricks , Merkes , Pack , Taylor , Wisneski (6)

NAYS: Eckstein , Michalkiewicz (2)

G. [81 Racine Street Property \(Ald. Taylor\)](#)

Moved by Alderman Taylor, seconded by Alderman Hendricks to table .

Motion Passed

Results:

Roll Call:

AYES: Chase , Hendricks , Merkes , Michalkiewicz , Pack , Taylor , Wisneski (7)

NAYS: Eckstein (1)

11. COUNCIL DIRECTIVES

A. [CA/HRD Brandt- Lake Park - City and developer portions of investment in the project; Status of receivership and City's next step \(Ald. Hendricks\)](#)

The receivership is on-going. We have contacted the receiver about the potential January auction. Court approval is required to approve any sale. A closed session of the Common Council will be held after the Dec. 3 Council meeting. The City has no financial interest in the Club House adjacent

to Athletica Health Facility. The City's next step is to market the residential and commercial lots in the LakePark area.

B. CDD Keil - Fox Cinema landscaping completion (Ald. Hendricks)

AP Beckendorf reported the landscaping at the Fox Cinema property has not been completed. It will not be completed until Spring. Staff will follow-up at that time.

12. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

A. Public comments on matters pertaining to matters on the agenda

None

Ald. Taylor asked for unanimous consent to have his vote on Item 8C1 be recorded as abstained.

No objection.

Ald. Michalkiewicz requested C/T Stoffel to explain the change in the 2008 Budget.

13. ADJOURNMENT

A. Adjournment

Moved by Alderman Michalkiewicz, seconded by Alderman Pack to adjourn at 9:05 p.m.

Motion Carried on voice vote

Results:

Respectfully submitted by Deborah A. Galeazzi, City Clerk