

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

March 19, 2007

MINUTES

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I. CALL TO ORDER

A. Call to Order

Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

Meeting called to order by Mayor Laux at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

A. Pledge of Allegiance

Item Action: None

III. ROLL CALL/EXCUSED ABSENCES

A. Roll Call

Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

Present: Ald. Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks.

Comments

Excused: Ald. Eckstein.

Comments

Also Present: Mayor Laux, CA/HRD Brandt, Lt. Brunn, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

Comments

Dept. Head Excused: PHD Nett.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Common Council, 3/5/07

Item Action: Approved

Motions

Motion Motion Text Made By Seconded Motion

Type			By	Result
approve	Minutes of 3/5/07	Alderman Michalkiewicz	Alderman Chase	Passed
move	To amend Section X.A., Ordinance and Resolution. Should include - Ald. Merkes noted for the record he supports this ordinance for the safety of pedestrian crossing at this intersection.	Alderman Merkes	Alderman Hendricks	Passed
	Motion to amend carried on roll call 7-0.			
	Comments			
	Motion to approve Minutes as amended carried on voice vote.			

**Minutes to receive:**

- B. [Parking Committee, 10/25/06](#) **Item Action:**  
Approved
- C. [NM Sewerage Commission, 1/23/07, 2/27/07](#) **Item Action:**  
Approved
- D. [Board of Public Works, 3/5/07](#) **Item Action:**  
Approved
- E. [Board of Health, 2/14/07](#) **Item Action:**  
Approved
- F. [Administration Committee, 3/5/07](#) **Item Action:**  
Approved

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive B-H and Communications 1-6.	Alderman Michalkiewicz	Alderman Pack	Passed
	Ald. Wisneski - Comm. #6, Governor's Budget includes increasing tipping fee, what impact to City.			
	Comments			
	Motion carried on voice vote.			

- G. [Plan Commission, 3/6/07](#) **Item Action:**  
Approved
- H. [Redevelopment Authority, 3/14/07](#) **Item Action:**  
Approved

**Communications:**

1.

[CA/HRD Brandt, 3/13/07; Winnebago County Codebook](#)

**Item Action:**  
Approved 2.

[DPW Radtke to D.O.T, 3/6/07; Partial Reimbursement Request for River Street Relocation](#)

**Item Action:**  
Approved 3.

[Adam Alix, 3/8/07; Elevator Maintenance/Repairs](#)

**Item Action:**

Approved 4.

[Engineering Supervisor Montour, 3/15/07; Town of Menasha Utility District Watermain and Sanitary Sewer Reconstruction](#)

**Item Action:**

Approved 5.

[Winnebago County, 3/9/07; Weekly Testing of Outdoor Warning Sirens 2007](#)

**Item Action:**

Approved 6.

[League of WI Municipalities, Legislative Bulletin; 3/9/07](#)

**Item Action:**

Approved

**V. 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](#)**

**Item Action:**  
None

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

A. Tracy Koenig, Heckrodt Wetland Reserve Director. Request Council approve annexation of all of Heckrodt property.

Comments

B. Mike Kading, 669 Appleton Road. Notice sent to residents for Board of Appeals hearing was misleading.

**VI. APPOINTMENTS**

**A. [None](#)**

**Item Action:**  
None

**VII. CLAIMS AGAINST THE CITY**

**A. [None](#)**

**Item Action:**  
None

**VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS**

**A. [None](#)**

**Item Action:**  
None

**IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS**

**A. Plan Commission:**

1.

[None](#)

**Item Action:**

None

**B. Administration Committee:**

1.

[License: Class B Beer Application for Fox Cinema, Inc., Vicki Radue, Agent for premises at 400 Third Street for the 2006-2007 licensing year](#)

**Item Action:**

Approved

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Class B Beer License Application for Fox Cinema, Inc.	Alderman Wisneski	Alderman Pack	Passed

Motion carried on voice vote.

2.

[Selection of Proposal for Fourth of July Fireworks](#)

**Item Action:**

Approved

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	5-Star for the Fourth of July Fireworks Show.	Alderman Taylor	Alderman Pack	Failed
Discussion. Motion failed on roll call 2-5. Ald. Taylor, Pack - yes. Ald. Merkes, Wisneski, Hendricks, Michalkiewicz, Chase - no.				
approve	Spielbauer, Proposal A, for the Fourth of July Fireworks Show.	Alderman Wisneski	Alderman Pack	Passed

Motion carried on roll call 7-0.

3.

[Authorization to spend \\$1,455.33 to remove telephone pole from between 81 and 87 Racine Street](#)

**Item Action:**

Tabled

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To table.	Alderman Michalkiewicz	Alderman Hendricks	Passed

Motion carried on roll call 7-0.

4.

[Petition of Bob and Barbara Bisby to license more cats than allowed by City Code](#)

**Item Action:**

Approved

**Motions**

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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approve      Petition of Bob and Barbara Bisby.      Alderman Wisneski      Alderman Pack      Passed  
Motion carried on roll call 7-0.

5.

[Accounts payable and payroll for 3-8-07/3-15-07 for the amount of \\$646,006.61](#)

**Item Action:**

Approved

**Motions**

<b>Motion Type</b>	<b>Motion Text</b>	<b>Made By</b>	<b>Seconded By</b>	<b>Motion Result</b>
approve	Accounts payable and payroll Motion carried on roll call 7-0.	Alderman Wisneski	Alderman Taylor	Passed

**C.      Board of Public Works:**

1.

[Authorization to Execute WisDOT Bridge Agreement for Fiscal Year 2008](#)

**Item Action:**

Approved

**Motions**

<b>Motion Type</b>	<b>Motion Text</b>	<b>Made By</b>	<b>Seconded By</b>	<b>Motion Result</b>
approve	Authorization to Execute WisDOT Bridge Agreement for Fiscal Year 2008 Motion carried on roll call 7-0.	Alderman Taylor	Alderman Pack	Passed

2.

[Parking Committee Recommendation to Add One Parking Stall on the East Side and One Parking Stall on the West Side of Milwaukee Street between Main Street and Broad Street](#)

**Item Action:**

Approved

**Motions**

<b>Motion Type</b>	<b>Motion Text</b>	<b>Made By</b>	<b>Seconded By</b>	<b>Motion Result</b>
approve	Parking Committee Recommendation. Discussion. Motion carried on roll call 7-0.	Alderman Wisneski	Alderman Pack	Passed

3.

[Recommendation for 2007 Street Improvement Program: Kaukauna Street and High Street](#)

**Item Action:**

Approved

**Motions**

<b>Motion Type</b>	<b>Motion Text</b>	<b>Made By</b>	<b>Seconded By</b>	<b>Motion Result</b>
approve	Recommendation for 2007 Street Improvement Program: Kaukauna Street and High Street	Alderman Taylor	Alderman Wisneski	Passed

Motion carried on roll call 7-0.

## X. ORDINANCES AND RESOLUTIONS

- A. [O-6-07 - An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, WI \(Heckrodt Annexation\)](#) **Item Action:** Approved

### Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	O-6-07	Alderman Pack	Alderman Merkes	Passed

Discussion. Motion carried on roll call 7-0.

## XI. HELD OVER BUSINESS

- A. [Recommendation from Redevelopment Authority, Development Agreement between Gilbert Mill, LLC and PJC Group, LLC and the City of Menasha](#) **Item Action:** Approved

### Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Development Agreement between Gilbert Mill LLC and PJC Group LLC and the City of Menasha with the correction in Article VI of 95%	Alderman Wisneski	Alderman Michalkiewicz	Passed

Discussion: Motion carried on roll call 7-0.

## XII. COUNCIL DIRECTIVES

- A. [CA/HRD Brandt - Status of Lake Park Villas \(Ald. Merkes\)](#) **Item Action:** None

### Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

CA/HRD Brandt has sent a request to the court appointed receiver to allow the City to market the available properties. Haven't heard back on the request. CA/HRD Brandt continues to represent the City at the Homeowners Association meetings.

- B. [CA/HRD Brandt - Update on Gatehouse Property \(Ald. Hendricks\)](#) **Item Action:** None

### Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Nothing new to report; Attorney Koehler has documents to be signed by the Condominium Association.

- C. [CDD Keil - Temporary signs at mini storage facility \(Ald. Hendricks\)](#) **Item Action:** None

### Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The owners have been notified that the temporary signs need to be removed within 30 days. They have indicated that permanent signage will be installed in the 30 days.

- D. [CDD Keil - Update on resident's issues at Province Terrace \(Ald. Chase\)](#) **Item Action:** None

### Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Staff has had meetings with the residents of the Province Terrace to go over concerns about the zoning in that area. Atty. Rich Carlson has been retained to help address the issues and create new zoning codes. They need to take into consideration the whole City, not just certain areas, when addressing the zoning changes. Staff will continue to work with the residents.

- E. [CDD Keil - Status of Larsen Engineering Study \(Ald. Wisneski\)](#)** **Item Action:**  
None

**Motions**

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Larsen Engineering should have a draft plan by the end of March to be submitted to the Council. Staff will be meeting with the Larsen Engineering staff to provide materials to be included in report.

- F. [CDD Keil - Update on Province Terrace Rezoning \(Ald. Merkes\)](#)** **Item Action:**  
None

**Motions**

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The 60 day stipulation that the Council put on the Rezoning of Province Terrace on the passing of O-3-07 is up. Atty. Rich Carlson has been retained to help draft a new ordinance pertaining to rezoning. Staff has had meetings with Atty. Carlson and it will take more than 60 days to come up with a new ordinance. Staff will report back.

- G. [Comp. Stoffel - Explanation of Miron Construction bill \(Check #11342\) for the New Fire Station \(Ald. Merkes\)](#)** **Item Action:**  
None

**Motions**

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The final bill received from Miron Construction was for soil boring work done in 2005 on the site of the new fire station. There was a delay on Miron's part in submitting the bill.

- H. [CDD Keil - Update on Menasha Cinema \(Ald. Hendricks\)](#)** **Item Action:**  
None

**Motions**

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The operators plan to open on March 30, with a grand opening planned for late April. The building inspectors are checking with the State on an issue that needs clarification before issuing an occupancy permit.

- I. [FC VanderWyst - Update on new firestation \(Ald. Merkes\)](#)** **Item Action:**  
None

**Motions**

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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A letter was received from Martenson & Eisele indicating that the new fire station project has been on hold as per the request of the City. It will continue to be on indefinite hold until they receive written confirmation from the City to proceed.

Comments

Comments

Next Agenda: Ald. Hendricks-1) Status of Gatehouse Property; 2) Signs at mini warehouse units; 3) Temporary Sign at Badger Ice Cream; 4) Status of Menasha Cinema. Ald. Wisneski-Citizens complaint of proper notification of public

hearing. Ald. Chase-1) Resident's issues at Province Terrace; 2) Stone Toad outside lighting. Ald. Taylor-1) Drive thru sign at Badger Ice Cream; 2) Status of 535 1st Street; 3) Landscaping at mini warehouse units.

### **XIII. ADJOURNMENT**

#### **A. Adjournment**

**Item Action:**  
None

#### **Motions**

<b>Motion Type</b>	<b>Motion Text</b>	<b>Made By</b>	<b>Seconded By</b>	<b>Motion Result</b>
move	to adjourn at 8:25p.m.	Alderman Wisneski	Alderman Pack	Passed

Motion carried on voice vote.

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk