

**CITY OF MENASHA**  
**Common Council**  
**City Hall-140 Main St.-Council Chambers-3rd Floor**  
March 3, 2008

**MINUTES**

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**1. CALL TO ORDER**

Meeting called to order by Mayor Laux at 7:15 p.m.

**2. PLEDGE OF ALLEGIANCE**

**A. [Pledge of Allegiance](#)**

**3. ROLL CALL/EXCUSED ABSENCES**

**A. [Roll Call](#)**

PRESENT: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks  
ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke,  
CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi, and the Press

Request of Ald. Taylor for a moment of silence for City resident Giles Clark.

**4. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE**

**Minutes to approve:**

**A. [Common Council, 2/18/08](#)**

Moved by Alderman Michalkiewicz, seconded by Alderman Eckstein to approve Common Council Minutes

Motion Carried on voice vote

Results:

**Minutes to receive:**

**B. [Administration Committee, 2/18/08](#)**

**C. [Board of Public Works, 2/19/08](#)**

**D. [Board of Health, 1/9/08](#)**

**E. [Landmarks Commission; 1/16/08, 2/20/08](#)**

**F. [Library Board, 2/21/08](#)**

**G. [NM Fire Rescue, Finance and Personnel Committee, 2/26/08](#)**

- H. [NM Sewerage Commission, 2/26/08](#)
- I. [Plan Commission, 2/19/08](#)
- J. [Public Library Long Range Planning Committee, 2/20/08](#)
- K. [Safety Committee, City Hall; 1/9/08](#)
- L. [Safety Committee, Police Department; 1/17/08](#)
- M. [Safety Committee, Public Works and Parks; 1/22/08](#)

**Communications:**

- A. [Clerk Galeazzi to AT&T, 2/28/08; City of Menasha video franchise notice pursuant to Wis. Stat. 66.0420 \(3\)\(e\)2.b.](#)
- B. [AT&T to Clerk Galeazzi, 2/20/08; AT&T WI's Video Franchise Application-2007 Wisconsin Act 42](#)
- C. [Board of Canvassers Minutes , 2/20/08; Results of Feb. 19., 2008 Spring Primary Election](#)
- D. [Chief Stanke, 2/28/08; Training seminar](#)
- E. [Davis & Kuelthau, S.C, 2/18/08; 2008 Public Officials Seminar information](#)
- F. [WI Department of Administration, 2/4/08; City of Menasha Clean Water Fund Program](#)
- G. [Winnebago County, 2/14/08; Notice of foreclosure action- Parcel #706-0822 \(1220 Grove St.\)](#)
- H. [Mayor Laux, 2/28/08; Sustainability Board Agenda and supporting documentation \(FYI\)](#)
- I. [UW Extension, 2/2008; Open Government and Parliamentary Procedure - WisLine Teleconference Series 2008](#)

Moved by Alderman Michalkiewicz, seconded by Alderman Eckstein to approve Minutes to Receive B-M and Communications A-I

Discussion: Ald. Merkes, Comm. G - Notice of Forclosure. CA/HRD Brandt explained this is informational for the Council.

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](#)**

- A. Roy Rogers, 821 Arthur Street. Parties held at Senior Center paid for by those who attend and fundraisers.
- B. James F. Krueger, 936 6th Street. R&R Bar building needs to be fixed-up; color lights in fountain.
- C. Paul Eisen, 1807 Brighton Beach Road. Winnebago County scholarship information for area high school students.
- D. Joanne Roush, 409 Cleveland Street. Steam Plant issues.
- E. Doug Young, 1049 Woodland Drive. Steam Plant budget.

**6. APPOINTMENTS**

**A. [Accept letter of resignation from Jim Lueneburg for the Redevelopment Authority](#)**

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to accept letter of resignation.  
Discussion.  
Motion carried on voice vote.

**B. [Mayor's Appointment to the Redevelopment Authority: 1. David Erdmann, 854 River Lea Court, for the term of March 3, 2008 to August 31, 2010](#)**

Moved by Alderman Merkes, seconded by Alderman Taylor to approve appointment of David Erdmann

Motion Passed  
Results:

Roll Call:

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

**7. CLAIMS AGAINST THE CITY**

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

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

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

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

**A. Plan Commission:**

**1. [Plan Commission, 2/19/08; No Recommendations](#)**

**B. Administration Committee:**

**1. [Increase General Fund-Revenue Account-Sale of City Property \(31100-48-04-319-000\) by \\$10,000 and General Fund-Expenditure Account-Transfer to Housing Rehabilitation Revolving Loan Fund \(31100-59-04-203-251\) by \\$10,000 \(3/4 vote required\) \(Ald. Wisneski\) \(held 2/18/08\)](#)**

Moved by Ald. Wisneski, seconded by Ald. Chase to approve.  
Motion failed on roll call 5-3.  
Required a 3/4 vote

Motion Failed  
Results:

Roll Call:

AYES: Chase , Hendricks , Merkes , Michalkiewicz , Wisneski (5)  
NAYS: Eckstein , Pack , Taylor (3)

**2. [Health Department Agreement with Fox Valley Public Health Preparedness Consortium, Jan. 1, 2008 to Dec. 31, 2008, and authorize signature](#)**

Moved by Alderman Wisneski, seconded by Alderman Pack to approve Agreement

Motion Passed  
Results:

Roll Call:

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

**3. Renewal of Cell Phone Contract with U.S. Cellular**

Moved by Alderman Wisneski, seconded by Alderman Pack to approve Contract

Motion Passed  
Results:

Roll Call:

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

**4. Updated Electronic Communications & Information Technology Policy (recommendation of IT Steering Committee)**

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

Motion carried on roll call 8-0.

**5. Weights and Measures Proposed Fee for Licensing Period 3-1-08 to 6-30- 09 (Recommendation of Board of Health)**

Moved by Alderman Wisneski, seconded by Alderman Eckstein to approve proposed fee

Discussion

Motion Passed  
Results:

Roll Call:

AYES: Chase , Eckstein , Michalkiewicz , Pack , Taylor , Wisneski (6)  
NAYS: Hendricks , Merkes (2)

**6. Accounts payable and payroll for 2/21/08-2/28/08 in the amount of \$756,213.80**

Moved by Alderman Wisneski, seconded by Alderman Eckstein to approve Accounts Payable and Payroll

Motion Passed  
Results:

Roll Call:

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

**C. Board of Public Works:**

**1. Change Order - Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; Deduct: \$43,551.76 (Change Order No. 2)**

Moved by Alderman Pack, seconded by Alderman Eckstein to approve change order

Motion Passed  
Results:

Roll Call:

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

**2. Payment - Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; \$8,344.40 (Payment No. 8 and Final)**

Moved by Alderman Pack, seconded by Alderman Eckstein to approve payment of \$8,344.40

Motion Passed

Results:

Roll Call:

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

**3. Approval of City of Menasha Minimum Wage Rates**

Moved by Alderman Pack, seconded by Alderman Eckstein to approve Minimum Wage Rates

Motion Passed

Results:

Roll Call:

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

**D. NEENAH-MENASHA FIRE RESCUE:**

**1. Finance & Personnel Committee, 2/26/08; Recommends approval of the purchase of a 2008 Kawasaki Mule, with accessories, from Verne's for the low quote of \$11,694.95**

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve Finance & Personnel Committee Recommendation

Discussion

Motion Passed

Results:

Roll Call:

AYES: Chase , Eckstein , Merkes , Michalkiewicz , Pack , Wisneski (6)  
NAYS: Hendricks , Taylor (2)

**2. Finance & Personnel Committee, 2/26/08; Recommends approval to accept the low quote from Motorola to purchase the AVL/ATMM software licenses with only four years of maintenance for a cost not to exceed \$11,010.00**

Moved by Alderman Pack, seconded by Alderman Michalkiewicz to approve Finance & Personnel Committee Recommendation

Motion Passed

Results:

Roll Call:

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

## 10. ORDINANCES AND RESOLUTIONS

### A. O-2-08 An Ordinance Relating to Weights and Measures

No Action

### B. R-3-08 - Resolution Authorizing the Study of the Potential for Cooperation in the Delivery of Fire Services between Appleton, Menasha and Neenah

Moved by Alderman Merkes, seconded by Alderman Eckstein to adopt R-3-08

Motion Passed

Results:

Roll Call:

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

## 11. COUNCIL DIRECTIVES

### A. None

## 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 the agenda

CA/HRD Brandt explained agenda item 9B1, State Statute requires a 3/4 vote to pass.

## 13. ADJOURNMENT

### A. Adjournment

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to adjourn at 7:46 p.m. into closed session under Section 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted by members of the group and the group as a whole with respect to their joint defense in connection with potential liability arising from the Lower Fox River/Green Bay Natural Resource Damage Assessment, Lower Fox River and Green Bay remediation issues, and related potential litigation.

Motion carried by roll call 8-0.

Respectfully submitted by Deborah A. Galeazzi, City Clerk