

It is expected that a Quorum of the Personnel Committee, Board of Public Works, and Common Council will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 16, 2009  
6:30 PM  
or immediately following Common Council**

**AGENDA**

- A. CALL TO ORDER
- B. ROLL CALL/EXCUSED ABSENCES
- C. MINUTES TO APPROVE
  - 1. [Administration Committee, 3/2/09](#)
- D. ACTION ITEMS
  - 1. [O-11-09 An Ordinance Relating to Closing Hours for Class "B" Premises.](#)
  - 2. [R-04-09 Resolution on the Spending of Federal Economic Renewal Grants.](#)
- E. ADJOURNMENT

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

CITY OF MENASHA  
ADMINISTRATION COMMITTEE  
Third Floor Council Chambers  
140 Main Street, Menasha  
March 2, 2009  
MINUTES

DRAFT

A. CALL TO ORDER

Meeting called to order by Chairman Wisneski at 6:50 p.m.

B. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Wisneski, Pack, Hendricks, Zelinski, Michalkiewicz, Benner, Pamerter,  
Taylor

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, Lt. Brunn, DPW Radtke, CDD Keil,  
C/T Stoffel, PHD Nett, Clerk Galeazzi, and the Press.

C. MINUTES TO APPROVE

1. [Administration Committee, 2/16/09](#)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve minutes  
Motion carried on voice vote.

D. ACTION ITEMS

1. [Due Process Hearing - Juanita's Hacienda, Inc. d/b/a Korona Klub, Juana Bevers, agent, 190 Main Street, Menasha](#)

CA/HRD Brandt explained Korona Klub was convicted of having underage persons on the premium in Dec. 2007 and per City ordinance 50 demerit points should be assessed. The 50 points will remain on their record for 24 months.

Juana Bevers questioned why it took so long to assess the demerit points and when the 24 months starts.

CA/HRD Brandt explained his office recently received the information about the conviction and the 24 months runs from the date of violation, Nov. 2007.

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to assess 50 demerit points.  
Motion carried on roll call 8-0.

2. [Agreement and Contract between Advocap, Inc. and Menasha Committee on Aging with Menasha Senior Center, January 1, 2009-December 31, 2009, and authorize signatures.](#)

PHD Nett explained this agreement has been in place for several years. It allows Advocap to serve lunches to seniors at the Senior Center.

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to recommend approval to Common Council  
Motion carried on voice vote

3. Approval of keeping the Weights and Measures fees for the licensing period July 1, 2009-June 30, 2010 the same as 2008-09 licensing period. (Recommendation of Board of Health)

Moved by Ald. Pamerter, seconded by Ald. Pack to recommend approval to Common Council  
Motion carried on voice vote

4. Approval of proposed fees for the licensing period July 1, 2009-June 30, 2010: a) DHFS Agent of the State; b) DATCP Agent of the State; c) Tattoo Parlor/Body Piercing Establishments. (Recommendation of Board of Health)

PHD Nett explained most of the fees will stay the same. The changes are the pre-inspection and re-inspections fees. Some inspections are more complex and take more of the City Sanitarian's time. The fees for tattoo parlors/body piercing establishments are remaining the same.

Moved by Ald. Pack, seconded by Ald. Michalkiewicz, to recommend approval to Common Council  
Motion carried on voice vote

#### E. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Pamerter to adjourn at 7:04 p.m.  
Motion carried on voice vote

Respectfully submitted by  
Deborah A. Galeazzi, City Clerk

ORDINANCE O – 11 – 09

AN ORDINANCE RELATING TO CLOSING HOURS FOR CLASS “B” PREMISES

Introduced by Mayor Merkes

The Common Council of the City of Menasha does ordain as follows:

SECTION 1: Sec. 7- 12 – 15 (b) is repealed and the subsequent sections are re-lettered accordingly.

SECTION 2: This ordinance shall become effective upon its passage and publication as provided by law.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Donald Merkes, Mayor

ATTEST:

\_\_\_\_\_  
Deborah A. Galeazzi, City Clerk

Attorney’s Note: The ordinance defining closing hours for licensed premises was amended on May 6, 2002. At that time, the only Class “B” licenses were ones for the Macs at Koslo Park and one or more of the churches. The closing time was established as between 11:00 p.m. and 8:00 am to avoid problems at Koslo Park for any games that had extended hours. We now have a request for a Class “B” license to sell beer and wine at a proposed coffee shop. This ordinance makes our closing hours consistent with State law and other combination licensed premises.

## **SEC. 7-2-15 CLOSING HOURS.**

Closing hours shall be established in conformance with Section 125.32(3), Wis. Stats., and further restricted as follows:

(a) **“CLASS B” LICENSES.**

- (1) No premises for which a retail “Class B” liquor and fermented malt beverage license has been issued shall be permitted to remain open for the sale of liquor or fermented malt beverages or for any other purpose between the hours of 2:00 a.m. and 6:00 a.m., Monday through Friday, and 2:30 a.m. and 6:00 a.m. Saturday and Sunday. There shall be no closing hours on January 1.
- (2) Hotels and restaurants, whose principal business is the furnishing of food or lodging to patrons shall be permitted to remain open for the conduct of their regular business but shall not sell liquor or malt beverages during the closing hours of Subsection (a)(1) above.
- (3) The licensee or permittee and one (1) employee shall be permitted to check out receipts, check the licensed premises for security and do minor cleaning during closed hours. Under no circumstances shall the consumption of alcohol beverages be permitted during closed hours. Commercial janitorial service personnel shall be allowed to enter the licensed premises for the purpose of cleaning during closed hours. The premises shall be well lighted during cleanup.

**(b) CLASS “B” LICENSES.** Class “B” licenses premises may not sell fermented malt beverages or wine between 11:00 p.m. and 8:00 a.m.

- (c) **CLASS “A” LICENSES.** Premises that have been granted a “Class A” license may remain open for the conduct of their regular business daily but may not sell fermented malt beverages between 12 midnight and 8 a.m. Intoxicating liquor may not be sold between 9 p.m. and 8 a.m. If such “Class A” premise wishes to sell fermented malt beverages between 9 p.m. and 12 midnight, all intoxicating liquor must either be locked up or removed from that portion of the business open to customers.

RESOLUTION R – 4 – 09

RESOLUTION ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS

Introduced by Alderman Taylor

WHEREAS, the economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment, and

WHEREAS, those same Americans are the taxpayers that provide the revenue needed to operate essential government services, and

WHEREAS, Congress and President Obama are planning a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects and other projects that will require manufactured components, and

WHEREAS, our taxpayer dollars should be spent to maximize the creation of American jobs and restoring the economic vitality of our communities, and

WHEREAS, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize our greater economy, and

WHEREAS, any economic recovery plan spending should – to every extent possible – include a commitment from the City of Menasha to buy materials, goods and services for projects from companies that are produced within the United States, thus employing the very workers that pay the taxes for the economic recovery plan spending in the first place.

THEREFORE, BE IT RESOLVED THAT, the City of Menasha will work to maximize the creation of American jobs and restoring economic growth and opportunity by spending economic recovery plan funds on products and services that both create jobs and help keep Americans employed, and

BE IT FURTHER RESOLVED THAT, the City of Menasha commit to purchasing only products and services that are made or performed in the United States of America whenever and wherever possible with any economic recovery monies provided to the City of Menasha by the American taxpayers, and

BE IT FURTHER RESOLVED THAT, the Common Council as legislators of the City of Menasha commit to publish any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of our nation's economic recovery program.

Passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Donald Merkes, Mayor

\_\_\_\_\_  
Deborah A. Galeazzi, City Clerk