

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, November 16, 2009  
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:13 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Alderman Pack, Hendricks, Zelinski, Englebert, Benner, Roush, Taylor, Wisneski

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke Acting FC DeLeeuw, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, PWS Jacobson, Clerk Galeazzi, and the Press.

D. PUBLIC HEARING

1. [Proposed City of Menasha Budget for 2010](#)

Ald. Pack read a letter from resident Terry Eckstein, 736 Paris St. Concerned with the increase in the 2010 budget; need to make tough decisions, should think outside the box.

Mary Nebel, 713 First St. She has attended all budget meetings; commend Mayor and Council for hard work on the budget.

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

(five (5) minute time limit for each person)

Cheryll Stoneman, 211 Cleveland St. Stated her case on filing a Claim against the City; she is asking for the cost to repair her vehicle.

Jeff Riedl, 408 Appleton St. Asked questions pertaining to the WPPI Energy proposal.

Stan Sevenich, 645 Ninth St. Comments on R-29-09, adopting the 2010 budget. Should hold more budget review sessions; glad additional person was added to Community Development for marketing; do not meddle in PW Capital Fund.

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. [Administration Committee, 11/2/09](#)
- b. [Board of Public Works, 11/2/09](#)
- c. [Board of Health, 10/14/09](#)
- d. [Library Board, 10/15/09](#)
- e. [NM Fire Commission, 10/13/09](#)
- f. [Parks and Recreation Board, 11/11/09](#)
- g. Plan Commission; [10/20/09, 11/3/09](#)
- h. [Safety Committee, 7/9/09; City Hall](#)
- i. [Safety Committee, 9/29/09; Public Works/Parks & Recreation](#)
- j. [Water & Light Commission, 10/27/09](#)
- k. [Water & Light Commission, 10/28/09; Special meeting](#)

Communications:

- l. [Comp Stoffel, 11/6/09; City's Valuation](#)
- m. [Historical Society Newsletter, 11/2009](#)
- n. [Public Works Facility, 11/09; September/October 2009 Disposal Violations](#)
- o. [PRD Tungate, 11/12/09; 2010 Parks and Recreation Fees](#)
- p. [PWD Radtke, 11/12/09; Public Works Equipment Fund](#)
- q. [Resident compliment to Public Health Nurse Polly Anderson, 11/5/09](#)
- r. [Town of Menasha Utility Commission, 10/12/09, 10/26/09](#)
- s. [Waverly Sanitary District minutes, 10/13/09](#)

Ald. Wisneski: Minutes G (Plan Comm.), Mayor listed as present and excused at the meeting; will be corrected.

Minutes K (Water & Light Comm.), Utilities will contribution to City Attorney's annual salary.

Comm. Q (Compliment to Polly Anderson), nice work by PHN Polly Anderson;

Comm. O (P&R Fees), explanation on fees

Ald. Pack: Comm. P (PW Equipment Fund), tight budget year, will need to review everything.

Ald. Zelinski – Comm. N (Disposal Violations), need to address increase in violations.

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 place immediately following action in the "Items removed from the Consent Agenda" section. 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, 11/2/09](#)
2. [Special Joint Council & Utilities Commission, 11/9/09](#)

Administration Committee, 11/2/09 – Recommends Approval of:

3. [Division of Public Health Contract #17250, Contract Agreement Amendment for Public Health Preparedness Program, July 31, 2009 to July 30, 2010.](#)

Board of Public Works, 11/2/09 – Recommends Approval of:

4. [Street Use Application – Festival Foods Turkey Trot; Thursday, November 26, 2009; 7:00 AM – 10:00 AM](#)

Plan Commission, 11/3/09 – Recommends approval of:

5. [The Certified Survey Map for 1427 – 1429 Province Terrace](#)

Parks and Recreation Board, 11/9/09 – Recommends Approval of:

6. [Retain the marina seasonal slip rental rate of \\$37 per foot for 2010](#)

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve all items on Consent Agenda  
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

None

I. ACTION ITEMS

1. [Accounts payable and payroll for the term 11/5/09-11/12/09 in the amount of \\$552,559.80](#)

Moved by Ald. Taylor, seconded by Ald. Wisneski to separate check #23355 (McMahon).  
Motion carried on voice vote

Moved by Ald. Hendricks, seconded by Ald. Pack to approve remaining accounts payable and payroll.  
Discussion ensued on expenditures.  
Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Hendricks to approve check #23355 of accounts payable and payroll.  
Discussion: Ald. Taylor will abstain.  
Motion carried on roll call 7-0. Ald. Taylor – abstained.

2. [Joint Powers Agreement – Winnebago County 911 Emergency System for December 1, 2009 – November 30, 2010 and authorize signature](#)

Moved by Ald. Pack, seconded by Ald. Hendricks to approve Joint Powers Agreement  
Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [R-28-09 – Removing GE Capitol Public Finance, Inc. Lease Payment from the 2010 City of Menasha Budget \(Introduced by Ald. Pack\)](#)

Moved by Ald. Pack, seconded by Ald. Englebert to adopt R-28-09.  
Motion carried on roll call 8-0.

2. [R-29-09 – Levying taxes for the purpose of paying the operating expenses for the year 2010 for the City of Menasha](#)

Moved by Ald. Hendricks, seconded by Ald. Englebert to adopt R-29-09.  
Discussion

Moved by Ald. Pack, seconded by Ald. Zelinski to reduce Vehicle/Equipment Rental by 4%, approx. \$48,000.  
Motion failed on roll call 1-7. Ald. Pack – yes.  
Ald. Roush, Taylor, Wisneski, Hendricks, Zelinski, Englebert, Benner – no.

Moved by Ald. Pack, seconded by Ald. Zelinski to reduce by \$2,679 Forestry-Wages, #100-0706-561-10-01 (Intern) and reduce by \$3,000 Forestry-Professional Services #100-0706-561-21-02 (Emerald Ash Borer Mgmt Plan)  
Motion failed on roll call 2-6. Ald. Pack, Zelinski – yes.  
Ald. Roush, Taylor, Wisneski, Hendricks, Englebert, Benner – no.

J. ORDINANCES AND RESOLUTIONS, cont'd

2. [R-29-09 – Levying taxes for the purpose of paying the operating expenses for the year 2010 for the City of Menasha](#) cont'd.

Moved by Ald. Wisneski, seconded by Ald. Englebert to reduce by \$1,000 PW Building Maintenance-Electricity #100-1001-514-22-03.

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Zelinski to reduce by \$1,000 Swimming Pool-Capital Projects #100-0704-552-82-01 (Boiler).

Motion carried on roll call 6-2.

Ald. Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski – yes.

Ald. Englebert, Benner – no.

Moved by Ald. Pack, seconded by Ald. Zelinski to reduce by \$14,748 Community Development-Wages #100-0304-562-10-01 (Economic Development Specialist)

Motion failed on roll call 2-6. Ald. Pack, Zelinski – yes.

Ald. Roush, Taylor, Wisneski, Hendricks, Englebert, Benner – no.

Moved by Ald. Pack, seconded by Ald. Zelinski to reduce by \$12,000 Police Dept.-Capital Projects #100-0801-521-82-01 (Back and Front Lobby Doors)

Motion failed on roll call 1-7. Ald. Pack – yes.

Ald. Roush, Taylor, Wisneski, Hendricks, Zelinski, Englebert, Benner – no.

Moved by Ald. Wisneski, seconded by Ald. Pack to reduce by \$2,000 Street Construction-Dept. Supplies #100-1003-541-30-18.

Motion failed on roll call 1-7. Ald. Wisneski – yes.

Ald. Roush, Taylor, Pack, Hendricks, Zelinski, Englebert, Benner – no.

Moved by Ald. Wisneski, seconded by Ald. Pack to reduce by \$500 Recreation Dept.-Dept. Supplies #100-0702-552-30-18.

Motion carried on roll call 5-3.

Ald. Roush, Taylor, Wisneski, Hendricks, Zelinski – yes.

Ald. Pack, Englebert, Benner – no.

Moved by Ald. Wisneski to reduce by \$1,125 Storm Sewers/Drains-Dept. Supplies. #625-1010-541-30-18.  
No seconded, motion dies.

Moved by Ald. Zelinski to eliminate end-loader from Street Equipment-Street Machinery #741-1023-541-54-02.  
No seconded, motion dies.

Moved by Ald. Wisneski, seconded by Ald. Englebert to reduce by \$1,000 Street Signs/Markings-Mechanical System #100-1008-541-20-04.

Ald. Wisneski and Englebert removed motion.

Moved by Ald. Pack to place the \$43,074 reduced from the 2010 budget be put into a Tax Stabilization Fund.  
No seconded, motion dies.

Motion to adopt R-29-09 as amended carried on roll call 6-2.

Ald. Roush, Taylor, Wisneski, Hendricks, Englebert, Benner – yes.

Ald. Pack, Zelinski – no.

K. APPOINTMENTS

1. Mayor's Appointments to the Parks and Recreation Board

a. [Lisa Hopwood, 1028 Manitoba St., for the term of November 17, 2009 – October 1, 2012](#)

Moved by Ald. Englebert, seconded by Ald. Pack to approve appointment

Motion carried on voice vote.

L. CLAIMS AGAINST THE CITY

1. [A motion is in order for the Common Council to issue a formal notice of disallowance for the claim for Cheryle Stoneman and that she be advised of her statutory rights pursuant to Wis. Statute § 893.80](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to deny the claim

Discussion: CA/HRD Captain explained the claim and reason for denial.

Motion carried on roll call 8-0.

M. HELD OVER BUSINESS

- 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. Hendricks, seconded by Ald. Pack to adjourn at 8:36 p.m.  
Motion carried on voice vote.

Respectfully submitted by  
Deborah A. Galeazzi, WCMC  
City Clerk