

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, August 2, 2010
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Benner, Roush, Taylor, Wisneski, Langdon, Zelinski, Englebert

EXCUSED: Alderman Hendricks

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, CDD Keil, C/T Stoffel,
PRD Tungate, Clerk Galeazzi and the Press

DEPT. HEADS EXCUSED: DPW Radtke, PHD Nett

D. PUBLIC HEARING

None

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

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

Dan Gueths, 7255 Manitowoc Road. Feels his civil rights have been violated because of how he was treated by Menasha Police Officers during a recent confrontation with the Police.

Mayor Merkes informed Mr. Gueths that his five minute time limit was up.

Moved by Ald. Taylor, seconded by Ald. Englebert to suspend the rules and allow Mr. Gueths more time. Motion carried on voice vote. Ald. Wisneski opposed.

Mr. Gueths requested copies of the video tape of the incident with the Police Officers. He does not think he received the complete video tape.

CA/HRD Captain stated an internal investigation of the incident involving Mr. Gueths was conducted and the Police Officers acted appropriately. She also stated no claim against the City has been filed.

PC Stanke commented that all the information requested by Mr. Gueths has been given to his attorney.

Dan Paulik, 604 15th Street. Ask to amend ordinance to allow chickens in the City.

Michael E. Taylor, 545 Broad Street, representing American Legion Post 152. Ceremony recognizing WWII veterans on Aug. 14 at 6:00pm at the Isle of Valor.

Stan Sevenich, 645 Ninth Street. Upcoming bondholders meeting; bondholders were aware of the risks associated with Steam Plant project.

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, 7/19/10](#)

b. [Board of Public Works, 7/19/10](#)

c. [IT Steering Committee, 7/21/10](#)

d. [NM Sewerage Commission, 6/29/10](#)

e. [Plan Commission, 7/20/10](#)

f. [Safety Committee, 6/3/10; City Hall](#)

g. [Safety Committee, 5/27/10; Police Department](#)

h. [Safety Committee, 6/29/10; Public Works/Parks Department](#)

i. [Water and Light Commission, 7/21/10; Special Meeting](#)

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS, cont'd.

1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
cont'd

Communications:

- j. [Public Works Facility, 7/22/10; June 2010 Disposal Violations](#)
- k. [Resident Edward Thomas email, 7/22/10; Thank you to Police Department](#)
- l. [Resident Dallas Arndt email, 7/21/10; Thank you to Menasha Utilities](#)
- m. [Resident Dan Paulik, 7/27/10; Letter to council regarding chickens on their property](#)
- n. [Supt. Of Buildings & Parks, Adam Alix, 7/29/10; Energy savings update on new lighting in city buildings](#)

Ald. Taylor: Comm. J (Disposal Violations), installation of new fence at PWF may require monitoring.

Mayor Merkes commented an automatic gate will be installed in the fence.

Comm. N (Energy savings update), new lighting in City buildings will save over \$12,000.

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 on the Consent Agenda. 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, 7/19/10](#)

Administration Committee, 7/19/10; recommends approval of:

2. [Asbestos Compliance Inspection Contract Agreement between Wisconsin Dept. of Natural Resources and Menasha Health Dept., and authorized signature](#)

Information Technology Steering Committee, 7/21/10; recommends approval of:

3. [The concept of creating an Internal Service Fund for IT Operations and implementing cost allocation system as recommended by Common Sense Solutions](#)

Ald. Roush requested item 3 (Internal Service Fund) be removed from Consent Agenda.

Moved by Ald. Wisneski, seconded by Ald. Benner to approve items 1&2.

Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Roush, seconded by Ald. Wisneski to approve item 3 (Internal Service Fund)
Discussion ensued on the recommendation from the IT Steering Committee. The Committee is recommending the Common Council approve an Internal Service Fund for IT Operations and implementing cost allocation system

Motion carried on roll call

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 7/19/10 to 7/29/10 in the amount of \\$ 945,126.16](#)

Moved by Ald. Wisneski, seconded by Ald. Englebert to approve Accounts Payable and Payroll
Discussion/Questions/Answers on expenditures.

Motion carried on roll call 7-0.

J. ORDINANCES AND RESOLUTIONS

1. [R- 16-10 – Amended Initial Resolution Regarding Industrial Development Revenue bond Financing to Benefit Fox Valley Hematology & Oncology, S.C.](#)

Moved by Ald. Wisneski, seconded by Ald. Langdon to adopt R-16-10

Discussion: CDD Keil explained Fox Valley Hematology & Oncology is asking for an amendment of their original amount of \$5,500,000 to \$8,000,000 due to equipment cost coming in higher.

Motion carried on roll call 7-0.

J. ORDINANCES AND RESOLUTIONS, cont'd.

2. [R-17-10 – Resolution Authorizing Redemption of the Taxable Note Anticipation Notes \(Steam Utility\) Dated December 1, 2006](#)

Moved by Ald. Zelinski, seconded by Ald. Benner to adopt R-17-10

Discussion: C/T Stoffel explained this resolution authorizes the Notice of Call for the \$2,675,000 Taxable Note Anticipation Notes. This will call the notes due a year earlier. Funds will come from a State Trust Fund loan.

Motion carried on roll call 7-0.

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Mary Nebel, 713 First Street. Thanked Stan Sevenich for his explanation on the risk bondholders took; Dan Paulik's request to amend ordinance allowing chickens in the City.

O. RECESS TO ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS

Moved by Ald. Wisneski, seconded by Ald. Englebert to recess at 6:45 p.m. to Administration Committee and Board of Public Works.

Motion carried on voice vote.

Reconvened at 7:00 p.m.

P. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Roush to adjourn into Closed Session at 7:00 p.m.

Pursuant to Wis. Stats. §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advise concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (LaFayette Life Ins. Co., et al. vs. City of Menasha Case No. 4:09CV0064)

Motion carried on roll call 7-0.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk