

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday May 16, 2011  
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 Sevenich, Langdon, Krueger, Zelinski, Englebert, Benner, Klein, Taylor

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, Lt. Brunn, DPW Radtke, CDD Keil, PRD Tungate,  
Dpty Treasurer Sassman, Clerk Galeazzi and the Press

DEPT. HEADS EXCUSED: PHD Nett

D. PUBLIC HEARING

None

Mayor Merkes ask for unanimous consent to take up items F1, F2 and F3 at this time.

Moved by Ald. Sevenich, seconded by Ald. Taylor to take up items F1, F2, and F3

Motion carried on voice vote.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [Public Works Week Proclamation presentation](#)

Mayor Merkes read the proclamation declaring the week of May 15-May21, 2011 as National Public Works Week. He presented the proclamation to Street Superintendent Tim Jacobson and Union Vice-President Mike Weins. The Mayor thanked the Public Works crews for their dedication to the City.

2. [Police Week Proclamation presentation](#)

Mayor Merkes read the proclamation declaring the week of May 15-May 21, 2011 as National Police Week. He presented the proclamation to Officer Jeff Jorgenson, Officer Stephanie Gruss and Lt. Angie Hanchek. He thanked the Police Dept. staff for their dedication to the City.

3. Mayor Merkes & Joe Weidert - Presentation of Historic Preservation Awards

Joe Weidert, Chairman of Landmarks Commission, explained May is Historical Preservation Month and the Landmarks Commission has recognized building owners and/or businesses for their improvements to the downtown area. Erik Brenn from McClone Agency accepted the award for Mike McClone for the improvements to the buildings at 184-186 and 230 Main Street. Mike Prokash was presented the award for the improvements to the building at 196-200 Main Street.

Proceeded to Item E.

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

1. Craig Kubiak, 969 Kernen Ave. Supports appointment to Fire Commission; Opposes sidewalks in Woodland Hills Subdivision; Waiting to hear back from staff on Open Records Request
2. Paul Eisen, 1807 Brighton Beach, Winnebago County Supervisor. Explained timetable for HWY 441 Tri-County project; Winnebago County redistricting meeting scheduled for May 17, 2011.
4. Tim Moy, 2488 Whistling Swan Court. Opposed to sidewalks in Woodland Hills Subdivision.
5. Anna Varma, 1000 Kernan Ave. Concerns of sidewalks in Woodland Hills Subdivision.
6. Rick Schultz, 2412 Woodland Hills Drive. Opposed to sidewalks in Woodland Hills Subdivision.
7. John Van Abel, 2483 Whistling Swan Court. Opposed to sidewalks in Woodland Hills Subdivision.
8. William Kwasny, 2381 Woodland Hills Dr. Opposed to sidewalks in Woodland Hills Subdivision.
9. Sandy Burmeister, 1016 Kernan Ave. Concerns of sidewalks in Woodland Hills Subdivision.
10. Karen Zeimer, 2449 Whistling Swan Court. Opposed to sidewalks in Woodland Hills Subdivision.
11. Cheryl Quimby, 956 Woodcrest. Opposed to sidewalks in Woodland Hills Subdivision.

12. Dan Harrmann, 960 Kernan Ave. Opposed to sidewalks in Woodland Hills Subdivision.
13. Amy Miller, 937 Kernan Ave. Opposed to sidewalks in Woodland Hills Subdivision.
14. Tim Dutter, 2389 Woodland Hills. Opposed to sidewalks in Woodland Hills Subdivision.
15. Mary Nebel, 713 First Street. TIF #12 and Development Agreements
16. John Albright, 2384 Trumpeter Swan Lane, Opposed to sidewalks in Woodland Hills Subdivision.
17. Bruce Companik, 889 Kernan Ave. Opposed to sidewalks in Woodland Hills Subdivision.
18. Suzanne Kubiak, 969 Kernan Ave. Opposed to sidewalks in Woodland Hills Subdivision.
19. Jim Longo, 1064 Kernan Ave. Opposed to sidewalks in Woodland Hills Subdivision.

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

4. CDD Keil – Sale of city owned property to Redevelopment Authority

CDD Keil explain the role the RDA would play in the development in the Lake Park Subdivision, Province Terrace and two City owned lots on Racine Street. Lengthly discussion ensued on RDA guidelines and duties, TIF performances, transferring debt from City to TIF through RDA.

5. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 5/2/11](#)
- b. [Board of Public Works, 5/2/11](#)
- c. [Landmarks Commission Minutes, 4/13/11](#)
- d. [Library Director Search Committee, 5/4/11](#)
- e. [Parking Committee, 4/27/11](#)
- f. [Personnel Committee, 5/2/11](#)
- g. [Police Commission Minutes, 4/28/11](#)
- h. Plan Commission Minutes; [4/19/11](#), [5/3/11](#)
- i. [Redevelopment Authority Minutes, 5/3/11](#)
- j. [Joint Review Board Minutes, 4/18/11](#)

Communications:

- k. [Declaration of Official Intent, No. 2011-01 \(Menasha Utilities Water Utility Reserve Fund\)](#)
- l. [Menasha Fire Station #36 Open House invitation – 1108 Province Terrace](#)
- m. [Menasha Historical Society Newsletter April-May 2011](#)
- n. [Mayor Merkes, 5/12/11; Menasha Attributes](#)
- o. [Ald. Zelinski, 4/26/11; Fox Cities Magazine City/Guide article](#)
- p. [Police Chief Stanke, 5/4/11; Letter of retirement](#)
- q. [PRD Tungate, 5/11/11; Kayak/Canoe Launch Dedication](#)
- r. [PWD Radtke, 5/1/11; Consent Agenda Items G2, G3 & G4 \(Recommendation to award City of Menasha Wastewater Collection System contracts\)](#)

Moved by Ald. Sevenich, seconded by Ald. Taylor to receive minutes and communications.

Motion carried on voice vote.

Ald. Klein: Comm. P (PC Stanke's retirement letter), form a committee to look at merging options.

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, 5/2/11](#)

Board of Public Works, 5/2/11; recommends approval of:

2. [Recommendation to Award – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project: Sanitary Sewer Rehabilitation; Contract E145-11-01A, Terra Engineering & Construction Corp. of Madison, WI; \\$528,640.50](#)

3. [Recommendation to Award – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project: Sanitary Sewer Replacement; Contract E145-11-01B; Van Straten Construction Co., Inc. of Green Bay, WI; \\$219,206.00](#)
4. [Recommendation to Award – City of Menasha Wastewater Collection System Rehabilitation Improvements – Phase 4 Project: Sanitary Manhole Lining Contract E145-11-01C; Infrastructure Technologies, Inc. of Rhinelander, WI; \\$40,825.00](#)
5. [Recommendation to Award – Menasha Utilities Sedimentation Basin Scraper Modifications; Contract M0002-910184; Siemens Industry, Inc.; \\$162,100.00](#)
6. [Recommendation to Award – Menasha Utilities Island Water Tower Painting; Contract M0002-910274; L.C. United Painting Co.; \\$131,500.00](#)

Plan Commission, 4/19/11; recommends approval of:

7. [Project plan and boundary for the proposed Tax Increment District #12](#)

Ald. Taylor requested to remove items 2, 3, & 4 from Consent Agenda

Ald. Krueger requested to remove item 7 from Consent Agenda

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve items 1, 5, & 6 of Consent Agenda  
Motion carried on roll call 8-0.

#### H. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Taylor, seconded by Ald. Sevenich to approve item 2 of Consent Agenda, Recommendation to Award Wastewater Collection System Rehabilitation Improvements-Phase 4 Project Sanitary Sewer Rehabilitation, Contract E145-11-01A to Terra Engineering & Construction Corp. of Madison, WI for the amount of \$528,640.50 on the condition the City receives a Clean Water Fund application approval letter.  
Motion carried on roll call 8-0.
2. Moved by Ald. Taylor, seconded by Ald. Sevenich to approve item 3 of Consent Agenda, Recommendation to Award Wastewater Collection System Rehabilitation Improvements-Phase 4 Project Sanitary Sewer Replacement, Contract E145-11-01B to Van Straten Construction Co., Inc. of Green Bay, WI for the amount of \$219,206.00 on the condition the City receives a Clean Water Fund application approval letter.  
Motion carried on roll call 8-0.
3. Moved by Ald. Taylor, seconded by Ald. Sevenich to approve item 4 of Consent Agenda, Recommendation to Award Wastewater Collection System Rehabilitation Improvements-Phase 4 Project Sanitary Manhole Lining, Contract E145-11-01C to Infrastructure Technologies, Inc of Rhinelander, WI for the amount of \$40,825.00 on the condition the City receives a Clean Water Fund application approval letter.  
Motion carried on roll call 8-0.
4. Item 7 on Consent Agenda (Project Plan and Boundary for the Proposed TID #12) requires no action.

#### I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 5/5/11 to 5/12/11 in the amount of \\$ 571,914.31](#)  
Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll.  
Motion carried on roll call 8-0.
2. [Class “B” Liquor License Application of Menasha Athletic Association \(MAC\) to sell fermented malt beverages, Koslo Park Concession, May 16, 2011-October 31, 2011, Paul S. Johnson, agent](#)  
Moved by Ald. Klein, seconded by Ald. Langdon to approve Class “B” liquor license application of Menasha Athletic Association.  
Motion carried on roll call 8-0.
3. [Class “B” Liquor License Application of Menasha Twins Baseball \(Legion Team\) to sell fermented malt beverages, Koslo Park Concession, May 16, 2011-October 31, 2011, Debbie Chew, agent](#)  
Moved by Ald. Klein, seconded by Ald. Langdon to approve Class “B” liquor license application of Menasha Twins Baseball.  
Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-5-11 – Ordinance relating to Overnight Parking \(Introduced by Ald. Zelinski\) \(Recommended by Parking Committee\)](#)

No Action.

2. [R-21-11 – Resolution Creating Tax Incremental District No. 12 in the City of Menasha, Wisconsin \(Introduced by Mayor Merkes\)](#)

Moved by Ald. Englebert, seconded by Ald. Benner to adopt R-21-11.

Discussion ensued on TIF plan; having signed development agreement before moving forward; working out final details with the Ponds of Menasha LLC; development agreement states City to create TIF; timing of apartment complex construction.

Ald. Sevenich stated Point of Order.

Moved by Ald. Benner, seconded by Ald. Sevenich to approve R-21-11 contingent on signed development agreement with the Ponds of Menasha LLC

Motion on amendment carried on roll call 5-3.

Ald. Klein, Taylor, Sevenich, Englebert, Benner – yes

Ald. Langdon, Krueger, Zelinski – no

Motion to adopt R-21-11 as amended carried on roll call 5-3.

Ald. Klein, Taylor, Sevenich, Englebert, Benner – yes

Ald. Langdon, Krueger, Zelinski – no

K. APPOINTMENTS

1. Mayor's Appointment to the Fire Commission

- a. [Ken Kubiak, 1214 Fieldview Dr., for the term of May 16, 2011 to May 1, 2014](#)

Moved by Ald. Benner, seconded by Ald. Zelinski to approve appointment of Ken Kubiak to Fire Commission.

Motion carried on voice vote.

L. HELD OVER BUSINESS

1. [R -19-11 - Resolution Approving Application to Board of Commissioners of Public Lands to Borrow \\$350,000 from the State Trust Funds, Authorizing the Borrowing and the Issuance of Certificates of Indebtedness and Levying a Tax in Connection Therewith. \(Ribblesdale and Woodland Hills Street Construction Project\)](#) (Introduced by Mayor Merkes)(Held 5/2/11)

Moved by Ald. Sevenich, seconded by Ald. Langdon to adopt R-19-11

Motion carried on roll call 8-0.

M. CLAIMS AGAINST THE CITY

None

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. Sevenich, seconded by Ald. Englebert to adjourn at 9:14 p.m.

Motion carried on voice vote.

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