

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday June 20, 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 Englebert, Benner, Klein, Taylor, Sevenich, Langdon, Krueger

EXCUSED: Alderman Zelinski

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

DEPT. HEAD EXCUSED: 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)

Vince Knuth, 46 Lawson Street. Concerned with lights from the mill shinning in his yard; questions on zoning changes; who requested right-of-way by his property to be cleaned up.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Proclamation recognizing Syring Development Ltd. & Kenwood Associates Ltd. 40 years in business

Mayor Merkes read and presented a proclamation recognizing Ken Syring of Syring Development for his business accomplishments. Mr. Syring thanked the Mayor and Council from both him and his wife Kathleen for the recognition and support.

2. Proclamation designating July as Parks and Recreation Month

Mayor Merkes read and presented a proclamation to PRD Tungate designating July as Parks and Recreation Month.

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

Minutes to receive:

- a. Administration Committee, 6/6/11
- b. Board of Public Works, 6/6/11
- c. Board of Health, 4/13/11
- d. Committee on Aging, 4/14/11
- e. Information Technology Steering Committee, 6/14/11
- f. NM Fire Rescue Joint Finance & Personnel Committee, 5/24/11
- g. Personnel Committee, 6/6/11
- h. Plan Commission, 6/7/11
- i. Police Commission, 5/23/11, 6/10/11
- j. Redevelopment Authority, 5/25/11
- k. Safety Committee, 4/14/11; City Hall
- l. Safety Committee, 3/29/11; Police
- m. Safety Committee, 4/26/11; Public Works/Parks
- n. Water & Light Commission, 5/25/11

Communications:

- o. Customers First! June 2011 Newsletter, *the Wire*
- p. Public Works Facility, May 2011 Disposal Violations
- q. Remley & Sensenbrenner, 6/7/11; Tom Schanke-Lot No. 16 of Lake Park Villas
- r. Valley Transit; 6/1/11; Refund for 2010 fixed route services
- s. Winnebago County Libraries 2010 Highlights

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

Moved by Ald. Sevenich, seconded by Ald. Langdon to receive Minutes and Communications A-S.

Discussion: Ald. Klein-Police Commission Minutes, Lt. Brunn good candidate for Police Chief, no need for long drawn out search process.

Ald. Sevenich-Police Commission Minutes, leave hiring of Police Chief to Police Commission

Motion carried on voice vote.

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, 6/6/11

Board of Public Works, 6/6/11; recommends approval of:

2. [Change Order – Sam Sommers Concrete; Contract Unit No. 2011-02; New Street Construction-Concrete Curb and Gutter/Concrete Walk; DEDUCT: \\$29,284.87](#)
3. [Recommendation to Submit Ballot Requesting Winnebago County to Refund the Recycling Revenue Surplus of \\$330,887.00 to Signing Municipalities Based upon each Municipality's Actual Tonnage Processed and Sold for Year 2010](#) and to cast a ballot to refund the recycling revenue to the City
4. [Recommendation to Enter into Agreement with WisDOT Regarding 2011-2014 Local Bridge Program \(Third Street/Brighton Drive Bridge\)](#)

Ald. Taylor requested to remove item 2 (Change Order-Sam Sommers Concrete) from Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve items 1, 3, 4 of Consent Agenda

Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

1. Moved by Ald. Taylor, seconded by Ald. Englebert to approve item 2 (Change Order-Sam Sommers Concrete)

Discussion: DPW Radtke explained he is waiting for the contractor to provide evidence for the increase cost for the remaining part of the project.

Motion carried on roll call 6-1. Ald. Benner - no

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 6/9/11 to 6/16/11 in the amount of \$1,585,984.88

Moved by Ald. Klein, seconded by Ald. Sevenich to approve accounts payable and payroll.

Discussion/Questions/Answers on expenditures.

Motion carried on roll call 7-0.

2. Renewal of Liquor License for July 1, 2011-June 30, 2012:

- a. Buddi Sagar Subedi, d/b/a N.P. Mart, 209 Racine St. Menasha
- b. Stop N Go LLC, 1200 Plank Rd Menasha, Kamaljit Gill/Agent
- c. Hot Brass, LLC, d/b/a The Locker Room, 800 Plank Rd. Menasha, Frederick Schroeder/Agent
- d. Erica Redlin, d/b/a/ Redliner, 977 Plank Rd. Menasha

Moved by Ald. Klein, seconded by Ald. Sevenich to approve renewal of liquor license for all listed (a-d)

Motion carried on roll call 7-0.

3. Reserve "Class B" Liquor License Application, Whiting LLC, Michael Roy Whiting, agent for the premise at 14 Tayco Street, d/b/a Mi Casa Mexican Grill for July 1, 2011-June 30, 2012.

Moved by Ald. Klein, seconded by Ald. Englebert to approval Reserve "Class B" license for Whiting LLC.

Motion carried on roll call 7-0.

I. ACTION ITEMS, Cont'd.

4. Outdoor Alcoholic Beverage Applications for July 1, 2011-June 30, 2012:

- a. Hot Brass, LLC, d/b/a The Locker Room, 800 Plank Rd. Menasha, Frederick Schroeder/Agent
- b. Whiting LLC, d/b/a Mi Casa Mexican Grill, 14 Tayco Street, Michael Roy Whiting/Agent
- c. Erica Redlin, d/b/a/ Redliner, 977 Plank Rd. Menasha

Moved by Ald. Klein, seconded by Ald. Englebert to approval Outdoor Alcoholic Beverage Permits for all listed (a-c)

Motion carried on roll call 7-0.

5. Change of Agent for Kwik Trip, Inc., 1870 USH 10/STH 114, to Jessica A. Hartjes, 516 Steven Street, Combined Locks.

Moved by Ald. Klein, seconded by Ald. Ald. Krueger to approval Change of Agent for Kwik Trip, Inc.

Motion carried on roll call 7-0.

6. Street Use Permit – Parade of Lights; Sunday July 3, 2011; 9:15 PM-10:15 PM

Moved by Ald. Taylor, seconded by Ald. Benner to approval Street Use Permit for Parade of Lights

Motion carried on roll call 7-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-6-11 – Ordinance relating to the paving of driveways and parking lots \(Introduced by Ald. Taylor & Zelinski\) \(Recommended by Plan Commission\)\(2nd Introduction\)](#)

Moved by Ald. Taylor, seconded by Ald. Benner to adopt O-6-11.

Motion carried on roll call 7-0.

2. O-7-11 (Substitute Amendment 1) – An Ordinance Amending Chapter 2, Mayor and Common Council (Introduced by Ald. Sevenich)(1st introduction)

No Action.

K. APPOINTMENTS

1. Hearing to remove Andrew Jennings from the Landmarks Commission

CA/HRD Captain explained Mr. Jennings has moved out of the City and attempts to contact him have failed. By City ordinance, the Council can remove a member of a committee/board/commission if they do not attend more than 50% of the meeting in a 12 month period. This is the case with Mr. Jennings.

Moved by Ald. Sevenich, seconded by Ald. Krueger to remove Andrew Jennings from Landmarks Commission for not attending more than 50% of the meeting in a 12 month period.

Motion carried on roll call 7-0.

2. Mayor's Appointment to the Landmarks Commission

- a. James Taylor, 724 Milwaukee Street, for the term of June 20, 2011 to March 4, 2014

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve appointment of James Taylor

Motion carried on voice vote

L. HELD OVER BUSINESS

None

M. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke.

N. RECESS TO ADMINISTRATION COMMITTEE, BOARD OF PUBLIC WORKS, PERSONNEL COMMITTEE

Moved by Ald. Benner, seconded by Ald. Langdon to recess at 6:35 p.m.

Motion carried on voice vote.

Reconvened at 7:45 p.m.

O. CLAIMS AGAINST THE CITY

1. Notice of Circumstances of Claim – Thomas Schanke, Lot no. 16 of Lake Park Villas

CA/HRD Captain explained Thomas Schanke filed a Notice of Circumstance of Claim. This is the notification that they plan to file a claim. The City now starts preparing for a potential claim.

CA/HRD Captain stated any other questions or discussion on this topic should be done in closed session.

P. ADJOURNMENT

Moved by Ald. Benner, seconded by Ald. Krueger to adjourn into Closed Session, 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 (Notice of Circumstances of Claim – Thomas G. Schanke)

Motion carried on roll call 7-0.

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