

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, September 17, 2012
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, Klein, Taylor

EXCUSED: Alderman Benner

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, LD Lenz, FD Shift Commander Dan Schultz, Tim Kippenhan, Paul Riederer, and Theresa Lehman from Miron Construction, Roger Voigt from Neenah-Menasha Sewerage Commission, Clerk Galeazzi and the Press

D. PUBLIC HEARING

None

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

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

No one spoke

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. FC Auxier – LEED Silver Certification for NMFR Station 36

FC Auxier announced NMFR Fire Station 36 has received a Silver LEED Certification from the US Green Building Council. Miron Construction Vice President Tim Kippenhan, Senior Project Manager Paul Riederer and Director of Sustainable Services Theresa Lehman presented the LEED Plaque and Certification to Mayor Merkes, FC Auxier and FD Shift Commander Dan Schultz.

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

Minutes to receive:

a. [Administration Committee, 9/4/12](#)

b. [Board of Public Works, 9/4/12](#)

c. [Joint Review Board, 9/6/12](#)

d. [Library Board, 8/16/12](#)

e. [Plan Commission, 9/11/12](#)

f. [Sustainability Board, 8/21/12](#)

Communications:

g. [Public Works Facility, 8/12/12; July/August 2012 disposal violations report](#)

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

Discussion: Ald. Zelinski-Minutes E (Plan Commission), asked why the Plan Commission did not pursue garage requirement. CDD Keil explained the Plan Commission considered few things including what other communities required and the financial impact of requiring a garage. It was the consensus of the Commission not to pursue the requirement of a garage at this time.

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, 9/4/12](#)

Administration Committee, 9/4/12; recommends approval of:

2. [Liability Insurance – Option 1 payment of CVMIC dividend to Menasha on March 1, 2013](#)
3. [Counter offer #1 by buyer Trident Real Estate LLC, Lot 4 Midway Business Park at \\$45,000 and accept on or before September 30, 2012](#)
4. [US Cellular Cell Phone Contract](#)
5. [Variance request for Clean Water Fund Loan from Wisconsin Department of Administration for Neenah-Menasha Sewerage Commission Project No. N0008-910101.21](#)

Board of Public, 9/4/12; recommends approval of:

6. [Street Use Application – MHS Homecoming Parade; Friday, October 5, 2012; 5:30 PM – 6:00 PM; \(Menasha High School\)](#)
7. [Payment – Northeast Asphalt, Inc.; Contract Unit No. 2012-03; Street Reconstruction, Concrete Curb & Gutter, Asphalt Pavement; Paris Street/Manitowoc Street: \\$98,011.66 \(Payment No. 2\)](#)
8. [Payment – MCC, Inc.; Contract Unit No. 2012-02; New Street Construction-Concrete Curb & Gutter; Kelly Lake Drive, South ½ of Woodland Hills Subdivision; \\$34,347.10 \(Payment No. 2\)](#)
9. [Recommendation to Reject Bids – Contract Unit No. 2012-01; Midway Road Concrete Walk Construction](#)

Moved by Ald. Klein, seconded by Ald. Krueger to approve Consent Agenda items 1-9.

Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

None

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 9/6/12 to 9/13/12 in the amount of \\$699,580.16](#)

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

Discussion ensued on expenditures.

Motion carried on roll call 7-0.

2. [Amendment to Approval of City of Menasha participation in Neenah-Menasha Sewerage Commission building project on September 19, 2011 \(U.S. Paper Mills, Inc. aka Sonoco guarantee\)](#)

Moved by Ald. Klein, seconded by Ald. Englebert to amend motion of September 19, 2011 approval of City of Menasha participation in Neenah-Menasha Sewerage Commission building project to: Approve financing for the City of Menasha portion of the Neenah-Menasha Sewerage Plan Upgrade/Improvements Project utilizing Clean Water Fund Loans (CWF) in an amount not to exceed \$5.5 million dollars and if there is a cost increase in the project the City of Menasha would be given the option to obtain Clean Water Funds to cover the increase.

Discussion ensued on concerns of removing contingency without having a guarantee from U.S. Paper Mills/Sonoco to cover its portion of the capital cost of the upgrade if Sonoco would go out of business. Roger Voigt from NMSC reported legal staff has been talking with U.S. Paper Mills/Sonoco on a guarantee. Mr. Voigt also reported that Town of Menasha has approved the removal of the contingency and City of Neenah will be acting on it this week. A delay in acting on removing the contingency could jeopardize the financing of the project.

Motion carried on roll call 4-3.

Ald. Taylor, Sevenich, Langdon, Englebert – yes

Ald. Klein, Krueger, Zelinski – no

J. ORDINANCES AND RESOLUTIONS

1. [R-34-12 Resolution Authorizing Execution of Agency Agreement between the Neenah-Menasha Sewerage Commission and the City of Neenah, City of Menasha, Town of Menasha, Town of Neenah Sanitary District No. 2 and Waverly Sanitary District of the Town of Harrison](#)(recommended by Administration Committee)

Moved by Ald. Sevenich, seconded by Ald. Englebert to adopt R-34-12.

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)

No one spoke.

O. ADJOURN

Moved by Ald. Langdon, seconded by Ald. Krueger to adjourn at 6:50 p.m.

Motion carried on voice vote.

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