

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Tuesday, September 4, 2012
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:05 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Sevenich, Langdon, Krueger, Zelinski, Benner, Klein

EXCUSED: Alderman Englebert

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, LD Lenz, Atty. John Thiel, Randy Much (NMSC), Clerk Galeazzi, and the Press.

DEPT. HEAD EXCUSED: PHD Nett

D. PUBLIC HEARING

1. [Proposed City of Menasha Year 2030 Comprehensive Plan amendment](#)

CDD Keil explained the amendments to the comprehensive plan.

No one from the public spoke.

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

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

Rebecca Nichols, 402 Elm Street, Menasha. Thanked the City departments who participated in the Doty Island Development Council picnic.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [NM Sewerage Commission Update – Randy Much](#)

Randy Much and Atty. John Thiel updated the Council on the status of the regional sewage treatment plant. The interim financing NMSC obtained when the project started will be coming due in December 2012 and the Clean Water financing will not be in place until January 2013.

Moved by Ald. Benner, seconded by Ald. Langdon to Adjourn into Closed Session at 6:15 p.m. pursuant to Wisconsin Statutes 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public fund or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (US Paper Mills/Sonoco)

Motion carried on roll call 7-0.

2. Motion to reconvene into Open Session

Moved by Ald. Krueger, seconded by Ald. Benner to reconvene into Open Session at 6:55 p.m.

Motion carried on voice vote.

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

Minutes to receive:

- a. [Administration Committee, 8/20/12](#)
- b. [Board of Public Works, 8/20/12](#)
- c. [Board of Health, 6/13/12](#)
- d. [Committee on Aging, 7/12/12](#)
- e. [NM Fire Rescue Joint Finance and Personnel, 8/28/12](#)
- f. [NM Fire Rescue Joint Fire Commission, 8/29/12](#)
- g. [NM Sewerage Commission, 7/24/12](#)
- h. [Parks and Recreation Board, 8/13/12](#)
- i. [Plan Commission, 8/21/12](#)
- j. [Redevelopment Authority, 5/1/12, 8/23/12](#)
- k. [Safety Committee, Public Works/Parks, 7/24/12](#)
- l. [Water & Light Commission, 7/25/12, 8/22/12](#)

Communications:

- m. [WI Dept. of Administration, 8/20/12; Incorporation of a portion of Town of Harrison, Calumet County and Buchanan, Outagamie County, Wisconsin, as a village Calumet County Circuit Court Case No. 2012CV28](#)
- n. [Comp Stoffel, 8/25/12; Refinancing wrap up](#)
- o. [Customers First!, The Wire newsletter, August 2012](#)
- p. [Menasha Historical Society Newsletter, August 2012](#)
- q. [Robert Mittelstaedt, Alliance Industries to PP Homan, 8/21/12; IDB loan](#)
- r. [PP Homan, 8/28/12; Status Update on lake Park Development Activity](#)

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

Discussion: Ald. Sevenich (Comm. N-C/T Stoffel, Refinancing wrap up), congratulated C/T Stoffel and his staff for the handling of refinancing outstanding debt to save the City money.

Ald. Klein (Comm. Q-Alliance Industries IDB Loan), discussed other financing Alliance Industries will be securing.

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, 8/20/12](#)
- 2. [Joint Common Council and Menasha Utilities, 8/22/12](#)

Administration Committee, 8/20/12; recommends approval of:

- 3. NMFR Station 36, 901 Airport Road, Counter-offer to Endter Investment for \$125,000, property as is, city to do environmental, occupancy should be within six months of purchase, respond to counter-offer within two weeks and same terms as FP One.

Board of Public, 8/20/12; recommends approval of:

- 4. [Street Use Application – Community First Fox Cities Marathon; Sunday, September 23, 2012; 6:00 AM – 2:00 PM \(Community First Credit Union\)](#)
- 5. [Street Use Application – SMC Homecoming Parade; Friday, October 5, 2012; 5:00 PM – 6:00 PM \(St. Mary Central HS\)](#)
- 6. [Payment – Northeast Asphalt, Inc.; Contract Unit No. 2012-03; Street Reconstruction, Concrete Curb & Gutter, Asphalt Pavement; Paris Street/Manitowoc Street; \\$96,029.12 \(Payment No. 1\)](#)

Plan Commission, 8/21/12; recommends approval of:

- 7. [Circle of Friends – Province Terrance - CSM with the condition that an easement release be obtained from the grantees of the existing utility easement between lots 16 and 17 of the Province Terrace plat.](#)

NM Fire Joint Finance and Personnel Committee, 8/28/12 recommends approval of:

- 8. [Acknowledging the Purchase order \\$6,900.30 is the correct amount for purchase order #12-65 and purchase order #94 in the amount of \\$6,090.50 is not the correct amount, which is a difference of \\$809.80.](#)
- 9. [Filling the vacated firefighter position after Shift Commander Flunker retires on October 23, 2012.](#)
- 10. [Acceptance of the Regional smoke detector grant of \\$52,630.00 with NMFR's required portion of the matching fund be \\$767.48. The Memorandum of Understanding will be approved pending final review and approval by both City legal councils.](#)
- 11. [Accept the FEMA AFG Rehab Grant totaling \\$25,051.10. NMFR's required 25% match of \\$6,262.78 will be funded through NMFR's All Other Equipment account/line \(#8133\)](#)
- 12. The purchase of five (5) Masimo Rad-57 with CO units at a cost of \$3,851.00 per unit, for a total of \$19,255.00 plus shipping of \$55.00 totaling \$19,310.00. Approve the purchase of one (1) #RHK3000 Core Warming Package from DQE at a price of \$1,138.10 plus shipping. Approve the purchase of two (2) #RHK2000 Core Cooling packages from DQE at a price of \$1,480.00 each for a total of \$2,960.00 plus shipping. Purchase of 1 package #RHK1000 Rehab Shelter Package from DQE at a price of \$1,395.00 plus shipping for a grand total of \$25,051.10, which includes shipping costs.

13. [The AFG Cascade System grant for a total of \\$24,289.86 with NMFR's required 25% match of \\$6,072.47 will be funded through NMFR's All Other Equipment account/line \(#8133\) and approve purchasing the system from Resolve Specialty Products, LLC for a total of \\$24,289.86](#)

Ald. Krueger requested item 3 be removed from Consent Agenda.

Ald. Klein requested items 10, 11, 12, 13 be removed from Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Consent Agenda Items 1, 2, 4, 5, 6, 7, 8, 9.
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Zelinski, seconded by Ald. Sevenich to approve Consent Agenda Item 3, (NMFR Station 36, 901 Airport Road Counter-offer to Endter Investment).

Ald. Krueger stated he will be abstaining.

CA/HRD Captain recommended removing any reference to "or assigns". This wording allows for Endter Investments to assign their interest to someone else.

Moved by Ald. Sevenich, seconded by Ald. Zelinski to amend to remove "or assigns" from the offer.

Motion on amendment carried on voice vote.

Motion as amended carried on roll call 5-1.

Ald. Klein, Taylor, Sevenich, Langdon, Zelinski – yes

Ald. Benner – no

Ald. Krueger - abstained

Moved by Ald. Klein, seconded by Ald. Sevenich to approve Consent Agenda Item 10 (Acceptance of the regional smoke detector grant), Item 11 (Accept the FEMA AFG Rehab Grant), Item 12 (Purchase of five Masimo Rad-57 with CO units, purchase of one #RHK3000 Core Warming package from DQE, purchase of two #RHK2000 Core Cooling packages from DQE, purchase of one package #RHK1000 Rehab Shelter package from DQE), Item 13 (AFG Cascade System grant)

FC Auxier explained the grants obtained and what the funds will be used for. The regional smoke detector grant was different from the other grants.

Motion to approve Item 10 (regional smoke detector grant) carried on roll call 7-0.

Motion to approve Item 11 (Accept the FEMA AFG Rehab Grant), Item 12 (Purchase of five Masimo Rad-57 with CO units, purchase of one #RHK3000 Core Warming package from DQE, purchase of two #RHK2000 Core Cooling packages from DQE, purchase of one package #RHK1000 Rehab Shelter package from DQE), Item 13 (AFG Cascade System grant) carried on roll call 7-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 8/21/12 to 8/30/12 in the amount of \\$927,231.10](#)

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

Discussion ensued on expenditures.

Motion carried on roll call 7-0.

2. [Alcohol Beverage License Application, Class B Beer, Beyer Properties, LLC, d/b/a Fox Cinema, 400 Third Street, Menasha, Vicki L. Beyer, agent, for the 2012-2013 licensing year.](#)

Moved by Ald. Klein, seconded by Ald. Krueger to approve alcohol beverage license application.

Motion carried on roll call 7-0.

3. [Authorization to apply for Traffic Enforcement Grant 2012-13 for Police Department.](#)

Moved by Ald. Klein, seconded by Ald. Krueger to approve authorization to apply for Traffic Enforcement Grant.

Motion carried on roll call 7-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-14-12 – An Ordinance Amending the City of Menasha Year 2030 Comprehensive Plan](#)

Moved by Ald. Sevenich, seconded by Ald. Benner to adopt O-14-12.

Discussion ensued on the amendments to the plan.

Motion carried on roll call 7-0.

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

1. [Approval of Common Council Minutes 8/6/12 \(held 8/20/12\)](#)

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Common Council minutes 8/6/12

Moved by Ald. Sevenich, seconded by Ald. Taylor to amend the minutes to include in item F3,

Ald. Sevenich supports the purchase of a code enforcement vehicle but questioned whether protocol was being followed and if Council approval should be needed considering this was not in the capital budget of the Police Dept.

Motion on amendment carried on roll call 7-0.

Motion as amended carried on roll call 7-0.

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. ADJOURN

Moved by Ald. Sevenich, seconded by Ald. Krueger to adjourn at 7:30 p.m.

Motion carried on voice vote.

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