CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, October 6, 2014
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, Nichols (6:07pm), Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASSD Steeno, PRD Tungate, PHD McKenney, LD Lenz, Sanitarian Drew, Clerk Galeazzi

D. PUBLIC HEARING

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
Nancy Barker, 506 Keyes Street, Menasha. Tayco Street Bridge Tower Museum

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. Board of Public Works, 9/15/14.
b. Housing Authority, 9/17/14.
c. Landmarks Commission, 9/17/14.
d. Library Board, 9/18/14.
e. Neenah-Menasha Sewerage Commission, 8/26/14.
f. NMFR Joint Finance & Personnel Committee, 9/30/14.
g. Parks and Recreation Board, 9/8/14.
h. Plan Commission, 9/30/14.
i. Redevelopment Authority, 9/22/14.
j. Water and Light Commission, 8/27/14.
k. Water and Light Commission Special Meeting, 9/3/14.
l. Waverly Sanitary District, 9/18/14.
Communications:
m. NMFR Chief Auxier; 9/19/14, Quarry Quest.
n. Mark Zelinski, Commodore, Appleton Yacht Club to PRD Tungate; September 2014, Thank you letter.
o. PRD Tungate; Gilbert Site Project Bid, 10/2/14.
p. CCD Keil; Termination of Province Terrace Trail TE Grant, 10/1/14.
q. CCD Keil; Updated Site Plan/Building Elevations – Oak Park Place, 10/2/14.
r. Deborah Wetter, General Manager of Valley Transit to Mayor Merkes; Valley Transit Request for Funding for the Connector, 9/16/14.
s. Menasha Historical Society News, October 2014.
Moved by Ald. Benner, seconded by Ald. Langdon, to receive Minutes and Communicates A-S.
General discussion ensued on Comm. P (Termination of Province Terrace Trail); Comm. M (Quarry Quest)
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, 9/15/14.

Board of Public Works, 9/15/14 – Recommends the Approval of:

2. Payment – MCC, Inc.; Contract Unit No. 2014-02; Street Reconstruction – London Street, Lakecrest Drive, Sunset Drive, Emily Street, Ninth Street, DePere Street, Parkview Place; $33,939.38 (Payment No. 1).
3. Authorization to Execute WisDOT Agreement for STH 441/Appleton Road Interchange.

NMFR Jt. Finance & Personnel, 9/30/14 – Recommends the Approval of:

4. Distributing the unspent 27 pay period accrued wages/fringes back to each City. The City of Neenah's share would be 60.1% for a total of $133,703 and the City of Menasha's share would be 39.9% for a total of $88,765.
5. Affinity Occupational Health as the vendor for NMFR's 2015 physicals and the City of Neenah's health risk assessment vendor for the lab work for a total cost not to exceed the budgeted amount of $25,000.

Plan Commission, 9/30/14 – Recommends the Approval of:

6. The Special Use Permit for 321 Konemac Street with the following conditions:
   - That security lighting be installed in compliance with the lighting standards of Section 13-1-12(h) of the Menasha Code of Ordinances.
   - That any outdoor storage of refuse or recyclables be in compliance with the standards of Section 13-1-12(h) of the Menasha Code of Ordinances.
   - That there be no outdoor storage of motor vehicles, parts equipment or supplies.
   - That no motor vehicle repairs be conducted outside of the principal structure.
   - Any vehicles displayed for sale outdoors shall be moved inside the principal structure at the close of business each day.
   - That hours of operation shall be limited to 7:00AM to 7:00PM.
7. The Certified Survey Map on Midway Road adjacent to Barker Park.

Ald. Zelinski requested to remove from Consent Agenda items 2 and 4.
Ald. Taylor requested to remove from Consent Agenda item 6.

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agenda items 1, 3, 5, 7.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Zelinski, seconded by Ald. Englebert to approve Consent Agenda item 2, Payment to MCC, Inc., Contract Unit No. 2014-02 for street reconstruction on London Street, Lakecrest Drive, Sunset Drive, Emily Street, Ninth Street, DePere Street, Parkview Place in the amount of $33,939.36 (Payment No. 1).
General discussion ensued on the status of the project.
Motion carried on roll call 8-0.

Moved by Ald. Zelinski, seconded by Ald. Englebert to approve Consent Agenda item 4, Distributing the Unspent 27 pay period accrued wages/fringes back to each City. The City of Neenah's share would be 60.1% for a total of $144,703 and the City of Menasha's share would be 39.9% for a total of $88,765.
General discussion ensued on procedure each City used to calculate wages for 27 pay periods; suggestions on how funds should be disbursed; ASD Steeno explained options for the funds.
Motion carried on roll call 8-0.

Moved by Ald. Benner, seconded by Ald. Englebert to approve Consent Agenda item 6, Special Use Permit For 321 Konemac Street with conditions (see G6)
General discussion ensued on the type of business to be conducted on the property; what Special Use Permit covers. Miles Dominowski, applicant, addressed the concerns of the Council.
Motion carried on roll call 7-1. Ald. Taylor voted no.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 9/18/14 to 10/2/14 in the amount of $1,469,745.43.

Moved by Ald. Nichols, seconded by Ald. Keehan to approve accounts payable and payroll.
Motion carried on roll call 8-0.

2. Beverage Operators License Applications for the 2013-2015 licensing period.

Moved by Ald. Nichols, seconded by Ald. Keehan to approve beverage operator's license applications as listed on memo dated 10/1/14
Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTION

1. O-27-14 An Ordinance Amending Title 13, Chapter 1 of the Code of Ordinances. Making Certain Changes to the District – Parcel #7-00901-00, Parcel #7-00902-11, and #7-00903-00. (Introduced by Mayor Merkes) (Recommended by the Plan Commission).

Moved by Ald. Benner, seconded by Ald. Keehan to adopt O-27-14 An Ordinance Amending Title 13, Chapter 1 of the Code of Ordinances, Making Certain Changes to the District, Parcel #7-00901-00, Parcel #7-00902-11 and Parcel #7-00903-00.
Motion carried on roll call 8-0.

2. R-22-14 Resolution approving a 2014 Budget Adjustment for the purchase of a fire truck and the accompanying borrowing with the State Trust Fund Loan Program. (Introduced by Mayor Merkes).

Moved by Ald. Benner, seconded by Ald. Keehan to adopt R-22-14 Resolution approving a 2014 Budget Adjustment for the purchase of a fire truck and the accompanying borrowing with the State Trust Fund Loan Program.
Motion carried on roll call 7-1. Ald. Zelinski voted no.

3. R-23-14 Resolution approving application to the Board of Commissioners of Public Lands to borrow $595,000 from the State Trust Funds, and authorizing the borrowing and the issuance of certificates of indebtedness and levying a tax in connection therewith. (Introduced by Mayor Merkes).

Moved by Ald. Benner, seconded by Ald. Englebert to adopt R-23-14 Resolution approving application to the Board of Commissioners of Public Lands to borrow $595,000 from the State Trust Funds, and authorizing the borrowing and the issuance of certificates of indebtedness and levying a tax in connection therewith.
ASD Steeno explained the borrowing is a refinance and will be interest savings of approximately $33,000.
Motion carried on roll call 8-0.

4. R-24-14 Resolution approving application to Board of Commissioners of Public Lands to borrow $2,804,500 from the State Trust Funds, and authorizing the borrowing and the issuance of certificates of indebtedness and levying a tax in connection therewith. (Introduced by Mayor Merkes).

Moved by Ald. Benner, seconded by Ald. Englebert to adopt R-24-14 Resolution approving application to Board of Commissioners of Public Lands to borrow $2,804,500 from the State Trust Funds, and authorizing the borrowing and the issuance of certificates of indebtedness, and levying a tax in connection therewith.
ASD Steeno explained part of the borrowing if for the amount budgeted for the Senior Center renovation.
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Council reappointment of Mark Allwardt, 1401 Jennie Street, Menasha, to the Menasha Water & Light Commission, for the term of 10/1/2014 to 10/1/2019.

Moved by Ald. Zelinski, seconded by Ald. Taylor to approve Council reappointment of Mark Allwardt to the Menasha Water & Light Commission
Motion carried on voice vote.

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)
No one spoke.

O. RECESS TO COMMITTEES
Moved by Ald. Langdon, seconded by Ald. Keehan to recess at 7:28 p.m.
Motion carried on voice vote.

Reconvened at 8:37 p.m.

P. ACTION ITEM
1. Board of Public Works, 10/6/14 – Recommends the Approval of Recommendation to Award Senior Center Renovation, $319,100, Commonwealth Construction.

Moved by Ald. Sevenich, seconded by Ald. Keehan to approve Recommendation to Award Senior Center Renovation in the amount of $319,100 to Commonwealth Construction.
PHD McKenney explained Senior Center operations will be moved to 316 Main Street during the renovation. Services and programs will continue during the renovation.
Motion carried on roll call 8-0.

Q. ADJOURNMENT
Moved by Ald. Benner, seconded by Ald. Englebert to adjourn at 8:42 p.m. 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. (PCB Litigation).
Motion carried on roll call 8-0.

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