

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, March 3, 2014
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

A moment of silence was observed for former Alderman Charles Heinz who passed away on Feb. 28, 2014.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Keehan, Zelinski, Englebert, Benner, Nichols, Taylor, Sevenich, Langdon

ALSO PRESENT: Mayor Merkes, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASD Steeno, LD Lenz, Clerk Galeazzi

DEPT. HEADS EXCUSED: CA/HRD Captain, PHD Nett, PRD Tungate

D. PUBLIC HEARING

1. [Application for a Special Use Permit Amendment by GBW Real Estate Holdings LLC for the property located at 1284 Midway Road, Menasha.](#)

CDD Keil explained the request of GBW Real Estate Holdings LLC to operate the property as a hotel/rooming type use from May 15 through August 15 of each year. The Plan Commission tabled it and directed staff to create a license/permit for this type of use.

No one spoke.

Mayor Merkes called the public hearing to a close.

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

Minutes to receive:

- a. [Administration Committee, 2/17/14](#)
- b. [Board of Health, 1/8/14](#)
- c. [Board of Public Works, 2/17/14](#)
- d. [City Hall Safety Committee, 1/14/14](#)
- e. [Committee on Aging, 1/9/14](#)
- f. IT Steering Committee, [12/18/13, 2/19/14](#)
- g. [Library Board, 2/20/14](#)
- h. [Neenah-Menasha Sewerage Commission, 2/12/14](#)
- i. [Personnel Committee, 2/17/14](#)
- j. [Plan Commission, 2/18/14](#)
- k. Police Commission, [12/19/13, 2/20/14](#)
- l. Public Works/Parks Safety Committee, [12/3/13, 1/28/14](#)
- m. [Redevelopment Authority, 2/4/14](#)
- n. [Water & Light Commission Special Meeting, 2/7/14](#)

Communications:

- o. Waverly Sanitary District Meeting Minutes, [12/12/13, 1/9/14, 2/11/14.](#)
- p. [Neenah City Attorney Jim Godlewski and Finance Director Michael Easker, 2/19/14, 27 Pay Period Issue.](#)

Moved by Ald. Benner, seconded by Ald. Langdon to receive Minutes and Communications A-P.

Discussion ensued on Redevelopment Authority minutes of 2/4/14.

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, 2/17/14

Administration Committee, 2/17/14 – Recommends the Approval of:

2. Second Amendment to Development Agreement with Cypress Homes & Realty, Inc.

Board of Public Works, 2/17/14 – Recommends the Approval of:

3. Roundabout landscaping and eligible amenities of a Level 3 at the Racine Street/CTH P interchange and the Appleton Road/STH 47 interchange.

Personnel Committee, 2/17/14 – Recommends the Approval of:

4. The five recommendations regarding new pay structure for Police Department supervisory staff and implementation guidelines as outlined in ASD Steeno's memo of Feb 17, 2014 amending the first three recommendations that apply to Patrol Lieutenant and Investigative Lieutenant positions to be approved for the 2014 pay plan only and changes in subsequent years will go to Council for approval.

5. Changes to organizational structure of the Public Works & Engineering and Parks, Recreation, Forestry & Cemeteries Departments as stated in CA/HRD Captain's memo of Feb 11, 2014.

6. Changes to the City of Menasha Discipline & Grievance Procedure.

Plan Commission, 2/18/14 – Recommends the Approval of:

7. Certified Survey Map – Woodland Drive.

8. Province Terrace Trail Location North of Manitowoc Road - Trail to be on the West side of Province Terrace, and sidewalks on the east side, from Manitowoc Rd. to Midway Rd.

9. Gemelli Real Estate Wisconsin, LLC – Annexation Impact Report to Common Council and the preparation of a "No Impact" Report.

Ald. Sevenich requested to remove item 2 from Consent Agenda.

Ald. Zelinski requested to remove item 8 from Consent Agenda.

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agenda Items 1, 3, 4, 5, 6, 7, 9
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Englebert to approve Consent Agenda item 2, Second Amendment to Development Agreement with Cypress Homes & Realty, Inc.

Discussion ensued on Development Agreement is with Cypress Homes, amendment is with Cypress Homes & Realty.

Motion carried on roll call 7-1. Ald. Zelinski voted no

Moved by Ald. Zelinski to approve Consent Agenda item 8, Province Terrace Trail location north of Manitowoc Road-trail to be on the west side of Province Terrace and eliminate sidewalks on the east side from Manitowoc Road to Midway Road.

Motion dies, no second.

Moved by Ald. Benner, seconded by Ald. Englebert to approve Consent Agenda item 8, Province Terrace Trail location north of Manitowoc Road-trail to be on the west side of Province Terrace and sidewalks on the east side from Manitowoc Road to Midway Road.

Discussion ensued on the need for sidewalks on the east side.

Motion carried on roll call 7-0. Ald. Zelinski voted no.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 2/20/14 to 2/27/14 in the amount of \$912,215.61.

Moved by Ald. Nichols, seconded by Ald. Langdon 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 Operators License Applications listed on memo dated 2/26/14.

Motion carried on roll call 8-0.

Moved by Ald. Nichols, seconded by Ald. Keehan to deny Beverage Operators License Applications of Martina Hernandez-Geronimo in accordance with guidelines is defined as a habitual offender.

Motion carried on roll call 8-0.

3. [Request from Menasha Joint School District to reduce building permit fees.](#)

Moved by Ald. Zelinski, seconded by Ald. Langdon to approve request of Menasha Joint School District to reduce building permit fees.

Discussion ensued on Independent Inspections LLC agreement with the reduction in fees.

Motion carried on roll call 8-0.

Moved by Ald. Nichols, seconded by Ald. Langdon to amend the remodel permit fees to \$127,400, the permit fee grand total to \$138,815 and the total reduction of permit fees to \$56,915.

Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. [O-1-14 An Ordinance Amending Title 12, Chapter 1 of the Code of Ordinances. \(Park Regulations--Specific Regulations-Crossbow\) \(Introduced by Alderman Langdon\) \(Recommended by the Parks & Recreation Board\).](#)

Moved by Ald. Langdon, seconded by Ald. Sevenich to adopt O-1-14

Motion carried on roll call 8-0.

2. [O-2-14 An Ordinance Amending Title 11, Chapter 2 of the Code of Ordinances \(Regulation of Firearms and Explosives\) \(Introduced by Ald. Nichols\). \(Recommended by the Administration Committee\).](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to adopt O-2-14.

Motion carried on roll call 8-0.

3. [O-4-14 An ordinance Amending Title 11, Chapter 2 of the Code of Ordinances \(Throwing or Shooting of Arrows, Stones and Other Missiles Prohibited, Includes Hunting\) \(Introduced by Ald. Nichols\) \(Recommended by the Administration Committee\).](#)

Moved by Nichols, seconded by Ald. Keehan to adopt O-4-14.

Discussion ensued on type of hunting allowed under State Statute. Staff to confirm with DNR.

Moved by Ald. Sevenich, seconded by Ald. Benner to hold O-4-14

Item held.

4. [R-5-14 Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers under Section 66.0703, Wisconsin Statutes \(Gambsky Grove, 1st Addition to Southfield\) revised to eliminate street trees from the improvements. \(Introduced by Ald. Taylor\) \(Recommended by Board of Public Works\).](#)

Moved by Ald. Taylor, seconded by Ald. Sevenich to adopt R-5-14.

Motion carried on roll call 8-0

5. [R-6-14 Resolution Vacating a Portion of Canal Street. \(Introduced by Mayor Merkes\)](#)

CDD Keil explained vacating a portion of Canal Street is in preparation of selling the power plant at 198 River Street. The resolution is part of the procedure to vacating a street. No action is required at this time. A public hearing will be held.

K. APPOINTMENTS

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. ADJOURNMENT

Moved by Ald. Langdon, seconded by Ald. Englebert to adjourn at 7:00 p.m.
Motion carried on voice vote.

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