CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, June 2, 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 Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert, Benner, Nichols
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, DPW Radtke, CDD Keil, ASD Steeno, PRD Tungate, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING
1. The proposed rezoning for the property located at 606 Racine St. and the adjoining vacant lot to the north including parcel numbers 1-00511-00 and 1-00512-00.

CDD Keil explained the request to rezone the parcels from R-1 Residential to C-1 Commercial is prompted by the proposed development of a new Boys and Girls Club. Adjacent parcels are zoned C-1.

John Van Price, 614 Racine Street, Menasha. Question how the rezoning will affect the value of his property.

Having no one else to speak, the Mayor Merkes called the public hearing to a close.

2. Public Hearing Regarding Proposed Amendments to Title 13 of the Menasha Code of Ordinances pertaining to Requirements for Garages for Newly Constructed Dwellings.

CDD Keil explained the proposed amendments requiring a garage for newly constructed dwellings.

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)

Brendon Ribble, 1308 Oneida Street, Menasha. Development Agreement between City of Menasha and Ribble Trust.

Jack Fry, 318 Willow Lane, Menasha. Support Move to Amend efforts.

Jeff Zdrzle, 1351 Silverwood Lane, Town of Menasha. Support Move to Amend efforts.

Geraldine Jay, 1305 Lucerne Drive, Menasha. Support Move to Amend efforts.

Jen Miller, 1225 Summit Avenue, Oshkosh. Support Move to Amend efforts.

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, 5/19/14
b . Board of Health, 4/9/14
c. Board of Public Works, 5/19/14
d. City Hall Safety Committee, 4/3/14
e. Committee on Aging, 4/10/14
f. Library Board, 5/15/14
g. Neenah-Menasha Sewerage Commission, 4/22/14
h. Plan Commission, 5/20/14
i. Redevelopment Authority, 5/12/14
j. Waverly Sanitary District, 5/15/14

Communications:

k. City Clerk Galeazzi, May 2014, City of Menasha, Board of Review - 2014.

l. Menasha Macs, Cancer Benefit Baseball Game, June 24, 2014.

m. Brian Roper, Wisconsin Department of Transportation, June 3, 2014 outreach meeting for the WIS 441 Tri-County Project.

n. Wisconsin Department of Transportation for the Consolidation the Public Crossings of the Wisconsin Central Ltd, May 21, 2014, Notice of Investigation and Hearing and Assessment of Costs.

o. Correspondence from Melissa Kraemer Badtke, ECWRPC, Regarding Draft Fox Cities Regional Bike & Pedestrian Plan, May 15, 2014.

Moved by Ald. Benner, seconded by Ald. Langdon to receive Minutes and Communications A-O.
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, 5/19/14.
2. Special Common Council, 5/21/14.

Administration Committee, 5/19/14 – Recommends the Approval of:

3. Accept quote of The Post Crescent as the official City newspaper,
4. Grocery Store Development Agreement by and between The City of Menasha, Foodmen 2, Inc. and F 2 R, LLC for 205 Milwaukee Street, Menasha.

Ald. Benner requested to remove from Consent Agenda item 2, Special Common Council Minutes, 5/21/14.

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

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Benner, seconded by Ald. Keehan, to hold Consent Agenda item 2, Special Common Council Minutes of 5/21/14.
Item held.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 5/21/14 to 5/29/14 in the amount of $932,049.89.

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

2 Liquor License Applications for 2014-2015 licensing year.

Moved by Ald. Nichols, seconded by Ald. Taylor to approve liquor license application for 2014-2015 licensing year as listed in memo dated May 29, 2014.
Motion carried on roll call 8-0.

3. Outdoor Alcoholic Beverage Permit, 2014-2015 licensing year.

Moved by Ald. Nichols, seconded by Ald. Keehan to approve outdoor alcoholic beverage permit for 2014-2015 licensing year as listed in memo dated May 29, 2014.
Motion carried on roll call 8-0.

4. Street Use Application – Motorcycle Show; Tuesday, June 10, 2014; 6:00 PM – 9:00 PM. The Locker Room.

Moved by Ald. Sevenich, seconded by Ald. Taylor to approve Street Use Application for Motorcycle Show, Tuesday June 10, 2014, 6:00-9:00 p.m.
General discussion ensued on the insurance not being in order, issues from previous year event.
Frederick Schroeder, applicant, addressed the Council. He explained the event and working on insurance.
Moved by Ald. Sevenich, seconded by Ald. Taylor that the required insurance be in order by 4pm on June 3 and two additional port-a-potties be set up.
Motion on amendment carried on roll call 5-4
Ald. Taylor, Sevenich, Zelinski, Benner, Mayor Merkes voted yes.
Ald. Nichols, Langdon, Keehan, Englebert voted no.
Motion as amended carried on roll call 5-4.

Ald. Taylor, Sevenich, Zelinski, Benner, Mayor Merkes voted yes.
Ald. Nichols, Langdon, Keehan, Englebert voted no.

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

Moved by Ald. Nichols, seconded by Ald. Taylor to approve beverage operator's license applications of 2013-2015 licensing period as listed on memo dated May 28, 2014.
Motion carried on roll call 8-0.

6. Amend Purchase and Development Agreement for the sale of 198 River Street.

CA/HRD Captain explained the two amends to agreement with Christine A. Sohns for the sale of 198 River Street; 1) under Additional Consideration – Buyer shall enter into contract for removal of asbestos on or before 90 days from closing; 2) Proof of Scrap Quantity section be removed from agreement.
Moved by Ald. Sevenich, seconded by Ald. Taylor to approve amendments to Purchase and Development Agreement for the sale of 198 River Street.
General discussion ensued.
Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTION

1. Ordinance O-8-14: An Ordinance Repealing and Replacing Section 8-3-9 Relating to Compost Boxes (Introduced by Ald. Englebert).

Moved by Ald. Englebert, seconded by Ald. Langdon to adopt O-8-14 An Ordinance Repealing and Replacing Section 8-3-9 Relating to Compost Boxes.
General discussion ensued on enforcement of the ordinance.
Motion carried on roll call 6-2
Ald. Taylor, Sevenich, Langdon, Keehan, Englebert, Benner voted yes.
Ald. Nichols, Zelinski voted no.

2. Ordinance O-10-14: An Ordinance Amending Title 13 by Making Certain Changes to the District (606 Racine Street, Parcel #1-00511-00 and Parcel #1-00512-00). (Introduced by Mayor Merkes on the recommendation of the Plan Commission).

Plan Commission recommends rezoning of 606 Racine Street and the Adjoining Parcel to the North (Parcel # 1-00511-00 and 1-00512-00) from R-1 to C-1.

Moved by Moved by Ald. Benner, seconded by Ald. Zelinski to adopt O-10-14 An Ordinance Amending Title 13 by Making Certain Change to the District (606 Racine Street, Parcels #1-00511-00 & #1-00512-00.
General discussion ensued on the property values with the change in zoning and potential project on the parcels.
Greg Lemke-Rochon, Boys & Girls Clubs of Fox Valley, addressed the Council on the new Boys and Girls Club building.
Motion carried on roll call 8-0.

3. Ordinance O-11-14: An Ordinance Creating Section 13-1-13(h) and Repealing and Recreating Various Sections of Title 13 of the Menasha Code of Ordinances Relating to Shoreland Setbacks (Introduced by Mayor Merkes).

Moved by Ald. Benner, seconded by Ald. Keehan to adopt O-11-14 An Ordinance Creating Section 13-1-13(h) and Repealing and Recreating Various Sections of Title 13 of the Menasha Code of ordinance Relating to Shoreland Setbacks.
CDD Keil explained the recent changes in State Statute requiring municipalities amend the shoreland zoning.
Motion carried on roll call 8-0.

4. Ordinance O-12-14: An Ordinance Amending Sections of Title 13 of the Menasha Code of Ordinances Relating to Garages (Introduced by Alderman Taylor).

Plan Commission recommends to remove reference to minimum lot size, have the city attorney put the proposed amendments into ordinance form, and forward recommendation to the Common Council.

Moved by Ald. Taylor, seconded by Ald. Langdon to adopt O-12-14 An Ordinance Amending Sections of Title 13 of the Menasha Code of ordinances Relating to Garages
General discussion ensued on the requirements of a garage for newly constructed dwellings.
Motion carried on roll call 8-0.

5. Resolution R-16-14 Regarding Racine Street/Twelfth Street and USH10/STH 441 Interchange (Introduced by Ald. Sevenich and Ald. Taylor).

Moved by Ald. Sevenich, seconded by Ald. Taylor to adopt R-16-14 Resolution Regarding Racine Street/Twelfth Street and USH 10/STH 441 Interchange.
General discussion ensued on the current proposal from Dept. of Transportation.
Motion carried on roll call 8-0.

6. Resolution R-17-14: A Resolution Supporting a United State Constitutional Amendment (Introduced by Petition for Direct Legislation).

Clerk Galeazzi explained the petition submitted to the Clerk's office from the Move to Amend group.
If the Council does not adopt Resolution it will be forwarded to the voters as a referendum question.
Jen Miller, Move to Amend group, addressed the Council on the petition and the request to forward the Resolution as a referendum question to the voters.

Moved by Ald. Englebert, seconded by Ald. Langdon to table R-17-14 A Resolution Supporting a United State Constitutional Amendment
Motion carried on roll call 8-0.

7. Resolution R-18-14: A Resolution Setting a Special Election.(Introduced by Ald. Benner).

Clerk Galeazzi explained the Council can set a special election for the referendum question to appear on the ballot. If no action taken the referendum question will go on the ballot for the November 4, 2014 election.

Moved by Ald. Englebert, seconded by Ald. Langdon to table R-18-14 A Resolution Setting a Special Election.
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Appointment of Linda Stoll, 1525 Rue Reynard, Menasha, to the position of City of Menasha Representative to the Valley Transit Board, for the period of 8/1/14 – 7/31/17.

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Linda Stoll
Motion carried on voice vote.

2. Reappointment of Mary Crawmer, 1345 Lucerne Dr., Menasha, to the Library Board, for the period of 7/1/14 – 7/1/17.
3. Reappointment of Patrick Murray, 2942 Silver Birch Ct., Menasha, to the Library Board, for the period of 7/1/14 – 7/1/17.

Moved by Ald. Englebert, seconded by Ald. Keehan to approve reappointments of Mary Crawmer and Patrick Murray.
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. ADJOURNMENT
Moved by Ald. Taylor, seconded by Ald. Langdon to adjourn at 8:29 p.m.
Motion carried on voice vote.

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