

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, May 4, 2015
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:03 p.m.

B. PLEDGE OF ALLEGIANCE

Motion of silenced was observed for victims of Trestle Trail incident and for International Firefighter Day.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Krautkramer, Langdon, Keehan, Zelinski, Rollins-Jump, Benner, Nichols
ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DFC DeLeeuw, DPW Radtke,
CDD Keil, ASD Steeno, PRD Tungate, PHD McKenney, LD Lenz, Clerk Galeazzi

D. PUBLIC HEARING

1. [Proposed amendment of the City of Menasha Year 2030 Comprehensive Plan to rezone a parcel on Racine Road.](#)

CDD Keil explained with the Comprehensive Plan needs to be amended with the recent rezoning of a parcel on Racine Road.

No one spoke.

Mayor Merkes closed the public hearing.

2. [Proposed rezoning of the properties in proximity to 165 Main Street, which includes Parcel Numbers 3-00818-00, 3-00818-01, 3-00820-00, 3-00816-01, and 3-00817-01 from C-2 Central Business District to Planned Unit Development \(PUD\) and Amending the Planned Unit Development District \(PUD\) Plan for Parcel Number 3-00798-00 and 3-00790-00 adjacent to Marina Place.](#)

CDD Keil explained the request for the rezoning to enable the construction of a new office building and parking.

No one spoke.

Mayor Merkes closed the public hearing.

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

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

Roger and Connie Kanitz, 516 Riverway, Menasha. Spoke on proposed downtown office building.

Mary Nebel, 713 First Street, Menasha. Questions on proposed downtown office building and parking ramp.

Frank Prokash, owner of The Blind Pig, 198 Main Street. Concerned about parking for downtown businesses.

Tom Konetzke, 858 Emily Street, Menasha. Presented a check to PRD Tungate from Menasha Athletic Assoc. (MAC) baseball for improvements to Koslo Park.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. FC Auxier - Introduction and oath of new Firefighter Zachary Janke.

FC Auxier introduced new Firefighter Zachary Janke and Clerk Galeazzi administered the official oath.

2. [FC Auxier – Retirement of Deputy Fire Chief Steve DeLeeuw.](#)

FC Auxier recognized DFC DeLeeuw for over 41 years of service to the Cites of Menasha and Neenah.

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

Minutes to receive:

- a. [Administration Committee, 04/21/15.](#)
- b. [Administration Committee, Special: 04/27/15.](#)
- c. [Board of Public Works, 04/21/15.](#)
- d. [Library Board, 04/16/15.](#)
- e. [NMFR Joint Finance & Personnel Committee, 04/28/15.](#)
- f. Neenah-Menasha Sewerage Commission, [03/24/15](#) and [04/18/15.](#)
- g. [Personnel Committee, 04/21/15.](#)
- h. [Plan Commission, 04/28/15.](#)

Communications:

- i. [Time Warner Cable to Clerk Galeazzi, 4/22/15; Changes to services Time Warner Cable offers.](#)
- j. [Proclamation – National Police Week, May 11-15, 2015.](#)
- k. [Proclamation – All City Track and Field Wellness Event, May 12, 2015.](#)
- l. [City of Menasha Board of Review – 2015, Notice of Open Book of Assessment and Board of Review Meeting.](#)

Moved by Ald. Taylor seconded by Ald. Langdon to receive Minutes and Communications A-L.
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 Sine Die, 04/21/15.](#)
2. [New Common Council, 04/21/15.](#)

Administration Committee, 04/21/15 – Recommends the Approval of:

3. [To authorize an amendment to the plan documents and agreements with Precision Retirement Group \(Pelion Benefits, Inc.\) to include represented employees and confirm the requirement that all eligible city employees are subject to the distribution of accumulated sick leave benefits through the post-employment benefit plan administered by Precision Retirement Group \(Pelion Benefits, Inc.\).](#)

Board of Public Works, 04/21/15 – Recommends the Approval of:

4. [Acceptance of Miron Donation of Concrete Planter at Menasha Library.](#)

NMFR Joint Finance & Personnel Committee, 04/28/15 – Recommends the Approval of:

5. Authorize hiring a replacement for the Deputy Chief of Operations position subject to the departure/retirement of the existing employee with Neenah-Menasha Fire Rescue.

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

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ORDINANCES AND RESOLUTIONS

1. [O-8-15: An Ordinance Amending Title 13 By making Certain Changes to the District \(In Proximity to Main and Mill Street\). \(Introduced by Mayor Merkes\). \(Recommended by the Plan Commission\).](#)

Moved by Ald. Benner seconded by Ald. Nichols to adopt O-8-15 An Ordinance Amending Title 13 by Making Certain Changes to the District (In Proximity to Main and Mill Street).

CDD Keil explained the area that will be rezoned and the need for the rezoning.

CA Captain recommended not voting on this ordinance until a development agreement is being considered.

Ald. Benner and Nichols removed their original motion.

Moved by Ald. Benner seconded by Ald. Nichols to table O-8-15.

Motion to table carried on roll call 8-0.

J. APPOINTMENTS

1. [Appointment of David Rashid, 310 Elm Street, Menasha, to Board of Appeals, for the term of 05/04/15 to 02/01/18.](#)

Moved by Ald. Benner seconded by Ald. Nichols to approve appointment of David Rashid to Board of Appeals.

Motion carried on voice vote.

2. Appointment of Shelly Caudill, 1075 Brighton Drive, to the Landmarks Commission, for the term of 05/04/15 to 03/01/18.

Moved by Ald. Taylor seconded by Ald. Rollins-Jump to approve appointment of Shelly Caudill to Landmarks Commission.

Motion carried on voice vote.

3. Appointment of Melissa Rollins-Jump, 1016 Stardust Drive, Menasha, to the Ad-Hoc Sustainability Board.
- Moved by Ald. Taylor seconded by Ald. Nichols to approve appointment of Melissa Rollins-Jump to Sustainability Board.

Motion carried on voice vote.

4. Approval of Alderman Benner to the NMFR Joint Finance and Personnel Committee (1 year term effective immediately).

Moved by Ald. Taylor seconded by Ald. Langdon to approve appointment of Ald. Benner to the NMFR Joint Finance and Personnel Committee.

Motion carried on voice vote.

K. HELD OVER BUSINESS

1. Approval of Alderman Langdon to the Landmarks Commission (1 year term effective immediately).

Moved by Ald. Taylor seconded by Ald. Benner to approve appointment of Ald. Langdon to the Landmarks Commission.

Motion carried on voice vote.

2. [Appointment of City Attorney – Pamela Captain.](#)

Moved by Ald. Benner seconded by Ald. Nichols to approve appointment of Pamela Captain as City Attorney.

General discussion ensued on the appointment and position.

Motion carried on roll call 8-0.

L. CLAIMS AGAINST THE CITY

M. ACTION ITEMS

1. [Accounts payable and payroll for the term of 04/21/15 to 04/30/15 in the amount of \\$987,142.12.](#)

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 For the 2013-2015 licensing period as outlined in memo dated 4/28/15.

Motion carried on roll call 8-0.

3. [Beverage Operators License Applications for the 2015-2017 licensing period.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve beverage operator's license applications For the 2015-2017 licensing period as outlined in memo dated 4/28/15.

Motion carried on roll call 8-0.

4. [Class "B" Liquor License Application for Menasha Athletic Association \(MAC\) to sell fermented malt beverages, Koslo Park Concession, May 5, 2015 to October 31, 2015, Paul S. Johnson, Agent.](#)

Moved by Ald. Taylor seconded by Ald. Langdon to approve Class "B" liquor license application for Menasha Athletic Association (MAC) to sell fermented malt beverage, Koslo Park Concession, May 5, 2015 to October 31, 2015, Paul S. Johnson, Agent.

Motion carried on roll call 8-0.

5. Development Agreement by and between The City of Menasha, Wisconsin and Menasha Downtown Development, LLC.

Staff explained development agreement and timeline for office building and parking ramp project.

John Hogerty, representing the Developers, answered questions from the Council on the development agreement and project.

General discussion ensued on terms of development agreement and project.

Moved by Ald. Nichols seconded by Ald. Rollins-Jump to advise staff to continue their efforts on negotiating a development agreement and bring it back along with its associated parts and documents to Common Council for further review.

Motion carried on roll call 8-0.

6. Redevelopment Agreement between City of Menasha, Wisconsin and Developer (McClone Downtown Development LLC) dated April 7, 1997. (DISCUSSION ONLY)

No discussion.

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Pat DuFrane, owner of Weathervane Restaurant. Spoke in support of downtown office building project.

Joe Nemecheck, owner of 180 Main Street. Spoke in support of downtown office building project.

O. RECESS TO ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS.

Not required.

P. CLOSED SESSION

1. If necessary, may Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reason require a closed session (Development Agreement by and between The City of Menasha, Wisconsin and Menasha Downtown Development, LLC).

Not required.

2. May reconvene into open session immediately following any closed session in order to take action on the closed session items. Wis. Stat. §19.85(2).

Not required.

Q. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Keehan to adjourn at 8:31 p.m.

Motion carried on voice vote.

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