

CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
TUESDAY, September 8, 2015  
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, Langdon, Keehan, Zelinski, Spencer, Benner, Nichols

EXCUSED: Alderman Krautkramer

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, ASD Steeno, PRD Tungate, Clerk Galeazzi.

DEPT. HEADS EXCUSED: PHD McKenney, LD Lenz

D. PUBLIC HEARING

None

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. Mayor Merkes - Appleton Expo Center Presentation.

Mayor Tim Hanna, Karen Harkness and Ben LaFrambois talked about the Fox Cities Exhibition Center Project. They will be asking communities in the Fox Valley to enter into an intergovernmental agreement and adopt a new hotel room tax ordinance. They answered questions from the Council.

2. [ASD Steeno - Presentation of the 'Style Tile' for the new City Website.](#)

ASD Steeno presented the first phase of the new City website. General questions and answers ensued.

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

Minutes to receive:

a. [Board of Public Works, 08/17/15.](#)

b. [Committee on Aging, 07/09/15.](#)

c. Landmarks Commission, [08/12/15](#) and [08/25/15.](#)

d. [Library Board, 08/20/15.](#)

e. [Library Board Special Meeting, 8/27/15.](#)

f. [NMFR Joint Finance and Personnel Committee, 09/02/15.](#)

g. [Plan Commission, 08/18/15.](#)

h. [Sustainability Board, 08/20/15.](#)

i. [Water and Light Commission, 07/22/15.](#)

Communications:

j. [Wisconsin Department of Administration to Clerk Galeazzi, 08/10/15; Preliminary Estimate of January 1, 2015 Population.](#)

k. [City of Kaukauna et al. vs. Village of Harrison, Circuit Court Case No. 2013CV159, Appellate Case Number 2014AP2828.](#)

l. [Lemon Love Limes Downtown Art.](#)

m. [Elisha D. Smith Public Library 2015 Annual Report.](#)

n. [ASD Steeno - 2015 Equalized Values.](#)

o. [2016 Budget Review Session Dates.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to receive Minutes and Communications A-O. General discussion ensued on Comm. K (City of Kaukauna vs Village of Harrison); Comm. N (2015 Equalized Values); Comm. O (2016 Budget Review Session Dates). 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. [Special Common Council, 08/17/15.](#)
2. [Common Council, 08/17/15.](#)

Board of Public Works, 08/17/15 – Recommends the Approval of:

3. [Payment – Janke General Contractors; Gilbert Trestle Improvements; Contract No. 2014-04; \\$63,405.26 \(Payment No. 4\).](#)
4. [Payment – Northeast Asphalt, Inc.; New Street Construction and Reconstruction, Concrete Curb and Gutter, Asphalt Pavement, Storm Sewer – Southfield West/Natures Way Subdivision Street; Barker Farm VI Subdivision Streets, River Lea Court, Broad Street, Ida Street, Manitowoc Street and Lincoln Street; Contract No. 2015-01; \\$89,918.07 \(Payment No. 4\).](#)

Plan Commission, 08/18/15 – Recommends the Approval of:

5. [Certified Survey Map – 1049 Brighton Drive.](#)
6. [Easement for Trail Extension from Oak Park Place to Barker Farm Park.](#)

NMFR Joint Finance and Personnel Committee, 09/02/15 – Recommends the Approval of:

7. [The 12/31/14 Cost Distribution Formula for budget year 2016 with the City of Neenah's share being 60.01% and the City of Menasha's share being 39.99%.](#)

Moved by Ald. Benner seconded by Ald. Taylor to approve Consent Agenda items 1-7. Motion carried on roll call 7-0.

#### H. ITEMS REMOVED FROM CONSENT AGENDA

None

#### I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 08/20/15 to 09/03/15 in the amount of \\$5,639,380.04.](#)

Moved by Ald. Nichols seconded by Ald. Keehan to approve accounts payable and payroll. Motion carried on roll call 7-0.

2. [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 as listed in memo date 9/2/15. Motion carried on roll call 7-0.

Moved by Ald. Nichols seconded by Ald. Keehan to deny beverage operator's license for Kakesha Bradley as she does not meet the criteria under the Guidelines for Operator Licenses. Motion carried on roll call 7-0.

3. [Third Street/Brighton Drive Greenspace Alterations.](#)

Moved by Ald. Benner seconded by Ald. Keehan to approve the Third Street/Brighton Drive Greenspace Alterations.

General discussion ensued on the parcel being designated as park property; who will be responsible for maintaining the property; the bench and concrete walk to be installed; other dead-end parcels in the City; Jefferson Park Master Plan.

There was unanimous consent to hear from Tom Grade, 999 Brighton Drive. Mr. Grade explained most residents in the area support the alteration and help maintain the property.

Motion carried on roll call 7-0.

4. [Approval to Accept and Spend \\$10,840 in Wisconsin Department of Health Services \(DHS\) Centers for Disease Control and Prevention \(CDC\) Public Health Emergency Preparedness Supplemental Ebola Funding.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to approve to accept and spend \$10,840 in Wisconsin Department of Health Services (DHS) Centers for Disease Control and Prevention (CDC) public Health Emergency preparedness Supplemental Ebola Funding.

Motion carried on roll call 7-0.

5. [Offer to Purchase - 320 Chute Street, Menasha.](#)

CDD Keil explained the offers and counters for the purchase of part of the parking lot. The final counter offer was for \$290,000. Some of the terms of the offer are time sensitive.

General discussion ensued on long term maintenance agreement instead of purchasing property; City's obligation to provide parking in accordance with development agreement with McClone Downtown Development; staff discuss parking situation with developers of office tower and parking ramp.

Moved by Ald. Taylor seconded by Ald. Zelinski to table Offer to Purchase and direct staff to ask developer of office building and parking ramp to help out financially with additional parking.

Motion carried on roll call 4-3.

Ald. Taylor, Langdon, Zelinski, Spencer voted yes. Ald. Nichols, Keehan, Benner voted no.

6. [Ground Lease Agreement - Broad Street Parking Lot. \(As recommended by Plan Commission\)](#)

CA Captain provided a revised copy of the Ground Lease Agreement. She explained the changes to the revised agreement.

General discussion ensued on terms of the Ground Lease Agreement; include holidays as part of when parking structure is used for public parking; insurance requirements for lessee and lessor.

No Action taken.

7. [A Request to Vacate a Portion of Midway Crossing.](#)

CDD Keil explain the request of BFT investments to vacate a portion of Midway Crossing for future development.

There was unanimous consent to hear from Bob Drifka, of BFT Investments. Mr. Drifka explained he has an Offer to Purchase on 7.75 acres of the vacant land in the Midway Crossing Development for the construction of a Festival Foods Grocery Store. Vacating a portion of Midway Crossing would help with the development.

Moved by Ald. Taylor seconded by Ald. Keehan to approve request to vacate a portion of Midway Crossing.

Motion carried on roll call 7-0.

8. [SunGard \(HTE\) Accounting Software – 5 Year Renewal](#)

Moved by Ald. Taylor seconded by Ald. Keehan to approve SunGard (HTE) Accounting Software 5 year renewal.

Motion carried on roll call 7-0.

9. [Approval of the three year plan to implement replacement of HPS street lighting with LED.](#)

Mayor Merkes stated the City would see a net savings of approximately \$709,000 over a 15 year period by replacing HPS with LED lighting.

Moved by Ald. Taylor seconded by Ald. Keehan to approve the three year plan to implement replacement of HPS street lighting with LED.

Motion carried on roll call 7-0.

10. [Request to Approve Todd Drew, RS Environmental Attendance at the Integrated Foodborne Outbreak Response and Management \(InFORM\) Conference if Funding Application from the National Environmental Health Association \(NEHA\) is Approved.](#)

Moved by Ald. Taylor seconded by Ald. Keehan to approve Todd Drew, RS Environmental, attendance at the Integrated Foodborne Outbreak Response and Management (InFORM) Conference if funding application from the National Environmental Health Association (NEHA) is approved.

Motion carried on roll call 7-0.

11. [Police Elementary School K-9 \(Facility Dog\).](#)

PC Styka and Officer Jeff Jorgenson explained the idea of a therapy dog to help in the schools and community during tense situations. The organization Canine Companions for Independence (CCI) offers a therapy dog program. There is an interview process required before a therapy dog is placed. Funds are being requested for Officer Jorgenson to travel to Ohio for the interview. If the City is selected to receive a therapy dog, the cost for training Officer Jorgenson and care of the dog would be included in the 2016 Police Department budget. There is no cost for the therapy dog.

Moved by Ald. Nichols seconded by Ald. Keehan to support and authorize Officer Jeff Jorgenson to travel to Ohio in October 2015 to participate in an interview with Canine Companions for Independence (CCI) for the purpose of continuing the exploratory process of obtaining a police facility dog.

Motion carried on roll call 7-0.

12. [Police Patrol K-9 Proposal.](#)

PC Styka and Officer Adam Miller introduce K-9 Apollo. Officer Miller and Apollo were partners at a previous police department. Officer Miller purchased Apollo when he left the previous department. Officer Miller is offering to have Apollo join the Menasha Police Department as another K-9. Officer Miller and Apollo would again be partners. Officer Miller is willing to fundraise to cover the cost of a vehicle, equipment and other additional expenses.

Moved by Ald. Keehan seconded by Ald. Nichols to permit Officer Adam Miller to fundraise for a police vehicle, equipment and wage differential for the purpose of having K-9 Apollo join the Menasha Police Department.

Motion carried on roll call 7-0.

J. HELD OVER BUSINESS

None

K. ORDINANCES AND RESOLUTIONS

1. [O-15-15 – An Ordinance Amending Title 10, Chapter 1 of the Code of Ordinances, \(Parking Regulations\) \(Recommended by the Board of Public Works\).](#)

Moved by Ald. Taylor seconded by Ald. Keehan to adopt O-15-15 An Ordinance Amending Title 10, Chapter 1 of the Code of Ordinances (Parking Regulations).

Motion carried on roll call 7-0.

2. [R-31-15 A Resolution Acknowledging Review of City of Menasha 2014 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208 \(Introduced by Ald. Krautkramer\) \(Recommended by the Board of Public Works\).](#)

Moved by Ald. Taylor seconded by Ald. Keehan to adopt R-31-15 A Resolution Acknowledging Review of City of Menasha 2014 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208.

Motion carried on roll call 7-0.

L. APPOINTMENTS

None

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. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Keehan to adjourn at 9:33 p.m.

Motion carried on voice vote.

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