

It is expected that a Quorum of the Personnel Committee, Board of Public Works, Plan Commission and Administration Committee will be attending this meeting: (although it is not expected that any official action of any of those bodies will be taken)

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday January 5, 2009**

6:00 PM

AGENDA

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. ROLL CALL/EXCUSED ABSENCES
- D. PUBLIC HEARING
 - 1. [Proposed ordinance to amend the City of Menasha Year 2030 Comprehensive Plan](#)
 - 2. [Special Use Permit Application of Commonwealth Development Corporation for parcel #4-783-2 \(Terrace Avenue extended\)](#)
 - 3. [Special Use Permit Application of the Veterans of Foreign Wars\(VFW\) for 546 3rd St.](#)
 - 4. [Rezoning of a portion of #4-762 \(St. John's Polish Cemetery, Valley Road, Outlot 2\)](#)
- E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
- F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
 - 1. Mary Bach – Housing Program
 - 2. [Mayor Merkes & C/T Stoffel – State Trust Fund Exemption Requirement](#)
 - 3. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
 - Minutes to receive:
 - a. [Administration Committee, 12/15/08](#)
 - b. [Board of Public Works, 12/15/08](#)
 - c. [Board of Health, 11/12/08](#)
 - d. [NM Sewerage Commission, 11/25/08](#)
 - e. [Public Works & Parks Safety Committee, 11/18/08](#)
 - f. [IT Steering Committee, 12/17/08](#)
 - g. [Sustainability Board, 12/16/08](#)
 - h. [NM Fire Rescue Joint Finance & Personnel, 12/16/08](#)
 - i. [Plan Commission, 12/16/08](#)
 - j. [Water & Light Commission Regular Meeting, 11/19/08, 12/17/08](#)
 - k. [Water & Light Commission Special Meeting, 11/7/08, 11/13/08, 12/1/08](#)
 - l. [Water & Light Commission Closed Session, 12/1/08](#)

"Menasha is committed to its diverse population. Our Non-English speaking population and those with disabilities are invited to contact the Menasha City Clerk at 967-3603 24-hours in advance of the meeting for the City to arrange special accommodations."

Communications:

- m. [Mayor Takagi, Maebashi Japan to Mayor Merkes, 11/18/08; Junior High Student's Exchange Program](#)
- n. [Menasha Utilities Steam Plant Financials, 11/30/08](#)
- o. [Menasha Utilities, The Wire Newsletter](#)
- p. [WisDNR to Mayor Merkes, 12/18/08; Lower Fox River Total Maximum Daily Load.](#)
- q. [PRD Tungate, 12/19/08; Landscape Improvements Along The Friendship Trail](#)

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 placed 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, 12/15/08](#)

Administration Committee, 12/15/08 – Recommends Approval of:

- 2. [Division of Public Health Contract Agreement #16617, Jan. 1-Dec. 31, 2009, and authorize signature.](#)
- 3. [Amendment to Listing Contract with Bomier Properties Inc., Province Terrace and Midway Business Park.](#)

Board of Public Works, 12/15/08 – Recommends Approval of:

- 4. [Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; ADD: \\$2,500.00 \(Change Order No. 3\)](#)
- 5. [Change Order – National Power Rodding Corporation; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01B Sanitary Sewer Rehabilitation; DEDUCT: \\$46,702.11 \(Change Order No. 4\)](#)
- 6. [Payment – Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \\$212,047.00 \(Payment No. 7\)](#)
- 7. [Payment – DeGroot, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01C; Sanitary Sewer Replacement: \\$10,393.62 \(Payment No. 2 and Final\)](#)
- 8. [Payment – Infrastructure Technologies, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3, Contract No. E145-07-01D; Sanitary Manhole Lining; \\$45,873.92 \(Payment No. 9\)](#)

Plan Commission, 10/21/08 – Recommends Approval of:

- 9. [Plan Commission Resolution 04-2008 recommending changes to the Comprehensive Plan, with the following changes:](#)
 - a. [Add Comprehensive Plan Ordinance adoption date.](#)
 - b. [Add a reference regarding the reference map.](#)

G. CONSENT AGENDA, Cont'd.

Plan Commission, 12/16/08 – Recommends Approval of:

10. Special Use Permit for Commonwealth Development with the following conditions:
 - a. That the following plans are submitted for approval by July 31, 2009:
 - 1) Lighting/photometrics,
 - 2) Landscaping/paving/parking,
 - 3) Erosion Control,
 - 4) Stormwater Management,
 - 5) Grading/Drainage,
 - 6) Building Elevations,
 - 7) Dumpster Enclosure detail,
 - 8) Any other materials as requested by staff for site plan review,
 - 9) A Payment In Lieu of Taxes (PILOT) agreement
 - b. That the owner study the addition of a second access point and review fire access to all buildings with the fire department.
11. Special Use Permit for 546 Third Street with the following conditions:
 - a. The Appleton Street terrace, except for point of ingress and egress, is restored to grass with a minimum of three street trees to be planted. The curb must be replaced and specially assessed at the time of road reconstruction.
 - b. A minimum six-foot landscaped front setback must be added to the Appleton Street frontage.
 - c. The handicap stall must be moved to the west side of the parking lot.
12. Rezoning of Outlot 2 of CSM 6330 from R-1 Single Family Residential to I-1 Industrial contingent on the approval of the proposed land use plan amendment and with the following findings:
 - a. The proposed use is consistent with surrounding land uses;
 - b. That the change in land use was not anticipated at the time of plan adoption.

IT Steering Committee, 12/17/08 – Recommends Approval of:

13. Enter into an agreement with Common Sense Solutions LLC for consulting services for 2009 and authorize signatures.
14. Proposal from Avastone Technologies LLC to provide Website transfer and modifications and authorize signatures

N-M Fire Rescue, Finance and Personnel Committee, 11/17/08–Recommends Approval of:

15. Ratification of Collective bargaining Agreement Extension – NMFR Local 275 1/1/09-12/31/10

H. ITEMS REMOVED FROM CONSENT AGENDA

I. ORDINANCES AND RESOLUTIONS

1. O-22-08 An Ordinance Relating to Post Construction Storm Water Management
2. O-23-08 Ordinance Relating to Public Sites and Open Spaces (Recommended by the Parks and Recreation Board, introduced by Ald. Taylor and Wisneski)
3. O-24-08 Ordinance Relating to Rezoning Notices (Recommended by the Plan Commission, introduced by Ald. Benner)
4. O-1-09 An Ordinance Amending The City of Menasha Comprehensive Plan
5. O-3-09 An Ordinance Amending Title 13 by Making Certain Changes in the District (St. John's Polish Cemetery (part), Valley Road)
6. R-23-08 A Resolution Establishing the Equivalent Runoff Unit (ERU) Charge for the Storm Water Utility

J. ACTION ITEMS

1. [Accounts Payable and Payroll for the term 12/18/08-12/31/08 in the amount of \\$696,836.05](#)

K. APPOINTMENTS

L. CLAIMS AGAINST THE CITY

M. HELD OVER BUSINESS

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)

O. ADJOURNMENT

MEETING NOTICE

**Monday, January 19, 2009 - Council Chambers
Common Council – 6:00 p.m.
Administration Committee – to be determined
Board of Public Works – to be determined**