

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
January 3, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:26 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Eckstein, Michalkiewicz, Mulvey, Merkes, Taylor, Wisneski, Weber
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, CA/HRD Brandt, Mayor Laux,
Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 12/19/05
- B. Board of Public Works, 12/19/05
- C. Common Council, 12/19/05

Moved by Ald. Eckstein, seconded by Ald. Weber to approve Minutes A-C.

Motion carried.

Minutes to receive:

- D. Board of Health, 12/14/05
- E. N-M Sewerage Commission, 11/22/05
- F. Plan Commission, 12/20/05
- G. Library Board, 12/20/05

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-43, 2005-2006-44
- 2. Wisconsin Taxpayers Alliance, 12/12/05, 12/16/05
- 3. Michael DeMoss (CVMIC) to CA/HRD Brandt, 12/9/05; 2005 Employment Practices Liability Rebate
- 4. Jason Kakatsch (ECWRPC), 12/7/05; Non-motorized transportation meeting
- 5. Michael DeMoss (CVMIC) to CA/HRD Brandt, 12/19/05; 2004 Workers' Comp. Dividend Payment
- 6. Rep. Kaufert, 12/15/05; Resolution supporting a full interchange at U.S. Hwy 10, 441 & 41
- 7. CA/HD Brandt, 12/27/05; Franchise fees on franchise fees
- 8. Charlie Cross, 12/27/05; Resume for Landmarks Commission
- 9. Independent Inspections, 12/27/05; Permits issued for Sept/Oct/Nov of 2005
- 10. PC Stanke, 12/22/05; FVHA & Dog related expenses
- 11. Clerk Galeazzi, 12/22/05; Special Common Council Meeting
- 12. Annexation Impact Reports for Drifka Property

Moved by Ald. Weber, seconded by Ald. Mulvey to approve Minutes D-G and Communications 1-12.

Discussion. Ald. Merkes, Comm. #3 & 5, were these items included in budget. Compt Stoffel explained were not expected, will be applied to expenditures.

Comm. #7, getting calls from residents on paying franchise fees. CA/HRD Brandt explained Time Warner made an error on customers' statement. Need to see bill to explain the franchise fees.

Ald. Weber, Comm. #10, CA/HRD Brandt should check on increasing current dog license fees.

Ald. Wisneski, Comm. #12, PRD Tungate's memo on Drifka Annexation not very professional.

Motion carried.

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

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

- A. Stan Sevenich, 645 9th St. 1) Important to televise both Committee and Common Council meetings; 2) Commended Ald. Taylor on a wonderful New Years Eve celebration downtown. Well attended.
- B. Steve Pack, 823 Emily St. 1) Great New Years Eve celebration; 2) Televising Common Council meetings not necessary, newspaper and radio do a good job covering the issues, use money to pay down debt.
- C. Karen Seifert, 2585 Village Lane, Oshkosh. Running for Judge for Winn County Circuit Court, Branch 4. Primary election will be held on Feb. 21.

VI. APPOINTMENTS

A. Mayor's Appointment to Landmarks Commission:

1. Appointment of Charlie Cross, 204 Main St., to replace Glenn Canale for the term of January 1, 2005 to March 1, 2008.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve appointment.

Discussion.

Motion carried on roll call 6-2. Ald. Merkes, Mulvey-no.

VII. CLAIMS AGAINST THE CITY

- A. A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Annette Kearn and that she be advised of her statutory rights pursuant to Wis. Stats. 893.80.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to disallow claim.

Motion carried.

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Personnel Committee, 1/3/06, Recommends:

1. Consideration of Salary plan for non-represented employees.
Held for two weeks in Personnel Committee.
2. Consideration of three tiered structure for non-represented employees
Held for two weeks in Personnel Committee.
3. Consideration of adjustment to midpoint for 2006 for non-represented salary ranges and Supervisory Lieutenants salary range.
Held for two weeks in Personnel Committee.
4. Consideration of City Assessor position.

Moved by Ald. Weber, seconded by Ald. Hendricks to authorize Compt. Stoffel to obtain at least two proposals for a private firm to assist in the short-term.

Motion carried.

Moved by Ald. Weber, seconded by Ald. Merkes that long-term options be examined and brought back to Council and current job description of City Assessor be provided.

Motion carried.

B. Administration Committee, 1/3/06:

1. Contract for Televising Council Meetings and Authorize Signatures.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to deny contract.

Discussion.

Motion failed on roll call 2-6.

Ald. Eckstein, Michalkiewicz-yes.

Ald. Merkes, Taylor, Wisneski, Weber, Hendricks, Mulvey-no

Moved by Ald. Weber, seconded by Ald. Hendricks to approve contract to include taping both Committee and Common Council meetings.

Motion carried on roll call 6-2.

Ald. Merkes, Taylor, Wisneski, Weber, Hendricks, Mulvey-yes.

Ald. Eckstein, Michalkiewicz-no.

Moved by Ald. Merkes, seconded by Ald. Hendricks to amend item #11 of the contract to not to exceed \$22,800.

Discussion.

Motion carried on roll call 6-2.

Ald. Merkes, Taylor, Wisneski, Weber, Hendricks, Mulvey-yes.

Ald. Eckstein, Michalkiewicz-no.

Moved by Ald. Taylor, seconded by Ald. Mulvey to amend item #6 of the contract with wording of the opening and closing segments of the tape to include "taped in entirety with no editing".

Motion carried on roll call 6-2.

Ald. Merkes, Taylor, Wisneski, Weber, Hendricks, Mulvey-yes.

Ald. Eckstein, Michalkiewicz-no.

- IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.
B. Administration Committee, 1/3/06, Cont'd:
2. Accounts payable and payroll for the period 12-22-05/12-29-05 for the amount of \$981,928.00

Moved by Ald. Mulvey, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

- C. Board of Public Works, 1/3/06:

1. Payment:

- A. Miron Construction Co., Inc.: Elevated Walkway Construction; Contract Unit No. 2005-03:
\$103,818.85 (Payment No. 2).
B. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03;
\$3,040.00 (Payment No. 3).

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve payments A&B.

Motion carried on roll call 8-0.

2. Recommendation to Award:

- A. Ed Gersek, Inc.: Contract Unit No. 2005-07; Midway Business Park Regional Detention
Basin; \$42,507.25

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

- A. O-1-06 – An Ordinance Relating to the Annexation of Certain Property to the City of Menasha,
Wisconsin. (Drifka Annexation)

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to suspend the rules and take up O-1-06.

Motion carried on roll call 8-0.

Moved by Ald. Taylor, seconded by Ald. Eckstein to adopt O-1-06 to include correct counties.

Motion carried on roll call 8-0.

- B. O-2-06 – An Ordinance Relating to Prohibited Parking (Third Street)

Moved by Ald. Wisneski, seconded by Ald. Weber to suspend the rules and take up O-2-06.

Motion carried on roll call 7-1. Ald. Merkes-no.

Moved by Ald. Wisneski, seconded by Ald. Weber to adopt O-2-06

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – 1) Status of Lawrence Property. DPW Radtke reported he is waiting for the final engineering inspection that should be done in January. The project will be completed by spring.
2) Replacement of cable in Council Chambers. DPW Radtke reported the council received an e-mail from Building Supt. Alix indicating Arrow Audio wants to make sure problem with the sound system is corrected before all the cables are replaced.
3) Status of structural damage to the City Parking Ramp. DPW Radtke will be meeting with the architect from The McMahon Group to discuss this issue. He will report back to the council the findings.

- B. PRD Tungate – Update on Dog Park. Outlined in e-mail from PRD Tungate dated 1/3/06.

XII. COUNCIL DIRECTIVES, Cont'd.

- C. CDD Keil – 1) Update on 535 First Street. CDD Keil reported the property has been declared a nuisance and a raze order has been issued. The mortgage holder has requested a history of events on the property. CDD Keil will be requesting quotes for demolishing 535 First St. and 87 Racine St.
2) Status of sign situation at 209 Racine Street. CDD Keil reported the sign situation has been taken care of. The owners have inserted a panel over the exposed florescent light area.
3) Update on vacancies on Landmarks Commission. CDD Keil reported Charlie Cross has been appointed to fill the current vacancy.
- D. Copy of TIF information requested by the Redevelopment Authority. Council received information.

Next agenda: Ald. Mulvey – Update on 2159 Plank Road, Lawrence Property.

Ald. Taylor – Update on parking ramp

Ald. Merkes – 1) Status of Public Works Facility; 2) Mural on historical downtown building;
3) SVRS delay effect on City of Menasha.

Ald. Weber – Status of new fire station on east side.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Mary Nebel, 713 1st St. Full-time Assessor is important to residents; Assessor has many responsibilities; other depts. may feel pressure if Assessor position is outsourced.
- B. Stan Sevenich, 645 9th St. Has Council discussed what happens to old fire station on Airport Road when new fire station is built on east side.

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to adjourn at 8:10 p.m.

Motion carried.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
SPECIAL COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
January 4, 2006

Minutes

- I. Meeting called to order by Mayor Laux at 7:55 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Michalkiewicz, Mulvey, Merkes, Taylor, Wisneski, Weber
Excused: Eckstein
Also Present: CDD Keil, Comp Stoffel, CA/HRD Brandt, Mayor Laux, Clerk Galeazzi, and the Press.
- IV. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda-
Five (5) minute time limit for each person)
 - A. Stan Sevenich, 645 9th St. Supports R-1-06, it will keep jobs in Menasha.
- V. ORDINANCES AND RESOLUTION
R-1-06 – Resolution Pertaining to the Relocating of River Street.

Moved by Ald. Weber, seconded by Ald. Taylor to discuss amendments to Substitute Amendment 1 to R-1-06.

Redevelopment Authority recommended approval of Substitute Amendment 1 to R-1-06. The amendments to the original resolution were to eliminate the sentence “City will reimburse Pechiney for the construction of temporary street”, and change \$1,000,000 to \$850,000.

Extensive discussion on using TIF funds for this project. Not in favor of creating another TIF district for this project. Using funds from current TIF would be more beneficial to the City.

Moved by Ald. Weber, seconded by Ald. Hendricks to amend Substitute Amendment 1 to R-1-06 to include the wording “proceeds from a future TID #10 shall not be used to meet the City’s financial contribution to the relocation and reconstruction of River Street.”

Discussion on using TIF #3 instead of creating a new TIF for this project.
Point of Order requested by Ald. Weber,
Point of Order not well taken by Mayor Laux.

Motion carried on roll call 7-0.

Moved by Ald. Mulvey, seconded by Ald. Weber to adopt Substitute Amendment 2 to R-1-06.

Motion carried on roll call 7-0.

- VI. Adjournment

Moved by Ald. Mulvey, seconded by Ald. Wisneski to adjourn at 8:30 p.m.

Motion carried.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
January 16, 2006
MINUTES

I. Meeting called to order by Council President Weber at 7:25 p.m.

II. PLEDGE OF ALLEGIANCE

A moment of silence observed for Dr. Martin Luther King, Jr.

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Eckstein, Michalkiewicz, Mulvey, Merkes, Taylor, Wisneski, Weber, Hendricks
Also Present: Lt. Bouchard, DPW Radtke, CDD Keil, Comp Stoffel, CA/HRD Brandt, Clerk Galeazzi,
And the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Personnel Committee, 1/3/06
- B. Administration Committee, 1/3/06
- C. Board of Public Works, 1/3/06
- D. Common Council, 1/3/06
- E. Special Common Council, 1/4/06

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve Minutes A-E.

Discussion: Tom Franz from UW-Fox Valley was present and answered questions on the televising of Council meetings.

Motion carried.

Minutes to receive.

- F. Water & Light Commission, 12/22/05
- G. Water & Light Commission, closed session, 12/22/05
- H. Library Board, 1/6/06
- I. Plan Commission, 1/3/06, 1/10/06

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-45
- 2. Wisconsin Taxpayers Alliance, 12/29/05
- 3. Ruth Gilkey (Post Crescent), 1/3/06; Legal notices posted on website
- 4. PC Stanke, 1/4/06; Build Employee Excellence Seminar
- 5. Public Works Facility, 1/5/06; December 2005 Disposal Violations
- 6. Caryn Stone (CDBG Program Manager-Dept. of Commerce) to Mary Bach, 12/28/05; CDBG for City of Menasha
- 7. Mary Burke (Secretary-Dept. of Commerce), 12/21/05; details regarding Block Grant
- 8. Michael Winkelman (Sawasky Law LLC) to CA/HRD Brandt, 12/29/05; Parking Agreement with Germania Hall
- 9. Doty Island Development Council Meeting minutes, 12/8/05 & 1/5/06
- 10. Steve Kim (Time Warner Cable) to Clerk Galeazzi, 1/6/06; TWCI agreement with Comcast
- 11. Public Service Comm., 1/10/06; Application by Utilities for authority to increase water rates
- 12. Department Heads to City of Menasha employees, 1/9/06; Employee Parking
- 13. Clerk Galeazzi, 1/11/06; Statewide Voter Registration System (SVRS) Delays
- 14. PWD Radtke, 1/12/06; Status of damage to City parking ramp
- 15. PWD Radtke, 1/12/06; Status of Plank Rd. Stormwater Enclosure
- 16. Impact Reports, 1/10/06; Novy Annexation
- 17. Boundary Agreement – City of Menasha/City of Appleton/ Town of Menasha/ Town of Harrison
- 18. Mayor Laux, 1/12/06; Dr. Martin Luther King, Jr. Memorial Services

- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.
Moved by Ald. Wisneski, seconded by Ald. Merkes to approve Minutes F-I and Communications 1-18.
Discussion: Ald. Wisneski, Comm. #8 & #12, requested more information on these items. CA/HRD Brandt explained City Hall employees were asked to check out alternative parking spots.
Ald. Taylor, Comm. #18, Council has honored Dr. King with a moment of silence.
Ald. Hendricks, Comm. #18, disappointed in Mayor's memo.
Ald. Weber, Comm. #18, Mayor has attended Dr. Martin Luther King Day celebrations in the past without changing Council meeting.
Ald. Mulvey, Comm. #18, Council has already discussed honoring Dr. King.
Ald. Wisneski, Comm. #18, this item should be discussed when Mayor is present.

Motion carried.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)
- A. Stan Sevenich, 645 9th St. 1) Mayor's memo on Dr. Martin Luther King, Jr. Memorial Services, this issued was discussed many years ago; 2) Resolve parking situation for City Hall employees; 3) Support R-2-06, Pertaining to Mondri Packaging (Akrosil), need to support community, neighbors and friends.
 - B. Mark Westphal, 945 Hunt Ave, Neenah. Support R-2-06, Pertaining to Mondri Packaging (Akrosil), Mondri not treating employees fairly.
 - C. Mary Nebel, 713 1st St. Looking forward to televising of council meetings. Let residents know when meetings will be on TV.

VI. APPOINTMENTS

- A. Mayor's Appointment to Board of Appeals:
1. Reappointment of Norm Sanders, 804 Jefferson Street for the term of Feb. 1, 2006 to Feb. 1, 2009.

Moved by Ald. Michalkiewicz, seconded by Ald. Taylor to approve appointment.

Motion carried.

- B. Mayor's Appointment to Committee on Aging:
1. Reappointment of Lee Murphy, 812 Ida Street for the term of Feb. 1, 2006 to Feb. 1, 2009.
2. Reappointment of Sue Steffens, 936 London Street for the term of Feb. 1, 2006 to Feb. 1, 2009.

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve appointments 1 & 2.

Motion carried.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 1/10/06, Recommends Approval of:
1. Ordinance Amendment Allowing Auto and Truck Sales/Repair as a Special Use in the I-1 and I-2 Districts

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to suspend the rules and take up the ordinance.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on roll call 6-2. Ald. Merkes, Taylor – no.

2. Extraterritorial Preliminary Plat Review for Airport Grove in the Town of Menasha

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve.

Motion carried.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Personnel Committee, 1/16/06:

1. Consideration of Salary plan for non-represented employees. (Held 1/3/06)

Moved by Ald. Hendricks, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

2. Consideration of three tiered structure for non-represented employees. (Held 1/3/06)

Moved by Ald. Hendricks, seconded by Ald. Michalkiewicz to approve with changes to Health Dept. Supervisors.

Motion carried on roll call 8-0.

3. Consideration of adjustment to midpoint for 2006 for non-represented salary ranges and Supervisory Lieutenants salary range. (Held 1/3/06)

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

C. Administration Committee, 1/3/06:

1. License: "Class B" application of Franky's of Menasha LLC, d/b/a Franky's, Frank M. Prokash, Agent, for the premises at 198 Main Street for the 2005-2006 licensing year.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve contingent on final inspection of property.

Motion carried.

2. Request to rescind tax bill for Calumet County Parcels #7-00804-00, #7-00803-00 & #7-00734-00.

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

3. Approval of Housing Plan Administration Contract Renewal 2006-Community Housing Coordinator.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

4. Approval of Declaration of Official Intent to Advance Funds, River Street Relocation.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

5. Accounts payable and payroll for the period 1-5-06/1-12-06 for the amount of \$7,030,875.31

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Discussion:

Motion carried on roll call 7-1. Ald. Mulvey – no.

D. Board of Public Works, 1/16/06:

1. Recommendation to Award:

- A. Donald Hietpas & Sons, Inc; Contract Unit No. 2006-01; River Street Relocation Storm Sewer and Water Main Construction; \$153,150.50.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

A. O-3-06 – An Ordinance Relating Court Costs

Moved by Ald. Hendricks, seconded by Ald. Wisneski to suspend the rules and take up O-3-06.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Hendricks, seconded by Ald. Wisneski to adopt O-3-06.

Discussion.

Motion carried on roll call 7-1. Ald. Merkes – no.

B. O-4-06 – An Ordinance Relating to Menasha's Floodplain Ordinance.

Moved by Ald. Taylor, seconded by Ald. Hendricks to hold for two weeks.

C. O-5-06 – An Ordinance Relating to the Annexation of Certain Property to the City of Menasha Wisconsin. (Novy Property).

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to suspend the rules and take up O-5-06.

Motion carried on roll call 8-0.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz, to adopt O-5-06

Motion carried on roll call 8-0.

D. O-6-06 – An Ordinance Relating to Auto/Truck Sales and Service.

Acted on in IX. A1.

E. R-2-06 – A Resolution Pertaining to Mondi Packaging (Akrosil)

Moved by Ald. Taylor, seconded by Ald. Mulvey to adopt R-2-06.

Discussion.

Motion carried on roll call 6-2.

Ald. Michalkiewicz, Eckstein-no.

F. R-3-06 – A Resolution Relating to Reduction of Poll Workers

Moved by Ald. Eckstein, seconded by Ald. Wisneski to adopt R-3-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. DPW Radtke – 1) Status of Lawrence Property (2159 Plank Road). DPW Radtke referenced his memo dated 1/12/06. The work has been started. They will use a supported steel plate spanning the existing retaining wall.

2) Status of structural damage to the City parking ramp. Outlined in memo dated 1/12/06.

3) Update on Public Works Facility. DPW Radtke reported he has inquired with the DNR and there is no change in the status of the groundwater contamination. His dept. will continue to check with the DNR on the status.

B. Clerk Galeazzi – Statewide Voter Registration System delays effect on City of Menasha. Clerk Galeazzi reported the delays the State Elections Board (SEB) are experiencing with the Statewide Voter Registration System program (SVRS) at this time will have no effect on the upcoming elections for the City of Menasha. The City has a voter registration program that has been in use since 2000. All the information on voter registration is kept current with this program. SEB has instructed municipalities to use their current voter registration program for the February and April elections.

C. CDD Keil – Information on mural for downtown historical building. CDD Keil reported staff has been working with members of the Historical Society on the placement of a historical mural on the side of the building at 163 Main Street. They are checking into the technical requirements and cost of creating a mural art of photographs The cost is expected to be paid by private donations.

XII. COUNCIL DIRECTIVES, Cont'd.

D. FC VanderWyst – Status of new fire station. Held for two weeks.

Next Agenda: Ald. Taylor – 1) Update on 87 Racine Street; 2) Update on Schreiber/Anderson Report

Ald. Mulvey – 1) Status on 2159 Plank Road (Lawrence Property);

2) Listing voided checks on check register.

Ald. Merkes – Update on Public Works Facility

Ald. Hendricks – Sinking pavement in 1000 block of Third Street.

Ald. Michalkiewicz – Update on Larsen Engineering Study.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

A. Mary Nebel, 713 1st St. Abatement program to enforce ordinance violations.

B. Mark Westphal, 945 Hunt Ave., Neenah. Thanked Council for supporting R-2-06.

XV. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Mulvey to adjourn at 8:40 p.m. into closed session pursuant to WI State Statute 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 reasons require a closed session: (Cable TV Negotiations).

Motion carried

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
February 6, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

A moment of silence observed for Coretta Scott King.

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald., Michalkiewicz, Mulvey, Merkes, Taylor, Wisneski, Weber, Eckstein

Excused: Ald. Hendricks

Also Present: PC Stanke, FC VanderWyst, DPW Radtke, CDD Keil, Comp Stoffel, CA/HRD Brandt, Mayor Laux, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Personnel Committee, 1/16/06
- B. Administration Committee, 1/16/05
- C. Board of Public Works, 1/16/05
- D. Common Council, 1/16/05
- E. Closed Session Common Council, 3/7/05, 6/20/05

Moved by Ald. Weber, seconded by Ald. Wisneski to approve Minutes A-E.

Motion carried.

Minutes to receive:

- F. Information Systems Steering Committee, 11/16/05, 1/18/06
- G. Police Commission, 1/19/06
- H. N-M Sewerage Commission, 12/27/05
- I. Committee on Aging, 1/12/06
- J. Board of Health, 1/11/06
- K. N-M Fire-Rescue Joint Fire Commission, 1/25/06
- L. Red, White & Blue Committee, 1/5/06
- M. Public Hearing, 1/16/06 – Proposed Floodplain zoning ordinance
- N. Plan Commission, 1/17/06
- O. Library Board, 1/24/06
- P. Redevelopment Authority, 1/4/06

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-46, 2005-2006-47, 2005-2006-48
- 2. Wisconsin Taxpayers Alliance, 1/19/06
- 3. PWD Radtke to property owners, 1/17/06; Foundation Drain & Sump Pump Inspection appointments
- 4. Moody's Investor's service, 11/15/05; A1 Rating to the City of Menasha's \$11 million GO Promissory Notes (Steam Utility Project)
- 5. Comm. of Railroads, 1/13/06; Racine Street crossing: Notice of Investigation & Assessment of Costs
- 6. CA/HRD to Carol Barth; 1/20/06; 87 Racine Street
- 7. Independent Inspections newsletter, 1/06; Inspection Connection
- 8. Lisa Gottsacker (Aurora Health) to Lt. Sahr, 1/4/06; Automatic External Defibrillators grant
- 9. Department of Corrections to Chief Stanke, 1/23/06; 2006 Annual Inspection
- 10. Valley Home Builders Assoc. to Mayor Laux, 1/18/06; 2006 Winter Wonderland of Homes
- 11. DNR to Mayor Laux, 1/12/06; Tree City USA Recognition
- 12. PWD Radtke to property owners, 1/24/06; Sewer System Evaluation Survey, Phase No. 2
- 13. CA/HRD Brandt, 1/26/06; Open Meetings Law
- 14. George Arno to Comp. Stoffel & CA/HRD Brandt to George Arno, 1/25/06; Retirement letter & Acceptance of resignation due to retirement
- 15. CA/HRD Brandt, 1/31/06; Annexations-Detachments
- 16. CA/HRD Brandt, 1/27/06; 87 Racine St. - 90 Day notice to remove personal property

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont.

Communications:

17. Impact Reports – Ament Annexation
18. PC Stanke, 1/31/06; Cat License Fee
19. CA/HRD Brandt, 1/31/06; Televising Council meetings
20. Doty Island Development Council, 1/12/06
21. Jim Englebert (Library Board), 2/1/06; Ad Hoc Library Director Search Committee
22. Alderman Hendricks, 2/2/06; Steam Utilities Project
23. Public Works Facility, 2/2/06; January 2006 Disposal Violations
24. PWD Radtke, 2/2/06; Trench Conditions in Third Street
25. PWD Radtke, 2/2/06; Public Works Facility Update
26. PRD Tungate to Interested Party, 1/31/06; Friendship State Recreational Trail extension public meeting
27. Independent Inspections LLC., 2/2/06; Permits Issued for December 2005
28. Circuit Court Summons, 1/27/06; TCF Natl. Bank vs. City of Menasha Dept. of Comm. Devlp. & Bldg. Inspct. Dennis Jansen & Robert Brown (535 First St.)
29. Comp. Stoffel, 2/2/06; Cancelled/Voided Accounts Payable (A/P) Checks
30. Tax Incremental Financing Informational Paper, March 2005
31. Resume from Katherine Bauer
32. Tom Konetzke to CDD Keil, 2/1/06; Ament Annexation

Moved by Ald. Weber, seconded by Ald. Wisneski to approve Minutes F-P and Communications 1-32.

Discussion: Ald. Taylor, Comm. #1, supports AB 657, Eminent Domain Limitations.

Ald. Merkes, Comm. #5, Racine St. railroad crossing, will quiet zone be maintained. DPW Radtke explained no public hearing set on this, will contact Comm. of Railroads.

Ald. Wisneski, requested minutes submitted from committees/boards indicate if approved by respective committees/boards; Comm. #13, questions on aldermen attending posted meetings. CA/HRD Brandt explained walking quorums and negative quorums; Comm. #6 & #16, why different dates. CA/HRD Brandt explained State Statute required 90 day notice for removal of personal property.

Ald. Weber, Comm. #13, meeting notices should be posted anticipating quorum of aldermen will be attending. Comm. #18, prepare ordinance for licensing of cats.

Ald. Merkes, Comm. #32, Ament Annexation, don't agree with resident suggesting larger lots for new subdivision, should offer variable lot sizes.

Ald. Taylor, Comm. #28, 535 First St. CA/HRD Brandt explained lien holder of property exercised right to file restraining order on City's razed order.

Ald. Mulvey, Comm. #18, will owner need to provide proof of vaccinations of cats for license.

Comp. Stoffel explained the policy for licensing cats will be same as for licensing of dogs.

Ald. Eckstein, Comm. #28, if property at 535 First St. is razed, new structure on property would be on tax roll.

Motion carried.

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

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

VI. APPOINTMENTS

A. Mayor's Reappointment to Board of Appeals:

1. Reappointment of Ray Zielinski, 602 School Ct., for the term of Feb. 1, 2006 to Feb. 1, 2009

Moved by Ald. Michalkiewicz, second by Ald. Wisneski, to approve.

Motion carried.

B. Mayor's Appointment to Sewerage Commission

1. Appointment of Kathy Bauer, 709 A Lincoln St. for the term of Feb. 2006 to Jan. 2009

Moved by Ald. Wisneski, seconded by Ald. Weber to approve.

Motion carried.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 1/17/06; recommends approval of:

1. The mural on the west wall of 161 Main Street consisting of an historic image of Main Street facing west. (This is subject to approval by the Landmarks Commission)

Moved by Ald. Merkes, seconded by Ald. Taylor to table.

Motion carried on roll call 6-1. Ald. Eckstein – no.

B. Administration Committee, 2/6/06:

1. Approval to Extend Contract for Information Technology Services for 2006 with Schenck Technology Solutions (Recommendation from IS Committee)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

2. Approval of Parochial School Fees (Recommendation from Board of Health)

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 7-0.

3. Approval of Division of Public Health Consolidated Contract Agreement #13759 with Menasha Health Department, Jan. 1, 2006-Dec. 31, 2006, and authorized signature.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

4. Approval of 2006 Agreement and Contract between Advocap, Inc. and City of Menasha Committee on Aging with Menasha Senior Center, and authorized signatures.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Discussion: Ald. Weber will abstain; he is a member of Winnebago County Advocap Committee.

Motion carried on roll call 6-0. Ald Weber – abstain.

5. Approval of Proposal for the Administration of the Home Owner Occupied Rehabilitation Program.

Moved by Ald. Eckstein, seconded by Ald. Merkes to approve.

Motion carried on roll call 7-0.

6. Accounts payable and payroll for the period 1-16-06/2-2-06 for the amount of \$1,405,973.48.

Moved by Ald. Eckstein, seconded by Ald. Mulvey to approve.

Motion carried on roll call 7-0.

C. Board of Public Works, 2/6/06:

1. Change Order:

- A. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03; ADD: \$14,981.00 (Change Order No. 1)

Moved by Ald. Michalkiewicz, second by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

- B. Badger Highways; 2005 Street Rehabilitation/Reconstruction; Contract Unit No. 2005-05; DEDUCT: \$28,942.96 (Change Order No. 1)

Moved by Ald. Michalkiewicz, second by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

C. Board of Public Works, 2/6/06:

2. Payment:

- A. Badger Highways; 2005 Street Rehabilitation/Reconstruction; Contract Unit No. 2005-05;
\$20,737.36 (Payment No. 2)

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

3. River Street Design Presentation and Project Update (Martenson & Eisele, Inc.)
No action required.
4. Approval of 2006 City of Menasha Minimum Wage Rates.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

5. Authorization to Execute Revised WisDot/Municipal Agreement for Highway Improvement Project (STH 47, Ninth Street to North County Line).
Held in Board of Public Works
6. Consideration of Northridge Manor Street Construction Schedule.
No action required.
7. Request to Fund Local Share of CTH AP Reconstruction Project (Winnebago County).
Issue addressed in Board of Public Works.
8. Proposed Transfer of CTH AP Jurisdiction to the City of Menasha.
Issue addressed in Board of Public Works.
9. Recommendation to Approve City of Menasha Stormwater Management Plan/Utility Creation Plan Proposal; Martenson & Eisele, Inc.; \$60,000

Moved by Ald. Michalkiewicz, seconded by Ald. Mulvey to approve.

Motion carried on roll call 7-0.

X. ORDINANCES AND RESOLUTIONS

1. O-4-06 – An Ordinance Relating to Floodplain

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve O-4-06.

Discussion: Ald. Taylor will abstain; he owns property in a floodplain area.

Motion carried on roll call 6-0. Ald. Taylor – abstain.

2. O-7-06 – An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, Wisconsin (Novy Annexation).

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve O-7-06.

Motion carried on roll call 7-0.

3. O-8-06 – An Ordinance Relating to the Annexation of Certain Property to the City of Menasha, Wisconsin (Ament Annexation).

Moved by Ald. Eckstein, seconded by Ald. Wisneski to suspend the rules and take up O-8-06.

Motion carried on roll call 7-0.

Moved by Ald. Michalkiewicz, seconded by Ald. Weber to approve O-8-06.

Motion carried on roll call 7-0.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

4. R-4-06 – A Resolution Proclaiming American Heart Month.
Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve R-4-06.

Motion carried.

Ald. Wisneski read the Resolution.

5. R-5-06 – A Resolution Congratulating Kevin Englebert.
Acted on in Administration Committee.
6. R-6-06 – A Resolution Congratulating Katherine Griffith.
Acted on in Administration Committee.
7. R-7-06 – A Resolution Congratulating Lauren Rushford.
Acted on in Administration Committee.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – 1) Status of 2159 Plank Rd. DPW reported the project at 2159 Plank Road has been completed. Ald. Mulvey thanked DPW Radtke, CDD Keil and PWS Jacobson for all their help in completing the project. Ald. Wisneski read an e-mail she received from Mr. and Mrs. Lawrence thanking City staff and aldermen for helping resolve the situation.
2) Update on Public Works Facility. DPW Radtke referred to his memo of 2/2/06. The PWF project is currently on hold until they hear from the DNR on the final review and report on the excavated material from the site.
3) Sinking Pavement at 1000 block of Third Street – hold for next agenda.
- B. Comp Stoffel – Copy of Voided Checks. Comp Stoffel referred to his memo of 2/2/06. He explained voided checks in accounts payable may occur if, there are several invoices for one vendor, the start of a new accounts payable run, or due to human or printer error.
- C. CDD Keil – 1) Update on Schreiber-Anderson Report. CDD Keil reported a neighborhood meeting was recently held on the 3rd & Racine Street corridor. A land use plan was presented and discussed. He will be scheduling a joint workshop with Council and Plan Commission for a presentation of the plan.
2) Update on Larson Engineering Study. CDD Keil report the Larson Engineering study was approved by Council to help with changes in construction requirements, site inspections and soil borings. There are certain areas in the City where homes have foundation problems. He will be following up with specific addresses. He asked aldermen to supply him with addresses of property they know have or had problems.
- D. CA/HRD Brandt – 1) Status of 87 Racine Street. CA/HRD Brandt reported a letter was sent to Carol Barth, previous owner, informing her she has 90 days to remove any personal property.
2) Televising of Council Meetings. CA/HRD Brandt reported taped council meetings will be aired on Cable Access-Channel 2 on Thursdays from 1-5 p.m.

Ald Weber asked FC VanderWyst to report on status of new fire station. FC VanderWyst presented a letter he received from Martenson & Eisele indicating dates they anticipate to have the final plans available for review and when bidding will start.

Next Agenda: Ald. Eckstein – 1) Update on aeration system at Manitowoc St boat landing.

2) Recoup revenue lost on boat launch permits.

Ald. Wisneski – 1) Job descriptions on non-represented administrative assistant positions

2) Status of sale of city surplus property on e-bay.

Ald. Weber – 1) Use of truck routes through the City. 2) Scheduling times for workshops/meetings.

XIII. CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Weber to adjourn at 8:05 p.m.

Motion carried.

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
February 20, 2006

MINUTES

- I. Meeting called to order by Mayor Laux at 7:50 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Mulvey, Merkes, Taylor, Wisneski, Weber, Hendricks, Eckstein, Michalkiewicz
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate, CA/HRD Brandt,
Mayor Laux, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 2/6/05
- B. Board of Public Works, 2/6/05
- C. Common Council, 2/6/05
- D. Personnel Committee, 2/6/06

Moved by Ald. Weber, seconded by Ald. Hendricks to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

- E. N-M Sewerage Commission, 1/24/06
- F. Water & Light Commission, Closed Session; 1/25/06, 1/30/06
- G. Water & Light Commission, Special Meeting; 1/30/06, 2/7/06
- H. Water & Light Commission, 1/25/06
- I. Ad-Hoc Parking Committee, 11/30/05
- J. Redevelopment Authority, 2/7/06
- K. Plan Commission
- L. Joint Review Board; TID #9, 2/7/06
- M. Park & Recreation Board, 1/23/06
- N. Information Systems Steering Committee, 1/18/06

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-49, 2005-2006-50
- 2. Calumet County, Legislative Committee Minutes; 1/20/06
- 3. CA/HRD Brandt to Bridie Steiner, 2/13/06; Letter of resignation due to retirement acceptance letter
- 4. Public Works Facility, 2/8/06; 2006 Year End Disposal Violations
- 5. Doty Island Development Council minutes, 2/2/06
- 6. Lauren Rushford, 2/06; MLK Essay: "Where do we go from Here: Chaos or Community?"
- 7. Katherine Griffith, 2/06; MLK Essay: "Where do we go from Here: Chaos or Community?"
- 8. Kevin Englebert, 2/06; MLK Essay: "Where do we go from Here: Chaos or Community?"
- 9. City of Menasha Safety Coordination Quarterly Report, 2/06; 4th Quarter 2005
- 10. CA/HRD Brandt to John Quella, Corey Gordon, Ann Gollner, 2/14/06; FMLA vis-à-vis Birth or Adoption
- 11. Alderman Michalkiewicz to CDD Keil, 2/16/06; foundation repairs on their residential properties
- 12. City of Menasha – Map of Proposed Friendship Trail & Main Connecting Routes/Trails
- 13. IT Supervisor James, 2/16/05; Surplus City Property eBay disposal option
- 14. Jan Davey (United Way) to Kate Clausing, 2/9/06; Receipt of Gold Award – 2005 workplace campaign
- 15. WI DNR, 2/8/06; Notice of Intent to modify a WI Pollutant Discharge Elimination System (Menasha Utilities)

Moved by Ald. Weber, seconded by Ald. Wisneski to approve Minutes E-N and Communication 1-15.

Discussion: Ald. Merkes-Comm. #2, would like to receive Winn Cty Legislative Comm. minutes.

Ald. Wisneski-Comm. #10, receive any feed back on memo. CA/HRD Brandt reported he has had some communications with the Police Union Rep. on the FMLA issue.

Ald. Weber-Comm. #14, thank Kate Clausing in Payroll for her assistance in receiving the Gold Award from United Way.

Motion carried.

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

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

- A. Janice Haufe, owner of Mihms. Thank aldermen for their support on the 2-hour parking elimination on Chute Street.
- B. Stan Sevenich, 645 9th St. Hearing rumors about what is happening with Utilities and Steam Utility Plant. Council needs to be open on issue.

VI. APPOINTMENTS

A. Mayor's Reappointment to Landmarks Commission:

- 1. Reappointment of Christopher Evenson (523 Broad St., Menasha) for the term of March 1, 2006-March 1, 2009
- 2. Reappointment of Kristi Lynch (330 Winnebago Ave., Menasha) for the term of March 1, 2006-March 1, 2009

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve A1&2.

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Personnel Committee, 2/6/06; recommends approval of:

- 1. Hiring of Accurate Appraisal for the short term through the adjournment of the Board of Review for 2006.

Moved by Ald. Weber, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

B. Plan Commission, 2/7/06; recommends approval of:

- 1. Amendment #1 to TID #9 Project Plan and Boundary

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve and include parcel #7-0005203 in the Project Plan.

Discussion.

Motion carried 8-0.

- 2. The preliminary Plat for Southfield West

Moved by Ald. Weber, seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on voice vote.

C. Personnel Committee, 2/20/06; recommends approval of:

- 1. Direct Deposit Policy

Moved by Ald. Weber, seconded by Ald. Michalkiewicz to approve.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Taylor to amend policy that employees and elected officials have either option of direct deposit or receiving a standard paycheck.

Discussion.

Motion failed on roll call 3-5.

Ald. Merkes, Taylor, Wisneski – yes.

Ald. Weber, Hendricks, Eckstein, Michalkiewicz, Mulvey – no.

Moved by Ald. Mulvey, seconded by Ald. Merkes to reconsider amendment.

Discussion.

Motion failed on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Mulvey – yes.

Ald. Weber, Hendricks, Eckstein, Michalkiewicz – no.

Motion to approve Direct Deposit Policy carried on roll call 6-2.

**Ald. Weber, Hendricks, Eckstein, Michalkiewicz, Wisneski
Mulvey – yes.**

Ald. Merkes, Taylor – no.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

- C. Personnel Committee, 2/20/06; recommends approval of:
2. Amendment to Credit Union Policy.

Moved by Ald. Weber, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

3. Elimination of advance vacation checks

Moved by Ald. Weber, seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-1. Ald. Taylor – no.

D. Administration Committee, 2/20/06:

1. Approval of Reciprocity Agreements with the Cities of Neenah, Appleton and Town of Menasha for 2006. (Recommendation from Parks & Rec. Board)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on roll 8-0.

2. Approval of program fees and charges for 2006 (Recommendation from Parks & Rec. Board)

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Moved by Ald. Wisneski, seconded by Ald. Taylor to amend the cost of renting Picnic Areas #3 & #5 with electricity, Clovis Grove and Koslo Shelters for non-residents to \$40.

Motion to amend carried on roll call 6-2.

**Ald. Merkes, Taylor, Wisneski, Weber, Hendricks,
Michalkiewicz – yes.**

Ald. Eckstein, Mulvey – no.

Motion to approve as amended carried on roll call 8-0.

3. Accounts payable and payroll for the period 2-9-06/2-16-06 for the amount of \$3,662,841.14

Moved by Ald. Eckstein, seconded by Ald. Mulvey to approve.

Motion carried on roll call 8-0.

E. Board of Public Works, 2/20/06:

1. Authorization to Execute Revised WisDOT Municipal Agreement for Highway Improvement Project (STH 47, Ninth Street to North County Line)

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

2. Parking Committee Recommendations:

- A. 90-Day Trial period to Prohibit Parking Along the East Side of University Drive North of Midway Road and on Both Sides of Drum Corps Drive Extending 50' West of University Drive
Acted on in Board of Public Works.
- B. 90-Day Trial Period to Mark a Handicap Stall in the Marina Patron Parking Area on the East Side of Center Street
Acted on in Board of Public Works
- C. Revise School Bus Loading Zone as Follows: East Side of Ida Street from Ninth Street North to the First Driveway.
Acted on in Board of Public Works
- D. Repeal Ordinance 10-1-26(b) Regarding School Bus Loading Zone on Ida Street
Acted on in Board of Public Works.
- E. Remove 2-Hour Parking Restrictions on Both Sides of Chute Street from Tayco Street to approximately 500' East
Held in Board of Public Works.

X. ORDINANCES AND RESOLUTIONS

1. R-8-06 – A Resolution Adopting Amendment #1 to the Project Plan and Boundary of Tax Incremental District No. 9, City of Menasha, Wisconsin.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt R-8-06.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Weber to amend project plan to include parcel #7-0005203.

Motion on amendment carried on voice vote.

Motion to adopt R-8-06 as amended carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – 1) Sinking Pavement at 1000 block of Third Street. DPW Radtke reported there are trenches for water main and buried wires in that area that are causing rough driving conditions. It appears to get worse during the winter due to pavement frost. His staff will evaluate the condition in the spring and make any necessary improvements.
2) Truck routes throughout the City. DPW Radtke reported there is a situation on Milwaukee and Seventh Streets the trucks from the area business parking in front of the stop sign. His staff have posted signs around the city indicating the truck route.
- B. PRD Tungate – Update on aeration system at Manitowoc St. boat landing. PRD Tungate reported the aeration system used last summer worked well and they will be using the same system this summer. They will start the procedure earlier in the season this year. The cost to run the aeration equipment is funded through electricity budget.
- C. CA/HRD Brandt – 1) Legal document to recoup boat launch fees. CA/HRD Brandt reported he has reviewed the ordinance pertaining to boat launch fees and the issuing of citation for those who do not purchase the permits. The Police Dept. can enforce the issuing of citations. Manpower is an issue enforcing the ordinance.
2) Job descriptions for non-represented administrative assistants. CA/HRD Brandt reported he has received three of the job descriptions, still waiting on one more. He will have them available for review.
3) Address workshop/meeting times. CA/HRD Brandt mentioned this item should be discussed in Administration Committee. Committee times should be more consistent now that the meetings are being taped. Ald. Weber indicated he is open to other suggestions from the rest of the Council on setting meeting days and times.
- D. IT Supervisor James – Update on Ebay selling. IT Supervisor James prepared a policy using EBay For the sale of surplus City property for review by the Council. The policy will be reviewed and approved by the Information Systems Committee.

Next Agenda: Ald. Merkes – 1) Continue to receive updates on Steam Plant project; 2) Update on PWF.

Ald. Weber – Table of Organization.

Ald. Taylor – Update of 81 & 87 Racine Street

Ald. Hendricks – Update on eastside Fire Station

XIII. CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Stan Sevenich, 645 9th St. Utilities still an issue, can't discuss new Public Works Facility or Fire Station as the City is broke.
- B. Comp/Treasurer Tom Stoffel, 1041 Garda Court. From his standpoint, the City is not broke.

XIV. ADJOURNMENT

Moved by Ald. Mulvey, seconded by Ald. Weber to adjourn at 8:35 p.m.

Motion carried.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
March 6, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:12 p.m.

II. PLEDGE OF ALLEGIANCE

I. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Merkes, Taylor, Wisneski, Weber, Hendricks, Eckstein, Michalkiewicz, Mulvey
Also Present: PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate,
Mayor Laux, CA/HRD Brandt, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Motion to accept Board of Canvassers Report of February 22, 2006 from February 21, 2006 election

Moved by Ald. Weber, seconded by Ald. Wisneski to accept Board of Canvassers Report.

Motion carried on voice vote.

Minutes to approve:

- A. Administration Committee, 2/20/05
- B. Board of Public Works, 2/20/05
- C. Common Council, 2/20/05
- D. Personnel Committee, 2/20/06

Moved by Ald. Weber, seconded by Ald. Michalkiewicz to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

- E. Information Systems Steering Committee, 2/15/06
- F. Red, White & Blue Committee, 2/9/06
- G. NM Fire Rescue, Joint Finance & Personnel Committee, 2/28/06
- H. Parks & Recreation Board, 2/15/06
- I. Plan Commission, 2/21/06
- J. Public Hearing, 2/20/06; Rezoning of 1478 Midway Road
- K. Public Hearing, 2/20/06; Friendship Trail

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-51, 2005-2006-52
- 2. Wisconsin Taxpayers Alliance, 2/15/06
- 3. Bill Harke (Time Warner Cable) to Clerk Galeazzi, 2/24/06; New Hispanic programming
- 4. CA/HRD Brandt to Pete Schipferling, 2/24/06; Acceptance of retirement letter
- 5. Senator Herb Kohl to Clerk Galeazzi, 2/8/06; Cable franchising
- 6. Dave Liska (WI Urban Forestry Council), 1/17/06; 2005 Tree City USA
- 7. Doris Szymanski, 1/2/06; Resignation from Landmarks Commission
- 8. Gary Schmude, 2/21/06; Resume for Landmarks Commission
- 9. Board of Canvassers Report, 2/22/06
- 10. PC Stanke, 3/1/06; Cellular Phone Contract
- 11. Northwestern Article, 1/12/06; *Watching for Safety* (Workshop)
- 12. Don Wilmot (Emergency Mgmt. Director) Memo, 3/2/06; Weekly Testing of Outdoor Warning Sirens 2006 – Winnebago County
- 13. CA/HRD Brandt, 2/21/06; Table of Organization
- 14. PW Supt. Jacobson, 2/24/06; Salt Brine
- 15. PWD Radtke, 2/2/06; Status of Hiring in Public Works Department
- 16. PWD Radtke, 2/2/06; Status of Public Works Facility
- 17. PRD Tungate, 3/2/06; Fee Reciprocity Usage
- 18. PRD Tungate, 2/28/06; Marina Pump Out Fees
- 19. CDD Keil, 2/06; Vierbicher Bulletin Vol. 16, No. 1

- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.
Moved by Ald. Weber, seconded by Ald. Eckstein to approve Minutes E-K and Communications 1-19.
Discussion: Ald. Taylor-Comm. #18, Marina pump out fees. PRD Tungate-the pump out is to the City sanitary sewer system.
Ald. Merkes-Comm. #10, cellphone contract. PC Stanke-the consortium includes Cities of Menasha & Neenah, Menasha & Neenah School Districts, Outagamie County & Appleton School District.
Ald. Hendricks-Minutes E (IS Committee), bar graft tracts hours. Comp Stoffel- more appropriate to show where hours are spent now that IS is done in-house.

Motion carried on voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)

- A. Frank Cummings, 2388 Woodland Hills, Menasha. Appreciated Mayor and Aldermen attending their neighborhood meeting and supplying more information on the Friendship Trail. Original plan was for trail to go along STH 114/10. This item should be referred back to a planning committee. People in gallery agreed.
- B. Jeanne Van Os, 968 Kernan Ave., Menasha. Just found out about trail going through subdivision. Urge Council to look at alternate routes for the trail. Supports trail, but not conducive to neighborhood. Safety is a concern with neighbors. People in gallery agreed.
- C. Craig Kubiak, 969 Kernan Ave., Menasha. Thanked Aldermen and Mayor for attending neighborhood meeting. When purchased property he didn't see proposed trail on original plat map. Searched records and found proposed trail was on drainage map from 2003. If something has changed, City needs to notify property owners. Willing to create task force to look at alternate routes for trail.

- VI. APPOINTMENTS

- A. Mayor's Appointment to Landmarks Commission:
1. Appointment of Gary Schmude (W7176 Manitowoc Rd., Menasha) to replace Doris Szymanski for the term of March 1, 2006-March 1, 2008

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve appointment.

Motion carried on voice vote.

- VII. CLAIMS AGAINST THE CITY

- VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. PC Stanke reported on Check #6815 from Accounts Payable, Spartacus Outlaw; took cash as part of evidence in an investigation, returned as a check.

- IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 2/21/06; recommends approval of:
1. The Application for Community Development Grant Block and HOME Special Project Funds

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on voice vote.

- B. NM Fire-Rescue, Joint Finance & Personnel Committee, 2/28/06; recommends approval of:

1. Carrying over \$2,400 from the 2005 Schools/Seminars/Training budget to be used by personnel to attend the Fire Department Instructors Conference in Indiana and to carry over \$2,300 from the 2005 Office Furniture and Equipment budget to be used for purchasing new mattresses for Station 31 on Breezewood Lane.

Moved by Ald. Michalkiewicz, seconded by Ald. Weber to approve.

Discussion.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont.

B. NM Fire-Rescue, Joint Finance & Personnel Committee, 2/28/06; recommends approval of, cont'd:

2. Carrying forward \$8,500 from the 2005 All Other Equipment budget to pay for the wireless network bill.
3. Carrying forward \$24,523 from the 2005 All Other Equipment budget to pay for refurbishment of Engine 35, Engine 36 and Quint 32.
4. Carrying forward \$48,815 from the 2005 Regional Operations Budget and to reallocate this money to an account, to be determined by Director Easker, to pay for turn out gear and directed Chief Vander Wyst to prioritize the purchasing of turn out gear based on need and to have Chief Vander Wyst report back to the Committee on how the money was spent. The Committee also recommends Director Easker to create a separate line item within the budget for turn out gear so this can be budgeted for and tracked each year by the committee.
5. Purchasing a Panasonic Tough Book MDC Terminal for \$3,680.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve B 2, 3, 4, & 5.

Motion carried on roll call 8-0.

C. Administration Committee, 3/6/06:

1. Approval to proceed with Marina/Locks Anniversary Celebration, June 9 & 10, 2006 and approval of funds not to exceed \$4,000. (Recommendation of Parks & Recreation Board)

Moved by Ald. Mulvey, seconded by Ald. Eckstein to approve.
Discussion.

Motion carried on roll call 5-4.

**Ald. Wisneski, Eckstein, Michalkiewicz, Mulvey,
and Mayor Laux – yes.**

Ald. Merkes, Taylor, Weber, Hendricks – no.

2. Approval of up to \$8,000 for the purpose of implementing the proposal from Varionsystems. (Recommendation of Information Systems Steering Committee)

Moved by Ald. Wisneski, seconded by Ald. Taylor to approve.

Motion carried on roll call 7-1. Ald Hendricks – no.

3. Accounts payable and payroll for the period 2-23-06/3-2-06 for the amount of \$814,745.35

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

D. Board of Public Works, 3/6/06:

1. Change Order:

- A. Donald Hietpas & Sons, Inc.; Contract Unit No. 2006-01; River Street Relocation Storm Sewer and Water Main Construction: ADD \$350.00 (Change Order No. 1)

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

2. Payments:

- A. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03; \$56,031.95(Payment No. 4)
- B. Ed Gersek, Inc.; Contract Unit No. 2005-07; Midway Business Park Regional Detention Basin; \$22,658.62 (Payment No. 1)
- C. Donald Hietpas & Sons, Inc; Contract Unit No. 2006-01; River Street Relocation Storm Sewer and Water Main Construction: \$146,080.45 (Payment No. 1)

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

D. Board of Public Works, 3/6/06, Cont'd:

3. Intergovernmental Agreement for Educational Efforts About Recycling, Wisconsin DNR 2007 Recycling Efficiency Incentive Grants.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

4. Proposed Ordinance:
 - A. Ordinance O-9-06 – Relating to Prohibited Parking and Bus Loading Zones (Ida Street)
No Action.
5. Parking Committee Recommendations:
 - A. Remove 2-Hour Parking Restrictions on Both Sides of Chute Street from Tayco Street to Approximately 500' East (held over)
Acted on in Board of Public Works.

X. ORDINANCES AND RESOLUTIONS

1. R-9-06 – A Resolution Authorizing Submission Application for Community Development Block Grant/HOME Special Projects Program Funds

Moved by Ald. Weber, seconded by Ald. Eckstein to adopt R-9-06.

Motion carried on voice vote.

2. R-10-06 – A Resolution Authorizing the City of Menasha Participation in a Regional Wayfinding Signage System

Moved by Ald. Eckstein, seconded by Ald. Mulvey to adopt R-10-06.

Motion carried on voice vote.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – Update on Public Works Facility. DPW Radtke explained the report from the DNR, the proposed reuse of waste excavation is feasible if several actions are performed. The City would need to have two samples of charred refuse from the stormwater management pond tested. If the test results do not exceed the hazardous waste threshold, they can move to the next step. The cost of the tests from Badger Labs would be \$700. Unless otherwise instructed, he will proceed with having Badger Labs do the testing. Architecture and design work are on hold.
- B. FC Vander Wyst – Update on Eastside Fire Station. FC Vander Wyst presented a letter he received from Bob Hoffmann, Martenson & Eisele, on the status of Station #36. He explained the construction drawings and specifications have been issued. Mr. Hoffmann asked for final review comments by the end of the week. There is a meeting scheduled for this week to discuss the bidding process and schedule. They need to talk with CDD Keil on an issue on Province Terrace.
- C. CA/HRD Brandt – 1) Table of Organization. CA/HRD Brandt explained there has never been a formal Table of Organization for the City of Menasha. There will be three retirements in the near future. Two of the positions will be posted. A hiring freeze in the City requires Mayoral approval before any hiring. A notice must be posted before a union job position is eliminated. Reorganization of job positions can be discussed during collective bargaining with the Unions.
CA/HRD Brandt explained the vacant positions listed on the Table of Organization and the reason for the vacancies. These items should be discussed by Personnel Committee.
2) Update on 81 & 87 Racine St. CA/HRD Brandt explained he recently inspected the properties with CDD Keil and PWS Jacobson on what items remained in the buildings. PWS Jacobson indicated he could have some of the items hauled to the landfill for disposal. The previous owner of 87 Racine Street did indicate that she would like 2 doors from the property, which can be done before the building is demolished. CDD Keil is in the process of checking with DNR on any grant funds available for the demolishing of the buildings. It could take 45-60 days before they hear back from DNR. City crews could help in the removal of remains after the buildings are demolished.

XII. COUNCIL DIRECTIVES

- D. Comp Stoffel – Update on Assessor Position. Comp Stoffel explained he is in the process of updating the job description for City Assessor. Advertising for the Assessor position will be done soon. The Salary Review Committee, (whose members are Mayor Laux, CA/HRD Brandt, Ald. Weber & Hendricks), Comp Stoffel and CDD Keil have been directed to review the applications. They will then recommend three candidates for the Council to interview.
- E. PWD Radtke & CA/HRD Brandt – Status of hiring at Public Works Facility. Discussed during CA/HRD Brandt's report on Table of Organization.
- F. Ald. Weber & Ald. Hendricks – Scheduling of Workshops. Ald. Weber feels there are too many meetings held on Council nights. Sometimes things get overwhelming. Aldermen do not have enough time to get all the information needed to make accurate decisions. Discussion on holding Workshops on different nights or moving Committee meetings to different nights. CA/HRD Brandt explained the Council can make the change on when Committee meetings are held or the Protocol Committee can make a recommendation.

Next Agenda: Ald. Mulvey – Report on Friendship Trail
Ald. Merkes – Update on Public Works Facility
Ald. Michalkiewicz – Saving of energy at City Parks
Ald. Weber – 2007 Budget

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Mulvey, seconded by Ald. Wisneski to adjourn at 8:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
SPECIAL JOINT COMMON COUNCIL &
MENASHA ELECTRIC AND WATER UTILITIES COMMISSION MEETING
Council Chambers, 3rd Floor
140 Main Street, Menasha
March 13, 2006
Minutes

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

II. PLEDGE OF ALLEGIANCE

Ald. Weber requested a moment of silence for former Alderman Andy Schmanski, who passed away.

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Taylor, Wisneski, Weber, Hendricks, Eckstein, Michalkiewicz, Mulvey, Merkes
Comm. Martenson, Griesbach, Allwardt, Watson, Mayor Laux.

Also Present: CA/HRD Brandt, Comp Stoffel, Clerk Galeazzi, MUGM Young,
Gary Rosenbeck (McMahon Engineering), Melanie Krause (MU), and the Press.

IV. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda-
Five (5) minute time limit for each person)

V. REPORTS OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. Water Plant Expansion/Renovation

MUGM Doug Young reported the design and bidding of the water plant expansion has been completed. They have received three bids for Phase I of the project. Utilities has a commitment from the State for a 20-year loan. He explained the steps that need to be taken to secure the Safe Drinking Water funding. Delays in moving ahead with the expansion project will jeopardize the Safe Drinking Water loan from the State.

Mr. Young explained the DNR non-compliance issues and how the expansion of the water plant will improve water quality, gain DNR compliance and address future water quality standards. Other alternatives were explored. It was determined that expanding the existing water plant was the most cost effective option than purchasing water from either Neenah or Appleton.

Gary Rosenbeck, McMahon Engineering, explained deep-water intake and the recommendation from the DNR. He explained what the water plant staff recommended.

Melanie Krause, Menasha Utilities, explained the City's residential water rates compared to Neenah and Appleton.

Comm. Martenson reported that the Utility Commission will hold a special meeting this week to discuss this issue and make a recommendation for Common Council action on March 20.

B. Steam Plant Project & Financing Update

MUGM Doug Young explained he is working on interim financing for the steam plant that will be available for action by the Common Council on March 20.

They are making good strides with the steam plant project. The turbine generator #5 is in the plant and the coal in Boiler #4 will be received next week. March 27 is the date to start steam production.

VI. Adjournment

Moved by Ald. Michalkiewicz, seconded by Ald. Mulvey to adjourn at 6:45 p.m.
Motion carried.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
March 20, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 8:40 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Wisneski, Weber, Hendricks, Eckstein, Michalkiewicz, Mulvey, Merkes, Taylor
Also Present: Lt. Brunn, FC Vander Wyst, DPW Radtke, CDD Keil, Comp. Stoffel, PRD Tungate,
MU GM Young, Mayor Laux, CA/HRD Brandt, Deputy Clerk Sewall and the Press.
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
 - A. Administration Committee, 3/6/06
 - B. Board of Public Works, 3/6/06
 - C. Common Council, 3/6/06
 - D. Special Joint Common Council & Menasha Electric & Water Utilities Commission, 3/13/06

Moved by Ald. Weber, seconded by Ald. Merkes to approve Minutes A-D.

Discussion: Length of meetings, there is too much information being put into one night of meetings. There were questions about who orders the food and who chooses where it comes from for the aldermen for meetings that start at 5:00 pm.

Motion carried on voice vote.

Minutes to receive:

- E. Library Board, 2/21/06
- F. NM Fire-Rescue Joint Fire Commission, 2/22/06
- G. Red, White & Blue Committee, 3/2/06
- H. Water & Light Commission, 2/22/06
- I. Board of Health, 2/8/06
- J. Special Meeting of the Water and Light Commission, 3/15/06
- K. Joint Review Board; Calumet Cty (2:45pm) & Winnebago Cty. (3:00pm), 2/21/06
- L. Plan Commisison, 3/7/06
- M. Landmarks Commission, 3/8/06
- N. Redevelopment Authority, 3/8/06

Communications:

- 1. League of WI Municipalities: Legislative Bulletin, 2005-2006-53, 2005-2006-54
- 2. Wisconsin Taxpayers Alliance, 2/28/06
- 3. Public Works Facility, 3/9/06; February 2006 Disposal Violations
- 4. Local Municipal Leaders to John Bodnar(Winn. Cty. Corp. Counsel), 2/14/06; Comprehensive Plan
- 5. Linda Kennedy, 2/6/06; Resignation from Housing Authority
- 6. Bob Gloede, 3/9/06; Resume for Housing Authority
- 7. Bill Harke (Time Warner) to Clerk Galeazzi, 3/9/06; Vice president change
- 8. State Elections Board Newsletter, *In Brief*, 2/06
- 9. Amanda Finch (St. Mary Central High) to Comp. Stoffel, 3/14/06; Thank you note
- 10. Brenda Taubel, 3/15/06; Silver Certificate in Supervision
- 11. Randy & Janet Haufe (Owners-Mihm's), 3/15/06; Removal of 2 hour parking on Chute St.
- 12. Time Warner Cable to Clerk Galeazzi, 4/14/06; Wisconsin on Demand channel
- 13. CDD Keil, 3/16/06; Household Income Limits for Housing Program
- 14. MUGM Doug Young, 3/16/06; Recommendation for Financing
- 15. Park Supt. Huss, 3/16/06; Park Lighting Questions
- 16. Independent Inspections, LLC, 3/16/06; Permits Issued for January & February 2006
- 17. Comp Stoffel, 3/16/06; City Street Light Charges 2004-2005

- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.
Moved by Ald. Weber, seconded by Ald. Wisneski to approve Minutes E-N and Communications 1-17.
Discussion: Ald. Taylor, Comm. #1, Legislative Bulletin, pleased that AB 657(Eminent Domain) passed in the senate.
Ald. Mulvey, comm. #17, City Street Light Charges 2004-2005, there doesn't appear to be savings by turning off lights, why are we still doing it?

Motion carried on voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)
- A. Stan Sevenich, 645 9th St., Menasha. The lease agreement with F.P. One LLC that was referred to Plan Commission is a piece of garbage. Also reminded everyone to vote on April 4, 2006. Spoke about concern with Steam Utility project. There is no business plan, no explanations and the lack of a contract with SCA is not acceptable. Glad the Mayor was honest about the potential total cost. It is great that the Menasha Utilities will be generating electricity and revenue.
 - B. Tim Goss, 98 Fox St., Menasha. Employee at Menasha Utilities. Understands resident's reservations regarding the Water Plant, but feels that this is the best possible situation because of the low financing and reputable contractor.
 - C. Steve Pack, 823 Emily St., Menasha. As a District 4 resident, is concerned with the City of Menasha's fiscal responsibility. He and other residents disagree with spending taxpayers money to televise council meetings and provide food at early meetings.
 - D. James Taylor, 340 Broad St., Menasha. The council should not be acting on Steam Utility now without being given the proper information. Also, it might be worth it to lose out on some grant money to save millions by not voting on the Water Plant tonight. The project was useless when the ribbon was cut on the original Water Plant because of all the paper mills.
 - E. Dick Sturm, 1203 Greenwood Ct., Menasha. Employee at Menasha Utilities. The Utility is celebrating 100 years this year. Also, our rates are lower than the surrounding cities.
 - F. Gerald Sturm, Employee at Menasha Utilities. Revenue from current Water Plant needs to be taken into account. We would actually lose \$4 million dollars by not taking this grant now. There is still existing debt regardless of whether or not we go to surrounding communities for water.

VI. APPOINTMENTS

- A. Accept letter of Resignation from Linda Kennedy for Housing Authority.

Moved by Ald. Merkes, seconded by Ald. Wisneski to accept letter.

Motion carried on voice vote

- B. Mayor's Appointment to Housing Authority:

1. Appointment of Robert Gloede (76 Tayco St., Menasha) to replace Linda Kennedy for the term of April 1, 2006-July 21, 2009

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve appointment.

Motion carried on voice vote

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 2/21/06; recommends approval of:

1. The adoption of the Project Plan and Boundary Amendment – TID #3, amendment #3

Moved by Ald. Michalkiewicz, seconded by Ald. Merkes to adopt.

Discussion.

Moved by Ald. Taylor, seconded by Ald. Weber to amend page 8 VII to read “are over 50 years old, which”

Motion to amend carried on voice vote

Motion to approve as amended carried on roll call 8-0

B. Administration Committee, 3/20/06:

1. License: “Class A” application of LJJ Station, Inc., d/b/a Waverly Beach Shell, Sheri Lanser, Agenda, for the premises at W7298 Hwy 10/114 for the 2005-2006 licensing year

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve.

Motion carried on voice vote

2. Restated Protective Covenants for Lake Park Villas

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0

3. Approval of Project Agreement with Stadtmueller & Associates, Redevelopment Plan for Gilbert Mill area in the amount of \$30,000 and authorize signatures

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve the Project Agreement between the City of Menasha and Stadtmueller and Associates, redevelopment plan for Gilbert Mill area in the amount of \$30,000 with the source of funds to come from account # 31100-56-03-202-219, \$15,000 (Comm. Devlpmt), account #31100-56-03-202-219, \$6,800 (Comm. Devlpmt) and account # 31100-51-04-107-120, \$8,200 (Assessors Office) to account #31100-56-03-202-219 (Comm. Devlpmt).

Discussion

Motion carried on roll call 8-0

4. Accounts payable and payroll for the period 3-3-06/3-16-06 for the amount of \$465,694.71

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0

C. Board of Public Works, 3/20/06:

1. Payments:

- A. Ed Gersek, Inc.; Contract Unit No. 2005-07; Midway Business Park Regional Detention Basin; \$8,607.15 (Payment No. 2)

Moved by Ald. Michalkiewicz, seconded by Ald. Mulvey to approve.

Motion carried on roll call 8-0

2. Recommendation to Award:

- A. C.D. Smith Construction, Inc., Fond du Lac; Contract Unit No. M0002-940266.02; Water Treatment Plant Modifications; \$10,276,000

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Discussion.

Motion carried on roll call 5-3

Ald. Merkes, Taylor, Wisneski, Eckstein, Michalkiewicz-yes.

Ald. Weber, Hendricks, Mulvey-no.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

C. Board of Public Works, 3/20/06:

3. Proposed 2006 Chip Seal/Crack Seal Program

Moved by Ald. Michalkiewicz, seconded by Ald. Merkes to approve.

Motion carried on roll call 8-0

X. ORDINANCES AND RESOLUTIONS

1. O-9-06 – Relating to Prohibited Parking and Bus Loading Zones (Ida Street)

Moved by Ald. Wisneski, seconded by Ald. Merkes to adopt O-9-06

Motion carried on voice vote

2. O-10-06 – Ordinance Relating to Prohibited Parking (Chute St.)
No Action.

3. O-11-06 – Ordinance Relating to Prohibited Parking (Chute St.)

Moved by Ald. Merkes, seconded by Ald. Taylor to adopt O-11-06
Discussion.

Motion carried on roll call 7-1

Ald. Michalkiewicz - no

4. R-11-06 – Resolution Amending the Project Plan and Boundary of TID #3

Moved by Ald. Eckstein, seconded by Ald. Wisneski to adopt R-11-06

Motion carried on voice vote

5. R-12-06 – Resolution Supporting SB 379 and AB 793, The Downtown Wisconsin Act

Moved by Ald. Merkes, seconded by Ald. Eckstein to adopt R-12-06

Motion carried on voice vote

6. R-13-06 – Resolution Supporting The Ninth Street Launch Ramp Rehabilitation Project

Moved by Ald. Weber, seconded by Ald. Eckstein to adopt R-13-06

Motion carried on roll call 8-0

7. R-14-06 – Resolution Authorizing the Borrowing of \$13,000,000 and Providing for the Issuance and Sale Of a Taxable Steam Utility Revenue Bond Anticipation Note Therefor

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt R-14-06
Discussion.

Motion carried on roll call 5-3

Ald. Taylor, Wisneski, Weber, Eckstein, Michalkiewicz-yes.

Ald. Merkes, Mulvey, Hendricks-no.

8. R-15-06 – Amended and Restated Resolution Providing For the Issuance and Sale Of Approximately \$25,660,000 Taxable Steam utility Revenue Bonds and Providing for the Payment of said Bonds Other Detail and Covenants with Respect Thereto

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt R-15-06
Discussion.

Motion carried on roll call 5-3

Ald. Taylor, Wisneski, Weber, Eckstein, Michalkiewicz-yes.

Ald. Merkes, Mulvey, Hendricks-no.

X. ORDINANCES AND RESOLUTIONS, cont.

9. R-16-06 – Resolution Supporting Parent Corps of Menasha

Moved by Ald. Weber, seconded by Ald. Hendricks to adopt R-16-06

**Motion carried on roll call 7-1
Ald. Merkes-no**

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. DPW Radtke – Update on Public Works Facility. DPW Radtke explained that the soil sampling will take place on March 28, 2006 and will cost \$700. Following that we will be reconvening the Public Works Facility Committee to discuss the direction we want to go from here.

B. PRD Tungate – 1) Report on Friendship Trail. PRD Tungate reported that there was a meeting with the neighbors at Woodland Hills and they discussed options for main and connecting routes for the friendship trail. He will be scheduling a public hearing to take place around the end of April at the library. PRD Tungate will be taking a hard look at having the trail run south of Hwy. 10 & 114.

2) Saving of electricity at City Parks. PRD Tungate explained that the rink lights at Hart Park were unintentionally on too long. The restroom lights were vandalized and the motion sensor broken, causing the light to be stuck on. New equipment has been ordered to fix this. The flag pole light is currently connected to the press box light, which is always on. We are installing a switch soon that will separate the two so the flag pole light won't be on all the time.

Next Agenda:

Ald. Mulvey – 1) Report on Friendship Trail; 2) Food/Beverage expense for Common Council meetings
Ald. Merkes - 1) Street light budget; 2) Update on Public Works Facility; 3) Design issues of River St.;
4) Authorization of Council lunches

Ald. Wisneski – 1) River St. issues; 2) Update on Chip seal program

Ald. Hendricks – Meeting start times

Ald. Taylor – Headwaters Condominiums – approval of final design

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

Bob Stevens, 360 First St., Menasha. Commended council for moving forward with the Steam Utility Plant and the Water Plant. The council should appoint someone to document what the problems have been thus far so they are not repeated in the future.

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Taylor to adjourn at 9:37 p.m.

Motion carried on voice vote

Kristin Sewall
Deputy Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
April 3, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Weber, Hendricks, Eckstein, Mulvey, Merkes, Taylor, Wisneski
Excused: Michalkiewicz
Also Present: PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate,
CA/HRD Brandt, Mayor Laux, Clerk Galeazzi, and the Press
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
A. Administration Committee, 3/20/06
B. Board of Public Works, 3/20/06
C. Common Council, 3/20/06
D. Personnel Committee, 3/20/06

Moved by Ald. Weber, seconded by Ald. Wisneski to approve Minutes A-D.
Motion carried on voice vote.

Minutes to receive:

- E. Police Commission, 3/16/06
- F. N-M Sewerage Commission, 2/28/06
- G. N-M Fire Rescue Commission, 3/22/06
- H. Public Library Board, 3/21/06
- I. Plan Commission, 3/21/06
- J. Park & Recreation Board, 3/13/06
- K. Joint Review Board, 3/28/06
- L. N-M Fire Rescue, Joint Finance & Personnel Committee, 3/28/06
- M. Health Insurance Committee, 3/23/06

Communications:

- 1. CA/HRD Brandt to Kevin Sadowski (Paul Hemmer Co.), 3/23/06; Jennie & Oneida, Menasha WI
- 2. Wisconsin Taxpayers Alliance, 3/16/06
- 3. Legislative Committee, 1/23/06, 2/27/06
- 4. Ald. Taylor, 3/27/06; Post Crescent Article: *Legislature, State wins with eminent domain bill*
- 5. Cell Phone Bill Reimbursements
- 6. CA/HRD Brandt, 3/27/06; Length of meetings
- 7. CA/HRD Brandt, 3/22/06; Common Council Lunches
- 8. Bev Greenberg (Time-Warner Cable) to Clerk Galeazzi, 3/27/06; Family Choice
- 9. PWD Radtke, 3/30/06; Public Works Facility Update
- 10. FC Vander Wyst, 3/29/06; Re-Organization of N-M Fire Rescue
- 11. Spring Primary Board of Canvass, 2/23/06
- 12. Charlotte Reimer, resident, 3/26/06; City of Menasha issues

Moved by Ald. Mulvey, seconded by Ald. Weber to approve Minutes E-M and Communications 1-12.
Discussion: Ald. Taylor-Comm. #4, Thank Post Crescent for article on passing of State Bill;
Comm. #11, Spring Primary Election, congratulations to Clerk and poll workers for a job well done.
Ald. Weber-Comm. #11, Spring Primary Election, worth extra money spent to train poll workers;
Comm. #6, Length of Meetings, need to find a way to be more open with public and allow more public
input on issues. Suggest one week hold Committee meetings and next week hold Council meetings;
Comm. #7, Common Council lunches, was done to encourage Aldermen to come to the early meets.
Meeting start times are determined by Mayor and Administration.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.

Comp Stoffel explained previous year's budgets for Council only had account for Meetings & Mileage and Council lunches were part of that account. The 2006 budget broke down Meeting & Mileage to establish an account for food/catering.

Ald. Wisneski-Comm. #11, Spring Primary Election, thank clerk for good job and acknowledge Clerk Week. Comm. #7, Common Council Lunches, looks like duplicate dates listed. Comp Stoffel explained it is the date the bills were paid.

Comm. #1, Letter to Kevin Sadowski (Paul Hemmer Co.), what prompted this letter.

CA/HRD Brandt explained this letter was sent to inform Paul Hemmer Co. of the action by Clem Weinandt.

Ald. Hendricks: Comm. #6, Thanked CA/HRD Brandt for the information he provided on length of meetings and his recommendations on changing meeting times. Need to split up meeting to get more public input; Comm. #12, Thanked Charlotte Reimer for her letter and work in community.

Ald. Mulvey, Comm. #7, Common Council Lunches, in all years lunches were provided, only went over budget 2 years. Haven't spent a lot on lunches.

Ald. Eckstein, Comm. #7, Common Council Lunches, these lunches are an unnecessary expense, during the 2006 budget review session, he motioned to cut lunches from the budget.

Motion carried on voice vote.

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

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

A. Mary Nebel, 713 First Street. Issues of concern by neighbors; Steam Plant; 2007 Budget shortfalls; City's financial status needs to be addressed; Public Works Facility put on back burner; freeze employees pay as other businesses do when times are tough; good letter from Charlotte Reimer; aldermen lunches; support televising of Council meetings.

B. Michelle Young, 1049 Woodland Drive. People only see negative things about Steam Plant in newspaper, many positives of Steam Plant don't appear in newspaper; Utilities largest City tax payer; steam will help local mills stay competitive.

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 3/21/06; recommends approval of:

1. The Certified Survey Map for Waverly Beach Shell

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve

Motion carried voice vote.

2. The final extraterritorial plat for Airport Grove in the Town of Menasha

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve

Motion carried voice vote.

3. The proposal for 999 Brighton Dr

Moved by Ald. Taylor, seconded by Ald. Hendricks to approve

Discussion

Motion carried on roll call 7-0.

Ald. Hendricks stepped out.

4. The Certified Survey Map for Third and Milwaukee Streets

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve

Discussion

Motion carried on roll call 6-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

A. Plan Commission, 3/21/06; recommends approval of, Cont'd.

5. The Plan Commission resolution 3-2006 Consideration of Public Participation Plan

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve

Motion carried on roll call 6-0.

Ald. Hendricks returned.

B. N-M Joint Fire Rescue, Finance & Personnel, Committee, 3/28/06; recommends approval of:

1. Carrying forward \$15,849.00, which is the 10% grant match money in the Home Land Security Budget, account 8132 from 2005 to 2006

Moved by Ald. Weber, seconded by Ald. Wisneski to approve

Motion carried on roll call 7-0.

2. The request to purchase the fire investigation equipment as outlined in the information from Captain Schultz and any additional shipping costs that may be incurred to be paid from the 2006 All Other Equipment, account 8133

Moved by Ald. Weber, seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

3. Adoption of NIMS Resolution Number 7184 for the City of Neenah and Resolution Number R-17-06 for the City of Menasha

Moved by Ald. Weber, seconded by Ald. Hendricks to approve R-17-06.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Taylor to table for a sponsor of the resolution.

Motion carried on roll call 5-2.

Ald. Merkes, Taylor, Weber, Hendricks, Eckstein - Yes

Ald. Wisneski, Mulvey - No

4. The purchase of the new Firehouse/Enterprise software at a cost not to exceed \$11,430.00

Moved by Ald. Weber, seconded by Ald. Hendricks to approve

Motion carried on roll call 7-0.

C. Personnel Committee, 3/20/06; recommends approval of:

1. The hiring of the Mechanic I and Assistant Sewer Operator positions in the Street Department

Moved by Ald. Weber, seconded by Ald. Hendricks to approve

Motion carried on roll call 7-0.

2. The hiring of a park position

Moved by Ald. Wisneski, seconded by Ald. Weber to approve.

Discussion.

Moved by Ald. Wisneski, seconded by Ald. Weber to hold for 2 weeks.

D. Administration Committee, 4/3/06:

1. Annual request of Nauts Landing to serve alcoholic beverages on their deck from April 1-November 1, 2006

Moved by Ald. Eckstein, seconded by Ald. Mulvey to approve

Motion carried on voice vote.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

D. Administration Committee, 4/3/06, Cont'd.:

2. Authorization to request funds from Winnebago County Commission on Aging for 2007:
1) Senior Center Activity Coordinator; 2) Senior Center Supervisor; 3) 60+ Health Program and authorize signatures(Recommendation from Board of Health)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

3. Approval of fees for licensing period July 1, 2006-June 30, 2007; 1) Weights and Measures; 2) Dept. of Ag. Trade and Consumer Protection (Recommendation from Board of Health)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

4. Approval of fees for licensing period July 1, 2006-June 30, 2008; Dept. of Commerce Mobile Home Park (Recommendation from Board of Health)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

5. Approval of Offer to Purchase, Clem J. Weinandt, Lot on southeast corner of Jennie Street and Oneida Street for an amount not to exceed \$50,000.00, and authorize signatures.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

6. Approval of Department of Transportation Click it or Ticket Traffic Safety Grant.

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve.

Motion carried on roll call 6-1. Ald. Merkes – no.

7. Accounts payable and payroll for the period 3-23-06/3-30-06 for the amount of \$978,926.90.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

E. Board of Public Works, 4/3/06:

1. Street Use Application:

- A. Memorial Day Parade; Monday, May 29, 2006; 9:00 AM to 10:00 AM; Neenah VFW Post 10883.

Moved by Ald. Merkes, seconded by Ald. Taylor to approve.

Motion carried on voice vote.

2. Change Order:

- A. Quality Concrete & Excavating, Inc.; Concrete Walk Construction/Reconstruction; Asphalt Walk Construction; Contract Unit No. 2005-04; ADD: \$3,140.08.

Moved by Ald. Merkes, seconded by Ald. Weber to approve.

Motion carried on roll call 7-0.

3. Payments:

- A. Quality Concrete & Excavating, Inc.; Concrete Walk Construction/Reconstruction; Asphalt Walk Construction; Contract Unit No. 2005-04; \$9,166.33 (Payment No. 2 & Final)

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

- B. Charles O. Green; Contract Unit No. 2005-02; Storm/Sanitary Sewer Relay Project; \$5,000 (Payment No. 5 and Final)

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

E. Board of Public Works, 4/3/06, Cont'd:

4. Authorization to Execute WisDOT Bridge Operation Agreement for Fiscal Year 2007
Moved by Ald. Merkes, seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

X. ORDINANCES AND RESOLUTIONS

1. O-12-06 – An Ordinance Recreating Menasha's Fair and Open Housing Ordinance.
Referred to Housing Authority.
2. R-17-06 – NM Fire/NIMS Resolution Number 7184 for the City of Neenah and Resolution
Number R-17-06 for the City of Menasha
Acted on earlier, IX. B3 - tabled
3. R-18-06 – Resolution Recommending approval of a Public Participation Plan as part of the
Comprehensive Plan Process

Moved by Ald. Eckstein, seconded by Ald. Merkes to adopt R-18-06

Motion carried on roll call 7-0.

4. R-19-06 – A Resolution Pertaining to the Direct Deposit

Moved by Ald. Eckstein, seconded by Ald. Wisneski to adopt R-19-06

Moved by Ald. Taylor, seconded by Ald. Merkes to hold for 2 weeks.

Discussion.

Ald. Merkes withdrew his second.

Motion carried on roll call 6-0. Ald. Taylor – abstained.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – 1) Update on Public Works Facility. DPW Radtke referred to his memo. Last week excavation of two sample pits within the future stormwater pond location was conducted. Will report back to the Council with the results.
- 2) Design issues of River St. DPW Radtke reported he had a meeting last week to consider alignment changes for River St. due to a conflict with the location of the well building of Alcan. They will need to do some alterations to the plan for River St. They will look at the River St. intersection to accommodate for pedestrian crossing. He has instructed M&E make design sensitive to pedestrian safety as much as possible.
- 3) River St. issues. DPW Radtke reported Badger Highways has been out adding pulverized asphalt to the potholes in River St and the parking lot.
Ald Wisneski reported she heard from the President of Whiting Paper that some of the employees were blocked out of their parking lot
Mayor Laux reported the day Ald. Wisneski is referring to was when natural gas lines were being installed and all vehicles needed to be moved from the work area, thus moving some vehicles into the street.
- 4) Update on Chip Seal program. DPW Radtke reported the street crews have been out sweeping the streets. They have covered the chip seal streets from curb to curb. The crew did get a vast majority of the gravel in the first sweep. He has requested a meeting with the contractor and engineer of the chip seal project. The project is under the Town of Menasha, the City is just a participant in the project as is Town of Grand Chute.
- 5) Streetlight budget. DPW Radtke referred to Comp Stoffel's spreadsheet on streetlights. The streetlight budget shows approx. \$3300 more per month is spent on streetlights since Jan. 2004. However, the biggest cause for this is the dramatic increase in the energy cost factor. The cost for electricity for the streetlights is about \$600/month higher than it was in Jan. 2004. The number of streetlights in the City has increased by 89. The City has eliminated 10 streetlights on Plank Road.
When you factor out the energy cost factor, the City is saving approx. \$100/month, compared to 2004. The Utilities suggested if the City wants to eliminate more streetlights, it should be done systematically based on area of the City.

XII. COUNCIL DIRECTIVES

- B. PRD Tungate – Report on Friendship Trail. PRD Tungate reported they are still checking on a new route for the trail. They are looking at the south side of STH 114/10. He has been in contact with WisDOT and DNR on this issue. They have set a tentative date of April 25 for a public hearing. He is working on grant applications.
- C. CDD Keil – Headwaters Condominiums; approval of final design. CDD Keil reported there have been a number of changes to the building façade since the approval of the Special Use Permit. When a new construction project is submitted for approval the developer usually submits a preliminary plan that is not fully designed or engineered because it is not known whether the project will be approved. As this project advanced to final stages, some changes were necessary. CDD Keil is looking at having the Plan Commission approve projects in two parts, the preliminary approval, and then the final plan approval. The Community Development Dept. is also reviewing potential changes to the design standards for commercial and multi-family buildings.
Mayor Laux suggested putting in writing the changes of this project and CDD Keil can check to make sure the changes conform to the regulations.
Discussion was held on other construction project that didn't look the same as were approved by Plan Commission.
- D. CA/HRD Brandt – 1) Meeting start times. CA/HRD Brandt referred to his memo. He reported Ald. Weber asked him to start the process. The Council could send this issue to Committees for discussion. Discussion was held on who establishes the meeting time. CA/HRD Brandt explained the Clerk, with the assistance of the Attorney, sets the start time based on what is on the agenda.
2) Food/Beverage expense for Common Council meetings. CA/HRD Brandt explained this was covered in his memo with information from Comp Stoffel.
3) Authorization of Council lunches. CA/HRD Brandt explained lunches started as part of the budget review session, then it expanded to Council meetings that started early. He suggested following his recommendations for setting consistent meeting times when the new council takes over.

Next Agenda: Ald. Merkes – 1) Update on Public Works Facility; 2) Update on design of River Street.
Ald. Mulvey – Update on Friendship Trail
Ald. Weber – Status of eastside fire station
Ald. Taylor – Approval of changes for Headwater Condominium.

XIII. CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Mulvey, seconded by Ald. Weber to adjourn at 9:00 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Tuesday, April 18, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Eckstein, Michalkiewicz, Mulvey, Merkes, Taylor, Wisneski, Weber
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, CA/HRD Brandt, Mayor Laux,
Clerk Galeazzi, and the Press

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Motion to accept Board of Canvassers Report of April 5, 2006 from April 4, 2006 election.

Moved by Ald. Weber, seconded by Ald. Eckstein to approve Board of Canvassers Report.

Motion carried on voice vote.

Minutes to approve:

- A. Administration Committee, 4/3/06
- B. Board of Public Works, 4/3/06
- C. Common Council, 4/3/06

Moved by Ald. Weber, seconded by Ald. Eckstein to approve Minutes A-C.

Motion carried on voice vote.

Minutes to receive:

- D. N-M Sewerage Commission, 3/28/06
- E. Water and Light Commission, 3/22/06
- F. Red, White & Blue Committee, 3/30/06
- G. Health Insurance Sub-Committee, 4/6/06
- H. Board of Health, 3/8/06
- I. Plan Commission, 4/4/06
- J. Ad-Hoc Parking Committee, 2/8/06

Communications:

- 1. League of Wisconsin Municipalities, Legislative Bulletin; 2005-2006-55, 2005-2006-56
- 2. Wisconsin Taxpayers Alliance, 3/29/06
- 3. Legislative Committee; 3/17/06
- 4. Public Works Facility, 4/11/06; March 2006 Disposal Violations
- 5. First National Bank, 4/5/06; Resolution Designating Public Depository and Authorizing Withdrawal of County, City, Village, Town or School District Moneys
- 6. Fox Cities of Wisconsin, 4/06; *The Visitor*, Issue #1
- 7. Senator Ellis to Clerk Galeazzi, 3/31/06; Resolution supporting SB 379 & AB 793
- 8. Doty Island Development Council minutes, 4/6/06
- 9. Resume for Board of Appeals, 4/11/06; John Zore
- 10. PC Stanke, 4/11/06; Training Seminar
- 11. FC Vander Wyst, 4/11/06; Update on Status of Station #36 (eastside Station)
- 12. Public Meeting Notice, 4/12/06; WisDOT Hwy 114 improvements meeting set for 4/27/06
- 13. Gary Laeyendecker (TDI Developments), 4/10/06; Headwaters Condominiums, LLC
- 14. CDD Keil, 4/13/06; Fair Housing Ordinance
- 15. Ald. Wisneski to CA/HRD Brandt, 4/13/06; Congrats on Direct Deposit
- 16. PWD Radtke, 4/13/06; Notice for Public Information Meeting – Third St. Reconstruction Project
- 17. PWD Radtke, 4/13/06; Public Works Facility Update
- 18. PWD Radtke, 4/13/06; River Street Design
- 19. Ald. Merkes, 4/13/06; email from Mike Austin, paving ordinance
- 20. Clerk Galeazzi, 4/13/06; Social following organizational meeting

- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.
Moved by Ald. Weber, seconded by Ald. Eckstein to approve Minutes D-J and Communications 1-20.
Discussion: Ald. Wisneski, Comm. #3-Legislative Committee, indicate which County.
Ald. Taylor, Comm. #1-Gov. Doyle signed Eminent Domain Limitation Bill.

Motion carried on voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)
- A. Giles Clark, 724 Milwaukee St. Bureaucratic logjam issue relating to log in water on Broad St.
 - B. Tim Gosz, 98 Fox St. Resident & employee of Utilities. Council should support financing for Water Treatment Plant
 - C. Tina Barth, 420 Racine St. CA/HRD Brandt's comment was discriminating against Barth Family.

VI. APPOINTMENTS

- A. Mayor's Appointment to Board of Appeals:

- 1. Appointment of John Zore (866 Whisper Falls Ln.) as a second alternate.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve appointment.

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 2/7/06; recommends approval of:

- 1. Rezoning – UW-Fox Valley
Acted on X2. (O-13-06)

- B. Administration Committee, 4/18/06:

- 1. License: "Class B" application of Solea Mexican Grill, LLC, Eduardo Sanchez, Agent, for the premises at 705 Appleton Road for the 2005-2006 licensing year.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on voice vote.

- 2. Approval of Traffic and City Ordinance Bond Schedule

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

- 3. Approval of Declaration of Official Intent for Modifications and Additions to the Water Treatment Plant

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve.

Motion carried on roll call 8-0.

- 4. Approval of fees for the licensing period July 1, 2006-June 30, 2007: 1) DHFS Agent of the State; 2) Tattoo/Body Piercing establishments (Recommendation of Board of Health)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

- 5. Accounts payable and payroll for the period 4-6-06/4-13-06 for the amount of \$1,846,255.47

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 4/18/06:

1. Parking Committee Recommendation:

- A. To Issue up to Nine Annual Parking Permits through the Community Development Department for the Marina Place Parking Ramp (Upper Level) and the Marina Place Surface Level Parking Lot.
Acted on in Board of Public Works.

X. ORDINANCES AND RESOLUTIONS

1. O-12-06 – An Ordinance Recreating Menasha's Fair and Open Housing Ordinance.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to adopt O-12-06.

Motion carried on roll call 8-0.

2. O-13-06 – An Ordinance Amending Title 13 by Making Certain Changes in the District (UW-Fox Valley).

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to adopt O-13-06.

Motion carried on roll call 8-0.

Moved by Ald. Merkes, seconded by Ald. Weber to remove from the table, N-M Joint Fire Rescue, Finance & Personnel Committee recommends approval of the Adoption of NIMS Resolution Number 7184 for the City of Neenah and Resolution R-17-06 for the City of Menasha.

Motion carried on roll call 8-0.

3. R-17-06 – A Resolution to Designate National Incident Management System (NIMS) as the Basis for Incident Management in the Cities of Neenah & Menasha

Moved by Ald. Weber, seconded by Ald. Hendricks to adopt R-17-06.

Discussion.

Motion carried on roll call 8-0.

4. R-20-06 – A Resolution Authorizing the Issuance and Sale of up to \$12,061,890 Combined Utility Revenue Bonds, Series 2006, and Providing for Other Details and Covenants with Respect Thereto

Moved by Ald. Wisneski, seconded by Ald. Taylor to adopt R-20-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

1. Hiring of a Park Position.

No Action.

2. Motion to remove from table, N-M Joint Fire Rescue, Finance & Personnel Committee recommends approval of the Adoption of NIMS Resolution Number 7184 for the City of Neenah and Resolution R-17-06 for the City of Menasha

Acted on earlier, (see Item X)

XII. COUNCIL DIRECTIVES

- A. DPW Radtke – 1) Update on Public Works Facility. DPW Radtke reported this project is currently on hold. There were elevated levels of lead found in one of the samples of soil taken from the site. They will be re-testing the soil. He will report to the Council when the results are received.

2) Design issues of River St. DPW Radtke reported Ald. Merkes' concerns with the safety of pedestrian crossing at the River St./Washington St. intersection have been passed on to M&E. They are working on the realignment of the River St. intersection.

- B. PRD Tungate – Report on Friendship Trail. CDD Keil reported for PRD Tungate. Staff is working with design consultants and the Town of Harrison to identify alternative trail. The focus is now on the area south of STH 114/10. The Town of Harrison Board has agreed to sponsor the grant application for \$930,500 which has been submitted to the DOT. Local matching of 20% is required. It is expected that the local match to come from the DNR and fundraising. A public hearing for residents of the City of Menasha and Town of Harrison at will be held near the end of May.

XII. COUNCIL DIRECTIVES

- C. CDD Keil – 1) Approval of changes for Headwaters Condominiums. Ald. Taylor reported residents were asking him for an explanation on what was initially approved by the Plan Commission on this project was not how the project turned out. He is glad CDD Keil will be looking into a two-step approval of projects by the Plan Commission.
2) Parking lot paving ordinance. Ald. Merkes reported he has talked to CA/HRD Brandt on looking at ways to enforce the ordinances on parking lot paving.
- D. FC Vander Wyst – Status of eastside fire station. Outlined in memo dated 4/11/06.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Stan Sevenich, 645 9th Street. Commended Ald. Mulvey, Weber and Taylor for their dedication and service to the City. Have been key players in many important items.
- B. Mary Nebel, 713 First Street. Good job done by Ald. Mulvey, Weber and Taylor. Welcome to the new aldermen.

Mayor Laux presented special recognition plaques to Ald. Mulvey, Taylor and Weber.

XIV. ADJOURNMENT – Sine Die

Moved by Ald. Weber, seconded by Ald. Taylor to adjourn Sine Die at 7:55 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
NEW COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Tuesday, April 18, 2006
Minutes

- I. Meeting called to order by Mayor Laux at 8:00 p.m.

PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE.

- II. ROLL CALL

Present: Ald. Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase.

Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate, Mayor Laux, CA/HRD Brandt, Clerk Galeazzi, and the Press

- III. OATH OF OFFICE – Newly Elected Officials

Clerk Galeazzi administered the Oath of Office to Aldermen James Taylor, Steve Pack, Terry Eckstein, and Jan Chase.

- IV. COMMUNICATIONS TO RECEIVE

1. Mayor Laux, 4/13/06; Election of Common Council Officers

Moved by Ald. Taylor, seconded by Ald. Hendricks to accept Communication

Discussion: Ald. Taylor requested his name be removed from R-22-06 and any correspondence associated with R-22-06.

Motion carried by voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

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

- VI. APPOINTMENTS

- A. City Attorney – Term 5/1/06 – 5/1/09

Moved by Ald. Taylor to appoint City Attorney for a term of 5/1/06 to 11/20/06. No Second.

Discussion.

Moved by Ald. Michalkiewicz, seconded by Ald. Chase to appoint Jeffrey Brandt, City Attorney for a term of 5/1/06 to 5/1/09.

Motion carried on roll call 8-0.

- B. City Clerk – Term 5/1/06 – 5/1/09

Moved by Ald. Wisneski, seconded by Ald. Hendricks to appoint Deborah A. Galeazzi, City Clerk for the term 5/1/06 to 5/1/09

Motion carried on roll call 8-0.

- VII. ORDINANCES AND RESOLUTIONS

- A. R-21-06 - A Resolution Providing for the Method of Selecting Certain City Officers

Moved by Ald. Merkes, seconded by Ald. Hendricks to adopt R-21-05 introduced by Ald. Eckstein.

Motion carried on roll call 8-0.

- B. R-22-06 - A Resolution Providing for the Method of Selecting Certain City Officers

Withdrawn

1. President of the Council

Term: 1 year, effective immediately

Moved by Ald. Hendricks, seconded Ald. Chase nominating Ald. Michalkiewicz.

Moved by Ald. Eckstein, seconded Ald. Merkes nominating Ald. Wisneski.

Moved by Ald. Eckstein, seconded Ald. Pack to close nominations.

Motion carried on voice vote closing nominations.

Motion carried on roll call 5-3 for Ald. Michalkiewicz.

**Voting for Michalkiewicz: Taylor, Pack, Hendricks,
Michalkiewicz, Chase**

Voting for Wisneski: Merkes, Wisneski, Eckstein

Ald. Michalkiewicz was declared the winner and Council President.

VII. ORDINANCES AND RESOLUTIONS, Cont'd.

2. An Alderman Member of the Plan Commission
Term: 1 year, effective immediately

Moved by Ald. Michalkiewicz, seconded Ald. Taylor nominating Ald. Merkes

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski that nominations be closed and the Clerk cast a unanimous ballot for Ald. Merkes as Alderman Member of the Plan Commission.

Motion carried on voice vote.

3. An Alternate Alderman Member of the Plan Commission
Term: 1 year, effectively immediately.

Moved by Ald. Michalkiewicz, seconded Ald. Eckstein nominating Ald. Chase

Moved by Ald. Merkes, seconded by Ald. Taylor nominating Ald. Hendricks.

Having no other nominations, Mayor Laux called the nominations to a close.

1st Roll Call: Motion tied 4-4.
Voting for Chase: Wisneski, Pack, Eckstein, Michalkiewicz
Voting for Hendricks: Merkes, Taylor, Hendricks, Chase

2nd Roll Call: Motion carried on roll call 8-0 for Ald. Hendricks.

Ald. Hendricks was declared the winner and Alternate Member of the Plan Commission

IV. MAYOR'S COMMITTEE APPOINTMENT

1. Approval of appointment of Alderman Wisneski to Parks & Recreation Board.

Moved by Ald. Eckstein, seconded Ald. Wisneski to approve appointment.

Motion carried on voice vote.

2. Approval of appointment of Alderman Merkes to Landmarks Commission.

Moved by Ald. Hendricks, seconded by Ald. Eckstein to approve appointment.

Motion carried on voice vote.

3. Approval of appointments of Alderman Hendricks Council Representative, and Jack Fry
At large member to Heckrodt Wetland Reserve.

Moved by Ald. Hendricks, seconded by Ald. Pack to appoint Ald. Chase Council Representative
And Jack Fry, at large member to Heckrodt Wetland Reserve.

Discussion. Ald. Hendricks declined the Mayor's Appointment and recommended Ald. Chase.

Motion carried on voice vote.

4. Approval of appointment of Alderman Chase to Ad-Hoc Red, White, Blue Committee.

Moved by Merkes, seconded by Ald. Eckstein to approve appointment.

Motion carried on voice vote.

5. Approval of appointments to NM Fire Rescue Joint Finance & Personnel Committee:
1) Council President; 2) Personnel Committee Chairman; 3) Alderman Michalkiewicz
Mayor Laux will have appointments for the next meeting.

6. Police Commission:

A. Re-appointment of Jim Liebhauser, 1004 Grove Street, Menasha, for the term May 2006-May 2011

Moved by Ald. Wisneski, seconded by Ald. Hendricks to approve appointment.

Motion carried on voice vote.

7. NM Fire Rescue Joint Fire Commission

A. Re-appointment of Jim Liebhauser, 1004 Grove Street, Menasha, for the term May 2006-2009

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve appointment.

Motion carried on voice vote.

IX. ADJOURNMENT

Moved by Ald. Eckstein, seconded by Ald. Hendricks to adjourn at 8:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
May 1, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:48 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes.
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, CA/HRD Brandt, Mayor Laux
Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 4/18/06
- B. Board of Public Works, 4/18/06
- C. Common Council, 4/18/06
- D. New Common Council, 4/18/06
- E. New Administration Committee, 4/18/06
- F. New Board of Public Works, 4/18/06
- G. New Personnel Committee, 4/18/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-G.

Motion carried on voice vote.

Minutes to receive:

- H. Committee on Aging, 1/12/06, 2/9/06
- I. Information Systems Steering Committee, 3/15/06
- J. Plan Commission, 4/18/06
- K. Housing Authority, 4/13/06
- L. Redevelopment Authority, 4/12/06

Communications:

- 1. League of Wisconsin Municipalities, Legislative Bulletin; 2005-2006-58
- 2. Wisconsin Taxpayers Alliance, 4/4/06, 4/17/06
- 3. Mayor Laux to Mayor Takagi (Maebashi), 4/18/06; Marathon runners
- 4. Randall Much (NM Sewerage Comm.), 4/10/06; N-M Sewerage Comm. 2005 audit
- 5. Susan Eckstein, 4/24/06; letter of interest/qualifications for Library Board
- 6. Asst. Fire Chief Gadow, 4/19/06; NIMS Compliance Meeting
- 7. FC Vander Wyst, 4/20/06; NIMS Compliance
- 8. League of Wisconsin Municipalities, Letter, 4/20/06
- 9. Mayor Laux to Gati Grundmanis (WisDot), 4/18/06; Availability of additional funds for River St. Relocation
- 10. Kalen Giesen-Peterson, 4/18/06; Resignation from Library Board
- 11. David E. Schmidt, 1/6/06; Resignation from Library Board
- 12. Jana Williams (GeoAnalytics) to CDD Keil, 3/27/06; Funds allocation for Varion Systems
- 13. Gov. Doyle Proclamation, 4/26/06; Week of April 30-May 6 Municipal Clerks Week
- 14. Mary Butler, 4/26/06; Resume for Library Board
- 15. Clerk Galeazzi, 4/26/06; Business Cards
- 16. Ald. Taylor from CA/HRD Brandt, 4/26/06; Two week hold rule
- 17. MU GM Young, 4/26/06; Electric Rate Comparison
- 18. Menasha Utilities, 4/27/06; Business Plan for Menasha Power Plant Conversion

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes H-L and Communications 1-18.
Discussion: Ald. Merkes, Comm. #16-do not agree with explanation of 2 week hold, agenda items usually held for more information.

Ald. Wisneski, Plan Comm. Minutes-how does staff follow-up on recommendations. CDD Keil explained staff schedules a meeting with developers when project is complete to do a compliance check.

Ald. Taylor, Comm. #16-2 week hold on an agenda item is not to slow down majority, but to gather more information. CA/HRD Brandt explained his memo was a formal legal opinion.

Motion carried on voice vote.

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

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

- A. Roy Vaneski, 744 Lakecrest Dr. Development of Third St., grocery store should be top priority.
- B. Mary Nebel, 713 1st St. Supports televising of Council meetings. Council just approved televising, don't stop now. City government should be accountable for their actions.
- C. Forrest Weber, 750 Appleton St. Supports televising of Council meetings. Cost to televise in 2006 budget.
- D. Stephanie Hendricks, 933 7th St. Supports televising of Council meetings. Not everyone can attend meetings. Need to have open government.
- E. Bob Stevens, 360 1st St. Supports televising of Council meetings. Good way to communicate to residents. Council will need public support at budge time.
- F. JoAnn Harvey, 514 Broad St. Supports televising of Council meetings. Residents can't always attend meetings. Seeing meetings televised will get more people involved in City.
- H. Cathy Pavich, 529 Broad St. Supports televising of Council meetings. Eliminating televising will be a step backwards for the City.
- I. Michael Taylor, 545 Broad St. Supports televising of Council meetings. Working with UW-Fox Valley to tape meetings is good business and experience for students. Public Hearing in 2004 showed strong support by residents for televising meetings.

VI. APPOINTMENTS

- A. Accept letter of Resignation from David Schmidt for Library Board.
- B. Accept letter of Resignation from Kalen Giesen-Peterson for Library Board.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to accept A&B.

Motion carried on voice vote.

C. Mayor's Appointment to Library Board:

- 1. Appointment of Susan Eckstein (736 Paris St.) to replace David Schmidt for the term of May 1, 2006 – July 1, 2006.

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve appointment.

Motion carried on roll call 8-0.

- 2. Appointment of Mary Butler (346 Park St.) to replace Kalen Giesen-Peterson for the term of May 1, 2006 – July 1, 2007.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve appointment.

Motion carried on roll call 8-0.

D. Mayor's Appointment to NM Fire Rescue Joint Finance & Personnel Committee:

- 1. Alderman Steve Pack 2. Alderman Sue Wisneski

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve appointments.

Requested by Ald. Merkes to separate appointments.

Discussion.

Motion carried on roll call 8-0 to appoint Ald. Steve Pack.

Motion carried on roll call 8-0 to appoint Ald. Sue Wisneski.

E. Mayor's Appointment to AD-HOC Cable TV Committee:

- 1. Doug Young 2. Jeff Brandt 3. Steve Pack

Moved by Ald. Merkes, seconded by Ald. Hendricks to hold for 2 weeks.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 4/18/06; recommends approval of:

1. Extraterritorial Certified Survey Map – Lakeshore Drive

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

2. Certified Survey Map – Deerfield Court.

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve.

Discussion.

Motion carried on voice vote.

3. Revised Certified Survey Map – River Street

Moved by Ald. Pack, seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

B. Administration Committee, 5/1/06:

1. Elimination of food and beverages for Council meetings (Ald. Pack)

Moved by Ald. Pack, seconded by Ald. Eckstein to approve.

Moved by Ald. Taylor, seconded by Ald. Merkes to amend motion to eliminate City paying for food & beverages for elected officials and supervisors who attend meetings/seminars within a 40 miles radius of City.
Discussion.

Moved by Ald. Taylor to add to the amendment to allow the Mayor for the entertaining of State or Federal officials or developers on City business. No second. Motion Dies.

Discussion.

Ald Taylor's motion to amend fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – Yes

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – No

Ald. Pack's motion to approve carried on roll call 6-2.

Ald. Merkes, Hendricks - No

2. Approval of Design/Development Proposal – Nature's Way Affordable Housing Project – Cornette/Olsen (Recommendation from Housing Authority)

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Moved by Ald. Taylor to refer back to Administration Committee. No Second. Motion Dies

Discussion.

Motion to approve carried on roll call 8-0.

3. Approval of Project Development Agreement with Menasha Theater Development, LLC. (Recommendation from Redevelopment Authority)

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to approve.

Moved by Ald. Merkes, seconded by Ald. Hendricks to amend to make the maximum term of TIF to 15 years.

Discussion.

Council President Michalkiewicz took over as Chairman to allow Mayor Laux to speak as a Dept. Head to explain the affect of reducing the term of the TIF from 27 years to 15 years and offered other suggestions.

Ald. Merkes and Hendricks withdrew their motion.

Mayor Laux returned as Chairman.

Discussion.

Motion to approve carried on roll call 6-2.

Ald. Merkes, Hendricks – no

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Administration Committee, 5/1/06:

4. Suspend televising of Council meetings until further notice (Ald. Pack)

Moved by Ald. Pack, seconded by Ald. Eckstein to approve.

Motion fails on roll call 3-5.

Ald. Eckstein, Michalkiewicz, Pack – yes

Ald. Merkes, Taylor, Wisneski, Hendricks, Chase - no

5. Financing Plan for TIF's #9 & #3.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

6. Accounts payable and payroll for the period 4-20-06/4-27-06 for the amount of \$816,523.48.

Moved by Ald. Eckstein, seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

C. Board of Public Works, 5/1/06:

1. Street Use Application:

- A. Banta Wellness Walk/Run; Sunday, August 6, 2006; 10:00 AM to 11:00 AM; (Banta Corporation)

Moved by Ald. Taylor, seconded by Ald. Pack to approve.

Motion carried on voice vote.

- B. Marina/Lock Celebration and Steak Fry; Friday; June 9, 2006; 6:00 PM to 11:00 PM and Saturday, June 10, 2006 11:00 AM to 10:00 PM (City of Menasha Marina)

Moved by Ald. Taylor, seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-1. Ald. Hendricks – no

- C. Labor Day Festival for Boaters; Saturday, September 2, 2006; 5:00 PM to 10:00 PM; (City of Menasha Marina)

Moved by Ald. Taylor, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

2. Payments:

- A. General Pipe Services.; Phase 3 SSES Sanitary Sewer Televising; Contract Unit No. 2006-02; \$13,994.25 (Payment No. 1)

Moved by Ald. Taylor, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

3. Authorization to Execute WisDOT Agreements for STH 114 (Third Street) Improvement Project

- A. Design Engineering Costs - Tayco Street to Racine Street

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

- B. Design Engineering Costs - Racine Street to Manitowoc Street

Moved by Ald. Taylor, seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

- C. Real Estate and Construction Costs - Tayco Street to Racine Street

Moved by Ald. Taylor, seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 5/1/06, Cont'd:

3. Authorization to Execute WisDOT Agreements for STH 114 (Third Street) Improvement Project, Cont'd
D. Real Estate and Construction Costs - Racine Street to Manitowoc Street

Moved by Ald. Taylor, seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

4. Update on Winnebago County Request for City Participation in Midway Road Improvement Project

Moved by Ald. Taylor, seconded by Ald. Pack to decline City participation in the Midway Road Improvement Project without credit of \$223,012.61 for the City improvements at the intersection of CTH AP and STH 47.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

1. O-14-06 – An Ordinance Relating to Public Parking Areas (Marina Place Parking Ramp and Marina Place Lower Level Surface Lot)

Moved by Ald. Taylor, seconded by Ald. Wisneski to suspend the rules and take up O-14-06.

Motion carried on roll call 7-1. Ald. Merkes – no

Moved by Ald. Taylor, seconded by Ald. Wisneski to adopt O-14-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. All Dept. Heads – Vehicle Usage count. DPW Radtke provided documentation on vehicle use for Ald. Wisneski to review.

- B. CA/HRD Brandt – Update on Park/Public Works hybrid position. CA/HRD Brandt reported on the recent meetings he had with the union on creating a hybrid position. The union is interested in creating this position. There have been people that have shown an interest. Still have some details that would need to be worked out.

Next Agenda: Ald. Wisneski – 1) Update on hybrid position; 2) Cat Ordinance
Ald. Taylor – 1) Update on 81 & 87 Racine St. 2) Update on 535 1st St. 3) Budget shortfalls
Ald. Merkes – 1) Status of Public Works Facility; 2) Status of hiring for City Assessor position
Ald. Hendricks – Status of 999 Brighton Drive
Ald. Chase – Update on Friendship Trail

CA/HRD Brandt will hold a New Alderman Orientation workshop after the May 15 meeting.

- XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Eckstein to adjourn at 9:15 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
May 15, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 8:20 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate, Comp Stoffel,
CA/HRD Brandt, Mayor Laux, Clerk Galeazzi, and the Press.
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
A. Administration Committee, 5/1/06
B. Board of Public Works, 5/1/06
C. Common Council, 5/1/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-C.
Discussion: Ald. Merkes requested Minutes A (Administration Committee) be separated.

Motion carried on voice vote to approve Minutes B&C.

Moved by Ald. Merkes, seconded by Ald. Hendricks to hold Administration Committee Minutes for 2 weeks.

Minutes to receive:

- D. Police Commission, 4/20/06
E. Library Board, 4/18/06
F. Board of Health, 4/12/06
G. Red, White & Blue Committee, 5/3/06
H. Parks & Recreation Board, 4/10/06

Communications:

1. League of Wisconsin Municipalities, Legislative Bulletin; 2005-2006-59, 2005-2006-60
2. Wisconsin Taxpayers Alliance, 4/28/06
3. Public Works Facility, 5/2/06; April 2006 Disposal Violations
4. Summary of Budgets 2004-2007
5. Joe Huffman (ECWRPC) to CDD Keil, 4/27/06; Sewer extensions to property in 'hold status'
6. Doty Island Development Council, 5/4/06
7. Mary Nebel, 4/25/06; Advertising of televised Council Meetings
8. Public Service Commission, 4/27/06; Application to increase electric rates
9. JoAnn Harvey, 5/2/06; Advertising of televised Council Meetings
10. Near Final Official Statement, 5/3/06; Moody's Investors Service
11. Clerk Galeazzi to JoAnn Harvey, 5/8/06; Response to advertising of televised Council meetings
12. Clerk Galeazzi to Mary Nebel, 5/8/06; Response to advertising of televised Council meetings
13. PC Stanke, 5/11/06; Police Vehicles
14. Rose Bohmke (Resident) to PRD Tungate, 5/11/06; Good job on Geese problem
15. Ald. Chase, 5/10/06; Friendship Trail
16. Ald. Wisneski's Newsletter, 5/06; *Wisneski's Words*
17. James Taylor, 5/11/06; newspaper article: *Municipalities on own if flu pandemic strikes & Feds not fail-safe in flue pandemic plan: report*
18. James Taylor, 5/11/06; Letters to the editor: *Televising meetings makes good sense in Menasha*
19. James Taylor, 5/11/06; newspaper article: *Thompson is elected school board president*
20. PRD Tungate, 5/11/06; Friendship Trail

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes D-H and Communications 1-20
Discussion: Ald. Wisneski, Comm #5-Where is property referred to located? CDD Keil explained the property is west of Lake Park Heights Subdivision.

Ald. Taylor, Comm #17-would like report if Health Dept. has plan if a flu pandemic would strike in the City of Menasha.

Motion carried on voice vote.

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

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

- A. Stan Sevenich, 645 9th St. Offer to Purchase for 999 Brighton Drive not appropriate. Council should do more research before making decision.

X. ORDINANCES AND RESOLUTIONS

1. R-23-06 - Resolution Authorizing the Issuance and Providing for the Sale of not to exceed \$1,440,000 Note Anticipation Notes, Series 2006A

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to approve R-23-06.

Motion carried on roll call 8-0.

2. R-24-06 - Resolution Authorizing the Issuance and Providing for the Sale of not to exceed \$1,720,000 Note Anticipation Notes, Series 2006B

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve R-24-06 for \$1,725,000.

Motion carried on roll call 8-0.

VI. APPOINTMENTS

- A. Mayor's Appointment to AD-HOC Cable TV Committee (Held 5/1/06):

1. Doug Young 2. Jeff Brandt 3. Steve Pack

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve appointments.

Discussion: Ald. Merkes requested appointments be separated.

Motion to approve Doug Young carried on roll call 8-0.

Motion to approve Jeff Brandt carried on roll call 8-0

Discussion on the appointment of Steve Pack.

Motion to approve Steve Pack carried on roll call 5-3.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.

Ald. Merkes, Taylor, Hendricks – no.

- B. Mayor's Appointment to Plan Commission:

1. Appointment of Catherine Cruickshank (1056 Tahoe Ct., Menasha) for the term of May 1, 2006 to May 1, 2009

Moved by Ald. Michalkiewicz, seconded by Ald. Merkes to approve re-appointment

Motion carried on voice vote.

- C. Mayor's Appointment to Board of Health:

1. Candyce Rusin (628 Nicolet Blvd., Menasha) for the term of May 1, 2006 to May 1, 2009

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve re-appointment

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

- A. A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Harold Berry and that he be advised of his statutory rights pursuant to Wis. Stats. 893.80.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to disallow claim.

Motion carried on roll call 8-0.

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. Clerk Galeazzi, League of Wisconsin Municipalities Annual Conference: October 11-13, Marriot West, Middleton

Clerk Galeazzi informed the Council of the upcoming League of Wisconsin Municipalities Annual Conference. Those interested in attending should let the Clerk know by Sept 1.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Administration Committee, 5/15/06:

1. License (6-month): Class "B" application of Menasha Athletic Assn. (Macs) to sell fermented malt beverages, Koslo Park Concession, May 16, 2006-Oct. 31, 2006, Dave Romnek, Agent.

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve license.

Motion carried on voice vote.

2. License (6-month): Class "B" application of Menasha Twins Baseball (Legion Team) to sell fermented malt beverages, Koslo Park Concession, May 16, 2006-Oct. 31, 2006, Debbie Chew, Agent.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve license.

Motion carried on voice vote.

3. Accept quote of The Post-Crescent as the official city newspaper, May 2006-May 2007.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to accept quote.

Motion carried on roll call 8-0.

4. Approval of Consulting Agreement with McClone Agency, Inc. for the period July 1, 2006-June 30, 2007, and authorize signature.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve agreement.

Discussion ensued.

Motion carried on roll call 7-1. Ald. Taylor – no.

5. Approval of revisions to City Tree Care Policy and Planting Program

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve.

Discussion ensued.

Motion carried on roll call 8-0.

6. Approval of Offer to Purchase, Tom Grade, 999 Brighton Dr.

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve.

Discussion ensued.

Motion carried on roll call 7-0. Ald Taylor – abstained.

7. Accounts payable and payroll for the period 5-4-06/5-11-06 for the amount of \$515,544.62

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

B. Board of Public Works, 5/15/06:

1. Recommendation for Elimination of Selected Street Lights City Wide Held in Board of Public Works

X. ORDINANCES AND RESOLUTIONS

1. R-23-06 - Resolution Authorizing the Issuance and Providing for the Sale of not to exceed \$1,440,000 Note Anticipation Notes, Series 2006A
Acted on Earlier
2. R-24-06 - Resolution Authorizing the Issuance and Providing for the Sale of not to exceed \$1,720,000 Note Anticipation Notes, Series 2006B
Acted on Earlier
3. R-25-06 - Preliminary Resolution for Special Assessments Barker Farms VI

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to approve R-25-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Hybrid Park/Street position. CA/HRD Brandt reported he had a meeting with the union representatives of Local 1035 and they have a few interesting ideas on this issue. He has also met with PWS Jacobson and Pk Supt Huss and they have given their ideas on this issue. Hiring of this position could be a collective bargaining item. He will be working on posting for a Park Common Labor position.

2) 81 & 87 Racine St. CA/HRD Brandt reported he is waiting for the deed for 81 Racine Street to be returned. He has had inquires on the property on 87 Racine Street. However, as this property was taken as eminent domain he will follow the previous Council's direction and not deal with private business for 87 Racine Street. He is working with CDD Keil on arrangements for demolishing the properties.

CDD Keil reported if he would apply to the DNR for grants to help with the demolishing of the buildings the funds would not be available until 2007. The Public Works street crew is available to help with removal of the debris.

Discussion ensued on using the property at 81 Racine St. and 504 Broad St. as staging areas for construction equipment and if developer has a lease agreement with the City.

Moved by Ald. Taylor for a Resolution requesting a Certificate of Insurance from the developer to use 81 Racine St and 504 Broad St. No Second. Motion Dies.

Discussion ensued on the cost to demolish the buildings and removal of the concrete pavement.

Moved by Ald. Taylor to instruct CDD Keil to contact businesses for estimates to rent equipment. No Second. Motion Dies.

3) Status of Assessor Position. CA/HRD Brandt reported he, CDD Keil and Comp Stoffel have reviewed the applications received. After Ald. Michalkiewicz and Eckstein have reviewed the applications they will meet as a committee and schedule interviews. They will then bring to the Council their recommendations. They would like the new Assessor in place when the Board of Review meets to hear cases.

4) Update on 535 First St. CA/HRD Brandt reported the Sheriff's Sale for this property is scheduled for this week. The financial institute that holds the mortgage has been looking for a qualified person to do remodeling of the property. The attorney for the financial institute wants to postpone the Sheriff's Sale

B. CDD Keil - Update on 999 Brighton Dr. Discussed in Administration Committee.

C. PRD Tungate - Update on Friendship trail. PRD Tungate reported he is working with the Town of Harrison on scheduling a public hearing

D. PC Stanke - Cat Ordinance. PC Stanke reported he has the information needed to prepare the ordinance. He will work with CA/HRD Brandt on the ordinance. It can be implemented in 2007. Notification to residents can be done by the fall newsletter and with their tax bills.

CA/HRD Brandt explained the request for this ordinance came about because of a change in how the Humane Society will charge for the handling of stray dogs and cats. The City of Menasha is one of the few municipalities in the area that do not require licensing of cats.

E. PWD Radtke - Update on Public Works Facility. Reported in Board of Public Works.

F. Comp Stoffel - Budget Shortfalls. Comp Stoffel provided information in the council packets.

Next Agenda: Ald. Taylor – 1) Posting of signs for public parking ramp
2) Fencing along trail on Plank Rd at Baldwin St.
3) Report from Health Dept.-flu pandemic preparedness.
4) Pros & Cons on cul-de-sacs in the City

Ald. Wisneski – Park Common Laborer position

Ald. Merkes – Presentation on Hwy 47 design

Ald. Hendricks – 1) Sinking pavement in 1000 block of Third St 2) Status of grocery store
3) Status of elevator at Jacks or Better.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Wisneski, seconded by Ald. Taylor to adjourn at 9:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
June 5, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:30 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski
Also Present: PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, Comp Stoffel, Mayor Laux
CA/HRD Brandt, Clerk Galeazzi, and the Press.

- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
 - A. Administration Committee, 5/15/06
 - B. Board of Public Works, 5/15/06
 - C. Common Council, 5/15/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-C
Motion carried on voice vote.

- Minutes to approve held over:
D. Administration Committee, 5/1/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein, to approve Minutes D.
Motion carried on voice vote.

- Minutes to receive:
 - E. Water & Light Commission, Closed Session, 4/26/06
 - F. Water & Light Commission, 4/26/06
 - G. NM Sewerage Commission, 4/25/06
 - H. Police Commission, 5/18/06
 - I. Information Systems Steering Committee, 4/19/06
 - J. Public Library Board, 5/16/06
 - K. Health Insurance Sub-Committee, 4/27/06, 5/11/06
 - L. NM Fire Rescue, Joint Fire Commission, 5/24/06
 - M. NM Fire Rescue, Executive Session, 5/24/06
 - N. NM Fire Rescue, Joint Finance & Personnel Committee, 5/30/06
 - O. Joint Review Board, 5/16/06
 - P. Redevelopment Authority, 5/10/06
 - Q. Park & Recreation Board, revised minutes, 3/13/06
 - R. Park & Recreation Board, 4/10/06, 5/8/06
 - S. Plan Commission, 5/23/06

- Communications:
 - 1. League of Wisconsin Municipalities, Legislative Bulletin; 2005-2006-59, 2005-2006-60, 2005-2006-61
 - 2. Wisconsin Taxpayers Alliance, 5/12/06
 - 3. Police Dept, 5/31/05; Memo, Motorized Scooters, Pocket bikes & Low Speed Electric Bicycles
 - 4. Winnebago County Legislative Committee minutes, 3/27/06
 - 5. Tom VanHandel Corp., 5/10/06; Market Survey for Five Oaks Community
 - 6. DPW Radtke, 5/16/06; FYI - memo on Bridge repair project on US 41 in Town of Grand Chute
 - 7. Pöyry, 5/10/06; Marathon Engineers/Architects/Planners, LLC name change
 - 8. Wis. State Lab of Hygiene, 4/21/06; Drinking water analysis of Hart Park
 - 9. Mayor Laux, 5/16/06; Post Crescent, *New director hired for Menasha library*
 - 10. PW Supt. Jacobson to DPW Radtke, 5/18/06; residential sewer lateral problems
 - 11. DPW Radtke, 5/19/06; Signalization Project Update - Lake Park Rd/STH 114 Intersection
 - 12. Menasha Advocacy Council (Downtown Business Owners), 5/22/06; Guide to Downtown Menasha
 - 13. League of Wisconsin Municipalities, 5/22/06; Letter
 - 14. Gov. Doyle, 5/8/06; Signs Senate Bill 677 (TIF), Sandra Dabill Taylor to Gov. Doyle, 5/17/06; Village of Kimberly TIF

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, cont.

Communications:

15. CA/HRD Brandt, 5/18/06; Charter Ordinances
16. Timetable for Water Plant Project, 5/30/06
17. UW Oshkosh to PHD Nett, 5/25/06; Student Clinicals at Health Dept.
18. Moody's Investors Service, 5/10/06; Moody's assigns MIG 1 rating to City of Menasha
19. Doty Island Development Council Agenda/Minutes, 6/1/06
20. PC Stanke, 5/31/06; Calumet Business.com newsletter
21. MU GM Young to Gov. Jim Doyle, 5/30/06; MU resolution supporting federal oversight of railroads
22. Jeff Jorgenson to PC Stanke, 5/25/06; lighting reduction proposal
23. Energy impacts on the Fox Valley meeting notice
24. Hwy 47 Corridor Powerpoint presentation
25. Handicapped Accessible Voting Machines, 5/31/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes E-S and Communication 1-25.
Motion carried on voice vote.

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

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

- A. Forrest Weber, 750 Appleton St. Improper maps/information available for public hearing held by Plan Commission; need to be specific on public hearing information and where to obtain information.
- B. Stan Sevenich, 645 9th St. O-15-06, don't change wording, keep "Aldermen", it is a term of respect.
- C. Mary Ann Mulvey, 274 Misty Meadows. O-15-06, ran as an alderman, was proud to be alderman, doesn't need to be changed.
- D. Mary Nebel, 713 1st St. 1) Supports keeping street lights on; 2) City hasn't paid off previous TIFs.
- E. Bob Stevens, 360 1st St. Top priority for TIF #10 area should be a grocery store.

Ald. Taylor asked to go back to item IV.B Minutes to Approve, Board of Public Works. His motion is not correctly recorded for the elimination of street lights.

Moved by Ald. Taylor, seconded by Ald. Merkes to reconsider vote by which Item IV. A-C were approved.

Motion carried on roll call 7-1. Ald. Pack – no.

CA/HRD Brandt: Motion made by Ald. Michalkiewicz, seconded by Ald. Eckstein is to approve Minutes A-C. Ald. Taylor requested Item IV. B be separated.

Mayor Laux: Motion is to approve Minutes A&C.

Motion to approve carried on voice vote.

Moved by Ald. Taylor, seconded by Ald. Merkes to defer Minutes to Approve-B, Board of Public Works to June 19.

Motion carried on roll call 6-2. Ald. Pack, Eckstein – no.

VI. APPOINTMENTS

- A. Accept letter of resignation from Don Merkes from the Redevelopment Authority

Moved by Ald. Michalkiewicz, seconded by Ald. Hendricks to accept letter of resignation.
Discussion.

Motion carried on voice vote. Ald. Merkes – abstained.

- B. Mayor's Appointment to Redevelopment Authority:

1. Robert Stevens, 360 First St., to replace Don Merkes for the term of June 2006 - August 2007

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve appointment.

Motion carried on roll call 8-0.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

- A. Natures Way Affordable Housing Project Design Concept- CDD Keil, Cornette-Olsen, Community Housing Coordinators.

CDD Keil explained this project is a recommendation from the Plan Commission and would need the endorsement from the Council of the design concept. This is just a concept plan, things can change. The Council indicated its concerns about cul de sacs, and shared driveways. A meeting was held with the project design group and the Council's concerns were addressed. A new concept design plan was created and they removed shared driveways, but kept the cul de sacs. Community Housing Coordinator Mary Bach had conversations with potential buyers and they liked the idea of cul de sacs. CDD Keil gave a timeline of completion dates for the project. Discussion ensued.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 5/23/06; recommends approval of:

1. Resolution R-26-06 Creating Tax Incremental District #10 Project Plan with the boundary changes as described by CDD Keil, Ald. Merkes' amendment to encourage historic preservation, and a public hearing be held at the June 5 Council meeting

Moved by Ald. Michalkiewicz, seconded by Ald. Chase to approve R-26-06.
Discussion.

Motion carried on roll call 7-1. Ald. Hendricks – no

2. Ordinance Amending Title 13 - Manderfield's Rezoning (to be acted on under X.F)
Acted on under X.F
3. Ordinance Amending Title 13 - Third/Milwaukee Rezoning (to be acted on under X.G)
Acted on under X.G
4. Nature's Way Affordable Housing Project Design Concept

Moved by Ald. Wisneski, seconded by Ald. Pack to approve.
Discussion.

Motion carried on roll call 5-3.

**Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.
Ald. Merkes, Taylor, Hendricks – no.**

5. Consideration of Changes to Garage Size Standards (to be acted on under X. H)
Acted on under X.H
6. Certified Survey Map - Broad St. - Germania Hall with the condition that a cross access easement be established between Lots 1&2

Moved by Ald. Merkes, seconded by Ald. Michalkiewicz to approve certified survey map.
Discussion.

Motion carried on roll call 8-0.

7. Certified Survey Map - Plank Road - Manderfield's

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve certified survey map.
Discussion.

Motion carried on voice vote.

8. Certified Survey Map - Oneida St.- Huelsbeck, Van's Realty and Drifka Property

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve certified survey map.

Motion carried on voice vote.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

B. Administration Committee, 6/5/06:

1. Accept Financing Report- Ray Osness, RBC Capital Markets

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz, to accept Financing Report.

Motion carried on roll call 8-0.

2. Licenses: Renewal liquor and malt beverage applications on file (see separate list) for the licensing year July 1, 2006-June 30, 2007

Moved by Ald. Wisneski, seconded by Ald. Hendricks to accept renewal liquor and malt beverage applications on file, but to separate and defer Stop-N-Go LLC, Franky's of Menasha LLC, Juanita's Hacienda (Korona Klub), MNS Corp (Luigi's).

Discussion.

Motion carried on roll call 8-0.

3. Change Common Council meeting of July 3, 2006 to July 10, 2006

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

4. Accounts payable and payroll for the period 5-18-06/6-1-06 for the amount of \$2,347,322.52

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

C. Board of Public Works, 6/5/06:

1. Street Use Application:

- A. Five Year 9/11 Memorial Event; Monday, September 11, 2006; 3:00 PM – 8:00 PM;
Calder Street/Eleventh St. (The Red, White & Blue Committee)

Moved by Ald. Taylor, seconded by Ald. Pack to approve.

Motion carried on voice vote.

- B. Otto Grunski Family Festival (Bike Races); Saturday, July 8, 2006; 7:00 AM-10:30 PM
(Community Forward, Inc.)
No Action.

2. Request to Install Warning Signage on Water Street Near Valley Marine Mart

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to deny request.

Motion carried on roll call 7-1. Ald. Chase – no.

3. Consideration of Revised Proposal for City Participation in Midway Road Reconstruction Project
No Action

4. Consideration of Expansion of Sump Pump Grant for Homes with More than One Sump Pump

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on roll call 7-1. Ald. Michalkiewicz – no.

5. Recommendation for Elimination of Selected Street Lights City Wide; Held Over

Moved by Ald. Merkes, seconded by Ald. Michalkiewicz to recommend elimination of selected street lights except for Main Street.

Discussion.

Moved by Ald. Taylor, seconded by Ald. Hendricks to hold until next meeting.

X. ORDINANCES AND RESOLUTIONS

A. O-15-06 – An Ordinance Relating to Gender Specific Language
No Action.

B. O-16-06 – An Ordinance Relating to Licensing of Cats
No Action.

C. O-17-06 – An Ordinance Relating to the Information Technology Steering Committee

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to suspend the rules and take up O-17-06 at this time.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adopt O-17-06.

Motion carried on voice vote.

D. O-18-06 – A Charter Ordinance Relating to the Makeup of the Water and Light Commission
Tabled in Board of Public Works.

E. O-19-06 – An Ordinance Relating to Alcohol Related Penalties
No Action.

F. O-20-06 – An Ordinance Amending Title 13 by Making Certain Changes in the District
(824 Third Street and 823 Plank Road)

Moved by Ald. Merkes, seconded by Ald. Hendricks to adopt O-20-06.

Motion carried on roll call 8-0.

G. O-21-06 – An Ordinance Amending Title 13 by Making Certain Changes in the District
(Third/Milwaukee Street)

Moved by Ald. Merkes, seconded by Ald. Eckstein to adopt O-21-06.

Motion carried on roll call 7-1. Ald. Hendricks – no.

H. O-22-06 – An Ordinance Relating to Maximum Allowed Size of Garages.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to suspend rules and take up O-22-06 at this time.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Pack, seconded by Ald. Eckstein to adopt O-22-06.

Discussion.

Motion carried on voice vote.

I. R-26-06 – A Resolution Creating Tax Incremental District No. 10 in the City of Menasha, Wisconsin
Acted on earlier, IX. A1

J. R-27-06 – A Resolution Authorizing the Submission of A Wisconsin Department of Transportation's
Facilities for Economic Assistance TEA Grant Application

Moved by Ald. Michalkiewicz, seconded by Eckstein to adopt R-27-06.

Motion carried on roll call 8-0.

K. R-28-06 - Menasha Utilities Resolution to Support More Federal Oversight Of Railroads As
A Check on High Railroad Rates For Captive Rail Customers

Moved by Ald. Merkes, seconded by Ald. Taylor to adopt R-28-06.

Motion carried on voice vote.

L. R-29-06 - A Resolution on Video Franchising

Moved by Ald. Merkes, seconded by Ald. Hendricks to adopt R-29-06.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

M. R-30-06 - Final Resolution for Special Assessments for 2" Temporary Asphalt Pavement; Barker Farms VI

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to adopt R-30-06.
Discussion.

Motion carried on roll call 8-0.

Mayor Laux: Ald. Wisneski would like to reconsider vote for IX.B2 (Liquor Licenses)

Moved by Ald. Wisneski, seconded by Ald. Merkes to reconsider vote of IX.B2.

Motion carried on voice vote.

Moved by Ald. Wisneski, seconded by Ald. Merkes to approve all renewal liquor and malt beverage applications on file except for Stop-N-Go LLC, Franky's of Menasha LLC, Juanita's Hacienda (Korona Klub), MNS Corp (Luigi's) and Jack's or Better.

Motion carried on voice vote.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - Hybrid Park/Street position. CA/HRD Brand reported they did the posting for this position and the union asked for it to be removed because the job description had changed. He recommends scheduling a Personnel Committee to get further direction.

B. CDD Keil - 1) Safety fencing along Plank Road trail. CDD Keil reported he is checking with the mini warehousing company on their progress. Last fall when the mini warehouses were being constructed there was some waste on-site that need to be disposed of. He has contacted the DNR about disposing of the waste. He'll report back at the next meeting.

2) Status of grocery store. Gary Laeyendecker and his staff have had meetings with 11 grocery store operators and 4 suppliers to see if they are interested. He is still in the discussion stages with a 2 of them. There is no commitment at this time. He'll report back when something happens.

3) Status of elevator at Jacks or Better. The installation of the elevation is almost completed. The State will need to do the final inspection. There was a financial element that caused the delay in the finalizing of the installation of the elevator. Discussion on the extended wall and elevated walkway.

4) Pros & Cons of cul de sacs. This was discussed as part of CDD Keil's report under VIII.A

Ald. Taylor asked for a report from the Fire Dept. at the next meeting.

5) Report on Hwy 47 corridor. AP Beckendorf reported on a study students from UW-Oshkosh conducted and the recommendations they made. The study covered Hwy 47/Appleton Road from 9th Street to STH 441. The results of the study were presented to the public at a public informational meeting.

C. DPW Radtke - 1) Sinking pavement in 1000 block of Third Street. DPW Radtke reported his staff has not done the pavement survey of the City yet. He will have them include this area in their projects.

2) Posting of signs for Public Parking ramp. Ald. Taylor received the information he requested.

D. PHD Nett - Flu Pandemic preparedness. (Presentation at 6/19/06 Meeting)

E. Clerk Galeazzi - Report on Handicapped Accessible Voting Machines. Outlined in memo dated 5/31/06. No questions.

F. Comp Stoffel - TIF Information. Updated information dated 5/31/06. No questions.

NEXT AGENDA: Ald. Merkes – 1) 2006 Tree Planting Schedule; 2) Update on Public Works Facility

Ald. Taylor – 1) Status of 81 & 87 Racine Street; 2) Lighting on elevated walkway;

3) Status on grocery store.

Ald. Wisneski – Update on sump pumps/sewer system

Ald. Hendricks – 1) Status on safety fencing along Plank Road path;

2) Status of elevator at Jack's or Better.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

A. Forrest Weber, 750 Appleton St. County will hold special Board meeting on June 14 to discuss handicapped accessible machines.

XIV. ADJOURNMENT

Moved by Ald Wisneski, seconded by Ald. Pack to adjourn at 9:10 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, June 19, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:35 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack
Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate, Mayor Laux,
CA/HRD Brandt, Clerk Galeazzi, and the Press

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 6/5/06
- B. Board of Public Works, 6/5/06
- C. Common Council, 6/5/06

Minutes to approve:

- D. Board of Public Works, 5/15/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

- E. Water & Light Commission, Closed Session, 5/24/06
- F. Water & Light Commission, 5/24/06
- G. Public Hearing, 6/5/06; Creation of Tax Incremental District #10
- H. Public Hearing, 6/5/06; Final Resolution Authorizing Public Improvement & Levying Special Assessment
Against Benefited Property
- I. Public Hearing, 6/5/06; Rezoning Lot 2 & Lot 3, Third & Milwaukee
- J. Public Hearing, 6/5/06; Rezoning of 824 Third St. & 823 Plank Rd.
- K. Plan Commission, 6/6/06
- L. Joint Review Board, 6/6/06
- M. Redevelopment Authority, 6/7/06
- N. Red, White & Blue Committee, 6/7/06

Communications:

- 1. Clerk Galeazzi, 6/15/06; Liquor License Applications, July 1, 2006-June 30, 2007
- 2. Wisconsin Taxpayers Alliance, 5/24/06, 5/30/06
- 3. CA/HRD Brandt, 6/6/06; May 15, 2006 Minutes
- 4. Public Works Facility, 6/6/06; May 2006 Disposal Violations
- 5. State of WI. Dept. of Health to PHD Nett, 5/15/06; Disbursement of Funds Donated by Georgia Pacific for
Fish Consumption Advisory Awareness
- 6. Menasha Utilities employee Newsletter; 6/8/06
- 7. CA/HRD Brandt to Judy Leiterman, 5/24/06; Woodland Meadows, 1500 Lucerne Dr.
- 8. Bill Harke (Time Warner Cable) to Clerk Galeazzi, 6/12/06; Additional digital channels
- 9. Rosalind Stanke, 5/4/06; Letter/short resume for Library Board
- 10. Woody Garrow (Garrow Oil), 6/6/06; Gas prices at the marina
- 11. Fran & JoAnn Ebben (Lake Park Villas), 6/9/06; Thank you for your involvement
- 12. Winn. Cty. Dept. of Human Services to PHD Nett, 5/30/06; Funding of Older Adult Screening Program
- 13. Rosann Geiser (UWO) to PHD Nett, 6/1/06; Community Health Clinicals
- 14. FC Vander Wyst, 6/14/06; Cul-de-sacs
- 15. Jeff Riedl (408 Appleton St.) to Ald. Taylor, 6/13/06; Street Lights
- 16. Legislative Committee, Calumet Cty; 5/19/06
- 17. Tracey Koenig, 6/13/06; Police & Fire Jurisdiction at Heckrodt Wetland Reserve
- 18. PHD Nett, 6/14/06; Pandemic Flu Planning
- 19. AFSCME WI Council 40, 6/13/06; Collective Bargaining-2007 Labor Agreement
- 20. Ald. Merkes, 6/14/06; Post Crescent: *Homeowner losing fight to retain deck*
- 21. PWD Radtke to Mr. Archiquette (WisDNR), 6/2/06; Test Pit Results at Municipal Garage property

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, cont.

Communications:

22. CA/HRD Brandt to Ald. Merkes, 6/14/06; email regarding Water & Light Comm. revisions to O-18-06
23. Comp Stoffel, 6/14/06; Bonded Debt issued and outstanding for the Lake Park Villas project
24. PRD Tungate, 6/13/06; Grant Award
25. PRD Tungate, 6/14/06; Menasha Marina Gas Sales
26. Rose Bohmke to PRD Tungate, 6/15/06; Thank you note regarding Jefferson Park
27. PWD Radtke, 6/15/06; Council Directive: Public Works Facility Update
28. PWD Radtke, 6/15/06; Held Over Business: Consideration of Converting Main St. lights to single head units (Ald. Pack); Consideration of elimination of certain street lights
29. Safety Quarterly Report, 6/14/06; 1st Quarter 2006

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes E-N and Communications 1-29.
Discussion: Ald. Wisneski-Comm. #5, who is going to build informational kiosk? PHD Nett will report at next Meeting; Comm. #7, reason for letter. CA/HRD Brandt explained Astar Capital Mgmt is requesting a tax exempt status with their property; Comm. #29, provided with quarterly rpt. on Safety, would like minutes of meetings.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY (Five (5) minute time limit for each person)

VI. APPOINTMENTS

A. Mayor's Appointments to the Library Board:

1. Appointment of Rosalind Stanke (1000 Mosshaven Ct., Menasha) to the Library Board for the term of July 1, 2006 to July 1, 2009

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve appointment.

Motion carried on roll call 8-0.

2. Reappointment of Susan Eckstein (736 Paris St.) to the Library Board for the term of July 1, 2006 to July 1, 2009

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve appointment.

Motion carried on roll call 8-0.

B. Mayor's Reappointment to the Board of Review:

1. Reappointment of Joyce Klundt (976 Eighth St., Menasha) to the Board of Review for the term of July 1, 2006 to July 1, 2011

Moved by Ald. Michalkiewicz, seconded by Ald. Hendricks to approve appointment.

Motion carried on roll call 8-0.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 6/6/06; recommends approval of:

1. The land sale: 175 Main St., with the retention of a pedestrian easement
Held in Administration Committee.
2. The Sale of lots 7 and 8 of Midway Business Park to Oshkosh Truck.

Moved by Ald. Merkes, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

A. Plan Commission, 6/6/06; recommends approval of, Cont'd.

3. The final Plat for Silver Birch Estates contingent upon drainage review and the addition of islands in the cul-de-sacs.

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Taylor to amend final plat to remove islands in cul-de-sacs.

Discussion.

Motion to amend fails on roll call 0-8.

Motion to approve carried on roll call 8-0.

B. Administration Committee, 6/19/06:

1. Licenses: "Class B" Renewal Application of Hirschy, Inc., Chris Fiedler, Agent, d/b/a Germania Hall, for the premises at 320 Chute St., for the 2006-2007 licensing year

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve.

Discussion.

Motion fails on roll call 1-7. Ald. Taylor – yes.

2. Approval of Division of Public Health Consolidated Contract Agreement #13759 Contract Agreement Amendment with Menasha Health Department, May 1, 2006-August 31, 2006, and authorized signature

Moved by Ald. Eckstein, seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

3. Advanced Tooling Equities, Inc. Mortgage

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

4. Offer to Purchase-Lots 7 & 8 Midway Business Park-Oshkosh Truck
Acted on earlier, IX.A2.

5. Offer to Purchase-175 Main St – Rear – Arendal, Inc.
Held in Administration Committee.

6. Amendment to Minimum Tax Guaranty – BFT Investments

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

7. Request for Compensation for Land Holding Costs – Alternative Resolutions

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to accept proposal from Alternative Resolutions for compensation for land holding costs in the amount of \$5,523.84.

Discussion.

Motion fails on roll call 4-4.

Ald. Taylor, Wisneski, Pack, Hendricks – yes.

Ald. Merkes, Eckstein, Michalkiewicz, Chase – no.

8. Accounts payable and payroll for the period 6-8-06/6-15-06 for the amount of \$1,711,994.80

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

C. Board of Public Works, 6/19/06:

1. Street Use Application:

- A. Communityfest Parade; Monday, July 3, 2006; 7:00 PM – 10:15 PM (Communityfest Committee)
- B. Fox Cities Marathon, September 24, 2006; 5K Run/Walk; 7:00 AM - 10:00 AM and Full Marathon, September 24, 2006; 6:00 AM – 3:00 PM; (Community First Credit Union)
- C. Grunski Runski; Saturday, August 12, 2006; 2 Mile and 10K Run/Walk; 6:30 AM – 10:30 AM; (City of Menasha Parks and Rec. Department)
- D. Otto Grunski Family Festival (Bike Races); Saturday July 8, 2006; 7:00 AM-10:30 PM (Community Forward, Inc.)

Moved by Ald. Taylor, seconded by Ald. Eckstein to approve A-D.

Motion carried on roll call 8-0.

- 2. Presentation of Final Design for Proposed Third Street Reconstruction Project (WisDOT 2008)
No Action Required.

X. ORDINANCES AND RESOLUTIONS

A. O-15-06 – An Ordinance Relating to Gender Specific Language

Moved by Ald. Wisneski to adopt O-15-06. No Second, Motion Dies.

B. O-16-06 – An Ordinance Relating to Licensing of Cats

Moved by Ald. Wisneski, seconded by Ald. Pack to adopt O-16-06.

Discussion

Moved by Ald. Hendricks, seconded by Ald. Merkes to amend ordinance O-16-06 adding Section 13 as follows: All fees collected under Section 7-1-3(a)(3) shall be held in a segregated account and shall be used only for any cost incurred by the City for capture, handling, testing and impoundment of any domestic animal.

Discussion.

Motion to amend fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

Motion to adopt carried on roll call 5-3.

Ald. Taylor, Wisneski, Pack, Michalkiewicz, Chase – yes.

Ald. Merkes, Hendricks, Eckstein – no.

C. O-19-06 – An Ordinance Relating to Alcohol Related Penalties

Moved by Ald. Pack, seconded by Ald. Wisneski to adopt O-19-06.

Motion carried on roll call 7-1. Ald. Eckstein – no.

D. O-23-06 – An Ordinance Relating to Closing Hours for Licensed Establishments

Moved by Ald. Taylor, seconded by Ald. Wisneski to suspend the rules and take up O-23-06 at this time.

Motion carried on roll call 5-3.

Ald. Taylor, Wisneski, Pack, Hendricks, Michalkiewicz – yes.

Ald. Merkes, Eckstein, Chase – no.

Moved by Ald. Taylor, seconded by Ald. Merkes to adopt O-23-06.

Discussion.

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Hendricks, Michalkiewicz, Chase – yes.

Ald. Wisneski, Pack, Eckstein – no.

E. R-31-06 - Preliminary Resolution Declaring Intent to Exercise Special Powers Under Section 66.0703, Wisconsin Statutes (Sidewalk at 835 DePere Street)

Moved by Ald. Wisneski, seconded by Ald. Eckstein to adopt R-31-06.

Discussion.

Motion carried on roll call 6-2. Ald. Pack, Taylor – no.

XI. HELD OVER BUSINESS

- A. Licenses: Renewal liquor & malt beverages application for the licensing year 2006-2007 for:
1) Stop-N-Go, LLC; 2) MNS Corp (Luigi's); 3) Juanita's Hacienda (Korona Klub); 4) Jacks or Better

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to approve renewal application for Stop-N-Go, LLC, MNS Corp. (Luigi's), Juanita's Hacienda (Korona Klub), Jacks or Better.

Motion carried on roll call 8-0.

CA/HRD Brandt explain this is the appropriate place to take up the liquor license for Franky's of Menasha LLC as it had been deferred at the last meeting and it was discussed in closed session.

Moved by Ald Wisneski, seconded by Ald. Pack to approve the renewal liquor & malt beverage application of Franky's of Menasha LLC for the 2006-2007 licensing year with addendum they be held responsible for the full \$2,000 to be paid within six months.

Motion carried on roll call 8-0.

- B. Consideration of elimination of certain street lights

Moved by Ald. Taylor not to eliminate street lights, 1) near neighborhood taverns, especially in 400 block of Broad St; 2) Lucerne Drive area; 3) downtown area and river walk during boating season; 4) Hwy 114 or Hwy 47 as recommended by Police Dept. Crime Prevention Officer. No Second, Motion dies.

Discussion.

Moved by Ald. Pack, seconded by Ald. Eckstein to approve recommendation of DPW Radtke and eliminate certain street lights targeted for savings.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Wisneski not to eliminate dual street lights on Main Street.

CA/HRD Brandt explained this motion was not appropriate, not part of the issue.

Moved by Ald. Taylor, seconded by Ald. Merkes to amend recommendation to have certain lights left on, as follow: LYC181, LT840, LT846, LT394, LT396, LT398, LT405, LT409, LT511

Discussion.

Motion fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

Motion to approve recommendation of DPW Radtke carried on roll call 6-2. Ald. Taylor, Hendricks – no

- C. Consideration of converting Main St. lights to single head units (Ald. Pack)

Moved by Ald. Pack to eliminate double head light to single head lights in downtown area.

No second, motion dies.

- D. Motion to remove from the table – O-18-06 – A Charter Ordinance Relating to the Makeup of the Water & Light Commission (Ald. Merkes)

Moved by Ald. Merkes, seconded by Ald. Taylor to remove from the table Ordinance O-18-06.

Motion fails on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz, Chase – no.

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - 1) Update on 81 and 87 Racine St. CA/HRD Brandt reported he is waiting for a copy of the Warranty Deed from the previous owners of 81 Racine St. Once he receives the deed, he will coordinate with CDD Keil and Public Works crews on arranging for demolish of the buildings at 81 & 87 Racine St. and hauling away of the debris. He will also contact the previous owners of 87 Racine St to remove the garage doors they requested.
2) Open Meetings Law. CA/HRD Brandt referred to his memo dated 6/13/06. The law requires all decisions regarding governmental matters be discussed in public. There are some exceptions to hold closed sessions. He is concerned about "walking quorums", and cautioned all Aldermen and the Mayor to avoid this. Don't discuss City business outside of the Council Chambers.

XII. COUNCIL DIRECTIVES, Cont'd.

- B. CDD Keil - 1) Safety fencing along Plank Road trail. CDD Keil reported on the property adjacent to the mini-warehouses that were started last fall. During excavating of the property some on-site waste was discovered and they needed to remove it. Permits needed to be obtained from the DNR. They have installed a three foot deep basin that will be lined with a drain at the base for water to filter through. There should be no standing water in the basin.
2) Status of grocery store. CDD Keil reported the developers have been negotiating with two different operators to bring a grocery store to the area. They are working on some cost issues. Hope to know within a month if either operator is interested.
3) Status of elevator at Jacks or Better. CDD Keil reported the elevator has been installed and it works. They are working on the exterior shell. Waiting for the final inspection from the State. When that is completed, the public will be able to use the elevator.
4) Status of lighting on elevated walkway. CDD Keil reported he is working with Beck Electric on the lights. They are waiting until the exterior work on the elevator is completed, the lights can be installed. Lights should be up and operating within a month.
- C. DPW Radtke - 1) Update on Public Works Facility. DPW Radtke referred to his memo dated 6/15/06. They are currently dealing with environmental issues. The DNR has been notified of the high levels of lead found in one of the test pits and what the City proposes to do to correct the issue. Waiting to hear back from DNR.
2) Update on Sump Pump Program. DPW Radtke reported 371 sump pumps have been installed and 72 waiting to be installed of Phases 1-3 of the project. There are 22 property owners that haven't allowed inspections and those people are being charged a \$50 monthly surcharge. He also reported on the Infiltration and Inflow program for the sewer system. He compared the 2004 and 2005 billing years. The Town of Menasha billing was down by 17% and the City went down 33%.
- D. PRD Tungate – 1) Update on 2006 tree planting program. Pk Supt Huss reported they have 32 trees left for planting on the terraces. He anticipates disbursing 75-100 new trees this year.
2) Marina Gas Prices. PRD Tungate referred to his memo of 6/14/06. This request is in response to a letter received from Garrow Oil. Harbormaster Schabach checks with other public marinas in the area before she sets the rate per gallon. She meets or exceeds the State's 6% minimum markup law.
3) Update on Trail. PRD Tungate reported on the public informational meeting that was held on June 15 with the Town of Harrison. It was a good meeting, well attended. The general consensus from the people is they would like the trail along Hwy 10/114, closer to the road, not back by the railroad tracks. They will be discussing this with the Town of Harrison. The route will need some refining. Waiting to hear on the DOT grant. The grant is a key piece in pulling everything together.
- E. FC Vander Wyst – Fire Department views on cul-de-sacs. Outlined in memo dated 6/14/06.
F. PHD Nett – Flu Pandemic Preparedness. Outlined in memo dated 6/14/06.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Donald Merkes, 377 Nassau St. Council must be satisfied with current set up of Utility Commission, didn't want to add an alderman to commission. Bad government for Council not to know what is going on in the City.

Next Agenda: Ald. Chase – Annexation of Heckrodt Wetland Reserve

Ald. Taylor – 1) Status of grocery store; 2) Update on 81 & 87 Racine Street

Ald. Hendricks – 1) Ideas on ways to monitor items disposed at PWF;

2) Completion date of Broad St. condominiums;

3) Detail timeline of event on offer to purchase of 175 Main St.

Ald. Wisneski – 1) Status of Chip Seal Program; 2) Status of Racine Road/Valley Road reconstruction.

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adjourn at 9:40 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, July 10, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:56 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks

Also Present: PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, Mayor Laux, CA/HRD Brandt, Deputy Clerk Sewall, and the Press

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee, 6/19/06

B. Board of Public Works, 6/19/06

C. Common Council, 6/19/06

D. Personnel Committee, 6/19/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

E. Public Works & Parks Safety Committee, 2006

F. Police Safety Committee, 2006

G. City Hall, Health, Library & Senior Center Safety Committee, 2006

H. Board of Health, 5/10/06

I. N-M Sewerage Commission, 5/23/06

J. Water & Light Commission; Special Meeting, 6/16/06

K. Information Systems Steering Committee, 5/17/06

L. Public Library, 6/20/06

M. Red, White & Blue Committee, 6/7/06

N. Parking Committee, 4/12/06

Communications:

1. Comp. Stoffel & PC Stanke, 6/27/06; Parking Ticket Collection System Changeover

2. Wisconsin Taxpayers Alliance, 6/12/06, 6/20/06

3. MU GM Young to Water Plant Neighbors, 6/26/06; Invite to informational meeting

4. Mark & Aimee Stano, 6/28/06; 835 DePere St.

5. Mayor Laux to Mark & Aimee Stano, 6/29/06; 835 DePere St.

6. Henry & Shirley Griesbach to PWD Radtke, 6/14/06; Appreciation to Street/Public Works Dept.

7. *Quilt Sampler*, Spring/Summer 2006; Primitive Gatherings article

8. Winn. Cty. Treasurer to Taxing District Clerk, 6/16/06; Notice of Foreclosure

9. PHD Nett, 6/28/06; Georgia Pacific donated funds

10. UW-Fox Valley, 6/28/06; Invoice for videotaping Council & Committee meetings

11. Mayor, 6/28/06; Pandemic Flu Presentation information

12. Michael Taylor, 6/23/06; The Capital: *Executive order would limit eminent domain*

13. Monthly Construction Report (McMahon & Associates), 6/21/06; Water Treatment Plant Modifications

14. Menasha Utilities, 6/22/06; Business Plan for Menasha Power Plant Conversion

15. AP Beckendorf, 7/6/06; Invite to Stormwater Utility for City of Menasha

16. Moody's Investor's Service, 6/26/06; Near Final Official Statement

17. AP Beckendorf, 6/27/06; Main Street Program Presentation

18. Time Warner Cable to CA/HRD Brandt, 6/20/06; Change in Council meeting cablecast to 11 am

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, cont.

Communications:

17.

19. CDD Keil from Dick Bergstrom, 6/29/06; letter pertaining to Multi storage unit ponds

20. CA/HRD Brandt, 7/6/06; Safety Committee Minutes

21. Patty Ulrich (resident), 6/28/06; Council issues with microphones/ sound system

22. Tracey Koenig to Mayor Laux, 6/13/06; Police & Fire Jurisdiction at Heckrodt Wetland Reserve

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes E-N and Communications 1-22.

Discussion: Ald. Wisneski, #E-absenteeism on Safety Committees; #8-What happens to foreclosed properties now? CA/HRD Brandt noted that 535 1st St. is included in the foreclosure list due to lack of communication between interested buyer and inspection dept.; #18-is the time change of the Council Cablecast effectively immediately; #21-Are we going to read entire motion and what can be done about microphones.

Ald. Hendricks, #3-Invite to information meeting appreciated, where to go if it rains; #10-Why Cable TV invoice is in packet separate from other invoices; #15-Meeting time hard to attend for people that work day shift; #18 – Notifying people of Council meeting being on cableTV; #21- Agrees that we need to work on the audio system.

Ald. Merkes, #8-Size of particular piece of property

Ald. Taylor, #12-Council's opinion on Eminent Domain Article; #E-Safety should be #1 priority

Motion carried on voice vote

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY (Five (5) minute time limit for each person)

A. Norm Sanders, 804 Jefferson St., Thanked City of Menasha employees & Aldermen for their support to the Labor Union and the raffle ticket sale.

B. James Taylor, 340 Broad St., Thanked Doug Young and others for sponsorship of Otto Grunski.

X. B. R-33-06 – Resolution Authorizing The Borrowing Of \$2,415,000; Providing For The Issuance And Sale of General Obligation Promissory Notes, Series 2006C Therefor; And Levying A Tax In Connection Therewith

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to adopt R-33-06.

Motion carried on roll call 8-0

C. R-34-06 – Resolution Authorizing The Borrowing Of \$1,445,000; Providing For The Issuance And Sale Of Taxable General Obligation Promissory Notes, Series 2006D Therefor; And Levying A Tax In Connection Therewith.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt R-34-06

Motion carried on roll call 8-0

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Personnel Committee, 6/19/06; recommends approval:

1. To hire a second common laborer position and discontinue the park laborer position

Moved by Ald. Wisneski, seconded by Ald. Merkes to approve.

Discussion: Ald. Michalkiewicz felt the City shouldn't be hiring someone when the budget is so tight to avoid potential lay offs later in the year.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to table.

Motion carried on roll call 5-3 (Ald. Taylor, Pack, Hendricks, Eckstein, Michalkiewicz-yes. Ald. Merkes, Wisneski, Chase-no)

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

B. Administration Committee, 7/10/06:

1. Authorize Mayor Laux's visit to Maebashi, Japan

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Discussion.

Motion carried on roll call 5-3 (Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase—yes. Ald. Merkes, Taylor, Hendricks-no)

2. Offer to Purchase – 175 Main Street – Rear – Arendal, Inc. (Held 6/19/06)

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve the sale of 38 sq. ft. of city owned property directly behind 175 Main St. to Arendal Inc for the amount of \$977.50 with the following conditions:

1. A pedestrian easement is retained by the City of Menasha
2. Arendal Inc. provides the City of Menasha with a revised CSM at no cost to the City of Menasha
3. Arendal Inc. is responsible for any and all fees related to the transfer of such property at closing, including but not limited to the deed transfer fee
4. The City of Menasha is not responsible for any damage to the newly constructed wall due to movement of the walkway, movement of the existing building, or movement of the nova brick veneer
5. The City of Menasha is not responsible for any damage to the wall due to snowplowing operations or public use of the pedestrian walkway and easement
6. The City of Menasha is not responsible for any damage to equipment or injuries resulting to the protrusion of the real wall of 175 Main St. into the pedestrian walkway
7. Any damage to the walkway from new wall construction will be the responsibility of Arendal Inc.

Moved by Ald. Taylor to table, no second. Motion dies.

Discussion.

Motion carried as amended on roll call 6-2 (Ald. Wisneski, Pack-no)

3. Agreement between Winnebago County and the City of Menasha to Facilitate Purchase of Handicapped Accessible Voting Equipment and Assignment and Assumption Agreement, and authorize signatures

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0

B. Administration Committee, 7/10/06:

4. Assignment and Assumption Agreement by and between Diebold Election Systems, Inc. and Winnebago County and City of Menasha, and authorize signatures

Moved by Ald. Merkes, seconded by Ald. Michalkiewicz to approve conditional to CA/HRD Brandt's approval

Motion carried on roll call 8-0

5. Request from Stone Toad Bar-Grill to serve alcoholic beverages on their patio

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve.

Motion carried on roll call 8-0

6. Accounts payable and payroll for the period 6-22-06/7-6-06 for the amount of \$1,202,245.53

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, cont.

C. Board of Public Works, 7/10/06:

1. Street Use Application:

- A. Sidewalk Sale; Saturday, July 15, 2006; 9:00 AM – 4:00 PM; (Menasha Advocacy Council)

Moved by Ald. Wisneski, seconded by Ald. Chase to approve upon receipt of insurance binder.
Discussion.

Motion carried on roll call 8-0

8. Request to Change Yield Sign Control to Stop Sign Control for Lincoln Street at Manitowoc Street

Moved by Ald. Taylor, seconded by Ald. Pack to conduct an engineering study and bring findings back to the Council.

Motion carried on roll call 8-0

9. Authorization to Replace Lawn Mower for Cemetery

Moved by Ald. Taylor, seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-1 (Ald. Michalkiewicz-no)

X. ORDINANCES AND RESOLUTIONS

- A. R-32-06 - Final Resolution Declaring Intent to Exercise Special Powers Under Section 66.0703, Wisconsin Statutes (Sidewalk at 835 DePere Street)

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to adopt R-32-06.

Moved by Ald. Taylor, seconded by Ald. Merkes to table

Motion fails on roll call 3-5 (Ald. Merkes, Taylor, Hendricks-yes.

Ald. Wisneski, Pack Eckstein, Michalkiewicz, Chase-no)

Moved by Ald. Taylor to hold until next Council Meeting
Discussion.

- B. R-33-06 – Resolution Authorizing The Borrowing Of \$2,345,000; Providing For The Issuance And Sale of General Obligation Promissory Notes, Series 2006C Therefor; And Levying A Tax In Connection Therewith
Acted on Earlier

- C. R-34-06 – Resolution Authorizing The Borrowing Of \$1,445,000; Providing For The Issuance And Sale Of Taxable General Obligation Promissory Notes, Series 2006D Therefor; And Levying A Tax In Connection Therewith.
Acted on Earlier

XI. HELD OVER BUSINESS

- A. Motion to Reconsider – O-16-06 – An Ordinance Relating to Licensing of Cats (Ald. Taylor)

Moved by Ald. Taylor, seconded by Ald. Hendricks to reconsider

Motion fails on roll call 3-5 (Ald. Merkes, Taylor, Hendricks-yes.

Ald. Wisneski, Pack Eckstein, Michalkiewicz, Chase-no)

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Update on 81 and 87 Racine St. CA/HRD Brandt reported that we now own these properties. Hopefully the buildings will be knocked down by the first Council meeting in August.
2) Annexation of Heckrodt Wetland Reserve. CA/HRD Brandt reported that he and Ald. Chase are working on getting a legal description of the specific property being talked about. The benefits of this annexation to the City are unclear at this time. Ald. Chase noted that the letter submitted to the Council from Heckrodt Executive Director, Tracy Koenig explains the need.
3) Cable Franchise Negotiations. CA/HRD Brandt explained that the current issue is getting everyone involved on a level playing field (Cable Co. & Phone Co.'s). He is unsure at this time when the next meeting will be.
4) Status on hiring of Assessor. CA/HRD Brandt reported that a committee was established to recommend potential candidates to the council. Everyone on the committee has now had a chance to review the applications and interviews have been scheduled for August 7. The delay in this process is due to trying to coordinate 6 people's schedules, the earliest they all can get together is Aug. 7. CA/HRD Brandt explained that Accurate Appraisal is contracted until December 30, 2006. Mayor Laux suggested a Special Council meeting for the Council meet with the candidates. CA/HRD Brandt agreed that the candidates be contacted to ensure that they are still interested.

B. CDD Keil - 1) Completion of Broad St. Condominiums. CDD Keil reported that the exterior should be finished by Tuesday, July 11. This will enable work on the landscaping, which should be finished in the next couple of weeks. Regarding the interior, there are five units occupied. The remaining units will have the cabinets and carpet installed once there is a prospective buyer. The sidewalk in front of the Condos should be cleared by the end of July.
2) Status of grocery store. CDD Keil reported that he is confident that something will come forward in the next month. Developers are working on a contract but it is hard to know when there will be a letter of intent.
3) Detail timeline of events on sale of 175 Main St. – reported on earlier
4) Update on 535 First St. – Reported on earlier.

C. DPW Radtke - 1) Items being disposed of at Public Works Facility. PWS Jacobson reported that the quality of the cameras monitoring the facility is very outdated and the quality is poor. To make these useful they would need an extensive upgrade. This is what happens when you have it open 24 hours and there are no lights. It allows people to dump illegal materials at any time. PWS Jacobson also noted that the City of Menasha is the only municipality in the area with a drop off sight. Adjusting the open hours of the drop off site was also discussed.
2) Update on Chip Seal Program. PWD Radtke reported that he is not satisfied with the results on Apple Ct. There is discussion of a slurry solution but he hasn't heard back on this option yet.
3) Racine Rd./Valley Rd. Reconstruction. PWD Radtke reported that this is still on, hopefully for mid to late summer.
4) Update on River St. construction timeline. PWD Radtke reported that a bid has been sent out. August 2nd will be the bid opening and we need to allow 8-10 weeks for completion. Pursuing the grant is the reason for the delay in this project.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Tim Jacobson, 732 Paris St. City's financial situation is understandable, but doesn't understand how televising council meeting is more important than replacing employees.
- B. Mary Nebel, 713 1st St. Appreciated discussion of Assessor Position-potential candidates should be notified. Disappointed in Mayor going to Japan at a bad time. We are too small to be Sister City to Maebashi. Sick of delays with grocery store, should be a community meeting to get everyone's input. Hopes the Council can act more professional.

- Next Agenda: Ald. Taylor – 1) Businesses signage issues on Main St. sidewalks; 2) Ordinance pertaining to serving alcohol in bar/restaurant's outside areas; 3) Copy of policy for placing items on desks the day of the Council Meetings; 4) Status of hiring of Assessor
- Ald. Chase – 1)Annexation of Heckrodt Wetland Reserve; 2) Report on retention pond at Five Oaks Park, with regard to mosquitoes and lack of fence.
- Ald. Merkes – 1) Status of land sale of Gatehouse property; 2) Report n completion of landscaping in parking lot behind hotel
- Ald. Eckstein – Report on swimming pool issue w/ no park person available to remedy situation
- Ald. Hendricks – Possibility of podium for Gallery microphone

XIV. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Pack to adjourn at 9:40 p.m.

Motion carried on voice vote

Kristin R. Sewall
Deputy City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, July 17, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:47 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein.

Also Present: Mayor Laux, Atty Ellen Totzke (City of Appleton), PC Stanke, DPW Radtke, CDD Keil, Comp Stoffel, PRD Tungate, Clerk Galeazzi, and the Press.

Mayor Laux introduced Appleton Deputy City Attorney Ellen Totzke filling in for CA/HRD Jeff Brandt.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Special Common Council, 7/7/06
- B. Administration Committee, 7/10/06
- C. Board of Public Works, 7/10/06
- D. Common Council, 7/10/06

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to separate Minutes A and approve Minutes A.

Motion carried on voice vote to approve Minutes A.

Moved by Ald. Wisneski, seconded by Ald. Merkes to hold Minutes B, C, & D.

Motion carried on voice vote.

Minutes to receive:

- E. Water & Light Commission, 6/28/06
- F. Water & Light Commission, Closed Session, 6/28/06
- G. Public Hearing, 7/10/06; 835 DePere St.
- H. Plan Commission, 7/11/06
- I. Safety Committee, City Hall, Health, Library & Senior Center; 6/5/06

Communications:

- 1. Wisconsin Taxpayers Alliance, 6/30/06
- 2. Sen. Mike Ellis to Clerk Galeazzi, 7/6/06; Resolution regarding local regulation of cable franchises
- 3. Congressman Paul Ryan to Mayor Laux, 7/3/06; City's concerns about electric utilities' reliance on rail transportation
- 4. Public Works Facility, 7/12/06; June 2006 Disposal Violations
- 5. Post Crescent, 7/8/06; Good Health: *Menasha gets kudos for heart-health efforts*
- 6. CA/HRD Brandt, 7/17/06; July 17, 2006 Council meeting
- 7. Jeff Jorgenson (Crime Reduction Coordinator), 7/12/06; Citizens Police Academy
- 8. PRD Tungate, 7/13/06; Summary of Recent Pool Concerns & Manitowoc St. aerator

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes E-I and Communications 1-8.

Discussion: Ald. Wisneski, Comm. 7-urge all Council members to attend Citizens Police Academy.

Ald. Merkes, Minutes I-how many people attended Safety Committee meeting. CA/HRD Brandt should respond at next meeting.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY (Five (5) minute time limit for each person)

- A. Stan Sevenich, 645 9th St. 1) Waiving of fee for Seafood Fest, other non-profit groups pay total fees; 2) Gaps in sidewalks have been an issue, but not always in budget for Council to approve.
- B. Mary Nebel, 713 1st St. 1) Could agenda indicate who sponsors or requesting item that is listed; 2) City Administration should plan for emergency when dealing with tax levy; 3) Current City debt status, have created 10 TIFs in past 20 years.

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 7/11/06; recommends approval of:

1. The special use permit for Calder Stadium with the condition that the building is constructed to the west of the grandstand.

Moved by Ald. Wisneski, seconded by Ald. Chase to approve.

Motion carried on roll call 8-0.

2. Certified Survey Map for Lake Park villas.

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

3. The ingress/egress and drainage easements.

Moved by Ald. Merkes, seconded by Ald. Michalkiewicz to approve for lots 7 & 8 in Midway Business Park.

Motion carried on roll call 8-0.

4. Certified Map for lots 7 & 8, Midway Business Park, with the condition that a utility easement of 10' is reflected on the north side of the property.

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

5. Oakwood Estates extraterritorial plat in the Town of Harrison.

Moved by Ald. Merkes, seconded by Ald. Taylor to approve.

Motion carried on roll call 8-0.

B. Administration Committee, 7/17/06:

1. Request from The Locker Room to serve alcoholic beverages on their patio

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve request until Nov. 30, 2006.

Motion carried on roll call 8-0.

2. Consider partial facility rental fee reduction for Seafood Fest per approved policy (Recommendation from Park & Rec Board)

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

3. Request to waive the special use permit fee(s) related to the Calder Concession Facility project

Moved by Ald. Pack, to deny request to waive the special use permit fee. No second, motion dies.

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve request to waive the special use permit fees.

Motion carried on roll call 7-1. Ald Pack – no

4. Accounts payable and payroll for the period 7-13-06/7-13-06 for the amount of \$292, 935.16

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

C. Board of Public Works, 7/17/06:

1. Payments:

- A. Ed Gersek, Inc.; Contract Unit No. 2005-07; Midway Business Park Regional Detention Basin; \$9,116.12 (Payment No. 3)

Moved by Ald. Taylor, seconded by Ald. Merkes to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 7/17/06, Cont'd:

- B. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03;
\$15,861.55 (Payment No. 5)

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

2. Recommendation to Approve City Participation in Proposed Midway Road Reconstruction Project
(Winnebago County)

Moved by Ald. Taylor, seconded by Ald. Michalkiewicz to approve.

Moved by Ald. Merkes to amend to approve with condition pedestrian walkway be provided with no County participation.

Discussion.

Motion to amend carried on roll call 5-3

Ald. Merkes, Taylor, Wisneski, Hendricks, Eckstein – yes.

Ald. Pack, Michalkiewicz, Chase – no.

Motion to approve as amended carried on roll call 8-0.

3. Update on City Participation in Proposed Midway Road Reconstruction Project (Winnebago Country)
Duplicate of IX.C-3. No action.

X. ORDINANCES AND RESOLUTIONS

- A. O-24-06 – An Ordinance Relating to Salary of the Municipal Judge
Held in Administration Committee.

- B. R-32-06 – Final Resolution Declaring Intent to Exercise Special Powers Under Section 66.0703,
Wisconsin Statutes (Sidewalk at 835 DePere Street) (Held 7/10/06)

Moved by Ald. Wisneski, seconded by Ald. Merkes to adopt R-32-06.

Motion fails on roll call 4-4.

Ald. Merkes, Wisneski, Eckstein, Michalkiewicz – yes

Ald. Taylor, Pack, Hendricks, Chase – no

- C. R-35-06 – A Resolution Relating to Sidewalk on Jefferson St. Adjacent to 835 DePere St.

Moved by Ald. Pack, seconded by Ald. Chase to adopt R-35-06.

Discussion.

Motion fail on roll call 4-4.

Ald. Taylor, Pack, Hendricks, Chase – yes

Ald. Merkes, Wisneski, Eckstein, Michalkiewicz – no

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - 1) Annexation of Heckrodt Wetland Reserve (Ald. Chase).

(In CA/HRD Brandt's absence, CDD Keil reported for him on all his Directives). The Board of Directors for HWR will be considering a formal request at their next meeting to request annexation. Presuming that it happens, an ordinance will be prepared and impact statements submitted to the Council. Staff will be reviewing to determine whether there is any benefit to adding additional land to the annexation.

- 2) Status on hiring of Assessor (Ald. Taylor)

CDD Keil reported no further update from what was reported at the July 10 meeting.

Discussion ensued on how long the procedure has been taking and having budgeted funds available.

Mayor Laux – point of order – topic is status of hiring of Assessor, not budget.

XII. COUNCIL DIRECTIVES, Cont'd.

- A. CA/HRD Brandt - 3) Copy of policy for placing items on desks the day of Council meetings (Ald. Taylor)
CDD Keil reported a written policy could not be found on this. CA/HRD Brandt will continue to look and have something for the Aug. 7 meeting. His recollection of the policy is that no items should be placed on Council desks the night of the meeting unless it is understood that it will happen (i.e. Ray Osness' reports that are generated the day of the meeting with data not known before; or when a memo is included in the packet that the document will be distributed at the meeting). The other exception is when a member of the gallery has documents they wish to provide to the Council. The receipt of those documents is at the discretion of the Council. In all circumstances it is required that the person distributing the document be identified.
Ald. Taylor asked for this report on the next agenda.
Ald. Taylor requested that it be noted for the record that he and Mayor Laux agree, there should not be items placed on Council desks the day of the meeting unless it falls within the exception policy.
- 4) Ordinance pertaining to serving alcohol in bar/restaurant's outside areas (Ald. Taylor)
CDD Keil reported CA/HRD Brandt will be looking at whether it makes sense to recommend changes to the Ordinance as time permits. He referenced Sec. 7-2-17 and 7-2-4(e)(1) of the City Code.
Ald. Taylor requested copies of the City Code sections referenced.
- B. CDD Keil - 1) Status of land sale of Gatehouse property (Ald. Merkes)
CDD Keil reported there are two issues that are holding up finalizing the sale of the gatehouse property. The legal description was incorrect on the original Warranty Deed transferring title from the Condominium Association to the City, but that has been corrected. The other issue is the Condominium Assoc. filed a mortgage on the condos that overlaps on the gatehouse property. He is working with Evans Title to resolve this.
2) Report on completion of landscaping in parking lot behind hotel (Ald. Merkes)
CDD Keil reported the original landscape plan was submitted in 2004 by the owners for Marina Place. Some delays in finalizing the plan have occurred because of the construction of the elevated walkway and installation of the elevator at 175 Main Street.
3) Businesses Signage issues on Main St. sidewalks (Ald. Taylor)
Discussion ensued on providing businesses with the City's policy and ordinance on signs. Landmarks Commission has been working on enforcing of the sign ordinances.
4) Report on retention pond, with regards to mosquitoes and lack of fence, at Five Oaks Park (Ald. Chase)
CDD Keil explained the purpose of the retention pond. Stormwater retention ponds are required on one acre or larger parcels. The City is working on addressing stormwater management retention ponds with developers. Smaller pockets of water are more of a breeding area for mosquitoes.
- C. PRD Tungate – Report on swimming pool issue and no park person available to remedy situation.
(Ald. Eckstein)
PRD Tungate summarized the recent concerns and issues at the pool starting with the fecal accident on June 27. Staff took care of the situation and decided to close the pool on June 28 to allow more time to resolve the problem. On July 3, additional backwashing of the pool was needed. Several maintenance and management people stepped forward to help with this. It was taken care of early in the day so the pool was able to be open for business that afternoon.
There have been some issues with equipment failures, but staff is doing a good job keeping the pool operating. These issues hope to be addressed in the fall. A pool consultant available to help with the issues.
- D. Clerk Galeazzi – Possibility of podium at Gallery microphone (Ald. Hendricks)
Ald. Hendricks appreciated the podium being available for the gallery.

Next Agenda: Ald. Taylor – 1) Status of 535 First Street; 2) Update on 81 & 87 Racine Street

Ald. Michalkiewicz – Status of Larsen Engineering Study

Ald. Merkes – 1) Quiet Zone Plan; 2) Status of parking agreement with Germania Hall

Ald. Chase – Heckrodt Wetland Reserve Annexation

Ald. Hendricks – Status of sale of gatehouse property

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Eckstein, seconded by Ald. Pack to adjourn at 8:55 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, August 7, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 7:19 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz

Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil,
Comp Stoffel, PRD Tungate, Clerk Galeazzi, the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee, 7/17/06

B. Board of Public Works, 7/17/06

C. Common Council, 7/17/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-C.

Motion carried on voice vote.

Minutes to approve:

D. Administration Committee, 7/10/06 (held 7/17/06)

E. Board of Public Works, 7/10/06 (held 7/17/06)

F. Common Council, 7/10/06 (held 7/17/06)

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes D-F.

Moved by Ald. Taylor to hold Minutes D, Mayor Laux explained Minutes D has already been held.

Ald. Merkes asked to separate Minutes D from E & F.

Motion to approve Minutes E & F carried on voice vote.

Moved by Ald. Merkes, seconded by Ald. Taylor to table Minutes D.

Motion to table fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

Motion to approve Minutes D carried on roll call 6-2.

Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz,

Chase – yes.

Ald. Merkes, Taylor – no.

Minutes to receive:

G. Library Board, 7/18/06

H. Information Technology Steering Committee, 6/21/06

I. NM Sewerage Commission, 6/27/06, 7/25/06

J. Landmarks Commission, 6/14/06

K. City Hall, Health, Library & Senior Center Safety Committee, 4/3/06

L. Insurance Sub-Committee, 7/13/06; 7/27/06

M. Police Commission, 7/20/06

N. Red, White & Blue Committee, 7/12/06

O. Public Works & Parks Safety Committee, 7/31/06

P. Public Hearing, 7/17/06; Special Use Permit, MJSD, 600 11th St., Calder Stadium

Q. Ad-Hoc Parking Committee, 6/21/06

R. Plan Commission, 8/1/06

Communications:

1. Wisconsin Taxpayers Alliance, 7/19/06

2. Time Warner Cable to Clerk Galeazzi, 7/21/06; Time Warner receives J.D. Power & Assoc. 2006 award

3. Tom Lingnofski, 6/20/06; Letter of Resignation from Library Board

4. Helen Englebert, 7/24/06; Resume for Library Board.

5. State of WI Commissioner of Railroads, 7/06; Warning Devices at Grade Crossing with Racine St.

6. Public Service Commission of WI., 7/14/06; Notice of Hearing

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE, Cont'd.

Communications, Cont'd:

7. Legislative Committee; 5/22/06; Winnebago County
8. Safety Coordination Quarterly Report, 7/24/06; 2nd Quarter 2006
9. Town of Menasha, 7/7/06; Invite to Sesquicentennial dinner celebration
10. Mayor Laux to Lineman's Rodeo Attendees; 7/19/06; First Annual MEUW Lineman's Rodeo
11. League of WI Municipalities, 7/24/06; League Letter
12. DPW Radtke to John Haese (Win. Cty. Hwy. Comm.); 7/18/06; Midway Rd. Improvement Project
13. Copy of City Code sec. 7-2-4 and 7-2-17 (per request of Ald. Taylor)
14. Mayor Laux, 8/1/06; O-30-00 – An Ordinance Relating To Common Council Budget Review.
15. Ald. Merkes, 8/1/06; Ordinance Amending Municipal Judge Salary O-24-06.
16. Christine Kaup, 8/3/06; Resume
17. Atty. Winkelman to Clerk Galeazzi, 12/29/05; Parking Agreement with Hirschy. Inc. (Germania Hall)
18. U.S. DOT/Federal Railroad Admin, 8/1/06; *Federal Regulation Allows Communities to Silence Train Horns, Exiting Whistle Bans Can Remain Quiet with Safety Improvements.*
19. AFC Gadow to FC Vander Wyst, 8/2/06; NIMS Compliance and training synopsis to date.
20. Building Permits Issued for March, 2006

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes G-R and Communications 1-20.
Discussion: Ald. Wisneski, Minutes O, request PRD Tungate attend all safety meetings.

Motion carried on voice vote.

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

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

- A. Tony Weinandt, 829 Ida Street. 1) Hearing reports on budget shortfalls, what is current total debt; 2) Creating another TIF before paying off other TIF; 3) City purchasing property for more than value and selling for less than value; 4) Creating employee positions, but then not fill them; 5) Status of hiring of Assessor; 6) Using same developers, others are interesting in working with City; 7) Mayor's trip to Japan during budget time; 8) City's population decreasing.
- B. Brad Potter, 408 Nassau. Supports parking ordinance for Nassau and Oak streets.
- C. Tracey Koenig, Heckrodt Wetland Reserve. HWR Board supports all of HWR being in the City.
- D. Stan Sevenich, 645 Ninth Street. 1) Minutes of 3/6/2006 meeting should have indicated Mayor broke the tie on approving funds for Marina-Lock celebration; 2) Steam Plant exceeded original amount, Council and Utility Commission need to look into where the over site was.

VI. APPOINTMENTS

- A. Accept letter of resignation from Tom Lingnofski for Library Board

Moved by Ald. Michalkiewicz, seconded by Ald. Taylor to accept letter of resignation.

Motion carried on voice vote.

- B. Mayor's Appointment to Library Board:

1. Helen Englebert, 1209 Greendale St., to replace Tom Lingnofski for the term of August 2006-July 1, 2008

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to approve appointment

Discussion:

Motion carried on roll call 8-0.

- C. Mayor's Appointment to Housing Authority:

1. Christine Kaup, 1083 Stillmeadow Lane, #5, for the term of August 2006-August 2010

Moved by Ald. Wisneski, seconded by Ald. Taylor to approve appointment

Discussion:

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 8/1/06, recommends approve of:

1. Using "Province Link" as the official street name for the east-west connection between Province Terrace and Oneida Street north of Jennie Street.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve.

Motion carried on roll call 6-2.

**Ald. Taylor, Pack, Hendricks, Eckstein, Michalkiewicz,
Chase – yes.**

Ald. Merkes, Wisneski – no.

2. Using "Silver Birch Drive" as the official street name for what is now Ladoga Street.

Moved by Ald. Merkes, seconded by Ald. Taylor to approve.

Motion carried on voice vote.

B. Administration Committee, 8/7/06:

1. Comptroller/Treasurer Stoffel's recommendation for cat license fees.

Moved by Ald. Merkes, seconded by Ald. Hendricks to approve cat license fees at \$6.00 & \$11.00.

Motion fails on roll call 4-4

Ald. Taylor, Merkes, Hendricks, Chase – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to approve cat license fees at \$7.00 & \$12.00

Motion carried on roll call 5-3

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.

Ald. Merkes, Taylor, Hendricks – no.

2. License: "Class B" application of Stone Toad, Inc., Jennifer Weinandt, Agent for the premises at 1109 S. Oneida Road for the 2006-2007 licensing year.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

3. Request of Solea Mexican Grill, 705 Appleton Road to serve food and alcohol on their outside seating area until November 1, 2006.
Tabled in Administration Committee.

4. Transportation Economic Assistance (TEA) Job Guarantee Agreement between City of Menasha and Wisconsin Department of Transportation, and authorize signature. (River Street)

Moved by Ald. Eckstein, seconded by Ald. Merkes to approve.

Motion carried on roll call 8-0.

5. Project Agreement for Transportation Economic Assistance Grant (TEA) between City of Menasha and Wisconsin Department of Transportation, and authorize signature. (River Street)

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

6. Accounts payable and payroll for the period 7-20-06/8-3-06 for the amount of \$1,562,362.21.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve accounts payable and payroll in the amount of \$1,542,362.21, excluding check #8668.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 8/7/06:

1. Street Use Application:

- A. St. Mary Central High Homecoming Parade; Friday, September 29, 2006, 5:00p.m-6:00p.m.

Moved by Ald. Taylor, seconded by Ald. Merkes to approve.

Motion carried on roll call 8-0.

2. Recommendation to Award:

- A. Vinton Construction Company; Contract Unit No. 2006-06; River Street Relocation Roadway Construction; Contract Total with Alternate Bids One and Two in the amount of \$519,434.09.

Moved by Ald. Taylor, seconded by Ald. Merkes to approve.

Discussion.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

- A. O-24-06 – An Ordinance Relating to Salary of the Municipal Judge (Held 7/17/06)

Moved to Ald. Michalkiewicz, seconded by Ald. Pack to adopt O-24-06.

Discussion.

Motion carried on roll call 5-3.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.

Ald. Merkes, Taylor, Hendricks – no.

- B. O-25-06 – An Ordinance Relating to Overnight Parking (Nassau Street and Oak Street)

Moved by Ald. Eckstein, seconded by Ald. Hendricks to suspend the rules and take up O-25-06 at this time.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Merkes, seconded by Ald. Wisneski to adopt O-25-06.

Motion carried on roll call 8-0.

- C. O-26-06 – An Ordinance Relating to the Mayoral Budget
No Action.

- D. R-36-06 – A Resolution Transferring/Appropriating Funds

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt R-36-06.

Discussion.

Motion carried on roll call 8-0.

- E. R-37-06 – A Resolution Continuing Appropriating Funds

Moved by Ald. Michalkiewicz, seconded by Ald. Wisneski to adopt R-37-06.

Motion carried on roll call 8-0.

- F. R-38-06 – A Resolution Acknowledging Review of City of Menasha 2005 Compliance Maintenance Annual Report Under Wisconsin Administrative Code NR 208

Moved by Ald. Wisneski, seconded by Ald. Chase to adopt R-38-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

- A. Motion to remove from the table: To hire a second common laborer position and discontinue the park laborer position (Ald. Hendricks)

Moved by Ald. Hendricks, seconded by Ald. Wisneski to remove from the table, to hire a second common laborer position and discontinue the park laborer position.

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Wisneski, Hendricks, Chase – yes.

Ald. Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Wisneski, seconded by Ald. Hendricks to hire a second common laborer position and discontinue the park laborer position.

Motion fails on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz, Chase – no.

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Annexation of Heckrodt Wetland Reserve (Ald. Chase)

CA/HRD Brandt explained the procedure for annexing property into the City. He is working with staff on obtaining a legal description on the property that will be annexed and if additional property should be included in the annexation. Since the property that the City is looking at annexing is unimproved land, there is no requirement to give back equal value property to the Town of Menasha. Discussion on assigning an address for 9-1-1 purposes to the current town property that is part of HWR.

2) Copy of policy for placing items on desks the day of Council meetings (Ald. Taylor)

CA/HRD Brandt reported there is no official written policy on placing items on the desks, but it was a request made by a previous Council.

3) Safety Committee meetings (Ald. Merkes)

Ald. Merkes' question is why the 6/5/2006 safety meeting was only attended by three people.

CA/HRD Brandt explained that there are several different Safety Committees that meet on a monthly bases. This type of committee is not required to have a quorum in attendance Some meetings are cancelled due to conflicts and vacations, and are rescheduled to different dates. Dept. Heads should make attending this committee meeting a priority for their staff.

4) Status of Gatehouse property (Ald. Hendricks)

CA/HRD Brandt explained the delays in finalizing the sale of this property to Tom Grade. Evans Title was able to correct the error in the legal description, however the previous owner is not being cooperative in signing off on the correction. If there is no cooperation from the previous owner, the City may need to take legal action.

Discussion ensued on the time table of events when error in the legal description was first discovered.

Moved by Ald. Merkes, seconded by Ald. Hendricks that if the sale of the property is not closed by September 1, 2006, the City file a lawsuit against the Condominium Association, former owners, bank that holds the mortgage, and all members of the Condominium Association and notify them two weeks before filing the lawsuit.

Motion fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

5) Status of parking agreement with Germania Hall (Ald. Merkes)

CA/HRD Brandt reported a letter was received from the attorney representing the owner of Germania Hall of their intent to terminate our current parking agreement as of 12/31/2006 and modify it by charging an annual fee of \$8500. Staff was asked to find alternative parking and they have. It would not be in the best interest of the City to enter into a new parking agreement with Germania Hall at a cost of \$8500 per year.

B. CDD Keil - 1) Status of 81 & 87 Racine St. (Ald. Taylor)

CDD Keil reported the buildings on 81 & 87 Racine Street have been demolished. He is working with the Parks Dept. on what would be a good fit for those properties. They would like to get ideas from local people.

2) Status of 535 First St. (Ald. Taylor)

CDD Keil reported foreclosure action has started on this property. The County has it for back taxes. He has been discussing this issue with the County Treasurer and Mary Bach on the possibility of the City acquiring this property, having it demolished and having a new residence built. There are some grant funds available for the construction of a duplex. They could work with Habitat for Humanity or the Housing Authority. Will know more by the end of the month after the foreclosure is completed.

3) Report on Larson Engineering Study (Ald. Michalkiewicz)

CDD Keil reported his staff has sent out questionnaires to property owners that have had problems with their foundations. Based on the responses, they will set up inspections of certain properties and may do some soil sampling to see if they can pin point where the problem is with the foundations. The City follows the State required building codes, but my need to add restrictions in certain areas.

C. FC VanderWyst – Update on NIMS training (Ald. Wisneski)

FC VanderWyst reported the spreadsheet has been prepared by his staff indicating what training is needed to comply with NIMS and who is required to attend the training. He provided a copy of the spreadsheet.

D. DPW Radtke – Quiet Zone Plan (Ald. Merkes)

DPW Radtke reported the City's current quiet zone plan is good until June 2008, which prohibits trains traveling through the City not to blow their whistles. After June 2008, the City would need to submit a new plan.

XII. COUNCIL DIRECTIVES, Cont'd

Next Agenda: Ald. Taylor – 1) Lights on trestle trail; 2) Public Safety for Heckrodt Wetland Reserve;
3) Update on 81 & 87 Racine Street; 4) Status of 535 First Street;
5) Status of grocery store; 6) Mayor's trip to Japan

Ald. Merkes – 1) Status of on-line agenda; 2) Update on City website calendar;
3) land sale of 175 Main Street; 4) landscaping behind hotel lot; 5) Riverwalk.

Ald. Chase – Annexation of Heckrodt Wetland Reserve

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda –
five (5) minute time limit for each person)

A. Mary Nebel, 713 First Street. Why would the City want to purchase 535 First Street, it would be a bad
investment.

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Taylor to adjourn at 9:05 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, August 21, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Merkes, Taylor, Wisneski, Pack, Eckstein, Michalkiewicz, Chase
Excused: Hendricks
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil,
PRD Tungate, Clerk Galeazzi, and the Press.
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
A. Administration Committee, 8/7/06
B. Board of Public Works, 8/7/06
C. Common Council, 8/7/06
D. Personnel Committee, 8/7/06

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes A-D.
Motion carried on voice vote.

Minutes to receive:

- E. Health Insurance Sub-Committee, 8/3/06
F. NM Fire Rescue Finance & Personnel Committee, 7/25/06
G. Water & Light Commission, Closed Session, 7/26/06
H. Water & Light Commission, 7/26/06
I. Information Technology Steering Committee, 7/26/06
J. Plan Commission, 8/15/06
K. Park & Recreation Board, 7/10/06
L. Redevelopment Authority, 8/2/06
M. Safety Committee; City Hall, Health, Library & Senior Center, 8/7/06

Communications:

1. Wisconsin Taxpayers Alliance, 7/31/06
2. Confidential Assistance Program to PHD Nett, 8/8/06; Annual Report
3. Resume, 8/16/06; Antoine Tines; Housing Authority
4. Public Works Facility, 8/9/06; July 2006 Disposal Violations
5. Rep. Dean Kaufert, 8/1/06; receipt of Resolution regarding video franchising
6. PRD Tungate, 8/16/06; Trestle Trail Map
7. Clerk Galeazzi & Deputy Clerk Sewall, 8/11/06; Minutes
8. TDI Developments, 8/16/06; Invite to Headwaters Condominiums Open House
9. Ald. Chase, 8/17/06; Gov. Doyle's visit in Menasha
10. WI. Dept. of Administration, 8/14/06; Preliminary Estimate of 1/1/06 Population-Winnebago Cty.
11. WI. Dept. of Administration, 8/14/06; Preliminary Estimate of 1/1/06 Population - Calumet County
12. CA/HRD Brandt to Tony Weinandt; 8/15/06; City of Menasha Population
13. Comp. Stoffel, 8/17/06; Council Meeting of 8/21/06
14. PC Stanke, 8/16/06; Heckrodt
15. Red, White & Blue Committee, 8/16/06; Program for Never Forget: A Five Year Memorial

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to approve Minutes E-M and Communication 1-15.
Ald. Wisneski asked for Minutes K (Park & Rec Board) be separated.

Discussion: Ald. Pack, Minutes F, commended members of N-M Fire Rescue for their assistance to the Green Bay Fire Dept. in covering for the funeral of Green Bay Firefighter Arnie Wolff allowing them to attend the funeral.

Moved by Ald. Wisneski, seconded by Ald. Michalkiewicz to hold Minutes K.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)

VI. APPOINTMENTS

A. Mayor's Reappointment to the Redevelopment Authority:

1. Reappointment of Ken Skalmoski, 1030 Purple Sage Court, for the term of Sept. 1, 2006 to Aug. 31, 2009

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve reappointment.

Motion carried on roll call 7-0.

2. Reappointment of Linda Kennedy, 310 Willow Ln. for the term of Sept. 1, 2006 to Aug. 31, 2009.

Moved by Ald. Merkes, seconded by Ald. Eckstein to approve reappointment.

Motion carried on roll call 7-0.

B. Mayor's Appointment to the Housing Authority:

1. Appointment of Antoine Tines, 1840 Northridge Ct., for the term of Aug. 21, 2006 to July 21, 2011

Moved by Ald. Wisneski, seconded by Ald. Taylor to approve appointment.

Discussion:

Motion carried on voice vote.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Administration Committee, 8/21/06:

1. 175 Main Street Rear Façade Encroachment – James Olsen, Arendal Inc.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz to accept Offer to Purchase from Arendal Inc. Dated 6/15/06 and authorize signatures with amendment extending date of closing to Sept. 1, 2006.

Moved by Ald. Merkes, seconded by Ald. Taylor to counter-offer for a purchase price of \$190.

Discussion:

Motion fails on roll call 2-5.

Ald. Merkes, Taylor – yes

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no

Motion to accept carried on roll call 5-2.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase - yes

Ald. Merkes, Taylor – no

2. Health Department Agreement with Fox Valley Public Health Preparedness Consortium, January 1, 2006 to December 31, 2006, and authorize signature.

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz, to approve.

Motion carried on roll call 7-0.

3. Health Department Asbestos Compliance Inspection Contract Agreement with State of Wisconsin Department Of Natural Resources through June 30, 2007, and authorize signature.

Moved by Ald. Eckstein, seconded by Ald. Merkes to approve.

Motion carried on roll call 7-0.

4. Intergovernmental Cooperative Agreement to Facilitate Purchase of Accessible Voting System With Calumet County, and authorize signature.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Discussion:

Motion carried on roll call 7-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

A. Administration Committee, 8/21/06, Cont'd:

5. Accounts payable and payroll for the period 8-4-06/8-17-06 for the amount of \$2,432,576.86.

Moved by Ald. Eckstein, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

B. Board of Public Works, 8/21/06:

1. Street Use Applications:

- A. Labor Day Parade; Monday, September 4, 2006; 9:30 AM –11:30 AM
(Fox Valley Area Labor Council)

Moved by Ald. Pack, seconded by Ald. Eckstein, to approve.

Motion carried voice vote.

- B. 13th Annual St. Joe 5K Run/Walk for St. Joseph Food Pantry; Saturday, November 4, 2006;
9:00 AM to 10:00 AM (Pacesetter's)

Moved by Ald. Pack, seconded by Ald. Taylor to approve.

Motion carried voice vote.

2. Recommendation to Award:

- A. Carl Bowers & Sons Construction; Contract Unit No. TIF 9 2006-07; Province Terrace and
Jennie Street Storm Sewer and Paving; Norman Way Storm, Sanitary, Water Main, and
Paving; and Province Terrace Detention Basin; \$554,219.55

Moved by Ald. Pack, seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

X. ORDINANCES AND RESOLUTIONS

A. O-26-06 – An Ordinance Relating to the Mayoral Budget

Moved by Ald. Merkes, seconded by Ald. Taylor to adopt O-26-06.

Discussion:

Moved by Ald. Wisneski, seconded by Ald. Taylor to amend ordinance to Sept. 1 for department heads and
Oct. 15 for Mayoral Budget.

Motion on amendment carried on roll call 4-3.

Ald. Merkes, Taylor, Wisneski, Chase - yes

Ald. Pack, Eckstein, Michalkiewicz – no

Motion as amended carried on roll call 5-2.

Ald. Merkes, Taylor, Wisneski, Pack, Chase – yes.

Ald. Eckstein, Michalkiewicz, - no.

B. O-28-06 - An Ordinance Relating to the Mayoral Budget

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz, to suspend the rules and take up O-28-06 at this time.

Motion fails on roll call 0-7.

C. O-27-06 - An Ordinance Relating to the Common Council Meetings

Moved by Ald. Eckstein, seconded by Ald. Michalkiewicz, to suspend the rules and take up O-27-06 at this time.

Motion carried on roll call 5-2.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – yes.

Ald. Merkes, Taylor – no.

Moved by Ald. Pack, seconded by Ald. Eckstein to adopt O-27-06.

Discussion: CA/HRD Brandt reported the Library Director is considered a Dept. Head with this Ordinance.

Motion carried on roll call 6-1. Ald. Taylor – no.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Annexation of Heckrodt Wetland Reserve (Ald. Chase)

CA/HRD Brandt reported he has all the legal descriptions and will be meeting with staff to prepare the ordinance for the annexation. He is also looking at what other properties can be included in with this annexation. He has been talking with the attorney for the Town of Menasha on the detachment of the property.

2) Status of Gatehouse property (Ald. Hendricks)

CA/HRD Brandt reported he has had conversations with the previous property owners. He is getting closer to finalizing a closing date. Will inform the Council when the closing happens.

B. CDD Keil - 1) Status of 81 & 87 Racine St. (Ald. Taylor)

CDD Keil reported the DNR has requested additional groundwater samples from 87 Racine Street. He is waiting for a quote from McMahon on the cost to obtain the samples. He will wait for word from DNR before proceeding on any project. As for 81 Racine Street, they will need to remove they hydraulic lift and associated underground oil tanks. A plan will be prepared on what should be done with that property.

2) Status of 535 First St. (Ald. Taylor)

CDD Keil reported the last day before the County forecloses for non-payment of taxes is Aug. 25. The County will give the City first change to acquire the property. The Plan Commission approved acquiring the property when and if it becomes available.

3) Update on Grocery Store (Ald. Taylor)

CDD Keil reported active negotiations are going on with a prospective operator and distributor. He plans to bring a development agreement to the RDA in Sept.

4) Update on land sale of 175 Main St (Ald. Merkes)

Action taken previously, IX. A1.

5) Landscaping behind Hotel lot (Ald. Merkes)

CDD Keil reported this is the landscaping for Marina Place. A preliminary landscape plan was done by PRDC, owners of Marina Place. He will be working with the Parks Dept. to complete the project this fall.

6) Riverwalk (Ald. Merkes)

CDD Keil reported the conditions of the brick will be taken care of this fall by the Parks Dept.

The other issue is shrubs are over growing into the brick. They need to be trimmed back. That will be taken care of by the Parks Dept.

C. FC VanderWyst & PC Stanke – Heckrodt Safety (Ald. Taylor)

PC Stanke referred to his memo of 8/16/06, they have no safety concerns. His staff has no confusion which part of Heckrodt Wetland Reserve is in the City and what part is in the Town. He has contacted Town of Menasha Police Chief and he was unaware of any complaints on slow responds by his staff. Officer from both the City and Town respond to a 911 call and determine whose jurisdiction it is after arriving on the scene.

FC Vander Wyst also reported on safety concerns with HWR. He has been in contact with the Town of Menasha Fire Chief and he has no concerns. There is a mutual aid agreement between the City and Town.

D. PRD Tungate – Report on lights on Trestle Trail (Ald. Taylor)

PRD Tungate reported there are seven light fixtures with leaky heads on the Trestle Trail. They have contacted the manufacture of the light fixtures and they will be sending new ones to replace the malfunctioning ones at no cost to the City or Town.

E. Ald. Taylor – Mayor's trip to Japan (Ald. Taylor)

Ald. Taylor request this item be on the next agenda.

F. Clerk Galeazzi – 1) Update on Novus Agenda (Ald. Merkes)

Clerk Galeazzi reported she has been working with IT Supervisor Patrick James on this project. The template for the agendas has been completed. IT Manager Jeff Lacey has configured a server to house the program. They will be receiving training from NovusSolutions and then training staff. IT Supervisor James will be preparing a manual for use by staff and aldermen.

2) Update on City website calendar (Ald. Merkes)

CA/HRD Brandt reported he has asked staff to keep the website calendar update with current meeting times.

Next Agenda: Ald. Taylor – 1) Status of 81 & 87 Racine St; 2) Status of 535 First Street;

3) Status of grocery store; 4) Mayor's trip to Japan

Ald. Merkes – Status of gatehouse property

Ald. Chase – Heckrodt Annexation

XIII.CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV.ADJOURNMENT

Moved by Ald. Michalkiewicz, seconded by Ald. Chase to adjourn at 7:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
SPECIAL COMMON COUNCIL MEETING
Council Chambers, 3rd Floor
140 Main Street, Menasha
August 23, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 5:30 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Taylor, Wisneski, Pack, Eckstein, Hendricks, Michalkiewicz, Chase, Merkes
Also Present: Mayor Laux, CA/HRD Brandt, Doug Young, Melanie Krause, Ray Osness, Carol Wirth
Clerk Galeazzi, and the Press.
- IV. CITIZEN REPRIS (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)
 - A. Forrest Weber, 750 Appleton Street. He was part of Council when the Steam Plant project started, this Council is in the same position the 2005 Council was in, don't have a choice. Hope this will be last borrowing for this project.
 - B. Michelle Young, 1049 Woodland Drive. Read a Letter to the Editor that appeared in the newspaper on March 27, 2006 supporting the Utilities on switching to producing coal based steam.
 - C. Mary Ann Mulvey, 274 Misty Meadows. Asked questions when Steam Plant project started, didn't get answers; need to get answers to make good decisions.
- V. RESOLUTIONS
 - A. Presentation regarding Steam Plant (Doug Young, Ray Osness, Carol Wirth)

Ray Osness and Carol Wirth from RBC Capital Markets gave a presentation on the timeline of events for the Steam Plant project. The borrowing being requested is to extend the loan taken out in March 2006 with First National Bank-Fox Valley that comes due on Sept. 1, 2006 to Dec. 1, 2006. The presentation gave an explanation of the changes that occurred during the project. Carol explained a positive due diligence report is needed to successfully market the revenue bonds. The due diligence report is being prepared by Jaakko Poyry Consultants (formerly Marathon Engineers). The delay in receiving the due diligence report requires the current loan with First National Bank-Fox Valley to be extended. If the current loan is not extended or refinanced by its maturity date, the City will have defaulted and will be appropriately reflected in all aspects of the City's credit rating. The City currently holds a MIG 1 rating with Moodys Investors Service. Doug Young and Melanie Krause reported on the revenue received on electricity and steam since April 2006.

- B. R-39-06 – Resolution Authorizing The Borrowing of \$13,000,000 And Providing For The Issuance And Sale of A Taxable Steam Utility Revenue Bond Anticipation Note Therefor.

Moved by Ald. Michalkiewicz, seconded by Ald. Pack to adopt R-39-06.

Motion carried on roll call 8-0.

- VI. ADJOURNMENT

Moved by Ald. Eckstein, seconded by Ald. Wisneski to adjourn at 7:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Tuesday, September 5, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 8:47 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Wisneski, Pack, Eckstein, Hendricks, Chase, Merkes, Taylor.

Excused: Ald. Michalkiewicz

Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, DFC Auxier, DPW Radtke, CDD Keil,
PRD Tungate, Comp/Treas Stoffel, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee, 8/21/06

B. Board of Public Works, 8/21/06

C. Common Council, 8/21/06

D. Special Common Council, 8/23/06

Moved by Ald. Eckstein, seconded by Ald. Taylor to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

E. Library Board, 8/15/06

F. NM Sewerage Commission, 7/25/06

G. NM Fire Rescue Joint Finance & Personnel Committee, 8/22/06

H. NM Fire Rescue Joint Fire Commission, 8/23/06

I. Board of Health, 6/28/06

J. Health Insurance Sub-Committee Meeting, 8/11/06

K. Red, White & Blue Committee, 8/16/06

L. Park & Recreation Board, corrected; 7/10/06

M. Housing Authority, 4/13/06

N. Water & Light Commission, 8/23/06

O. Park and Recreation Board, 8/14/06

P. Plan Commission, 8/29/06

Q. Public Hearing, 8/21/06; Rezoning of parcel #7-24 (Oneida St. & Natures Way)

Communications:

1. League of Wisconsin Municipalities, 8/22/06; League Letter

2. Time Warner Cable to Clerk Galeazzi, 8/22/06; Network renaming

3. Winnebago County Legislative Committee Minutes, 7/24/06

4. Wisconsin Taxpayers Alliance, 8/14/06

5. Winn. Cnty Corporation Counsel, 8/28/06; Foreclosure notice of 535 First St.

6. Lisa Martens (Laemmrch Funeral Home), 8/22/06; 354 Third St.

7. Mayor Laux to Lisa Martens, 8/30/06; response to letter re: 354 Third St.

8. Mayor Laux, 8/23/06; Communication with Carrie Wagner re: reduction of streetlights

9. Dept. of Natural Resources, 8/29/06; Air Pollution Construction Permit for 800 Midway Rd. (Banta Co.)

10. Winn. Cnty Corporation Counsel, 8/28/06; Foreclosure notice of parcel #701-0290-99 (Racine St.)

11. Paul Brunette (Wreath Factory) to AP Beckendorf, 8/24/06; nomination in WCREW Showcase

12. Ald. Taylor, 8/31/06; memo from Jeff Jorgenson to PC Stanke regarding street light reduction

Moved by Ald. Wisneski, seconded by Ald. Eckstein to approve Minutes E-Q and Communications 1-12.

Discussion: Ald. Hendricks, Minutes Q (Public Hearing), misspelled words need to be corrected.

Ald. Chase, Minutes K (Red, White, Blue Comm), invite Aldermen to attend 9-11 Never Forget event.

Ald. Wisneski, Comm. #10, address of property. CDD Keil explained the property is a walkway.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Neenah-Menasha Fire Rescue, Joint Finance & Personnel Comm. recommends:

1. Accepting the proposal from Theda Care at Work for a total not to exceed \$19,214.00 for annual physicals for Neenah-Menasha Fire Rescue to be performed in 2007.

Moved by Ald. Wisneski seconded by Ald. Pack to approve.

Motion carried on roll call 7-0.

B. Plan Commission, 8/29 /06, recommends approval of:

1. Rezoning – C3 to PUD- Lot 1 of Certified Survey Map 1911 Nature's Way Parcel # 7-24

Moved by Ald. Merkes seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

2. Preliminary/Final Plat – Nature's Way
Community Development Dept. Variance Request From Subdivision Regulations-
Right of Way width: 30'
Cul de Sac radius: 41'

Moved by Ald. Merkes seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

3. Extraterritorial Plat Oakwood Estates – Town of Harrison

Moved by Ald. Merkes seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

C. Administration Committee, 9/5/06:

1. License: 'Class A' application of U.S. Oil Co., Inc., Gerald G. Smith, Agent for the premises at 700 Third Street for the 2006-2007 licensing year.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

2. Agreement with Excel Properties, LLC, 428 Third Street, and authorize signatures.

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Discussion.

Motion carried on roll call 5-2.

Ald. Wisneski, Pack, Hendricks, Eckstein, Chase - yes

Ald. Merkes, Taylor – no

3. Release and Settlement Agreement between City of Menasha & Time Warner Cable regarding franchise fee dispute, and authorize signatures.

Moved by Ald. Merkes seconded by Ald. Hendricks to approve with condition that one-half of funds be segregated to be used to provide service back to cable subscribers.

Discussion.

Motion carried on roll call 6-1.

**Ald. Merkes, Taylor, Wisneski, Hendricks,
Eckstein, Chase-yes.**

Ald. Pack – no.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

C. Administration Committee, 9/5/06:

4. Agreement between ACE/Wisconsin II, LLC and City of Menasha, and authorize signatures.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.
Discussion.

Motion carried on roll call 7-0.

5. Accounts payable and payroll for the period 8-24-06/8-31-06 for the amount of \$846,931.91.

Moved by Ald. Eckstein seconded by Ald. Taylor to approve.

Motion carried on roll call 7-0.

D. Board of Public Works, 9/5/06:

1. Street Use Applications:

- A. Oktoberfest; Friday, September 29, 2006, 5:00 PM -10:30 PM; Saturday, September 30, 2006, 12:00 PM-10:30 PM (Calumet Publishing)

Moved by Ald. Taylor seconded by Ald. Merkes to approve.
Discussion.

Moved by Ald. Wisneski seconded by Ald. Taylor to amend the time on Sept. 30, 1:00 p.m. to 10:30 p.m.

Motion carried on amendment on voice vote.

Motion to approve as amended on roll call 7-0.

- B. Harvest Fest; Saturday, September 30, 2006, 7:00 AM – 12:00 PM; (M.A.C Advocacy Group)

Moved by Ald. Wisneski seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

2. Payments:

- A. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03; \$2,992.50 (Payment No. 6)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

- B. Miron Construction Co., Inc.; Elevated Walkway Construction; Contract Unit No. 2005-03; \$12,869.05 (Payment No. 7)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

3. Review of Elimination of Selected Street Lights City Wide (Ald. Merkes)
No Action.
4. Request for 4-Way Stop Signs at Deerhaven Drive and Southfield Drive (Ald. Chase)
Acted on in Board of Public Works – 90-Day Trial.
5. Request for 4-Way Stop Traffic Control at First Street and Appleton Street; 500-600 Blocks of First Street; Neighborhood Watch (Ald. Taylor)
Acted on in Board of Public Works – 90-Day Trial.
6. Authorization to Execute Agreement with Canadian National Regarding River Street.
Acted on in Board of Public Works – Deferred to Sept. 18, 2006 meeting.

X. ORDINANCES AND RESOLUTIONS

- A. O-28-06 – An Ordinance Relating to the Mayoral Budget

Moved by Ald. Wisneski seconded by Ald. Eckstein to reject O-28-06.

Motion carried on roll call 7-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - 1) Annexation of Heckrodt Wetland Reserve (Ald. Chase)
CA/HRD Brandt reported he will be publishing the annexation notice and preparing the ordinance.
2) Status of Gatehouse property (Ald. Merkes)
CA/HRD Brandt reported he has sent the legal description to Dan Schott one of the owners of the condominium association and asked to schedule an appointment to discuss the issue of the legal description. He is waiting to hear from him.
- B. CDD Keil - 1) Status of 81 & 87 Racine St. (Ald. Taylor)
CDD Keil reported on 87 Racine Street the groundwater sampling has been completed. When he receives the report, he will send it to the DNR. He hopes to hear back from the DNR before the ground starts to freeze so they can make a decision on what to do with the property.
81 Racine Street, waiting to receive quote on removing the hydraulic lifts. He is working with Public Works Dept. on securing the property. He plans on using a snow fence to secure the property.
2) Status of 535 First St. (Ald. Taylor)
CDD Keil reported he has talked to the County Treasurer to confirm the procedure to obtain the property. There is a court date set for Oct. 19 for the County to take possession of the property. The City will need to wait until after that date to proceed with acquiring the property. He has the approval of the Housing Authority and Plan Commission to acquire the property.
3) Update on Grocery Store (Ald. Taylor)
CDD Keil reported he is working with an interested party. They are looking at using the current building on the site and part of the adjacent property. A plan will be presented to the RDA at it's next meeting (Sept. 6). The next step will be to formalize a development agreement and then bring it to the Council for approval.
- C. Ald. Taylor – Mayor's trip to Japan (Ald. Taylor)
Ald. Taylor read a definition of economic value. Discussion ensued if the Mayor's trip to Japan had any economic value to the City.

NEXT AGENDA: Ald. Merkes – 1) Status of gatehouse property
2) Maintenance and repair of bricks on riverwalk.
Ald. Wisneski – 1) Status of engineering study of Lincoln & Manitowoc Street
2) Completion date of River Street
Ald. Taylor – 1) 81 & 87 Racine Street; 2) Status of grocery store
Ald. Chase – 1) Status of HWR annexation.
2) Status of stop lights at intersection of STH 114 & LP.
3) Update on Friendship Trail

XIII. CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Wisneski seconded by Ald. Pack to adjourn at 9:32 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, September 18, 2006
MINUTES

I. Meeting called to order by Mayor Laux at 8:10 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski

Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, Comp/Treasure Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee, 9/5/06

B. Board of Public Works, 9/5/06

C. Common Council, 9/5/06

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes A-C.

Motion carried on voice vote.

Minutes to receive:

D. Red, White & Blue Committee 9/6/06

E. Board of Health, 8/23/06

F. Menasha Housing Authority, 8/30/06

G. Redevelopment Authority, 9/6/06

Communications:

1. Wisconsin Taxpayers Alliance, 8/25/06

2. Mayor, 9/2/06; Post Crescent: *Sitting Pretty*

3. Mayor, 9/2/06; Post Crescent: *Fox Jazz Fest returns after near-death experience*

4. SC Coordinator Sylvia Bull, 9/8/06; New Senior Program Directory

5. Alderman Pack, 9/12/06; *Menasha's Fourth District News*

6. Public Works Facility, 9/12/06; August 2006 Disposal Violations

7. Mayor, 9/12/06; Post Crescent Article: *Valley Reflects on 9-11*

8. Comp Stoffel, 9/11/06; 2007 Budget Review Sessions

9. LaDonna Kleiss (WI Assoc. of Senior Centers) to SC Coordinator Sylvia Bull, 9/5/06; receipt of Scholarship award

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes D-G and Communications 1-9. Discussion. Ald. Taylor, Minutes D (Red, White, Blue Comm.), request cost of 9-11 program and donations. Ald. Wisneski, Minutes E (Board of Health), disappointed only 18 people attend the 3 community meetings on pandemic flu planning; pandemic flu webcast scheduled for Sept. 29; commend Health Dept. for their work on this program.

Ald. Hendricks, Minutes E (Board of Health), disappointed in turn out at pandemic flu planning, but having the presentations during the day make it hard for most people to attend.

Motion carried on voice vote.

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

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

A. Stan Sevenich, 645 9th Street. Council has already voted on the elimination of certain street lights; Council members should reconsider vote if they want to discuss reinstall street lights.

VI. APPOINTMENTS

A. Mayor's Reappointment to the Park & Recreation Board

1. Reappointment of Mary Francis, 319 Cleveland St., for the term of Oct. 1, 2006 to Oct. 1, 2009

Moved by Ald. Merkes seconded by Ald. Wisneski to approve reappointment of Mary Francis

Motion carried on voice vote

2. Reappointment of Ronald Suttner, 1230 Appleton St., for the term of Oct. 1, 2006 to Oct. 1, 2009

Moved by Ald. Wisneski seconded by Ald. Merkes to approve reappointment of Ronald Suttner.

Motion carried on voice vote

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Administration Committee, 9/18/06:

1. Joint Powers Agreement for Winnebago County 911 Emergency System, December 1, 2006- November 30, 2007, and authorize signatures.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

2. Special Project Program Contract Between State of Wisconsin Department of Commerce and City of Menasha, Contract SPHO# 06-02 (Nature's Way Housing Project), and authorize signature.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

3. SCA Tax Assessment Objection (Motion to authorize outside legal council in order)

Moved by Ald. Taylor to authorize outside legal council not to exceed \$400. No second, motion dies.

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to authorize outside legal council.

Discussion.

Moved by Ald. Merkes, seconded by Ald. Taylor to amend motion to not to exceed \$2,000.

Discussion.

Motion on amendment fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

Moved by Ald. Wisneski, seconded by Ald. Merkes to amend motion to not to exceed \$10,000 and receive reports at the Attorney's discretion.

Motion on amendment carried on roll call 5-3.

Ald. Merkes, Wisneski, Pack, Hendricks, Chase – yes.

Ald. Taylor, Eckstein, Michalkiewicz – no.

Motion as amended carried on roll call 5-3.

Ald. Merkes, Wisneski, Pack, Hendricks, Chase – yes.

Ald. Taylor, Eckstein, Michalkiewicz – no.

4. Accounts payable and payroll for the period 9-7-06/9-14-06 for the amount of \$552,708.40

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Board of Public Works, 9/18/06:

1. Street Use Applications:

- A. Menasha High School Homecoming Parade; Friday, September 29, 2006, 5:30 PM - 6:00 PM

Moved by Ald. Taylor seconded by Ald. Wisneski to approve with amendment to restrict parking on Appleton Street north of Ninth Street during the parade.

Discussion.

Motion carried on roll call 8-0.

2. Recommendation to Award:

- A. Dorner, Inc.; Contract Unit No. 2006-08; Nature's Way Storm Sewer, Sanitary, Water Main, and Detention Basin; \$377,951.38

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

3. Authorization to Execute Agreement with Wisconsin Central, Ltd. Regarding River Street

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

4. Request to Change Yield Sign Control to Stop Sign Control on Lincoln Street at Manitowoc Street

Moved by Ald. Wisneski seconded by Ald. Eckstein to deny request.

Motion carried on voice vote

5. Review of Elimination of Selected Street Lights City Wide (Ald. Taylor)
No Action. (See Item XII)

X. ORDINANCES AND RESOLUTIONS

- A. O-29-06 – An Ordinance Relating to Abandoned or Unclaimed Bicycles
No Action

- B. R-40-06 – A Resolution Pertaining to Sewer Service Charges and Surcharges

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to adopt R-40-06.

Moved by Ald. Merkes, seconded by Ald. Taylor to hold for two weeks.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - 1) Status of Heckrodt Wetland Reserve Annexation (Ald. Chase)

CA/HRD Brandt and staff have identified the property that will be included in the annexation. He is working on preparing the legal description of the properties. This will cover the entire area requested by Heckrodt Wetland Reserve. This type of annexation does not require a land swap with the Town of Menasha.

2) Status of Gatehouse property (Ald. Merkes)

CA/HRD Brandt is working with representative of Evans Title to get all the correct documents prepared. He will send the documents to the attorney for signatures of the previous owners. He is also preparing a Right of Entry that will allow the potential owner access to the property until all the paperwork is completed and final sale of the property can take place.

- B. CDD Keil - 1) Status of 81 & 87 Racine St. (Ald. Taylor)

CDD Keil reported on 87 Racine St, the groundwater samples have been completed and test results provided to the DNR to be used for the site cleanup process. He hopes to have the cleanup process done before the cold weather sets in and the ground freezes.

81 Racine St-received a quote of \$1,326 to remove the hydraulic lifts. Once the lifts are removed, the snow fencing will be taken down and the area cleaned out.

XII. COUNCIL DIRECTIVES, Cont'd.

- B. CDD Keil - 2) Status of Grocery Store (Ald. Taylor)
CDD Keil reported a development plan and cost schedules were presented to the RDA at their last meeting by the prospective operators. The RDA authorized the preparation of a development agreement to be presented to the RDA at the next meeting. The financial status of TID #10 is a factor in for this project. There will be a high land acquisition cost associated with this project. Staff continues to work with the prospective operators to get an attainable project.
- C. DPW Radtke – 1) Completion date of River St. (Ald. Wisneski)
DPW Radtke reported the contractor of the River Street project is anticipating the completion date to be the end of October. The contracting crew is dealing with some items that will need to be removed before they can finish the project.
2) Status of stop lights at intersection of STH 114 & LP (Ald. Chase)
DPW Radtke reported Calumet County Supervisor Stanke provided a complete progression schedule for this project.
- D. PRD Tungate –1) Update on Friendship Trail (Ald. Chase)
PRD Tungate reported they are waiting for news on the grant they applied for with the DOT. He also explained the route of the trail will be on the south side of STH 114 in the Town of Harrison.
2) Maintenance & repair of bricks on river walk (Ald. Merkes)
PRD Tungate reported the park crew is working on trimming back the shrubs along the river walk. They will be getting quotes on the brick repair.

Next Agenda: Ald. Hendricks: 1) Status of The Shops at Waverly mall; 2) Clean up of sidewalk in front of Broad Street condominiums; 3) Status of the gatehouse property.

Ald. Merkes: Questions on budget procedures.

Ald. Chase: Annexation of Heckrodt Wetland Reserve.

Ald. Taylor: 1) Replacing lights on Trestle Trail; 2) Status of property at 354 Third Street;
3) Cameras at Public Works Facility; 4) Curtis Reed Square landscaping lights and missing plaques.

Ald. Wisneski requested to revisit the Board of Public Works, Review of Elimination of Selected Street Lights City Wide.

Mayor Laux approved the request.

Moved by Ald. Wisneski seconded by Ald. Pack to reinstall the street light in the 800 Block of State Street for the safety of resident based on past history.

Motion carried on roll call 6-2.

Ald. Merkes, Taylor, Wisneski, Pack, Hendricks, Chase – yes.

Ald. Eckstein, Michalkiewicz – no.

Moved by Ald. Taylor seconded by Ald. Merkes to reinstall 3 street lights on Elm Street because residents from the street requested it.

Motion fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to adjourn at 9:20 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, October 2, 2006

MINUTES

- I. Meeting called to order by Mayor Laux at 7:35 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack
Also Present: Mayor Laux, CA/HRD Brandt, FC Vander Wyst, Lt. Bouchard, CDD Keil,
Comp/Treasurer Stoffel, PWS Jacobson, Pk Supt Huss, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 9/18/06
- B. Board of Public Works, 9/18/06
- C. Common Council, 9/18/06
- D. Personnel Committee, 9/18/06

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

- E. Committee on Aging; 3/9/06, 4/13/06, 5/11/06, 6/8/06
- F. Public Library, 9/7/06; Finance Committee
- G. Public Library, 9/11/06; Building & Grounds Committee
- H. Information Technology Steering Committee, 8/16/06
- I. N-M Sewerage Commission, 8/22/06
- J. Safety Committee, 8/28/06, 9/26/06; Public Works and Parks
- K. N-M Fire Rescue, Finance & Personnel Committee, 9/27/06
- L. Plan Commission, 9/19/06

Communications:

- 1. Wisconsin Taxpayers Alliance, 9/12/06, 9/22/06
- 2. Mayor, 9/16/06; Post Crescent article: A Long Way To Go
- 3. MU GM Young to Menasha residents, 9/15/06; schedule of "steam blows"
- 4. Nancy Barker (Winn. Cnty. Supervisor), 9/15/06; Northwestern Article: Menasha survey sets example for Oshkosh
- 5. Memo from Jeff Jorgenson of 5/25/06 (Menasha Crime reduction coordinator) to PC Stanke regarding lighting options (Ald. Taylor).
- 6. Barb Drinkwine (Chair of Red, White & Blue Committee) to Mayor Joe, 9/12/06; Sincere thanks
- 7. Kristin Hart (WiDNR Air Mgmt) to Banta Co., 9/8/06; Notification of proposed revocation of air permits
- 8. Mayor, 9/27/06; article from Fond du Lac Reporter regarding storm-water cleanup rules
- 9. Menasha Utilities, 9/15/06; Monthly Construction Report for September 2006
- 10. PRD Tungate, 9/27/06; Downtown plaques, Curtis Reed Square Landscape lights, Trestle Trail lighting, Friendship Trail, Shoreline Landscaping near the Miron lift bridge
- 11. PRD Tungate, 9/27/06; Recreation Management Article, Tennis: Great news for clubs
- 12. Independent Inspections, LLC, 9/27/06; Permits issued for July 2006
- 13. CA/HRD Brandt to Lake Park Villas Homeowners' Association, 9/28/06; City of Menasha Report-Annual meeting
- 14. PWD Radtke, 9/28/06; Security Cameras at Public Works Facility
- 15. Robert Fahrback, 9/16/06; Resume

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes E-L and Communications 1-15.

Discussion: Ald. Wisneski, Minutes J (Safety Committee), PRD Tungate wasn't present at meeting.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)

- A. Forrest Weber, 750 Appleton Street. 1) Stormwater Utility Plan, what impact it will have on non-profit organization in the City; 2) Winnebago County has passed railroad resolution that was passed by City; 3) changes to street light issue needs to be done by motion of Council; 4) cable TV franchise fees
- B. Stan Sevenich, 645 9th Street. R-41-06, Council shouldn't rush into approving, need to look at everything, wait until budget is received to see if levy limits are exceeded.

VI. APPOINTMENTS

- A. Council President Michalkiewicz's recommendation for Council approval of the Utilities Commission:
 - 1. Appointment of Robert Fahrbach, 1208 Greendale Street, Oct. 1, 2006 to Oct. 1, 2011.

Moved by Ald. Michalkiewicz seconded by Ald. Merkes to approve appointment.

Motion carried on roll call 8-0.

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Personnel Committee, 9/18/06 recommends:

- 1. Obtaining a proposal from Accurate Appraisal for Assessor services for balance of year.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to approve.

Discussion.

Motion carried on roll call 8-0.

B. N-M Joint Fire Rescue, Finance & Personnel Committee, 9/27/06 recommends:

- 1. Additional \$3,000 be added to DC DeLeeuw's base salary effective October 2, 2006 in recognition of the additional responsibilities for his position due to the reorganization of the department that took place in March 2006.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to approve.

Discussion.

Motion carried on roll call 8-0.

C. Administration Committee, 10/2/06:

- 1. Agreement between City of Menasha Health Dept. and State of Wisconsin Dept. of Commerce for Manufactured Home Community Agents, July 1, 2006-June 30, 2010 and authorize signature.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on roll call 8-0.

- 2. Request for Proposals – Property assessment Maintenance and Tax Listing Services.

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Moved by Ald. Merkes seconded by Ald. Hendricks to amend to make the following changes to the Request for Proposals, under Scope of Services to be Provided by Assessment Firm, #10 (Office Hours), change City to Council, #12 (Telephone Access), telephone staffed from 8:00am to 4:00pm, and under General Specifications, #4 (Subcontractors), change City of Menasha to Common Council.

Motion on amendment carried on roll call 7-1.

Ald. Pack – no.

Motion as amended carried on roll call 8-0.

- 3. Accounts payable and payroll for the period 9-21-06/9-28-06 for the amount of \$858,403.35.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd

D. Board of Public Works, 9/18/06:

1. Payments:

- A. Vinton Construction Co.: River Street Relocation Roadway Construction:
Contract Unit No. 2006-06: \$172,796.27 (Payment No. 1)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

- A. O-29-06 – An Ordinance Relating to Abandoned or Unclaimed Bicycles

Moved by Ald. Taylor seconded by Ald. Wisneski to adopt O-29-06.

Motion carried on roll call 8-0.

- B. R-40-06 – A Resolution Pertaining to Sewer Service Charges and Surcharges

Moved by Ald. Pack seconded by Ald. Michalkiewicz to adopt R-40-06.

Motion carried on roll call 8-0.

- C. R-41-06 – A Joint Resolution of the Cities of Menasha and Neenah Authorizing Neenah-Menasha Fire Rescue to Exceed the Local Levy Limits Pursuant to Wis. Stat. Sec. 66.0602(3)(h)

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to adopt R-41-06.
Discussion.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - 1) Status of Heckrodt Wetland Reserve Annexation (Ald. Chase)

CA/HRD Brandt reported Davel Engineering has been contracted to prepare the legal description of the property that will be annexed. CA/HRD Brandt will prepare the ordinance and publish the notice once he receives the legal description. The boundary agreement between the City and Town of Menasha does not require land exchange in an annexation if the land being annexed is unimproved property.

- 2) Status of Gatehouse property (Ald. Merkes)

CA/HRD Brandt reported a Right of Entry has been prepared and given to Tom Grade. Mr. Grade had started doing some work to the building. The necessary documents to finalize the sale of the property have been sent to the attorney representing the previous owners. He will be meeting with the attorney next week to finalize everything.

- 3) Budget (Ald. Merkes)

CA/HRD Brandt explained state law requires a $\frac{3}{4}$ vote of the Common Council when moneys are appropriated from the undesignated reserve to pay for any non-budgeted item. Menasha has always allowed departments to move funds within a budget from one item to another without council approval provided the bottom line budget is not exceeded at the end of the year.

- B. CDD Keil - 1) Follow up on complaint of 354 3rd Street (Ald. Taylor)

CDD Keil reported he has contacted the owners of 354 3rd Street. The owners informed him this is rental property and they are cleaning up after having bad tenants in the property. He has had the building inspectors check out the property and they have indicated a few code violations. CDD Keil has informed the property owners of the violations and they understand these violations must be corrected before they can rent the property.

- 2) Curtis Reed Square Landscape lighting and missing plaques (Ald. Taylor)

CDD Keil referred to PRD Tungate's memo of 9/27/06 that explained repair work has been done on the landscape lighting. Parts have been ordered to repair some of the lights, which should be completed within two weeks.

Staff has located the missing plaques for Curtis Reed and the International Peace fountain. They will be installed within the next week.

- 3) Report on The Shops at Waverly strip mall (Ald. Hendricks)

CDD Keil reported he has contacted the developer of the mall and their plan is to complete each store to suite the needs of the tenant.

XII. COUNCIL DIRECTIVES, Cont'd.

- B. CDD Keil, cont'd.
 - 4) Clean up of sidewalk in front of Broad Street Condominiums (Ald. Hendricks)
CDD Keil reported part of the sidewalk was replaced earlier this summer, but they needed to wait for the telephone company to move a wire before they could complete the last part of the sidewalk. The telephone company has relocated the wire, so the final part of the sidewalk has now been poured.
- C. PWD Radtke – 1) Report on cameras at Public Works Facility (Ald. Taylor)
Outlined in memo dated 9/28/06.
- D. PRD Tungate –1) Report on lights on trestle trail (Ald. Taylor)
Outlined in memo dated 9/27/06.
- E. Clerk Galeazzi – Written policy regarding unsigned communications (Ald. Taylor)
Clerk Galeazzi reported she researched records and could not locate a written policy on accepting unsigned letters. She checked with a former alderman and clerk and it was their recollection that it was a mutual understanding among the aldermen not to accept unsigned letters addressed to the Council. The Council can write a policy or introduce an ordinance addressing this issue.
- F. Ald. Taylor – Time table for Mayor's trip to Japan (Ald. Taylor)
Ald. Taylor asked Mayor Laux when he was going to Japan and who from the City he was going with. Mayor Laux replied his past practice has been to submit a letter and instructions to the Council President as to when he will be out of the area. Which he will be doing this week. He will not be traveling with anyone from the City.

NEXT AGENDA: Ald. Michalkiewicz – Report on the Larsen Study

- Ald. Hendricks – 1) Status of the Gatehouse Property; 2) Stormwater Utility Plan
- Ald. Chase – Heckrodt Wetland Reserve Annexation
- Ald. Taylor – 1) Status of 81 Racine Street; 2) Report of department heads on staffing;
 - 3) Policy for sending flowers;
 - 4) Agenda protocol, what gets placed on Common Council agenda
- Ald. Wisneski – 1) Update on River Street construction;
 - 2) Report on lumens standards of street lights.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Forrest Weber, 750 Appleton Street. 1) As Council President, he didn't respond to unsigned letters; 2) lights on Trestle Trail are closer together than City street lights.
- B. Stan Sevenich, 645 9th Street. 1) Unsigned letters should not be accepted; 2) Should create an Ordinance that items be specified in budget.

XIV. ADJOURNMENT

Moved by Ald. Eckstein seconded by Ald. Taylor to adjourn at 8:30 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, October 16, 2006

MINUTES

I. Meeting called to order by Council President Michalkiewicz at 7:00 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL/EXCUSED ABSENCES

Present: Ald. Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks.

Also Present: CA/HRD Brandt, Lt. Brunn, DPW Radtke, CDD Keil, Comp/Treasurer Stoffel,
PRD Tungate, Clerk Galeazzi, and the Press.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Administration Committee, 10/2/06

B. Board of Public Works, 10/2/06

C. Common Council, 10/2/06

Moved by Ald. Wisneski seconded by Ald. Eckstein to approve minutes A-C.

Motion carried on voice vote.

Minutes to receive:

D. Police Commission, 9/21/06

E. Board of Health, 9/13/06

F. Park & Recreation Board, 9/12/06

G. Redevelopment Authority, 10/4/06

H. Plan Commission, 10/3/06

Communications:

1. Public Works Facility, 10/10/06; September 2006 Disposal Violations

2. FC Vander Wyst, 10/10/06; City of Neenah 2006 Classification Structure

3. WI DNR to Tree Managers, 10/3/06; Emerald Ash Borer insect situation

4. UW Extension Community Development Educator, 10/4/06; Menasha Community Economic
Development Preparedness Index Presentation

5. Department Staffing reports from: Health Dept., Senior Center, Fire Dept., Assessor Dept.,
Finance Dept., IT Dept., Library, Park & Rec Dept., Public Works Dept., Community Devlp. Dept.

6. Mayor Laux, 10/11/06; 2007 Proposed Operating and Capital Budget

7. Comp. Stoffel, 10/10/06; Budget Comparison (2007 Tax Levy)

8. CA/HRD Brandt, 10/11/06; Placing items on agendas

9. Clerk Galeazzi, 10/10/06; Final Estimate of January 1, 2006 Population for Winnebago & Calumet Cty.

10. CA/HRD Brandt to WPPI Benefit Trust, 10/12/06; Participation Agreement

11. Clerk Galeazzi, 10/11/06; Policy for sending flowers

12. CDD Keil, 10/12/06; Building Foundation Survey

13. MU GM Young, 10/3/06; Street and Roadway Lighting Standards

Moved by Ald. Wisneski seconded by Ald. Eckstein to approve Minutes D-H & Communications 1-13

Discussion: Ald. Merkes, Comm. #5, what is current staffing for Parks Dept. PRD Tungate report currently
the Parks Dept. has 8.1 positions filled, they are .5 position short.

Ald. Hendricks, Comm. #5, Senior Center staffing included with Health Dept. staffing.

Ald. Wisneski, Comm. #9, City population has increased to 17,282, city limits signs should be updated.

CA/HRD Brandt reported staffing of his three dept. (Attorney, Personnel, Clerk) are 100% staffed.

Motion carried on voice vote.

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

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

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 10/3/06; recommends approval of:

1. Certified Survey Map – Lake Park Villas Lots 39-43 with the condition that the utility easement be increased from 6 ft. to 10 ft.

Moved by Ald. Merkes seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

2. Certified Survey Map – Lake Park Villas Lots 48-52 & Outlot 12 with the condition that the utility easement be increased from 6 ft. to 10 ft.

Moved by Ald. Merkes seconded by Ald. Taylor to approve.

Motion carried on voice vote.

B. Administration Committee, 10/16/06:

1. Raise Marina slip rental fee from \$36/foot to \$36.50/foot for 2007
(Recommendation from Parks & Recreation Board)

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

2. Revise event sponsorship and fee waiver policy effective January 1, 2007
(Recommendation from Parks & Recreation Board)

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

3. Agreement by and between Department of Workforce Development and City of Menasha Public Health Dept., October 1, 2006-September 30, 2007, and authorize signature.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

4. Proposal from Accurate Appraisal for assessing services for balance of 2006.

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

5. Accounts payable and payroll for the period 10-5-06/10-12-06 for the amount of \$511,276.16

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

C. Board of Public Works, 10/16/06:

1. Change Order:

- A. Gersek Construction; TIF #5 Stormwater Pond; Midway Business Park Regional Detention Basin; Contract Unit No. 2005-07; ADD: \$595.18 (One & Final)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

2. Payments:

- A. Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \$ 105,080.68 (Payment No. 2)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

- B. Gersek Construction; TIF #5 Stormwater Pond; Midway Business Park Regional Detention Basin; Contract Unit No. 2005-07; \$ 2,720.54 (Payment No.4 &Final)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

3. Recommendation for Revisions to City Street Lighting Plan (DPW Radtke)

Moved by Ald. Wisneski seconded by Ald. Chase to approve as amended in Board of Public Works.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

C. Board of Public Works, 10/16/06:

4. Requests for Revisions to City Street Lighting Plans

A. Pine Street: reinstall light on Pole #197 (Ald. Merkes)

No Action

B. Nassau Street: (Ald. Merkes)

1. Move light on Pole #187 to Pole #186

Moved by Ald. Merkes seconded by Ald. Hendricks to approve.

Discussion.

Motion carried on roll call 8-0.

2. Reinstall light on Pole #181

No Action.

C. Oak Street: reinstall lights on Pole #166 and Pole #162 (Ald. Merkes)

No Action.

D. Naymut Street: reinstall lights on Pole #2206 and Pole #146 (Ald. Merkes)

No Action.

E. Elm Street: reinstall lights on Pole #107, Pole #111 and Pole #115 (Ald. Merkes)

No Action.

F. Grandview Avenue: reinstall light on Pole #961 (Ald. Pack)

No Action.

G. Other specified street lights (various aldermen)

No Action.

X. ORDINANCES AND RESOLUTIONS

A. O-30-06 – An Ordinance Relating to the Common Council Packet Communications

Moved by Ald. Eckstein seconded by Ald. Pack to suspend the rules and take up O-30-06.

Motion carried on roll call 6-2.

**Ald. Wisneski, Pack, Hendricks, Eckstein,
Michalkiewicz, Chase-yes**

Ald. Merkes, Taylor – no

Moved by Ald. Pack seconded by Ald. Eckstein to adopt O-30-06.

Moved by Ald. Merkes seconded by Ald. Hendricks to hold for two weeks.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Status of Heckrodt Wetland Reserve Annexation (Ald. Chase)

CA/HRD Brandt reported he is still waiting for the legal description. Once the legal description is received he will prepare the ordinance and other documents for the annexation.

2) Status of Gatehouse property (Ald. Hendricks)

CA/HRD Brandt reported he has created a partial release of mortgage and has sent it to the attorney representing the lien holder. He is waiting for the signed documents to be sent back.

3) Protocol for putting items on Council Agenda (Ald. Taylor)

CA/HRD Brandt reported on how the current ordinance reads pertaining to how items are placed on Administration Committee, Board of Public Works and Common Council agendas. Items must be presented to the Clerk before the agenda meeting. To have something added to the agenda after that would require the approval of the chairperson or Mayor. Supporting documents for the items on the agenda must be to the clerk by noon on the Thursday before the meeting.

B. CDD Keil - 1) Report on Larson Study (Ald. Michalkiewicz)

CDD Keil reported on the study that was conducted by Larsen Engineering to help discover some of the areas in the City that are having foundation problems. The property owners that responded to the survey indicated numerous complaints about the foundations of their homes. The type of soil in the areas may be a contributing factor to the problem, but they haven't determined the main cause. Larsen Engineering will evaluate the survey and visit some selected residents before they make their final report. That report is expected to be completed by December 2006. Larsen Engineering will make some recommendations on amending the City's building code.

XII. COUNCIL DIRECTIVES, Cont'd.

- B. CDD Keil - 2) Report on 81 Racine St. (Ald. Taylor)
CDD Keil reported the hydraulic lift has been removed from the ground. The oil was tested and no PCB was found. He will be working with the Public Works Dept. on removing the snow fence and install a temporary surface cover.
- C. DPW Radtke – 1) Update on Stormwater Utilities Plan (Ald. Hendricks)
DPW Radtke reported the stormwater utility plan is almost completed. They will present it to the Council upon its completion. The plan is expected to be implemented sometime between July 2007 and Jan. 2008. They will be holding two public hearings before the plan is implemented.
2) Update on River St. (Ald. Wisneski)
DPW Radtke reported the project is progress well. The south half of the street and the area around the railroad tracks needs to have concrete poured. This area will take a little longer because it will require the concrete to be poured by hand. Traffic will need to be re-routed when the concrete is being poured. If weather conditions are good, the project should be completed by late Oct or early Nov.
3) Report on lumens standards for street lights (Ald. Wisneski)
DPW asked for 2 weeks to prepare a report on this item.
- D. Clerk Galeazzi – Policy on sending flowers (Ald. Taylor)
Outlined in memo dated 10/11/06.
- E. All Department Heads – Report on department staffing (Ald. Taylor)
Outlined in memos from Department Heads.

Next Agenda: Ald. Merkes – Update on landscaping by Marina Place.

Ald. Taylor – 1) Status of 535 First Street; 2) Status of 81 Racine Street.

Ald. Chase – 1) Heckrodt Wetland Reserve Annexation; 2) Status of grocery store.

Ald. Eckstein – Status of SCA pending appeal

Ald. Hendricks – Status of gatehouse property.

CA/HRD Brandt explained there will need to be a Personnel Committee meeting to discuss union contracts and the RFP for the assessor services. Council agreed on Oct. 30.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Hendricks to adjourn at 7:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, November 6, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:02 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase.
Also Present: Mayor Laux, CA/HRD Brandt, Lt. Bouchard, FC Vander Wyst, DPW Radtke, CDD Keil,
Comp/Treasurer Stoffel, PRD Tungate, Clerk Galeazzi and the Press.
Dept. Head Excused: PHD Nett.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

- A. Administration Committee, 10/16/06
- B. Board of Public Works, 10/16/06
- C. Common Council, 10/16/06
- D. Personnel Committee, 10/30/06

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes A-D.

Motion carried on voice vote.

Minutes to receive:

- E. Water & Light Commission, 9/27/06
- F. Library Board, 9/19/06, 10/17/06
- G. N-M Sewerage Commission, 9/26/06
- H. Library Board, 10/23/06; Policies/Personnel Committee
- I. Library Board, 10/17/06; Investment Committee
- J. Library Board, 10/16/06; Buildings & Grounds Committee
- K. NM Fire Rescue, 10/25/06; Joint Fire Commission
- L. NM Fire Rescue, 10/24/06; Finance & Personnel Committee
- M. Safety Committee, 8/7/06, 8/24/06, 9/11/06, 9/28/06, 10/2/06
- N. Plan Commission, 10/31/06
- O. Parks & Recreation Board, 10/9/06
- P. Redevelopment Authority, 11/1/06
- Q. Parking Committee, 8/30/06

Communications:

- 1. WI Taxpayers Alliance, 9/29/06, 10/13/06, 10/24/06
- 2. League of Wisconsin Municipalities, 10/23/06; Letter
- 3. Dept. of Commerce, 10/17/06; Audit Report of NM Fire Rescue
- 4. Menasha Utilities, 10/18/06; Water Treatment Plant Modifications Monthly Construction Report 10/06
- 5. MaryBeth Schreiter (resident), 10/20/06; Appreciation of Crisis Intervention Team
- 6. Time Warner Cable to Clerk Galeazzi, 10/27/06; Additions and enhancements to Cable products
- 7. Calumet County, 9/8/06; Legislative Committee Meeting Minutes
- 8. Winnebago County, 8/28/06; Legislative Committee Meeting Minutes
- 9. Atty. Robert Horowitz to CA/HRD Brandt, 10/2/06; WI Dept. of Revenue meeting on 9/28/06
- 10. Winnebago County Notice of Entry of Judgment, 10/27/06; 535 1st St., 121 River St., and Parcel #1-00290-99 on Racine St.
- 11. PC Stanke, 11/1/06; New law: Act 466
- 12. Time Warner Cable to Clerk Galeazzi, 11/1/06; Channel Consolidation
- 13. Ald. Taylor, 10/30/06; USA TODAY article: *As yard sales proliferate, so do traffic and clutter complaints*
- 14. Ald. Taylor, 9/8/06; USA TODAY article: *Moving back to front porch does a body good*
- 15. Ald. Taylor, 8/27/96; New York Times article: *Why some towns place roadblocks on Cul-de-sacs*
- 16. Mayor Laux, 10/25/06; Post Crescent article: *Chamber honors manufacturers*
- 17. Notice of Public Hearing, 11/2/06; 2007 Budget
- 18. Dept. of Revenue to Clerk Galeazzi, 11/1/06; Notice of Limit to Qualify for a 2008 Expenditure Restraint Payment

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Communications, cont.:

19. Maebashi City Hall, 10/27/06; Thank you note
20. Mayor Laux, 11/2/06; Article from Japanese Newspaper
21. Wynn Jones (International Masonry Institute), 10/31/06; Cinema Project
22. Dan Meissner (AIA LLC), 11/2/06; Cinema project and conformance with State building codes

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes E-Q and Communication 1-22.

Discussion: Ald. Michalkiewicz, Comm. #21 & 22, Cinema Project.

CDD Keil explained his dept. received letter indicating some state building codes were being violated on the Cinema project. He checked with the City and the State building inspectors and they both confirmed the project is being construction within the State code.

Ald. Wisneski, asked that Minutes P (RDA) be separated from rest of Minutes to Receive. There is an error in the minutes that should be corrected.

Minutes P separated from rest of Minutes to Receive.

Motion carried on voice vote.

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

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

- A. Wynn Jones, 5192 Hwy 175, Oshkosh. Cinema Project; masonry work is in violation of State Code. He explained which codes were being violated.

CA/HRD Brandt informed Mr. Jones his time to speak was up.

Moved by Ald. Taylor seconded by Ald. Merkes to allow Mr. Jones to exceed the five-minute rule.

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Wisneski, Pack, Hendricks – yes.

Ald. Eckstein, Michalkiewicz, Chase – no.

Mr. Jones continued; his organization would pay to have another State inspector inspect the project.

- B. Jim Danielson, Accurate Appraisal LLC. Submitted RFP for assessing services for 2007. Their bid was in line with other bids submitted. Accurate Appraisal has enjoyed working with the City in the past.
- C. Forrest Weber, 750 Appleton St. 1) Representing St. Timothy's Church, the Church Council are concerned with stormwater utilities, they are requesting the implementation of this program start in 2008. Church has set their budget for 2007; 2) 2007 Budget, don't push back street repair; 3) Other municipalities have development without TIF funding.

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 10/31/06; recommends approval of:

1. The Extraterritorial Certified Survey Map on American Dr. in the Town of Menasha

Moved by Ald. Merkes seconded by Ald. Wisneski to approve.

Motion carried on voice vote.

2. The proposed changes to parking standards for office, administrative and retail uses:
From 1 stall per 200 sq. ft. of publicly used floor space to 1 stall per 400 sq. ft. of public used floor space.
No Action.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Personnel Committee, 10/30/06, recommends approval of:

1. Ratification of Collective Bargaining Agreement extension between the City of Menasha and Local 603, AFSCME for 2007-2008 (Police)
2. Ratification of Collective Bargaining Agreement extension between the City of Menasha and Local 1035B, AFSCME for 2007-2008 (City Hall & Police Support Staff)
3. Proposal from Associated Appraisal Consultants for Property Assessment Maintenance and Tax Listing Services for 2007.

Moved by Ald. Merkes seconded by Ald. Hendricks to hold items B 1, 2, & 3.

C. Personnel Committee, 11/6/07, recommends approval of:

1. Ratification of Collective Bargaining Agreement extension between the City of Menasha and Local 1035, AFSCME for 2007 – 2008. (Public Works)

Moved by Ald. Pack seconded by Ald. Wisneski to approve.

Motion carried on roll call 6-2.

Ald. Wisneski, Pack, Hendricks, Eckstein, Chase

Michalkiewicz – yes.

Ald. Merkes, Taylor – no.

2. Consideration of January 1, 2007 and September 1, 2007 adjustments to all non-represented employees' salaries.

Moved by Ald. Wisneski seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 6-2.

Ald. Merkes, Wisneski, Pack, Eckstein, Chase

Michalkiewicz – yes.

Ald. Taylor, Hendricks – no.

3. Consideration of January 1, 2007 and September 1, 2007 adjustment to Supervisory Lieutenants' salaries.

Moved by Ald. Wisneski seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

4. Consideration of adjustment to midpoint for 2006 non-represented salary ranges and Supervisory Lieutenants' salary range.

Moved by Ald. Wisneski seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

Moved by Ald. Merkes, seconded by Ald. Hendricks to reconsider vote on Item IX. B 1, 2 & 3.

Motion carried on roll call 8-0.

- B1. Ratification of Collective Bargaining Agreement extension between the City of Menasha and Local 603, AFSCME for 2007-2008 (Police)

Moved by Ald. Pack, seconded by Ald. Wisneski to approve.

Discussion.

Motion carried on roll call 8-0.

- B2. Ratification of Collective Bargaining Agreement extension between the City of Menasha and Local 1035B, AFSCME for 2007-2008 (City Hall & Police Support Staff)

Moved by Ald. Pack, seconded by Ald. Michalkiewicz to approve.

Discussion.

Motion carried on roll call 6-2.

Ald. Merkes, Wisneski, Pack, Eckstein, Chase

Michalkiewicz – yes.

Ald. Taylor, Hendricks – no.

B3. Proposal from Associated Appraisal Consultants for Property Assessment Maintenance and Tax Listing Services for 2007.

Moved by Ald. Merkes seconded by Ald. Michalkiewicz to approve.

Discussion:

Motion carried on roll call 8-0.

D. Administration Committee, 10/16/06:

1. Weights and Measures Proposed Fees for Licensing Period 7-1-07 to 6-30-08
(Recommendation of Board of Health)

Moved by Ald. Merkes seconded by Ald. Eckstein to schedule a Public Hearing for Nov 20, 2006 at 6:40pm.

Motion carried on voice vote.

2. Accounts payable and payroll for the period 10-19-06/11-2-06 for the amount of \$1,253,145.79

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

E. Board of Public Works, 10/16/06:

1. Parking Committee Recommendations:
 - A. Prohibit Parking on Both Sides of Fourth Street from Konemac Street 40'
No Action.
 - B. Prohibit Parking on the South Side of Keyes Street from Park Street 40' West
No Action.
2. Expiration of 90-Day Trial Period to Prohibit Parking along the East Side of University Drive North of Midway Road and on Both Sides of Drum Corps Drive Extending 50' West Of University Drive.
Acted on in Board of Public Works.
3. Recommendation for Revisions to City Street Lighting Plan (DPW Radtke)
 - A. Elm Street

Moved by Ald. Taylor seconded by Ald. Merkes to reinstall light on Pole #115.

Motion carried on roll call 8-0.

- B. Naymut Street

Moved by Ald. Taylor seconded by Ald. Hendricks to reinstall light on Pole #2206.

Motion carried on roll call 8-0.

- C. 800 Block of Broad Street

Moved by Ald. Taylor seconded by Ald. Hendricks to move light from Pole #588 to Pole #587.

Motion carried on roll call 8-0.

- D. 800 Block of First Street

Moved by Ald. Taylor seconded by Ald. Michalkiewicz to move light from Pole #602 to Pole #603.

Motion carried on roll call 8-0.

- E. 200 Block of DePere Street

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to remove light from Pole #714.

Discussion:

Motion carried on roll call 6-2.

**Ald. Taylor, Wisneski, Pack, Eckstein, Michalkiewicz,
Chase-yes.**

Ald. Merkes, Hendricks – no.

- F. 400 Block of DePere Street

Moved by Ald. Taylor seconded by Ald. Eckstein to reinstall light on Pole #1188.

Discussion:

Motion carried on roll call 6-2.

Ald. Taylor, Wisneski, Pack, Hendricks, Eckstein, Chase-yes.

Ald. Merkes, Michalkiewicz – no.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

E. Board of Public Works, 10/16/06:

3. Recommendation for Revisions to City Street Lighting Plan (DPW Radtke)

G. 500 Block of Fourth Street

Moved by Ald. Taylor seconded by Ald. Wisneski to reinstall light on Pole #1048.

Discussion:

Motion carried on roll call 7-1. Ald. Michalkiewicz-no.

H. 600 Block of Fourth Street

No Action.

I. 400 Block of Appleton Street

Moved by Ald. Taylor seconded by Ald. Hendricks to reinstall light on Pole #1157.

Motion carried on roll call 8-0.

J. 800 Block of Roosevelt Street

Moved by Ald. Taylor seconded by Ald. Eckstein to move light from Pole #2187 to Pole #2156 as per map.

Motion carried on roll call 8-0.

K. 657 Appleton Road

No Action.

L. 617 Fifth Street

Moved by Ald. Taylor seconded by Ald. Hendricks to reinstall light on Pole #1152.

Motion carried on roll call 8-0.

4. Review of Traffic Signal Flashing Mode Policy.

No Action.

X. ORDINANCES AND RESOLUTIONS

A. O-30-06 – An Ordinance Relating to the Common Council Packet Communications

Moved by Ald. Merkes seconded by Ald. Hendricks to deny O-30-06.

Discussion:

Motion fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks - yes

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase - no

Moved by Ald. Michalkiewicz, seconded by Ald. Eckstein to adopt O-30-06.

Moved by Ald. Merkes seconded by Ald. Hendricks to amend O-30-06 to change the word "signed" to "authored"

Motion on amendment carried on roll call 7-1. Ald. Pack-no.

Moved by Ald. Taylor seconded by Ald. Merkes to amend O-30-06 to include the Clerk send all correspondence received to the Aldermen.

Motion on amendment fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

Motion to adopt O-30-06 as amended carried on roll call 5-3.

Ald. Wisneski, Hendricks, Eckstein, Michalkiewicz,

Chase – yes.

Ald. Merkes, Taylor, Pack – no.

B. O-31-06 – An Ordinance Relating to Prohibited Parking (Keyes Street)

Moved by Ald. Wisneski seconded by Ald. Michalkiewicz to suspend the rules and take up O-31-06 at this time.

Motion carried on roll call 7-1. Ald. Merkes – no.

Moved by Ald. Wisneski seconded by Ald. Hendricks to adopt O-31-06.

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

C. O-32-06 – An Ordinance Relating to Prohibited Parking (Fourth Street)

Moved by Ald. Hendricks seconded by Ald. Wisneski to suspend the rules and take up O-32-06 at this time.

Motion carried on roll call 8-0.

Moved by Ald. Hendricks seconded by Ald. Wisneski to adopt O-32-06.

Discussion:

Motion carried on roll call 8-0.

D. O-33-06 – An Ordinance Relating to Off-Street Parking For Business and Professional Offices, Public Administration Buildings, Supermarkets, Discount Houses, Mail Order Outlets, Retail Stores, And Other Stores with High Customer Volume

Moved by Ald. Merkes seconded by Ald. Taylor to adopt O-33-06.

Motion carried on roll call 8-0.

E. O-34-06 – An Ordinance Relating to Junk Vehicles

Moved by Ald. Taylor seconded by Ald. Eckstein to suspend the rules and take up O-34-06 at this time.

Motion carried on roll call 7-1. Ald. Merkes

Moved by Ald. Taylor seconded by Ald. Wisneski to adopt O-34-06.

Discussion.

Motion carried on roll call 8-0.

F. R-42-06 – A Resolution Creating Redevelopment Area No. 1 – Province Terrace Corridor; Declaring Blight, Designating Boundaries and Approving the Redevelopment Plan Therefor

Moved by Ald. Wisneski seconded by Ald. Pack to adopt R-42-06.

Motion carried on roll call 8-0.

G. R-43-06 – A Resolution Requesting the Wisconsin Legislature to Enact Legislation to Reverse The Newark Decision and to Narrowly Interpret Sec. 70.11 (21)

Moved by Ald. Taylor seconded by Ald. Eckstein to adopt R-43-06.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Status of Heckrodt Wetland Reserve Annexation (Ald. Chase)

CA/HRD Brandt reported staff has received the legal description of the parcels to be annexed and are working on the Notice of Intent. CDD Keil will be sending out the request for Impact Statements.

2) Update on Gatehouse property (Ald. Hendricks)

CA/HRD Brandt reported he received a call from the mortgage company indicating they had not received the paperwork that was originally sent to them. He will send the documents again and report back to Council.

3) Status of SCA pending appeal (Ald. Eckstein)

CA/HRD Brandt referred to the correspondence received from Atty. Horowitz that was in the Council packet which summarized the meeting with the DOR. The Council approved R-43-06 which will be sent to the Legislature. Atty. Horowitz agreed with the resolution and he will forward the resolution to the Cities of Green Bay & DePere hoping their Councils will also endorse a similar resolution.

XII. COUNCIL DIRECTIVES

B. CDD Keil -1) Status of 535 1st St. (Ald. Taylor)

CDD Keil reported the Judgment of Foreclosure on this property has been filed by Winnebago County Corporate Counsel. The Counsel will need to record the document with the Register of Deeds and the County Treasure will put together an itemization of what is owed on this property.

2) Report on 81 Racine St. (Ald. Taylor)

CDD Keil reported the Street Dept has removed the snow fence from the property. A temporary asphalt surface will be installed until a final decision is made on what would be a good use of this parcel.

3) Landscaping at Marina Place (Ald. Merkes)

CDD Keil reported he has contracted with Otto Creek to prepare a landscaping plan for this area.

The implementation of the plan may not take place until spring. The Parks Dept. could help with the prep work.

4) Update on Grocery Store (Ald. Chase)

CDD Keil reported the project is progressing. One of the obstacles was the printing shop building. They may have reached an agreement with the owners to assist them in relocating to the business park. The developers have an operator for the grocery store lined up. They are working with them to get the store up and running.

5) Status and update of movie theater project (Ald. Hendricks)

CDD Keil reported the goal is to open the theater between Thanksgiving and Christmas. There are some individuals that have issues with the construction of the project being in violation of State codes. He has checked with State inspectors and the project is being constructed in accordance with State codes.

C. Comp/Treasurer Stoffel - Request to have 2007 budget proposal on City website (Ald. Merkes)

Comp/Treasurer Stoffel reported the proposed 2007 budget is on the City website for residents to review.

NEXT AGENDA: Ald. Taylor – 1) Update on 535 First Street; 2) Update on 87 Racine Street;
3) Gilbert Paper Mill parking lot, weed problem.

Ald. Hendricks – 1) Status of theater project; 2) Status on Gatehouse property.

Ald. Chase – Status of Heckrodt Wetland Reserve Annexation.

Ald. Wisneski – Status of River Street reconstruction.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

A. Forrest Weber, 750 Appleton St. 1) Replacing of streetlights being requested by residents;

2) Administration will need to make budget cuts; 3) Not in favor of selling property of \$1

B. Mary Nebel, 713 First St. What are the issues with the theater project and when will they be resolved.

XIV. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Pack to adjourn at 8:45 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, November 20, 2006

MINUTES

- I. Meeting called to order by Mayor Laux at 7:07 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Pack, Hendricks, Eckstein, Michalkiewicz, Merkes, Taylor, Wisneski
Excused: Chase
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, PRD Tungate
Comp/Treasurer Stoffel, PWS Jacobson, Pk Supt Huss, AP Beckendorf, Clerk Galeazzi,
and the Press.
Dept. Head Excused: PHD Nett
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
 - A. Administration Committee, 11/6/06
 - B. Board of Public Works, 11/6/06
 - C. Common Council, 11/6/06
 - D. Personnel Committee, 11/6/06
 - E. Budget Review, 11/2/06, 11/9/06; 11/13/06

Moved by Ald. Michalkiewicz seconded by Ald Eckstein to approve Minutes A-E.

Motion carried on voice vote.

Minutes to receive:

- F. Water & Light Commission, 10/25/06
- G. Water & Light Commission, Closed Session; 10/25/06
- H. Safety Committee, 10/31/06, 11/2/06
- I. Red, White & Blue Committee, 10/11/06
- J. Police Commission, 11/21/06
- K. Public Hearing (Draft), Province Terrace Corridor; 11/6/06
- L. Public Hearing, Relating to off street parking; 11/6/06
- M. Board of Health, 10/11/06
- N. Information Technology Steering Committee, 9/20/06
- O. Plan Commission, 11/14/06

Communications:

1. WI Taxpayers Alliance, 10/31/06
2. Independent Inspections, Ltd to CDD Keil, 11/10/06; Building Codes at Cinema Project
3. Mayor Laux to Wynn Jones (Union of Bricklayers & Allied Craft workers), 11/3/06; Response to letter about Cinema project
4. Public Works Facility, 11/9/06; October 2006 Disposal Violations
5. Dar Ward (Bicycle Fed. Of WI) to Mayor Laux, 10/27/06; 2006 Outstanding Elected Official of Year Award
6. St. Timothy Lutheran Church, 10/31/06; Storm Water Utility Fee
7. LD Tasha Saecker, 11/13/06; Library Training and Travel Budget Line
8. Public Works Facility, 9/27/06; Gold Star Award
9. Ronald Miller (Miller Masonry) to Ald. Wisneski, 10/19/06; Basement Walls or Foundation Failures
10. Independent Inspections, 11/16/06; Permits issued for September and October
11. Deputy Fire Chief DeLeeuw, 11/16/06; Line Item Budget Explanation

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes F-O and Communications 1-11.

Motion carried on voice vote.

V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)

- A. Wynn Jones, 5192 Hwy 175, Oshkosh. Letter received from Independent Inspectors, Ltd. on the theater project. This is same company used by the City to do building inspections, not considered an independent inspection of the project. Code violations have been covered up.

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

- A. Plan Commission, 11/14/06; recommends approval of:
1. The Certified Survey Map on Highridge Terrace

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

2. The Certified Survey Map for Oneida St. /Midway Rd. with the condition that all utility Easements are included on the Certified Survey Map

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

3. The Affidavit of Correction for Certified Survey Map #2496

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

4. The revised extraterritorial Certified Survey Map on American Dr. in the Town of Menasha

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

- B. Administration Committee, 11/20/06:

1. Waiver of Assessments, Outagamie County Airport Property-Nature's Way (Southfield West Subdivision)

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Discussion:

Motion carried on roll call 7-0.

2. Request for Proposal – Janitorial Services at Police Department

Moved by Ald. Eckstein seconded by Ald. Michalkiewicz to approve.

Discussion:

Motion carried on roll call 5-2.

Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz – yes.

Ald. Merkes, Taylor – no.

3. Accounts payable and payroll for the period 11-9-06/11-16-06 for the amount of \$631,745.18

Moved by Ald. Eckstein seconded by Ald. Pack to approve.

Motion carried on roll call 7-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 11/6/06:

1. Street Use Application:

- A. 13th Annual Fox Cities New Year's Eve Celebration; Sunday, December 31, 2006
10:30 PM to 12:30 AM; Community Forward, Inc.

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on voice vote.

2. Change Order:

- A. Dorner, Inc.; Nature's Way Storm Sewer, Sanitary, Water Main and Detention Basin;
Contract Unit No. 2006-08; ADD: \$3,560.80 (Change Order No. 1)

Moved by Ald. Taylor seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

- B. Donald Hietpas & Sons, Inc.; River Street Relocation Storm Sewer and Water Main
Construction; Contract Unit No. 2006-01; ADD \$ 2,481.12 (Change Order No. 2 and final)

Moved by Ald. Taylor seconded by Ald. Hendricks to approve.

Motion carried on roll call 7-0.

3. Payments:

- A. Vinton Construction Co.; River Street Relocation Roadway Construction;
Contract Unit No. 2006-06; \$ 238,102.20 (Payment No. 3)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 7-0.

- B. Donald Hietpas & Sons, Inc.; River Street Relocation Storm Sewer and Water Main Construction;
Contract Unit No. 2006-01; \$9,901.17 (Payment No. 2 and final)

Moved by Ald. Taylor seconded by Ald. Wisneski to approve.

Motion carried on roll call 7-0.

4. Request for Street Light Change in 800 Block of First Street (Ald. Taylor)

- A. Move Light from Pole 603 to Pole 602
B. Add Light to Pole 605

Moved by Ald. Taylor seconded by Ald. Eckstein to approve A&B.

Motion carried on roll call 7-0.

X. ORDINANCES AND RESOLUTIONS

- A. O-35-06 – An Ordinance Relating to Prohibited Parking (University Drive)

Moved by Ald. Wisneski seconded by Ald. Eckstein to suspend the rules and take up O-35-06.

Motion carried on roll call 6-1. Ald. Merkes – no.

Moved by Ald. Wisneski seconded by Ald. Pack to adopt O-35-06.

Motion carried on roll call 6-1. Ald. Merkes – no.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

B. R-44-06 – Resolution Levying Taxes for the Purpose of Paying the Operating Expenses for the Year 2007 for the City of Menasha

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to adopt R-44-06.

Moved by Ald. Michalkiewicz seconded by Ald. Wisneski to increase expenditure account #31100-52-03-301-216 Building & Plumbing Inspector-Professional Services-Management by \$200,000 and to increase revenue accounts #31100-44-04-301 Building Permits by \$75,000, #31100-44-04-302 Electrical Permits by \$75,000 and #31100-44-04-303 Plumbing Permits by \$50,000.

Discussion.

Motion carried on roll call 6-1. Ald. Hendricks – no.

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to increase expenditure account #31310-57-04-201-00 Debt Service Interest by \$55,000 and reduce #31100-52-05-201-821 Fire Dept.-Capital Projects-Buildings by \$55,000.

Discussion.

Motion carried on roll call 6-1. Ald. Hendricks – no.

Moved by Ald. Michalkiewicz seconded by Ald. Wisneski to reduce expenditure account #31100-51-04-109-337 IT Dept.-Training-Registrations by \$1,000, reduce expenditure account #31100-51-04-109-338 IT Dept.-Training-Lodging/Meals by \$500, reduce expenditure account #31100-51-04-109-339, IT Dept.-Training-Other Expenses by \$500 and increase expenditure account #31100-51-04-109-295 IT Dept.-Other Services-Vehicle Equipment Rental by \$2,000.

Motion carried on roll call 6-1. Ald. Merkes – no.

Moved by Ald. Michalkiewicz seconded by Ald. Wisneski to increase expenditure account #31100-51-04-107-219 City Assessor-Professional Services-Appraisal by \$1,500 and increase expenditure account #31100-51-04-107-250 City Assessor-Payments to Other Municipal Entities by \$7,060.

Discussion.

Motion carried on roll call 6-1. Ald. Taylor – no.

Moved by Ald. Michalkiewicz to increase expenditure account #31100-56-03-202-120 Community Development-Wages-Straight Time by \$1,046, increase expenditure account #31100-56-03-202-154 Employer Contribution-Retirement by \$382, increase expenditure account #31100-56-03-202-155 Employer Contribution-FICA by \$43, increase expenditure account #31100-056-03-202-161, Employer Contribution-Worker's Compensation by \$34 and reduce expenditure account #31100-56-03-202-110 Salaries-Straight Time by \$409.

No Second, Motion Fails.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to increase expenditure account #31100-51-02-118-300 Employee Safety Committee-Supplies-Dept. by \$1,300.

Discussion.

Motion fails on roll call 3-4.

Ald. Taylor, Pack, Michalkiewicz – yes.

Ald. Merkes, Wisneski, Hendricks, Eckstein – no.

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to reduce expenditure account #31100-51-04-101-218 Common Council-Professional Services-Recording by \$2,500.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Pack seconded by Ald. Hendricks to reduce expenditure account #31100-56-03-202-320 Community Development-Dues/Licenses/Memberships by \$300.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Wisneski seconded by Ald. Merkes to reduce expenditure account #31100-55-07-202-120 Parks Dept.-Wages-Straight Time by \$1,500.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-52-05-201-821 Fire Dept.-Capital Projects-Buildings by \$145,000.

Discussion.

Motion carried on roll call 6-1. Ald. Wisneski – no.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

B. R-44-06 – Resolution Levying Taxes for the Purpose of Paying the Operating Expenses for the Year 2007 for the City of Menasha

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-52-05-201-805 Fire Dept.-Capital Outlay-Other Equipment by \$6,000.

Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-51-04-109-214 IT Dept.-Professional Services-Computer by \$3,600.

Discussion.

Motion carried on roll call 6-1. Ald. Wisneski – no.

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-52-04-221-316 Civic Commemorations-Supplies-Promotional by \$600.

Moved by Ald. Pack seconded by Ald. Michalkiewicz to amend to reduce expenditure account #31100-52-04-221-316 Civic Commemorations-Supplies-Promotional by \$400.

Discussion.

Motion on amendment carried on roll call 6-1. Ald. Taylor – no.

Motion as amended carried on roll call 6-1. Ald. Taylor – no.

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-51-04-101-331 Common Council-Travel Expense-Mileage by \$50.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Hendricks to reduce expenditure account #31100-52-08-101-803 Police Dept.-Capital Outlay-Motorized Equipment by \$48,000.

No Second, Motion Fails.

Moved by Ald. Taylor seconded by Ald. Hendricks to reduce expenditure account #31100-52-08-101-803 Police Dept.-Capital Outlay-Motorized Equipment by \$24,000.

Discussion.

Motion fails on roll call 2-5.

Ald. Taylor, Hendricks – yes.

Ald. Merkes, Wisneski, Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-55-07-202-300 Parks Dept.-Supplies-Dept. by \$100.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-55-07-202-338 Parks Dept.-Training-Lodging/Meals by \$100.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-55-07-203-317 Swimming Pool-Supplies-Concessions by \$500.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-55-07-203-224 Swimming Pool-Utility-Heat by \$2,000.

Discussion.

Moved by Ald. Hendricks seconded by Ald. Taylor to amend to reduce expenditure account #31100-55-07-203-224 Swimming Pool-Utility-Heat by \$1,000.

Motion on amendment carried on roll call 5-2.

Ald. Merkes, Taylor, Hendricks, Eckstein, Michalkiewicz – yes.

Ald. Wisneski, Pack – no.

Motion as amended carried on roll call 5-2.

Ald. Merkes, Taylor, Hendricks, Eckstein, Michalkiewicz – yes.

Ald. Wisneski, Pack – no.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

B. R-44-06 – Resolution Levying Taxes for the Purpose of Paying the Operating Expenses for the Year 2007 for the City of Menasha

Moved by Ald. Hendricks seconded by Ald. Merkes to reduce expenditure account #31100-55-07-202-225 Parks Dept-Utility-Water/Sewer/Hydrant by \$2,000.

Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Taylor, Pack, Hendricks – yes.

Ald. Wisneski, Eckstein, Michalkiewicz – no.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-55-07-202-223 Parks Dept-Utility-Electricity by \$500.

Discussion.

Motion carried on roll call 5-2.

Ald. Merkes, Taylor, Hendricks, Eckstein, Michalkiewicz – yes.

Ald. Wisneski, Pack – no.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-51-02-103-322 City Attorney-Periodicals/Subscriptions by \$450.

Discussion.

Motion withdrawn.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-51-02-103-211 City Attorney-Professional Services-Legal by \$1,000.

Discussion.

Motion fails on roll call 2-5.

Ald. Taylor, Eckstein – yes.

Ald. Merkes, Wisneski, Pack, Hendricks, Michalkiewicz – no.

Moved by Ald. Hendricks seconded by Ald. Taylor to reduce expenditure account #31100-51-02-105-211 Personnel Dept.-Professional Services-Legal by \$5,000.

Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Taylor, Hendricks, Eckstein – yes.

Ald. Wisneski, Pack, Michalkiewicz – no.

Moved by Ald. Hendricks seconded by Ald. Wisneski to reduce expenditure account #31100-51-02-105-293 Personnel Dept.-Other Services-Advertising by \$1,000.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Merkes seconded by Ald. Hendricks to increase revenue account #31100-46-04-177-000 Recreation Dept. by \$2,500.

Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Taylor, Wisneski, Hendricks, – yes.

Ald. Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Merkes seconded by Ald. Hendricks to increase revenue account #31100-46-04-179-000 Senior Center by \$1,500.

Discussion.

Motion fails on roll call 3-4.

Ald. Merkes, Taylor, Hendricks, – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Merkes seconded by Ald. Hendricks to reduce expenditure account #31100-53-09-212-221 Senior Center-Utility-Telephone Services by \$100.

Discussion.

Motion carried on roll call 6-1. Ald. Wisneski – no.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

B. R-44-06 – Resolution Levying Taxes for the Purpose of Paying the Operating Expenses for the Year 2007 for the City of Menasha

Moved by Ald. Merkes seconded by Ald. Taylor to increase revenue account #31100-44-04-201-000 Dog License by \$1,000.
Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Merkes seconded by Ald. Hendricks to increase Marina Operation transfer to General Fund #31207-59-07-200-251 by \$2,400 and increase General Fund transfer from Marina Fund #31100-49-04-207-000 by \$2,400.

Discussion.

Motion carried on roll call 7-0.

Moved by Ald. Merkes seconded by Ald. Hendricks to reduce expenditure account #31100-55-04-221-216 Civic Commemorations-Professional Services-Management by \$2,000.

Discussion.

Motion carried on roll call 5-2.

Ald. Merkes, Taylor, Wisneski, Pack, Hendricks – yes.

Ald. Eckstein, Michalkiewicz – no.

Moved by Ald. Taylor to reduce expenditure accounts #31100-51-02-103-331 City Attorney-Travel Expense-Mileage by \$500, #31100-51-02-103-332 City Attorney-Travel Expense-Registrations by \$200 and #31100-51-02-103-333 City Attorney-Travel Expense-Lodging/Meals by \$400.

No Second, Motion Fails.

Moved by Ald. Taylor seconded by Ald. Merkes to reduce expenditure accounts #31100-51-02-103-331 City Attorney-Travel Expense-Mileage by \$200 and 31100-51-02-103-333 City Attorney-Travel Expense-Lodging/Meals by \$100.

Discussion.

Motion fails on roll call 3-4.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Taylor seconded by Ald. Merkes to reduce expenditure account #31100-55-07-202-822 Parks Dept-Capital Projects-Construction by \$20,000.

Discussion.

Motion withdrawn.

Moved by Ald. Taylor seconded by Ald. Hendricks to reduce expenditure account #31100-55-07-202-822 Parks Dept-Capital Projects-Construction by \$22,000.

Discussion.

Motion fails on roll call 2-5.

Ald. Taylor, Hendricks – yes.

Ald. Merkes, Wisneski, Pack, Eckstein, Michalkiewicz – no.

Moved by Ald. Merkes seconded by Ald. Taylor to reduce expenditure account #31100-51-04-101-292 Common Council-Other Services-Publishing by \$2,000.

Discussion.

Motion withdrawn.

Moved by Ald. Merkes seconded by Ald. Hendricks to reduce expenditure account #31100-51-04-101-291 Common Council-Other Services-Printing by \$2,000.

Discussion.

Motion fails on roll call 1-6. Ald. Taylor – yes.

Moved by Ald. Wisneski seconded by Ald. Hendricks to reduce expenditure account #31100-51-04-106-110 Comptroller/Treasurer-Salaries-Straight Time by \$400.

Discussion.

Motion withdrawn.

X. ORDINANCES AND RESOLUTIONS, Cont'd.

B. R-44-06 – Resolution Levying Taxes for the Purpose of Paying the Operating Expenses for the Year 2007 for the City of Menasha

Moved by Ald. Hendricks seconded by Ald. Wisneski to reduce expenditure account #31100-51-04-106-110 Comptroller/Treasurer-Salaries-Straight Time by \$100.

Discussion.

Motion withdrawn.

Moved by Ald. Merkes seconded by Ald. Hendricks to apportion \$43,000 for asphalt paver to various accounts.

Discussion.

Motion withdrawn.

Moved by Ald. Taylor seconded by Ald. Hendricks to reduce Street Machinery-Asphalt Paver by \$220,000

Discussion.

Motion fails on roll call 1-6. Ald. Taylor – yes.

Moved by Ald. Taylor seconded by Ald. Merkes to reduce expenditure account #31100-52-05-201-803 Fire Dept.-Capital Outlay-Motorized Equipment by \$216,000.

Discussion.

Motion fails on roll call 1-6. Ald. Taylor – yes.

Moved by Ald. Taylor seconded by Ald. Hendricks to reduce expenditure account #31100-52-05-201-803 Fire Dept.-Capital Outlay-Motorized Equipment by \$108,000.

Discussion.

Motion fails on roll call 1-6. Ald. Taylor – yes.

Moved by Ald. Merkes seconded by Ald. Hendricks to increase expenditure account #31100-54-10-121-882 Street Construction-Capital Projects by \$100,000.

Discussion.

Motion carried on roll call 4-3.

Ald. Merkes, Wisneski, Hendricks, Michalkiewicz – yes.

Ald. Taylor, Pack, Eckstein – no.

Motion to adopt R-44-06 as amended carried on roll call 7-0.

XI. HELD OVER BUSINESS

A. Weights and Measures Proposed Fees for Licensing Period 7-1-07 to 6-30-08

Moved by Ald. Michalkiewicz seconded by Ald. Wisneski to approve.

Discussion:

Motion carried on roll call 4-3.

Ald. Taylor, Wisneski, Pack, Michalkiewicz – yes.

Ald. Merkes, Hendricks, Eckstein – no.

XII. COUNCIL DIRECTIVES

A. CA/HRD Brandt - 1) Status of Heckrodt Wetland Reserve Annexation (Ald. Chase)

CA/HRD Brandt reported the Notice of Intent will be published this week. After the appropriate time for notice has passed, he will prepare the ordinance for annexation. The ordinance should be ready for the seconded meeting in December. CDD Keil has sent out the request for the Impact Statements to the appropriate departments.

2) Update on Gatehouse property (Ald. Hendricks)

CA/HRD Brandt reported the Release of Mortgage has been signed on the property. He will be scheduling a closing date with Evans Title

B. CDD Keil - 1) Status of 535 1st St. (Ald. Taylor)

AP Beckendorf reported the property has been turned over to the County. There is a waiting period, after which time the County will have the property appraised and sell at market value.

2) Report on 87 Racine St. (Ald. Taylor)

AP Beckendorf had no update.

3) Status and update of movie theater project (Ald. Hendricks)

AP Beckendorf reported the project is still on track to open mid to late December.

CA/HRD Brandt reported the owners have filed a malt beverage application with the Clerk's office.

XII. COUNCIL DIRECTIVES

- C. DPW Radtke – Status of River St. Reconstruction (Ald. Wisneski)
DPW Radtke reported the only items remaining are the paving by the railroad tracks and the landscaping. The paving is scheduled for this week and the landscaping can wait until spring.
- D. PWS Jacobson – Weed problem at Gilbert Mill parking lot (Ald. Taylor)
PWS Jacobson reported the property owners have been notified of the problem.

Next Agenda: Ald. Hendricks – 1) Status of gatehouse property; 2) Update on theater project;
3) Hedge issue on corner of Konemac & 4th Street.

Ald. Merkes – Update on the progress of reinstalling street lights.

Ald. Taylor – 1) Status of 535 1st Street; 2) Status of 87 Racine Street;
3) Weeds in Gilbert Mill parking lot;
4) Weed problem at JEMA property on DePere St.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Forrest Weber, 750 Appleton Street. 1) The cost of the City Newsletter was put into Council budget to keep publishing it and distributing to residents; 2) Hope theater project will be affordable to families;
3) Need new paver to keep streets in good shape; 4) Congratulate Council on a good job on budget.

XIV. ADJOURNMENT

Moved by Ald. Wisneski seconded by Ald. Pack to adjourn at 11:20 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
SPECIAL COMMON COUNCIL MEETING
Council Chambers, 3rd Floor
140 Main Street, Menasha
November 28, 2006

MINUTES

- I. Meeting called to order by Mayor Laux at 7:00 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, Comp/Treasurer Stoffel,
MU GM Young, Ray Osness, Carol Wirth, Clerk Galeazzi, and the Press.
- IV. CITIZEN REPRIZE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)
- V. RESOLUTIONS
 - A. Presentation by Ray Osness and Carol Wirth.

Ray Osness and Carol Wirth from RBC Capital Markets presented an update on the financing regarding the Steam Utility Project. Moody's Investors Service gave the City a rate of an A2 with a Negative Outlook on the long-term general obligation securities and a MIG2 short-term rating. This is down from the previous ratings of A1 and MIG1. However, the credit report itself was very positive. This rate could be removed after 18 to 30 months if the utility generates expected revenues proven through audit finances. They explained the resolutions for Council action. Upon approval of the resolution, interest rates would be locked in. Funds will be available to the City on Dec. 1 to payoff the local bank note, replenish the bond reserve account, establish an escrow for the contractual payment and pay issuance expenses. They also explained the debt service and pricing schedules.

Mr. Osness and Ms. Wirth answered questions from the Council.

- B. R-45-06 – Amended and Restated Resolution Providing For The Issuance And Sale Of Approximately **\$24,160,000** Taxable Steam Utility Revenue Bonds And Providing For The Payment Of Said Bonds And Other Details And Covenants With Respect Thereto.

Moved by Ald. Pack seconded by Ald. Michalkiewicz to adopt R-45-06.
Discussion:

Motion carried on roll call 8-0.

- C. R-46-06 – Resolution Authorizing The Borrowing of **\$11,500,000** And Providing For The Issuance And Sale Of Taxable Steam Utility Revenue Bond Anticipation Notes Therefor.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to adopt R-46-06.

Motion carried on roll call 8-0.

- D. R-47-06 – Resolution Authorizing The Issuance And Providing For The Sale Of \$2,675,000 Taxable Note Anticipation Notes (Steam Utility).

Moved by Ald. Michalkiewicz seconded by Ald. Pack to adopt R-47-06.

Motion carried on roll call 8-0.

- E. R-48-06 – Resolution Authorizing The Borrowing of \$1,340,000; Providing For The Issuance And Sale Of Taxable General Obligation Promissory Notes (Steam Utility) Therefor; And Levying A Tax In Connection Therewith.

Moved by Ald. Michalkiewicz seconded by Ald. Pack to adopt R-48-06.

Motion carried on roll call 8-0.

VI. ADJOURNMENT

Moved by Ald. Hendricks seconded by Ald. Wisneski to adjourn at 8:20 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, December 4, 2006
MINUTES

- I. Meeting called to order by Mayor Laux at 7:16 p.m.
- II. PLEDGE OF ALLEGIANCE
- III. ROLL CALL/EXCUSED ABSENCES
Present: Ald. Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, PRD Tungate,
Comp/Treasurer Stoffel, Clerk Galeazzi and the Press.
Dept. Head Excused: PHD Nett
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
A. Administration Committee, 11/20/06
B. Board of Public Works, 11/20/06
C. Common Council, 11/20/06
D. Special Common Council, 11/28/06

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes A-D.
Motion carried on voice vote.

Minutes to receive:

- E. N-M Sewerage Commission, 10/24/06
F. Police Commission, 11/16/06
G. Public Hearing, 11/20/06; Weights and Measures Proposed Fees
H. Public Hearing, 11/20/06; Proposed City of Menasha 2007 Budget
I. Housing Authority, 11/15/06

Communications:

1. League of WI Municipalities, 11/21/06; League Letter
2. Winnebago County Legislative Committee Minutes, 10/23/06
3. WI Dept. of Health & Family Services to Health Dept, 11/20/06; National Public Health Thank You Day.
4. Trinity Lutheran Church & School, 11/19/06; Storm Water Utility Fee.
5. City of Menasha Nov. 7, 2006 General Election results.
6. McMahon Associates Nov. 2006 Monthly Construction Report for Water Treatment Plant.
7. Time Warner Cable to Clerk Galeazzi, 11/21/06; "Time Warner Cable Read to Feed" Program.
8. Gail & Steve Bergner to Crime Prevention Officer Jeff Jorgenson; Citizen Police Academy.
9. Lonnie Pichler, Menasha Utilities to DPW Radtke, 11/28/06; Street Light List Update.
10. Atty. William Mulligan, to Atty. Brandt, 11/30/06; Lower Fox River/Green Bay Public Officials Meeting.
11. PC Stanke, 11/30/06; *Green Bay Proposal Would Send Stray Animals to Appleton*

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes E-I and Communications 1-11.
Discussion: CA/HRD Brandt, Comm. #10, encourage people to attend public meeting.

Ald. Merkes, Comm. #8, Citizen Police Academy is a good program.

Ald. Wisneski, Comm. #11, is amount the same that the City of Menasha will be charged from Fox Cities Humane Association. Encourage Police Dept. to continue to negotiate with different agencies.

Motion carried on voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)
- A. Stan Sevenich, 645 9th St. 1) Thank Public Works staff for installing sign at Marina Place Parking Ramp;
2) The switching of the street lights downtown was for 2007, lights were changed before 2007 budget was approved.
- VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Administration Committee, 12/4/06:

1. Accept 2005 City of Menasha Audit Report

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

2. Agreement with Schenck Government and Not For Profit Solutions to provide Audit Service to the City of Menasha and Menasha Utilities for fiscal years 2006, 2007, 2008 and authorize signatures.

Moved by Ald. Eckstein seconded by Ald. Michalkiewicz to approve.

Moved by Ald. Taylor seconded by Ald. Hendricks to hold for two weeks.

3. Development Agreement between City of Menasha and PPF Commercial-Menasha Subdivision, LLC, and authorize signatures.

Moved by Ald. Eckstein seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

4. Accounts payable and payroll for the period 11-22-06/11-30-06 for the amount of \$656,783.91

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

B. Board of Public Works, 12/4/06:

1. Change Order:

- A. CD Smith Construction, Inc.: Water Treatment Plant Modifications: Contract Unit. No. M002-940266.02; ADD: \$21,230.00 (Change Order No. 1)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

- B. CD Smith Construction, Inc.: Water Treatment Plant Modifications: Contract Unit No. M002-940266-02: ADD: \$41,567.00 (Change Order No. 2)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

- C. CD Smith Construction, Inc.: Water Treatment Plant Modifications: Contract Unit No. M002-940266-02: ADD: \$11,839.00 (Change Order No. 3)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

2. Request for Traffic Control Signage at the intersection of Wittmann Drive and Parkside Drive. Acted on in Board of Public Works – Referred back to Public Works Dept.

3. Recommendation to remove prohibited left turn at Tayco Street and Water Street. Acted on in Board of Public Works – CA Brandt to prepare Ordinance.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Board of Public Works, 12/4/06:

4. Recommendation to Award:

- A. Cover-All of Wisconsin, LLC: Contract Unit No. 2006-09; Public Works Salt Storage Facility: \$131,503.00.

Moved by Ald. Taylor seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

5. Reduction of Street Light Fixture along Mill Street, Center Street and the Riverwalk. (Motion from November 9, 2006 Common Council Budget Review Meeting).
No Action.

X. ORDINANCES AND RESOLUTIONS

- A. O-36-06 – An Ordinance Relating to Meetings of the Common Council Meeting, Administration Committee and Board of Public Works.

No Action.

XI. HELD OVER BUSINESS

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - Status of Gatehouse property (Ald. Hendricks)
CA/HRD Brandt reported he has all the documents and he is trying to schedule a closing date with Evans Title.
- B. CDD Keil - 1) Status of 535 1st St. (Ald. Taylor)
CDD Keil reported the County now holds title to the property. He has talked to the County Treasurer about the City acquiring the property. The Plan Commission has approved acquiring the property and razing the existing building and using it as a Habitat for Humanity site.
2) Status of 87 Racine St. (Ald. Taylor)
CDD Keil reported some cleanup works remains on this property. The Dept. of Natural Resources and Dept. of Commerce are in the process of remediation.
3) Status of movie theater project (Ald. Hendricks)
CDD Keil reported the outside of the building is almost completed. The owner will be doing the inside work himself.
- C. DPW Radtke – 1) Hedge issue on corner of Konemac & 4th St. (Ald. Hendricks)
DPW Radtke reported a letter notifying the owners of the situation has been sent. They are given 30 days to correct the situation.
2) Update on progress of reinstalling street lights. (Ald. Merkes)
DPW Radtke reported he has met with representatives from the Utilities and an updated list of street lights that have been reinstalled was provided for the Council members. The Utilities are working on the remaining lights.
- D. PWS Jacobson – 1) Weed problem at Gilbert Mill parking lot (Ald. Taylor)
DPW Radtke reported for PWS Jacobson, the owners of this property have been notified of the situation. They will take care of removing the weeds.
2) Weed problem on DePere St., between 3rd & 4th St.
DPW Radtke reported this is railroad property. They have notified the railroad to take care of the situation.
- E. PRD Tungate - White Water Plan (Ald. Merkes)
PRD Tungate reported a group of private citizens paid for a study to be done to see if a white water rapids would be possible in this area. The company that was hired checked the Fox River from Neenah to Kaukauna. Menasha was one of four areas that looked promising. The area looked at for Menasha was behind the Gilbert Mill site. A public meeting held was well attended.

NEXT AGENDA: Ald. Eckstein – Update on SCA tax-exempt status legal action.

Ald. Chase – Update on Heckrodt Wetland Reserve Annexation.

Ald. Taylor – 1) Status of 535 First St; 2) Status of 87 Racine St. only if DNR has results;

3) Presentation on Mayor's trip to Japan.

Ald. Wisneski – Explanation of implementation of budget.

Ald. Hendricks – 1) Status of reinstallation of street lights; 2) Status of Gatehouse Property;

3) Status of movie theater.

Ald. Merkes – Requested item for Administration Committee:

1) Contract for taping of Council/Committee meetings.

Requested items for Personnel Committee;

1) Establishing a merit system of salary increases for Dept. Heads and Supervisors

2) Recommendation to fill 2 positions.

Ald. Taylor – Requested item for Personnel Committee:

1) Review tape of Council meeting on comment made by CA/HRD Brandt.

XIII. CITIZEN REPRISAL (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

XIV. ADJOURNMENT

Moved by Ald. Taylor seconded by Ald. Pack to adjourn at 7:50 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk

CITY OF MENASHA
COMMON COUNCIL
Council Chambers, 3rd Floor
140 Main Street, Menasha
Monday, December 18, 2006

MINUTES

- I. Meeting called to order by Mayor Laux at 7:40 p.m.
- II. PLEDGE OF ALLEGIANCE
Members of Troop #14 lead in the Pledge of Allegiance
- III. ROLL CALL/EXCUSED ABSENCES
Present: Eckstein, Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks.
Also Present: Mayor Laux, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil,
PRD Tungate, Comp/Treasurer Stoffel, Clerk Galeazzi, and the Press.
Dept. Head Excused: PHD Nett
- IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE
Minutes to approve:
 - A. Administration Committee, 12/4/06
 - B. Board of Public Works, 12/4/06
 - C. Common Council, 12/4/06

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to approve Minutes A-C.

Motion carried on voice vote.

Minutes to receive:

- D. Safety Committee, 11/28/06
- E. Information Technology Steering Committee, 11/15/06
- F. Water & Light Commission, closed session-Family Medical Leave; 11/22/06
- G. Water & Light Commission, closed session-Non-represented compensation; 11/22/06
- H. Water & Light Commission, 11/22/06
- I. Board of Health, 11/8/06
- J. Plan Commission, 12/13/06

Communications:

12. Wisconsin Taxpayers Alliance; 11/27/06, 12/4/06
13. Calumet County Legislative Committee Minutes, 12/1/06
14. Mayor Laux, 12/7/06; Sister City Agreement, Letter from Dr. Thompson, SR-1-01, 2004 Sister City memo
15. Dept. of Natural Resources, 12/6/06; Air Pollution Control Permit for 450 Milwaukee St., Menasha
16. Senator Ellis to Deputy Clerk Sewall, 11/30/06; Receipt of Council approved resolution R-43-06
6. CDD Keil, 12/13/06; Heckrodt Annexation
7. NM Red Cross to Menasha Health Dept., 12/06; Thank You note
8. Dennis Briggs to NM Fire Rescue, 12/7/06; Thank You note
9. PHD Nett, 12/11/06; Senior Center Furnace
10. Independent Inspections, 12/13/06; Permits issued for November 2006
11. Public Works Facility, 12/13/06; November 2006 Disposal Violations

Moved by Ald. Michalkiewicz seconded by Ald. Eckstein to receive Minutes D-J and Communications 1-11.

Discussion: Ald. Merkes, Minutes E, Thanked PC Stanke for his support on Novus Agenda.

Motion carried on voice vote.

- V. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(Five (5) minute time limit for each person)
 - A. Jerry Wittmann, 1290 Fieldview Drive. Concerned with rezoning of Province Terrace, should be sent back to Plan Commission
 - B. Kevin Benner, 1190 Fieldview Drive. Concerned with rezoning of Province Terrace, disappointed that Stone Toad was sold to residents as primarily a banquet hall, more activity in bar area.
 - C. Ken Kubiak, 1214 Fieldview Drive. Opposed to rezoning of Province Terrace, should be sent back to Plan Commission.
 - D. Barb Elmer, 1250 Fieldview Drive. Opposed to rezoning of Province Terrace. Moved to that area to live in subdivision that is all residential.
 - E. Ruby Williquette, 1242 Fieldview Drive. Oppose to rezoning of Province Terrace.
 - F. Jim Feavel, 1226 Fieldview Drive. Oppose to rezoning of Province Terrace.

VI. APPOINTMENTS

VII. CLAIMS AGAINST THE CITY

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. Plan Commission, 12/12/06 recommends approval of:

1. Special Use Permit for Kenwood Commons on Parkside Drive with the following conditions:
 - a. A site plan prepared in accordance with Menasha Ordinance 13-1-12 and meeting the requirements of the R-4 Multi-Family High Density Residence District be submitted for review by the Menasha Plan Commission no later than September 30, 2007.
 - b. The site plan and building configuration shall generally correspond to the conceptual development plan presented to the Plan Commission on December 12, 2006.
 - c. The developer files an agreement with the City of Menasha stipulating to a payment in lieu of taxes (PILOT) in the event that the development becomes tax exempt within the statutory life of Tax Incremental District #6.

Moved by Ald. Merkes seconded by Ald. Hendricks to approve.
Discussion

Motion carried on roll call 8-0.

2. Rezoning – Province Terrace/Oneida Street of the following parcels:
 - a. Lots 1,2,16-18, Province Terrace Plat from R-1 Single Family Residential to C-1 General Commercial;
 - b. Lots 3-9, Province Terrace Plat from R-1 Single Family Residential to C-3 Business and Office;
 - c. Parcels 7-54, 7-56, 7-52-1, 7-52-2, and 7-52-3 from R-1 Single Family Residential to C-1 General Commercial and;
 - d. Parcels 7-50-3 and 7-53-1 from C-3 Business and Office to C-1 General Commercial.

Moved by Ald. Merkes seconded by Ald. Eckstein to refer back to Plan Commission.
Discussion

Motion carried on roll call 8-0.

B. Administration Committee, 12/18/06:

1. Approval of Democratic, Republican, and Non-Partisan poll worker lists for the City of Menasha for 2007 election year, pursuant to Wis. State Statutes 7.30

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

2. Contract for UW-Fox Valley for taping of Council and Committee meetings, and authorized signatures

Moved by Ald. Hendricks seconded by Ald. Wisneski to approve.

Moved by Ald. Merkes seconded by Ald. Hendricks to amend #11 of contract to read "That in no circumstances

shall the entire amount of contract expenditures exceed the sum of \$15,000 without Council approval."

Motion on amendment fails on roll call 4-4.

Ald. Merkes, Taylor, Wisneski, Hendricks – yes.

Ald. Pack, Eckstein, Michalkiewicz, Chase – no.

Moved by Ald. Merkes seconded by Ald. Hendricks to amend #2 of contract to read "That UW-Fox Valley has previously videotaped City of Menasha Common Council meetings for broadcast and is willing to enter into an agreement to video record meetings of the Common Council beginning the first regularly scheduled

Common Council meeting after the contract signing. Further, that budget sessions and special meetings shall also be video recorded for broadcast as directed by Council."

Motion on amendment fails on roll call 3-5

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

B. Administration Committee, 12/18/06, Cont'd:

2. Contract for UW-Fox Valley for taping of Council and Committee meetings, and authorized signatures, Cont'd.

Moved by Ald. Taylor seconded by Ald. Merkes that the amount of the contract not exceed \$16,000.

Discussion.

Motion withdrawn.

Discussion.

**Motion to approve contract fails on roll call 4-4.
Ald. Merkes, Taylor, Wisneski, Hendricks – yes.
Ald. Pack, Eckstein, Michalkiewicz, Chase – no.**

3. Recommendation for Custodian Services at Public Protection Building for 2007

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve recommendation of a service agreement with Servicemaster Building Maintenance.

Discussion.

**Motion carried on roll call 5-3.
Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase–yes.
Ald. Merkes, Taylor, Hendricks – no.**

4. Grant Agreement between Winnebago County and City of Menasha for the term Jan. 1, 2007 to Dec. 31, 2007, for 1) Senior Center Coordinator; 2) Senior Center Activity Coordinator; 3) Older Adult Health Screening Program, and authorized signatures

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

5. Determine Policy regarding advertising vacancies in City newspaper

Moved by Ald. Wisneski seconded by Ald. Merkes to implement a trial of filling positions without the use of newspaper advertising.

Motion carried on roll call 7-1. Ald. Eckstein – no.

6. Request for HR Director to exceed advertising budget
No Action Required.

7. Contract with Fox Valley Humane Association.

Moved by Ald. Eckstein seconded by Ald. Michalkiewicz to approve.

Motion carried on roll call 8-0.

8. Price Increase – Uniform Dwelling Code (UDC) Seals

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

9. Accounts payable and payroll for the period 12-7-06/12-14-06 for the amount of \$456,913.77

Moved by Ald. Eckstein seconded by Ald. Wisneski to approve.

Motion carried on roll call 8-0.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS, Cont'd.

C. Board of Public Works, 12/18/06:

1. Change Order:

- a. Carl Bowers & Sons Construction Co. Inc.; Sanitary Sewer and Water Main Extension Project; Contract Unit No. 2005-06; DEDUCT \$3,571.50 (Change Order No. 2 and Final)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

- b. Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2005-06; ADD; \$5,526.25 (Change Order No. 1)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

2. Payments:

- a. Carl Bowers & Sons Construction Co. Inc.; Sanitary Sewer and Water Main Extension Project; Contract Unit No. 2005-06; \$5,711.13 (Payment No. 3 and Final)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

- b. Vinton Construction Co.; River Street Relocation Roadway Construction; Contract Unit No. 2006-06; \$26,245.23 (Payment No. 4)

Moved by Ald. Taylor seconded by Ald. Pack to approve.

Motion carried on roll call 8-0.

- c. Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; \$130,339.05 (Payment No. 1)

Moved by Ald. Taylor seconded by Ald. Eckstein to approve.

Motion carried on roll call 8-0.

- d. Carl Bowers & Sons Construction Co., Inc.; Province Terrace; Contract Unit No. TIF 9 2006-07; \$301,014.48 (Payment No. 1)

Moved by Ald. Taylor seconded by Ald. Hendricks to approve.

Motion carried on roll call 8-0.

3. Expiration of 90 Day Trial Period for 4-Way Stop Traffic Control at Deerhaven Drive and Southfield Drive

Moved by Ald. Taylor seconded by Ald. Hendricks to approve a traffic engineering study with the current stop signs in place.

Motion carried on roll call 7-1. Ald. Eckstein – no.

4. Expiration of 90 Day Trial Period for 4-Way Stop Traffic Control at First Street and Appleton Street; 500 – 600 Blocks of First Street

Moved by Ald. Taylor seconded by Ald. Pack to approve a traffic engineering study with the current stop signs in place.

Motion carried on roll call 7-1. Ald. Eckstein – no.

5. Request for Traffic Control Signage at the Intersection of Wittmann Drive and Parkside Drive
No Action

X. ORDINANCES AND RESOLUTIONS

- A. O-36-06 – An Ordinance Relating to Meetings of the Common Council Meeting, Administration Committee and Board of Public Works.

Moved by Ald. Merkes seconded by Ald. Hendricks to adopt O-36-06.

Discussion:

Motion fails on roll call 3-5.

Ald. Merkes, Taylor, Hendricks – yes.

Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase – no.

- B. O-37-06 – An Ordinance Relating to Recreational Fires.

Moved by Ald. Taylor to suspend the rules and take up O-37-06.

No Second, Motion dies.

- C. O-39-06 – An Ordinance Relating to Prohibited Left Turns

No Action

- D. R-49-06 – Resolution Authorizing Redemption of a Portion of the General obligation Promissory Notes, Dated June 15, 2000.

Moved by Ald. Michalkiewicz seconded by Ald. Wisneski to adopt R-49-06.

Discussion.

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

- A. Agreement with Schenck Government and Not For Profit Solutions to provide Audit Services to the City of Menasha and Menasha Utilities for fiscal years 2006, 2007 and 2008, and authorize signatures. (Held 12/4/06)

Moved by Ald. Merkes seconded by Ald. Hendricks to direct Comp/Treasurer Stoffel to request proposals for services to conduct the City audit.

Motion carried on roll call 5-3.

Ald. Merkes, Taylor, Hendricks, Eckstein, Chase - yes

Ald. Wisneski, Pack, Michalkiewicz – no.

XII. COUNCIL DIRECTIVES

- A. CA/HRD Brandt – 1) Status of Gatehouse property (Ald. Hendricks)

CA/HRD Brandt reported all required documents have been signed. He is trying to schedule a closing date with Evans Title. He and the representative from Evans Title have left messages for each other for the past week.

- 2) Status on SCA Tax Exemption (Ald. Eckstein)

CA/HRD Brandt read an e-mail he received from Atty Robert Horowitz regarding the exemption claim of of SCA Tissue pending before the State Board of Assessors. The Board will issue a decision by April 2007. The City will have an opportunity to appeal decision before State Tax Appeals Commission.

The Cities of DePere and Green Bay have cases pending before the Appeals Commission with the same issues as the City of Menasha. Atty. Horowitz is also representing the Cities of DePere and Green Bay.

- 3) Update on Heckrodt Annexation (Ald. Chase)

The legal description for the annexation included the road. So DPW Radtke recommending not including the road as part of the annexation. Staff will be working on a new legal description and will need to go through the same process of publishing.

- B. CDD Keil - 1) Status of 535 1st St. (Ald. Taylor)

CDD Keil reported he has an understanding with Winnebago County for a fix purchase price of \$16,600.

He will be bringing a proposal to the Council for their review on this property. The plan is to purchase this property with funds from housing grants. Then making the property available to Habitat for Humanity.

- 2) Status of 87 Racine St. (Pending DNR information) (Ald. Taylor)

Waiting on the DNR. Nothing new to report.

XII. COUNCIL DIRECTIVES, Cont'd.

- B. CDD Keil – 3) Status of movie theater project (Ald. Hendricks)
CDD Keil reported the owner is working on the interior of the theater. No completion date has been set.
- C. DPW Radtke – Update on progress of reinstalling street lights. (Ald. Merkes)
DPW Radtke reported he has been working with the Superintendent from Utilities. The utilities crews have been working on other project that has more urgency with the cold weather setting in
- D. Comp Stoffel, CA/HRD Brandt & Mayor Laux – Information on Budget Implementation (Ald. Wisneski)
CA/HRD Brandt explained the motions made during the previous budget review sessions have been done in an incorrect order. He was explaining the proper procedure.
Comptroller Stoffel explained the implementation of expenditures of budget items becomes effective Jan. 1 of the budget year.
Mayor Laux explained that cost savings budget items can take place before the first of the budget year.

Next Agenda: Ald. Hendricks – 1) Status of Gatehouse property; 2) Status of theater project;
3) Reinstallation of street lights; 4) Élan bill

Ald. Merkes – Hiring of PWF employees.

Ald. Chase – Heckrodt Wetland Reserve Annexation

Ald. Taylor – 1) Financial Report of Red, White, Blue Committee;

2) Financial Report of services of Atty. Robert Horowitz;

3) Sister City Flag in Council Chambers; 4) Status of 535 1st St; 5) Status of 87 Racine St.

Ald. Michalkiewicz – Larsen Study Report.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda – five (5) minute time limit for each person)

- A. Stan Sevenich, 645 9th St. 1) Council should follow CA Brandt's advice on open meetings law; 2) Don't give up on television of council meetings, public needs to be informed on City government.
- B. Mary Nebel, 713 1st St. 1) Not television council meetings is a disservice to residents; 2) Ordinance O-36-06 changing time of council and committee meetings needed to be passed to give residents more time for their input.
- C. Bob Stevens, 360 1st St. 1) Televising is only way for some people to view meetings, residents need to know what is happening; 2) Should change time and night of committee meetings to give Council members more time before voting on an issue.
- D. Jeff Riedl, 408 Appleton St. Franchise fee paid by subscribers should be used for televising of meetings; Should put meetings on website for residents that don't have cable; 2) Should have committee meetings on different night than council meeting to allow for residents input.
- E. Sue Wisneski, 1232 DePere St. Not approving agreement with Schenck has put extra burden on Comptroller Stoffel. He works well with Schenck; need to support Comptroller Stoffel's recommendation.
- F. Don Merkes, 377 Nassau St. Thanked residents for watching the taped meetings; not approving contract is taking a step back for open government, going back to when decisions were made in the back room out of view of the residents.

XIV. ADJOURNMENT

Moved by Ald. Eckstein seconded by Ald. Taylor to adjourn at 9:56 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi
City Clerk