A. CALL TO ORDER
   Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE
   The Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES
   PRESENT: Aldermen Taylor, Sevenich, Collier, Krueger, Zelinski, Grade, Benner, Nichols.
   ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Kloehn, CDD Buck, PRD Tungate, PHD McKenney, FM Sassman, ES Montour, Clerk Galeazzi.

D. PUBLIC HEARING
   1. Proposed Rezoning of 309 De Pere Street (Parcel #4-00109-00)
      CDD Buck explained the property owner has requested the property be rezoned from I-1 Heavy Industrial to C-1 General Commercial to bring the property into compliance with the zoning ordinance.
      No one spoke. Mayor Merkes closed the public hearing.

   2. Proposed Amendments to Title 13 of the Menasha Code of Ordinances Pertaining to Non-conforming Uses, Structures, and Lots
      CDD Buck explained staff is reorganizing City Code in accordance with amendments to State Statutes regarding non-conforming uses, structures, and lots.
      No one spoke. Mayor Merkes closed the public hearing.

   3. Proposed Vacation of Portion of Eleventh Street
      CDD Buck explained Menasha Joint School District requested vacation of a portion of Eleventh Street between Warsaw Street and Appleton Street for the purpose of attaching the unimproved right of way to Calder Stadium and Bayer Field. There are no public utilities located in the right of way.
      No one spoke. Mayor Merkes closed the public hearing.

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
   (five (5) minute time limit for each person)
   Tim Lenth, owner of Your Daily Grind, 204 Main Street, Menasha. Thanked Council for taking up the ordinance to allow outdoor seating and service in a public right of way/sidewalk.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
   1. FC Kloehn—Introduction of new firefighters, Adam Freimuth and Alex Fickel
      FC Kloehn introduced Adam Freimuth and Alex Fickel. Clerk Galeazzi administered the official oath to Firefighters Freimuth and Fickel.
      The Council welcomed the new firefighters.
2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:
   a. Administration Committee, 4/18/2017
   b. Board of Public Works, 4/18/2017
   c. Landmarks Commission, 4/12/2017
   d. NMFR Joint Finance and Personnel Committee, 4/25/2017
   e. Parks and Recreation Board, 3/14/2017
   f. Personnel Committee, 4/18/2017
   g. Plan Commission, 4/25/2017
   h. Police Commission, 2/23/2017

Communications:
   i. Special Assessment Report—Amended (Province Terrace)

Moved by Ald. Sevenich seconded by Ald. Krueger to receive Minutes and Communications a-i. General discussion ensued on Parks & Recreation minutes and Special Assessment Report. Motion carried on voice vote.

G. CONSENT AGENDA
(Prior to voting on the Consent Agenda, items on the Consent Agenda may be removed at the request of any Alderman and place immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:
1. Common Council, 4/18/2017
2. New Common Council, 4/18/2017
3. Plan Commission, 4/25/2017, Recommends the Approval of:
   3. The Right-of-way Vacation—Portion of the 600th Block of Eleventh Street with the condition that the Calder Stadium property (parcel #4-00805-00) and Bayer Field property (parcel #1-00785-00), along with the acquired right-of-way be combined to form a single parcel.
4. NMFR Joint Fire and Personnel Committee, 4/25/2017, Recommends the Approval of:
   4. Purchase of 4 dry dive suits, 4 heavy duty gloves, 12 sets of dry suit thermal liners, and 12 head hoods from Dive Rescue International for a cost not to exceed $11,766.32

Ald. Sevenich requested to remove item 3 from Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Krueger to approve Consent Agenda items 1, 2, 4. Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA
Moved by Ald. Sevenich seconded by Ald. Benner to approve Consent Agenda item 3, the right-of-way vacation of a portion of the 600th block of Eleventh Street with the condition that the Calder Stadium property (Parcel #4-00805-00) and Bayer Field property (Parcel #1-00785-00) along with the acquired right-of-way be combined to form a single parcel.

General discussion ensued on the location of the vacated right-of-way. Motion carried on roll call 8-0.

I. HELD OVER BUSINESS
None
J.  **ORDINANCES AND RESOLUTIONS**

1. **O-7-17 An Ordinance Amending Title 13, by Making Certain Changes to the District (309 De Pere Street, Parcel #4-00109-00)** (Recommended by Plan Commission; Introduced by Alderman Benner)

   Moved by Ald. Benner seconded by Ald. Collier to approve O-7-17 An Ordinance Amending Title 13, by Making Certain Changes to the District (309 De Pere Street, Parcel #4-00109-00). General discussion ensued on the request to rezone and future use of the property. Motion carried on roll call 8-0.

2. **O-8-17 An Ordinance Amending Title 13, Chapter D of the Code of Ordinances (Non-conforming Uses, Structures, and Lots)** (Recommended by Plan Commission; Introduced by Alderman Benner)

   Moved by Ald. Benner seconded by Ald. Krueger to approve O-8-17 An Ordinance Amending Title 13, Chapter D of the Code of Ordinances (Non-conforming Uses, Structures, and Lots) Motion carried on roll call 8-0.

3. **O-9-17 An Ordinance Amending Title 7, Chapter 8 of the Code of Ordinances (Outdoor Restaurant Service)** (Introduced by Ald. Taylor)

   Moved by Ald. Taylor seconded by Ald. Collier to suspend the rules and take up O-9-17. Motion carried on roll call 6-2.
   Ald. Taylor, Sevenich, Collier, Krueger, Zelinski, Grade voted yes.
   Ald. Nichols, Benner voted no.

   Moved by Ald. Taylor seconded by Ald. Collier to approve O-9-17 An Ordinance Amending Title 7, Chapter 8 of the Code of Ordinances (Outdoor Restaurant Service). General discussion ensued on private businesses restricting public access to public property, including conditions on use of public property. Motion carried on roll call 8-0.

4. **O-10-17 An Ordinance Amending Title 11, Chapter 5 of the Code of Ordinances (Offenses Involving Alcoholic Beverages)** (Recommended by the Parks and Recreation Board; Introduced by Alderman Zelinski)

   Moved by Ald. Zelinski seconded by Ald. Sevenich to suspend the rules and take up O-10-17. Motion carried on roll call 7-1. Ald. Nichols voted no.

   Moved by Ald. Zelinski seconded by Ald. Sevenich to approve O-10-17 An Ordinance Amending Title 11, Chapter 5 of the Code of Ordinances (Offenses Involving Alcoholic Beverages). General discussion ensued on concerns of staff on allowing alcohol on the Trestle Trail, permitting process and requirements of DNR for alcohol on the trail, and sunset clause. Unanimous consent to allow Amy Barker, representing Future Neenah, to speak.

   Ms. Barker explained the event to be held on the Trestle Trail. They have been working with staff to make sure concerns are addressed.

   Motion carried on roll call 5-3.
   Ald. Nichols, Collier, Grade voted no.
5. **O-11-17 An Ordinance Amending Title 7, Chapter 2, Article A of the Code of Ordinances (Fermented Malt Beverages and Intoxicating Liquor) (Recommended by the Parks and Recreation Board; Introduced by Alderman Zelinski)**

Moved by Ald. Zelinski seconded by Ald. Krueger to O-11-17 An Ordinance Amending Title 7, Chapter 2, Article A of the Code of Ordinances (Fermented Malt Beverages and Intoxicating Liquor),

Motion carried on roll call 7-1. Ald. Collier voted no.

6. **R-11-17 Resolution to Approve the Cancellation of Outstanding Checks; and the Write Off of General Uncollectible Accounts Receivables and Delinquent Personal Property Receivables (Introduced by Mayor Merkes)**

Moved by Ald. Krueger seconded by Ald. Nichols to approve R-11-17 Resolution to Approve the Cancellation of Outstanding Checks; and the Write Off of General Uncollectible Accounts Receivables and Delinquent Personal Property Receivables.

Motion carried on roll call 8-0.

K. **ACTION ITEMS**

1. **Accounts payable and payroll for the term of 4/20/2017-4/27/2017 in the amount of $843,494.62**

Moved by Ald. Krueger seconded by Ald. Collier to approve accounts payable and payroll. Motion carried on roll call 8-0.

2. **Beverage Operators License Applications for the 2015-2017 licensing period.**

Moved by Ald. Krueger seconded by Ald. Sevenich to approve beverage operator’s license applications for the 2015-2017 licensing period as listed in memo date 4/27/17.

Motion carried on roll call 8-0.

3. **Beverage Operators License Applications for the 2017-2019 licensing period.**

Moved by Ald. Krueger seconded by Ald. Sevenich to approve beverage operator’s license applications for the 2017-2019 licensing period as listed in memo dated 4/27/17

Motion carried on roll call 8-0.

4. **Change of Agent for Plank Pub, LLC, d/b/a Plank Road Pub, 800 Plank Road, Menasha, for the 2016-2017 licensing year**

Moved by Ald. Krueger seconded by Ald. Sevenich to approve change of agent for Plank Pub LLC, d/b/a Plank Road Pub, 800 Plank Road, Menasha for the 2016-2017 licensing year.

Motion carried on roll call 8-0.

5. **Class “B” Liquor License Application for Menasha Athletic Association to sell fermented malt beverages at Koslo Park Concession Stand, May 1, 2017 to October 31, 2017-Carol J. Wierschle, Agent**

Moved by Ald. Krueger seconded by Ald. Sevenich to approve Class “B” Liquor License Application for Menasha Athletic Association to sell fermented malt beverages at Koslo Park Concession Stand, May 1, 2017 to October 31, 2017, Carol J. Wierschle, Agent.

Motion carried on roll call 8-0.

6. **Outdoor Serve Permit for Patrick Dufrane, d/b/a Weathervane Restaurant, 186 Main Street, Menasha for the 2016-2017 licensing year**

Moved by Ald. Krueger seconded by Ald. Taylor to approve Outdoor Serve Permit for Patrick Dufrane, d/b/a Weathervane Restaurant, 186 Main Street, Menasha for the 2016-2017 licensing year.

Motion carried on roll call 8-0.
7. **Outdoor Serve Permit for Rebecca Mader, d/b/a Your Daily Grind, 204 Main Street, Menasha for the 2016-2017 licensing year**

Moved by Ald. Krueger seconded by Ald. Taylor to approve Outdoor Serve Permit for Rebecca Mader, d/b/a Your Daily Grind, 204 Main Street, Menasha for the 2016-2017 licensing year.

Moved by Ald. Nichols seconded by Ald. Benner to add following language to permit “Furnishings in the walkway must be available for public use regardless of business patronage.”

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

Original motion as amended carried on roll call 7-1. Ald. Collier voted no.

L. **APPOINTMENTS**

None

M. **CLAIMS AGAINST THE CITY**

None

N. **PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA**

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

Tim Lenth, owner of Your Daily Grind, 204 Main Street, Menasha. Addressed Council’s concerns of businesses use of City’s right of way/sidewalk.

O. **RECESS**

Moved by Ald. Benner seconded by Ald. Collier to recess at 8:10 p.m.

Motion carried on voice vote.

Reconvened at 8:35 p.m.

P. **ACTION ITEMS**

1. Moved by Ald. Benner seconded by Ald. Collier to adjourn into Closed Session pursuant to Wis. Stats. 19.85(1)(f) Considering financial data of specific persons, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such data (198 River Street-Personal Guarantee of Christine A. Sohns)

Motion carried on roll call 8-0.

2. Will reconvene into Open Session and may take action on item discussed in Closed Session.

No Action.

Q. **ADJOURNMENT**

Moved by Ald. Benner seconded by Ald. Collier to adjourn at 9:00 p.m.

Motion carried on voice vote.

Deborah A. Galeazzi WCMC

City Clerk