A. CALL TO ORDER
Meeting called to order by Mayor Merkes at 6:37 p.m.

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

C. ROLL CALL
PRESENT: Aldermen Stan Sevenich, Mark Langdon, Steve Krueger, Tom Grade, Ted Grade, Randy Ropella, Rebecca Nichols, James Taylor.
ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, FC Kloehn, ASD Jacobs, CDD Schroeder, DPW Radomski, PHD McKenney, PRD Tungate, FM Sassman, Clerk Galeazzi.

D. PUBLIC HEARING

E. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
No one spoke.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS
1. Housing Renovation Program, CDD Schroeder
CDD Schroeder introduced an overview of a proposed housing program directed to revitalize Menasha’s housing stock and increasing home ownership adding further stability to the community. This program would be funded using positive increment from the potential early closer of TIF District #5. Officer Nick Oleszak, Associate Planner Joe Stephenson, and Housing Inspector Alison Humski have been working to pull together program details, researching other communities and discussing areas of need for the community. CDD Schroeder further gave examples of how the program works and possible projects that will be covered by this program. As staff continues to develop this program to bring back for Council approval, CDD Schroeder stated any comments, recommendations and suggestions can be directed to him.

General discussion ensued on what the funds can be used for.

2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
   a. Board of Public Works, 9/17/2018
   b. NMFR Joint Finance & Personnel Committee, 9/26/2018
   c. Parks and Recreation Board, 8/14/2018
   d. Plan Commission, 9/11/2018
   e. Redevelopment Authority, 9/11/2018
   f. Water and Light Commission, 8/22/2018
Communications:
   g. Oshkosh Herald “Southside Riverwalk trail blazed,” 8/29/2018 (Alderman Taylor)
   h. 2018 Menasha Business Summary Report Downtown Business District
   i. Fox Cities Chamber New President/CEO Becky Bartoszek Announcement

Moved by Ald. Sevenich seconded by Ald. Krueger to receive Minutes and Communications a-i.
General discussion on Oshkosh Herald article (Comm. g).
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 placed immediately following action on the Consent Agenda. The procedures to follow for the Consent Agenda are: (a) removal of items from Consent Agenda; and (b) motion to approve the items from Consent Agenda.)

Minutes to approve:
1. Common Council, 9/17/2018
   Plan Commission, 9/11/2018, and Board of Public Works, 9/17/2018 Recommend the Approval of:
2. The Proposed Certified Survey Map to accept right-of-way dedication for the future Community Way extension from 600 Lake Park Road (Parcel 7-01700-03), 620 Lake Park Road (Parcel 7-01700-04), 730 Lake Park Road (Parcel 7-01700-05), 730 Lake Park Road (7-01700-06 and Parcel 7-01700-02)
3. The Proposed Certified Survey Map dedicating right-of-way for the future Lotus Trail extension within the original Ponds of Menasha Plat from Lot 5, 3002 Villa Way (Parcel 7-01772-04) and Lot 6, 2952 Villa Way (Parcel 7-01772-05)
Board of Public Works, 9/17/2018, Recommends the Approval of:
5. Payment—MCC, Inc; Contract Unit 2018-02; New Street Construction and Street Reconstruction—Various Streets; $126,353.38 (Payment No. 2)

Ald. Sevenich requested to remove items 4 & 5 from Consent Agenda.
Moved by Ald. Sevenich seconded by Ald. Krueger to approve Consent Agenda items 1, 2, & 3. Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

   DPW Radomski gave a brief history of how it was discovered that 318 Neenah properties are serviced by Menasha’s interceptor sewer and 65 Menasha properties are serviced by Neenah’s interceptor sewer. He explained the terms of the agreement; City of Neenah will reimburse City of Menasha for the excess flow from Neenah properties. The agreement establishes the guidelines for these charges moving into the future as well as reimbursement for the last 6 years. DPW Radomski stated the funds received from Neenah will go into the sanitary sewer fund.

   General discussion ensued on the terms of the agreement, going back 6 years is the maximum reimbursement period allowed by PSC laws, and other possible ways to correct the situation. Motion carried on roll call 7-1. Ald. Taylor voted no.

2. Moved by Ald. Langdon seconded by Ald. Krueger to approve Consent Agenda item 5, Payment to MCC, Inc., Contract Unit 2018-02 new street construction and street reconstruction for various streets in the amount of $126,353.38 (Payment No. 2). Motion carried on roll call 8-0.

I. ACTION ITEMS
1. Accounts payable and payroll for the term of 9/20/2018—9/27/2018 in the amount of $1,389,152.98
   Moved by Ald. Nichols seconded by Ald. Ted Grade to approve accounts payable and payroll. Motion carried on roll call 8-0.
Moved by Ald. Nichols seconded by Ald. Langdon to approve beverage operator's license application for the 2017-2019 licensing period as listed in memo dated 9/27/18.
Motion carried on roll call 8-0.

3. Future Consideration of the Acquisition of the Lawson Canal
CDD Schroeder and PRD Tungate explained the redevelopment of the Ahnaip Street Corridor including the former Gilbert Paper Mill and former Banta Publishing sites. Part of the redevelopment could include opening the Lawson Canal to a naturalized channel that can be publicly accessible. A survey of the Banta site was done and it was discovered that part of the Banta building is on the Lawson Canal property. The Redevelopment Authority entered into a Memorandum of Understanding with a developer to look at the possibility of redeveloping the Banta building. The developer noted the key for developing the property is to consider the acquisition and restoration of the Lawson Canal. Staff is asking for permission to explore the possibility of acquiring the Lawson Canal property for future development.

General discussion ensued on results of the environmental study, funding sources, requirements from DNR, part of the Banta building that is on the Lawson Canal property, and developer’s suggestions before moving forward with a development.

Moved by Ald. Sevenich seconded by Ald. Tom Grade to direct staff to analyze the feasibility, purchase options and potential funding sources for the possible acquisition of the Lawson Canal to be brought back to the Common Council for its consideration.
Motion carried on roll call 8-0.

   To recommend NMSC accept the settlement offer of $250,000 from the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin to resolve Neenah-Menasha’s Sewerage Commission claim arising from the Home Insurance Company liquidation.
   CA Captain explained one of the insurance companies, Home Insurance Company, involved in the Neenah-Menasha Sewerage Commission and the PCB Litigation, has been liquidated. Last year the Liquidation Court approved a settlement with NMSC. The Cities of Neenah and Menasha received a portion of the settlement. NMSC filed a claim with Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin for the insolvency of Home Insurance Company. NMSC is being offered a settlement of $250,000 for this claim. The Cities of Neenah and Menasha will receive a portion of the settlement, so CA Captain and CA Godlewski are recommending NMSC accepts the offer.

Moved by Ald. Sevenich seconded by Ald. Langdon to recommend Neenah-Menasha Sewerage Commission accept the settlement offer of $250,000 from the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin to resolve Neenah-Menasha’s Sewerage Commission claim arising from the Home Insurance Company liquidation.
Motion carried on roll call 8-0.

5. Request by Simply Incredible Business Developments, LLC and Christine Sohns to release $20,000 of escrow funds for asbestos abatement at 198 River Street, Menasha
   CA Captain explained the request of Simply Incredible Business Development and Christine Sohns to release $20,000 of escrowed funds to be used as a down payment for asbestos abatement at 198 River Street. Payments will be made as the work is completed. The State will follow up on inspections. CA Captain stated she has concerns regarding the company that will be performing the work and that the asbestos abatement work is behind schedule. She did issue a Notice of Default to Ms. Sohns on the City’s behalf.
General discussion ensued on requesting more information on the business, Wisconsin Asbestos Removal and Demolition LLC, Ms. Sohns has contracted to perform the asbestos removal, releasing funds after work is complete, and going through a bid process.

Moved by Ald. Ropella seconded by Ald. Krueger to disburse $20,000 after $20,000 of asbestos abatement is completed.
General discussion ensued on the contractor requiring down payment before work can start.
Motion failed on roll call 3-5.
Ald. Taylor, Krueger, Tom Grade voted yes.
Ald. Nichols, Sevenich, Langdon, Ted Grade, Ropella voted no.

Moved by Ald. Sevenich seconded by Ald. Langdon to approve the request of Simply Incredible Business Development, LLC and Christine Sohns to release $20,000 of escrow funds for asbestos abatement at 198 River Street on the condition the contractor she selects is a registered business with the Internal Revenue Service and Wisconsin Department of Revenue and they provide a Seller’s Permit Number.
General discussion ensued on the motion.
Motion carried on roll call 5-3.
Ald. Krueger, Tom Grade, Ted Grade voted no.

J. HELD OVER BUSINESS
   Moved by Ald. Taylor seconded by Ald. Sevenich to postpone to 10/15/18.
   General discussion ensued on waiting for amendments to the minutes.
   Motion carried on roll call 7-1. Ald. Langdon voted no.

K. ORDINANCES AND RESOLUTIONS
1. O-15-18 An Ordinance Amending Title 10, Chapter 1, Article B of the Code of Ordinance’s (Four-Way Stop—Fox Street and Mathewson Street) (Introduced by Alderman Sevenich; Recommended by Board of Public Works) Postponed from 8/20/2018 & 9/4/2018
   Ald. Sevenich stated the recently installed signage in the area should satisfy any safety concerns so he is withdrawing O-15-18. He would like to see white crosswalk lines added to intersections.
   No action required.

2. O-18-18 An Ordinance Adding Sections 9-3-16(K) & (L) of the Sewer Utility Regulation Ordinance (Introduced by Alderman Langdon; Recommended by Board of Public Works)
   Moved by Ald. Langdon seconded by Ald. Krueger to approve O-18-18 An Ordinance Adding Sections 9-3-16(K) & (L) of the Sewer Utility Regulation.
   Motion carried on roll call 7-1. Ald. Nichols voted no.

3. O-19-18 An Ordinance Modifying Section 9-3-34 of the Sewer Utility Regulation Ordinance (Introduced by Alderman Langdon; Recommended by Board of Public Works)
   Motion carried on roll call 8-0.

PHD McKenney explained the impact of lead exposure, especially in young children, and the need to prevent lead exposure. Menasha Utilities has a program to help homeowners with the cost of replacing lead and galvanized water service laterals. Grant funding for this program is expected to run out soon. This Resolution recommends the City and Utility partner with property owners to create a program to help with the cost of replacing lead and galvanized water service laterals.

General discussion ensued on the replaced lateral being from curbside to the home, amount each would contribute to cover the cost to replace the lateral, and other funding sources.

Moved by Ald. Krueger seconded by Ald. Sevenich to refer this resolution to a joint Common Council and Water & Light Utility Commission meeting.
Motion carried on roll call 8-0.

L. APPOINTMENTS
1. Mayoral Appointment of Shane Correll to the Redevelopment Authority for the term of 10/1/2018—8/31/2021
Moved by Ald. Sevenich seconded by Ald. Tom Grade to approve appointment of Shane Correll to the Redevelopment Authority
Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(five (5) minute time limit for each person)
No one spoke.

O. ADJOURNMENT
Moved by Ald. Krueger seconded by Ald. Tom Grade to adjourn at 9:15 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk