A. CALL TO ORDER
   Meeting called to order by Mayor Merkes at 6:05 p.m.

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

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

D. PUBLIC HEARING
   1. Proposed rezoning of property located at 528 Milwaukee Street (Parcel #1-00396-00) from I-1 Heavy Industrial District to C-1 General Commercial District
      CDD Schroeder explained the request for rezoning to bring the lot into conformance. The property use is currently a tavern. The property is currently under a Land Contract. The Land Contract holders have some issues to resolve before the rezoning can move forward so staff is recommending referring this item back to the Plan Commission.

      Barb Wilson & Bill Paveletzke, owners of 528 Milwaukee Street, Menasha. As the Land Contract holders they were not aware of the complete impact of the rezoning. They asked to hold off on any final decision on the rezoning until they can work out a few issues and get more facts.

      No one else spoke. Mayor closed the public hearing.

   2. Special Use Permit by Schuh Construction, Inc., on behalf of R Lewis & R Lewis LLC, to establish a car wash on a parcel in the C-1 General Commercial District (1462 Appleton Road, Parcel #4-00783-24)
      CDD Schroeder explained the proposed PDQ Car Wash at 1462 Appleton Road, Menasha. A Special Use Permit is required for this type of development in a C-1 zoned district. The Plan Commission had concerns about the façade. The Plan Commission recommended the Special Use Permit with some conditions.

      Jay McKeefry, N9351 Isaar Road, Seymour, represents PDQ Car Wash. He stated they submitted a revised site plan and have been working with staff on the concerns of the Plan Commission.

E. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS
   1. Presentation by Gold Cross Ambulance
      Nick Romenesko, from Gold Cross Ambulance gave an overview of Gold Cross’ history and operation. They are a regional ambulance service that covers the Fox Cities and their focus is patient care. They work with local health departments on training and work close with emergency medical teams.

   2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
      Minutes to receive:
      a. Board of Public Works 6/3/2019
      b. Plan Commission, 6/4/2019
      c. Redevelopment Authority, 6/4/2019
      d. Water & Light Commission, 5/22/2019
      Communications:
      e. Police Lieutenants Complete Advanced Management Classes Memorandum, Chief Tim Styka, 6/12/2019
      f. Menasha Celebrates New Trail Connection Press Release
g. City of Menasha Tax Payers Notice of Open Book of Assessment Rolls and Notice of Board of Review
h. Update on Public Fire Protection Billing to Calumet County Property Owners in the City of Menasha (on behalf of Harrison Utilities) Memorandum, ASD John Jacobs, 6/13/2019
i. 5th Annual Corny Community Walk—Wednesday, August 7, 2019 5:00pm—7:30pm at Jefferson Park
j. Additional $10,000.00 Received for Enhancing Public Health Preparedness: The Opioid Epidemic

Moved by Ald. Sevenich seconded by Ald. Krueger to receive Minutes and Communications a-j.
Mayor Merkes reminded people of the ribbon cutting of the Province Terrace Trail on June 18, 2019.
Motion carried on voice vote.

F. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
Pastor Dan Sharp, 2233 E. Shady Lane, Neenah, from Fox Cities United Pentecostal Church, 1445 Midway Road. He expressed concerns on closing the streets for the Fox Cities Marathon. Some of the parishioners live on the marathon route and they are unable to attend church on that day because their street is blocked. He asked if one lane of the street could remain open to allow people access in and out of the street.
Mayor Merkes referred him to the race director to work out a solution.

Robert Walter, 344 Broad Street, Menasha. He supports planting trees on Broad Street. He commented on the condition of the railroad tracks on Racine Street.
Mayor Merkes recommends residents contact CN Railroad. The City has been working with the railroad on this issue. More people contacting the railroad will stress the importance of fixing the railroad tracks.

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:
   Board of Public Works, 6/3/2019, Recommends the Approval of:
2. Street Use Application—Midwest Sunsplash Music Festival Benefitting Youth-Go; Friday, July 26, 2019; 4:00pm—12:00am (Youth-Go & Tui Productions)
3. Street Use Application—Midwest Sunsplash Music Festival Benefitting Youth-Go; Saturday, July 27, 2019; 6:00am—12:00am (Youth-Go & Tui Productions)
4. Street Use Application—Twisted Pistons Scholarship Cruise-In; Thursday, August 15, 2019; 12:00pm—10:00pm (Twisted Pistons, Inc.)
5. Street Use Application—Community First Fox Cities Marathon Presented by Miron Construction; Sunday, September 22, 2019; 7:00am—2:00pm (Community First Credit Union)
7. Payment—Janke General Contractors, Inc.; Contract Unit No. 2019-02; Province Terrace Trail—Nature’s Way to USH 10/STH 114; $106,654.53 (Payment No. 5)
8. Payment—Sommers Construction Co., Inc.; Contract Unit No. 2019-01; New Street Construction—Province Terrace, Jennie Street, Province Link, and Midway Crossing (Various Locations); $240,488.57 (Payment No. 2)
Plan Commission, 6/4/2019, Recommends the Approval of:
9. Special use permit to allow a carwash for 1492 Appleton Road and find that the findings listed under 13-1-11 were applicable: The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value, and there will be no deterrents to development of vacant land; The use shall have an appearance that will not have an adverse effect upon adjacent properties;
The use shall be reasonably related to the overall needs of the City and to existing land use patterns; The use will not cause traffic hazards or congestion; The use shall have adequate utilities, access roads, drainage, and other necessary facilities.

10. Certified survey map lot line adjustment at 528 Milwaukee Street with the following conditions: 528 Milwaukee Street (#1-00397-00) is rezoned from Heavy Industrial District (I-1) to General Commercial District (C-1)

Ald. Sevenich requested to remove items 6-10 from the Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Taylor to approve Consent Agendas items 1-5.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 6,
Motion carried on roll call 8-0.

2. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 7,
Payment—Janke General Contractors, Inc.; Contract Unit No. 2019-02; Province Terrace Trail—Nature’s Way to USH 10/STH 114; $106,654.53 (Payment No. 5).
Motion carried on roll call 8-0.

3. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 8,
Payment—Sommers Construction Co., Inc.; Contract Unit No. 2019-01; New Street Construction—Province Terrace, Jennie Street, Province Link, and Midway Crossing (Various Locations); $240,488.57 (Payment No. 2).
Motion carried on roll call 8-0.

4. Moved by Ald. Nichols seconded by Ald. Ted Grade to approve Consent Agenda item 9,
Special use permit to allow a carwash for 1492 Appleton Road and find that the findings listed under 13-1-11 were applicable: The use shall be compatible with adjacent land uses so that existing uses will not be depreciated in value, and there will be no deterrents to development of vacant land; The use shall have an appearance that will not have an adverse effect upon adjacent properties; The use shall be reasonably related to the overall needs of the City and to existing land use patterns; The use will not cause traffic hazards or congestion; The use shall have adequate utilities, access roads, drainage, and other necessary facilities.

General discussion ensued on the type and design of the car wash and assessed value of the building.
Unanimous consent was given to hear from owner Rebecca Lewis.

Rebecca Lewis explained her connection to the PDQ car wash business and the need for this type of car wash in the area. Jay McKeefry showed the Council blue print plans of the building.
Motion carried on roll call 8-0.

5. Moved by Ald. Sevenich seconded by Ald. Taylor to refer back to Plan Commission Consent Agenda item 10, Certified Survey Map lot line adjustment at 528 Milwaukee Street with the following conditions: 528 Milwaukee Street (#1-00397-00) is rezoned from Heavy Industrial District (I-1) to General Commercial District (C-1)
General discussion ensued on allowing Land Contract holder an opportunity to research all options and work with staff.
Motion carried on voice vote.
I. ACTION ITEMS

1. Accounts payable and payroll for the term of 6/6/2019—6/13/2019 in the amount of $1,095,364.04
   Moved by Ald. Nichols seconded by Ald. Ted Grade to approve accounts payable and payroll.
   Ald. Nichols requested to separate check #65015 to Jeff Nichols. She will abstain from voting on this check.
   Motion to approve accounts payable and payroll excluding check #65015 carried on roll call 8-0.
   Ald. Nichols left the room.
   Motion to approve check #65015 carried on roll call 7-0. Ald. Nichols abstained.
   Ald. Nichols returned.

   Moved by Ald. Nichols seconded by Ald. Krueger to approve beverage operator’s license application for the 2017-2019 licensing period as listed in memo dated 6/13/19.
   Motion carried on roll call 8-0.

   Police Department recommends denying beverage operator’s license application of Steven Brandt as he does not meet Guideline 1 (felony conviction) and Guideline 3 (habitual offender) of the City of Menasha Guidelines for Alcohol Licenses.

   Steven Brandt, 1119 Manitowoc Road, Menasha spoke to the Common Council. He explained the felony charges from 2004 & 2006 and his last citation/conviction in 2011. He has worked at Tonic for nine years and has had a good work record.

   CA Captain explained the City’s guideline follows State Statute regarding felony convictions. CA Captain’s opinion is that a sufficient number of years have passed since the felony convictions and therefore the felony convictions should not be considered when determining if the beverage operator’s license should be approved.

   Moved by Ald. Sevenich seconded by Ald. Tom Grade to approve beverage operator’s license application of Steven Brandt.
   Motion carried on roll call 8-0.

   Moved by Ald. Nichols seconded by Ald. Krueger to approve beverage operator’s license application for the 2017-2019 licensing period as listed in memo dated 6/13/19.
   Motion carried on roll call 8-0.

4. Outdoor Alcohol Beverage Service Permit Application for the 2019—2020 Licensing year—Plank Pub LLC, d/b/a Plank Road Pub, 800 Plank Road, Menasha
   Moved by Ald. Nichols seconded by Ald. Krueger to approve Outdoor Alcohol Beverage Service Permit Application for the 2019-2020 Licensing year for Plank Pub LLC, d/b/a Plank Road Pub, 800 Plank Road, Menasha
   Motion carried on roll call 8-0.

5. Property Acquisition—205 Mathewson Street
   Moved by Ald. Taylor seconded by Ald. Krueger to approve property acquisition of 205 Mathewson Street.
   Motion carried on roll call 8-0.

6. Class “B” Liquor License Application for Superior Mobile, LLC d/b/a Superior Lounge, Linda Contreras, Agent, front corner unit of 714 Appleton Road, Menasha for the 2019—2020 licensing year
   Moved by Ald. Nichols seconded by Ald. Ted Grade to deny Class “B” liquor license application for Superior Mobile, LLC d/b/a Superior Lounge, Linda Contreras, Agent, 714 Appleton Road, Menasha for the 2019-2020 licensing year as recommended by staff.
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Linda Contreras, representing Superior Mobile, answered questions from CA Captain. Ms. Contreras stated their plan is to operate a bar. She did not know the terms of the lease between Superior Mobile and the owner of the building at 714 Appleton Road. The cellphone business that is currently located in the building is not operating. Ms. Contreras stated Superior Mobile is owned by Waed Alswaleh, who was not present at the meeting. When asked if Kamel Khatib was involved in the business, Ms. Contreras stated Mr. Khatib helps out at the business occasionally.

PC Styka answered questions from CA Captain about Kamel Khatib and his criminal record and why Mr. Khatib was part of the investigation.

Clerk Galeazzi answered questions from CA Captain on the liquor license application procedure and her contact with Kamel Khatib and Waed Alswaleh.

CA Captain explained what type of businesses are allowed to hold liquor licenses under State Statute. She also explained liquor license applicants must have permission from the property owner to sell and/or serve alcohol in the premise being licensed.

Motion carried on roll call 8-0.

7. Broad Street Terrace Trees
Moved by Ald. Taylor seconded by Ald. Sevenich to reallocate $5,000 from stormwater street construction to the stormwater forestry account and plant street trees for Broad Street Terrace

General discussion ensued on planting terrace trees now that the reconstruction of Broad Street is completed or planting during the suggested time of spring or fall; concerns about trees not surviving if planted during the summer; showcasing Broad Street now that reconstruction work is done; City plants terrace trees in different parts of the City each spring.

DPW Radomski explained the trees will be planted in the fall or spring as recommended by the City’s arborist and the trees will be purchased in bulk. Typically terrace trees are planted the spring after the street reconstruction is completed. There have been exceptions.

Motion failed on roll call 2-6.
Ald. Taylor, Sevenich voted yes.
Ald. Nichols, Langdon, Krueger, Tom Grade, Ted Grade, Ropella voted no.

With no objections, Mayor Merkes moved to Items J-N on the agenda.

8. Offer to Purchase 140 Main Street (Former City Hall)
CDD Schroeder explained the Offer to Purchase for 140 Main Street, Menasha from Grant Fisk in the amount of $100,000. Staff has been working with Mr. Fisk regarding concerns of the Council from the previous Letter of Intent from Mr. Fisk. CDD Schroeder reviewed the details of the Offer to Purchase.

Grant Fisk spoke to Council on his plans for the building. His intent is to redo the building to showcase downtown Menasha. He is partnering with development companies from out of the State that are interested in investing in Menasha. They have financial backing and will not rely on City funding. They would like to close on or before Aug 9. Mr. Fisk stated commercial is the best use of the building. Their intent is for a restaurant on the first floor and commercial and/or offices on second and third floors. Mr. Fisk stated they know the current condition of the building and have no intent to raze the building.

General discussion ensued on the uniqueness of the building and downtown area; the sale price of $100,000; expected property value of $700,000-$800,000; PILOT program; background of the developers; and the preferred use of the building.

CDD Schroeder addressed the question on the sale price of $100,000. He explained the repairs to the building and the cost associated with the repairs. This is not a move-in ready building.
a. Moved by Ald. Sevenich seconded by Ald. Langdon to adjourn into Closed Session pursuant to Wis. 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.
Motion carried on roll call 8-0.

b. Moved by Ald. Sevenich seconded by Ald. Langdon to return into Open Session to take action on items discussed in Closed Session.
Motion carried on voice vote.

Moved by Ald. Langdon seconded by Ald. Nichols to accept Offer to Purchase 140 Main Street, Menasha (Former City Hall) from Grant Fisk in the amount of $100,000.

Moved by Ald. Krueger seconded by Ald. Langdon to amend Offer to Purchase to include a minimum guarantee assessed value of $300,000 or equivalent annual PILOT for 10 years.
Motion on amendment carried on roll call 8-0.

Original motion as amended carried on roll call 8-0.

J. HELD OVER BUSINESS

K. ORDINANCES AND RESOLUTIONS

1. O-12-19 An Ordinance Amending Title 13, By Making Certain Changes to the District (528 Milwaukee Street—Parcel #1-00396-00); Introduced by Alderman Nichols; Recommended by Plan Commission
Moved by Ald. Nichols seconded by Ald. Sevenich to refer Ordinance O-12-19 back to Plan Commission.
Motion carried on voice vote.

2. R-17-19 Intergovernmental Agreement to Satisfy Eligibility for Recycling Consolidation Grant for Calendar Year 2020 (Introduced by Alderman Krueger; Recommended by Board of Public Works)
Moved by Ald. Krueger seconded by Ald. Langdon to approve R-17-19 Intergovernmental Agreement to Satisfy Eligibility for Recycling Consolidation Grant for Calendar Year 2020
Motion carried on voice vote.

L. APPOINTMENTS

Moved by Ald. Sevenich seconded by Ald. Taylor to approve appointment of Ray Zielinski to the Board of Review for the term 7/1/2019-7/1/2023.
Motion carried on voice vote.

2. Reappointment of Tom Stoffel to the Board of Review for the term of 7/1/2019—7/1/2024.
Moved by Ald. Sevenich seconded by Ald. Taylor to approve appointment of Tom Stoffel to the Board of Review for the term 7/1/2019-7/1/2024.
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)
Kamel Khatib (no address given). He had concerns on the denial of the liquor license application for Superior Mobile.
Returned to Item I-8.

O. ADJOURNMENT
Moved by Ald. Langdon seconded by Ald. Krueger to adjourn at 9:38 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk