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
PRESENT: Aldermen Mark Langdon, Steve Krueger, Tom Grade, Ted Grade, Randy Ropella, Rebecca Nichols, James Taylor, Stan Sevenich.
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. Special Use Permit by Martenson & Eisele, Inc, on behalf of Peak Inc., to establish a car wash on a parcel located at 1335 Oneida Street (Parcel #7-00052-16) in the C-1 General Commercial District, as required by Sec. 13-1-29(c)(4) of the City of Menasha Municipal Code.
CDD Schroeder explained the proposed automated car wash at 1335 Oneida Street by Festival Foods. A Special Use Permit is required because of the type of use in a C-1 zoned district. Plan Commission recommend approval of the Special Use Permit.
No one spoke. Mayor closed the public hearing.

E. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS
1. Chancellor Andy Leavitt - One University with Three Campuses Update
Chancellor Leavitt reported on the status of the restructuring of the three campuses, UW-Oshkosh, UW-Fox Valley, and UW-Fond du Lac. An advisory committee met to discuss the merger and the naming of the campuses. The recommendation to the Board of Regions for the naming of the campuses will be University of Wisconsin Oshkosh, University of Wisconsin Oshkosh Fox Cities, and University of Wisconsin Oshkosh Fond du Lac. Chancellor Leavitt stated the merger was due to a decline in enrollment at UW campuses. Their vision is to expand access to higher education.
General discussion ensued on the name change, merging of the campuses, and reason for declining enrollment.

2. Clerk Galeazzi - the following minutes and communications have been received and placed on file:
Minutes to receive:
a. Administration Committee, 5/20/2019
b. Board of Public Works, 5/20/2019
c. Library Board, 5/22/2019
e. NMFR Joint Finance & Personnel Committee, 5/28/2019
f. NMFR Joint Fire Commission, 5/22/2019
g. Plan Commission, 5/21/2019
h. Police Commission, 4/4/2019
Communications:
i. Heckrodt Wetland Reserve Children’s Canopy Walk
j. Promotions and Assignments Memorandum, Chief Styka, 5/28/2019
k. Lead Service Line Replacement Memorandum, General Manager Krause, 5/30/2019
I. Valley Transit Refund for 2018 Fixed Route Service Letter, 5/17/2019
m. Year-End 2018 Financial Overview—Preliminary/Pre-Audit Memorandum, ASD Jacobs, 5/30/2019

Moved by Ald. Sevenich seconded by Ald. Krueger to receive Minutes and Communications a-m. General discussion ensued on Menasha Utilities Lead Service Line Replacement (m), Plan Commission minutes (g), Police Department Promotions and Assignments (j). The Police Department was congratulated on their professionalism during a recent incident. Motion carried on voice vote.

F. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY
(five (5) minute time limit for each person)
Zack & Sarah Wheeler, 858 First Street, Menasha. They stated their concerns about Diablo Cycling. The residents on the race route have not been notified of the event on a timely basis and the organizers of the event have not been cooperative with the residents when it comes to allowing them access to their property during the race. This event has been an inconvenience to the residents in the area.

William & Rosita Eisenach, 862 First Street, Menasha. They stated their concerns about Diablo Cycling. The event is an inconvenience to the residents on the route. They have not received timely notices of the event. They recommend switching to a different area for one year.

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, 5/20/2019
   Administration Committee, 5/20/2019, Recommends the Approval of:
   2. Accept bid of Post Crescent Media as the official City newspaper for 2019-2020
   3. Agreement with Spielbauer Fireworks Co., Inc. for fireworks programs on July 4, 2019 and July 4, 2020, proposals 1 & 2
   Board of Public Works, 5/20/2019, Recommends the Approval of:
   4. Street Use Application—Diablo Cycling Menasha Criterium; Saturday, June 15, 2019; 8:00 am—8:00 pm (Diablo Cycling)
   5. Street Use Application—CommunityFest Parade of Lights; Wednesday, July 3, 2019; 9:00 pm—10:15 pm (Cities of Neenah & Menasha)
   6. Street Use Application—Grunski Runski; Saturday, August 10, 2019; 6:00 am—12:00 pm (City of Menasha)
   7. Payment—Feaker & Sons Co., Inc.; Contract Unit No. 2018-04; Community Way-New Storm Sewer, Water Main, and Street Construction; $134,641.65 (Payment No. 1)
   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); $50,199.04 (Payment No. 1)
   9. Payment—Janke General Contractors, Inc.; Contract Unit No. 2019-05; Province Terrace Trail—Nature’s Way to USH 10/ STH 114; $130,589.56 (Payment No. 4)
10. Pursue the USDA funding option and request that The Redevelopment Authority of the City of Menasha sign Form 1942-46 “Letter of Intent to Meet Conditions” and Form 1940-1 "Request for Obligation of Funds" by June 7, 2019. This does not commit the RDA to approve any construction of the building at this time.
   Plan Commission, 5/21/2019, Recommends the Approval of:
   11. Special Use Permit for 1335 Oneida Street (#7-0052-16) and find that the five findings presented by staff to be true
Ald. Sevenich requested to remove items 4, 7, 8, 9, 10 & 11 from the Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Ted Grade to approve Consent Agenda items 1, 2, 3, 5 & 6.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Moved by Ald. Krueger seconded by Ald. Sevenich to approve Consent Agenda item 4,
   Street Use Application for Diablo Cycling Menasha Criterium, Saturday, June 15, 2019 from
   8:00 am—8:00 pm (Diablo Cycling).

   DPW Radomski explained staff requires event organizers to notify residents along the route of the
   street closure. It is recommended that the residents receive the notice before the Common Council
   acts on the Street Use Application. In past years the Diablo Cycling event has switched between
   May and June.

   General discussion ensued on the concerns of the residents, allowing the residents access to their
   property during the races, working with organizers of the event, and holding the event the same
   time each year.

   Moved by Ald. Krueger seconded by Ald. Sevenich to included condition, residents must have
   access to their property between races.
   Motion carried on roll call 7-1. Ald. Ropella voted no.

   Original motion including condition carried on roll call 7-1. Ald. Ropella voted no.

2. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 7,
   Payment to Feaker & Sons Co., Inc., Contract Unit No. 2018-04 for Community Way-New Storm
   Sewer, Water Main, and Street Construction in the amount of $134,641.65 (Payment No. 1)
   Motion carried on roll call 8-0.

3. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 8,
   Payment to Sommers Construction Co., Inc., Contract Unit No. 2019-01 for New Street
   Construction, Province Terrace, Jennie Street, Province Link and Midway Crossing (Various
   Locations) in the amount of $50,199.04 (Payment No. 1).
   DPW Radomski explained the work has been slowed down due to wet conditions.
   Motion carried on roll call 8-0.

4. Moved by Ald. Krueger seconded by Ald. Langdon to approve Consent Agenda item 9,
   Payment to Janke General Contractors, Inc., Contract Unit No. 2019-05 for Province Terrace
   Trail—Nature’s Way to USH 10/STH 114 in the amount of $130,589.56 (Payment No. 4).
   Motion carried on roll call 8-0.

5. Moved by Ald. Krueger seconded by Ald. Nichols to approve Consent Agenda item 10, Pursue
   the USDA funding option and request that The Redevelopment Authority of the City of Menasha
   sign Form 1942-46 “Letter of Intent to Meet Conditions” and Form 1940-1 “Request for Obligation
   of Funds” by June 7, 2019. This does not commit the RDA to approve any construction of the
   building at this time.
   Motion carried on roll call 8-0.

6. Moved by Ald. Nichols seconded by Ald. Krueger to approve Consent Agenda item 11, Special
   Use Permit for 1335 Oneida Street (#7-0052-16) and find that the five findings presented by staff to
   be true.
   General discussion ensued on the number of car washes in the area, the value of the building, and
   noise created from the business.
   Motion carried on roll call 8-0.
I. ACTION ITEMS

1. Accounts payable and payroll for the term of 5/21/2019—5/30/2019 in the amount of $1,232,594.70
   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. Krueger to approve beverage operator’s license application for the 2017-2019 licensing period as listed in memo dated 5/31/19 and to include Kimberly Verrett.
   Motion carried on roll call 8-0.

The Police Department is recommending denial of beverage operator’s license application for Michelle Long as she does not qualify based on the City of Menasha Policy Guidelines, being convicted of two offenses within the last three years (Guideline 3).

Michelle Long spoke to the Council. She explained the circumstances of the convictions. She stated one of the convictions was an ordinance violation and should not be included with the other conviction. She did make restitution on that conviction.

CA Captain asked about the circumstances for each conviction and explained ordinance violations can be considered when it is part of multiple convictions during a short period of time.

Moved by Ald. Ropella seconded by Ald. Langdon to approve beverage operator’s license application for the 2017-2019 licensing period for Michelle Long.
   Motion carried on roll call 5-3.
   Ald. Sevenich, Langdon, Tom Grade, Ted Grade, Ropella voted yes.
   Ald. Nichols, Taylor, Krueger voted no.

The Police Department is recommending denial of beverage operator’s license application for Ashlei Mae Hilgers as she does not qualify based on the City of Menasha Policy Guidelines, multiple convictions in a short amount of time, Habitual Offender (Guideline 3).

Moved by Ald. Nichols seconded by Ald. Langdon to deny the beverage operator’s license application for Ashlei Mae Hilgers as she does not qualify based on the City of Menasha Policy Guidelines, multiple convictions in a short amount of time, Habitual Offender (Guideline 3).
   Motion carried on roll call 8-0.

The Police Department is recommending denial of beverage operator’s license application for Rebecca Durant as she does not qualify based on the City of Menasha Policy Guidelines, multiple convictions in a short amount of time, Habitual Offender (Guideline 3).

Rebecca Durant spoke to the Council. She explained the conviction of Operating While Intoxicated (OWI) and she is complying with Court requirements.

CA Captain read the convictions received and Ms. Durant explained the circumstances for the convictions that were connected with the OWI. CA Captain explained the habitual offender guideline comes from the State Statute and the convictions do not have to be related to alcohol violations. Persons issued a bartender’s license need to demonstrate good judgement.
PC Styka explained the reason for the multiple tickets that are issued with an OWI. However, not all convictions Ms. Durant received stemmed from the OWI situation.

Ms. Durant questioned a separate speeding ticket listed on her record.

PC Styka retrieved the in-house records and reported on when the incident happen. It was a separate incident from the OWI.

Moved by Ald. Ropella seconded by Ald. Krueger to deny beverage operator's license application for Rebecca Durant as she does not qualify based on the City of Menasha Policy Guidelines, multiple convictions in a short amount of time, Habitual Offender (Guideline 3).
Motion carried on roll call 7-1. Ald. Ted Grade voted no.

Moved by Ald. Nichols seconded by Ald. Krueger to approve beverage operator's license applications for the 2019-2021 licensing period as listed in memo dated 5/30/19.
Motion carried on roll call 8-0.

4. Liquor License Applications Recommended for Approval for the 2019—2020 Licensing year
Mayor Merkes explained Plank Pub LLC, d/b/a Plank Road Pub, 800 Plank Road and Margaritaville Lounge LLC, d/b/a Calient, 6 Tayco Street are current on personal property and real estate taxes.
Moved by Ald. Nichols seconded by Ald. Krueger to approve liquor license applications for 2019-2020 licensing year as listed in memo dated 5/30/19 and include Plank Pub LLC and Margaritaville Lounge LLC.
Motion carried on roll call 8-0.

5. Liquor License Applications Recommended for Denial for the 2019—2020 Licensing year
No action required; see item 4.

6. Outdoor Alcohol Beverage Service Permit Applications for the 2019—2020 Licensing year
Moved by Ald. Nichols seconded by Ald. Krueger to approve outdoor alcohol beverage service permit applications for the 2019—2020 licensing year as listed in memo dated 5/30/19.
Motion carried on roll call 8-0.

7. Class “B” Liquor License Application for Superior Mobile, LLC d/b/a Superior Vape Café International, Linda Contreras, Agent, front corner unit of 714 Appleton Road, Menasha for the 2018-2019 licensing year
Mayor Merkes explained the applicants withdrew their application; no action required.

8. DOT Equipment Grant Acceptance and Authority to Purchase
Moved by Ald. Nichols seconded by Ald. Taylor to approve DOT Equipment Grant Acceptance and Authority to Purchase.
Ald. Nichols explained the Police Department has been awarded $8,000 in grants to purchase technology to enforce speeding in the City
Motion carried on roll call 8-0.

J. HELD OVER BUSINESS
K. ORDINANCES AND RESOLUTIONS
   1. O-8-19 An Ordinance Amending Title 10, Chapter 1, Article B of the Code of Ordinances
      (Controlled Intersections Designated—Midway Crossing); Introduced by Alderman Ropella;
      Recommended by Board of Public Works
     Moved by Ald. Ropella seconded by Ald. Krueger to approve O-8-19 An Ordinance Amending
     Title 10, Chapter 1, Article B of the Code of Ordinances (Controlled Intersections Designated—
     Midway Crossing); Introduced by Alderman Ropella; Recommended by Board of Public Works.
     Motion carried on roll call 8-0.

L. APPOINTMENTS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
   (five (5) minute time limit for each person)
   Rositta Eisenach, 862 First Street, Menasha. Requested that the residents on the Diablo Cycling
   race route receive notice of the bike race earlier and noted it will be hard to get out in between
   races because of how busy it will be.

   Zach Wheeler, 858 First Street, Menasha. Requested restricted parking in the area of the Diablo
   Cycling race route and to list events on the City’s website so residents know in advance of the
   events in the area.

O. ADJOURNMENT
   Moved by Ald. Taylor seconded by Ald. Sevenich to adjourn at 8:14 p.m.
   Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk