

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, November 3, 2014
MINUTES

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Taylor, Sevenich, Langdon, Keehan, Zelinski, Englebert, Benner, Nichols
ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil,
ASD Steeno, PRD Tungate, PHD McKenney, LD Lenz, Clerk Galeazzi.

D. PUBLIC HEARING

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

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

Tim Jacobson, 732 Paris Street. Support amendment to Special Event Policy for Memorial Day Parade.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 10/20/14.](#)
- b. [Board of Public Works, 10/20/14.](#)
- c. [IT Steering Committee, 10/13/14.](#)
- d. [Library Board, 10/16/14.](#)
- e. [NMFR Fire Commission, 10/22/14.](#)
- f. [Water & Light Commission, 10/22/14.](#)
- g. [Waverly Sanitary District, 10/16/14.](#)

Communications:

- h. [PP Homan to CDD Keil, 10/10/14; Resignation Notice.](#)
- i. [PHD McKenney, 10/29/14; 2014 City of Menasha Influenza Vaccine Clinic Results.](#)
- j. [Penny Bernard Schaber, State Representative, to Mayor Merkes, 10/23/14; Congratulations on being approved for Board of Commissioners of Public Lands State Trust Fund Loans.](#)
- k. [Jonathan Smith, Simply Incredible Foods to Mayor Merkes, 10/7/14; Update.](#)

Moved by Ald. Benner, seconded by Ald. Langdon to receive Minutes and Communications A-K.

Discussion ensued on Comm. I, City of Menasha Influenza Vaccine Clinic Results.

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, 10/20/14.](#)

Administration Committee, 10/20/14 – Recommends the Approval of:

2. [Wisconsin Counties Association/Group Health Trust \(WCA/GHT\) as the medical insurance carrier for the calendar years of 2015 and 2016.](#)

Board of Public Works, 10/20/14 – Recommends the Approval of:

3. [Street Use Application – Fox Cities Jingle Bell Run; Saturday, November 15; 9:00 AM – 11:30 AM \(Arthritis Foundation\).](#)
4. [Payment – MCC, Inc.: Contract Unit No.2014-02; Street Reconstruction – London Street, Lakecrest Drive, Sunset Drive, Emily Street, Ninth Street, DePere Street, Parkview Place; \\$189,710.03 \(Payment No. 2\).](#)
5. [Authorization to Execute WisDOT Third Street Bridge Replacement Project Engineering Services Agreement.](#)

Ald. Zelinski requested to remove from Consent Agenda item 4.

Moved by Ald. Benner, seconded by Ald. Keehan to approve Consent Agenda items 1, 2, 3, 5
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Zelinski, seconded by Ald. Langdon to approve Consent Agenda item 4, Payment to MCC, Inc., Contract Unit No. 2014-02 Street Reconstruction of London Street, Lakecrest Drive, Sunset Drive, Emily Street, Ninth Street, DePere Street, Parkview Place for \$189,710.03 (Payment No. 2).
Discussion ensued on condition of London Street.
Motion carried on roll call 8-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 10/21/14 to 10/30/14 in the amount of \\$732,509.28.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve accounts payable and payroll.
Motion carried on roll call 8-0.

2. [Beverage Operators License Applications for the 2013-2015 licensing period.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve beverage operator's license applications as listed in memo dated 10/29/14.
Motion carried on voice vote.

Kory Kolosso, 636½ Tayco Street, Menasha asked the Council to approve his beverage operator's license application being recommended for denial. He explained the incident in question happened 20 years ago.

Moved by Ald. Keehan, seconded by Ald. Langdon to approve beverage operator's license application of Kory Kolosso.
Motion carried on roll call 8-0.

Danielle M. Raehl, 122 Mayer Street, Menasha asked the Council to approve her beverage operator's license application being recommended for denial. She explained the one incident in question.

Moved by Ald. Englebert, seconded by Ald. Langdon to approve beverage operator's license application of Danielle M. Raehl.
Motion carried on roll call 8-0.

3. ["Class A" Liquor License Application, Foodmen 2, Inc, d/b/a The Third Street Market, 403 Third Street, Menasha, Michael Novak, agent, for the 2014-2015 licensing year.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve Class A liquor license application for Foodmen 2, Inc. d/b/a The Third Street Market, 403 Third Street, Menasha, Michael Novak, agent for the 2014-2015 licensing year.
Motion carried on roll call 8-0.

4. [Authorization to Execute Revised WisDOT Agreement for STH 441/Appleton Road Interchange.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve amendment to Authorization to Execute Revised WisDOT Agreement for STH 441/Appleton Road Interchange previously approved on 10/6/14.
DPR Radtke explained the amendment is the cost of the street lighting will be split between the State, City and Town of Menasha
Motion carried on roll call 8-0.

5. [Parkland Dedication Fees – Oak Park Place Development.](#)

Moved by Ald. Nichols, seconded by Ald. Keehan to approve parkland dedication fees of \$16,289 for Oak Park Place Development.

CDD Keil explained the developers of Oak Park Place have offered to donate the land, construct and pave trail in their development in lieu of paying the full amount of parkland dedication fee.

General discussion ensued on parkland dedication fees and the recommendation of Plan Commission.

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

J. ORDINANCES AND RESOLUTIONS

1. [R-25-14 A Resolution Providing for the Method of Amending and Approving the 2015 City of Menasha Operating Budget and Capital Improvement Plan.](#) (Introduced by Alderman Benner).

Moved by Ald. Zelinski, seconded by Ald. Langdon to hold R-25-14

Mayor Merkes stated the motion was not germane as the Resolution is date sensitive.

Ald. Langdon called Point of Order, stating City Code Sec. 2-2-16(d)(2)b, "no debate after motion to hold is made and seconded."

After conferring with CA/HRD Captain, Mayor Merkes over ruled Point of Order as the question was a parliamentary one. Ald. Langdon's Point of Order was not sustained.

Ald. Langdon called Point of Order, stating Mayor Merkes' referencing motion to hold not germane based upon time sensitivity was out of order.

Mayor Merkes ruled Point of Order was well taken. Ald. Langdon's Point of Order was sustained.

Item held.

K. APPOINTMENTS

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Greg Keil, 1831 Lakeshore Drive. Commented on pedestrian trails being part of Comprehensive Plan.

O. ADJOURNMENT

Moved by Ald. Taylor, seconded by Ald. Keehan to adjourn at 6:44 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk