

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha

140 Main Street, Menasha

May 21, 2007

MINUTES

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I. CALL TO ORDER

A. [Call to Order](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Meeting called to order by Mayor Laux at 7:15 p.m.

II. PLEDGE OF ALLEGIANCE

A. [Pledge of Allegiance](#)

Item Action:
None

III. ROLL CALL/EXCUSED ABSENCES

A. [Roll Call](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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PRESENT: Ald. Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Chase, Merkes, Taylor.

Comments

ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stanke, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, Clerk Galeazzi and the Press.

Comments

DEPT HEAD EXCUSED: PHD Nett.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 5/7/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council Minutes, 5/7/07	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

Minutes to receive:

B. [Administration Committee, 5/7/07](#)

Item Action:
Approved

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive B-L and Communications 1-9 Motion carried on voice vote.	Alderman Michalkiewicz	Alderman Eckstein	Passed

C. [Board of Public Works, 5/7/07](#)

Item Action:
Approved

D. [N-M Sewerage Commission, 4/24/07](#)

Item Action:
Approved

E. [Board of Health, 4/11/07](#)

Item Action:
Approved

F. [Board of Appeals, 2/13/07](#)

Item Action:
Approved

G. [Plan Commission, 5/15/07](#)

Item Action:
Approved

H. [Parks and Recreation Board, 4/9/07](#)

Item Action:
Approved

I. [Public Hearing, 5/7/07; Mt. Tabor](#)

Item Action:
Approved

J. [Public Hearing, 5/7/07; Ordinance relating to Dwellings for Watchmen](#)

Item Action:
Approved

K. [Public Hearing, 5/7/07; Special Use Permit-1429 Province Terrace](#)

Item Action:
Approved

L. [Library Board, 5/15/07](#)

Item Action:
Approved

Communications:

1.

[Letter to Council from Sandra Dabill Taylor, 5/9/07; Parking lot issues](#)

Item Action:
Approved 2.

[Mayor Laux to Ald. Merkes, 5/16/07; Sidewalk policy](#)

Item Action:
Approved 3.

[Mayor Laux to Ald. Taylor, 5/16/07; Dog Park Committee](#)

Item Action:
Approved 4.

[Mayor Laux to Ald. Taylor, 5/17/07; Response to vehicle complaint on 540 Broad St.](#)

Item Action:
Approved 5.

[Ald. Wisneski, 5/16/07; Newsletter-Wisneski's Words](#)

Item Action:
Approved 6.

[CA/HRD Brandt, 5/17/07; Lake Park Villas Homeowners Association Minutes from 6/2006 to 5/2007](#)

Item Action:
Approved 7.

[PC Stanke, 4/07; Law Officer Magazine, Our Police Staffing Crisis](#)

Item Action:
Approved 8.

[Menasha Utilities, 5/10/07; The Wire Newsletter](#)

Item Action:
Approved 9.

[Family of Dale & Woody Weber, 5/10/07; Thank you note](#)

Item Action:
Approved

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

Five (5) minute time limit for each person

A. [Public Comments on any Matter of Concern to the City](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

A. Stan Sevenich, 645 9th St. 1) Support most of Ordinance O-10-07, dog in parks; 2) Lake Park Villas/Wisco issue is a concern.

Comments

B. Sheila Brucks, 238 Butte des Morts Dr. Support O-11-07, Sidewalk Policy.

Comments

C. Don Barker, 760 Lakecrest Dr. Support O-11-07, Sidewalk Policy

Comments

D. Mary Ann Mulvey, 274 Misty Meadows. 1) Support Ad-Hoc Committee for sidewalk issue.

Comments

E. John Breaker, 335 Willow Lane. Support O-11-07, Sidewalk Policy.

Comments

F. Bruce Brahe, 752 Lakecrest Dr. Support O-11-07, Sidewalk Policy.

Comments

G. Peggy Robson, 744 Lakecrest Dr. Support O-11-07, Sidewalk Policy.

Comments

H. Jeff Riedl, 408 Appleton St. 1) Support Ad-Hoc Committee for sidewalk issue; 2) O-10-07, dogs on leashes in parks.

Comments

I. Del Beck, 640 Lakecrest Dr. Support O-11-07, Sidewalk Policy.

Comments

J. Chris Donner, The Vault, 175 Main St. Request to serve beverages on front and back decks of the Vault.

Comments

K. Tom Konetzke, 858 Emily St. Support O-11-07, Sidewalk Policy.

Comments

L. Mary Nebel, 713 1st St. 1) City Code on City Website; 2) Resume for Ad-Hoc Committee.

VI. APPOINTMENTS

A. [None](#)

Item Action:
None

VII. CLAIMS AGAINST THE CITY

A. [None](#)

Item Action:
None

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [None](#)

Item Action:
None

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. **Plan Commission:**

1.

[5/15/07 Recommends approval of the Certified Survey Map for 330 and 336 Chute Street \(Germania Hall\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	CSM of 330 and 336 Chute Street	Alderman Michalkiewicz	Alderman Eckstein	Passed
	Motion carried on voice vote.			

2.

[5/15/07; Recommends approval of the Special Use Permit for Mt. Tabor Center at 522 Second Street](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Special Use Permit for Mt. Tabor Center, 522 Second St.	Alderman Merkes	Alderman Wisneski	Passed

Motion carried on voice vote.

3.

5/15/07; Recommends approval of the Special Use Permit-the proposed CBRF (1429 Province Terrace) with the following conditions in conformance with 13-1-11(c): 1. The CBRF shall be limited to serving people of advanced age, persons with dementia, developmental disabilities, traumatic brain injury, AIDS, pregnant women needing counseling and/or the terminally ill. 2. The transitional area shall contain a minimum of 8 canopy trees 12 understory trees and 20 shrubs

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve w/ Conditions	Special Use Permit for proposed CBRF, 1429 Province Terrace	Alderman Merkes	Alderman Eckstein	Passed

Motion carried on voice vote.

B. Administration Committee:

1.

Request of Chris Donner, The Vault Lounge, LLC to serve alcoholic beverages on back patio, 175 Main Street from May 22-Nov. 15, 2007

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Request of Chris Donner, The Vault Lounge, to serve alcoholic beverages on back patio. 175 Main Street from May 22-Nov. 15, 2007	Alderman Wisneski	Alderman Eckstein	Passed
move	to amend to include front and back patio	Alderman Taylor	Alderman Eckstein	Passed

Motion to amend carried on roll call 8-0.
Comments
Motion as amended carried on roll call 8-0.

2.

Consideration of Stipulation with Receiver Wisco Enterprises -Marketing of Lake Park Lots

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Stipulation with Receiver, Wisco Enterprises, Marketing of Lake Park Lots.	Alderman Wisneski	Alderman Pack	Passed

Motion carried on roll call 8-0.

3.

[Accounts payable and payroll 5-10-07/5-17-07 for the amount of \\$383,174.06](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Accounts payable and payroll Motion carried on roll call 8-0.	Alderman Wisneski	Alderman Pack	Passed

4.

[Consideration of John Coughlin Listing Realtor - Lake Park Villas Lots](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	John Coughlin, Listing Realtor, Lake Park Villas Lots Motion carried on roll call 7-0. Ald. Merkes - abstain.	Alderman Wisneski	Alderman Eckstein	Passed

5.

[Consideration of Kevin Weinberger Proposal Concerning Athletica Fitness](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Kevin Weinberger Proposal concerning Athletica Fitness Motion carried on roll call 8-0.	Alderman Wisneski	Alderman Michalkiewicz	Passed

6.

[Receivers motion to sell remaining Wisco Enterprises assets](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Receivers motion to sell remaining Wisco Enterprises assets. Motion carried on roll call 8-0.	Alderman Wisneski	Alderman Pack	Passed

C. Board of Public Works:

1.

[Payment - Dorner, Inc.; Nature's Way; Contract Unit No. 2006-08; \\$17,814.02 \(Payment No. 5\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Payment - Dorner, Inc	Alderman Pack	Alderman Eckstein	Passed
Motion carried on roll call 8-0.				

2.

[Parking Committee Recommendation to Remove Three Angle Parking Stalls on Broad Street, West of East Exit Driveway for Broad Street Parking Lot](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Parking Committee Recommendation	Alderman Pack	Alderman Eckstein	
Discussion				
move	To hold for 2 weeks	Alderman Taylor	Alderman Merkes	Passed

3.

[Street Use Application - Communityfest Parade; Tuesday, July 3, 2007; 7:00 PM-10:15 PM \(Communityfest Committee\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application, Communityfest Parade	Alderman Pack	Alderman Taylor	Passed
Motion carried on voice vote.				

4.

[Street Use Application - Labor Day Festival & Corn Roast for Boaters; Saturday, September 1, 2007; 5:00 PM-10:00 PM \(City of Menasha Marina\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application, Labor Day Festival and Corn Roast for Boaters	Alderman Pack	Alderman Taylor	Passed
Motion carried on voice vote.				

5.

Street Use Application - Steak Fry for Boaters & Friends; Saturday, June 16, 2007; 5:00 PM-10:00 PM (City of Menasha Marina)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application, Steak Fry for Boaters and Friends	Alderman Pack	Alderman Eckstein	Passed

Motion carried on voice vote.

X. ORDINANCES AND RESOLUTIONS

- A. [O-8-07 - An Ordinance Relating to City of Menasha Sidewalk Policy \(Mayor Laux\)](#)** **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To table O-8-07	Alderman Merkes	Alderman Taylor	Passed

Motion carried on roll call 5-3. Ald. Merkes, Taylor, Hendricks, Michalkiewicz, Chase - yes. Ald. Wisneski, Pack, Eckstein - no.

- B. [O-9-07 - An Ordinance Relating to Mayoral Salary](#)** **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

No Action

- C. [O-10-07 - An Ordinance Relating to Park Regulations](#)** **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Referred to Parks and Recreation Board.

- D. [O-11-07 - An Ordinance relating to City of Menasha Sidewalk Policy \(Ald. Pack\)](#)** **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	To suspend the rules and take up O-11-07 at this time.	Alderman Pack	Alderman Eckstein	Failed

Motion failed on roll call 4-4. Ald. Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Merkes, Taylor, Wisneski, Hendricks - no.

- E. [R-12-07 - Resolution Authorizing the City of Menasha's Participation in the Local Government Property Insurance Fund](#)** **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	R-12-07	Alderman Merkes	Alderman Wisneski	Passed

Motion carried on roll call 8-0.

XI. HELD OVER BUSINESS

- A. [Approval of minutes- Common Council, 4/17/07](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Common Council Minutes, 4/17/07	Alderman Michalkiewicz	Alderman Eckstein	Passed

Motion carried on voice vote.

XII. COUNCIL DIRECTIVES

- A. [CDD Keil - Permanent signs at mini warehouse units on Plank Rd. \(Ald. Hendricks\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

The permanent signs have been installed.

- B. [CDD Keil - History of permanent and temporary sign placement at Badger Ice Cream \(Ald. Hendricks\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Staff has contacted the sign company that installed the permanent sign for quotes on relocating the sign; still waiting to hear back from them. Staff is also working on scheduling a meeting with the new owners/operators.

- C. [CDD Keil - Update on residents concerns at Province Terrace \(Ald. Chase\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

Staff has received a draft of the recommended changes to the zoning code. A workshop will be scheduled at an upcoming Plan Commission meeting. Council will be invited to attend. Notice will be sent to residents in the Province Terrace area.

- D. [CDD Keil- Rear Facade of buildings on Main St. \(Ald. Taylor\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments			

There is an issue with peeling stain and condition of the brick. Staff will contact the contractor and report back.

- E. [CDD Keil - Status of elevator at 175 Main St. \(Ald. Taylor\)](#) **Item Action:**
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

The elevator is installed, but not operating. The Vault (the business that occupies the building) will be opening the second floor for use later this summer. They are planning on having the elevator operating at that time. The faade loan that was granted to the owners of this building included the elevator along with other items.

- F. [CDD Keil - Banners on Broad Street Condos and at Main & Tayco Street Senior Living \(Ald. Hendricks\)](#) **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Owners were notified and have removed the real estate banners from the buildings. They are considered real estate signs and may be replaced with signs that conform to size limitations.

- G. [PWD Radtke - South side \(Alcan Property\) of River St. \(Ald. Wisneski\)](#) **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Parking lot and landscape designs are waiting for approval by the Alcan Corporate office. Once the approval is granted, work will begin. Hope to have done by late summer/early fall.

- H. [PRD Tungate - Status of Whitewater Park \(Ald. Eckstein\)](#) **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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Comments

Staff is working on gathering all the details. They have been meeting with the WisDNR and Army Corps of Engineers to discuss a variety of topics. Need to get answers to many questions before the plans are finalized.

Comments

Comments

NEXT AGENDA: Ald. Hendricks - permanent and temporary sign placement at Badger Ice Cream. Ald. Merkes - vision control problem at corner of Main and Milwaukee St. Ald. Wisneski - report on Larsen Engineering study. Ald. Chase - status of Natures Way project. Ald. Taylor - 1) walkway steps behind 175 Main St. 2) planting of Ash trees in City. 3) VHS fish virus emergency grants. 4) increase in parking lot fees. 5) landscape lighting at City square.

XIII. CITIZEN REPRISE (People from the gallery to be heard; only pertaining to matters on the agenda - five (5) minute time limit for each person)

- A. [Public Comments on matters pertaining to the agenda](#) **Item Action:** None

XIV. ADJOURNMENT

- A. [Adjournment](#) **Item Action:** None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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move To adjourn at 8:17p.m. Alderman Eckstein Alderman Pack Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk

