

CITY OF MENASHA

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

140 Main Street, Menasha

July 16, 2007

MINUTES

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I. CALL TO ORDER

A. Call to Order

Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

Meeting called to order by Mayor Laux at 8:10 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 Made By Seconded By Motion Result
Comments

PRESENT: Ald. Michalkiewicz, Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein.

Comments

ALSO PRESENT: Mayor Laux, CA/HRD Brandt, PC Stank, CDD Keil, PRD Tungate, Clerk Galeazzi and the Press.

EXCUSED: DPW Radtke, C/T Stoffel, PHD Nett.

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. Common Council, 7/2/07

Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result

approve Common Council Minutes, 7/2/07 Alderman Michalkiewicz Alderman Wisneski Passed

Motion carried on voice vote.

Minutes to receive:

B. [Administration Committee, 7/2/07](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive B-H and Communications 1-9.	Alderman Michalkiewicz	Alderman Eckstein	Passed

Discussion: Ald. Merkes-Joint Review Board, requested copies of the reports staff will be preparing on TIF districts. Ald. Hendricks and Taylor also requested copies.

C. [Board of Public Works, 7/2/07](#)

Item Action:
None

D. [Committee on Aging, 5/17/07](#)

Item Action:
None

E. [Public Hearing, 7/2/07; St. Timothy's Special Use Permit](#)

Item Action:
None

F. [Public Hearing, 7/2/07; Comments on proposed changes to Menasha ordinance 13-1-66](#)

Item Action:
None

G. [Joint Review Board, 6/26/07; Winnebago County](#)

Item Action:
None

H. [Redevelopment Authority, 6/27/07](#)

Item Action:
None

Communications:

1.

[WI Dept. of Commerce to CDD Keil, 6/22/07; Status of Gilbert Mill grant request](#)

Item Action:

None 2.

[AP Beckendorf, 7/12/07; WIS 47 & 441 and Cnty AP Road Construction](#)

Item Action:

None 3.

[WisDOT, 7/10/07; CTH AP - Midway Rd. Reconstruction Project Update](#)

Item Action:

None 4.

[CA/HRD Brandt to Lake Park Villas Homeowners Association, 7/9/07; Naming of Ponds](#)

Item Action:

None 5.

[Comp. Stoffel, 7/10/07; Council meeting of July 16, 2007](#)

Item Action:

None 6.

Item Action:

None 7.

[Neenah Police Chief Appel to FC Vander Wyst, 7/3/07; July 1, 2007 Bicycle fatality](#)

Item Action:

None 8.

[Lake Road, Menasha Residents to FC Vander Wyst, 6/29/07; Thank you](#)

Item Action:

None 9.

[Family of Cecelia Stanke, 7/16/07; Thank you](#)

Item Action:

None

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.	Eric Fowle, ECWRPC, 132 Main Street. Supports TID 11 and Development Agreements.			
	Comments			
B.	Mickie Coenen, 901 7th Street. Safety at swimming pool and City parks.			
	Comments			
C.	Jeff Riedl, 408 Appleton Street. Support, O-10-07, allowing dogs in parks.			
	Comments			
D.	Joanne Rousch, 409 Cleveland Street. Gilbert Development, City Debt.			
	Comments			
E.	Mary Nebel, 713 First Street. TID 11, City Debt.			
	Comments			
F.	Mary Ann Mulvey, 274 Misty Meadows. Unprofessional behavior.			

VI. APPOINTMENTS

A. [None](#)

Item Action:
None

VII. CLAIMS AGAINST THE CITY

A. [SCA Tax Claim](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
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move	To grant the claim, pay the refund and interest and add some reservation of rights.	Alderman Michalkiewicz	Alderman Eckstein	Passed
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Discussion. Motion carried on roll call 5-3. Ald. Wisneski, Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Merkes, Taylor, Hendricks - no.

VIII. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

A. [None](#)

Item Action:
None

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. **Plan Commission:**

1.

[None](#)

Item Action:
None

B. **Administration Committee:**

1.

[Accounts payable and payroll for 7/5/07 - 7/12/07 in the amount of \\$444,982.14](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Accounts Payable and Payroll	Alderman Wisneski	Alderman Eckstein	Passed

Motion carried on roll call 7-1. Ald. Hendricks - no.

2.

[Development Agreement between Gilbert Development Company, LLC and The City of Menasha. \(Recommendation of RDA\)](#)

Item Action:
None 3.

[Development Agreement between Gilbert Development Company, LLC and The City of Menasha. \(Recommendation of RDA\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Development Agreement	Alderman Wisneski	Alderman Pack	Passed

Motion carried on roll call 7-1. Ald. Taylor - no.

4.

[Development Agreement between PJC Group, LLC and the City of Menasha. \(Recommendation of RDA\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Development Agreement	Alderman Wisneski	Alderman Michalkiewicz	Passed

Motion carried on roll call 7-1. Ald. Taylor - no.

C. Board of Public Works:

1.

[Recommendation to Award - Badger Highways, Inc.; Contract Unit No. 2007-01; Kaukauna Street/High Street, Street Rehabilitation - Pulverize/Resurface Asphalt Pavement; \\$80,959.80.](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to Award - Badger Highways, Inc.	Alderman Pack	Alderman Merkes	Passed

Motion carried on roll call 8-0.

2.

[Street Use Application - Street Corner Fill the Boot Fundraiser for MDA; Friday, August 31, 2007; 10:00 AM to 4:00 PM \(Neeah Menasha Fire Rescue\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application	Alderman Pack	Alderman Chase	Passed

Motion carried on roll call 8-0.

X. ORDINANCES AND RESOLUTIONS

A. [O-12-07 - An Ordinance Relating to Signs](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	Substitute Amendment 2 to O-12-07	Alderman Merkes	Alderman Hendricks	
move	to amend Section C (3) from 50% to 75% for both C-1 and C-2	Alderman Merkes	Alderman Taylor	Passed

Motion carried on voice vote.

move	to remove Section F (Permits) from both C-1 and C-2.	Alderman Michalkiewicz	Alderman Chase	Passed
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Motion carried on roll call 6-2. Ald. Merkes, Wisneski, Pack, Eckstein, Michalkiewicz, Chase - yes. Ald. Taylor, Hendricks - no.

Comments

Motion to adopt Substitute Amendment 2 to O-12-07 as amended carried on roll call 8-0.

adopt O-12-07 Alderman Merkes Alderman Michalkiewicz Passed

Motion carried on roll call 6-2. Ald. Merkes, Pack, Hendricks, Eckstein, Michalkiewicz, Chase - yes. Ald. Taylor, Wisneski - no.

- B. R-15-07 - Resolution Creating Tax Incremental District #11 in the City of Menasha, WI Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
adopt R-15-07 Alderman Michalkiewicz Alderman Wisneski Passed

Motion carried on roll call 7-1. Ald. Taylor - no.

- C. Substitute Amendment 1 to O-10-07 (Schedule Public Hearing for 8/6/07 at 6:45 p.m.) Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
adopt Substitute Amendment 1 to O-10-07 Alderman Wisneski Alderman Pack Passed

Motion carried on roll call 8-0.

move to schedule public hearing for 8/6/07 at 6:45p.m. Alderman Hendricks Alderman Pack Passed

Motion carried on voice vote.

XI. COUNCIL DIRECTIVES

- A. CA/HRD Brandt - Steps of walkway behind 175 Main St. (Ald. Taylor) Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

When Bruce Stenz from CVMIC inspected the steps to the walkway behind 175 Main Street, he discovered an issue with the stairs. In checking with the Building Inspectors, they were uncertain if this issue would pass the current State Code. It did meet the building code requirements when it was constructed. To fix the issue with the stairs may create problems with the safety of the steps.

- B. CA/HRD Brandt - Update on Lake Park Villas (Ald. Pack) Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

John Coughlin from Coldwell Bankers Realty has signed offers on six lots between \$39,000 - \$44,000 per lot. Closing on one of the lots will be this week. Athletica Fitness Center is still in receivership.

- C. CDD Keil - Badger Ice Cream sign issue (Ald. Hendricks) Item Action: None

Motions

Motion Type Motion Text Made By Seconded By Motion Result
Comments

Badger Ice Cream will be going out of business, and a new business will be taking over the building. The signs will be removed with the closing of Badger Ice Cream.

Comments

Comments

NEXT AGENDA: Ald. Hendricks - 1) Sign issue at Badger Ice Cream; 2) Safety issues at swimming pool; 3) Status of Third Street strip mall; 4) SCA tax claim payment. Ald. Taylor - 1) Trees in front of 608 and 612 First Street; 2) Bolts sticking out of sidewalk on Chute Street; 3) Parking Lot behind 175 Main Street; 4) Curb corners at intersections of Broad/Milwaukee and Garfield/Washington; 5) Refrigerator/freezer outside Badger Ice Cream building; 6) Tree in front of 163 Main Street; 7) Graffiti on building at Gilbert Site. Ald. Merkes - Broadcast time on Time Warner Cable Channel 2. Ald. Chase - Status of Lake Park Villas. Ald. Wisneski - River Street/Alcan parking lot landscaping.

XII. 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

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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None

XIII. ADJOURNMENT

A. Adjournment

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	to adjourn at 9:19 p.m.	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk