

CITY OF MENASHA

Council Chambers, 3rd Floor- 140 Main St., Menasha
 140 Main Street, Menasha
 August 6, 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
	Meeting called to order by Mayor Laux at 7:35 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
	PRESENT: Ald Chase, Merkes, Taylor, Wisneski, Pack, Hendricks, Eckstein, Michalkiewicz, Comments			

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

IV. MINUTES TO APPROVE-MINUTES & COMMUNICATIONS TO RECEIVE

Minutes to approve:

A. [Common Council, 7/16/07](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve w/ Conditions	Common Council Minutes, 7/16/07 with a change to XI. C. Ald. Hendricks requested report on SCA Tax Claim Payment.	Alderman Michalkiewicz	Alderman Eckstein	Passed
Motion carried on voice vote.				

Minutes to receive:

B. [Administration Committee, 7/16/07](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Minutes to Receive B-Q and Communications 1-11	Alderman Michalkiewicz	Alderman Eckstein	Passed
	Discussion: Ald. Wisneski-Minutes L, important to have employee ID badges. Ald. Hendricks-Minutes G, disclaimer on Mayor's webpage.			
	Comments			
	Motion carried on voice vote.			

C.	Board of Public Works, 7/16/07	Item Action:	None
D.	Neenah Menasha Fire Rescue, 7/24/07; Finance & Personnel Committee	Item Action:	None
E.	Neenah Menasha Fire Rescue, 7/25/07; Joint Fire Commission	Item Action:	None
F.	Public Library Board, 7/17/07	Item Action:	None
G.	Neenah-Menasha Sewerage Commission, 6/26/07	Item Action:	None
H.	Water and Light Commission; 6/27/07, 7/25/07	Item Action:	None
I.	Water and Light Commission, 7/25/07; Closed Session	Item Action:	None
J.	Police Commission, 7/19/07	Item Action:	None
K.	IT Steering Committee, 6/20/07	Item Action:	None
L.	Safety Committee, 5/9/07; City Hall	Item Action:	None
M.	Safety Committee, 5/17/07; Police	Item Action:	None
N.	Safety Committee, 5/22/07, 6/26/07; Public Works Facility and Parks	Item Action:	None
O.	Plan Commission, 7/17/07	Item Action:	None
P.	Parks and Recreation Board, 6/11/07	Item Action:	None
Q.	Joint Review Board, 7/23/07	Item Action:	None

Communications:

1.

[CA/HRD Brandt, 6/26/07; CVMIC Risk Assessment](#)

Item Action:

None 2.

[Contract Termination Agreement, 7/07; City of Menasha and ACE/Wisconsin II, LLC](#)

Item Action:

None 3.

[Dept. of Natural Resources, 7/19/07; Sanitary sewer improvements proposed for the City of Menasha](#)

Item Action:

None 4.

[Wis. DOT, 7/07; Lift Bridge Operations in Winnebago County](#)

Item Action:

None 5.

[Legislative Committee, 4/23/07; Winnebago County](#)

Item Action:

None 6.

[PWD Radtke, 7/31/07; CTH AP Traffic Update](#)

Item Action:

None 7.

[Customers First!, 8/07; The Wire](#)

Item Action:

None 8.

[The Vault Lounge & Casual Fine Dining, 7/25/07; Informational Brochure](#)

Item Action:

None 9.

[CDD Keil, 8/2/07; Status of Zoning Ordinance/Site Plan Revisions](#)

Item Action:

None 10.

[CA/HRD Brandt, 7/26/07; Open Meetings Postings](#)

Item Action:

None 11.

[CDD Keil, 8/2/07; TIF information distributed to the Joint Review Board](#)

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. Stan Sevenich, 645 9th Street. 1) Steam Utility Financing Report; 2) Opposed to R-17-07; 3) Concerned with condition of parking ramp; 4) Opposed to removing street light at 175 Main Street.

Comments

B. Jim Egan, UW-Fox Valley, Assistant Dean. R-17-07, State has program in place to reimburse City for municipal services.

Comments

C. Joanne Roush, 409 Cleveland Street. Behavior of Council, Mayor reports to Council

Comments

D. Mickie Coenen, 901 7th Street. Support yield sign at Elizabeth & Marquette St.

Comments

E. Mary Ann Mulvey, 274 Misty Meadows. Behavior of Council.

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. [Clerk Galeazzi - League of Wisconsin Municipalities Annual Conference](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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League of Wisconsin Municipalities Annual Conference will be held on Oct 3-5 in Milwaukee. Any Council member interested in attending should let the Clerk know by Sept 4.

IX. REPORT OF COMMITTEES/BOARDS/COMMISSIONS

A. **Plan Commission:**

1.

[7/17/07; Recommends approval of the Certified Survey Map - Gilbert Paper Site - Ahnaip Street](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	CSM, Gilbert Paper Site, Ahnaip St. Motion carried on roll call 8-0.	Alderman Merkes	Alderman Michalkiewicz	Passed

B. **Administration Committee:**

1.

[Accounts payable and payroll for 7/19/07 - 8/2/07 in the amount of \\$1,301,855.77](#)

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 Chase	Passed

2.

[Agreement with BDD&G Holdings of Appleton, d/b/a/ Germania Hall](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Agreement with BDD&G Holdings of Appleton Motion carried on roll call 8-0.	Alderman Wisneski	Alderman Merkes	Passed

C. Board of Public Works:

1.

[Street Use Application-Grunski Runski; 2 mile and 10k Run/Walk; Saturday, August 11, 2007; 6:30 AM-10:30 AM; \(City of Menasha Parks and Rec. Department\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application-Grunski Runski Motion carried on roll call 8-0.	Alderman Pack	Alderman Taylor	Passed

2.

[Street Use Application - Labor Day Parade; Monday, September 3, 2007; 9:30 AM-11:30 AM \(Fox Valley Area Labor Council\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application-Labor Day Parade Motion carried on roll call 8-0.	Alderman Pack	Alderman Wisneski	Passed

3.

[Street Use Application - St. Mary Central High Homecoming Parade; Friday, October 5, 2007; 5:00 PM - 6:00 PM](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Street Use Application-St. Mary Cental Motion carried on roll call 8-0.	Alderman Pack	Alderman Taylor	Passed

4.

[Change Order - Machine Control Specialists; Contract Unit No. M0002-940266-B; Water Treatment Plant Modifications; ADD: \\$2,054.00 \(Change Order No. 1\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order-Machine Control Specialists	Alderman Pack	Alderman Taylor	Passed

Motion carried on roll call 8-0.

5.

[Change Order - CD Smith Construction, Inc., Contract Unit No. M0002-940266.02; Water Treatment Plant Modifications; ADD: \\$32,295.00 \(Change Order No. 8\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order-CD Smith Construction, Inc. Motion carried on roll call 8-0.	Alderman Pack	Alderman Taylor	Passed

6.

[Change Order - CD Smith Construction, Inc.; Contract Unit No. M0002-940266.02; Water Treatment Plant Modifications; ADD: \\$16,126.00 \(Change Order No. 9\)](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Change Order-CD Smith Construction, Inc. Motion carried on roll call 8-0.	Alderman Pack	Alderman Taylor	Passed

7.

[Recommendation to Award - Quality Concrete & Excavating, Inc. of Manawa, WI; Contract Unit No. 2007-02; Concrete Walk Reconstruction; \\$51,887.70](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to Award-Quality Concrete & Excavating, Inc. Motion carried on roll call 8-0.	Alderman Pack	Alderman Wisneski	Passed

8.

[Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01A; Insituform Technologies USA of Lemont, IL; \\$1,582,723.00](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
	Comments Acted on in Board of Public Works - tabled			

9.

[Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3](#)

[Project; Contract E145-07-01B; National Power Rodding Corporation of Chicago, IL; \\$150,459.73](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Acted on in Board of Public Works - tabled.			

10.

[Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01C; DeGroot, Inc. of Green Bay, WI; \\$212,233.57](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Acted on in Board of Public Works - tabled.			

11.

[Recommendation to Award - City of Menasha Wastewater Collection System Rehabilitation Improvements - Phase 3 Project; Contract E145-07-01D; Infrastructure Technologies, Inc.; \\$312,491.00](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Acted on in Board of Public Works - tabled.			

12.

[Request for Yield Signs at Marquette St. and Elizabeth St. \(Ald. Hendricks\)](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Acted on in Board of Public Works - engineering study.			

13.

[Request to Remove Street Lights in Front of 175 Main Street](#)

Item Action:

None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
	Acted on in Board of Public Works - held.			

14.

[Keyes Street Speed Study Report and Recommendation](#)

Item Action:

None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
approve	Recommendation to keep current traffic control signage and maintain 25 mph speed limit. Motion carried on roll call 6-1. Ald. Taylor-no; Ald. Merkes-abstain.	Alderman Wisneski	Alderman Chase	Passed

X. ORDINANCES AND RESOLUTIONS

A. [O-10-07 - An Ordinance Relating to Park Regulations \(Dogs on Friendship Trail\)](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	O-10-07 Discussion.	Alderman Hendricks	Alderman Eckstein	
move	to amend 12-1-1(3)(c), delete five feet and insert State of Wisconsin leash requirement for trails. Motion failed on roll call 4-4. Ald. Merkes, Taylor, Hendricks, Eckstein-yes; Ald. Wisneski, Pack, Michalkiewicz, Chase-no. Comments Motion to adopt O-10-07 carried on roll call 8-0.	Alderman Taylor	Alderman Merkes	Failed

B. [R-17-07 - Resolution Relating to Proposed Expansion of UW-Fox Valley](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	to table R-17-07 Motion carried on roll call 7-1. Ald. Eckstein-no.	Alderman Pack	Alderman Wisneski	Passed

C. [R-16-07 - Authorizing the Borrowing of \\$13, 930, 000; Providing for the Issuance and Sale of Taxable General Obligation Promissory Notes \(Steam Utility Project\) Therefor; and Levying a Tax in Connection Therewith](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
adopt	R-16-07 Motion carried on roll call 6-1. Ald. Hendricks-no; Ald. Taylor-abstain.	Alderman Wisneski	Alderman Pack	Passed

XI. HELD OVER BUSINESS

A. [None](#)

Item Action:
None

XII. COUNCIL DIRECTIVES

A. [CA/HRD Brandt - Time Warner Cable evening time slot allocation \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Time Warner Cable is planning on scheduling all area municipalities meetings in the evening hours. The time slot assigned to City of Menasha will be Saturday at 8PM. Time Warner will let us know when this will start.

- B. [CA/HRD Brandt - Update on Lake Park Villas \(Ald. Chase\)](#)** **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The construction of a spec home by Ken Joosten has started. The City will start promoting the commercial side of that area. 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 Comments	Made By	Seconded By	Motion Result
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There is a new business in the building, Higher Beans, Staff has talked to the new owners and the Badger Ice Cream sign has been removed and he will be removing the drive-up sign. There is a temporary sign in the front. The temporary sign is allowed for 30 day. Staff will be following up with the new operator.

- D. [CDD Keil - Update on occupancies at Third Street strip mall \(Ald. Hendricks\)](#)** **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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As per the owner, there have been inquires to rent the buildings, but prospective tenants have not ben willing/able to pay the lease rate. He continues to market the buildings.

- E. [PWD Radtke - River Street/Alcan Parking lot \(Ald Wisneski\)](#)** **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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Staff has heard Alcan is scheduled to being the work on the landscape project by the end of summer. However, they are still waiting to hear back from the person in charge of the project.

- F. [Comp Stoffel - Report on SCA tax claim payment \(Ald. Hendricks\)](#)** **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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This items was addressed by CA/HRD Brandt and C/T Stoffel during Administration Committee.

- G. [PRD Tungate - Pool safety issues \(Ald. Hendricks\)](#)** **Item Action:**
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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All pool staff has been apprised of the safety concerns expressed. Staff has always tried to be as vigilant as possible towards maintaining a safe pool environment for all patrons. Pool Managers take progressive disciplinary steps when misbehavior is witnessed inside the fenced in pool area. Discipline ranges from a verbal warning up to, in rare cases, a two week suspension. Pool Managers also maintain good communication with the Police Dept. if they see suspicious activity occurring inside or outside the pool. Also a mock emergency drill was held on Aug. 1 at the pool. It was a great learning experience. Lifeguard response was reviewed favorable and the feedback received

will be incorporate into the Pool Emergency Action Plan.

H. [Park Supt. Huss - Trees at 608 & 612 First St. \(Ald Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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PRD Tungate reported for Park Supt Huss. Schiller Tree Service will be removing the tree at 608 First Street and trimming the tree at 612 First Street. He will check on the timetable.

I. [PWD Radtke - Bolts sticking out of sidewalk at 300 block of Chute St \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The bolts were sheared off and left protruding in the walk when the bike rack was hit and damaged by a vehicle. The bike rack has since been replace by the Parks Dept.

J. [PWD Radtke - Parking lot behind the Vault Lounge \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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A barricade has been placed over a sink hold temporarily until DPW crews can repair the damaged pavement. The sink hole resulted from excessive settlement around the storm inlet. This is scheduled to be repaired in the near future.

K. [PWD Radtke - Curb corners on Broad and Milwaukee Streets \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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DPW crews replaced a section of storm sewer and repaired the storm inlet at this location. The standard policy is to not complete the final restoration until the excavated area has experiences one full freeze/thaw cycle. However, because slurry backfill was used during this process, crews will be able to do the final restoration later this year.

L. [PWD Radtke - Curb corners on Garfield and Washington Streets \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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These curb corners, as well as many other curb sections in the City, have sections of the curb head which are damaged or missing. Without fully removing the full curb and gutter sections, which can be very expensive, it is difficult to properly repair these sections of curb in a manner that will be long lasting. Nonetheless, one of the objectives this year is to try to correct some of these defective curb sections without full removal of the curb and gutter. A special latex based product has been purchased which is designed to fully bond to existing concrete. DPW crews will be attempting this repair method on a trial basis at several different locations throughout the City. Priority locations are high pedestrian activity areas, such as Main Street. The curb at Washington and Garfield will also be one of the test sites.

M. [CDD Keil - Refridgerator outside of Badger Ice Cream \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The refrigerator has been removed.

N. [Park Supt. Huss - Tree in front of 163 Main Street \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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PRD Tungate reported for Park Supt Huss. The tree was removed due to storm damage. It will be ground out and replaced when the Parks Dept. start the rest of their planting.

O. [CDD Keil - Graffiti on building at Gilbert Site \(Ald. Taylor\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The owner of the building has been contacted. The graffiti is on the older part of the building and has been up there for some time. The owner is reluctant to have someone go out onto the unsafe fire escape to remove the graffiti. The graffiti is on the backside of the building that is about 1,000 feet off of Main Street.

P. [CDD Keil - 121 River St. \(Ald. Merkes\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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The City acquired this property from the County. There has been discussion by the Plan Commission what would be the best use. Whiting Paper has shown interest in purchasing the property for a conference center. Should have a Offer to Purchase to submit to Plan Commission and Common Council soon.

Q. [PWD Radtke - Audio and visual problems in Council Chambers \(Ald. Wisneski\)](#)

Item Action:
None

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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A meeting was held with a representative from Arrow Audio, the company that installed the sound system in the Council Chambers. Arrow Audio knows the problems with the sound system and the frustration of Council and staff. Arrow Audio will be contacting Sennheiser to either fix.

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

Motions

Motion Type	Motion Text Comments	Made By	Seconded By	Motion Result
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A. Mary Nebel, 713 First Street. 1) Steam Utilities interim financing; 2) Time slot by Time Warner Cable.

Comments

B. Don Merkes, 377 Nassau Street. Apologize to Council.

Comments

C. Jeff Riedl, 408 Appleton Street. 1) Thank Council for approving O-10-07; 2) SCA tax exemption; 3) Steam Utilities; 4) Televising of Council meetings.

XIV. ADJOURNMENT

A. [Adjournment](#)

Item Action:
None

Motions

Motion Type	Motion Text	Made By	Seconded By	Motion Result
move	to adjourn at 9:05 p.m.	Alderman Taylor	Alderman Pack	Passed

Motion carried on voice vote.

Comments

Comments

Comments

Respectfully submitted by Deborah A. Galeazzi, City Clerk