

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday February 2, 2009
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:10 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Pamentor, Taylor, Wisneski, Pack, Hendricks, Zelinski, Benner

EXCUSED: Ald. Michalkiewicz

ALSO PRESENT: Mayor Merkes, CA/HRD Brandt, PC Stanke, FC Vander Wyst, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, PWS Jacobson, Carol Wirth (WFPF), Clerk Galeazzi, and the Press.

D. PUBLIC HEARING

None

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

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

No one spoke.

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS

1. [PWD Radtke-Snowplowing in the city \(Ald. Wisneski\)](#)

Director Radtke and Superintendent Jacobson explained the City's snow plow policy and how the decision when to plow streets after a snow fall is made. They stressed the importance of following the policy to keep the City's exposure to liability low.

2. [CDD Keil-Update on planning grant for Gilbert Site \(Ald. Taylor\)](#)

CDD Keil reported the City received a planning grant from the Dept. of Commerce, but was less than the amount applied for. The site developer and City agreed to make up the difference. Vierbicher and Associates have been hired to prepare a redevelopment site and shoreline park master plan. They have been working with City staff and the site developer. CDD Keil explained the plan and use of the site. The whitewater park is in a preliminary stage. They are working on the hydraulic data and the overall site layout. Staff, consultant and developer are working on making application to Dept. of Commerce for Brownfield grants to complete the demolishing of buildings on the site to make it a functional area. A new budget will need to be prepared for the project as some changes to the site have occurred. A final recommendation will be brought back to the Council.

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

Minutes to receive:

- a. [Administration Committee, 1/19/09](#)
- b. [Board of Public Works, 1/19/09](#)
- c. Board of Health, [12/10/08](#), [1/28/09](#)
- d. IT Steering Committee, [1/21/09](#), [1/28/09](#)
- e. [NM Fire Rescue, 1/28/09; Joint Fire Commission](#)
- f. [NM Fire Rescue, 1/27/09; Finance & Personnel Committee](#)
- g. [NM Sewerage Commission, 12/23/08](#)
- h. [Personnel Committee, 1/19/09](#)
- i. [Police Commission, 1/15/09](#)
- j. [Safety Committee, 11/5/08; City Hall](#)
- k. [Safety Committee, 11/20/08; Police](#)
- l. [Safety Committee, 1/20/09; Public Works and Parks](#)

F. REPORT OF DEPARTMENT HEADS/STAFF/CONSULTANTS, cont'd

3. Clerk Galeazzi - the following minutes and communications have been received and placed on file: cont'd.

Communications:

- m. [WI DNR, 1/16/09; Air pollution control permit, 206 Garfield Ave.](#)
- n. [State of WI, 1/21/09; Notice of Entry of Judgement and Judgement](#)
- o. [State of WI, 1/22/09; Notice of Foreclosure Sale](#)
- p. Employment Ad for City Attorney
- q. [Park Supt. Bob Huss, 1/9/09; Notice of Resignation](#)
- r. [AP Jessica Beckendorf, 1/27/09; Notice of Resignation](#)
- s. [PWD Radtke, 1/16/09; Sewer System Evaluation Survey \(SSES\) foundation drain and sump pump inspections](#)
- t. [NM News Record article, 1/28/09; Student's tribute to King gets rave reviews](#)

Ald. Wisneski – Minutes H, Personnel Committee, are draft minutes

Ald. Taylor – Comm. P, Employment Ad for City Attorney, salary range rather steep; should have City residency requirement.

Ald. Pamerter – Comm. P, Employment Ad for City Attorney, how was salary range determined. CA/HRD Brandt explained the current salary range is the one established by the Council.

Mayor Merkes asked if no objection would like to skip to Item J2.
No objection.

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, 1/19/09](#)

Administration Committee, 1/19/09 – Recommends Approval of:

- 2. [Grant Agreements between Winnebago County and City of Menasha for the term January 1, 2009 to December 31, 2009 for:](#)
 - a) [Senior Center Supervisor](#)
 - b) [Senior Center Activity Coordinator](#)
 - c) [Older Adult health Screening Program](#)

Board of Public Works, 1/19/09 – Recommends Approval of:

- 3. [Change Order – Coenen Mechanical, LLC; Water Treatment Plant Modifications; Contract Unit No. M002-940266.02; ADD: \\$9,157.65 \(Recommended by Utilities Commission 12/17/08\) \(Held 1/5/09\)](#)
- 4. [Change Order – Insituform Technologies USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; 38-Day Time Extension \(Change Order No. 1\)](#)
- 5. [Payment – Infrastructure Technologies, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3, Contract No. E145-07-01D; Sanitary Manhole Lining; \\$15,819.12 \(Payment No. 10 and Final\)](#)

IT Steering Committee, 1/28/09 – Recommends Approval of:

- 6. [Entering into an agreement with Menasha Utilities for increased bandwidth](#)

Ald. Hendricks requested item 4 be removed.

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve items 1-3, 5 and 6.
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Hendricks, seconded by Ald. Pack to table item 4
Discussion
Motion carried on roll call 7-0.

I. ORDINANCES AND RESOLUTIONS

1. [O-2-09 An Ordinance Relating to Unpaid Utility Bills \(Recommended by Board of Public Works, introduced by Alderman Zelinski\)](#)

Moved by Ald. Zelinski, seconded by Ald. Wisneski to adopt O-2-09

Discussion

Motion carried on roll call 7-0.

2. [O-4-09 A Charter Ordinance Relating to Appointment of the City Assessor \(Recommended by Personnel Committee, Introduced by Alderman Pack\)](#)

Ald. Taylor requested a Public Hearing for items 2, 3, and 4 (O-4-09, O-5-09, O-6-09)

A Public Hearing will be set.

3. [O-5-09 A Charter Ordinance Relating to Appointment of the City Clerk \(Recommended by Personnel Committee, Introduced by Alderman Pack\)](#)

4. [O-6-09 A Charter Ordinance Relating to Appointment of the City Attorney \(Recommended by Personnel Committee, introduced by Alderman Pack\)](#)

5. [O-8-09 – An Ordinance Relating to Appointment of Department Heads \(Recommended by the Personnel Committee and introduced by Alderman Pack\)](#)

Moved by Ald. Taylor, seconded by Ald. Zelinski to table O-8-09

Motion carried on roll call 6-1. Ald. Wisneski-no.

6. [R-2-09 Resolution Relating to Reduction of Poll Worker\(Recommended by Administration Committee and introduced by Mayor Merkes\)](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to adopt R-2-09

Motion carried on voice vote.

7. [R-3-09 Application and Resolution Authorizing the Borrowing from the State Trust Fund Loan Program not to exceed \\$7,000,000.00 \(Recommended by the Utilities Commission and introduced by Mayor Merkes\)](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to adopt R-3-09

Motion carried on roll call 7-0.

J. ACTION ITEMS

1. [Accounts Payable and Payroll for the term 1/16/09-1/29/09 in the amount of \\$8,132,977.27](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Accounts Payable and Payroll.

Discussion

Motion carried on roll call 7-0.

2. Water & Light Commission, 1/28/09 – Recommends approval of

- a. [State Trust Fund Loan Application](#)

Carol Wirth from Wisconsin Public Finance Professionals reported the City applied for funds from the State Trust Fund Loan program. The request was for \$21,000,000. The Board of Commissioners of Public Lands approved \$7,000,000 based on availability of funds. This is a financing option for the steam utility debt refinance which will be coming due in Sept. 2009. The State will hold these funds for up to one year.

- b. [Selection of Stern Brothers & Co. for Investment Banking and Underwriting Services for the City of Menasha and the Steam Utility](#)

Carol Wirth reported four Request for Proposals for Investment Banking and Underwriting Services were received. A selection committee consisting of representatives of Utilities Commission, City staff, Quarles & Brady, Boardman Law Firm and Wisconsin Public Finance Professionals interviews three of the companies and unanimously recommended Stern Brothers & Co. based on a variety of possible approaches as represented in the firms proposal and presentation. The committee felt the personal experience of Stern Brothers was the key factor in the final decision. Stern Brothers has done some underwriting for the City and Utilities in the past.

Moved by Ald Pack, seconded by Ald. Pamenter to approve

Motion carried on roll call 7-0

K. APPOINTMENTS

None

L. CLAIMS AGAINST THE CITY

1. [A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Jo Ellen Jahnke and that she be advised of her statutory rights pursuant to Wis. Stats. 893.80](#)

Moved by Ald. Pack, seconded by Ald. Wisneski to disallow claim

Discussion

Motion carried on roll call 7-0.

2. [A motion is in order for the Common Council to issue a formal notice of disallowance for the claim of Jeralin Sedlock and that she be advised of her statutory rights pursuant to Wis. Stats. 893.80](#)

Moved by Ald. Pack, seconded by Ald. Hendricks to disallow claim

Discussion

Motion carried on roll call 7-0.

M. HELD OVER BUSINESS

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

No one spoke

O. ADJOURNMENT

Moved by Ald. Hendricks, seconded by Ald. Pack to adjourn at 7:25 p.m.

Motion carried on voice vote

Respectfully submitted by
Deborah A. Galeazzi, City Clerk