

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, August 3, 2009
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:07 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Hendricks, Zelinski, Englebert, Benner, Pamerter, Taylor, Wisneski, Pack
ALSO PRESENT: Mayor Merkes, Atty. Carlson, PC Stanke, DPW Radtke, CDD Keil, PRD Tungate,
PHD Nett, Clerk Galeazzi, and the Press.

D. PUBLIC HEARING

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

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

Jenny Whiting, 326 Winnebago Ave. Concerned about rumors of pool closing.

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, 7/20/09](#)
- b. [Board of Public Works, 7/20/09](#)
- c. [Landmarks Commission, 7/23/09](#)
- d. [NM Sewerage Commission, 6/23/09](#)
- e. [Plan Commission, 7/21/09](#)
- f. [Safety Committee, 6/3/09; City Hall](#)
- g. [Safety Committee, 6/23/09; Public Works and Parks](#)

Communications:

- h. [Menasha Utilities, 7/09; Steam detail for the six months ending June 30, 2009](#)
- i. [Waverly Sanitary District Minutes, 6/9/09](#)
- j. [New Japan Women's Association Maebashi Branch, 7/8/09; appeal for a nuclear weapon-free world](#)

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, 7/20/09](#)

Board of Public Works, 7/20/09 – Recommends Approval of:

2. [Street Use Application – Race the Lake; Sunday, August 16, 2009; 7:30 AM – 8:30 AM; \(Midwest Sports Events and ARC-Winnebago County Disabilities\)](#)
3. [Street Use Application – St. Joseph's Food Pantry Run/Walk; Saturday, October 31, 2009; 8:45 AM – 10:00 AM; \(Pacesetter's of the Fox Cities\)](#)

G. CONSENT AGENDA, cont'd.

Board of Public Works, 7/20/09 – Recommends Approval of: (continued)

4. [Street Use Application – Labor Day Parade; Monday, September 7, 2009; 9:30 AM – 11:30 AM \(Fox Valley Area Labor Council\)](#)
5. [Change Order – Badger Highways Co., Inc.; Contract Unit No. 2009-02; Appleton Street Asphalt Street Reconstruction; ADD: \\$6,130.11 \(Change Order No. 1 and Final\)](#)
6. [Payment – Badger Highways Co., Inc.; Contract Unit No. 2009-02; Appleton Street Asphalt Street Reconstruction; \\$108,811.07 \(Payment No. 1 & Final\)](#)
7. [Payment – Insituform Technologies, USA, Inc.; City of Menasha Wastewater Collection System Rehabilitation Improvements Project – Phase 3; Contract No. E145-07-01A; Sanitary Sewer Lining; \\$108,493.08 \(Payment No. 9 and Final\)](#)
8. [Payment – Vinton Construction Company; Contract Unit No. 2009-01; Midway Business Park Concrete Street & Walk Construction; \\$164,380.52 \(Payment No. 1\)](#)
9. [Authorization to Execute County/Municipal Recycling Agreement \(Amendment I and Extension III – Winnebago County\)](#)

Plan Commission, 7/21/09 – Recommends Approval of:

10. Not pursuing acquisition of 428 Sixth Street

DPW Radtke explained item #2 (Street Use Application-Race the Lake), there is a change in the route. The Police Dept. sees no problem with the change in the route. There will be volunteers along the route.

Ald. Taylor requested item 2 be removed from Consent Agenda.

Ald. Zelinski requested items 5, 6, 9 be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve items 1, 3, 4, 7, 8 of Consent Agenda.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Taylor, seconded by Ald. Wisneski to approve item 2 (Street Use Application-Race the Lake) of Consent Agenda

Discussion: Ald. Taylor requested the organizers of the race be notified that all route markings be removed at the end of the race.

Motion carried on voice vote.

Moved by Ald. Zelinski, seconded by Ald. Pack to approve item 5 (Change Order-Badger Highways) of Consent Agenda.

Discussion: DPW Radtke explained the change order is due to a request for a change in the original plan.
Motion carried on roll call 8-0.

Moved by Ald. Zelinski, seconded by Ald. Taylor to approve item 6 (Payment-Badger Highways) of Consent Agenda.

Motion carried on roll call 8-0.

Moved by Ald. Pamerter, seconded by Ald. Pack to approve item 9 (Authorization to Execute County/Municipal Recycling Agreement) of Consent Agenda.

Discussion: Ald. Zelinski stated approving this agreement is moving ahead without approving single stream recycling.

Moved by Ald. Zelinski to hold item. No second. Motion dies.

Motion to approve item 9 carried on roll call 7-1. Ald. Zelinski – no.

I. ORDINANCES AND RESOLUTIONS

1. [R-20-09 – Resolution Authorizing the Replacement of Equipment for Department of Public Works \(Recommended by the Board of Public Works, Introduced by Mayor Merkes\)](#)

Moved by Ald. Taylor, seconded by Ald. Pamerter to adopt R-20-09

Motion carried on roll call 8-0.

J. ACTION ITEMS

1. [Accounts payable and payroll for the term 7/22/09-7/30/09 in the amount of \\$924,588.85](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve Accounts payable and payroll.
Motion carried on roll call 8-0.

2. [Amended Outdoor Alcoholic Beverage Permit, Mike Reader, d/b/a Sliders Bar & Grill, 890 Lake Park Road, Menasha, August 4, 2009-June 30, 2010 \(pending Plan Commission approval of the site plan\)](#)

Moved by Ald. Pack, seconded by Ald. Englebert to approve amended Outdoor Alcoholic Beverage Permit pending Plan Commission approval of the site plan.
Motion carried on voice vote.

3. [Outdoor Alcoholic Beverage Permit, Frank Prokash, d/b/a Franky's, 200 Main Street, Menasha, August 4, 2009-June 30, 2010 \(modifications & materials approved by Landmark's Commission\)](#)

Moved by Ald. Taylor, seconded by Ald. Benner to approve Outdoor Alcoholic Beverage Permit with conditions based upon the location of the area being directly adjacent to a public sidewalk. The capacity of the area be restricted to the number of available seats and restrict the hours to no later than 10:30p.m.
Motion carried on voice vote.

4. [Authorization to execute state/municipal agreement for a stage 2 local ARRA 2010 construction season improvement project](#)

Moved by Ald. Englebert, seconded by Ald. Pack to approve authorization.

Discussion: DPW Radtke explained this is necessary to receive Federal funding for the Tayco St. reconstruction project.

Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Common Council Appointment

- a. [City Attorney, Pamela Captain and approve salary](#)

Moved by Ald. Wisneski, seconded by Ald. Pack to approve appointment of Pamela Captain and approve salary.

Motion carried on roll call 7-1. Ald. Pamenter – no.

L. CLAIMS AGAINST THE CITY

None

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. Pamenter to adjourn at 6:32 p.m.

Motion carried voice vote

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk