

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, January 4, 2010
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:00 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Ald. Englebert, Benner, Roush, Taylor, Wisneski, Pack, Hendricks, Zelinski

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PRD Tungate, PHD Nett, 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. Clerk Galeazzi - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. [Administration Committee, 12/21/09](#)
- b. [Board of Public Works, 12/21/09](#)
- c. [Library Board, 12/17/09](#)
- d. [NM Fire Rescue; Finance & Personnel Committee, 12/15/09](#)
- e. [NM Fire Rescue; Joint Fire Commission, 12/16/09](#)
- f. [Personnel Committee, 12/21/09](#)
- g. [Plan Commission, 12/22/09](#)
- h. [Safety Committee; City Hall, 11/5/09](#)
- i. [Safety Committee; Public Works/Parks, 11/24/09](#)

Communications:

- j. [Public Service Commission of Wisconsin; Prehearing Conference Memo, Application of the City of Menasha and WPPI Energy for Approval of the Sale and Leaseback of Certain Electric Utility Facilities](#)
- k. [US Dept. of the Army, 12/18/09; Conference call regarding the Lake Winnebago drawdown strategy](#)

Ald. Hendricks: Minutes C (Library Board), Library staff salary increases; other City employees receiving less. Mayor Merkes will ask LD Saecker to speak at next meeting.

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 in the "Items removed from the Consent Agenda" section. 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, 12/21/09](#)
2. [Special Joint Common Council & Menasha Electric & Water Utility Commission, 12/21/09](#)

Administration Committee, 12/21/09 – Recommends Approval of:

3. [2010 Impound Agreement between City of Menasha and Fox Valley Humane Association](#)
4. [Pitney Bowes Mailing System Rental Agreement](#)
5. [Listing Agreements with Bomier Properties for City owned Commercial Properties at Midway Business Park and Province Terrace.](#)

Board of Public Works, 12/21/09 – Recommends Approval of:

6. [Proposal from Kaempfer & Associates for Engineering Services for Sewer User Charge Update](#)

Ald. Roush requested Item 5 be removed from Consent Agenda.

Moved by Ald. Hendricks, seconded by Ald. Wisneski to approve Items 1-4 & 6 of Consent Agenda.

Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Roush, seconded by Ald. Benner to refer item 5 (Listing Agreement) back to Administration Committee.

Discussion ensued on having a presentation by both Bomier Properties and Drifka Group to answer questions; need more information on their plans for marketing before making final decision.

Ald. Roush and Benner rescinded their motion.

Moved by Ald. Benner, seconded by Ald. Roush to hold to next meeting.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term 12/18/09-12/31/09 in the amount of \\$ 737,757.11](#)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to approve accounts payable and payroll.

Discussion/Questions on expenditures.

Motion carried on roll call 8-0.

2. [Intergovernmental Indemnification Agreement between City of Menasha Police Department and Calumet County to utilize property for training purposes, and authorized signature](#)

Moved by Ald. Wisneski, seconded by Ald. Hendricks to approve Intergovernmental Indemnification Agreement.

Discussion: PC Stanke explained the agreement is to release Calumet County on any liabilities during the training of the Police Dept. and Crisis Rescue Team on the property at W6505 Manitowoc Road. The building is scheduled to be razed in the near future.

Motion carried on roll call 8-0

J. ORDINANCES AND RESOLUTIONS

1. [O-01-10 – An Ordinance related to controlled intersections \(Ice Street at Second Street\) \(Introduced by Ald. Zelinski\)](#)

Moved by Ald. Zelinski, seconded by Ald. Pack to suspend the rules and take up O-1-10.

Motion carried on roll call 8-0.

Moved by Ald. Zelinski, seconded by Ald. Pack to adopt O-1-10

Motion carried on roll call 8-0.

K. APPOINTMENTS

None

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)

Stan Sevenich, 645 9th Street. Stop sign at Ice & First Street, 90-day trial has passed.

O. RECESS FOR ADMINISTRATION COMMITTEE AND BOARD OF PUBLIC WORKS

Moved by Ald. Englebert, seconded by Ald. Wisneski to recess at 6:35 p.m.

Motion carried on voice vote

6:52 p.m. – reconvened

P. ADJOURNMENT

Motion to Adjourn into Closed Session pursuant to Wis. Stats. §19.85(1)(e)&(g): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session; and Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. (Lake Park Villas garage offer; Sonoco-U.S Mills vs. City of Menasha et al. LaFayette Life Insurance Co. et al. vs. City of Menasha et al., Case No. 4:09CV0064 N.D.Ind.)

Moved by Ald. Wisneski, seconded by Ald. Pack to adjourn into closed session at 6:53 p.m.

Motion carried on roll call 8-0.