

CITY OF MENASHA
Third Floor Council Chambers
140 Main Street, Menasha
Monday June 7, 2010
COMMON COUNCIL
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: Aldermen Langdon, Hendricks, Zelinski, Englebert, Benner, Roush, Taylor, Wisneski

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Stanke, FC Auxier, DPW Radtke, CDD Keil, C/T Stoffel, PHD Nett, PRD Tungate, Clerk Galeazzi, and the Press

D. PUBLIC HEARING

1. Proposed rezoning of properties on Carpenter Street and Province Terrace Corridor

Barbara Elmer, 1250 Fieldview Drive. Concerned with what type of businesses would be allowed in the Province Terrace Corridor and what will be the height restrictions.

CDD Keil explained retail establishments would be allowed by a Special Use Permit and maximum height would be 3 stories.

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. Kris Oates – Report on Lake Park Villas residential marketing

Kris Oates reported an informational gathering was held for realtors and builders and the homeowners at Lake Park Villas held an open house to help promote the residential lots at Lake Park Villas. It has helped to create some activity.

2. Kim Pischke - Report on Lake Park Villas Square commercial marketing

Kim Pischke reported she has been working with staff on a new site plan and new lighting was installed at the entrance to the Lake Park Villas subdivision. Presentations have been made to potential businesses that have shown interest in purchasing some of the commercial sites.

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

Minutes to receive:

a. Administration Committee, 5/17/10

b. Board of Public Works, 5/17/10

c. Board of Health, 4/14/10

d. Committee on Aging, 4/28/10

e. Complete Count Census Committee, 4/21/10

f. Personnel Committee, 5/17/10

g. NMFR Joint Finance & Personnel Committee, 5/25/10

h. NM Sewerage Commission; 3/23/10, 4/27/10, 5/25/10

i. Plan Commission, 6/1/10

j. Public Library Finance Committee, 4/26/10

k. Public Library Investment Committee, 4/22/10

l. Safety Committee, 4/1/10; City Hall

m. Safety Committee, 3/23/10, 5/4/10; Public Works/Parks

n. Safety Committee, 3/25/10; Police Department

o. Water & Light Commission, 5/26/10

Communications:

p. Waverly Sanitary District minutes, 4/13/10

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, 5/17/10

Administration Committee, 5/17/10; recommends approval of:

2. Accept quote of The Post Crescent as the official City newspaper, May 2010-May 2011.

3. Amendment to Listing Contract with Core Development for Lake Park Square commercial lots.

Board of Public Works, 5/17/10; recommends approval of:

4. [Street Use Application – 2nd Annual Sun Runner; Saturday, June 19, 2010; 7:00 AM – 11:00 PM \(Menasha Action Council\)](#)

5. [Street Use Application – Race the Lake; Sunday, August 22, 2010; 7:00 AM – 9:00 AM \(Midwest Sports Events\)](#)

6. [Action Regarding Winnebago County Recycling Surplus Revenue Ballot for 2008 Funds](#)

7. [Action Regarding Winnebago County Recycling Surplus Revenue Ballot for 2009 Funds](#)

NM Fire Rescue Joint Finance & Personnel Committee, 5/23/10; recommends approval:

8. To fill the vacant firefighting position

Plan commission, 6/1/10; recommends approval of:

9. The rezoning of Lots 1,2,3,4,5,6,7,8,9,16, 17 &18 of the Province Terrace Plat from R-1 Single Family Residence District to C-3 Business & Office District, and to further recommend approval of Lot 10 of the Province Terrace Plat from R-2 Two Family Residence District to C-3 Business & Office District.

10. The rezoning of Lots 1, 2, &3 of CSM 1670 from the R-2 Two Family Residence District to the R2A Zero Lot Line Residence District.

11. The Certified Survey Map splitting Lot 3 of Certified Survey Map 1670

Alderman Wisneski requested item 4 (Street Use Application for Sun Runner) be removed from Consent Agenda.

Alderman Zelinski requested item 7 (Recycling Surplus Revenue Ballot for 2009 Funds) and Item 8 (fill vacant firefighting position) be removed from Consent Agenda.

Moved by Alderman Hendricks, seconded by Alderman Langdon to approve items 1, 2, 3, 5, 6, 9, 10, 11 of Consent Agenda.

Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Alderman Wisneski, seconded by Alderman Hendricks to approve item 4 (Street Use Application for Sun Runner)

Moved by Alderman Wisneski, seconded by Alderman Hendricks to amend to waive the six hour maximum time for safety concerns.

Motion to amend carried on voice vote

Motion as amended carried on roll call 8-0.

Moved by Alderman Hendricks, seconded by Alderman Roush to approve item 7 (Recycling Surplus Revenue Ballot for 2009 Funds).

Discussion: When asked how other participating municipalities voted, DPW Radtke replied he has not heard from the County on how the other municipalities voted.

Motion carried on roll call 7-1. Alderman Zelinski - no

Moved by Alderman Wisneski, seconded by Alderman Taylor to approve item 8 (fill vacant firefighting position).

Discussion: When asked about the ramifications if the position is not filled FC Auxier replied it would result in staffing to fall below the minimum of a 3-man engine crew during the day and a 4-man engine crew at night.

Motion carried on roll call 8-0.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 5/20/10 to 5/27/10 in the amount of \$1,169,115.83
Moved by Ald. Wisneski, seconded by Ald. Englebert to approve accounts payable and payroll.
Discussion: Questions/answers on expenditures.
Motion carried on roll call 8-0.
2. Licenses: Renewal liquor and malt beverage applications on file with City Clerk for the licensing year July 1, 2010-June 30, 2011
Clerk Galeazzi reported all required inspections have been completed and are in compliance, background checks on applicants are acceptable, it is recommended to defer action on the application of Americanos Drum and Bugle Corp. as they have an outstanding bill to the City,.
Moved by Ald. Wisneski, seconded by Ald. Englebert to approve the renewal liquor license applications on file excluding Americanos Drum and Bugle Corp.
Motion carried on roll call 8-0.
3. Request for Outdoor Alcoholic Beverage Permits on file with the City Clerk for the licensing year July 1, 2010-June 30, 2011
Moved by Ald. Wisneski, seconded by Ald. Roush to approve Outdoor Alcoholic Beverage Permits for Hot Brass d/b/a The Locker Room, Nauts Landing, Inc d/b/a Nauts Landing, Stone Toad Inc d/b/a Stone Toad Bar & Grill, Wiseguys Pizzeria LLC d/b/a Wiseguys Pizzeria & Pub and Franky's of Menasha d/b/a The Blind Pig Saloon.
Motion carried on roll call 8-0.
4. Memorandum of Understanding with City of Neenah Health Department for Sanitarian Duties
Moved by Ald. Wisneski, seconded by Ald. Benner to approve Memorandum of Understanding CA/HRD Captain explained this agreement will reimburse the City of Menasha for the services provided to the City of Neenah.
Discussion: Mayor Merkes said Cities of Neenah and Menasha are working on a feasibility study for a possible joint Health Dept.
PHD Nett reported the Menasha Sanitarian has been helping with Neenah duties since mid-May and there should be no additional overtime.
Motion carried on roll call 8-0.

J. ORDINANCES AND RESOLUTIONS

1. O-9-10 – An ordinance amending title 13 by making certain changes in the district (Province Terrace)
Moved by Ald. Wisneski, seconded by Ald. Englebert to suspend the rules and take up O-9-10.
Discussion ensued if there is an urgency to adopt the ordinance. May want to wait before adopting to hear from residents
Ald. Wisneski withdrew the motion.
2. O-10-10 – An ordinance amending title 13 by making certain changes in the district (Carpenter Street)
Moved by Ald. Benner, seconded by Ald. Roush to suspend the rules and take up O-10-10.
Motion carried on roll call 8-0.
Moved by Ald. Benner, seconded by Ald. Roush to adopt O-10-10.
Discussion ensued this ordinance will allow for the creation of a twin dominium for the existing structure.
Motion carried on roll call 8-0.

K. APPOINTMENTS

1. Mayor's Appointment to the Board of Appeals:
 - a. Brian Williams for the term of June 7, 2010 to February 1, 2013
Moved by Ald. Hendricks, seconded by Ald. Benner to approve appointment of Brian Williams.
Motion carried on voice vote
- 2.. Mayor's Appointment to the Board of Review:
 - a. Roy Kordus for the term of July 1, 2010 to July 1, 2015
Moved by Ald. Benner, seconded by Ald. Wisneski to approve appointment of Roy Kordus.
Motion carried on voice vote

L. HELD OVER BUSINESS

M. CLAIMS AGAINST THE CITY

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA
(Five (5) minute time limit for each person)

Chris Kostas, 58 Racine Street. Questioned if the Outdoor Alcoholic Beverage Permit for Club Tavern was going to be acted on. CDD Keil explained Club Tavern submitted an application for an Outdoor Alcoholic Beverage permit, but did not qualify so it was submitted to Council.

O. ADJOURNMENT

Moved by Ald. Benner, seconded by Ald. Englebert to adjourn at 6:49 p.m.
Motion carried on voice vote.

Respectfully submitted by
Deborah A. Galeazzi, WCMC
City Clerk