

**CITY OF MENASHA  
COMMON COUNCIL  
Third Floor Council Chambers  
140 Main Street, Menasha  
Monday, August 1, 2011**

**MINUTES**

**A. CALL TO ORDER**

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

**B. PLEDGE OF ALLEGIANCE**

Mayor Merkes thanked Council President Sevenich for presiding over July 18, 2011 Council & Committee Meetings while he was attending the Taiko Drumming demonstration at the Menasha High school, in which the Menasha Joint School district accepted a \$60,000 donation to the Japanese Foreign Language Program from the Japan Alliance.

**C. ROLL CALL/EXCUSED ABSENCES**

PRESENT: Aldermen Taylor, Sevenich, Langdon, Krueger, Zelinski, Englebert

ALSO PRESENT: CA/HRD Captain, Mayor Merkes, FC Auxier, LT. Bouchard, CDD Keil, C/T Stoffel, PRD Tungate, LD Lenz, PHD Nett, Deputy Clerk Sewall and the Press

ALDERMEN EXCUSED: Ald. Benner

DEPT. HEADS EXCUSED: DPW Radtke

**D. PUBLIC HEARING**

None

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

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

Steve Pack, 823 Emily Street. Offer to purchase for Racine Street lots from Dr. Larsen

Rebecca Nichols, 402 Elm Street. Offer to purchase for Racine Street lots from Dr. Larsen

Mary Nebel, 713 1<sup>st</sup> Street. Offer to purchase for Racine Street lots from Dr. Larsen

James Taylor, 724 Milwaukee Street. Offer to purchase for Racine Street lots from Dr. Larsen

**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, 7/18/11](#)
- b. [Board of Public Works, 7/18/11](#)
- c. [Board of Health, 6/8/11](#)
- d. [NM Sewerage Commission, 6/28/11](#)
- e. [NM Sewerage Commission, 6/29/11; Special Meeting](#)
- f. [Parks and Recreation Board, 7/11/11](#)
- g. [Personnel Committee, 7/18/11](#)
- h. Plan Commission, [7/19/11](#), [7/26/11](#)
- i. Safety Committee, [5/24/11](#), [7/8/11](#); Public Works/Parks
- j. [Safety Committee, 6/9/11; City Hall](#)

Communications:

- k. [Ad-Hoc Sustainability Board letter of resignation from Mike Dillon, 7/19/11](#)
- l. [CA/HRD Captain, 7/26/11; Update on LaFayette Life Ins. Co. et al. v. City of Menasha et al.](#)
- m. [Customers First! The Wire newsletter, 7/2011](#)
- n. [Invitation to 9-11 10-year anniversary remembrance ceremony](#)
- o. [Mayor Scherck to NM Sewerage Commission, 7/18/11; Sewer Facilities Capital Improvement Project](#)
- p. [PHD Nett, 7/26/11; Winnebago Public Health Study/Impacts for the City of Menasha](#)
- q. [Public Works Facility, June 2011 disposal violations](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to receive Minutes and Communications A-Q.

Discussion:

Ald. Sevenich, Comm. O (Mayor Scherck NM Sewerage Commission memo): Explanation of treatment plant expansion.

Ald. Taylor, Langdon, Zelinski, Krueger, Comm. H (Plan Commission minutes): Status of development agreement with Lexington Homes and affect that has on approval of plat maps and variance.

**Motion carried on roll call 7-0.**

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. [Special Common Council, 7/14/11](#)

2. [Common Council, 7/18/11](#)

Administration Committee, 7/18/11; recommends approval of:

3. [Nationwide Retirement Solutions Amendments to Plan Document](#)

Board of Public Works, 7/18/11; recommends approval of:

4. [Street Use Application – Otto Grunski Runski; Saturday, August 13, 2011; 7:00 AM – 11:00 AM; \(City of Menasha Parks and Recreation Department\)](#)

5. [Street Use Application – NEW Wheelers Weekend Bike Race; Sunday, August 14, 2011; 8:00 AM – 6:00 PM; \(02 Cycling\) allowing the time to extend beyond the six hours for safety reasons](#)

6. [Street Use Application – Labor Day Parade; Monday, September 5, 2011; 9:30 AM – 11:30 AM; \(Fox Valley Area Labor Council\)](#)

7. [Street Use Application – 18<sup>th</sup> Annual St. Joe's 5K Run/Walk; Saturday, October 15, 2011; 8:45 AM – 10:30 AM; \(Pacesetter's Fox Cities\)](#)

8. [Street Use Application – Sun Runner "Cruise In"; Thursday, August 18, 2011; 4:00 PM – 10:00 PM; \(MAC\)](#)

Plan Commission, 7/19/11; recommends approval of:

9. [The Ponds of Menasha Preliminary Plat with the following conditions:](#)

- [That right of way for the future extension of Lotus Trail be reserved.](#)
- [That the subdivision contain a minimum of 124 lots.](#)
- [That the drainage easement around the stormwater pond be set at a width and grade acceptable to the Public Works Department.](#)
- [That the street name "Whisper Falls Lane" not be used in the plat.](#)
- [That sufficient ROW be reserved on Lot 73 to enable the eastward extension of the street without curvature.](#)

10. [The Ponds of Menasha variances requested as follows:](#)

- [Establishing a 65' ROW on Villa Way \(the existing segment of Villa Way has an 80' width\).](#)
- [Establishing a ROW width of 50' \(standard ROW is 60'\).](#)
- [Permitting the west end of Villa Way to terminate in a temporary cul de sac whose length exceeds the 800' standard.](#)
- [Eliminating the requirement for a temporary cul de sac on Snowberry Way due to the short length of the segment of street extending westward from Lotus Trail.](#)

Plan Commission, 7/26/11; recommends approval of:

11. [The Ponds of Menasha Final Plat with the following conditions:](#)

- [That a 10' drainage easement be established on the lots abutting Outlot 2 if insufficient dry land access is not provided within the outlot \(this is to be determined by Davel Engineering\).](#)
- [That the Drainage Plan be reviewed and approved by the Department of Public Works.](#)
- [That the area SE of the 50'ROW paralleling the curvature of Chrystella Drive adjacent to Lot 72 be designated as a reservation of ROW as opposed to being dedicated as shown.](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve all items on Consent Agenda.

**Motion carried on roll call 7-0.**

H. ITEMS REMOVED FROM CONSENT AGENDA

None

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 7/21/11 to 7/28/11 in the amount of \\$1,065,466.05](#)  
Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll.  
**Motion carried on roll call 7-0.**

2. [Reserve "Class B" Liquor License Application for Mr. Taco, LLC, Luis A. Morales, Agent, for the premises at 403 Racine Street for the 2011-2012 licensing year](#)  
Moved by Ald. Klein, seconded by Ald. Englebert to approve "Class B" license for Mr. Taco.  
**Motion carried on roll call 7-0.**

J. ORDINANCES AND RESOLUTIONS

1. [O-8-11 – Ordinance relating to changes in parking ordinance \(DePere Street/Appleton Rd.\)\(Introduced by Mayor Merkes, recommended by Board of Public Works\)](#)

First introduction, no action taken.

2. [R-31-11: A Preliminary Resolution Declaring Intent to Exercise Special Assessment Powers Under Section 66.0703, Wisconsin Statutes \(Introduced by Ald. Taylor, recommended by Board of Public Works\)](#)

Moved by Ald. Taylor, seconded by Ald. Langdon to approve R-31-11.

Discussion regarding this project relating to Ribblesdale Subdivision and a portion of Woodland Hills Subdivision ensued.

**Motion carried on roll call 7-0.**

K. APPOINTMENTS

1. Mayor's appointments to the Board of Appeals

- a. [Appointment of Chris Evenson, 523 Broad St., for the term of August 1, 2011 to February 1, 2014](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Chris Evenson to Board of Appeals.

**Motion carried on voice vote.**

2. Mayor's appointment to the Housing Authority

- a. [Larry Haase, 1727 Northridge Ct., for the term of August 1, 2011 to July 21, 2016](#)

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Larry Haase to Housing Authority.

**Motion carried on voice vote.**

3. Mayor's reappointment to the Redevelopment Authority

- a. Kim Vanderhyden, 334 Park St., for the term of September 1, 2011 to August 31, 2016

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve appointment of Kim Vanderhyden to the Redevelopment Authority.

**Motion carried on voice vote.**

L. HELD OVER BUSINESS

None

M. CLAIMS AGAINST THE CITY

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. Klein, seconded by Ald. Langdon to adjourn at 6:45 p.m.

**Motion carried on voice vote.**

Respectfully submitted by Kristin Sewall, Deputy City Clerk