

CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, December 19, 2011
MINUTES

A. CALL TO ORDER

Meeting called to order by Mayor Merkes at 6:02 p.m.

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Zelinski, Benner, Klein, Taylor, Sevenich, Langdon, Krueger

EXCUSED: Alderman Englebert

ALSO PRESENT: Mayor Merkes, CA/HRD Captain, PC Styka, FC Auxier, DPW Radtke, CDD Keil, PHD Nett, PRD Tungate, LD Lenz, Clerk Galeazzi and the Press

DEPT. HEAD EXCUSED: C/T Stoffel

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, 12/5/11](#)

b. [Board of Public Works, 12/5/11](#)

c. [Housing Authority, 6/22/11](#)

d. [Landmarks Commission, 10/12/11](#)

e. NM Fire Rescue, Joint Finance & Personnel Committee; [11/22/11](#), [12/14/11](#)

f. [Parks and Recreation Board, 12/12/11](#)

g. Personnel Committee, [12/5/11](#), [12/7/11](#)

h. [Plan Commission, 12/6/11](#)

i. [Police Commission, 11/17/11](#)

j. [Water and Light Commission, 11/16/11](#)

Communications:

k. [Asst. Fire Chief Mike Sipin, 12/6/11; NIMS ICS Training](#)

l. [Valley Transit to Mayor Merkes, 12/6/11; Third quarter State and Federal transportation refund for 2011 fixed route services](#)

Moved by Ald. Sevenich, seconded by Ald. Krueger to receive Minutes & Communications A-l
Motion carried on voice vote.

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, 12/5/11](#)

Administration Committee, 12/5/11; recommends approval of:

2. [Weights and Measures Proposed Fees for 2012](#)

3. [Amendment to Listing Contract with Drifka Group Inc. for 81 & 87 Racine St. and 504 Broad St.](#)

Board of Public Works, 12/5/11; recommends approval of:

4. [Street Use Permit – 18th Annual First Eve Fox Cities; Saturday, December 31, 2011; 10:30 PM to 12:20 AM \(Community Forward\) with the condition that all insurance and final fireworks information be submitted before going to council](#)

G. CONSENT AGENDA, cont'd.

Plan Commission, 12/6/11; recommends approval of:

5. [Lease agreement with Valley Marine Mart for property adjacent to the US Government Canal with the deletion of reference to public access to the site and modifying the lease termination to provide for 60 days notice by either party prior to the annual renewal date of the lease](#)

Park and Recreation Board, 12/12/11; recommends approval of:

6. [Reciprocity agreements with:](#)
[a. City of Neenah – 5 year agreement](#)
[b. YMCA of the Fox Cities – 3 year agreement](#)
[c. Town of Menasha – 1 year agreement](#)
[d. City of Appleton – 1 year agreement](#)

NM Fire Rescue, Joint Finance & Personnel Committee, 12/14/11; recommends approval of:

7. [Tentative agreement with Local 275 and authorize the removal of the wage re-opener language for years 2014 through 2015 provided that in any re-opener for insurance premium contributions, the Cities agree to only offer contribution changes uniform with other employee groups in the same insurance plans](#)

Ald. Sevenich requested to remove item 7 from Consent Agenda; Ald. Klein requested to remove item 3 from Consent Agenda; Ald. Krueger requested to remove item 5 from Consent Agenda; Ald. Zelinski requested to remove item 2 from Consent Agenda.

Moved by Ald. Sevenich, seconded by Ald. Langdon to approve Consent Agenda items 1, 4, 6.
Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM CONSENT AGENDA

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Consent Agenda item 2, Weights and Measures Proposed Fees for 2012.

Discussion: Ald. Zelinski commented the fees should remain the same as 2011.

Motion carried on roll call 6-1. Ald. Zelinski – no.

Moved by Ald. Klein, seconded by Ald. Krueger to approve Consent Agenda item 3, Amendment to Listing Contract with Drifka Group for 81 & 87 Racine St. and 504 Broad St.

Discussion: Ald. Klein commented the amendment puts further restrictions on the use of the property.

Motion carried on roll call 4-3.

Ald. Taylor, Sevenich, Krueger, Benner – yes

Ald. Klein, Langdon, Zelinski – no

CDD Keil explained the lease agreement with Valley Marine Mart for the City owned property on the north side of the US Government Canal on Water Street for the term 1/1/2012 to 7/1/2013.

Moved by Ald. Sevenich, seconded by Ald. Zelinski to approve Consent Agenda item 5, Lease Agreement with Valley Marine Mart with an annual payment amount of \$882.00 over the years of 2012-2013.

General discussion ensued on the terms of the lease agreement; working with Valley Marine Mart as a long time tenant; delinquency of current lease. Mr. Bodway was present and answered questions.

Moved by Ald. Krueger, seconded by Ald. Langdon to require the arrears of the current lease be paid up by 12/31/2012.

Motion on amendment failed on roll call 3-4.

Ald. Klein, Krueger, Zelinski – yes

Ald. Taylor, Sevenich, Langdon, Benner – no

Moved by Ald. Zelinski, seconded by Ald. Langdon to amend annual lease payment to \$1,782.00.

Motion on amendment carried on roll call 4-3.

Ald. Klein, Langdon, Krueger, Zelinski – yes

Ald. Taylor, Sevenich, Benner – no

Motion as amended carried on roll call 6-1. Ald. Benner – no

H. ITEMS REMOVED FROM CONSENT AGENDA, cont'd.

Moved by Ald. Sevenich, seconded by Ald. Krueger to approve Consent Agenda item 7, Tentative Agreement with Local 275 as presented and not authorize the removal of the wage re-opener language for years 2014 through 2015 provided that in any re-opener for insurance premium contributions, the Cities agree to only offer contribution changes uniform with other employee groups in the same insurance plans. Motion carried on roll call 7-0.

I. ACTION ITEMS

1. [Accounts payable and payroll for the term of 12/8/11 to 12/15/11 in the amount of \\$ 889,306.38](#)

Moved by Ald. Klein, seconded by Ald. Langdon to approve accounts payable and payroll. Motion carried on roll call 7-0.

2. [Poll Worker Appointments for the City of Menasha for the 2012-2013 election years, pursuant to Wis. State Statute §7.30](#)

Moved by Ald. Klein, seconded by Ald. Langdon to approve poll worker appointments. Motion carried on roll call 7-0.

3. [Proposed Tentative Agreements Local 603 \(Police\) 2009-2011 and 2012-2014](#)

Moved by Ald. Krueger, seconded by Ald. Sevenich to approve the Tentative Agreements with Local 603 (Police)
General discussion on the terms of the agreements.
Motion carried on roll call 6-1 Ald. Zelinski – no.

4. Motion to remove from the table offering the non-WRS contributing employees the Network Health Consumer Driven HMO plan with a deductible of \$2,000 individual/\$4,000 family for 2012 with the employee paying the deductible plus either the negotiated premium contribution or 6% if the employee is non-represented (Tabled 11/21/11)

Moved by Ald. Benner, seconded by Ald. Langdon to remove from the table offering the non-WRS contributing employees the Network Health Consumer Driven HMO plan with a deductible of \$2,000 individual/\$4,000 family for 2012 with the employee paying the deductible plus either the negotiated premium contribution or 6% if the employee is non-represented
Motion carried on roll call 7-0.

CA/HRD Captain explained the offer to the non-WRS contributing employees, Police Union and Police Management, the same Consumer Driven Health Insurance with a \$1,500/\$3,000 deductible that the other employees receive.

Moved by Ald. Krueger, seconded by Ald. Langdon to offer to Police Union and Police Management employees the Consumer Driven HMO Health Insurance plan with \$1,500/\$3,000 family deductibles for which the employee is responsible.
Motion carried on roll call 7-0.

J. ORDINANCES AND RESOLUTIONS

None

K. APPOINTMENTS

None

L. HELD OVER BUSINESS

1. [Special Use Permit and Site Plan for Student Apartment Housing at Midway Road, Parcel 7-01262-1, allowing for fiberboard cement facing on the north façade, and with the following conditions: \(Held 12/5/11\)](#)
 - [Developer submits a final lighting plan to Community Development staff for review and approval;](#)
 - [Developer submits a final site plan with building setbacks indicated; and,](#)
 - [Approval of Stormwater and Erosion Control Plans by Public Works/Engineering staff](#)

Moved by Ald. Benner, seconded by Ald. Taylor to approve the Special Use Permit with conditions General discussion ensued on the project. Dave Allen and Rod Fisk representing the developers answered questions. Future uses of the property was discussed.

Moved by Ald. Krueger, seconded by Ald. Sevenich to amend, should the owner of the property become a tax-exempt entity a PILOT would be due annually based on the tax rate with a minimum payment of \$20,000.

Motion on amendment carried on roll call 7-0.

Motion as amended carried on roll call 7-0.

M. CLAIMS AGAINST THE CITY

None

N. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

PC Tim Styka, Menasha Police Dept. Thanked the Council for working with the Police Union on settling their contracts

Officer Aaron Zemlock, Menasha Police Dept. Appreciates the Council working with the Police Union on a fair contract and avoiding arbitration.

O. ADJOURN

Moved by Ald. Krueger, seconded by Ald. Benner to adjourn at 7:29 p.m.

Motion carried on voice vote.

Respectfully submitted by Deborah A. Galeazzi, WCMC, City Clerk