

**CITY OF MENASHA
COMMON COUNCIL
First Floor Conference Room
100 Main Street
Monday, November 6, 2017
MINUTES**

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

C. ROLL CALL/EXCUSED ABSENCES

PRESENT: Aldermen Sevenich, Collier, Krueger, Zelinski, Grade, Benner, Nichols, Taylor (6:02pm)

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, AFC Sipin, CDD Buck, ASD Jacobs, DPW Radomski, PRD Tungate, PHD McKenney, Clerk Galeazzi.

D. PUBLIC HEARING

1. Special Use Permit for 222 Washington Street to allow the Applicant the option to retain the existing flat roof or install a 4/12 pitched roof on the existing building with the condition that asphalt shingles be used to better coincide with neighboring properties.

CDD Buck explained a Special Use Permit was issued to the property in 2016 for an indoor storage facility. The owner is now asking for a Special Use Permit to allow the option to retain the existing flat roof or install a 4/12 pitched roof.

No one spoke. Mayor Merkes closed the Public Hearing.

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, 10/16/2017
- b. Board of Public Works, 10/16/2017
- c. Landmarks Commission, 10/11/2017
- d. Library Board, 10/25/2017
- e. Plan Commission, 10/17/2017
- f. Special Water and Light Commission, 10/11/2017
- g. Water and Light Commission, 9/28/2017

Communications:

- h. Fox Cities Hotel Room Tax Commission Packet, 10/30/2017
- i. Protocol Committee, Memorandum, 11/2/2017, Mayor Merkes
- j. Diversity & Inclusion training—through CVMIC, Memorandum 11/2/2017, Human Resources Coordinator Candi Huber

Moved by Ald. Sevenich seconded by Ald. Krueger to receive Minutes & Communications a-j. General discussion ensued on Library Board minutes and Diversity & Inclusion training memo. 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 placed 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, 10/16/2017
2. Neenah and Menasha Joint City Council Meeting, 10/17/2017

Administration Committee, 10/16/2017, Recommends the Approval of:

3. Joint Powers Agreement Winnebago County Emergency 911 System, Dec. 1, 2017-Nov. 30, 2018

Plan Commission, 10/17/2017, Recommends the Approval of:

4. The request to amend the Special Use Permit for 222 Washington Street—Greg Muller—to allow the Applicant the option to retain the existing flat roof or install a 4/12 pitched roof on the existing building with the condition that asphalt shingles be used to better coincide with neighboring properties.
5. Certified Survey Map for Lot Combination—Kelly Lake Drive—Martenson & Eisele, Inc. as presented combining 2445 Kelly Lake Drive, parcel 7-00700-97 with parcel 7-01711-99
6. Shared Use and Access Easements—328 Sixth Street and 600 Walbrun Street—Menasha Joint School District

Ald. Sevenich requested to remove item 6 from Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Krueger to approve Consent Agenda items 1-5.
Motion carried on roll call 8-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

Moved by Ald. Benner seconded by Ald. Nichols to approve Shared Use and Access Easements at 328 Sixth Street and 600 Walbrun Street with Menasha Joint School District.

CDD Buck explained the parking lot at Banta School, 328 Sixth Street, is on two parcels, one owned by the MJSD and one owned by the City. The easements will allow each entity use of the other entity's property. The MJSD will be responsible for the care and maintenance of the parking lot.

Motion carried on roll call 8-0.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 10/19/17—11/2/17 in the amount of \$1,819,365.22.

Moved by Ald. Krueger seconded by Ald. Collier to approve accounts payable.
Motion carried on roll call 8-0.

2. Beverage Operators License Applications for the 2017-2019 licensing period.

Moved by Ald. Krueger seconded by Ald. Collier to approve beverage operator's license application for the 2017-2019 licensing period as listed in memo dated 11/2/17

Motion carried on roll call 8-0.

Police Department recommends to deny of beverage operator's license application of Brenda Katchenago due to felony convictions.

Moved by Ald. Krueger seconded by Ald. Collier to deny beverage application of Brenda Katchenago as recommended by Police Department.

PC Styka explained the three convictions of Ms. Katchenago. Two convictions are felonies from 2008 & 2009. No other convictions since 2009.

CA Captain explained convictions from that far back do not have to be considered in approving the application.

General discussion ensued on Ms. Katchenago not being present and having an opportunity to speak.

Moved by Ald. Sevenich seconded by Ald. Krueger to postpone action to next meeting.

Motion failed on roll call 4-4.

Ald. Sevenich, Krueger, Zelinski, Benner voted yes.

Ald. Nichols, Taylor, Collier, Grade voted no.

Original motion to deny carried on roll call 5-3.

Ald. Taylor, Collier, Sevenich, Zelinski, Grade voted yes.

Ald. Nichols, Sevenich, Benner voted no.

3. Property Disposition—140 Main Street—City of Menasha; approve the request to declare the former City Hall property located at 140 Main Street as surplus property and available for disposition with the condition that the eastern property line be adjusted to align with the building edge leaving the mural within the City right-of-way

Moved by Ald. Krueger seconded by Ald. Benner to approve the request to declare the former City Hall property located at 140 Main Street as surplus property and available for disposition with the condition that the eastern property line be adjusted to align with the building edge leaving the mural within the City right-of-way.

General discussion ensued on a suggested asking price for the property, having an appraisal done, mural on a separate parcel, and putting restrictions on building and mural.

Motion carried on roll call 8-0.

CLERK NOTE: See Item K-1.

Moved by Ald. Nichols seconded by Ald. Benner that an easement to retain the attachment of the mural wall to the former City Hall building be recorded on the property with the understanding that if the structure is to be removed/razed, that the City has 6 months to remove/relocate the mural and mural wall.

General discussion ensued on City maintaining control of mural.

Motion carried on roll call 7-1. Ald. Taylor voted no.

Moved by Ald. Nichols seconded by Ald. Benner that staff works with a commercial real estate broker to draft a listing agreement with a suggested sale price of \$250,000, which is to be brought back through Common Council for approval.

General discussion ensued on the suggested listing price, and having an appraisal done to establish listing price

Moved by Ald. Krueger seconded by Ald. Taylor to change listing price from \$250,000 to \$350,000.

General discussion ensued on building repairs needed.

Ald. Krueger and Taylor withdrew their motion.

Moved by Ald. Zelinski seconded by Ald. Grade to amend, to get an appraisal of the property at 140 Main St.

Motion carried on roll call 7-1. Ald. Nichols voted no.

Original motion as amended carried on roll call 8-0.

J. HELD OVER BUSINESS

K. ORDINANCES AND RESOLUTIONS

1. R-21-17 Resolution Authorizing the Director of Public Works to Sign and Submit the Annual Report of Recycling and Waste Activities and Actual Costs to the Wisconsin Department of Natural Resources (Introduced by Ald. Taylor; Recommended by Board of Public Works). Moved by Ald. Taylor seconded by Ald. Sevenich to approve R-21-17 Resolution Authorizing the Director of Public Works to Sign and Submit the Annual Report of Recycling and Waste Activities and Actual Costs to the Wisconsin Department of Natural Resources.

Ald. Nichols stated Point of Order, Council not done with item I-3.

Mayor Merkes stated Point of Order is valid, will go back to item I-3.

Ald. Sevenich stated Point of Order, motion on floor to approve R-21-17.

Mayor Merkes stated Point of Order is valid, Council will vote on current motion on the floor, then go back to item I-3.

Motion to approve R-21-17 carried on roll call 8-0.

Council went back to finish item I-3.

2. R-23-17 A Resolution Regarding the Official Depositories of the City of Menasha (Introduced by Mayor Merkes)

Moved by Ald. Krueger seconded by Ald. Benner to approve R-23-17 A Resolution Regarding the Official Depositories of the City of Menasha.

Motion carried on roll call 8-0.

3. R-24-17 A Resolution Authorizing Pledge and Security Agreement for Fox Cities Exhibition Center (Introduced by Mayor Merkes)

Moved by Ald. Sevenich seconded by Ald. Benner to approve R-24-17 A Resolution Authorizing Pledge and Security Agreement for Fox Cities Exhibition Center.

Motion carried on roll call 8-0.

L. APPOINTMENTS

1. Mayoral Appointment of David Schwerbel to the Library Board for the term of 11/6/2017—7/1/2020

Moved by Ald. Sevenich seconded by Ald. Nichols to approve appointment of David Schwerbel to the Library Board for the term 11/6/2017-7/1/2020.

Motion carried on voice vote.

M. CLAIMS AGAINST THE CITY

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. Krueger seconded by Ald. Collier to adjourn at 7:22pm.

Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk