

**CITY OF MENASHA
COMMON COUNCIL
Third Floor Council Chambers
140 Main Street, Menasha
Monday, July 17, 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: Alderman Grade, Nichols, Taylor (6:02pm), Sevenich, Collier, Krueger, Zelinski.
EXCUSED: Alderman Benner.

ALSO PRESENT: Mayor Merkes, CA Captain, PC Styka, CDD Buck, PRD Tungate,
PHD McKenney, FM Sassman, ES Montour, DDMO Alix, Clerk Galeazzi.

DEPT. HEAD EXCUSED: FC Kloehn

D. PUBLIC HEARING

1. Proposed Special Use Permit, Fork Farms, LLC, 1101 Midway Road, Menasha.
CDD Buck explained Fork Farms, LLC intended use of the is property as a commercial greenhouse, which requires a Special Use Permit.

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)

Tim Jacobson, 732 Paris Street, Menasha. Comments on repairing or reconstruction of Racine Street Bridge.

Mary Meyers, 522 Broad Street, Menasha. Issues with fireworks being shot off by residents in neighborhood and other parts of City.

Kim Schick, 527 First Street, Menasha. Issues with fireworks being shot off by residents.

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, 7/5/2017
- b. Board of Health, 5/12/2017
- c. Board of Public Works, 7/5/2017
- d. Library Board, 6/28/2017
- e. Parks and Recreation Board, 6/13/2017
- f. Plan Commission, 7/11/2017

Communications:

- g. Mayor Merkes, 7/7/2017; Board and Commission Appointments
- h. PRD Tungate, 7/13/2017; Lawson Canal and Gilbert Site Grant Opportunities
- i. PHD McKenney, 7/14/2017; Response to Question Regarding Disclosure and Removal of Lead Paint Hazards in Rental Housing
- j. CCD Buck, 7/13/2017; Downtown Vision Plan Public Workshops-July 27th.

Moved by Ald. Sevenich seconded by Ald. Collier to receive Minutes and Communications a-j.
General discussion ensued on Parks & Recreation Board minutes; Board & Commission Appointments; Lawson Canal & Gilbert Site Grant Opportunities; Downtown Vision Plan Public Workshops

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, 7/5/2017

Administration Committee, 7/5/2017, Recommends the Approval of:

2. Professional Service Agreement between the City of Menasha and SAFEbuilt Wisconsin LLC for Commercial Building Department Services.
3. Request to Apply for, Receive, and Spend a Taking Action with Data: Use of the County Environmental Health Profiles to Improve Environmental Health in a Community Grant.

Board of Public Works, 7/5/2017, Recommends the Approval of:

4. Street Use Application – Otto Grunski Runski, Saturday, August 12, 2017; 6:30 AM – 10:30 PM (City of Menasha)
5. Street Use Application – Ganther Race the Lake; Sunday, August 13, 2017; 6:45 AM – 9:15 AM (DuTriRun)
6. Street Use Application – Twisted Pistons Scholarship Cruise In; Thursday, August 17, 2017; 12:00 PM – 10:00 PM (Twisted Pistons, Inc.)
7. Street Use Application – Labor Day Parade/Labor Temple Coop Association; Monday, September 4, 2017; 9:30 AM – 10:30 AM (Fox Valley Area Labor Council)
8. Street Use Application – Community First Fox Cities Marathon Presented by Miron Construction; Sunday, September 24, 2017; 7:00 AM – 2:00 PM (Community First Credit Union)
9. Recommendation to Purchase Bobcat 5600 Toolcat including a sand and salt spreader for a total cost of \$52,475.

Plan Commission, 7/11/2017, Recommends the Approval of:

10. Special Use Permit – 1101 Midway Road – Fork Farms with the following conditions:
 - a. The submitted three-year phased improvement plans, as proposed within the application, be binding on the development including proposed site work, removal of the driveway on Midway Road closest to the Midway/Parkside intersection, and landscape improvements; and
 - b. Immediate marking/stripping of the parking stalls within the parking lot.
 - c. The petitioner annually reports the status of its operations and site improvements to the city until the third phase/year improvements are completed.
11. Drainage Easement – 835-867 Valley Road.

Ald. Zelinski requested to remove item 9 and Ald. Krueger requested to remove item 10 from Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Taylor to approve Consent Agenda items 1-8 & 11. Motion carried on roll call 7-0.

H. ITEMS REMOVED FROM THE CONSENT AGENDA

Moved by Ald. Sevenich seconded by Ald. Collier to approve Consent Agenda item 9.

DDMO Alix explained the Bobcat 5600 Toolcat is a multi-functional piece of equipment to be used year round.

Motion carried on roll call 7-0.

Moved by Ald. Sevenich seconded by Ald. Collier to approve Consent Agenda item 10. General discussion ensued on the conditions associated with the Special Use Permit as recommended by Plan Commission.

Alex Tyink from Fork Farms addressed the Council. He gave an overview of the business operations.

Moved by Ald. Krueger seconded by Ald. Zelinski to amend, removing the words "its operations and" from Condition C.

General discussion ensued on what function of the business requires a Special Use Permit.

Moved by Ald. Taylor seconded by Ald. Zelinski to postpone action until the next meeting. Point of Order stated by Ald. Collier – there is a motion on the floor that should be voted on. Mayor Merkes ruled Point of Order not valid as a motion to postpone is allowed. Motion to postpone failed on roll call 1-6. Ald. Taylor voted yes.

Motion to amend to remove "its operations and" from Condition C carried on roll call 6-1. Ald. Taylor voted no.

Motion as amended carried on roll call 6-1. Ald. Taylor voted no.

I. ACTION ITEMS

1. Accounts payable and payroll for the term of 7/6/2017-7/13/2017 in the amount of \$646,497.37
Moved by Ald. Krueger seconded by Ald. Taylor to approve accounts payable and payroll.
Motion carried on roll call 7-0.

2. Beverage Operators License Applications for the 2017-2019 licensing period.
Moved by Ald. Krueger seconded by Ald. Zelinski to approve beverage operator's license applications for the 2017-2019 licensing period as listed in memo date 7/12/17.
Motion carried on roll call 7-0.

3. Parking Enforcement System Contract with T2 Systems, Inc.
Moved by Ald. Krueger seconded by Ald. Collier to approve parking enforcement system agreement with T2 Systems, Inc. for 2017-2021.
PC Styka explained the current parking enforcement system is over 15 years old; the hardware is obsolete and no longer able to be repaired. The new system has better features that will improve the collection of outstanding parking tickets, improve customer service and reduce questions/appeals on tickets that are issued.
Motion carried on roll call 7-0.

4. Application for Outdoor Extension of "Class B" Licensed Premise for Emprize Brewing LLC, d/b/a Emprize Brew Mill, 198-200 Main Street, Menasha.
Moved by Ald. Ald. Krueger seconded by Ald. Taylor to approve application for Outdoor Extension Of "Class B" License Premise for Emprize brewing LLC, d/b/a Emprize Brew Mill, 198-200 Main St.
Motion carried on roll call 7-0.

5. Application for Outdoor Dining & Extension of "Class B" Licensed Premise on Public Property for Emprize Brewing LLC, d/b/a Emprize Brew Mill, 198-200 Main Street, Menasha.
Moved by Ald. Krueger seconded by Ald. Taylor to approve application for Outdoor Dining & Extension of "Class B" License Premise on Public Property for Emprize Brewing LLC, d/b/a Emprize Brew Mill, 198-200 Main Street.
Motion carried on roll call 7-0.

J. HELD OVER BUSINESS
None

K. ORDINANCES AND RESOLUTIONS
None

L. APPOINTMENTS

1. Mayor's Reappointment of Bob Stevens to the Redevelopment Authority for the term of 8/1/2017—8/1/2022

Mayor Merkes asked for no action on this item at this time. He will confirm with Mr. Stevens on this reappointment.

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. RECESS TO COMMITTEES

Moved by Ald. Sevenich seconded by Ald. Krueger to recess at 7:23 p.m.
Motion carried on voice vote

Reconvened at 7:42 p.m.

P. ACTION ITEMS

1. Moved by Ald. Zelinski seconded by Ald. Krueger to adjourn into Closed Session pursuant to Wis. Stats. 19.85(1)(f) Considering financial data of specific persons, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such data (198 River Street—Personal Guarantee of Christine A. Sohns)
Motion carried on roll call 7-0.

2. May reconvene into Open Session to take action on items discussed in Closed Session
No action.

Q. ADJOURNMENT

Moved by Ald. Sevenich seconded by Ald. Zelinski to adjourn at 8:36 p.m.
Motion carried on voice vote.

Deborah A. Galeazzi, WCMC
City Clerk