

CITY OF MENASHA
COMMON COUNCIL
Tel-Web Conference
October 5, 2020
MINUTES

A. CALL TO ORDER

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

B. PLEDGE OF ALLEGIANCE

The Pledge of Alliance was recited.

C. ROLL CALL

PRESENT: Ald. Mark Langdon, Ann Schmidt, Ted Grade, Tom Grade, Randy Ropella, Rebecca Nichols, James Taylor, Stan Sevenich

ALSO PRESENT: PC Styka, CDD Schroeder, PHD McKenney, PWD Alix, DDE Gordon, FD Sassman, PRD Sackett, CA/HRD Captain, Mayor Merkes, Clerk Krautkramer

D. TEMPORARY SUSPENSION OF THE RULES OF THE COMMON COUNCIL AND MAYOR /TEL WEB CONFERENCE

Moved by Ald. Sevenich seconded by Ald. Ted Grade to temporarily suspend the rules of the Common Council and Mayor to allow for the use of electronic devices.

Motion carried on voice vote.

E. PUBLIC HEARING

1. Special Use Permit by Lake Park Menasha, LLC, to construct an eight unit multi residential condominium development within the C-1 General Commercial District.

Staff provided an overview of the special use permit to construct an eight unit condominium.

John Ford, Catalyst Partners – Lake Park Menasha, LLC. He provided an overview of the eight unit multi-family residential condominium development and commented on the features and location of the condominiums.

Ray Darling, 809 Whisper Falls Lane, Menasha. He commented on the front and back elevation of the proposed structures and landscaping to provide privacy.

Staff commented on the elevation and landscaping design.

2. Vacating a portion of Barlow Street lying adjacent to the originally vacated east 20 feet of Barlow Street.

Staff provided an overview of the vacation of Barlow Street and explained the vacation is part of a request for a certified survey map to reconfigure various lots near the Menasha locks and along Broad, Barlow, and Water Streets.

Sandra DaBill Taylor, 545 Broad Street, Menasha. She commented on who initiated the vacation, addition information regarding the vacation, and creation of new nonconforming lots.

Staff explained that property owners initiated the certified survey map, the City will not be creating any new nonconforming lots, and the additional information was in regards to concerns for future development.

F. REPORT OF DEPARTMENT OFFICERS/DEPARTMENT HEADS/STAFF/CONSULTANTS

1. PHD McKenney, COVID-19 Update (5 Minutes)

Staff provided an update on case counts – recovered, negative, hospitalized, fatalities, and contact investigations, weekly data summary – case rate, fox valley metrics, burden status, data trend, burden by two-week periods, and age group cumulative totals, precautions, flu vaccine clinics, and Halloween recommendations.

General discussion ensued on administering a COVID-19 vaccine, virtual meetings, test results, case counts, and wearing face coverings.

2. Clerk Krautkramer - the following minutes and communications have been received and placed on file:

Minutes to receive:

- a. Board of Public Works, 9/21/20
- b. Library Board, 9/22/20
- c. Plan Commission, 9/15/20
- d. Police Commission, 7/23/20 & 9/17/20
- e. Redevelopment Authority, 9/15/20

Communications:

- f. Budget Meeting Dates
- g. Banta Property Update – 460 Ahnaip Street
- h. Public Service Commission – Harrison Authority to Adjust Water Rates

Moved by Ald. Sevenich seconded by Ald. Tom Grade to approve minutes and communications a-h.

Motion carried on voice vote.

G. PUBLIC COMMENTS ON ANY MATTER OF CONCERN TO THE CITY

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

Sandra DaBill Taylor, 545 Broad Street, Menasha. She commented on virtual meetings, televised meetings, public works storm water rate increase, and check register items.

Arnie Collier, 941 Tayco Street, Menasha. He commented on the public works storm water rate increase, housing programs, and face coverings.

H. 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, 9/21/20

Board of Public Works, 9/21/20, Recommends Approval of:

2. Vacation of a portion of Barlow Street
3. Following staff recommendation to increase the Stormwater ERU rate from \$99.00 to \$113.85 (15%) with plans for additional 10% increases once every three years as recommended by the Common Council and future Common Council's.
4. Payment – Precision Sealcoating Inc.; Contract Unit No. 2020-03; Crack Sealing – Various Locations; \$75,000.23 (Payment 1 & Final)
5. Payment – Northeast Asphalt, Inc.; Contract Unit No. 2020-01; Street Reconstruction & Rehabilitation; \$312,557.30 (Payment 4).

Plan Commission, 9/15/20, Recommends Approval of:

6. Special Use Permit – Lake Park Menasha, LLC – Lake Park Villas Lot 4 (Community Way) – 8 Unit Condominium
7. Certified Survey Map and Vacation of Right-of-Way (Barlow Street) – 103 Broad Street - Lot Line Adjustments
8. Certified Survey Map – 104 Broad Street – Lot Line Adjustment

Ald. Sevenich requested to remove items 2, 4, 5, & 7 from the Consent Agenda.

Ald. Nichols requested to remove item 3 from the Consent Agenda.

Moved by Ald. Sevenich seconded by Ald. Taylor to approve Consent Agenda items 1, 6 & 8. Motion carried on roll call 8-0.

I. ITEMS REMOVED FROM THE CONSENT AGENDA

1. Consent Agenda item 2, Vacation of a portion of Barlow Street.
No action taken.

Moved by Ald. Schmidt seconded by Ald. Nichols as outlined on the agenda for the street right away vacation.

Motion carried on roll call 8-0.

2. Moved by Ald. Nichols seconded by Ald. Schmidt to approve Consent Agenda item 3, to follow staff recommendation to increase the Stormwater ERU rate from \$99.00 to \$113.85 (15%) with plans for additional 10% increases once every three years as recommended by the Common Council and future Common Council's and that the stormwater plan fund rates be reviewed annually.

General discussion ensued on additional 10% increases.

Moved by Ald. Sevenich seconded Ald. Taylor remove "with plans for additional 10% increases once every three years".

Motion failed on voice vote.

Moved by Ald. Nichols seconded by Ald. Schmidt to follow staff recommendation to increase the Stormwater ERU rate from \$99.00 to \$113.85 (15%) with plans for additional 10% increases once every three years as recommended by the Common Council and future Common Council's and that the stormwater plan fund rates be reviewed annually.

Motion carried on roll call 8-0.

3. Moved by Ald. Langdon seconded by Ald. Sevenich to approve Consent Agenda item 4, Payment – Precision Sealcoating Inc.; Contract Unit No. 2020-03; Crack Sealing – Various Locations; \$75,000.23 (Payment 1 & Final)
Motion carried on roll call 8-0.

4. Moved by Ald. Langdon seconded by Ald. Taylor to approve Consent Agenda item 5, Payment – Northeast Asphalt, Inc.; Contract Unit No. 2020-01; Street Reconstruction & Rehabilitation; \$312,557.30 (Payment 4).
Motion carried on roll call 8-0.

J. ACTION ITEMS

1. Accounts payable and payroll for the term of 9/18/20 – 10/1/20 in the amount of \$1,884,827.93.

Moved by Ald. Nichols seconded by Ald. Sevenich to approve accounts payable and payroll for the term of 9/18/20 - 10/1/20 in the amount of \$1,884,827.93.

Motion carried on roll call 8-0.

General discussion ensued on various items listed on the AP Check Register.

2. Beverage Operators License Applications for the 2019-2021 licensing period.

Moved by Ald. Nichols seconded by Ald. Ted Grade to approve Beverage Operators License Applications for the 2019-2021 licensing period.

Motion carried on roll call 8-0.

3. Bertram Dental – Development Agreement

Staff provided an overview of the development agreement with Bertram Dental.

General discussion ensued on landscaping.

Moved by Ald. Nichols seconded by Ald. Ted Grade to approve directing staff to bring back a draft amendment to be considered at the next meeting with the following: provided Bertram Dental has relocated and established a full service dental lab with all of its operations and its 65+ employees to 408 Second Street by December 31, 2020, the City will provide Bertram Dental the 2020 performance incentive in the amount of \$17,008.53 and provided the 2021 actual assessed value is greater than \$1.1 Million, the City agrees to provide Bertram Dental the 2021 performance incentive in the amount of \$13,220.78. All future and subsequent payments shall follow the existing development agreement as amended.

Motion carried on voice vote.

General discussion ensued on landscaping surrounding the building.

Moved by Ald. Taylor seconded by Ald. Nichols to amend the original motion to include the words “the site plan that was approved by the Plan Commission”.

Motion carried on roll call 6-2.

Ald. Ted Grade and Ropella voted no.

4. Vacation of a Portion of Barlow Street Right-of Way (Barlow Street)

Moved by Ald. Nichols seconded by Ald. Schmidt to approve Resolution R-32-20, approving the vacation of portions of Barlow Street as presented in the draft certified survey map, with the condition that a utility and pedestrian easement are recorded on the certified survey map for the portions that are vacated excluding portions thereof encroached by the detached garage.

Motion carried on roll call 8-0.

General discussion ensued on costs.

K. HELD OVER BUSINESS

L. ORDINANCES AND RESOLUTIONS

M. APPOINTMENTS

1. Mayor's appointment of Trevor Martin to the Police Commission for the term of 10/5/20 – 5/1/21.

Moved by Ald. Sevenich seconded by Ald. Tom Grade to approve Mayor's appointment of Trevor Martin to the Police Commission for the term of 10/5/20 - 5/1/21.
Motion carried on voice vote.

General discussion ensued on Trevor Martin's qualifications.

N. CLAIMS AGAINST THE CITY

O. PUBLIC COMMENTS ON ANY MATTER LISTED ON THE AGENDA

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

Sandra DaBill Taylor, 545 Broad Street, Menasha. She commented on the Plan Commission's landscaping recommendation and zoning for Bertrand Dental, the Banta development, and virtual meetings.

P. RECESS TO COMMITTEES

Q. DISCUSSION/ACTION ITEMS

1. Property Acquisition – Bubbas Detachment – Fox Crossing Counter Offer
 - a. May adjourn into Closed Session pursuant to Wis. Stats. 19.85(1)(e) deliberating or negotiating the purchasing of public properties, the investigating of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (Bubbas Detachment – Fox Crossing Counter Offer)
 - b. May adjourn into Open Session to take action on items discussed in Closed Session.

No action taken.

R. ADJOURNMENT

Moved by Ald. Sevenich seconded by Ald. Schmidt to adjourn at 8:04 p.m.
Motion carried on voice vote.

Haley Krautkramer
City Clerk