

Proceedings of the Common Council of the City of Neenah

Wednesday, July 19, 2017 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., July 19, 2017 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Boyette, Bates, Hillstrom, Lendrum, Erickson, Lang, Pollnow, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski and City Clerk Sturn.

Also Present: Police Captains Olson & Gonzalez, Officer Riska and his friends & family, several members of the Neenah Police Department, Fire Chief Kloehn, Firefighter Korth & his wife Sheena, several members of the NM Fire Rescue, Dir. of Parks & Recreation Kading, Dir. of Human Resources & Safety Barber, Marvin Gorski, Jack Speech, Pastor Tim Glende and Brandon & Lisa Robak.

Mayor Kaufert called the meeting to order at 7:10 pm.

Introduction and Confirmation of Mayor's Appointment(s)

- I. **MSCRP Stevenson/Pollnow to confirm Mayor Kaufert's reappointment Jack Speech on the Landmarks Commission – new terms expire July 2020 and appointment of Duane Helwig as 2nd Alternate, term expires July 2019 (was a regular member) & Ruth Streck from 1st Alternate to a regular member, term expires July 2020 & Monica Larabee from 2nd Alternate to 1st Alternate, term expires July 2018 plus Nate Van Zeeland to the Landmarks Commission, term expires July 2020, all voting aye.**
- II. **MSCRP Pollnow/Stevenson to confirm Mayor Kaufert's appointment of James B. Gunz to replace Wayne Streck on the Fox Cities Room Tax Commission – term to expire April 2018, all voting aye.**

Proceedings

- I. **MSCRP Pollnow/Lendrum to approve the Council Proceedings of the regular meeting of June 21, 2017, all voting aye.**

Public Hearings

- I. Consider a Special Use Permit request by 884 Neenah, LLC to allow the property located at 884 S. Commercial Street to be used as a self-storage facility (mini-warehouse).
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

- II. Consider the 2017 Community Development Block Grant Program Proposed Use of Funds/Annual Action Plan.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission/Finance & Personnel Committee Report Pertaining to the Public Hearings

- I. Council Rep. Lang reported the Plan Commission meeting of June 27, 2017:
 - A. The Commission recommends Council approve a Special Use Permit for the self-storage facility located at 884 S. Commercial Street subject to the following amended conditions:
 1. The self-storage facility use may not be established nor will building permits be issued until a retail/office use, not associated with the self-storage facility business, leases and maintains the front retail space as identified on the submitted interior floor plan. Full discretion will be given to the Director of Community Development and Assessment to determine whether this condition has been met.
 2. The operation of a self-storage facility within the subject building is limited to the area and layout as shown on the submitted interior floor plan. At no point shall the use of the building beyond the area shown be allowed unless otherwise approved by Common Council as an amendment to this Special Use Permit.
 3. The storage of materials, vehicles, recreational vehicles, trailers, contractor trucks, or similar vehicles is strictly prohibited. The parking lot shall only be used for customer and employee parking during normal business hours.
 4. The security fence along the S. Commercial Street frontage shall be removed prior to establishing the self-storage facility use.
 5. Submittal of a site plan of the subject site identifying the location of a 10-foot wide frontage landscaping strip along the front (west) property line, the location of a 10-foot wide buffer yard landscaping strip along the rear (east) property line, and the layout of the parking stalls within the parking lot.
 6. Submittal of a landscape plan of the subject site identifying the size, type, and location of the required frontage landscape plantings and required buffer yard landscaping plantings.
 7. Both the site plan and landscape plan shall be submitted and approved by the Community Development Department prior to building permits being issued for the self-storage facility use.
 8. A sign permit is required for all exterior building or freestanding signage.
 9. **MS Lang/Lendrum.**
 - a. Ald. Bates asked how a resident handle an adjoining neighbor taking down their fence used to meet this requirement.
 - i. Dir. Haese advised the property owner could contact his office and would be responsible to install the fence or

- landscaping to meet these requirements of the ordinance.
- b. Ald. Lendrum questioned if the developer was notified of this meeting.
 - i. Dir. Haese indicated he was notified.
 - ii. Ald. Lendrum questioned if the residents that were at Plan Commission were satisfied with the condition in the plan.
 - iii. Dir. Haese indicated they are satisfied. Some were concerned with the landscaping due to trees causing shading in their yards. They continue to work with them. Some of the requirements have been met, others have not. His staff will monitor the situation to make certain all requirements are met.
 - iv. Mayor Kaufert added that that this is the first time he remembers the neighbors not wanting the landscaping.
 - c. Ald. Pollnow questioned the language in item one “until a retail/office use, not associated with the self-storage facility business, leases and maintains the front retail space”. He does not understand this verbiage.
 - i. Mayor Kaufert advised that the Commission and staff did not want the entire building to be used for indoor storage space. It could be the same company but a difference usage. They agree this is not the best use for that property but are willing to go along with it providing these conditions are met.
 - ii. Ald. Pollnow indicated this is problematic to him. This building has been vacant and now we are putting conditions he has never seen before. He is concerned this may turn them away.
 - iii. Dir. Haese added that the special use permit process allows a lot of flexibility for the Council. The Council can say yes or no simply because they want to. This district needs help. To put a marginal use business in this building will diminish and lengthen the time it takes to recover in that district. This is a negotiated item to try and put some life into a building that has been empty for a long time. If it completely storage units, it has no life. It becomes a warehouse in a commercial district. By putting retail in the front portion of the building there becomes a level of activity to help increase the viability of the entire corridor. They felt it critical to require some retail in the front portion of the building.
 - d. Ald. Bates questioned the lighting plan.
 - i. Dir. Haese indicated lighting plan issues could be added as a condition.
 - e. Ald. Lendrum questioned what would be an ideal use for this location.

- i. Dir. Haese advised that the biggest challenge is the lack of depth in these commercial lots. These lots are only 120' deep. Typically with commercial development you need 200'. We also have too much commercial property. One option would be to convert some of that to housing. There are key locations that can support commercial and act as a catalyst to the balance of the corridor. The intersection of Cecil and S. Commercial is a key location with potential for retail and/or residential. He feels the interest from national chains will be minimal therefore sees the need for more of the mom and pop type of businesses in that corridor.
- f. Ald. Pollnow indicated he feels it sends a bad message.
- g. **Motion made by Ald. Pollnow to strike Item 1: The self-storage facility use may not be established nor will building permits be issued until a retail/office use, not associated with the self-storage facility business, leases and maintains the front retail space as identified on the submitted interior floor plan. Full discretion will be given to the Director of Community Development and Assessment to determine whether this condition has been met. Motion died due to the lack of a second.**
- h. **The original motion carried by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Pollnow voting nay.**

Consent Agenda

- I. **MSCR Pollnow/Stevenson to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Amber A. Ansell, Caleb B. Arndt, Linda M. Ashauer, Jamie L. Czarnecki, Samantha M. Dahlke, Megan M. Dennis, John N. Eckrich, Brianna L. Espe, Jacob J. Esslinger, LaVaune C. Guenther, Megan E. Janssen, Jordan A. Jensen, Jennifer L. Lemke, Danielle Lindner, Kandi Lynn, Anna M. Matz, Justine M. Mecha, Casey C. Meilahn, Alexandra L. Mohnen, Christopher J. Montour, Morgan J. Morris, Amanda L. Musial, Shelley Nennig, David L. Piehl, Candice L. Rahlf, Mikal T. Sauer, Brittany L. Schmidt, Brenda L. Schmulke, Linda J. Schultz, Randall A. Schultz, Sebastian B. Schulz, Melissa C. Sesemann, Nathan M. Sharpless, Megan A. Spoo, Melissa M. Stuck, Anders J. Swiderski, Travis D. Turbett, Richard R. Varick and Jill M. Wilke, Jennifer R. Martin, Jennifer McDonald, Jordania D. Moon, Gwen M. Schneider, and Troy J. Schuppe, contingent upon payment of any outstanding City or Utility fees. (PSSC)**
 - B. **Approve the Temporary Class "B" Retail Beer License to the Fox Valley Area Labor Council for their Labor Day Celebration to be held at 157 S. Green Bay Road, Mark Westphal, on September 4, 2017. (PSSC)**

- C. **Approve the taxi cab license to Call A Cab, LLC, 233 Chute Street, Menasha. (PSSC)**
- D. **Approve the taxi cab license to TNT Limousine Service LLC, 936 9th Street, Menasha. (PSSC)**
- E. **Approve the Street Use Permit for Gord's Street Dance sponsored by Outagamie County Tavern League, Paula Pitsch, 210 Main Street, to be held on August 12, 2017, contingent upon payment of the application fee and receipt of a certificate of liability insurance. (PSSC)**
- F. **Approve the Street Use Permit for the Furry Flurry Walk for Pets to be held on August 12, 2017, in Riverside Park, sponsored by the Neenah Animal Shelter, Mary Setton, 951 County Road G, Neenah. (PSSC)**
- G. **Approve the Street Use Permit for the Fox Valley Area Labor Council Labor Day Parade, Hugh Sloan, 311 E. Peckham Street, to be held on September 4, 2017. (PSSC)**
- H. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of July 11, 2017:
 - A. Committee recommends Council adopt Resolution No. 2017-17, expressing support for the Neenah Police Department K-9 unit and authorizing efforts to raise funds to support its continued operation and direct that the Department provide the Common Council with a budget and funding summary for the K-9 program. **MSCR P Bates/Hillstrom all voting aye.**

Finance & Personnel Committee

- I. Chairman Pollnow reported the regular meeting of July 10, 2017:
 - A. Committee recommends Council approve the updated Work Rules as presented. **MSCR P Pollnow/Kunz, all voting aye.**
 - B. Committee recommends Council amend the Salary Plan Policy to state "Reclassifications and market reviews may not be requested by employees in the year prior to, or the year of a salary plan review". **MSCR P Pollnow/Kunz, all voting aye, Ald. Pollnow voting nay.**
 - C. Committee recommends Council approve the 2017 Financing Plan – R. W. Baird; Res. No. 2017-18 Resolution providing for the Sale of Approximately \$1,350,000 General Obligation Refunding Bonds. **MSCR P Pollnow/Stevenson, all voting aye.**
 - D. Committee recommends Council approve Res. No. 2017-19 providing for the Sale of Approximately \$835,000 Water Utility Revenue Refunding Bonds, Series 2017. **MSCR P Pollnow/Erickson, all voting aye.**
 - E. Committee recommends Council approve Claim 17-9, Alvin Long claimant, for \$5,927.31 plus ten day rental car allowance under the City's rental car contract at \$28 per day. **MSCR P Pollnow/Kunz, all voting aye.**

- F. Committee recommends Council adopt Ord. 2017-10 Repealing & Recreating Code §2-141 relating to electronic minutes. **MSCR Pollnow/Kunz, all voting aye.**
- G. Committee recommends Council adopt Ord. 2017-13 regarding amending Code Sec. 2-58(c) relating to Aldermanic salary increase by \$40 per month to \$440 per month (\$5,280 annually) for terms beginning April 2018 and to increase the Council President stipend by \$10 per month to \$60 per month (\$720 annually). The increase would only apply to aldermen who are elected on or after April 17, 2018 as required by Wis.Stats. §66.0505(2). **MSCR Pollnow/Erickson, all voting aye, Ald. Bates voting nay.**
- H. Committee recommends Council approve the proposed insurance settlement with Home Insurance in the amount of \$52,500 (\$26,250 Neenah's share) related to the PCB Cleanup of the Fox River, outlined by Davis & Kuelthau in a May 18, 2017 correspondence. **MSCR Pollnow/Kunz, all voting aye.**

N-M Fire Rescue Jt. Finance & Personnel Committee

- I. Vice Chairman Kunz reported the regular meeting of June 27, 2017:
 - A. Committee recommends the City of Neenah and City of Menasha Common Councils replace the vacated firefighter position as soon as possible. **MSCR Kunz/Pollnow, all voting aye.**

Adjournment

- I. **MSC Pollnow/Stevenson to adjourn at 8:50 p.m., all voting aye.**

Patricia A. Sturn, WCPC/MMC
City Clerk