



City of Neenah  
**COMMON COUNCIL AGENDA**  
Wednesday, April 1, 2020 - 7:00 p.m.

**Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting will occur at a virtual location accessed by conference call. Council members and the public should use the following call-in information:**

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/132474093>

You can also dial in using your phone.

United States: [+1 \(872\) 240-3412](tel:+18722403412)

**Access Code:** 132-474-093

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<https://global.gotomeeting.com/install/132474093>

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointment(s) (None)
- III. Approval of Council Proceedings (None)
- IV. Public Hearings (None)
- V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings (None)
- VI. Public Forum
  - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- VII. Mayor/Council consideration of public forum issues.
- VIII. Consent Agenda
  - A. Approve Beverage Operator License Applications for: Maci Trzcinski.  
**(PSSC)**
  - B. **(UC)**

- IX. Reports of standing committees
- A. Regular Public Services and Safety Committee meeting of March 24, 2020: (Chairman Bates/Vice Chairman Lang) (Minutes can be found on the City web site)
    - 1. Committee recommends Council approve a contract for outside services with Neighborhood Planners, LLC in the amount not to exceed \$15,000 for the S. Commercial Street Revitalization Plan. **(Voice Vote)**
    - 2. Committee recommends Council authorize the appropriate city offices to sign the Intermunicipal Agreement for the Abby Avenue Reconstruction project. **(Voice Vote)**
  - B. Regular Finance and Personnel Committee meeting of March 23, 2020: **(Cancelled)**
- X. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of March 24, 2020: **(Cancelled)**
  - B. Landmarks Commission
    - 1. Report from the Landmarks Commission – Alderperson Lang
  - C. Sustainable Neenah Committee
    - 1. Report from the Sustainable Neenah Committee – Alderperson Kunz
  - D. Reports on neighborhood groups.
    - 1. Business Improvement District Board (BID Board) – Alderperson Lang
  - E. Bergstrom Mahler Museum
    - 1. Report from the Bergstrom Mahler Museum – Alderperson Spellman
- XI. Presentation of petitions
- A. Annexation Petition Armstrong Street and Public Right-of-Way. (Motion to refer to Plan Commission and Finance and Personnel Committee) **(UC)**
  - B. Annexation Petition 1490 Breezewood Lane. (Motion to refer to Plan Commission and Finance and Personnel Committee) **(UC)**
  - C. Annexation Petition 1510 Breezewood Lane. (Motion to refer to Plan Commission and Finance and Personnel Committee) **(UC)**
  - D. Annexation Petition 1480 Breezewood Lane. (Motion to refer to Plan Commission and Finance and Personnel Committee) **(UC)**
  - E. Any other petition received by the City Clerk's Office after distribution of the agenda.
- XII. Council Directives
- XIII. Unfinished Business
- XIV. New Business
- A. Registration for Davis/Kuelthau's 42<sup>nd</sup> Annual Public Officials Program. Wednesday April 29, 2020 at the Comfort Suites – Rock Garden, Green Bay from 5:00 pm to 8:15 pm. Any Alderperson interested in attending please let Clerk Sturn know so reservations can be made.

- B. Mayor Kaufert's appointment to fill the expired terms of Merry Whipple, Carol Codner on the Library Board for a three- year term to expire April 2023. (To be considered at the April 21, 2020 Organizational Meeting)
  - C. Mayor Kaufert's appointment to fill the expired terms of Tom Martin and Grant Birtch on the Community Development Authority for four years term to expire April 2024. (To be considered at the April 21, 2020 Organizational Meeting)
  - D. Mayor Kaufert's appointment to fill the expired term of Gerry Andrews on the Plan Commission for a three year term to expire April 2023. (To be considered at the April 21, 2020 Organizational Meeting)
  - E. Any announcements/questions that may legally come before the Council.
  - F. **Ratification of Mayoral Proclamation 2020-02: Defining Emergency Responder for the City of Neenah**
- XV. **The Council will convene in closed session pursuant to Wis. Stat. 19.85(1)(g) for the purpose of conferring with legal counsel concerning litigation strategy.**
- XVI. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminated against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or the **City's ADA Coordinator at (920) 886-6106 or e-mail [attorney@ci.Neenah.wi.us](mailto:attorney@ci.Neenah.wi.us)** at least 48 hours prior to the scheduled meeting or event to request an accommodation.

Ald. Stevenson questioned if this is the first time that Council has been asked to act on the S. Commercial Street Revitalization Plan. Deputy Director Schmidt stated that updates had been provided to the Plan Commission but that Council action had not been needed to this point since in-house staff had been performing the work. Ald. Stevenson noted the importance of Council oversight of these types of projects so that staff is working on projects that the Council values.

Committee discussed the project funding source. Director Haese reviewed the past use of Industrial Development Board grants. He stated that the use of the funds toward this project is not depriving other City projects of this funding. He also noted that the project timeline for the plan development has extended over several years and has not had the definitive start and finish seen with most projects. Deputy Director Schmidt confirmed that the timelines listed in the project scope will be adjusted based on the Council approval date. He emphasized that the target was to have materials ready for Bazaar After Dark.

REPORT

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve a contract for outside services with Neighborhood Planners, LLC in the amount not to exceed \$15,000 for the S. Commercial Street Revitalization Plan.** All voting aye.

Memo of Understanding for Abby Avenue Reconstruction: Director Kaiser reviewed his memo of March 19, 2020, outlining the memorandum of understanding with the City of Menasha for the Abby Avenue reconstruction project. He reviewed the cost share arrangements between the different project components. He reviewed the rationale for the proposed Neenah contribution toward a storm sewer main in Menasha that is downstream from the Abby Avenue storm sewer. Director Kaiser noted that Exhibit B of the agreement, the detailed project cost breakdown, was missing from the agenda packet and stated that he would email that document prior to Council action. He confirmed that work on this street is included in Contract 1-20, which was previously awarded by Council. He stated that the amount budgeted for the project was for the entire project cost, not just for the Neenah portion.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Spellman to recommend Council authorize the appropriate city offices to sign the Intermunicipal Agreement for the Abby Avenue Reconstruction project.** All voting aye.

**Licenses:**

Beverage Operator License Application:

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend Council approve beverage operator license applications for Maci Trzcinski.** All voting aye

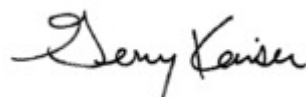
Public Works General Construction and Department Activity

- 1) Contract 1-19 (Caroline, Stevens, Fifth) – Work is complete. A final estimate was sent to the contractor for review.

- 2) Contract 2-19 (Stanley Ct, Stanley St, Thomas) – Work is complete. A final estimate was sent to the contractor for review.
- 3) Contract 7-19 (Breezewood Sanitary Sewer) – The sanitary sewer interceptor has been installed from Breezewood Lane to a point approximately 2,300 feet north. When weather improves later this year, the work in Breezewood Lane will be done. We tentatively expect that to happen in late April.
- 4) Contract 1-20 (Abby, Bond, Center, Clybourn) – Sanitary sewer work has started on Center Street. Concrete pavement reinforced with mesh was found under the asphalt pavement on Center Street. This will result in a change order for concrete pavement removal.
- 5) Contract 2-20 (Utilities - Van, Monroe) – Work started the week of 3/16. The contractor is starting with water utility work.
- 6) Contract 3-20 (Street - Van, Monroe, Gillingham, Shootingstar, Armstrong) – Bids have been opened. Action on that contract is being held pending clarification of the Shootingstar/ Armstrong work. Mayor Kaufert noted that the annexation process has been started.
- 7) Contract 4-20 (Green Bay, Tullar) – Design work is ongoing. Green Bay Road has been submitted for Municipal Street Improvement Program – Discretionary funding. We should learn the outcome of that application any day now. The project is scheduled for advertising on 3/25.
- 8) Contract 5-20 (Utilities - Lakeshore) – A pre-construction meeting is scheduled for 3/19 with work tentatively set to start on 3/30.
- 9) Contract 6-20 (Street - Lakeshore) – Work is on-hold pending the design decision. Director Kaiser asked for Committee input on the use of a remote meeting format for future discussion of the project design selection.
- 10) Contract 7-20 (Fire 32 Apparatus Bay Roof) – The project is currently being advertised. Specifications are being prepared. Bids will be opened on 3/31.
- 11) Contract 8-20 (Epoxy Pavement Marking) – The project will be advertised on 3/20 with a bid opening date of 4/2. The work this year is primarily Main Street (Green Bay – Lake) and Bell Street (Harrison – Collins).
- 12) Contract 9-20 (Millview Drive Utility Relocations) – Storm sewer and sanitary sewer relocation plans are being prepared. Work is being done in preparation for development on Site 6.
- 13) Courtney Court – Work is complete for the winter. The topcoat of asphalt will be placed later this year.
- 14) Storm Water Annual report – The report is being prepared for the required 3/31 submittal.
- 15) Leaf Collection – A special curbside leaf collection will be done the week of April 6, weather allowing. This is due to the early onset of snow during last fall's leaf collection period.

**Adjournment: Motion/Second/Carried Lendrum/Lang to adjourn at 7:20 p.m. All voting aye.**

Respectfully submitted,



Gerry Kaiser, PE  
Director of Public Works

PETITION FOR DIRECT ANNEXATION  
PURSUANT TO SECTION 66.0223, WISCONSIN STATUTES  
WHERE ALL PROPERTY IS OWNED BY THE CITY OF NEENAH

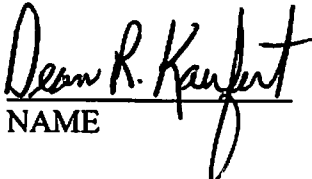
We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Neenah, Winnebago County, Wisconsin, lying contiguous to the City of Neenah petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled map to the City of Neenah, Winnebago County, Wisconsin.

THAT PART OF THE NORTHEAST ¼ OF THE NORTHWEST ¼ OF SECTION 6, TOWNSHIP 19 NORTH, RANGE 17 EAST, TOWN OF NEENAH, WINNEBAGO COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

LOT 5 OF THE ARMSTRONGS ORIGINAL PLAT, TOWN OF NEENAH, WINNEBAGO COUNTY, STATE OF WISCONSIN, INCLUDING ALL OF THE ARMSTRONG STREET PUBLIC RIGHT-OF-WAY, EXTENDING 66 FEET WEST FROM THE SOUTHWEST CORNER OF SAID LOT 5 THENCE NORTH APPROXIMATELY 705.10 FEET TO THE SOUTHERN RIGHT-OF-WAY LINE OF BREEZEWOOD LANE.

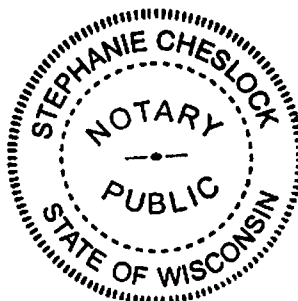
The current population of such territory is 0.

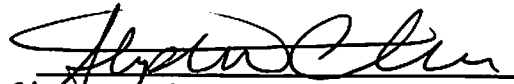
We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

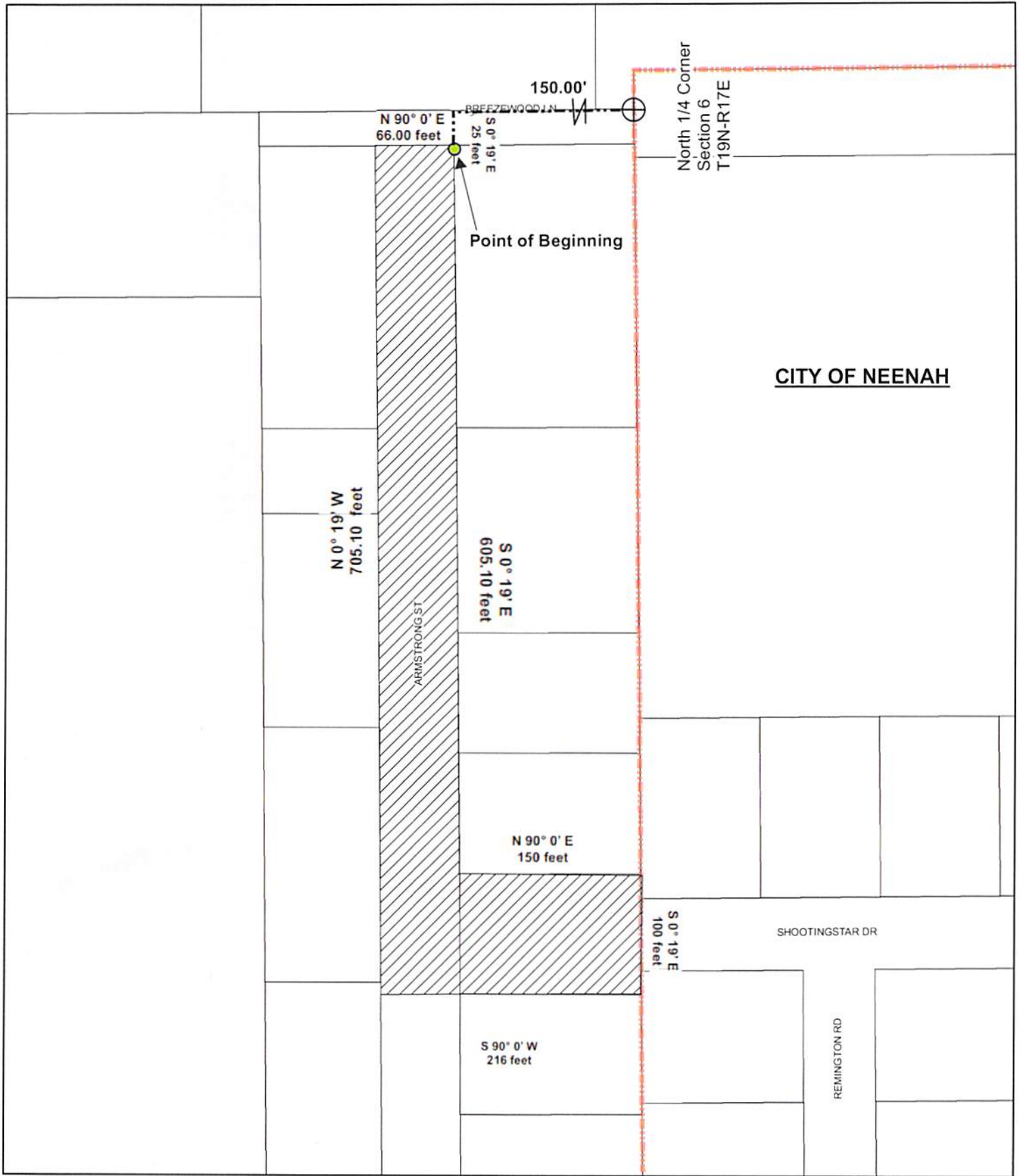
Signature of Petitioner	Date of Signing	Owner	Petition Address
 NAME	<u>3/20/2020</u>	City of Neenah	211 Walnut Street Neenah WI 54956

STATE OF WISCONSIN    )  
  )SS.  
COUNTY OF WINNEBAGO)

This instrument was signed and sealed before me this 20<sup>th</sup> day of March, 2020.



  
Stephanie Cheslock Notary Public  
Winnebago County, Wisconsin.  
My Commission Expires: 5-17-2020



# Annexation Request

## Petitioner: City of Neenah

1 inch = 104 feet

**PETITION FOR DIRECT ANNEXATION  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

We, the undersigned, constituting the assignee of the annexation rights of all owners and the owners' assignees of the real property in the following territory of the Town of Neenah, Winnebago County, Wisconsin, petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled map (Exhibit A) to the City of Neenah, Winnebago County, Wisconsin.

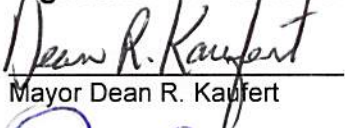
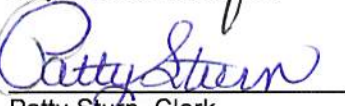
Part of the Northwest ¼ of the Northwest ¼ of Section 5, Town 19 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:

Lot (9) in ASSESSOR'S PLAT NO. 2, Town of Neenah, Winnebago County, Wisconsin, (commonly known as 1490 Breezewood Lane, Neenah, WI).

Parcel Number - 0101558

The current population of such territory is 2.

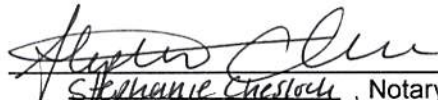
Said assignment of annexation rights is pursuant to that certain Annexation and Service Agreement dated December 2, 2003 and recorded as Doc. No. 1292234 on December 22, 2003 in the Winnebago County Register of Deeds Office. That Agreement required annexation of the property within fifteen (15) years after the date of the agreement. We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

<b>Signature of Petitioner</b>	<b>Date of Signing</b>	<b>Owner</b>	<b>Petitioner Address</b>
 Mayor Dean R. Kaufert	<u>3-20-2020</u>	City of Neenah	211 Walnut Street Neenah, WI 54956
 Patty Sturn, Clerk	<u>3-20-2020</u>		

STATE OF WISCONSIN    )  
  ) SS.  
COUNTY OF WINNEBAGO)

This Instrument was signed and sealed before me this 20<sup>th</sup> day of March, 2020.



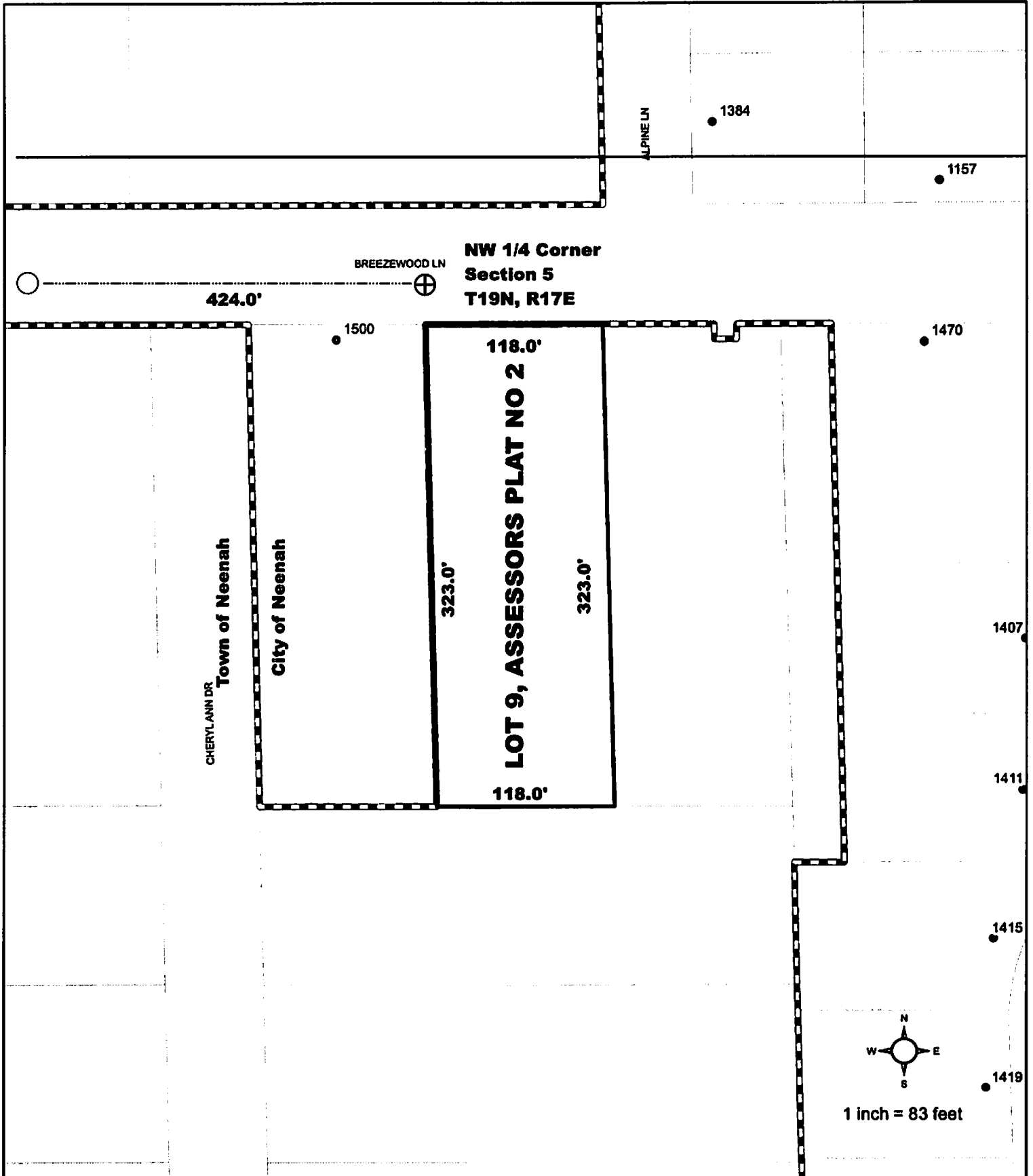
  
Stephanie Cheslock, Notary Public  
Winnebago County, Wisconsin.  
My Commission Expires: 5-17-2020



# EXHIBIT A

## MAP OF PROPOSED ANNEXATION

MAP OF THE NW 1/4 OF THE NW 1/4 OF SECTION 5, T19N, R17E, WINNEBAGO COUNTY, WISCONSIN



**PETITION FOR DIRECT ANNEXATION  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

We, the undersigned, constituting the assignee of the annexation rights of all owners and the owners' assignees of the real property in the following territory of the Town of Neenah, Winnebago County, Wisconsin, petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled map (Exhibit A) to the City of Neenah, Winnebago County, Wisconsin.

Part of the Northwest ¼ of the Northwest ¼ of Section 5, Town 19 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:

Lot (7) in ASSESSOR'S PLAT NO. 2, Town of Neenah, Winnebago County, Wisconsin, (commonly known as 1510 Breezewood Lane, Neenah, WI).

Parcel Number - 0101556

The current population of such territory is 2.

Said assignment of annexation rights is pursuant to that certain Annexation and Service Agreement dated December 4, 2003 and recorded as Doc. No. 1292233 on December 22, 2003 in the Winnebago County Register of Deeds Office. That Agreement required annexation of the property within fifteen (15) years after the date of the agreement. We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

Signature of Petitioner	Date of Signing	Owner	Petitioner Address
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Dean R. Kaufert  
Mayor Dean R. Kaufert

3-20-2020

City of Neenah

211 Walnut Street  
Neenah, WI 54956

Patty Sturn  
Patty Sturn, Clerk

3-20-2020

STATE OF WISCONSIN    )  
  ) SS.  
COUNTY OF WINNEBAGO)

This Instrument was signed and sealed before me this 20<sup>th</sup> day of March, 2020.

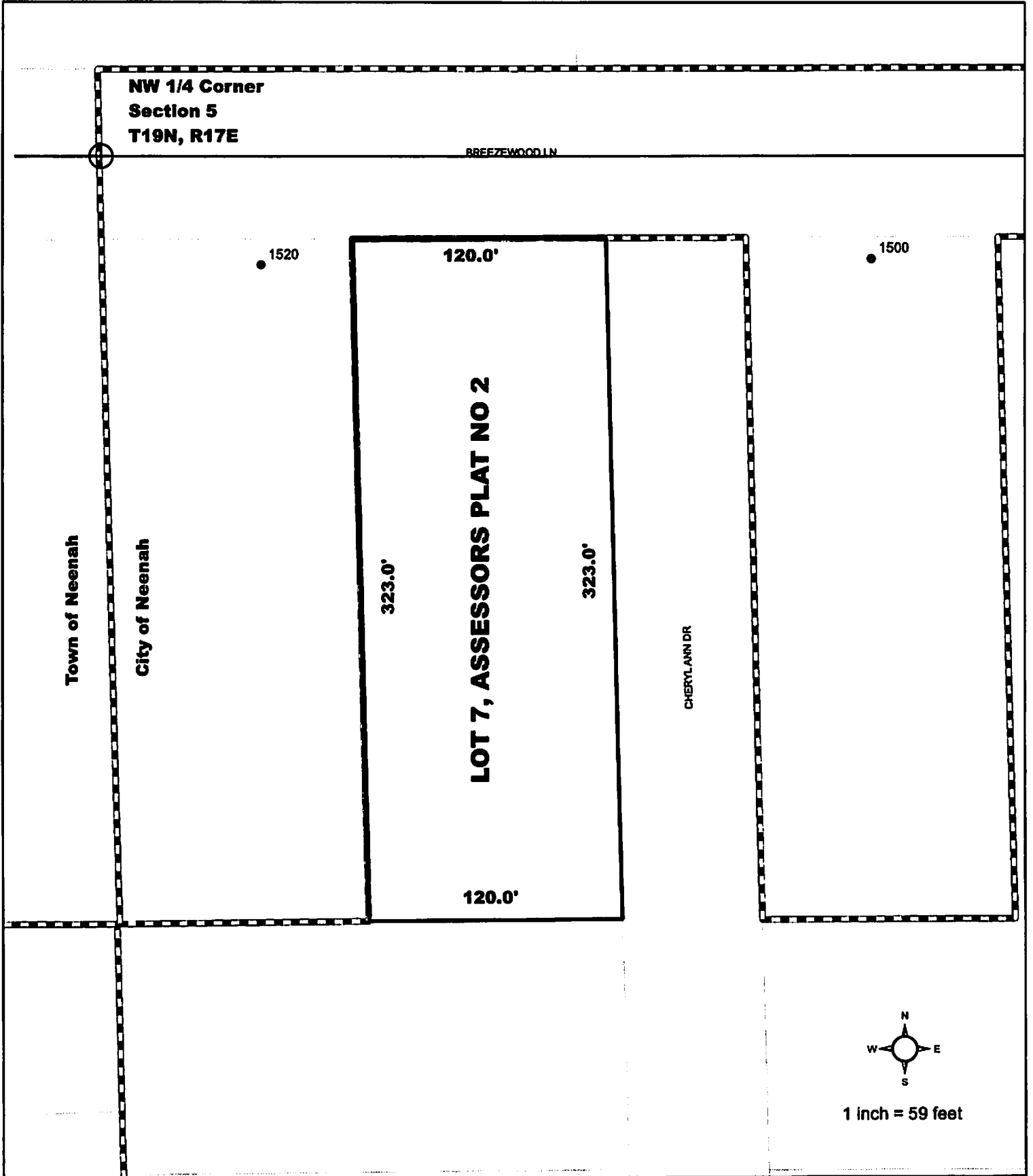


Stephanie Cheslock  
Stephanie Cheslock, Notary Public  
Winnebago County, Wisconsin.  
My Commission Expires: 5-17-2020

# EXHIBIT A

## MAP OF PROPOSED ANNEXATION

MAP OF THE NW 1/4 OF THE NW 1/4 OF SECTION 5, T19N, R17E, WINNEBAGO COUNTY, WISCONSIN



**PETITION FOR DIRECT ANNEXATION  
PURSUANT TO SECTION 66.0217(2), WISCONSIN STATUTES**

We, the undersigned, constituting the assignee of the annexation rights of all owners and the owners' assignees of the real property in the following territory of the Town of Neenah, Winnebago County, Wisconsin, petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled map (Exhibit A) to the City of Neenah, Winnebago County, Wisconsin.

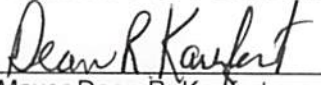
Part of the Northwest ¼ of the Northwest ¼ of Section 5, Town 19 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:


Lot (10) in ASSESSOR'S PLAT NO. 2, Town of Neenah, Winnebago County, Wisconsin, (commonly known as 1480 Breezewood Lane, Neenah, WI).

Parcel Numbers – 0101559

The current population of such territory is 2.

Said assignment of annexation rights is pursuant to that certain Annexation and Service Agreement dated December 2, 2003 and recorded as Doc. No. 1292232 on December 22, 2003 in the Winnebago County Register of Deeds Office. That Agreement required annexation of the property within fifteen (15) years after the date of the agreement. We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

Signature of Petitioner	Date of Signing	Owner	Petitioner Address
 Mayor Dean R. Kaufert	<u>3-26-2020</u>	City of Neenah	211 Walnut Street Neenah, WI 54956

 Patty Sturn, Clerk	<u>3-26-2020</u>		
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STATE OF WISCONSIN    )  
  ) SS.  
COUNTY OF WINNEBAGO)

This Instrument was signed and sealed before me this 26<sup>th</sup> day of March, 2020.



  
Stephanie Cheslock, Notary Public  
Winnebago County, Wisconsin.  
My Commission Expires: 5-17-2020



# Davis|Kuelthau's 42nd Annual

## Public Officials Program

### Join Us!

### 2020 Public Officials Program

#### When

Wednesday, April 29, 2020 from 5:00 PM to 8:15 PM CDT

[Add to Calendar](#)

#### Where

Comfort Suites – Rock Garden Conference Center

1951 Bond Street  
Green Bay, WI 54303

#### Meet Our Public Sector Team

[Robert W. Burns](#)

[Abby S. Busler](#)

[Sherry D. Coley](#)

[Bruce B. Deadman](#)

[Todd Farris](#)

[Aaron E. Hall](#)

[Joseph S. Heino](#)

[Christopher J. Jaekels](#)

[James M. Kalny](#)

[Mark G. Kmiecik](#)

[Stephen L. Knowles](#)

[Laurie E. Meyer](#)

[Elizabeth K. Miles](#)

[Kathy L. Nusslock](#)

[Brian C. Randall](#)

[Thomas V. Rohan](#)

[Ryan M. Spott](#)

[Anthony J. Steffek](#)

[Joseph E. Tierney IV](#)

[Ted A. Warpinski](#)

[www.dkattorneys.com](http://www.dkattorneys.com)

Davis|Kuelthau, s.c. 4  
111 E. Kilbourn Avenue  
Suite 1400  
Milwaukee, WI 53202

Wednesday, April 29

**New location:** The Comfort Suites - Rock Garden Conference Center | Green Bay

5:00 p.m. - \*Registration and Reception

5:45 p.m. - Dinner

6:30 p.m. - Program

Davis|Kuelthau's **Labor & Employment, Municipal, and School and Higher Education Teams** are hosting the firm's **42nd Annual Public Officials Program** for veteran and newly-elected public officials and administrators on **April 29, 2020**.

Our attorneys will update public officials regarding:

- Public Records/Open Meetings Update
- Case Law/Legal Update
- Public Private Partnerships (including opportunity zones and TIF policies)
- CBD and Hemp Policy and Regulation

The evening will conclude with a panel of Davis|Kuelthau attorneys collaborating on responses to the audience's questions regarding the various topics presented as well as address any other issues of interest to public officials.

#### Who Should Attend:

School board members, city council members, town and village board members, county board members, school administrators, mayors, county executives, municipal administrators, human resource professionals and others who have an interest in public sector issues will benefit from attending this program. **The program will be particularly helpful to newly-elected public officials.**

**\*Registration is \$20 per person.** Checks should be made payable to Davis|Kuelthau, s.c. and mailed to:

Davis|Kuelthau, s.c. (Attn: Sara Reynolds)  
318 S. Washington St., Ste. 300  
Green Bay, WI 54301

**Registration deadline is Wednesday, April 22nd.** Please contact Sara Reynolds at 414.225.7510 or via [e-mail](#) with any questions. **For those who prefer to respond via mail, invitations will be distributed via the U.S. Post Office as well. You may use either option to register; however, payments are only accepted via mail.**

#### About D|K:

Davis|Kuelthau represents many municipalities and school districts throughout the State of Wisconsin. Our firm emphasizes personalized, high-quality client service in all of our practice areas: business law, labor and employment law, commercial and civil litigation, environmental law, municipal special counsel, employee benefits, school law, intellectual property, real estate, commercial finance, insurance coverage, construction, health care, public utilities, tax, and trusts, estates and succession planning.



## **EMERGENCY PROCLAMATION NO. 2020-02**

### **A MAYORAL PROCLAMATION DEFINING EMERGENCY RESPONDER PURSUANT TO EMERGENCY AUTHORITY AS PROVIDED BY WIS. STAT. §323.14(4)(b) AND THE DECLARATION OF A HEALTH EMERGENCY IN THE CITY OF NEENAH BY MAYORAL PROCLAMATION 2020-01**

WHEREAS, in response to the rise of infections by the COVID-19 virus, Gov. Tony Evers has declared a PUBLIC HEALTH EMERGENCY by Executive Order 72 and further issued Emergency Order #12 ordering a “Safer at Home” shelter in place; and,

WHEREAS, local, state, and federal agencies continue to pass legislation aimed at helping slow the spread and support workers during this pandemic; and,

WHEREAS, in order to properly administer legislation and benefits, the City is required to define those workers as emergency responder;

NOW THEREFORE, IT IS PROCLAIMED BY MAYOR DEAN R. KAUFERT OF THE CITY OF NEENAH, WISCONSIN this 31<sup>st</sup> day of April, 2020, that pursuant to the authority granted him by Neenah Code of Ordinances §6-23(a) and Wis. Stat. §323.14(4)(b) that the following positions are to be classified as emergency responders:

1. All Represented Police Personnel
2. Police Department Professional Staff
3. All Represented and Non-Represented Fire Personnel
4. All Public Works and Water Utility Personnel other than Administrative Staff.

BE IT FURTHER RESOLVED that this Proclamation shall be submitted to the Neenah Common Council for consideration and ratification at its meeting on April 1, 2020 Pursuant to Wis. Stat. §323.14.

CITY OF NEENAH

*Office of the Mayor*

Mayoral Proclamation 2020-02  
Defining Emergency Responder  
March 31, 2020 -- Page Two

CITY OF NEENAH, WISCONSIN

By   
:

---

Dean R. Kaufert, Mayor

ATTEST:



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Stephanie A Cheslock, Deputy City Clerk