

**REVISED**  
**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING**  
**Tuesday, December 11, 2018 - 6:30 PM**  
**Hauser Room - City Administration Building**

NOTICE IS HEREBY GIVEN, pursuant to the requirements of Wis. Stats. Sec. 19.84, that a majority of the Neenah Common Council may be present at this meeting. Common Council members may be present to gather information about a subject over which they have decision-making responsibility. This may constitute a meeting of the Neenah Common Council and must be noticed as such. The Council will not take any formal action at this meeting.

**A G E N D A**

1. Approval of Minutes of the November 27, 2018, Regular Meeting (Minutes can be found on the City website)
2. Public Appearances
3. Street Discontinuance - Coral Court (Attachment)
4. Sniper Rifle Replacement Request (Attachment)
5. Extension of Premise (Attachment)
6. Memorandum of Understanding with Town of Neenah on Courtney Court Project (Attachment)
7. We Energies Easement Request - Lake Edge Lift Station (Attachment)
8. Intersection Control Policy (Attachment)
9. Licenses
  - a. Beverage Operator License Applications (Attachment)
  - b. Temporary Class "B" (Picnic) Beer License Application - Bergstrom-Mahler Museum (Attachment)
  - c. Pawnbroker/Secondhand Dealer License Applications:
    1. Don Father Games (Attachment)
    2. EcoAtm (Attachment)
    3. Great Estates (Attachment)
    4. J. Anthony Jewelers (Attachment)
  - d. Change of Agent - Walgreens #10236 (Attachment)
10. Public Works General Construction and Department Activity (Attachment)
11. Announcements / Future Agenda Items
12. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate 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 **Public Works Administrative Assistant at (920)886-6240** 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.

**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES**  
**Tuesday, November 27, 2018 - 6:30 PM**  
**Hauser Room - City Administration Building**

**Present:** Aldermen Bates, Hillstrom, Lang, Lendrum and Stevenson

**Also Present:** Mayor Kaufert, City Attorney Godlewski, Director of Public Works Kaiser, Superintendent of Parks Fink, Kurt Gilhart, Bill Story

**Minutes:**

**Motion/Second/Carried Hillstrom/Lendrum to approve the minutes of the October 29, 2018, Regular Meeting.** All voting aye.

**Public Appearances:** None.

**Motion/Second/Carried Hillstrom/Stevenson to amend the agenda to address item 5c Extension of Premise for Alcohol Beverage License - Festival Foods.** All voting aye.

Extension of Premise for Alcohol Beverage License - Festival Foods: Kurt Gilhart and Bill Story addressed the Committee representing the applicant. They noted that their store offers a Click N Go service and would like to extend it to include the sale of wine and spirits. They reviewed the ordering and collection process for purchases. They noted the enhanced review involved with purchases that include alcohol and the requirement to check identification. They indicated that there are typically at least four employees that have a beverage operator license on premises to handle order collection if alcoholic beverages are included. They stated that the order and collection procedures that were outlined in their submittal are the same at all of their store locations. They clarified the Customer Pickup: Order Review steps that were included in their submittal.

Committee inquired about the applicant's experience with this service at their other locations. The applicant representatives stated that this is a relatively new service and that there is not a long track record. Committee discussed the requirement for a licensed beverage operator to dispense alcoholic beverages or supervise the person dispensing them. City Attorney Godlewski noted that the person dispensing must be under the supervision of a licensed beverage operator.

Committee complimented the procedures established by the applicant for dispensing wine and spirits. Committee expressed a preference that the conditions be captured in ordinance so that the applicant's procedures couldn't be changed. Committee discussed police notification procedures in the event that the customer is underage or inebriated.

The applicant representatives noted the location of the security camera covering the collection area. They stated that it faces the driver's door. They were not sure if the camera resolution was sufficient to capture a clear picture of the driver's face, but offered to provide the Committee with that information.

Committee discussed an article by the League of Municipalities that discussed these types of services. They noted that a number of suggested conditions in that article were incorporated in the applicant's procedures. Committee noted receipt of the proposed Green Bay ordinance from City Clerk Sturn.

**Public Services and Safety Committee Meeting**  
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Mayor Kaufert informed the Committee that Pick n Save had approached the City to apply for an Extension of Premise for a similar service but withdrew the application after learning of the discussion related to Walmart's similar application in 2017. The Committee was reminded that Council had discussed revisiting the issue about a year after the denial of Walmart's extension application.

Chairman Bates noted an email that she had received from Julia Sherman, project coordinator for the Wisconsin Alcohol Policy Project that outlined issues that other communities have run into with these types of services and with regulating them. Chairman Bates indicated that she would forward that information to the Council.

For the benefit of the applicant representatives, Mayor Kaufert reviewed the Council discussions in 2017 when Walmart requested a premise extension. City Attorney Godlewski confirmed that an ordinance covering these requests had been recommended for approval by the Committee but was not approved by Council. Chairman Bates requested that City Attorney Godlewski distribute the 2017 proposed ordinance, check into comparable ordinances that other communities have developed and compare it to the suggestions offered by the League of Municipalities.

Committee discussed the potential application of an ordinance to other businesses city-wide. Ald. Lendrum informed the Committee of her intent to vote against an ordinance that allows these types of services because of the negative impact on small businesses in the City. She also noted the difficulty that employees will have in determining if a buyer is inebriated at the time of collection.

The consensus of the Committee was that it was appropriate to reconsider the ordinance. Committee discussed the appropriate venue for Council discussion. Committee discussed notifications to other applicants, potential applicants or interested parties. City Attorney Godlewski suggested that a public hearing be held on the matter.

Following further discussion, **Motion/Second/Carried Stevenson/Lang to defer action on the application to allow time to review and reconsider the previously presented draft ordinance and new information available.** All voting aye.

Parks and Recreation Lawn Mower LM4 Replacement: Superintendent of Parks Fink reviewed his November 19, 2018, memo requesting replacement of a 2010 John Deere wide area mower. Quotes were received from 3 vendors. The Parks and Recreation Commission recommends purchase of the wide area mower base proposal from Riesterer & Schnell Inc. for the amount not to exceed \$53,500. Superintendent Fink reviewed the use of this equipment. He stated that the mowers are on an 8-year replacement schedule. Committee discussed the cab option that was considered. Superintendent Fink noted that he expected the current mower to have a resale value of about \$5,000.

Following further discussion, **Motion/Second/Carried Stevenson/Hillstrom to recommend Council approve the wide area mower base proposal from Riesterer & Schnell Inc. for the amount not to exceed \$53,500 with funds from the 2018 Capital Equipment Budget.** All voting aye.

**Public Services and Safety Committee Meeting**  
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Intersection Control Policy: Chairman Bates noted changes to the current draft of the proposed intersection control policy relative to controls at intersections on streets near parks and schools. Mayor Kaufert noted the number of requests that his office receives for STOP and YIELD controls. He expressed support for a policy that would provide consistency. Ald. Lendrum requested that the policy be available on the city website after it is approved. Committee discussed the public outreach that will be needed to implement the policy.

Committee requested that Traffic Engineer Merten provide the following for the next Committee discussion of the issue, tentatively set for December 11:

1. An updated intersection control map.
2. A tabulation of the additions and removals by type.

**Licenses:**

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Rhiannon L. Guerke, Melissa L. Johnson, Shaun M. Krueger, Andrea C. Long, Jill M. Mistretta, Sean A. Mueller and Sara L. Smith.

C.A.

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council approve beverage operator license applications for Rhiannon L. Guerke, Melissa L. Johnson, Shaun M. Krueger, Andrea C. Long, Jill M. Mistretta, Sean A. Mueller and Sara L. Smith.** All voting aye.

Temporary Class "B" (Beer) License Application: The Committee reviewed the temporary Class "B" (Beer) license application for St. Gabriel Parish for their Global Outreach Dinner on February 2, 2019.

C.A.

Following discussion, **Motion/Second/Carried Hillstrom/Stevenson to recommend Council approve the Temporary Class "B" Beer License for St. Gabriel Parish, 900 Geiger Street, for their Global Outreach Dinner to be held on February 2, 2019.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 1-18 (Andrew, Richard, Geiger, Whiting) – Work is complete. A final estimate is being prepared. Special assessment billings have been sent.
2. Contract 2-18 (Cecil, Adams)
  - a. Adams St – Work is complete. Special assessment billings have been sent. Ald. Lang inquired about the bump in the road on Isabella at Adams. Director Kaiser stated that this was done intentionally to carry the normal cross-slope of Adams Street through Isabella Street - in effect creating a speed hump on Isabella Street. He noted that this was done to address concerns that we've received about through traffic speeding on Isabella. Committee discussed the speed humps on Marathon Avenue.
  - b. Cecil St - Utility work, concrete paving and concrete flatwork are complete. Asphalt side street tie-ins are complete. Landscaping remains to be done. Special assessment billings have been sent.
3. Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early next year.



**Public Services and Safety Committee Meeting**  
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Quantities on the Nature Trail/Eaglecrest work have not been finalized with the contractor. Special assessment billings will be sent in September 2019.

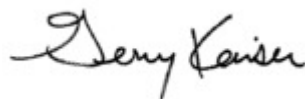
4. Contract 5-18 (Misc. Concrete Sidewalk/Pavement Repair) – Work is complete. A final estimate is being prepared.
5. Contract 7-18 (HMA Pavement Repair) – Work is complete. A final estimate is being prepared.
6. ADA Facilities Audit – MSA Professional Services has provided a draft report and draft Transition Plan for parks and public buildings. They will be making a presentation to the Council on December 5. Director Kaiser noted a couple examples of identified deficiencies in the City Administration Building.
7. Downtown Traffic Study – MSA Professional Services has provided a draft report. Staff is reviewing and commenting on the draft. The final report will be presented at a future Committee meeting.
8. Leaf Collection – The final scheduled round of leaf collection entered Area 4 on November 20. If weather allows, work will continue to collect the late arrivals.
9. Public Works Superintendent Position – Interviews are scheduled for the week of November 26. Four candidates will be interviewed.
10. Engineering Technician Position – Darla Scherer has informed us of her plan to retire in January 2019.

Announcements/Future Agenda Items: Mayor Kaufert noted that some residents were confused by the holiday collection schedule for Thanksgiving since they relied on the 2018 Refuse & Recycling Guide rather than the information that was provided with the carts. He noted steps being taken to address scheduling information for the Christmas holiday.

Mayor Kaufert informed the Committee that he would like to look at options to tighten construction contract timeframes for 2019 projects to validate assumptions that this will negatively impact bid pricing.

**Motion/Second/Carried Hillstrom/Stevenson to adjourn at 8:00 p.m. All voting aye.**

Respectfully submitted,



Gerry Kaiser, PE  
Director of Public Works



**DATE:** December 5, 2018  
**TO:** Chairwoman Bates and Public Services and Safety Committee  
**FROM:** Brad Schmidt, Deputy Director  
**RE:** Street Discontinuance – Coral Court

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### **Request**

Thomas Vandeyacht, Versatile Housing, LLC, is requesting a discontinuance of Coral Court, a publically dedicated right-of-way, but unimproved street north of Winneconne Avenue between Loraine Avenue and Reddin Avenue.

### **Consideration**

Coral Court was dedicated as a public right-of-way in 1969 as part of a 10 lot subdivision that never developed. The land is currently vacant and the street was never constructed. The current property owner is proposing to develop the land and consolidate the lots and right-of-way into a single parcel. In order to accommodate this request, the City must discontinue (vacant) the underlying Coral Court right-of-way. The discontinuance of Coral Court will not negatively impact the public. In fact, all properties that are adjacent to the Coral Court right-of-way are owned by the developer and none of the properties are developed.

### **Recommendation**

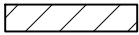
**Public Services and Safety recommends the Common Council approve the proposal to discontinue Coral Court (Resolution 2016-27).**

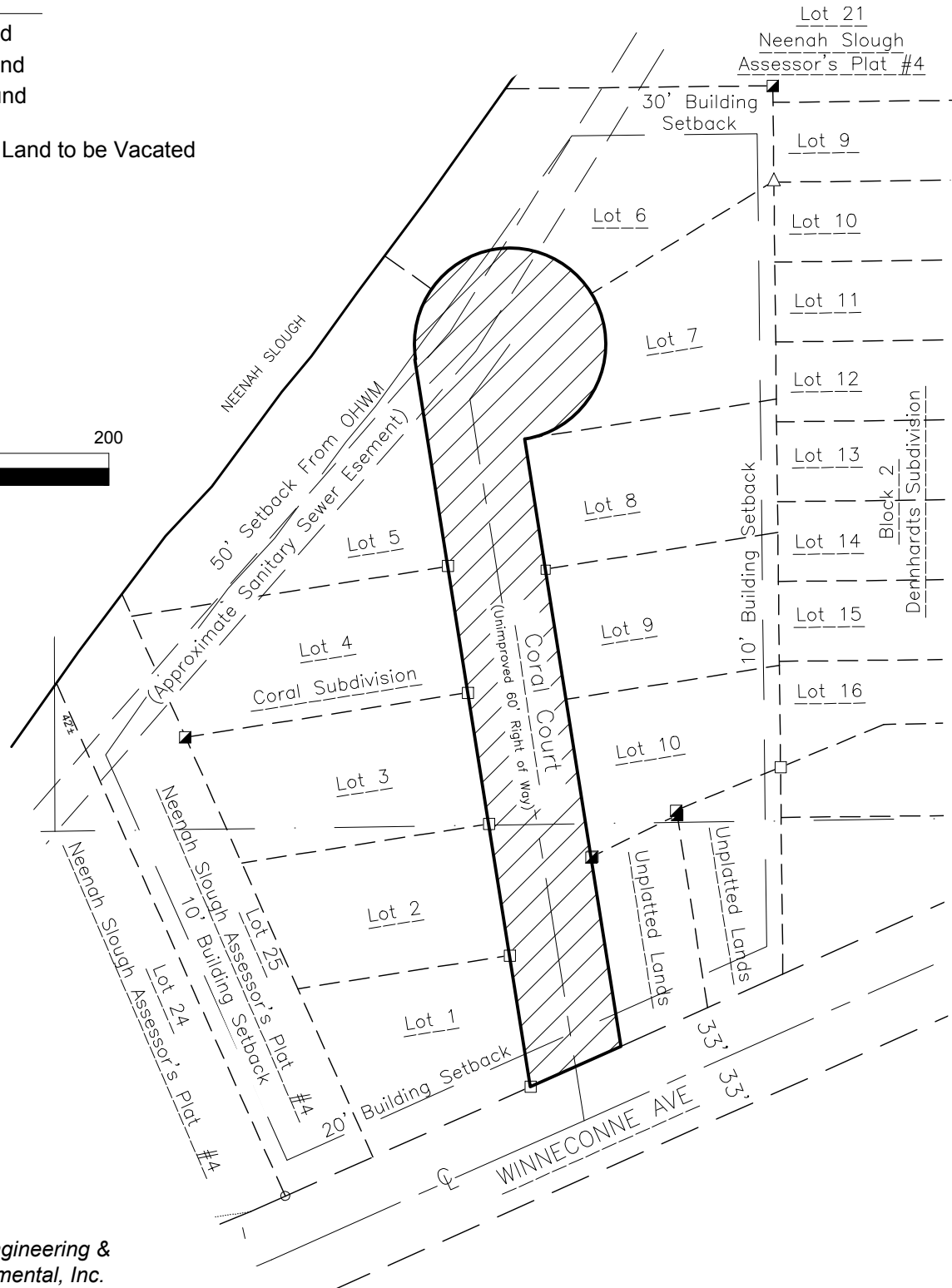
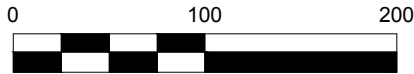
# Vacation Exhibit

All of Coral Court as depicted on Coral Subdivision recorded on December 16, 1969 in the Winnebago County Register of Deeds Office Cabinet I of Plats on Page 23 located in the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4 all being located in Section 28, Township 20 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin

## LEGEND

- △ 1 1/4" Rebar Found
- 1" Iron Pipe Found
- 2" Iron Pipe Found

 Public Land to be Vacated



**Davel Engineering & Environmental, Inc.**

Civil Engineers and  
Land Surveyors  
1811 Racine Street  
Menasha, Wisconsin

Ph. 920-991-1866, Fax 920-830-9595

# Legal Description

## Land to be Vacated

### **Coral Court Vacation Description:**

All of Coral Court, lying between Lots 1 through 10, Coral Subdivision, and lying west of the west 60 feet of the east 110 feet of Lot 2, Block 14 of Palmers Map, all being located in the Southeast 1/4 of the Northwest 1/4 and the Northeast 1/4 of the Southwest 1/4, all located in Section 28, T20N, R17E, City of Neenah, Winnebago County, containing 35,663 Square Feet (0.8187 acres) of land more or less, subject to all easements and restrictions of record.



**Davel Engineering &  
Environmental, Inc.**

*Civil Engineers and  
Land Surveyors*

1811 Racine Street  
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**To:** Chairman Bates and PSSC  
**From:** Captain Edgar Gonzalez  
**Re:** **Sniper Rifle Replacement**  
**Date:** 12/11/2018

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The purpose of this memo is to respectfully request authorization to purchase a new sniper rifle that will serve to replace a rifle that failed to meet standards. The rifle is a JP Enterprises AR-10 platform .308 Win that we purchased in January, 2015. If given authorization, we will replace it using Capital Outlay funds from 2018's budget line 011-2131-743-8133 that has \$5,000 set aside for this purpose.

As a reminder, we have spoken about replacing this rifle during the last two budgeting cycles. The main issue with it is that it could never reach the level of accuracy and precision necessary to effectively and confidently deal with certain high risk incidents.

Prior to purchasing this rifle, we requested a rifle from JP Enterprises to test and evaluate. That rifle could meet the standards necessary to perform the role of a law enforcement sniper. The rifle we ordered was never able to match the T&E rifle's performance. The rifle still has the ability to serve in other capacities.

The new sniper rifle we believe will meet the required standards is an Accuracy International, .308 Win, bolt action. The replacement cost is estimated at \$4,000.

**Recommendation:** approval to purchase an Accuracy International, .308 Win, bolt action rifle to replace the JP Enterprises rifle that never met law enforcement sniper standards for an estimated cost of \$4,000 coming from 2018's Capital Outlay.



211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By Public Services & Safety  
Committee  
Re: Creating Code Section 4-95(e)(2) Conditions  
for Drive Up Alcohol Sales

ORDINANCE NO. 2017-17  
Introduced: December 6, 2017  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

**Section 1.** Section 4-95(e)(2) of the Code of Ordinances of the City of Neenah is created to read as follows:

- (2) Drive-up alcohol sales shall be subject to the following conditions:
- a. Pick-up hours limited to 8 a.m. and 8 p.m.
  - b. Drive-up alcohol sales subject to a minimum 4-hour waiting period between order time and pick-up time.
  - c. Orders placed after 2 p.m. cannot be picked up until the following day.
  - d. Images of the transaction must be captured and retained at least 30 days and must include the purchaser, the ID card used to identify the purchaser, the vehicle used in the transaction, and the vehicle's license plate.
  - e. A manager must meet with any purchaser who shows any signs of alcohol consumption, must assess sobriety, and approve or deny the sale.
  - f. The system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
  - g. If the purchaser is not the driver of the vehicle, the employee conducting the sale must verify that the driver is 21 or older. If the driver is less than 21, the alcohol sale must be voided and cannot be completed.
  - h. Payment for drive-up alcohol sales must occur at the licensed premise and after identification has been verified.
  - i. A licensed bartender must perform the sale/delivery in the drive up alcohol sales system.



- j. No alcohol sales are permitted if the purchaser does not have valid photo identification.
- k. Police must be notified when an apparently underage or intoxicated person attempts an alcohol purchase.

**Section 2. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 3. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

\_\_\_\_\_  
Dean R. Kaufert, Mayor

Attest:

\_\_\_\_\_  
Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
City Attorney James G. Godlewski  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1005210

**GENERAL ORDINANCE NO. 29-18**

**AN ORDINANCE  
CREATING SECTION 33.08(7)(i),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO ONLINE ORDERING AND  
CURBSIDE PICKUP OF ALCOHOL BEVERAGES**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DO ORDAIN AS FOLLOWS:

**SECTION 1.** Section 33.08(7)(i), Green Bay Municipal Code, is hereby created to read:

**(i) Online Ordering and Curbside Pickup of Alcohol Beverages.**

- 1. No establishment shall allow online purchase of alcohol beverages and curbside delivery of such purchases ("Click and Collect"), without first obtaining a "Change of Premises" from the Common Council, upon recommendation of the Protection and Policy Committee to license that portion of the establishment's parking lot that will allow vehicles to park for purposes of picking up their online order.**
  - a. The licensed establishment shall file a detailed operation plan with their "Change of Premises" form that clearly details how their "Click and Collect" operation will function. The operation plan shall include the licensee's protocol for assuring that underage persons and intoxicated persons do not pick up alcohol via the "Click and Collect" program.**
  - b. Failure of licensee to provide a detailed operation plan with their "Change of Premises" application shall result in the City Clerk's Office not forwarding the "Change of Premises" form to the Protection and Policy Committee for consideration.**
- 2. No establishment holding an alcohol beverage license shall allow online purchase and pick-up of alcohol beverages unless the sale is consummated on the licensed premises.**
  - a. Payment for the purchase must be completed on premises and may not be completed until the purchaser is at the licensed premises and has presented valid photo identification that has been verified by a licensed operator employed by the premises.**

- b. The licensed operator must verify that the person placing the "Click and Collect" order is the same person picking up the order.
  - c. The sale and delivery of "Click and Collect" purchases shall be made only by a licensed operator.
  - d. No alcohol sales are permitted if the purchaser fails to present valid photo identification.
  - e. The "Click and Collect" system must allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- 3. Each "Click and Collect" transaction must capture and retain an image of the vehicle into which the order is being loaded for thirty (30) days.
- 4. Each "Click and Collect" transaction must record and retain the following information for thirty (30) days:
  - a. The name of the purchaser.
  - b. The type of identification card presented and the number and expiration date of that identification card.
  - c. The purchaser's date of birth.
  - d. The license plate of the vehicle into which the order is being loaded.
- 5. Pick-up of "Click and Collect" orders shall be ~~between the hours of 8:00 a.m. and 8:00 p.m.~~ prohibited between the hours of 12:00 A.M. and 6:00 A.M. for a premises holding a Class "B" (Beer) or "Class B" (Liquor) license. For premises holding a Class "A" (Beer) license or "Class A" (Liquor) license, pick-up of fermented malt beverages shall be prohibited between the hours of 12:00 A.M. and 8:00 A.M. and pick-up of intoxicating liquor shall be prohibited between the hours of 9:00 P.M. and 8:00 A.M.
- 6. If the "Click and Collect" purchaser is not the driver of the vehicle into which the order is being loaded, the licensed operator must verify that the driver is 21 years of age or older.

7. The licensed operator shall report to his or her manager any purchaser who shows signs of alcohol consumption, and in conjunction with the manager, shall assess sobriety for purposes of approving or denying the sale.
8. The pick- up area for "Click and Collect" purchases shall be clearly defined with visible markings, signs, and/or barriers.
9. No events other than the delivery of "Click and Collect" orders shall be allowed on the expanded premises.
10. Penalty. Any licensee or person who violates any provision of this subsection shall be subject to a forfeiture of not less than \$250, nor more than \$1000 plus court costs and fees. Licensees are also subject to demerit point assessment for violations of this subsection.

**SECTION 3.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 4.** Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

KKJ

12/04/18



# Municipal Regulation of “Click and Collect” Alcohol Sales<sup>1</sup>

Claire Silverman, Legal Counsel, League of Wisconsin Municipalities

“Click and Collect” describes a practice where consumers order online from a retailer’s website and then pick up their orders at a local store. The use of Click and Collect has become increasingly popular as retailers in competitive markets look for innovative ways to serve customers, and customers have become accustomed to the comfort and convenience of ordering online.

Notably, many grocery stores and other similar retailers have begun offering Click and Collect and, for a small fee or free with a minimum order, will assemble the grocery order and deliver it curbside when the customer arrives to pick it up. It’s not hard to imagine the convenience factor as being off the charts for, among others, persons with busy work schedules, persons with small children in tow, and those with limited mobility.

While Click and Collect sales do not typically require municipal oversight or approval, oversight and/or approval may be desirable and/or necessary when the online sale includes alcohol beverages and, in particular, when the sale involves curbside delivery. Recently, some retailers with alcohol licenses have sought municipal approval to expand the description of their premises to include designated parking stalls used for the Click and Collect deliveries. This is

necessary since state law requires the licensed premises to be “particularly described” and include all areas where alcohol is stored or sold.<sup>2</sup>

To amend described premises during the license year, the licensee must file a written request with the municipality. The governing body has discretion to approve or disapprove the change.<sup>3</sup> Municipalities can impose conditions in connection with allowing amendment of the premises but are limited in imposing conditions once the request to amend the premises description has been granted.<sup>4</sup>

This legal comment briefly summarizes state law requirements that come into play when Click and Collect involves the sale of alcohol beverages.

Wisconsin law requires the following for alcohol sales:

1. Face-to-face sales to consumers at the licensed premises.<sup>5</sup>
2. Purchaser must be of legal drinking age (21 or older).
3. Seller must be a licensed operator or under the immediate supervision of a licensed operator.
4. No sales can be made to intoxicated persons.

In order to satisfy the requirement that the sale be face-to-face and that it take place on the licensed premises, an online order for alcohol beverages should not be consummated when the order is placed but, rather, when the order is picked up by the customer with the customer signing the credit card or paying at the retailer’s licensed premises. If the customer is picking up curbside, those parking spaces must be included in the licensee’s described premises since that is where the sale is taking place.

The requirement that all persons selling alcohol possess an operator’s license or be under the immediate supervision of someone with an operator’s license effectively means that those delivering alcohol curbside should have an operator’s license. “Immediate supervision” has been interpreted to mean that the person supervising must be able to see those being supervised at all times.<sup>6</sup>

Municipalities that receive requests to amend premise descriptions to allow Click and Collect with curbside delivery of alcohol must decide whether such sales should be allowed and, if so, what conditions are appropriately imposed to ensure that any such sales are done lawfully.

► p.16

1. This article was inspired by a Nov. 7, 2017 memo on Click and Collect Alcohol Sales written by Julia Sherman at the Wisconsin Alcohol Policy Project.

2. Wis. Stat. §§ 125.25(3), 125.26(3), 125.28(3), 125.51(2)(c) and 125.51(3)(d).

3. *Alberti v. City of Whitewater*, 109 Wis.2d 592, 327 N.W.2d 150 (1982). See also Wis. Stat. sec. 125.04(3)(h).

4. *Wisconsin Dolls, LLC v. Town of Dell Prairie*, 2012 WI 76. The Wisconsin Alcohol Policy Project’s Nov. 7, 2017 memo on Click and Collect Alcohol Sales mentioned a variety of conditions that municipalities were considering or had adopted.

5. Wis. Stat. §§ 125.272 and 125.51(6).

6. OAG 9-10-62 (informal opinion).



Municipalities should review a retailer's policies for the Click and Collect operation before granting an expansion of the licensed premises and may want to include those policies as license conditions. Municipalities that want to allow Click and Collect alcohol sales may want to also adopt an ordinance governing such sales. A Wisconsin Alcohol Policy Project memo on Click and Collect<sup>7</sup> suggests that municipalities inquire about the following before granting an expansion of the licensed premises to allow Click and Collect alcohol sales:

- What hours will alcohol orders be allowed?
- How is an alcohol order assembled?
- Who assembles the entire order? Is an itemized tape prepared?
- When is the credit card charged for the order?
- Is the individual who delivers the order a licensed operator?
- What equipment is provided to staff (e.g., is ambient light sufficient or is a flashlight needed to read the ID, a scanner to record the credit card sale or ID)?

- Is the newly licensed area under video surveillance?
- When is the ID checked?
- Does the seller determine that the name on the order is the same name on the ID?

The memo notes that in addition to provisions relating to the above factors, some municipalities have adopted or considered the following provisions:

- A requirement that the system allow the purchase of alcohol to be denied without affecting the remainder of the purchase.
- Notification of police when an apparently underage person or intoxicated person attempts an alcohol purchase.
- Imposing a minimum waiting period between order time and pick-up time for alcohol and tobacco.
- Requiring that images of the transaction (purchaser, ID card, vehicle, license plate) be captured and retained for a minimum period of time.
- Prohibiting tasting events in the parking lot.

Although municipalities may differ regarding whether Click and Collect alcohol sales should be permitted, those municipalities that wish to allow it should take measures to ensure that such sales are in compliance with state law.

## Intoxicating Liquors 955

### About the author:

Claire Silverman is Legal Counsel for the League. Her responsibilities include supervising the legal services provided by the League, answering questions of a general nature for officials and employees of member municipalities, writing legal articles for the League's magazine and amicus briefs in appellate cases involving issues of statewide concern to municipalities, organizing an annual institute for municipal attorneys, and educating local officials on a variety of topics pertaining to their duties. In addition, she coordinates legal material for the League's web page. Claire joined the League staff in 1992. Contact Claire at [cms@lwm-info.org](mailto:cms@lwm-info.org)

7. See footnote 1.

### Editor's Note:

If you are generally interested in municipal responsibility/authority for handling local health matters, please request the Legal Comment "Health 65," authored by Claire Silverman, League Legal Counsel, and published in the June 1999 *The Municipality*.



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*Department of Public Works*  
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426  
Phone 920-886-6241 • e-mail: gkaiser@ci.neenah.wi.us  
**GERRY KAISER, P.E.**  
**DIRECTOR OF PUBLIC WORKS**

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## **M E M O R A N D U M**

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**DATE:** December 6, 2018  
**TO:** Mayor Kaufert, and Members of the Public Services and Safety Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** Courtney Court Reconstruction MOU

---

The City and Town are working toward reconstructing Courtney Court in 2019. The City plans to take the opportunity of the street reconstruction to replacement the sanitary sewer facilities under the road and to extend a section of watermain from the southeast bend in the court to Green Bay Road. Attached is an Intermunicipal Agreement with the Town of Neenah for this project. The Town will design and administer the project and bill the City periodically based on actual costs.

The agreement approaches the project cost share on an area basis. On the attached drawing, areas are noted for either City or Town responsibility. In the end, 75% of the street construction area is attributed to the Town and 25% to the City. Those percentages are proposed for both the street design/construction and storm sewer main design/construction. The sanitary sewer facilities and water facilities will be 100% City cost.

The Town of Neenah Board is reviewing this MOU at their meeting on Monday, December 10.

Staff recommends that council authorize the appropriate city officials to sign the Intermunicipal Agreement for the Courtney Court Reconstruction project.

## COURTNEY COURT RECONSTRUCTION

### INTERMUNICIPAL AGREEMENT TOWN OF NEENAH - CITY OF NEENAH

THIS AGREEMENT entered into under Wis. Stat., § 66.0301 between the Town of Neenah, a Wisconsin Municipal Corporation, located in Winnebago County, State Wisconsin, hereafter called the “Town”; and the City of Neenah, a Wisconsin Municipal Corporation, located in Winnebago County, State of Wisconsin, hereafter called the “City”.

#### **Recitals**

WHEREAS, the Town and City hereby agree to reconstruct Courtney Court in 2019; and

WHEREAS, the Courtney Court reconstruction will consist of a full road reconstruction with storm sewer, curb, gutter, and bituminous pavement (the “ROAD WORK”); and

WHEREAS, a portion of Courtney Court is located within the Town and a portion is located within the City; and

WHEREAS, the City wishes to take the opportunity of the Road Work to replace sanitary sewer facilities and install water facilities under the road (UTILITY WORK); and

WHEREAS, the Town and City have negotiated an arrangement whereby the Town will be responsible for planning, designing, and bidding the Work, and the parties will share costs of the Road Work and Utility Work as set forth below.

NOW, THEREFORE, in consideration of the above recitals, which are contractual, and for other good and valuable consideration the receipt of which is acknowledged, the parties hereby agree as follows:

1. The Town shall be solely responsible for contracting for the Road Work and Utility Work. This includes, but is not limited to, preparing all engineering plans necessary to design the Road Work and Utility Work, preparing all contract documents necessary to solicit bids, and bidding for the Road Work and Utility Work. The parties will share in the costs of these activities as set forth in Paragraph 3.
2. The City shall review contract documents prior to bid solicitation.
3. The Town shall be responsible for paying all contractors performing the Road Work and Utility Work. The Town shall invoice the City on a periodic basis for the City’s share of the costs of the Road Work and Utility Work as set forth in Paragraph 3. The invoices shall only require payment for that portion of the Work in place at the time the invoice is submitted. The City shall pay invoices within 30 days of their receipt.

4. The parties agree to share all costs in the following manner:

- a. Design and Construction Services: The cost share for the Road Work and Utility Work shall be based on the locations of or owner of the facility as outlined in the following table and displayed in Exhibit 1:

Description	Cost Share Percentage	
	Town	City
Street, Pavement, Easement Design, Permitting and Construction	75	25
Storm Sewer Main/Structure Design and Construction	75	25
Water Main Design, Permitting and Construction	0	100
Sanitary Sewer Design, Permitting and Construction	0	100
Bidding Services	50	50

- b. Storm Sewer Lateral installation costs shall accrue to the jurisdiction of the lot being served.
- c. The Town shall review and recommend action on change orders related to the Road Work. The Town shall notify the City of said actions.
- d. The City shall review and recommend action on change orders related to the Utility Work.
5. To the fullest extent permitted by law, each party shall defend, indemnify, and hold harmless the other party, and their respective elected officials, officers, employees, insurers and agents from and against all claims, damages, losses, and expenses, including but not limited to attorneys' fees, (together "Claim") arising out of or resulting from or in connection with the performance of the Work, provided that either party's obligation under this section applies only to the extent of its fault, negligence, or willful acts. Such obligation shall not be construed to negate, abridge, or otherwise reduce any other right or obligation of indemnity or contribution that would otherwise exist.
6. Prior to starting the Work, the City shall obtain insurance from the contractor performing the Work as follows:

- Worker's Compensation: Statutory Limits
  - Employer's Liability:
    - Bodily Injury By Accident \$500,000 Each Accident
    - Bodily Injury By Disease \$500,000 Policy Limit
    - Bodily Injury By Disease \$500,000 Each Employee
  - Comprehensive Auto Liability Each Occurrence \$500,000
- Comprehensive Auto Liability insurance required under this paragraph shall be written on an "any auto" or Symbol 1 basis.
- Umbrella Coverage \$2,000,000

- Commercial General Liability

Each Occurrence Limit	\$1,000,000
Personal/Advertising Injury Limit	\$1,000,000
Products/Completed Operations Aggregate Limit	\$2,000,000
Per Project General Aggregate Limit	\$2,000,000

All insurance coverages shall be on a primary and non-contributing basis. In addition, a certificate of insurance shall be issued naming the Town and City as additional insureds on the contractor's policy.

7. This Agreement represents the entire integrated agreement between the parties, and supersedes all prior negotiations, representations, or agreements, whether written or oral. This Agreement may only be amended by the written agreement of both parties

8. Notices under this agreement shall be sent to the following addressees:

If to the Town:  
Town Clerk  
Town of Neenah  
1600 Breezewood Lane  
Neenah, WI 54956

If to the City:  
City Clerk  
City of Neenah  
211 Walnut Street  
Neenah, WI 54956

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2018.

CITY OF NEENAH

By: \_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_  
City Clerk

I hereby certify that the necessary funds have  
been provided to pay for the liability incurred  
by the City of Neenah on the within contract.

By: \_\_\_\_\_  
Director of Finance

Approved as to form:

\_\_\_\_\_  
City Attorney

TOWN OF NEENAH

By: \_\_\_\_\_  
Town Chairman

Attest: \_\_\_\_\_  
Town Clerk

Courtney Court Reconstruction - Memorandum of Understanding







Department of Public Works  
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426  
Phone 920-886-6241 • e-mail: gkaiser@ci.neenah.wi.us  
**GERRY KAISER, P.E.**  
**DIRECTOR OF PUBLIC WORKS**

## MEMORANDUM

**DATE:** December 5, 2018  
**TO:** Mayor Kaufert, and Members of the Public Services and Safety Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** We Energies Easement Request – Lake Edge Lift Station

We Energies has requested a 12-foot easement at the site of the Lake Edge Lift Station. This easement is of a comparable nature to the easement granted at the Main Street Lift Station earlier this year and is needed for a project that will replace the city-owned transformer that regulates the power to the lift station with a We Energies-owned transformer. Given the critical nature of this lift station infrastructure and the limited staff involvement with this type of equipment, staff felt that We Energies is better positioned to correct equipment problems or failures in a timely manner, thereby reducing potentially huge negative impacts of a failure on upstream sanitary sewer customers. This change will increase our charges from We Energies by about \$210 per year from about \$1,860 annually to about \$2,070. Staff believes that this increase is well offset by the cost of replacement and repair or the consequences of equipment failure.

**Staff recommends approval of a Distribution Easement – Underground for We Energies work request 4103922.**



**DISTRIBUTION EASEMENT  
UNDERGROUND**

Document Number

WR NO.      **4103922**      IO NO.    **52454**

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, **CITY OF NEENAH, a Wisconsin Municipality**, hereinafter referred to as "Grantor", owner of land, hereby grants and warrants to **WISCONSIN ELECTRIC POWER COMPANY, a Wisconsin corporation doing business as We Energies**, hereinafter referred to as "Grantee", a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area".

The easement area is described as **strips of land Twelve (12) feet in width, being part of Lot 41, LAKE EDGE PARK PLAT**, being a subdivision of the **Northeast 1/4 of Section 34, Township 20 North, Range 17 East**, City of Neenah, Winnebago County, Wisconsin.

The location of the easement area with respect to Grantor's land is as shown on the attached drawing, marked Exhibit "A", and made a part of this document.

RETURN TO:  
We Energies  
PROPERTY RIGHTS & INFORMATION GROUP  
231 W. MICHIGAN STREET, ROOM A252  
PO BOX 2046  
MILWAUKEE, WI 53201-2046

1. **Purpose:** The purpose of this easement is to construct, install, operate, maintain, repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted switch-fuse units, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground as deemed necessary by Grantee, all to transmit electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
2. **Access:** Grantee or its agents shall have the right to enter and use Grantor's land with full right of ingress and egress over and across the easement area and adjacent lands of Grantor for the purpose of exercising its rights in the easement area.
3. **Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric codes or any amendments thereto.
4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until some time in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document or voluntarily waives the five day review period.
9. **Indemnification:** The grantee agrees to indemnify, save and keep harmless Grantor, its agents, employees, successors and assigns, from all liability, liens, judgements, costs, damages, and expense of whatever kind and nature which may in any way be suffered by Grantor, its agents, employees, successors or assigns by reason of, or in

80107860000  
(Parcel Identification Number)

consequence of the operation of said easement by Grantee or for, or on account of any act or thing done or suffered, or omitted to be done, under grant of this easement to Grantee.

**10. Use of Easement by Grantor:** It is acknowledged by Grantor that said easement shall not interfere with any buildings of Grantor. Grantor may use said easement area for his own purposes, however, Grantor shall not make any construction over or use of said property which will interfere with said easement by Grantee, without the written consent of the Grantee. The Grantor may not erect permanent buildings or structures in the easement area.

**Grantor:**

**CITY OF NEENAH, a Wisconsin municipal corporation**

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

By \_\_\_\_\_

(Print name and title): \_\_\_\_\_

Personally came before me in \_\_\_\_\_ County, Wisconsin on \_\_\_\_\_, \_\_\_\_\_, the above named \_\_\_\_\_, the \_\_\_\_\_ and \_\_\_\_\_, the \_\_\_\_\_ of the CITY OF NEENAH, a Wisconsin municipal corporation, for the municipal corporation, by its authority, and pursuant to Resolution File No. \_\_\_\_\_ adopted by its \_\_\_\_\_ on \_\_\_\_\_, 2018.

\_\_\_\_\_  
Notary Public Signature, State of Wisconsin

\_\_\_\_\_  
Notary Public Name (Typed or Printed)

(NOTARY STAMP/SEAL)

My commission expires \_\_\_\_\_

This instrument was drafted by Chris Anderson on behalf of Wisconsin Electric Power Company, PO Box 2046, Milwaukee, Wisconsin 53201-2046.

**4103922**

**350 18U**

**STD: 284-22.2**  
**SEE VFI DETAIL AND 1200**  
**LYNROSE LN DETAIL PAGE 16**

335  
334

18U

78P211

STD: 2

**STD: 292-20.7**

353 ( 85U2784 )  
332 ★ ENV 8, 27  
BORE PIT



## Temporary Exhibit A

373 (78P209)

**372 18U**                       
**STD: 292-20.7**

371 (68-629  
40-5)

**370**    **18U**    \_\_\_\_\_  
**STD: 288-10.21**  
**50B**

**35-5**  
**WE TO SET POLE**  
**DO NOT MAP IN**  
**FAAR**

**SHEET 6**

85-23674 \_\_\_\_\_  
45-4  
**CUT-OFF TO 35-4**

**SHEET 6**

# SKYVIEW DRIVE

**SHEET 4**



**NON-STANDARD WIRE KEY:**  
**C1 = TIME WARNER**  
**C2 = AT&T**

**CONSTRUCTION & SURVEY NOTE:**  
**-ALL CABLE IS BORED UNLESS NOTED OTHERWISE**  
**-PEDESTALS AND PADMOUNT TRANSFORMERS MUST BE 10' CLEAR OF POLES UNLESS POLE-MOUNTED**

**SHEET 8**

**SHEET 8**

**SHEET 8**

## SPLICE

## VACATE & SELL POLE TO TELCO

**STD: 288-10.21  
50A**



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## M E M O R A N D U M

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**TO:** Mayor Kaufert and Members of the Public Services & Safety Committee  
**FROM:** James Merten, Traffic Engineer  
**DATE:** December 5, 2018  
**RE:** Intersection Control Policy

---

The proposal for an intersection control policy was presented at the October 24, 2017 Public Services & Safety Committee (PSSC) meeting. Staff was instructed to show what implementation of the policy would look like. The PSSC reviewed a draft proposal on May 25, 2018. The directive from the PSSC was to (1) draft and include a criterion that warranted placement of stop control around parks and schools. While it was discussed at the time to potentially use a peak hour pedestrian volume as the meriting condition, I instead included a blanket criterion based on adjacency to a park/school due to the limited data available to determine an appropriate benchmark. I also restructured the policy to simplify the logic for the criteria and re-strategized the proposed implementation policy to include a trial zone.

As a refresher, the purpose of the establishing an intersection control policy is to provide a consistent, justifiable placement of intersection control. Staff receive multiple requests each year to modify the control at intersections throughout the city. Adhering to principled justifications at a specific location of interest when those same justifications are not applied city-wide have been problematic. The goal of this policy is to provide a foundation of standards built from the Manual on Uniform Traffic Control Devices (MUTCD), a document which establishes traffic infrastructure guidance and regulations.

**I am seeking Committee input to review the policy and implementation plan and recommend a final proposal be scheduled for PSSC/Common Council review for adoption with any recommended amendments.**

Attachments:

- (1) Intersection Control Policy Draft
- (2) Implementation Plan Proposal

## **Controlled Intersection Policy Implementation Plan**

Any control for new intersections built or annexed within the city shall be made to comply with this policy when the city jurisdiction is established. Modifying existing intersection control is suggested to be implemented in the phased approach described below. Any permanent changes to intersection control must be approved by ordinance amending the Official Traffic Maps.

Phase 1A – Upgrade under-controlled intersection to default standards.

- Target completion date: August 1, 2019.
- Upgrade all uncontrolled intersections with 4 or more approaches.
- Upgrade yield control on arterial streets.
- On the map, this would be anything shown in dark purple or dark blue.

Phase 1B – Trial full implementation to a section of the city.

- Trial period: August 1, 2019 – August 1, 2020.
- Target area: All streets west of I41 and the area bounded by Harrison Street, Winneconne Avenue and I41.
- Please note that prior to any downgrading of control that is proposed for an intersection, an on-site review will assess any visual impediments that would warrant an exemption for higher control.
- Upon completion of the trial, recommendations to adopt the proposed changes would be sent for PSSC/Council review at that time.

Phase 2A – Complete full implementation to the entire city

- Target completion date: August 1, 2022.
- Please note that prior to any downgrading of control that is proposed for an intersection, an on-site review will assess any visual impediments that would warrant an exemption for higher control.
- As part of this phase, staff will also verify warrants for existing multi-way stops. Any changes would be pursued separately from this implementation plan.
- Recommendations to adopt the proposed changes would be sent for PSSC/Council in advance of any changes.





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## P O L I C Y

---

**DATE:** 12/5/18    **EFFECTIVE DATE** Immediately    **POLICY NO:** DPW18-01  
**TITLE:** Intersection Control Policy  
**ISSUER:** Public Works Department  
**COVERAGE:** City-wide  
**AUTHORITY:** Wis. Stat. § 349.065 (Neenah Common Council)  
**DURATION:** Indefinite  
**SYNOPSIS:** Policy establishing standards which modify statutory intersection control regulations, where permitted by State of Wisconsin Statutes.

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### INTRODUCTION

The policy objective is to establish standards, within the guidelines of Manual on Uniform Traffic Control Devices (MUTCD), on determining whether intersection control is needed and if so, what right-of-way assignment and type of control is warranted. The goal of these standards is to ensure consistent, justifiable evaluation of intersection control is used when determining the level of control. This policy has been crafted on the traffic engineering principle that intersection control should not be used to control speed, but rather to assign the right-of-way in the least restrictive manner safely possible.

### POLICY

#### 1. **Warrants for Intersection Control.**

Intersection control may only be designated if at least one of the following conditions exist:

- A. An approach is classified as an arterial or collector street;
- B. The intersection has more than three approaches;
- C. The vehicular volume of an approach exceeds 1,000 vehicles per day;
- D. The combined pedestrian volume crossing all approaches of an intersection exceeds 25 pedestrians per hour during any two one-hour periods of the day;
- E. The intersection serves vehicular or pedestrian access to/from a school or park;
- F. A multi-use trail crosses an approach of the intersection;
- G. The posted speed limit for an approach is 35 mph or greater;
- H. An approach is skewed by at least 10°;
- I. The intersection is within 150 feet of another intersection;
- J. A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway. The critical approach speed method shall be used to evaluate need;
- K. Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such

December 5, 2018 – Page 2

crashes include right-angle collisions involving road users on the minor-street approach failing to yield the right-of-way to traffic on the through street; and/or

- L. An engineering study finds that application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law based on a combination of the following criteria:
  - a. Vehicular, bicycle, and pedestrian traffic volumes on all approaches;
  - b. Quantity, elevation grade, and skew of approaches;
  - c. Approach speeds;
  - d. Sight distance available on each approach; and
  - e. Reported crash experience.

## 2. **Right-of-Way Allocation.**

The right-of-way shall be assigned to the through street with the highest functional classification, or if all intersecting streets have equal classification, the right-of-way shall be given to the through street with the highest Average Daily Traffic (ADT).

Exceptions may be made only under the following circumstances:

- A. The MUTCD warrants a higher control type (all-way stop, traffic signals, roundabouts);
- B. An engineering study finds that unique traffic patterns exist that would warrant the right-of-way to be assigned to a specific approach or movements of an approach; or
- C. An engineering study evaluating a neighborhood street network (of local and/or sub-collector streets) for the purposes of re-balancing traffic flow determines that swapping a right-of-way assignment at an intersection to a lower volume street would likely benefit the neighborhood as a whole.

Where intersecting streets have relatively equal volumes and/or characteristics, then the following should be considered when assigning the right-of-way:

- A. Controlling the direction that conflicts the most with established pedestrian crossing activity or school walking routes;
- B. Controlling the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds; and
- C. Controlling the direction that has the best sight distance from a controlled position to observe conflicting traffic.

## 3. **Control Type Designation.**

- A. Where the default right-of-way allocation has been established, the type of control shall be determined as follows:

Major Street Functional Class	Minor Street Default Control
Major Arterial/Minor Arterial	Stop
Collector	Yield
Sub-Collector/Local	Yield

December 5, 2018 – Page 3

Exception: The use of STOP signs in lieu of YIELD signs may be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:

- a. The intersection has more than four approaches; and/or
- b. If any control warrant criteria C through L are applicable.

Note: If a street carries 2,000 vehicles per day or more, intersections should be controlled with STOP signs.

Where an engineering study finds that a multi-way stop, traffic circle, roundabout, or traffic signal is warranted within MUTCD guidance and requirements, the control type shall match the requirements of the MUTCD.

**Attachments.**

- Critical Approach Speed Worksheet

Controlled Intersection Policy  
Proposed Affected Intersections List

#	Street 1	Street 2	Controlled Approach	Ordinance Control	Field Control	Proposed Control
1	Edna Ave	Center St	NB/SB	Statutory	Statutory	Yield
2	High St	River St	EB/WB	Statutory	Statutory	Yield
3	High St	Center St	NB/SB	Stop	Stop	Yield
4	High St	Bond St	NB/SB	Stop	Stop	Yield
5	W Forest Ave	River St	All Way	Stop/Yield	Stop/Yield	Stop
6	W Forest Ave	Center St	NB/SB	Stop	Stop	Yield
7	Hewitt St	Second St	NB	Stop	Stop	Yield
8	Hewitt St	Fourth St	NB/SB	Stop	Stop	Yield
9	Hewitt St	Fifth St	NB/SB	Stop	Stop	Yield
10	Hewitt St	Sixth St	NB/SB	Stop	Stop	Yield
11	Hewitt St	Seventh St	NB/SB	Stop	Stop	Yield
12	Hewitt St	Ninth St	EB/WB	Stop	Stop	Yield
13	Hewitt St	Twelfth St	EB/WB	Stop	Stop	Yield
14	Hewitt St	Park Dr	EB	Yield	Yield	Statutory
15	Green St	Third St	WB	Yield	Yield	Stop
16	Green St	Fourth St	EB/WB	Statutory	Statutory	Yield
17	E Forest Ave	Eleventh St	SB	Stop	Stop	Statutory
18	E Forest Ave	Twelfth St	SB	Stop	Stop	Statutory
19	Lincoln St	Fourth St	SB	Stop	Stop	Statutory
20	Lincoln St	Webster St	SB	Yield	Yield	Statutory
21	N Commercial St	Hewitt St	WB	Statutory	Stop	Stop
22	Millview Dr	RR Xing	EB/WB	Statutory	Statutory	Stop
23	E Doty Ave	Elm St	EB/WB	Stop	Stop	Yield
24	E Columbian Ave	Elm St	NB/SB	Stop	Stop	Yield
25	E Columbian Ave	Pine St	NB/SB	Stop	Stop	Yield
26	E Columbian Ave	Congress St	EB	Statutory	Statutory	Stop
27	E Franklin Ave	Elm St	EB/WB	Stop	Stop	Yield
28	E Franklin Ave	Pine St	EB/WB	Stop	Stop	Yield
29	E Franklin Ave	Congress St	EB	Statutory	Statutory	Stop
30	Olive St	Walnut St	NB/SB	Stop	Stop	Yield
31	Maple St	Orange St	NB/SB	Stop	Stop	Yield
32	Reed St	Stone Ave	WB	Yield	Yield	Statutory
33	Congress St	Stone Ave	EB	Yield	Yield	Stop
34	Congress St	Fairview Ave	WB	Yield	Yield	Stop
35	Stevens St	Lakecrest Dr	EB	Yield	Yield	Statutory
36	Congress St	Lakecrest Dr	WB	Yield	Yield	Stop
37	Laudan Blvd	Maple St	NB/SB	Stop	Stop	Yield
38	Laudan Blvd (2)	Chestnut St	NB/SB	Stop	Stop	Yield
39	Laudan Blvd	Reed St	EB/WB	Stop	Stop	Yield
40	Laudan Blvd	Stevens St	NB/SB	Statutory	Statutory	Yield
41	Laudan Blvd	Cedar St	NB/SB	Stop	Stop	Yield
42	Winnebago Hts	Congress St	WB	Yield	Yield	Stop
43	Congress St	Hansen St	WB	Yield	Yield	Stop
44	Haylett St	Maple St	EB/WB	Stop	Stop	Yield
45	Haylett St	Higgins Ave	NB/SB	Stop	Stop	Yield

Controlled Intersection Policy  
Proposed Affected Intersections List

#	Street 1	Street 2	Controlled Approach	Ordinance Control	Field Control	Proposed Control
46	Haylett St	Reed St	SB	Yield	Yield	Stop
47	Campbell St	Kraft St	SB	Yield	Yield	Statutory
48	Edgewood Dr	Whittier Dr	EB/WB	Statutory	Statutory	Yield
49	Mahler Blvd	Kraft St	NB	Yield	Yield	Statutory
50	Mahler Blvd	Whittier Dr	WB	Yield	Yield	Statutory
51	Hawthorne St	Whittier Dr	NB	Yield	Yield	Statutory
52	Hawthorne St	Yorkshire Rd	NB	Yield	Yield	Statutory
53	Meadowbrook Dr	Glenayre Dr	NB/SB	Statutory	Statutory	Yield
54	Bayview Rd	Heather Ln	WB	Stop	Stop	Yield
55	Bayview Rd	Amber Ln	EB	Yield	Yield	Stop
56	Bayview Rd	Limekiln Dr	WB	Stop	Stop	Yield
57	Carriage Dr	Citation Ln	NB/SB	Statutory	Statutory	Yield
58	Carriage Dr	Worth Ave	NB/SB	Statutory	Statutory	Yield
59	Towerview Dr	Jensen Rd	NB	Yield	Yield	Statutory
60	Bruce St	Lexington Ct	WB	Yield	Yield	Statutory
61	Bruce St	Alexander Dr	WB	Yield	Yield	Statutory
62	Bruce St	Parkwood Dr	EB	Stop	Stop	Statutory
63	Marathon Ave	Brantwood Dr	EB	Statutory	Stop	Stop
64	Marathon Ave	Fiesta Ct	EB	Statutory	Stop	Stop
65	Olde School Rd	Grassy Ln	NB/SB	Statutory	Statutory	Yield
66	Marathon Ave	Thomas Ct (N)	N/A	Statutory	Statutory	Stop
67	Marathon Ave	Thomas Ct (S)	N/A	Statutory	Statutory	Stop
68	Marathon Ave	Mark Ct (N)	N/A	Statutory	Statutory	Stop
69	Marathon Ave	Mark Ct (S)	N/A	Statutory	Statutory	Stop
70	W Peckham St	Henry St	NB/SB	Stop	Stop	Yield
71	Marathon Ave	Loper Ct	WB	Statutory	Statutory	Stop
72	Marathon Ave	Jane Ct	WB	Statutory	Statutory	Stop
73	Marathon Ave	Wright Ave	WB	Statutory	Statutory	Stop
74	Marathon Ave	Langley Blvd	WB	Statutory	Statutory	Stop
75	Henry St	Wright Ave	EB/WB	Stop	Stop	Yield
76	Henry St	Langley Blvd	EB/WB	Stop	Stop	Yield
77	Henry St	Curtis Ave	EB/WB	Stop	Stop	Yield
78	Henry St	Monroe St	**SWAP**	Stop	Stop	Yield
79	Henry St	Adams St	NB/SB	Stop	Stop	Yield
80	Henry St	Caroline St	**SWAP**	Stop	Stop	Yield
81	Henry St	Sherry St	NB	Yield	Yield	Statutory
82	S Church St	Adams St	EB	Yield	Yield	Stop
83	Geiger St	Claire Ave	SB	Stop	Stop	Statutory
84	S Western Ave	Adams St	**SWAP**	Stop	Stop	Yield
85	S Western Ave	Sterling Ave	EB	Yield	Yield	Statutory
86	Lorraine Ave	Irene St	EB/WB	Statutory	Statutory	Yield
87	Harrison St	Van St	NB	Stop	Stop	Yield
88	Harrison St	Sherry St	EB/WB	Stop	Stop	Yield
89	Harrison St	Caroline St	EB/WB	Stop	Stop	Yield
90	Harrison St	Adams St	EB/WB	Stop	Stop	Yield

Controlled Intersection Policy  
Proposed Affected Intersections List

#	Street 1	Street 2	Controlled Approach	Ordinance Control	Field Control	Proposed Control
91	Harrison St	Monroe St	EB/WB	Stop	Stop	Yield
92	Van St	Whitlow St (N)	EB	Yield	Yield	Stop
93	Van St	Whitlow St (S)	WB	Statutory	Yield	Stop
94	Van St	Sherry St	EB/WB	Statutory	Statutory	Yield
95	Van St	Caroline St	WB	Stop	Stop	Statutory
96	Van St	Monroe St	NB/SB	Statutory	Statutory	Yield
97	Union St	Sherry St	EB	Stop	Stop	Statutory
98	Union St	Caroline St	EB	Yield	Yield	Statutory
99	Union St	Adams St	EB	Yield	Yield	Statutory
100	Union St	Monroe St	EB	Yield	Yield	Statutory
101	Madison St	Zemlock Ave	EB	Yield	Yield	Stop
102	Cleveland St	Hunt Ave	NB/SB	Stop	Stop	Yield
103	Cleveland St	Zemlock Ave	EB/WB	Stop	Stop	Yield
104	Cleveland St	Betty Ave	NB/SB	Stop	Stop	Yield
105	Cleveland St	Gail Ave	NB	Yield	Yield	Statutory
106	Betty Ave	Kitzerow Ln	SB	Yield	Yield	Statutory
107	Hunt Ave	Fairwood Dr	EB/WB	Stop	Stop	Yield
108	W Cecil St	Westwind Dr	NB	Statutory	Statutory	Stop
109	W Cecil St	Louise St	SB	Yield	Yield	Stop
110	W Cecil St	Diane St	SB	Yield	Yield	Stop
111	W Cecil St	Meadowview St	SB	Yield	Yield	Stop
112	Babcock St	Park Village Dr	SB	Yield	Yield	Statutory
113	Westwind Dr	Stuart Dr	EB/WB	Statutory	Statutory	Yield
114	Park Village Dr	Stuart Dr	NB/SB	Stop	Stop	Yield
115	Park Village Dr	Pilgrim Rd	NB/SB	Stop	Stop	Yield
116	Gay Dr	Pilgrim Rd	SB	Yield	Yield	Statutory
117	Gay Dr	Meadow Ln	NB/SB	Stop	Stop	Yield
118	Gay Dr	Melrose St	NB/SB	Statutory	Statutory	Yield
119	Evans St	Honeysuckle Ln	NB	Yield	Yield	Statutory
120	Evans St	Meadow Ln	EB/WB	Stop	Stop	Yield
121	Nuthatch Ln	Briar Dr	NB	Stop	Stop	Statutory
122	Byrd Ave	Wild Rose Ln	NB	Stop	Stop	Yield
123	Byrd Ave	Green Acres Ln	NB/SB	Stop	Stop	Yield
124	Byrd Ave	Honeysuckle Ln	NB/SB	Stop	Stop	Yield
125	Byrd Ave	Meadow Ln	NB/SB	Stop	Stop	Yield
126	Byrd Ave	Primrose Ln	NB	Stop	Stop	Yield
127	Byrd Ave	Primrose Ct	SB	Stop	Stop	Yield
128	Pendleton Rd	Kampo Dr	EB/WB	Yield	Yield	Stop
129	Pendleton Rd	Antler Ct	WB	Statutory	Statutory	Stop
130	Pendleton Rd	Westbreeze Dr	WB	Statutory	Statutory	Stop
131	Pendleton Rd	Fawn Dr	WB	Statutory	Statutory	Stop
132	Pendleton Rd	Whitetail Dr (S)	WB	Statutory	Statutory	Stop
133	Pendleton Rd	Winter Wheat Dr	EB	Statutory	Statutory	Yield
134	Pendleton Rd	Fall View Ln	EB	Statutory	Statutory	Yield
135	Pendleton Rd	Nature Trail Dr (S)	WB	Statutory	Statutory	Yield

Controlled Intersection Policy  
Proposed Affected Intersections List

#	Street 1	Street 2	Controlled Approach	Ordinance Control	Field Control	Proposed Control
136	Pendleton Rd	Buckhorn Ln	EB	Statutory	Statutory	Yield
137	Nature Trail Dr	Pond View Dr	NB/SB	Statutory	Yield	Yield
138	Nature Trail Dr	Remington Rd	NB/SB	Statutory	Yield	Yield
139	Paintbrush Rd	Remington Rd	EB/WB	Statutory	Statutory	Yield
140	Hedgeview Dr	Amendment Dr	EB/WB	Statutory	Yield	Yield
141	Hedgeview Dr	Plains Ave	EB/WB	Statutory	Yield	Yield





Plot Date: 5 December 2018



# Public Services & Safety Committee December 11, 2018

## BEVERAGE OPERATOR LICENSE APPLICATIONS:

New or Renewal	Last Name, First, M.I.	Municipality	Place of Business
New	Edler, Angelica D.	Neenah	Lucky Dogz
New	Johnson, McKenzie P.	Neenah	Sidetracked Bar & Grill
New	Lauer, Nicholas J.	Neenah	Sidetracked Bar & Grill
New	Long, Amber L.	Appleton	Copperstill
New	Redlin, Kendra S.	Appleton	Sidetracked Bar & Grill
New	Sommer, Timothy W.	Neenah	Greene's Pour House

## TEMPORARY CLASS "B" (PICNIC) BEER LICENSE APPLICATION:

Applicant	Name of Event	Beer	Location	Date(s) of Event
Bergstrom-Mahler Museum	Art After Dark	Beer	165 N Park Ave	1/17, 2/21, 3/21, 4/18, 5/16, 6/20, 8/15, 9/19, 10/17, 11/21 and 12/19/19

## PAWNBROKER / SECONDHAND DEALER:

Business	Business Address	License Type
Don Father Games	675 S Green Bay Rd	Secondhand Article Dealer
EcoAtm	1155 W Winneconne Ave (Walmart)	Secondhand Article Dealer
Great Estates	1554 S. Commercial Street	Second Hand Article Dealer
J. Anthony Jewelers	220 S. Commercial St	Second Hand Jewelry Dealer

## CHANGE OF AGENT:

Applicant	Trade Name	Address of Business	Agent	Type of License BB/BLB/AB/ALB/C
Walgreens #10236	Walgreens	1191 Westowne Dr	Stephanie S. Schroeder	AB

Receipt #

## APPLICATION FOR TEMPORARY CLASS "B"/"CLASS B" RETAILER'S LICENSE

71958

Pd. 12-5-18

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 110

Application Date: 12/5/18

☐ Town ☐ Village ☒ City of Neenah County of Winnebago

The named organization applies for: Check appropriate box(es).

☒ A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats☐ A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat. (Dates <sup>Specific</sup> listed below)

at the premise described below during a special event beginning 01/17/19 and ending 12/19/19 and agrees to comply with all law, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

1. ORGANIZATION (check appropriate box) ☐ Bona fide Club ☐ Church ☐ Lodge/Society ☐ Veteran's Organization ☒ Fair Association

- (a) Name Bergstrom-Mahler Museum
- (b) Address 1165 N. Park Ave. Neenah, WI 54956  
(Street) ☐ Town ☐ Village ☒ City
- (c) Date organized 4/5/1959
- (d) If corporation, give date of incorporation 9/22/1954
- (e) Names and addresses of all officers: Executive Director: Jan Smith, 9251 Bomar Ave. Neenah, WI 54956  
President Mike Van Asten, 800 Eisenhower Dr. Kimberly, WI 54136  
Vice President Michael Meilann, 19268 Cty Rd M Pickett, WI 54964  
Secretary Catherine Thleeko, 591 E. Wisconsin Ave Neenah, WI 54956  
Treasurer Walt Koskinen, 1135 Glenayre Dr. Neenah, WI 54956
- (f) Name and address of manager of person in charge of affair Kelly Stoll 104 Broad St., Menasha, WI 54952

## 2. LOCATION OF PREMISE WHERE BEER AND/OR WINE WILL BE SOLD:

- (a) Street number 1165 N. Park Ave. Neenah, WI 54956
- (b) Lot 8 & S1/2 of 9 Block A
- (c) Do premises occupy all or part of building? all
- (d) If part of building, describe fully all premises covered under this application, which floor or floors, room or rooms, license is to cover:

## 3. NAME OF EVENT

- (a) List name of the event Art After Dark
- (b) Dates of event 01/17/19, 02/21/19, 03/21/19, 04/18/19, 05/16/19, 06/20/19, 08/15/19, 09/19/19, 10/17/19, 11/21/19, and 12/19/19

DECLARATION

11

The Officer(s) of the organization, individually and together, declare under penalties of law that the information provided in this application is true and correct to the best of their knowledge and belief.

Bergstrom-Mahler Museum  
(Name of Organization)Officer \_\_\_\_\_  
(Signature/Date)Officer \_\_\_\_\_ 12/5/2018  
(Signature/Date)Officer \_\_\_\_\_  
(Signature/Date)Officer \_\_\_\_\_  
(Signature/Date)

Date Copied to Police Captain Gonzales: \_\_\_\_\_

Date Filed with Clerk: 12-5-18

Date Reported to PSSC/Council: \_\_\_\_\_

Date Granted by Council: \_\_\_\_\_

License No. \_\_\_\_\_



# LICENSE APPLICATION

For  
**PAWNBROKER**  
**SECONDHAND JEWELRY DEALER**  
**SECONDHAND ARTICLE DEALER**

## CHECK ALL THAT APPLY:

☐ Original Application

☒ Renewal

**TYPE:**

☐ Pawnbroker

☐ Secondhand Jewelry Dealer

☒ Secondhand Article Dealer

☐ Temporary Location: \_\_\_\_\_

Temporary Event Dates: \_\_\_\_\_

☒ Permanent License: **Expires 12/31/2019**

## INSTRUCTIONS:

INDIVIDUAL LICENSE – Complete Sections 1, 2, 3 and 6

PARTNERSHIP LICENSE – Complete Sections 1, 2, 3, 4 and 6

CORPORATE LICENSE – Complete Sections 1, 2, 3, 5 and 6

## (SECTION 1) APPLICANT INFORMATION

Applicant Name (Last, First, MI) <i>Don Father Games Don Pavelka</i>	Sex <i>M</i>	Race <i>W</i>	Date of Birth [REDACTED]	Place of Birth (City & State) <i>Beaver Dam WI</i>
Street Address [REDACTED]	City <i>Allouez</i>	State <i>WI</i>	Zip Code <i>54301</i>	Home Telephone Number [REDACTED]

## (SECTION 2) CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A FELONY WITHIN THE LAST TEN (10) YEARS?

☐ YES

☒ NO

WITHIN THE LAST TEN (10) YEARS OF:

A misdemeanor?

☐ YES

☒ NO

A statutory violation punishable by forfeiture?

☐ YES

☒ NO

A County or Municipal Ordinance violation?

☐ YES

☒ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information:

## (SECTION 3) BUSINESS INFORMATION

Business Name <i>Don Father Games</i>	Street Address <i>675 S. Green Bay Rd</i>	City <i>Neenah</i>	State <i>WI</i>	Zip Code <i>54956</i>	Telephone Number <i>920-468-3985</i>
Owner's Name <i>Don Pavelka</i>	Street Address [REDACTED]	City <i>Allouez</i>	State <i>WI</i>	Zip Code <i>54301</i>	Telephone Number [REDACTED]
Business Manager's Name	Street Address	City	State	Zip Code	Telephone Number
Building Owner's Name	Street Address	City	State	Zip Code	Telephone Number

**(SECTION 4) PARTNERSHIP INFORMATION**

Partnership Name: \_\_\_\_\_

List Name, address, sex, race and date of birth (DOB) of all partners. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip

**(SECTION 5) CORPORATE INFORMATION**

Corporation Name: \_\_\_\_\_

State of  
Incorporation: \_\_\_\_\_List Name, address, sex, race and date of birth (DOB) of all corporation officers and directors. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip Code

**(SECTION 6) PENALTY NOTICE**

I understand that this license may be denied or revoked for fraud, misrepresentation or false statement contained in the application or for any violation of Wis. Stats. §§ 134.71, 943.34 or 948.63.

I certify that I have no delinquent taxes, assessments, or other claims in whole or part owed to neither the City of Neenah nor any delinquent forfeiture resulting from a violation of any City ordinance.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant: \_\_\_\_\_

Print Name of Applicant: \_\_\_\_\_

**FOR ADMINISTRATIVE USE ONLY**

Date of Application	Date Effective	License Expiration	Clerk Signature
		12/31/20 <u>19</u>	

FEES RECEIVED: Pawnbroker Bond \$500.00  
Pawnbroker License \$210.00Secondhand Article License \$80.00  
Secondhand Jewelry License \$80.00**Code: AO**11-24-18 Rec. # 71424**TOTAL FEE: \$** 80.00**BACKGROUND CHECK INFORMATION**☐ Recommend Approval☐ Recommend Denial (Attach Explanation)

Applicant meets guidelines for issuance of Pawnbroker, Secondhand Jeweler Dealer and/or Secondhand Article Dealer:

☐ No outstanding Court fines (Patty K)☐ Police Background Check / CCAP completed (Kimberly S)☐ No outstanding parking tickets (Tina L)☐ No Delinquent Water Bill (Julie)☐ No delinquent claims (Patie F)



# LICENSE APPLICATION

For  
PAWNBROKER  
SECONDHAND JEWELRY DEALER  
SECONDHAND ARTICLE DEALER

## CHECK ALL THAT APPLY:

☐ Original Application

☒ Renewal

### TYPE:

☐ Pawnbroker

☐ Secondhand Jewelry Dealer

☒ Secondhand Article Dealer

☐ Temporary Location: \_\_\_\_\_

Temporary Event Dates: \_\_\_\_\_

☐ Permanent License: **Expires 12/31/2019**

## INSTRUCTIONS:

INDIVIDUAL LICENSE – Complete Sections 1, 2, 3 and 6

PARTNERSHIP LICENSE – Complete Sections 1, 2, 3, 4 and 6

CORPORATE LICENSE – Complete Sections 1, 2, 3, 5 and 6

## (SECTION 1) APPLICANT INFORMATION

Applicant Name (Last, First, MI) Hunter Bjorkman		Sex M	Race n/a	Date of Birth [REDACTED]	Place of Birth (City & State) Atlanta, GA
Street Address [REDACTED]	City San Diego	State CA	Zip Code 92121	Home Telephone Number [REDACTED]	

## (SECTION 2) CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A FELONY WITHIN THE LAST TEN (10) YEARS?

☐ YES ☒ NO

WITHIN THE LAST TEN (10) YEARS OF:

A misdemeanor?

☐ YES ☒ NO

A statutory violation punishable by forfeiture?

☐ YES ☒ NO

A County or Municipal Ordinance violation?

☐ YES ☒ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information:

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## (SECTION 3) BUSINESS INFORMATION

Business Name ecoATM, LLC	Street Address 1155 W. Winneconne Ave,	City Neenah	State WI	Zip Code 54956	Telephone Number 858.766.7244
Owner's Name ecoATM, LLC	Street Address 10121 Barnes Canyon Rd.	City San Diego	State CA	Zip Code 92121	Telephone Number 858.766.7244
Business Manager's Name Hunter Bjorkman	Street Address 10121 Barnes Canyon Rd.	City San Diego	State CA	Zip Code 92121	Telephone Number 858.766.7244
Building Owner's Name Walmart Corp.	Street Address P. O. Box 8050	City Bentonville	State AR	Zip Code 72712	Telephone Number 920.722.0782

**(SECTION 4) PARTNERSHIP INFORMATION**

Partnership Name: N/A

List Name, address, sex, race and date of birth (DOB) of all partners. Attach additional sheets, if necessary

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip

**(SECTION 5) CORPORATE INFORMATION**

Corporation Name: ecoATM, LLC

State of Incorporation: DE

List Name, address, sex, race and date of birth (DOB) of all corporation officers and directors. Attach additional sheets, if necessary

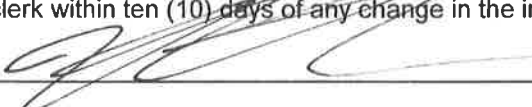
Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip Code
David D. Maquera	M	n/a			San Diego	CA	92121

**(SECTION 6) PENALTY NOTICE**

I understand that this license may be denied or revoked for fraud, misrepresentation or false statement contained in the application or for any violation of Wis. Stats. §§ 134.71, 943.34 or 948.63.

I certify that I have no delinquent taxes, assessments, or other claims in whole or part owed to neither the City of Neenah nor any delinquent forfeiture resulting from a violation of any City ordinance.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant: 

Print Name of Applicant: Hunter Bjorkman Regulatory Affairs and Corporate Counsel

**FOR ADMINISTRATIVE USE ONLY**

Date of Application	Date Effective	License Expiration 12/31/20	Clerk Signature
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FEES RECEIVED: Pawnbroker Bond \$500.00  
Pawnbroker License \$210.00Secondhand Article License \$80.00  
Secondhand Jewelry License \$80.00

Code: AO

12-3-18 # 71569

TOTAL FEE: \$ 80.00

**BACKGROUND CHECK INFORMATION**☐ Recommend Approval☐ Recommend Denial (Attach Explanation)

Applicant meets guidelines for issuance of Pawnbroker, Secondhand Jeweler Dealer and/or Secondhand Article Dealer:

☐ No outstanding Court fines (Patty K)☐ Police Background Check / CCAP completed (Kimberly S)☐ No outstanding parking tickets (Tina L)☐ No Delinquent Water Bill (Julie)☐ No delinquent claims (Patie P)



# LICENSE APPLICATION

For  
PAWNBROKER  
SECONDHAND JEWELRY DEALER  
SECONDHAND ARTICLE DEALER

Code: A0

## CHECK ALL THAT APPLY:

☐ Original Application

☒ Renewal

**TYPE:**

☐ Pawnbroker

☐ Secondhand Jewelry Dealer

☒ Secondhand Article Dealer

☐ Temporary Location: \_\_\_\_\_

Temporary Event Dates: \_\_\_\_\_

☒ Permanent License: **Expires 12/31/2019**

## INSTRUCTIONS:

INDIVIDUAL LICENSE – Complete Sections 1, 2, 3 and 6

PARTNERSHIP LICENSE – Complete Sections 1, 2, 3, 4 and 6

CORPORATE LICENSE – Complete Sections 1, 2, 3, 5 and 6

## (SECTION 1) APPLICANT INFORMATION

Applicant Name (Last, First, MI) <u>Russell, Michael C</u>	Sex <u>M</u>	Race <u>C</u>	Date of Birth [REDACTED]	Place of Birth (City & State) <u>NEENAH, WI</u>
Street Address [REDACTED]	City <u>BAKHOSK</u>	State <u>WI</u>	Zip Code <u>54901</u>	Home Telephone Number [REDACTED]

## (SECTION 2) CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the followings:

A FELONY WITHIN THE LAST TEN (10) YEARS?

☐ YES ☒ NO

WITHIN THE LAST TEN (10) YEARS OF:

A misdemeanor?

☐ YES ☐ NO

A statutory violation punishable by forfeiture?

☒ YES ☐ NO

A County or Municipal Ordinance violation?

☒ YES ☐ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information:

DUI 2010

## (SECTION 3) BUSINESS INFORMATION

Business Name <u>GREAT ESTATES</u>	Street Address <u>1554 S. COMMERCIAL</u>	City <u>NEENAH</u>	State <u>WI</u>	Zip Code <u>54901</u>	Telephone Number <u>969-9200</u>
Owner's Name <u>MICHAEL RUSSELL</u>	Street Address <u>1118 BROWN ST</u>	City <u>BAKHOSK</u>	State <u>WI</u>	Zip Code <u>54901</u>	Telephone Number [REDACTED]
Business Manager's Name	Street Address	City	State	Zip Code	Telephone Number
Building Owner's Name	Street Address	City	State	Zip Code	Telephone Number



**(SECTION 4) PARTNERSHIP INFORMATION**

Partnership Name:

List Name, address, sex, race and date of birth (DOB) of all partners. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip

**(SECTION 5) CORPORATE INFORMATION**

Corporation Name:

State of  
Incorporation:List Name, address, sex, race and date of birth (DOB) of all corporation officers and directors. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip Code

**(SECTION 6) PENALTY NOTICE**

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I certify that I have no delinquent taxes, assessments, or other claims in whole or part owed to neither the City of Neenah nor any delinquent forfeiture resulting from a violation of any City ordinance.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant:

Print Name of Applicant:

**FOR ADMINISTRATIVE USE ONLY**

Date of Application	Date Effective	License Expiration 12/31/20	Clerk Signature
---------------------	----------------	--------------------------------	-----------------

FEES RECEIVED: Pawnbroker Bond \$500.00  
Pawnbroker License \$210.00

Secondhand Article License \$80.00  
Secondhand Jewelry License \$80.00

**Code: AO**

*Pd-12-5-18 #71906* **TOTAL FEE: \$ 80.00**

**BACKGROUND CHECK INFORMATION**
☐ Recommend Approval ☐ Recommend Denial (Attach Explanation)

Applicant meets guidelines for issuance of Pawnbroker, Secondhand Jeweler Dealer and/or Secondhand Article Dealer:

☐ No outstanding Court fines (Patty K)☐ Police Background Check / CCAP completed (Kimberly S)☒ No outstanding parking tickets (Tina L)☒ No Delinquent Water Bill (Julie)☒ No delinquent claims (Patie F)





# LICENSE APPLICATION

For  
PAWNBROKER  
SECONDHAND JEWELRY DEALER  
SECONDHAND ARTICLE DEALER

## CHECK ALL THAT APPLY:

☐ Original Application

☒ Renewal

### TYPE:

☐ Pawnbroker

☒ Secondhand Jewelry Dealer

☐ Secondhand Article Dealer

☐ Temporary Location: \_\_\_\_\_  
Temporary Event Dates: \_\_\_\_\_  
☐ Permanent License: **Expires 12/31/2019**

## INSTRUCTIONS:

INDIVIDUAL LICENSE – Complete Sections 1, 2, 3 and 6  
PARTNERSHIP LICENSE – Complete Sections 1, 2, 3, 4 and 6  
CORPORATE LICENSE – Complete Sections 1, 2, 3, 5 and 6

## (SECTION 1) APPLICANT INFORMATION

Applicant Name (Last, First, MI) <u>Ziemba, Joe, A</u>	Sex <u>M</u>	Race <u>W</u>	Date of Birth [REDACTED]	Place of Birth (City & State) <u>Warsaw, WI</u>
Street Address [REDACTED]	City <u>Neenah</u>	State <u>WI</u>	Zip Code <u>54956</u>	Home Telephone Number [REDACTED]

## (SECTION 2) CONVICTION RECORD

Have you, or any other person listed on this application, been convicted of any of the following:

A FELONY WITHIN THE LAST TEN (10) YEARS?

☐ YES ☒ NO

WITHIN THE LAST TEN (10) YEARS OF:

A misdemeanor?

☐ YES ☒ NO

A statutory violation punishable by forfeiture?

☐ YES ☒ NO

A County or Municipal Ordinance violation?

☐ YES ☒ NO

For each "YES" response provide the date of arrest, the nature of the offense and conviction information:

## (SECTION 3) BUSINESS INFORMATION

Business Name <u>J. Anthony Jewelers</u>	Street Address <u>220 S. Commercial St</u>	City <u>Neenah</u>	State <u>WI</u>	Zip Code <u>54956</u>	Telephone Number <u>9207291642</u>
Owner's Name <u>Joe Ziemba</u>	Street Address	City	State	Zip Code	Telephone Number
Business Manager's Name <u>Ben Ziemba</u>	Street Address <u>8 Cherry Ct</u>	City <u>Appleton</u>	State <u>WI</u>	Zip Code <u>54915</u>	Telephone Number [REDACTED]
Building Owner's Name <u>JA2 LLC</u>	Street Address <u>3209 Westfield Ridge</u>	City <u>Neenah</u>	State <u>WI</u>	Zip Code <u>54956</u>	Telephone Number [REDACTED]

**(SECTION 4) PARTNERSHIP INFORMATION**

Partnership Name:



List Name, address, sex, race and date of birth (DOB) of all partners. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip

**(SECTION 5) CORPORATE INFORMATION**

Corporation Name:

*Precious Metal Castings Inc*State of  
Incorporation:*WI*List Name, address, sex, race and date of birth (DOB) of all corporation officers and directors. *Attach additional sheets, if necessary*

Name (Last, First, MI)	Sex	Race	DOB	Street Address	City	State	Zip Code
<i>Joe Ziemba</i>	<i>M</i>	<i>W</i>		<i>3209 Westfield Rdg</i>	<i>Neenah</i>	<i>WI</i>	<i>54956</i>
<i>Amy Ziemba</i>	<i>F</i>	<i>W</i>		<i>" " "</i>	<i>"</i>	<i>"</i>	<i>"</i>

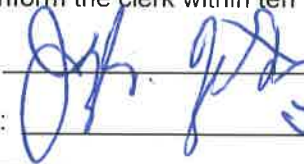
**(SECTION 6) PENALTY NOTICE**

I understand that this license may be denied or revoked for fraud, misrepresentation or false statement contained in the application or for any violation of Wis. Stats. §§ 134.71, 943.34 or 948.63.

I certify that I have no delinquent taxes, assessments, or other claims in whole or part owed to neither the City of Neenah nor any delinquent forfeiture resulting from a violation of any City ordinance.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge. I agree to inform the clerk within ten (10) days of any change in the information supplied in this application.

Signature of Applicant:



Print Name of Applicant:

*Joseph Ziemba***FOR ADMINISTRATIVE USE ONLY**

Date of Application	Date Effective	License Expiration	Clerk Signature
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12/31/20

FEES RECEIVED: Pawnbroker Bond \$500.00  
Pawnbroker License \$210.00

Secondhand Article License \$80.00  
Secondhand Jewelry License \$80.00

**Code: AO***Pd. 12-4-18 # 71784***TOTAL FEE: \$** *80.00***BACKGROUND CHECK INFORMATION**☐ Recommend Approval☐ Recommend Denial (Attach Explanation)

Applicant meets guidelines for issuance of Pawnbroker, Secondhand Jeweler Dealer and/or Secondhand Article Dealer:

☐ No outstanding Court fines (Patty K)☐ Police Background Check / CCAP completed (Kimberly S)☐ No outstanding parking tickets (Tina L)☐ No Delinquent Water Bill (Julie)☒ No delinquent claims (Patie F)

# Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Schroeder		Stephanie		Sue	
Home Address (street/route)		Post Office	City	State	Zip Code
			Appleton	WI	54915
Home Phone Number		Age	Date of Birth	Place of Birth	
		36		Appleton, WI	

The above named individual provides the following information as a person who is (check one):

- ☐ Applying for an alcohol beverage license as an **individual**.
- ☐ A member of a **partnership** which is making application for an alcohol beverage license.

☒ **Agent** of **Walgreen Co.**  
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 36 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? ☐ Yes ☒ No  
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? ☐ Yes ☒ No  
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? ☒ Yes ☐ No  
 If yes, identify: Walgreen Co. currently holds an interest in hundreds of liquor licenses in various jurisdictions nationwide  
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employee of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? ☐ Yes ☒ No  
 If yes, identify. \_\_\_\_\_  
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To
Walgreens #12693	729 W. Northland Ave, Appleton, WI 54914	1999	Present
Employer's Name	Employer's Address	Employed From	To
The Post Cresent	306 W. Washington St, Appleton, WI 54911	1994	2002

**READ CAREFULLY BEFORE SIGNING:** Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.

  
 (Signature of Named Individual)

## Schedule for Successor of Agent

If there is a change in agent, each club, corporation, or limited liability company who holds a retail permit to sell fermented malt beverages and/or intoxicating liquor must appoint a successor agent pursuant to sec. 125.04(6), Wis. Stats. There is a \$10 change in agent processing fee due with this form. The following questions must be answered by the Agent. The appointment must be signed by an officer of the corporation/organization or one member of limited liability company. (Only one signature is required). The appointment must be approved by the licensing authority.

Neenah  
(Municipality)

Wisconsin 11-30 2018  
(Date)

1. Name of agent

Stephanie Schroeder

Yes No

2. ☒ ☐ Are you of legal drinking age?
3. ☒ ☐ Have you been a resident of Wisconsin for at least 90 continuous days prior to the date of appointment as agent?
4. ☐ ☒ Have you ever been convicted of a federal law violation?
5. ☐ ☒ Have you ever been convicted of a state law violation?
6. ☐ ☒ Have you ever been convicted of a local ordinance violation?
7. ☒ ☐ Have you completed the required responsible beverage server program per sec. 125.04(5)(a)5, Wis. Stats.?

**UNDER PENALTY OF LAW**, I declare that all of the above information is true and correct to the best of my knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

Stephanie Schroeder  
(Signature of Agent)

[REDACTED]  
(Address)

### SUCCESSOR AGENT

The undersigned appoints Stephanie Schroeder as agent in accordance with sec. 125.04(6), Wis. Stats.

Name of Permittee Walgreen Co. dba Walgreens #10236

Date November 29 2018

By [Signature]  
(Signature of Officer / Member)

I hereby accept appointment as agent for Walgreen Co. dba Walgreens #10236 and assume full responsibility of the conduct of the business relative to fermented malt beverages and intoxicating liquors.

Date 11-30 2018

Stephanie Schroeder  
(Signature of Agent)

**THE AGENT APPOINTED ABOVE MUST BE APPROVED BY THE LICENSING AUTHORITY TO BE EFFECTIVE.**  
(See sec. 125.04(6), Wis. Stats.)

WI  
(Municipality)

20  
(Date)

[Signature]  
(Signature of Official)

[Signature]  
(Title)



**SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT  
ORGANIZATION OR LIMITED LIABILITY COMPANY**

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: ☐ Town  
☐ Village of Neenah County of Winnebago  
☒ City

The undersigned duly authorized officer(s)/members/managers of Walgreen Co.  
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as

Walgreens #10236

(trade name)

located at 1191 Westowne Dr, Neenah, WI 54956

appoints Stephanie Schroeder  
(name of appointed agent)

215 W. Wilson Ave., Appleton, WI 54915

(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

☐ Yes ☒ No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? ☒ Yes ☐ No - Current On File

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 36 years

Place of residence last year [REDACTED]

For: Walgreen Co.  
(name of corporation/organization/limited liability company)

By: [Signature] Amelia Legutki  
(signature of Officer/Member/Manager) Assistant Secretary

And: [Signature]  
(signature of Officer/Member/Manager)

**ACCEPTANCE BY AGENT**

I, Stephanie Schroeder, hereby accept this appointment as agent for the  
(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

[Signature]  
(signature of agent)

11-30-18  
(date)

Agent's age 36

215 W. Wilson Ave., Appleton, WI 54915  
(home address of agent)

Date of birth [REDACTED]

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY  
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on \_\_\_\_\_ by \_\_\_\_\_ Title \_\_\_\_\_  
(date) (signature of proper local official) (town chair, village president, police chief)



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## M E M O R A N D U M

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**DATE:** December 5, 2018  
**TO:** Mayor Kaufert, and Members of the Public Services and Safety Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** Public Works General Activity

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- 1) Contract 1-18 (Andrew, Richard, Geiger, Whiting) – Work is complete. A final estimate is being prepared. Special assessment billings have been sent.
- 2) Contract 2-18 (Cecil, Adams)
  - a) Adams St – Work is complete.
  - b) Cecil St – Punch list items are being completed. Rough backfill has been placed. Final topsoil and seeded will be done in spring.
- 3) Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early next year.  
Quantities on the Nature Trail/Eaglecrest work have not been finalized with the contractor. Special assessment billings will be sent in September 2019.
- 4) Contract 5-18 (Misc. Concrete Sidewalk/Pavement Repair) – Work is complete. A final estimate is being prepared.
- 5) Contract 7-18 (HMA Pavement Repair) – Work is complete. A final estimate is being prepared.
- 6) ADA Facilities Audit – MSA Professional Services has provided a draft report and draft Transition Plan for parks and public buildings. They will be making a presentation to the Council on December 19.
- 7) Downtown Traffic Study – MSA Professional Services has provided a draft report. Staff is reviewing and commenting on the draft. The final report will be presented at a future Committee meeting.
- 8) Leaf Collection – Collection is complete.
- 9) Public Works Superintendent Position – Greg Radtke has been selected and has accepted the role of Public Works Superintendent.
- 10) 2019 Projects - Survey work is being done to prepare for design of the 2019 street and utility projects. Staff has met to discuss contract arrangements for the projects. As usual, we also reviewed possible specification adjustments to incorporate things that were learned from the 2018 projects.