



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, October 16, 2019 - 7:00 p.m.
Neenah City Hall
Council Chambers

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. Mayor Kaufert's appointment of Ald. Lang to fill the unexpired term of Ald. Spellman on the Board of Public Works for a term to expire April 2020. (Motion to confirm) **(UC)**
 - B. Mayor Kaufert's reappointment of John Rather and Lee Erickson on the Neenah Harbor Committee for a three-year term to expire October 2022. (Motion to confirm) **(UC)**
 - C. Swearing in
- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of October 2, 2019 regular session and October 2, 2019 Minutes of the Committee of the Whole. **(UC)**
- IV. Public Hearing
 - A. Consider rezoning land located on the southeast corner of W. North Water Street and Abby Avenue from I-2, General Industrial District to the R-2, Two-Family Residence District.
- V. Plan Commission report pertaining to the Public Hearing
 - A. Plan Commission meeting of October 8, 2019: (Ald. Lang) (Minutes can be found on the City web site)
 1. Commission recommends Council approve Ordinance No. 2019-23 Rezoning 0.33 Acres of land located on the southeast corner of Abby Avenue and W. North Water Street from I-2, General Industrial District to R-2, Two-Family Residence District. **(RollCall-Pro)**
- VI. Public Forum
 - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- VII. Mayor/Council consideration of public forum issues
- VIII. Consent Agenda
 - A. Approve Beverage Operator License Applications for Erica M. Cowling, Rebecca L. Durant, Jessica G. Lambert, Tami J. Lefeber, Tanna J. Mayer, Nichole A. Van Hammond, and Alexis Zehner. **(PSSC)**

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 Clerk's Office (920) 886-6100 or the City's ADA Coordinator at (920) 886-6106 or e-mail attorney@ci.Neenah.wi.us at least 48 hours prior to the scheduled meeting or event to request an accommodation.

- B. Approve the "Class B" Malt & Liquor license application for Wisconsin Apple, LLC, d/b/a Applebee's Neighborhood Bar & Grill, 1111 Westowne Drive, Kent Billingsley, agent. **(PSSC)**
 - C. **(UC)**
- IX. Reports of standing committees
- A. Special Public Services and Safety Committee meeting of October 16, 2019: (Chairman Bates/Vice Chairman Lang)
 - 1. Consideration of Committee recommendation regarding S. Commercial Street Reconstruction - STP-Urban Application. **(RollCall-Pro)**
 - B. Regular Public Services and Safety Committee meeting of October 8, 2019: (Chairman Bates/Vice Chairman Lang) (Minutes can be found on the City web site)
 - 1. Committee recommends Council grant permission for Police Department to take part in the 2020 Impaired Driving Task Force Grant with a grant amount of \$20,000 and City match of \$5,000. **(RollCall-Pro)**
 - C. Regular Finance and Personnel Committee meeting of October 7, 2019: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve the following reclassifications and market adjustment effective January 1, 2020: Asst. City Attorney from N3 to O3 with title change to Deputy CA; Administrative Asst. to Mayor from F3 to G3; Deputy Dir. of Comm. Development & Assessment from N3 to O3; Code Enforcement/City Sealer from G3 to H3; and Dir. of Comm. Development & Assessment from S3 to S3 w/a 5% market adjustment. **(RollCall-Pro)**
 - 2. Committee recommends Council approve the transfer of excess property located along Harrison Street to Steve Spanbauer in exchange for Mr. Spanbauer paying the cost of a new land survey of the area, not to exceed \$1,800, with the City paying any cost over that amount. **(RollCall-Pro)**
- X. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of October 8, 2019: (Council Rep Lang) (Minutes can be found on the City web site)
 - 1. ~~Commission recommends Council approve Ordinance No. 2019-23 Rezoning 0.33 Acres of land located on the southeast corner of Abby Avenue and W. North Water Street from I-2, General Industrial District to R-2, Two-Family Residence District. Already acted on. **No Additional Report**~~
 - B. Board of Public Works meeting of October 9, 2019: (Vice Chairman Bates) (Minutes can be found on the City web site)
 - 1. Information Only Items:
 - a) The Board approved Change Order No. 1 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$26,314.30

- b) The Board approved Pay Estimate No. 6 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$167,545.92
 - C. Community Development Authority
 - 1. Report from the CDA – Director Haese
 - D. Library Board
 - 1. Report from the Library Board – Alderperson Erickson
 - E. Neenah Arts Council
 - 1. Report from the Neenah Arts Council – Alderperson Erickson
- XI. Presentation of petitions
 - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
- XII. Council Directives
- XIII. Unfinished Business
- XIV. New Business
 - A. Mayor Kaufert’s appointment to fill the unexpired five year term of Michael Smaby on the Waterworks Commission, term expires October 2023. (To be considered at the November 6, 2019 Council meeting)
 - B. Any announcements/questions that may legally come before the Council.
- XV. Convene in closed session pursuant to Wis. Stats. §19.85(1)(e) for the purpose of discussing bargaining strategy related to potential development agreements regarding redevelopment projects in the Glatfelter Redevelopment Area in downtown Neenah.
 - A. Reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on closed session recommendation(s).
 - B. Adjournment

Proceedings of the Common Council of the City of Neenah

Wednesday, October 2, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., October 2, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Alderpersons Boyette, Lang, Lendrum, Erickson, Spellman, Steele, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski and City Clerk Sturn. Alderperson Bates was excused.

Also Present: Police Chief Olson, Asst. Police Chief Sievert, Police Captain Bernice, Director of Information Systems Wenninger, City Engineer Merton and Scott Francis.

Mayor Kaufert called the meeting to order at 7:03 pm.

Proceedings

- I. **MS Stevenson/Erickson to approve the Council Proceedings of the regular meeting of September 18, 2019. There being no objections the motion was approved by unanimous consent.**

Consent Agenda

- I. **MS Stevenson/Erickson to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Application for Laura Eitrem. (PSSC)**
 - B. **Approve the Temporary Extension of Licensed Premises application for Gord's Pub LLC for September 14, 2019. (PSSC)**
 - C. **There being no objections the motion was approved by unanimous consent.**

Public Services and Safety Committee

- I. Vice Chairman Lang reported the regular meeting of September 24, 2019:
 - A. Committee recommends Council approve the Beverage Operator License for Nicole E. Brisky with an expiration date of June 30, 2020. **MSCRPLang/Lendrum, all voting aye.**
 - B. Committee recommends Council amend the 2019 budget by transferring \$87,679.67 from the K9 Trust Fund to the 2019 Capital Equipment Fund and approve the purchase in 2019 of a 2020 Ford Police Interceptor Utility Vehicle, AWD, 3.3 V6 and all necessary equipment at the cost of \$66,069.67 and approve the purchase in 2020 of a police canine and associated training and equipment for a total cost of \$21,610. **MSCRPLang/Lendrum, all voting aye.**

Board of Public Works

- I. Ald. Spellman reported the meeting of September 24, 2019:
 - A. Council Action Items:
 1. The Board recommends Council approve the Final Payment for Contract 3-18, Nature Trail Subdivision Street Construction to MCC, Inc., Appleton, in the amount of \$25,770.66. **MSCRP Spellman/Lendrum, all voting aye.**
 2. The Board recommends Council award Contract 7-19 Breezewood Lane and Harness Farm Sanitary Sewer Construction to Dorner, Inc. of Luxemburg for the low bid in the amount of \$449,060.00. **MSCRP Spellman/Lendrum, all voting aye.**

Adjournment

- I. **MSC Lendrum/Boyette to adjourn at 7:45 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

COMMON COUNCIL MINUTES

Wednesday, October 2, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., October 2, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Alderpersons Boyette, Lang, Lendrum, Erickson, Spellman, Steele, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski and City Clerk Sturn. Alderperson Bates was excused.

Also Present: Police Chief Olson, Asst. Police Chief Sievert, Police Captain Bernice, Director of Information Systems Wenninger, City Engineer Merton and Scott Francis.

Mayor Kaufert called the meeting to order at 7:03 pm.

Clerk Sturn called a voice roll call as the Mayor/Alderpersons recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance.

FBI National Academy Training Presentation

- I. Police Chief Olson thanked Mayor Kaufert and the Council for allowing him to attend the FBI National Academy Training. He also thanked Asst. Chief Sievert and Captain Bernice for covering in his absence.
 - A. Chief Olson recognized Asst. Chief Sievert who will be retiring next week after 21 years at Neenah PD and 5 years at Milwaukee PD. He will be relocating to Canada. He thanked him for his service.
 - B. Chief Olson gave a presentation on his recent FBI National Academy Training in Quantico, Virginia. This is a ten week training dedicated to improving the standard of law enforcement worldwide. It is a benchmark for all professional law enforcement in continuing education. Of the 13 million law enforcement officers in the world, only 1,000 get to attend this training annually. He shared stories, pictures and classes he took throughout this training. The physical training was a unique part of this session and included training on the types of foods that are food to eat and not so good to eat. The Yellow Brick Road is a 6.1 mile run through rugged terrain and is one of the biggest traditions of the FBI Academy. Those who accomplish this run, are given a yellow brick to designate completion. Chief Olson shared a picture of Ray, the FBI Director giving him his diploma for completing the academy and his brick for completing the Yellow Brick Road. Upon completion of this training, the Wisconsin Alumni Chapter meets twice a year for updated training. There is also a Chapter that meets worldwide. Next year that training is in Louisiana. They bring in the best trainers for this training. He took away a lot of information from the Academy to share with his department. The best thing about this Academy is the networking. The ongoing information that will be shared through

contacts made at this training made it well worth attending. He responded to Mayor Kaufert indicating he is the 2nd Neenah Officer to take this training, Jeff Malcore took this training 6 or 7 years ago.

- C. Mayor Kaufert added to the comments made earlier by Chief Olson thanking Asst. Chief Sievert for this years of services and dedication to the department and the community. As a Police Liaison Officer (PLO) at high school he has touched a lot of people. He will be missed. Mayor Kaufert wished him well on his retirement.

Proceedings

- I. **MS Stevenson/Erickson to approve the Council Proceedings of the regular meeting of September 18, 2019. There being no objections the motion was approved by unanimous consent.**

Public Forum

- I. Scott Francis, owner of the property at 301 N. Commercial Street, expressed concern over parking on Forest Avenue. Recently Forest Avenue was re-striped with turn lanes / bicycle lanes and other things. This caused the loss of 3 parking stalls on the south side of Forest Avenue immediately adjacent to 301 N. Commercial Street and 6-7 stalls across the street. Parking in that area has become very difficult over the years. When the Dialysis Center was put in, the small parking area was removed. When Commercial Street was redone by the State, a dozen parking stalls were removed. When the County Building was built, they had close to adequate parking however over the years the number of employees working at the building has doubled causing additional strain on parking in that area. There is a small parking lot immediately behind the County Building owned by the City which has 16-18 stalls however for the last few years those stalls are being filled by County workers. When the 7-9 stalls were eliminated on Forest Avenue that was the straw that broke the camel's back. He is asking the City to restore those parking stalls and remove the striping on Forest Avenue as well as put some time limits on City owned stalls in the parking lot behind the County Building. He is on the agenda for the October 8th Public Services & Safety Committee to discuss his concern.
- II. There being no further appearances, Mayor Kaufert declared the public forum closed.

Mayor/Council Consideration of Public Forum Issues

- I. Dir. Kaiser clarified that this will be discussed at the Public Services & Safety Committee next Tuesday October 8th at 6:30 pm.
 - A. Mayor Kaufert advised that he has been monitoring that area. There are 16 stalls in the parking lot between the County Building and the Credit Union that belong to the City and those stalls are not signed at all. There is a dedicated street through there. There are some stalls where the restaurant was are dedicated for public parking. Also, in the Dialysis

Center there are some dedicated public spots. We can talk more about it at the meeting next week.

Consent Agenda

- I. **MS Stevenson/Erickson to approve the Consent Agenda as follows:**
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Public Services and Safety Committee

- I. Vice Chairman Lang reported the regular meeting of September 24, 2019:
 - A. Committee recommends Council approve the Beverage Operator License for Nicole E. Brisky with an expiration date of June 30, 2020. **MSCRPLang/Lendrum, all voting aye.**
 - B. Committee recommends Council amend the 2019 budget by transferring \$87,679.67 from the K9 Trust Fund to the 2019 Capital Equipment Fund and approve the purchase in 2019 of a 2020 Ford Police Interceptor Utility Vehicle, AWD, 3.3 V6 and all necessary equipment at the cost of \$66,069.67 and approve the purchase in 2020 of a police canine and associated training and equipment for a total cost of \$21,610. **MSLang/Lendrum.**
 1. Ald. Boyette asked why this is being done so close to budget.
 2. Asst. Chief Sievert explained that canine Cedric is retiring at the end of the year due to medical conditions. At this point, they are in the process of replacing him. They will not be able to obtain that dog and the training that goes with it until next year. However, the new dog will be assigned to the patrol division so they need to purchase that vehicle this year to make sure they have everything installed prior to having the dog go for training. These are trust fund dollars, donated funds.
 3. Ald. Stevenson clarified that this purchase has nothing to do with tax levy dollars.
 4. Asst. Chief Sievert added that it goes through the budget for accountability purposes only.
 5. Ald. Kunz asked if the money is there or if they are still raising dollars.
 6. Asst. Chief Sievert advised that the money is there for the dog and the vehicle, however, they would like to make sure the funds are there in the unfortunate case they would have to replace one of the other dogs in the future.
 7. Dir. Easker clarified for Ald. Kunz that the funds would be carried forward for use in 2020.

8. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Board of Public Works

- I. Ald. Spellman reported the meeting of September 24, 2019:
 - A. Council Action Items:
 1. The Board recommends Council approve the Final Payment for Contract 3-18, Nature Trail Subdivision Street Construction to MCC, Inc., Appleton, in the amount of \$25,770.66. **MSCR P Spellman/Lendrum, all voting aye.**
 2. The Board recommends Council award Contract 7-19 Breezewood Lane and Harness Farm Sanitary Sewer Construction to Dorner, Inc. of Luxemburg for the low bid in the amount of \$449,060.00. **MSCR P Spellman/Lendrum, all voting aye.**

Landmarks Commission

- I. Alderperson Lang advised there is no report from the Landmarks Commission however they had a great turnout for the POW WOW on September 21st and the Landmarks sponsored Voyager Canoe Rides that took place that day.

Business Improvement District (BID) Board

- I. Alderperson Lang reported there is no report from the Business Improvement District Board (BID Board). Their next meeting is October 15th. Tomorrow, October 3rd is the Neenah Rocks event sponsored by the Neenah Arts Council. There will be live music in many of the establishments in the BID.
 - A. Mayor Kaufert added that come spring the downtown will have a different look. The BID is putting up hanging baskets.

New Business

- I. Dir. Haese updated the Council on where his department is with the revaluation and the recent Open Book. His office fielded over 450 phone calls, had 178 appointments in the office and conducted 20 field visits. Following those 3 days, they had over 1,500 visits to their website and since had 2,000 hits. The Board of Review is scheduled for October 23rd. Property owners have until Monday October 21st at 9 am to schedule an appointment to appear before the Board of Review.
 - A. Clerk Sturn added that no appointments have been scheduled for the Board of Review to date.
- II. Mayor Kaufert advised that they are working hard on the budget. He thanked Engineer Merton and Park & Rec for the slough cleanup a few weeks ago. He also thanked Amcor for spending last Saturday cleaning up Arrowhead and Dir. Kading and Superintendent Kluge for cleaning up Herb & Dolly Smith Park.

- III. Ald. Erickson reminded everyone that tomorrow night is Neenah Rocks. In addition to having live music in several venues in the BID there are venues throughout the city. She encourage everyone to visit several locations.
- IV. Mayor Kaufert reminded everyone that Neenah High School will present "Seussical the Musical" from October 9-13th at Pickard Auditorium. Beginning Monday morning he will change the Neenah's name to Whoville to promote the musical.

Adjournment

- I. **MSC Lendrum/Boyette to adjourn at 7:45 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

Committee of the Whole Minutes
Wednesday, October 2, 2019 – 7:15 pm.
Council Chambers

Purpose: Discussion on selling beer in gas stations / convenience stores and update on NuPark Parking Enforcement Software.

Present: Aldermen Boyette, Lang, Lendrum, Erickson, Spellman, Steele, Kunz, Stevenson and Mayor Kaufert. Alderperson Bates was excused.

Also Present: City Attorney Godlewski, City Clerk Sturn, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Director of Information Systems Wenninger, Police Chief Olson, Asst. Chief Sievert, Captain Bernice and Traffic Engineer Merten.

Council President Stevenson called the meeting to order at 7:52 p.m.

Discussion on Selling Beer / Liquor in Gas Stations / Convenience Stores

Dir. Haese indicated his memo of October 1, 2019 (Attachment A) gives a brief history of restrictions to selling beer / alcohol in convenience stores / gas stations. The purpose of this meeting is to gather input on the perspective of the Council regarding the goal of this restriction. If they feel that goal has been achieved, he would like to discuss concerns over modifying that restriction and potential benefits to changing the current restriction that would outweigh potential negatives. Currently there are not many communities that have this type of restriction. We are somewhat of an island in the Fox Cities in that restriction. C-stores have had a transformation from where they were 10-20 years ago. They currently sell a lot more than just the basic items, their grocery list continues to grow. He sees the ability to sell beer an advantage which may encourage potential development of C-stores within the City, particularly on the Island. Staff is not requesting any type of action from Council. Once staff has gathered Council input they may be able to provide suggestions on the modification of the current restrictions that address the concerns of the Council sufficiently enough to possibly allow a change to occur.

Following a short discussion, it was the consensus of the Committee to revisit the issue of selling beer / alcohol in convenience stores. They further discussed restrictions they would like to see put into place to control who can sell beer / alcohol.

Police Chief Olson advised that the Police Department has surveyed other communities and they have no issues allowing alcohol sales in convenience stores. Times have changed and he does not see this as a large scale problem. However, the Police Department is against allowing alcohol in parks.

Following Committee input, Council President Stevenson summed up the discussion indicating the Committee asked staff to bring back information regarding the history of the restriction to selling beer in convenience stores / gas stations, the ability to limit the number of Class "A" establishments allowed in the City, what type of regulations can be enforced (i.e. items sold, floor space, density, etc.) and data provided by Chief Olson regarding state and local statistics about drinking and driving showing a decrease in the number of OWIs. This meeting would be scheduled as a Committee of the Whole.

Mayor Kaufert added that technology has allowed us ways to get input from constituents. If the Committee would desire they could utilize Survey Monkey.

Update on NuPark Parking Enforcement Software

Dir. Haese advised his memo of September 9th (Attachment B) indicated staff had begun an intensive review on the feasibility of switching to another parking management system vendor while continuing to work with NuPark with the hope the issues that have been experienced could be corrected. They continue to have difficulty. NuPark has worked with the parking enforcement downtown however they continue to have issues with officers on their mobile devices. He has tracked emails for several months where NuPark continues to be informed of issues then continues to make corrections. This is ongoing. As the Council is aware, the deadline for NuPark to get things resolved was July 5th. We are obviously well beyond that. There is still some hope they can get things rectified as the thought of starting over does not excite staff. Recognizing we may never get to that finish line, the internal group, representing 5-6 different departments, continues to evaluate another software provider.

Dir. Wenninger advised that three teams have been formed with core functionalities, permitting, parking enforcement and finance/IT. He is in the process of setting up Deep Dive demos. Seven references were provided however they have asked for additional references. Currently they are just collecting data.

Dir. Haese added that we are much more knowledgeable of what we need and how these things need to function for our purposes than we were with NuPark.

Dir. Haese responded to Ald. Kunz indicating the pricing for the other option we are looking at is similar. But enforcement is enforcement. The basic functionality isn't working with NuPark, writing tickets with squads and mobile devices. He advised Ald. Stevenson that we still owe NuPark \$40,000 and we will not pay them until it works. They are responding to our needs but it is not working.

Dir. Easker pointed out that Passport recently bought out NuPark. NuPark is not the parent company any longer. We are dealing with different people now than we were three months ago when we first started trying to correct this problem. Dir. Haese added that Passport is a much larger company. We were optimistic that this would help. They just have not been able to fix the issues. We are three months past the July deadline and still don't have anything that works.

Police Captain Bernice added that on the law enforcement side, the license plate reader works well, however the mobile devices are the problem. When they see a problem, NuPark will fix it, then they find a new problem based on that update. Also, NuPark promised them an interface with the Department of Transportation, two and a half years ago, that still has not come about. They manually have to run license plates and spend extra time to develop this correctness.

Mayor Kaufert advised that they have been meeting regularly. Progress has been made however it is beginning to impact revenues. We just cannot have these mistakes. It is imperative that we resolve this. It is getting to the time we are going to have to ask the Council to intercede.

Ald. Stevenson added that the only way the Council can fix the problem is to expend money. He asked if we could go after NuPark for litigated damages. City Atty. Godlewski indicated he would need to review the contract again.

Asst. Chief Sievert indicated most of these parking software program use the Genetec System therefore we will not have to purchase that new equipment. From a morale standpoint, when you continue to ask your officers to go out when they know they are having problems writing citations it is almost like running into a brick wall. Eventually you get frustrated. We have done things to try to make things easier yet it continues to have issues on a daily basis.

Ald. Boyette commented that shortly after this was implemented, we found out that our expectations were higher than what their software could fulfill. We knew shortly after that we were asking for a lot from them and they assured us they could help us. As it turned out, they could not. We know we had a complex system, yet they kept assuring us they could do it and they couldn't.


Engineer Merten indicated when this process was first started, they went to NuPark asking what their system could do. They built this around what they understood their software could do. Staff has offered to change things like eliminating the zero dollar ticket (escalating fines). They then discovered that the escalation itself is not the issue, it has to do with connections between the tablets and the back office. It calculates it from what is entered in the field, then when they look at it in the back office, it is a recalculated version. Apparently that is a huge software re-write for them. They are not willing to do that at this time.

Dir. Haese responded to Ald. Stevenson indicating we have not been part of a NuPark users group. When we acquired the system, the next closest user was in West LaFayette, Indiana.

Ald. Stevenson commented that when we go out to evaluate complex software programs, we have to spend more than one day. You can show them an entire list of 17 items you need and their response will be, "we can do that". The devil is, how and what is it going to look like as well as what are the ramifications of that. You need to take your time and make sure you cover every major issue and you know the product you are getting and all the ramifications that come with it.

Adjournment

MSC Lendrum/Boyette to adjourn at 8:39 p.m., all voting aye.


Patricia A. Sturn, WCPC/MMC

“ATTACHMENT A”



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

M E M O R A N D U M

DATE: October 1, 2019
TO: Mayor Kaufert and Members of the Common Council
FROM: Chris Haese, Director of Community Development and Assessment
RE: Consideration of Class A malt beverage (beer) sales in convenience stores

The Department of Community Development has had a number of inquiries over the past several years regarding new convenience stores within the City. Although Kwik Trip did construct their new store on Green Bay Road in 2011, several other potential projects did not go forward, including a store at Main Street and Green Bay Road and another at Winneconne Avenue and Tullar Road. We are aware that at least one of these projects did not go forward because of the inability to sell alcoholic beverages at the establishment. Requests of this type continue to come to our office on a regular basis.

The decision to sell alcoholic beverages from C-stores is one that should not be taken lightly as there may be consequences to such a decision. However, I contend the decision should also be given thorough consideration, as the benefits to the change may outweigh any potential negative outcomes. As you may agree, Neenah takes a conservative and cautious approach when alcohol is involved. This is evident in the City's judicious modifications to a number of restrictions on alcohol sales and consumption over the past three decades. The following are examples of changes that have taken place over that time period:

- During the early to mid-1990's, the City modified long-standing policy to allow grocery stores to sell liquor from a "store within a store".
- The Municipal Code was modified in 2011 to allow beer gardens and sidewalk cafes.
- The beer garden and sidewalk café ordinances were later modified to remove the barrier requirements for cafes and the gate requirements for beer gardens.
- Modifications to the grocery sales ordinance was adjusted in 2012 to allow the checking of all alcohol sales at all registers, not just the "store within the store" register.
- In 2018, the Council permitted the Bazaar After Dark event to allow open carry of alcohol at the Thursday evening event.
- The purchase of liquor from City grocery stores where "click and go" was recently allowed.

Each of these decisions was met with much discussion and debate and often with the concern that issues would arise as a result of the proposed change. With the possible exception of a few minor issues, I do not believe the issues of concern have materialized

on a regular basis with the proposed changes. Rather the benefits to the consumer, often City residents, have exceeded any negative outcome from the change. Consideration should also be given to the current limitation on the sale of malt beverages from C-stores and the costs this restriction may be imposing on the community. I believe most would agree that we have seen, and will continue to see, an evolution of the C-store away from an outlet to buy gas and a few convenience items to a retail establishment that has expanded its offering to include a much larger selection of grocery and consumer items. One only needs to look to Kwik Trip as an example. Their Green Bay Road store, built as their new prototype just a few years ago, is about 5,000 square feet in size. The stores that they are building today are closer to 8,000 square feet, an increase of almost 60%. The increase is due to the added selection they are currently offering. This additional inventory has obvious benefit to the community. Should a C-store operator choose to avoid locating a store within certain areas of the community because they do not believe they can generate enough revenue, that area of the City will not reap the benefits of the offerings provided by the store. Malt beverages carry a higher profit margin than other store items, it can affect an operator's location decisions, thereby impacting the opportunities to that neighborhood. As noted, we have seen at least one store choose not to build within the City because of this restriction.

It is my estimation that the current restriction on the sale of alcohol from C-stores likely arrived in the mid 1970's like many other Wisconsin communities. What is not clear is the intent of this restriction and whether that purpose is still necessary and the restriction still effective.

Staff is not requesting any type of action from Council at the October 2, 2019 meeting, rather, we are hoping to gather from the Council their perspective on the following questions:

- 1. What does Council perceive as the goal of the restriction?**
- 2. Is the restriction effective in achieving that goal?**
- 3. What concerns does the Council have with modifying the restriction?**
- 4. Are there benefits to changing the current restriction that outweigh potential negatives?**

Once staff has gathered Council input on the aforementioned questions, we may be able to provide suggestions on the modification of the current restrictions that address the concerns of the Council sufficiently enough to allow a change to occur....or not.

“ATTACHMENT B”



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

M E M O R A N D U M

DATE: September 9, 2019
TO: Mayor Kaufert and Members of the Common Council
FROM: Chris Haese, Director of Community Development and Assessment
Gerry Kaiser, Director of Public Works
RE: NuPark Parking Management System Update

At their June 10, 2019, meeting, the Finance and Personnel Committee was provided with an update on implementation of the NuPark parking management system. (See Attachment C) The discussion concluded with the confirmation of Council follow-up after 30 days of tracking progress on a functional improvement plan with the vendor. That 30-day period has expired. While progress has been made in implementing large business management for their permits, similar progress has not been made in the system operations issues for patrol officer enforcement. Consequently, staff has begun an intensive review on the feasibility of switching to another parking management system vendor. While that is being done, we will continue to work with NuPark with the hope the issues that have been experienced can still be corrected.

“ATTACHMENT C”

Minutes of the Meeting of the Finance and Personnel Committee
June 10, 2019
Page 7

NuPark Update: Director Haese provided an update on the status of the implementation of the NuPark Parking Permitting and Enforcement software system. Issues discussed included the history of the City’s permitting and parking enforcement systems prior to NuPark, the company’s recent sale, a perspective on previously corrected as well as ongoing problems with the system, including a recently proposed Functional Improvement Plan initiated by the new parent company, Passport. Director Haese indicated that he would like to have a minimum of thirty days to evaluate progress on the Functional Improvement Plan and then determine if the City should begin to look at other parking system options. Detailed discussion took place on specific issues that have plagued and delayed the full implementation of the NuPark system, including the pros and cons of moving to a new system for both enforcement and permitting. After further discussion, Director Haese said he would report back to the committee after the thirty day evaluation period to update the status.

City of Neenah
Notice of Public Hearing

NOTICE IS HEREBY GIVEN that a public hearing will be held by the City of Neenah to consider rezoning land located on the southeast corner of W. North Water Street and Abby Avenue from I-2, General Industrial District to the R-2, Two-Family Residence District.

The property for which the rezoning is being requested is legally describes as follows:

A PARCEL OF LAND BEING PART OF LOTS 4 AND 5, BLOCK 3, H. WILDFANG'S SUBDIVISION OF BLOCK 3 OF BASSETT'S SECONG ADDITION TO JONES PLAT OF THE ISLAND, LOCATED IN THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 17 EAST, THIRD WARD, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH ¼ CORNER OF SECTION 22; THENCE S01°00'49"W, 2618.74 FEET ALONG THE EAST LINE OF THE NORTHWEST ¼ OF SECTION 22 TO THE CENTER OF SECTION 22; THENCE S89°43'08"W, 1982.69 FEET ALONG THE NORTH LINE OF THE SOUTHWEST ¼ OF SECTION 22, THENCE S00°26'11"E, 25.58 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN DOCUMENT NO. 1746093 AND THE SOUTH RIGHT-OF-WAY LINE OF ABBY AVENUE; THENCE S89°43'08"W, 142.73 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE S01°17'53"E, 77.08 FEET; THENCE S81°27'35"W, 150.23 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF W. NORTH WATER STREET; THENCE N23°55'21"E, 108.16 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF ABBY AVENUE; THENCE N89°43'08"E, 102.96 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING INCLUDING TO THE CENTERLINE OF ABBY AVENUE AND W. NORTH WATER STREET.

Parcel IDs: **80302490000**

The hearing will be held at the City Administration Building, 211 Walnut Street, Neenah, Wisconsin.

**Plan Commission Informal Hearing
4:15 P.M. Hauser Room**

Tuesday, October 8, 2019

**Council Formal Hearing
7:00 P.M. Council Chambers**

Wednesday, October 16, 2019

NOTICE IS FURTHER GIVEN that applicant and interested persons may appear at said hearings and be heard for or against the proposed rezoning and/or subdivision variance.

Patricia Sturn
City Clerk
Neenah, Wisconsin

Publish: October 4th and 7th, 2019

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, October 8, 2019
4:15 p.m.

Present:

Mayor Dean Kaufert, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Nick Piergrossi, Vice Chairman	PRESENT
Kate Hancock-Cooke	PRESENT	Karen Genett	PRESENT		
Gerry Andrews	ABSENT	Ald. Jane Lang	PRESENT		

Also present:

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Ald. Cari Lendrum
Melvin Timm 7065 Woodenshoe Rd, Neenah		

Mayor Kaufert called the meeting to order at 4:15 p.m.

Minutes:

MSC Kaiser/Genett to approve the August 27, 2019 meeting minutes. All Aye. Motion passed.

Public Appearances: Mayor Kaufert opened for Public Appearances. No one commented. Mayor Kaufert closed Public Appearances.

Public Hearings: Mayor Kaufert opened the Public Hearing for the Rezoning – Southeast Corner of Abby Avenue and W. North Water Street from I-2 to R-2 District. Melvin Timm (7065 Woodenshoe Road) addressed the Plan Commission as the Applicant. He indicated this previously was one large lot. His goal was to make this property useable. There is 1-2, General Industrial District to the east. Rezoning the lot to R2, Two-Family Residence District would allow for single-family or two-family residential. The subject is next to an existing R-2 District property which he also owns. He feels the change of zoning will fit in well with the neighborhood. He indicated the steel fence that was on the subject site has been removed.

Mayor Kaufert closed the Public Hearing.

Action Items:

1. Rezoning – Southeast Corner of Abby Avenue and W. North Water Street – I-2 to R-2 District (Ord. No. 2019-23)

Deputy Director Schmidt presented a zoning district map of the subject site and provided a summary of the rezoning request. The applicant is proposing to rezone the subject site to R-2, Two Family Residence District from I-2, General Industrial District. The applicant owns the land to the south and east of the subject property. Land to the east is undeveloped and zoned I-2 District. All land south of the subject property is zoned R-2 District. A small portion (.36 acres) will remain I-2, General Industrial District. The proposed rezoning classification is consistent with the City’s Comprehensive Plan 2040 Future land use designation.

Member Piergrossi inquired about the egress and whether gravel was an allowed material for a driveway. Deputy Director Schmidt indicated that at this point, the code allows gravel driveways in residential districts. Council may change this in the future. Deputy Director Schmidt confirmed that the egress/ingress continues south to Lot 1. He explained that the garage for the existing house (519 W. North Water Street) faces Abby Avenue. Staff worked with the applicant as the applicant’s original request was for a flag lot that would not have met code.

Member Hancock-Cooke asked for confirmation of Industrial zoning across the street and around the corner of Abby Ave. Deputy Director Schmidt confirmed and further described the two properties to the east are storage with industrial property further east. To the north is the waste water treatment plant, as well as property owned by WE Power Company.

Member Hancock-Cooke inquired about why all of the subject was not rezoned to R-2 District.

Melvin Timm indicated the land to the north of the subject is “ugly”. Leaving a portion of land in industrial zoning would allow for a commercial use at some point in the future. He described the easterly land as a buffer to the industrial zoned properties.

Mayor Kaufert addressed the applicant, Melvin Timm, inquiring why he no longer wishes to sell the subject property to the City. Melvin Timm indicated he did not receive a response from the City.

Mayor asked whether the Neenah-Menasha Sewerage Commission would have an interest to expand south (to this subject site). Deputy Director Schmidt indicated the subject land has been listed on the market. The waste water treatment plant would be aware. He is not aware of their needs.

Melvin Timm indicated that he would entertain an offer if the City wishes to purchase this site for a parking lot. Mayor Kaufert indicated he has had Staff review this and there is no interest at this time.

Mayor Kaufert explained he did not want to create a double standard and wanted this rezoning to be consistently handled. He referenced residential homes on Bond Street which are zoned C-2. He indicated some residences were having difficulty refinancing.

Member Piergrossi indicated this situation is no change from current standards but is an adjustment to the zoning boundary line.

Deputy Director Schmidt clarified that there was some speculation with the properties zoned C-2 on Bond Street. He explained that the owners were notified to let Staff know if they were running into any problems. As the old comprehensive plan was not consistent with the future land use, an amendment the comprehensive plan would be required.

MSC Piergrossi/Kaiser, Plan Commission recommends Common Council approve Ordinance No. 2019-23 rezoning southeast corner of Abby Avenue and W. North Water Street to the R-2, Two-Family Residence District.

All Aye. Motion passed.

2. Certified Survey Map – Southeast Corner of Abby Avenue and W. North Water Street – 3 Lot CSM

Deputy Director Schmidt explained the driveway for Lot 1 is planned to go through the easement over Lot 2. The proposed CSM meets the minimum for lot size. A drainage plan was attached in Deputy Director Schmidt's memo to Plan Commission dated October 2, 2019. Lot 2 and Lot 3 must meet drainage standards.

Member Hancock-Cooke expressed concern that the buyer of Lot 2 may not want the driveway.

Deputy Director Schmidt explained that there are challenges to install a driveway off of W. North Water Street. A legal document (shared driveway agreement) could be recorded to ensure that the property owners would work together.

Melvin Timm (applicant) indicated he intends to retain the ownership of the lots within his family. He intends to have a shared driveway agreement.

Member Genett inquired about the width of the proposed driveway. Deputy Director Schmidt indicated it would be 25 feet wide.

Ald. Kaiser indicated the ingress/egress to Lot 1 would be a benefit to Lot 1 and not a requirement of Lot 2. As Lot 2 could not restrict access for Lot 1.

Melvin Timm addressed Plan Commission and explained the location of curb cuts to access the proposed lots.

Mayor Kaufert stated the less shared driveways the better.

MSC Kaiser/Hancock-Cooke, Plan Commission approves the 3 lot CSM for the property located along Abby Avenue and W. North Water Street.

All Aye. Motion passed.

3. Informational - Trails Task Force

Deputy Director Schmidt gave a summary of the background of the Trails Task Force. The Trails Task Force was developed in 1997 and included a 10 member steering committee. At this point, Staff would like to reestablish the Trails Task Force with the focus on updating the plan to identify gaps and prioritize trail locations. A survey was conducted by the Trails Task Force which showed that the public sees value in trails. The East Central Regional Planning Commission studied the economic impact of trails as well. Their findings were that people want to be close to trails.

Deputy Director Schmidt presented a Strava Global Heatmap. This data identified the trails that are being utilized within the city. Staff would like to bring back more detailed information to ultimately obtain Plan Commission authority to reestablish the Trails Task Force.

Member Genett inquired about the timeline for the Lakeshore Drive project. Mayor Kaufert indicated that it will be included in his budget proposal. Director Kaiser indicated the Public Services and Safety Agenda for October 29, 2019 will include an informational item regarding the proposed layout of Lakeshore Drive.

Member Hancock-Cooke indicated most citizens would want to see the data (referring to the Strava Global Heatmap) and requested a copy of the map from Deputy Director Schmidt.

Plan Commission Minutes

October 8, 2019

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Announcements and future agenda items:

Next Plan Commission meeting is scheduled for October 29, 2019.

Adjournment: The Commission adjourned its meeting at 4:55 P.M. MSC Kaiser/Piergrossi. All Aye.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Cassandra Kohls". The signature is written in a cursive, flowing style.

Cassandra Kohls
Administrative Assistant, Community Development



AN ORDINANCE: By the Neenah Plan Commission
Re: Rezoning 0.33 Acres of land located on the southeast corner of Abby Avenue and W. North Water Street from I-2, General Industrial District to R-2, Two-Family Residence District.

ORDINANCE NO. 2019-23
Introduced: October 16, 2019
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Section 26-123 of the Neenah Municipal Code pertaining to zoning districts, and the map therein described, is hereby amended by rezoning 0.33 Acres of land located on the southeast corner of Abby Avenue and W. North Water Street from I-2, General Commercial District to the R-2, Two-Family Residence District. The property is more particularly described as follows:

A PARCEL OF LAND BEING PART OF LOTS 4 AND 5, BLOCK 3, H. WILDFANG'S SUBDIVISION OF BLOCK 3 OF BASSETT'S SECONG ADDITION TO JONES PLAT OF THE ISLAND, LOCATED IN THE NORTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 20 NORTH, RANGE 17 EAST, THIRD WARD, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH $\frac{1}{4}$ CORNER OF SECTION 22; THENCE S01°00'49"W, 2618.74 FEET ALONG THE EAST LINE OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 22 TO THE CENTER OF SECTION 22; THENCE S89°43'08"W, 1982.69 FEET ALONG THE NORTH LINE OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 22, THENCE S00°26'11"E, 25.58 FEET TO THE NORTHEAST CORNER OF LANDS DESCRIBED IN DOCUMENT NO. 1746093 AND THE SOUTH RIGHT-OF-WAY LINE OF ABBY AVENUE; THENCE S89°43'08"W, 142.73 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING; THENCE S01°17'53"E, 77.08 FEET; THENCE S81°27'35"W, 150.23 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF W. NORTH WATER STREET; THENCE N23°55'21"E, 108.16 FEET ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE SOUTH RIGHT-OF-WAY LINE OF ABBY AVENUE; THENCE N89°43'08"E, 102.96 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING INCLUDING TO THE CENTERLINE OF ABBY AVENUE AND W. NORTH WATER STREET.

Parcel ID: 80302490000

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.

Adopted: _____

Published: _____

Approved:

Dean R. Kaufert, Mayor

Attest:

Patricia Sturn, City Clerk

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, October 8, 2019 - 6:30 PM
Hauser Room - City Administration Building

Present: Alderpersons Bates, Lang, Lendrum, Spellman and Stevenson

Also Present: Mayor Kaufert, Director of Public Works Kaiser, Police Captain Bernice, Traffic Engineer Merten, Superintendent of Public Works Radtke, Scott Francis, Bill Pollnow

Minutes: Motion/Second/Carried Lendrum/Spellman to approve the minutes of the September 24, 2019, Regular Meeting. All voting aye.

Public Appearances: None.

Impaired Driving Task Force Grant 2020: Police Captain Bernice reviewed the Police Department request to take part in the Impaired Driving Task Force Grant for 2020. The objectives of the grant are to decrease the incidence of target driving violations, related crashes and to increase voluntary compliance with traffic regulations. He stated that the focus is impaired driving, which includes OWI violations, and other enforcement actions. Committee discussed the enforcement effort for OWI violations given the stated reduction in levels of OWI arrests regionally. Captain Bernice stated that the Winnebago County Sheriff's Office is coordinating the grant enforcement effort. Committee discussed seatbelt violation enforcement practices and texting while driving enforcement. Captain Bernice stated that the city's grant share is \$20,000 with a \$5,000 agency match. Mayor Kaufert noted that this would provide about 400 enforcement hours over the course of the grant year.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council grant permission for Police Department to take part in the 2020 Impaired Driving Task Force Grant with a grant amount of \$20,000 and city match of \$5,000.** All voting aye.

E. Forest Avenue Parking Request: Engineer Merten reviewed his October 4, 2019, memo regarding the concerns from the owner of 303 N. Commercial Street of the lack of parking within the general vicinity of his property. He reviewed the history of parking inventory in the area. He noted pavement marking changes that were made this past summer on Forest Avenue. He noted that the revised markings are an attempt to address the awkwardness of vehicle interaction at the intersection of Commercial Street and Forest Avenue. He noted the impact that Winnebago County Human Services employees and customers have on parking in the area. He stated that the quoted cost to remove the current striping and place epoxy pavement markings is about \$5,000.

Scott Francis, owner of 301 and 303 N. Commercial Street, addressed the Committee. He note the recent removal of parking adjacent to his building along Forest Avenue. He noted that his building is landlocked with frontage on Commercial Street and Forest Avenue but no direct access to the off-street parking area to the north. He stated that his building has two commercial units on the first floor and three residential units on the second floor.

Public Services and Safety Committee Meeting
October 8, 2019
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He noted a number of parking changes that have taken place since his ownership of the building. He noted contacts that have been made with City staff over the past decade to encourage an increase in the public parking supply. He estimated that the number of employees at the Winnebago County Human Services building has doubled since it opened. He noted two parking easement areas controlled by the City. He noted underutilized parking locations that could be used to alleviate the parking stress around the County site, including the High Street Lot, the Community First Credit Union site, and the Doty Island Dental site. He expressed a concern with the lack of notification of the parking removal on E. Forest Avenue and asked that the parking be restored.

Traffic Engineer Merten confirmed that the pavement marking changes have had the intended result. He also noted that the marking changes opened up parking on the north side of Forest Avenue east of former Kewanna Street. Committee discussed the need to balance the benefit of the traffic change with the cost of the parking loss for adjacent properties. Committee discussed truck turning movements from westbound Forest Avenue onto northbound Commercial Street.

Committee discussed the need to look at the bigger parking picture in the area. Mayor Kaufert noted his observations of parking in the area and suggested that changes to parking start with Island Lane. He suggested placing a time restriction on the northerly three spaces and allow parking by permit in the remaining 12 spaces. He stated that he has contacted the county executive's office to discuss the matter.

Committee discussed the markings and restrictions on parking spaces in the city easement areas. Committee discussed a partial removal of the brick wall edging the parking lot north of 307 N. Commercial Street to provide better access from that lot to the businesses at 303 and 301 N. Commercial Street. Committee discussed establishing time limits that would be less conducive to violation.

The consensus of the Committee was to recommend the following steps:

1. Restore three parking spaces on the north side of E. Forest Avenue adjacent to Mr. Francis' building as soon as possible.
2. Create three time limited spaces on the north end of Island Lane.
3. Post a time restriction on the 8 spaces in the City easement area of the lot north of 307 N. Commercial Street. Work with adjacent businesses to establish the appropriate time restrictions and enforcement period.
4. Have Mr. Francis work with the property owner of 307 N. Commercial Street to remove a portion of the brick wall edging the parking lot for that property.
5. Provide the Committee with a progress report in January.

Tullar Garage Drop-Off Site: Director Kaiser reviewed the proposed Tullar Garage Drop-Off Site rules of operation, entry card options and information that would be provided to residents.

Public Services and Safety Committee Meeting
October 8, 2019
Page 3

Bill Pollnow, 534 S. Lake Street, addressed the Committee to caution against taking drastic action in managing the drop-off site to address a very small number of problematic customers. He noted that the proposal requires landlords to manage their tenant use of the access cards. He felt that this would be problematic. He questioned the scale of the abuse of the facility and requested more vetting of any proposals. He noted that attendant training needs to be improved to emphasize the need to check IDs for customers.

Director Kaiser noted that the Committee had discussed concerns with drop-off site use in August and reviewed the collection numbers at that time. Superintendent Radtke stated that renters would still be able to get an access card for the site. He reviewed the rationale for the punch-card style system for site access. He noted that staff had considered using a barcode-style card but felt that starting with a simple system would cause the fewest problems. He noted that the owner of each property would be mailed one card, which would be good for 5 visits to the site for disposing large items, concrete, dirt, or garbage. If the property owner needed another card, one would be sold for \$25. Committee requested that staff explore the possibility of adding a property address to the card.

Committee discussed a number of aspects of drop-off site and refuse collection operations. Committee discussed the volume of curbside large item collection that is currently performed. Director Kaiser noted that these volumes have increased over the past several years and are now at levels not seen since 2010. Committee discussed the services provided at the Neenah drop-off site as compared to the services and charges at drop-off sites from several nearby communities. Committee noted that some of the items taken to the drop-off site appear to be in good condition. They requested that information on alternatives to landfill disposal be provided with the access card.

Beverage Operator License Application: The Committee reviewed the beverage operator license applications for Erica M. Cowling, Rebecca L. Durant, Jessica G. Lambert, Tami J. Lefeber, Tanna J. Mayer, Nichole A. Van Hammond and Alexis Zehner. Chairperson Bates stated that she would contact the city clerk to find out why corrections were needed to the Cowling, Durant and Lefeber applications.

C.A. Following discussion, **Motion/Second/Carried Lendrum/Spellman to recommend Council approve beverage operator license application for Erica M. Cowling, Rebecca L. Durant, Jessica G. Lambert, Tami J. Lefeber, Tanna J. Mayer, Nichole A. Van Hammond and Alexis Zehner.** All voting aye.

Retail Liquor/Beer License Application: Committee reviewed the retail liquor/beer license application for Wisconsin Apple, LLC, d/b/a Applebee's Neighborhood Bar & Grill. Chairperson Bates stated that the Liquor License Review Subcommittee had recommended approval of the application.

Public Services and Safety Committee Meeting
October 8, 2019
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C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend that Council approve the retail liquor/beer license application for Wisconsin Apple, LLC, d/b/a/ Applebee's Neighborhood Bar & Grill, 111 Westowne Drive, Kent Billingsley, agent.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 1-19 (Caroline, Stevens, Fifth) – Work is complete. Final quantity measurements are being made.
2. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
 - a. Stanley Court – Utility work is complete. Road excavation is complete. Curb/gutter should be placed by the end of the week.
 - b. Stanley Street – Utility work, curb/gutter repairs and landscaping work are complete. Paving work remains.
 - c. Thomas Court – Utility work, excavating, curb/gutter installation, and landscaping are complete. Paving work remains.
3. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The major work items have been completed (Bell St trail, Pendleton Rd sidewalk/trail, Tullar Rd pavement repairs). The remaining work consists of miscellaneous curb/gutter, pavement, and sidewalk repairs.
4. Contract 5-19 (Hot-Mix Asphalt Pavement Repair) – Some patches have been completed. The remaining work will start in October.
5. Contract 7-19 (Breezewood Sanitary Sewer) – Bids were opened on Sept. 19. Dornier, Inc., was awarded the contract. A pre-construction meeting has not yet been scheduled.
6. Courtney Court – Utility work, excavating, and curb/gutter installation are complete. Landscaping and paving work remains. The Town has indicated that they intend to place the base layer of asphalt this year and the topcoat next year. Staff is reviewing the first billing received from the Town for our share of the project.
7. Cardinal Plat – Utility installation is ongoing. Access to the site comes from Lone Oak Drive.
8. Multi-modal Local Supplement – Staff attended a WisDOT webinar regarding the Multimodal Local Supplement (MLS). We are evaluating a number of potential projects to submit. There is not a limitation on the number of submittals.
9. Downtown Traffic Study – The consultant is evaluating data from travel time runs made along the base route (Wisconsin Avenue) and alternate routes. They are also looking through traffic modelling provided by ECWRPC for the downtown street network.
10. Jewelers Park Trail – Staff has prepared a request for proposals for consulting services to prepare plans and specifications for a possible trail along Jewelers Park Drive.
11. North Riverwalk – The shorewall improvements at the east end of the North Riverwalk have been completed (TID 8 CIP, page 267 of 2019 Operating and Capital Improvement Budget).
12. Abby Avenue – Staff is preparing an MOU with the City of Menasha for the Abby Avenue project. The draft MOU has not yet been provided to Menasha. The final MOU will be brought to Committee and Council.

Public Services and Safety Committee Meeting
October 8, 2019
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Announcements/Future Agenda Items:

Chairperson Bates requested that Ald. Spellman provide a note identifying items that she would like to have placed on an agenda for future Committee consideration.

Chairperson Bates informed the Committee that, while Habitat for Humanity is constructing garages with new home builds, they will not be installing hard surface driveways. Director Kaiser noted ordinance requirements for hard surface aprons.

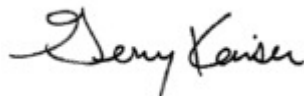
Director Kaiser stated that he will need a Committee meeting prior to the October 16 meeting of the Common Council to address the STP-Urban application for the S. Commercial Street reconstruction project.

Ald. Stevenson noted that the Police Department had previously indicated that they would provide an update on Communications Tech overtime. He requested that they provide that information.

Mayor Kaufert informed the Committee that a speed hump was installed on Baldwin Street.

Motion/Second/Carried Lang/Lendrum to adjourn at 8:50 p.m. All voting aye.

Respectfully submitted,



Gerry Kaiser, PE
Director of Public Works

CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, October 7, 2019 – 6:30 p.m.
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

MINUTES

Present: Chairman Erickson; Aldermen Kunz, Steele and Stevenson; Mayor Kaufert; City Attorney Godlewski; Director of Finance Easker.

Others Present: Director of Human Resources and Safety Kehl, Assistant Police Chief Sievert, Assistant City Attorney Vanden Heuvel.

Absent/Excused: Alderman Boyette.

Public Appearances: None.

Minutes: **Motion/Second/Carried Steele/Kunz to approve the minutes from the August 12, 2019 Regular Meeting and the September 18, 2019 Special Meeting.** All voting aye.

Request to Fill Assistant Police Chief Position: Committee reviewed memo of Police Chief Olson requesting authorization to fill the pending Assistant Chief vacancy effective no sooner than November 13, 2019. The vacancy will occur due to the retirement of Assistant Chief Chris Sievert on October 11, 2019. Mayor Kaufert has reviewed the request and concurs with the request to fill the vacancy. Issues discussed included discussion that both internal and external candidates are being considered for the position.

Motion/Second/Carried Stevenson/Steele requesting authorization to fill the pending Assistant Chief vacancy effective no sooner than November 13, 2019. All voting aye.

Request to Fill Two Police Patrol Officer Positions:

A. Committee reviewed memo of Police Chief Olson requesting authorization to fill the pending police officer vacancy effective November 1, 2019 due to the June 22, 2019 retirement of Officer Marly Heiting. Mayor Kaufert has reviewed the request and concurs with filling the vacant position as soon as possible.

B. Committee reviewed memo of Police Chief Olson requesting authorization to fill the police officer position effective November 1, 2019 due to Officer Amanda Moe giving up her sworn status to become the full-time Evidence Custodian. Mayor Kaufert has reviewed the request and concurs with ultimately filling the vacant position, but with a delayed starting date to be determined by the committee. He would prefer the delay to provide additional budget savings due to 2020 budget constraints.

Committee and staff discussed various aspects of the hiring requests. Assistant Chief Sievert explained the progress to this point for hiring the replacements, including the

preferred candidates identified from the hiring process. Discussion also took place on the Mayor's request to delay the hiring of one officer.

Motion/Second/Carried Kunz/Steele to approve the requested authorization to fill the pending police officer vacancy effective November 1, 2019 due to the retirement of Officer Marly Heiting, and to approve the requested authorization to fill the police officer position effective November 1, 2019 due to Officer Amanda Moe giving up her sworn status to become the full-time Evidence Custodian. All voting aye.

Request to Fill Vacant Assistant Treasurer Position: Committee reviewed memo of Director Easker requesting approval to fill the pending Assistant Treasurer vacancy effective January 15, 2020. The vacancy will occur due to the planned retirement of Assistant Treasurer Judy Christnovich on February 7, 2020. Mayor Kaufert has reviewed the request and concurs with the request to fill the vacancy. Issues discussed included discussion that both internal and external candidates could potentially be considered for the position and the desire for the hire date to provide for a minimum of three weeks of overlap and training for the new employee.

Motion/Second/Carried Stevenson/Steele requesting approval to fill the pending Assistant Treasurer vacancy effective January 15, 2020. All voting aye.

2019 Wage Update & 2020 Wage Information: Committee reviewed memo of Director Kehl regarding the 2019 wage update and 2020 wage information for non-represented employees. The memo provides, in consultation with City Salary Plan consultant Carlson Dettman, that: 1). The salary plan would increase 2% in 2020; 2). All employees would receive a January 1 cost-of-living increase of 1%; 3). All employees would be eligible for a July 1 merit increase of .5%-1.25%, based on performance; and, 4). Employees under the mid-point of their grade would be eligible for an October 1 midpoint adjustment of 0.25%-2.25%.

Committee and staff discussed various aspects of the informational update. Upon questioning, Director Kehl said that, due to ongoing investments in annual and mid-point wage adjustments, the City's goal of having employees reach the midpoint of their pay grade has been reduced from the previous ten years to seven years. Discussion took place on the standards used for employees to receive merit and mid-point adjustments, the current number of employees still under mid-point along with a historical perspective on non-represented wage adjustments over the years. Committee requested that Director Kehl provide a memo summarizing how the merit plan affected each non-represented employee's pay in 2019. Consistent with previous years, since the update was informational only, no action by the committee is requested. Ultimate action on the cost of the recommendations will happen upon the adoption of the 2020 City Operating Budget.

Reclassification and Market Review Requests: Committee reviewed memo of Director Kehl requesting Council approve the following reclassifications and market adjustment effective January 1, 2020:

Position:	Current Grade:	Recommended Grade:
Assistant City Attorney	N3	O3 w/title change to Deputy CA
Administrative Assistant to Mayor	F3	G3
Deputy Director of CD & Assessment	N3	O3
Code Enforcement/City Sealer	G3	H3
Director of CD & Assessment	S3	S3 w/a 5% market adjustment

Director Kehl explained that the recommendations are based upon reviews provided by City Salary Plan consultant Carlson Dettman. She indicated that the list does not include employees from the Water Department and Library, who are both governed by separate boards or commissions. The estimated 2020 wage cost to implement the proposed grade changes and market adjustment is \$16,207.37.

Committee and staff discussed various aspects of the proposed reclassifications and market adjustment. Issues discussed included the process for employees to request these changes and if the process is understood by employees, discussions on specific recommendations, which Water and Library requests were approved and whether any requests had not been recommended by Carlson Dettman. Upon further discussion, it was determined that Director Kehl would send a memo providing further information on Water and Library requests that were recommended and any other requests that had not been recommended by Carlson Dettman.

Motion/Second/Carried Kunz/Steele requesting Council approve the following reclassifications and market adjustment effective January 1, 2020.

Position:	Current Grade:	Recommended Grade:
Assistant City Attorney	N3	O3 w/title change to Deputy CA
Administrative Assistant to Mayor	F3	G3
Deputy Director of CD & Assessment	N3	O3
Code Enforcement/City Sealer	G3	H3
Director of CD & Assessment	S3	S3 w/a 5% market adjustment

All voting eye.

Transferring of Excess Property Located Along Harrison Street: Committee reviewed memo of Assistant City Attorney Vanden Heuvel recommending Council approve the transfer of excess property located along Harrison Street to Steve Spanbauer in exchange for Mr. Spanbauer paying the cost of a new land survey of the area, not to exceed \$1,800, with the City paying any cost over that amount. The Common Council had voted to authorize the sale of the remnant right-of-way property on April 28, 2017 pending final approval on the terms of the sale. Committee and staff reviewed a map of the property location and discussed other aspects of the proposed sale and its terms.

Motion/Second/Carried Steele/Stevenson recommending Council approve the transfer of excess property located along Harrison Street to Steve Spanbauer in

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exchange for Mr. Spanbauer paying the cost of a new land survey of the area, not to exceed \$1,800, with the City paying any cost over that amount. All voting aye.

Fiscal Matters: July and August Vouchers: Motion/Second/Carried Stevenson/Steele to approve the July and August vouchers as presented. All voting aye.

Motion/Second/Carried Kunz/Stevenson to adjourn the meeting at 8:30 p.m. All voting aye.

Respectfully submitted,

A handwritten signature in green ink, appearing to read "M.K. Easker".

Michael K. Easker, CPA
Director of Finance

Minutes of the Board of Public Works Meeting

Wednesday, October 9, 2019

1:00 pm

Hauser Room

MEMBERS PRESENT: Mayor Kaufert, City Attorney Godlewski, Director of Public Works Kaiser, Director of Finance Easker, Director of Community Development & Assessment Haese and Alderperson Bates.

ALSO PRESENT: Deputy City Clerk Cheslock and Water Department Distribution Manager Nevers

Mayor Kaufert called the meeting to order at 1:05 p.m.

MINUTES: MSC Haese/Godlewski to approve the minutes from the September 24, 2019 meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS: Mayor Kaufert shared that Alderperson Lang will be taking Alderperson Spellman's seat on the committee moving forward.

Public Works:

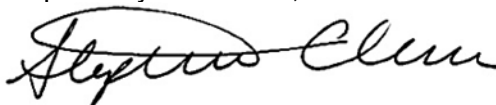
Change Order No. 1 for Contract 2-19: Dir. Kaiser requested approval of Change Order No. 1 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$26,314.30. Director Kaiser detailed that there are twelve items on the change order; they had to realign some manhole covers and rebuild the curb and gutter. The street was narrowed by 5 inches on each side. Distribution Manager Nevers detailed that there were some old water mains beneath the area being worked on that broke due to the increased weight and traffic during construction. Those mains were on the list of mains to be replaced soon. **MSC Kaiser/Easker to approve Change Order No. 1 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$26,314.30, all voting aye.**

Pay Estimate No. 6 for Contract 2-19: Dir. Kaiser requested approval of Pay Estimate No. 6 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$167,545.92. Director Kaiser detailed this work was mostly grading and graveling as well as miscellaneous utility work done mostly on Thomas Court. The Committee discussed if these payments, after the change order, fall within the original contract. The street work will not go over the planned costs but the water side may end a little higher than contracted. This project is wrapping up in the next few weeks with grading taking place on Stanley Court this week and Thomas Court next week. **MSC Kaiser/Godlewski to approve Pay Estimate No. 6 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$167,545.92, all voting aye.**

ADJOURNMENT

MSC Godlewski/Haese to adjourn at 1:17 p.m., all voting aye.

Respectfully Submitted,



Stephanie Cheslock
Deputy Clerk

Info Only

Info Only

STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

Date: October 16, 2019

Date of Directive: 4/17/2018

Item: Review the street assessment policy – Ordinance Chapter 13.5(D) (2).

Responsible Party: Ald. Lendrum

Status: Pending