



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, June 15, 2022 - 7:00 p.m.
Neenah City Hall – 211 Walnut Street
Council Chambers

- I. Roll Call and Pledge of Allegiance.

PROCLAMATION OF JULY 2022 AS PARKS AND RECREATION MONTH

- II. Introduction and Confirmation of Mayor's Appointment(s)
- A. List appointments announced at last meeting under new business. (Motion to confirm) **(UC)**
 - 1. None.
- III. Approval of Council Proceedings
- A. Approval of the Council Proceedings of June 1, 2022 regular session. **(UC)**
- IV. Public Forum
- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- V. Mayor/Council consideration of public forum issues
- VI. Consent Agenda
- A. Approve Bergstrom-Mahler Museum Inc., 165 N Park Drive, to be held on June 23, 2022 the Council approve the Street Use Permit for Ark After Dark, sponsored by The from 5:00 PM to 9:00 PM. **(PSSC)**
 - B. Approve Temporary Class "B" Picnic License Application for the sale of fermented malt beverages to Bergstrom-Mahler Museum Inc., for Art After Dark to be held on June 23, 2022 from 5:00 PM to 9:00 PM. **(PSSC)**
 - C. Approve Temporary Class "B" Picnic License Application for the sale of fermented malt beverages and wine to Bergstrom-Mahler Museum Inc., for Art Fest to be held on August 12, 2022 and August 13, 2022. **(PSSC)**
 - D. Approve Street Use Permit for the Farewell Party, sponsored by St. Margaret Mary Parish, 620 Division Street, to be held on June 26, 2022 from 10:30 AM to 2:00 PM. **(PSSC)**
 - E. Ratify Mayor Lang's approval of Special Events Permit for Special Olympics Torch Run sponsored by Neenah Police Department, 2111 Marathon Avenue, to be held June 29, 2022 at 9:00 AM to 11:00 AM.
 - F. **(UC)**

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of June 7, 2022: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
1. Committee recommends Council adopt Resolution No. 2022-10 - Compliance Maintenance Annual Report R for Sanitary Sewer. **(RollCall-Pro)**
 2. Committee recommends Council approve contracting with GRAEF for engineering, design and construction management services for the construction of a new bridge over Neenah Creek connecting the Bridgewood Golf Course redevelopment project to Jewelers Park Drive in a not to exceed cost of \$149,878.39 with the funding source coming from TIF #7, with staff presenting a preliminary location of the bridge at the Council meeting on June 15, 2022. **(RollCall-Pro)**
 3. Committee recommends Council approve a budget amendment to provide for sewer lateral replacements done in conjunction with the lead service line replacement program using \$520,000.00 budgeted funds remaining from the S. Commercial Street and Grove Street sanitary sewer replacement projects. **(RollCall-Pro)**
- B. Regular Finance and Personnel Committee meeting of June 6, 2022: (Chairperson Erickson/Vice Chairperson S kyrms) (Minutes can be found on the City web site)
1. No report.

VIII. Reports of special committees and liaisons and various special projects committees

- A. Regular Plan Commission meeting of June 7, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)
1. Commission recommends Council approve the proposed 2 Lot CSM at 7001 Woodenshoe Road and accept the land dedication for public right-of-way. **(RollCall-Pro)**
- B. Board of Public Works meeting of June 9, 2022: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
1. Information Only Items:
 - a) The Board approved Change Order No.1, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot, Inc., Green Bay in an amount of \$6,433.44.
 - b) The Board approved Change Order No.2, Contract 5-22, CTH CB/CTH JJ, Utility Installation De Groot Inc., Green Bay in an amount of \$12,449.81.
 - c) The Board approved Pay Estimate No.2, Contract 2-22, Sanitary, Water Services and Street Construction, Grove Street and Dieckhoff Street, Donald Hietpas & Sons, Inc., Little Chute, in an amount of \$162,398.89

- d) The Board approved Pay Estimate No. 2, Contract 4-22, Sanitary Sewer and Water Main Construction, S. Commercial Street, Robert J. Immel Exc. Inc
 - e) The Board approved Change Order No. 1 for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$9,440.20
 - f) The Board approved Pay Estimate No. 2, for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$322,747.85
2. Council Action Items:
- a) The Board recommends Council award Contract 8-22, HMA Pavement Repairs to Northeast Asphalt, Inc. in the amount of \$94,268.00. **(RollCall-Pro)**
 - b) The Board recommends Council approve Final Payment, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot Inc., Green Bay in an amount of \$51,750.59. **(RollCall-Pro)**
- C. Reports on neighborhood groups.
- 1. Business Improvement District Board (BID Board) – Alderperson Skyrms
- D. Community Development Authority
- 1. Report from the CDA – Director Haese
 - a) Cancelled
- E. Library Board
- 1. Report from the Library Board – Alderperson Erickson
- F. Neenah Arts Council
- 1. Report from the Neenah Arts Council – Alderperson Erickson
- G. Landmarks Commission
- 1. Report from the Landmarks Commission – Alderperson Steiner
- IX. Presentation of petitions
- A. Any other petition received by the City Clerk's Office after distribution of the agenda.
- X. Council Directives
- XI. Unfinished Business
- A. Attorney's opinion on video gaming devices.
 - B. Attorney's opinion on Beverage Operator License appeal after deadline.
- XII. New Business
- A. Scheduling of 2022 Council photo.
 - B. Any announcements/questions that may legally come before the Council.
- XIII. Closed Session

- A. Adjourn into closed session pursuant to Wis. State Statute §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Ullrich vs. City of Neenah—Lake Shore Avenue Litigation and Lake Shore Avenue Reconstruction Project)
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session relating to downtown parking.
- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

XIV. 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 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.



PROCLAMATION PARKS AND RECREATION MONTH

WHEREAS parks and recreation is an integral part of communities throughout this country, including the City of Neenah; and

WHEREAS parks and recreation promotes health and wellness, improving the physical and mental health of people who live near parks; and

WHEREAS parks and recreation promotes time spent in nature, which positively impacts mental health; and

WHEREAS parks and recreation encourages physical activities by providing space for popular sports, hiking trails, swimming pools and many other activities designed to promote active lifestyles; and

WHEREAS park and recreation programming and education activities, such as out of-school time programming, youth sports and environmental education, are critical to childhood development; and

WHEREAS parks and recreation increases a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS parks and recreation is fundamental to the environmental well-being of our community; and

WHEREAS parks and recreation is essential and adaptable infrastructure that makes our communities resilient in the face of natural disasters and climate change; and

WHEREAS our parks and natural recreation areas ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS the U.S. House of Representatives has designated July as Parks and Recreation Month; and

WHEREAS the City of Neenah recognizes the benefits derived from parks and recreation resources.

NOW THEREFORE, BE IT RESOLVED, that I Jane B. Lang, Mayor of the City of Neenah, Wisconsin do hereby proclaim July 2022 as Park and Recreation Month.

Signed and sealed this _____ day of June, 2022.

Jane B. Lang, Mayor
Neenah, Wisconsin

Common Council Proceedings
Wednesday, June 1, 2022—7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., June 1, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Borchardt, Hillstrom, Lendrum, Erickson, Skyrms appeared by phone, Steiner, and Stevenson. Staff present Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, and City Clerk Nagel. City Attorney Westbrook was excused.

Also present: Police Chief Olson appeared by phone, Assistant Police Chief Bernice, Police Captain Tom Van Sambeek, Deputy Fire Chief Krueger, and Assistant Fire Chief Dorn.

Mayor Lang called the meeting to order at 7:02 p.m.

- I. The Clerk called a voice roll call as the Mayor/Alderpersons recorded their attendance on the RollCall-Pro System.

Mayor Lang recognized Boy Scout Troop Group 3 Chartered by St. Thomas Episcopal Church. The Troop is working on requirements for the Citizenship in the Community Merit Badge. As such, the Pledge of Allegiance led by Boy Scout Troop Group 3.

Presentations by Aldermanic District 3 Candidates to Council

Motion to appoint a candidate to the Common Council's vacant District 3 Aldermanic position for the remainder of Alderperson Lang's term to expire April 2023.

MS by Stevenson/Borchardt based on the tabulation and the process approved by the Council to appoint Scott Weber as Alderperson District 3 for the remainder of Former Alderperson Lang's term ending April 2023, no discussion, all voting aye.

- II. Introduction and Confirmation of Mayor's Appointment(s).
 - A. Re-appointment Karen Genett to the Plan Commission for a three-year term expiring in 2025.
There being no objections the motion was approved by unanimous consent.

Clerk Nagel swore in Karen Genett as a member of the Plan Commission.

- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of May 18, 2022 regular session.
There being no objections the motion was approved by unanimous consent.

IV. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of May 24, 2022: (Chairman Lendrum/Vice Chairman Hillstrom) (Minutes can be found on the City web site)
1. Committee recommends Council approve entering into a contract with Miron Construction in the role of Construction Manager for the Police Department's building expansion and to bring back to the committee a formal contract including a guaranteed maximum price between Miron Construction and the City of Neenah for approval.
MSRCP Lendrum/Hillstrom to approve as presented, all voting aye.
 2. Committee recommends Council approve the 2022-2023 Renewal of Retail Class "A" and Class "B" Liquor/Beer Licenses.
MSRCP Lendrum/Borchardt to approve as presented contingent upon payment of any and all money owed to the city, all voting aye.
- B. NMFR Joint Finance & Personnel Committee meeting of May 24, 2022: (Aldersperson Borchardt) (Minutes can be found on the City web site)
1. Committee recommends the City of Neenah Common Council approve Ordinance 2022-12 Amending Sect 7-20 of the Neenah Municipal Code relating to Fire Prevention Code and standards.
MSRCP Borchardt/Boyette to approve as presented, all voting aye.
 2. Committee recommends City of Neenah and City of Menasha Common Councils reallocate \$185,000 of the budgeted \$675,000 for new Engine 31 and to spend \$85,000 for a new command truck \$75,000 for a new command Tahoe and \$25,000 for a used pick-up truck in 2022.
MSRCP Borchardt/Boyette to approve as presented, all voting aye.

V. Closed Session

- A. Adjourn into closed session pursuant to Wis. State Statute §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Ullrich vs. City of Neenah—Lake Shore Avenue Litigation and Lake Shore Avenue Reconstruction Project)
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business,

whenever competitive or bargaining reasons require a closed session relating to downtown parking.

- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

Motion by Boyette/Stevenson to adjourn into closed session for the above referenced items, all voting aye.

At 8:09 pm., the Council recessed to prepare for the closed session.

At 8:16 p.m., the Council reconvened into closed session.

Council adjourned the meeting within the closed session at 9:02 p.m. No action taken.

- VI. Adjournment

Motion by Stevenson/Borchardt to adjourn, all voting aye. Meeting adjourned at 9:02 p.m.

Respectfully submitted,



Charlotte Nagel, City Clerk

Common Council Minutes
Wednesday, June 1, 2022—7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., June 1, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Borchardt, Hillstrom, Lendrum, Erickson, Skyrms appeared by phone, Steiner, and Stevenson. Staff present Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, and City Clerk Nagel. City Attorney Westbrook was excused.

Also present: Police Chief Olson appeared by phone, Assistant Police Chief Bernice, Police Captain Tom Van Sambeek, Deputy Fire Chief Krueger, and Assistant Fire Chief Dorn.

Mayor Lang called the meeting to order at 7:02 p.m.

- I. The Clerk called a voice roll call as the Mayor/Alderpersons recorded their attendance on the RollCall-Pro System.

Mayor Lang recognized Boy Scout Troop Group 3 Chartered by St. Thomas Episcopal Church. The Troop is working on requirements for the Citizenship in the Community Merit Badge. As such, the Pledge of Allegiance led by Boy Scout Troop Group 3.

RECOGNITION OF RETIREMENTS:

- Patrick Pedersen, Police Department Investigations Lieutenant, 30 years, 8 months years of service.
Mayor Lang acknowledged how proud and thankful the community is for all that Lieutenant Pedersen has done for the City during his tenure.

Presentations by Aldermanic District 3 Candidates to Council

Aldermanic candidates Mellisa Stafford, Timothy Jacobson, Jeffrey Linski, and Scott Weber gave brief presentations as part of the application process to be appointed to fill the vacant District 3 aldermanic seat vacated by Former Alderperson Lang being elected Mayor.

After the presentations had been given, a vote was taken for the four candidates. Mellisa Stafford received three votes; Timothy Jacobson received one vote; Jeffrey Linski received one vote; and Scott Weber received three votes.

A second vote was taken for the candidates who received the two highest votes (Stafford and Weber). Mellisa Stafford received three votes and Scott Weber received five votes. The Council recommendation is to appoint Scott Weber as Alderperson District 3 for the remainder of Former Alderperson Lang's term ending April 2023.

It should be noted that Alderperson Skyrms was present via the Clerk Nagel's cell phone. Alderperson Skyrms texted his vote for Alderperson District 3 to Clerk Nagel's cell phone. Both Director Easker and Clerk Nagel tallied the votes. At 7:52 p.m. Alderperson Skyrms was disconnected from the meeting.

Motion to appoint a candidate to the Common Council's vacant District 3 Aldermanic position for the remainder of Alderperson Lang's term to expire April 2023.

MS by Stevenson/Borchardt based on the tabulation and the process approved by the Council to appoint Scott Weber as Alderperson District 3 for the remainder of Former Alderperson Lang's term ending April 2023, no discussion, all voting aye.

Swearing in of newly appointed District 3 Alderperson

Clerk Nagel swore in Scott Weber as the new District 3 Alderperson.

- II. Introduction and Confirmation of Mayor's Appointment(s).
 - A. Re-appointment Karen Genett to the Plan Commission for a three-year term expiring in 2025.
There being no objections the motion was approved by unanimous consent.

Clerk Nagel swore in Karen Genett as a member of the Plan Commission.

- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of May 18, 2022 regular session.
There being no objections the motion was approved by unanimous consent.

- IV. Public Forum
 - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
 - 1. Heather Schiesser, 320 3rd Street – Ms. Schiesser was denied a Beverage Operator's License by the Clerk's Office. Ms. Schiesser acknowledged that she received a denial letter explaining reasons for the denial and the process for an appeal. Ms. Schiesser admitted that she missed the deadline to file an appeal. Ms. Schiesser would like Council's approval to submit an appeal after missing the deadline.

Ms. Schiesser spoke about the last felony on her background check which was Intentionally Cause Harm to a Child. Ms. Schiesser explained the incident to the Council. Ms. Schiesser's daughter, Starr Anna Rhodes-Concepcion, submitted a handwritten letter to Mayor Lang explaining the felony charge. Ms. Rhodes-Concepcion could not

attend the meeting. This letter was submitted to the Clerk for distribution to the Council.

2. Randy Steward, 310 Winneconne Avenue – Spoke in support of Ms. Schiesser being granted the opportunity to appeal the denial of her Beverage Operator’s License. Mr. Steward is one of the owners of Sherrytown Station, the bar in which Ms. Schiesser would be working. Mr. Steward advised that Ms. Schiesser has turned her life around, is currently on a good path, and would like to see her be given the opportunity to work.
3. Amritpal Gill, Gill Liquor, 1117 S. Commercial Street – Mr. Gill spoke on video gambling machines located inside competitor businesses. Mr. Gill cannot compete with businesses that are allowed to have video gambling machines. Mr. Grill submitted documentation in support of video gambling machines only allowed in Class B licensed establishments, not Class A. Since this is the renewal licensing period, Mr. Gill would like those with Class A licensed establishments with video gambling machines to be denied their license until the machines are removed.

V. Mayor/Council consideration of public forum issues

- A. Alderperson Lendrum would like to receive copies of all the submittals.
- B. Council President Stevenson would like Attorney Westbrook to issue a legal opinion regarding Mr. Gill’s concern regarding gambling machines in Class A licensed establishments and Ms. Schiesser’s request for an appeal of the Beverage Operator’s License denial appeal as well.

VI. Consent Agenda

- A. None

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of May 24, 2022: (Chairman Lendrum/Vice Chairman Hillstrom) (Minutes can be found on the City web site)
 1. Committee recommends Council approve entering into a contract with Miron Construction in the role of Construction Manager for the Police Department’s building expansion and to bring back to the committee a formal contract including a guaranteed maximum price between Miron Construction and the City of Neenah for approval.
MSRCP Lendrum/Hillstrom to approve as presented, all voting aye.

Discussion: Alderperson Stevenson voiced his concerns at the Public Services and Safety Committee meeting. The Miron bid was reviewed by the special team consisting of Mayor Lang, Council President Stevenson, Alderperson S kyrms, Assistant Police Chief Bernice, and Police Captain Van Sambeek. Miron recommended the same building structure as the city's architect. The special review team questioned the lack of a guaranteed maximum value for the cost of the project. Police Chief Olson was advised of the concern. Miron Construction presented their bid at Public Services and Safety Committee meeting and agreed there should be language included in the contract regarding guarantee maximum value. Miron explained their compensation methodology at committee and Alderperson Stevenson supports Police Chief Olson and Attorney Westbrook finalizing the contract and bringing it back to the Council.

2. Committee recommends Council approve the 2022-2023 Renewal of Retail Class "A" and Class "B" Liquor/Beer Licenses.
MSRCP Lendrum/Borchardt to approve as presented contingent upon payment of any and all money owed to the city, all voting aye.

Discussion: Alderperson Lendrum advised that in past years there was a list of outstanding monies owed to the city. This year there are only a few, so approval of their liquor license will be contingent upon payment made to the city for any and all outstanding money owed.

- B. Regular Finance and Personnel Committee meeting of May 23, 2022: (Chairman Erickson/Vice Chairman S kyrms) (Minutes can be found on the City web site)
 1. Cancelled.
- C. NMFR Joint Finance & Personnel Committee meeting of May 24, 2022: (Alderperson Borchardt) (Minutes can be found on the City web site)
 1. Committee recommends the City of Neenah Common Council approve Ordinance 2022-12 Amending Sect 7-20 of the Neenah Municipal Code relating to Fire Prevention Code and standards.
MSRCP Borchardt/Boyette to approve as presented, all voting aye.

No discussion.

2. Committee recommends City of Neenah and City of Menasha Common Councils reallocate \$185,000 of the budgeted \$675,000 for new Engine 31 and to spend \$85,000 for a new command truck

\$75,000 for a new command Tahoe and \$25,000 for a used pick-up truck in 2022.

MSCR P Borchardt/Boyette to approve as presented, all voting aye.

Discussion: Deputy Fire Chief Krueger gave an overview of the reason for the money movement. NMFR purchased a new fire truck at the beginning of the year. The manufacturer advised that larger apparatus lead times are currently about 24 months out. Therefore in an effort to balance how money is spent, this proposal is to use the money for the second payment of the new fire truck be used to replace smaller end of life cycle vehicles currently in stock.

Aldersperson Borchardt appreciates the Fire Department's insight to provide reasonable solutions for potential problems and the forward thinking that is brought forth to the Council.

Mayor Lang advised this proposal was talked about in CIP discussions and she is also proud of the solution the Fire Department brought forth to the Council.

Aldersperson Steiner inquired on the payment for the new fire truck. Director Easker addressed the inquiry. There was a manufacturer offer at the time the new fire truck was ordered for the City to put down fifty-percent of the cost at time of order and pay the remaining fifty-percent upon delivery of the fire truck. Splitting the payment for the new fire truck this way offered significant savings. It was this splitting the payment for the new fire truck that provided the flexibility to now replace the smaller end of life cycle vehicles. However, it must be understood that next year final payment of the new fire truck is due so the both the cities of Neenah and Menasha will have to borrow they respective shares to make that final payment for the new fire truck in 2023 upon its delivery.

Aldersperson Stevenson clarified that the second payment for the new fire truck was due upon delivery. That delivery is not going to occur until 2023. Therefore the borrowed money for the second payment of the fire truck will be used to purchase smaller end of life cycle vehicles. Next year the borrowed money will be used to for the second payment of the new fire truck upon its delivery. The amount of money remains the same.

- VIII. Reports of special committees and liaisons and various special projects committees
 - A. Regular Plan Commission meeting of May 24, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)

1. Cancelled.
 - B. Landmarks Commission
 1. Report from the Landmarks Commission – Alderperson Steiner
 - a. The next meet is scheduled for June 8, 2022.
 - C. Sustainable Neenah Committee
 1. Report from the Sustainable Neenah Committee – Alderperson Borchardt
 - a. Farmer’s Markets will begin June 11, 2022. Sustainable Neenah Committee will have booths at each Farmer’s Market promoting various sustainable initiatives.
 - D. Reports on neighborhood groups.
 1. Business Improvement District Board (BID Board) – Alderperson S kyrms
 - a. Forward to next Council Meeting of June 15, 2022.
 - E. Bergstrom Mahler Museum
 1. Report from the Bergstrom Mahler Museum – Alderperson Steiner
 - a. Meeting of Monday, May 23, 2022.
 - b. Catching Fire is the current exhibit.
 - c. Crystal Ball event was a huge success.
 - d. 80Th Birthday Party for Wally Bergstrom was held. The Sulphide Gallery was named in Mr. Bergstrom’s honor.
 - e. Hosted a Paperweight Collector Association Conference for paper weight enthusiasts around the world.
 - F. Parks & Recreation Commission
 1. Report from Parks & Recreation Commission – Alderperson Borchardt
 - a. Shattuck Park water feature is working out some kinks; hoping to be operational this Friday.
 - b. Final Arrowhead Park pier design has been approved the DNR. The final approval is a modified designed from the original but the integrity of what it was designed for will be spectacular.
 - c. There was discussion on creating Friends of Carpenter’s Preserve. Keep this in mind for volunteer opportunities.
- IX. Presentation of petitions
- A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
 1. None.
- X. Council Directives
- A. None.
- XI. Unfinished Business
- A. None.
- XII. New Business

- A. Any announcements/questions that may legally come before the Council.
- B. Scheduling of 2022 Council photo.

XIII. Closed Session

- A. Adjourn into closed session pursuant to Wis. State Statute §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Ullrich vs. City of Neenah—Lake Shore Avenue Litigation and Lake Shore Avenue Reconstruction Project)
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session relating to downtown parking.
- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

Motion by Boyette/Stevenson to adjourn into closed session for the above referenced items, all voting aye.

At 8:09 pm., the Council recessed to prepare for the closed session.

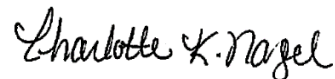
At 8:16 p.m., the Council reconvened into closed session.

Council adjourned the meeting within the closed session at 9:02 p.m. No action taken.

XIV. Adjournment

Motion by Stevenson/Borchardt to adjourn, all voting aye. Meeting adjourned at 9:02 p.m.

Respectfully submitted,



Charlotte Nagel, City Clerk



Neenah Special Event Permit Application

Event

Name June Art After Dark at Bergstrom-Mahler Museum of Glass
Webpage bmmglass.com

Description

- Festival/Concert/Exhibition
 Parade/March
 Other:
 Tournament
 Competitive Race
 Assembly/Rally
 Non-Competitive Run/Walk

List the event activities to take place (or attach brochure):
Relive "Eighties Prom Night" with a live DJ, dancing, activities for all ages, and local brews all on the museum lawn overlooking beautiful Lake Winnebago. Food trucks will be on-site in our driveway. Our galleries and shop will be open late. (Free)

Schedule

Date(s)	Setup Time	Start Time	End Time	Cleanup Time
<u>6/23/22</u>	<u>10:00am</u>	<u>5:00pm</u>	<u>9:00pm</u>	<u>11:00pm</u>
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Attendance

List estimated quantities:

Participants 10

Spectators 500

List any entry fees:
Free and open to the public

Location

- Park/Public Property:
- Public Street/Sidewalk/Trail:
- Private Property/Other: The front and lake lawns of Bergstrom-Mahler Museum of Glass at 165 N. Park Ave. Bergstrom-Mahler Museum of Glass

Applicant

Name John Timmer Daytime Phone +1 (920) 751-4658
 Email timmer@bmmglass.com Cell Phone +1 (920) 216-1694

Organization

Name Bergstrom-Mahler Museum of Glass Tax Exempt No. 39-0958257
 Email answers@bmmglass.com Phone +1 (920) 751-4658
 Address 165 North Park Avenue
 City Neenah State WI Zip Code 54956

The organization shall incur all City service and equipment costs associated with the event. 501(c) organizations with a valid tax exempt certificate receive reduced rates for services/equipment provided by the City. See Municipal Code §14-129(g) for details.



Special Event Permit Application

Police Department

Contact: Lieutenant Jon Kuffel

Phone: +1 (920) 886-6018

Address: 2111 Marathon Ave. Neenah, WI 54956

Email: jkuffel@ci.neenah.wi.us

1. Will you be using the Emergency Response Protocol supplied by the city? (See supplement.) Yes No

The protocol is a set of procedures to be used for various crises including inclement weather, medical emergencies, and disorderly conduct scenarios. It establishes responsibilities and expectations between the event organizer and emergency services in the event of a crisis. If you choose not follow the protocol provided by the city, attach a crisis management plan to this application. All plans must be approved by Neenah Police and Neenah-Menasha Fire Rescue.

2. List at least two Event Coordinator contacts who will be on-site during the event to address issues that might arise.

Event Coordinators are responsible for executing the Emergency Response Protocol.

Name Amy Moorefield - Executive Director Phone +1 (540) 204-7288

Name John Timmer - Assistant Director Phone +1 (920) 216-1694

3. Will there be security/crowd control services on-site? If so, please list contractor: Yes No

Name _____ Phone _____

4. Will there be first aid/emergency responders on site? If so, please list contractor: Yes No

Name _____ Phone _____

5. Describe the communication method/equipment that will be used to notify event staff/volunteers of emergencies:

Cell phones, walkie-talkies, and public address loudspeakers

6. Describe the communication method/equipment that will be used to notify event attendees of emergencies:

Public address loudspeakers

7. Identify the locations of the following (be specific):

Locations may instead be located on a map submitted with this permit. If a service is not provided or is not applicable, write in "N/A".

Loudspeaker/PA System Lake lawn entertainment stage

Lost Child Recovery Site Museum front desk

Severe Weather Shelter(s) Museum basement

First Aid Station(s) Museum front desk

Enclosed/Fenced Area(s) Lake lawn area will be fenced.

Enclosed areas are required for alcohol consumption. Entrances and exits must be numbered and labeled for any enclosed/fenced areas.



Neenah Special Event Permit Application

Neenah-Menasha Fire Rescue

Contact: Assistant Chief Vernon Green Phone: +1 (920) 886-6201
Address: 125 E. Columbian Ave. Neenah, WI 54956 Email: vgreen@nmfire.org

- 8. Will there be any pyrotechnics or open burning? Yes No
A [Fireworks/Open Burning Permit](#) is required. Applications should be filed separately with Neenah-Menasha Fire Rescue.
- 9. Will there be any generators used? Yes No
- 10. Will there be any cooking operations? Yes No
- 11. Will there be any tents or canopies? Yes No
- 12. Will there be any use of drones? Yes No

Winnebago County Health Department

Contact: Env. Health Specialist Jennifer Bonzelet Phone: +1 (920) 232-3000
Address: 112 Otter St. Oshkosh, WI 54901 Email: jbonzetlet@co.winnebago.wi.us

- 13. Will there be any food or beverages prepared or served? Yes No
If yes, contact the Winnebago County Health Department.
- 14. Will there be any portable toilets and/or wash stations? Yes No
- 15. Will there be any water activities (ie. dunk tanks, water slides)? Yes No
- 16. Will there be any animals? Yes No

Clerk's Office

Contact: City Clerk Patty Sturn Phone: +1 (920) 886-6100
Address: 211 Walnut St. Neenah, WI 54956 Email: psturn@ci.neenah.wi.us

- 17. Will there be amplified music or announcements used for the event? Yes No
- 18. Will amplified sound be within 7 am - 10 pm on weekdays & 10 am - 11 pm on weekends/holidays? Yes No
If not, a special exemption must be requested and approved as part of this application. List the intended hours of amplified sound (per day, if applicable):
Start Time 5:00pm End Time 9:00pm
- 19. Will there be any alcohol served? Yes No
A [Temporary Class B Picnic License](#) is required. Applications should be filed separately with the Clerk's Office.
- 20. Will there be any vendors/concessions? If so, please list: Yes No
Vendors will need to have a [Solicitor Permit](#) filed with the Clerk's Office.

10 food trucks along 100 block of North Park Ave.



Special Event Permit Application

Traffic Department

Contact: Traffic Engineer James Merten
Address: 211 Walnut St. Neenah, WI 54956

Phone: +1 (920) 886-6243
Email: jmerten@ci.neenah.wi.us

21. Will the event close any street/sidewalk/trail (or portions thereof) to traffic? Yes No
Any adjacent properties must be notified by the applicant 5 weekdays in advance of the event. A copy of the notification must be submitted and approved by the City Traffic Engineer.

22. Will you be providing volunteers to direct traffic? Yes No
All volunteers must be properly equipped, trained, and supplied with the [Volunteer Flagger Instructions](#). (See attached.)

23. Is any city traffic control equipment or services being requested? If so, check all that apply: Yes No

- Barricade/Sign Equipment**
Check if you are requesting equipment to be delivered to the event grounds. Equipment will need to be moved to their placement locations during the event.
- Barricade/Sign Placement**
Check if you are requesting equipment to be placed by the City during the event times.
- Flaggers to Direct Traffic**
Availability of community service aides (CSAs) and/or police officers are not guaranteed.
- Traffic Signal Programming**
Check if modifications to the traffic signal timing plans may be needed for the event.
- Message Boards**
Message boards may be used to give advanced notification of street closures for the event.

24. Will a private contractor be used for barricading/signing equipment or services? If so, please list contractor: Yes No
Any traffic control plan not supplied by the City must be approved by the Traffic Department.

Name _____ Phone _____

25. List any shuttle services (including route locations) being provided for the event:

N/A

26. List any locations to be used for either attendee or event staff parking:

Utilizing parking along North Park Ave.

27. Please identify handicap accessible parking locations and accommodations:

Handicap accessible spaces along North Park Ave. would remain available.



Neenah Special Event Permit Application

Parks & Recreation Department

Contact: Parks & Recreation Office
Address: 211 Walnut St. Neenah, WI 54956
Phone: +1 (920) 886-6060
Email: parkrec@ci.neenah.wi.us

Public Works Department

Contact: Traffic Engineer James Merten
Address: 211 Walnut St. Neenah, WI 54956
Phone: +1 (920) 886-6243
Email: jmerten@ci.neenah.wi.us

28. Will there be any equipment requiring ground anchoring (ie. tents, fences)? If so, please list locations: Yes No

Public Park/Property: _____

Public Street/Trail: _____

Other: Fencing will be on 165 North Park Ave. museum property

Any stakes or ground anchoring systems proposed on public property must be approved for their locations. Diggers Hotline (Website: www.diggershotline.com, Phone: 811) must be contacted a minimum of 4 working days before any ground anchors are placed.

29. If there are any portable toilets or wash stations (Question #14), identify proposed locations:

Public Park/Property: _____

Public Street/Trail: _____

Other: On 165 North Park Ave. museum property in two locations

30. Have the park shelters been pre-reserved with the Park & Recreation Department? Yes No

Park reservations must be completed before submittal of this application.

31. Are you requesting any street sweeping services to be provided by the city? Yes No

32. Will there be any dumpsters and/or portable trash receptacles provided? Yes No

32. Will the event utilize environmentally conscious practices and/or provide recycling receptacles? Yes No

33. What tasks will be conducted to ensure the event site remains clean throughout (and after) the event?

Museum staff and volunteers will regularly patrol the grounds to pick up trash and check sanitary conditions.

34. Please list any additional equipment or services requested to be provided by the city:

Trash dumpsters



Neenah Special Event Permit Application

Checklist

Required to process application:

- Application filed with the Mayor's Office within 45 days prior to the event (or 10 days, if there is no full/partial street closure).
Special exceptions must be approved by the Special Events Task Force and the Mayor.
- \$75 application fee. (Not applicable if there is no full/partial street closure.) Receipt No: _____
Payment can be made at the Department of Legal & Administrative Services, 211 Walnut Street Neenah, WI 54956.
- Reservation of park facilities.
Reservations may be made at the Parks & Recreation Office, 211 Walnut Street Neenah, WI 54956. See Question #30.
- Supplemental permits filed.
See Questions #8 (Fireworks/Open Burning Permit), #13 (Food Vending Permit), #19 (Temporary Class B Picnic License), and #20 (Vendor/Solicitor License).
- A detailed map of the event site/route.
A map identifying the event footprint and layout must be submitted with this application.
- A crisis management plan.
Required when not following the Emergency Response Protocol that is provided by the City. See Question #1.

Required to approve application:

- Liability insurance certificate.
Policy must include \$1,000,000 of general liability per occurrence (no exclusions) naming the City of Neenah, its officers, council members, agents, employees, and authorized volunteers as additional insured(s).
- Street closure notification letter.
Required when properties adjacent to or are enclosed within a closed street or street network. Letters must be pre-approved by the City and must be delivered 5 days working days before the event start date.
- Participant waiver forms.
Any waivers of liability signed by participants of the event must also include the City of Neenah (using the same language as for the liability insurance certificate).
- Traffic control plan.
Required when a contractor is providing traffic control services. Traffic control plans must be approved by the Traffic Department.
- Follow through with any contingencies required for approval of this permit application.
Contingencies are determined upon approval of the permit application. The City reserves the right to revoke a permit if any contingency is not met.

Provisions & Terms

This permit is intended to clarify the working relationship between the Applicant of the special event and the City of Neenah. The Applicant agrees to abide by the terms of this permit and all existing policies governing use of City facilities unless specifically noted in the permit. Regulations in Municipal Code §14-125 through §14-132 shall apply to this permit.

Once filed with the Department of Legal & Administrative Services, this permit will be reviewed by the Special Events Task Force. Upon task force recommendation for approval, per Municipal Code §14-129(b)(1), Class B permit applications are approved by the Public Works Director or designee and Class C permit applications are approved by the Public Services & Safety Committee and the City Council. A copy of an approved application will be sent to the Applicant as confirmation of the approved permit. The Applicant is responsible for complying with any contingencies applied to this permit. Failure to do so shall void this permit.

No changes may be made by the Applicant, regarding items included in this agreement, unless written permission is attached to this document. When questions regarding this agreement arise, they should be directed to the appropriate Department. If questions arise during the event and the Department representative is unavailable, the decision of City Staff on duty shall prevail.

Staff and equipment needed to run the event are the responsibility of the Applicant. City services and equipment may be provided at the discretion of the appropriate Department. The Applicant shall be responsible for the City's reasonable service and/or equipment cost associated with the event. The charges are determined from actual cost as outlined in Municipal Code §14-129(g). An invoice detailing charges for City services and/or damages will be sent to the sponsoring organization following the event. Payment is due within 30 days of the date of the invoice.



Neenah
WISCONSIN

Special Event Permit Application

Legal Notice

I, as an authorized member of the organization sponsoring this event, verify that the information contained in this application is true, correct, and complete to the best of my knowledge. I agree to all provisions and terms of this agreement and acknowledge that no changes may be made to this agreement, unless authorized written permission is granted.

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all event organizers, staff, volunteers, participants, and spectators must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Fees for park facilities, food sales permits, tent, and fireworks permits are in addition to the fees submitted for the Special Event Permit Application. I further understand that an incomplete application may be cause for denial of the event.

Hold harmless indemnification and defense.

For good and valuable consideration the applicant and/or the organization agrees to indemnify, defend and hold harmless the City of Neenah and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant/organization, anyone directly or indirectly employed by any of them or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of the City.

Signature  Date 5/17/22

Completed applications should be filed with the Department of Legal & Administrative Services, Neenah City Hall, 211 Walnut Street Neenah, WI 54956. For any questions regarding this application or the permitting process, contact Joni Heinz: Phone: +1 (920) 886-6104 Email: jheinz@ci.neenah.wi.us

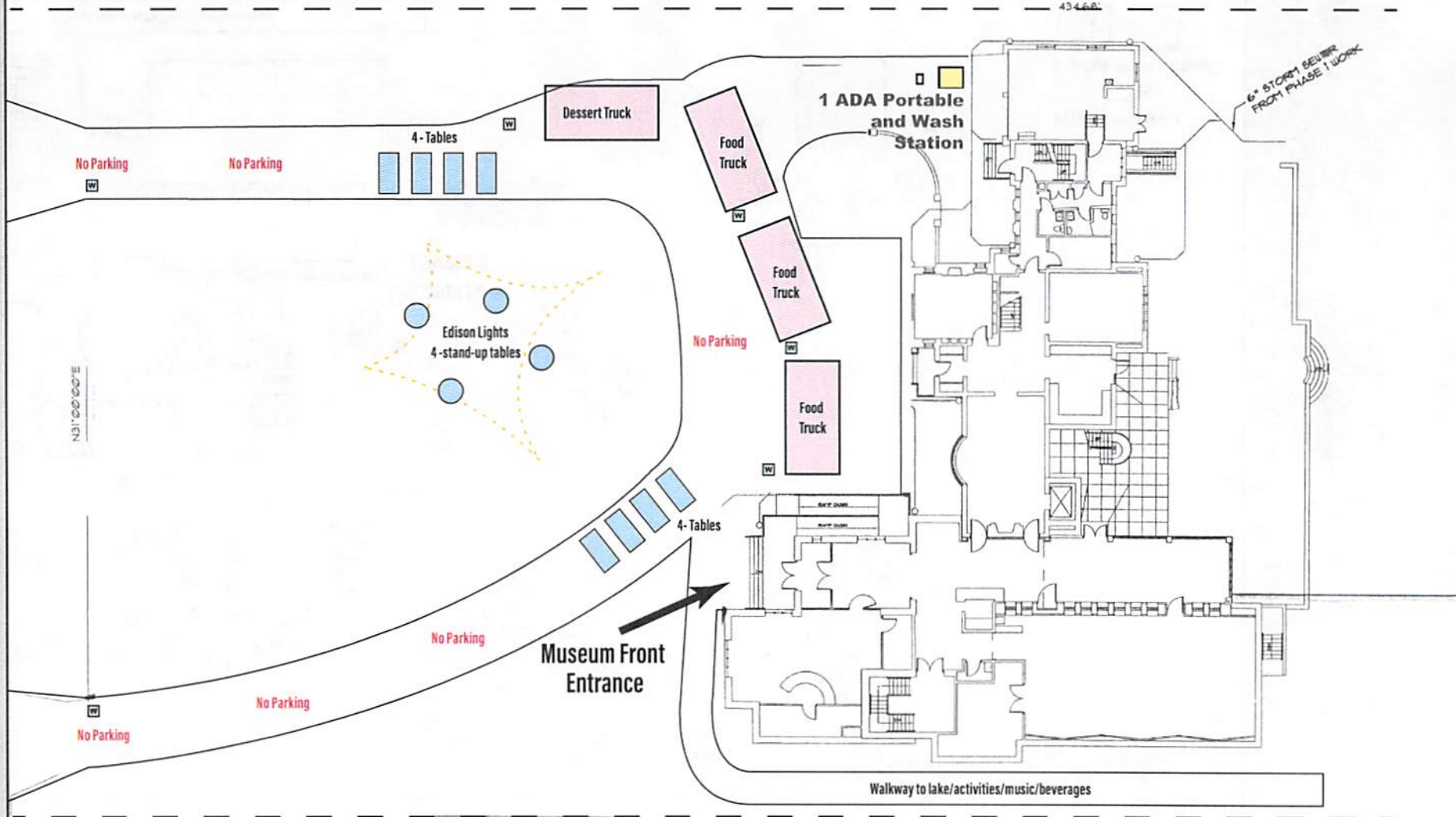
OFFICE USE ONLY

Cost Estimate	Total Cost	Sponsor Cost
Parks & Recreation _____	_____	_____
Public Works/Traffic _____	_____	_____
Police _____	_____	_____
NM Fire _____	_____	_____
Total	_____	_____
Approvals		
Special Events Task Force		
Signature _____	Date _____	_____
Class B: Director of Public Works or Designee Class C: Public Services & Safety Committee / City Council		
Signature _____	Date _____	_____
Contingencies of Permit		

Bergstrom-Mahler Museum of Glass: *Art After Dark* – West layout

165 N. Park Avenue, Neenah, WI 54956 920-751-4658

558°53'45"E
434.68'



Park Avenue

No Parking

No Parking

No Parking

No Parking

4-Tables

Dessert Truck

Food Truck

1 ADA Portable and Wash Station

6" STORM SEWER FROM PHASE 1 WORK

No Parking

Food Truck

4-Tables

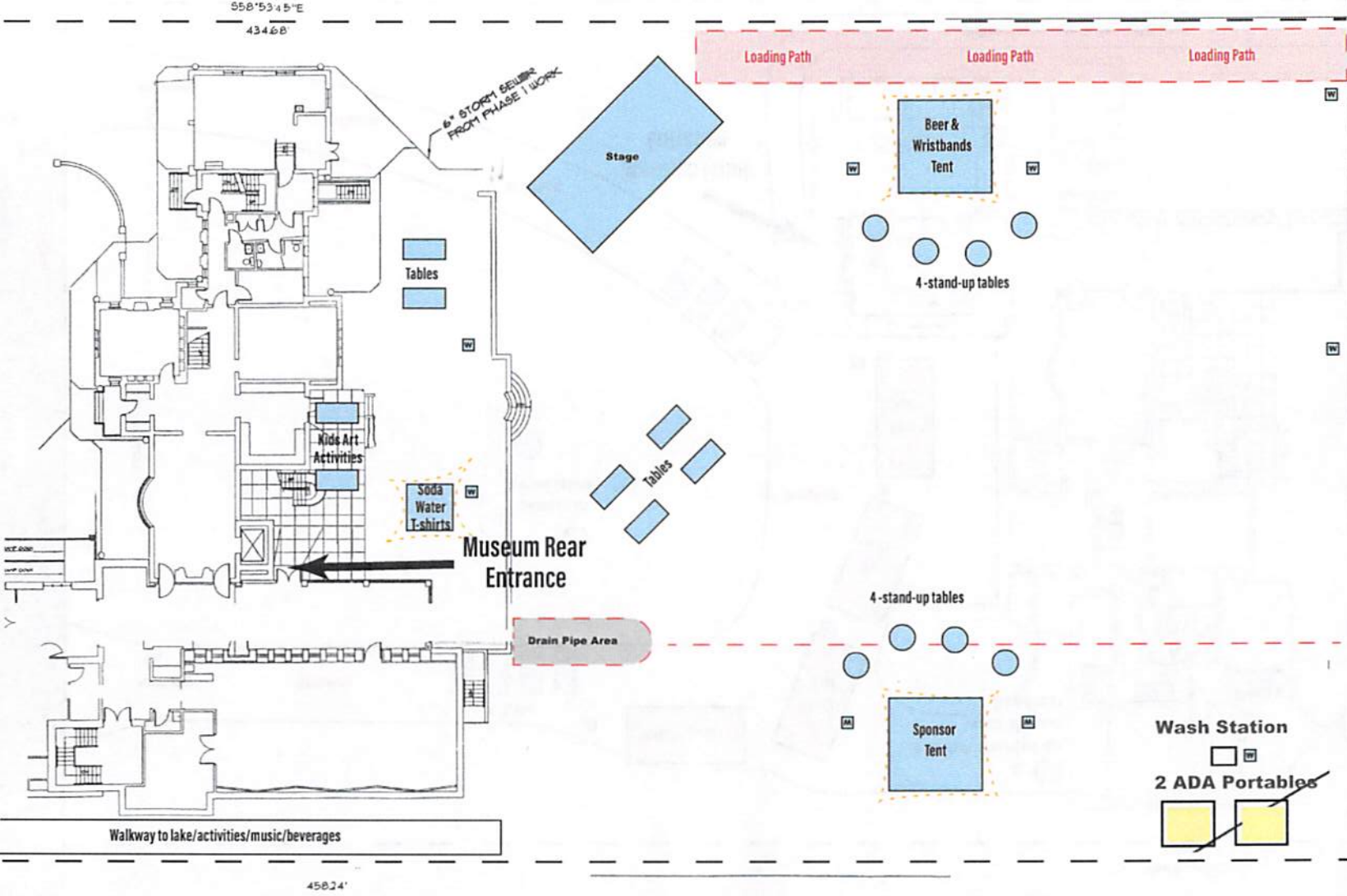
Museum Front Entrance

Walkway to lake/activities/music/beverages



Bergstrom-Mahler Museum of Glass: Art After Dark – EAST layout

165 N. Park Avenue, Neenah, WI 54956 920-751-4658



No Parking

No Parking - Unloading Only

No Parking

No Parking

Lakeshore Avenue



Application for Temporary Class "B" / "Class B" Retailer's License

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

FEE \$10.00

Application Date: 05/17/2022

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. Stats.

at the premises described below during a special event beginning 06/23/2022 and ending 06/23/2022 and agrees to comply with all laws, 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 or Agricultural Society
 Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Bergstrom-Mahler Museum Inc.

(b) Address 165 N. Park Ave., Neenah, WI 54956
(Street) Town Village City

- (c) Date organized 04/05/1959
(d) If corporation, give date of incorporation 09/22/1954
(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:
President Walter Koskinen, 1135 Glenayre Dr., Neenah, WI 54956
Vice President N/A
Secretary Amy Pietsch, 20417 Cherrystone Ave., Warrens, WI 54666
Treasurer Kathy Brost, 1161 Shady Spring Ct., Neenah, WI 54956

(g) Name and address of manager or person in charge of affair: Amy Moorefield, 403 Church St., Neenah, WI 54956
John Timmer, 1883 Amy Jo Dr., Oshkosh, WI 54904

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

- (a) Street number 165 N. Park Ave., Neenah, WI 54956
(b) Lot 8 & S 1/2 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, or room or rooms, license is to cover: N/A

3. Name of Event

- (a) List name of the event Art After Dark
(b) Dates of event 06/23/2022
(c) Does this event require a Special Event Permit Application?

DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her 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.

Officer [Signature] 5/17/2022 Bergstrom-Mahler Museum of Glass
(Signature / Date) (Name of Organization)

Date Filed with Clerk 5/26/2022

Date Reported to Council or Board 6/7/2022

Date Granted by Council _____

License No. _____

Application for Temporary Class "B" / "Class B" Retailer's License

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

FEE \$10.00

Application Date: 05/17/2022

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. Stats.

at the premises described below during a special event beginning 08/12/2022 and ending 08/13/2022 and agrees to comply with all laws, 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 or Agricultural Society
 Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Bergstrom-Mahler Museum, Inc.

(b) Address 165 N. Park Ave. Neenah, WI 54956

(Street)

Town Village City

(c) Date organized 04/05/1959

(d) If corporation, give date of incorporation 09/22/1954

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Walter Koskinen, 1135 Glenayre Dr., Neenah, WI 54956

Vice President N/A

Secretary Amy Pietsch, 20417 Cherrystone Ave., Warrens, WI 54666

Treasurer Kathy Brost, 1161 Shady Spring Ct., Neenah, WI 54956

(g) Name and address of manager or person in charge of affair: Amy Moorefield, 403 Church St., Neenah, WI 54956

John Timmer, 1883 Amy Jo Dr., Oshkosh, WI 54904

2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 165 N. Park Ave., Neenah, WI 54956

(b) Lot 8 & S 1/2 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, or room or rooms, license is to cover: N/A

3. Name of Event

(a) List name of the event Bergstrom-Mahler Museum GLASS Arts Festival

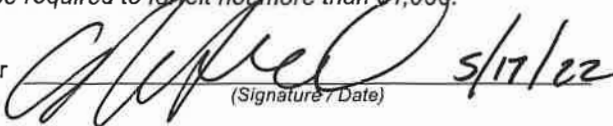
(b) Dates of event 08/12/2022 and 8/13/22

(c) Does this event require a Special Event Permit Application? Yes

DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her 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.

Officer

 5/17/22
(Signature / Date)

Bergstrom-Mahler Museum of Glass
(Name of Organization)

Date Filed with Clerk 5/18/2022

Date Reported to Council or Board 6/7/2022

Date Granted by Council _____

License No. _____



Neenah Special Event Permit Application

Event

Name Saint Margaret Mary Parish
Webpage https://www.smmneenah.org/

Description

- Festival/Concert/Exhibition Parade/March Other:
 Tournament Competitive Race
 Assembly/Rally Non-Competitive Run/Walk

Farewell party for the residing priest.

List the event activities to take place (or attach brochure):

A cookout will take place immediately following the 9:30am Mass at St. Margaret Mary Parish on Sunday, June 26. It will be held in the school parking lot under a tent.

Schedule

Date(s)	Setup Time	Start Time	End Time	Cleanup Time
06/26/2022	9:00 AM	10:30 AM	2:00 PM	3:00 PM
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Attendance

List estimated quantities:

Participants 400

Spectators _____

List any entry fees:

None

Location

- Park/Public Property: _____
- Public Street/Sidewalk/Trail: _____
- Private Property/Other: St. Margaret Mary Parish & School at 620 Divison Street in Neenah.

Applicant

Name Pete Dulcamara Daytime Phone _____

Email peter.b.dulcamara@gmail.com Cell Phone +1 (920) 216-4120

Organization

Name St. Margaret Mary Parish Tax Exempt No. _____

Email _____ Phone _____

Address 620 Divison Street

City Neenah State WI Zip Code 54956

The organization shall incur all City service and equipment costs associated with the event. 501(c) organizations with a valid tax exempt certificate receive reduced rates for services/equipment provided by the City. See Municipal Code §14-129(g) for details.



Neenah Special Event Permit Application

Police Department

Contact: Lieutenant Jon Kuffel

Phone: +1 (920) 886-6018

Address: 2111 Marathon Ave. Neenah, WI 54956

Email: jkuffel@ci.neenah.wi.us

1. Will you be using the Emergency Response Protocol supplied by the city? ([See supplement.](#)) Yes No

The protocol is a set of procedures to be used for various crises including inclement weather, medical emergencies, and disorderly conduct scenarios. It establishes responsibilities and expectations between the event organizer and emergency services in the event of a crisis. If you choose not follow the protocol provided by the city, attach a crisis management plan to this application. All plans must be approved by Neenah Police and Neenah-Menasha Fire Rescue.

2. List at least two Event Coordinator contacts who will be on-site during the event to address issues that might arise.

Event Coordinators are responsible for executing the Emergency Response Protocol.

Name Pete Dulcamara Phone +1 (920) 216-4120

Name Patti Purcell Phone +1 (920) 475-4783

3. Will there be security/crowd control services on-site? If so, please list contractor: Yes No

Name _____ Phone _____

4. Will there be first aid/emergency responders on site? If so, please list contractor: Yes No

Name _____ Phone _____

5. Describe the communication method/equipment that will be used to notify event staff/volunteers of emergencies:

Cell phone

6. Describe the communication method/equipment that will be used to notify event attendees of emergencies:

Voice

7. Identify the locations of the following (be specific):

Locations may instead be located on a map submitted with this permit. If a service is not provided or is not applicable, write in "N/A".

Loudspeaker/PA System N/A

Lost Child Recovery Site N/A

Severe Weather Shelter(s) Friendship Hall (Parish basement)

First Aid Station(s) N/A

Enclosed/Fenced Area(s) N/A

Enclosed areas are required for alcohol consumption. Entrances and exits must be numbered and labeled for any enclosed/fenced areas.



Neenah-Menasha Fire Rescue

Contact: Assistant Chief Vernon Green Phone: +1 (920) 886-6201
Address: 125 E. Columbian Ave. Neenah, WI 54956 Email: vgreen@nmfire.org

- 8. Will there be any pyrotechnics or open burning? Yes No
A [Fireworks/Open Burning Permit](#) is required. Applications should be filed separately with Neenah-Menasha Fire Rescue.
- 9. Will there be any generators used? Yes No
- 10. Will there be any cooking operations? Yes No
- 11. Will there be any tents or canopies? Yes No
- 12. Will there be any use of drones? Yes No

Winnebago County Health Department

Contact: Env. Health Specialist Jennifer Bonzelet Phone: +1 (920) 232-3000
Address: 112 Otter St. Oshkosh, WI 54901 Email: jbonzetlet@co.winnebago.wi.us

- 13. Will there be any food or beverages prepared or served? Yes No
If yes, contact the Winnebago County Health Department.
- 14. Will there be any portable toilets and/or wash stations? Yes No
- 15. Will there be any water activities (ie. dunk tanks, water slides)? Yes No
- 16. Will there be any animals? Yes No

Clerk's Office

Contact: City Clerk Patty Sturn Phone: +1 (920) 886-6100
Address: 211 Walnut St. Neenah, WI 54956 Email: psturn@ci.neenah.wi.us

- 17. Will there be amplified music or announcements used for the event? Yes No
- 18. Will amplified sound be within 7 am - 10 pm on weekdays & 10 am - 11 pm on weekends/holidays? Yes No
If not, a special exemption must be requested and approved as part of this application. List the intended hours of amplified sound (per day, if applicable):
Start Time _____ End Time _____
- 19. Will there be any alcohol served? Yes No
A [Temporary Class B Picnic License](#) is required. Applications should be filed separately with the Clerk's Office.
- 20. Will there be any vendors/concessions? If so, please list: Yes No
Vendors will need to have a [Solicitor Permit](#) filed with the Clerk's Office.



Special Event Permit Application

Traffic Department

Contact: Traffic Engineer James Merten
Address: 211 Walnut St. Neenah, WI 54956

Phone: +1 (920) 886-6243
Email: jmerten@ci.neenah.wi.us

21. Will the event close any street/sidewalk/trail (or portions thereof) to traffic? Yes No

Any adjacent properties must be notified by the applicant 5 weekdays in advance of the event. A copy of the notification must be submitted and approved by the City Traffic Engineer.

22. Will you be providing volunteers to direct traffic? Yes No

All volunteers must be properly equipped, trained, and supplied with the [Volunteer Flagger Instructions](#). (See attached.)

23. Is any city traffic control equipment or services being requested? If so, check all that apply: Yes No

Barricade/Sign Equipment

Check if you are requesting equipment to be delivered to the event grounds. Equipment will need to be moved to their placement locations during the event.

Barricade/Sign Placement

Check if you are requesting equipment to be placed by the City during the event times.

Flaggers to Direct Traffic

Availability of community service aides (CSAs) and/or police officers are not guaranteed.

Traffic Signal Programming

Check if modifications to the traffic signal timing plans may be needed for the event.

Message Boards

Message boards may be used to give advanced notification of street closures for the event.

24. Will a private contractor be used for barricading/signing equipment or services? If so, please list contractor: Yes No

Any traffic control plan not supplied by the City must be approved by the Traffic Department.

Name _____ Phone _____

25. List any shuttle services (including route locations) being provided for the event:

None

26. List any locations to be used for either attendee or event staff parking:

None

27. Please identify handicap accessible parking locations and accommodations:

Near the church



Special Event Permit Application

Parks & Recreation Department

Contact: Parks & Recreation Office
Address: 211 Walnut St. Neenah, WI 54956
Phone: +1 (920) 886-6060
Email: parkrec@ci.neenah.wi.us

Public Works Department

Contact: Traffic Engineer James Merten
Address: 211 Walnut St. Neenah, WI 54956
Phone: +1 (920) 886-6243
Email: jmerten@ci.neenah.wi.us

28. Will there be any equipment requiring ground anchoring (ie. tents, fences)? If so, please list locations: Yes No

Public Park/Property: _____

Public Street/Trail: _____

Other: _____

Any stakes or ground anchoring systems proposed on public property must be approved for their locations. Diggers Hotline (Website: www.diggershotline.com, Phone: 811) must be contacted a minimum of 4 working days before any ground anchors are placed.

29. If there are any portable toilets or wash stations (Question #14), identify proposed locations:

Public Park/Property: _____

Public Street/Trail: _____

Other: _____

30. Have the park shelters been pre-reserved with the Park & Recreation Department? Yes No

Park reservations must be completed before submittal of this application.

31. Are you requesting any street sweeping services to be provided by the city? Yes No

32. Will there be any dumpsters and/or portable trash receptacles provided? Yes No

32. Will the event utilize environmentally conscious practices and/or provide recycling receptacles? Yes No

33. What tasks will be conducted to ensure the event site remains clean throughout (and after) the event?

Area will be policed by the organizing committee.

34. Please list any additional equipment or services requested to be provided by the city:



Neenah Special Event Permit Application

Checklist

Required to process application:

- Application filed with the Mayor's Office within 45 days prior to the event (or 10 days, if there is no full/partial street closure).**
Special exceptions must be approved by the Special Events Task Force and the Mayor.
- \$75 application fee. (Not applicable if there is no full/partial street closure.) Receipt No: _____**
Payment can be made at the Department of Legal & Administrative Services, 211 Walnut Street Neenah, WI 54956.
- Reservation of park facilities.**
Reservations may be made at the Parks & Recreation Office, 211 Walnut Street Neenah, WI 54956. See Question #30.
- Supplemental permits filed.**
See Questions #8 (Fireworks/Open Burning Permit), #13 (Food Vending Permit), #19 (Temporary Class B Picnic License), and #20 (Vendor/Solicitor License).
- A detailed map of the event site/route.**
A map identifying the event footprint and layout must be submitted with this application.
- A crisis management plan.**
Required when not following the Emergency Response Protocol that is provided by the City. See Question #1.

Required to approve application:

- Liability insurance certificate.**
Policy must include \$1,000,000 of general liability per occurrence (no exclusions) naming the City of Neenah, its officers, council members, agents, employees, and authorized volunteers as additional insured(s).
- Street closure notification letter.**
Required when properties adjacent to or are enclosed within a closed street or street network. Letters must be pre-approved by the City and must be delivered 5 days working days before the event start date.
- Participant waiver forms.**
Any waivers of liability signed by participants of the event must also include the City of Neenah (using the same language as for the liability insurance certificate).
- Traffic control plan.**
Required when a contractor is providing traffic control services. Traffic control plans must be approved by the Traffic Department.
- Follow through with any contingencies required for approval of this permit application.**
Contingencies are determined upon approval of the permit application. The City reserves the right to revoke a permit if any contingency is not met.

Provisions & Terms

This permit is intended to clarify the working relationship between the Applicant of the special event and the City of Neenah. The Applicant agrees to abide by the terms of this permit and all existing policies governing use of City facilities unless specifically noted in the permit. Regulations in Municipal Code §14-125 through §14-132 shall apply to this permit.

Once filed with the Department of Legal & Administrative Services, this permit will be reviewed by the Special Events Task Force. Upon task force recommendation for approval, per Municipal Code §14-129(b)(1), Class B permit applications are approved by the Public Works Director or designee and Class C permit applications are approved by the Public Services & Safety Committee and the City Council. A copy of an approved application will be sent to the Applicant as confirmation of the approved permit. The Applicant is responsible for complying with any contingencies applied to this permit. Failure to do so shall void this permit.

No changes may be made by the Applicant, regarding items included in this agreement, unless written permission is attached to this document. When questions regarding this agreement arise, they should be directed to the appropriate Department. If questions arise during the event and the Department representative is unavailable, the decision of City Staff on duty shall prevail.

Staff and equipment needed to run the event are the responsibility of the Applicant. City services and equipment may be provided at the discretion of the appropriate Department. The Applicant shall be responsible for the City's reasonable service and/or equipment cost associated with the event. The charges are determined from actual cost as outlined in Municipal Code §14-129(g). An invoice detailing charges for City services and/or damages will be sent to the sponsoring organization following the event. Payment is due within 30 days of the date of the invoice.



Special Event Permit Application

Legal Notice

I, as an authorized member of the organization sponsoring this event, verify that the information contained in this application is true, correct, and complete to the best of my knowledge. I agree to all provisions and terms of this agreement and acknowledge that no changes may be made to this agreement, unless authorized written permission is granted.

I understand the filing of this application does not ensure the issuance of this permit. I also understand that all event organizers, staff, volunteers, participants, and spectators must comply with all applicable city ordinances, traffic rules, park rules, state health laws, fire codes, and liquor licensing regulations. Fees for park facilities, food sales permits, tent, and fireworks permits are in addition to the fees submitted for the Special Event Permit Application. I further understand that an incomplete application may be cause for denial of the event.

Hold harmless indemnification and defense.

For good and valuable consideration the applicant and/or the organization agrees to indemnify, defend and hold harmless the City of Neenah and its officers, officials, employees and agents from and against any and all liability, loss, damage, expenses, costs, including attorney fees arising out of the activities performed as described herein, caused in whole or in part by any negligent act or omission of the applicant/organization, anyone directly or indirectly employed by any of them or anyone whose acts any of them may be liable, except where caused by the sole negligence or willful misconduct of the City.

Signature _____ Date _____

Completed applications should be filed with the Department of Legal & Administrative Services, Neenah City Hall, 211 Walnut Street Neenah, WI 54956. For any questions regarding this application or the permitting process, contact Joni Heinz: Phone: +1 (920) 886-6104 Email: jheinz@ci.neenah.wi.us

OFFICE USE ONLY

Cost Estimate

Total Cost

Sponsor Cost

Parks & Recreation _____

Public Works/Traffic _____

Police _____

NM Fire _____

Total _____

Approvals

Special Events Task Force

Signature _____ Date _____

Class B: Director of Public Works or Designee Class C: Public Services & Safety Committee / City Council

Signature _____ Date _____

Contingencies of Permit



Fw: Map for Special Olympics Torch Run
Amanda A Petersen to: Charlotte K Nagel

06/10/2022 10:54 AM

From: Amanda A Petersen/Neenah
To: Charlotte K Nagel/Neenah@Neenah

Map attached. This is the info I have from the organizer & Officer Joe:

"The original plans/route for the Special Olympics Torch Run fell through and they are now trying to re-route their event. They would like to do their first leg in Neenah and Menasha, meeting at Riverside Park at 9AM on June 29th (a Wednesday), and starting the run at 9:30AM, following the path on the map forwarded by Joe. He estimates that this route would take them 30-45 minutes, so they should be clear of Neenah by 10:30AM."

Amanda A. Petersen
my pronouns (about pronouns): she/her
Legal Assistant
Assistant to the Mayor
Department of Legal and Administrative Services
City of Neenah | 920.886.6107 | apetersen@ci.neenah.wi.us

----- Forwarded by Amanda A Petersen/Neenah on 06/10/2022 10:53 AM -----

From: Joseph E Benoit/Neenah
To: Jane B Lang/Neenah@Neenah, Amanda A Petersen/Neenah@Neenah
Date: 06/08/2022 11:09 AM
Subject: Fw: Map for Special Olympics Torch Run

Officer Joseph Benoit #113
Community Policing Coordinator
Neenah Police Department
2111 Marathon Avenue
Neenah, WI 54956
(920) 886-6022 office
(920) 886-6054 fax
jbenoit@ci.neenah.wi.us

----- Forwarded by Joseph E Benoit/Neenah on 06/08/2022 11:08 -----

From: James F Merten/Neenah
To: Joseph E Benoit/Neenah@Neenah
Date: 06/08/2022 11:02
Subject: Map for Special Olympics Torch Run

Screenshot 2022-06-08 110122.png

James Merten, P.E. | Traffic Engineer

City of Neenah | Department of Public Works

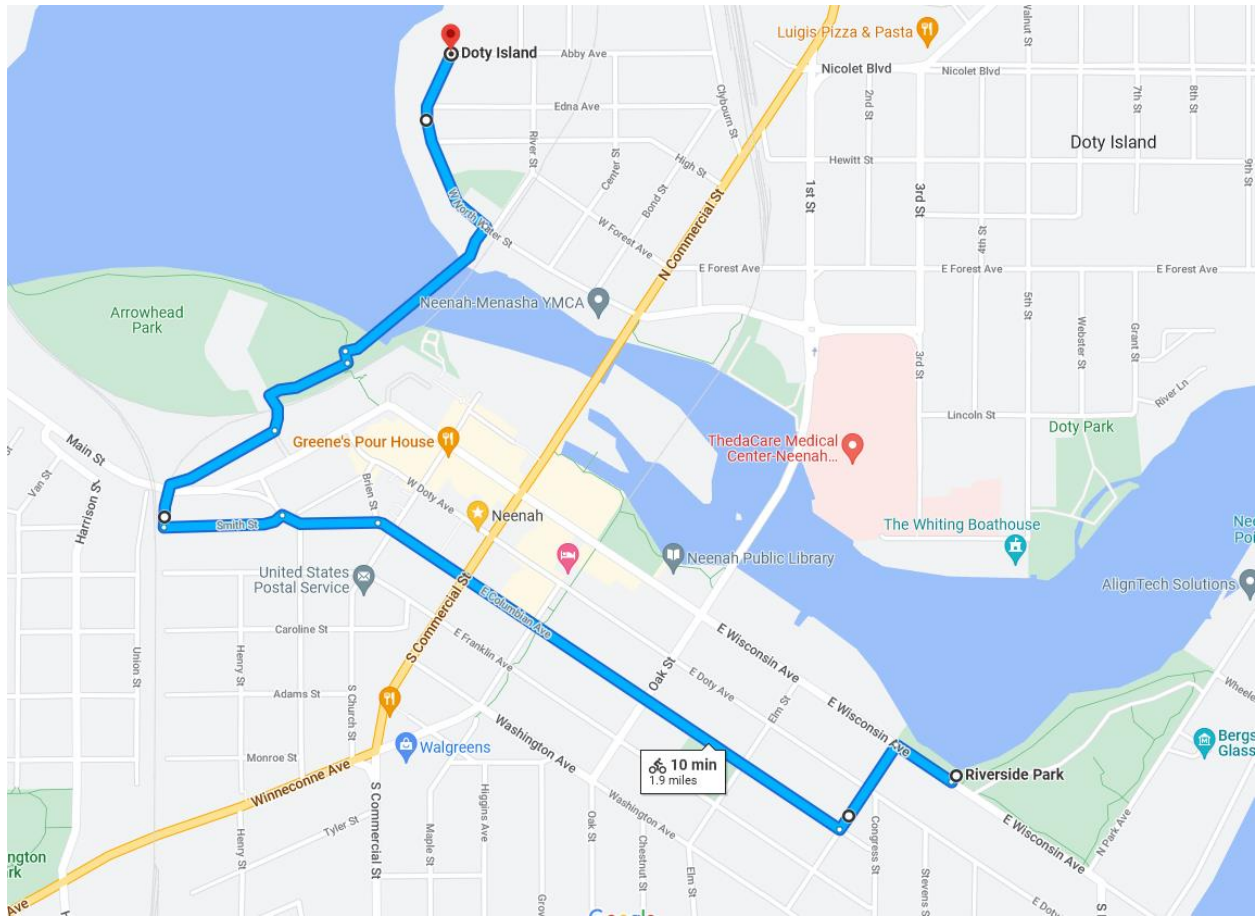
Phone: +1 920.886.6243

Fax: +1 920.886.6250

Website: www.neenahgov.org

Address: 211 Walnut Street | Neenah, WI 54957-0426 | [Go to Map](#)

Map of Special Olympics Torch Run June 29, 2022



CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday June 7, 2022, 6:30 PM

Present: Alderpersons, Borchardt, Hillstrom, Lendrum, Stevenson, and Weber

Excused:

Also Present: Mayor Lang, Alderperson Boyette, Public Works Director Kaiser, Community Development & Assessment Director Haese, Utility Director Mach, Public Works Staff Engineer Kummerow, and Public Works Office Manager Mroczkowski

Chairperson Lendrum welcomed newly appointed Alderperson Weber as a new member of the Common Council and as a new member of the Public Services & Safety Committee.

Approval of Minutes of the meeting for the May 24, 2022 meeting

Motion Second/Carried Hillstrom/Stevenson to approve the minutes of the meeting of May 24, 2022. All voting aye.

Public Appearances:
None

Resolution 2022-10: Compliance Maintenance Annual Report for Sanitary Sewer (CMAR)

Public Works staff engineer Kummerow reviewed the CMAR report. He stated that each year the Wisconsin Department of Natural Resources (DNR) requires this report be submitted. He stated the report looks at how the city is maintaining the sanitary system by use of televising and monitoring illegal inflow & infiltration from the storm system into the sanitary system. Engineer Kummerow stated that the city tries to clean 60% of the sanitary mains each year.

Report Following discussion, **Motion/Second/Carried Stevenson/Hillstrom to recommend Council adopt Resolution No. 2022-10 - Compliance Maintenance Annual Report for Sanitary Sewer.** All voting aye.

Bridge over Neenah Creek-Bridgewood Golf Course Redevelopment

Director Kaiser reviewed his memo of June 1, 2022. He stated that proposals were requested from five firms to provide engineering, design and construction management services for the construction of a new bridge over Neenah Creek to connect the Bridgewood Golf Course redevelopment project to Jewelers Park Drive. He stated that GRAEF was the only firm that presented a proposal. Director Kaiser stated that the other firms cited limited staff availability due to project workloads and the project timeframe as reasons for passing on the project.

Director Kaiser stated that the cost proposal estimate from GRAEF for design, permitting and preparation of bid documents is of \$121,659.41. For construction administration services the estimate is \$28,218.92 for a total fee structure estimated at \$149,878.39. He stated that the funding source for this contract would come from TID 7. He stated that with the golf course redevelopment project in the works and the proposed creation of TID 12, the construction of the bridge would be funded through TID 12.

Director Kaiser stated that staff recommends Council approve contracting with GRAEF for engineering, design and construction management services for the construction of a new bridge over Neenah Creek connecting the Bridgewood Golf Course redevelopment project to Jewelers Park Drive and a not to exceed cost of \$149,878.39.

Aldersperson Hillstrom asked if there should be concern on securing a contractor to do the work since only one of five engineering firms submitted a proposal. Director Kaiser stated that he does not anticipate any problems with getting contractors to bid on this project.

Aldersperson Hillstrom asked Director Haese for an explanation on the role TID 7 and TID 12 will play in funding this bridge. Director Haese stated that it his preference that TID 12 funds could be attributed to this contract. He stated that if that if is not possible, than TID 7 funds can certainly be used to fund the design and engineer contract. He stated that the question that needs to be answered is whether or not this contract would be considered as an obligation and therefore qualify to be paid out of TID 7.

Aldersperson Stevenson asked if there has been discussion on where the bridge will be placed. He stated that during the early stakeholder meetings, residents gave their opinions of where they did not want it to be. He stated that he wants to make sure that their voices are being heard when it comes to the placement of the bridge. Director Haese stated that in the redevelopment agreement, the proposed location of the bridge is on the south end of the redevelopment site. Aldersperson Stevenson stated that before the next council meeting he would like a more defined location of the bridge.

Aldersperson Borchardt asked if all the costs for the design and bridge will fall onto the city. Director Haese stated that per the redevelopment agreement, all the cost will fall onto the city. He stated that since this is going to be a public piece of infrastructure, the city should be the ones building the bridge.

Following discussion, **Motion/Second/Carried Stevenson/Hillstrom to recommend Council approve contracting with GRAEF for engineering, design and construction management services for the construction of a new bridge over Neenah Creek connecting the Bridgewood Golf Course redevelopment project to Jewelers Park Drive in a not to exceed cost of \$149,878.39 with the funding source coming from TIF #7, and with staff presenting a preliminary location of the bridge at the Council meeting on June 15, 2022.** All voting aye

Sewer Lateral Replacement Coordinated with Lead Service Line Replacement

Director Kaiser reviewed his memo of June 1, 2022. He stated that Council members were informed by Water Utility Director Mach via a May 24 email of the proposed rollout of a lead service line replacement program funded through a grant program. He stated that Director Mach has worked closely with Public Works staff to identify candidate streets and to coordinate the water service work with sewer lateral replacements.

Director Kaiser stated this would be a two-step process. He stated that funding would need to be secured and the special assessment process would need to be started since it's staffs expectation that a portion of the sanitary sewer lateral work would be special assessed to the served property per City policy.

Director Kaiser stated that there are approximately 130 sanitary sewer laterals as part of this replacement project. He stated that there are two, 2022 budgeted Capital Improvement Projects that have funds available that could be reallocated to this project.

Director Kaiser stated there is approximately \$400,000.00 remaining in the S. Commercial Street project after staff changed the scope of the project over the winter and \$162,000.00 from the Grove/Dickehoff Street project. He stated combined that is a total of \$562,000.00.

Aldersperson Boyette stated that the council knew that the city had applied for funding for the lead replacement program with the WiDNR. She stated that what we didn't know was that there was a potential plan to tack on sanitary sewer lateral replacements with the lead service replacement project. She stated that her concern is that Public Works will mandate that the sanitary sewer laterals be replaced and that some of the cost will fall onto the property owner.

Director Kaiser stated that staff will be recommending the sanitary sewer laterals be mandated. He stated that it is difficult to get contractors to bid on the project when they don't know how many services are part of the project. He stated that the cost share between the city and property owner will be 50/50.

Aldersperson Boyette asked what happens if a property owner wants to hire their own plumber. Director Mach stated that property owners are allowed to do that as long as they select from the pre-qualified list of plumbers. He stated that the property owner will most likely not get a call back from the plumber because of workloads.

Aldersperson Boyette asked what the timeline is for this project. Director Mach stated that we are looking at bidding mid-August.

The committee held discussion on left over funds from the DNR loan, if residents outside the streets chosen can apply for lead service replacement and the cost of the owner hiring the contractor versus doing the work under the city contract, how the reimbursement from the state will happen and if TARF funds can be used for the lead service line replacement.

Report

Following discussion, **Motion/Second/Carried Stevenson/Hillstrom to recommend Council approve a budget amendment to provide for sewer lateral replacements done in conjunction with the lead service line replacement program using \$520,000.00 budgeted funds remaining from the S. Commercial Street and Grove Street sanitary sewer replacement projects.** All voting aye

Special Events

Bergstrom-Mahler Museum Art after Dark

C.A.

Following discussion, **Motion/Second/Carried Hillstrom/Stevenson to recommend Bergstrom-Mahler Museum Inc., 165 N Park Drive, to be held on June 23, 2022 the Council approve the Street Use Permit for Ark After Dark, sponsored by The from 5:00 PM to 9:00 PM.** All voting aye.

St. Margaret Mary Parish Farewell Party

C.A.

Following discussion, **Motion/Second/Carried Hillstrom/Weber to recommend the Council approve the Street Use Permit for the Farewell Party, sponsored by St. Margaret Mary Parish, 620 Division Street, to be held on June 26, 2022 from 10:30 AM to 2:00 PM.** All voting aye.

Bikers Against Trafficking-WI

Info Only

Director Kaiser stated that this event is informational because it is considered a Class "B" special event. He stated because it is a Class "B" he or his designee can administratively approve these special events. Director Kaiser stated he has approved this one.

Licenses

Temporary Class "B" (Picnic) License to sell fermented malt beverages for the Bergstrom-Mahler Museum Art After Dark

C.A. Following discussion , **Motion/Second/Carried Stevenson/Hillstrom to recommend Common Council approve the Temporary Class "B" Picnic License Application for the sale of fermented malt beverages to Bergstrom-Mahler Museum Inc., for Art After Dark to be held on June 23, 2022 from 5:00 PM to 9:00 PM.** All voting aye.

Temporary Class "B" (Picnic) License to sell fermented malt beverages and wine for the Bergstrom-Mahler Museum Art Fest

C.A. Following discussion , **Motion/Second/Carried Stevenson/Hillstrom to recommend Common Council approve the Temporary Class "B" Picnic License Application for the sale of fermented malt beverages and wine to Bergstrom-Mahler Museum Inc., for Art Fest to be held on August 12, 2022 and August 13, 2022.** All voting aye.

Public Works General Construction and Department Activity

- 1) Contract 3-20 (Street - Van, Monroe, Gillingham)
 - a) Gillingham, Van, Monroe, Cavalry: Work is complete.
 - b) Shootingstar: The Shootingstar extension has been graded and graveled. The contractor graded Armstrong on June 3.
- 2) Contract 4-21 (Epoxy Pavement Marking): About 75% of the work under this contract has been completed. Work started the week of May 30 on the remainder of the contract. It is tentatively set for completion the week of June 6.
- 3) Contract 6-21 (Misc. Concrete Pavement, Sidewalk Repairs): Work continues. Bell Street from Marathon to Commercial will be closed the week of June 6 to complete the scattered pavement repairs in that area. Additional work west of Marathon will be done under traffic the following week.
- 4) Contract 7-21 (Harrison Pond): Pond excavation is complete. Ground conditions in the footing trough have delayed further work on the west retaining wall.
- 5) Contract 8-21 (Jewelers Park Drive Trail): Work is complete. Final quantities are being prepared.
- 6) Contract 1-22 (Utility Construction in Fredrick Drive area): Work is complete. We Energies has started replacing select gas service lines. Final pay estimate will go to the BPW on June 9th.

- 7) Contract 2-22 (Utility and Street Construction on Grove and Dieckhoff): Sanitary sewer installation is complete. Service replacements are ongoing. We Energies will follow that work with gas main replacement.
- 8) Contract 3-22 (Street Construction in Fredrick Drive area, Fresh Air Pk, Southview Pk): This contract was awarded to Northeast Asphalt, Inc. The contractor has indicated that they will mobilize when We Energies has completed work in the Fredrick Drive area.
- 9) Contract 4-22 (S. Commercial Utility Construction): Sanitary sewer main installation is complete. Sewer and water service work is ongoing and should be complete June 13 after which a concrete patch will be placed.
- 10) Contract 5-22 (CTH JJ/CTH CB Utility Construction): Work is complete. A final payment is being taken to the Board of Public Works on June 9. Winnebago County has awarded the road construction contract to Vinton Construction. Due to a delay in getting some materials needed for the project, road construction is scheduled to start on June 27.

Director Kaiser stated the anticipated completion date for this project is mid-September.

- 11) Contract 7-22 (Winneconne Ave Overpass Repairs): This contract was awarded to Pheifer Brothers, Inc. Work started on delamination of the south column.
- 12) Contract 8-22 (Miscellaneous Asphalt Repairs): This contract was opened on June 1. It is being taken to the Board of Public Works on June 9.
- 13) E-waste – The weight summary for the spring E-waste collection event has been received. The summary is below.

Electronic Waste Collection History							
Weight of Material Collected							
	TVs	CPUs	Monitors	Freon	Electronics	Appliances, Small Electronics & Printers	Total
Spring 2013	6,056	2,269	1,797	1,914	4,481	3,300	19,817
Fall 2013	7,556	3,113	2,912	3,077	5,761	4,560	26,979
Spring 2014	7,870	1,142	1,174	2,858	4,225	5,700	22,969
Fall 2014	15,084	2,582	2,072	3,719	3,505	8,420	35,382
Spring 2015	5,384	2,505	808	1,451	2,613	5,060	17,821
Fall 2015 ¹	13,682	2,219	1,601	2,614		11,742	31,858
Spring 2016 ²	-	-	-	-	-	-	-
Fall 2016 ¹	16,445	2,004	1,898	1,800	4,581	4,700	31,428
Spring 2017	14,833	2,096	698	2,347	2,658	8,035	30,667
Fall 2017 ¹	25,884	2,336	2,797	6,122	4,355	9,148	50,642
Spring 2018	10,144	1,952	588	1,923	2,893	7,418	24,918
Fall 2018	8,488	2,061	780	2,625	2,533	5,572	22,059
Spring 2019	11,068	1,398	710	2,325	3,621	7,758	26,880
Fall 2019	7,025	1,322	234	3,004	2,024	5,156	18,765
Spring 2020	12,759	3,350	1,147	2,211	4,403	8,468	32,338
Fall 2020	11,028	1,581	722	3,532	5,233	8,300	30,396
Spring 2021	7,246	1,551	543	2,432	3,485	7,060	22,317
Fall 2021	5,272	860	349	1,611	2,798	4,480	15,370
Spring 2022	6,702	943	668	2,179	4,312	5,240	20,044
Note 1:	Event sponsored by Cellcom						
Note 2:	There is no record of the weight summary for this event.						

Announcements/Future Agenda Items:

Director Kaiser stated he will not be in attendance for the June 28, 2022 meeting.

Adjournment: **Motion/Second/Carried Hillstrom/Stevenson to adjourn at 7:51 PM.**
All voting aye.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa Mroczkowski".

Lisa Mroczkowski
Public Works Office Manager



RESOLUTION NO. 2022-10

A RESOLUTION APPROVING COMPLIANCE MAINTENANCE ANNUAL REPORT FOR SANITARY SEWER

WHEREAS, the City of Neenah Common Council has reviewed the Compliance Maintenance Annual Report (CMAR) prepared for the Wisconsin Department of Natural Resources by the City's Department of Public Works staff relating to the City of Neenah's sanitary sewer conveyance system.

NOW, THEREFORE, BE IT RESOLVED the Common Council of the City of Neenah, Winnebago County this 15th day of June, 2022 that the City:

1. Accept the CMAR and place it on file;
2. Agree to continued monitoring and investigation of inflow and infiltration (I&I) in the City's sanitary sewer conveyance system; and,
3. Complete the sanitary sewer usage rate study.

Adopted, approved and recorded this 15th day of June, 2022.

Recommended by: Public Services and Safety Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Jane Lang, Mayor

Passed: _____

Charlotte Nagel, City Clerk

Compliance Maintenance Annual Report

Neenah Sewage Collection System

Last Updated: Reporting For:
6/3/2022 2021

Financial Management

<p>1. Provider of Financial Information</p> <p>Name: <input style="width: 150px;" type="text" value="Andrew Kahl"/></p> <p>Telephone: <input style="width: 150px;" type="text" value="9208866148"/> (XXX) XXX-XXXX</p> <p>E-Mail Address (optional): <input style="width: 300px;" type="text" value="akahl@ci.neenah.wi.us"/></p>													
<p>2. Treatment Works Operating Revenues</p> <p>2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ?</p> <p>● Yes (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ No (40 points)</p> <p>If No, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div> <p>2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised?</p> <p>Year: <input style="width: 80px;" type="text" value="2021"/></p> <p>● 0-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A (private facility)</p> <p>2.3 Did you have a special account (e.g., CWFP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system?</p> <p>● Yes (0 points)</p> <p>○ No (40 points)</p>	0												
<p>REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]</p>													
<p>3. Equipment Replacement Funds</p> <p>3.1 When was the Equipment Replacement Fund last reviewed and/or revised?</p> <p>Year: <input style="width: 80px;" type="text" value="2021"/></p> <p>● 1-2 years ago (0 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ 3 or more years ago (20 points) <input type="checkbox"/><input type="checkbox"/></p> <p>○ N/A</p> <p>If N/A, please explain:</p> <div style="border: 1px solid black; height: 20px; width: 100%;"></div>													
<p>3.2 Equipment Replacement Fund Activity</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">3.2.1 Ending Balance Reported on Last Year's CMAR</td> <td style="width: 5%; text-align: right;">\$</td> <td style="width: 35%; text-align: right;"><input style="width: 100%;" type="text" value="1,164,414.00"/></td> </tr> <tr> <td>3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 100%;" type="text" value="0.00"/></td> </tr> <tr> <td>3.2.3 Adjusted January 1st Beginning Balance</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 100%;" type="text" value="1,164,414.00"/></td> </tr> <tr> <td>3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)</td> <td style="text-align: right;">\$</td> <td style="text-align: right;"><input style="width: 100%;" type="text" value="0.00"/></td> </tr> </table>	3.2.1 Ending Balance Reported on Last Year's CMAR	\$	<input style="width: 100%;" type="text" value="1,164,414.00"/>	3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	<input style="width: 100%;" type="text" value="0.00"/>	3.2.3 Adjusted January 1st Beginning Balance	\$	<input style="width: 100%;" type="text" value="1,164,414.00"/>	3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	<input style="width: 100%;" type="text" value="0.00"/>	
3.2.1 Ending Balance Reported on Last Year's CMAR	\$	<input style="width: 100%;" type="text" value="1,164,414.00"/>											
3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$	<input style="width: 100%;" type="text" value="0.00"/>											
3.2.3 Adjusted January 1st Beginning Balance	\$	<input style="width: 100%;" type="text" value="1,164,414.00"/>											
3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$	<input style="width: 100%;" type="text" value="0.00"/>											

Compliance Maintenance Annual Report

Neenah Sewage Collection System

Last Updated: Reporting For:
6/3/2022 2021

3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*) -

\$ 0.00

3.2.6 Ending Balance as of December 31st for CMAR Reporting Year

\$ 1,164,414.00

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

3.3 What amount should be in your Replacement Fund?

\$ 782,682.00

0

Please note: If you had a CWFP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

- Yes
- No

If No, please explain.

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

- Yes - If Yes, please provide major project information, if not already listed below.
- No

Project #	Project Description	Estimated Cost	Approximate Construction Year
1	Sanitary Sewer Relay and Lateral Replacement with street construction	1575000	2021
2	Sanitary Sewer and Lateral Replacement with Street Repair	1312000	2022
3	Replace sanitary sewer mains, manholes and laterals.	1922400	2023
4	Replace sewer mains, manholes and laterals prior to street replacement.	1560000	2024

5. Financial Management General Comments

ENERGY EFFICIENCY AND USE

6. Collection System

6.1 Energy Usage

6.1.1 Enter the monthly energy usage from the different energy sources:

COLLECTION SYSTEM PUMPAGE: Total Power Consumed

Number of Municipally Owned Pump/Lift Stations:

Compliance Maintenance Annual Report

Neenah Sewage Collection System

Last Updated: Reporting For:
6/3/2022 2021

	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	13,415	141
February	16,515	118
March	21,687	67
April	25,438	34
May	20,720	12
June	18,160	7
July	25,022	5
August	18,362	4
September	15,924	5
October	11,327	6
November	11,664	39
December	17,667	109
Total	215,901	547
Average	17,992	46

6.1.2 Comments:

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- Comminution or Screening
- Extended Shaft Pumps
- Flow Metering and Recording
- Pneumatic Pumping
- SCADA System
- Self-Priming Pumps
- Submersible Pumps
- Variable Speed Drives
- Other:

6.2.2 Comments:

6.3 Has an Energy Study been performed for your pump/lift stations?

No

Yes

Year:

By Whom:

Describe and Comment:

Compliance Maintenance Annual Report

Neenah Sewage Collection System

Last Updated: Reporting For:
6/3/2022 2021

6.4 Future Energy Related Equipment
6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?
<input type="text"/>

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Last Updated: Reporting For:
6/3/2022 2021

Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

- Yes
- No

If No, explain:

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

- Yes
- No (30 points)
- N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

The major goals of the system was to provide uninterrupted service to customers without backups; replace old sanitary sewer mains and laterals on streets to be reconstructed; and to identify new sources of infiltration.

Did you accomplish them?

- Yes
- No

If No, explain:

Organization [NR 210.23 (4) (b)]

Does this chapter of your CMOM include:

- Organizational structure and positions (eg. organizational chart and position descriptions)
- Internal and external lines of communication responsibilities
- Person(s) responsible for reporting overflow events to the department and the public

Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

Chapters 26 & 28 Neenah Munic. Code

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 2006-05-03

Does your sewer use ordinance or other legally binding document address the following:

- Private property inflow and infiltration
- New sewer and building sewer design, construction, installation, testing and inspection
- Rehabilitated sewer and lift station installation, testing and inspection
- Sewage flows satellite system and large private users are monitored and controlled, as necessary
- Fat, oil and grease control
- Enforcement procedures for sewer use non-compliance

Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

- Equipment and replacement part inventories
- Up-to-date sewer system map

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A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation
 A description of routine operation and maintenance activities (see question 2 below)
 Capacity assessment program
 Basement back assessment and correction
 Regular O&M training
 Design and Performance Provisions [NR 210.23 (4) (e)]
 What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?
 State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements
 Construction, Inspection, and Testing
 Others:

Standard Specifications for Sewer and Water Construction in Wisconsin

 Overflow Emergency Response Plan [NR 210.23 (4) (f)]
 Does your emergency response capability include:
 Responsible personnel communication procedures
 Response order, timing and clean-up
 Public notification protocols
 Training
 Emergency operation protocols and implementation procedures
 Annual Self-Auditing of your CMOM Program [NR 210.23 (5)]
 Special Studies Last Year (check only those that apply):
 Infiltration/Inflow (I/I) Analysis
 Sewer System Evaluation Survey (SSES)
 Sewer Evaluation and Capacity Management Plan (SECAP)
 Lift Station Evaluation Report
 Others:

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning	60	% of system/year
Root removal	1	% of system/year
Flow monitoring	0	% of system/year
Smoke testing	0	% of system/year
Sewer line televising	1	% of system/year
Manhole inspections	30	% of system/year
Lift station O&M	60	# per L.S./year
Manhole rehabilitation	1	% of manholes rehabbed
Mainline rehabilitation	1	% of sewer lines rehabbed
Private sewer inspections	1	% of system/year

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Private sewer I/I removal % of private services
 River or water crossings % of pipe crossings evaluated or maintained

Please include additional comments about your sanitary sewer collection system below:

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

Total actual amount of precipitation last year in inches
 Annual average precipitation (for your location)
 Miles of sanitary sewer
 Number of lift stations
 Number of lift station failures
 Number of sewer pipe failures
 Number of basement backup occurrences
 Number of complaints
 Average daily flow in MGD (if available)
 Peak monthly flow in MGD (if available)
 Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

Lift station failures (failures/year)
 Sewer pipe failures (pipe failures/sewer mile/yr)
 Sanitary sewer overflows (number/sewer mile/yr)
 Basement backups (number/sewer mile)
 Complaints (number/sewer mile)
 Peaking factor ratio (Peak Monthly:Annual Daily Avg)
 Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OVERFLOWS REPORTED **

Date	Location	Cause	Estimated Volume
None reported			

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

If Yes, please describe:

Rain storms with heavy rains increased the flows in the system.

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes

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- No

If Yes, please describe:

5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:

There were no major issues with high flows but the City did not have any flooding or major rain storms.

5.4 What is being done to address infiltration/inflow in your collection system?

The City continues to replace old mains, manholes and laterals with street projects. We are proposing to replace old laterals that were previously replaced to the right of way all the way to the building in older areas of the City. We are continuing to install storm laterals where possible to encourage property owners to connect sump pump lines to the storm sewer and not into the building drain.

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

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Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			4	16
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

Compliance Maintenance Annual Report

Neenah Sewage Collection System

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Resolution or Owner's Statement

Name of Governing Body or Owner:	<input type="text"/>
Date of Resolution or Action Taken:	<input type="text"/>
Resolution Number:	<input type="text"/>
Date of Submittal:	<input type="text"/>
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):	
Financial Management: Grade = A	<input type="text"/>
Collection Systems: Grade = A (Regardless of grade, response required for Collection Systems if SSOs were reported)	<input type="text"/>
ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS (Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00) G.P.A. = 4.00	
<input type="text"/>	



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: June 1, 2022
TO: Mayor Lang and Members of the Public Services and Safety Committee
FROM: Gerry Kaiser, Director of Public Works
RE: Bridge over Neenah Creek - Bridgewood Golf Course Redevelopment

Proposals were requested from five firms to provide engineering, design and construction management services for the construction of a new bridge over Neenah Creek to connect the Bridgewood Golf Course redevelopment project to Jewelers Park Drive. GRAEF was the only firm that presented a proposal. The other firms cited limited staff availability due to project workloads and the project timeframe as reasons for passing on the project.

GRAEF presented a strong project team and solid references to similar types of projects. The cost proposal estimates \$121,659.41 for design, permitting and preparation of bid documents and \$28,218.92 for construction administration services – a total fee structure estimated at \$149,878.39. While it is never comfortable to proceed on a project like this without comparable proposals, the project hours and costs do not appear to be out of line given the overall scope.

Pending the development of a tax increment district encompassing the Bridgewood redevelopment to cover the cost for this work, the work costs would be covered through existing TID 7 funds. The project schedule calls for plans to be out for bid in February 2023 and construction to be done through the late spring/summer of that year to be open in August.

Staff recommends Council approve contracting with GRAEF for engineering, design and construction management services for the construction of a new bridge over Neenah Creek connecting the Bridgewood Golf Course redevelopment project to Jewelers Park Drive and a not to exceed cost of \$149,878.39.



Department of Public Works
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 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: June 1, 2022
TO: Mayor Lang and Members of the Public Services and Safety Committee
FROM: Gerry Kaiser, Director of Public Works
RE: Sewer Lateral Replacement Coordinated with Lead Service Line Replacement

Council members were informed by Water Utility Director Mach via a May 24 email (attached) of the proposed rollout of a lead service line replacement program funded through a grant program. Director Mach has worked closely with Public Works staff to identify candidate streets and to coordinate the water service work with sewer lateral replacements. If sewer laterals are included in this project, two steps need to take place – budget and special assessment.

PROJECT DESCRIPTION AND PROGRAM COMMENTS	Utility Owned Services Replaced	Privately Owned Services Replaced
<u>2022 WATER UTILITY</u>		
<u>Distribution System – Lead ServiceLine Replacements</u>		
1.Reddin Avenue (Winneconne - Cecil)	0	51
2.Madison Street (Reddin - Zemlock)	0	13
3.Hunt Avenue (Madison - Cecil)	0	38
4.Zemlock Avenue (Winneconne - Cecil)	1	49
5.Nicolet Boulevard (First - Beaulieu)	1	33
Subtotal 2022 Distribution System - LSL Replacements	2	184

Budget: Funds were not budgeted for these sewer lateral replacements so a budget amendment will be required. A possible source of funding for this work are the amounts remaining in two project budgets. The S. Commercial Street sanitary sewer project was budgeted at \$832,000. Due to a change in project scope after budgeting, the actual construction bid for this work was \$436,580, a difference of \$395,420.50. In addition, the contract for the sanitary sewer work on Grove Street is about \$162,000 below budget. Combined, these come to \$558,240. Allowing cushion for any overages in those two projects, and at an estimated cost of \$4,000 per sewer lateral, we can cover about 130 sewer laterals. If Council wishes to pursue this work, a budget amendment identifying the use of those two project funds could be noted as the funding source.

Special Assessments: Staff expectation is that a portion of the sanitary sewer lateral work would be special assessed to the served property per City policy. To do that, we would need to initiate the special assessment process. As noted above, the estimated total cost for sanitary sewer work is \$4,000 per lateral. Under current policy, this would result in a special assessment of \$2,000 per sewer lateral. This special assessment process would not be started unless and until Council approved the budget amendment for the work.

Staff recommends that Council approve a budget amendment to provide for sewer lateral replacements done in conjunction with the lead service line replacement program using \$520,000 in budgeted funds remaining from the S. Commercial Street and Grove Street sanitary sewer replacement projects.



Private Lead Service Line Funding Update

Anthony L Mach to: \$Council15, Andrew W Kahl
Cc: \$Water Commission

05/24/2022 12:34 PM

From: Anthony L Mach/Neenah
To: \$Council15, Andrew W Kahl/Neenah@Neenah
Cc: \$Water Commission

Hello Council Members:

We are in the process of addressing any final requirements from the DNR with regards to securing the private lead service line replacement funding.

The plan at this point to address lead service lines on Reddin Ave., Madison St., Hunt Ave., Zemlock Ave., and Nicolet Blvd. There are a total of 184 private lead service lines in these areas, as detailed below:

PROJECT DESCRIPTION AND PROGRAM COMMENTS	Utility Owned Services Replaced	Privately Owned Services Replaced
<u>2022 WATER UTILITY</u>		
<u>Distribution System - LSL Replacements</u>		
1.Reddin Avenue (Winneconne - Cecil)	0	51
2.Madison Street (Reddin - Zemlock)	0	13
3.Hunt Avenue (Madison - Cecil)	0	38
4.Zemlock Avenue (Winneconne - Cecil)	1	49
5.Nicolet Boulevard (First - Beaulieu)	1	33
Subtotal <u>2022 Distribution System - LSL Replacements</u>	<u>2</u>	<u>184</u>

The reasoning for directing resources in these areas is twofold:

1. These areas have been subjected to partial lead service line replacements (only the city-side lateral was replaced). Thus, the Water Utility cost can be minimized insofar as there are only two city-side water services to replace. The process of replacing only one side of a lead service line replacements is no longer acceptable as this can lead to higher lead concentrations. We would be able to address this issue directly and "complete the job."

2. These areas have partial sanitary lateral replacements. Public Works staff have indicated that many of the existing laterals in these areas are known to be failing or leaking. As such, we may be able to address major infiltration and inflow (I&I) issues at the same time as the lead service replacement. Ultimately, the homeowner and the City will see direct benefits.

In order to maximize the utilization of these funds, it would be prudent to replace both the lead service line and the remaining sanitary laterals at the same time. Since the funding to remove private lead service lines allows for ancillary costs, it is likely that some of the restoration costs for replacing the water services and sanitary laterals can be covered by the funding. This will possibly alleviate some of the costs to both the homeowner and the Sanitary Utility. Two steps are needed to incorporate the sanitary sewer lateral work into the lead service line replacement project. Since this work was not budgeted, a budget adjustment is necessary. That request will come to an upcoming Public Services and Safety Committee. If that budget amendment is approved, the second step is to initiate the special assessment process. While the funding will be able to

cover costs for ancillary work, as noted above, there will still be direct costs related to the sanitary sewer lateral replacement that it will not cover. We propose to split those costs between the Sanitary Sewer Utility and the property owner.

Please let me know if you have any concerns or questions. We would like to know if there are any objections to this process and if there are any steps that can be taken to expedite the approval process.

Best regards,
Tony

Anthony L. Mach
Water Utility Director
Neenah Water Utility
211 Walnut St.
Neenah, WI 54956
Office: (920) 886-6182
Cell: (920) 858-6300

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, June 7, 2022
4:15 p.m.

Present:

Mayor Jane Lang, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Sara Moore-Nokes	PRESENT
Kate Hancock-Cooke	PRESENT	Karen Genett	PRESENT	Betsy Ellenberger	PRESENT
Gerry Andrews	PRESENT	Ald. Dan Steiner	PRESENT		

Also present:

Chris Haese, Director of Community Development	Brad Schmidt, Deputy Director of Community Development	Samantha Jefferson, Office Manager
Mark and Lynn Rudie, 103 Lexington Ct.	Judy and Bill Escribano, 107 Lexington Ct.	Mark Gruetzmacher, 1976 Marathon Ave.
Jared Schmidt, R.E.L.	Michael Leidig, R.E.L.	Jake Lamb, 912 Bayveiw Rd.
David O'Brien, Bayland Builders	Corey Vanevenhoven, Park Place Holdings	

Minutes: MSC Andrews/Kaiser, the Plan Commission to approve the May 10, 2022 meeting minutes. Member Moore-Nokes abstaining. Motion passed.

Public Appearances: Chairperson Lang opened the public appearance section. None.

Public Hearings:

- a. **Comprehensive Plan Amendment #1-22** – Future Land Use Map – Northwest corner of Marathon Avenue and Byrd Avenue

Mayor Lang opened the public hearing. Seeing no comments, Mayor Lang closed the public hearing.

- b. **Rezoning #2-22** – 2001 Marathon Avenue – 1-2, General Industrial District to C-1, General Commercial District

Mayor Lang opened the public hearing.

Mark Gruetzmacher (1976 Marathon Avenue) described his property as adjacent to the subject property and said that he is strongly opposed to a multi-family development coming to the site due to increased traffic and noise.

In addition, Deputy Director Schmidt said that he received an email from Brad Hoyt with CPG, LLC (355 Byrd Avenue) in which Mr. Hoyt stated that he opposes the Comprehensive Plan Amendment as he believes that it would negatively impact the use and value of their property. He also stated that industrial land is in short supply and strong demand.

Corey Vanevenhoven (Parkplace Holdings) said that he understands the opposition and can answer questions.

Seeing no additional comments, Mayor Lang closed the public hearing.

Action Items:

- a. **Comprehensive Plan Amendment #1-22** – Future Land Use Map – Northwest corner of Marathon Avenue and Byrd Avenue (Ord. No. 2022-14)

Deputy Director Schmidt began by describing the proposal brought before the Plan Commission. The subject area is currently designated Industrial Corridor and the request is to amend the City's Comprehensive Plan and Future Land Use Map to designate this area as Mixed Use Transitional Area. The subject area is approximately 20.8 acres in size and includes an office building, off-street parking lots, and open space. The building is mostly vacant, but a small portion of the north building is still used as an office. A developer is proposing to repurpose the office building with multi-family residential units and develop the balance of the site with townhouse buildings. A Comprehensive Plan amendment and rezoning is required to develop the site as a multi-family residential use.

Land north, west and southwest of the subject site is also identified as the Industrial Corridor designation and includes a number of industrial and manufacturing uses. Land east of the subject site is identified as Mixed Use Transitional

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Area and includes a mixture of single-family homes, duplexes, and several multi-family buildings. Land south of the subject site includes the Neenah Police station, the Neenah Dog Park, a community garden, and a skate park. Finally, land southeast of the subject site is identified as Neighborhood Commercial and includes multi-family buildings and commercial property.

The Mixed Use Transitional Area designation includes areas that tend to have a mix of housing type (single-family, two-family duplexes, and multi-family) and are adjacent to non-residential uses like commercial or industrial. The Comprehensive Plan indicates the following zoning districts are appropriate (consistent) with this designation including R-1, Single-Family Residence District, R-2, Two-Family Residence District, M-1/M-2, Multi-Family Residence District, C-1, General Commercial District, and I-1, Planned Business Center District.

The subject land serves as a transition from the heavy industrial properties to the north and west to the less intense residential properties to the east and south. A heavy industrial use on the subject site would have a detrimental impact on the adjacent residential neighborhoods and could impact the safety of park and community garden users. The Mixed Use Transitional Area designation offers more appropriate land uses than the Industrial Corridor. Due to the changes that have occurred in this neighborhood since the adoption of the Comprehensive Plan, staff believes that amending the future land use to the Mixed Use Transitional Area would serve to allow the highest and best use for this property.

Member Hancock-Cook asked for it to be clarified that how the property is currently designated would allow for industrial use on the property which could lead to more traffic and noise than a potential multi-family development. Deputy Director Schmidt confirmed this. Deputy Director Schmidt also pointed out that if the commission approves this change in designation, it does not guarantee that multi-family project that has been proposed will occur. He explained that staff is aware that this site has been attractive to mini-storage developers.

Member Genett asked if the change in designation would prevent storage facilities from being developed on the site. Deputy Director Schmidt said that it would. Member Kaiser asked if Deputy Director Schmidt could speak to Mr. Hoyt's comment about property values being lowered due to this change. Deputy Director Schmidt does not believe that that would be the case. He also does not believe that there is a high demand for industrial property at this time.

Ord. 2022-14

MSC Ellenberger/Genett, the Plan Commission approves Resolution 2022-1 and recommend Council approve Ordinance No. 2022-14 amending the Comprehensive Plan 2040 and Future Land Use Map. All aye. Motion passed.

- b. **Rezoning #2-22** – 2001 Marathon Avenue – 1-2, General Industrial District to C-1, General Commercial District (Ord. No. 2022-13)

Park Place Holdings, LLC, has submitted a request to rezone land located at 2001 Marathon Avenue from the I-2, General Industrial District to the C-1, General Commercial District.

The subject property located on the northwest corner of Marathon Avenue and Byrd Avenue is approximately 20.8 acres in size and includes an office building, off-street parking lots and green space. The one-story office building is about 148,000 square feet in size and is currently vacant with the exception of the north portion of the building. The applicant is proposing to repurpose the vacated portion of the building as residential units (approximately 37 units) and construct 12-14 unit townhomes on the balance of the property. A rezoning of the property from the I-2 District to the C-1 District is required in order to use the property as proposed.

The C-1 District is intended for areas with commercial and higher density residential uses. While an M-1/M-2, Multi-Family Residence District would work for the multi-family uses proposed on the site, the office use would not be permitted. Land west, north and southwest of the subject site is zoned I-2, General Industrial District and includes several manufacturing and industrial facilities. The land immediately south and adjacent to the subject site includes a public dog park, community garden, the Neenah Police station, and a skate board park. Finally, land to the east is zoned M-1, Multi-Family Residence District and R-2, Two-Family Residence District and includes smaller multi-family properties, duplexes, and single-family residences and land to the southeast is zoned C-1 District and includes a number of multi-family properties and smaller commercial properties.

Ord. 2022-13

The I-2, General Industrial District allows for a number of heavy industrial and manufacturing uses which could have a negative impact on the surrounding residential neighborhood. Changes to the surrounding neighborhood including the construction of the dog park make residential uses more appealing. Rezoning the property to the C-1 District would make the current use of the property (office) consistent with the zoning district and would allow for the redevelopment

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of the property as multi-family residential. If the property is rezoned, a site plan would need to be submitted and approved by the Plan Commission prior to any construction.

The recommendation of this request to Council would maintain consistency with the previously recommended amendment to the Comprehensive Plan. If approved, the Mixed Use Transitional Area designation allows for multi-family residential use and commercial/office use and the C-1 District is an appropriate zoning classification for this land use designation.

MSC Genett/Ellenberger, the Plan Commission recommends Council approve Ordinance No. 2022-13 rezoning property located at 2001 Marathon to the C-1, General commercial District. All aye. Motion passed.

c. **Site Plan #4-22** – 1515 S. Commercial Street – Car Wash

Jacob Lamb, owner of property located at 1515 S. Commercial Street, has submitted a site plan for the construction of an automatic car wash. The subject property, located along the west side of S. Commercial Street and south of Bell Street, is 1.52 acres in size and currently includes a single-family residence. The property was rezoned from R-1, Single-Family Residence District to the C-1, General Commercial District in 2019.

The subject property is mostly surrounded by other commercial uses with the exception of the land to the west, which includes a multi-family residential development, and to the south which includes a single-family residential subdivision.

Automotive and truck washes are permitted uses in the C-1, District, which is defined as a use which conforms to the purposes objective, requirements, regulations and performance standards of the district. The proposed development includes a 4,120 square-foot building. The building includes an office, the wash bay, and equipment room. Vehicles will enter the car wash from the south end and exit on the north end. The development also includes 12 vacuum stalls for customers along the east side of the property.

While the property is 1.52 acres in size, the car wash is expected to account for about 0.92 acres of the site. The remaining 0.60 acres is intended to be a future development site. At this time, no development is planned for the property. The property owner will submit a certified survey map (CSM) to subdivide the property at some point in the near future.

The building will be 90 feet from S. Commercial Street (front yard setback), 200 feet and 49 feet from the side property lines, and 43 feet from the back property line. The building will be 21'4" high and will cover 6% of the lot. The code requires that an additional shade tree must be added to the south property line (when regarding the proposed landscaping plan) and all shade trees must be a minimum of 2.5" caliper and all evergreens must be a minimum of 4 feet tall at time of planting. An appropriate screening will be around the dumpsters. A storm water management plan is required to be submitted and approved prior to the issuance of building permits.

The applicant is proposing two driveways, one on the south end and one along the middle portion of the site. The north driveway is intended to serve as a future shared driveway with the future development site on the north side of the property. After further review, staff is requesting that only one driveway, the proposed shared driveway on the north, be permitted. The south driveway must be eliminated. In addition, the developer/owner is responsible for the costs related to adjusting the traffic markings to provide safe ingress into the site. When the property is subdivided, a cross access easement will be required on the CSM to ensure the main driveway will provide access to both developments.

Member Ellenberger mentioned that she would appreciate this use in this part of town as it is underserved.

Member Hancock-Cook asked if patrons would be able to turn left out of the parking lot onto S. Commercial Street. This was confirmed. She also asked if the car wash would be running 24/7. Jared Schmidt, engineer for the project, confirmed that it would be operational 6:00 a.m. – 10:00 p.m.

Mark and Lynn Rudie (103 Lexington Ct.) voiced their concerns about the project which included the occupants of the apartment complex making the fence line a type of "alleyway," noise, how they would maintain their property and snowplow the sidewalk on S. Commercial Street, potential drainage issues, lighting concerns and the hours of operation. Jake Lamb, the developer of the project, confirmed that the fence would be placed in a way to prevent an "alleyway" opportunity. He also confirmed that gates could be added so that the property owners could access the land and sidewalk near S. Commercial Street.

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Bill Escribano (107 Lexington Ct) expressed concerns regarding the noise that would come from the vacuums. Mr. Schmidt explained that the development design was completed keeping in mind the surrounding environment and to try to mitigate noise. Vacuums were placed as far from residences as possible and (general) the decibels of the vacuums are less than traffic decibels. Member Hancock-Cook asked if such a thing as a sound map exists. Deputy Director Schmidt said that this isn't currently required and Mr. Schmidt said they do not create those as part of a development. The Commission requested that the developer report the decibels that would be expected at the rear lot line.

Member Ellenberger suggested that the light and activity at the car wash may help with safety concerns.

Mr. Schmidt asked that staff reconsider their position of the development only including one driveway. They are requesting that two driveways be allowed. Member Kaiser explained that due to the nature of the roadway in that area and because of surrounding developments and required drive lanes, it would be difficult to allow. The Commission suggested that engineering could continue to work with staff to possibly make that work but would approve/deny based on the current staff suggestion. The plan would be brought back to Plan Commission if staff would suggest another alternative.

MSC Hancock-Cook/Ellenberger, the Plan Commission approves the site plan for a new car wash located at 1515 S. Commercial Street subject to the comments on the site plan review letter. All aye. Motion passed.

d. **CSM #6-22** – Woodenshoe Road – 2 Lots

Van Sistine Homes, LLC, owner of 7001 Woodenshoe Road, is proposing to subdivide the subject parcel into two lots and dedicate land for public right-of-way along Woodenshoe Road and Liberty Avenue. The subject land was recently annexed to the City and will be part of The Homes at Freedom Meadows subdivision. The two proposed lots meet the minimum lot size and width standards in the Subdivision Code and are consistent in size with the lots in The Homes at Freedom Meadows. The property is zoned R-1, Single-Family Residence District and the lots will be developed as single-family residences.

CA

MSC Kaiser/Steiner, the Plan Commission recommends Common Council approve the proposed 2 Lot CSM at 7001 Woodenshoe Road and accept the land dedication for public right-of-way. All aye. Motion passed.

Announcements and Future Agenda Items:

Next meeting: June 28, 2022.

Adjournment: The Commission adjourned its meeting at 5:35 p.m. MSC Ellenberger/Genett. All Aye. Motion passed.

Respectfully Submitted,



Samantha Jefferson
Office Manager, Community Development



M E M O R A N D U M

DATE: June 7, 2022
TO: Mayor Lang and Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: 2 Lot CSM – 7001 Woodenshoe Road –Van Sistine Homes, LLC

Van Sistine Homes, LLC, owner of 7001 Woodenshoe Road, is proposing to subdivide the subject parcel into two lots and dedicate land for public right-of-way along Woodenshoe Road and Liberty Avenue. The subject land was recently annexed to the City and will be part of The Homes at Freedom Meadows subdivision. The two proposed lots meet the minimum lot size and width standards in the Subdivision Code and are consistent in size with the lots in The Homes at Freedom Meadows. The property is zoned R-1, Single-Family Residence District and the lots will be developed as single-family residences.

Recommendation

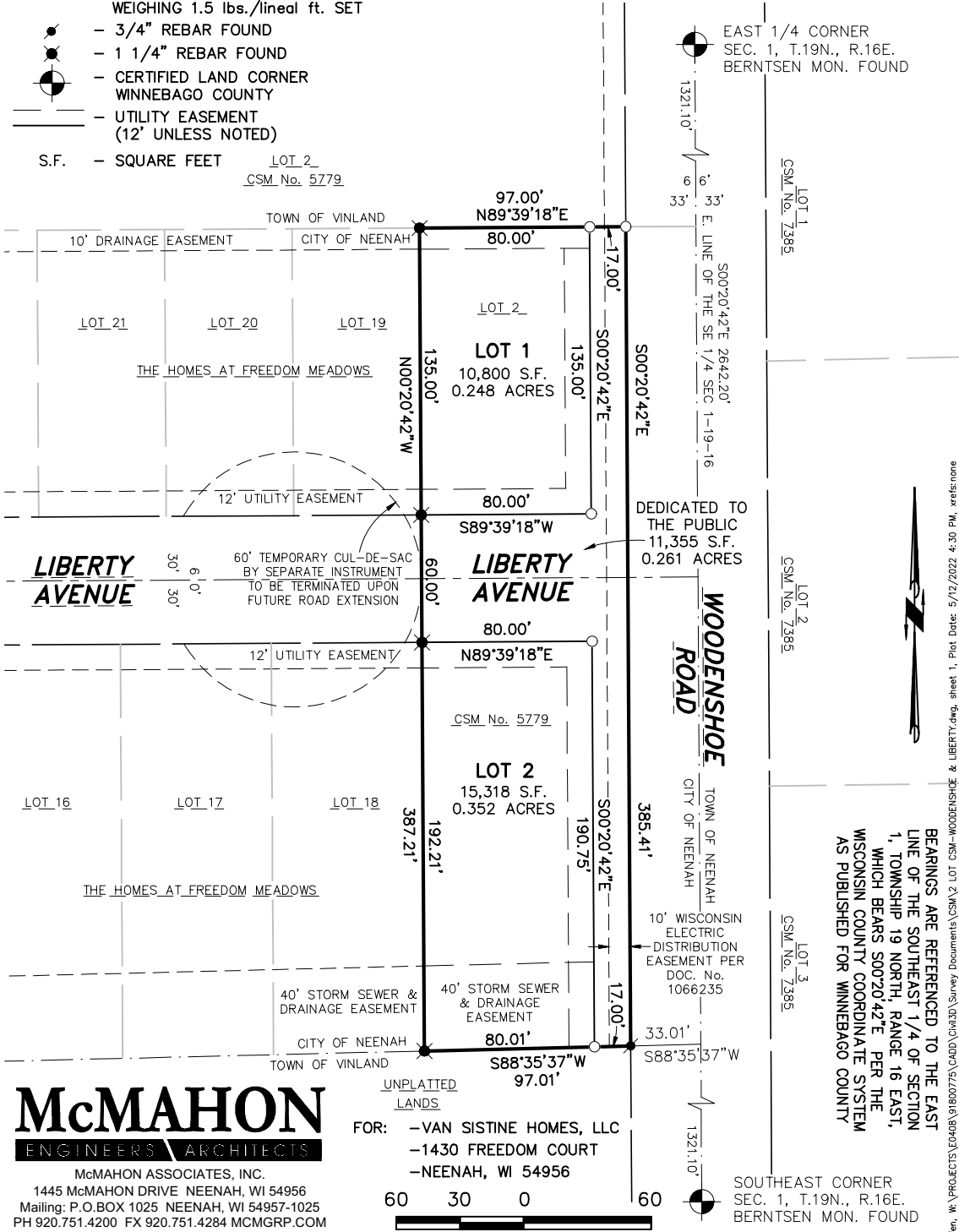
Appropriate action at this time is for Plan Commission to recommend Common Council approve the proposed 2 Lot CSM at 7001 Woodenshoe Road and accept the land dedication for public right-of-way.

CERTIFIED SURVEY MAP NO. _____ SHEET 1 OF 4

PART OF LOT 2 OF CERTIFIED SURVEY MAP No. 5779 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5779 AS DOCUMENT No. 1368620, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 16 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN

LEGEND

- - 3/4" x 18" ROUND IRON REBAR WEIGHING 1.5 lbs./lineal ft. SET
- - 3/4" REBAR FOUND
- - 1 1/4" REBAR FOUND
- - CERTIFIED LAND CORNER WINNEBAGO COUNTY
- — — — — UTILITY EASEMENT (12' UNLESS NOTED)
- S.F. - SQUARE FEET

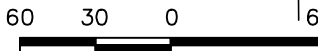


McMAHON
ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

DRAFTED BY: COREY KALKOFEN

FOR: -VAN SISTINE HOMES, LLC
-1430 FREEDOM COURT
-NEENAH, WI 54956



SCALE - FEET

BEARINGS ARE REFERENCED TO THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 16 EAST, WHICH BEARS S00°20'42"E PER THE WISCONSIN COUNTY COORDINATE SYSTEM AS PUBLISHED FOR WINNEBAGO COUNTY

calkofen, W:\PROJECTS\204\804\030\Survey Documents\CSM 2 LOT 1-3-WOODENSHOE & LIBERTY.dwg, sheet 1, Plot Date: 5/12/2022 4:30 PM, xrefis:none

PART OF LOT 2 OF CERTIFIED SURVEY MAP No. 5779 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5779 AS DOCUMENT No. 1368620, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 16 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, Corey W. Kalkofen, Wisconsin Professional Land Surveyor, PLS-2726, certify that I have surveyed, divided and mapped a part of Lot 2 of Certified Survey Map No. 5779 as recorded in Volume 1 of Certified Survey Maps on Page 5779 as Document No. 1368620, located in the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, City of Neenah, Winnebago County, Wisconsin containing 50,181 square feet (1.152 acres) of land and more particularly described as follows:

Commencing at the East 1/4 corner of said Section 1; thence S00°20'42"E, 1321.10 feet along the East line of the Southeast 1/4 of said Section 1 to the Easterly extension of the South line of Lot 2 of said Certified Survey Map No. 5779; thence S88°35'37"W, 33.01 feet along said Easterly extension to the Southeast corner of said Lot 2 and the Point of Beginning; thence continue S88°35'37"W, 97.01 feet along said South line of Lot 2 to the Southeast corner of Lot 18 of The Homes at Freedom Meadows; thence N00°20'42"W, 387.21 feet along the East line of Lots 18 & 19 of The Homes at Freedom Meadows to the Northeast corner of said Lot 19; thence N89°39'18"E, 97.00 feet along the Easterly extension of the North line of said Lot 19 to the Westerly right-of-way line of Woodenshoe Road; thence S00°20'42"E, 385.41 feet along said Westerly right-of-way line to the Point of Beginning.

That I have made this survey by the direction of the Owners of said Land.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes and the City of Neenah Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this _____ day of _____, 20_____.

Corey W. Kalkofen, WI Professional Land Surveyor S-2726

CERTIFICATE OF TREASURERS

I, being the duly elected, qualified and acting Treasurer, do hereby certify that in accordance with the records in my office there are no un-paid taxes or un-paid special assessments on any of the lands included in this Certified Survey Map.

City Treasurer Date County Treasurer Date
Michael Easker Mary E. Krueger

NOTES

- THIS CERTIFIED SURVEY MAP IS ALL OF PARCEL ID No. 8114000002.
- THE PROPERTY OWNER OF RECORD IS VAN SISTINE HOMES, LLC.
- THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN PROPERTY DESCRIBED IN DOCUMENT No. .

CERTIFIED SURVEY MAP NO. _____

SHEET 3 OF 4

PART OF LOT 2 OF CERTIFIED SURVEY MAP No. 5779 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5779 AS DOCUMENT No. 1368620, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 16 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN

OWNER'S CERTIFICATE

Van Sistine Homes, LLC, as Owner(s), I/We hereby certify that I/we caused the land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on this Certified Survey Map. We also hereby certify that this CSM is required by s. 236.10 or s. 236.12 to be submitted to the following for approval or objection:

City of Neenah

Dated this _____ day of _____, 20____.

Authorized Signature & Title

Authorized Signature & Title

Printed Name & Title

Printed Name & Title

State of Wisconsin)
_____)ss
_____) County)

Personally appeared before me on the _____ day of _____, 20____, the above named person(s) to me known to be the person(s) who executed the foregoing instrument, and acknowledged the same.

Notary Public

_____) County, _____)

My commission expires _____

CITY OF NEENAH APPROVAL

This Certified Survey Map was approved by the City of Neenah on this _____ day of _____, 20____.

City Clerk
Charlotte Nagel
Date

City Mayor
Jane B. Lang
Date

PART OF LOT 2 OF CERTIFIED SURVEY MAP No. 5779 AS RECORDED IN VOLUME 1 OF CERTIFIED SURVEY MAPS ON PAGE 5779 AS DOCUMENT No. 1368620, LOCATED IN THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 19 NORTH, RANGE 16 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN

CITY OF NEENAH DRAINAGE EASEMENT RESTRICTIONS

1. MAINTENANCE OF ALL DRAINAGE WAYS AND ASSOCIATED STRUCTURES WITHIN THE SUBDIVISION OR SERVING THE SUBDIVISION IS THE SOLE RESPONSIBILITY OF THE PROPERTY OWNER(S) WITHIN THE SUBDIVISION.
2. UPON FAILURE OF THE PROPERTY OWNER(S) TO PERFORM MAINTENANCE OF THE DRAINAGE WAYS AND ASSOCIATED STRUCTURES, THE CITY OF NEENAH RETAINS THE RIGHT TO PERFORM MAINTENANCE AND/OR REPAIRS. THE PAYMENTS OF SAID MAINTENANCE AND/OR REPAIRS SHALL BE ASSESSED AMONG THE PROPERTY OWNER(S) OF THE SUBDIVISION WITH A DRAINAGE COVENANT.
3. A DRAINAGE PLAN AND STORM WATER MANAGEMENT PLAN HAS BEEN FILED WITH THE CITY OF NEENAH WHICH STATES THE REQUIRED LEVELS OF MAINTENANCE FOR ALL THE IDENTIFIED STORM WATER MANAGEMENT SYSTEMS.
4. UPON FINAL GRADING, THE DEVELOPER AND/OR OWNER SHALL COMPLY WITH THE SURFACE WATER DRAINAGE PLAN AS APPROVED BY AND ON FILE WITH THE CITY OF NEENAH.
5. SUMP PUMP DISCHARGE ARE TO BE CONNECTED TO THE STORM SEWER LATERAL PROVIDED.
6. ROOF DOWNSPOUTS SHALL DISCHARGE AT GRADE AND SHALL NOT BE CONNECTED TO THE STORM SEWER SYSTEM.
7. GARAGES ARE RECOMMENDED TO BE LOCATED ON THE "HIGH" SIDE OF THE LOT.

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by the Van Sistine Homes, LLC, Grantor(s), to

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin corporation, Grantee,

AT&T Wisconsin, a Wisconsin corporation, Grantee, and

SPECTRUM MID-AMERICA, LLC by: Charter Communications, Inc., its Manager, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

NO UTILITY TRANSFORMERS OR PEDESTALS ARE TO BE SET WITHIN 2 FEET OF A LOT CORNER MONUMENT.

NO CONDUCTORS ARE TO BE BURIED WITHIN 1 FOOT OF A LOT CORNER MONUMENT.

**Minutes of the Board of Public Works Meeting
Thursday, June 9 2022, 12:00 p.m. Noon**

MEMBERS PRESENT: Mayor Lang, Director of Public Works Kaiser, Director of Community Development Haese, City Attorney Westbrook and Alderpersons Lendrum and Hillstrom. Director of Finance Easker was excused.

ALSO PRESENT: Director of Park & Recreation Kading, Director of Water Utility Mach, and City Clerk Nagel.

CALL TO ORDER: Mayor Lang called the meeting to order at 12:02 p.m.

I. Approval of the minutes of the May 10, 2022 meeting. (Minutes can be found on the City web site)
MSC Haese/Westbrook to approve the meeting minutes as written, all voting aye.

II. Appearances.
None.

III. Unfinished Business.
None.

IV. New Business.

A. Public Works

1. Award Contract 8-22, HMA Pavement Repairs.

Report

MSC Kaiser/Westbrook to recommend to Council award Contract 8-22, HMA Pavement Repairs to Northeast Asphalt, Inc. in the amount of \$94,268.00, all voting aye.

Discussion: There were two bids received from Northeast Asphalt, Inc. and MCC, Inc. The bid price is in line with current industry standards. This contract is for hot mix asphalt pavement repairs.

2. Change Order No.1, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot, Inc., Green Bay in an amount of \$6,433.44.

Info. Only

MSC Kaiser/Lendrum to approve Change Order No.1, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot, Inc., Green Bay in an amount of \$6,433.44, all voting Aye.

Discussion: The change order is for rock removal. The contractor was not able to blast rock under high voltage wire or next to buried fiber optic wire. Areas where the rock was not able to be blasted had to be removed mechanically. The trail was too damaged to temporarily repair.

3. Change Order No.2, Contract 5-22, CTH CB/CTH JJ, Utility Installation De Groot Inc., Green Bay in an amount of \$12,449.81.

Info. Only

MSC Kaiser/Hillstrom to approve Change Order No.2, Contract 5-22, CTH CB/CTH JJ, Utility Installation De Groot Inc., Green Bay in an amount of \$12,449.81, all voting aye.

Discussion: There was a house on southeast quadrant that was moved to make room for the roundabout. This change order is for the removal of hydrant in the way of the new road and existing water services that would be in the way of the new road.

Report

4. Final Payment, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot Inc., Green Bay in an amount of \$51,750.59.
MSC Kaiser/Lendrum to recommend Council approve Final Payment, Contract 5-22, CTH CB/CTH JJ, Utility Installation, De Groot Inc., Green Bay in an amount of \$51,750.59, all voting aye.

Discussion: Final payment includes both change orders 1 and 2 above.

Info. Only

5. Pay Estimate No.2, Contract 2-22, Sanitary, Water Services and Street Construction, Grove Street and Dieckhoff Street, Donald Hietpas & Sons, Inc., Little Chute, in an amount of \$162,398.89.
MSC Kaiser/Lendrum to approve Pay Estimate No.2, Contract 2-22, Sanitary, Water Services and Street Construction, Grove Street and Dieckhoff Street, Donald Hietpas & Sons, Inc., Little Chute, in an amount of \$162,398.89, all voting aye.

Discussion: This pay estimate includes work on sewer laterals and water service replacement.

Info. Only

6. Pay Estimate No. 2, Contract 4-22, Sanitary Sewer and Water Main Construction, S. Commercial Street, Robert J. Immel Exc. Inc., in an amount of \$55,611.62.
MSC Kaiser/Westbrook to approve Pay Estimate No. 2, Contract 4-22, Sanitary Sewer and Water Main Construction, S. Commercial Street, Robert J. Immel Exc. Inc., in an amount of \$55,611.62, all voting aye.

Discussion: Service work is complete; pavement patching needs to be done yet. There is a cure time with the pavement patching. The project is anticipated to be completed and the road opened early to mid-July. The project is in preparation for the 2025 reconstruction of Commercial Street.

7. Final Payment, Contract 1-22, Sanitary, Water Main and Street Construction, Apple Blossom Dr., Fredrick Dr., Green Acres Ln., Honeysuckle Ln., Meadow Ln., Primrose Ln., Wild Rose Ln., Kruczek Construction Inc., Green Bay, in an amount of \$464,275.79.
MSC Kaiser/Haese to table this item as the contractor did not submit final payment paperwork, all voting aye.

B. Park & Recreation

Info. Only

1. Change Order No. 1 for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$9,440.20.
MSC Haese/Westbrook to approve Change Order No. 1 for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$9,440.20, all voting aye.

Discussion: This change order includes additional drainpipe, concrete removal, replacement, and caulking. Concrete panels that were deteriorated to the point of repair were replaced. Replacing these deteriorating concrete panels with this project was the most efficient and effective way to address the situation. Additional caulking was added to prolong the life span of the concrete before needing to be replaced.

Info. Only

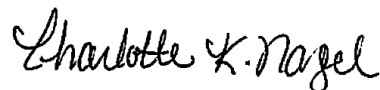
2. Pay Estimate No. 2, for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$322,747.85.
MSC Haese/Hillstrom to approve Pay Estimate No. 2, for Shattuck Park Fountain Reconstruction Contract to Janke General Contractors, Athens, WI in the amount of \$322,747.85, all voting aye.

Discussion: This pay request is for work completed through May 31, 2022. The pay request includes change order no. 1 above. The project is substantially completed. There is a water pressure issue at the water play feature and staff is working through the problem-solving process with the vendor. Retainage is being held along with final payment to allow staff to do a final walk through and create a punchlist. The water feature will be functional by open day, Saturday, June 11, 2022 with a ribbon cutting ceremony on June 23rd.

- V. Any announcements/questions for the Board.
None.

- VI. Adjournment.
MSC Haese/Hillstrom to adjourn, all voting aye. Meeting adjourned t 12:27 p.m.

Respectfully Submitted,



Charlotte K. Nagel, City Clerk

Change Order No: 1
 Contract: 5-22
 Project: CTH RD CB & CTH RD JJ
Utility Work
 Contractor: DeGroot, Inc,
4201 Champion Rd
Green Bay WI 54311
 Current Contract: \$305,845.51

Change Ordered Herewith:

1	Item 502 Rock Removal by Blasting Reduced Quantity by 1,220 lin.ft. to 950 lin.ft.	(\$10,111.50)
2	Item 503 Rock Removal by mechanical means increase to 110 cu yds to 430 cu yds.	\$24,240.00
3	Item 504-2-inch Hot Mix Bitomous Patch	(\$6,762.60)
4	Misc Quantity Adjustments	(\$932.46)
TOTAL		\$6,433.44

Reason for Change:

- Contractor was not able to blast rock under high voltage wire or next to buried fiber optic wire
- Areas where rock was not able to be blasted had to be removed with rock hammer
- Trail too damaged to temporarily repair
-



Contract Amount

Original: \$305,845.51
 Previous C.O.'s (+/-): \$0.00
 This C.O. (+/-): \$6,433.44
 Revised: \$312,278.95

Contract Time (Calendar Days)

Original: _____
 Previous C.O.'s (+/-): _____
 This C.O. (+/-): _____
 Revised: _____

This document shall become an amendment to the contract and all stipulations and covenants of the contract shall apply hereto.

Contractor: 
 Department: 
 Water Department _____
 (If applicable) _____
 Board of PW: _____

Date: 6/7/2022
 Date: 6-8-2022
 Date: _____
 Date: _____

Change Order No: 2
 Contract: 5-22
 Project: CTH RD CB & CTH RD JJ
Utility Work
 Contractor: DeGroot, Inc,
4201 Champion Rd
Green Bay WI 54311
 Current Contract: \$312,278.95

Change Ordered Herewith:

1	Retire 3 water services on CTH JJ/Abandon hydrant and valve/extend sewer lateral	\$12,449.81
2		
3		
4		
TOTAL		\$12,449.81

Reason for Change:

- 1 Removed hydrant in the way of the new road and existing water services that would be in the way of the new road.
- 2
- 3



Contract Amount

Original: \$312,278.95
 Previous C.O.'s (+/-): \$0.00
 This C.O. (+/-): \$12,449.81
 Revised: \$324,728.76

Contract Time (Calendar Days)

Original: _____
 Previous C.O.'s (+/-): _____
 This C.O. (+/-): _____
 Revised: _____

This document shall become an amendment to the contract and all stipulations and covenants of the contract shall apply hereto.

Contractor: <u></u>	Date: <u>6/7/2022</u>
Department: <u></u>	Date: <u>6-8-2022</u>
Water Department _____ (If applicable)	Date: _____
Board of PW: _____	Date: _____

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: Donald Hietpas & Sons, Inc.		Contract No. 2-22	
Address 1450 E North Ave		Contract Amount \$789,997.50	
City Little Chute WI 54140			
Name of Project		Sanitary, Water Services and Street Construction	
Location of Project		Dieckhoff Street & Grove Street	
Pay Request No.	2	For Period	May 1, 2022 through May 31, 2022

CONTRACT SUMMARY

Original Contract Amount	\$789,997.50
Net Amount of Change Order	\$0.00
Adjusted Contract Amount	<u>\$789,997.50</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$360,306.35
Less Retainage of 5%. If different indicate here	\$18,015.32
Net Amount Earned to Date	\$342,291.03
Less Previous Payments	\$179,892.14
	<u>\$162,398.89</u>

BALANCE DUE THIS PAYMENT

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer-Grove St.	046-5051-743-0236	\$480,000.00	\$317,180.00	\$59,292.54	\$179,892.14
Storm Sewer - Grove St.	049-5273-743-0236	\$170,000.00	\$67,199.00	\$55,760.73	\$0.00
Street Construction - Dieckhoff St./Grove St.	012-4323-743-0236	\$400,000.00	\$349,919.50	\$15,254.63	\$0.00
Water Services - Dieckhoff St.	400-0000-207-0485	\$20,800.00	\$15,863.00	\$12,238.85	\$0.00
Water Services - Grove St.	400-0000-207-0484	\$74,700.00	\$39,836.00	\$19,852.15	\$0.00
		<u>\$1,145,500.00</u>	<u>\$789,997.50</u>	<u>\$162,398.89</u>	<u>\$179,892.14</u>

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer	_____	Date: 6-8-22
Certified by Public Works	_____	Date: 6-8-22
Certified by Water Utility	_____	Date:
Certified by Contrator	_____	Date:
	Approved BPW _____	Date:
	Approved Common Council (Final Payments Only)	Date:

Contract 2-22
Sanitary Sewer, Storm Sewer, Water Services, and Street Construction
Dickehoff Street and Grove Street

Item Code	Item Description	UofM	Quantity	Bid		Qty Completed to Date	Pay Estimate No. 1						Pay Estimate No. 2					
				Unit Price	Extension		Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date
Sanitary																		
101	Furnish & Relay 8-Inch PVC Sanitary Sewer	Lin. Ft.	1,690	\$84.50	\$142,805.00	1,688.00	1,688.00	\$142,636.00	\$7,131.80	\$135,504.20	\$0.00	\$142,636.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$142,636.00
102	Furnish & Relay 6-Inch Sanitary Lateral in ROW (30)	Lin. Ft.	600	\$97.00	\$58,200.00	687.05	288.95	\$28,028.15	\$1,401.41	\$26,626.74	\$0.00	\$28,028.15	398.10	\$38,615.70	\$1,930.79	\$36,684.92	\$0.00	\$66,643.85
103	Furnish & Relay 6-Inch Sanitary Lateral ROW to House	Lin. Ft.	40	\$60.00	\$2,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
104	Furnish & Pipeburst 6-Inch Sanitary Lateral (3)	Lin. Ft.	120	\$20.00	\$2,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
105	Furnish & Pipeburst 4-Inch Sanitary Lateral (27)	Lin. Ft.	1,100	\$5.00	\$5,500.00	272.50	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	272.50	\$1,362.50	\$68.13	\$1,294.38	\$0.00	\$1,362.50
106	Reconnect Sanitary Lateral at Foundation - Pipeburst	Each	2	\$1,200.00	\$2,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
107	Reconnect Under Basement Floor - Pipeburst	Each	28	\$2,900.00	\$81,200.00	7.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	7.00	\$20,300.00	\$1,015.00	\$19,285.00	\$0.00	\$20,300.00
108	Reconnect Lateral to Wye at Main	Each	1	\$500.00	\$500.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
109	Furnish & Install Standard Manhole (4)	Ver. Ft.	38.50	\$440.00	\$16,940.00	38.40	38.40	\$16,896.00	\$844.80	\$16,051.20	\$0.00	\$16,896.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$16,896.00
110	Remove Sanitary Manhole	Each	6	\$450.00	\$2,700.00	4.00	4.00	\$1,800.00	\$90.00	\$1,710.00	\$0.00	\$1,800.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,800.00
111	Clean & Televiser Sewer (Sanitary only)	Lump Sum	1	\$2,135.00	\$2,135.00	1.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1.00	\$2,135.00	\$106.75	\$2,028.25	\$0.00	\$2,135.00
Total Sanitary Sewer					\$317,180.00			\$189,360.15	\$9,468.01	\$179,892.14	\$0.00	\$189,360.15		\$62,413.20	\$3,120.66	\$59,292.54	\$0.00	\$251,773.35
Water																		
201	Furnish & Install 1-Inch Service Brass Set	Each	1	\$350.00	\$350.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
202	Furnish & Install 1.25-Inch Service Brass Set	Each	29	\$1.00	\$29.00	13.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	13.00	\$13.00	\$0.65	\$12.35	\$0.00	\$13.00
203	Furnish & Install 1.25-Inch PE Water Service in ROW	Lin. Ft.	520	\$50.00	\$26,000.00	501.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	501.00	\$25,050.00	\$1,252.50	\$23,797.50	\$0.00	\$25,050.00
204	Furnish & Install Cathodic Protection to Water Service	Each	13	\$100.00	\$1,300.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
205	Furnish & Install Service from ROW to House by Excavation	Lin. Ft.	40	\$40.50	\$1,620.00	84.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	84.00	\$3,402.00	\$170.10	\$3,231.90	\$0.00	\$3,402.00
206	Furnish & Install Service from ROW to Lateral	Lin. Ft.	40	\$15.00	\$600.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
207	Furnish & Install Service from ROW to House by Pulling	Lin. Ft.	1,100	\$3.00	\$3,300.00	255.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	255.00	\$765.00	\$38.25	\$726.75	\$0.00	\$765.00

Contract 2-22
Sanitary Sewer, Storm Sewer, Water Services, and Street Construction
Dickehoff Street and Grove Street

Item Code	Item Description	UofM	Quantity	Bid Unit Price	Extension	Qty Completed to Date	Pay Estimate No. 1					Pay Estimate No. 2							
							Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	
208	Furnish & Install Service from ROW to House by Pulling /	Lin. Ft.	40	\$50.00	\$2,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
209	Water Service Connection to Structure	Each	30	\$650.00	\$19,500.00	7.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	7.00	\$4,550.00	\$227.50	\$4,322.50	\$0.00	\$4,550.00	
210	Water Service Extra Hole (Curb Stop Connection)	Each	2	\$500.00	\$1,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Total Water Services				\$55,699.00			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$33,780.00	\$1,689.00	\$32,091.00	\$0.00	\$33,780.00	

Contract 2-22
Sanitary Sewer, Storm Sewer, Water Services, and Street Construction
Dickchoff Street and Grove Street

Item Code	Item Description	UofM	Quantity	Bid		Qty Completed to Date	Pay Estimate No. 1					Pay Estimate No. 2						
				Unit Price	Extension		Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date
506	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	5,000	\$1.50	\$7,500.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
507	Unclassified Excavation	Cu. Yd.	2,750	\$12.60	\$34,650.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
508	Furnish & Install Geogrid	Sq. Yd.	5,500	\$2.00	\$11,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
509	Furnish & Install Crushed Aggregate Base	Ton	2,500	\$7.80	\$19,500.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
510	Furnish & Install 7-Inch Concrete Pavement	Sq. Yd.	4,850	\$39.98	\$193,903.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
511	Furnish & Install 30-Inch Concrete Curb & Gutter (Repair)	Lin. Ft.	100	\$38.50	\$3,850.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
512	Furnish & Install 4-Inch Concrete Sidewalk Repair	Sq. Ft.	2,500	\$5.77	\$14,425.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
513	Furnish & Install 6-Inch Concrete Sidewalk/Driveway Apron Repair	Sq. Ft.	2,500	\$6.15	\$15,375.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
514	Furnish & Install 3/4-Inch Tie Bars	Each	20	\$8.00	\$160.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
515	Furnish & Install HMA Pavement (4-Inch)	Sq. Yd.	50	\$46.86	\$2,343.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
516	Install Detectable Warning Fields (supplied by City)	Each	6	\$45.00	\$270.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
517	Terracing, Fertilized, Seed & Hydromulch	Sq. Yd.	2,000	\$7.80	\$15,600.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
518	Install & Maintain Traffic Control	Lump Sum	1	\$22,365.00	\$22,365.00	0.50	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.50	\$11,182.50	\$559.13	\$10,623.38	\$0.00	\$11,182.50
	Total Street				\$349,919.50			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		\$16,057.50	\$802.88	\$15,254.63	\$0.00	\$16,057.50
					\$789,997.50			\$189,360.15	\$9,468.01	\$179,892.14	\$0.00	\$189,360.15		\$170,946.20	\$8,547.31	\$162,398.89	\$0.00	\$360,306.35

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: Robert J. Immel Exc., Inc.		Contract No. 4-22	
Address N1870 Municipal Dr		Contract Amount \$446,378.00	
City Greenville WI 54942			
Name of Project		Sanitary Sewer and Water Main Construction	
Location of Project		S. Commercial Street	
Pay Request No.	2	For Period	May 1, 2022 through May 31, 2022

CONTRACT SUMMARY

Original Contract Amount	\$446,378.00
Net Amount of Change Order	\$0.00
Adjusted Contract Amount	<u>\$446,378.00</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$236,510.90
Less Retainage of 5%. If different indicate here	\$11,825.55
Net Amount Earned to Date	\$224,685.36
Less Previous Payments	\$169,073.73
BALANCE DUE THIS PAYMENT	<u>\$55,611.62</u>

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer	046-5050-743-0236	\$832,000.00	\$436,579.50	\$55,611.62	\$169,073.73
Water Main	400-0000-207-0499	\$15,300.00	\$9,798.50	\$0.00	\$0.00
		<u>\$847,300.00</u>	<u>\$446,378.00</u>	<u>\$55,611.62</u>	<u>\$169,073.73</u>

CERTIFICATION OF CONTRACTOR:
I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer	_____	Date: <u>6-7-22</u>
Certified by Public Works	_____	Date: <u>6-8-22</u>
Certified by Water Utility	_____	Date: _____
Certified by Contrator	_____	Date: _____
	Approved BPW _____	Date: _____
	Approved Common Council (Final Payments Only)	Date: _____

Contract 4-22
Sanitary Sewer and Water Main Construction
S.Commercial St

Item Code	Item Description	UofM	Bid			Qty Completed to Date	Pay Estimate No. 1				Pay Estimate No. 2							
			Quantity	Unit Price	Extension		Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	0.05 Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date
Sanitary																		
101	Furnish & Relay 8-Inch PVC Sanitary Sewer	Lin. Ft.	1,640	\$104.55	\$171,462.00	1,632.00	1,361	\$142,292.55	\$7,114.63	\$135,177.92	\$0.00	\$142,292.55	271	\$28,333.05	\$1,416.65	\$26,916.40	\$135,177.92	\$170,625.60
102	Furnish & Relay 6-Inch Sanitary Lateral in ROW (5)	Lin. Ft.	150	\$25.00	\$3,750.00	16.00	4	\$100.00	\$5.00	\$95.00	\$0.00	\$100.00	12	\$300.00	\$15.00	\$285.00	\$95.00	\$400.00
103	Furnish & Relay 6-Inch Sanitary Lateral ROW to House	Lin. Ft.	50	\$80.00	\$4,000.00	0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
104	Furnish & Pipeburst 6-Inch Sanitary Lateral (5)	Lin. Ft.	250	\$21.00	\$5,250.00	0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
105	Furnish & Pipeburst 4-Inch Sanitary Lateral (23)	Lin. Ft.	1,200	\$5.25	\$6,300.00	842.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	842	\$4,420.50	\$221.03	\$4,199.48	\$0.00	\$4,420.50
106	Reconnect Sanitary Lateral at Foundation - Pipeburst	Each	3	\$1,260.00	\$3,780.00	5.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	5	\$6,300.00	\$315.00	\$5,985.00	\$0.00	\$6,300.00
107	Reconnect Under Basement Floor - Pipeburst	Each	25	\$3,045.00	\$76,125.00	5.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	5	\$15,225.00	\$761.25	\$14,463.75	\$0.00	\$15,225.00
108	Reconnect Lateral to Wye at Main	Each	1	\$550.00	\$550.00	3.00	3	\$1,650.00	\$82.50	\$1,567.50	\$0.00	\$1,650.00	0	\$0.00	\$0.00	\$0.00	\$1,567.50	\$1,650.00
109	Furnish & Install Stanard Manhole (5)	Ver. Ft.	48	\$495.00	\$23,512.50	46.54	39	\$19,077.30	\$953.87	\$18,123.44	\$0.00	\$19,077.30	8	\$3,960.00	\$198.00	\$3,762.00	\$18,123.44	\$23,037.30
110	Remove Sanitary Manhole	Each	6	\$650.00	\$3,900.00	5.00	5	\$3,250.00	\$162.50	\$3,087.50	\$0.00	\$3,250.00	0	\$0.00	\$0.00	\$0.00	\$3,087.50	\$3,250.00
111	Clean & Televiser Sewer (Sanitary only)	Lump Sum	1	\$1,750.00	\$1,750.00	0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Sanitary Sewer					\$300,379.50			\$166,369.85	\$8,318.49	\$158,051.36	\$0.00	\$166,369.85		\$58,538.55	\$2,926.93	\$55,611.62	\$158,051.36	\$224,908.40
Water																		
201	Furnish & Install 1.25-Inch Service Brass Set	Each	6	\$1.00	\$6.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
202	Furnish & Install Cathodic Protection to Water Service	Each	6	\$150.00	\$900.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
203	Furnish & Install Service from ROW to House by Pulling w/Sanitary Sewer Pipeburst	Lin. Ft.	250	\$3.15	\$787.50	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
204	Furnish & Install Service from ROW to House by Pulling / Directional Drilling	Lin. Ft.	50	\$52.50	\$2,625.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
205	Water Service Connection to Structure	Each	6	\$680.00	\$4,080.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
206	Water Service Extra Hole (Curb Stop connection)	Each	2	\$700.00	\$1,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total Water					\$9,798.50			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Street																		
401	Remove existing pavement & Maintain Utility Trench	Lin. Ft.	2,000	\$2.50	\$5,000.00	1,361.00	1,361.00	\$3,402.50	\$170.13	\$3,232.38	\$0.00	\$3,402.50	0.00	\$0.00	\$0.00	\$0.00	\$3,232.38	\$3,402.50
402	Restoration (Street, Sidewalk, Driveway Apron, Parking Lot, Terrace)	LS	1	\$123,000.00	\$123,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	Install & Maintain Traffic Control	LS	1	\$8,200.00	\$8,200.00	1.00	1.00	\$8,200.00	\$410.00	\$7,790.00	\$0.00	\$8,200.00	0.00	\$0.00	\$0.00	\$0.00	\$7,790.00	\$8,200.00
Total					\$446,378.00			\$177,972.35	\$8,898.62	\$169,073.73	\$0.00	\$177,972.35		\$58,538.55	\$2,926.93	\$55,611.62	\$169,073.73	\$236,510.90



*Department of
Parks & Recreation*

TO: Mayor Lang and members of the Board of Public Works
FROM: Michael T. Kading, Director of Parks & Recreation *MK*
DATE: April 21, 2022
RE: Shattuck Park Fountain Reconstruction – Change Order #1

Attached you will find Change Order #1 and a summary of the changes to the original contract.

Additional drain pipe	\$426
Additional color concrete removal	\$1,332.45
Additional color concrete replacement	\$5,181.75
Additional concrete caulking	\$2,500
Change Order #1 Total	\$9,440.20

Please note that as Superintendent of Parks Fink and I walked the park after winter we found several additional concrete panels that had deteriorated to the point of needing replacement. We felt that replacing them under the contract was the most efficient and cost effective way to address the situation. The additional caulking will prolong the life span of the concrete before needing to be replaced.

Summary of Projected Costs:

Base Bid	\$319,326
Alternative	\$132,759
Equipment	\$84,791
Construction Administration	\$15,000
Change Order #1	<u>\$9,440.20</u>
Total Project Costs	\$561,316.20

Summary of Funding:

Carry Forwards	\$296,000
2022 CIP	\$100,000
2022 Donation	<u>\$200,000</u>
Total Funding	\$596,000

Recommended Action: A motion to approve Change Order #1 in the amount of \$9,440.20 for additional drain pipe, concrete removal and replacement and caulking for the Shattuck Park Fountain Reconstruction project.

Creating Community Through People, Parks & Programs

Shattuck Park Fountain Reconstruction
Change Order #1

June 2, 2022

Michael Kading
Director of Parks and Recreation
City of Neenah
211 Walnut Street
Neenah, WI 54956



Dear Michael:

This memo is in reference to Change Order #1 for the Shattuck Park Fountain Reconstruction.

Change Order #1 includes several changes to bid quantities for items that varied slightly from plan, now that construction has been completed in the field.

An additional 3 feet of Line Item #10, 8" Solid Drain Pipe was used to make the connection to existing piping which was 3 feet further away than estimated.

Line Items #I-1 Concrete Removal and I-2 Concrete Replacement – 5" Colored were estimated quantities to replace cracked or heaved areas in the overall park. The areas marked in the field for removal and replacement included additional panels not identified during design, resulting in the additional 329 square feet requested. The replacement panels were marked during a site walk that included city staff, the site superintendent, and engineer.

City staff requested Janke to caulk some expanded joints in existing concrete areas within the park to address safety issues for \$2500. This work was beyond the bid scope of the project.

After reviewing the change order and discussing with the contractor, it is our opinion that the City should accept Change Order #1 for a contract increase of \$9,440.20. We have reviewed the quantity changes and line item costs submitted and find them reasonable and reflective of work completed in the field.

Please contact me if you have any questions.

Sincerely,

Katherine MacDonald PE

Katie MacDonald, PE
Principal

Parkitecture + Planning
901 Deming Way, Suite 102
Madison, WI 53717

E katie@parkitecture.org
P 608.438.4253

CHANGE ORDER

Shattuck Park Fountain Reconstruction
Project #21.001

ORDER NO.: 01
DATE: 06/02/2022
AGREEMENT DATE: 06/02/2022

OWNER: City of Neenah
211 Walnut St
Neenah, WI 54956

CONTRACTOR: Janke General Contractors, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:
Justification:

Change to CONTRACT PRICE:

Original CONTRACT PRICE \$ 452,085.00

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 452,085.00

The CONTRACT PRICE due to this CHANGE ORDER will be (increased) decreased) by \$ 9,440.20

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 461,525.20

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased)(decreased) by 0 calendar days.

The date for completion of all work will be 06/03/2022 (date).

Approvals Required:

To be effective this Order must be approved by the owner if it changes the scope or objective of the PROJECT, or as may otherwise be required by the SUPPLEMENTAL SPECIAL PROVISIONS.

Requested By: Tyler Stieber Tyler Stieber, Janke General Contractors, 6/2/2022

Recommended By: Katherine MacDonald PE

Ordered By:

Accepted By:

Detail of changes:

- Line Item I-1: Concrete Removal: Increase quantity by 329 sf, Total \$1,332.45
- Line Item I-2: Concrete Replacement - 5" Colored: Increase quantity by 329sf, Total \$5,181.75
- Line Item 10: 8" Solid Drain Pipe: Increase quantity by 3 LF, Total \$426.00
- Additional Item: Caulking Existing Sidewalk: Lump Sum Increase of \$2,500.00



*Department of
Parks & Recreation*

TO: Mayor Lang and members of the Board of Public Works
FROM: Michael T. Kading, Director of Parks & Recreation
DATE: April 21, 2022
RE: Shattuck Park Fountain Reconstruction – Pay Request #2

MK

Attached you will find Pay Request #2 from Janke General Contractors, Athens, WI in the amount of \$322,747.85 for work completed through May 31, 2022.

Construction Status:

- The pay request includes change order #1.
- The project has been substantially completed with site restoration schedule to be completed June 3.
- We have experience a water pressure issue at the water play feature and are working through the problem solving process with the vendor.
- City is holding a retainage of \$11,319.12 (2.5% of the total contract). This will be paid out when the contract is finalized and all conditions are met.

Recommended Action: A motion to approve pay request #1 in in the amount of \$322,747.85 for work completed through May 31, 2022 from Janke General Contractors, Athens, WI.

Creating Community Through People, Parks & Programs

Original Contract Total: \$ 452,085.00 \$ 124,945.00 \$ 327,819.72 \$ 452,764.72

Change Orders

REQUEST AND CERTIFICATE FOR PAYMENT - CONTRACTOR'S SIGNED CERTIFICATE IS ATTACHED

Item No. (A)	Description of Work (B)	Unit of Measure	Scheduled Quantity (C)	Unit Price (D)	Item Total (C * D)	Previous Requests (E)		Work Completed This Request (F)		Total Completed To Date (E + F)		Percent Complete
						Quantity	Amount	Quantity	Amount	Quantity	Amount	
						Quantity	Amount	Quantity	Amount	Quantity	Amount	
1	Caulking	LS	1	\$ 2,500.00	\$ 2,500.00	-	-	-	-	-	-	0.00%
Subtotal - Change Orders:						\$ 2,500.00	-	-	-	\$ 2,500.00	-	-
Project Total With Change Order:						\$ 454,585.00	\$ 124,945.00	\$ 327,819.72		\$ 327,819.72	\$ 452,764.72	

8-22 HMA Pavement Repairs, City of Neenah (#8178215)

Owner: Neenah WI, City of

Solicitor: Neenah WI, City of

06/01/2022 09:00 AM CDT

Section Title	Line Item	Item Code	Item Description	UofM	Quantity	Engineer Estimate		Northeast Asphalt, Inc.		MCC, Inc.	
						Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Miscellaneous Repairs							\$91,950.00		\$94,268.00		\$118,102.50
	1	101	Unclassified excav. (var. loc.)	Cu. Yd.	20	\$50.00	\$1,000.00	\$54.30	\$1,086.00	\$135.00	\$2,700.00
	2	102	Crushed aggregate base course	Ton	40	\$30.00	\$1,200.00	\$35.55	\$1,422.00	\$98.00	\$3,920.00
	3	103	HMA Pavement Repair	Ton	250	\$175.00	\$43,750.00	\$175.20	\$43,800.00	\$199.25	\$49,812.50
	4	104	Street repair preparation	Sq. Yd.	1000	\$30.00	\$30,000.00	\$27.55	\$27,550.00	\$33.50	\$33,500.00
	5	105	Adjust Manhole (w/ Slurry backfill)	Each	8	\$750.00	\$6,000.00	\$1,105.00	\$8,840.00	\$1,465.00	\$11,720.00
	6	106	Traffic control	L.S.	1	\$10,000.00	\$10,000.00	\$11,570.00	\$11,570.00	\$16,450.00	\$16,450.00
Base Bid Total:							\$91,950.00		\$94,268.00		\$118,102.50

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: DeGroot, Inc.		Contract No.	5-22
Address 4201 Champion Rd		Contract Amount	\$305,845.51
City Green Bay WI 54311			
Name of Project	Sanitary and Storm Sewer Construction		
Location of Project	CTH CB & JJ		
Pay Request No.	FINAL	For Period	May 1, 2022 through May 31, 2022

CONTRACT SUMMARY

Original Contract Amount	\$305,845.51
Net Amount of Change Order No.1 & Change Order No.2	\$18,883.25
Adjusted Contract Amount	<u>\$324,728.76</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$324,728.76
Less Retainage of 5%. If different indicate here _____	
Net Amount Earned to Date	\$324,728.76
Less Previous Payments	\$272,978.17
	<u>\$51,750.59</u>

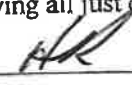
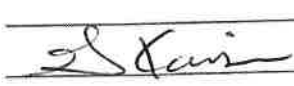

BALANCE DUE THIS PAYMENT

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer-CTH CB & JJ	031-3417-743-0236	\$775,000.00	\$305,845.51	\$32,867.34	\$272,978.17
Change Order No.1	031-3417-743-0236	\$775,000.00	\$6,433.44	\$6,433.44	\$0.00
Change Order No.2	031-3417-743-0236	\$775,000.00	\$12,449.81	\$12,449.81	\$0.00
		<u>\$775,000.00</u>	<u>\$324,728.76</u>	<u>\$51,750.59</u>	<u>\$272,978.17</u>

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer		Date: 6-8-22
Certified by Public Works		Date: 6-8-2022
Certified by Water Utility		Date:
Certified by Contractor		Date: 6/7/2022
	Approved BPW _____	Date:
	Approved Common Council (Final Payments Only)	Date:

Contract 5-22
Utility Construction
CTH CB & JJ

Item Code	Item Description	UoM	Bid			Change Order No.1					Change Order No.2					Qty Completed to Date	Pay Estimate No. 1					Pay Estimate Final						
			Quantity	Unit Price	Extension	Add/Delete Qty	New Bid Qty	Unit Price	Bid Change \$	New Contract Total	Add/Delete Qty	New Bid Qty	Unit Price	Bid Change \$	New Contract Total		Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	Retainage Due	Due This Estimate	Previously Paid	Due to Contractor to Date	Quantity Completed This Pay Estimate	\$ Completed This Pay Estimate	Retainage Owed	Due This Estimate	Previously Paid	Due to Contractor to Date
Sanitary																												
101	1. Furnish and install 10-inch PVC sanitary sewer	Lin. Ft.	700	\$86.21	\$60,347.00	0.00	700.00	\$86.21	\$0.00	\$60,347.00					\$60,347.00	703.00	625.00	\$53,881.25	\$2,694.06	\$51,187.19	\$0.00	\$53,881.25	78.00	\$6,724.38	\$2,694.06	\$9,418.44	\$51,187.19	\$60,605.63
102	2. Furnish and install 8-inch PVC sanitary sewer	Lin. Ft.	548	\$67.97	\$37,247.56	0.00	548.00	\$67.97	\$0.00	\$37,247.56					\$37,247.56	554.00	554.00	\$37,655.38	\$1,882.77	\$35,772.61	\$0.00	\$37,655.38	0.00	\$0.00	\$1,882.77	\$1,882.77	\$35,772.61	\$37,655.38
103	3. Furnish and install 6 inch sanitary lateral (5)	Lin. Ft.	261	\$64.06	\$16,719.66	0.00	261.00	\$64.06	\$0.00	\$16,719.66					\$16,719.66	235.00	220.00	\$14,093.20	\$704.66	\$13,388.54	\$0.00	\$14,093.20	15.00	\$960.90	\$704.66	\$1,665.56	\$13,388.54	\$15,054.10
104	4. Furnish and Install Standard manhole (3)	Ver. Ft.	29	\$570.23	\$16,536.67	0.00	29.00	\$570.23	\$0.00	\$16,536.67					\$16,536.67	30.00	30.00	\$17,106.90	\$855.35	\$16,251.56	\$0.00	\$17,106.90	0.00	\$0.00	\$855.35	\$855.35	\$16,251.56	\$17,106.90
105	5. Adjust existing manhole	Each	2	\$606.00	\$1,212.00	0.00	2.00	\$606.00	\$0.00	\$1,212.00					\$1,212.00	2.00	2.00	\$1,212.00	\$60.60	\$1,151.40	\$0.00	\$1,212.00	0.00	\$0.00	\$60.60	\$60.60	\$1,151.40	\$1,212.00
106	6. Clean and Televiser Sewer (Sanitary only)	Lump Sum	1	\$1,868.50	\$1,868.50	0.00	1.00	\$1,868.50	\$0.00	\$1,868.50					\$1,868.50	1.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1.00	\$1,868.50	\$0.00	\$1,868.50	\$0.00	\$1,868.50
	Total Sanitary Sewer				\$133,931.39				\$0.00	\$133,931.39					\$0.00			\$123,948.73	\$6,197.44	\$117,751.29	\$0.00	\$123,948.73		\$9,553.78	\$6,197.44	\$15,751.22	\$117,751.29	\$133,502.51
Water Services																												
201	1. Furnish and install 12-inch PVC-C-900 main	Lin. Ft.	573	\$124.58	\$71,384.34	0.00	573.00	\$124.58	\$0.00	\$71,384.34					\$71,384.34	573.00	567.00	\$70,636.86	\$3,531.84	\$67,105.02	\$0.00	\$70,636.86	6.00	\$747.48	\$3,531.84	\$4,279.32	\$67,105.02	\$71,384.34
202	2. Furnish and install 6-inch water service	Each	1	\$3,992.75	\$3,992.75	0.00	1.00	\$3,992.75	\$0.00	\$3,992.75					\$3,992.75	1.00	1.00	\$3,992.75	\$199.64	\$3,793.11	\$0.00	\$3,992.75	0.00	\$0.00	\$199.64	\$199.64	\$3,793.11	\$3,992.75
203	3. Furnish and install hydrant, lead and valve	Each	1	\$8,231.50	\$8,231.50	0.00	1.00	\$8,231.50	\$0.00	\$8,231.50					\$8,231.50	1.00	1.00	\$8,231.50	\$411.58	\$7,819.93	\$0.00	\$8,231.50	0.00	\$0.00	\$411.58	\$411.58	\$7,819.93	\$8,231.50
	Total Water Services				\$83,608.59				\$0.00	\$83,608.59					\$0.00			\$82,861.11	\$4,143.06	\$78,718.05	\$0.00	\$82,861.11		\$747.48	\$4,143.06	\$4,890.54	\$78,718.05	\$83,608.59
Storm																												
301	1. Furnish and install 15-inch storm sewer	Lin. Ft.	140	\$74.91	\$10,487.40	0.00	140.00	\$74.91	\$0.00	\$10,487.40					\$10,487.40	149.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	149.00	\$11,161.59	\$0.00	\$11,161.59	\$0.00	\$11,161.59
302	2. Furnish and install 12-inch catch basin lead	Lin. Ft.	16	\$68.83	\$1,101.28	0.00	16.00	\$68.83	\$0.00	\$1,101.28					\$1,101.28	22.00	20.00	\$1,376.60	\$68.83	\$1,307.77	\$0.00	\$1,376.60	2.00	\$137.66	\$68.83	\$206.49	\$1,307.77	\$1,514.26
303	3. Furnish and Install catch basin (1)	Each	1	\$1,818.00	\$1,818.00	0.00	1.00	\$1,818.00	\$0.00	\$1,818.00					\$1,818.00	1.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	1.00	\$1,818.00	\$0.00	\$1,818.00	\$0.00	\$1,818.00
304	4. Furnish and Install Standard manhole (1)	Each	1	\$2,424.00	\$2,424.00	0.00	1.00	\$2,424.00	\$0.00	\$2,424.00					\$2,424.00	1.00	1.00	\$2,424.00	\$121.20	\$2,302.80	\$0.00	\$2,424.00	0.00	\$0.00	\$121.20	\$121.20	\$2,302.80	\$2,424.00
	Total Storm Sewer				\$15,830.68				\$0.00	\$15,830.68					\$0.00			\$3,800.60	\$190.03	\$3,610.57	\$0.00	\$3,800.60		\$13,117.25	\$190.03	\$13,307.28	\$3,610.57	\$16,917.85
Street																												
501	1. Furnish, Install and Maintain Type "D" Inlet Protection	Ea	9	\$176.75	\$1,590.75	0.00	9.00	\$176.75	\$0.00	\$1,590.75					\$1,590.75	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
502	2. Rock removal by Blasting	Lin. Ft.	1,220	\$37.45	\$45,689.00	(270.00)	950.00	\$37.45	(\$10,111.50)	\$35,577.50					\$35,577.50	950.00	950.00	\$35,577.50	\$1,778.88	\$33,798.63	\$0.00	\$35,577.50	0.00	\$0.00	\$1,778.88	\$1,778.88	\$33,798.63	\$35,577.50
503	3. Rock removal by mechanical means	Cu. Yd.	110	\$75.75	\$8,332.50	320.00	430.00	\$75.75	\$24,240.00	\$32,572.50					\$32,572.50	430.00	410.00	\$31,057.50	\$1,552.88	\$29,504.63	\$0.00	\$31,057.50	20.00	\$1,515.00	\$1,552.88	\$3,067.88	\$29,504.63	\$32,572.50
504	3. 2 inch Hot Mix Bituminous Patch	Sq. Yd.	260	\$26.01	\$6,762.60	(260.00)	0.00	\$26.01	(\$6,762.60)	\$0.00					\$0.00	0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
505	4. Furnish and install Traffic Control	Each	1	\$10,100.00	\$10,100.00	0.00	1.00	\$10,100.00	\$0.00	\$10,100.00					\$10,100.00	1.00	1.00	\$10,100.00	\$505.00	\$9,595.00	\$0.00	\$10,100.00	0.00	\$0.00	\$505.00	\$505.00	\$9,595.00	\$10,100.00
CO No.1	Miscellaneous Qty Adj					1.00	1.00	(\$932.46)	(\$932.46)	(\$932.46)					(\$932.46)	0.00							0.00	\$0.00	\$0.00	-\$932.46	\$0.00	-\$932.46
CO No.2	Retire Services/Hydrant/Valve										1.00	1.00	\$12,449.81	\$12,449.81	\$12,449.81	0.00						\$0.00	\$0.00	\$0.00	\$12,449.81	\$0.00	\$12,449.81	
	Total Storm Sewer				\$72,474.85				\$6,433.44	\$78,908.29					\$12,449.81			\$76,735.00	\$3,836.75	\$72,898.25	\$0.00	\$76,735.00		\$1,515.00	\$3,836.75	\$16,869.10	\$72,898.25	\$89,767.35
	Total				\$305,845.51	\$0.00	\$0.00	\$0.00	\$6,433.44	\$312,278.95	\$0.00	\$0.00	\$0.00	\$12,449.81	\$324,728.76	\$0.00	\$0.00	\$287,345.44	\$14,367.27	\$272,978.17	\$0.00	\$287,345.44	\$0.00	\$24,933.31	\$14,367.27	\$50,818.13	\$272,978.17	\$324,728.76



M E M O R A N D U M

DATE: June 15, 2022
TO: Mayor Lang and members of the City Council
FROM: City Attorney Adam Westbrook
RE: Video Gambling Machines

Council has asked for a legal opinion on the issue of video gaming machines in the City of Neenah. Video gaming machines are not legal anywhere in the State of Wisconsin except in authorized Tribal gaming facilities. The state law allows for establishments with a class “B” or “class B” liquor license to have five or fewer “amusement devices” meaning they must be free to play or not provide anything of value as a prize.

The City of Neenah does not have any separate or specific restrictions on amusement devices other than the requirement of a permit. Furthermore, the “amusement device” permit is for not only machines that would look like video gaming machines, but any machine where money is placed in and something is given in return such as a pool table, claw machine, or juke box.

While the City of Neenah Police Department can enforce the permit requirements for amusement devices, however they do not enforce the video gaming machine laws. Agents from the Department of Revenue are responsible for enforcing any violations of the video gaming law statutes. While it is possible for the Neenah Police Department to refer charges for non-bar establishments that have video gaming machines, because of the lack of enforcement from the Department of Revenue, it is not something the PD or District Attorney are currently doing.

The City of Neenah could be more restrictive and prohibit amusement devices that are commonly referred to as “video gaming devices” from any type of establishment it wished to. This would require the Council to pass an ordinance defining what types of machines were not allowed, and what establishments they were not allowed in. If the Council elected to do this, the Police could enforce that code violation by issue citations to businesses in violation, but those would not be criminal violations.



M E M O R A N D U M

DATE: June 15, 2022
TO: Mayor Lang and members of the City Council
FROM: City Attorney Adam Westbrook
RE: Appeal After Deadline

Council has asked for a legal opinion on the issue of whether they can grant an appeal after the deadline for seeking an appeal has passed. While it is legally permissible for the Council to vote to allow an appeal after the statutory deadline has passed, it is my opinion that doing so would set a precedent that would make any similar deadlines unenforceable.

The City of Neenah currently allows for an applicant who was denied 10 days from the date of written notice to initiate an appeal. Statute of limitations and drop dead dates exist at almost every level of government and within the judicial process. These limitations are put in place for a myriad of reasons: to ensure timeliness, ensure finality, and create order and structure. In the context of civil cases, Courts will not allow filings after the date of filing has passed. Any appeal or claim that comes after such time would be ruled “time-barred” and a court would not take it up.

In the context of a beverage operator license appeal, the committee is acting as the trier of fact or the court. It would be legally permissible for the committee to vote to allow an appeal after the drop dead date has passed, but doing so would be highly unusual and require extremely extenuating circumstances and justification from the committee. Additionally, it is my opinion that doing so would create a precedent where the time limit would become useless as anyone could just ask the committee to allow for the late appeal.