

CITY OF NEENAH
Public Services and Safety Committee Meeting Minutes
Tuesday, March 24, 2015 - 7:00 P.M.
Council Chambers - City Administration Building

Present: Chairman Hillstrom, Aldermen Bates, Hamblin, Lang and Lendrum

Also Present: City Attorney Godlewski, Police Chief Wilkinson, Director of Public Works Kaiser, Traffic Engineer Merten, Ald. Pollnow, Ald. Kunz, Scott Hoelzel, Forrest Bates, Amy Barker, Ned Hughes

A quorum of the Common Council was present, but no action of the Council was taken.

MINUTES: Motion/Second/Carried Lendrum/Lang to approve the minutes of the March 10, 2015, regular meeting. All voting aye

APPEARANCES: Forrest Bates, 2421 Woodland Terrace, addressed the Committee in support of sidewalk on Marathon Avenue. He noted the fatal result of a vehicle-pedestrian crash that he had dealt with as a physician. He stated that in vehicle – pedestrian crashes, the pedestrian always loses and feels that it is prudent to put the sidewalk in to give pedestrians the option of walking on a safe, separated facility.

Christopher Kunz, 707 Congress Place, addressed the Committee regarding the proposed changes to the dangerous animal ordinance. He expressed support for the changes that have been proposed and noted two additional items that concern him. First, he noted a concern with the long list of conditions that are attached to issuance and maintenance of a dangerous animal license. Second, he noted a concern with the seeming lack of consequence for the owner of an unlicensed animal that is involved in an incident. He suggested that the ordinance include a penalty provision for an unlicensed dangerous animal.

Scott Hoelzel, 2500 Maple Grove Drive, addressed the Committee in support of the proposed sidewalk installations. He related his experience with vehicle-pedestrian crashes during his 25 years in law enforcement. He noted a specific crash that occurred on a road without sidewalk or street lights where a pedestrian was struck and killed by a low speed vehicle.

Ned Hughes, 1140 Manor Drive - #104, addressed the Committee to encourage the City to expedite construction of an off-street trail on the west side of Pendleton Road between Gay Drive and Cecil Street. He noted that this trail is on the Sidewalk/Off-Street Trails map as a long-range project and that the street right-of-way width is sufficient to accommodate that trail. He noted that it is planned to eventually connect to the CTH CB trail. He related his observations of the increased number walkers, bicyclists and runners that use this section of Pendleton Road. Director Kaiser reviewed the land ownership considerations for connecting a trail on Pendleton Road to the CTH CB trail. He noted that the land acquisition needed to provide room for the street and trail connection from Cecil Street to CTH JJ has not survived past budgets. He noted that the planning concept was to construct the requested trail segment from Gay Drive to Cecil Street in conjunction with the trail from Cecil Street to CTH JJ. He confirmed that the road right-of-way width is adequate to accommodate an off-street trail. Ald. Lendrum requested that staff consider the use of on-street striped lanes instead of a trail. Chairman Hillstrom indicated that this could be a topic for a future meeting.

Public Services and Safety Committee Meeting
March 24, 2015
Page 2

COUNCIL REFERRALS:

Ordinance 2015-5: Amending the Animal Code Relating to Dangerous Animals: City Attorney Godlewski reviewed that the main reason that the ordinance was sent back to Committee was to discuss the body that would hear appeals of dangerous animal declarations. The proposed ordinance has the Public Services and Safety Committee serving that role. It had been suggested that the Common Council should serve that role. He reiterated that the hearing body must be unbiased and render an objective decision based on the facts brought before them. They may not assist the appellant or the victim and cannot conduct their own fact-finding outside of the hearing.

Ald. Bates related her search into hearing formats used by other communities, which ranged from an appointed appeal committee to a hearing examiner to a municipal judge. She indicated that she felt a Public Services and Safety Committee quorum was adequate and echoed City Attorney Godlewski's note that no Council members could assist either the dog owner or victim if the full Council was the hearing body.

Chief Wilkinson confirmed for the Committee that the police department oversees compliance with the licensing conditions defined in the ordinance. City Attorney Godlewski reviewed the typical practice for citing unlicensed animals, noting that the first citation is normally dismissed once the owner has the animal licensed but that subsequent citations are not dismissed if the owner fails to maintain the licensing. Committee discussed the possibility of establishing a penalty or fee increase for animals that are involved in a bite incident. City Attorney Godlewski stated that another category of license fee could be created but that the philosophy has been to emphasize getting the animals licensed.

Committee discussed other aspects of the proposed ordinance including timing considerations for the process if a Committee quorum is not available and the desire to minimize the level of intimidation that an appellant may experience in the hearing process. City Attorney Godlewski clarified that the amendment brought forward at the prior council meeting which required that the full Committee be present for a hearing died when the ordinance was referred back to Committee.

Following further discussion, **Motion/Second/Carried Bates/Lendrum to recommend Council approve Ordinance 2015-5, Amending the Animal Code Relating to Dangerous Animals.** All voting aye

UNFINISHED BUSINESS: None

NEW BUSINESS:

Parks and Recreation: None

Police Department: None

Community Development Department: None

ORD.

Public Services and Safety Committee Meeting
March 24, 2015
Page 3

Public Works Department:

Approval of Final Resolution No. 2015-18: Concrete Sidewalk/Bituminous Trail Construction on Alexander Drive, Bruce Street, Marathon Avenue, Castle Oak Drive: City Attorney Godklewski noted that this is the last step in the assessment process. Director Kaiser noted that the title resolution needs to be corrected to list Concrete Sidewalk instead of HMA(Blacktop) Resurfacing.

RES.

Following discussion, **Motion/Second/Carried Bates/Hamblin to recommend Council approve Final Resolution No. 2015-18, as corrected, for installation of concrete sidewalk/bituminous trail on Alexander Drive, Bruce Street, Marathon Avenue and Castle Oak Drive.** Motion passed 4-1 (Ald. Lendrum voting No).

Motion/Second/Carried Bates/Lendrum to adjust the agenda to address Items E.2.a,b and c - Street Use Permits for StreetBall 3 on 3, Shattuck Park Events and A Very Neenah Christmas. All voting aye.

StreetBall 3 on 3: Committee reviewed the Street Use Permit for the Neenah StreetBall 3-on-3 event to be held on June 13, 2015. Traffic Engineer Merten noted that the event will be held for one day this year as opposed to the two-day event that it was previously. Amy Barker, Executive Director of event sponsor Future Neenah, Inc., explained to the Committee the rationale for this change.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Neenah StreetBall 3-on-3 event to be held on June 13, 2015, in downtown Neenah, sponsored by Future Neenah, Inc., 135 W. Wisconsin Avenue.** All voting aye

Shattuck Park Events: Committee reviewed the street use permit for the Shattuck Park Saturday Farm Market (every Saturday 6/20 thru 10/17), Out to Lunch Concerts (every Thursday 6/4 thru 8/27) and Evening Concerts (every other Wednesday 6/10 thru 8/19), sponsored by Future Neenah. The \$75 permit fee covers all dates. Traffic Engineer Merten noted that there are no changes as compared to the 2014 permit.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Bates to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the street use permit for the Shattuck Park Saturday Farm Market (every Saturday 6/20 thru 10/17), Out to Lunch Concerts (every Thursday 6/4 thru 8/27) and Evening Concerts (every other Wednesday 6/10 thru 8/19), sponsored by Future Neenah In., 135 W. Wisconsin Avenue.** All voting aye

A Very Neenah Christmas: Committee reviewed the Street Use Permit request for the A Very Neenah Christmas event to be held on December 4, 2015, in downtown Neenah. This event is sponsored by Future Neenah. Traffic Engineer Merten noted that the event is being handled the same as the 2014 event. Amy Barker, Executive Director of event sponsor

Public Services and Safety Committee Meeting
March 24, 2015
Page 4

Future Neenah, Inc., noted that they are considering adding a lighting ceremony for the Christmas tree at Gateway Plaza.

C.A.

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the A Very Neenah Christmas event to be held on December 4, 2015, in downtown Neenah, sponsored by Future Neenah, 135 W. Wisconsin Avenue.** All voting aye

Public Works General Construction and Department Activity:

1. (Contract 4-14, Miscellaneous Concrete Sidewalk and Pavement Repair) We are awaiting favorable weather to continue the work on this contract.
2. (Contract 1-15, Utility and Street Construction - Bridgewood Drive, Elmwood Court, Jean Street, Green Street, Meadowview Street, Hillcrest Place and Green Meadows Street) Gas utility relocation is ongoing. A pre-construction meeting has not been scheduled. Given his other work commitments, the contractor anticipates starting work in late May.
3. (Contract 2-15, HMA Pavement Repair I) The Board of Public Works reviewed these bids and recommended award to Northeast Asphalt. The work involves water utility patches, patches around concrete curb repairs and patches on streets that are in line for pavement maintenance treatments.
4. (Contract 4-15, Main Street Slough Bridge Rehabilitation) - Plans and specifications have been received and prepared for bid. Advertising started on March 17 and is scheduled for bidding on April 7.
5. Spring road weight limits started on March 23. This affects gravel streets and streets with a temporary 2-inch surface.
6. L-Shaped Pond in the Nature Trails Subdivision - Staff has been working on leveling the soil that was removed from the pond. The muddiness of the material has caused us issues with using our equipment, so we are approaching a contractor to do this work. Committee discussed the algae growth issues in the pond. Director Kaiser noted that placing vegetation in the newly cut safety shelf will help to reduce the nutrients available for algae growth but that it will take time to have mature plant growth.
7. Skyview Drive - All installation is complete. The pumps have been tested. The low water system float needs to be replaced. Final adjustments to the other floats are being done.
8. Church Street Parking Ramp - There was a vehicle fire on Level 7 of the parking ramp on March 12. We had Spancrete evaluate the area because of some minor spalling that was noticed after the vehicle was removed. They have determined that there is not a structural concern. In the course of dealing with the issue, we discovered maintenance issues that we have since addressed on the fire line system. When the temperatures allow us to turn the water on in the ramp, Serv-Pro will clean the deck and ceiling in the area.
9. Our new sanitation crew person started the week of March 16. Our second new crew member will start in 3 weeks. We have since had another sanitation crewman leave us for another position.

Public Services and Safety Committee Meeting
March 24, 2015
Page 5

10. Staff has been looking at better accommodations for wheelchair bound individuals attending meetings in the Council Chambers. The plan is to construct a platform area at the back of the center section of seats. About 9 existing seats will need to be removed. Ald. Bates asked Director Kaiser to contact City Clerk Sturn to see how this would fit into voting operations.
11. Staff is doing road condition ratings of all city streets.
12. Staff is receiving quotes for pavement maintenance treatments.

Ald. Hillstrom inquired about the Church Street Ramp lighting. Director Kaiser noted that staff is collecting updated cost information on the sample fixtures.

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Bonnie L. Brochtrup, Halie M. Callaway, Cheyenne R. Hernitz, Sara A. Howell, Logan A. Minke, and Laurie J. Zemzach.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Hamblin to recommend Council approve beverage operator license applications for Bonnie L. Brochtrup, Halie M. Callaway, Cheyenne R. Hernitz, Sara A. Howell, Logan A. Minke, and Laurie J. Zemzach.** All voting aye

Street Use Permits:

Neenah Duathlon: Committee reviewed the Street Use Permit for the Neenah Duathlon to be held on May 3, 2015. Traffic Engineer Merten indicated that the cost estimate is based on the 2014 event. Committee discussed the need to make the event sponsor aware of loudspeaker restrictions for Riverside Park given the early start time.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Hamblin to recommend the Chairman sign and the Council approve the Street Use Permit for the Neenah Duathlon, sponsored by Du Tri Run, 920 S. Keller Park, Appleton, to be held on May 3, 2015, contingent on receiving an updated certificate of liability insurance listing the City of Neenah as additional insured.** All voting aye.

Race the Lake: Committee reviewed the Street Use Permit for the Race the Lake to be held on August 16, 2015. Traffic Engineer Merten noted that no street closures are required for the event.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Race the Lake, sponsored by Du Tri Run, 920 S. Keller Park, Appleton, to be held on August 16, 2015, contingent on receiving a certificate of liability insurance listing the City of Neenah as additional insured.** All voting aye.

Public Services and Safety Committee Meeting
March 24, 2015
Page 6

Run Away to the Bay: Committee reviewed the Street Use Permit for the Run Away to the Bay to be held on April 25, 2015. Traffic Engineer Merten noted that no street closures are required for the event.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Hamblin to recommend the Chairman sign and the Council approve the Street Use Permit for the Run Away to the Bay event, sponsored by Run Away Events, W3192 County KK, Suite C, Appleton, to be held on April 25, 2015.** All voting aye.

Bike Week Community Ride: Committee reviewed the Street Use Permit for the Bike Week Community Ride event to be held on May 23, 2015. Traffic Engineer Merten noted that this is a new event. The event route comes from Menasha to First Street - Oak Street - Columbian Avenue - Smith Street - the access road adjacent to the railroad tracks - Arrowhead Park – Herb and Dolly Smith Park - Town of Menasha. He noted that no street closures are required for the event. Committee discussed the rationale for requiring events to get Street Use Permits if they don't require street closures or other direct services. Traffic Engineer Merten related his involvement in the route planning for this and other events and the need to have appropriate notification of circumstances that could affect emergency services.

C.A.

Following discussion, **Motion/Second/Carried Bates/Lendrum to recommend the Chairman sign and the Council approve the Street Use Permit for the Bike Week Community Ride event, sponsored by Fox Cities Greenways/Fox Cities Cycling Association (FCCA), P.O. Box 5, Menasha to be held on May 23, 2015.** All voting aye.

Announcements/Future Agenda Items: Fence update at 501 E. Wisconsin Avenue, fence request in Nature Trail Subdivision, parking on North Water Street adjacent to YMCA, Pendleton Road trail.

Motion/Second/Carried Bates/Lendrum to adjourn at 8:30 p.m. All voting aye

Respectfully submitted,

Gerry Kaiser
Director of Public Works