



**City of Neenah
COMMON COUNCIL AGENDA (1)
Wednesday, May 7, 2014 - 7:00 p.m.
Neenah City Hall
Council Chambers**

- I. Roll Call and Pledge of Allegiance.

PROCLAMATION RECOGNIZING WEEK OF MAY 4-10 AS MUNICIPAL CLERK'S WEEK

POLICE DEPARTMENT PRESENTATION FOR CITIZENS RENDERING AID

- II. Introduction and Confirmation of Mayor's Appointment(s).
- A. Mayor Kaufert's appointment of Ald. Kunz as Council Representative to the Sustainable Neenah Committee for an indefinite tenure. (Motion to confirm) **(RollCall Pro)**
 - B. Mayor Kaufert's announcement of his reappointment of James Prosser to the Police Commission for a five-year term May 2019. (No confirmation required)
 - C. Mayor Kaufert's announcement of his appointment of Kevin McCann to fill the expired term of Bill Mattes on the N-M Joint Fire Commission for a three-year term to expire May 2017. **(2)** (No confirmation required)
 - D. Swearing in Ceremony.
- III. Approval of Council Proceedings of April 15, 2014 organization session. (Proceedings and Minutes can be found on the City web site) **(3&4) (RollCall Pro)**
- IV. Public Hearings.
- A. Consider amending the Official Street Map of the City of Neenah removing a 66-foot street reservation between County Highway CB and County Highway O in the Town of Neenah. **(5)**
 - B. Consider a Special Use Permit request by Trinity Lutheran Church to allow construction of an entry link building addition and minor parking lot changes at 407 Oak Street, Neenah. **(6)**
- V. Plan Commission report pertaining to the public hearings.
- A. Plan Commission meeting of April 29, 2014: (Minutes can be found on the City web site)
 - 1. Commission recommends Council adopt Ordinance No. 2014-08 amending the Official Street Map by removing a 66-foot street reservation between County Highway CB and County Highway O in the Town of Neenah. (Ordinance to follow)
 - 2. Commission recommends Council approve the Special Use Permit for Trinity Lutheran School to allow a building addition and parking modifications to their school at 410 Oak Street. **(RollCall Pro)**

- VI. Consideration of ordinances pertaining to the public hearings.
- A. **Ordinance No. 2014-8** Official Street Map Amendment removing a 66 foot street reservation located in part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and a part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 20 North, Range 17 East, Town of Neenah, Winnebago County. **(7) (RollCall Pro)**
- VII. Consideration of resolution pertaining to the public hearings. (None)

Motion to amend the agenda to move up agenda item XI (C)(1 &2) Report from the May 7, 2014 Special Finance & Personnel Committee meeting and agenda item XIII (C) consideration of Resolution No. 2014-11.

- XI. Reports of standing committees and consideration thereof.
- B. Special Finance and Personnel Committee meeting of May 7, 2014:
1. Waiver of the 24-hour rule relative to providing minutes for Council consideration and action.
 2. Consideration of Committee recommendation regarding Resolution No. 2014-11 authorizing the Issuance and Sale of Approximately \$4,685,000 General Obligation Promissory Notes. (Resolution to follow)
- XIII. Presentation of ordinances and resolutions and consideration thereof.
- C. Consideration of Committee recommendation regarding Resolution No. 2014-11 authorizing the issuance and sale of approximately \$4,685,000 General Obligation Promissory Notes. **(16) (RollCall Pro)**
- VIII. Public Forum.
- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- IX. Mayor/Council consideration of public forum issues.
- X. Consent Agenda.
- A. Approve Beverage Operator license for: Arnold W. Collier, Molly A. Conrad, Stephanie S. Hooyman, Matt R. Letoumeaux, Brandon L. Sanaghan and Dustin S. Susor. (PSSC)
- B. Approve the Street Use Permit for the Memorial Day Parade sponsored by the Twin City Veterans Organization, David Gauthier, 921 Betty Avenue, Neenah, to be held on May 26, 2014. (PSSC)
- C. **(RollCall Pro)**
- XI. Reports of standing committees and consideration thereof.
- A. Special Public Services and Safety Committee meeting of May 7, 2014:
1. Waiver of the 24-hour rule relative to providing minutes for Council consideration and action.
 2. Consideration of Committee recommendation regarding the Street Use Permit for the Purple Paw Parade contingent on \$75 permit fee being paid. (Application distributed with the Special PSSC agenda) **(RollCall Pro)**

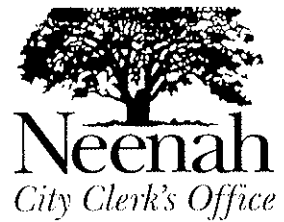
- B. Special Public Services and Safety Committee meeting of April 30, 2014: **(8)**
(Minutes can be found on the City web site)
1. **Committee recommends Council adopt Ordinance 2014-9 and Resolution 2014-10 relating to Escort and Escort Services Licensing. (Ordinance/Resolution to follow)**
- C. Regular Public Services and Safety Committee meeting of April 29, 2014:
(Cancelled)
- D. Special Finance and Personnel Committee meeting of May 7, 2014:
1. ~~Waiver of the 24-hour rule relative to providing minutes for Council consideration and action. **Previously made.**~~
2. ~~Consideration of Committee recommendation regarding Resolution No. 2014-11 Issuance and Sale of Approximately \$4,685,000 General Obligation Promissory Notes. (Resolution to follow) **Previously acted on.**~~
3. **Consideration of Committee recommendation regarding compromise settlement of Claim 2014-7, Roger and Denise Johnson, 715 Wilderness Court. (RollCall Pro)**
- E. Regular Finance and Personnel Committee meeting of April 28, 2014: **(9)** (Minutes can be found on the City web site)
1. Committee recommends Council direct City Attorney Godlewski to work with the Bergstrom-Mahler Museum Board on a ninety-nine year lease for the property at 165 N. Park Avenue. **(RollCall Pro)**
2. Committee recommends Council approve Claim 14-6, WE Energies and authorize payment of \$8,461.37, with the payment to be funded from unspent TIF #6 funds borrowed to construct the barrier fence along Schultz Drive. **(RollCall Pro)**
3. Committee recommends Council deny Claim 14-9, sewer backup claim of S. & R. Vongsa, 1376 Whispering Pines Lane. **(RollCall Pro)**
4. Committee recommends Council approval of a 2013 transfer of \$185,290 from the Capital Projects Equipment Fund to the General Fund, an amount equal to the 2013 General Fund capital outlay expenditures. **(RollCall Pro)**
- XII. Reports of special committees and liaisons and various special projects committees and consideration thereof.
- A. Regular Plan Commission meeting of April 29, 2014: **(10)** (No Report)
- B. Neenah-Menasha Fire Rescue Joint Finance & Personnel Committee of April 22, 2014: **(11)** (Minutes can be found on the City web site) (Vice Chairman Ramos)
1. Committee recommends the City of Neenah and City of Menasha Common Councils formally recognize funding for potential future liability claims for Neenah-Menasha Fire Rescue would be processed through the City of Neenah's Liability carrier, and once the claim has been finalized, the City of Menasha would pay their portion of the claim, as outlined in the current cost-sharing formula. **(RollCall Pro)**
2. Committee recommends the City of Neenah Common Council approve the painting at Station 31, and accept the bid from Van Eperen Painting. FVTC will pay one-third of the cost, as outlined in their lease agreement, of \$4,539.00, the City of Neenah's will pay \$9,215.00 for a grand total of \$13,754.00. **(RollCall Pro)**

- a) Memo from Chief Auxier & Quote from VanEperen Painting. **(12)**
- b) Quote from Klinger Painting. **(13)**
- C. Board of Public Works meeting of May 7, 2014:
 1. Waiver of the 24-hour rule relative to providing minutes for Council consideration and action.
 2. Information Only Items
 - a) The Board approved Pay Estimate No. 1, Contract 1-14 Sewer and Water Main Construction and Street Resurfacing on Plummer Avenue, Gruenwald Avenue, Chestnut Street and Laudan Boulevard to Van Straten Construction Company, Inc., 2117 S. Oneida Street, Green Bay for \$125,867.40.
 3. Council Action Items:
 - a) Board recommendation regarding awarding Contract 2-14 Concrete Pavement Construction at Winneconne Avenue/Harrison Street, Green Bay Road/Main Street and Dixie Road Realignment to Vinton Construction with Alternate 3A for \$1,011,119.30. **(RollCall Pro)**
 - b) Board recommendation regarding awarding Contract PR14-01 Arrowhead Park Bicycle and Pedestrian Trail Project to the low bid from Janke General Contractors, with the Alternate #1 deduct, for a total of \$368,812.40. **(RollCall Pro)**
- D. Landmarks Commission
 1. Report from the Landmarks Commission – Alderman Lang
- E. Bergstrom Mahler Museum of Glass
 1. Report from the Bergstrom Mahler Museum of Glass – Alderman Lang
- F. Reports on neighborhood groups.
 1. Business Improvement District Board (BID Board) – Alderman Erickson
- XIII. Presentation of ordinances and resolutions and consideration thereof.
 - A. **Ordinance No. 2014-9** creating a license requirement and procedure for an escort license in the City of Neenah. **(14) (RollCall Pro)**
 - B. **Resolution No. 2014-10** amending the Fee Schedule of the City of Neenah to provide for an escort license fee. **(15) (RollCall Pro)**
 - C. ~~**Resolution No. 2014-11** authorizing the issuance and sale of \$4,685,000 General Obligation Promissory Notes. **(16) (RollCall Pro)**~~
(Previously acted on)
- XIV. Presentation of petitions.
 - A. Petition by Galloway Company to vacate a portion of Jackson. (Motion to refer to Plan Commission) **(17) (RollCall Pro)**
 - B. Any other petition received by the City Clerk's Office prior to the Common Council meeting.
- XV. Council Directives. **(18)**
- XVI. Unfinished Business.
- XVII. Presentation of communications, claims, memorials, accounts and other new business.

- A. Reminder: Those interested in attending the League of Wisconsin Municipalities New Municipal Official Workshop at the Tundra Lodge, 865 Lombardi Avenue, Green Bay on June 13, 2014 need to let Clerk Sturn know today so reservations can be made.
- B. Mayor Kaufert's appointment to the Community Development Authority to fill the unexpired term of Don Kleist – term expires 2018. (To be considered at the May 21, 2014 Council meeting)
- C. Discuss dates for Council picture.
 - 1. Group and/or individual?
 - 2. Check availability on the following dates:
 - May 21
 - June 4
 - July 16 & 30
- D. Any announcements/questions that may legally come before the Council.
- E. Adjournment.

“Neenah City Hall is accessible to the physically disadvantaged. If special accommodations are needed please contact the Neenah City Clerk’s Office at 886-6100 at least 24 hours in advance of the meeting.”

City of Neenah Application For Appointment



Name Kevin McCann
 Address 671 Elm Street
 City, ST Zip Neenah, WI 54956

Eve. Phone 920-722-2032
 E-mail kmaclar@yahoo.com

Date 05-01-2014
 Employer N/A
 Day Phone 920-722-2032
 Fax _____

What appointment are you seeking? You may check more than one box.

- | | |
|---|---|
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> Committee on Aging | <input type="checkbox"/> Board of Appeals |
| <input type="checkbox"/> Plan Commission | <input type="checkbox"/> Board of Review |
| <input type="checkbox"/> Police Commission | <input type="checkbox"/> Emergency Government Committee |
| <input checked="" type="checkbox"/> N-M Joint Fire Commission | <input type="checkbox"/> Loan Assistance Board |
| <input type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Board of Harbor Commissioners |
| <input type="checkbox"/> Business Improvement District | <input type="checkbox"/> Water Works Commission |
| <input type="checkbox"/> Board of Health | <input type="checkbox"/> N/M Sewerage Commission |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Citizen Advisory Committee |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Sustainable Neenah Committee |

Do you currently serve on other boards, commissions, or hold an elected office? Yes No Detail Below

Please provide or attach a brief statement outlining your interest and qualifications for this appointment:

having been born & raised in Menasha, then becoming a home owner in Neenah I've come to greatly appreciate the two communities. not sure I have much to offer for qualifications for this position. since retiring I wanted to find a few activities that allow me to somehow give something back to the organizations I support, along with the community I live in.

Please Sign and Date: Kevin McCann 05/01/2014

Please return to the Neenah City Clerk's Office

**Proceedings of the Common Council of the City of Neenah
Organizational Meeting**

Tuesday, April 15, 2014 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in organizational session at 7:00 p.m., April 15, 2014 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Lendrum, Bates, Hamblin, Pollnow, Erickson, Hillstrom, Ramos, Kunz and Lang, City Attorney Godlewski and City Clerk Sturn.

Also Present: Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Water Utility Director Taylor, Fire Chief Auxier, Dir. of Library Services Raab, Dir. of Human Resources & Safety Barber, Police Dept. Support Services Supervisor Schroeder, Superintendent of Recreation Olson, Merry Whipple, Mike & Sue Faulks, Chief Justice of the Wisconsin Supreme Court Shirley Abrahamson, Jim & Sam Erickson, many friends & family of Mayor Kaufert and Duke Behnke of the Post Crescent.

Mayor Kaufert called the meeting to order at 7:00 p.m.

ORGANIZATIONAL MEETING

MSC Bates/Pollnow that Rules of Order of the previous Council be adopted as rules to govern this Council until modified by proper action of the Council, all voting aye.

Election of Council President:

- **MS Hillstrom/Ramos to nominate Alderman Bates for Council President. MSC Hillstrom/Ramos to close nominations and cast a unanimous ballot to elect Alderman Bates as Council President for the ensuing term of one year, all voting aye.**

Mayor Kaufert's appointments to the Standing Committees, one-year terms to expire April 2015:

- Finance & Personnel Committee – Aldermen Erickson, Kunz, Pollnow, Ramos and Council President Bates.
- Public Services & Safety Committee – Aldermen Hamblin, Hillstrom, Lang, Lendrum and Council President Bates.
- Legislative Review Committee – himself, Council President Bates and Chairman of the Finance & Personnel Committee Ramos.
- Committee on Rules – Aldermen Pollnow, Bates and Hillstrom.
- **MSC Hillstrom/Ramos to confirm the Mayor Kaufert's appointments, all voting aye.**

Organizational Reports of the Standing Committee:

- Finance & Personnel Committee
MSC Bates/Ramos to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Finance and Personnel Committee meeting of April 15, 2014, all voting aye.

- Alderman Ramos reported that he had been appointed Chairman of the Finance and Personnel Committee and Alderman Pollnow had been appointed Vice Chairman. The Committee will continue to meet on the Monday of the week prior to each Council meeting at 7:00 p.m.
- Public Services & Safety Committee
MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Public Services and Safety Committee meeting of April 15, 2014, all voting aye.
 - Alderman Hillstrom reported that he had been appointed Chairman of the Public Services & Safety Committee and Alderman Lendrum had been appointed Vice Chairman. The Committee will continue to meet on the Tuesday of the week prior to each Council meeting at 7:00 p.m.
- Legislative Review
MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Legislative Review meeting of April 15, 2014, all voting aye.
 - Council President Bates reported that Ald. Ramos had been appointed Chairman of the Legislative Review Committee. The Committee meets on call.
- Committee on Rules
MSC Ramos/Hillstrom to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Committee on Rules meeting of April 15, 2014, all voting aye.
 - Alderman Pollnow reported that he had been appointed Chairman of the Committee on Rules and Alderman Hillstrom had been appointed Vice Chairman. The Committee meets on call.

Mayor Kaufert's appointments:

- Council President Bates, Ald. Ramos, a member of the Finance & Personnel Committee and Ald. Kunz as the Alderperson member to the N-M Joint Fire Finance and Personnel Committee for 1-year term expires April 2015.
- Dir. of Finance Easker to Fox Cities Room Tax Commission. Term expires April 2015.
- Ald. Hamblin & Hillstrom to the Board of Public Works, terms expire April 2015.
- Merry Whipple & Carol Codner to the Library Board for a 3-year term commencing May 1, 2014. Term expires May 2017.
- Don Kleist to the Community Development Authority, 4-year terms expire April 2018.
- Mike Faulks to the Joint Review Board for Tax Increment Districts for a 3-year term to expire April 2017.
- Ald. Lendrum as Council rep to the Community Development Authority (CDA) - expires April 2017.
- Gerry Andrews to the Plan Commission, 3-year term to expire April 2017.
- Himself, Fire Chief Auxier, City Attorney Godlewski, City Clerk Sturn, Director of Community Development & Assessment Haese, Director of Finance Easker, Director of Public Works Kaiser, Director of the Water Utility Taylor, Winnebago County Health Representative Doug Gieryn, Police Chief Wilkinson, Director of Information Systems Wenninger, Director of Parks and Recreation McCoy, Director of Human Resources & Safety Barber, Council

representative Alderman Pollnow, School Superintendent Pfeiffer and a Red Cross Representative to the Emergency Government for 1-year terms to expire April 2015.

- Ald. Lang as the Mayor's representative on the Bergstrom Mahler Museum Board of Directors, 1-year term expires April 2015.
- Ald. Erickson as Council representative to the Library Board, 1-year term expires April 2015.
- Ald. Erickson as Council representative to the BID Board, 1-year term expires April 2015.
- Ald. Ramos, the Chairman of the Finance and Personnel Committee as Council representative to the Cable TV Committee, 1-year term expires April 2015.
- **MSC Pollnow/Ramos to confirm Mayor Kaufert's appointments, all voting aye.**

Council appointments (Council President Bates):

- Ald. Lendrum as Council representative to the Joint Review Board, one -year term expires April 2015.
- Ald. Hamblin as Council representative to the Water Works Commission, one-year term expires April 2015.
- Ald. Hamblin as Council representative to the Plan Commission, one-year term expires April 2015.
- Ald. Lang as Council representative to the Loan Assistance Board, one-year term expires April 2015.
- Ald. Kunz as Council representative to Park & Recreation Commission, one-year term expires April 2015.
- Ald. Lang as Council representative to the Landmarks Commission, one-year term expires April 2015.
- **MSC Hillstrom/Ramos to confirm the Council appointments, all voting aye.**

Council Proceedings

- I. **MSCRP Bates/Pollnow to approve the Council Proceedings of April 2, 2014 regular session, all voting aye.**

Public Services and Safety Committee

- I. **MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the meeting of April 15, 2014, all voting aye.**
- II. Chairman Hillstrom reported the special meeting of April 15, 2014:
 - A. Committee recommends Council approve the purchase of a 2014 One-Ton Chassis with Dump Body from Fish Buick GMC, Inc. for \$32,742.76 minus trade-in of \$3,310.00 for a net total of \$29,432.76. Budgeted amount for 2014 was \$33,000. **MSCR Hillstrom/Pollnow, all voting aye.**
 - B. Committee recommends Council approve Beverage Operator License Applications for Calvin A. Krutz, Pamela A. Lamia, Joanna R. Perkins, Sandra R. Pharis, Angela D. Popp, Stacy L. Quinn and Jennifer G. Winters. **MSCR Hillstrom/Pollnow, all voting aye.**
 - C. Committee recommends Council approve the Street Use Permit Application by Run Away Shores for the Run Away to the Bay to be held on S. Commercial

Street, S. Park Avenue, Wisconsin Avenue, Oak Street, E. Forest Avenue and Park Drive on April 26, 2014. **MSCRP Hillstrom/Ramos, all voting aye.**

Finance and Personnel Committee

- I. Vice Chairman Bates reported the regular meeting of April 7, 2014:
 - A. Committee recommends Council approve Resolution 2014-9, amending the Weights and Measures Fee Schedule, effective for the permit year beginning July 1, 2014, with the effect of the changes to reduce total fee revenue by approximately 25%, or \$8,780 annually. (Resolution to follow)
 - B. Committee recommends Council approve the revised 2014 part time pay plan. **MSCRP Bates/Pollnow, all voting aye.**
 - C. Committee recommends Council make the following changes to the salary plan: Move the Parks Technicians from Grade E to Grade F; Move the Community Development Administrative Assistant from Grade F to Grade G; and Move the Police Support Services Supervisor from Grade I to Grade K, with the position to revert back to Grade I upon the retirement of the current Police Support Services Supervisor. **MS Bates/Ramos.**
 1. **MSCRP Pollnow/Bates to amend the motion by adding the financial impact for the Community Development Administrative Assistant position in the amount of \$3,198.00, all voting aye, Ald. Hamblin voting nay.**
 2. **The motion, as amended, carried by a RollCall-Pro System vote, all voting aye.**
 - D. Committee recommends Council approve a \$600 contribution to the Veterans of Foreign War for the 2014 Memorial Day Parade. **MSCRP Bates/Hillstrom, all voting aye.**

Resolution

- I. Resolution No. 2014-9 to amend the City of Neenah Fee Schedule to provide for various changes to the weights and measures portion of the fee schedule was presented.
 - A. **MSCRP Ramos/Pollnow to adopt Resolution No. 7274, all voting aye.**

Adjournment

- I. **MSC Bates/Pollnow to adjourn at 8:17 p.m., all voting aye.**

Patricia A. Sturn, WCPC/CMC

COMMON COUNCIL MINUTES
Organizational Meeting
Tuesday, April 15, 2014 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in organizational session at 7:00 p.m., April 15, 2014 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Lendrum, Bates, Hamblin, Pollnow, Erickson, Hillstrom, Ramos, Kunz and Lang, City Attorney Godlewski and City Clerk Sturn.

Also Present: Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Water Utility Director Taylor, Fire Chief Auxier, Dir. of Library Services Raab, Dir. of Human Resources & Safety Barber, Police Dept. Support Services Supervisor Schroeder, Superintendent of Recreation Olson, Merry Whipple, Mike & Sue Faulks, Chief Justice of the Wisconsin Supreme Court Shirley Abrahamson, Jim & Sam Erickson, many friends & family of Mayor Kaufert and Duke Behnke of the Post Crescent.

Mayor Kaufert called the meeting to order at 7:00 p.m.

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

Swearing in Ceremony

Shirley Abrahamson, Chief Justice of the Wisconsin Supreme Court administered the oath of office to newly elected Mayor Dean Kaufert for a 4-year term which expires April 2018 and to newly elected First District Alderperson Cari Lendrum, Second District Alderperson Tami Erickson and Third District Alderperson Jane Lang for 3-year terms, which expire April 2017.

ORGANIZATIONAL MEETING

MSC Bates/Pollnow that Rules of Order of the previous Council be adopted as rules to govern this Council until modified by proper action of the Council, all voting aye.

Election of Council President:

- **MS Hillstrom/Ramos to nominate Alderman Bates for Council President. MSC Hillstrom/Ramos to close nominations and cast a unanimous ballot to elect Alderman Bates as Council President for the ensuing term of one year, all voting aye.**

Mayor Kaufert's appointments to the Standing Committees, one-year terms to expire April 2015:

- Finance & Personnel Committee – Aldermen Erickson, Kunz, Pollnow, Ramos and Council President Bates.
- Public Services & Safety Committee – Aldermen Hamblin, Hillstrom, Lang, Lendrum and Council President Bates.
- Legislative Review Committee – himself, Council President Bates and Chairman of the Finance & Personnel Committee Ramos.
- Committee on Rules – Aldermen Pollnow, Bates and Hillstrom.
- **MSC Hillstrom/Ramos to confirm the Mayor Kaufert’s appointments, all voting aye.**

Mayor Kaufert recessed the meeting at 7:13 p.m. to permit organizational meetings of the Standing Committees.

Mayor Kaufert reconvened the Council at 7:20 p.m.

Organizational Reports of the Standing Committee:

- Finance & Personnel Committee
MSC Bates/Ramos to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Finance and Personnel Committee meeting of April 15, 2014, all voting aye.
 - Alderman Ramos reported that he had been appointed Chairman of the Finance and Personnel Committee and Alderman Pollnow had been appointed Vice Chairman. The Committee will continue to meet on the Monday of the week prior to each Council meeting at 7:00 p.m.
- Public Services & Safety Committee
MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Public Services and Safety Committee meeting of April 15, 2014, all voting aye.
 - Alderman Hillstrom reported that he had been appointed Chairman of the Public Services & Safety Committee and Alderman Lendrum had been appointed Vice Chairman. The Committee will continue to meet on the Tuesday of the week prior to each Council meeting at 7:00 p.m.
- Legislative Review
MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Legislative Review meeting of April 15, 2014, all voting aye.
 - Council President Bates reported that Ald. Ramos had been appointed Chairman of the Legislative Review Committee. The Committee meets on call.
- Committee on Rules
MSC Ramos/Hillstrom to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the special Committee on Rules meeting of April 15, 2014, all voting aye.

- Alderman Pollnow reported that he had been appointed Chairman of the Committee on Rules and Alderman Hillstrom had been appointed Vice Chairman. The Committee meets on call.

Mayor Kaufert's appointments:

- Council President Bates, Ald. Ramos, a member of the Finance & Personnel Committee and Ald. Kunz as the Alderperson member to the N-M Joint Fire Finance and Personnel Committee for 1-year term expires April 2015.
- Dir. of Finance Easker to Fox Cities Room Tax Commission. Term expires April 2015.
- Ald. Hamblin & Hillstrom to the Board of Public Works, terms expire April 2015.
- Merry Whipple & Carol Codner to the Library Board for a 3-year term commencing May 1, 2014. Term expires May 2017.
- Don Kleist to the Community Development Authority, 4-year terms expire April 2018.
- Mike Faulks to the Joint Review Board for Tax Increment Districts for a 3-year term to expire April 2017.
- Ald. Lendrum as Council rep to the Community Development Authority (CDA) - expires April 2017.
- Gerry Andrews to the Plan Commission, 3-year term to expire April 2017.
- Himself, Fire Chief Auxier, City Attorney Godlewski, City Clerk Sturn, Director of Community Development & Assessment Haese, Director of Finance Easker, Director of Public Works Kaiser, Director of the Water Utility Taylor, Winnebago County Health Representative Doug Gieryn, Police Chief Wilkinson, Director of Information Systems Wenninger, Director of Parks and Recreation McCoy, Director of Human Resources & Safety Barber, Council representative Alderman Pollnow, School Superintendent Pfeiffer and a Red Cross Representative to the Emergency Government for 1-year terms to expire April 2015.
- Ald. Lang as the Mayor's representative on the Bergstrom Mahler Museum Board of Directors, 1-year term expires April 2015.
- Ald. Erickson as Council representative to the Library Board, 1-year term expires April 2015.
- Ald. Erickson as Council representative to the BID Board, 1-year term expires April 2015.
- Ald. Ramos, the Chairman of the Finance and Personnel Committee as Council representative to the Cable TV Committee, 1-year term expires April 2015.
- **MSC Pollnow/Ramos to confirm Mayor Kaufert's appointments, all voting aye.**

Swearing in ceremony: Clerk Sturn administered the oath to:

- Joint Review Board for Tax Increment Districts – Mike Faulks
- Library Board – Merry Whipple

Council appointments (Council President Bates):

- Ald. Lendrum as Council representative to the Joint Review Board, one -year term expires April 2015.
- Ald. Hamblin as Council representative to the Water Works Commission, one-year term expires April 2015.

- Ald. Hamblin as Council representative to the Plan Commission, one-year term expires April 2015.
- Ald. Lang as Council representative to the Loan Assistance Board, one-year term expires April 2015.
- Ald. Kunz as Council representative to Park & Recreation Commission, one-year term expires April 2015.
- Ald. Lang as Council representative to the Landmarks Commission, one-year term expires April 2015.
- **MSC Hillstrom/Ramos to confirm the Council appointments, all voting aye.**

Comments by Mayor

Mayor Kaufert advised that the Mayor historically has done a State of the City update however since he was just elected, he was asked just to make a few comments. He indicated it is an honor and a privilege to stand before everyone as the mayor of this great community that CNN recently declared the 24th best small city in America. He thanked past Mayors Carpenter and Scherck for mentoring him in his younger years in public service. He continued by thanking Mayor Scherck for his dedication, commitment and quality leadership while serving this community. He loves Neenah and looks forward to serving with the Council members, department heads and dedicated city employees that together make this a great place to live, work and play. He thanked retiring Aldermen Ahles and Stevenson for their dedication and years of service, his family and friends that have supported him over the years and Chief Justice Abrahamson for taking the time to come to Neenah to administer his oath of office. He reported that Neenah is doing very well providing a good quality of life, great schools, beautiful parks, flourishing downtown and many festivals & events that help make Neenah a success. Together this Council and administration has the opportunity to improve for the residents they represent. Neenah is blessed with individuals, corporations, businesses and organizations that want a common goal, to make Neenah better. Continuing the public/private relationships will help us reach that goal and enhance the lives of the citizens of Neenah. His motto has been, "listening to people is the most important part of representing them". Helping the private sector maintain and create jobs in our community will be one of his top priorities.

Council Proceedings

- I. **MSCRP Bates/Pollnow to approve the Council Proceedings of April 2, 2014 regular session, all voting aye.**

Public Services and Safety Committee

- I. **MSC Ramos/Pollnow to waive the 24-hour rule relative to providing minutes for Council consideration and action in order to permit a report of the meeting of April 15, 2014, all voting aye.**
- II. Chairman Hillstrom reported the special meeting of April 15, 2014:
 - A. Committee recommends Council approve the purchase of a 2014 One-Ton Chassis with Dump Body from Fish Buick GMC, Inc. for \$32,742.76

minus trade-in of \$3,310.00 for a net total of \$29,432.76. Budgeted amount for 2014 was \$33,000. **MSCR P Hillstrom/Pollnow, all voting aye.**

- B. Committee recommends Council approve Beverage Operator License Applications for Calvin A. Krutz, Pamela A. Lamia, Joanna R. Perkins, Sandra R. Pharis, Angela D. Popp, Stacy L. Quinn and Jennifer G. Winters. **MSCR P Hillstrom/Pollnow, all voting aye.**
- C. Committee recommends Council approve the Street Use Permit Application by Run Away Shores for the Run Away to the Bay to be held on S. Commercial Street, S. Park Avenue, Wisconsin Avenue, Oak Street, E. Forest Avenue and Park Drive on April 26, 2014. **MSCR P Hillstrom/Ramos, all voting aye.**

Finance and Personnel Committee

- I. Vice Chairman Bates reported the regular meeting of April 7, 2014:
 - A. Committee recommends Council approve Resolution 2014-9, amending the Weights and Measures Fee Schedule, effective for the permit year beginning July 1, 2014, with the effect of the changes to reduce total fee revenue by approximately 25%, or \$8,780 annually. (Resolution to follow)
 - B. Committee recommends Council approve the revised 2014 part time pay plan. **MS Bates/Pollnow.**
 - 1. Ald. Pollnow asked Dir. Barber to explain the revisions.
 - 2. Dir. Barber explained that the part time pay plan went into effect January 1, 2014 however in looking at the math, it put us at a disadvantage as it treated the part time people substantially different than the full time employees. These revisions will tie them more closely to employees working full time in similar positions. There is no immediate cost impact however the range, over time, is larger so they can progress to higher wages.
 - 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
 - C. Committee recommends Council make the following changes to the salary plan: Move the Parks Technicians from Grade E to Grade F; Move the Community Development Administrative Assistant from Grade F to Grade G; and Move the Police Support Services Supervisor from Grade I to Grade K, with the position to revert back to Grade I upon the retirement of the current Police Support Services Supervisor. **MS Bates/Ramos.**
 - 1. Ald. Kunz expressed concern that the recommendation from the consultant was for the Support Services Supervisor to move from Grade I to Grade J and questioned why the committee chose to move it from Grade I to Grade K.
 - 2. Ald. Bates explained that the committee had a memo from Chief Wilkinson recommending the Grade K based on the fact that the current person in that position is training someone that would be

- her superior so she is doing more than her job. She is due to retire and once she does that position will revert back to Grade I.
3. Dir. Barber agreed that this was a grandfathering situation. The financial impact depends on how we decide to handle employees going over their grade. The impact will be minimal.
 4. Ald. Pollnow added that part of the component of this restructuring ties into the restructuring presented by the Chief to be done in the department in the next few years. He pointed out that there is a financial impact of \$3,198 for the Community Development Administrative Assistant and feels it should be included in the motion.
 5. **MSCRCP Pollnow/Bates to amend the motion by adding the financial impact for the Community Development Administrative Assistant position in the amount of \$3,198.00, all voting aye, Ald. Hamblin voting nay.**
 6. Ald. Bates reiterated that when an employee is training another employee that is superior to them she feels it is in the best interest to pay them the higher amount.
 7. Ald. Ramos highlights two points factored in at the committee level. When the current employee assumed their current position, there was an understanding that they would not have a reduced grade level. If her grade level is "I" it would be a reduction in her grade level from her prior position.
 8. Dir. Barber added that her previous position held some different duties so when she went into this new position and those duties were given to a police lieutenant she was told that would not result in a reduction to her grade.
 9. Ald. Ramos indicated his second point was that the employee she is training is above Grade I so for those two reasons he feels it is reasonable to continue with the Committee's recommendation.
 10. Ald. Kunz asked if the consultant was aware of these two issues.
 11. Dir. Barber responded that she does not recall discussion those two particular issues with Carlson Dettman. They were discussed at the Finance Committee meeting. She confirmed for Ald. Kunz that we have moved employees to a lower pay grade in the past, it is not unusual.
 12. **The motion, as amended, carried by a RollCall-Pro System vote, all voting aye.**
- D. Committee recommends Council approve a \$600 contribution to the Veterans of Foreign War for the 2014 Memorial Day Parade. **MSCRCP Bates/Hillstrom, all voting aye.**

Community Development Authority (CDA)

- I. Dir. Haese reported that the CDA continues to review the RFPs for Site 7 Redevelopment on the Glatfelter Project and hopes to have something to bring forward in May to continue to move that project forward.

Resolution

- I. Resolution No. 2014-9 to amend the City of Neenah Fee Schedule to provide for various changes to the weights and measures portion of the fee schedule was presented.
 - A. **MS Ramos/Pollnow to adopt Resolution No. 7274.**
 - B. Ald. Lendrum asked for an explanation of the reduction in fees.
 - C. Ald. Pollnow commended Dir. Haese and his staff for reviewing these fees and restructuring them to cover only the true cost. This could be used as a blueprint for other departments.
 - D. Ald. Bates added that we periodically review the fees charged and in this case a newer employee in Community Development reviewed these fees and found that her cost to do these things was less than what was being charged therefore she was able to lower those fees.
 - E. Dir. Haese explained Cassandra Slocum, the City sealer, did the work and should be given the credit.
 - F. **Motion carried, by the RollCall-Pro System, all voting aye.**

New Business

- I. Mayor Kaufert advised that the League of Wisconsin Municipalities New Municipal Official Workshop is for new officials or any other city official who wished to brush up on their knowledge of local government. This year it will be held at the Tundra Lodge, 865 Lombardi Avenue, Green Bay on June 13, 2014. Those interested in attending should respond to Clerk Sturn no later than May 7, 2014.
- II. Mayor Kaufert advised that the League of Wisconsin Municipalities director Dan Thompson is retiring March 31st and the League will have a new Director. They anticipate that the new Director may choose to make some changes to the Regional Dinner Meetings and will keep us updated as soon as they have details.
- III. Mayor Kaufert noticed that his appointment to the Police Commission to succeed James Prosser, five-year term to expire May 2019 will be announced at the May 7, 2014 Council meeting.
- IV. Mayor Kaufert noticed that his appointment to the N-M Joint Fire Commission to succeed Bill Mattes for a three-year term to expire May 2017 will be announced at the May 7, 2014 Council meeting.
- V. The Council discussed future Council/Department Head Orientation/Retreat.
 - A. City Atty. Godlewski indicated the question came up in March as to whether the Council would be interested in conducting a Council/Staff/Department Head retreat for new Council members. That retreat could be an expanded version of the orientation done last week put together by Dir. Barber & Clerk Sturn and be scheduled in May. Details could be worked out and an agenda done at a later date.

- B. Ald. Bates indicated she envisions this retreat as beyond orientation. She would like to see included information on borrowing and things such as street improvements and invite the department heads. She proposed it be held off site at the Neenah Library and be open to the public and/or past aldermen. She asked the Council to forward any other topics to her for inclusion in this discussion.
- C. Mayor Kaufert asked that ideas/suggestions be forwarded to himself or Council President Bates between now and the next meeting.
- D. Ald. Pollnow concurred with the idea of a retreat/orientation and that it be open to the public. He suggested including an overview of committees and what they do.
- E. Ald. Kunz indicated he would like to see the powers and responsibilities of each committee. He would also like something to better understand the Mayor/Council Member/Department Head partnership including where the Mayor's responsibilities start & end and where the Council's responsibility is.
- F. Clerk Sturn advised that she is currently working on a booklet containing all committees/boards/commission which includes their powers and responsibilities.
- G. Ald. Bates indicated that would be very beneficial and goes along with how the code outlines these committees, boards and commissions.

Adjournment

- I. **MSC Bates/Pollnow to adjourn at 8:17 p.m., all voting aye.**

Patricia A. Sturn, WCPC/CMC

**CITY OF NEENAH
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that public hearings will be held by the City of Neenah to consider amending the Official Street Map of the City of Neenah, established in section 26-30 of the municipal Code, as follows:

That the Official Street Map as established by Section 26-30 of the Code of Ordinances of the City of Neenah is hereby amended by removing a 66 foot street reservation located in part of the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ and a part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 20, Township 20 North, Range 17 East, Town of Neenah, Winnebago County.

The hearings will be held in the Council Chambers at the City Administration Building, 211 Walnut Street, Neenah.

Plan Commission Informal Hearing: Tuesday, April 29, 2014 at 4:15 P.M.

Council Formal Hearing: Wednesday, May 7, 2014 at 7:00 P.M.

YOU ARE FURTHER NOTIFIED that the Common Council will hear all persons, their agents or attorneys, concerning the above proposed amendments to the official street map. Questions pertaining to the proposed Official Street Map amendment should be directed to Chris Haese at (920)886-6125 or via email at chaese@ci.neenah.wi.us.

Dated at Neenah, Wisconsin this 21st day of April, 2014.

Patricia Sturn
City Clerk
Neenah, Wisconsin

Publish: April 25th & 28th, 2014

**CITY OF NEENAH
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that Public Hearings will be held by the City of Neenah to consider a Special Use Permit request by Trinity Lutheran Church, to allow construction of an entry link building addition and minor parking lot changes at 407 Oak Street, Neenah, Wisconsin.

The property for which the Special Use Permit is requested is legally described as follows:

PLAT OF WINNEBAGO RAPIDS, LOT 3, BLOCK P, IN THE CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

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

**Plan Commission Informal Hearing Tuesday, April 29, 2014
4:15 P.M.
Council Chambers**

**Council Formal Hearing Wednesday, May 7, 2014
7:00 P.M.
Council Chambers**

NOTICE IS FURTHER GIVEN that applicant and interested persons may appear at said hearings and be heard for or against the proposed Special Use Permit.

Chris Haese
Director of Community Development
Neenah, Wisconsin

Patricia Sturn
City Clerk
Neenah, Wisconsin

Publish: April 25 & 28, 2014



211 Walnut Street
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission
Re: Official Street Map Amendment removing a 66 foot street reservation located in part of the Southeast ¼ of the Northwest ¼ and a part of the Northeast ¼ of the Southwest ¼ of Section 20, Township 20 North, Range 17 East, Town of Neenah, Winnebago County.

ORDINANCE NO. 2014-8
Introduced: March 7, 2014
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. That the Official Street Map, as established by Section 26-30 of the Neenah Municipal Code, is hereby amended as follows:

By amending street reservations located in part of the Southeast ¼ of the Northwest ¼ and a part of the Northeast ¼ of the Southwest ¼ of Section 20, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin as follows:

By removing a street reservation, 66 feet in width, extending east from a point 660 feet south of the center point of the west line of Section 20, Town 20 North, Range 17 East, Town of Neenah, to the east ¼ line of the Section 20, Town 20 North, Range 17 East, Town of Neenah; thence continuing in a northeasterly direction to the south right-of-way line of County Highway O, intersecting said right-of-way line at a 90 degree angle.

Section 2. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Adopted: _____

Approved:

Published: _____

George Scherck, Mayor
Attest:

Patricia A. Sturn, City Clerk

CITY OF NEENAH
Special Public Services and Safety Committee Meeting Minutes
Wednesday, April 30, 2014 - 7:00 P.M.
Hauser Room - City Administration Building

Present: Vice-Chairperson Lendrum, Aldermen Bates, Hamblin, and Lang

Excused: Ald. Hillstrom

Also Present: Mayor Kaufert, City Attorney Godlewski, Director of Public Works Kaiser, Director of Community Development and Assessment Haese, Police Chief Wilkinson, Aldermen Pollnow and Erickson, Police Capt. Long, Police Lt. Thompson, Police Lt. Malcore, Umer Sheikh, Sue Langohr, Bob Gillespie, Zabet Kempfert, Amy Barker, Dennis Jochman, and Duke Behnke

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

MINUTES: MSC Bates/Hamblin to approve the minutes of the March 25, 2014, regular meeting, the April 15, 2014, special meeting and the April 15, 2014, organizational meeting. All voting aye

MSC Bates/Lang to revise the agenda to move Item B3, Consideration of Police Department Acceptance of Department of Defense Surplus Equipment ahead of Item B1, Police Department Year End Reports.

APPEARANCES: John Skymys, E2391 Cardinal Court, Waupaca, addressed the Committee about downtown parking issues. He expressed appreciation for Council and staff efforts to deal with parking issues, offered the assistance of the BID Board for any work needed in the ongoing parking system evaluation, and highlighted the impact that the parking problems have on small businesses and building owners, regardless of whether those problems are real or perceived. He noted that the issue is significant enough that the BID Board has two working groups in place that deal with parking issues and that parking is a constant topic at BID meetings.

Bob Gillespie, owner of 109 W. Wisconsin Avenue, addressed the Committee to advocate for more parking downtown. He noted the missed opportunities that developers, tenants and customers have experienced because of the downtown parking matters. He encouraged an evaluation of short-term and long-term goals to improve the parking system.

COUNCIL REFERRALS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Parks and Recreation: None

Police Department:

Consideration of Police Department Acceptance of Department of Defense Surplus Equipment: Police Chief Wilkinson opened the discussion of the Police Department's

Special Public Services and Safety Committee Meeting Minutes

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acceptance of a military surplus vehicle, a Caiman MTV, which would replace the Peacekeeper armored vehicle, by reviewing a Question & Answer document that had been prepared to explain aspects of the acquisition. (The Question & Answer document is attached to these minutes as Exhibit 1.) The Police Department would receive the vehicle from the Department of Defense (DoD) through the 1033 program. It would be used in situations where gunfire is occurring or is anticipated. The initial cost for the vehicle is for transport to Neenah and private donors are covering that cost. The DoD would continue to own the vehicle while it is in the possession of the city, but the city is responsible for any maintenance costs.

He noted that he became convinced of the need for a vehicle of this type when he realized the weaknesses of the current vehicle. He believes that this is a fiscally responsible way to provide a vehicle that improves the safety of his officers and the public. The cost of a comparable armored vehicle designed for police use is about \$300,000. The City of Fond du Lac and Winnebago County have that type of vehicle.

Committee discussed the late notice in receiving the information about this acquisition and the recent press coverage about the unit received by Appleton. Chief Wilkinson and City Attorney Godlewski noted that the Police Department was following past practice in the way that the equipment was acquired and the manner in which the Council was notified. City Attorney Godlewski noted that there is no policy or ordinance that covers this type of acquisition.

Discussion followed on the terms under which we would possess the vehicle. Chief Wilkinson noted that if we do not pick the equipment up on Tuesday, May 6, it will go elsewhere. The DoD does not offer any latitude on the pick-up schedule. He also clarified that there is no set time frame on how long we have the vehicle. The city can keep it as long or as short as it would like. Chief Wilkinson described circumstances where the vehicle would be used and explained the time and coverage concerns that could result from sharing a vehicle with multiple agencies.

Upon questioning from the Committee, Capt. Long noted that in the past 10 years there have been 520-540 calls that were considered high risk. He also stated that the current armored vehicle had been dispatched 3 times in 2014 and 6 times in 2013.

Mayor Kaufert stated that Council might want to look at establishing a policy to address these types of acquisitions. At the very least he felt it was important that the Council be kept abreast of these types of developments. He expressed a support for regional cooperation but is concerned about response time for emergency situations.

Ald. Pollnow addressed the Committee with concerns about the adequacy of the information provided, the timing of the information and the analysis of the cost to operate the vehicle. He noted that he did not oppose the availability of a vehicle of this type in the Police Department fleet, but had issues with the process in which this acquisition was handled.

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The Committee discussed the operational costs of this vehicle versus the current armored vehicle. Chief Wilkinson reviewed the changing role of law enforcement and the need to have the equipment and training necessary to meet that role. Committee discussed the DoD 1033 program rules, the agreement inherent in our accepting the vehicle, and the potential development of a gift policy. City Attorney Godlewski reiterated that the vehicle could ultimately be returned if that is the wish of the Council but that careful thought should be given to the development of a gift policy. Capt. Long noted that there is not a formal contract that the city signs in acquiring this vehicle, but there are program rules that must be followed. Mayor Kaufert reviewed the DoD 1033 Program rules. The city cannot sell the vehicle since it still belongs to the DoD, however there is no time limit on our use of the equipment unless it is needed for a national emergency.

Lt. Malcore addressed the Committee regarding his experience in using the current armored vehicle and the advantages that the new vehicle would provide in terms of safety and flexibility. He encouraged the Committee to consider it as a protective vest since it is a defensive vehicle and is not equipped for use for offensive operations.

Mayor Kaufert reiterated that former Mayor Scherck had authorized the Police Department to pursue the acquisition and the department acted in good faith in the process that they followed. The Committee requested that Council be apprised of any new information that comes forward. City Attorney Godlewski stated that a motion approving the vehicle acquisition is not needed because Chief Wilkinson was acting within his authority and his actions were not contrary to any existing policy or ordinance.

Monthly Reports: Chief Wilkinson reviewed the Traffic Accident Statistical Breakdown Reports for January, February and March and the Year-to-Date Incident Totals Report. He noted that the reports would change in the future because of the transition to a new computer aided dispatch system. Injuries and total crashes are down. Traffic arrests are down significantly because of the loss of traffic enforcement grant funding. Parking tickets are up mainly due to an emphasis on overnight parking enforcement. He discussed continuing problems with false 911 calls. He also reviewed the trends and impacts of heroin use.

Following discussion, **MSC Bates/Hamblin to accept the January, February and March 2014 Traffic Accident Statistical Breakdown Reports and the Year-to-Date Incident Totals Report.** All voting aye

Escort Services Licensing and Fees-Ordinance 2014-9: Escort Licensing/Resolution 2014-10: Escort License Fee: City Attorney Godlewski reviewed his April 23, 2014, memo. He noted a number of communities that have either approved this type of ordinance or are in the process of developing one. He is concerned that Neenah not become an attractive location for activities arising from escort businesses because of the absence of a tool for law enforcement. The proposed ordinance is the standard used by the surrounding communities.

Chief Wilkinson reviewed his April 22, 2014, memo regarding the area agency experiences and operations that are addressing illegal activities resulting from escort businesses. He

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noted that these businesses are typically a front for prostitution operations. He also noted that there is a change in recognizing that the prostitutes are frequently victims of circumstance trapped in these arrangements.

In response to Committee questions, City Attorney Godlewski noted that adult businesses are regulated under the zoning code. The city does not have a sexually oriented business ordinance. He also confirmed that the review of the licensed escort applications can consider prior convictions of a related nature to the license being applied for.

Committee discussed several aspects of the proposed ordinance including the residence restriction in Sec. 4-362(g)(9) and the manner in which the ordinance would relate to Internet based businesses located outside of Neenah. City Attorney Godlewski stated that the location where the offense is taking place is relevant, not necessarily where the home base of the business is unless that is also located in Neenah. Committee asked if the IP addresses of any computers used by the applicant would be useful or appropriate information to gather. Chief Wilkinson indicated that he would look into that issue.

Committee further discussed the need for this type of ordinance. Chief Wilkinson indicated that the need would be difficult to quantify. The department does have some anecdotal information. He noted that police agencies for area communities that have enacted this type of ordinance and conducted sting operations have found illegal activities to be more prevalent than expected.

Ald. Pollnow addressed the Committee with several concerns about the proposed ordinance including the requirement that applicants provide fingerprints and a 10-year residence and work history. He is concerned that the application process is too cumbersome. He requested information on the number of applications received by nearby communities with this ordinance. City Attorney Godlewski noted that the additional requirements are intended to address issues with an industry that has a history of law violations.

Duke Behnke addressed the Committee with information that no applications for licensed escort services have been received in nearby communities.

Following discussion, **MSC Bates/Lang to recommend Council adopt Ordinance 2014-9 and Resolution 2014-10 relating to Escort and Escort Services Licensing.** All voting aye

Community Development Department: None

Public Works Department:

Downtown Parking Conditions Report Discussion: Director Haese reviewed his downtown parking conditions report of April 10, 2014. He reviewed the history of the city's involvement in the downtown parking system, the current supply of long-term employee parking and short-term customer parking, the current demand and the future demand for employee parking. He noted that the increased densification of office space has resulted in an effective employee-

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parking deficit of 316 spaces. He also reviewed the current parking locations that are at risk either because of potential development or because they are privately held and leased to the city. He further noted parking obligations that the city has made to the Alta Resources, Plexus and Affinity developments in the various development agreements. In accounting for the potential short-term redevelopment of several current parking lots and needs generated by additional development sites, he estimated the current short term parking need to be 541 spaces and long term parking needs to be an additional 651 spaces.

Director Haese and Engineer Merten reviewed the results of the license plate study performed in the 2-hour parking areas downtown. They noted the frequency of violations and the potential economic impact that those violations have on the downtown businesses.

Director Haese concluded his presentation with a discussion of items that would be included in a request for proposals to evaluate and develop recommendations for the downtown parking system. He noted that the process would entail:

- evaluating the Downtown Parking Task Force membership to make sure that it meets current needs;
- calling the Downtown Parking Task Force together to oversee the RFP development process;
- soliciting proposals from qualified firms to validate information collected to date and evaluate aspects of the parking system;
- selecting a consultant;
- offering input opportunities from the full variety of users;
- identifying supply and demand issues, short-term and long-term phasing of any improvements, financing, and efficiency improvement opportunities.

Sue Langohr, tenant at 129 W. Wisconsin Avenue, addressed the Committee. She noted the parking impact of the Alta Resources and Plexus developments. She encouraged consideration of a parking structure to increase the available customer parking.

Committee discussed the need to incorporate a ramp utilization component in the consultant's work. Mayor Kaufert noted that it is important to move forward with additional study because we don't want real or perceived parking concerns to stymie downtown growth.

Discussion followed regarding the parking permit charges in the ramp, the lack of flexibility provided by the current permit, metered or timed parking restrictions, and the potential for grant funding to support parking improvements if the improvements support job creation or retention.

Bob Gillespie, owner of 109 W. Wisconsin Avenue, addressed the Committee to express support for bringing a consultant in to provide a sound long-range plan for parking.

Ald. Kunz addressed the Committee and identified several aspects of the parking system that need review including signing, fees, an evaluation of the true cost of parking to the city,

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enforcement options and permit purchase requirements for downtown businesses. He noted that Neenah has a unique situation where a small city has a very high employee density in the downtown.

Ald. Pollnow addressed the Committee and identified several aspects of the parking system that need review including obligations from current development agreements and shuttle parking options. He encouraged a selection process that emphasizes experience with a parking system like Neenah's.

Dennis Jochman, a representative of Bechard Group and manager of several downtown properties, offered a willingness to serve on the Downtown Parking Task Force. He relayed concerns from prospective tenants about the adequacy of the parking supply. He suggested that property might need to be acquired and surface lots developed in order to provide "shovel ready" sites for development or for a future parking structure.

Director Haese indicated that his goal is to have a consultant on board in early July with conclusions coming forward by the end of the year. He noted that the parking review was awaiting the recently concluded TIF discussions.

Umer Sheikh, 115 N. Park Avenue and owner of a number of downtown properties, addressed the Committee in support of moving forward quickly with a parking study. He noted that parking has been discussed for a long time and there is a need for action.

Following discussion, **MSC Lendrum/Bates to direct staff to work with the Downtown Parking Task Force to develop a parking study RFP and to provide the Council with monthly updates.**

Cecil Street Garage Rental Information: Director Kaiser reviewed the Cecil Street Garage rental information. He noted the current lease rates appear to be keeping pace with the electric and gas utility costs for the Cecil Street Garage. Ald. Pollnow addressed the Committee to request additional utility cost information. Director Kaiser indicated that he would email that information to the Council.

Public Works General Construction and Department Activity:

1. (Contract 1-14, Plummer/Gruenwald/Chestnut) Water main installation is complete on Plummer Avenue. Sanitary sewer main installation has begun. Following main installation, services will be installed.
2. (Contract 2-14, Concrete Pavement Construction) Bids were opened on April 29. Bids for the Winneconne/Harrison and Main/Green bay intersection repaving came in higher than budgeted. The bid will be brought to the Board of Public Works and Council on May 7.
3. (Contract 3-14, Epoxy Pavement Marking) Plans and specifications are nearly complete. The contract will be bid in May.
4. Staff has reviewed 2013 construction to note any warranty items that need to be addressed. A number of settlement issues have been noted with the S. Commercial

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Street project since the frost has left the ground, especially near the south end of the project. We have verbally informed the contractor, Van Straten Construction, of the problems and have sent them a letter to formally make them aware of these issues. Unless information comes to light to indicate a cause of the issues other than the work they performed, we are expecting them to make the appropriate repairs without charge to the City. Those repairs would most likely be coordinated with the asphalt paving work being done as part of Contract 1-14.

5. Breezewood Lane/Bell Street - Trail/Sidewalk/Storm Sewer. Appraisals have been received and reviewed for four parcels. The consultant and I met with the representative of CTI Realty, the property immediately east of the Commerce Court Pond, on April 23. Staff has also reviewed driveway conditions for those parcels west of Gillingham Road to determine if the sidewalk on the north side could be reasonably constructed without acquiring property.
6. The Saturday morning hours at the Tullar Garage drop-off begin on May 3. In addition to the usual drop-off activities, May 3 is also an e-waste collection day and a collection day for the St. Vincent de Paul thrift store at the Tullar Garage.
7. Weekly yard waste collection started the week of April 21 and will continue until May 23.
8. Staff is reviewing the Phase 1 environmental site assessment that was prepared by Terracon Consulting Engineers & Scientists for the Neenah Foundry property located north of Winneconne Avenue between Harrison Street and Union Street. This site is still being considered as a possible detention pond site.
9. Staff has provided Wisconsin DNR staff with all of the documentation related to the storm water management plan update along with a grant reimbursement request. The expected grant reimbursement is \$63,586.05.

Committee discussed the staffing hours for the Tullar Garage drop-off site. Director Kaiser indicated that the site is staffed 10 hours per day on a split shift.

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Arnold W. Collier, Molly A. Conrad, Stephanie S. Hooyman, Matt R. Letourneaux, Brandon L. Sanaghan and Dustin S. Susor. Following discussion, **MSC Bates/Hamblin to recommend Council approve beverage operator license applications for Arnold W. Collier, Molly A. Conrad, Stephanie S. Hooyman, Matt R. Letourneaux, Brandon L. Sanaghan and Dustin S. Susor.** All voting aye

Street Use Permit: Committee reviewed the Street Use Permit for the Memorial Day Parade to be held on May 26, 2014. The proposed parade route ends at the Main Street/Doty Avenue intersection this year as oppose to the previously used terminus of Church Street and Doty Avenue. Committee discussed the insurance requirement for the event sponsor. Following discussion, **MSC Bates/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Memorial Day Parade sponsored by the Twin City Veterans Organization, David Gauthier, 921 Betty Avenue, Neenah, to be held on May 26, 2014.** All voting aye

C.A.

C.A.

Special Public Services and Safety Committee Meeting Minutes
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Announcements/Future Agenda Items: Ald. Bates requested that staff follow-up on construction vehicles/equipment parked in the Gateway Lot. Engineer Merten indicated that he would look into the matter.

MSC Lang/Hamblin to adjourn at 10:35 p.m. All voting aye

Respectfully submitted,

Gerry Kaiser
Director of Public Works

Exhibit 1

Armored Vehicle Upgrade

Questions and answers

General

What is this about?

We have the opportunity to replace our current armored vehicle with a better vehicle through a Department of Defense excess property program, referred to as the “10-33 program.”

Where is this vehicle coming from?

This is a military surplus vehicle being made available by the federal government. The Pentagon purchased 25,000 of these types of vehicles for use in Afghanistan and Iraq. The vehicles are stored at a military lot in Seely, Texas. There are thousands of them that are sitting idle, and many are being made available to law enforcement agencies around the country.

What was this vehicle's prior use?

These vehicles have had a variety of applications in the Middle East, including troop transport and equipment transport. The unit Appleton PD received had prior use as an ambulance. We do not know at this time what the prior use would have been for the vehicle we are eligible to receive.

What is the value of the vehicle?

The Caiman MTV cost about \$733,000 new.

How big is it?

The Caiman is a 6-wheel-drive heavy armored vehicle that would appear in size similar to a snow plow or garbage truck. The weight would also be similar, at about 37,000 lbs. The six wheels are each about waist-high, and the highest points of the vehicle are about 11 feet. The Caiman has a very high ground clearance and has a curb-to-curb circle turn radius of 63.5 feet.

What is it replacing?

We currently have a military surplus “Peacekeeper” armored vehicle. This vehicle, which was procured through the 10-33 federal excess property program, was built in 1979. We received it in 2000.

Can’t we just keep using the old vehicle?

We could, but the Caiman offers a much higher level of ballistic protection. The Peacekeeper will not stop most rifle rounds, and that has been problematic for us in the past. The Peacekeeper also does not have heat or air conditioning, which has caused difficulties for us in extreme weather situations. None of the weaponry used in local incidents can penetrate the Caiman. It easily stops 50 caliber rounds, which have become more prevalent in our area recently (including an incident in Fond du Lac this January).

Further, we can’t get a complete entry/rescue team into the Peacekeeper because it is too small.

Have we received other military surplus equipment?

Yes, we have received other equipment from the 10-33 program including our existing Peacekeeper and some .223 caliber rifles (AR-15). Many law enforcement agencies in the state use the program to save on equipment procurement costs. Many times the military equipment is technologically outdated or simply doesn’t fit a law enforcement platform well.

What happens when we don’t want the vehicle anymore?

The Department of Defense maintains ownership of the vehicle. It is loaned to law enforcement for use. When the law enforcement agency no longer wishes to keep the vehicle, it goes back to the Department of Defense. The 10-33 program will seek another law enforcement agency to take over stewardship of the vehicle. Transport costs go to the receiving agency. If there is no agency to take over the vehicle, the possessing law enforcement agency may have to pay for transport to a military scrap yard.

Financial

What is the cost of acquiring this vehicle?

The vehicle is free for us to acquire, but there are associated costs. First we must arrange for transport from Seely, Texas. We have arranged this through Roehl Transport for a cost of about \$4,600. Two local industries have offered to pay for that transport so that it is not taxpayer-funded.

There will be some modification/equipping costs, but those are expected to be minimal and are not different from what we have spent on the Peacekeeper in the past (for example we paid for fabrication of special external features on the Peacekeeper, including a transport rack and grips).

What are the anticipated maintenance plans and costs?

We have three layers of maintenance/repair available to us:

First, our City mechanics should be able to repair most issues that might come up on the vehicle. The Engine is a Caterpillar C9 (Appleton's has 12,000 miles on it). The transmission is a Caterpillar 6-speed. Our City mechanics are accustomed to working on these types of heavy machinery already.

Our second layer of repair is from the National Guard. Their local units have employees familiar with these vehicles and have offered their services to help us keep them running properly.

The third layer of assistance is from Oshkosh Truck. While that organization did not build the vehicles, they have done some retrofitting on them, and they are familiar with them. Oshkosh Truck has offered to assist us with repairs as well.

The costs for these repairs should be no different than the costs for the Peacekeeper, overall. The newer engine and drive-train on the Caiman should yield less repair work, compared to the aging Peacekeeper. Parts, however, may be more expensive. In the last 5 years we spent about \$3,000 on repairs to the Peacekeeper through our City mechanics, and have spent about \$2,300 in external fabrication changes.

We have been contemplating spending additional funds for retrofitting the Peacekeeper, including trying to improve its ballistic capabilities and equipping it with new emergency lights. We put those plans on hold when we learned we may be able to obtain a newer vehicle.

Fuel costs for the Caiman will be more, but use of the vehicle will be very limited.

What happens if it breaks down?

The local National Guard offices have the equipment to tow the Caiman to the City shop, and have offered to provide this service to us.

Where do you get parts for such a specialty vehicle?

The parts are commercially available. The 10-33 program has also secured spare tires for the Caiman, and we are scheduled to receive a complete set of them (6) for 10% of the cost of transport (estimated at \$400).

How much have we spent on the current armored vehicle?

During the last five years we spent about \$5,300 on the Peacekeeper, including both repairs and improvements. We were planning to spend money on some new improvements as well. Parts for this vehicle are getting increasingly difficult to obtain.

Usage

Who will drive the new vehicle?

Only officers who receive training specific to operation of the Caiman will be allowed to operate the vehicle.

Where will it be stored?

We have made arrangements to store the vehicle in a garage by at NMFR station 31.

What kinds of incidents will it be used for?

The primary purpose for the vehicle is to provide safe ingress and egress in a zone where gunfire is occurring or is anticipated. Thus, it will be used any time we have that type of incident underway. Examples would include armed, barricaded suspects, hostage situations, active shooter incidents, searches for armed suspects, and high risk stops that are not resolved through normal procedures.

The vehicle would also be available to evacuate people/pets from an unsafe scene, such as a flammable/explosive substance leak or spill.

Additional use would include disaster response, where the Caiman could traverse streets littered with tree limbs or other debris that could stop other rescue vehicles. We would also like to use it for public relations events, as we have done with the Peacekeeper: Touch-a-Truck, CommunityFest, and the 4th of July Parade.

How many people can it transport?

The Caiman MTV is generally designed with two forward seats and eight in the rear. There can be various configurations in the rear, and it can hold additional unseated passengers. In a rescue situation, we could put an entire classroom of grade school children in the vehicle.

What other agencies in Wisconsin have received these kinds of vehicles?

The Wisconsin 10-33 program dispersed a few vehicles last fall:

Madison PD (4x4)
Juneau County (4x4)
St. Croix County

In April, 5 additional vehicles were disbursed:

Appleton PD
Brown County
Portage County
Oak Creek PD
Eau Claire PD

In May, an additional 16 vehicles are being released

Racine County
Stevens Point PD
Superior PD
Waupaca County
Clark County (County seat is Neillsville)
Dunn County (County seat is Menomonee)
Lincoln County (County seat is Merrill)
La Crosse PD
Tomah PD
Wood County (County seat is Wisconsin Rapids)
Chippewa County
Dodge County (County seat is Juneau)
Door County
Forest County (County seat is Crandon)
Jefferson County
Neenah PD (scheduled for pick-up on May 6)

Additionally, Racine County has acquired a CASSPIR, which is a much larger vehicle.

What happens if we pass on this opportunity?

According to the 10-33 program contact, we will then be unable to receive one. They can put us back on the national list of interested agencies, but they do not anticipate any more disbursements to Wisconsin. DoD wants to close down the Seely lot, and it is our understanding the Department of Defense is sending excess units to bombing ranges to use as targets.

CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, April 28, 2014 – 7:00 p.m.
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

Present: Chairman Ramos; Aldermen Bates, Erickson, Kunz and Pollnow; Mayor Kaufert, City Attorney Godlewski, Director of Finance Easker.

Others Present: Aldermen Lang and Lendrum; Director of Public Works Kaiser, Chief of Police Wilkinson, Bergstrom-Mahler Museum of Glass representatives Jan Smith, Ben Fauske and Peter Mariahazy.

Public Appearances: None.

Minutes: **Motion/Second/Carried Pollnow/Bates to approve the corrected minutes from the April 7, 2014 Regular Meeting.** All voting aye.

Bergstrom-Mahler Museum Property & Donor's Intent: Committee reviewed City Attorney Godlewski's memo regarding Bergstrom Mahler Museum Property and Donor's Intent. The memo is a follow-up to the continued discussion regarding a potential agreement between the City and Museum Board for a long-term lease or transfer of the museum property. Attorney Godlewski indicated that a further investigation of the public record affirmed his opinion that there appears to be no legal impediment to entering into either a long-term lease or outright transfer of the property from the City to the Museum Board.

Discussion took place regarding various aspects of the museum property. Issues discussed included ways to determine the value of the property, possible pre-conditions of a property transfer as well as the value of the museum for the City's economy and reputation. Museum Board member Peter Mariahazy said that a long-term agreement with the City was important for museum donor confidence as well as to clarify any ambiguities with regard to the long-term use and viability of the museum property. He felt that discussions regarding the property are more of a partnership discussion than a negotiation. Alderman Pollnow felt that the discussion was more similar to a negotiation, and said it was important that certain financial issues be addressed in any final agreement, including the ongoing City subsidy and the value of the property so that it could be used to calculate a potential Payment In Lieu of Tax (PILOT) in the future.

Motion/Second Pollnow/Ramos to direct City Attorney Godlewski to work with the Bergstrom-Mahler Museum Board on a ninety-nine year lease for the property at 165 N. Park Avenue, with the agreement to include language to eventually phase out the current City subsidy to the museum and to list the value of the property so that it could be used to calculate a potential Payment In Lieu of Tax (PILOT) in the future.

Discussion took place on the motion. Alderman Bates said the museum provides benefit to the City, and felt that the subsidy is appropriate if the City continues ownership of the property. Alderman Kunz concurred with both points and agreed with the sentiment of Mr.

Mariahazy regarding the nature of the agreement discussions between the City and Museum Board.

Motion by Alderman Bates to amend the previous motion to remove any mention of the subsidy or PILOT from any draft agreement. Aldermen Pollnow and Ramos agreed to accept the amendment as a friendly amendment.

REPORT

Amended motion: Motion/Second Pollnow/Ramos to direct City Attorney Godlewski to work with the Bergstrom-Mahler Museum Board on a ninety-nine year lease for the property at 165 N. Park Avenue.

Vote on amended motion. All voting aye.

Request to Purchase Squads: Prior to discussion, committee and staff discussed that the electronic version of the equipment checklist and related information that had been prepared by the police department had not been forwarded to the committee. In the absence of that information, committee felt that postponing action on the issue to the next regularly scheduled committee meeting on May 12 was appropriate. They also said that they would consider convening a special meeting on May 5 if Chief Wilkinson felt it was necessary to assure a timely and cost effective bid approval for any of the vehicles under consideration.

Motion/Second/Carried Pollnow/Erickson to postpone action on the issue to the next regularly scheduled committee meeting on May 12, and to consider convening a special meeting on May 5 if Chief Wilkinson felt it was necessary to assure a timely and cost effective bid approval for any of the vehicles under consideration. All voting aye.

Claim of WE Energies, Claim No. 2014-6: Committee reviewed the memo from City Attorney Godlewski requesting approval of Claim 14-6, WE Energies and authorize payment of \$8,461.37. The claim is related to an incident on October 11, 2013 in which a City crew was cutting brush on Schultz Drive in anticipation of a fence the City had agreed to construct to shield the new Plexus industrial building from the adjacent auto salvage yard. The crew was using a trackless with a boom arm and inadvertently bumped a power pole, severing an electric cable and damaging other equipment. Director Easker indicated that \$35,000 of unspent TIF #6 funds borrowed to construct the barrier fence could be a funding source for the claim. Committee and staff discussed various aspects of the claim.

REPORT

Motion/Second/Carried Kunz/Pollnow to recommend Council approve Claim 14-6, WE Energies and authorize payment of \$8,461.37, with the payment to be funded from unspent TIF #6 funds borrowed to construct the barrier fence along Schultz Drive. All voting aye.

Claims of S & R Vongsa, Claim No. 2014-9: Committee reviewed memo from City Attorney Godlewski denying Claim 14-9, sewer backup claim of S. & R. Vongsa, 1376 Whispering Pines Lane. The claim is based upon sewer backups that occurred in the

Nature Trail subdivision on or about February 23, 2014. Investigation into the backups indicated that they were caused by a frozen storm sewer. Since the frozen storm sewer was caused by the extreme cold temperatures and not a result of negligence by the City, the City is not liable for damages asserted in the claim.

Discussion took place regarding various aspects of the claim. Items discussed included potential measures to avoid such a problem in the future, including options to provide information outreach to citizens.

REPORT

Motion/Second/Carried Pollnow/Kunz to recommend Council deny Claim 14-9, sewer backup claim of S. & R. Vongsa, 1376 Whispering Pines Lane. All voting aye.

2013 Operating Budget Transfer: Committee reviewed memo from Director of Finance Easker recommending approval of a 2013 transfer of \$185,290 from the Capital Projects Equipment Fund to the General Fund, an amount equal to the 2013 General Fund capital outlay expenditures.

The memo indicated that, unless modified, the City's General Fund would end the year with a \$181,535 deficit. Based upon information available in the early fourth quarter of 2013, the City had projected a potential surplus of approximately \$250,000 as of year end. A very difficult and costly December winter weather period, as well as movement in interest rates creating a large, unrealized loss on City investments as of 12/31/13, were the two factors mainly responsible for the projected deficit. These two factors combined for a negative budget variance of \$434,490, leading directly to the projected deficit.

Since avoiding general fund deficits and improving related fund balances have been a point of emphasis for the City with the bond rating agencies in recent years, Director Easker felt it in the City's best interest to end the year with a general fund surplus. The \$185,290 transfer would allow the City's General Fund to end 2013 with a \$3,755 surplus. He explained that unspent borrowed funds have accumulated in the Capital Projects Equipment Fund in previous years. Since general fund expenditures that are capital outlay in nature can be offset by these accumulated borrowed funds, the amount expended in 2013 of \$185,290 is the recommended amount of the transfer. For legal and auditing standards, the City's audit firm of Baker Tilly has reviewed this recommendation and has signed off as to its appropriateness.

Committee and staff discussed various aspects of the recommendation. Items discussed included the rationale and calculation of the unrealized loss on investments, the various budgetary issues involved in the December winter weather period as well as the potential for negative budget variances due to the winter weather effect on the 2014 budget.

REPORT

Motion/Second/Carried Kunz/Pollnow to recommend approval of a 2013 transfer of \$185,290 from the Capital Projects Equipment Fund to the General Fund, an amount equal to the 2013 General Fund capital outlay expenditures. All voting aye.

Motion/Second/Carried Pollnow/Kunz to convene in closed session at 8:55 p.m. pursuant to Wis. Stat. Sec. 19.85(1)(g) for the purpose of conferring with legal counsel who will render oral and written legal advice regarding liability issues relating to Claims 14-7 and 14-11, sewage backup claims on Wilderness Court. All voting aye.

Reconvene into open session at 9:35 p.m.

Meeting adjourned at 9:35 p.m.

Respectfully submitted,

Michael K. Easker, CPA
Director of Finance

MINUTES OF THE NEENAH PLAN COMMISSION

Tuesday, April 29, 2014

4:15 p.m.

Present: Mayor George Kaufert, Members Genett, Kaiser, Kunz, Hancock-Cook and Piergrossi.

Also present: Director Haese, Alderpersons Bates, Erickson, Lendrum and members of the public.

Minutes: MSC Kunz, Genett to approve the February 11, 2014 meeting minutes. All voting aye.

Public Appearances: No one wished to address the Commission.

Public Hearing on and Consideration of Ordinance 2014-08 amending the Official Street Map of the City of Neenah removing a street reservation in the Town of Neenah:

The public hearing was opened and closed with no one wishing to speak.

Director Haese provided a brief history on the Official Street Map and its overall purpose. He noted the requested amendment was made by the Town of Neenah in order to accommodate a planned storm water treatment facility.

MSC Piergrossi, Kaiser, the Commission recommends Council approve Ordinance 2014-8 amending the Official Street Map of the City of Neenah removing a street reservation in Section 20 of the Town of Neenah. All voting aye.

Consideration of a Site Plan for 102 N. Lake Street:

Director Haese provided details of the proposed plan to reopen a used car lot on the site. Due to the long-term vacancy of the property, landscaping is required to be installed. It was noted that buffer yard landscaping will not be required due to the lack of space and due to the fact the adjoining residential property is under the same ownership as the parcel in question. It was also recommended that a condition be applied to the approval that would require a staff review of any exterior lighting prior to its use on the site.

The Commission reviewed the plan and identified a concern with the proposed evergreen vegetation at the corner of Lake and Main. Director Haese indicated that he would request a revision to the landscaping plan to adjust the planting to avoid vision issues at the intersection. Director Kaiser noted that a traffic controller box will need to be turned to avoid conflicts with the new vegetation.

MSC Genett, Kunz, the Commission approve the site plan for 102 N. Lake Street to allow a used car lot on the property with the condition that all exterior lighting must be reviewed and approved by staff prior to its use on the site.

Public Hearing on and Consideration of a Special Use Permit at 410 Oak Street, allowing the construction of an entry link building addition onto the Trinity Lutheran School along with minor parking lot modifications:

The public hearing was opened and closed with no one wishing to speak.

Director Haese provided an overview of the proposed 4,000 square foot addition that will provide a new entrance to the school in addition to some office space and an interior connection to the balance of the facility. He further explained that some of the current playground space will be converted to parking, requiring additional landscaping along the east property line, as well as relocation of dumpsters to the south side of the building.

The Commission reviewed and discussed the proposed project including impacts of the proposed project on adjacent traffic flow as well as parking concerns in the area of the school.

MSC Kunz, Piergrossi, the Commission recommends Council approve the Special Use Permit for Trinity Lutheran School, 410 Oak Street, to allow construction of a entry link addition and minor modifications to on-site parking. All voting aye.

Consideration of a site plan for a new parking lot for Galloway Company, 601 S. Commercial Street:

Director Haese reviewed the plans for the proposed parking lot at the corner of S. Commercial Street and Jackson Street. The proposed 98-space lot will have access from both Jackson and Tyler Street. Landscaping, lighting and drainage plans have all been reviewed by staff and are in conformance with the requirements of City code.

Mr. Mark Schnaderbeck, a resident of Jackson Street, expressed his concern that the parking lot would add to traffic congestion on nearby streets.

The Commission discussed the impacts of the project including location, cross walk concerns, and traffic flow changes.

MSC Genett, Piergrossi, the Commission approve the Site Plan for Galloway Company to allow the construction of a new parking lot along S. Commercial Street, between Jackson and Tyler Streets. All voting aye.

Announcements and future agenda items: None.

Adjournment: The Commission adjourned its meeting at 5:05P.M.

Respectfully Submitted,

Chris A. Haese
Director

Neenah-Menasha Fire Rescue
Joint Finance & Personnel Committee Meeting
April 22, 2014 – 5:30 p.m.
3rd Floor Council Chambers – City of Menasha

Present: Ald. Englebert, Ramos, Kunz and Bates.

Excused: Ald. Benner and Taylor.

Also Present: Chief Auxier, Deputy Director Sassman and Office Manager Theisen.

Ald. Ramos called the meeting to order at 5:30 p.m.

Public Forum: No members of the public were present.

Election of Chair: **MSC Bates/Kunz to nominate Ald. Ramos as Chair of Neenah-Menasha Fire Rescue's Joint Finance and Personnel Committee, all voting aye.**

Election of Vice-Chair: **MSC Bates/Ramos to nominate Ald. Englebert as Vice-Chair of Neenah-Menasha Fire Rescue's Joint Finance and Personnel Committee, all voting aye.**

Meeting Minutes: The Committee reviewed the meeting minutes from February 25, 2014. **MSC Englebert/Bates to approve the meeting minutes from February 25, 2014, all voting aye.**

Monthly Budget Report: The Committee reviewed the March 2014 budget report. Ald. Bates questioned the maintenance of motor vehicles account. Chief Auxier explained the issues we've had with our different engines. Some of the mechanical issues are due to the colder than usually weather this winter and some of it is due to the age of the vehicles. Ald. Bates asked for information of all the vehicles in our fleet. Chief Auxier will email this information to everyone. Ald. Bates asked about the Dive Team budget and how it is funded. Chief Auxier explained it is funded with monies raised through fundraising and placed in the trust fund. He noted that there is a budget put together for the dive team to show expenditures. We continue to fundraise for this trust, however, at some point we may not be able to raise more donations and there has been discussions with this Committee that this may need to be funded through our normal budget. He also noted the trust is overseen by the City of Neenah Finance Department. **MSC Bates/Englebert accept the March 2014 monthly budget and place on file, all voting aye.**

Monthly Activity/Automatic Aid Report: The Committee reviewed the March activity and automatic aid reports. Chief Auxier noted while the new MDC and Premier 1 CAD system was installed in all vehicles there was no automatic aid between the two Departments until the new system was installed and up and running. It only lasted a couple of weeks. Ald. Bates questioned the automatic aid reports, how it works for dispatching calls and why both Departments respond to some of the same addresses. Chief Auxier explained the mapping system, AVL, if one engine company is busy, or out of district, the next closest unit will be dispatched and that is why we both go to some of the same areas/addresses. **MSC Englebert/Bates to accept the March activity and automatic reports, and place on file, all voting aye.**

Funding of Liability Claims: Chief Auxier reviewed the discussion history with the previous Committee members and both Cities Finance Directors regarding funding potential future liability claims. Ald. Ramos explained it didn't make sense to try to fund something in the budget, as there are too many variables with deciding upon what amount, etc. Any future claims would be handled by the City of Neenah and after the claim has been processed and finalized, the City of Menasha would reimburse the City of Neenah their portion of the claim as outlined in the cost sharing formula. The previous Committee felt it was important that both Common

Councils recognize any future claims would be handled the same as all other Departments within the Cities. Ald. Bates asked how the funding of premiums was handled for the liability insurance for NMFR's portion. Chief Auxier explained NMFR's entire budget is compiled and then funded by both Cities, per the cost sharing formula. **MSC Bates/Englebert recommend the City of Neenah and City of Menasha Common Councils formally recognize funding for potential future liability claims for Neenah-Menasha Fire Rescue would be processed through the City of Neenah's Liability carrier, and once the claim has been finalized, the City of Menasha would pay their portion of the claim, as outlined in the current cost-sharing formula, all voting aye.**

Discussion of Fiscal Impact of 26 versus 27 pay dates in 2014: This will be postponed for discussion at our May 27, 2014 due to CA Godlewski and Finance Director Easker not being available for this meeting.

Response Calls on Highway 41: Chief Auxier reviewed how calls are currently dispatched on Highway from Breezewood/Bell interchange to County Highway 76. Our Department, Town of Neenah and Town of Vinland Fire Departments have different areas of jurisdiction along this stretch of highway. With the reconstruction of Highway 41 a key turn around area was removed and two lanes of traffic were added. This makes responses in this area difficult to reach, dangerous and can result in a longer response time due to our units having to go all the way down to Highway 76 to turn around and head back in the northbound lanes of traffic to reach any accidents in this area.

Chief Auxier, Chief King (Town of Neenah) and Chief Schmoker (Town of Vinland) all met to discuss the issues all three Departments have when responding to calls and to see if there were any changes they could make to improve response times and make the environment safer for personnel. All three Chiefs have ideas on how to change things. They would also include Winnebago County Dispatch and Sheriff's Department to discuss potential dispatch changes. He noted Mayor Merkes, and former Mayor Scherck, were in support of these discussions. He will update Mayor Kaufert with the discussions and look for his support. The intent of the three Chiefs is to have some kind of formal automatic aid agreement between the three of them for calls and Chief Auxier is looking for support from the Committee before proceeding any further.

Ald. Kunz asked what type of formal agreement would be discussed and would it include compensation for calls that we cover for the townships. He expressed his concern with our two Cities supplementing services both townships are to provide, especially with some of the recent things that have happened between the City of Neenah and the Town of Neenah. He questioned what benefit do we have for picking up the extra calls and having the extra risk associated with equipment breaking, personnel being hurt, etc. Chief Auxier said these are valid concerns and further explained both townships' annual calls in this area are between 5-8 calls per year. Our calls are much higher than the other two Departments and all three Departments have areas that are hard to reach and one of other two departments can get to these areas easier.

Ald. Bates asked about the liability for covering calls. Chief Auxier said in the Winnebago County Mutual Aid Agreement each Department is responsible for covering their own costs associated with equipment and personnel. Ald. Englebert asked how mutual aid works. Chief Auxier explained there is a county-wide mutual aid agreement so all departments can be called if another department needs help. Ald. Englebert asked the language in the agreement, between the three departments be clearly defined on what all three Departments agreed upon.

Chief Auxier confirmed there would be clearly, defined language in the agreement. The Committee supported Chief Auxier moving forward with these discussions.

Public Education Grant: Chief Auxier explained our Department is part of a regional public education committee. Members of this committee also include Green Bay Fire Department, Town of Grand Chute Fire Department and Town of Menasha Fire Department. This committee has been successful with applying for a regional smoke detector grant. The FEMA grant applications opened and all four departments applied for a

regional fire prevention grant. We have asked for monument signs (digit board for the stations) and billboard wraps for public education messages. NMFR's anticipated cost for our portion of the grant match is estimated to be around \$4,000. If we are awarded this grant, we will look at covering our portion of the grant with budgeted department funds. Office Manager Theisen explained there is not a regular time period to apply for these grants. This year we had a very short time period to apply and we never know when decisions will be made for acceptance or rejection of the grants. There have been times we are notified within a couple of months and other times it has taken up to a year. If we are awarded the grant, it will come to this Committee to review, approve and send to council before acceptance of the grant is given to FEMA. The Committee was supportive of applying for the grant and asked to keep them updated of the status. Chief Auxier said he would send information out about the grant.

Painting at Station 31: The Committee reviewed the information for painting Station 31. Two quotes were received and Chief Auxier is recommending approving the quote from Van Eperen. Chief Auxier explained, under the merger agreement, this is a City of Neenah expense. Both Cities are responsible for the costs associated with maintaining the two fire stations within their City. The current lease agreement with Fox Valley Technical College does include maintenance expenses and they will need to pay 1/3 share of this expense. He did notify Jeremy Hanson about the project and they do not have issues with moving forward with the painting. Ald. Kunz asked how the building at Station 31 is designed. Chief Auxier explained the layout and noted this project has been looked at for the past three years, however, due to budget constraints it was deferred. We are now to the point that we cannot put the painting off any longer. Ald. Kunz asked about the future of the building once FVTC vacates the space and that we be pro-active on things that may need to be fixed. Chief Auxier said he has been working with City of Neenah officials for the future of this space; however, FVTC has not given formal notice that they will vacate the building at the end of their lease, which is May 2015. Definite plans for use of the building cannot be made until we receive formal notice. He has also been working with Jeremy Hanson to see find out what items may be left behind once they vacate the property, as we have to obtain costs for possible remediation of the property. The lease does state they have to fix any issues before they vacate their space. Ald. Ramos asked when the building was last painted. Chief Auxier said it's the original paint from when the building was built 20 years ago and Van Eperen was the original painter. He feels confident in their service has their work has held up for the past 20 years. **MSC Bates/Kunz recommends the City of Neenah Common Council approve the painting at Station 31, and accept the bid from Van Eperen Painting. FVTC will pay one-third of the cost, as outlined in their lease agreement, of \$4,539.00, the City of Neenah's will pay \$9,215.00 for a grand total of \$13,754.00, all voting aye.**

Report

Overtime/Staffing Update: Chief Auxier updated the committee on recent FMLA requests, employee injuries and future FMLA requests. Due to this we are currently ahead of usage of our overtime budget compared to last year. Ald. Kunz asked if these leaves would reduce the salaries paid out. Chief Auxier noted it would not as they have the option of using their paid sick and/or vacation accruals it will not reduce the wages the Department pays. The Committee thanked Chief Auxier for the updated.

MSC Englebert/Kunz to adjourn at 6:25 p.m., all voting aye.

Respectfully Submitted,

Al Auxier
Chief

AA/tt



Memorandum

TO: Neenah-Menasha Fire Rescue Joint Finance & Personnel Committee

FROM: Al Auxier, Chief

DATE: March 21, 2014

RE: Exterior Painting of Station 31

I wanted to inform the Committee of our intent to move forward with the painting of Station 31 and FVTC Regional Training Center building. Over the last few years, we have noticed the exterior paint on the building has faded and there are spots on the building where the paint has worn away. Van Eperen Painting, the original company that painted the building, submitted a quote for \$13,754.00. Their quote also noted loose paint at the joints and this quote includes this additional repair. This is a City of Neenah facility and per the merger agreement, the City is responsible for 100% of the costs for this project.

In reviewing the lease agreement between the City of Neenah and Fox Valley Technical College, FVTC, it states that each of the parties shall share all major expenses associated with major replacement or repairs to the building. This would include painting the exterior of the building. I have notified Jeremy Hansen, Associate Dean/Facility Director of Public Safety Training Center for Fox Valley Technical College, of our intent to paint the building. He responded and thanked me for keeping him informed.

The method of cost sharing in the agreement states FVTC will be responsible for 1/3 the cost of all replacement, maintenance or repair of major expenditures. Using the cost sharing formula FVTC would be responsible for approximately \$4,539.00, 1/3 of the total quoted cost of \$13,754.00, to have the exterior of the building painted.

I am asking for your approval and recommendation to the City of Neenah Common Council to approve the painting of Station 31 and FVTC Training Center and approve the quote from Van Eperen Painting for a total of \$13,754.00 with FVTC paying \$4,539.00 (1/3 of the cost) upon completion of the work. This project would be funded from the 2014 City of Neenah CIP budget and the final cost to the City of Neenah would be approximately \$9,215.00.

Thank you for taking time to review this request. If you have any questions or concerns, please feel free to call or email me.

Enclosure



VAN EPEREN PAINTING

a VE Painting, LLC Company

1025 S. LYNNDAL DRIVE - APPLETON, WI 54914

PHONE: 920.734.8711 - FAX: 920.734.2545

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March 20, 2014

Neenah Menasha Fire Department
125 E. Columbian Avenue
Neenah, WI 54956

Attention: Al Auxier

RE: Station#31- 1080 Breezewood Neenah
Exterior block painting

Al,

We will do the following,

1. Water blast the exterior block with a spin nozzle to remove the loose paint.
There is loose paint at the joints.
2. Apply one (1) coat of 100% Acrylic flat white latex paint to the block.
3. Paint the blue stripes and pyramids with one coat of blue paint.

The price for this is \$13,754.00

If we only paint the stripes and pyramids with one (1) coat the price is \$3986.00

Please call with questions or concerns.

Sincerely,

Gary Van Eperen



M.V. KLINGER PAINTING CO., Inc.
PAINTING CONTRACTORS
1910 Harrison Street
Oshkosh, WI 54901
Phone (920) 231-5320
Fax (920) 231-5321

DOUG SMESTAD
920-379-1080 (C)

QUOTATION

April 17, 2014

Chief Al Auxier
Neenah-Menasha Fire Rescue
125 E. Columbian Ave
Neenah, WI 54956
(920) 886-6203

RE: Fire Station No. 31 – Exterior Repaint

Our proposal includes properly preparing all substrates prior to painting to insure coating adhesion and repaint the exterior substrates of Fire Station No. 31.

Preparation:

- Power Wash all substrates to remove chalk, loose coatings and contaminants that may interfere with coating adhesion.
- Grind all joints as needed to remove any loose coatings.
- Protect all areas not to receive coating system.

Application of Coatings:

Previously Painted Split-Face Block

- Apply one (1) coat of high performance masonry primer.
- Apply one (1) coat of high performance elastomeric coating; color to be similar to existing.

Previously Painted Hollow Metal Service Doors (2) and Bollards (10)

- Apply one (1) coat of rust inhibitive metal primer; spot prime only.
- Apply two (2) coat of alkyd DTM Semi-Gloss Enamel; color similar to existing.

BASE BID \$ 24,990.00

Work will be completed during normal business hours in a neat, efficient workmanship like manner with all tools, material, labor and insurance furnished by Klinger.

Sincerely,

Doug Smestad
Business Development Manager
M.V. Klinger Painting Co Inc.
doug@klingerpainting.com
(920) 379-1080



AN ORDINANCE: Public Services and Safety
Committee
Re: Creating Code § 4-65(p) relating to Appeal of a
License Denial and Code Ch. 4, Art. XIV
relating to Escorts and Escort Services License

ORDINANCE NO. 2014-9

Introduced: May 7, 2014

Committee/Commission Action:

RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Section 4-65(p) of the Code of Ordinances of the City of Neenah is created to read as follows:

(p) *Appeal of a Denial.* If the investigating authority denies an application for a license or permit, the City Clerk shall forthwith notify the applicant by mail of the denial and the reason therefore. The notice shall indicate that the applicant may appeal the denial by submitting a letter to the City Clerk requesting a hearing before the Public Services and Safety Committee. The City Clerk shall notify the applicant of the date and time of the review of the applicant's appeal of the denial by the Public Services and Safety Committee and the right of the applicant to appear before the Committee. The Public Services and Safety Committee shall hear any person for or against the granting of the license or permit and shall report its recommendation to the Common Council, which shall grant or deny the license or permit.

Section 2. Chapter 4, Article XIV of the Code of Ordinances of the City of Neenah is created to read as follows:

See Exhibit A Attached Hereto

Section 3. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 4. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: _____

Adopted: _____

Approved: _____

Published: _____

Dean R. Kaufert, Mayor

Attest:

Patricia A. Sturn, City Clerk

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

EXHIBIT A

ARTICLE XIV. ESCORTS AND ESCORT SERVICES

Sec. 4-360. Definitions.

(a) For the purposes of this article, certain terms shall have the meanings ascribed to them in this section, unless the context clearly indicates otherwise.

Escort means any person who, for a fee, commission, salary, hire, profit, payment or other monetary considerations accompanies or offers to accompany another person to or about social affairs, entertainment or places of amusement or consorts with another person about any place of public resort or within any private quarters or agrees to privately model lingerie, perform a striptease or perform in a nude or semi-nude state for another person or persons.

Escort service means service provided by any person who, for a fee, commission, salary, hire, profit, payment or other monetary consideration, furnishes or offers to furnish names of persons who may accompany other persons to or about social affairs, entertainment or places of amusement, or who may consort with others about any place of public resort or within any private quarters or agrees to privately model lingerie, perform a striptease or perform in a nude or semi-nude state for another person or persons.

Operator means any person, partnership, corporation or other organization operating, conducting, maintaining or owning any escort service.

Person means any individual and is also extended and applied to associations, clubs, societies, firms, partnerships and bodies politic and corporate.

Sec. 4-361. Exemptions.

This section does not apply to businesses, agencies and persons licensed by the State of Wisconsin or the City of Neenah pursuant to a specific statute or ordinance, and employees employed by a business so licensed and which performs an escort or an escort service function as a service merely incidental to the primary function of such profession, employment or business and which do not hold themselves out to the public as an escort or an escort service.

Sec. 4-362. License required.

(a) No escort service shall operate or provide service in the City of Neenah without first obtaining an escort service license issued by the City of Neenah.

(b) No person shall escort in the City of Neenah unless employed by an escort service licensed by the City of Neenah and properly registered pursuant to §4-369.

(c) Any person, partnership or corporation that desires to operate or provide services from more than one (1) location must have a license for each location.

(d) No license or interest in a license may be transferred to any person, partnership or corporation.

(e) No person may advertise indicating that an escort service is available in the City of Neenah unless that service possesses a valid license. No escort service may in any manner advertise its services as licensed by the City of Neenah.

(f) Licenses issued under this Article shall require a fee as established by the Common Council.

(g) No escort service shall provide a person with the actual services of an escort at its establishment address except when the escort service has met the standards and requirements of an Adult Establishment under the Neenah Zoning Code, Ch. 26. In addition to regulations under the Zoning Code, Escort Services shall comply with the following conditions:

- (1) Escort services shall not be located within five hundred (500) feet of any residentially zoned property.
- (2) Escort services shall not be located within five hundred (500) feet of a public or private educational institution, place of worship, club, park or playground, non-profit recreational facility, child day care center or hotel/motel.
- (3) Escort services shall not be located within five hundred (500) feet of an establishment licensed to sell or dispense fermented malt beverages or intoxicating liquor.
- (4) Escort services shall not be located within one thousand (1,000) feet of another Escort Service or Adult Establishment.
- (5) No Escort Service shall be open between the hours of 2 a.m. and 8 a.m., Monday through Friday, between the hours of 3 a.m. and 8 a.m. on Saturdays or between the hours of 3 a.m. and 12 noon on Sundays.
- (6) No escort service shall be situated in such a manner as to allow public view of its stock in trade, advertisements, displays, promotional materials, screens, loudspeakers, sound equipment, videos, photographs or other forms of sexually-oriented entertainment shall be shown, seen, heard, discerned or exhibited from outside of the establishment.
- (7) The operator of an escort service shall maintain a register of all employees, showing the name and aliases used by the employee, home address, age, birth date, sex, height, weight, color of hair and eyes, telephone numbers, date of employment and termination. This information on each employee shall be maintained in the register on the premises for a period of three (3) years following termination of the employee and shall be made immediately available for inspection by the Neenah Police Department and/or the Winnebago County Health Department.
- (8) No portion of the exterior of an escort service shall utilize or contain any flashing lights, search lights, spot lights, or any other similar lighting systems, or any words, lettering, photographs, silhouettes, drawings, or pictorial representations of any manner except to the extent specifically permitted pursuant to Ch. 24 of this Code, the Signs ordinance.
- (9) An applicant shall not reside with a person who has been denied a permit by the City to operate an escort service within the preceding twelve (12) months, or shall not reside with a person whose permit to operate an escort service has been revoked within the preceding twelve (12) months.
- (10) An applicant must be eighteen (18) years of age or older.
- (11) Further standards may be established as part of the special use permit process on a case-by-case basis for an escort service.

Sec. 4-363. Application for license.

(a) Any person desiring to secure a license under this article shall make application to the City Clerk.

(b) The application for a license shall be on a form approved by the City Clerk. An applicant for a license (which shall include each partner and limited partner of a partnership applicant, each officer and director of a corporate applicant, each stockholder holding ten percent (10%) or more of the stock or beneficial ownership and every other person who is interested directly in the ownership or operation of the business) shall furnish the following information under oath:

- (1) Name and address, including all aliases;
- (2) Written proof that the individual is at least eighteen (18) years of age;
- (3) All residential addresses of the applicant for the past ten (10) years;
- (4) The business, occupation or employment of the applicant for ten (10) years immediately preceding the date of application;
- (5) Whether the applicant previously operated in this or any other state, county or city under an escort service license or similar business license; whether the applicant has ever had such a license revoked or suspended, the reason therefore and the business entity or trade name under which the applicant operated that was subject to the suspension or revocation;
- (6) All convictions and pending charges of felony, misdemeanor or ordinance violations, except minor traffic violations;
- (7) Fingerprints and photograph registration with the Neenah Police Department;
- (8) The address of the escort service to be operated by the applicant;
- (9) If the applicant is a corporation, the application shall specify the name of the corporation, the date and state of incorporation, the name and address of the registered agent and all officers and directors of the corporation.

(c) Additional information. Each service shall furnish the following information under oath at the time of application:

- (1) The trade name of the escort service. An escort service may operate under only one (1) trade name per license.
- (2) The complete address of the proposed business location with a copy of the deed, lease, or other document pursuant to which the applicant occupies or will occupy, such premises.
- (3) The service's Federal Employer Identification Number.
- (4) A written plan setting forth:
 - a. Description of the nature of the business to be conducted and services to be offered;
 - b. Hours that the service will be open to the public;
 - c. Copies of contracts to be used with escorts and customers.

(d) A receipt from the Finance Department showing payment of the appropriate fee shall be submitted with the application. The amount of the fee shall be on file in the office of the City Clerk.

Sec. 4-364. Standards for license issuance.

(a) To receive a license to operate an escort service, an applicant must meet the following standards:

- (1) If the applicant is an individual:

- a. The applicant shall be at least eighteen (18) years of age;
 - b. Subject to Ch. 111, Wis. Stats., the applicant shall not have been convicted of or pleaded nolo contendere, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;
 - c. The applicant shall not have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;
 - d. The applicant shall not have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.
- (2) If the applicant is a corporation:
- a. All officers, directors and others required to be named under §4-363(b) shall be at least eighteen (18) years of age;
 - b. Subject to Ch. 111, Wis. Stats., no officer, director or other person to be named under §4-363(b) shall have been convicted of or pleaded nolo contendere, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;
 - c. No officer, director or other person required to be named under §4-363(b) shall have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity.
 - d. No officer, director or other person required to be named under §4-363(b) shall have been found to have previously violated this ordinance within five (5) years immediately preceding the date of the application.
- (3) If the applicant is a partnership, joint venture or any other type of organization where two (2) or more persons have a financial interest:
- a. All persons having a financial interest in the partnership, joint venture or other type of organization shall be at least eighteen (18) years of age;
 - b. No persons having a financial interest in the partnership, joint venture or other type of organization shall, subject to Ch. 111, Wis. Stats., have been convicted of or pleaded nolo contendere, or no contest, to a felony or any crime involving moral turpitude, prostitution, obscenity or other crime of a sexual nature in any jurisdiction;
 - c. No persons having a financial interest in the partnership, joint venture or other type of organization shall have been convicted of a felony, misdemeanor or ordinance violation which substantially relates to the licensed activity;
 - d. No person having a financial interest in the partnership, joint venture or other type of organization shall have been found to have violated any provision of this ordinance within five (5) years immediately preceding the date of the application.
- (4) No license shall be issued unless the Neenah Police Department has investigated the applicant's qualifications to be licensed.
- (5) If any charges are currently pending which, if resulting in a conviction, would disqualify the applicant pursuant to subsections (1), (2) or (3) above, the Public Services and Safety Committee may postpone action on the application until such time as the charge is resolved. Should the Public Services and Safety Committee fail to act upon an application within sixty (60) days of the resolution of the charge, the application shall be deemed granted.

Sec. 4-365. Renewal of license.

(a) Every license issued pursuant to this article will terminate on December 31st following its issuance, unless sooner revoked. Application for renewal shall be on a form provided by the City Clerk.

(b) No renewal application will be considered filed in the office of the City Clerk unless it is accompanied by the receipt of the Finance Department showing payment of the appropriate fee. The amount of the renewal fee shall be on file in the office of the City Clerk.

Sec. 4-366. Denial of application.

Whenever an initial application is denied, the duties of the City Clerk and the rights of the applicant shall be as set forth in §4-65(p) of the Neenah Municipal Code.

Sec. 4-367. Suspension, revocation or non-renewal of license.

(a) Any license issued under this article may be suspended for not less than ten (10) days nor more than ninety (90) days, or revoked, pursuant to §4-65(o) of the Neenah Municipal Code. The same provisions shall apply to denial of an application for renewal of a license issued under this article.

(b) Any violation of the requirements of this article shall be grounds for revocation of a license issued under this article.

Sec. 4-368. Responsibilities of the operator.

(a) **Register of Employees or Independent Contractors.** The operator of an escort service shall maintain a register of all employees or independent contractors, showing the name and aliases used by the employee, home address, birth date, sex, telephone numbers, social security number and date of employment and termination. The above information on each employee shall be maintained in the register on the premises for a period of three (3) years following termination.

(b) **Records and reports required.** Every escort and escort service shall:

(1) Provide to each patron a written contract and receipt of payment for services. The contract shall clearly state the type of services to be performed, the length of time such services shall be performed, the total amount of money such services shall cost the patron, and any special terms or conditions relating to the services to be performed.

(2) Maintain a legible written record of each transaction of any escort furnished to or arranged for on behalf of any person or customer. The record shall show the date and hour of each transaction, the name, address and telephone number of the person requesting an escort, and the name of every escort furnished.

(3) The record required by subsections (1) and (2) shall be kept available and open for inspection by the Police Department during business hours.

(c) The operator of an escort service shall make the register of employees, along with any other records required to be maintained under this article, available immediately for inspection by police upon demand of a member of the Neenah Police Department at all reasonable times.

(d) Every act or omission by an employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator if such act or omission occurs either with the authorization, knowledge or approval of the operator, or as a result of the operator's negligent failure to supervise the employee's conduct. The operator shall be punishable for such act or omission in the same manner as if the operator committed the act or caused the omission.

(e) Any act or omission of any employee constituting a violation of the provisions of this ordinance shall be deemed the act or omission of the operator for purposes of determining whether the operator's license shall be revoked, suspended or renewed.

(f) No person shall escort or agree to escort a person under the age of eighteen (18) years.

Sec. 4-369. Registration of employees.

(a) All operators or employees working for any escort service and independent contractors shall, prior to beginning employment or contracted duties, obtain a photo identification card from the City Clerk. Prior to issuance, the person shall provide:

(1) Name, address, birth date, any aliases used, telephone numbers, date of employment and name of employer;

(2) Photographs and fingerprinting with the Neenah Police Department.

(b) Upon registration, the Neenah Police Department will provide to each registered employee or independent contractor an identification card, provided by the City Clerk, containing the employee's or independent contractor's photograph identifying the person as such, which shall be kept available for production upon request.

(c) All identification cards shall expire on December 31st following its issuance.

(d) The applicant shall pay a fee, the amount of which is on file in the office of the City Clerk.

(e) Any escort employed by more than one (1) escort service shall submit a separate registration for each service by which the escort is employed.

Sec. 4-370. Penalties.

Any person found to have violated any provision of this article shall be subject to a forfeiture of not less than two thousand dollars (\$2,000) and not more than five thousand dollars (\$5,000).

Sec. 4-371. Severability.

If any provision of this Article is deemed invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the other provisions of same.



RESOLUTION NO. 2014-10

A RESOLUTION AMENDING THE FEE SCHEDULE OF THE CITY OF NEENAH TO PROVIDE FOR AN ESCORT LICENSE FEE

WHEREAS, by Resolution #7185, the Common Council adopted a uniform fee schedule; and,

WHEREAS, by Ordinance 2014-9, the City of Neenah created a licensing requirement for Escorts and Escort Services as defined in the ordinance; and,

WHEREAS, Ordinance 2014-9 provides that the Common Council establish a fee for these licenses;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 7th day of May 2014, that the uniform fee schedule established by Resolution #7185, as amended, is further amended by adding to the Clerk’s Office Fee Schedule a license fee for Escort License or Registration of \$500 and Escort Services Licenses of \$500. Escort and Escort Service Licenses shall run from July 1 to June 30. Fees not listed remain unchanged.

Recommended by: **Finance and Personnel Committee**

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk



RESOLUTION NO. 2014-11

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$4,685,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Neenah, Winnebago County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of projects included in the City's 2014 Capital Improvement Program (the "Project") and there are insufficient funds on hand to pay said cost;

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, the City has directed Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell its general obligation promissory notes (the "Notes") to pay the cost of the Project;

WHEREAS, Baird, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on May 7, 2014;

WHEREAS, the City Clerk (in consultation with Baird) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. Baird has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the City and Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of FOUR MILLION SIX HUNDRED EIGHTY-FIVE THOUSAND DOLLARS (\$4,685,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the City Treasurer until the closing of the note issue, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$4,685,000; shall be dated May 28, 2014; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2015. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on March 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on March 1, 2021 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2014 through 2023 for the payments due in the years 2015 through 2024 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$4,685,000 General Obligation Promissory Notes, dated May 28, 2014" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The City Treasurer shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of

principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt

status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or City Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded May 7, 2014.

Dean R. Kaufert
Mayor

ATTEST:

Patricia A. Sturn
City Clerk

(SEAL)

EXHIBIT A

Official Notice of Sale

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the
Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the
Resolution.

(See Attached)

EXHIBIT E

(Form of Note)

REGISTERED	UNITED STATES OF AMERICA	DOLLARS
	STATE OF WISCONSIN	
	WINNEBAGO COUNTY	
NO. R-____	CITY OF NEENAH	\$_____
	GENERAL OBLIGATION PROMISSORY NOTE	

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST	
RATE: CUSIP:			
March 1, _____	May 28, 2014	_____%	_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Neenah, Winnebago County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest is payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2015 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding the semi-annual interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$4,685,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of projects included in the City's 2014 Capital Improvement Program, all as authorized by resolutions of the Common Council duly adopted by said governing body at meetings held on March 19, 2014 and May 7, 2014. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Notes maturing on March 1, 2022 and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, 2021 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Neenah, Winnebago County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF NEENAH,
WINNEBAGO COUNTY, WISCONSIN

By:

Dean R. Kaufert
Mayor

(SEAL)

By:

Patricia A. Sturn
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

Recommended by: Finance and Personnel Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk

PETITION FOR DISCONTINUANCE

TO: THE COMMON COUNCIL OF THE CITY OF NEENAH,
WINNEBAGO COUNTY, WISCONSIN.

The undersigned, being the owners of all of the frontage of the lots and lands abutting upon the portion of the streets sought to be discontinued and the owners of more than 1/3 of the frontage of the lots and lands abutting on that portion of the remainder thereof which lies within 2,650 feet of the ends of the portion to be discontinued, hereby petition the City of Neenah for the discontinuance of that portion of Jackson Street legally described as follows:

A part of Jackson Street, located in the Southeast ¼ of the Northeast ¼ of Section 28, Township 20 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin containing 22,576 square feet (0.518 acres) of land and described as follows:

Commencing at the East ¼ corner of said Section 28; Thence N00°12'14"W, 634.65 feet along the East line of the Northeast ¼ of said Section 28; Thence S89°47'46"W, 34.25 feet to the Point of Beginning; Thence S66°31'15"W, 448.40 feet along the Southerly right-of-way line of Jackson Street; Thence N05°21'37"W, 38.71 feet; Thence N23°35'14"W, 13.21 feet to the Northerly right-of-way line of said Jackson Street; Thence N66°31'15"E, 457.85 feet along said Northerly right-of-way line to the West right-of-way line of South Commercial Street; Thence S00°14'43"E, 54.41 feet to the Point of Beginning.

Attached hereto is a map illustrating the portion of Jackson Street sought to be discontinued. Also attached is a copy of the Lis Pendens filed with the Winnebago County Register of Deeds, pursuant to §840.11 Wis. Stats.

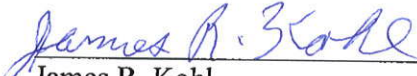
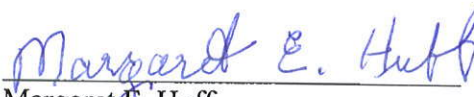

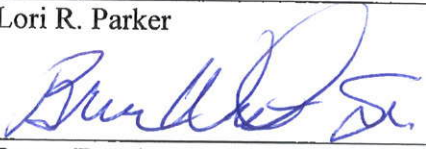
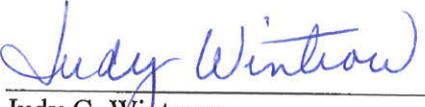
The purpose of the proposed discontinuance is to facilitate the expansion of Galloway Company facilities.

This petition is made pursuant to §66.1003(2) Wis. Stats.

[Signatures on Next Page Following]



Dated this 24 day of April, 2014.

<u>Property Address:</u>	<u>Owner:</u>	<u>Signature:</u>
137 Jackson Street	Mark S. Schnaderbeck & Marilou Schnaderbeck 137 Jackson Street Neenah WI 54956	<hr/> Mark S. Schnaderbeck
		<hr/> Marilou Schnaderbeck
141 Jackson Street	James R. Kohl 141 Jackson Street Neenah WI 54956	<hr/>  James R. Kohl
142 Jackson Street	Matthew Engel & Ann Brownell 616 Grey Avenue Evanston IL 60202	<hr/> Matthew Engel
		<hr/> Ann Brownell
150 Jackson Street	Margaret E. Huff 150 Jackson Street Neenah WI 54956	<hr/>  Margaret E. Huff
151 Jackson Street	Margaret A. Schultz 151 Jackson Street Neenah WI 54956	<hr/>  Margaret A. Schultz
154 Jackson Street	Shalene Gaertner 154 Jackson Street Neenah WI 54956	<hr/> Shalene Gaertner
157 Jackson Street	Lori R. Parker 157 Jackson Street Neenah WI 54956	<hr/> Lori R. Parker
159 Jackson Street	Bruce E. Wintrow, Sr. & Judy C. Wintrow 159 Jackson Street Neenah WI 54956	<hr/>  Bruce E. Wintrow, Sr. <hr/>  Judy C. Wintrow

Dated this _____ day of _____, 2014.

Property Address:

Owner:

Signature:

137 Jackson Street Mark S. Schnaderbeck &
Marilou Schnaderbeck
137 Jackson Street
Neenah WI 54956

Mark S. Schnaderbeck

Marilou Schnaderbeck

141 Jackson Street James R. Kohl
141 Jackson Street
Neenah WI 54956

James R. Kohl

142 Jackson Street Matthew Engel &
Ann Brownell
616 Grey Avenue
Evanston IL 60202

Matthew Engel

Ann Brownell

150 Jackson Street Margaret E. Huff
150 Jackson Street
Neenah WI 54956

Margaret E. Huff

151 Jackson Street Margaret A. Schultz
151 Jackson Street
Neenah WI 54956

Margaret A. Schultz

154 Jackson Street Shalene Gaertner
154 Jackson Street
Neenah WI 54956



Shalene Gaertner

157 Jackson Street Lori R. Parker
157 Jackson Street
Neenah WI 54956



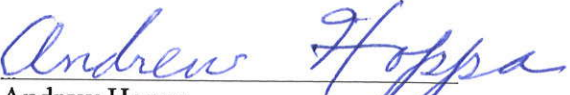
Lori R. Parker

159 Jackson Street Bruce E. Wintrow, Sr. &
Judy C. Wintrow
159 Jackson Street
Neenah WI 54956


Bruce E. Wintrow, Sr.

Judy C. Wintrow

160 Jackson Street Andrew Hoppa &
 Marion L. Hoppa
 160 Jackson Street
 Neenah WI 54956



Andrew Hoppa



Marion L. Hoppa

This instrument drafted by:
Attorney James L. Rudd
Remley & Sensenbrenner, S.C.
219 E Wisconsin Avenue
Neenah WI 54956
920-725-2601
Wis. Bar No. 1016410

160 Jackson Street Andrew Hoppa &
Marion L. Hoppa
160 Jackson Street
Neenah WI 54956

Andrew Hoppa

Marion L. Hoppa

109 Jackson Street
113 Jackson Street
117 Jackson Street
123 Jackson Street
127 Jackson Street
132 Jackson Street
133 Jackson Street
136 Jackson Street
533 S. Commercial Street
601 S. Commercial Street

Galloway Company
601 S Commercial Street
PO Box 609
Neenah WI 54957-0609



Doug Dieterich, President

This instrument drafted by:
Attorney James L. Rudd
Remley & Sensenbrenner, S.C.
219 E Wisconsin Avenue
Neenah WI 54956
920-725-2601
Wis. Bar No. 1016410

STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

<u>Date of Directive</u>	<u>Item</u>	<u>Responsible Party</u>	<u>Status</u>
1/05/2011	Direct the Plan Commission to consider and draft an Ordinance creating a Planned Development Overlay District	Ald. Ramos	Pending
6/15/2011	Re-evaluate the decibel levels for the beer gardens in one year	Ald. Bates	Pending
12/18/2013	Direct the Community Development Department to engage the Parking Task Force, Public Works and Police Dept. and utilize budgeted dollars to hire a consultant to gain an outside and expert opinion to complete the following: Identify current parking dynamics including parking inventory, current agreements, needs, resources, behaviors and expectations and present those findings to the Public Services & Safety Committee prior to March 31, 2014; and utilize the consultant's information to propose a comprehensive parking plan to address current competing needs for customers, employees and residents, developing expectations for all groups based on comparables and best practices, strategies to best utilize the city's resources and solutions to acquire, maintain, and control an adequate parking inventory. In conjunction, propose a comprehensive parking plan to address current demands and encourage future downtown development including: proposed parking sites and facilities; financial implications and solutions; and timelines and stages. Both portions of the comprehensive parking plan will be presented to the Council prior to July 31, 2014.	Ald. Kunz	Pending