

**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING**  
**Tuesday, May 7, 2019 - 6:30 PM**  
**Hauser Room - City Administration Building**

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

**AGENDA**

1. Approval of Minutes of the April 23, 2019, Regular Meeting (Minutes can be found on the City website)
2. Public Appearances
3. Ordinance 2019-3 Amending Art. IV Stormwater Management Services (Attachment)
4. Downtown Traffic Study Phase II Consultant Selection (Attachment)
5. Licenses
  - a. Beverage Operator License Applications (Attachment)
  - b. Temporary "Class B" (Picnic) Beer and Wine License Application (Attachment)
  - c. Outdoor Extension of Premises Application – Barrel 41 Brewery (Attachment)
  - d. 2019-2020 Renewals of Retail Liquor/Beer Licenses (Attachment)
6. Public Works General Construction and Department Activity (Attachment)
7. Announcements / Future Agenda Items
8. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the **Public Works Administrative Assistant at (920)886-6240** or the **City's ADA Coordinator at (920)886-6106** or e-mail **[attorney@ci.Neenah.wi.us](mailto:attorney@ci.Neenah.wi.us)** at least 48 hours prior to the scheduled meeting or event to request an accommodation.

**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES**  
**Tuesday, April 23, 2019 - 6:30 PM**  
**Hauser Room - City Administration Building**

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

**Also Present:** Mayor Kaufert, Director of Public Works Kaiser, Police Chief Olson, Assistant Police Chief Sievert, Police Captain Bernice, Investigator Streubel, Superintendent of Parks Fink, Traffic Engineer Merten, Alex Wenzel

**Minutes:**

**Motion/Second/Carried Lendrum/Stevenson to approve the minutes of the April 9, 2019, Regular Meeting and the April 16, 2019, Organization Meeting. All voting aye.**

**Public Appearances:** None.

**Motion/Second/Carried Lang/Stevenson to amend the agenda to address items:**

**9b - Temporary Class "B" (Picnic) Beer License Application - Greater Fox Cities Habitat for Humanity**

**9c - Temporary "Class B" (Picnic) Beer & Wine License Application - Greater Fox Cities Habitat for Humanity. All voting aye.**

Temporary Class "B" (Picnic) Beer License Application - Greater Fox Cities Area Habitat for Humanity: The Committee reviewed the request for a temporary Class "B" (picnic) beer license application from the Greater Fox Cities Habitat for Humanity for the Lion's Tail Craft Beer Week Festival to be held on May 17, 2019. Alex Wenzel, of Lion's Tail Brewing and applicant representative, addressed the Committee. He noted that the non-profit partner for the event has changed to Greater Fox Cities Habitat for Humanity. Committee discussed the event layout. Chief Olson stated that the police department did not received complaints about this event in 2018. Mr. Wenzel indicated that attendance last year was about 800 to 900.

Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend Council grant a temporary Class "B" (picnic) beer license to the Greater Fox Cities Habitat for Humanity for the Lion's Tail Craft Beer Week Festival to be held at 116 S. Commercial Street on May 17, 2019. All voting aye**

C.A.

Temporary "Class B" (Picnic) Beer & Wine License Application - Greater Fox Cities Area Habitat for Humanity: The Committee reviewed the request for a temporary "Class B" (picnic) beer & wine license application from the Greater Fox Cities Habitat for Humanity for the Lions' Tail Brewing 4th Annual Oktoberfest event to be held on September 20 & 21, 2019. Alex Wenzel, of Lion's Tail Brewing and applicant representative, addressed the Committee. He indicated that attendance for this event was 1500 to 2000 over the two days. At Committee request, Mr. Wenzel indicated that he would provide fundraising figures to Mayor Kaufert upon completion of the events this year.

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C.A.

Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend Council grant a temporary "Class B" (picnic) beer & wine license to the Greater Fox Cities Habitat for Humanity for the Lion's Tail Brewing 4th Annual Oktoberfest to be held at 116 S. Commercial Street on September 20 & 21, 2019.** All voting aye

Request to Purchase Door Access Controls: Assistant Police Chief Sievert reviewed his April 18, 2019, memo requesting approval to purchase electronic door swipe access controllers, hardware and fobs to replace twelve battery operated combination door locks. He stated that it would be the same door access system that is used at city hall. He stated that the plan is to replace all of the secured doors in the building with the exception of the evidence room, under this project. The evidence room will be done as part of the evidence room upgrade. He noted that Information Systems staff would make any coding or access control changes. He expressed satisfaction that they could respond in a timely manner to police administrative staff requests for door or fob programming changes. Committee discussed mapping access control to individual staff positions. Assistant Police Chief Sievert described the current keypad door security and how modifications to the passcodes are handled. He stated that the armory would still be controlled with keypad access. He noted that installation of the electronic door swipe access system is tentatively scheduled for late May. A quote for the work was received from One Source Technologies, Inc. The cost for the conversion work and key fobs is \$19,404.10. The budget for the project is \$20,000.

REPORT

Following further discussion, **Motion/Second/Carried Stevenson/Spellman to recommend Council approve purchase of twelve door swipe access controllers, fobs and all necessary hardware and wiring for a total cost of \$19,404.10 with funds from the 2019 Capital Improvement Fund Budget.** All voting aye.

Vehicle Purchase Change (Parking Enforcement) Vehicle: Police Captain Bernice provided the Committee with updated research findings on the hybrid vehicle purchase request presented at the April 9, 2019, Public Services and Safety Committee meeting. He noted that staff learned that the 2019 Kia Niro, which the Committee had previously approved, had a different battery type from prior year models. The 12-volt standard vehicle battery that assisted with the vehicle's ignition and accessories was replaced with a smaller lithium-ion power pack. The lithium-ion power pack is insufficient to properly power the emergency lights, computer system and radio. He stated that there are no other crossover hybrid vehicles within the desired price range.

Investigator Streubel outlined the methodology used to explore other vehicle options. After evaluating a number of hybrid vehicles in the compact and subcompact class, staff is recommending the purchase of a Hyundai Sonata. He noted that the vehicle's EPA fuel economy is rated at 42 mpg. He noted Hyundai's history in the hybrid vehicle market. Committee discussed the purchase of used vehicles. Investigator Streubel noted that vehicle warranties are null and void for used vehicles that are used for commercial purposes.

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Captain Bernice stated that a purchase quote of \$23,034 had been received from Bergstrom Automotive. He stated that outfitting and LPR transfer costs would keep the cost within the amount previously approved.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to acknowledge the change in parking enforcement vehicle selection and recommend Council authorize the police department to proceed with the purchase of a Hyundai Sonata hybrid to serve as the City's parking enforcement vehicle for a package cost of less than \$32,000, using funds remaining from the purchase of police squads.** All voting aye.

We Energies Easement - Various Park Locations: Superintendent Fink outlined We Energies requests for easements through various parks for underground cable and component placement. The Park and Recreation Commission approved these We Energies easements at their April 18, 2019, meeting. He noted that We Energies will provide a \$6,000 landscape payment - \$1,500 for each of the four VFIs (vacuum fault interrupters) that they need to place in the easements. He stated that We Energies is also making a retroactive payment for VFI installations approved in prior park easements. He noted that most of the buried cable installation will be bored so tree impacts should be minimal. He reviewed the VFI location for Riverside Park.

REPORT

Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend Council approve the We Energies easements for:**

1. **Kimberly Point Park**
2. **Laudan Park**
3. **Quarry Park**
4. **Riverside Park.**
5. **525 Cedar Street (Park Maintenance Building).**

All voting aye.

We Energies Easement Request: Director Kaiser reviewed the electric distribution easement requested by We Energies over a city-owned property connecting Pembroke Drive to Congress Street. He noted that there is sidewalk located on the city property and that the We Energies request will allow them to bury power lines that currently run overhead.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Spellman to recommend Council approve the Distribution Easement - Underground for We Energies work request WR 4103917.** All voting aye.

Storm Water Management Ordinance Revisions: Director Kaiser reviewed the storm water management ordinance revisions outlined in his April 18, 2019, memo. The revisions involve items that needed adjustment or clarification based on practices that have evolved since the ordinance was initially adopted in 2002. Committee discussed several aspects of the proposed changes including the manner in which charges are handled for undeveloped property and policy related to storm sewer credits.

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REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council approve the changes to the Storm Water Management ordinance as outlined and direct the City Attorney to place it in proper ordinance form for Council consideration.** All voting aye.

Special Event Permit:

JDRF One Walk: Committee reviewed the Street Use Permit for the JDRF One Walk to be held on May 18, 2019. Traffic Engineer Merten noted that the event plan is the same as the 2018 event. He noted that the port-a-potties needed on the course will be placed on city property at the Doty Avenue – Park Avenue intersection.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the JDRF One Walk, sponsored by the Juvenile Diabetes Research Foundation, Dana Paschen, 1800 Appleton Road, Ste. 2, Menasha, to be held on May 18, 2019.** All voting aye.

United Way Block Party: Committee reviewed the Street Use Permit for the United Way Block Party to be held on May 22, 2019. Traffic Engineer Merten noted that this is a new event. The event is held in Shattuck Park although the permit will allow the sponsor to block parking on Wisconsin Avenue adjacent to the park for placement of food vendors. He noted that this is a daytime event that will be held on a Wednesday.

C.A.

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the United Way Block Party, sponsored by the United Way, Andrew Konkel, 1455 Midway Road, Menasha, to be held on May 22, 2019.** All voting aye.

Race the Lake: Committee reviewed the Street Use Permit for the Race the Lake to be held on August 25, 2019. Traffic Engineer Merten stated that the event plan is the same as the 2018 event. Committee discussed event charges. Traffic Engineer Merten noted that the event has previously been charged for city services.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Race the Lake, sponsored by Dutrirun Foundation, Ben West, 920 S. Keller Park, Appleton, to be held on August 25, 2019.** All voting aye.

A Very Neenah Christmas: Committee reviewed the Street Use Permit request for the A Very Neenah Christmas event to be held on December 6, 2019, in downtown Neenah. This event is sponsored by Future Neenah. Traffic Engineer Merten noted the benefit of closing Church Street at Wisconsin Avenue for the 2018 event and stated that a similar plan would be followed for the 2019 event. He stated that the event has not previously been charged for city services.

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Traffic Engineer Merten noted that city costs for the event exceed the threshold for charging and requested direction from the Committee on charging the event for services. Committee and the Mayor noted the community nature of the event. They also expressed a concern with unilaterally instituting charges if that has not been our past practice for the event. Mayor Kaufert noted that the event is not a major revenue generator for the sponsor and that he would provide information on the event's costs and revenues for future consideration of the matter.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the A Very Neenah Christmas event, sponsored by Future Neenah, Meredith Manion, 135 W. Wisconsin Avenue, Neenah, to be held on December 6, 2019, and that city services will not be charged to the event.** All voting aye.

**Licenses:**

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Lixin Ni and Hsin-Stieng Tsou.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approve beverage operator license applications for Lixin Ni and Hsin-Stieng Tsou.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 2-18 (Cecil, Adams)
  - a. Adams St – Work is complete.
  - b. Cecil St – Final topsoil and seeding will be done when weather permits. The revised contract completion date for purposes of assessing damages is May 1, 2019.
2. Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early this year. Quantities on the Nature Trail/Eaglecrest work have been finalized with the contractor. Special assessment billings will be sent in September 2019.
3. Contract 1-19 (Caroline, Stevens, Fifth)
  - a. Caroline Street – Work is scheduled to start the week of April 22.
  - b. Stevens Street – Water main and sanitary sewer main have been installed. Services have been installed within the right-of-way.
  - c. Fifth Street – Water main installation is complete. Service installation within the right-of-way will be complete the week of April 22.
4. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
  - a. Stanley Court – Work has not started. Pavement milling is scheduled for the week of April 29.
  - b. Stanley Street – Work has not started. Work has not started. Pavement milling is scheduled for the week of April 29.

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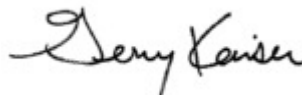
- c. Thomas Court – Water main replacement will be complete early the week of April 22.
6. Contract 3-19 (Epoxy Pavement Marking) – Work is tentatively scheduled for mid-May.
7. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – Bids were opened on April 17. A recommendation is being taken to the Board of Public Works on April 23.
8. Courtney Court – Work has not started.
9. Annual Recycling Report – Staff has prepared the 2018 Annual Report for Recycling Program Accomplishments and Actual Costs for submittal to WDNR. Mayor Kaufert requested a recycling tonnage comparison pre and post automated collection.
10. Downtown Traffic Study – Proposals were received from four firms. Staff is currently evaluating them.
11. GIS/Asset Management System RFP - Water Utility Director Mach has distributed an RFP for a GIS-based Asset Management and Work Order System, which includes a service and pricing alternative for Public Works-related data to be incorporated in the selected solution. Proposals are due at the end of May.
12. Yard waste collection – Weekly collection started the week of April 16.
13. WisDOT traffic counting tubes are in place at a number of locations around the city. This is part of their triennial counting program.
14. Staff has received a request for information from a Pansy Court resident on the process to convert a street from a private street to a public street.

Announcements/Future Agenda Items: Committee directed that a number of items be placed on future agendas:

1. Non-profit designations for special events.
2. Special event cost structure.
3. An update on the Nupark parking management software.

**Motion/Second/Carried Lendrum/Stevenson to adjourn at 8:25 p.m.** All voting aye.

Respectfully submitted,



Gerry Kaiser, PE  
Director of Public Works



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

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

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**DATE:** May 2, 2019  
**TO:** Mayor Kaufert, and Members of the Public Services and Safety Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** Ordinance 2019-03 Amending Article IV Stormwater Management

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Assistant City Attorney Vanden Heuvel has prepared the attached Ordinance 2019-03 amending Article IV – Stormwater Management Services. The ordinance incorporates the changes discussed with Committee at the April 23 meeting.

I am unavailable for the meeting on May 7, so if there are any questions regarding these changes, please let me know prior to the meeting.

The appropriate motion is to recommend Council approve Ordinance 2019-03 amending Article IV – Stormwater Management Services.





AN ORDINANCE: By the Public Services and Safety  
Committee  
Re: Amending Article IV – Stormwater Management  
Services

ORDINANCE NO. 2019-13

Introduced: April 23, 2019

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

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

**Section 1.** Section 17-123 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

*New Construction.* That portion of a post-construction site where impervious surfaces are being created or expanded.

Undeveloped property. The term "undeveloped property" means that which has not been altered from its natural state by the addition of any improvements such as a building, structure, impervious surface, change of grade or landscaping. For new construction, a property shall be considered developed pursuant to [Section 17-127](#). ~~this article:~~

~~(1) Upon issuance of a Certificate of Occupancy, or upon completion of construction or final inspection if no such certificate is issued; or~~

~~(2) Where construction is at least 50 percent complete and construction is halted for a period of three months.~~

**Section 2.** Section 17-125(2) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(2) Rate charges shall be issued to share the costs of the Stormwater Utility. These rate charges ~~may include:~~ **shall be based on the**

~~(a) Base charge (BC). The base charge may be imposed on all property in the city. The base charge will be designed to reflect the fact that all properties benefit from the stormwater management activities of the City and that all property contribute in some way to the stormwater discharge that must be managed by the City. The BC will be designed to collect the administrative costs of the Stormwater Utility and the portion of capital costs not covered by special assessments. The BC may be based on the size of a parcel of property.~~

~~(b) Equivalent runoff unit charge (ERU charge). This charge will may be imposed on all property that has any developed impervious area. The ERU charge will be designed on the~~

basis of a typical residential unit of property. Other units of property will be charged multiples of the ERU based on the impervious area contributing to surface water runoff. The ERU charge is comprised of the following components:

(a) Base Fee - This portion of the ERU fee finances the administration management, billing and other tasks that are required to operate the utility, and which benefit all properties within the City.

(b) Flow Rate Fee - This portion of the ERU fee finances stormwater utility activities related to flow rate through the City's stormwater system from the point of generation to the point of discharge to Lake Winnebago, Little Lake Butte des Morts, the Fox River, and the Neenah Slough.

(c) Volume Fee - This portion of the ERU fee finances stormwater utility activities related to the total volume of water passed through the City's stormwater system from the point of generation to the point of discharge to Lake Winnebago, Little Lake Butte des Morts, the Fox River, and the Neenah Slough.

(d) Quality Fee - This portion of the ERU fee finances stormwater utility activities related to the quality of water passed through the City's stormwater system from the point of generation to the point of discharge to Lake Winnebago, Little Lake Butte des Morts, the Fox River, and the Neenah Slough.

**Section 3.** Section 17-125(3) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

- (3) The Council may make such other rate and customer classifications as will be likely to provide reasonable and fair distribution of the costs of the Stormwater Utility. In so doing, the Council may provide credits against certain of the charges set forth above for facilities installed and maintained by the property owner for the purpose of lessening the stormwater flow or improving the stormwater quality from that given property.

**Section 4.** Section 17-126 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken text and adding the highlighted language to read as follows:

Sec. 17-126. - Customer classification.

(1) For purposes of imposing the stormwater charges, all lots and parcel within the City are classified into the following ~~five~~ customer classes:

(a) Residential—Single-Family, ~~and~~ Manufactured Home, and Condominium.

(b) Residential—Duplex.

(c) ~~Other Residential—Multifamily Units.~~

~~(d) Non-residential.~~

(ed) Undeveloped.

(2) Each property shall be assigned ~~The Director shall prepare a list of lots and parcels within the City and assign~~ a classification as defined herein of residential, non-residential or undeveloped to each lot or parcel.

(3) The average square footage of impervious area of ERU is established to be equivalent to 3,138 square feet.

(4) The charge imposed for Single Family, Manufactured Home and Condominium property units shall be the rate for one (1) ERU.

(54) The charges imposed for ~~D~~duplex residential properties shall be the rate for one-half of one ERU for each individual dwelling unit existing on the property (½ ERU rate multiplied by the number of dwelling units).

(65) The charges imposed for ~~single family, manufactured home, residential-multifamily units and non-residential~~ Other properties as defined herein shall be the rate for one ERU, multiplied by the numerical factor obtained by dividing the total impervious area of a residential multifamily unit and non-residential property by the square footage of one ERU. The factor shall be rounded down to the nearest one-half, i.e.

$$\text{ERU rate} \times \frac{\text{impervious Impervious Area}}{\text{Area of 1 ERU}}$$

(76) Reserved.

(87) The charges imposed for undeveloped properties as defined herein shall be the rate for one ERU multiplied by a factor established by resolution and then divided by the square footage for one ERU established by resolution.

(98) The Director shall be responsible for determining the impervious area based on the best available information, including, but not limited to, data supplied by the City Assessor, the City Building Inspector, aerial photography, the property owner, tenant or developer. The Director may require additional information as necessary to make the determination. The billing amount shall be updated by the Director as appropriate based on the building permit process.

(109) The minimum charges for any non-residential parcel shall be equal to the rate for one (1) ERU.

(114) All unoccupied developed lots and parcels shall be subject to the Stormwater Utility charges.

**Section 5.** Section 17-127 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken text and adding the highlighted language to read as follows:

~~(1) Except for single family units, a property owner shall be responsible for submitting a Stormwater Utility service application at the time a building permit is issued or a site plan review is conducted. The application shall be made on a form prescribed by the city and provided with each application for a building permit or application for site plan review. Failure to submit such Stormwater Utility service application or providing false information on such form shall be a violation of this chapter subject to the penalty as provided in section 1-20 of the Code.~~

~~(2)~~ The owner shall also be liable for stormwater charges, under this article, for the improvement from the date of building permit issuance or the date that construction of the improvement began, whichever is earlier.

**Section 6. 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 7. 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.

Motion: \_\_\_\_\_

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

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

Approved:

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

Attest:

\_\_\_\_\_  
Patricia Sturn, City Clerk



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

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**TO:** Mayor Kaufert and Members of the Public Services & Safety Committee  
**FROM:** James Merten, Traffic Engineer  
**DATE:** May 3, 2019  
**RE:** Downtown Traffic Study Phase II Consultant Selection

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In March, staff solicited a request for proposal (RFP) from 9 engineering firms for a Downtown Traffic Study. The study includes five core projects: (1) the downtown traffic network management plan (circulation study), (2) an intersection control evaluation study for Main & Torrey, (3) a parking ramp site assessment at the Blue Lot, (4) a parking ramp site assessment for the Hewitt Lot, and (5) a roundabout conceptual design for Main and Green Bay. For your reference, I have attached a copy of the RFP sent to the consultants. The amount budgeted for the Phase II study is \$45,000 with a potential of roughly \$18,000 that could be carry-forwarded from the original budget. Listed below are the proposal submittals and cost estimate that were received for Phase 2 of the study:

- WGI - \$41,790
- MSA Professional Services - \$42,848
- OMNNI - \$44,753
- Ayres Associates - \$49,290

Director Kaiser, Director Haese, and myself comprised the team tasked with evaluating the proposals and selecting a consultant for recommendation. The evaluation criteria considered for selecting the consultant include the following:

- the firm's qualifications and experience with traffic network analysis in downtown environments;
- adherence to the proposal requirements described in the RFP;
- the repertoire of the project manager and work team;
- the ability to perform work in a timely manner;
- the quality of the proposal including, particularly the approach/methodology for each project and understanding of the scope & deliverables; and
- the estimated amount of time of each consultant member dedicated for each project.

Staff is awaiting information on a question regarding one of the proposals. Upon receiving the information requested and prior to the Public Services and Safety Committee meeting, staff will provide a recommendation for a selected consultant to enter into an agreement with to perform the study.

# REQUEST FOR PROPOSAL

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## Downtown Neenah Traffic Study Phase II



211 Walnut Street  
Neenah, WI 54956

920.886.6240  
[parking@ci.neenah.wi.us](mailto:parking@ci.neenah.wi.us)



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## Submit Completed Proposals To:

City of Neenah  
 211 Walnut Street  
 Neenah, WI 54956  
 Attention: Traffic Engineer

## Summary

The City of Neenah, Wisconsin is inviting proposals from qualified consultants and is seeking professional services for traffic operations analysis, transportation planning, and preliminary engineering for a series of projects pertaining to the economic vitality of the downtown area.

In 2018, the City of Neenah administered Phase I of the Downtown Neenah Traffic Study, which sought collection of traffic data and identification of issues for further study. The intent of this study is to utilize the information collected from the Phase I study and develop solutions for target areas of concern in a comprehensive and cohesive manner.

## Background

The City of Neenah's nationally recognized downtown offers a variety of shopping and dining choices and also serves as a venue for numerous community festivals and events. In addition, the downtown has experienced exponential growth in office space in the past two decades and is now home to the corporate headquarters for major corporations such as Alta Resources, Inc., Bergstrom Corporation, and Plexus Corporation. While the City's population is approximately 26,000, the daytime population within one mile of the downtown is about 14,000. The recent growth has put observable strain on certain arterial streets during peak travel periods of the day. Traffic in the downtown has become a concern raised among prospective developers and the neighboring hospital, ThedaCare-Neenah, a Level II trauma center. Additionally, downtown Neenah carries pass-through traffic connecting the I41 and WIS441 corridors.

With new development anticipated to occur, particularly on the west side of the downtown, the City desires to proactively develop an action plan to address congestion and safety concerns. The purpose of this study is to build from Phase I of the Downtown Traffic Study, providing analysis and recommendations for addressing key issues that have been identified.



# Scope of Work

## Project 1: Downtown Traffic Network Management Plan

### SUMMARY & OBJECTIVES

Given recent trends of development occurring on the west side of the downtown and concerns regarding existing traffic congestion, the City desires to explore measures which balance traffic flow within the downtown area for the purposes of accommodating future growth, improving safety, and alleviating existing congestion. Specifically, the City seeks to improve route alternatives for Main Street traffic to connect with the WIS114/Commercial Street and Oak Street corridors.

Currently, Main Street traffic generally travels through the downtown center utilizing Wisconsin Avenue, contributing to congestion and safety concerns. This corridor is not only used to access the immediate downtown area, but also to pass through to other destinations.

The primary goal for this project is to develop a comprehensive package of solutions which redistributes Main Street traffic passing through the downtown to reduce the traffic load on Wisconsin Avenue during peak traffic periods, without discouraging downtown destination traffic. This includes:

- Reduce heavy vehicle traffic utilizing Wisconsin Avenue
- Improve pedestrian & driver comfort on Wisconsin Avenue
- Minimize delay along alternate routes and improve access with intersecting major corridors
- Enhance guidance measures to redirect pass-through traffic on a preferred alternate route

### EVALUATION SCENARIO

The Consultant shall analyze existing conditions projected to year 2040. Existing conditions shall be calculated utilizing 2018 Downtown Neenah Traffic Study data (provided by the City) plus a 1% linear growth projection. The target area of study is bounded by Main Street, Wisconsin Avenue, Columbian Avenue/Smith Street/Torrey Street, and Oak Street. [Click here](#) for a map.

## TASKS

1. Evaluate the current street network for barriers that inhibit the use of alternative routes. Recommend specific bypass route(s) to promote pass-through travel to and from Main Street.
2. Identify measures that promote use of the recommended bypass routing and/or discourage use of Wisconsin Avenue by pass-through traffic including but not limited to: signing, pavement markings, intersection control, traffic signal timing, and physical/visual treatments.
3. Evaluate and estimate the impacts of the proposed measures to the surrounding traffic network, including Church Street, Commercial Street, Wisconsin Avenue/Main Street, and Oak Street, where applicable.
4. Assess the feasibility of realigning the Columbian Avenue corridor between Main Street and Church Street to intersect with Millview Drive and Main Street. This includes evaluation of impacts on utilities, developable properties, and the connection with the surrounding street network. Develop a list of the short-term and long-term advantages and disadvantages of a realignment.

## **Project 2: Intersection Control Evaluation – Main Street & Torrey Street**

### SUMMARY & OBJECTIVES

This project consists of evaluating the traffic operation, safety, and feasibility of alternatives for the [Main Street & Torrey Street](#) and [Main Street & Millview Drive](#) intersections. The analyses performed as part of this project shall be in accordance with Wisconsin Department of Transportation (WisDOT) Facilities Development Manual (FDM) §11-25-3.2.2 Phase II Alternative Selection ICE.

The goals for this project are to:

- Accommodate future growth of the downtown, particularly development of adjacent properties, development of Arrowhead Park, and the potential construction of a nearby parking ramp.
- Address safety concerns pertaining to the proximity of the intersections with the Main Street railroad overpass. This includes sight distance/visibility constraints, impacts caused by the changes in grade along Main Street, and driver speed entering into the downtown area from the overpass.
- Provide a solution that synergizes with Project 1 objectives.

## EVALUATION SCENARIOS

1. Base condition - This scenario shall comprise existing conditions plus anticipated future development at adjacent properties in year 2020. Existing conditions shall be calculated utilizing 2018 Downtown Neenah Traffic Study data (provided by the City) plus a 1% annual linear growth projection. Future development estimates will be provided by the City.
2. 20-year projection - Analyses shall assume Scenario 1 (base conditions) projected 20 years assuming a 1% annual linear growth for 2040.

## ALTERNATIVES

1. 3-approach signalized intersection at the existing location of Main St. & Torrey St.
2. 3-approach roundabout at the existing location of Main St. & Torrey St.
3. 4-approach signalized intersection on Main St. incorporating both Torrey St. and Millview Dr.
4. 4-approach roundabout on Main St. incorporating both Torrey St. and Millview Dr.

## TASKS

1. Trip Generation Analysis - Calculate trip generation and distribution estimates utilizing the latest edition of the Institute of Transportation Engineers *Trip Generation Manual* for future adjacent development based on projected land use information provided by the City.
2. Traffic Forecasting - Calculate forecasted traffic volumes for the street approaches for each scenario.
3. Operational Analysis - Each scenario for each alternative shall be studied for the analyses below:
  - a. Level of Service (LOS) Analysis - Use the methodologies outlined in the most recent version of the Highway Capacity Manual (HCM) to conduct the level of service (i.e., capacity) analysis for existing and design year traffic conditions. Refer to FDM 11-5-3 for details on the traffic analysis methodologies and analysis tools to use when conducting the quantitative capacity analysis.
  - b. Queue Impacts - Based on the 95th-percentile back-of-queue length, assess whether the existing and/or future queues will affect the intersection design (e.g., turn bay lengths) and/or alternative selection.

- c. Additional Capacity - Conduct a sensitivity analysis to assess how much additional capacity above the design-year traffic volumes (if any) each traffic control alternative can accommodate. Consider the ability to accommodate 5 to 20 percent additional traffic due to diversion because of an incident on the freeway system (I41 & WIS441).
  - d. Additional Considerations - Identify any other factors that could potentially influence (either positively or negatively) the intersection capacity or operation.
4. Practical Feasibility Assessment - The Consultant shall utilize Evaluation Scenario 2 conditions for two preferred alternatives selected by the City (upon recommendations by the Consultant) for the tasks below:
  - a. Right-of-Way (ROW) Impacts - Determine the amount of right-of-way acquisition required for each alternative. Also determine where driveway access restrictions should be in place for each alternative.
  - b. Utility Impacts - Identify the extent of any additional utility needs or utility relocations required for each alternative. The City will provide information and relocation cost estimates for City-owned utilities.
  - c. Cost Estimate - Provide a summary of the factors that influence the cost estimates (construction costs, operation/maintenance costs and right-of-way/real estate costs).
  - d. Additional Considerations - List any other considerations, such as geometric constraints, truck traffic, or pedestrian/bicycle facilities that influence the practical feasibility of the alternative. Note the implications the Project 1 corridor study may have on the design (e.g., alternative selection, design vehicle, lane configuration, etc.). Additionally, identify if there are any major historical, archeological, hazardous materials or other environmental or unique impacts that effect the practical feasibility of the alternative.
5. Design Layout - Provide a 30% design for the two Evaluation Scenario 2 preferred alternatives selected by the City. The city will provide construction plans of the Main Street corridor and City CAD drawings.
6. Recommendation - Provide a recommendation of the best alternative, considering traffic operations, assessments on safety, and alignment with the goals of the downtown traffic network management plan.

## Project 3: Parking Ramp Site Assessment – Blue Lot

### SUMMARY & OBJECTIVES

The Blue Lot, located at [214 S. Church Street](#), has been identified as a potential site to construct a parking ramp. As a parking ramp location, this site would primarily serve current parking users along with new development on the west side of the downtown. The goal of this project is to determine traffic impacts that would result from a parking ramp located on the site and derive solutions to mitigate said impacts.

### EVALUATION SCENARIO

The Consultant shall analyze existing conditions projected to year 2040. Existing conditions shall be calculated utilizing 2018 Downtown Neenah Traffic Study data (provided by the City) plus a 1% annual linear growth projection. The ramp capacity to be used for analyses will be provided by the City.

### TASKS

1. Design Layout - Provide a preliminary layout (footprint) for a parking ramp which maximizes cost efficient design and construction practices.
2. Trip Generation Analysis - Determine the most suitable access points to/from the proposed parking ramp and develop a corresponding traffic distribution estimate at peak traffic periods.
3. Traffic Impact Analysis - Estimate the magnitude of traffic impacts on the adjacent street network.
4. Recommendation - Identify infrastructure improvements necessary (if any) to accommodate the traffic generated from the parking ramp.

## Project 4: Parking Ramp Site Assessment – Hewitt Lot

### SUMMARY & OBJECTIVES

The Hewitt Peninsula Lot, located at [125 N. Commercial Street](#), has been identified as a potential site to construct a parking ramp. As a parking ramp location, this site would serve the businesses immediately adjacent to the site, thereby providing availability in other parking locations throughout the downtown area. The goal of this project is to determine traffic impacts that would result from a parking ramp located on the site and derive solutions to mitigate said impacts.

It is anticipated that installation of a traffic signal on Commercial Street would be required to accommodate flow in and out of the ramp during peak traffic periods. It is also recognized that a secondary access point connecting the site to the Neenah Centers parking lot may be necessary. The assessment of this site for a potential parking ramp shall explore these considerations as part of the project.

### EVALUATION SCENARIO

The Consultant shall analyze existing conditions projected to year 2040. Existing conditions shall be calculated utilizing 2018 Downtown Neenah Traffic Study data (provided by the City) plus a 1% annual linear growth projection. The ramp capacity to be used for analyses will be provided by the City.

### TASKS

1. Design Layout - Provide a preliminary layout (footprint) for a parking ramp which maximizes cost efficient design and construction practices.
2. Trip Generation Analysis - Provide a traffic distribution estimate for peak traffic periods.
3. Traffic Impact Analysis - Estimate the magnitude of traffic impacts on the adjacent street network. Model the impact of a traffic signal at Commercial Street, if necessary.
4. Recommendation - Identify infrastructure improvements necessary to accommodate the traffic generated from the parking ramp.

## **Project 5: Roundabout Conceptual Design – Main Street & Green Bay Road**

### SUMMARY & OBJECTIVES

The City has identified the signalized intersection of [Main Street and Green Bay Road](#) as a candidate for a roundabout. The operation of this intersection is heavily influenced by right-of-way constraints and the proximity and access to/from the I41 corridor.

Currently, the traffic signals are programmed for split phasing with protected turn movements to accommodate unbalanced flow movements and to achieve better lane utilization. When under peak volume conditions, this creates an undesirable overall level of service generated from long time-in-queue delay. In

addition, the intersection periodically experiences significant instability when incidents arise on the highway system or during equipment malfunction.

While it is the City's position that the traffic signal operations currently remain serviceable, the City takes interest in reserving right-of-way to accommodate future expansion of the intersection.

### EVALUATION SCENARIO

Design criteria for this project shall consider future year 2040 traffic volumes while maintaining a level of service D or better for peak hour operating conditions. The Consultant shall utilize 2018 Downtown Neenah Traffic Study data (provided by the City) and include a 1% annual linear growth projection.

### TASK

Develop a WisDOT FDM 30% conceptual roundabout design for the purposes of establishing right-of-way reservations.

## **Services & Deliverables**

### PRESENTATION & MEETINGS

The Consultant shall host a minimum of three (3) meetings with the staff steering committee: one kickoff meeting, one interim progress meeting, and one pre-final report meeting.

The Consultant shall provide one (1) public meeting presenting the findings of the report to the members of the Neenah Public Services & Safety Committee.

### FINAL REPORT

A final report shall be provided conveying the methodology, data collected and utilized, and recommendations for each task in the scope of work. The final report shall be furnished on paper and in an Adobe Portable Document Format (PDF) format.

### SUPPORTING DOCUMENTS

In all cases where an electronic document or database has been created to develop the study, the Consultant shall provide a copy of such file in native electronic form. The City presently uses Microsoft Excel and Word and requires documents created to be translated into formats readable by those programs.

After final report preparation and presentation, all work papers used in the development of the study shall become the property of the City of Neenah and shall be delivered to the Public Works Director of the City. If electronic versions of the information exist, it shall be provided to the City in electronic form.

### INFORMATION TO BE SUPPLIED BY THE CITY

The City shall provide existing traffic information for the study area, as available including:

- Intersection traffic counts
- Pneumatic tube traffic counts
- Traffic crash reports for the sections of Main Street, Commercial Street and Oak Street within the study area
- Mapping of the study area in a DWG file format to include the following layers:
  - parcel lines
  - right-of-way lines
  - pavement edge
  - road centerline
  - sidewalk edge
  - building footprint
  - parking lot
  - basic hydrology
  - contour lines
  - utilities (sanitary sewer, storm sewer, water - mains, manholes, valves, hydrants)
  - street names
  - address numbers
  - parcel dimensions
- Traffic signal timing plans for the following intersections:
  - Winneconne Avenue/Commercial Street
  - Commercial Street/Columbian Avenue
  - Commercial Street/Wisconsin Avenue
  - Commercial Street/Forest Avenue
  - Wisconsin Avenue/Church Street
  - Wisconsin Avenue/Oak Street
- Existing and planned development impacting the study area
- [Public Transit Routes](#)
- [2016 Downtown Commuter Traffic Survey](#)
- [2018 Downtown Traffic Study, Phase I](#)



# Proposal Terms & Conditions

## REQUIREMENTS

Each proposal shall follow the format described herein:

1. Transmittal Letter. The letter must include the name, title, address, and phone number of the primary contact.
2. Statement of Qualifications.
  - a. Qualification summary of the company
  - b. Qualification summary of and list of the staff intended for the project
  - c. Description of similar projects
3. References. Descriptions of up to three similar assignments completed by the project manager. Include the name of the client, contact person, and telephone number.
4. Project Approach. Provide a scope of work and a list of tasks.
5. Additions or Modifications. This section shall include any proposed amendments to the scope of work included in this request.
6. Proposed Schedule. The proposed schedule should include benchmarks for completions of tasks.
7. Fee Proposal. Proposed consultant fees for this project must be submitted in a spreadsheet format in a sealed envelope marked "Fee-Structure - Do Not Open." The fee structure shall reflect the total not to exceed estimated fee for all services listed in the proposal. Proposed resources for each individual project outlined in the scope of work must be identified, including hours and wage rates for consultants and sub consultants. Elements that will be evaluated include:
  - a. Availability of resources from the consultant and sub consultant(s) for the project.
  - b. Estimated hours and fees to complete individual work elements.
  - c. Estimated total fee for the project based on hourly rates, including a not-to exceed cap.
  - d. List of reimbursable expenses and detailed costs of such.

The Consultant shall not assign the contract or subcontract any portion of the work without the written consent of the City of Neenah, nor shall the firm assign any monies due or to become due to them hereunder, without previous consent of the City.

Only complete responses will be considered. Responses shall be provided in a sealed envelope marked "City of Neenah - Downtown Traffic Study Phase II." A total of one (1) electronic copy and three (3) printed copies of the responses along with one (1) copy of the proposal cost estimate in a separate, sealed envelope shall be received by 12:00 noon on Wednesday, April 17, 2019, delivered by mail or in person to:

City of Neenah  
211 Walnut Street  
Neenah, WI 54956  
Attention: Traffic Engineer

Electronic copies may be emailed to [jmerten@ci.neenah.wi.us](mailto:jmerten@ci.neenah.wi.us).

### SELECTION & AWARD

Staff will evaluate the proposals. If there is no clear choice, a short list of consultants will be invited for an interview. The proposals and oral interview results shall be the basis of selection. The selection criteria are as follows:

- Consulting firms that are the most qualified and experienced in the area of network traffic analysis.
- Adherence to the proposal requirements described in this RFP.
- The experience of the project manager and work team.
- The ability to perform work in a timely manner.
- The quality of the proposal.
- The quality of the interviews, if necessary.

Award will be made by the Neenah Common Council. The Neenah Common Council reserves the right to accept or reject any or all proposals, to waive any irregularities, informalities or defects in the proposals, to accept any proposal in whole or in part which it shall deem to be in the best interest of the City of Neenah.

### CANCELLATION

This RFP may be cancelled or any or all bids or proposals may be rejected in whole or in part. Proposals that do not comply with all criteria set forth in this RFP are subject to disqualification. Late responses will not be considered.

## SCHEDULE

|                                  |                        |
|----------------------------------|------------------------|
| RFP Issued                       | March 28, 2019         |
| RFP Responses Due                | April 17, 2019         |
| City Evaluation/Vendor Interview | April 18 - May 3, 2019 |
| Council Consideration & Approval | May 15, 2019           |

## PAYMENT

The City will develop a payment schedule based upon important milestones being accomplished. This payment schedule will be negotiated with the selected consultant.

## CONTACT

If further information is required, please contact:

James Merten, Traffic Engineer  
Email: [jmerten@ci.neenah.wi.us](mailto:jmerten@ci.neenah.wi.us)  
Phone: 920-886-6243

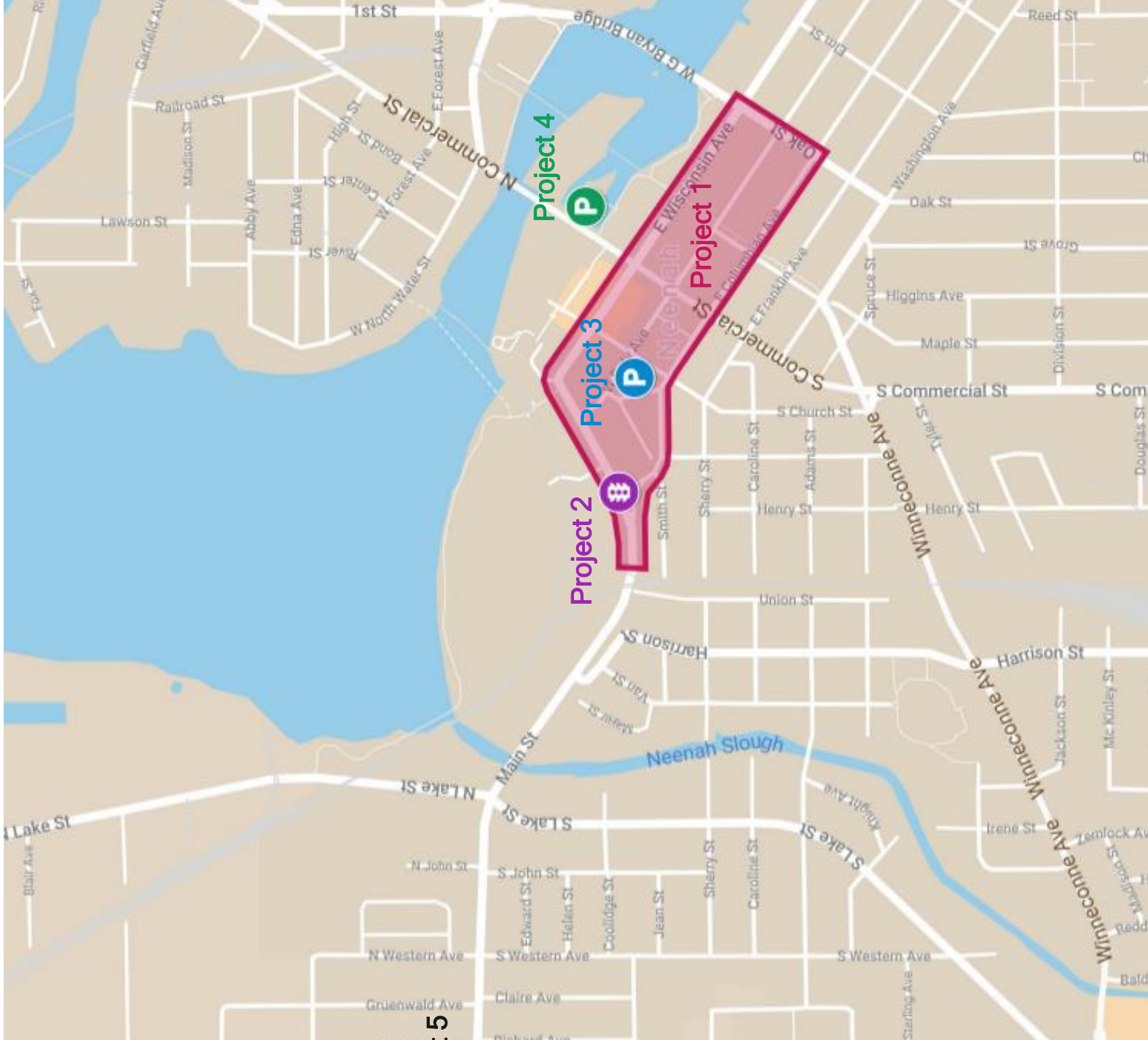
Gerry Kaiser, Public Works Director  
Email: [gkaiser@ci.neenah.wi.us](mailto:gkaiser@ci.neenah.wi.us)  
Phone: 920-886-6241

Chris Haese, Community Development Director  
Email: [chaese@ci.neenah.wi.us](mailto:chaese@ci.neenah.wi.us)  
Phone: 920-886-6127

Please note that written clarifications from questions regarding this RFP will be distributed to all Consultants solicited.

# Projects

For an interactive map of the projects shown below.



# Public Services & Safety Committee May 7, 2019

## BEVERAGE OPERATOR LICENSE APPLICATIONS:

| <b>New or Renewal</b> | <b>Last Name, First, M.I.</b> | <b>Municipality</b> | <b>Place of Business</b> |
|-----------------------|-------------------------------|---------------------|--------------------------|
| New                   | Alvarez, Andrea M.            | Neenah              | Sherrytown Station       |
| New                   | Anderson, Samantha C.         | Neenah              | Cranky Pat's Pizza       |
| New                   | Austin, Jessica A.            | Neenah              | C&C Tavern               |
| New                   | Fischer, Elizabeth D.         | Hobart              | Lion's Tail Brewing Co.  |
| Renewal               | Gadicke, Ruth A.              | Neenah              | C & C Tavern             |
| New                   | Martzahl, Morgan M.           | Menasha             | Cedar Bar & Grill        |

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

| <b>Applicant</b>        | <b>Name of Event</b>         | <b>Beer &amp; Wine</b> | <b>Location</b>      | <b>Date(s) of Event</b> |
|-------------------------|------------------------------|------------------------|----------------------|-------------------------|
| Bergstrom Mahler Museum | 60 <sup>th</sup> Anniversary | Beer & Wine            | 165 N South Park Ave | June 1, 2019            |

## OUTDOOR EXTENSION OF PREMISES:

| <b>Applicant</b>  | <b>Trade Name</b> | <b>Address of Business</b> | <b>Type of License</b>                   |
|-------------------|-------------------|----------------------------|--|
| Barrel 41 Brewery | Barrel 41 Brewery | 1132 S. Commercial St      | Brewery – Licensed by State of Wisconsin |

## RENEWAL OF RETAIL LIQUOR/BEER LICENSE APPLICATIONS:

|                          |
|--------------------------|
| See Exhibit "A" Attached |
|--------------------------|

Pd. \$10  
#22270

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

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

FEE \$ 10.00

Application Date: 4-17-19

Town  Village  City of Neenah County of Winnebago

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

- A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats
- A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stat.

at the premise described below during a special event beginning 6/1/2019 and ending 6/1/2019 and agrees to comply with all law, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

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

(a) Name Bergstrom-Mahler Museum

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

(c) Date organized 4/5/1959

(d) If corporation, give date of incorporation 9/22/1954

(e) Names and addresses of all officers: Executive Director: Jan Smith, 9251 Bomar Ave., Neenah, WI 54956  
 President Mike Van Asten, 800 Eisenhower Dr., Kimberly, WI 54136  
 Vice President Michael Meilahn, N9268 Cty. Rd M, Pickett, WI 54964  
 Secretary Catherine Holecko, 591 E. Wisconsin Ave., Neenah, WI 54956  
 Treasurer Walt Koskinen, 1135 Glenayre Dr., Neenah, WI 54956

(f) Name and address of manager of person in charge of affair  
Kelly Stoll 104 Broad St. Menasha, WI 54952

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

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

(b) Lot 8 & 1/2 of 9 Block A

(c) Do premises occupy all or part of building? all

(d) If part of building, describe fully all premises covered under this application, which floor or floors, room or rooms, license is to cover:

## 3. NAME OF EVENT

(a) List name of the event Fundraiser (Event title TBD)

(b) Dates of event 6/1/2019

## DECLARATION

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

Officer [Signature] 4/17/2019 Officer Bergstrom-Mahler Museum  
 (Signature/Date) (Name of Organization)

Officer \_\_\_\_\_ Officer \_\_\_\_\_  
 (Signature/Date) (Signature/Date)

Date Copied to Assistant Chief Sievert: \_\_\_\_\_

Date Filed with Clerk: 4-17-19

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

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

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



Dept. of Legal & Administrative Services  
Office of the City Clerk  
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426  
Phone 920-886-6100 • Fax 920-886-6109  
e-mail shatala@ci.neenah.wi.us  
LAURIE GOFFARD  
DEPUTY CLERK

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## MEMORANDUM

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**DATE:** May 7, 2019  
**TO:** Chairman Marge Bates and the members of the  
Public Services & Safety Committee  
**FROM:** Laurie Goffard, Deputy Clerk  
**RE:** **Barrel 41 Brewery Outdoor Extension Application**

---

We have received an application from Barrel 41 Brewery for an Outdoor Extension of their premise. They have paid the site plan review fee of \$125.00. Deputy Director Schmidt from Community Development has been provided with a copy of the application. Deputy Director Schmidt will be completing a site plan review and will be providing a memo to the Committee with his site plan review results. He has informed our office that this agenda item will not be required to go the next Plan Commission meeting.

Thank you.

## MEMORANDUM

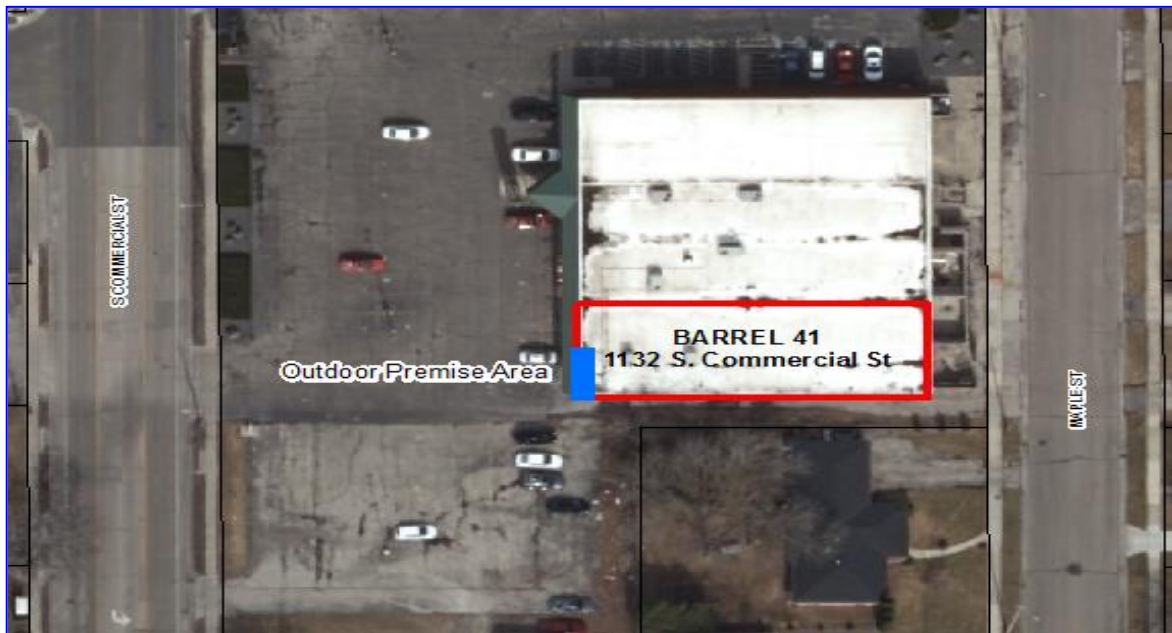
**DATE:** May 3, 2019  
**TO:** Public Services and Safety Committee  
**FROM:** Brad Schmidt, Deputy Director of Community Development  
**RE:** Site Plan for Outdoor Patio, Barrel 41 Brewing Company LLC, 1132 S. Commercial St.

### Background

The Department of Community Development has received a request from Barrel 41 Brewing Company LLC for Site Plan Approval to allow for a Beer Garden to serve Barrel 41 patrons. The subject site is located on 1132 S. Commercial Street.

### Consideration

The owners propose to use their existing patio surface along the front of the building to install an outdoor area where beer can be served. The area is approximately 5' long by 22' wide. The property is zoned C-1, General Commercial District. Within the outdoor premise area there will be 4 tables with 2 chairs per table. The City's Municipal Code Sec. 4-106 requires a minimum 3-foot tall decorative fence around the proposed outdoor premise area. Details of the fence have not been submitted as part of this proposal.





**Recommendation**

Appropriate action at this time is to approve the Site Plan for the Outdoor Patio at 1132 S. Commercial Street (Barrel 41 Brewery) with the following conditions:

1. All requirements in Municipal Code Sec. 4-106 (Outdoor service/beer gardens) must be followed.
2. The proposed fence must be at least 3 feet in height.
3. The applicant must provide information on the fence materials being used.
4. Obtain all necessary building permits prior to construction.



Seating

Pd. \$125  
#25009

**CITY OF NEENAH**  
**Application for Outdoor Extension of Retail "Class B", Class "B"**  
**and/or "Class C" License**

Individual     Partnership     Corporation     Limited Liability Company

Name: Barrel 41 Brewing Company LLC  
(Individuals/Partners/Registered Name of Corporation/LLC)

If Partnership, Corporation or LLC, list names and addresses of all members:

See Attached

Address of premise for which this outdoor extension is being applied for: 1132 S. Commercial St. Neenah, WI 54956

Trade Name: Barrel 41 Brewing Co.

Business Phone: 920-585-9260 (Matt)

**Is the Outdoor Area sought to be included within the description of your "Class B", Class "B" and/or "Class C" premise:**

- Within a C-1 General Commercial, C-2 Central Business, PDD Planned Development and I-1 Planned Business Center zoning district?  Yes  No  
*(If no, the premise does not qualify for an outdoor extension)*
- Located within 150 feet of a property zoned R-1 or R-2 for residential use?  Yes  No  
If no, skip to the next question.  
If yes, does the property provide a 20-foot buffer between Outdoor Premises and the adjoining lot containing the residential use?  Yes  No  
If yes, is there a privacy fence six feet in height separating the commercial property from the residential property?  Yes  No  
*(If either of the above questions are no, then the premise does not qualify for an outdoor extension)*
- If the property does not adjoin property for residential purposes and is located other than in the front yard, is it completely surrounded by an attractive wall, fence, or barrier at least four feet in height?  
 Yes     No     N/A *(If no, the premise does not qualify for an outdoor extension)*
- If the outdoor premise is located in the front yard, is it completely surrounded by an attractive wall or fence with a minimum height of three (3) feet and approved by the City of Neenah Community Development Department.  
 Yes     No     N/A *(If no, the premise does not qualify for an outdoor extension)*

- Does any opening where persons may pass from the outdoor area to an unlicensed area contain signs indicating that open intoxicants are prohibited beyond the licensed premises?  
 Yes  No *Signs will be posted*  
(If no, the premise does not qualify for an outdoor extension)  
Are signs posted towards the area outside of the licensed outdoor area indicating that persons under age 21 are not permitted without legal guardian at least 21 years of age?  
 Yes  No (If no, the premise does not qualify for an outdoor extension)
- Is the extension obstructing the public right-of-way? (i.e. sidewalk)  Yes  No  
(If yes, an application for a sidewalk café must be filed concurrently with this application.  
(Approval of this application and the sidewalk café application are contingent upon one another) *Private Sidewalk*
- Does this application include a scaled site plan of entire property with dimensions and setbacks for the outdoor area sought to be included within the description of the licensed premise?  Yes  No  
Has the \$125 Site Plan Review Fee been paid?  Yes  No  
(If no, the premise does not qualify for an outdoor extension)

Approval by the Common Council under Section 4-106 of the Code of Ordinances of the City of Neenah shall result in the outdoor area becoming a part of the description of the Premises, with said outdoor area also being subject to all State and City laws, rules, regulations, and lawful orders governing "Class B", Class "B" and/or "Class C" Premises.

What type of activity is planned for the outdoor area? *outdoor seating*

**Outdoor Area Uses:** The outdoor premises shall only be used for serving food & alcohol and for smoking purposes. No part of said area shall be used for recreational activities, including, but not limited to, volleyball, horseshoes, darts, and softball. Service in the outdoor premises shall be limited to persons seated at tables. Number of Tables: *4*

**Temporary Wind Break:** Between December 1 and March 31, windbreaks consisting of a minimum 3/16 inch thick clear acrylic material meeting all local and state codes and referenced standards may be installed on the perimeter of the outdoor premises. The Temporary Wind Break shall comply with the requirements of Wis. Stat. §101.123 so that the outdoor premise does not become an enclosed place as defined in Wis. Stat. §101.123(1)(ak) when the Temporary Wind Break is installed. No obstructions of any kind may be posted on the clear acrylic material.

**Music Prohibited:** Amplified sound from any source is prohibited within 150' of residential property.

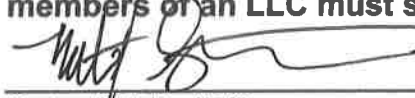
**Sound:** Sound from any source that is emitted from the outdoor area and measured at any border of the real property on which the licensed premises is located shall not exceed 75 db from 7 a.m. to 9 p.m. and 65 db from 9 p.m. until closing. Three or more noise complaints filed against the owner of an Outdoor Premise during a license period (July 1 to June 30), and verified by the Neenah Police Department, shall constitute sufficient grounds to revoke the Outdoor Premises

Permit granted under this section, subject to a hearing requirement under section 4-96 of the Municipal Code.

**Lighting:** Lighting of the area must be shielded and not be of intensity or brilliance to create glare which is distracting to adjoining property owners or can become a hazard or danger to vehicular traffic.

**Closing Hours:** All service in the outdoor premises (beverage and food) shall stop no later than bar closing as set by §125.32(3) and 125.68(4): Mon-Fri 2 a.m. and Sat-Sun 2:30 a.m.

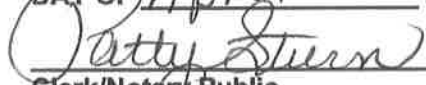
**READ CAREFULLY BEFORE SIGNING:** Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge. Applicant acknowledges receiving a copy of Ordinance No. 2011-08 and agrees to comply with its terms and conditions should this application be approved. (Individual applicants, each member of a partnership, officers of a corporation and members of an LLC must sign)

  
Matt Stubing  
(Partner/Individual/Officer of a Corporation, Member of an LLC)

  
Nathan Sharpless  
(Partner/Officer of a Corporation/Member of an LLC)


(Additional Partner/Officer of a Corporation/Member of an LLC)

SUBSCRIBED AND SWORN TO BEFORE ME THIS 30<sup>th</sup>  
DAY OF April, 2019.

  
Clerk/Notary Public  
My Commission Expires:

**TO BE COMPLETED BY CLERK**

Date Received: 4-30-2019

Clerk Signature: 

Date \$125 Site Plan Fee Paid: 4-30-19 Account No. 010-0000-534-11-00

Receipt No: 25009

Date to Plan Commission: \_\_\_\_\_  Granted  Denied

Date to Public Services & Safety Committee: 5-7-19  Granted  Denied

Date to Council: 5-15-19  Granted  Denied

License No. Issued: \_\_\_\_\_ Date: \_\_\_\_\_

**Note: License will not be issued until final inspections are complete.**

## Barrel 41 Brewing Company LLC Members

Lance Goodman  
2319 Marathon Ave.  
Neenah, Wi 54956

Nathan Sharpless  
821 N Lake Street  
Neenah, Wi 54956

Matthew Stubing  
131 Old Orchard Ln.  
Neenah, Wi 54956

Jonathan Goodman  
4543 Perry Avenue  
Robinsdale, Mn 55422

Nicole Goodman  
2319 Marathon Ave.  
Neenah, Wi 54956

Jake Wolf  
306 N Blair St. Apt. 201  
Madison, WI 53703

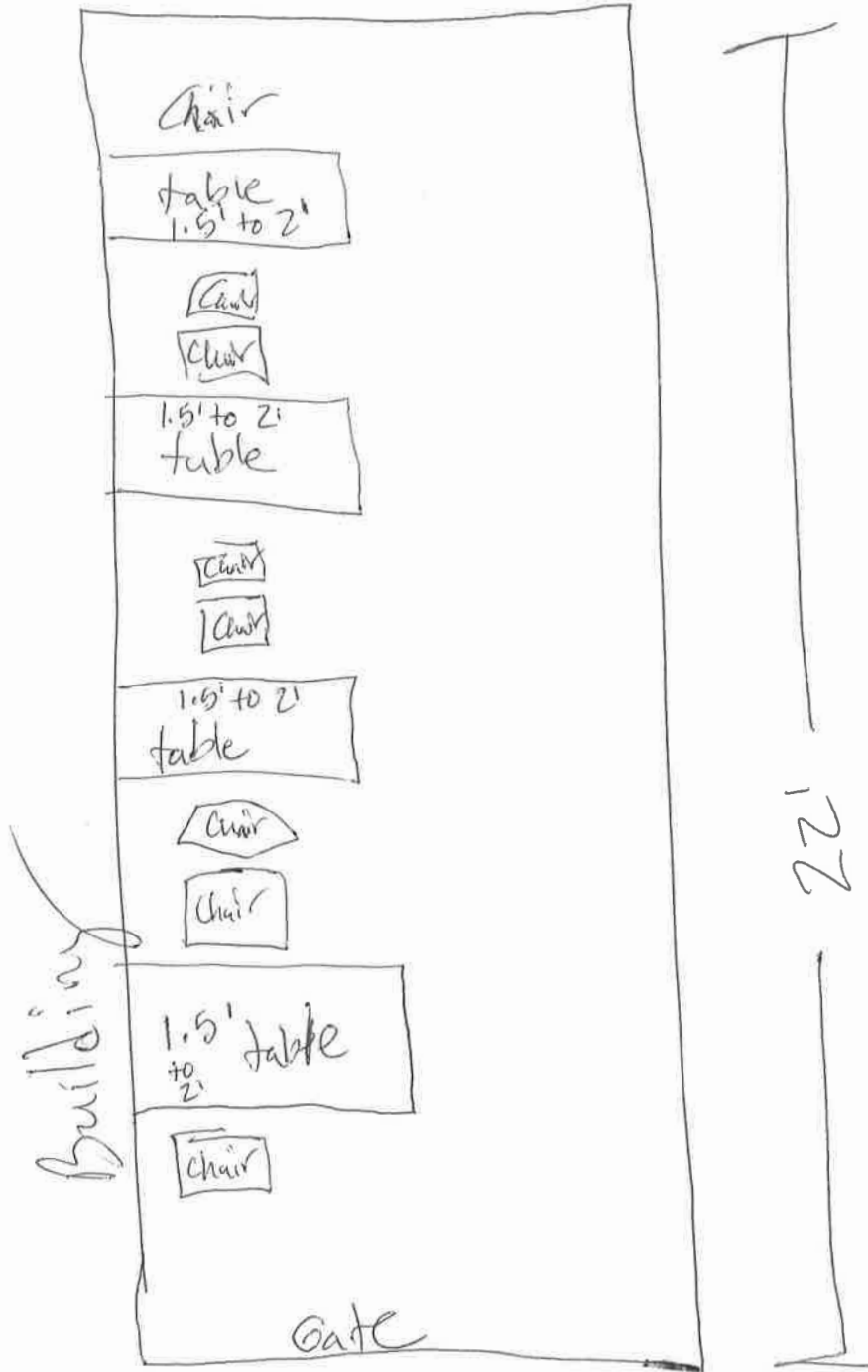
Tyler Ellisen  
503 Clark Street  
Neenah, Wi 54956

Daniel Kraus  
124 Wenban Ave.  
Neenah, Wi 54956

Tilman O Moe, Jr.  
2409 Marathon Ave.  
Neenah, Wi 54956

Ann Moe  
2409 Marathon Ave.  
Neenah, Wi 54956





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## MEMORANDUM

**DATE:** May 7, 2019  
**TO:** Chairman Marge Bates and the members of the  
Public Services & Safety Committee  
**FROM:** Laurie Goffard, Deputy Clerk  
**RE:** “Class B” and “Class A” Liquor License Renewals

Under the provisions of Municipal Code Section 4-1(a) licenses cannot be issued if the applicant has any taxes, assessments or other claims owed the City or if the applicant owes any forfeiture resulting from a violation of any City ordinance. I have been informed of the following payments owed to the city.

### DELINQUENT WATER BILLS

|                          |                                |
|--------------------------|--------------------------------|
| Applebee's               | \$1,747.30                     |
| Broken Tree Pizza        | \$1,385.83                     |
| C&C Tavern               | \$365.85                       |
| Cannova's Pizza          | \$3,202.03                     |
| Classic Lanes            | <b>\$20.47 Late fees only</b>  |
| Cranky Pat's Pizza       | <b>\$14.02 Late fees only</b>  |
| Doubletree by Hilton     | \$6,933.67                     |
| El Azteca                | <b>\$9.47 Late fees only</b>   |
| Pagoni's Pizzeria        | \$531.41                       |
| Pick 'n Save (fka Copps) | <b>\$128.66 Late fees only</b> |
| Sabino's Restaurant      | \$1,408.01                     |
| Short Branch Saloon      | \$490.28                       |
| Zacateca's               | \$764.41                       |

### DELINQUENT PERSONAL PROPERTY TAXES

|                |          |
|----------------|----------|
| C&C Tavern     | \$89.66  |
| Pagoni's Pizza | \$588.83 |

### DELINQUENT PARKING TICKETS

|                 |         |
|-----------------|---------|
| Cannova's Pizza | \$26.00 |
|-----------------|---------|



**DELINQUENT ACCOUNTS RECEIVABLE**

None.

**DELINQUENT COURT FORFEITURES**

None.

**BACKGROUND CHECKS – CONDUCTED BY NEENAH POLICE DEPT.**

None.

Letters were sent to the above informing them of these payments owed to the City and that the Council may consider withholding their license renewal pending payment of these delinquent amounts.

Past practice has been that licenses cannot be withheld for delinquent real estate taxes, as the City is made whole by the County for these taxes. My recommendation would be to approve all licenses contingent upon payment of these outstanding forfeitures.

**CITY OF NEENAH**  
**NOTICE OF APPLICATION FOR LICENSE**  
**2019-2020 Renewals**

**“Exhibit A”**

To the Honorable Mayor and Common Council of the City of Neenah, Wisconsin.

The undersigned Committee reports the applications have been made and filed in the office of the City Clerk for licenses as follows, and this Committee recommends to your Honorable Body that such licenses be granted:

**“CLASS BLB” MALT AND LIQUOR (Corporation):**

BayPoint Bar & Grill, Inc., 944 S. Green Bay Rd, d/b/a BayPoint Bar & Grill, 944 S. Green Bay Rd., Richard Holloway, agent  
LDPK, Inc., 113 W. Wisconsin Ave., d/b/a Cannova’s Pizzeria, 113 W. Wisconsin Ave., Debbie Rasmus, agent  
Classic Lanes Fox Valley, Inc., 934 Byrd Avenue, d/b/a Classic Lanes Fox Valley, 934 Byrd Avenue, Gary Mack, agent  
El Azteca Restaurants, Inc., N474 Eisenhower Dr., Appleton, WI 54915, d/b/a El Azteca Restaurant, 878 Fox Point Plaza, Fe Montalvo, agent  
Pizza Parlor, Inc., 905 S. Commercial St., d/b/a Cranky Pat’s Pizzeria & Pub, 905 S. Commercial St., David Earle, agent  
Don Lei Enterprises, Inc., 129 N. Green Bay Road, d/b/a ICU Bar & Grill, 129 N. Green Bay Rd, Donald Schunk, agent  
Fire-Lite, Inc., 1171 Gillingham Rd., d/b/a Fire-Lite, 1171 Gillingham Rd., Laura Nelson, agent  
Paper City Pub, Inc, 212 W. Wisconsin Ave., d/b/a Paper City Pub, 212 W. Wisconsin Ave., Matthew Johnson, agent  
Solea Mexican Grill, Inc., 1350 Gillingham Rd., d/b/a Solea Mexican Grill, 1350 Gillingham Rd., Eduardo Sanchez, agent  
Uncorked Bistro, Inc., 108 W. Wisconsin Ave., d/b/a Uncorked Bistro, 108 W. Wisconsin Ave., Kristine Lavery, agent  
WIMEX, Inc., 145 W. Wisconsin Ave., d/b/a Zacatecas Mexican Restaurant, 145 W. Wisconsin Ave., Eduardo Lopez, agent  
Zuppa’s Inc., 1540 S. Commercial St., d/b/a Zuppa’s, 1540 S. Commercial St., Peter Kuenzi, agent

**“CLASS BLB” MALT AND LIQUOR (LLC):**

Apple Hospitality Group, LLC, 2120 Pewaukee Road, Suite 200, Waukesha, WI 53188, d/b/a Applebee’s, 1111 Westowne Dr., Ivy M. Forrest, agent  
Chang Qing, LLC, 415 S. Commercial St., d/b/a Bao Ju Mandarin Gourmet, 415 S. Commercial St., Li Xin Ni, agent  
Batley Holdings, LLC, 1020 Cameron Way, d/b/a Bridgewood Golf Course, 1020 Cameron Way, Richard Batley, agent

Batley Holdings, LLC, 1000 Cameron Way, d/b/a Bridgewood Resort Hotel, 1000 Cameron Way, Richard Batley, agent  
Drinks N More, LLC, 293 S. Green Bay Road, d/b/a C & C Tavern, 293 S. Green Bay Road, Crista L. Schmidli, agent  
Copperstill Bourbon Bar, LLC, 211 E. Wisconsin Avenue, d/b/a Copperstill Bourbon Bar, 211 E. Wisconsin Avenue, Anthony Kuhr, agent  
The Reserve, LLC, 116 S. Commercial St (top floor), d/b/a Ballroom at the Reserve, 116 S. Commercial St (top floor), Jessica Pfister, agent  
RichterGreene, LLC, 134 W. Wisconsin Ave., d/b/a Greene's Pour House, 134 W. Wisconsin Ave., Robert Greene, agent  
Gord's Pub, LLC, 210 Main St., d/b/a Gord's Pub, 210 Main St., Paula J. Pitsch, agent  
Batley Holdings, LLC, 1010 Cameron Way, d/b/a Ground Round Bar & Grill, 1010 Cameron Way, Richard Batley, agent  
Lion's Tail Brewing Co., LLC, 116 S. Commercial St d/b/a Lion's Tail Brewing Co., Alexander Wenzel, agent  
Tho Kin Tho, LLC, 157 S. Green Bay Rd., d/b/a Lucky Dog'z, 157 S. Green Bay Rd., David Thoss, agent  
Mr. D's Two, LLC, 218 W. Wisconsin Ave., d/b/a Mr. D's, 218 W. Wisconsin Ave., Tim Niemuth, agent  
My Place TNS, LLC, 1127 S. Commercial St., d/b/a My Place SNL, 1127 S. Commercial St., Terry Nelson, agent  
North American Hotel Group, LLC, 123 E. Wisconsin Ave., d/b/a Doubletree by Hilton Neenah, 123 E. Wisconsin Ave., Brittany M. Johnson, agent  
Off the Vine Woodfire Pizza Co., LLC, 124 W. Wisconsin Ave., Ste. 170, d/b/a Broken Tree Pizza, 124 W. Wisconsin Ave., Ste. 170, Emily Schreiner, agent  
Short Branch Saloon LLC, 1102 Harrison St, d/b/a Short Branch Saloon, 1102 Harrison St., Lorrie Davis, agent  
Sidetracked Bar & Grill, LLC, 129 N Lake St., d/b/a Sidetracked Bar & Grill, 129 N Lake St., Kevin M. Redlin, agent  
Sherrytown Station, LLC, 432 Sherry St., d/b/a Sherrytown Station, 432 Sherry St., Sueann Steward, agent  
Rumars, LLC, 1338 S. Commercial St., d/b/a The Dome Sports Bar & Grill, Renee Kaufert, agent  
Charctails, LLC, 133 W. Wisconsin Avenue, d/b/a Town Council Kitchen and Bar, Sean Hathaway-Casey, agent  
Two Broke Girlz, LLC, 430 Sherry St., d/b/a Two Broke Girlz, 430 Sherry St., Autumn Johnson, agent  
Xtra Innings, LLC, 1348 S Commercial St., d/b/a Xtra Innings, 1348 S Commercial St., Nathan Maves, agent

**"CLASS BLB" MALT AND LIQUOR (Individual):**

Emilio Sabino Severiano, 208 W. Wisconsin Ave., d/b/a Sabino's Restaurant, 208 W. Wisconsin Ave., Emilio Sabino Severiano, individual

**“CLASS BLB” MALT AND LIQUOR (Partnership):**

Gretchen H. Diegel/Kristin S. Zagrodnik Partnership, 1330 S Commercial St., d/b/a Cedar Bar & Grill, 1330 S. Commercial St.

**CLASS “B” MALT (Corporation)**

Pagoni’s Pizza, Inc., 1337 W. Winneconne Ave., d/b/a Pagoni’s Pizza, 1337 W. Winneconne Ave., Louis Morales, agent  
Sammy’s Pizza, Inc, 322 N. Commercial St., d/b/a Sammy’s Pizza, 322 N. Commercial St., Thomas Miller, agent

**“CLASS C” Wine (Corporation)**

Pagoni’s Pizza, Inc., 1337 W. Winneconne Ave., d/b/a Pagoni’s Pizza, 1337 W. Winneconne Ave., Louis Morales, agent

**"CLASS A" MALT AND LIQUOR (Corporation)**

Cellars Wines & Spirits, Inc, 113 N. Green Bay Rd., d/b/a Cellars Wine & Spirits, 113 N. Green Bay Rd., Leroy Schneidewend, agent  
Neenahfest, Inc., 237 2<sup>nd</sup> Ave. South, Onalaska, WI 54650 d/b/a Festival Foods, 647 S. Green Bay Rd., Kurt A. Gilhart, agent

**"CLASS A" MALT AND LIQUOR (LLC)**

Gill Liquor, LLC, 1117 S. Commercial St., d/b/a Gill Liquor, 1117 S. Commercial St., Amriptal Singh Gill, agent  
Ultimate Mart, LLC, P.O. Box 473 MS 2650, Milwaukee, WI 53201, d/b/a Pick ‘n Save #8124, 1530 S. Commercial St., Lyndsey M. Lawrence, agent  
Ultra Mart Foods, LLC, P.O. Box 473 MS 2650, Milwaukee, WI 53201, d/b/a Pick ‘n Save #6412, 828 Fox Point Plaza, Rodney Crow, agent

**CLASS “A” MALT (Corporation)**

Aldi Inc. (Wisconsin) d/b/a Aldi #37, 927 S. Green Bay Road, Bradley Schmidt, agent  
Kwik Trip Inc, P.O. Box 2107, La Crosse, WI 54602 d/b/a Tobacco Outlet Plus #526, 501 S. Commercial St., Jennifer June Byrd, agent  
Walgreen Co., Inc., P.O. Box 901, Deerfield, IL 60015, d/b/a Walgreen’s #03392, 500 S. Commercial St., Amber Janssen, agent  
Walgreen Co., Inc., P.O. Box 901, Deerfield, IL 60015, d/b/a Walgreen’s #10236, 1191 Westowne Dr., Lionel Lloyd, agent

**CLASS “A” MALT (LLC)**

Wisconsin CVS Pharmacy, LLC, One CVS Drive, MD #23062A, Woonsocket, RI 02895, d/b/a CVS/Pharmacy #5936, 901 S. Green Bay Road, Marty Pedranzan, agent

**“CLASS A” MALT AND LIQUOR (Partnership)**

Wal-Mart Stores East, LP, 702 SW 8<sup>th</sup> St., Licensing Dept 8916, Bentonville, AR 72716, d/b/a Walmart #2986, 1155 Winneconne Ave, Samantha L. Ozment, agent

**Public Services & Safety Committee**

Dated: May 7, 2019

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Ald. Marge Bates, Chairman



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

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**DATE:** May 2, 2019  
**TO:** Mayor Kaufert, and Members of the Public Services and Safety Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** Public Works General Activity

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- 1) Contract 2-18 (Cecil, Adams)
  - a) Adams St – Work is complete.
  - b) Cecil St – Final topsoil and seeding has been done.
- 2) Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early this year.

Staff has done a field review of the concrete work with the contractor and identified one driveway apron and two sections of sidewalk that need to be replaced under the warranty.

Quantities on the Nature Trail/Eaglecrest work have been finalized with the contractor. Special assessment billings will be sent in September 2019.
- 3) Contract 1-19 (Caroline, Stevens, Fifth)
  - a) Caroline Street – Utility work will be complete the week of May 6.
  - b) Stevens Street – Water main and sanitary sewer main have been installed. Services have been installed within the right-of-way.
  - c) Fifth Street – Water main installation is complete. Service installation within the right-of-way will be complete the week of April 22.
- 4) Contract 2-19 (Stanley Ct, Stanley St, Thomas)
  - a) Stanley Court – The road has been pulverized. Water main installation is scheduled to start the week of May 6.
  - b) Stanley Street – The road has been pulverized.
  - c) Thomas Court – Water main replacement is complete and storm sewer installation is complete.
- 5) Contract 3-19 (Epoxy Pavement Marking) – Work is tentatively scheduled for mid-May.
- 6) Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The work has not yet been scheduled.
- 7) Contract 5-19 (Miscellaneous Sidewalk Repair – CDBG) – Bids will be opened on May 8.
- 8) Contract 6-19 (Hot-Mix Asphalt Pavement Repair) – Bids will be opened on May 15.
- 9) Courtney Court – Work has not started.