



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, June 5, 2019 - 7:00 p.m.
Neenah City Hall
Council Chambers

I. Roll Call and Pledge of Allegiance.

NMFR PRESENTATION OF EMPLOYEE AWARDS

- Life Save Ribbon: Troy Jahns, Joe Olszewski and Scott Harding
- Individual Recognition Ribbon: Mike Janke, Ryan Krings, Pete Anderson, Jason Peerenboom, Jeff Schweitzer, Jason Calkins and Joe Muthig
- Civic Achievement Ribbon: Brad Auxier
- Unit Citation Ribbon: Ryan Relien, Jason Peerenboom, DuWayne Schwartz, Brian Goldschmidt, Al Wroblewski, Zach Janke and Tyler Hillen

SWEARING IN OF NEW OFFICER AND PROMOTED LAW ENFORCEMENT PERSONNEL

- Chris Sievert - New Assistant Chief
- Jeff Bernice - New Captain
- Jason Goetz - New Lieutenant
- Jason Fosler - New Patrol Sergeant
- Pat Pedersen - New Investigations Lieutenant
- Jeremy Bauman - New Investigations Sergeant
- Stephanie Gruss - New Investigator
- William Engels - New Patrol Officer

II. Introduction and Confirmation of Mayor's Appointment(s).

- A. Mayor Kaufert's reappointment of Grant Birtch and Al Long on the Board of Review for five-year terms to expire June 2024. (Motion to confirm) **(UC)**
- B. Mayor Kaufert's reappointment of Bonnie Flegle and James Sudlak on the Loan Assistance Board for three-year terms to expire June 2022. (Motion to confirm) **(UC)**
- C. Swearing in

III. Approval of Council Proceedings of May 15, 2019 regular session. **(UC)**

IV. Public Hearings. (None)

V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings. (None)

VI. Public Forum.

- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.

VII. Mayor/Council Consideration of Public Forum Issues.

VIII. Consent Agenda.

- A. Approve Beverage Operator License Applications for: Linda M. Ashauer, Benjamin B. Baker, Deborah M. Bemowski, Drew E. Bendixen, Patrick T. Boettcher, Kristen J. Boherstengel, Pattie J. Braun, Aaron T. Callahan, Heidi J. Ciske, Jason J. Crooks, Jamie L. Czarnecki, Raymond J. DeRoche, Jacob L. Detampel, Sherry L. Diehl, Todd J. Ellis, Regennia D. Facen, LaVaune C. Guenther, Ashlynn M. Hale, Eric S. Henzel, Dwight N. Kerr, Kathleen J. Kofnetka, Christine P. Krautkramer, Dominique Kuhlow, Mark A. Lembcke, James A. Maguire, Amber M. Ostorero, David L. Piehl, Kayla S. Rasmussen, Linda J. Schultz, Breanna J. Scovronski, Paul W. Schultz, Adam C. Seidl, Hunter JM Spors, Angela L. Steffensen, Melissa M. Stuck, Lori A. Swarthout, Anders J. Swiderski, Jessica M. Vandenberg and Shelly L. Van Patter. (PSSC)
 - B. Approve a temporary "Class B" (picnic) beer & wine license to Bergstrom Mahler Museum for the Songs on the Lawn event to be held at 165 N. Park Avenue on July 21, 2019. (PSSC)
 - C. Approve the change of agent for Aldi #37, d/b/a Aldi, 927 S. Green Bay Road, Cody A Potter, agent. (PSSC)
 - D. Approve the Street Use Permit for the Backdraft Bike Tour, sponsored by the Neenah Menasha Firefighters Charitable Foundation, Tim Patterson, 125 E. Columbian Avenue, Neenah, to be held on June 9, 2019. (PSSC)
 - E. Approve the Street Use Permit for the Major League Fishing Bass Pro Tour, sponsored by the Major League Fishing, Michael Mulone, 4500 S. 129th E. Avenue, Suite 201, Tulsa, OK, to be held on June 22 through July 1, 2019. (PSSC)
 - F. Approve the Street Use Permit for the Furry Flurry Pet Walk, sponsored by the Neenah Animal Shelter, Mary Setton, 951 County Road G, Neenah, WI, to be held on August 10, 2019. (PSSC)
 - G. Approve the Street Use Permit for the Labor Day Parade, sponsored by the Fox Valley Area Labor Council, Hugh Sloan, to be held on September 2, 2019. (PSSC)
 - H. Approve the Street Use Permit for the Neenah High School Homecoming Parade, Vicki Strebels, 1275 Tullar Road, Neenah, to be held on September 27, 2019. (PSSC)
 - I. **(UC)**
- IX. Reports of standing committees and consideration thereof.
- A. Regular Public Services and Safety Committee meeting of May 28, 2019: (Chairman Bates/Vice Chairman Lang) (Minutes can be found on the City web site)
 - 1. Committee recommends Council adopt Ordinance 2019-14 amending Article IV Division 3 of the municipal code relating to noise violations. **(RollCall-Pro)**
 - 2. Committee recommends Council approve the Distribution Easement – Underground for We Energies work request 4243034 on the Bergstrom-Mahler Museum site. **(RollCall-Pro)**
 - 3. Committee recommends Council approve entering into a professional services agreement with Ayres Associates for Phase II of the Downtown Traffic Study in the amount of \$49,290, utilizing \$45,000 in 2019

- budgeted TID 10 funds and \$4,290 in unspent TID 10 reserves. **(RollCall-Pro)**
4. Committee recommends Council adopt approve Ordinance 2019-13 Amending Article IV Storm Water Management Services. **(RollCall-Pro)**
 5. Committee recommends Council approve the permanent limited easement for trail construction along the west side of Pendleton Road abutting the Pendleton Park Apartment development. **(RollCall-Pro)**
- B. Regular Finance and Personnel Committee meeting of May 27, 2019: (Cancelled)
- X. Reports of special committees and liaisons and various special projects committees and consideration thereof.
- A. Regular Plan Commission meeting of May 28, 2019: (Cancelled)
 - B. Committee on Rules meeting of June 5, 2019: (Chairman Kunz)
 1. Consideration of Committee recommendation regarding Resolution No. 2019-14 amending (Resolution No. 7375) the structure and operational rules for the Sustainable Neenah Committee. **(RollCall-Pro)**
 - C. Board of Public Works meeting of May 28, 2019: (Vice Chairman Bates) (Minutes can be found on the City web site)
 1. Information Only Items:
 - a) The Board approved Pay Estimate No. 2 for Contract 1-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Co., Inc., Kaukauna in the amount of \$188,354.43.
 - b) The Board approved Pay Estimate No. 2 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court and Thomas Court to Robert J. Immel Excavating, Inc., Greenville in the amount of \$180,332.33.
 - c) The Board approved Pay Request No. 3 for Washington Park Phase III to R & R Wash Materials, Inc. in the amount of \$114,418.50.
 - d) The Board approved Pay Request No. 4 for the Chemical Storage and Feed Modifications project to August Winter & Sons, Inc. in the amount of \$54,500.00.
 2. Council Action Items:
 - a) The Board recommends Council award Contract 5-19 for HMA Pavement Repair to the low bid from MCC, Inc., Appleton in the amount of \$84,985.80. The budgeted amount for this contract was \$125,000. **(RollCall-Pro)**
 - D. Landmarks Commission
 1. Report from the Landmarks Commission – Alderperson Lang
 - E. Sustainable Neenah Committee
 1. Report from the Sustainable Neenah Committee – Alderperson Kunz
 - F. Reports on neighborhood groups.
 1. Business Improvement District Board (BID Board) – Alderperson Lang

- G. Bergstrom Mahler Museum
 - 1. Report from the Bergstrom Mahler Museum – Alderperson Spellman

- XI. Presentation of petitions.
 - A. Any other petition received by the City Clerk's Office after distribution of the agenda.

- XII. Council Directives.
 - A. Vote on the Council Directive by Ald. Lendrum from the May 15, 2019 Council meeting to add a Council Directive directing Community Development staff to research and potentially propose a change to the Zoning Code restricting gravel driveways in residential zoning districts and requiring a one car garage minimum for all residential new build structures in the City (all other homes would be grandfathered in). The research will most likely include researching other communities, understanding the impacts i.e. extra costs for homeowner, benefits to community. **(Motion MS Lendrum/Bates) (RollCall-Pro)**

- XIII. Unfinished Business.

- XIV. New Business.
 - A. Mayor Kaufert's appointment to fill the unexpired term of Scott Boelter on the Committee on Aging for a three year term to expire September 2022. (To be considered at the June 19, 2019 Council meeting)
 - B. Mayor Kaufert's appointment to fill the unexpired term of Michael Hopkins on the Neenah Arts Council for a term to expire April 2020. (To be considered at the June 19, 2019 Council meeting)
 - C. Mayor Kaufert's appointment to fill the vacancy created by Resolution No. 2019-14 restructuring the Sustainable Neenah Committee, one term to expire in December 2020 and one term to expire in 2021. One will be filled with the Future Neenah Representative and the other with a Neenah Joint School District Representative. (To be considered at the June 19, 2019 Council meeting)
 - D. Any announcements/questions that may legally come before the Council.

- XV. Adjournment.

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or the **City's ADA Coordinator at (920) 886-6106 or e-mail attorney@ci.neenah.wi.us** at least 48 hours prior to the scheduled meeting or event to request an accommodation.

**CITY OF NEENAH
COMMITTEE OF THE WHOLE
Wednesday, May 8, 2019 – 6:30 p.m.
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin**

MINUTES

Present: Aldermen Bates, Boyette, Kunz, Lang, Lendrum, Steele, Stevenson, Erickson and Spellman

Others Present: Mayor Kaufert, Director of Finance Easker, Director of Community Development and Assessment Haese, Police Chief Olson, Library Director Raab

Absent/Excused: None.

Public Appearances: None.

Introduction of Capital Improvement Program – Draft Book:

The Mayor's recommended 2019-2023 Capital Improvement Plan draft was distributed. Mayor Kaufert provided an overview of the decision making process that went into his CIP recommendations. Issues discussed included the rationale for project funding, defunding and deferrals as well as the estimated borrowing costs projected for each year.

Motion/Second/Carried Stevenson/Boyette to adjourn the meeting at 6:50 p.m. All voting aye.

Respectfully submitted,

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

Michael K. Easker, CPA
Director of Finance

Proceedings of the Common Council of the City of Neenah

Wednesday, May 15, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., May 15, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Mayor's Administrative Assistant Heinz, Police Chief Olson, Police Captain Bernice, Director of Information Systems Wenninger, Director of Neenah Water Utility Mach, Director of Library Services Raab, Neenah-Menasha Fire Rescue Fire Officers Pete Jungers and Randy Flunker, several members of the NMFR, Public Works Superintendent Greg Radtke, Damian Nevers, Nash Herbst, Larry & Judy Larson, Matt & Tanya Schroeder, Tim & Hannah Schraufnagel, Jodi Schultz, Matt Stubing, Nathan Sharpless, Alex & Sarah Vassios, Zach Szymik, Jenna & Mike LaFave, Emma Santiago, Kaley Waters and Nemiah Whitston.

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

Introduction and Confirmation of Mayor's Appointments

- I. Mayor Kaufert announced his reappointment of Patrick Lewis on the Neenah-Menasha Joint Fire Commission, term expires May 2022. (Mayoral appointment. No Council confirmation required)
- II. Mayor Kaufert announced his appointment of Laura Kempfs to fill the expired term of Robert Spence on the Police Commission, term expires May 2024. Laura is the Executive Director of the Boys' & Girls' Brigade. (Mayoral appointment. No Council confirmation required)

Proceedings

- I. **MS Lendrum / Stevenson to approve the Council Proceedings of May 1, 2019 regular session. There being no objections the motion was approved by unanimous consent.**

Mayor/Council Consideration of Public Forum Issues

- I. **MS Stevenson / Boyette to refer the mural project to the Plan Commission, Public Services & Safety Committee and the Neenah Arts Council for approval. There being no objections the motion was approved by unanimous consent.**

Consent Agenda

- I. **MS Stevenson / Lendrum to approve the Consent Agenda as follows:**

- A. **Approve Beverage Operator License Applications for: Andrea Alvarez, Samantha Anderson, Jessica Austin, Elizabeth Fischer, Ruth Gadicke and Morgan Martzahl. (PSSC)**
- B. **Approve the Temporary Class B (Picnic) Beer and Wine License Application for Bergstrom Mahler Museum, 165 N. Park Avenue, for their 60th anniversary event. (PSSC)**
- C. **There being no objections the Consent Agenda was approved by unanimous consent.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of May 7, 2019:
 - A. Committee recommends Council approve Ordinance No. 2019-13 amending Article IV – Stormwater Management Services. **MS Bates / Lang.**
 - 1. **MS Bates / Kunz to refer Ordinance No. 2019-13 amending Article IV – Stormwater Management Services back to Committee. There being no objections Ordinance No. 2019-13 was referred back to Committee.**
 - B. Committee recommends Council approve the Outdoor Extension of Premises Application for Barrel 41 Brewery, 1132 S. Commercial Street, contingent upon a report providing Council with clarifications regarding permit applicability and permit conditions. **MSCRP Lendrum / Boyette, all voting aye, Ald. Bates abstained.**

Finance & Personnel Committee

- I. Chairman Erickson reported the special meeting of May 8, 2019:
 - A. Committee recommends Council authorize the Police Department to reorganize the staffing structure as follows: Change the position of Part-Time Open Records Clerk to a Full Time Open Records/Accreditation Assistant effective June 1, 2019 or later, adding a .5 FTE; Eliminate a Full Time Comm Tech position effective July 5, 2019, removing 1.0 FTE; and Changing the position of Part Time Comm Tech to the position of Part Time Fleet Manager effective June 1, 2019 or later, with no change to FTE, for a total net reduction of .5 FTE within the Police Department. **MSCRP Erickson / Kunz, all voting aye.**
 - B. Committee recommends Council accept the Post-Crescent quotation and designate it the City's official newspaper for June 2019 to June 2020. **MSCRP Erickson / Kunz, all voting aye, Ald. Boyette voting nay and Ald. Stevenson abstaining.**

Council Directives

- I. MS Lendrum/Bates to add a Council Directive directing Community Development staff to research and potentially propose a change to the Zoning Code restricting gravel driveways in residential zoning districts and requiring a one car garage minimum for all residential new build structures in the City (all other homes would be grandfathered in). The research will most likely include researching other

communities, understanding the impacts i.e., extra costs for homeowner, benefits to community. (This motion will be voted on at the next Council Meeting)

Adjournment

- I. **MS Lendrum/Boyette to adjourn at 8:33 p.m. There being no objections the motion was approved by unanimous consent.**


Patricia A. Sturn, WCPC/MMC
City Clerk

COMMON COUNCIL MINUTES
Wednesday, May 15, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., May 15, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Mayor's Administrative Assistant Heinz, Police Chief Olson, Police Captain Bernice, Director of Information Systems Wenninger, Director of Neenah Water Utility Mach, Director of Library Services Raab, Neenah-Menasha Fire Rescue Fire Officers Pete Jungers and Randy Flunker, several members of the NMFR, Public Works Superintendent Greg Radtke, Damian Nevers, Nash Herbst, Larry & Judy Larson, Matt & Tanya Schroeder, Tim & Hannah Schraufnagel, Jodi Schultz, Matt Stubing, Nathan Sharpless, Alex & Sarah Vassios, Zach Szymik, Jenna & Mike LaFave, Emma Santiago, Kaley Waters and Nemiah Whitston.

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

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

Mayor Kaufert announced this is Police Week. He thanked our Police Officers and staff for what they do each and every day. He thanked Police Officer throughout the Country for what they do to protect us.

Employee Recognition Awards – Years of Service

- I. Mayor Kaufert and Council President Stevenson recognized employees who have worked for the City of Neenah for 25, 30 and 35 years and thanked them for their services. Jeffery Borree (Water), Patrick Engelbreth (Public Works), James Peglow (NMFR), Larry Reckner (Water), Kevin LaMarche (Parks), Patrick Fischer (Public Works), Patricia Freimuth (Finance) and Christopher Johnson (Parks) were unable to attend the meeting to accept their 25 year awards. Present to accept their 30 year awards were Fire Officers Pete Jungers and Randy Flunker (NMFR). Patty Kunde (Municipal Court Clerk) was unable to attend the meeting to accept her 35 years of service award.

Presentation of Exemplary Performance Awards

- I. Mayor Kaufert and Council President Stevenson recognized employees who have displayed exemplary performance at their positions in the past year. This is the fifth year of a new program for which (10) employees will be recognized.
 - A. Present to receive their awards were:

1. Director Raab stepped in for Catrina Wulff who was unable to attend the meeting. Catrina nominated Hannah Schraufnagel, Assistant Librarian Youth Services as she has proven to be an asset to the Library. She contributes greatly to the Children's Department success. She has taken classes, bringing back vital information, sharing what she has learned to assist other staff in improving story times and programs. She is responsible for a host of successful family programs and outreach programs. In addition, Hannah does an amazing job enhancing the children's area of the Library. She recently took on the task of reorganizing and revitalizing the parent/teacher collection of books and DVDs to make it more accessible and attractive. She is committed to providing the best possible customer service and her colleagues can always depend on her if they need a hand with a project, program or assistance in helping children / parents find the right book. Her positive attitude makes her a joy to work with. She is most deserving of this award.
2. Dir. Kaiser nominated Office Manager Judy Larson and Superintendent Greg Radtke for exemplary performance awards for their work on the conversion to automated garbage collection. Greg and Judy worked to develop processes to clean up duplex property information, track cart requests, track lost in the mail cart requests, schedule cart swaps and dealt with all the other issues and concerns raised by residents including hundreds upon hundreds of phone call. Their professionalism and patience during this major change allow us to implement on schedule and get residents quickly acclimated to a new way of doing things. Dir. Kaiser also thanked former Superintendent Rick Freese for his efforts and leadership in the conversion. He recognized Greg and Judy, thanking them for their efforts.
3. Dir. Mach nominated Nash Herbst, Filtration Plant Electrical Technician, Damian Nevers, Distribution Manager and Michael LaFave, Distribution Maintenance Tech 1 for exemplary performance awards this year. Nash was instrumental in spear heading the new SCADA System conversion, managing the chemical & feed storage project and tackling several difficult projects within the plant such as a UV rebuild, new calibration system and new instrumentation. Damian has taken the initiative to implement the LEAN processes. He also developed a method for technicians to utilized GIS in the field in a mobile format. Staff will save significant amounts of time by being able to perform tasks and updating the system, real time. Michael is a go-getter and takes to his tasks. He recently started doing inspections as well as taking the initiative to learn all of their new equipment. He is an ambassador for safety for the City. All three are deserving of this award.
4. Dir. Wenninger nominated Matt Schroeder, Network Administrator. Matt is very dedicated and driven to provide the best technology tool the employees need to perform their duties as effectively and efficiently as possible. What merited his nomination was his relentless pursuit of a resolution to difficulties police officers

experienced writing parking citations from the new Parking Enforcement Solution with the mobile devices within their squads. This issue was identified shortly after implementation and continued to plague officers for months after the solution went live. The two scenarios officers encountered were either poor application performance that resulted in the officer spending upwards of 30 minutes to complete the citation writing process or not being able to complete the process at all. Matt worked with the vendor support team to implement and tweak their IOS then their Android platform solution to no avail. At this point, Matt stepped back to take a look at the issue resulting in a suggested strategy to implement the solution on a few Windows tablets as a pilot. After in depth discussions with the vendor, the new tablets were prepped & configured and officers began utilizing them to write citations. To date, officers have been efficiently completing the process of writing citations from the devices within their squads thanks to Matt's determination. In the world of technology, it is very unusual that a client's staff member recommends solutions to resolve a vendor's issue. That is exactly what happened in this case. The City is extremely fortunate that Matt is on our team.

- a) Council President Stevenson added that Matt is the Council's go to guy for their ipads. He thanked him for a job well done.
5. City Atty. Godlewski nominated Patty Sturn, City Clerk, for her work in relocating four polling places and running smooth elections. Last year, the NJSD decided, based on safety concerns of parents, to no longer allow the polling places in the schools. They extended the original timeframe for this to the end of the year. Clerk Sturn, took the initiative to get this done as quickly as possible. She relocated 2/3 of the City's polling places in time for the August Primary. The fall Elections went off without a hitch. Including the Governor's Election in November. For this, he nominated her for the exemplary performance award.
6. Dir. Haese nominated Sarah Vassios, Community Service Aide (CSA) / Code Enforcement Officer for the job she did during the long term absence of their Code Enforcement Officer. This is a challenging position that required the right personality. Individuals that are dealt with are not happy to see you and unfortunately in a number of cases, the individuals are not necessarily of sound mind. The City was fortunate enough to have Sarah, who was serving as a CSA at the time, step forward to take on this position. Sarah is soft spoken however in spite of her soft spoken personality, she excelled in the position and staff could not be happier with her performance. In her three short months with us, she completed 1,300 inspections, distributed over 400 corrective orders, issued 3 citations and laid the groundwork for 5 additional citations. Due to her strong work ethic, efficiency, effectiveness, professionalism and her always positive attitude he recognized and nominated her for this award.

- B. Mayor Kaufert advised that Judge Gunz nominated Patty Kunde, his Municipal Court Clerk for an exemplary performance award however neither were able to attend the meeting. He will make sure Patty gets her award.
- C. Mayor Kaufert congratulated these employees for their exemplary performances and indicated he is proud of all city employees for their efforts.
- D. Council President Stevenson, on behalf of the Common Council and the taxpayers they represent, he thanked the award winners and all the employees for their hard work. These employees handle angry citizens all the time and he has never been embarrassed at the way any staff member has responded. He has never had the situation where an employee could not help the constituency which makes their job much easier. He thanked all the employees for what they do and congratulated the award winners.

Introduction and Confirmation of Mayor's Appointments

- I. Mayor Kaufert announced his reappointment of Patrick Lewis on the Neenah-Menasha Joint Fire Commission, term expires May 2022. (Mayoral appointment. No Council confirmation required)
- II. Mayor Kaufert announced his appointment of Laura Kemps to fill the expired term of Robert Spence on the Police Commission, term expires May 2024. Laura is the Executive Director of the Boys' & Girls' Brigade. (Mayoral appointment. No Council confirmation required)
- III. Mayor Kaufert thanked Bob Spence for his work on the Police Commission. He will send Bob a Certificate of Appreciation for the exceptional job he did on the Police Commission.

Proceedings

- I. **MS Lendrum / Stevenson to approve the Council Proceedings of May 1, 2019 regular session. There being no objections the motion was approved by unanimous consent.**

Public Forum

- I. Emma Santiago, teacher at Neenah High School and member of the Neenah Arts Council advised the Council that her students have been working on a project to do a mural on the side of a building in the City of Neenah. The new Visual Arts Team has been working with the Police Department to determine where the mural will be placed. They thought they would like to start this project by doing a mural on the old City Garage on Cecil Street. They have presented this idea to the Neenah Arts Council and now would like to present it to the Council.
 - A. Kaley Waters, Visual Arts Team Member, indicated a lot of surrounding communities have displays of art and they feel Neenah is lacking in art displays. They would like to bring the first of many murals to the City of Neenah to hopefully better the community. The Visual Arts Team, made up of 12 members, will help to paint the mural. Their timeline is 3 weeks from

start to finish. They will power wash the building, prime the surface then use a projector to paint the design.

- B. Nemiah Whitston, Visual Arts Team Member, indicated they still need measurements for the building and funding which they will find on their own.
- C. Emma Santiago added that they decided they wanted to do an eye catching mural with lots of colors. She displayed the mural which is an arm doing the peace sign and a colorfully painted background. They feel the peace sign brings the community together. The arms says, "be the change" promoting positive change in our community.

II. There being no further appearances, Mayor Kaufert declared the public forum closed.

Mayor/Council Consideration of Public Forum Issues

- I. Mayor Kaufert questioned the timeline for the mural.
 - A. Emma Santiago indicated she predicts the project will take three weeks. The Visual Arts Team will spend their summer vacation to complete the mural.
 - B. Ald. Kunz indicated this is a great idea. He questioned if this is allowed in our sign ordinance.
 - C. Dir. Haese indicated it is allowed by our sign ordinance.
 - D. Ald. Bates questioned who would be required to accept this mural.
 - E. City Atty. Godlewski advised this would need to go to the Plan Commission to make a recommendation to the Council.
 - F. Ald. Bates indicated it would be nice if the hand could be multi-racial.
 - G. Emma Santiago commented that the reason for the white with black outline arm does not specify a race. There is already a tan paint color on the building so that would be the background color however it could be altered to include other races.
 - H. Mayor Kaufert asked if the Arts Council would need to take action on this too.
 - I. Ald. Erickson concurred that it does go before the Arts Council but must be presented to the Plan Commission as well.
 - J. City Atty. Godlewski concurred that both act as an advisory role to the Common Council who makes the final decision.
 - K. Ald. Boyette asked if the arm could be changed to something else. She feels it might not be interpreted the same by everyone. What works now, may not work in the future. She would hate to see this get political.
 - L. Mayor Kaufert reminded that discussion should be limited to comments/questions relating to the mural.
 - M. Council President Stevenson questioned which wall the mural will be on.
 - N. City Atty. Godlewski indicated the mural will face Cecil Street.
 - O. **MS Stevenson / Boyette to refer the mural project to the Plan Commission, Public Services & Safety Committee and the Neenah Arts Council for approval. There being no objections the motion was approved by unanimous consent.**

Consent Agenda

- I. **MS Stevenson / Lendrum to approve the Consent Agenda as follows:**

- A. **Approve Beverage Operator License Applications for: Andrea Alvarez, Samantha Anderson, Jessica Austin, Elizabeth Fischer, Ruth Gadicke and Morgan Martzahl. (PSSC)**
- B. **Approve the Temporary Class B (Picnic) Beer and Wine License Application for Bergstrom Mahler Museum, 165 N. Park Avenue, for their 60th anniversary event. (PSSC)**
- C. **There being no objections the Consent Agenda was approved by unanimous consent.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of May 7, 2019:
 - A. Committee recommends Council approve Ordinance No. 2019-13 amending Article IV – Stormwater Management Services. **MS Bates / Lang.**
 1. Dir. Kaiser indicated he exchanged emails with Ald. Kunz and he had concerns over some of the wording. He would like more time to review these changes with City Attorney. He asked that his ordinance be referred back to committee.
 2. **MS Bates / Kunz to refer Ordinance No. 2019-13 amending Article IV – Stormwater Management Services back to Committee. There being no objections Ordinance No. 2019-13 was referred back to Committee.**
 - B. Committee recommends Council approve the Outdoor Extension of Premises Application for Barrel 41 Brewery, 1132 S. Commercial Street, contingent upon a report providing Council with clarifications regarding permit applicability and permit conditions. **MS Lendrum / Boyette.**
 1. Dir. Haese advised that the question in Committee was the requirement for a 6' fence between this use and the adjacent residential use. He inspected the property and given the location of the beer garden, he feels the building itself serves as an affective screen blocking any view of the beer garden from the adjoining property. In addition, there was a conversation with the residential neighborhood to explain the requirement and what was discovered. There were no issues or concerns regarding the beer garden with the screens. It was his opinion and his recommendation that the permit be granted without that requirement.
 2. Ald. Bates asked if we could require them to put up a fence if the current fence would be taken down in the future.
 3. Dir. Haese indicated the fence is a 4' chain link fence. The fencing requirement relative to the beer garden is specifically to screen view and noise from the garden to the residential neighborhood. Since this was a retail establishment prior to the beer garden the buffer yard requirements do not come into play. He clarified what he was referring to was the buffer yard requirements for a commercial business adjacent to residential. The fencing as it relates to the beer garden is because the adjacent residential property is within 150'. In this case, as he mentioned, the building extends well beyond the beer garden so the building itself functions like a 6' fence and is actually better because it is a solid wall much higher than 6'. The 3' fence is still required

around the entire circumference of the beer garden. The fencing requirements for the beer garden ordinance are being met. The only question in this case is the 6' screening. In this case, we are in the front yard however since the building is providing that screening it would be redundant.

4. Mayor Kaufert clarified that the concern of Ald. Bates is the 5-1/2' wide area on the south end of the beer garden. There will be one entrance in and one entrance out on the north end of the beer garden.
5. Dir. Haese indicated the ordinance requires you be served at tables. He can check her the ordinance to see if it addresses the concern of Ald. Bates however his memory is that it was primarily for screening. He will take a look at ordinance.
6. Mayor Kaufert indicated this is a unique situation as this is a State licensed Brewery.
7. City Atty. Godlewski indicated the ordinance technically applies to City licensed premises. The regulations could apply to State Licensed Brewery but may need some clarifications. He will prepare an ordinance to come before PSSC in early June.
8. **Motion carried by a 7-1 RollCall-Pro System vote, all voting aye, Ald. Bates abstained.**

Finance & Personnel Committee

- I. Chairman Erickson reported the special meeting of May 8, 2019:
 - A. Committee recommends Council authorize the Police Department to reorganize the staffing structure as follows: Change the position of Part-Time Open Records Clerk to a Full Time Open Records/Accreditation Assistant effective June 1, 2019 or later, adding a .5 FTE; Eliminate a Full Time Comm Tech position effective July 5, 2019, removing 1.0 FTE; and Changing the position of Part Time Comm Tech to the position of Part Time Fleet Manager effective June 1, 2019 or later, with no change to FTE, for a total net reduction of .5 FTE within the Police Department. **MS Erickson / Kunz.**
 1. Ald. Kunz commented that these efforts by the Police Department staff are much appreciated.
 2. Chief Olson advised that this change would close the Police Station from 11 pm to 7 am. If there is a non-emergency call, they will pick up a phone and dial the supervisor. If the supervisor is not available after 4 rings, the call gets transferred to the Communications Center at the Winnebago County Sheriff's Department. If it is an emergency, a red button will lock the doors behind them so no one can enter the police department. There is really no change other than there is no person there, just a telephone to get an officer there.
 3. Mayor Kaufert advised that he was not ready for this when the Chief approached him with this idea. The Chief has since done his homework and convinced him. Most neighboring departments close their doors around 4-6 pm with no one at the front desk after those hours. Safeguards are built in for emergency situations. Overall this is an efficient / cost effective way to do things.

4. Chief Olson added that \$39,000 was spent last year in overtime just to staff the front desk. This plus the fact that it is a hard position to staff make this plan worth it. He clarified for Ald. Bates that the average walk-ins / call-ins is 1.6 per hour from 11 pm to 7 am.
5. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
- B. Committee recommends Council accept the Post-Crescent quotation and designate it the City's official newspaper for June 2019 to June 2020. **MS Erickson / Kunz.**
 1. Ald. Bates asked the status of using our website to post these publications. She asked if there is a set subscription base in order to count for an official newspaper.
 2. City Atty. Godlewski that there is a possibility of publishing summaries for the 2nd and 3rd insertions of a Class 2 and 3 notice. That also required it to be in the newspaper as well. By Statute, we are required to have an official newspaper and the Post Crescent qualifies. Subscription numbers are considered but he is unsure what that number is.
 3. Ald. Boyette asked what was found regarding questions in committee about qualifications and if they need to be in the same county.
 4. City Atty. Godlewski indicated he did not get a chance to look into that. He will take a look and get an email out.
 5. Mayor Kaufert indicated even though they lost a lot of subscribers, they have 47,000 that follow the Post Crescent on line.
 6. **Motion carried, by a 6-1-1 RollCall-Pro System vote, all voting aye, Ald. Boyette voting nay and Ald. Stevenson abstaining.**

Board of Public Works

- I. Vice Chairman Bates reported the meeting of May 7, 2019:
 - A. Information Only Items:
 1. The Board approved Pay Estimate No. 1 for Contract 1-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Co. Inc., Kaukauna, in the amount of \$520,840.35.
 2. The Board approved Pay Estimate No. 1 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating Inc., Greenville, in the amount of \$194,518.20.
 3. The Board approved Washington Park Phase III Pay Request No. 1 to R & R Wash Materials, Ripon in the amount of \$137,998.11.

Community Development Authority

- I. Director Haese reported from the Community Development Authority.
 - A. The CDA continues to work hard on the two potential downtown projects.
 - B. The CDA is working on outstanding issues with the Site 6 Development. They hope to have a draft development agreement on that site soon.

- C. In terms of Sites 1-3, they are in the process of reviewing tentative development agreements. This will entail an additional two development agreements. Hopefully they will have those sometime in the near future.
- D. Ald. Stevenson questioned the status of the warehouse property we are trying to acquire.
 - 1. Dir. Haese advised that we were presented with an appraisal from the owner. That number was significantly higher than we had estimated. He has contracted with another appraiser to evaluate that appraisal. There are some discrepancies between the owner's appraisal and what our appraiser has evaluated. Bottom line, the number is still high.

Library Board

- I. Alderperson Erickson reported from the Library Board meeting of May 15, 2019 at 4:00 pm.
 - A. The circulation desk has been moved.
 - B. The Library Newsletter features "Hoopla" which is a way to access music, movies, audio books, e-books, comics and television shows on your computer, tablet or phone and even your TV. Titles can be streamed immediately or downloaded to phones or tablets for offline enjoyment later. There are hundreds of thousands of titles to choose from with more being added daily. This is available starting next Monday.
 - C. She encouraged everyone to check it out on the Library website as well as other program information.
 - D. The Library will once again participate in free summer lunches. That programs runs from June 10th to July 18th coinciding with summer school. No lunches will be served the week of July 4th. Last year this program was a huge success.

Neenah Arts Council

- I. Alderperson Erickson reported from the Neenah Arts Council meeting of May 8, 2019.
 - A. The Arts Council was approached by Emma Santiago about the Mural Project.
 - B. On July 17th they will have their Plein Air Event in conjunction with the Bergstrom Mahler Museum of Glass Arts Festival.
 - C. On September 16th the Arts Council will have their first Live Music Event in the City.

Council Directives

- I. MS Lendrum/Bates to add a Council Directive directing Community Development staff to research and potentially propose a change to the Zoning Code restricting gravel driveways in residential zoning districts and requiring a one car garage minimum for all residential new build structures in the City (all other homes would be grandfathered in). The research will most likely include researching other communities, understanding the impacts i.e., extra costs for homeowner, benefits to community. (This motion will be voted on at the next Council Meeting)

Unfinished Business

- I. Ald. Stevenson questioned the CIP Workshop Schedule.
 - A. Dir. Easker advised that the Finance & Personnel Committee will cancel May 27th. If there are significant agenda items, they would bump that meeting up to May 20th. At this point they have only one agenda item which could wait until the first June meeting. The deadline is noon tomorrow.
 - B. Mayor Kaufert clarified that a notice will be sent out tomorrow to cancel May 26th F&P. If they need to meet on June 20th an agenda will be posted as well. The PSSC meeting will be held on May 28th. It appears June 3rd will be the CIP workshop at 6 pm then the public input session would be at Council on June 19th.

- II. Mayor Kaufert advised everyone that the Touch-A-Truck event was held today. Many businesses brought out a variety of truck that kids could sit in and get a close up view of. The Firefighters Charitable Foundation were raising money to decorate the splash pad at Washington Park with a fire theme including a hose kids can use to spray a pretend fire. As part of the event, he climbed the Neenah-Menasha ladder truck and dropped 600 firefighter stress balls into a firefighter boot to raise money for the Firefighters Charitable Foundation. He thanked staff and businesses for a well-run event. There was a very good turnout and the weather was good as well.
 - A. Ald. Stevenson asked where citizens can donate. Mayor Kaufert indicated donations can be made at Neenah Parks & Recreation Department, Neenah-Menasha Fire Station #32, Fox Communities Credit Union (Neenah branch) and Cedar Bar & Grill.

- III. Mayor Kaufert announced that the flags are out on the bridge on N. Commercial Street for Armed Forces Day. He thanked the N-M Honor Guard for the flags. They will help celebrate Armed Forces Day and Memorial Day.

New Business

- I. Mayor Kaufert advised that he went up to Green Bay yesterday to film a ½ hour TV show with Tom Zalaski called News Makers. It is on Sunday mornings at 7:30 am on WFRV Channel 5. It is all about economic development. All the positive things going on in Neenah. He urged everyone to watch the show.

- II. Council President Stevenson advised that he is still looking for responses from the Council regarding participation in the Memorial Day Parade. He asked the Council to look in their emails for the information and respond if they plan to participate. Ald. Lang is the only one to respond so far.

- III. Ald. Lang announced the Neenah Historical Society's Exhibit, "Voting for a Change - the Impact of the 19th Amendment on our Community" will open on Sunday May 19th from noon to 4 pm. Former Lieutenant Governor Rebecca Kleefisch, in her new role as executive director of the National Women's Suffrage Centennial Commission is expected to visit at noon and give some remarks regarding the anniversary of women's right to vote. The League of Women Voters will also be

here hosting an ice cream social. You can visit the exhibit on weekdays during our normal business hours of 10 a.m. to 2 p.m. and on Sunday afternoons starting May 19 through June 30. The Exhibit includes some amazing women from Neenah who had an impact on the passage of the 19th Amendment.

- IV. Mayor Kaufert announced his appointment to fill the expired term of Grant Birtch, Al Long and Wayne Sigl on the Board of Review for a five year term to expire in June of 2024 will be considered at the June 5, 2019 Council Meeting.
- V. Mayor Kaufert announced his appointment to fill the expired terms of Bonnie Flegle and James Sudlak on the Loan Assistance Board for a three year term to expire in June of 2022 will be considered at the June 5, 2019 Council Meeting.
- VI. Ald. Boyette reminded everyone that Friday is National Poppy Day. The American Legion Auxiliary women will be out collecting donations and handing out poppies at local business. She hopes everyone will donate and support our local veterans.
- VII. Ald. Kunz advised that, as a member of the Park & Rec Commission, he received a copy of a letter from John Bergstrom expressing his excitement for the upgrades at Washington Park. The upgrades are not even completed and citizens are noticing the improvements.
 - A. Mayor Kaufert added that the playground area is open and being utilized by a lot of kids. They are a little behind because of weather but still hoping to have the splash pad open in August.
 - B. Ald. Stevenson indicated he heard a lot of comments at the Touch-A-Truck event this morning. Everyone is talking about the upgrades.
- VIII. Dir. Kaiser reminded everyone that next week is National Public Works Week. He asked citizens to thank their garbage men and all the other guys and gals that help the City run.

Adjournment

- I. **MS Lendrum/Boyette to adjourn at 8:33 p.m. There being no objections the motion was approved by unanimous consent.**


Patricia A. Sturn, WCPC/MMC
City Clerk

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, May 28, 2019 - 6:30 PM
Hauser Room - City Administration Building

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

Also Present: Mayor Kaufert, City Attorney Godlewski, Assistant City Attorney VandenHeuvel, Director of Public Works Kaiser, Director of Community Development and Assessment Haese, Deputy Director of Community Development and Assessment Schmidt, Traffic Engineer Merten, Police Chief Olson, Assistant Chief Sievert, Ed Hudak, Nikki Hessel, Chris Jones

Minutes:

Motion/Second/Carried Lendrum/Stevenson to approve the minutes of the May 7, 2019, Regular Meeting. All voting aye.

Public Appearances: None.

Ordinance 2019-14 Amending Article IV - Division 3: Noise: Assistant City Attorney VandenHeuvel reviewed Ordinance 2019-14 amending article IV - Division 3 relating to noise. He stated that some provisions are based on model ordinances and that the table of maximum decibel levels is taken from the City of Appleton ordinance. He noted that the ordinance replaces a more subjective determination of noise level with a set decibel level, which will help with enforcement and prosecution of noise complaints. He stated that officers will likely follow current practice of issuing a warning on the initial violation and then a citation if there is a subsequent violation.

Committee discussed a number of aspects of the ordinance including coordination of the decibel levels with other code areas that reference noise levels, the application of the ordinance to loud mufflers, and the application of the ordinance to barking dog complaints. Assistant City Attorney VandenHeuvel stated that Section 6 of the ordinance notes that State statute will still be used as the basis for muffler violations. He reviewed noise level limitations for beer gardens and special events. Assistant Chief Sievert stated that barking dog violations are based on the nuisance ordinance.

Committee discussed the application of the ordinance to industrial equipment, especially where industrial property abuts residential property. City Attorney Godlewski stated that noisy industrial equipment could be considered a public nuisance issue. Assistant City Attorney VandenHeuvel clarified that the decibel level violation is based on the zoning of the property that is the source of the noise.

Chief Olson noted that sworn staff will be trained in the three decibel meters that have been ordered. He stated that citizen reporting of decibel levels would not be valid in court.

Ed Hudak, 207 Crescent Drive, addressed the Committee to compliment the work on the ordinance and to question the manner in which loud mufflers are handled. He noted that the Appleton ordinance refers to a noise level at a specific distance from the muffler of a motorcycle running at a specific revolutions per minute.

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Assistant City Attorney VandenHeuvel reiterated that the proposed ordinance defers to State statute. He also noted the ability to cite based on statute prohibiting muffler alteration that increases exhaust noise. Chief Olson reviewed procedures for citing a loud motorcycle. He noted that Sgt. Fosler has been assigned the task of reducing loud vehicle complaints in the City and outlined the department program.

ORD.

Following further discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council adopt Ordinance 2019-14 amending Article IV Division 3 of the municipal code relating to noise violations.** All voting aye.

Ordinance 2019-15 Amending Code §4-106 Making the Beer Garden Regulations Applicable to State Licensed Premises; and Creating Code §4-107 Temporary Extension of Licensed Premises: City Attorney Godlewski reviewed proposed Ordinance 2019-15. City Attorney Godlewski noted that the impetus for amending Code §4-106 was the recent Barrel 41 application. In regard to amending Code §4-107, he noted that there were several parameters that required Committee input relative to application filing and amplified noise times. Committee consensus was to use a 21 calendar day lead time for an application filing.

Assistant City Attorney VandenHeuvel noted that the provision allowing special issuance by the Mayor in Sec. 4-107(2) provides for just one special issuance per licensed premises. Committee discussed the definition of licensed premises and possible modifications to this provision.

Committee discussed the time period allowed for amplified sound. Committee questioned the consistency in amplified sound times between this ordinance and other related ordinances.

Following discussion, City Attorney Godlewski stated that he would research other similar ordinances and bring a proposed ordinance to a future Committee meeting.

Resolution 2019-14: Fee Schedule to Add Fee for Temporary Extension of a Licensed Premise:

Following discussion, **Motion/Second/Carried Lang/Stevenson to refer Resolution 2019-14 to the Finance and Personnel Committee.** All voting aye.

We Energies Easement Request – Bergstrom Mahler Museum: Director Kaiser reviewed an electric distribution easement request by We Energies on the Bergstrom-Mahler Museum property. He noted that the easement was about 15 feet wide and extends 50 feet into the property. He stated that two transformers would be placed in this area. He stated that We Energies had agreed to a payment of \$300 for placement of the second transformer in this easement.

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REPORT

Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approval of the Distribution Easement – Underground for We Energies work request 4243034 on the Bergstrom-Mahler Museum site.** All voting aye.

Downtown Traffic Study Phase II Consultant Selection: Traffic Engineer Merten reviewed the scoring matrix for the consultants that provided proposals for the second phase of the Downtown Neenah Traffic Study as requested by the Committee at their May 7, 2019, meeting. He noted that the scoring matrix confirms the closeness of the evaluation of the proposals from MSA Professional Services and Ayres Associates. He confirmed that the staff recommendation continues to be MSA Professional Services and that this is based, in part, on the cost difference in those two proposals. Staff had considered proposal cost to be 25% of the evaluation. Director Kaiser noted that the Committee could remove the proposal cost from the consideration. He noted the typical importance of cost assigned to consultant proposal evaluations. Committee discussed the merits of the proposals, the consideration of the cost difference, the potential impact of the study recommendations on future capital projects, and the value of having another consultant evaluate traffic conditions in the area. Mayor Kaufert stated that he agreed that having another set of eyes evaluate traffic conditions has value and that the higher cost can be warranted given the larger development picture in the downtown. Traffic Engineer Merten reviewed the comparison of project hours detailed by the consultants.

REPORT

Following further discussion, **Motion/Second/Carried Stevenson/Bates to recommend that the City enter into a professional services agreement with Ayres Associates for Phase II of the Downtown Traffic Study in the amount of \$49,290, utilizing \$45,000 in 2019 budgeted TID 10 funds and \$4,290 in unspent TID 10 reserves.** All voting aye.

Ordinance 2019-13 Amending Article IV Storm Water Management: Director Kaiser reviewed two changes to Ordinance 2019-13 requested by Alderman Kunz following prior Committee action to recommend ordinance approval. The first change involved the removal of the reference to the “Director” in Sec. 17-126(9). Director Kaiser indicated that this is a redundant reference. The second change involved creating a definition for “Other developed property” and removing reference to “Non-residential property”.

ORD.

Following discussion, **Motion/Second/Carried Lendrum/Spellman to recommend Council approve Ordinance 2019-13 Amending Article IV Storm Water Management Services.** All voting aye.

Pendleton Road Trail Easement: Director Kaiser reviewed his May 23, 2019, memo requesting approval of the permanent limited easement for trail construction on the west side of Pendleton Road abutting the Pendleton Park Apartment development. The easement will be a 2-foot strip along the east edge of the apartment parcel. Director Kaiser noted that the need for the easement was triggered by the estimated \$80,000 cost to relocate the street light poles, AT&T facilities and Spectrum cable facilities impacted by trail construction on the west side of Pendleton Road. The easement will allow trail installation to take place without the utility relocations.

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Mayor Kaufert informed the Committee that he has reviewed the current landscaping for the development with Director Haese. He stated that several trees will be installed after trail construction is complete. This will bring the site in compliance with the approved landscape plan.

REPORT

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve the permanent limited easement for trail construction along the west side of Pendleton Road abutting the Pendleton Park Apartment development.** All voting aye.

Special Event Permits:

Backdraft Bike Tour: Committee reviewed the Street Use Permit for the Backdraft Bike Tour to be held on June 9, 2019.

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 Backdraft Bike Tour, sponsored by the Neenah Menasha Firefighters Charitable Foundation, Tim Patterson, 125 E. Columbian Avenue, Neenah, to be held on June 9, 2019.** All voting aye.

Major League Fishing Bass Pro Tour: Committee reviewed the Street Use Permit for the Major League Fishing Bass Pro Tour to be held on June 22 through July 1, 2019. Nikki Hessel, Executive Director of FNI, and Chris Jones, Neenah High School Fishing Club advisor, addressed the Committee regarding aspects of the event. Ms. Hessel stated that FNI is acting as a facilitating partner to put the event organizers in touch with the proper parties. Mr. Jones described how the event will proceed. He noted that there will be 80 competitors. He stated that this is the first time that an event of this type has been this close to Neenah. Mayor Kaufert reviewed the projected economic impact of the event. Ms. Hessel reviewed the origins of the event request. She stated that Major League Fishing typically requires a community payment of \$75,000 in order to host the event. They are not requiring that of Neenah.

Mayor Kaufert stated that the event will use the east parking lot of Shattuck Middle School to stage production equipment. He stated that Laudan Boulevard between Elm Street and Reed Street will be closed during the event. He stated that the Rec Park boat launch will be heavily used by the event. He stated that, in order to accommodate affected Neenah boaters, Winnebago County will honor the Neenah launch stickers at their boat landings. Committee discussed parking for event spectators. Committee requested that the changeable message boards be placed to notify the neighborhood and boaters of the event.

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 Major League Fishing Bass Pro Tour, sponsored by the Major League Fishing, Michael Mulone, 4500 S. 129th E. Avenue, Suite 201, Tulsa, OK, to be held on June 22 through July 1, 2019.** All voting aye.

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Furry Flurry Walk for Pets: Committee reviewed the Street Use Permit request for the Furry Flurry Walk for Pets, sponsored by the Neenah Animal Shelter, to be held on August 10, 2019, at Riverside Park.

C.A. Following discussion, **Motion/Second/Carried Lendrum/Spellman to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Furry Flurry Pet Walk, sponsored by the Neenah Animal Shelter, Mary Setton, 951 County Road G, Neenah, WI, to be held on August 10, 2019.** All voting aye.

Labor Day Parade: Committee reviewed the Street Use Permit request for the Labor Day Parade, sponsored by the Fox Valley Area Labor Council, to be held on September 2, 2019.

C.A. Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Labor Day Parade, sponsored by the Fox Valley Area Labor Council, Hugh Sloan, to be held on September 2, 2019.** All voting aye.

Neenah High School Homecoming Parade: Committee reviewed the Street Use Permit for the Neenah High School Homecoming Parade to be held on September 27, 2019. Chairman Bates noted that the parade was on the same route used in 2018. She reminded the Committee that, because of concerns that the route closed both Fox River crossings, the motion coming out of that approval read, in part, “with the understanding that this same route will not be approved in 2019, the parade organizers must work with the City and downtown businesses to develop a route that recognizes the need for public safety and access, and staff is to provide a breakdown of costs for the event.” She asked if the school district had considered other routes. Mayor Kaufert stated that police staff expressed the belief that the 2018 event went well enough that the same arrangement could be used in 2019. He noted that the police staff positioned at both Oak Street and Commercial Street could halt the parade to let emergency vehicles through, if necessary. He also noted several routing alternatives that he had suggested but ultimately the school district wanted to maintain the atmosphere of the parade going through the downtown. He noted that the move to a 5 pm start also helped reduce traffic impacts. Chief Olson stated that more CSAs were used to maintain access at the main crossings. He noted how the CSAs will check with queued traffic to see if any of the drivers have an immediate need to reach the hospital. Committee noted the benefit of using the changeable message boards to make traffic aware of the event. Mayor Kaufert also noted the help of the downtown in informing employees of the event so that they can plan their workday departure.

C.A. Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Neenah High School Homecoming Parade, Vicki Strebel, 1275 Tullar Road, Neenah, to be held on September 27, 2019.** Motion passed 4-1 (Ald. Bates voting no).

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Linda M. Ashauer, Benjamin B. Baker, Deborah M. Bemowski, Drew E. Bendixen, Patrick T. Boettcher, Kristen J. Boherstengel, Pattie J. Braun, Aaron T. Callahan, Heidi J. Ciske, Jason J. Crooks, Jamie L. Czarnecki, Raymond J. DeRoche, Jacob L. Detampel, Sherry L. Diehl, Todd J. Ellis, Regennia D. Facen, LaVaune C. Guenther, Ashlynn M. Hale, Eric S. Henzel, Dwight N. Kerr, Kathleen J. Kofnetka, Christine P. Krautkramer, Dominique Kuhlow, Mark A. Lembcke, James A. Maguire, Amber M. Ostorero, David L. Piehl, Kayla S. Rasmussen, Linda J. Schultz, Breanna J. Scovronski, Paul W. Schultz, Adam C. Seidl, Hunter JM Spors, Angela L. Steffensen, Melissa M. Stuck, Lori A. Swarthout, Anders J. Swiderski, Jessica M. Vandeberg and Shelly L. Van Patter.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend Council approve beverage operator license applications for Linda M. Ashauer, Benjamin B. Baker, Deborah M. Bemowski, Drew E. Bendixen, Patrick T. Boettcher, Kristen J. Boherstengel, Pattie J. Braun, Aaron T. Callahan, Heidi J. Ciske, Jason J. Crooks, Jamie L. Czarnecki, Raymond J. DeRoche, Jacob L. Detampel, Sherry L. Diehl, Todd J. Ellis, Regennia D. Facen, LaVaune C. Guenther, Ashlynn M. Hale, Eric S. Henzel, Dwight N. Kerr, Kathleen J. Kofnetka, Christine P. Krautkramer, Dominique Kuhlow, Mark A. Lembcke, James A. Maguire, Amber M. Ostorero, David L. Piehl, Kayla S. Rasmussen, Linda J. Schultz, Breanna J. Scovronski, Paul W. Schultz, Adam C. Seidl, Hunter JM Spors, Angela L. Steffensen, Melissa M. Stuck, Lori A. Swarthout, Anders J. Swiderski, Jessica M. Vandeberg and Shelly L. Van Patter.** All voting aye.

Temporary "Class B" (Picnic) Beer & Wine License Application - Bergstrom Mahler Museum: The Committee reviewed the request for a temporary "Class B" (picnic) beer & wine license application from the Bergstrom Mahler Museum for their Songs on the Lawn event to be held on July 21, 2019.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Spellman to recommend Council grant a temporary "Class B" (picnic) beer & wine license to Bergstrom Mahler Museum for the Songs on the Lawn event to be held at 165 N. Park Avenue on July 21, 2019.** All voting aye

Change of Agent - Aldi Inc.: The Committee reviewed the change of agent for Aldi #37, d/b/a Aldi, 927 S. Green Bay Road.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Spellman to recommend Council approve the change of agent for Aldi #37, d/b/a Aldi, 927 S. Green Bay Road, Cody A Potter, agent.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 2-18 (Cecil, Adams). A final pay estimate is being prepared. The contractor has been informed of a number of punchlist items.

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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 is complete. The street is in the rest period for trench settlement.
 - b. Stevens Street – Utility work is complete. Service work behind the sidewalk will take place the week of May 27. Grading and graveling work is complete.
 - c. Fifth Street – Utility work is complete. Service installation behind the sidewalk was done the week of May 20. Grading and graveling is complete.
4. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
 - a. Stanley Court – Water main installation is complete. Service work is ongoing.
 - b. Stanley Street – The road has been pulverized. Utility work should start the week of June 10.
 - c. Thomas Court – Utility work is complete. Requested lateral replacements have not yet been done.
5. Contract 3-19 (Epoxy Pavement Marking) – Work has not been scheduled.
6. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The Bell Street trail has been poured. The contractor will start work on Pendleton Road the week of May 27.
7. Contract 5-19 (Miscellaneous Sidewalk Repair – CDBG) – No bids were received for this contract.
8. Contract 6-19 (Hot-Mix Asphalt Pavement Repair) – Bids were opened on May 15. The Board of Public Works will act on the award on May 28.
9. Courtney Court – Work has not started.
10. North Street – We have received the preliminary plans from the County’s consultant. This project is included in the County’s reconstruction of CTH “O”. A public information meeting on the project is being scheduled by Winnebago County for late June.

Mayor Kaufert noted that work on the CTH CB/Oakridge Road roundabout is beginning shortly.

Announcements/Future Agenda Items: Director Kaiser noted two items that will come to the June 11 meeting: 1) a minor correction to the TARF ordinance related to a statute citation; 2) a request by the Fox Valley Sailing School to build a storage building at the Tullar Garage site.

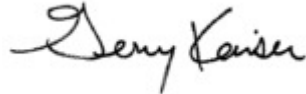
Mayor Kaufert requested that the Committee have a follow-up discussion on Click ’n Collect requests made by Walmart and Festival Foods.

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Traffic Engineer Merten informed the Committee that the equipment had been received for the pedestrian beacons that will be installed on Tullar Road at Byrd Avenue.

Motion/Second/Carried Stevenson/Lang to adjourn at 8:45 p.m. All voting aye.

Respectfully submitted,

A handwritten signature in black ink that reads "Gerry Kaiser". The signature is written in a cursive, flowing style.

Gerry Kaiser, PE
Director of Public Works



AN ORDINANCE: By the Public Services and Safety
Committee
Re: Amending Article IV – Division 3: NOISE

ORDINANCE NO. 2019-14
Introduced: June 5, 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 11-145(b) of the Code of Ordinances of the City of Neenah is stricken in its entirety.

- ~~(b) Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:~~
 - ~~(1) The proximity of the sound to sleeping facilities, whether residential or commercial;~~
 - ~~(2) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;~~
 - ~~(3) The time of day or night the sound occurs;~~
 - ~~(4) The duration of the sound; and~~
 - ~~(5) Whether the sound is recurrent, intermittent, or constant.~~

Section 2. Section 11-145(c) of the Code of Ordinances of the City of Neenah is amended by recodifying it to 11-145(b).

Section 3. Section 11-146 of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

(14) Exhaust. The discharge into open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat, or motor vehicle, except through a muffler or other device, which effectively prevents loud or explosive noises therefrom.

(15) Automobiles, motorcycles, etc. The use of any automobile, motorcycle, or other vehicle in such a manner as to create loud and unnecessary grating, grinding, rattling, or other noise.

Section 4. Section 11-146.5 is created to read as follows:

Sec. 11-146.5 Acceptable Sound Levels

The following levels represent the maximum decibel level allowable within the City by zoning area.

Residential, public spaces, agricultural, or institutional – 7:00 am to 7:00 pm	75 dBA
Residential, public spaces, agricultural, or institutional – 7:00 pm to 11:00 pm	65 dBA
Residential, public spaces, agricultural, or institutional – 11:00pm to 7:00 am	60 dBA
Commercial and Industrial – 7:00 am to 7:00 pm	75 dBA
Commercial and Industrial – 7:00pm to 7:00 am	70 dBA
Entertainment – 2:00 pm – 2:00 am	75 dBA
Entertainment – 2:00 am – 2:00 pm	70 dBA

Section 5. Section 11-147 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language to read as follows:

Sec. 11-147. - Exemptions.

Sounds caused by the following are exempt from the prohibitions set out in Section 11-146 and are in addition to the exemptions specifically set forth in that section:

~~(1) Motor vehicles on traffic ways of the City, provided that the prohibitions of Subsections 11-146(2), (5), and (6) continue to apply.~~

~~(2)~~ Repairs of utility structures, which pose a clear and immediate danger to life, health, or significant loss of property.

~~(3)~~ (2) Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in Subsection 11-146(4) continues to apply.

~~(34)~~ The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work.

~~(45)~~ Repairs or excavations of bridges, streets or highways by or on behalf of the City, the County, the State, or the federal government, between the hours of 7:00 p.m. and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and 7:00 p.m.

~~(65)~~ Outdoor school and playground activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.

~~(76)~~ Other outdoor events. Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

Section 6. Section 11-148(c) is created to read as follows:

(c) Notwithstanding the provisions in this section, muffler violations may be enforced without the use of decibel readers following State Statute.

Section 7. 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 8. 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



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.

Non-residential Other developed property. The term "~~non-residential~~ Other developed property" means any ~~developed~~ lot or parcel that cannot be classified as either Residential-Single Family, Manufactured Home or Condominium, or Residential-Duplex, ~~not exclusively residential~~ as defined herein, including, but not limited to, transient rentals (such as hotels and motels), commercial, industrial, institutional, governmental property, multi-family and parking lots.

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 developed** ~~Residential—Multifamily Units.~~

~~(d) Non-residential.~~

~~(e)~~ **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 Duplex residential properties shall be the rate for one-half of one ERU for each individual dwelling unit existing on the property ($\frac{1}{2}$ 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 developed 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~~ of the property by the square footage of one ERU. The factor shall be rounded down to the nearest one-half, i.e.
ERU rate x $\frac{\text{impervious Area}}{\text{Area of 1 ERU}}$

(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 shall be 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 and~~ 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 classified as Other Developed Property shall be equal to the rate for one (1) ERU.

(1140) 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



RESOLUTION NO. 2019-14

A RESOLUTION AMENDING RESOLUTION NO. 7375 - STRUCTURE AND OPERATIONAL RULES FOR THE SUSTAINABLE NEENAH COMMITTEE

WHEREAS, the Common Council established the Sustainable Neenah Committee by Resolution No. 7250; and,

WHEREAS, Resolution 7375 adopted rules relating to the structure and operating rules for the committee; and,

WHEREAS, the Committee has requested that the rules relating to the structure and operation of the committee be amended to improve the operation of the Committee;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 5th day of June, 2019, that the operational rules for the Sustainable Neenah Committee as enacted by the Common Council in Res. 7375 be amended by adding the highlighted language and removing the stricken language and incorporated into the City of Neenah Directory and Rules of Order Common Council as follows:

The Sustainable Neenah Committee, created by Resolution No. 7250, shall be composed of ~~18~~9 members, all of whom shall have voting rights on committee business. Of the membership, ~~six~~two shall be standing appointments consisting of one Council Representative; and one Mayor's Representative (who shall be appointed from City staff); ~~one Future Neenah Inc./BID Board representative; the Park & Recreation Director or designee; the Chief Building Inspector or designee; and one Neenah Joint School District representative, appointed byu the School Superintendent.~~ The remaining ~~twelve~~seven members shall be ~~citizen~~ appointments by the Mayor, confirmed by the Common Council, and may include City staff; each holding three-year staggered terms, ~~with four citizens per term period.~~ The Council and Mayor Representatives shall be co-chairs of the committee. A quorum of the committee shall consist of 7~~5~~ members, at least ~~4 of which must be citizen members and~~ one shall be a co-chair.

Recommended by: Committee on Rules

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk

**Minutes of the Board of Public Works Meeting
Tuesday, May 28, 2019 – 12:00 p.m.
Hauser Room**

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

ALSO PRESENT: City Clerk Sturn, Dir. Of Water Utility Mach and Forrest Bates.

Chairman Kaufert called the meeting to order at 12:03 p.m.

MINUTES: MSC Godlewski/Kaiser to approve the minutes from the May 8, 2019 Board of Public Works meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Public Works:

Award Contract 5-19: Dir. Kaiser advised that two bids were received for Contract 5-19, MCC, Inc., Appleton and Northeast Asphalt, Greenville. Northeast Asphalt did this work last year and MCC the prior year. He recommended awarding Contract 5-19 for HMA Pavement Repair to the low bid from MCC, Inc., Appleton in the amount of \$84,985.80. The estimate for this contract was \$125,000 and includes utility patches and other identified areas needing repairs. The practice is not to extend quantities to bring the project more than 15% over the bid. In discussing the difference in bids for the traffic control, Dir. Kaiser advised it depends on where the contractor puts this in their bid numbers. Some could be included in other numbers. Mayor Kaufert reminded that he is making street repair a priority after the winter we had. He asked Dir. Easker / Kaiser to prepare a spreadsheet showing the over / under of all 2019 projects in order to show a running total. He would like this available for the CIP workshop next Monday. **MSC Kaiser/Haese to recommend Council award Contract 5-19 for HMA Pavement Repair to the low bid from MCC, Inc., Appleton in the amount of \$84,985.80, all voting aye.**

Pay Estimate No. 2 for Contract 1-19: Dir. Kaiser recommended approval of Pay Estimate No. 2 for Contract 1-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Co., Inc., Kaukauna in the amount of \$188,354.43. This work is progressing well. The Board discussed completion by July 4th indicating that timeline would require the paving to take place about the same time as the fishing tournament in late June. Mayor Kaufert indicated the need for signage to direct people where to go. **MSC Kaiser/Haese to approve Pay Estimate No. 2 for Contract 1-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Co., Inc., Kaukauna in the amount of \$188,354.43, all voting aye.**

Pay Estimate No. 2 for Contract 2-19: Dir. Kaiser recommended approval of Pay Estimate No. 2 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court and Thomas Court to Robert J. Immel Excavating, Inc., Greenville in the amount of \$180,332.33. This pay estimate includes water main work on Stanley Court and

storm & sanitary sewer on Thomas Court. The work is moving steadily. **MSC Kaiser/Bates to approve Pay Estimate No. 2 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court and Thomas Court to Robert J. Immel Excavating, Inc., Greenville in the amount of \$180,332.33, all voting aye.**

Contract 6-19 Miscellaneous Sidewalk Repair: Dir. Kaiser advised that the bid opening for Contract 6-19 Concrete Sidewalk Repair – CDBG was scheduled for 9 am on May 8th. At that time, no bids were received. Last year one bid was received and rejected. In a follow-up discussion with a concrete contractor, Dir. Kaiser indicated that general availability and CDBG wage rate requirements played roles in his decision to pass up this project. No further action is needed. Dir. Haese advised that the difference with the CDBG projects is this work must be done in low to moderate income neighborhoods and includes additional paperwork with the wage rate requirements. He indicated the \$50,000 CDBG for this work will be allocated somewhere else.

Park & Recreation:

Pay Request No. 3 for Washington Park Phase III: Dir. Kaiser indicated the memo from Dir. Kading is self-explanatory. Mayor Kaufert added he has visited the park and feels they are being paid for work that has been satisfactorily completed. The memo outlines the pay request indicating the work includes: site excavation and installation of stone base on the trails & courts and sand in the splash pad area; underground utilities (water, sewer and storm); and 50% of the site electrical. The contractor lost 15 days due to weather however remains confident that they will hit the bench mark dates. Work to be completed in the next two weeks include: installation of the splash pad underground plumbing; electrical work; and site drainage hook up. The play area opened for us on Monday, May 13th and was very busy. Dir. Kading recommended approval of Pay Request No. 3 for Washington Park Phase III to R & R Wash Materials, Inc. in the amount of \$114,418.50. **MSC Godlewski/Kaiser to approve Pay Request No. 3 for Washington Park Phase III to R & R Wash Materials, Inc. in the amount of \$114,418.50, all voting aye.**

Water:

Pay Request No. 4 for the Chemical Storage and Feed Modifications Project: Director Mach requested approval of Pay Request No. 4 for the Chemical Storage and Feed Modifications project to August Winter & Sons, Inc. in the amount of \$54,500.00. This is to complete upgrades to the Chemical Feed and Delivery System. He is satisfied that this pay request is justified. The work is 95% complete. They continue to withhold payment for the tank until issues are resolved. He has a conference call at 1:30 pm this afternoon to discuss the tank issues with the contractor. Mayor Kaufert asked that City Atty. Godlewski be included in this conference call. **MSC Haese/Godlewski to approve Pay Request No. 4 for the Chemical Storage and Feed Modifications project to August Winter & Sons, Inc. in the amount of \$54,500.00.**

MSC Haese/Kaiser to adjourn at 12:25 p.m., all voting aye.

Respectfully Submitted,



Patricia A. Sturn, WCPC, MMC
City Clerk

STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

Date: June 5, 2019

Date of Directive: 4/17/2018

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

Responsible Party: Ald. Lendrum

Status: Pending