

**COMMON COUNCIL MINUTES**  
Wednesday, August 17, 2016 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., August 17, 2016 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Firefighter Xiong Yang & family & friends, several members of the N-M Fire Rescue, Manny Vasquez of Fox Cities Regional Partnership, Carrie Robbins, Mike Holewinski, Corey Vanevenhoven, Ben Hamblin & Shawn Jandrey of McMahon and Chelsea Golden.

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

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

**Swearing In Ceremony for New Firefighter**

- I. Fire Chief Kloehn introduced newly hired firefighter Xiong Yang. Xiong was born and raised in Oshkosh, graduating from Oshkosh North. He then enrolled in the Fire/Science Technology Program at FVTC. In 2011 he served as an intern for NM Fire Rescue for 4 months. He was hired by the LaCrosse Fire Department in September of 2012 where he stayed until he received a call from Neenah-Menasha to return home to be near his family. He is joined by his girlfriend Evas Lo, his mother Jer Xiong and several of his six brothers/sisters and nieces/nephews. He welcomed Xiong into the NM Fire Rescue family. Clerk Sturn administered the oath of office to Xiong Yang. His mother, Jer pinned on his badge.
  - A. Xiong thanked everyone for coming tonight. He is very grateful for this opportunity to come back home and to protect & serve his community.
  - B. Mayor Kaufert welcomed Xiong and wished him the best.

**Fox Cities Regional Partnership Update - Vice President Manny Vasquez**

- I. Fox Cities Regional Partnership Vice President Manny Vasquez gave a brief presentation/update on their organization. The Fox Cities Regional Partnership is an economic development organization that assists in business retentions/expansion. He distributed information on some of their efforts including a Fox Cities Economic Overview. He provided a list of investors which include the Cities of Neenah and Menasha and outlined the benefits to those investors. He stressed the importance of an ongoing relationship between the City of Neenah and the Fox Cities Regional

Partnership. He thanked the City of Neenah for their partnership indicating he will provide updates at future Council meetings.

### **Public Hearing**

- I. Consider a Special Use Permit request by CV MH, LLC to allow the construction of min-storage units at 1001 S. Lake Street.
  - A. Carrie Robbins, 999 S. Lake Street, expressed concern over the lack of notification. She feels her privacy was taken away and would like to see a fence put up. She would also like to see the trees replaced.
  - B. There being no further appearances, Mayor Kaufert declared the public hearing closed at 7:43 pm.

### **Plan Commission Report Pertaining to the Public Hearings**

- I. Council Rep. Lang reported the regular Plan Commission meeting of August 9, 2016:
  - A. Commission recommends Common Council approve a Special Use Permit for the construction of a self-service storage facility located at 1001 S. Lake St subject to the following conditions: any future on-site signage shall be approved by the Plan Commission prior to obtaining a sign permit, off-premise signs are prohibited in the City; and the current owner and/or future owners of the subject property are responsible for ensuring that the landscape plantings on 999 S. Lake Street continue to meet the minimum requirements for bufferyard landscaping. **MS Lang/Kunz.**
  - B. Dir. Haese indicated the adjoining owner have been notified. Ms. Robbins is the tenant. It is his understanding there will be a fence constructed on the property line. Due to the lack of space on this site there is not enough room to place the buffer landscaping typically placed on these properties. The neighboring property has agreed that the landscaping be place on his property.
  - C. Mayor Kaufert advised Ms. Robbins that her landlord was notified but failed to pass the information on to his tenant.
  - D. Mike Holewinski, N1178 Roena Lane, Hortonville, added that they plan to put up a fence.
  - E. Ald. Bates shared a picture of the plan on the overhead for the audience to view. She questioned how this is related to future owners.
  - F. Dir. Haese clarified the existing owners is requesting it be put on his side. If a future owners want to remove that vegetation, they probably have the right to do that.
  - G. Ald. Bates questioned the location of the fence that was taken down.
  - H. Mike Holewinski pointed out the fencing indicating it was an old chain link fence that was overgrown. He clarified for Ald. Bates that it can be accessed 24/7 however it should not be heavy traffic and mostly during daylight hours. The use has not changed, it is just being cleaned up and made to look more attractive. He clarified for Ald. Bates that there were 17 units before, all being used.

- I. Dir. Haese reminded this is a commercial property. He cautioned the Council if there are contemplating a requirement for a fence. The landscaping is being put in to buffer the commercial use from the residential use.
- J. Mayor Kaufert added that 995 S. Lake Street has a lot of heavy equipment which is why he was hoping to have a fence. The two owners continue their discussions.
- K. Dir. Haese clarified for Ald. Pollnow that the easement could be a part of this but would not really carry any weight. It needs to be a recorded easement. We could require proof of that easement.
- L. **MS Pollnow/Stevenson to amend the motion to add a contingency to provide proof of recorded easement.**
- M. Mike Holewinski advised that the easement already exists.
- N. Dir. Haese asked Mr. Holewinski to provide documentation that the easement exists.
- O. Mayor Kaufert pointed out that the apartment building in front is also owned by the same people.
- P. **The amendment carried by a 9-0 RollCall-Pro System vote, all voting aye.**
- Q. Ald. Bates questioned if they are re-doing the parking and if restrictions with plantings will be required.
- R. Dir. Haese indicated typically those restrictions come into play with the expansion of parking lots. If traditional set back requirements were imposed, they would not have any parking. Repaving does not retrigger those requirements. He clarified for Ald. Bates that the protection is the same as it would be for any special use permit. If the neighbor takes the fence down and staff could issue orders that the fence be replaced by the applicant. These records are stored in multiple locations within their department.
- S. **The original motion, as amended, carried by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Bates voting nay.**

#### **Public Services and Safety Committee**

- I. Chairman Bates reported the special meeting of August 17, 2016:
  - A. **MSC Hillstrom/Stevenson to waive the 24-hour rule relative to providing minutes for Council consideration and action, all voting aye.**
  - B. Committee recommends Council approve the Street Use Permit for Wilson School Meet & Greet & Eat on the Street to be held at 920 Higgins Street, on August 30, 2016 from 4-7 pm. **MSCRП Bates/Erickson, all voting aye.**
  - C. Committee recommends Council approve the Street Use Permit for Gord's Street Dance to be held on September 10, 2016 on the Main Street from Millview Drive to Doty Avenue. **MSCRП Bates/Lendrum, all voting aye.**
  - D. Committee recommends Council approve Beverage Operator License Applications for: Joseph J. Boneske, Jennifer R. Henson, Stephanie R. Mader, Wendy S. Mais, Kristi A. Rector, Samantha R. Sagataw, Lori A. Van Asten and Jill M. Wilke. **MSCRП Bates/Pollnow, all voting aye.**

- E. Committee recommends Council approve the Beverage Operator License Applications for Tina M. Liotta contingent on payment of a \$20 parking ticket. **MSCRP Bates/Pollnow, all voting aye.**
- F. Committee recommends Council approve the Change of Agent for Ultimate Mart, LLC, d/b/a Pick N Save #8124 (formerly Copps), 1530 S. Commercial Street to Lyndsey Lawrence. **MSCRP Bates/Lendrum, all voting aye.**
- G. Committee recommends Council approve the Temporary Retail Class "B" (Beer only Picnic) License Application from the Outagamie County Tavern League, Paula Pitsch contact, for Gord's Street Dance, 210 Main Street on September 10, 2016. **MSCRP Bates/Hillstrom, all voting aye.**
- H. Committee recommends Council approve the Temporary Retail Class "B" (Beer only Picnic) License Application from Bergstrom Mahler Museum, 165 N. Park Avenue, Jan Smith contact, for the Art After Dark Events to be held at the Bergstrom Mahler Museum, 165 N. Park Avenue on September 15, October 20, November 17 & December 15, 2016 and January 19 & February 16, 2017. **MSCRP Bates/Lendrum, all voting aye.**

#### **Finance & Personnel Committee**

- I. Chairman Pollnow reported the regular meeting of August 8, 2016:
  - A. Committee recommends Council approve the creation of the position of PC/Network Specialist within the Information Systems Department and appoint current Help Desk/GIS Technician Lukasavage as PC/Network Specialist effective September 1, 2016. This action would result in Jason Lukasavage's position being reclassified from Grade G3 to Grade H3 with a 2016 cost impact of \$659.28 based upon the 5% increase in salary per the salary plan policy. **MSCRP Pollnow/Boyette, all voting aye.**

#### **Board of Public Works**

- I. Vice Chairman Hillstrom reported the meeting of August 8, 2016:
  - A. Information Only items:
    - 1. The Board approved Change Order No. 4 for Contract 1-16 Miscellaneous Sewer and Water Main Construction and Street Construction on Franklin Avenue, Columbian Avenue, Oak Street, Higgins Avenue, Division Street, Henry Street, Lincoln Street, Meade Street and Maple Street to Van Straten Construction Co., Inc., Green Bay in the amount of \$13,854.45.
    - 2. The Board approved Pay Estimate No. 5 for Contract 1-16 Miscellaneous Sewer and Water Main Construction and Street Construction on Franklin Avenue, Columbian Avenue, Oak Street, Higgins Avenue, Division Street, Henry Street, Lincoln Street, Meade Street and Maple Street to Van Straten Construction Co., Inc., Green Bay in the amount of \$322,512.76.
    - 3. The Board approved Change Order No. 1 for Contract 2-16 Curb, Gutter and HMA Street Construction and Concrete Sidewalk

Construction (Castle Oak I & IV) to MCC, Inc., Appleton in the amount of \$56,905.14.

B. Council Action Items:

1. The Board recommends Council approve the Final Payment for Contract 2-16 Contract 2-16 Curb, Gutter and HMA Street Construction and Concrete Sidewalk Construction (Castle Oak I & IV) to MCC, Inc., Appleton in the amount of \$306,474.72. **MSCR Hillstrom/Stevenson, all voting aye.**

**Community Development Authority Update**

- I. Dir. Haese advised that the CDA continues to work with the City Attorney on the properties in the Main Street neighborhood. They are in the process of scheduling a number of closing and necessary paperwork.

**Library Board**

- I. Ald. Erickson reported from the Library Board meeting of August 17, 2016:
  - A. This is the last week of the summer youth programs. That programming is up 33% from last year with 520 more participants. Volunteer hours are up 25% over last year
  - B. She encouraged everyone to visit the library and check out books.
  - C. Ald. Pollnow added that the Library volunteer picnic last weekend was very well attended. He thanked all the volunteers for a phenomenal job.

**New Business**

- I. Mayor Kaufert's appointment to fill the expired terms of Jayne Bottensek and Herb Allen on the Committee on Aging, terms expire September 2019 will be considered at the September 7, 2016 Council meeting.
- II. Mayor Kaufert reminded everyone of the Aldi Grand Opening is August 25<sup>th</sup> with the ribbon cutting at 8:30 am.
- III. Ald. Bates thanked the poll workers and Clerk Sturn for their efforts in the August 9, 2016 Partisan Primary. It was good preparation for the November Presidential Election.
- IV. Ald. Pollnow reminded the Council of the American Grand Assisted Living Open House on August 19<sup>th</sup> from 11 am to 4 pm.
- V. Mayor Kaufert reminded that Cranked Bike Studio has their 7<sup>th</sup> Annual Custom Antique Bicycle Show and Swap Meet on Saturday August 27<sup>th</sup> from 10 am to 4 pm.
- VI. City Atty. Godlewski advised the Council of a closed session to be held prior to the next Council meeting on September 7<sup>th</sup> to update the Council on the Mason/Funk

case. The closed session will begin at 5 pm, Accela training at 6 pm and Council at 7 pm.

**Adjournment**

- I. **MSC Pollnow/Stevenson to adjourn at 8:34 p.m., all voting aye.**

Patricia A. Sturn, WCPC/MMC