

## **COMMON COUNCIL MINUTES**

Wednesday, September 21, 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., September 21, 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, Police Captain Olson, Brandon, Dave & Lisa Robak, Laurie Case, Jim & Bev Coenen, Kenneth & Joanne Blom, Harvey & Margaret Lorenz and Dave Schmalz.

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.

### **Introduction/Swearing In of Newly Appointed Deputy Clerk Laurie Goffard**

- I. Mayor Kaufert introduced newly appointed Deputy Clerk Laurie Goffard to the Council.
  - A. City Clerk Sturn administered the oath to Deputy Clerk Goffard.
  - B. Deputy Clerk Goffard thanked Clerk Sturn for the opportunity to be in this position. She previously worked for 2-1/2 years in the Town of Clayton. She has been a resident of the City of Neenah for 40 years. She has two boys ages 5 & 9 who both go to Tullar School. They love the City of Neenah and are happy to be here.

### **Council Proceedings**

- I. **MSCRP Pollnow/Lendrum to approve the Council Proceedings of September 7, 2016 regular session, all voting aye.**

### **Public Hearings**

- I. Consider amending the Official Street Map of the City of Neenah by changing the name of Dogwood Trail to Terra Cotta Drive.
  - A. Margaret Lorenz, 1228 Dogwood Trail, representing her husband Harvey and other Dogwood Trail neighbors, spoke in opposition to renaming Dogwood Trail to Terra Cotta Drive. They do not feel this should happen as the original development was approved by the city with street names in place which reflect the city approved natural surroundings. The legal covenant was also city approved. They expressed concern over police & fire finding houses in case

of emergencies if the street name changes. Although this has been proved to be a moot point since the location is target through the phone's GIS system. Not everyone trying to locate address is using GIS or Google Mapping. She noted several other streets in the city that change street names: Bruce Street becomes Bruce Court; Alcott Drive becomes Congress Street; Bellin Street becomes Reed Street; Kessler Drive becomes Surrey Lane; Oxford Court becomes Oxford Drive; and Breezewood Lane becomes Bell Street then Maple Lane when it crosses South Park. She also noted several town street that change indicating no consistency there either. Between different municipalities, Neenah's numbered streets 5<sup>th</sup> thru 11<sup>th</sup> become Walnut, Pine, Nausau, Oak, Naymut, Elm and Cleveland in Menasha. It appears unlikely that either of the two governments, which share a fire/rescue department, would rename existing streets for the sake of continuity. She does not see the need for consistency in street names between municipalities. There is no reason to make Dogwood Trail the poster child for continuity in street names. Changing the name will cost the 13 property owners money to change their addresses on all official documents. They cannot accept that Dogwood Trail be renamed to match a street in another municipality without also attempting to rename other existing streets within the city.

- B. Laurie Case, 1105 Dogwood Trail, added to the comments made by Margaret indicating there may be some costs to the city as well for such things as building inspection permits and Certified Survey Maps.
  - C. There being no further appearances, Mayor Kaufert declared the public hearing closed.
- II. Consider rezoning land located north of Dogwood Trail from the Cottages at Woodside Green Planned Development District to R-1, Single Family Residence District.
- A. Dave Schmalz, McMahon Associates, representing Dave Winkel requested support of the R-1 zoning. The remaining lots to the south were purchased by Dave Winkel and made the 50' lots 100' lots consistent with an R-1 zoning. It would make sense to make this an R-1 zoning.
  - B. There being no further appearances, Mayor Kaufert declared the public hearing closed at 7:15 p.m.

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

- I. Council Rep. Lang reported the regular Plan Commission meeting of September 13, 2016:
  - A. Commission recommends Council approve Resolution No. 2016-27 amending the Official Street Map by changing Dogwood Trail to Terra Cotta Drive. **Motion made by Ald. Bates to adopt Resolution No. 2016-27. Motion died due to lack of a second.**
  - B. Commission recommends Council approve Ordinance No. 2016-11 rezoning the subject area from Cottages at Woodside Green PDD, Planned Development District to R-1, Single-Family Residence District. **MSCRPLang/Bates to adopt Ordinance No. 2016-11, all voting aye.**

### **Consent Agenda**

- I. Ald. Bates indicated that Item 3 needs to be removed as the last condition is to rename Dogwood Lane.
  - A. Dir. Haese indicated with the proposed street name change it would have been Terra Cotta throughout the plat. If the street name is not changed, the plat would have a street name change at the municipal boundary in the middle of the block. Dogwood Lane, in the final plat, goes from Dogwood Trail to the west. He suggested if the Council decides to leave the existing street section as Dogwood Trail the street name Terra Cotta be changed from a point at and north of Dogwood Lane. The Plan Commission during review of the plat suggested Dogwood Lane be renamed regardless to minimize confusion.
  - B. Dave Schmalz indicated the plat is on hold so we have some time.
  - C. Dir. Haese suggested approval of the plat conditioned on renaming Dogwood Lane to a name approved at the staff level and that Dogwood Trail change to Terra Cotta Drive from that yet to be named street to the north.
  - D. Ald. Stevenson asked that Consent Agenda Item C the Final Plat of the Woodside Green Estates subdivision be removed from the Consent Agenda and reported out from the Committee meeting so we can continue this conversation.
- II. **MSCRP Pollnow/Stevenson to approve the Consent Agenda as follows removing item C:**
  - A. **Approve Beverage Operator License Applications for: Trisha L. Hendricks, Corrie A. Kordus and George E. Reckin. (PSSC)**
  - B. **Approve the Beverage Operator License Application (new) for Lisa K. Gauger contingent upon payment of delinquent utility bill of \$198.01 and any other outstanding City fees. (PSSC)**
  - C. ~~**Approve the Final Plat of the Woodside Green Estates subdivision subject to the following conditions: Lot 17 shall designate a 20-foot Drainage Easement along the west property line as was approved on the Preliminary Plat; Prior to building permits being issued, a Development Agreement must be approved by Common Council and recorded at the Winnebago County Register of Deeds office; the developer shall amend the City's Official Street Map to show a realignment of the future Dogwood Lane extension west of the subject plat and a future Dell Court realignment west of the subject plat; the Developer is responsible for street lighting within this plat. Street lighting shall be traditional wood poles with LED light fixtures or decorative poles without LED light fixtures to match the lighting with the Cottages at Woodside Green subdivision; add lot size to Lot 22; and Rename Dogwood Lane. (PC)**~~
  - D. **All voting aye.**

### **Public Services & Safety Committee**

- I. Vice Chairman Hillstrom reported the meeting of September 13, 2016:
  - A. Committee recommends Council approve the purchase of the following equipment from Bergstrom Ford of Neenah for the total price of \$111,767.70: #1C a 2017 2500 chassis and service body, #19 a 2017 Cutaway chassis and enclosed service van, and #17 a 2017 1-Ton 3500 chassis dump truck. **MSCR Hillstrom/Lendrum, all voting aye.**

### **Plan Commission**

- I. Ald. Lang reported the recommendation from the Plan Commission meeting of September 13, 2016 regarding Consent Agenda Item C:
  - A. The Commission approved the Final Plat of the Woodside Green Estates subdivision subject to the following conditions: Lot 17 shall designate a 20-foot Drainage Easement along the west property line as was approved on the Preliminary Plat; Prior to building permits being issued, a Development Agreement must be approved by Common Council and recorded at the Winnebago County Register of Deeds office; the developer shall amend the City's Official Street Map to show a realignment of the future Dogwood Lane extension west of the subject plat and a future Dell Court realignment west of the subject plat; the Developer is responsible for street lighting within this plat. Street lighting shall be traditional wood poles with LED light fixtures or decorative poles without LED light fixtures to match the lighting with the Cottages at Woodside Green subdivision; add lot size to Lot 22; and Rename Dogwood Lane. **MS Lang/Pollnow.**
    - 1. Dir. Haese commented that motion is correct with the exception of the realignment of Dogwood Lane. He suggested the language be amended to "show a realignment of the future named east/west street". That should be sufficient to determine which street we mean by that. Also add a last condition to name that street segment lying north of Dogwood Lane to Terra Cotta Drive.
    - 2. Mayor Kaufert expressed concern that two future homes in the City of Neenah would have Terra Cotta addresses instead of Dogwood Lane.
      - a) Dir. Haese commented that Hunters Point and Sunrise Bay is another example of a street name change mid-block. He advised Ald. Kunz that we have a similar situation on Evergreen Lane and Evergreen Court.
    - 3. Ald. Stevenson expressed concern over the existence of potentially three properties in the City with the street name Terra Cotta and every other house on Terra Cotta would be in the town.
      - a) Dir. Haese advised that the other examples given during the public hearing all change at a street, not in the middle of a block.
    - 4. Ald. Bates questioned if there is any way to make it look like a new area and whether the boundary agreement will affect these properties in the future.

- a) Dir. Haese indicated per the boundary agreement, they will always be separate.
- 5. Mayor Kaufert asked how important it is to change Dogwood Lane not that the Council has decided to leave Dogwood Trail.
  - a) Dir. Haese indicated he believes it is important as it makes it very confusing.
- 6. Mayor Kaufert added that enhanced 911 has the capability to zero in on locations. To him, it would be easier for 911 if all properties on Dogwood Trail were in the City of Neenah and all properties on Terra Cotta are in the Town of Neenah. He does not want to have confusion.
- 7. Dir. Haese advised Ald. Kunz that it is too late to tweak the alignment of Dogwood Lane. He recommended tabling approval of the plat.
- 8. **MSC Stevenson/Bates to table approval of the final plat of the Woodside Green Estates subdivision for two weeks to allow for more input, all voting aye.**
- 9. Mayor Kaufert indicated he would make sure Mr. Lorenz is made aware of the tabled discussion.

### **Board of Public Works**

- I. Vice Chairman Hillstrom reported the meeting of September 13, 2016:
  - A. Information Only Items:
    - 1. The Board approved Pay Estimate No. 6 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 \$422,483.59.
  - B. Council Action Items:
    - 1. The Board recommends Council approve the quote from Protective Coating Specialists, Appleton to perform epoxy coating for the vehicle storage at the Tullar Road garage in the amount of \$99,224. **MSCR Hillstrom/Bates, all voting aye.**
    - 2. The Board recommends Council award Contract 5-16 HMA Asphalt Pavement Repair to Northeast Asphalt in the amount of \$152,320. **MSCR Hillstrom/Stevenson, all voting aye.**

### **Community Development Authority Update**

- I. Dir. Haese advised that Site 7 continues to move forward. Two additional appraisals were received in that Main Street neighborhood last week. Interest continues to be expressed from property owners regarding selling their properties.

### **Sustainable Neenah Committee**

- I. Ald. Kunz advised of discussions to reduce the size of the committee. They will come before the Finance & Personnel Committee to request the committee be reduced to a more manageable size.
  - A. Ald. Pollnow questioned if this should go to the Committee of Rules.
  - B. City Atty. Godlewski indicated it is the jurisdiction of the Finance & Personnel Committee. The Committee on Rules is strictly rules changes not the makeup of committees.

### **Library Board**

- I. Ald. Erickson reported from the Library Board Meeting of September 21, 2016:
  - A. The Friends of the Neenah Public Library Book Sale began today. It will run Thursday 9/22 from 6-8:30 pm, Friday 9/23 from 9:30 am to 5 pm, Saturday 9/24 from 9:30 am to 2 pm and Sunday 9/25 from 1:30 pm to 4 pm. At the Sunday sale a bag full of books will be sold for \$5. On Monday September 26<sup>th</sup> from 9 am to 9 pm any remaining items are free. She encouraged everyone to attend.

### **Council Directives**

- I. Ald. Pollnow introduced a Council Directive to review the street assessment policy specifically the 1/3, 1/3, 1/3 cost split and the financial impact. **MS Pollnow/Boyette.** (The vote on this Council Directive will take place at the October 5, 2016 Council meeting)

### **Unfinished Business**

- I. Ald. Pollnow questioned the status of the new parking software.
  - A. Dir. Haese indicated they had their second implementation meeting today and another one scheduled next week. He anticipates in the next month or two when they begin implementation they will also have Parking Task Force meet and begin to forward recommendations to committee and Council relative to some policy changes in the downtown.
- II. Ald. Pollnow questions the status of the review of the sidewalk ordinance. At the Committee of the Whole City Atty. Godlewski and Dir. Kaiser were asked to review the ordinance
  - A. Dir. Kaiser advised he has looked at the ordinance however has not discussed it with City Attorney Godlewski. They continue collecting data for areas on the sidewalk map lacking data for review in the near future. In the budget he submitted to the Mayor, the sidewalk consists of finishing up areas in the Nature Trail Subdivision. In those areas we have escrow dollars they would apply to that. He is not expecting to assess for sidewalk next year for those areas.

- B. City Atty. Godlewski added that in new subdivisions the escrow has always been applied for sidewalk installation. Discussion in spring next year would be good timing.

### **New Business**

- I. Mayor Kaufert's announced the appointment to fill the expired terms of Lee Erickson and John Rather on the Neenah Harbor Commission, terms expire October 2019 will be considered at the October 5, 2016 Council meeting.
- II. Ald. Bates advised of the mid-October Memorial Park Pavilion dedication to George Scherck. Additional information will follow.
  - A. Mayor Kaufert added that date is October 15<sup>th</sup>, the same day as Boo Fest.
- III. Mayor Kaufert thanked Ald. Lang for her work with the Neenah Historical Society and the Vintage Adventure. The Pow Wow and Voyage Canoes were well received. Everyone had positive comments.
- IV. Mayor Kaufert advised that Accela is being worked on every day by the staff who will be utilizing it. Today they viewed another webinar. The parallel is being done as we speak however there is still some work that needs to be done. They are making changes to their program to facilitate our needs.
- V. Mayor Kaufert reminded the Council to start thinking about the budget workshops to be held early November. If there are date you cannot attend, make Dir. Easker aware of those dates.
  - A. Dir. Easker advised the public hearing is scheduled for Tuesday November 15, 2016. Following a short discussion the dates were set as follows: Tuesday November 1<sup>st</sup>, Wednesday November 2<sup>nd</sup>, Monday November 7<sup>th</sup> and Wednesday November 9<sup>th</sup>.
- VI. Ald. Lendrum echoed Mayor Kaufert comments thanking Ald. Lang. She wants everyone to know how committed she is to the community. She is the Director of the Neenah Historical Society and in charge of the Octagon House. She single handedly comes up with these fantastic ideas.
- VII. Ald. Kunz expressed concern over the comment the Mayor made regarding Accela and the fact that they are customizing their program to fit our needs. He feels we need to work within the confines of Accela. He voted for this as it was his understanding this would simplify the process. If you start customizing to make it fit, he is afraid this will not be what he voted for.
  - A. City Atty. Godlewski commented that the customization is not special to the City of Neenah. We are talking about things like having spell check available for the entire program not just certain section. Changes to help all of their clients with issue, not customizing for the City of Neenah.

- B. Ald. Kunz expressed concern that if it is not doing what we expected, at some point we need to indicate to them that this is not what we purchased and not what was demonstrated.
- C. Ald. Stevenson clarified that the term customization might be wrong. It sounds like we have identified options within the program that are enhancement to an already existing product that they will incorporate into their product for all customers. That is a benefit to them as it makes their product better and hence there should be no cost to us.
- D. Mayor Kaufert concurred indicating it really is an enhancement to their system.

### **Adjournment**

- I. **MSC Stevenson/Pollnow to adjourn at 8:33 p.m., all voting aye.**

Patricia A. Sturn, WCPC/MMC