



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, April 3, 2019 - 7:00 p.m.
Neenah City Hall
Council Chambers

- I. Roll Call and Pledge of Allegiance.

INTRODUCTION OF GREG RADTKE PUBLIC WORKS SUPERINTENDENT AND ASSISTANT SUPERINTENDENT BILL WAECH

NMFR RECOGNITION OF PROMOTION GINA VENDOLA TO CAPTAIN AND JERRY MAVROFF TO SHIFT INSPECTOR

- II. Introduction and Confirmation of Mayor's Appointment(s).
- A. Mayor Kaufert's appointment of Nikki Hessel to fill the unexpired term of Amy Barker on the Neenah Arts Council for a three-year term to expire April 2022. **(RollCall-Pro)**
 - B. Swearing in
- III. Approval of Council Proceedings of March 20, 2019 regular session. (Minutes can be found on the City web site) **(RollCall-Pro)**
- IV. Public Hearings.
- A. Consider the installation of sanitary sewer laterals for properties served by sanitary sewers on Courtney Court.
 - B. Consider amending the Official Street Map of the City of Neenah, established in section 26-30 of the Municipal Code – County Highway O.
- V. Plan Commission report pertaining to the public hearings.
- A. Plan Commission meeting of March 26, 2019: (Ald. Lang) (Minutes can be found on the City web site)
 - 1. Commission recommends Council approve Ordinance 2019-10, amending the Official Street Map by removing a 66-foot street reservation between CTH O and Rockwood Lane and adding a 66-foot street reservation along Oakridge Road. **(RollCall-Pro)**
- 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: Jared L. Frisby. (PSSC)
 - B. Approve the Street Use Permit the Bike to Boogie Event sponsored by Future Neenah, Inc., to be held on June 12, 2019. (PSSC)

- C. Approve the Temporary Class "B" (picnic) beer license application for Future Neenah, Inc., 135 W. Wisconsin Avenue, for their Summer Kick Off Bike to Boogie event to be held on June 12, 2019. (PSSC)
 - D. **(RollCall-Pro)**
- IX. Reports of standing committees and consideration thereof.
- A. Regular Public Services and Safety Committee meeting of March 26, 2019: **(No Report)**
 - B. Regular Finance and Personnel Committee meeting of March 25, 2019: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve Resolution 2019-10.1 for the 2019 Community Development Block Grant and authorization to enter into agreements for the activities, subject to approval by the U.S. Department of Housing and Urban Development. **(RollCall-Pro)**
 - 2. Committee recommends Council approve a 2018 transfer of \$125,048 from the Benefit Accrual Fund to the General Fund to offset the loss of revenue caused by the mandated reduction of market value on City investments for fiscal year 2018. **(RollCall-Pro)**
- X. Reports of special committees and liaisons and various special projects committees and consideration thereof.
- A. Regular Plan Commission meeting of March 26, 2019: (Council Rep Lang) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve the Final Plat for the Integrity Acres Phase I subdivision subject to the comments on the Plat Review Letter. **(RollCall-Pro)**
 - B. Board of Canvass (Council President Stevenson)
 - 1. Report from the April 3, 2019 Board of Canvass on results of the April 2, 2019 Spring Election. (Motion to accept and place on file) **(RollCall-Pro)**
 - C. Committee on Rules meeting of March 27, 2019: (Chairman Kunz) (Minutes can be found on the City web site)
 - 1. Committee recommends Council adopt Resolution No. 2019-11 adopting changes to the Rules of Order as discussed. **(See revised pdf). (RollCall-Pro)**
 - 2. Committee recommends Council adopt Ordinance No. 2019-11 adopting various amendments to Neenah Code Chapter 2 relating to Council, committee, boards and commissions as discussed. **(See revised pdf). (RollCall-Pro)**
 - D. Neenah-Menasha Joint Fire Commission meeting of March 27, 2019: (Minutes can be found on the City web site)
 - 1. The Commission recommends the City of Neenah and City of Menasha Common Councils approve the Regional Fire Department Hiring Process Agreement with Fox Valley Technical College. **(RollCall-Pro)**
 - E. Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of March 26, 2019: (Chairman Kunz/Council President Stevenson) (Minutes can be found on the City web site)

1. Committee recommends the City of Neenah and City of Menasha Common Council's approve the Memorandum of CERT Firefighter Rehabilitation Agreement with Outagamie County Emergency Management CERT Rehab Program. **(RollCall-Pro)**
 - F. Board of Public Works meeting of March 27, 2019: (Vice Chairman Hillstrom) (Minutes can be found on the City web site)
 1. Information Only Item:
 - a. The Board approved Pay Request No. 2 for Chemical Storage and Feed Modifications to August Winter & Sons in the amount of \$52,820.00.
 - G. Landmarks Commission
 1. Report from the Landmarks Commission – Alderman Lang
 - H. Sustainable Neenah Committee
 1. Report from the Sustainable Neenah Committee – Alderman Kunz
 - I. Reports on neighborhood groups.
 1. Business Improvement District Board (BID Board) – Alderman Lang
 - J. Bergstrom Mahler Museum
 1. Report from the Bergstrom Mahler Museum – Alderman Erickson
- XI. Presentation of petitions.
- A. Any other petition received by the City Clerk's Office after distribution of the agenda.
- XII. Council Directives.
- XIII. Unfinished Business.
- A. Consider vacating a portion of Laudan Boulevard between Elm Street and Reed Street:
 1. Introduced by the Public Services & Safety Committee on January 8, 2019. (Minutes can be found on the City web site)
 2. Council Public Hearing was held on March 20, 2019. (Minutes can be found on the City web site)
 3. Consideration of Resolution 2019-02 vacating a portion of Laudan Boulevard. **(RollCall-Pro)**
- XIV. New Business.
- A. Appointments to be made at the April 16, 2019 Organizational Meeting:
 1. Mayor Kaufert's appointment to fill the expired term of James B. Gunz on the Fox Cities Room Tax Commission for a term to expire April 2020. (To be considered at the April 16, 2019 Council Organizational Meeting)
 2. Mayor Kaufert's appointment to fill the expired terms of Beth Irish, Lisa Hemes and Jan Sarnecki on the Library Board for 3-year terms to expire April 30, 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
 3. Mayor Kaufert's appointment to fill the expired terms of Michelle Bauer on the Community Development Authority for 4-year term to expire April 2023. (To be considered at the April 16, 2019 Council Organizational Meeting)

4. Mayor Kaufert's appointment to fill the expired term of Karen Genett on the Plan Commission for a three year term to expire April 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
 5. Mayor Kaufert's appointment to fill the expired terms of Jane Lang, Jan Mirenda Smith and Amy Michaels to the Neenah Arts Council for 3 year terms to expire April 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
- B. 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
Application for Appointment**



Name: Nikki Hessel Date: 3/19/19
 Address: 510 E. Frances St.
 City, ST Zip: Appleton, WI 54911 Employer: Future Neenah, Inc.
 Eve. Phone: (920) 470-9154 Day Phone: (920) 722-1920
 E-mail: nikki@neenah.org Fax: _____

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

- | | |
|--|---|
| <input type="checkbox"/> Board of Appeals | <input type="checkbox"/> N-M Joint Fire Commission |
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> N-M Sewerage Commission |
| <input type="checkbox"/> Business Improvement District (BID) | <input checked="" type="checkbox"/> Neenah Arts Council |
| <input type="checkbox"/> Citizen Advisory Committee | <input type="checkbox"/> Neenah Harbor Committee |
| <input type="checkbox"/> Committee of Aging | <input type="checkbox"/> Park & Recreation Commission |
| <input type="checkbox"/> Community Development Authority (CDA) | <input type="checkbox"/> Parking Task Force |
| <input type="checkbox"/> Fox Cities Transit Commission | <input type="checkbox"/> Plan Commission |
| <input type="checkbox"/> Joint Review Board for TIFs | <input type="checkbox"/> Police Commission |
| <input type="checkbox"/> Landmarks Commission | <input type="checkbox"/> Sustainable Neenah Committee |
| <input type="checkbox"/> Library Board | <input type="checkbox"/> Water Works Commission |
| <input type="checkbox"/> Loan Assistance Board | <input type="checkbox"/> Other: _____ |

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

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

fulfilling the future Neenah seat on
the Arts Council

Please Sign and Date: Nikki Hessel 3/19/19

Please return to the Neenah City Clerk's Office

Proceedings of the Common Council of the City of Neenah

Wednesday, March 20, 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., March 20, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Boyette, Bates, Hillstrom, Lendrum, Erickson, Lang, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski, Assistant City Attorney Vanden Heuvel and City Clerk Sturn. Alderman Steele was excused.

Also Present: Police Chief Olson, Police Captain Bernice, Fire Chief Kloehn, Firefighter Boelk, Lyndsey, Ava, Alexa & Levi Boelk, Dennis & Deb Boelk, Lowell & Sally Boelk, several members of the Joint Neenah-Menasha Fire Rescue, Director of Parks & Recreation Kading, Assistant Planner Kasimor, Sean Keepers, Lori Fernandez and Dwight Kerr.

Mayor Kaufert called the meeting to order at 7:03 pm.

Introduction and Confirmation of Mayor's Appointments

- I. **MSCRП Lang/Lendrum to confirm Mayor Kaufert's appointment of Sean Keepers to fill the unexpired term of Paul Seveska on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**
- II. **MSCRП Stevenson/Lang to confirm Mayor Kaufert's appointment of Laura Kemp to fill the unexpired term of Trina Woldt on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**

Proceedings

- I. **MSCRП Bates/Lendrum to approve the Council Proceedings of February 18 & 27, 2019 special sessions, 2019, 2019, all voting aye.**

Public Hearings

- I. Consider vacating a portion of Laudan Boulevard between Elm Street and Reed Street.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.
- II. Consider the 2019 Community Development Block Grant Proposed Use of Funds / Annual Action Plan.

- A. Lori Fernandez of Advocap thanked the Council for supporting their agency and asked that they continue their support. They provide home delivery meals to those in need. The first nine months of this year they provided 10,821 home delivery and Hearthside meals in Neenah. Countywide, they provided 126,000 meals.
 - B. There being no further appearances, Mayor Kaufert declared the public hearing closed.
- III. Consider rezoning land located at 140, 142 and 146 N. Lake Street from I-2, General Industrial District to the C-1, General Commercial District.
- A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission Report Pertaining to the Public Hearing

- I. Council Rep. Lang reported from the Plan Commission meeting of March 12, 2019:
 - A. Commission recommends Council approve Ordinance 2019-09 rezoning 140, 142 and 146 N. Lake Street to the C-1 General Commercial District.
MSCRП Lang/Kunz, all voting aye.

Consent Agenda

- I. **MSCRП Lendrum/Hillstrom to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Eric J. Balza, Laurie L. Behnke, Brandy L. Brockman, Jacob M. Driessen, Jayda M. Ekholm, Janine L. Heid, Megan M. Morse, Alex R. Ransone and Johann C. Schattenforst. (PSSC)**
 - B. **Approve the Street Use Permit for the Neenah Duathlon, sponsored by Dutrirun, Ben West, 920 S. Keller Park Drive, Appleton, to be held on May 11, 2019. (PSSC)**
 - C. **Approve the Street Use Permit for the Memorial Day Parade sponsored by the Twin City Veterans, Michael E. Taylor, 545 Broad Street, Menasha, to be held on May 27, 2019. (PSSC)**
 - D. **Approve the Street Use Permit for CommunityFest-2019, sponsored by the City of Neenah, Mike Kading, 211 Walnut Street, to be held on July 3-4, 2019. (PSSC)**
 - E. **Approve the Street Use Permit for the Community First Fox Cities Marathon, sponsored by the Community First Fox Cities Marathon, Laurie Butz, 2616 S. Oneida Street, Appleton, to be held September 20-22, 2019. (PSSC)**
 - F. **Approve the Street Use Permit for the WI Streetball Neenah 3 on 3 to be held on June 8-9, 2019, in downtown Neenah, sponsored by Mission Basketball Academy Inc., Adam Maulick, 1835 E. Edgewood Drive, Suite 1058, PO Box 8 Appleton. (PSSC)**

- G. **Approve the Temporary “Class B” (Picnic) Beer & Wine License Application for St. Margaret Mary Parish, 620 Division Street, for their Game Night event to be held on April 6, 2019. (PSSC)**
- H. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the special meeting of March 20, 2019:
 - A. Committee recommends Council authorize the issuance of a probationary Beverage Operator License subject to the terms and condition outlined in the stipulation signed by Nicole Brisky and attached to these minutes. **MSCRP Bates/Lendrum, all voting aye, Ald. Boyette voting nay.**
- II. Chairman Bates reported the regular meeting of March 12, 2019:
 - A. Committee recommends Council purchase two Protech Intruder G2 ballistic shields with LED lights from Streicher’s-Milwaukee for an estimated cost of \$2,150.50 each, for a total of \$4,301 plus shipping, with funds from the 2019 Police Capital Outlay Budget. **MSCRP Bates/Hillstrom, all voting aye.**
 - B. Committee recommends Council extend the provisional beverage operator’s license for Nicole Brisky through September 2019 and schedule her application for review by the Public Services and Safety committee on September 24, 2019. Information only – previously acted on during the report from the Special PSSC meeting of March 20th.
 - C. Committee recommends Council adopt Final Resolution No. 2019-10 for installation of sanitary sewer laterals for properties served by sanitary sewers on Caroline Street (Union to Van), Stevens Street (Congress to Doty), 5th Street (Clark to Lincoln). **MSCRP Bates/Lendrum, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of March 11, 2019:
 - A. Committee recommends Council create the position of Parks Supervisor at Grade K on the salary plan. **MSCRP Erickson/Kunz, all voting aye.**
 - B. Committee recommends Council approve to fill the position of Parks Supervisor subject to the approval of its creation by Council. **MSCRP Erickson/Kunz, all voting aye.**
 - C. Committee recommends Council approve Policy No. 2018-04 regarding the procedures for cemetery lot use and deed transfer for family members that fall outside of the generation of ownership. **MSCRP Erickson/Kunz, all voting aye.**
 - D. Committee recommends Council approve writing off a total debt of \$14,719.79 from past due accounts that are beyond the statute of limitations or otherwise uncollectable. **MSCRP Erickson/Kunz, all voting aye.**

- E. Committee recommends Council approve Ord. 2019-07 amending the Transportation Assessment Replacement Fee (TARF) to replace measuring unit for assessing TARF and removing references to assigning TARF to tenants. **MSCRП Erickson/Kunz, all voting aye.**
- F. Committee recommends Council approve the 2018 Operating Budget Carry Forwards to 2019 totaling \$89,720 as submitted and attached to these minutes. **MSCRП Erickson/Kunz, all voting aye.**

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of March 12, 2019:
 - A. Committee recommends Council approve the Preliminary Plat of the Cardinal Plat subject to comments on the Preliminary Plat Review Letter. **MSCRП Lang/Erickson, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of March 12, 2019:
 - A. Council Action Items:
 - 1. The Board recommends Council award Contract 1-19 Sewer & Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Company, Inc., Kaukauna, in the amount of \$1,199,529.00. **MSCRП Hillstrom/Stevenson, all voting aye.**
 - 2. The Board recommends Council award Contract 2-19 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 \$1,578,470.50. This project came in under the budget of \$1,760,400. **MSCRП Hillstrom/Bates, all voting aye.**
 - 3. The Board recommends Council award Contract 3-19 Epoxy Pavement Marking to Brickline Inc., Madison in the amount of \$54,217.70. **MSCRП Hillstrom/Stevenson, all voting aye.**

Adjournment

- I. **MSCRС Stevenson/Bates to convene into closed session at 8:03 pm pursuant to Wis. Stats. §19.85(1)(g) for the purpose of conferring with the City Attorney who will render oral or written advice concerning strategy to be adopted regarding: the Incorporation of a township in Winnebago County; and Potential litigation against the Wisconsin Department of Natural Resources relating to the Certificate of Completion due the**

Community Development Authority for completion of environmental remediation work at the Glatfelter Mill Site, all voting aye.

- II. **MSCRC Stevenson/Boyette to continue in closed session pursuant to Wis. Stats. §19.85(1)(e) for the purpose of: Discussing bargaining strategy related to acquiring property for park land on Doty Island, all voting aye.**
- III. **MSCRCP Erickson/Boyette to reconvene into open session at 9:00 pm to consider or act on closed session recommendation(s), all voting aye.**
 - A. **MSC Bates/Lendrum to authorize the purchase of 415 W. North Water Street for the negotiated price of \$71,000 utilizing CDBG funds, all voting aye, Ald. Erickson voting nay.**
- IV. **MSC Stevenson/Boyette to adjourn at 9:25 pm, all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

COMMON COUNCIL MINUTES

Wednesday, March 20, 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., March 20, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Boyette, Bates, Hillstrom, Lendrum, Erickson, Lang, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski, Assistant City Attorney Vanden Heuvel and City Clerk Sturn. Alderman Steele was excused.

Also Present: Police Chief Olson, Police Captain Bernice, Fire Chief Kloehn, Firefighter Boelk, Lyndsey, Ava, Alexa & Levi Boelk, Dennis & Deb Boelk, Lowell & Sally Boelk, several members of the Joint Neenah-Menasha Fire Rescue, Director of Parks & Recreation Kading, Assistant Planner Kasimor, Sean Keepers, Lori Fernandez and Dwight Kerr.

Mayor Kaufert called the meeting to order at 7:03 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 firefighters Josh Boelk. Josh's wife Lindsey, children Ava, Alexa & Levi, mother and father Dennis & Deb Boelk and grandparents Lowell & Sally Boelk were present. Josh's wife Lyndsey pinned on his badge. Clerk Sturn administered the oath of office to Josh. Chief Kloehn welcomed Josh to the NM Fire Rescue family.
 - A. Josh indicated he is grateful for this opportunity. He appreciates the opportunity to be a part of both communities. He thanked the Council & Mayor for his appointment.

Introduction and Confirmation of Mayor's Appointments

- I. Mayor Kaufert introduced Sean Keepers, his recommended appointees to the Neenah Arts Council.
 - A. Sean Keepers thanked the Council
 - B. **MSCRP Lang/Lendrum to confirm Mayor Kaufert's appointment of Sean Keepers to fill the unexpired term of Paul Seveska on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**
- II. **MSCRP Stevenson/Lang to confirm Mayor Kaufert's appointment of Laura Kemp to fill the unexpired term of Trina Woldt on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**

- III. Sean Keepers thanked the Council for the appointment. He is a Neenah graduate (1982). He moved to New York City after high school and started working for an advertising agency there. The agency specialized in the performing arts. He began working for theatres, opera companies, orchestras, dance companies, schools, libraries and museum. His clients include the American Museum of Natural History, New York City Opera and the Brookland Museum. He moved back to the valley in 2008 and continues to work for clients back east but is branching out locally. He has an abundance of time to devote to the Neenah Arts Council and he is looking forward to it.
 - A. City Clerk Sturn administered the oath to Sean Keepers.
 - B. Ald. Lang added that Sean has been involved in the graphic design of the box wraps in the City. Using the student's art, he created the wraps as a volunteer.
 - C. Mayor Kaufert thanked Sean for his assistance with the box wraps.

Proceedings

- I. **MSCRП Bates/Lendrum to approve the Council Proceedings of February 18 & 27, 2019 special sessions, 2019, 2019, all voting aye.**

Public Hearings

- I. Consider vacating a portion of Laudan Boulevard between Elm Street and Reed Street.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.
- II. Consider the 2019 Community Development Block Grant Proposed Use of Funds / Annual Action Plan.
 - A. Lori Fernandez of Advocap thanked the Council for supporting their agency and asked that they continue their support. They provide home delivery meals to those in need. The first nine months of this year they provided 10,821 home delivery and Hearthside meals in Neenah. Countywide, they provided 126,000 meals.
 - B. There being no further appearances, Mayor Kaufert declared the public hearing closed.
- III. Consider rezoning land located at 140, 142 and 146 N. Lake Street from I-2, General Industrial District to the C-1, General Commercial District.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission Report Pertaining to the Public Hearing

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 - A. Commission recommends Council approve Ordinance 2019-09 rezoning 140, 142 and 146 N. Lake Street to the C-1 General Commercial District.
MSCRП Lang/Kunz, all voting aye.

Consent Agenda

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 - A. **Approve Beverage Operator License Applications for: Eric J. Balza, Laurie L. Behnke, Brandy L. Brockman, Jacob M. Driessen, Jayda M. Ekholm, Janine L. Heid, Megan M. Morse, Alex R. Ransone and Johann C. Schattenforst. (PSSC)**
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 - H. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the special meeting of March 20, 2019:
 - A. Committee recommends Council authorize the issuance of a probationary Beverage Operator License subject to the terms and condition outlined in the stipulation signed by Nicole Brisky and attached to these minutes.
MSCRП Bates/Lendrum, all voting aye, Ald. Boyette voting nay.
- II. Chairman Bates reported the regular meeting of March 12, 2019:
 - A. Committee recommends Council purchase two Protech Intruder G2 ballistic shields with LED lights from Streicher's-Milwaukee for an

estimated cost of \$2,150.50 each, for a total of \$4,301 plus shipping, with funds from the 2019 Police Capital Outlay Budget. **MSCRP Bates/Hillstrom, all voting aye.**

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Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of March 11, 2019:
 - A. Committee recommends Council create the position of Parks Supervisor at Grade K on the salary plan. **MSCRP Erickson/Kunz, all voting aye.**
 - B. Committee recommends Council approve to fill the position of Parks Supervisor subject to the approval of its creation by Council. **MSCRP Erickson/Kunz, all voting aye.**
 - C. Committee recommends Council approve Policy No. 2018-04 regarding the procedures for cemetery lot use and deed transfer for family members that fall outside of the generation of ownership. **MSCRP Erickson/Kunz, all voting aye.**
 - D. Committee recommends Council approve writing off a total debt of \$14,719.79 from past due accounts that are beyond the statute of limitations or otherwise uncollectable. **MS Erickson/Kunz.**
 - 1. Ald. Bates asked the statute of limitation for these debts.
 - 2. Asst. City Atty. Vanden Heuvel advised that the statute of limitations is six years for small claims. There were 10 beyond the six years and four uncollectable because we cannot locate the person or entity.
 - 3. Dir. Easker added that Asst. City Atty. Vanden Heuvel also negotiated payment plans with 8 others and send 8 or 9 more to collections.
 - 4. Mayor Kaufert commended Dir. Easker and his staff for being more aggressive in trying to collect these debts.
 - 5. Ald. Kunz mirrored the comments by Mayor Kaufert. He indicated he is also appreciative of the work Asst. City Atty. Vanden Heuvel has done to collect these debts.
 - 6. City Atty. Godlewski affirmed the observation by Ald. Kunz.
 - 7. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
 - E. Committee recommends Council approve Ord. 2019-07 amending the Transportation Assessment Replacement Fee (TARF) to replace

- measuring unit for assessing TARF and removing references to assigning TARF to tenants. **MSCRP Erickson/Kunz, all voting aye.**
- F. Committee recommends Council approve the 2018 Operating Budget Carry Forwards to 2019 totaling \$89,720 as submitted and attached to these minutes. **MS Erickson/Kunz.**
1. Ald. Kunz questioned if action could be taken to change this to ensure we are in a positive situation.
 2. Dir. Easker advised that he will bring one amending entry to create additional surplus in the General Fund that would more than mitigate any issues and assure our strength. It continues to look positive from year to year.
 3. Ald. Erickson questioned how the Library Board carryforwards are affected by this.
 4. Dir. Easker indicated that has no bearing on this action.
 5. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
 6. Ald. Stevenson indicated it is the underlying authority of the Council to manage budget dollars. The Council always has the authority to manage dollars. They have never had to limit people from spending dollars within a particular line item in the budget but we do monitor those dollars.

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of March 12, 2019:
- A. Committee recommends Council approve the Preliminary Plat of the Cardinal Plat subject to comments on the Preliminary Plat Review Letter. **MS Lang/Erickson.**
1. Ald. Bates questioned how many lots are in this plat.
 2. Deputy Dir. Schmidt advised that there are 15 lots. North of this area, there is potential for a development to occur between there and Armstrong Road.
 3. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of March 12, 2019:
- A. Council Action Items:
1. The Board recommends Council award Contract 1-19 Sewer & Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Company, Inc., Kaukauna in the amount of \$1,199,529.00. **MS Hillstrom/Stevenson.**
 - a) Dir. Hillstrom added the budget for this project was \$1,157,350.00. The reason for being over budget is that the water bid came in higher.

- b) Dir. Kaiser advised Ald. Bates that Contract 1-19 had 9 bidders. Contract 2-19 had 8 bidders. Getting the bids out early has proven to get more bidders. They continue to work with the Town on the Courtney Court project. They bid that contract out this past Monday and had 3 bidders.
 - c) Ald. Kunz concurred that getting these contracts out early gets more bidders. This year, it is a double edge sword. As the snow recedes and we see what has happened underneath, we see a lot of roads that have deteriorated more than anticipated. It makes it challenging to be flexible. At least we got the good pricing when we did. He questioned how we process and evaluate these unanticipated deteriorated roads and what we should say to constituents.
 - d) Dir. Kaiser advised that he had discussion on this last week with Mayor Kaufert. He and his staff have been addressing certain situations where the decline is greater than expected. This year is a road rating year for the DOT. We will be rating our roads during that process. He wished he had this information going into the CIP budget process. They will have that as the 2020 budget is developed and moving forward. This may cause sifting some projects in order to accommodate deteriorated streets.
 - e) Mayor Kaufert added that Neenah is not the only municipality experiencing this. Surrounding communities have express the same issues. He hopes citizens will contact us to make us aware of any deterioration they observe so they can address them. He has had discussions with Dir. Easker regarding the ability to readjust the CIP so more streets can be done this year. Suggestions should be forwarded to the Mayor.
 - f) **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
2. The Board recommends Council award Contract 2-19 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 \$1,578,470.50. This project came in under the budget of \$1,760,400. **MSCR Hillstrom/Bates, all voting aye.**
3. The Board recommends Council award Contract 3-19 Epoxy Pavement Marking to Brickline Inc., Madison in the amount of \$54,217.70. **MS Hillstrom/Stevenson.**
- a) Ald. Hillstrom added the budget for this work was \$45,000. There were 2 bidders. The additional \$9,217.70 will come from the 2018 Traffic Operating Carry Forwards.
 - b) Dir. Kaiser advised Ald. Kunz that this work should be completed in July or August.

- c) Ald. Kunz added that his concern is running into the issue of completing these project late in the year. He would like to avoid those scenarios.
- d) Dir. Kaiser advised that this is one of the earlier bids. There should not be an issue completing this work by July or August.
- e) **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Library Board

- I. Alderman Erickson reported from the Library Board meeting of March 20, 2019:
 - A. The Library is more than a place to check out books. It has become a cultural center for the city and has many opportunities for citizens.
 - B. Visit the Library website for programs available and schedule of events.
 - C. Mayor Kaufert advised that the Library offers help with your taxes.

Neenah Arts Council

- I. Alderman Erickson reported from the Neenah Arts Council:
 - A. The Council met last Wednesday at 4 pm.
 - B. March is Youth Art Month. You can visit the Library to see art displays. The students in the Neenah School System have done a wonderful job. She encouraged everyone to go and visit before the exhibit ends on March 31st.

New Business

- I. Ald. Kunz expressed concern over placing closed session minutes in the lobby mailboxes. The Council has moved to an electronic system. He would like to see a full commitment to the electronic system so closed session minutes can be accessed from their ipod.
 - A. City Atty. Godlewski indicated he is working with Information Systems to find an electronic system that is secure so closed session information can be accessed from the ipods.
- II. Ald. Stevenson advised that the organizational meeting will be held Tuesday April 16th. He asked the aldermen to send him committees of interest so appointments can be worked out. He requested a list from Clerk Sturn and will forward to the alderman to look over. He will include Aldermanic Candidate Spellman.
 - A. Mayor Kaufert concurred indicating if the aldermen are happy with their current assignments they should let us know that as well. If they would like to change now is the time, we will have one change on the Council. He announced that April 3rd is the next Council meeting. The meeting after that will be held on Tuesday night April 16th. This is by State Statute, everyone has their organizational meeting on the 2nd Tuesday night in April.

- III. Dir. Easker advised that the CIP workshop is scheduled for Monday April 22nd. The Council will approve the CIP at their meeting on May 1st.
- IV. Dir. Kaiser advised that the drop off site opened last Monday and has been very busy. Hours are 7 am to 5 pm Monday thru Friday. Saturday hours will begin in May.

Adjournment

- I. **MSCRC Stevenson/Bates to convene into closed session at 8:03 pm pursuant to Wis. Stats. §19.85(1)(g) for the purpose of conferring with the City Attorney who will render oral or written advice concerning strategy to be adopted regarding: the Incorporation of a township in Winnebago County; and Potential litigation against the Wisconsin Department of Natural Resources relating to the Certificate of Completion due the Community Development Authority for completion of environmental remediation work at the Glatfelter Mill Site, all voting aye.**
- II. **MSCRC Stevenson/Boyette to continue in closed session pursuant to Wis. Stats. §19.85(1)(e) for the purpose of: Discussing bargaining strategy related to acquiring property for park land on Doty Island, all voting aye.**
- III. **MSCRP Erickson/Boyette to reconvene into open session at 9:00 pm to consider or act on closed session recommendation(s), all voting aye.**
 - A. **MSC Bates/Lendrum to authorize the purchase of 415 W. North Water Street for the negotiated price of \$71,000 utilizing CDBG funds.**
 - 1. Ald. Erickson asked if the CDBG funds were not used to acquire this property, could they be aggregated with the South Commercial property acquisitions.
 - 2. Dir. Haese indicated they could, but the acquisitions on South Commercial would involve relocation expenses and would likely not be spent in time to meet the HUD timeliness test. In addition, the Cook Park acquisition would help the City meet the 70% low and moderate income expenditure test.
 - 3. Ald. Bates asked how many of the house in the South Commercial project area have been acquired and what is the purpose of the acquisitions.
 - 4. Dir. Haese indicated that at least one property has been acquired and the ultimate goal of the acquisitions is to gain enough land to create a reasonable development parcel.
 - 5. Ald. Bates asked where the CDBG program funds are spent and what kind of projects are funded.
 - 6. Dir. Haese deferred to Planner Kasimor to answer.
 - 7. Assistant Planner Kasimor indicated that the City in the past budgeted \$50,000 for neighborhood improvements, \$70,000 for redevelopment; Neenah also has \$65,000 in 2017 CDBG Carry over funding. With program income, the total comes to approximately \$190,000 available for current redevelopment

project. For 2019, staff expects a program balance of approximately \$120,000.

8. Ald. Stevenson questioned the plan for the Trio property.
9. Dir. Haese .stated that his staff is attempting to identify property in the South Commercial Street corridor that could be acquired to assemble a redevelopment project.
10. Mayor Kaufert questioned what this property will bring to Cooke Park.
11. Dir. Kading advised that the restroom will be more centrally located, better street frontage, better view of the park and generally a more centralized park rather than a park located on project b on property lines.
12. Ald. Erickson asked how maintenance staff will take care of these additional acquisitions.
13. Dir. Kading advised that they already have responsibilities relating to this therefore it should not be a burden on staff. He advised Ald. Boyette that the 2021 budget includes \$275,000 for the restroom and playground.
14. Dir. Haese added there are no relocation or moving costs with the acquisition West North Water Street acquisition.
15. **Motion carried, by a 7-1 RollCall-Pro System vote, all voting aye, Ald. Erickson voting nay.**

IV. **MSC Stevenson/Boyette to adjourn at 9:25 pm, all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

STATE OF WISCONSIN

CITY OF NEENAH

BEFORE THE PUBLIC SERVICES & SAFETY COMMITTEE

In the matter of the Operator License Application of

NICOLE BRISKY
602 Waupaca Street
Fremont, WI 54940

Respondent

STIPULATED SETTLEMENT

IT IS HEREBY STIPULATED AND AGREED to by NICOLE BRISKY, Respondent in this action:

1. The Respondent stipulates to the accuracy of the letter of denial sent by Deputy Police Chief Chris Sievert in this case and acknowledges that the violations listed in the letter of denial are sufficient to justify the denial of her application for an operator's license.
2. Subject to the terms of this Stipulation, the City of Neenah agrees to issue an Operator's license to Respondent, with the standard expiration date of June 30, 2020.
3. Respondent agrees to remain free of any violation of State Statutes or local ordinances that are listed in the City of Neenah Parameters for Denial of a Bartender's License (the "Parameters") through September 30, 2019.
4. Respondent also agrees to strictly follow the conditions of her probation in the State of Wisconsin v. Nicole Brisky, Ozaukee Co. Case Nos. 2017CM000326 & 2018CF000038.
5. In the event that Respondent commits a violation listed in the Parameters on or prior to September 30, 2019, or commits any probation violation in Ozaukee Co. Case Nos. 2017CM000326 & 2018CF000038, Respondent agrees to voluntarily surrender her operator's license.
6. In the event that Respondent fails to surrender her operator's license after committing a violation as outlined in Paragraphs 3 and/or 4 above, Respondent hereby stipulates that by signing this agreement, she consents to the revocation of her operator's license by the City of Neenah. She also consents to the service by mail of a complaint for revocation of operator's license filed under this agreement.
7. Issuance of the operator's license to the Respondent under this stipulation is subject to the Respondent paying any outstanding claims of the City of Neenah that she may have, if any. At the time of the preparation of this stipulation, City records indicate no outstanding claims.

Date: 3/15/19

Nicole Brisky
Nicole Brisky
Respondent

PUBLIC SERVICES & SAFETY COMMITTEE RECOMMENDATION

The Public Services & Safety Committee of the Neenah Common Council on March 20, 2019 by a 5-0 vote does hereby recommend approval of the foregoing stipulation and granting Nicole Brisky a new operator's license subject to the terms of the above-stipulated settlement.

Marge Bates
Marge Bates
Chair

ORDER

The Common Council of the City of Neenah, having considered the recommendation of the Public Services & Safety Committee hereby approves issuing a new operator's license to Nicole Brisky subject to the terms and conditions of the above stipulated settlement

CITY OF NEENAH

By: Dean R. Kaufert
Dean R. Kaufert, Mayor

CITY OF NEENAH
2018 OPERATING BUDGET CARRY FORWARDS

DEPARTMENT	DESCRIPTION	LINE ITEM OR TOTAL BUDGET	BUDGET LINE ITEM	BALANCE LINE ITEM BUDGET	AMOUNT REQUESTED	AMOUNT COVERED	ITEM ENCUMBERED
DOLAS-BOARD OF REVIEW	2019 Property Revaluation	Total BOR Remaining Balance	2,470	1,770	1,770	YES	NO
PUBLIC WORKS	Televising Contract	TV Sanitary Sewers-Outside Services	119,000	115,010	50,000	YES	NO
PUBLIC WORKS	Epoxy Contract	Total Traffic Control Remaining Balance	893,220	27,250	9,000	YES	NO
POLICE	Overtime Wages	Overtime Wages	320,000	84,300	20,000	YES	NO
POLICE	Joint Tactical Training	Training	37,500	6,180	5,000	YES	NO
POLICE	Additional Safety Equipment	Safety Supplies	16,830	1,960	400	YES	NO
POLICE-FIRING RANGE	Ammunition	Targets & Ammunition	18,000	16,760	880	YES	NO
POLICE-CROSSING GUARDS	Winter Parkas	Clothing Allowance	2,000	440	440	YES	NO
POLICE-CROSSING GUARDS	Stop Sign Paddles	All Other Supplies	900	630	630	YES	NO
POLICE-CAPTIAL OUTLAY	Defibrillator	All Other Equipment	12,000	9,300	<u>1,600</u>	YES	NO
					<u>89,720</u>	General Fund	

**NOTICE OF PUBLIC HEARING ON SPECIAL ASSESSMENTS FOR BENEFITS
CONFERRED UPON PROPERTY BY CONSTRUCTING AND INSTALLING
IMPROVEMENTS IN SAID STREETS AS HEREINAFTER PROVIDED**

PLEASE TAKE NOTICE that the Common Council of the City of Neenah, has declared its intention to exercise its police power under City of Neenah Municipal Code, Section 13-1, and Wis. Stats. Sec. 66.0703 to levy special assessments upon property on both sides of the streets below described for benefits conferred upon such property by constructing and installing improvements in said streets as hereinafter provided:

Sanitary sewer laterals for properties served by sanitary sewers on the following streets:

1. Courtney Court

The report of the Public Services and Safety Committee showing the estimated cost of said improvements, proposed assessments and award of damages is on file in office of the Director of Public Works and may be inspected there on any business day between the hours of 7:30 a.m. and 4:00 p.m.

You are further notified that the Common Council will hear all persons interested, their attorneys or agents, concerning matters contained in the preliminary resolution authorizing such assessments and award of damages at 7:00 p.m., on the 3rd day of April 2019, in the Council Chambers in the City of Neenah Administration Building, 211 Walnut Street. All objections will be considered at such hearing and thereafter the amount of assessments will be finally determined.

Dated at Neenah, Wisconsin this 22nd day of March 2019.

Patricia Sturn
City Clerk
Neenah, Wisconsin

Publish: March 22, 2019

CITY OF NEENAH
NOTICE OF PUBLIC HEARING

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

That the Official Street Map as established by Section 26-30 of the Code of Ordinances of the City of Neenah is hereby amended by the following:

The following section of a North - South "Officially Mapped Road" is to be removed:

Being part of Lot 2 of Certified Survey Map No. 7011 and part of Lot 1 of Certified Survey Map No. 4998 and part of Lot 2 of Certified Survey Map No. 4342, and being located in Southeast 1/4 of the Northwest 1/4 and in the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 69,453 Square Feet (1.5944 Acres) of land and described as follows:

Commencing at the Northwest Corner of Lot 2 of Certified Survey Map No. 7011; thence, S51°00'10"E along the Northerly Line of Said Lot 2 and the Southerly Line of County Highway "0", 518.38 feet to the intersection of said Southerly line and the Westerly Line of the Officially Mapped City Road, said intersection being the Point of Beginning of the portion of Officially Mapped Road to be Removed; thence, S51°00'10"E, along said Southerly line of County Road "0", 66.00 feet to the Easterly Line of said Officially Mapped Road; thence, S39°12'26"W along said Easterly line, 1058.84 feet to Line PRW302-PRW303 as Described in Transportation Project Plat 1517-07-21-4.29 (Doc.1674267); thence, N41°08'55"W along said line (PRW302-PRW303), 57.06 feet to point PRW302; thence, N01°01'50"E along Line PRW301-PRW302 as Described in Transportation Project Plat 1517-07-21-4.29 (Doc.1674267), 15.76 feet to the Westerly line of Said Officially Mapped Road; thence, N39°12'26"E along said Westerly line, 1036.64 feet to the Point of Beginning.

The following section of a North - South "Officially Mapped Road" is to be added:

Being part of Lot 3 of Certified Survey Map No. 5180, being located in the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 24,420 Square Feet (0.5606 Acres) of land and described as follows:

Beginning at the Northeast Corner of Lot 1 of Certified Survey Map No. 6051; thence, N69°33'20"E, 66.00 feet; thence, S20°26'40"E, 370.01 feet to the Northerly Right-of-way of Oakridge Road as currently dedicated as 66 feet width; thence, 569°33'20"W along said northerly right-of-way line, 66.00 feet to the West line of Lot 3 of Certified Survey Map No. 5180; thence N20°26'40"W along said west line, 370.01 feet to the Point of Beginning.

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

Plan Commission Informal Hearing: Tuesday, March 26, 2019 at 4:15 P.M.

Council Formal Hearing: Wednesday, April 3, 2019 at 7:00 P.M.

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

Dated at Neenah, Wisconsin this 22nd day of March, 2019.

Patricia Sturn
City Clerk
Neenah, Wisconsin

Publish: March 22nd & 25th, 2019



AN ORDINANCE: By the Neenah Plan Commission
Re: Official Street Map Amendment removing a
officially mapped street along CTH O and
adding an officially mapped road along
Oakridge Road in the Town of Neenah.

ORDINANCE NO. 2019-10
Introduced: April 3, 2019
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

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

The following section of a North - South "Officially Mapped Road" is to be removed: Being part of Lot 2 of Certified Survey Map No. 7011 and part of Lot 1 of Certified Survey Map No. 4998 and part of Lot 2 of Certified Survey Map No. 4342, and being located in Southeast 1/4 of the Northwest 1/4 and in the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 69,453 Square Feet (1.5944 Acres) of land and described as follows:

Commencing at the Northwest Corner of Lot 2 of Certified Survey Map No. 7011; thence, S51°00'10"E along the Northerly Line of Said Lot 2 and the Southerly Line of County Highway "0", 518.38 feet to the intersection of said Southerly line and the Westerly Line of the Officially Mapped City Road, said intersection being the Point of Beginning of the portion of Officially Mapped Road to be Removed; thence, S51°00'10"E, along said Southerly line of County Road "0", 66.00 feet to the Easterly Line of said Officially Mapped Road; thence, S39°12'26"W along said Easterly line, 1058.84 feet to Line PRW302-PRW303 as Described in Transportation Project Plat 1517-07-21-4.29 (Doc.1674267); thence, N41°08'55"W along said line (PRW302-PRW303), 57.06 feet to point PRW302; thence, N01°01'50"E along Line PRW301-PRW302 as Described in Transportation Project Plat 1517-07-21-4.29 (Doc.1674267), 15.76 feet to the Westerly line of Said Officially Mapped Road; thence, N39°12'26"E along said Westerly line, 1036.64 feet to the Point of Beginning.

1. Parcel Numbers: 010021102, 010021805 and 0100218 (EXHBIT A)

The following section of a North - South "Officially Mapped Road" is to be added: Being part of Lot 3 of Certified Survey Map No. 5180, being located in the Southeast 1/4 of the Southwest 1/4 of Section 20, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 24,420 Square Feet (0.5606 Acres) of land and described as follows:

Beginning at the Northeast Corner of Lot 1 of Certified Survey Map No. 6051; thence, N69°33'20"E, 66.00 feet; thence, S20°26'40"E, 370.01 feet to the Northerly Right-of-way of Oakridge Road as currently dedicated as 66 feet width; thence, 569°33'20"W along said northerly right-of-way line, 66.00 feet to the West line of Lot 3 of Certified Survey Map No. 5180; thence N20°26'40"W along said west line, 370.01 feet to the Point of Beginning.

2. Parcel Number: 01002180603 (EXHIBIT B)

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

Adopted: _____

Published: _____

Approved:

Dean R. Kaufert, Mayor

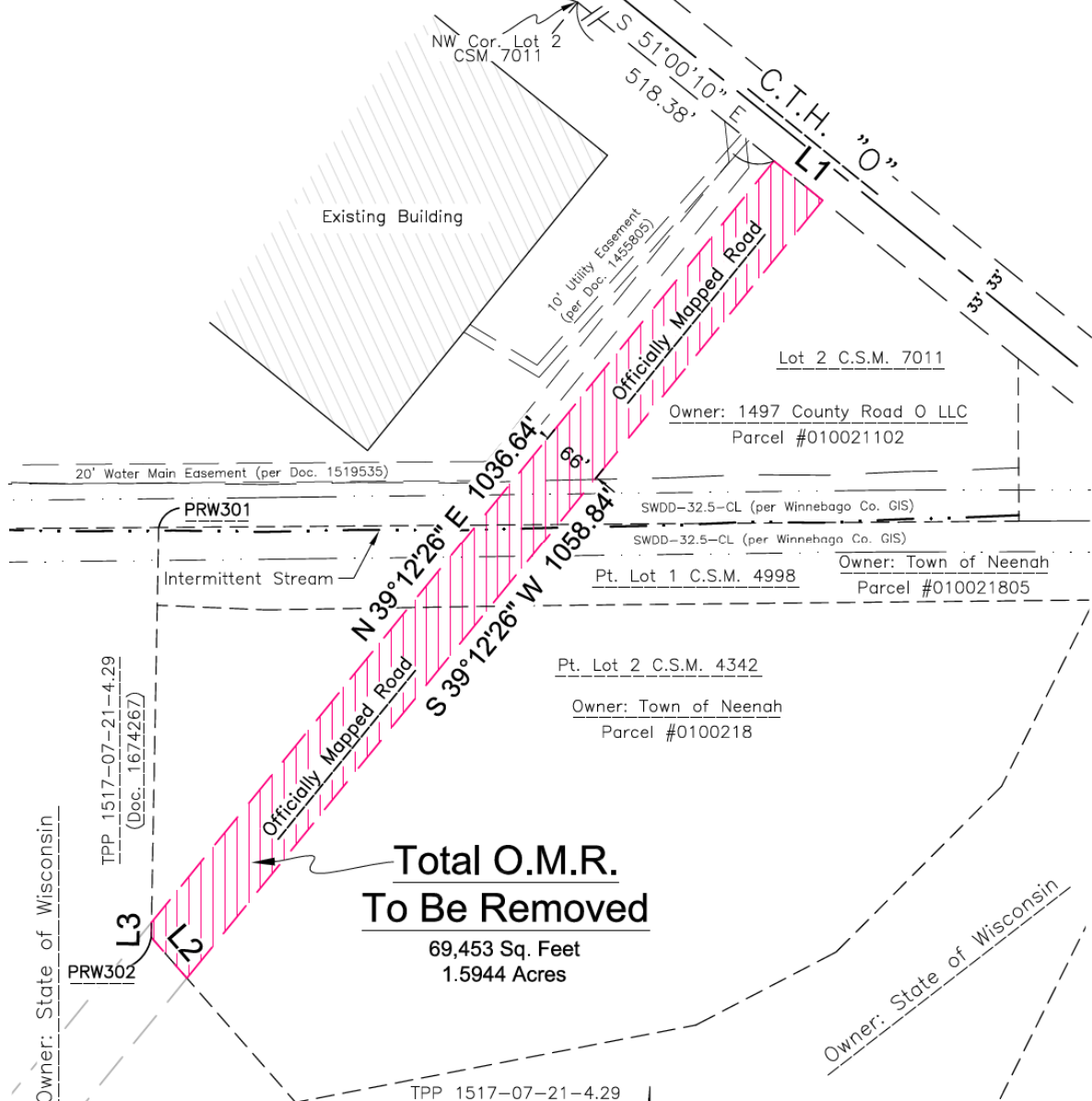
Attest:

Patricia A. Sturn, City Clerk

Exhibit "A"

Officially Map Road

Town of Neenah, Winnebago County, WI
 For: 1497 County Road O LLC & the Town of Neenah



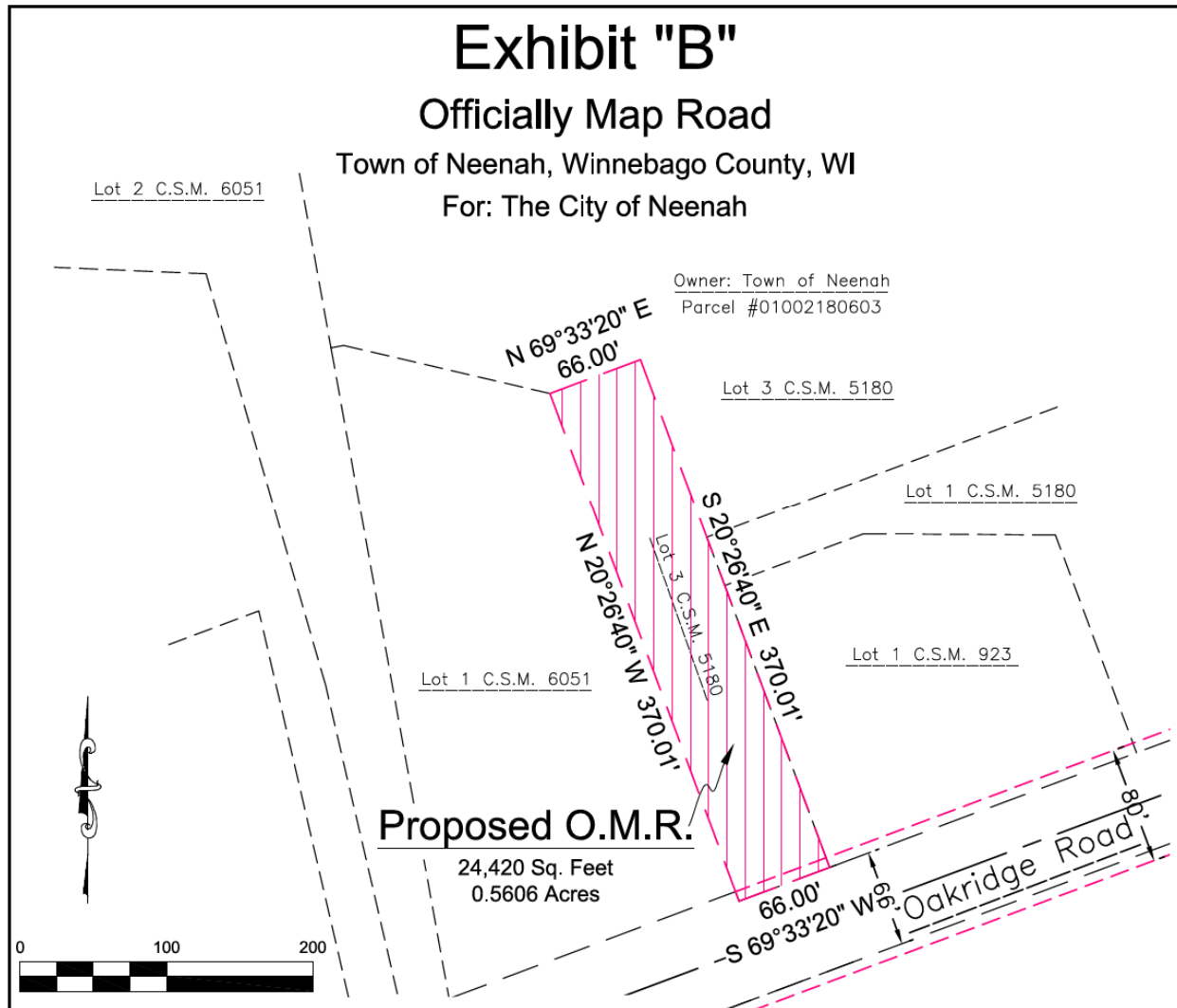
**Total O.M.R.
 To Be Removed**
 69,453 Sq. Feet
 1.5944 Acres

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 51°00'10" E	66.00'
L2	N 41°08'55" W	57.06'
L3	N 01°01'50" E	15.76'

Davel Engineering & Environmental, Inc.
 Civil Engineers and Land Surveyors
 1811 Racine Street
 Menasha, Wisconsin
 Ph. 920-991-1866, Fax 920-830-9595



EXHIBIT B



CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, March 26, 2019 - 6:30 PM
Hauser Room - City Administration Building

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

Also Present: Mayor Kaufert, Director of Public Works Kaiser, Traffic Engineer Merten, Meredith Manion

Minutes:

Motion/Second/Carried Hillstrom/Lendrum to approve the minutes of the March 12, 2019, Regular Meeting and the March 20, 2019, Special Meeting. All voting aye.

Public Appearances: None.

Motion/Second/Carried Hillstrom/Lendrum to amend the agenda to address Item 4 – Street Use Permit for Bike to Boogie and Item 5b – Temporary Class “B” (Picnic) Beer License Application for Future Neenah, Inc. All voting aye.

Street Use Permits:

Future Neenah Bike to Boogie: Committee reviewed the Street Use Permit request for Future Neenah’s Bike to Boogie event to be held on June 12, 2019. Meredith Manion, event coordinator for Future Neenah, Inc., informed the Committee that there are no planned changes from the 2018 event. The event will be held on the CDA property in the 200 block of W. Wisconsin Avenue.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend that the Common Council approve the Street Use Permit the Bike to Boogie Event sponsored by Future Neenah, Inc., to be held on June 12, 2019.** All voting aye.

Temporary Class “B” (Picnic) Beer License Application - Future Neenah: The Committee reviewed the Temporary Class “B” (picnic) beer license application for Future Neenah for their Summer Kick Off Bike to Boogie event to be held on June 12, 2019. Ms. Manion described the event site. She noted that the stage, food trucks and vendor booths will be on three sides. Signs are posted on the open side saying No Beer Past This Point. She also noted that wristbands are required for eligible patrons to purchase beer. Ms. Manion noted that there is only one location on the event site where beer can be purchased. Committee discuss security arrangements. Mayor Kaufert noted that two police staff are assigned to the event and two other on-duty staff check in on the event periodically. Committee noted that there is a charge for police service in the application. Committee discussed food at the event. Traffic Engineer Merten informed the Committee that the Street Use Permit form is being modified to clarify the food vendor questions.

C.A.

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve the Temporary Class “B” (picnic) beer license application for Future Neenah, Inc., 135 W. Wisconsin Avenue, for their Summer Kick Off Bike to Boogie event to be held on June 12, 2019.** All voting aye.

Public Services and Safety Committee Meeting
March 26, 2019
Page 2

Downtown Traffic Study Phase II: Traffic Engineer Merten reviewed the request for proposals for the study. He reviewed the five projects that will be studied:

- Project 1 - Downtown Traffic Network Management Plan. The purpose of this evaluate strategies to improve bypass routing and relieve congestion on Wisconsin Avenue during peak periods. This includes evaluating the feasibility of a realigning Torrey Street with Millview Drive
- Project 2 - Intersection Control Evaluation for Main Street and Torrey Street. Committee discussed consideration of pedestrian and bicycle needs in the evaluation.
- Project 3 - Parking Ramp Site Assessment – Blue Lot (Presbyterian Church Lot). The goal of this assessment is to evaluate the potential traffic impacts of a ramp on the adjacent street network and improvements that would be needed to address those impacts.
- Project 4 - Parking Ramp Site Assessment – Hewitt Lot. Same goal as Project 3.
- Project 5 - Roundabout Conceptual Design for Main Street and Green Bay Road.

Committee discussed the parking ramp site assessment projects. Committee emphasized that approving this study does not mean that the City is committing to a parking structure at either site. Committee discussed the traffic projections called for in the study. Mayor Kaufert noted concerns that he has heard from downtown businesses about encouraging traffic to bypass the downtown. Committee discussed the human element of commuter driving habits.

Traffic Engineer Merten reviewed the project schedule. Staff will distribute the request for proposal later this week. He noted that a consultant selection would be brought to a future Committee meeting.

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Jared L. Frisby.

C.A.

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council approve beverage operator license applications for Jared L. Frisby.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 2-18 (Cecil, Adams)
 - a. Adams St – Work is complete.
 - b. Cecil St – Final topsoil and seeded will be done when weather permits. The revised contract completion date for purposes of assessing damages is May 1, 2019.
2. Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early this year. Quantities on the Nature Trail/Eaglecrest work have been finalized with the contractor. Special assessment billings will be sent in September 2019.

Public Services and Safety Committee Meeting

March 26, 2019

Page 3

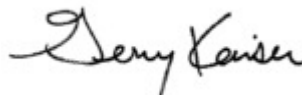
3. Contract 1-19 (Caroline, Stevens, Fifth) – Carl Bowers & Sons Construction was awarded this contract. The pre-construction meeting was held on Tuesday, March 26. Work on these Stevens and Fifth will start the week of April 1. Director Kaiser noted that the contractor was made aware of the need to maintain access to the Whiting Boathouse on April 2 for voting.
4. Contract 2-19 (Stanley Ct, Stanley St, Thomas) – Robert J. Immel Excavating, Inc., was awarded this contract. A pre-construction meeting is scheduled for Wednesday, March 27.
5. Courtney Court – The Town of Neenah opened bids on March 18. A public information meeting was held at the Town Hall on March 25. Project award by the Town Board is expected at their meeting later that same evening. The apparent lower bidder is Robert J. Immel Excavating, Inc.
6. Pendleton Road Sidewalk/Trail – A notice is being sent to properties on Pendleton Road (Gay – Cecil) to make them aware of the upcoming sidewalk/trail installation. Trail is being installed on the west side of the street and sidewalk is being installed on the east side of the street. The budget for this work is included in TID 11.
7. Storm Water Ordinance – Staff is updating the Stormwater Management Services ordinance in preparation for future Committee consideration.
8. Refuse/Recycling Cart Swaps – Crews are caught up with the refuse/recycling cart swaps. Since the rollout, about 890 carts have been swapped. Committee asked if there was data available for the types of swaps that had been made.
9. Spring Load Limits – Load limits were placed on March 25. These apply to all streets in the city that do not have curb/gutter.
10. Commerce Court Pond – We received notice that our grant reimbursement application has been approved for the full \$80,000 request.

Committee discussed road conditions. Director Kaiser noted that PASER ratings are scheduled for this year. Mayor Kaufert stated that staff will be evaluating options for addressing some of the road segments damaged the most by the winter weather.

Announcements/Future Agenda Items: None.

Motion/Second/Carried Hillstrom/Stevenson to adjourn at 8:00 p.m. All voting aye.

Respectfully submitted,



Gerry Kaiser, PE
Director of Public Works

CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, March 25, 2019 – 6:30 p.m
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

MINUTES

Present: Chairman Erickson; Aldermen Kunz, Steele, Stevenson and Boyette (6:35); Mayor Kaufert; Assistant City Attorney VandenHeuvel; Director of Finance Easker.

Others Present: Director of Community Development Haese, Assistant Planner Kasimor.

Absent/Excused: None.

Public Appearances: None.

Minutes: Motion/Second/Carried Kunz/Stevenson to approve the minutes from the March 11, 2019 Regular Meeting. All voting aye.

Request to Fill Director of Human Resources & Safety Position: Committee reviewed memo from Mayor Kaufert recommending authorization to fill the Director of Human Resources & Safety position. Current Director Heather Barber has submitted her letter of resignation effective in early June 2019. Mayor Kaufert has reviewed the request and concurs with filling the pending vacancy. He also indicated his preference that the position be filled as soon as possible to ensure that the new Director has some overlap with Director Barber prior to her departure. Committee and staff discussed various aspects of filling the pending vacancy.

Motion/Second/Carried Stevenson/Boyette authorizing approval to fill the Director of Human Resources & Safety position. All voting aye.

Resolution 2019-10: Approval of 2019 Community Development Block Grant (CDBG)

Plan: Committee reviewed memo of Assistant Planner Kasimor requesting approval of Resolution 2019-10 for the 2019 Community Development Block Grant and authorization to enter into agreements for the activities, subject to approval by the U.S. Department of Housing and Urban Development. The memo indicated that, while planning for the 2019 program is underway, the funding allocation has not yet been announced. The tentative program is based upon estimated funding of \$180,000, with revolving fund payments and program income estimated at \$105,000. Planner Kasimor said that the plan being proposed would then need to be amended when the funding allocation is announced.

Committee and staff discussed various aspects of the proposed CDBG program. Issues discussed included the amount of flexibility of the proposed program to amend funding levels, the mandated restart of the federal 30-day timing requirement if substantial changes are proposed, requested details on the total proposed Housing and Economic funding of \$107,000, a discussion on how Planning and Administrative funds are used, a detailed discussion on the use of funds for projects such as the house purchase to benefit Cook Park and a discussion on the availability and use of loan repayment funds. Chairman

Erickson requested that future CDBG annual program funding approval requests include more specific detail on the uses and who benefits from the use of CDBG funds from previous years.

RESOLUTION

Motion/Second/Carried Stevenson/Kunz recommending Council approve Resolution 2019-10 for the 2019 Community Development Block Grant and authorization to enter into agreements for the activities, subject to approval by the U.S. Department of Housing and Urban Development. All voting aye.

Recommended 2018 Transfer from Benefit Accrual Fund to General Fund: Committee reviewed memo from Director Easker recommending approval to make a 2018 transfer of \$125,048 from the Benefit Accrual Fund to the General Fund to offset the loss of revenue caused by the mandated reduction of market value on City investments for the fiscal year 2018. In 2017, the Common Council approved using \$178,239 of the surplus in the Benefit Accrual Fund to offset the mandated reduction of market value on City investments.

If the 2018 action is approved, and pending any audit adjustments, the City would end the year with: 1). a General Fund Unassigned Fund Balance of \$4.166 million; 2). a General Fund Total Fund Balance of \$4.602 million and; 3). the Benefit Accrual Fund at a \$1.255 million surplus, all of which Director Easker indicated were positive achievements from a financial reporting standpoint. Committee and staff discussed various aspects of the proposed transfer and the City's year-end financial status.

REPORT

Motion/Second/Carried Stevenson/Kunz recommending Council's approval to make a 2018 transfer of \$125,048 from the Benefit Accrual Fund to the General Fund to offset the loss of revenue caused by the mandated reduction of market value on City investments for fiscal year 2018. All voting aye.

Fiscal Matters: February Vouchers: Motion/Second/Carried Stevenson/Steele to approve the February vouchers as presented. All voting aye.

Motion/Second/Carried Boyette/Stevenson to adjourn the meeting at 7:45 p.m. All voting aye.

Respectfully submitted,



Michael K. Easker, CPA
Director of Finance



RESOLUTION NO. 2019-10.1

**A RESOLUTION OF THE CITY OF NEENAH APPROVING THE
2019 COMMUNITY DEVELOPMENT BLOCK GRANT PLAN**

WHEREAS, the City of Neenah is a Community Development Block Grant formula grantee and evaluates community needs, conditions and resources to be addressed by the grant, and

WHEREAS, the City of Neenah anticipates resources totaling \$180,000 for the 2019 Community Development Block Grant program, and revolving funds and program income in the amount of \$107,000, and

WHEREAS, the City of Neenah is committed to approving a program of Community Development Block Grant activities which gives maximum feasible priority to low and moderate income persons and community development;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Neenah that the 2019 Community Development Block Grant Annual Plan including the programming of 2019 Community Development Block Grant funds is hereby approved. The 2019 Community Development Block Grant program will fund the following activities:

Christine Ann Domestic Abuse Services	\$8,500
Advocap Nutrition Program	8,500
Pillars, Inc.	8,000
Reach Counseling Services	5,000
LEAVEN	4,000
Best Friends of Neenah-Menasha	3,000
Financial Information & Service Center	1,000
Façade Improvement and Design Assistance	10,000
Property Acquisition and Redevelopment Activities	60,000
Neighborhood Improvements	37,000
Fair Housing Center of Northeast Wisconsin Planning and Program Administration	11,000 24,000
Revolving Funds/Program Income	
Housing Rehabilitation/Homebuyer Assistance	35,000
Small Business/Microenterprise Loan Program	0
Program Income	70,000
Total	<u>\$285,000</u>

CITY OF NEENAH, WISCONSIN

Moved: _____

Passed: _____

Dean R. Kaufert, Mayor

Patricia A. Sturn, City Clerk

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, March 26, 2019
4:15 p.m.

Present:

Mayor Dean Kaufert, Chairman	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Nick Piergrossi, Vice Chairman	ABSENT
Kate Hancock-Cooke	ABSENT	Ald. Christopher Kunz	PRESENT	Karen Genett	PRESENT
Gerry Andrews	PRESENT	Ald. Jane Lang	PRESENT		

Also present:

Brad Schmidt – Deputy Director of Community Development	Samantha Jefferson, Office Manager Community Development	Rich Van Sistine – Integrity Construction
Corey Kalkofen – McMahon Associates		

Minutes:

MSC Lang/Andrews to approve the March 12, 2019 meeting minutes. All Aye. Motion passed.

Member Lang called the meeting to order at 4:15 p.m.

Public Appearances: None

Public Hearings: Member Lang opened the Public Hearing for the Official Street Map Amendment – CTH O and Oakridge Road (Town of Neenah). No one presented. Member Lang closed the Public Hearing at 4:20 p.m.

Action Items:

A. Official Street Map Amendment – CTH O and Oakridge Rd. – T. of Neenah (Ord. #2019-10)

The Town of Neenah has requested that an existing street reservation between County Highway O and Rockwood Lane in the Town of Neenah be removed. The Town is proposing to enlarge a stormwater pond and will need the land that the reservation currently occupies. The current street reservation cannot be built as shown due to the presence of a large wetland area created by the Wisconsin DOT. The City has proposed adding a street reservation along Oakridge Road on Town of Neenah property to ensure future access to land south of the DOT wetland area. It was pointed out that only part of the reservation is being removed (only the area that is needed for the stormwater pond to be enlarged).

MSC Genett/Kaiser, Plan Commission recommends Common Council approve Ordinance 2019-10, amending the Official Street Map by removing a 66-foot street reservation between CTH O and Rockwood Lane and adding a 66-foot street reservation along Oakridge Road. All aye. Motion passed.

B. Final Plat – Integrity Acres

The Department of Community Development received the final plat for the Integrity Acres Phase I subdivision (located West of Woodenshoe Road and south of County Highway G). Ten single-family residential lots are shown on the plat and the land is currently zoned R-1, Single-Family Residence District. The average lot size is approximately 22,685 square feet. The final plat conforms to the preliminary plat and the review comments from the City have been addressed.

A note regarding sidewalks will need to be added on the face of the Final Plat. Also, the front yard (building) setback should be 25 feet, not 30 feet.

The developer is responsible for installing public utilities and street lighting. A development agreement will be finalized in early April.

Corey Kalkofen, engineer with McMahon Associates, requested that the 30 foot setback remain on the final plat to protect the subdivision's covenants requirement. Deputy Director Schmidt explained that city codes call for a 25 foot setback which outweigh covenants rules. The City is inclined to require a 25 foot setback to be established on the plat but is willing to discuss this further with the developer.

Member Kunz suggested that a review of the City's codes regarding building setbacks may be worthwhile but it would be a global review and not specific to any one subdivision.

MSC Kaiser/Andrews, Plan Commission recommends Common Council approve the Final Plat for the Integrity Acres Phase I subdivision subject to the comments on the Plat Review Letter. All aye. Motion passed.

Ord. 2019-10

REPORT

Plan Commission Minutes

March 26, 2019

Page 2

C. Concept Plan – Integrity Acres Phase II

Integrity Construction, LLC has proposed to annex land west of Integrity Acres Phase I. This land will be developed into a single-family residential subdivision. The concept plan required approval by the Plan commission to assure that the layout of the subdivision is consistent with the City plans and ordinances.

The parcel is about 20 acres in size and the conceptual plat includes 27 single-family residential parcels. A street would extend from Integrity Way west and terminate along the west edge of the plat. Stormwater would be managed through by the stormwater pond proposed to be constructed in Phase I.

Deputy Director Schmidt mentioned that the developer was able to purchase land west of the proposed develop that would be used as a future north-south street. .

MSC Kaiser/Genett, Plan Commission approves the proposed conceptual plat map of Integrity Acres Phase II. All aye. Motion passed.

D. Site Plan Review – 146 N. Lake Street – Change of Use

A site plan has been submitted to change the use of the property located at 146 N. Lake Street from a former manufacturing business to a small assembly use. The property is 0.6 acres in size and was recently rezoned to C-1, General Commercial District. The site includes a multi-story building and is currently occupied by several residents in the upper floor. Mill City Church will use the space for youth services and teaching. The inside of the building will include 2 meeting rooms, a male and female bathroom, and a storage room on the first floor.

No exterior alterations, additions or modifications are being proposed. A change in use of a property requires the screening landscaping standards. All refuse collection areas must be screened with a 6-foot tall sight tight fence.

Mill City is currently leasing the building and are looking for solutions to their parking issues. The deck seen on the site plan may or may not be constructed.

MSC Kaiser/Andrews, Plan Commission approves the site plan for a change in use to an assembly use for Mill City Church at 146 N. Lake Street. All aye. Motion passed.

Announcements and future agenda items:

Next Plan Commission meeting is scheduled for April 9, 2019.

Member Kunz would like to discuss setback requirements in a future meeting. Director Kaiser pointed out that longer setbacks mean longer sewer lines and potential grading issues which would need to be addressed.

Adjournment: The Commission adjourned its meeting at 4:55 P.M. MSC Kaiser/Genett. All aye.

Respectfully Submitted,



Samantha Jefferson
Office Manager, Community Development

CITY OF NEENAH
Committee on Rules
Wednesday, March 27, 2019 - 6:30 PM
Hauser Room - City Administration Building

Present: Aldermen Kunz and Hillstrom.

Also Present: Mayor Kaufert, City Atty. Godlewski, and Council President Stevenson.

Excused: Ald. Steele

Chairman Kunz called the meeting to order at 6:30 pm.

City Attorney Godlewski indicated the purpose of today's meeting is to review Resolution No. 2019-11 adopting changes to the Rules of Order and Ordinance No. 2019-11 adopting various amendments to Neenah Code Chapter 2 relating to Council, committee, boards and commissions drafted at the directive of the Committee at its March 18, 2019 meeting.

Minutes: The Committee reviewed the meeting minutes from March 18, 2019. **MSC Hillstrom/Kunz to approve the March 18, 2019 meeting minutes, all voting aye.**

Resolution No. 2019-11

The Committee reviewed Resolution No. 2019-11 potential changes to the Rules of Order of the Common Council and discussed several additions for clarity and consistency.

MSC Hillstrom/Kunz to recommend Council adopt Resolution No. 2019-11 adopting changes to the Rules of Order as discussed, all voting aye.

Ordinance No. 2019-11

The Committee reviewed Ordinance No. 2019-11 potential changes to various amendments of Neenah Code Chapter 2 relating to Council, committee, boards and commissions and discussed several additions for clarity and consistency.

MSC Hillstrom/Kunz to recommend Council adopt Ordinance No. 2019-11 adopting various amendments to Neenah Code Chapter 2 relating to Council, committee, boards and commissions as discussed, all voting aye.

MSC Hillstrom / Kunz to adjourn at 8:04 p.m.


Respectfully submitted,

Christopher Kunz

Ald. Christopher Kunz
Chairman



M E M O R A N D U M

DATE: April 2, 2019
TO: Mayor Kaufert, members of the Common Council
FROM: City Attorney Jim Godlewski 
RE: Ord. 2019-11 & Res. 2019-11: Council rules of procedure.

After the Council packets were distributed last week, Rules Committee Chair Kunz found several grammatical errors and items the Committee intended to include, which were missed in Ord. 2019-11 & Res. 2019-11. Attached are the corrected ordinance and resolution, which should be substituted for the version found in the meeting packet for tomorrow's Council meeting. The following is a summary of the changes made under the direction of Committee Chair Kunz:

Modifications to the Council rules of procedure attached as Exhibit A to Res. 2011-19:

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Rule 9d:

1. The Mayor shall be an ex-officio member of ~~all-standing~~ **the Finance and Personnel, Public Services & Safety** committees and the Committee of the Whole with no voting power however he may vote on the Committee of the Whole in case of a tie.

Rule 9f:

2. A quorum of the committee shall be ~~three (3) of the five (5)~~ **a majority of the** members.
3. All committee recommendations **and actions** shall be approved by the Council before going into effect ~~unless final authority is delegated to the Standing Committee by ordinance or policy.~~

Page 5

4. Delete the following text under Public Service and Safety Committee:

~~Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.~~

Page 7

- 5. 11.** Non-Committee members who attend committee meetings shall be allowed to speak at committee during initial discussion on matters before the Committee, after receiving permission from the chair. Non-Committee members should be mindful that they are not on the specific committee and that only committee members have the authority to deliberate and make recommendations. Once the committee begins deliberations on an item before it (i.e., after a motion and second) only committee members may speak on the question before the committee. ~~If at any time the Chair believes a non-committee member has overstepped in their involvement in the discussion, the Chair may refuse to call on the non-committee member, thus ending the non-committee member's involvement.~~

Delete the last sentence as the committee felt this language was overly harsh.

Ordinance 2019-11

Page 3

Sec. 2-87. - Miscellaneous organizational provisions.

6. (a) *Committee organization.* At their ~~organizational~~ first meeting, ~~of each committee meeting of the Common Council, each standing the various committees, except the Board of Public Works Neenah Menasha Fire Rescue Finance & Personnel Committee,~~ shall elect its chair and, vice-chair, and secretary.

- 7.** The President of the Council shall not be chairman of ~~any standing~~ **Finance and Personnel Committee or the Public Services and Safety** committees, but shall have voting power on each.

The Council President can be the chairman of the NMFR Finance & Personnel Committee.

- 8.** ~~The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve.~~

This sentence should be deleted. The prior sentence added above in Section , takes its place.



AN ORDINANCE: by the Rules Committee
Re: Amending Neenah Code §2-21(c)(2), replacing bonding requirements with dishonesty insurance, and further amending various sections of Neenah Code Chapter 2 relating to, procedural matters of the Common Council, Standing Committees, Special Committees, and Boards & Commission

ORDINANCE NO. 2019-11
Introduced: April 3, 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 2-21(c)(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) *Official bonds.* ~~A bond of not less than \$500,000.00 shall be required of the Director of Finance~~ In lieu of the bond required by Wis. Stat. §62.09(4)(b), Common Council elects to obtain the appropriate dishonesty insurance covering the acts of the officers of the City, as permitted by state law, the cost of which shall be borne by the City-

Section 2. Division 2 Title and Section 2-81 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:

DIVISION 2. – STANDING & SPECIAL COMMITTEES

Sec. 2-81 *Generally*

(a) Standing Committees. The standing committees of the Common Council shall be the Finance and Personnel Committee; the Public Services and Safety Committee; ~~the Legislative Review Committee; the Committee on Rules~~ and the Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee. The Mayor at the organizational meeting of the Common Council shall make appointments to all standing committees and boards of the

Council, except Council representatives on Boards and Commissions shall be appointed by the Council President. Alderman members shall have one-year assignments on standing committees. The Mayor shall appoint the members of all committees, boards and commissions, other than members named by title, subject to confirmation by majority vote of the Council, unless specifically provided otherwise, except the members of the Board of Public Works who are confirmed by a two-thirds vote of the Council. The standing committees and their jurisdiction are as set forth in this division.

(b) Regular Special Committees. The Regular Special Committees of the Common Council shall be the Legislative Review Committee; and the Committee on Rules. The regular special committees shall be composed of three alderman and shall meet at the call of the committee chair or any two members of the committee.

Section 3. Section 2-82(c) 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:

(c) *City budget.* The annual City budget shall be developed in accordance with Wis. Stats. § 65.90. The Committee shall supervise the ~~development~~ implementation of the annual City budget, subject to Council direction.

Section 4. Section 2-83 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:

Sec. 2-83. - Public Services and Safety Committee.

(a) *Composition and attendance.* The Public Services and Safety Committee shall be composed of four Aldermen and the Council President. In addition, the Director of Public Works ~~and Police Chief~~ or designees shall attend all meetings of the Committee unless otherwise excused. One of the Police Department Command Staff (Chief, Assistant Chief or Captain) shall attend committee meetings at least quarterly, or as requested by the Committee. The Director of Parks and Recreation, ~~Director of Public Health~~ and Director of Community Development & Assessment shall attend if requested by the Committee.

(b) *Jurisdiction and duties.* The Committee shall have jurisdiction over the Director of Public Works who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Public Works Department. ~~These activities include~~ including but not limited to the following: installation of traffic lights and signs, maintenance and building of streets, sidewalks, sewers and bridges, disposal of garbage and rubbish, elimination and disposal of environmental disease ~~Dutch-Elm-disposal~~, snow removal, slough control, construction, repair and improvements of all public land and buildings, including parks; sewer televising and clear water separation programs. The Committee shall have jurisdiction over the ~~Director~~

~~of Public Health and the~~ Police Department in all matters that are not under the jurisdiction of the ~~Board of Health or~~ Police Commission, ~~respectively~~. It shall have jurisdiction over the Director of Community Development and Assessment, Building Inspector, ~~parking lots, parking meters~~ parking management, traffic control and all City inspectors. It shall confer with the Police Chief in regard to methods, equipment and means to increase the efficiency of the police department. ~~It shall have jurisdiction over the City Physician.~~ The Committee shall be responsible for cemetery matters under Council jurisdiction.

~~(c) Long-range capital planning, annual capital improvements and annexations. The Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.~~

~~(d)~~ (c) Licensing. The Committee shall investigate, as to compliance with State and local laws, and provide a recommendation on all applications for licenses under Council jurisdiction. The Committee shall conduct hearings related to denials or revocations of licenses under Council jurisdiction. Any such hearings shall be conducted in accordance with the requirements of Wis. Stats. ch. 68.

Section 5. Sections 2-84, 2-85 and 2-86 of the Code of Ordinances of the City of Neenah are renumbered as 2-85, 2-86, and 2-87 respectively and current Section 2-87 is renumbered as 2-84 and the title is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 2-~~87~~84. - Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee.

Section 6. Current Section 2-86 (renumbered as 2-87 by Section 5 above) 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:

Sec. 2-~~86~~87. - Miscellaneous organizational provisions.

(a) Committee organization. At their organizational first meeting, each committee meeting of the Common Council, ~~each standing~~ the various committees, except the ~~Board of Public Works~~ Neenah Menasha Fire Rescue Finance & Personnel Committee, shall elect its chair and; vice-chair ~~and secretary~~. The President of the Council shall not be chairman of ~~any standing committees~~ Finance & Personnel Committee, or Public Services and Safety Committee but shall have voting power on each. The Mayor and/or the Council President will endeavor to create an equitable division of work when appointing members to commissions and committees with the goal of distributing workload and avoiding a concentration of power in any Council member. ~~The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve.~~ The Mayor shall be an ex

officio member of all standing and special council committees with no vote on any committee.

- (b) *Regular and special meetings; quorum.* Each standing committee shall set specific dates of each month for the transaction of business relating to that committee. A quorum of the committee shall be ~~three of the five~~ a majority of the members. Committee meetings beginning after 6:00 p.m. shall be so planned as to permit adjournment by 10:00 p.m., or shortly thereafter. Each standing committee shall determine its meeting days, times and frequency. Notification of all special or closed meetings of any committee shall be given to the entire Council and include the agenda for the meeting, strictly adhering to the Open Meetings Law, Wis. Stat. ch. 19, subch. V. Special meetings of any standing committee may be scheduled by the Mayor, the committee chair, or at the request of any two committee members
- (c) *Effect of committee action.* The Council shall approve all committee recommendations before they go into effect, unless otherwise directed or delegated by the Council.
- (d) *Agendas.* Agendas for all matters to be considered in regular session of any committee, board or commission shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting. Additional matters may be considered without prior notice by consent of a majority of the Committee, subject to the requirements of the Open Meetings Law, Wis. Stats. Ch. 19, Subch. V (Wis. Stats. § 19.81 et seq.).
- (e) *Minutes.* Minutes of executive sessions are to be delivered to all Aldermen within seven working days following the session. All committees, boards, commissions or other organized City bodies shall file with the City Clerk a true and correct copy of the minutes of each regular, or other, meeting at which minutes shall be taken within five days after the date of each meeting.
- (f) *Committee of the Whole.* The Mayor and the Aldermen shall constitute the Committee of the Whole. The Council President shall serve as the Chair of the Committee of the Whole and the Mayor shall be allowed to vote only in case of a tie. The Committee of the Whole shall make recommendation to the Common Council as to all matters to come before it. The Committee of the Whole shall supervise the development of the annual and capital budgets for the City
- (g) *Council rules of order.* The Council may provide for such other rules, as it deems advisable for its operation.

Section 7. Section 2-167 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:

Sec. 2-167. - Plan Commission.

- (a) *Composition.* The Plan Commission shall consist of the Mayor, who shall be its presiding officer, the Director of Public Works, a representative of the Park and Recreation Commission (~~or alternate representative who shall be counted for quorum and voting purposes only if the representative was unavailable~~) appointed by the Chairman of the Park and Recreation Commission for a one-year term, an alderman, a member of the Board of Education who is a resident of the City recommended by the Neenah Joint School District and three residents.
- (b) *Appointment.* The Alderman and the Board of Education members shall be appointed by a ~~two-thirds~~majority vote of the entire Council each April. The Mayor shall appoint one resident member annually each April for a term of three years. Such appointed members of the Commission shall commence their terms on May 1.
- (c) *Powers and duties.* The Plan Commission shall have such powers as are conferred upon it by law and shall perform such further duties as are imposed upon it by the Council.

Section 8. Section 2-169(a) 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:

Sec. 2-169. - Park and Recreation Commission.

- (a) *Composition; organization.* The Park and Recreation Commission shall consist of nine members, appointed by the Mayor, subject to confirmation by a majority of all the members of the Council. One of the commission members shall be a representative from the Common Council. In addition to the nine voting members of the Commission, the Neenah Joint School District shall have a nonvoting representative on the Commission. The term of office of each member shall be three years, ending on December 31, except for the representatives from the Common Council whose term shall be one year, ending on the third Tuesday of April. All members of the Commission shall serve without salary or other compensation. A majority of such Commission shall constitute a quorum for the transaction of business.

Section 9. Section 2-172(a) 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:

Sec. 2-172. - Emergency Government Committee.

- (a) *How constituted.* The Emergency Government Committee shall consist of the Mayor, City Department Heads, and as many additional members as may be determined by the Council by resolution. The members of the Commission shall be appointed by the Mayor, subject to confirmation by

the Council, and shall serve without compensation. The Mayor shall serve as Chairman of the ~~Commission~~Committee and the Civil Defense Director shall serve as Secretary of the ~~Commission~~Committee.

Section 10. Section 2-203(b) (Community Development Authority) 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:

(b) *Appointment.* The Commissioners shall be appointed by the Mayor with the confirmation of the Common Council. Two of the Commissioners shall be members of the Common Council and shall serve during their term of office as council members. The ~~first appointments of the five noncouncil members shall be for the following terms: two for one year and one each for terms of two, three and four years. Thereafter, the~~ terms of noncouncil members shall be four years and until their successors are appointed and qualify. Vacancies shall be filled for the unexpired term as provided for in this subsection. A certificate of appointment of a Commissioner shall be filed with the City Clerk and shall be conclusive evidence of the due and proper appointment of such Commissioner.

Section 11. 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 12. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: _____

Adopted: _____

Approved: _____

Published: _____

Dean R. Kaufert, Mayor

Attest:

Patricia A. Sturn, City Clerk

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



**RESOLUTION NO. 2019-11
A RESOLUTION AMENDING THE COUNCIL RULES OF ORDER**

WHEREAS, the Common Council has adopted rules of order to govern the operation of the Common Council, its various committees and procedural matters relating to its operations; and,

WHEREAS, over time, the rules and actual practice at times appear to be inconsistent; and,

WHEREAS, the Committee on Rules, with the Assistance of the City Attorney and Assistant City Attorney undertook to revise the rules to streamline and harmonize the operation of the Council and its committees;

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 3rd day of April, 2019 by the Common Council of the City of Neenah, Wisconsin that the Council Rules of Order are hereby amended by deleting the stricken language and adding the highlighted language to read as shown on Exhibit A, attached hereto.

Recommended by: Committee on Rules

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk

EXHIBIT A

RULES OF ORDER COMMON COUNCIL CITY OF NEENAH

1. The regular meetings of the Council shall be held on the first and third Wednesday of each month at 7:00 p.m. In case said Wednesday falls upon a legal holiday, such meeting shall be rescheduled as needed. Special meetings of the Council may be scheduled as needed. The Council holds its organizational meeting on the third Tuesday in April, therefore, the regular meetings in April are held on the first Wednesday and the third Tuesday at 7:00 p.m. Election of Officers at the organizational meeting shall consist of the President of the Council. The Council President shall be a member of the ~~both~~ standing committees. There will be a public forum at each meeting with five minutes time given per speaker on any topic, with mayoral response at the Mayor's discretion immediately following each speaker. Mayor/Council response will follow close of the public forum. Speakers wishing to engage in dialogue will be asked to call their Aldermen, the Mayor or the appropriate department head, and/or to attend the appropriate committee meeting. Before recognizing the first speaker, the Mayor shall announce the forum procedures. While the forum is in session the Mayor, Council and all those in attendance shall refrain from conversing, whispering, commenting or moving about the Chambers while the speaker holds the floor. After all speakers have been heard, the Mayor shall declare the public forum closed. At the conclusion of the public forum, the Mayor shall call for Mayor/Council consideration of public forum issues. Before responding or recognizing an Alderman wishing to speak, the Mayor shall announce the procedures governing this portion of the agenda. The Mayor and Council may answer questions, ~~take action,~~ refer consideration to appropriate committees, or comment on public forum issues. ~~For clarification, the Mayor and Council may ask questions of speakers, if necessary,~~ but shall refrain from debate. ~~During this portion of the meeting the Mayor, Council and all those in attendance shall refrain from conversing, whispering, commenting or moving about the Chambers while a speaker holds the floor.~~
2. The Council President and Chairman of the Finance and Personnel Committee, in succession, shall serve as Acting Mayor in the absence of the Mayor.
3. The agenda for all matters to be considered in regular session of the Council shall be delivered to all members two days preceding the meeting.
4. The Directors of Finance, Public Works ~~& Utilities,~~ and Community Development & Assessment, City Attorney (or their designee), and City Clerk or Deputy Clerk, shall attend all Council meetings. All other department heads shall attend if requested in advance by the Mayor or any individual Alderman. The Mayor shall be seated in the center position in the Council Chambers. The City Attorney shall occupy the seat to the Mayor's left and the City Clerk or Deputy Clerk shall occupy the seat to the Mayor's right. The Director of Finance shall occupy the seat immediately to the right of the City Clerk and to his right the Council President shall be seated, the Director of Community Development & Assessment shall occupy seat immediately to the left of the City Attorney and to his left the Director of Public Works

~~& Utilities~~ shall be seated.

5. Beginning with the seat immediately to the left of the Director of Public Works ~~& Utilities~~, the Council shall be seated sequentially in Aldermanic District order (1-2-3, 1-2-3, etc.) alphabetically within the district.

6. When the presiding officer (Mayor, Council President or Finance and Personnel Committee Chairman) shall proceed to have called the Council to order, attendance shall be recorded by each Alderman present responding to a voice roll call while simultaneously selecting yes/confirm on their remote for the Electronic Voting System, after which the screen will indicate those present and those absent. If a quorum is present (6 members shall constitute a quorum) the Council may proceed to transact business; a less number may compel the attendance of absent members or adjourn. This rule shall not be suspended, rescinded, or amended.

7. The Consent Agenda shall consist of items that are routine in nature (such as licenses and certified survey maps) that usually do not result in discussion by the Common Council. Any member may request an item in the Consent Agenda be removed and reported out under the appropriate committee reports prior to the final vote on the Consent Agenda.

8. The order of business shall be as follows:

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointments
- III. Approval of Council Proceedings
- IV. Public Hearings
- V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings
- VI. Public Forum
- VII. Mayor/Council consideration of public forum issues
- VIII. Consent Agenda
- IX. Reports of standing committees
- X. Reports of special committees and liaisons and various special projects committees
- XI. Presentation of petitions
- XII. Council Directives
- XIII. Unfinished Business
- XIV. New business
- XV. Adjournment

9. ~~Departmental,~~ Special council, and standing committee functions.

(a) The standing committees shall be Finance and Personnel, Public Services & Safety, ~~Legislative Review, Committee on Rules~~ and Neenah-Menasha Fire Rescue Joint Finance and Personnel. The standing committees shall be appointed by the Mayor and confirmed by the Council.

(b) The two special council committees shall be Legislative Review and Committee on Rules

~~(c)(b)~~—The Finance and Personnel Committee and the Public Services & Safety Committee shall be composed of four (4) Aldermen plus the President of the Council.

The Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee shall be composed of the Council President of both Neenah and Menasha, a member of the City of Neenah Finance and Personnel Committee, the Chairman of the City of Menasha Personnel Committee and one (1) alderman at large from both Neenah and Menasha. The Rules and Legislative Review Committee shall consist of three aldermen each.

At its first meeting the committee shall elect its chairman, ~~and~~ vice chairman ~~and~~ ~~secretary~~. The President of the Council shall not be chairman of any standing committees, with the exception of the Neenah-Menasha Fire Rescue Joint Finance and Personnel Committee, but shall have voting power on each. The Mayor and/or the Council President will ensure an equitable division of work when appointing members to commissions and committees with the goal of distributing workload and not having a single member with a consolidated amount of power. The elected chairmen of the standing committees, and the Council President, shall not be appointed to the Plan Commission, the Water Commission or the Park and Recreation Commission unless otherwise eligible Aldermen are unable to serve. The Chairman/President of a Committee/Board or Commission shall be a voting member of that Committee.

~~(d)~~~~(e)~~ The Mayor shall be an ex-officio member of ~~all standing committees~~ the Finance & Personnel, Public Services and Safety Committees and the Committee of the Whole with no voting power however he may vote on the Committee of the Whole in case of a tie.

~~(e)~~~~(d)~~ Formation of the city budget shall be in accordance with Section 65.90 Wisconsin Statutes.

~~(f)~~~~(e)~~ Each standing committee shall set specific dates of each month for the transaction of business relating to that committee. Special meetings may be called at the discretion of the chairman or two members of the committee. A quorum of the committee shall be ~~three (3) of the five (5)~~ a majority of the members. It is desirable that committee meetings beginning after 6:00 p.m. be so planned as to permit adjournment by 10:00 p.m., or shortly thereafter. All committee recommendations and actions shall be approved by the Council before going into effect unless final authority is delegated to the Standing Committee by ordinance or policy. The Committee shall report their recommendations to deny a motion/ordinance/resolution to the Council for confirmation. If the Council's vote to deny a motion/ordinance/resolution fails, that motion/ordinance/resolution does not automatically pass. A separate vote should be taken to adopt the motion/ordinance/resolution. Notification of all special or closed meetings of any committee shall be given to the entire Council and include the agenda for the meeting, strictly adhering to the OPEN MEETING LAW, Wis. Stats. §19.85.

(g) Each special council committee shall convene at the request of the chair or two members of the committee.

(h) Any motion that receives a second shall be presented to the Council with the recommendation it received (approve, deny, or tie). Any motion that fails to receive a second is considered dead in committee.

~~(i)~~~~(f)~~ All requests for extensive research data to a department head by an individual shall be approved by the committee of jurisdiction.

~~(j)~~~~(g)~~ Ordinances and resolutions can be introduced by any member of the Council and before being voted upon shall be referred to the City Attorney for approval as to

form and validity. The City Attorney shall give an opinion on same. No ordinance shall be passed or adopted at the same meeting at which it is offered, in the event any member of the Council requests same to be laid over until the next meeting.

~~(k)(h)~~—Before the Council takes action on an annexation, a report from the Finance and Personnel Committee setting forth its recommendation following study and consideration of the financial and services impact submitted in accordance with Section 26.29 of the Municipal Code of Ordinances shall be presented.

~~(l)(i)~~—Department heads or their designees present at Council meetings shall be permitted to address the Council upon request by any individual Alderman or the Mayor without need for a vote of the entire Council.

~~(m)(j)~~—Minutes of executive sessions are to be delivered to all Aldermen within 7 working days following the session.

~~(n)(k)~~—The Chairman or President of any Committee, Board or Commission is a voting member of that body.

~~(o)(l)~~—All committees, boards, commissions or other organized city bodies shall file with the City Clerk a true and correct copy of the minutes of each regular, or other, meeting at which minutes shall be taken within 5 days after the date of each meeting. Any such committee, board, commission or other body, may, in lieu of such filing of a copy of the minutes of such meetings, deposit with the City Clerk the original record book containing such minutes, provided the same is filed with such 5 day period.

STANDING COMMITTEES:

FINANCE & PERSONNEL COMMITTEE

The Committee shall have jurisdiction over the activities of the City Attorney, City Clerk, Director of Finance, Director of Community Development and Assessment (Assessor functions only) and Director of Information Systems. It shall make recommendations on all bills and claims of the city, recommend to the Council wage and salary adjustments for represented employees, recommend all insurance and review all city contracts, rebates and claims with the City Attorney, consistent with claims policies approved by the Council. It shall investigate all sales and purchase of property involving the city, promote the development of the city and supervise all financial matters of the city for the purpose of keeping expenditures within the budget. The functions of the Committee shall also include, but not be limited to, monitoring adjustments to the non-represented employee salary plan, hear and review individual grievances of non-union personnel, and other salary and personnel related functions that may from time to time be assigned to said Committee by the Council.

~~All recommendations and actions by the Finance and Personnel Committee shall be approved by the Council before going into effect.~~

The agenda for all matters to be considered in regular session of the Committee shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting.

PUBLIC SERVICES & SAFETY COMMITTEE

The Committee shall have jurisdiction over the Director of Public Works & Utilities who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Public Works Department. These activities include the following: installation of traffic lights and signs, maintenance and building of streets, sidewalks, sewers and bridges, disposal of garbage and rubbish, elimination and disposal of environmental diseases~~Dutch Elm disposal~~, snow removal, slough control, construction, repair and improvements of all public land & buildings, including parks; sewer televising and clear water separation programs.

The Committee shall have jurisdiction over the Police Department in all matters which are not under the jurisdiction of the Police Commission.

It shall have jurisdiction over the Director of Community Development and Assessment (with the exception of the Assessor functions), Building Inspector, parking lots (except parking lots in city parks), parking meters, traffic control and all city inspectors. It shall confer with the Police Chief in regard to methods, equipment and means to increase the efficiency of the police department. The Committee shall be responsible for cemetery matters under Council jurisdiction.

~~Committee shall initiate long-range improvement programs, develop an annual budget for the above programs and provide an impact statement for all areas petitioning for annexation.~~

The Director of Public Works ~~& Utilities and Police Chief~~ shall attend, all meetings of the Committee unless otherwise excused. The Director of Parks and Recreation, ~~and~~ Director of Community Development & Assessment shall attend if requested by the Committee. The Chief of Police or a member of the police command staff (Chief, Assistant Chief or Captain) shall attend at the request of the committee but no less than quarterly to report on the activities of the Department and any crime trends and statistics that the Chief and committee determine as indicative of the condition of the community.

~~All recommendations and actions by the Public Services & Safety Committee shall be approved by the Council before going into effect.~~

NEENAH-MENASHA FIRE RESCUE **JOINT FINANCE AND PERSONNEL COMMITTEE**

The Committee shall have jurisdiction over the Fire Chief who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Neenah-Menasha Fire Rescue Department, except those assigned to the Joint Fire Commission. It shall confer with the Fire Chief in regard to methods, equipment and means to increase the efficiency of the department. The Fire Chief or his designee shall attend all meetings of the Committee. All actions of the Committee shall be approved by both Councils of Neenah and Menasha, before going into effect. Agendas for all meetings shall be delivered to all alderpersons at least 48 hours in advance.

Agendas for all matters to be considered in regular session shall be delivered to all members of the Council 48 hours prior to the regularly scheduled meeting.

SPECIAL COUNCIL COMMITTEES

COMMITTEE ON RULES

Three alderpersons shall constitute the Committee on Rules with the Council President an ad hoc member without the vote. The Committee shall meet at the call of the Chair, Mayor, the Council President or at the request of any two alderpersons and may compel the attendance of any department head or City officer necessary for the Committee to complete its work.

LEGISLATIVE REVIEW COMMITTEE

The Mayor, Council President and chair of the Finance and Personnel Committee shall constitute the Legislative Review Committee. The Committee shall meet at the call of the Mayor, Council President or at the request of any two alderpersons and may compel the attendance of any department head or City Officer necessary for the Committee to complete its work. The Legislative Review Committee shall review proposed legislation of interest to the City of Neenah being considered by the Wisconsin Legislature or the U. S. Congress and make recommendations to the Council for official position.

~~NEENAH-MENASHA FIRE RESCUE JOINT FINANCE AND PERSONNEL COMMITTEE~~

~~—The Committee shall have jurisdiction over the Fire Chief who shall serve in an advisory capacity to the Committee, with no voting power, and all activities assigned to the Neenah-Menasha Fire Rescue Department, except those assigned to the Joint Fire Commission. It shall confer with the Fire Chief in regard to methods, equipment and means to increase the efficiency of the department. The Fire Chief or his designee shall attend all meetings of the Committee. All actions of the Committee shall be approved by both Councils of Neenah and Menasha, before going into effect. Agendas for all meetings shall be delivered to all alderpersons at least 48 hours in advance.~~

10. ~~Special~~ Ad hoc committees may be appointed whenever the Council shall so order and shall be selected by the Mayor or presiding officer, unless otherwise specifically ordered. The ~~two (2)~~ three (3) Council standing committees have the authority to establish ad hoc subcommittees and to have ad hoc committee members who may be citizen members. Ad hoc committees may also be established by the Council and/or Mayor with membership confirmed by the Council that may report directly to the Council. All subcommittee recommendations or actions must be brought back to the appropriate standing committee before being brought to the Council for approval. All referrals to standing committees by the Council shall be reported back to the Council on a timely basis with committee recommendations. All ~~special committees or~~ ad hoc committees established by the Council or established by the standing committees shall comply with OPEN MEETINGS LAW, ~~Chapter 426, laws of 1975.~~ Wis. Stats. Subch. V (§19.81 et seq.) Ad hoc committees shall cease to exist upon completion of the assigned task that led to the ad hoc committee's creation.

11. Non-Committee members who attend committee meetings shall be allowed to speak at committee during initial discussion on matters before the Committee, after receiving permission from the chair. Non-Committee members should be mindful that they are not on the specific committee and that only committee members have the authority to deliberate and make recommendations. Once the committee begins deliberations on an item before it (i.e., after a motion and second) only committee members may speak on the question before the committee.

~~12~~4. All demands, claims, or accounts against the city, except as otherwise provided by ordinance or policy, shall be referred to and reported on by one of the standing committees before they are allowed by the Council. All claims against the city for material or labor shall be in the hands of the Director of Finance at least forty-eight (48) hours before the Council meeting at which action on said bills is to be taken.

~~13~~2. Petitions and remonstrance may be read at length by the member presenting the same with Council permission, or by the presiding officer or City Clerk unless otherwise ordered.

~~14~~3. When any member is about to speak in debate or deliver any matter to the Council he/she shall obtain recognition from the chair and respectfully address himself/herself to the question under consideration, and avoid personalities, and he/she shall not be interrupted except by ~~a call to order~~ an appropriate action.

~~15~~4. When any member is called to order he/she shall cease speaking until it shall be determined whether he/she is in order or not, except he/she shall be permitted to explain.

~~16~~5. No member present at any meeting of the Council shall ~~withdraw from the Council Chambers~~ without permission from the chair, and any member so withdrawing shall be punished by reprimand.

17. For motions that are noncontroversial, and when law does not require a roll call vote, the Chair may request unanimous consent to approve a motion. The Chair may state "If there is no objection (insert action to be taken)." If any member objects, the normal procedure for approval shall take place. If there is no objection, the action is approved without a motion, second, discussion, or vote. Such approval shall be reflected in the minutes as "approved unanimously" or "approved without objection."

~~18~~6. The ayes and nays shall be ordered upon any question at the request of any member. Roll call votes shall utilize the Electronic Voting System when applicable. If the system is unable to be used, the Clerk shall call the roll of the members in rotating order, the first vote beginning with the Alderman seated at the Director of Public Works ~~& Utilities~~' immediate left. The City Clerk shall enter in the minutes the names of the members voting in the affirmative and those voting in the negative. In confirmation and on the adoption of the measure assessing or levying taxes, appropriating or disbursing money or creating any liability or charge against the city or any fund thereof, the votes shall be ayes and nays. This rule shall not be suspended, rescinded or amended.

~~19~~7. When a motion has been decided, it shall be in order for any member of the majority, or in case of a tie, for any member to move a reconsideration thereof at the same or succeeding meeting, but if the motion to reconsider is made on a subsequent day to that on which the original motion and question was decided a vote of a majority of the entire Council shall be required to sustain it.

~~20~~18. Where the presiding officer shall fail to put the question on a motion that is in

order, any member may put the question.

2149. Any member may call for the previous question and only one second shall be necessary. A two-thirds vote of the members present shall be necessary for concurrence.

220. Any member who has been declared out of order and who shall continue to be out of order after being reprimanded by the chair, may by a two-thirds vote of the other members present, be expelled from the Council Chambers. A city policeman ~~man~~ officer may act in the capacity of Sergeant-at-Arms in all such cases, by Council direction.

234. The presiding officer must abide by the intent of the officially adopted Rules of Order and as a member of the Council is subject to these Rules of Order.

242. Any person in the gallery guilty of disorder, loud noises and failure to abide by call to order of the chair, may by order of a majority of the Council, be expelled or arrested by a city policeman ~~man~~ officer acting in the capacity of the Sergeant-at-Arms under direction of the Council.

253. In cases not covered specifically by these rules, guidance is to be obtained by the use of Robert's Rules of Order.

264. No rule shall be suspended without the concurrence of two-thirds of the members present.

275. A majority vote of the entire Council shall be necessary to rescind or change any standing rule of order.

286. When vacancies occur, the Mayor shall inform all Council members ~~and the news media~~ of the position and its duties. Application for nominations to these vacancies may be made to any Alderman or the Mayor. Appointive vacancies to be filled shall be included on the agenda of the Council meeting preceding the Council meeting at which the appointments will be made and confirmed. Applications for appointments are available in the City Clerk's Office.

COUNCIL DIRECTIVES

History: It appears that Council Directives first appeared in the early 1980's. Early directives were for Department Heads to provide the Council with periodic updates on the progress regarding previously taken Council actions. Since the early 1980's the use directives has expanded to include many things from simple requests for information to instructions for extensive staff work leading to major changes in city programs or policies. There has not been a written definition or procedure established regarding Council Directives. The Committee on Rules has been requested to rectify this situation.

Definition: Council Directives are instructions issued by the Council typically to Department Heads (or Committee, Boards, Commissions, Staff groups or other sections of the City's government). They will be directed at developing plans for the city, establishing and/or modifying municipal programs or the development and/or the changing of policies of the city. They will contain a target date for completion and a progress report timetable.

Establishment of Directives: Any alderperson may propose a Directive during the XII.

Council Directives section of the meeting. The Directive shall be proposed in the form of a motion and shall require a second from another alderperson. To be placed on the current list of Directives a majority of the Council must vote for its inclusion. The vote by the Council shall occur at the next meeting following its proposal. This delay is for two purposes; one, to allow other alderpersons to familiarize themselves with the issues involved and, two, to allow the alderperson proposing the Directive and the Department Head (or Others) to develop target dates and a reporting schedule. Upon receiving such a vote the clerk will assign the Directive the next consecutive number and add it to the current listing. In adding a Directive, a review schedule shall be attached so that progress in achieving results will be tracked. It is expected that the person (or group) responsible for working on the Directive will provide periodic updates as requested.

Timing: Council Directives shall appear as Section XV. at all regularly scheduled Council meetings.

Removal of Directives: Council Directives may be removed from the current listing by the following actions:

- The majority of the Council agrees (by vote) that the Directive has been satisfactorily completed and/or is deemed no longer necessary.

Requests for Information of Department Heads, etc.: Requests of Department Heads (and others in city government) for the study of issues of general interest, for reviews of existing ordinances, statutes or regulations or to monitor progress on city topics and actions may be made by any alderperson. No second or Council action is required for such requests even if made from the Council floor. It is expected that all reasonable requests will be answered in an appropriate timeframe. It should be noted that Section 8 g. of the Council Rules may apply to some requests. (Section 8 g. "All requests for extensive research data to a Department Head by an individual shall be approved by the committee of jurisdiction".)

~~This proposal submitted September 6, 1996 by William J. Mattes~~

**Neenah-Menasha Fire Rescue
Joint Fire Commission Meeting Minutes
March 27, 2019 – 4:00 p.m.
2nd Floor Conference Room – City of Neenah**

Present: Commissioner Englebert, Kubiak, Keating, Keehan and McCann

Excused: Commissioner Lewis

Also Present: Chief Kloehn, Director Jacobs & MA Ellis

Commissioner Englebert called the meeting to order at 4:00 p.m.

Public Forum: No members of the public were present.

Minutes: The Commission reviewed the meeting minutes from November 28, 2019. **MSC Keehan/Keating to approve the November 28, 2019 meeting minutes, all voting aye.**

4:05 p.m. Commissioner McCann entered the meeting.

Activity and Automatic Aid Reports: The Commission reviewed the 2018 year-to-day and February 2019 activity and automatic aid reports. This is informational only and no action is required.

4:10 p.m. Director Jacobs entered the meeting.

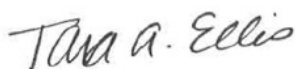
2018 Year End Budget Report: The Commission reviewed the 2018 year end budget report. This is informational only and no action is required.

Regional Fire Department Hiring Process Agreement with Fox Valley Technical College: The Commission reviewed the new Regional Fire Department Hiring Process Agreement with Fox Valley Technical College. **MSC McCann/Kubiak recommends the City of Neenah and City of Menasha Common Councils approve the Regional Fire Department Hiring Process Agreement with Fox Valley Technical College, all voting aye.**

Fire Officer and Shift Inspector Promotions: The Commission reviewed the request from Chief Kloehn to promote Gina Vendola to the Fire Officer position and Gerald Mavroff to Shift Inspector. These vacancies were created with the retirement of Fire Officer Steve Schultz. **MSC Keehan/Kubiak to promote Gina Vendola to the Fire Officer position and Gerald Mavroff to Shift Inspector position effective March 27, 2019, all voting aye.**

MSC Keating/Keehan to adjourn at 4:40 p.m., all voting aye.

Respectfully Submitted,



Tara Ellis
Management Assistant

REGIONAL FIRE DEPARTMENT HIRING PROCESS AGREEMENT

THIS AGREEMENT ("Agreement") is made as of the 15th day of February, 2019, by and between the NEENAH MENASHA FIRE RESCUE (hereinafter "NMFR") and FOX VALLEY TECHNICAL COLLEGE (hereinafter FVTC).

WHEREAS, NMFR wishes to contract with FVTC for the purpose of acquiring a list of qualified candidates for the position of firefighter; and

WHEREAS, FVTC wishes to provide the NMFR with testing results obtained from the Fox Valley Regional Hiring Process; and

NOW, THEREFORE, in consideration of the mutual promises and other goods and valuable consideration exchanged herein, IT IS AGREED AS FOLLOWS:

- A. NMFR agrees to fulfill the following obligations:
1. Will certify that it has a valid Candidate Physical Ability Test (CPAT) license, and that it agrees to recognize and accept proof of completion of the CPAT from the limited licensee;
 2. Will certify that it will utilize the CPAT only in the context of an overall implementation of the CPAT program that complies with its CPAT license;
 3. Will understand the result of the hiring process will be valid for six (6) months from the date the candidate takes the CPAT and written exam;
 4. Will only use the CPAT for the purpose of candidate preparation and physical ability testing of career firefighters.
- B. NMFR agrees to fulfill the following obligations which are specific to the Fox Valley Regional Hiring Process:
1. Will be responsible for advertising the open position(s) and direct potential candidates to the FVTC website for additional information;
 2. Will establish the minimum hiring requirements for NMFR;
 3. Will accept the Fox Valley Regional Hiring Process Application;
 4. Will reimburse FVTC for services provided at the rate of \$1,000.00 user fee plus \$5.00 per applicant who meets the NMFR's minimum hiring requirements, successfully passes the CPAT and take the written exam.
- C. FVTC agrees to fulfill the following obligations:
1. Will obtain and maintain a limited license and cover the cost of any licensing fees.
 2. Will have the capability, and agree to assist, the fire department in meeting the terms of such compliance, including the pre-test orientation and mentoring requirements;
 3. Will have the capability and staff to validate the CPAT for jurisdictions through a transportability study, assist the fire department in obtaining CPAT licensure, provide consistent CPAT testing administration and legally defend validation and CPAT administration;

4. Will have the capability and agree to provide candidates practice tests and orientations in accordance with The Fire Service Joint Labor Management Wellness-Fitness Initiative Candidate Physical Ability Test Manual, 2nd Edition;
5. Will provide candidates with mentoring programs (i.e. Firefighter Functional Fitness 10-503-135 and Health and Wellness for Firefighter 10-503-134, classes which are offered through FVTC);
6. Will secure CPAT equipment and verify that such equipment and props conform to all specifications in the CPAT manual and that it has the ability to administer the CPAT in conformity with the specifications of CPAT;
7. Will have a mechanism in place to assure that any individual who demonstrates a financial hardship will be provided the CPAT at reduced or no charge;
8. Will provide CPAT certificates for candidate's applying for employment with multiple fire departments;
9. Will notify the IAFF of the CPAT licensed fire departments for which such certification is provided;
10. Will provide CPAT licensed fire departments results from the hiring process and a method for verifying the candidate's results;
11. Will administer the CPAT in compliance with the IAFF's licensing agreement, which include full compliance with the EEOC conciliation agreement and utilization of the CPAT administration.

D. FVTC agrees to fulfill the following obligations which are specific to the Fox Valley Regional Hiring Process:

1. Establish and maintain an Fox Valley Regional Hiring Process website;
2. Collect candidate applications and certifications and determine if the candidate meets the minimum requirements set forth by the NMFR;
3. Maintain a data collection system for all pertinent information relating to the hiring process;
4. Only allow candidates who meet the NMFR minimum hiring requirements to participate in the hiring process;
5. Schedule CPAT orientation, practice session and administer the actual physical ability test in accordance with the guidelines set by Chapter 6, Appendix A and Appendix B of The Fire Service Joint Labor Management Wellness-Fitness Initiative Candidate Physical Ability Test Manual, 2nd Edition;
6. Administer the written exam only to the candidates who meet the NMFR minimum hiring requirements and successfully complete the CPAT;
7. Compile hiring process testing data from the candidates application, CPAT and written exam;
8. Provide the NMFR with a hard copy (paper copy) of the application packet for each candidate who has applied to the NMFR, results of hiring process data for each candidate, whether or not the candidate meets the minimum hiring requirements, or passes CPAT (i.e. as much information as possible for each candidate depending on how far the candidate has progressed though the hiring process);
9. Provide a summary of the entire Fox Valley Regional Hiring Process to the NMFR, this will be statistical data and will not include specific names of candidates;

10. Will receive compensation from the NMFR for services provided at the rate of \$1,000.00 user fee plus \$5.00 per applicant who meets the NMFR's minimum hiring requirements, successfully passes the CPAT and takes the written exam.

E. TERMS OF THIS AGREEMENT, shall expire one year from the date first above written.

IN WITNESS WHERE OF, the parties hereto have caused this Agreement to be executed the date first above written.

NEENAH MENASHA FIRE RESCUE

Kevin Kloehn, Fire Chief

FOX VALLEY TECHNICAL COLLEGE



James Austad, Fire Protection Department Chair

Fox Valley Regional Fire Department Minimum Hiring Requirements

Directions: Please mark the items that your fire department would need as the minimum requirements for a candidate to be considered for employment.

All requirements will be at the time of application unless otherwise noted as at the time of hire.

Fire Department Name: Neenah-Menasha Fire Rescue

General Requirements

- Minimum age: 18 years old
- Valid WI Driver's License
- U.S. Citizen

Comments: _____

Education Requirements

- High School diploma or GED
- College credits Specify: _____
- Associate Degree: any field - at hire
- Associate Degree: related field - at hire
- Associate Degree: Fire/Medic - at hire

- Associate Degree: Fire Protection Technician - at hire

Comments: _____

Fire Certification Requirements (WI Certification, IFSAC or Pro Board)

- Firefighter I - at hire
- Firefighter II - at hire
- Driver/Operator – Pumper - at hire
- Driver/Operator – Aerial - at hire
- Fire Inspector I - at hire

- Haz Mat Operations - at hire

- Haz Mat Technician - at hire

Comments: _____

Emergency Medical Services Requirements (WI License or National Registry)

- Medical First Responder - at hire
- EMT: Basic - at hire
- EMT: Paramedic - at hire
- EMT:P Program enrollment at application

Comments: _____

Other Required Training

- NIMS 100 - at hire
- NIMS 200 - at hire
- Other - specify: _____
- NIMS 700 - at hire
- NIMS 800 - at hire
- Other - specify: PADI-Preferred, not required
- Confined Space - at hire
- PADI/SCUBA - at hire

Residency Requirements

- Yes - No

Describe: _____

Tobacco Use Prohibited

- Yes - No

Name of person completing this form	Title or rank	Human Resources or additional approval (if required)	
Signature	Date	Signature	Date

NMFR Joint Finance & Personnel Committee Meeting
March 26, 2019 – 5:30 p.m.
Hauser Room – City of Neenah

Present: Ald. Kunz, Boyette, Grade, Sevenich, Stevenson and Ropella

Also Present: Chief Kloehn, Director Easker, Director Jacobs and MA Ellis

Public: No members of the public were present.

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

Minutes: The Committee reviewed the January 9, 2019 meeting minutes. **MSC Sevenich/Grade to approve the January 9, 2019 meeting minutes and place on file, all voting aye.**

Activity and Automatic Aid Reports: The Committee reviewed the 2018 year-to-day and February 2019 activity and automatic aid reports. **MSC Stevenich/Stevenson to approve the 2018 year-to-day and February 2019 activity and automatic aid reports and place on file, all voting aye.**

5:36 p.m. Ald. Ropella entered the meeting.

2018 Year End Budget Summary: The Committee reviewed the 2018 year end budget summary. It was noted this a preliminary report and is subject to the final audit that is conducted by an outside agency. Director Jacobs asked for explanation on the Special Operations training. Chief Kloehn reviewed how the reimbursement process is handled through the State of Wisconsin. Ald. Ropella asked why budget line items were over and where the money was going to come from. Chief Kloehn explained the overall budget shows there will be around a \$126,000 return for the total budget. Director Easker noted once the auditors complete their final report the disbursement for any returned monies from 2018 are returned to each City in August. This total doesn't include monies that are set aside in the trust fund for accrued sick leave, vacation, etc. These are liabilities for the department and are funded in their entirety. If this number is any different from the audit the committee asked that this information be brought back to a future meeting. **MSC Sevenich/Stevenson to approve the 2018 year end budget summary and place on file, all voting aye.**

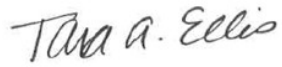
SCBA Grant Review: The Committee reviewed the information on the final cost of the overall SCBA grant and the final totals for each City's portion. Both finance directors noted this money was borrowed CIP funds.

Memorandum of Understanding with Outagamie County CERT: The Committee reviewed the request by Chief Kloehn for approval of the Memorandum of Understanding with Outagamie County CERT Team. Chief Kloehn explained this is a rehab trainer that is staffed by volunteers and is used during larger incidents for rehab for staff (i.e. beverages, food and a place to warm up during inclement weather). Chief Kloehn said there is a rehab trailer that is currently used being assembled for use within Winnebago County. It will be staffed with volunteers who have to take training before they can participate. Ald. Boyette noted this is usually part of an emergency management setup. Once it is set up, it will work well. Chief Kloehn said even if Winnebago County has one up and running Outagamie will still help us out if needed as Winnebago's trailer could already be in use at a different incident.

MSC Ropella/Stevenson recommends the City of Neenah and City of Menasha Common Council's approve the Memorandum of CERT Firefighter Rehabilitation Agreement with Outagamie County Emergency Management CERT Rehab Program, all voting aye.

MSC Sevenich/Grade to adjourn at 6:00 p.m., all voting aye.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Tara A. Ellis".

Tara Ellis
Management Assistant



Memorandum

TO: NMFR Joint Finance & Personnel Committee

FROM: Chief Kevin Kloehn

DATE: March 11, 2019

RE: Memorandum of Understanding with Outagamie County CERT

Outagamie County CERT Rehab team has offered to help us provide rehab to our staff members during major incidents. This team was used during a major structure fire this month where the temperatures were below zero. The team has offered to be available for future calls but asked that we sign a Memorandum of Understanding Agreement.

I'm asking for consideration and action to recommend the City of Neenah and City of Menasha Common Councils approve the Memorandum of CERT Firefighter Rehabilitation Agreement with the Outagamie County Emergency Management CERT Rehab program.

Thank you for your consideration.

KK/te

Enclosure

CERT FIREFIGHTER REHABILITATION AGREEMENT

THIS AGREEMENT ("Agreement") is made as of the ____ day of _____, _____, by and between the _____ FIRE DEPARTMENT (hereinafter "_____") and OUTAGAMIE COUNTY EMERGENCY MANAGEMENT CERT REHAB (hereinafter CERT REHAB).

WHEREAS, _____ wishes to utilize CERT REHAB for the purpose of providing on scene rehabilitation and canteening services excluding medical evaluation of emergency personnel; and

NOW, THEREFORE, in consideration of the mutual promises and other goods and valuable consideration exchanged herein, IT IS AGREED AS FOLLOWS:

- A. _____ agrees to fulfill the following obligations:
1. Will mobilize CERT REHAB through the Outagamie County Communications Center. Communications will utilize AtHoc to activate CERT. Will provide CERT REHAB incident location, as well as the type of incident.
 2. Will be billed by Outagamie County for all consumables, including but not limited to water, soda, coffee, hot chocolate, energy bars or other snacks.
 3. Will be billed by Outagamie County for fuel used for the requested response. Receipts will be maintained in the Emergency Management Office and will be available upon request.
- B. CERT REHAB agrees to fulfill the following obligations:
1. Will be responsible maintaining a call out procedure and staff list in accordance with Outagamie County Emergency Management.
 2. A response vehicle, owned, maintained and insured by Outagamie County Emergency Management, will be available for deployment on an as needed and as available basis. Will provide one (1) response vehicle and/or a similarly equipped temporary rehab station and a minimum of three (3) CERT personnel to each incident requested.
 3. Will check in with command upon arrival at the requested incident for instructions including location of the rehab area, expected duration, immediate needs and communication procedures.
 4. Will provide rehab services excluding medical evaluation to on scene emergency responders. Medical evaluation may be provided by the requesting agency, if the requesting agency is not a medical response agency, a medical response agency shall be dispatched in order to provide medical monitoring for rehab.
 5. CERT will provide canteening services upon request. Said canteening is not intended to replace any other canteening agency (Red Cross, Salvation Army, or

Auxiliary). Canteening services provided by CERT are intended for emergency responders and are temporary. Canteening services will be billed accordingly with rehab services.

- C. TERMS OF THIS AGREEMENT shall be non-expiring and shall be terminated upon mutual agreement of the department and Outagamie County Emergency Management.

IN WITNESS WHERE OF, the parties hereto have caused this Agreement to be executed the date first above written.

FIRE DEPARTMENT

Fire Chief

Date

OUTAGAMIE COUNTY EMERGENCY MANAGEMENT

Emergency Management Director

Date

**Minutes of the Board of Public Works Meeting
Wednesday, March 27, 2019 – 12:00 p.m.
Hauser Room**

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

ALSO PRESENT: Clerk Sturn and Water Utility Director Mach.

Chairman Kaufert called the meeting to order at 12:06 p.m.

MINUTES: MSC Hillstrom/Kaiser to approve the minutes from the March 12, 2019 Board of Public Works meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Water Department:

Pay Request No. 2 for Chemical Storage and Feed Modifications: Dir. Mach requested approval of Pay Request No. 2 for Chemical Storage and Feed Modifications to August Winter & Sons in the amount of \$52,820.00. The project is nearing completion with only some electrical work left to be done. It should be nearly completed by the end of April. There is one tank with flaws / cracks from exposure to the elements that will need to be rejected. The engineer from Robert E. Lee concurs that this tank should be replaced. Staff plans to meet with August Winters to determine if they will replace the rejected tank. Dir. Mach feels August Winters will make it right. If not, dollars will be held from the retainage for the project. **MSC Kaiser/Godlewski to recommend approval of Pay Request No. 2 for Chemical Storage and Feed Modifications to August Winter & Sons in the amount of \$52,820.00, all voting aye.**

MSC Godlewski/Hillstrom to adjourn at 12:13 p.m., all voting aye.

Respectfully Submitted,


Patricia A. Sturn
City Clerk

STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

Date: April 3, 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

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, January 8, 2019 - 6:30 PM
Hauser Room - City Administration Building

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

Also Present: Mayor Kaufert, Director of Public Works Kaiser, Director of Community Development/Assessment Haese, Traffic Engineer Merten, Kevin Ruhland, Brian Huigbregtse, Chad Wagner

Minutes: Chairman Bates requested a change in the minutes regarding the Extension of Premise discussion to change the sentence "She noted concerns with the proposed ordinance but expressed a desire to develop something that can work" to read "She noted concerns with the proposed ordinance but is willing to work on it". Following discussion, **Motion/Second/Carried Hillstrom/Lendrum to approve the minutes of the December 11, 2018, Regular Meeting as amended.** All voting aye.

Public Appearances: None.

Downtown Traffic Study Presentation by MSA Professional Services: Engineering staff from MSA Professional Services reviewed the Downtown Traffic Study. Kevin Ruhland introduced the study and outlined the study objectives. Chad Wagner reviewed the data collection aspects of the study for traffic volume information and roadway geometry. Brian Huigbregtse reviewed the use of the data for operational analyses, including modelling the current conditions, modelling the Commercial Street corridor with timing adjustments, and modelling 2038 projected conditions. He described traffic issues that were observed at the intersections of Main Street/Green Bay Road, Commercial Street/Winneconne Avenue, Commercial Street/Wisconsin Avenue, and Wisconsin Avenue/Church Street. He reviewed modifications to the Church Street Ramp that were considered to provide a second access point to the ramp. He reviewed the traffic signal warrants analyses performed at the Main Street/Torrey Street and Main Street/Doty Avenue intersections. He noted that neither intersection currently meets warrants but that the Main/Torrey intersection is fairly close to meeting the 4-Hour warrant. Kevin Ruhland concluded the presentation by reviewing some recommendations for future analysis.

Committee raised several questions about the study and downtown traffic observations. The consultants noted several options to address concerns with vehicle/pedestrian conflicts related to right turn to on red movements at signalized intersections including leading pedestrian walk signal timing, turn restrictions and bump-outs.

Committee discussed pedestrian crossing concerns that have been raised at the Church Street/Doty Avenue intersection. The consultants reviewed their analysis of All-Way Stop warrants at that intersection including traffic volume and crash history. They noted that the warrants are not satisfied. The consultants noted that pedestrian crossing beacons would not typically be used for this type of location but that bump-outs could help. They noted the possibility of using traffic cones to trial potential bump-out locations. Committee and the consultants discussed the possible use of enhanced pavement markings at these crosswalks. The consultants also noted the use of raised crosswalks at these types of locations and the impact of the bus stop on intersection visibility.

Public Services and Safety Committee Meeting
January 8, 2019
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The consultants discussed aspects of the study results that they hadn't expected. They reviewed the traffic crash data at the Commercial Street/Columbian Avenue intersection and noted the number of right-angle crashes. They indicated that this was a high volume of crashes for a lower volume signalized intersection. They also discussed their observations of queuing for eastbound left-turn traffic at Wisconsin Avenue/Church Street during the AM peak.

Mayor Kaufert raised the potential for angle parking on Main Street between Torrey and Doty to promote traffic calming. The consultants noted that this could be incorporated in an Intersection Control Evaluation of the Main Street/Torrey Street intersection. Director Haese informed the Committee that funds were budgeted for the next phase of the traffic analysis. Alderman Stevenson clarified that staff will develop a request for proposals for the next phase of the work and provide it to Committee.

Proposed Laudan Boulevard Vacation: Director Haese informed the Committee of the Neenah Joint School District (NJSD) request to vacate Laudan Boulevard between Elm Street and Reed Street to accommodate the proposed construction of a new middle school, which is part of an April school referendum. He noted that City staff had requested that NJSD create a road between Elm Street and Reed Street at the south side of their site as part of the site planning in order to accommodate traffic circulation around the school. This road would be an extension of Burr Avenue. He noted that water main is located along the north side of the Laudan Boulevard right-of-way in this block. The Neenah Water Utility has been evaluating options if this main needs to be abandoned.

Director Haese reviewed the public interest street vacation process. He stated that introduction of the resolution, as requested, is the first step and doesn't commit the Council to other action. He noted that the intent of the process for this vacation is to incorporate provisions should the school referendum fail or if there is a determination by NJSD to not move forward with the project.

Committee discussed the design of and cost related to the Burr Avenue extension and water main re-routing. Director Haese stated that a cost-share agreement would need to be developed between the City and NJSD regarding infrastructure costs. He indicated that it would be desirable to have an agreement in place before final Council action on the street vacation.

Mayor Kaufert described the coordination between Council action on the street vacation resolution and NJSD preparation of educational materials on the referendum. He mentioned to the Committee that he has been considering sending a postcard to residents in that area informing them of the NJSD request. Committee expressed a concern with Council action to introduce the street vacation resolution being perceived as an endorsement of the referendum. Director Haese expressed concern that resident notification could lead to many questions to the Council from residents without any answers.

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Director Haese described the two methods for street vacation – by petition or as a public interest vacation. He noted that the petition method would take much more effort by NJSD. He noted the role of a public interest vacation. He related that legal staff cautioned him that Council discussion should focus on the motion to introduce the resolution and not on the merits of a street vacation or school site plans. Mayor Kaufert stated that he is supportive of the street vacation. Chairman Bates requested that City Attorney Godlewski explain at the Council meeting the purpose of the resolution introduction step as it relates to the overall street vacation process. Mayor Kaufert related that City Attorney Godlewski has informed him that Resolution 2019-02 could be modified based on Council and public hearing input. Chairman Bates indicated that she would like to know the cost impacts of public infrastructure adjustments. Director Haese confirmed that a future school project on this site would entail a special use permit, which requires Council approval.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Hillstrom to recommend Council, at the request of the Neenah Joint School District, introduce Resolution No. 2019-02 vacating a portion of Laudan Boulevard and schedule a public hearing for discussion and consideration of the Resolution no less than 40 days from introduction.** All voting aye.

Harrison Street Angle Parking at Washington Park: Traffic Engineer Merten informed the Committee of the proposed placement of angle parking along the west side of Harrison Street abutting Washington Park. He stated that construction of the angle parking area is being bid as an alternate on the upcoming Washington Park project bidding. He stated that angle parking in this area was included in the 2015 master plan for the park and was included in the estimate of probable cost for the project.

Traffic Engineer Merten reviewed the angle parking design. He noted that there are currently 11 parallel parking spaces on the street. The proposed design would provide 12 standard spaces and 2 handicapped accessible spaces. He noted several alternate parking designs that had been provided to the project consultant including reverse angle parking and perpendicular parking. He noted that the consultant had selected conventional angle parking as their preferred option. He noted several advantages provided by perpendicular parking. Director Kaiser stated that past practice had been to receive Council approval for the establishment of any parking angle other than parallel. Mayor Kaufert stated a preference to hold action on the request until the next capital improvement program is prepared and design of the Harrison Street pond is finalized.

Committee discussed aspects of the park design and intended users of the angle parking. Traffic Engineer Merten stated that it is assumed that parking in these spaces will primarily be users of the tennis and pickleball courts.

REPORT

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council direct staff to amend the official traffic maps to reflect angle or perpendicular parking on the west side of Harrison Street abutting Washington Park contingent upon the bid alternate being approved by the Council.** All voting aye.

**Public Services and Safety Committee Meeting
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Provision of Additional Refuse/Recycling Carts: Director Kaiser reviewed his memo of January 3, 2019, outlining conditions for providing an additional refuse or recycling cart to a resident. He noted that several requests have been received from residents for additional collection service. He stated that the cost to service an additional refuse cart is about \$185 per year. He stated that the cost to service an additional recycling cart is about \$25 per year. He recommended that properties requesting an additional refuse cart be charged a service fee of \$185 per year and that properties requesting an additional recycling cart not be charged. He expressed concern that there could be a perception of discouraging recycling by issuing a charge. Committee noted that the \$25 charge is a fairly nominal charge for the additional service and would prefer to see a service fee charged for an additional recycling cart. Committee suggested that the annual fee review include all service costs and not just the tipping fee cost. Committee discussed pro-rating the charge for an in-year startup. Director Kaiser indicated that he would discuss the matter with Director Easker.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council approve enabling single family resident properties to acquire an additional refuse cart for a charge of \$185 per year or an additional recycling cart for a charge of \$25 per year.** All voting aye.

Approval of Preliminary Resolution 2019-01: Sanitary Sewer Lateral Construction (Caroline Street, Stanley Court, Thomas Court, Stanley Street, Stevens Street, Fifth Street, Courtney Court): Director Kaiser noted that this is the first step in the special assessments process. It directs staff to prepare plans and estimates for the proposed work. An Assessment Report will be brought to a future Committee meeting. He noted that the Finance and Personnel Committee has been discussing options to reduce the impact of special assessment charges for sanitary sewer lateral installation but that some the options discussed still involve a special assessment.

RES.

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council adopt Preliminary Resolution No. 2019-01 for sanitary sewer lateral construction on Caroline Street (Union to Van), Stanley Court, Thomas Court, Stanley Street (Marathon to S. Commercial), Stevens Street (Congress to Doty), 5th Street (Clark to Lincoln) and Courtney Court.** All voting aye.

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Elizabeth A. Jenkins and Benjamin Davis Sheets.

C.A.

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council approve beverage operator license applications for Elizabeth A. Jenkins and Benjamin Davis Sheets.** All voting aye.

Public Works General Construction and Department Activity: Director Kaiser noted that an offer of employment as a sanitation worker has been extended. If accepted, that will bring the Public Works operations to full staffing. He also noted that the first of five interviews had been conducted for the Assistant Superintendent of Public Works opening.

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January 8, 2019
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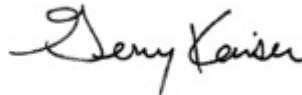
Announcements/Future Agenda Items:

Chairman Bates questioned the alcohol license used by Barrel 41 since it hadn't come before the Committee. Mayor Kaufert stated that they operate under a brewer's license which does not require Council approval.

Mayor Kaufert requested that Director Kaiser provide Council with final cost information on the Nature Trails/Eaglecrest project. He informed the Committee that significant cost savings were achieved by the way that the project was packaged.

Motion/Second/Carried Hillstrom/Stevenson to adjourn at 9:05 p.m. All voting aye.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gerry Kaiser".

Gerry Kaiser, PE
Director of Public Works

COMMON COUNCIL MINUTES

Wednesday, March 20, 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., March 20, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Boyette, Bates, Hillstrom, Lendrum, Erickson, Lang, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski, Assistant City Attorney Vanden Heuvel and City Clerk Sturn. Alderman Steele was excused.

Also Present: Police Chief Olson, Police Captain Bernice, Fire Chief Kloehn, Firefighter Boelk, Lyndsey, Ava, Alexa & Levi Boelk, Dennis & Deb Boelk, Lowell & Sally Boelk, several members of the Joint Neenah-Menasha Fire Rescue, Director of Parks & Recreation Kading, Assistant Planner Kasimor, Sean Keepers, Lori Fernandez and Dwight Kerr.

Mayor Kaufert called the meeting to order at 7:03 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 firefighters Josh Boelk. Josh's wife Lindsey, children Ava, Alexa & Levi, mother and father Dennis & Deb Boelk and grandparents Lowell & Sally Boelk were present. Josh's wife Lyndsey pinned on his badge. Clerk Sturn administered the oath of office to Josh. Chief Kloehn welcomed Josh to the NM Fire Rescue family.
 - A. Josh indicated he is grateful for this opportunity. He appreciates the opportunity to be a part of both communities. He thanked the Council & Mayor for his appointment.

Introduction and Confirmation of Mayor's Appointments

- I. Mayor Kaufert introduced Sean Keepers, his recommended appointees to the Neenah Arts Council.
 - A. Sean Keepers thanked the Council
 - B. **MSCRP Lang/Lendrum to confirm Mayor Kaufert's appointment of Sean Keepers to fill the unexpired term of Paul Seveska on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**
- II. **MSCRP Stevenson/Lang to confirm Mayor Kaufert's appointment of Laura Kemps to fill the unexpired term of Trina Woldt on the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**

- III. Sean Keepers thanked the Council for the appointment. He is a Neenah graduate (1982). He moved to New York City after high school and started working for an advertising agency there. The agency specialized in the performing arts. He began working for theatres, opera companies, orchestras, dance companies, schools, libraries and museum. His clients include the American Museum of Natural History, New York City Opera and the Brookland Museum. He moved back to the valley in 2008 and continues to work for clients back east but is branching out locally. He has an abundance of time to devote to the Neenah Arts Council and he is looking forward to it.
 - A. City Clerk Sturn administered the oath to Sean Keepers.
 - B. Ald. Lang added that Sean has been involved in the graphic design of the box wraps in the City. Using the student's art, he created the wraps as a volunteer.
 - C. Mayor Kaufert thanked Sean for his assistance with the box wraps.

Proceedings

- I. **MSCRP Bates/Lendrum to approve the Council Proceedings of February 18 & 27, 2019 special sessions, 2019, 2019, all voting aye.**

Public Hearings

- I. Consider vacating a portion of Laudan Boulevard between Elm Street and Reed Street.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.
- II. Consider the 2019 Community Development Block Grant Proposed Use of Funds / Annual Action Plan.
 - A. Lori Fernandez of Advocap thanked the Council for supporting their agency and asked that they continue their support. They provide home delivery meals to those in need. The first nine months of this year they provided 10,821 home delivery and Hearthside meals in Neenah. Countywide, they provided 126,000 meals.
 - B. There being no further appearances, Mayor Kaufert declared the public hearing closed.
- III. Consider rezoning land located at 140, 142 and 146 N. Lake Street from I-2, General Industrial District to the C-1, General Commercial District.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission Report Pertaining to the Public Hearing

- I. Council Rep. Lang reported from the Plan Commission meeting of March 12, 2019:
 - A. Commission recommends Council approve Ordinance 2019-09 rezoning 140, 142 and 146 N. Lake Street to the C-1 General Commercial District.
MSCRП Lang/Kunz, all voting aye.

Consent Agenda

- I. **MSCRП Lendrum/Hillstrom to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Eric J. Balza, Laurie L. Behnke, Brandy L. Brockman, Jacob M. Driessen, Jayda M. Ekholm, Janine L. Heid, Megan M. Morse, Alex R. Ransone and Johann C. Schattenforst. (PSSC)**
 - B. **Approve the Street Use Permit for the Neenah Duathlon, sponsored by Dutrirun, Ben West, 920 S. Keller Park Drive, Appleton, to be held on May 11, 2019. (PSSC)**
 - C. **Approve the Street Use Permit for the Memorial Day Parade sponsored by the Twin City Veterans, Michael E. Taylor, 545 Broad Street, Menasha, to be held on May 27, 2019. (PSSC)**
 - D. **Approve the Street Use Permit for CommunityFest-2019, sponsored by the City of Neenah, Mike Kading, 211 Walnut Street, to be held on July 3-4, 2019. (PSSC)**
 - E. **Approve the Street Use Permit for the Community First Fox Cities Marathon, sponsored by the Community First Fox Cities Marathon, Laurie Butz, 2616 S. Oneida Street, Appleton, to be held September 20-22, 2019. (PSSC)**
 - F. **Approve the Street Use Permit for the WI Streetball Neenah 3 on 3 to be held on June 8-9, 2019, in downtown Neenah, sponsored by Mission Basketball Academy Inc., Adam Maulick, 1835 E. Edgewood Drive, Suite 1058, PO Box 8 Appleton. (PSSC)**
 - G. **Approve the Temporary "Class B" (Picnic) Beer & Wine License Application for St. Margaret Mary Parish, 620 Division Street, for their Game Night event to be held on April 6, 2019. (PSSC)**
 - H. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the special meeting of March 20, 2019:
 - A. Committee recommends Council authorize the issuance of a probationary Beverage Operator License subject to the terms and condition outlined in the stipulation signed by Nicole Brisky and attached to these minutes.
MSCRП Bates/Lendrum, all voting aye, Ald. Boyette voting nay.
- II. Chairman Bates reported the regular meeting of March 12, 2019:
 - A. Committee recommends Council purchase two Protech Intruder G2 ballistic shields with LED lights from Streicher's-Milwaukee for an

estimated cost of \$2,150.50 each, for a total of \$4,301 plus shipping, with funds from the 2019 Police Capital Outlay Budget. **MSCRP Bates/Hillstrom, all voting aye.**

- B. Committee recommends Council extend the provisional beverage operator's license for Nicole Brisky through September 2019 and schedule her application for review by the Public Services and Safety committee on September 24, 2019. Information only – previously acted on during the report from the Special PSSC meeting of March 20th.
- C. Committee recommends Council adopt Final Resolution No. 2019-10 for installation of sanitary sewer laterals for properties served by sanitary sewers on Caroline Street (Union to Van), Stevens Street (Congress to Doty), 5th Street (Clark to Lincoln). **MSCRP Bates/Lendrum, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of March 11, 2019:
 - A. Committee recommends Council create the position of Parks Supervisor at Grade K on the salary plan. **MSCRP Erickson/Kunz, all voting aye.**
 - B. Committee recommends Council approve to fill the position of Parks Supervisor subject to the approval of its creation by Council. **MSCRP Erickson/Kunz, all voting aye.**
 - C. Committee recommends Council approve Policy No. 2018-04 regarding the procedures for cemetery lot use and deed transfer for family members that fall outside of the generation of ownership. **MSCRP Erickson/Kunz, all voting aye.**
 - D. Committee recommends Council approve writing off a total debt of \$14,719.79 from past due accounts that are beyond the statute of limitations or otherwise uncollectable. **MS Erickson/Kunz.**
 - 1. Ald. Bates asked the statute of limitation for these debts.
 - 2. Asst. City Atty. Vanden Heuvel advised that the statute of limitations is six years for small claims. There were 10 beyond the six years and four uncollectable because we cannot locate the person or entity.
 - 3. Dir. Easker added that Asst. City Atty. Vanden Heuvel also negotiated payment plans with 8 others and send 8 or 9 more to collections.
 - 4. Mayor Kaufert commended Dir. Easker and his staff for being more aggressive in trying to collect these debts.
 - 5. Ald. Kunz mirrored the comments by Mayor Kaufert. He indicated he is also appreciative of the work Asst. City Atty. Vanden Heuvel has done to collect these debts.
 - 6. City Atty. Godlewski affirmed the observation by Ald. Kunz.
 - 7. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
 - E. Committee recommends Council approve Ord. 2019-07 amending the Transportation Assessment Replacement Fee (TARF) to replace

- measuring unit for assessing TARF and removing references to assigning TARF to tenants. **MSCRP Erickson/Kunz, all voting aye.**
- F. Committee recommends Council approve the 2018 Operating Budget Carry Forwards to 2019 totaling \$89,720 as submitted and attached to these minutes. **MS Erickson/Kunz.**
1. Ald. Kunz questioned if action could be taken to change this to ensure we are in a positive situation.
 2. Dir. Easker advised that he will bring one amending entry to create additional surplus in the General Fund that would more than mitigate any issues and assure our strength. It continues to look positive from year to year.
 3. Ald. Erickson questioned how the Library Board carryforwards are affected by this.
 4. Dir. Easker indicated that has no bearing on this action.
 5. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
 6. Ald. Stevenson indicated it is the underlying authority of the Council to manage budget dollars. The Council always has the authority to manage dollars. They have never had to limit people from spending dollars within a particular line item in the budget but we do monitor those dollars.

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of March 12, 2019:
- A. Committee recommends Council approve the Preliminary Plat of the Cardinal Plat subject to comments on the Preliminary Plat Review Letter. **MS Lang/Erickson.**
1. Ald. Bates questioned how many lots are in this plat.
 2. Deputy Dir. Schmidt advised that there are 15 lots. North of this area, there is potential for a development to occur between there and Armstrong Road.
 3. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of March 12, 2019:
- A. Council Action Items:
1. The Board recommends Council award Contract 1-19 Sewer & Water Main and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Company, Inc., Kaukauna in the amount of \$1,199,529.00. **MS Hillstrom/Stevenson.**
 - a) Dir. Hillstrom added the budget for this project was \$1,157,350.00. The reason for being over budget is that the water bid came in higher.

- b) Dir. Kaiser advised Ald. Bates that Contract 1-19 had 9 bidders. Contract 2-19 had 8 bidders. Getting the bids out early has proven to get more bidders. They continue to work with the Town on the Courtney Court project. They bid that contract out this past Monday and had 3 bidders.
 - c) Ald. Kunz concurred that getting these contracts out early gets more bidders. This year, it is a double edge sword. As the snow recedes and we see what has happened underneath, we see a lot of roads that have deteriorated more than anticipated. It makes it challenging to be flexible. At least we got the good pricing when we did. He questioned how we process and evaluate these unanticipated deteriorated roads and what we should say to constituents.
 - d) Dir. Kaiser advised that he had discussion on this last week with Mayor Kaufert. He and his staff have been addressing certain situations where the decline is greater than expected. This year is a road rating year for the DOT. We will be rating our roads during that process. He wished he had this information going into the CIP budget process. They will have that as the 2020 budget is developed and moving forward. This may cause sifting some projects in order to accommodate deteriorated streets.
 - e) Mayor Kaufert added that Neenah is not the only municipality experiencing this. Surrounding communities have express the same issues. He hopes citizens will contact us to make us aware of any deterioration they observe so they can address them. He has had discussions with Dir. Easker regarding the ability to readjust the CIP so more streets can be done this year. Suggestions should be forwarded to the Mayor.
 - f) **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
2. The Board recommends Council award Contract 2-19 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 \$1,578,470.50. This project came in under the budget of \$1,760,400. **MSCR Hillstrom/Bates, all voting aye.**
3. The Board recommends Council award Contract 3-19 Epoxy Pavement Marking to Brickline Inc., Madison in the amount of \$54,217.70. **MS Hillstrom/Stevenson.**
- a) Ald. Hillstrom added the budget for this work was \$45,000. There were 2 bidders. The additional \$9,217.70 will come from the 2018 Traffic Operating Carry Forwards.
 - b) Dir. Kaiser advised Ald. Kunz that this work should be completed in July or August.

- c) Ald. Kunz added that his concern is running into the issue of completing these project late in the year. He would like to avoid those scenarios.
- d) Dir. Kaiser advised that this is one of the earlier bids. There should not be an issue completing this work by July or August.
- e) **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Library Board

- I. Alderman Erickson reported from the Library Board meeting of March 20, 2019:
 - A. The Library is more than a place to check out books. It has become a cultural center for the city and has many opportunities for citizens.
 - B. Visit the Library website for programs available and schedule of events.
 - C. Mayor Kaufert advised that the Library offers help with your taxes.

Neenah Arts Council

- I. Alderman Erickson reported from the Neenah Arts Council:
 - A. The Council met last Wednesday at 4 pm.
 - B. March is Youth Art Month. You can visit the Library to see art displays. The students in the Neenah School System have done a wonderful job. She encouraged everyone to go and visit before the exhibit ends on March 31st.

New Business

- I. Ald. Kunz expressed concern over placing closed session minutes in the lobby mailboxes. The Council has moved to an electronic system. He would like to see a full commitment to the electronic system so closed session minutes can be accessed from their ipod.
 - A. City Atty. Godlewski indicated he is working with Information Systems to find an electronic system that is secure so closed session information can be accessed from the ipods.
- II. Ald. Stevenson advised that the organizational meeting will be held Tuesday April 16th. He asked the aldermen to send him committees of interest so appointments can be worked out. He requested a list from Clerk Sturn and will forward to the alderman to look over. He will include Aldermanic Candidate Spellman.
 - A. Mayor Kaufert concurred indicating if the aldermen are happy with their current assignments they should let us know that as well. If they would like to change now is the time, we will have one change on the Council. He announced that April 3rd is the next Council meeting. The meeting after that will be held on Tuesday night April 16th. This is by State Statute, everyone has their organizational meeting on the 2nd Tuesday night in April.

- III. Dir. Easker advised that the CIP workshop is scheduled for Monday April 22nd. The Council will approve the CIP at their meeting on May 1st.
- IV. Dir. Kaiser advised that the drop off site opened last Monday and has been very busy. Hours are 7 am to 5 pm Monday thru Friday. Saturday hours will begin in May.

Adjournment

- I. **MSCRC Stevenson/Bates to convene into closed session at 8:03 pm pursuant to Wis. Stats. §19.85(1)(g) for the purpose of conferring with the City Attorney who will render oral or written advice concerning strategy to be adopted regarding: the Incorporation of a township in Winnebago County; and Potential litigation against the Wisconsin Department of Natural Resources relating to the Certificate of Completion due the Community Development Authority for completion of environmental remediation work at the Glatfelter Mill Site, all voting aye.**
- II. **MSCRC Stevenson/Boyette to continue in closed session pursuant to Wis. Stats. §19.85(1)(e) for the purpose of: Discussing bargaining strategy related to acquiring property for park land on Doty Island, all voting aye.**
- III. **MSCRP Erickson/Boyette to reconvene into open session at 9:00 pm to consider or act on closed session recommendation(s), all voting aye.**
 - A. **MSC Bates/Lendrum to authorize the purchase of 415 W. North Water Street for the negotiated price of \$71,000 utilizing CDBG funds.**
 - 1. Ald. Erickson asked if the CDBG funds were not used to acquire this property, could they be aggregated with the South Commercial property acquisitions.
 - 2. Dir. Haese indicated they could, but the acquisitions on South Commercial would involve relocation expenses and would likely not be spent in time to meet the HUD timeliness test. In addition, the Cook Park acquisition would help the City meet the 70% low and moderate income expenditure test.
 - 3. Ald. Bates asked how many of the house in the South Commercial project area have been acquired and what is the purpose of the acquisitions.
 - 4. Dir. Haese indicated that at least one property has been acquired and the ultimate goal of the acquisitions is to gain enough land to create a reasonable development parcel.
 - 5. Ald. Bates asked where the CDBG program funds are spent and what kind of projects are funded.
 - 6. Dir. Haese deferred to Planner Kasimor to answer.
 - 7. Assistant Planner Kasimor indicated that the City in the past budgeted \$50,000 for neighborhood improvements, \$70,000 for redevelopment; Neenah also has \$65,000 in 2017 CDBG Carry over funding. With program income, the total comes to approximately \$190,000 available for current redevelopment

project. For 2019, staff expects a program balance of approximately \$120,000.

8. Ald. Stevenson questioned the plan for the Trio property.
9. Dir. Haese .stated that his staff is attempting to identify property in the South Commercial Street corridor that could be acquired to assemble a redevelopment project.
10. Mayor Kaufert questioned what this property will bring to Cooke Park.
11. Dir. Kading advised that the restroom will be more centrally located, better street frontage, better view of the park and generally a more centralized park rather than a park located on project b on property lines.
12. Ald. Erickson asked how maintenance staff will take care of these additional acquisitions.
13. Dir. Kading advised that they already have responsibilities relating to this therefore it should not be a burden on staff. He advised Ald. Boyette that the 2021 budget includes \$275,000 for the restroom and playground.
14. Dir. Haese added there are no relocation or moving costs with the acquisition West North Water Street acquisition.
15. **Motion carried, by a 7-1 RollCall-Pro System vote, all voting aye, Ald. Erickson voting nay.**

IV. **MSC Stevenson/Boyette to adjourn at 9:25 pm, all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

STATE OF WISCONSIN

CITY OF NEENAH

BEFORE THE PUBLIC SERVICES & SAFETY COMMITTEE

In the matter of the Operator License Application of

NICOLE BRISKY
602 Waupaca Street
Fremont, WI 54940

Respondent

STIPULATED SETTLEMENT

IT IS HEREBY STIPULATED AND AGREED to by NICOLE BRISKY, Respondent in this action:

1. The Respondent stipulates to the accuracy of the letter of denial sent by Deputy Police Chief Chris Sievert in this case and acknowledges that the violations listed in the letter of denial are sufficient to justify the denial of her application for an operator's license.

2. Subject to the terms of this Stipulation, the City of Neenah agrees to issue an Operator's license to Respondent, with the standard expiration date of June 30, 2020.

3. Respondent agrees to remain free of any violation of State Statutes or local ordinances that are listed in the City of Neenah Parameters for Denial of a Bartender's License (the "Parameters") through September 30, 2019.

4. Respondent also agrees to strictly follow the conditions of her probation in the State of Wisconsin v. Nicole Brisky, Ozaukee Co. Case Nos. 2017CM000326 & 2018CF000038.

5. In the event that Respondent commits a violation listed in the Parameters on or prior to September 30, 2019, or commits any probation violation in Ozaukee Co. Case Nos. 2017CM000326 & 2018CF000038, Respondent agrees to voluntarily surrender her operator's license.

6. In the event that Respondent fails to surrender her operator's license after committing a violation as outlined in Paragraphs 3 and/or 4 above, Respondent hereby stipulates that by signing this agreement, she consents to the revocation of her operator's license by the City of Neenah. She also consents to the service by mail of a complaint for revocation of operator's license filed under this agreement.

7. Issuance of the operator's license to the Respondent under this stipulation is subject to the Respondent paying any outstanding claims of the City of Neenah that she may have, if any. At the time of the preparation of this stipulation, City records indicate no outstanding claims.

Date: 3/15/19

Nicole Brisky
Nicole Brisky
Respondent

PUBLIC SERVICES & SAFETY COMMITTEE RECOMMENDATION

The Public Services & Safety Committee of the Neenah Common Council on March 20, 2019 by a 5-0 vote does hereby recommend approval of the foregoing stipulation and granting Nicole Brisky a new operator's license subject to the terms of the above-stipulated settlement.

Marge Bates
Marge Bates
Chair

ORDER

The Common Council of the City of Neenah, having considered the recommendation of the Public Services & Safety Committee hereby approves issuing a new operator's license to Nicole Brisky subject to the terms and conditions of the above stipulated settlement

CITY OF NEENAH

By: Dean R. Kaufert
Dean R. Kaufert, Mayor

CITY OF NEENAH
2018 OPERATING BUDGET CARRY FORWARDS

DEPARTMENT	DESCRIPTION	LINE ITEM OR TOTAL BUDGET	BUDGET LINE ITEM	BALANCE LINE ITEM BUDGET	AMOUNT REQUESTED	AMOUNT COVERED	ITEM ENCUMBERED
DOLAS-BOARD OF REVIEW	2019 Property Revaluation	Total BOR Remaining Balance	2,470	1,770	1,770	YES	NO
PUBLIC WORKS	Televising Contract	TV Sanitary Sewers-Outside Services	119,000	115,010	50,000	YES	NO
PUBLIC WORKS	Epoxy Contract	Total Traffic Control Remaining Balance	893,220	27,250	9,000	YES	NO
POLICE	Overtime Wages	Overtime Wages	320,000	84,300	20,000	YES	NO
POLICE	Joint Tactical Training	Training	37,500	6,180	5,000	YES	NO
POLICE	Additional Safety Equipment	Safety Supplies	16,830	1,960	400	YES	NO
POLICE-FIRING RANGE	Ammunition	Targets & Ammunition	18,000	16,760	880	YES	NO
POLICE-CROSSING GUARDS	Winter Parkas	Clothing Allowance	2,000	440	440	YES	NO
POLICE-CROSSING GUARDS	Stop Sign Paddles	All Other Supplies	900	630	630	YES	NO
POLICE-CAPTIAL OUTLAY	Defibrillator	All Other Equipment	12,000	9,300	<u>1,600</u>	YES	NO
					<u>89,720</u>	General Fund	



RESOLUTION NO. 2019-02

A RESOLUTION VACATING A PORTION OF LAUDAN BOULEVARD PURSUANT TO SECTION 66.1003(4), WIS. STATS.

WHEREAS, the Neenah Joint School District (“NJSD”) requested that the City of Neenah (“City”) consider vacating a portion of Laudan Boulevard between Elm and Reed Streets, as part of the NJSD plan to rebuild Shattuck Middle School; and,

WHEREAS; in response to that request, the Common Council introduced this resolution pursuant to §66.1003(4), Wis. Stats. on January 16, 2019 and referred it to a public hearing on March 20, 2019 (the “Hearing”) duly noticed as required and provided for in §66.1003(8), Wis. Stats.; and,

WHEREAS, after considering the public input from the Hearing, and the request from the NJSD, the Common Council, in order to accommodate the rebuilding of Shattuck Middle School and subject to the conditions outlined below finds it in the public interest to vacate the following described portion of Laudan Boulevard (between Elm and Reed):

That portion of Laudan Blvd. lying adjacent to the remainder of Lot 1 & 20, Block 2, Bigelow’s Addition and Lot 10 & 11, Block 1, Bigelow’s Addition, being part of Section 27, T20N, R17E, City of Neenah, Winnebago County, Wisconsin (the “Vacation”).

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 3rd day of April, 2019, that the above-described portion of Laudan Boulevard is hereby vacated effective April _____, 2019 subject to and contingent on satisfaction of the following conditions by the NJSD:

1. Passage of the NJSD referendum dated April 2, 2019 for an amount not to exceed \$129,580,000 in part to rebuild Shattuck Middle School;
2. Rebuild Shattuck Middle School on the block bounded by Division Street on the north; Reed Street on the east; Burr Ave. extended on the south; and Elm Street on the west;
3. Dedicate 60 feet of right of way near the southern edge of the property to extend Burr Ave from Elm Street to Reed Street;
4. Pay the cost of the extension of Burr Ave. as described in ¶3 above; and
5. Relocate any necessary utilities currently located within or adjacent to Laudan Blvd. and impacted by the Vacation.

Introduced by: The Common Council
1/16/2019

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk