



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, February 6, 2019 - 7:00 p.m.
Neenah City Hall
Council Chambers

- I. Roll Call and Pledge of Allegiance.
- II. Introduction and Confirmation of Mayor's Appointment(s). (None)
- III. Approval of Council Proceedings of January 16, 2019 regular session. (Proceedings and Minutes can be found on the City web site) **(RollCall-Pro)**
- IV. Public Hearings. (None)
- V. Plan Commission report pertaining to the public hearings. (None)

Motion to amend the agenda to move up agenda items IX(B)(1) Report from the February 6, 2019 Special Finance & Personnel Committee meeting and Resolution No. 2019-05 Authorizing the Issuance and Sale of \$8,825,000 General Obligation Promissory Notes.

- IX. Reports of standing committees and consideration thereof.
 - B. Special Finance and Personnel Committee meeting of February 6, 2019: (Chairman Erickson/Vice Chairman Boyette)
 1. Consideration of Committee recommendation regarding adoption of Resolution No. 2019-05 Authorizing the Issuance and Sale of \$8,825,000 General Obligation Promissory Notes. **(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: Shelby K. Day, Crystal A. De Los Santos, Madison M. Dorow, Ariaah A. Duboard, Erin E. Flanagan, Rose M. Holmes, Jennifer L. Johnson, Bradley R. Karlen, Melissa M. Lone and Calista M. Van Deurzen. (PSSC)
 - B. Approve the Beverage Operator License Application (new) for Holly C. Kolb contingent upon payment of all delinquent City fees. (PSSC)
 - C. Approve the Temporary "Class B" (Picnic) Beer & Wine License Application for St. Margaret Mary Parish, 620 Division Street, for their Chili Dinner & Bingo Night to be held on February 9, 2019. (PSSC)
 - D. **(RollCall-Pro)**
- IX. Reports of standing committees and consideration thereof.

- A. Regular Public Services and Safety Committee meeting of January 29, 2019: (Chairman Bates/Vice Chairman Hillstrom) (Minutes can be found on the City web site)
1. Committee recommends Council approve the proposal from We Energies for an amendment to the Wilderness Park Easement. **(RollCall-Pro)**
 2. Committee recommends Council approve the proposal from Service Motor Company, Inc., for a Kubota SSV65 in the amount not to exceed \$35,231.38. **(RollCall-Pro)**
 3. Committee recommends Council approve purchase of seven 2019 Ford Police Interceptor Utility vehicles, AWD, 3.7, V6, at an estimated cost of \$244,503 with the cost funded through the use of borrowed funds as part of the 2019 Capital Equipment Fund Budget. **(RollCall-Pro)**
 4. Committee recommends Council approve purchase of nine Panasonic Toughbook CF-33 MDCs and all necessary hardware and wiring at a total cost of \$67,275 (\$7,475 each) with funding to come from the 2018 Capital Equipment Fund Budget and the 2019 Capital Equipment Fund Budget. **(RollCall-Pro)**
- ~~B. Special Finance and Personnel Committee meeting of February 6, 2019: (Chairman Erickson/Vice Chairman Boyette)~~
- ~~1. Consideration of Committee recommendation regarding adoption of Resolution No. 2019-05 Authorizing the Issuance and Sale of \$8,825,000 General Obligation Promissory Notes. **(RollCall-Pro) Previously acted on.**~~
- C. Regular Finance and Personnel Committee meeting of January 7, 2019: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
1. Deferred from the January 16, 2019 Council meeting: Committee recommends Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. **(RollCall-Pro)**
- D. Regular Finance and Personnel Committee meeting of January 28, 2019: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
1. Committee recommends Council approve and accept the petition for annexation of 14.516 acres located at Lone Oak Drive/Paint Brush Drive in the Town of Neenah. (Ordinance No. 2019-03 to be acted on following a report from the Plan Commission)
 2. Committee recommends Council authorize the appropriate staff to acquire 502 Monroe Street, at a purchase price of \$147,000, for the purpose of storm water management, with funding for the acquisition assumed to be provided from the storm water utility fund, pending additional investigation on the potential of using CDBG funding, and that City staff investigate the potential of Habitat for Humanity moving the home as opposed to demolishing it. **(RollCall-Pro)**
 3. Committee recommends Council authorize the appropriate staff to acquire 886 S. Commercial Street at a purchase price of \$45,000. The funding source for the purchase shall be CDBG funds. **(RollCall-Pro)**
 4. Committee recommends Council authorize the appropriate staff to acquire 1225 and 1229 S. Commercial Street for a total purchase price of

\$157,000. The funding source for the purchase shall be CDBG funds.
(RollCall-Pro)

5. Committee recommends Council approve amended Policy 2013-1 "Policy on procedures and payment for repairs on private sanitary sewer laterals" with additional language clarifying that City properties served by non-City utilities or sanitary districts are not eligible for this program and added a definitions for Partial Replacement. Staff is also directed to develop a sewer credit program (similar to the TARF waiver) for those properties that have had a special assessment for sanitary sewer lateral replacement in the past five years. **(RollCall-Pro)**

X. Reports of special committees and liaisons and various special projects committees and consideration thereof.

- A. Regular Plan Commission meeting of January 29, 2019: (Council Rep Lang)
(Minutes can be found on the City web site)

1. Committee recommends Council approve Annexation #213 (Ord. No. 2019-03) and the property also receive an R1, Single-Family Residence District zoning classification. **(RollCall-Pro)**

- B. Board of Public Works meeting of January 29, 2019: (Vice Chairman Hillstrom)
(Minutes can be found on the City web site)

1. Information Only Items:

- a. The Board approved Change Order No. 2 for Contract 1-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$37,225.09.

- b. The Board approved Change Order No. 2 for Contract 18-01W for Chemical Storage and Feed Modifications in the amount of \$2,685.00.

2. Council Action Items:

- a. The Board recommends Council approve Final Payment for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$31,620.32. **(RollCall-Pro)**

- C. Landmarks Commission

1. Report from the Landmarks Commission – Alderman Lang

- D. Sustainable Neenah Committee

1. Report from the Sustainable Neenah Committee – Alderman Kunz

- E. Reports on neighborhood groups.

1. Business Improvement District Board (BID Board) – Alderman Lang

- F. 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. Ord. No. 2019-01 Annexing – 0.85 Acres of land along Bayview Road – Richard O. & Susan K. Larson Revocable Trust owned property to the City of Neenah and the property receive an R-1, Single-Family Residence zoning classification. (Postponed at the January 16, 2019 meeting until impact letter is received from DOA) **(RollCall-Pro)**
- B. ~~Ord. No. 2019-02 Annexing – 29.94 Acres of land along the east side of I-41 and between Bell Street and County Road G – Loren Rangeloff owned property to the City of Neenah and the property also receive a temporary I-1, Planned Business Center District zoning classification including the recommendation that the approximately \$150,000 for sanitary sewer and storm sewer system fees identified in the annexation report be paid for by TIF 9 increment. (Petitioner requested the original petition be withdrawn) **(Motion to withdraw the original petition for Annexation of Loren’s Salvage Yard presented on December 19, 2018) (RollCall-Pro)**~~

XIV. New Business.

- A. Discussion on March 6th Council 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.

Proceedings of the Common Council of the City of Neenah

Wednesday, January 16, 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., January 16, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Police Chief Olson, Fire Chief Kloehn, Director of Parks & Recreation Kading, City Financial Advisor Brad Viegut, NJSD Superintendent Mary Pfeiffer, Maribeth McCann, Lewis & Arla Zielsdorf, Marie Polar and Rob St. Pierre.

Introduction and Confirmation of Mayor's Appointments

- I. **MSCRП Bates/Stevenson to confirm Mayor Kaufert's reappointment of Denise Burkett and Lewis Zielsdorf on the Board of Appeals for three year terms to expire January 2022, all voting aye.**
- II. **MSCRП Stevenson/ Kunz to confirm Mayor Kaufert's Amy Kester to fill the expired term of Curtis Fisher on the Sustainable Neenah Committee for three-year terms to expire December 2021, all voting aye.**
- III. **MSCRП Lang/Erickson to confirm Mayor Kaufert's appointment of Leeann Wasinger to fill the expired term of Steve Gries on the Business Improvement District Board (BID) for a three-year term to expire December 2021, all voting aye.**

Proceedings

- I. **MSCRП Lendrum/Hillstrom to approve the Council Proceedings of December 16, 2018 regular session and Committee of the Whole minutes, all voting aye.**

MSC Stevenson/Kunz to amend the agenda to discuss item IX (B) (1) Special Finance & Personnel Committee meeting report / Resolution No. 2019-04 prior to the public hearing, all voting aye.

Special Finance & Personnel Committee

- I. Chairman Erickson reported the special meeting of January 16, 2019:

- A. Committee recommends Council adopt Resolution No. 2019-04 providing for the Sale of Approximately \$8,825,000 General Obligation Promissory Notes. **MSCRP Erickson/Stevenson, all voting aye.**

Public Hearing

- I. Consider the discontinuance of Coral Court.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed at 7:12 pm.

Plan Commission Report Pertaining to the Public Hearing

- I. Council Rep. Lang reported from the Plan Commission meeting of December 11, 2018:
 - A. Commission recommends Council adopt Resolution No. 2018-27 to discontinue Coral Court. **MS Lang/Hillstrom.**
 - 1. Ald. Bates questioned if there are conditions relating to requesting this be a city street in the future.
 - 2. Dir. Haese indicated this parcel was platted in the late 50s, early 60s. There was never a street built on the parcel. The vacation will return the parcel to the owner whose intent is to redevelop the site into a multi-family development project. There is no expectation that this will be handled as a public street in the future.
 - 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Consent Agenda

- I. **MSCRP Stevenson/Erickson to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Elizabeth A. Jenkins and Benjamin Davis Sheets. (PSSC)**
 - B. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of January 8, 2019:
 - A. Assistant City Attorney Vanden Heuvel explained that this action tonight is just to introduce this resolution. The State Statutes require a public hearing to be held 40 days after the introduction. Staff is recommending two options: hold the public hearing on March 20th and vote; or hold the public hearing on April 3rd and vote after the results of the referendum question are known. There is a clause within the resolution stating if the referendum does not pass then the resolution is null and void.
 - 1. **MSCRP Bates/Stevenson to introduce Resolution No. 2019-02 vacating a portion of Laudan Boulevard and schedule a public hearing to be held on March 20th and the vote for April 3rd, all voting aye, Ald. Kunz abstained.**

- B. Committee recommends 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. **MSCRP Bates/Hillstrom, all voting aye.**
- C. Committee recommends 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. **MSCRP Bates/Lendrum, all voting aye.**
- D. Committee recommends 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. **MSCRP Bates/Lendrum, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of January 7, 2019:
 - A. Committee recommends Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. **MS Erickson/Lang.**
 - 1. **MSCRP Erickson/Lang to defer the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing to the next Council meeting until the past five year ridership numbers are provided to the Council, all voting aye, Ald. Kunz voting nay.**
 - B. Committee recommends Council authorize the Department of Community Development to purchase a 2018 Ford Focus from Bergstrom Automotive in the amount not to exceed \$16,200 from funds included in the 2019 Capital Equipment budget. **MSCRP Erickson/Lang, all voting aye.**
 - C. Committee recommends Council approve the Larson approve and accept the petition for annexation of .85 acres located at 905 Bayview Road in the Town of Neenah (Ordinance No. 2019-01). (To be acted on following a report from the Plan Commission)
 - D. Committee recommends Council approve and accept the Loren's Auto Recycling petition for annexation of 29.94 acres located at 2405 Schultz Drive in the Town of Neenah, including the recommendation that the approximately \$150,000 for sanitary sewer and storm sewer system fees identified in the annexation report be paid for by TIF 9 increment. (Ordinance No. 2019-02). (To be acted on following a report from the Plan Commission)
 - E. Committee recommends Council approve the Resolution No. 2019-03 to allow staff to apply for the Wisconsin Assessment Monies (WAM) grant for completion of a Phase II assessment at 2405 Schultz Drive - Resolution No. 2019-03. **MSCRP Erickson/Hillstrom, all voting aye.**

- F. Committee recommends Council recommend the Community Development Authority proceed with an acquisition agreement to acquire 150 acres of property from Mr. Steven Heimbruch, Waupaca County, at a cost of \$787,500 for the purpose of developing a City of Neenah wetland mitigation bank, consistent with the points listed under the Proposal subheading above, and that the Common Council be presented with the results of the State of Wisconsin DNR Wetland Bank Prospectus prior to and for the purpose of finalizing the acquisition agreement, and with the purchase to be funded by Storm Water Utility reserves, and to recommend amending and increasing the 2019 Storm Water Capital budget by \$787,500. **MSCRP Erickson/Stevenson, all voting aye, Ald. Boyette voting nay.**
- G. Committee recommends Council ratify the decision made by Mayor Kaufert to accept the offer of \$223,125 from the Wisconsin Security Insurance Fund's Guaranty Association of Wisconsin, including assignment to rights of Neenah-Menasha Sewerage Commission to future distributions from the Home Insurance Company estate, to resolve the Neenah-Menasha Sewerage Commission claim filed with WSIF. **MSCRP Erickson/Stevenson, all voting aye.**

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of January 8, 2019:
 - A. Committee recommends Council approve Annexation #211 (Ord. No. 2019-01) and the property receive an R-1, Single-Family Residence zoning classification.
 - B. Committee recommends Council approve Annexation #212 (Ord. No. 2019-02) and the property also receive a temporary I-1, Planned Business Center District zoning classification.
 - C. **MSCRP Lang/Stevenson to postpone these annexations to the February 6th meeting after the impact report is received by the Department of Administration, all voting aye.**

Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee

- I. Ald. Kunz reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of January 9, 2019:
 - A. Committee recommends the City of Neenah and City of Menasha Common Councils approve filling the vacancy created by a retirement no earlier than February 1, 2019. **MSCRP Kunz/Boyette, all voting aye.**
 - B. Committee recommends the City of Neenah and City of Menasha Common Councils approve the Fire Science Student Placement Agreement with Northeast Technical College. **MSCRP Kunz/Stevenson, all voting aye.**
 - C. Committee recommends the City of Neenah and City of Menasha Common Councils approve the Contract extension for Statewide

Structural Collapse Team Members with the State of Wisconsin through June 30, 2019. **MSCRK Kunz/Boyette, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of January 8, 2019:
 - A. Council Action Items:
 1. The Board recommends Council approve the Final Payment for Washington Park Phase II to R & R Wash Materials in the amount of \$2,050.41, holding \$2,000 retainage until spring 2019 when site restoration and seeding takes hold. **MSCRK Hillstrom/Lang, all voting aye.**

Petition

- I. **MSCRK Lendrum/Stevenson, to refer the Brazil Petition of Annexation to the Finance & Personnel Committee and Plan Commission, all voting aye.**

Adjournment

- I. **MSC Lendrum/Boyette to adjourn at 8:17 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

COMMON COUNCIL MINUTES

Wednesday, January 16, 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., January 16, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Police Chief Olson, Fire Chief Kloehn, Director of Parks & Recreation Kading, City Financial Advisor Brad Viegut, NJSD Superintendent Mary Pfeiffer, Maribeth McCann, Lewis & Arla Zielsdorf, Marie Polar and Rob St. Pierre.

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

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

Introduction and Confirmation of Mayor's Appointments

- I. **MSCRP Bates/Stevenson to confirm Mayor Kaufert's reappointment of Denise Burkett and Lewis Zielsdorf on the Board of Appeals for three year terms to expire January 2022, all voting aye.**
- II. **MSCRP Stevenson/ Kunz to confirm Mayor Kaufert's Amy Kester to fill the expired term of Curtis Fisher on the Sustainable Neenah Committee for three-year terms to expire December 2021, all voting aye.**
- III. **MSCRP Lang/Erickson to confirm Mayor Kaufert's appointment of Leeann Wasinger to fill the expired term of Steve Gries on the Business Improvement District Board (BID) for a three-year term to expire December 2021, all voting aye.**
- IV. Lewis Zielsdorf, Mayor Kaufert's appointee to the Board of Appeals, advised that his wife told him not to drag on about his history with the Mayor. He thanked the Council for his reappointment.
- V. City Clerk Sturn administered the oath to Lewis Zielsdorf.

Proceedings

- I. **MSCRP Lendrum/Hillstrom to approve the Council Proceedings of December 16, 2018 regular session and Committee of the Whole minutes, all voting aye.**

MSC Stevenson/Kunz to amend the agenda to discuss item IX (B) (1) Special Finance & Personnel Committee meeting report / Resolution No. 2019-04 prior to the public hearing, all voting aye.

Special Finance & Personnel Committee

- I. Chairman Erickson reported the special meeting of January 16, 2019:
 - A. Committee recommends Council adopt Resolution No. 2019-04 providing for the Sale of Approximately \$8,825,000 General Obligation Promissory Notes. **MS Erickson/Stevenson.**
 1. City Financial Advisor Brad Viegut advised that this is an issuance which is scheduled to fund the City's 2019 Capital Improvement Program (CIP). The CIP was adopted as part of the City's budget process late last year. The \$8,825,000 issue is scheduled to be repaid over a ten year period and will support general fund projects, sewer fund projects, storm water and various TID projects. The estimated interest rate is 2.85%. The resolution the Council is considering tonight initializes the process. A Baird representative will be at the Feb. 6th Council meeting with the final results and another resolution to finalize the process.
 2. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Public Hearing

- I. Consider the discontinuance of Coral Court.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed at 7:12 pm.

Plan Commission Report Pertaining to the Public Hearing

- I. Council Rep. Lang reported from the Plan Commission meeting of December 11, 2018:
 - A. Commission recommends Council adopt Resolution No. 2018-27 to discontinue Coral Court. **MS Lang/Hillstrom.**
 1. Ald. Bates questioned if there are conditions relating to requesting this be a city street in the future.
 2. Dir. Haese indicated this parcel was platted in the late 50s, early 60s. There was never a street built on the parcel. The vacation will return the parcel to the owner whose intent is to redevelop the site into a multi-family development project. There is no expectation that this will be handled as a public street in the future.

3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Public Forum

- I. Mayor Kaufert advised that the Council will act on a request by the NJSD to vacate a portion of Laudan Blvd. Tonight the only action will be is to accept that request. There is no need for a lot of discussion tonight. There will be a public hearing scheduled after 40 from acceptance of this resolution. He sent out post cards to let residents know this is coming. If anyone has questions / comments regarding this they are welcome to speak.
- II. Marie Polar, 741 Reed Street, expressed concern that Laudan Boulevard is well traveled and at times gets congested. As a resident for over 50 years, she feels vacating Laudan Boulevard will cause traffic pattern problems. She asked that the City send notices of the public hearing date and time.
- III. There being no further appearances, Mayor Kaufert declared the public forum closed at 7:20 p.m.

Mayor/Council Consideration of Public Forum Issues

- I. Ald. Bates advised of a call she received from a neighbor that could not attend the meeting tonight expressing the same concern that vacating that portion of Laudan Boulevard will cause traffic problems. He asked if another street could be put in further to the south.
- II. Mayor Kaufert advised that NJSD Superintendent Mary Pfeiffer was in the audience if anyone had questions. He asked that we not get into the nuts and bolts of it tonight. There will be a couple of options to consider that Asst. City Atty. Vanden Heuvel will go over during that discussion later on the agenda.

Consent Agenda

- I. **MSCRP Stevenson/Erickson to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Elizabeth A. Jenkins and Benjamin Davis Sheets. (PSSC)**
 - B. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of January 8, 2019:
 - A. Assistant City Attorney Vanden Heuvel explained that this action tonight is just to introduce this resolution. The State Statutes require a public hearing to be held 40 days after the introduction. Staff is recommending two options: hold the public hearing on March 20th and vote; or hold the public hearing on April 3rd and vote after the results of the referendum question

are known. There is a clause within the resolution stating if the referendum does not pass then the resolution is null and void.

1. Mayor Kaufert indicated another option would be to hold the public hearing on March 20th and act on the resolution on April 3rd.
 2. Chairman Bates reported that the Committee recommends 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.
 3. **MS Bates/Stevenson to introduce Resolution No. 2019-02 vacating a portion of Laudan Boulevard and schedule a public hearing to be held on March 20th and the vote for April 3rd.**
 4. Ald. Stevenson clarified this action does not adopt the resolution, it acknowledges and introduces the resolution. He clarified for Marie Polar that tearing down Shattuck is not a decision of the City Council, it is action the Neenah Joint School District would take.
 5. Ald. Bates indicated this is similar to accepting a petition and placing it on file.
 6. Assistant City Attorney Vanden Heuvel added that a Class 3 notice is required.
 7. **Motion carried by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Kunz abstained.**
- B. Committee recommends 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. **MS Bates/Hillstrom.**
1. Ald. Boyette questioned if there was funding in the original estimate for Washington Park.
 2. Dir. Kaiser advised that the angle parking was included in the original concept plan and the cost was included in the original estimate of probable costs.
 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
- C. Committee recommends 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. **MS Bates/Lendrum.**
1. Ald. Boyette asked for explanation for residents.
 2. Dir. Kaiser responded that the 95 gallon cart size is the standard. The recommendation from committee was single family residents if they want to move beyond that basic level of service, here is what the cost will be.
 3. Mayor Kaufert added that there is a difference in the cost between the refuse and recycling carts. In order to encourage recycling we are trying to keep them affordable.

4. Ald. Kunz questioned if the \$185 is the cost to pick it up. He asked for clarification that the cost of the container is not included.
 5. Dir. Kaiser concurred that the \$185 cost per year does not include the cost of the container.
 6. Ald. Kunz expressed concern over creating an inequity since we pick up from non-profits without charging them.
 7. Dir. Kaiser responded that goes beyond refuse collection. It goes for any city service we provide the non-profits. They do not pay a service fee for any city service. Basically what we are saying is the 95 gallon cart is the basic service level covered by the tax levy.
 8. Ald. Kunz advised he can vote for this however it leaves other issues on the table.
 9. Ald. Bates stressed that residents are limited to one additional cart. They must also have started with the big one and the only extra one that can be added is a big one.
 10. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
- D. Committee recommends 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. **MS Bates/Lendrum.**
1. Ald. Kunz asked how this will be communicated. Particularly with the other conversations regarding special assessments / sanitary sewer.
 2. Dir Kaiser advised that the next step will be to bring the assessment report to the PSSC at their next meeting. This would lay out the costs for laterals. That will be the night after the F&P Committee takes this up again. As far as communication to the public on these particular streets, that happens after the assessment report is approved by committee. Even after that happens, if the Council action changes the assessment process or levels on sewer laterals, the final billing will reflect any changes made by the Council.
 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of January 7, 2019:
 - A. Committee recommends Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. **MS Erickson/Lang.**
 1. Ald. Erickson questioned if the information requested at committee on the ridership in the past 5 years was provided.
 2. Dir. Haese apologized as he did not get a chance to speak with Carol to obtain those numbers. He will email that information to the Council in the morning.

3. **MSCRP Erickson/Lang to defer the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing to the next Council meeting until the past five year ridership numbers are provided to the Council, all voting aye, Ald. Kunz voting nay.**
- B. Committee recommends Council authorize the Department of Community Development to purchase a 2018 Ford Focus from Bergstrom Automotive in the amount not to exceed \$16,200 from funds included in the 2019 Capital Equipment budget. **MSCRP Erickson/Lang, all voting aye.**
- C. Committee recommends Council approve the Larson approve and accept the petition for annexation of .85 acres located at 905 Bayview Road in the Town of Neenah (Ordinance No. 2019-01). (To be acted on following a report from the Plan Commission)
- D. Committee recommends Council approve and accept the Loren's Auto Recycling petition for annexation of 29.94 acres located at 2405 Schultz Drive in the Town of Neenah, including the recommendation that the approximately \$150,000 for sanitary sewer and storm sewer system fees identified in the annexation report be paid for by TIF 9 increment. (Ordinance No. 2019-02). (To be acted on following a report from the Plan Commission)
- E. Committee recommends Council approve the Resolution No. 2019-03 to allow staff to apply for the Wisconsin Assessment Monies (WAM) grant for completion of a Phase II assessment at 2405 Schultz Drive - Resolution No. 2019-03. **MSCRP Erickson/Hillstrom, all voting aye.**
- F. Committee recommends Council recommend the Community Development Authority proceed with an acquisition agreement to acquire 150 acres of property from Mr. Steven Heimbruch, Waupaca County, at a cost of \$787,500 for the purpose of developing a City of Neenah wetland mitigation bank, consistent with the points listed under the Proposal subheading above, and that the Common Council be presented with the results of the State of Wisconsin DNR Wetland Bank Prospectus prior to and for the purpose of finalizing the acquisition agreement, and with the purchase to be funded by Storm Water Utility reserves, and to recommend amending and increasing the 2019 Storm Water Capital budget by \$787,500. **MS Erickson/Stevenson.**
 1. Mayor Kaufert advised that this is a budget amendment and requires a 2/3 vote.
 2. Ald. Kunz expressed concern over the portion of the motion "increasing the 2019 Storm Water Capital budget by \$787,500". He questioned borrowing more money for a fund that may be higher than it should be. He feels this should be evaluated on its own when the time comes and not tie it into this motion.
 3. Dir. Haese indicated the reserves are sufficiently funded that we would not need to borrow. The intent is not to borrow addition funds but to use funds from the storm water utility reserves.

4. Dir. Easker clarified that this is not the borrowing, it is the expenditure. It does not matter whether you are borrowing money or taking it from reserves or levying money, the budget amendment is the intent to spend money. That intent is not spelled out anywhere. It is money that need to be appropriated. Based on this, the Council may not get another opportunity to act on this.
 5. Ald. Kunz indicated he misread the motion that after moving the money over we would borrowing another \$787,500 to refill that fund. That is not the case. He has no issue with this.
 6. Ald. Stevenson took issue with the comments made by Dir. Easker that this is the final action by the Council since the motion states “the Common Council be presented with the results of the State of Wisconsin DNR Wetland Bank Prospectus prior to and for the purpose of finalizing the acquisition agreement”. The critical tool here is the content of that Prospectus. If the Council deems that Prospectus to be a challenge then they would not approve it.
 7. Ald. Kunz clarified that if the Council votes in favor of this, we are moving forward. This would move forward unless Council stops it.
 8. **Motion carried, by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Boyette voting nay.**
- G. Committee recommends Council ratify the decision made by Mayor Kaufert to accept the offer of \$223,125 from the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin, including assignment to rights of Neenah-Menasha Sewerage Commission to future distributions from the Home Insurance Company estate, to resolve the Neenah-Menasha Sewerage Commission claim filed with WSIF. **MS Erickson/Stevenson.**
1. Ald. Stevenson advised that he has reviewed the response to his concern in Committee and he is satisfied that all insurance resources have been exhausted.
 2. Ald. Bates questioned the meaning of “assignment to rights”.
 3. Asst. City Atty. Vanden Heuvel advised that we are assigning our rights to WSIF. Any future money Home Insurance would pay out goes to WSIF since they have already paid us.
 4. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of January 8, 2019:
 - A. Committee recommends Council approve Annexation #211 (Ord. No. 2019-01) and the property receive an R-1, Single-Family Residence zoning classification.
 - B. Committee recommends Council approve Annexation #212 (Ord. No. 2019-02) and the property also receive a temporary I-1, Planned Business Center District zoning classification.

- C. **MSCRП Lang/Stevenson to postpone these annexations to the February 6th meeting after the impact report is received by the Department of Administration, all voting aye.**

Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee

- I. Ald. Kunz reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of January 9, 2019:
 - A. Committee recommends the City of Neenah and City of Menasha Common Councils approve filling the vacancy created by a retirement no earlier than February 1, 2019. **MSCRП Kunz/Boyette, all voting aye.**
 - B. Committee recommends the City of Neenah and City of Menasha Common Councils approve the Fire Science Student Placement Agreement with Northeast Technical College. **MSCRП Kunz/Stevenson, all voting aye.**
 - C. Committee recommends the City of Neenah and City of Menasha Common Councils approve the Contract extension for Statewide Structural Collapse Team Members with the State of Wisconsin through June 30, 2019. **MSCRП Kunz/Boyette, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of January 8, 2019:
 - A. Information Only Items:
 - 1. The Board approved Change Order No. 1 for Washington Park Phase II to R & R Wash Materials in the amount of \$3,322.44.
 - 2. The Board approve Pay Request No. 1 for the Towerview Drive Elevated Tank Reconditioning from L.C. United Painting Co., Inc. in the amount of \$222,730.50.
 - B. Council Action Items:
 - 1. The Board recommends Council approve the Final Payment for Washington Park Phase II to R & R Wash Materials in the amount of \$2,050.41, holding \$2,000 retainage until spring 2019 when site restoration and seeding takes hold. **MSCRП Hillstrom/Lang, all voting aye.**

Community Development Authority

- I. Dir. Haese reported from the Community Development Authority:
 - A. The CDA has entered into a letter of intent for Site 6 with a developer from Middleton for a multi-family development on the corner of Millview Drive and Main Street. They now have 90 days to prepare a development agreement which will provide much more detail to the size, scale and scope of the project.
 - B. Mayor Kaufert indicated this is our first potential project for downtown housing. Once this deal is done, it will open the door to more opportunities.

Library Board

- I. Ald. Erickson reported from the Library Board:
 - A. The Board met today at 4 pm. She distributed a flyer showing adult events at the Library. She highlighted two interesting events: Monday Feb. 4th at 2:00 pm the Miracles of Feng Shui with interior design specialist Nancy Freier; and Thursday Feb. 7th at 6:30 pm Stressed to Positively Energized, a workshop by professional life and career coach Lisa Klarner.
 - B. The 12 books in 12 months reading program has begun. She encouraged everyone to stop in to get their scratch off to participate in this program. Prizes will be given to the best participants.
 - C. There are a lot of other programs available for both adult and youth. She encouraged everyone to visit the Library website for more information on programs.

Neenah Arts Council

- I. Ald. Erickson reported from the Neenah Arts Council:
 - A. The Council met last Wednesday January 9th.
 - B. March is Youth Art Month. There will be a variety of activities throughout the City.
 - C. The Council is exploring an opportunity to have a music night, potentially in April or May.

Petition

- I. The Brazil (Nature Trail) Petition of Annexation was presented. **MSCR P Lendrum/Stevenson, to refer the Brazil Petition of Annexation to the Finance & Personnel Committee and Plan Commission, all voting aye.**

New Business

- I. Ald. Kunz asked if there is anything we can do regarding the closing of Shopko.
 - A. Mayor Kaufert advised he tried to contact their corporate office to see if there is anything we could do to keep their doors open but has not heard back from them.
- II. Ald. Bates thanked City Clerk Sturn for arranging for Chief Inspectors to attend the security training conducted by the Winnebago County Sheriff's Department. The training was an active shooter training to make election workers more aware of these type events and what they should watch for.
- III. Ald. Lendrum wished Dan, the UW Fox rep who records the Council meetings, a Happy Birthday. She provided cupcakes to everyone and told him to take the extras home.

- IV. Mayor Kaufert reminded everyone that he will be leaving for a working vacation early in the morning. He will be available by phone. Council President Stevenson will be available to sign documents and handle things in his absence.

Adjournment

- I. **MSC Lendrum/Boyette to adjourn at 8:17 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, January 29, 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, Superintendent of Parks and Recreation Fink, Police Chief Olson, Assistant Police Chief Sievert

Minutes:

Motion/Second/Carried Hillstrom/Lendrum to approve the minutes of the January 8, 2019, Regular Meeting. All voting aye.

Public Appearances: None.

We Energies - Wilderness Park Easement Amendment Request: Superintendent Fink reviewed the request from We Energies for an amendment to the Wilderness Park Easement. This amendment would extend the current easement to include the rest of the east property line of the park.

The Parks and Recreation Commission has reviewed and recommends Council approve the amended easement request. Committee reviewed the easement location and discussed its proximity to the trail.

Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend Council approve the proposal from We Energies for an amendment to the Wilderness Park Easement.** All voting aye.

Parks and Recreation 2003 TR5 - Tractor/Loader Replacement: Superintendent Fink reviewed the proposals received to replace a 2003 John Deere tractor/loader.

The Parks and Recreation Commission recommends Council approve the proposal from Service Motor Company, Inc., for a Kubota SSV65 in the amount not to exceed \$35,231.38. The budget for this equipment was \$35,000. Ald. Hillstrom noted that the resale value of the current piece of equipment is not reflected in the purchase request. Superintendent Fink indicated that the current equipment could be sold for \$2,000-\$3,000 using on-line auction sites. Superintendent Fink confirmed that other accessories or additions for this equipment are not needed. Committee discussed equipment budgeting.

Following discussion, **Motion/Second/Carried Lang/Hillstrom to recommend Council approve the proposal from Service Motor Company, Inc., for a Kubota SSV65 in the amount not to exceed \$35,231.38.** All voting aye.

Police Department Request to Purchase Ford Police Interceptor Utility: Committee reviewed Assistant Police Chief Sievert's January 23, 2019, memo regarding purchase of seven 2019 Ford Police Interceptor Utility vehicles to replace the existing 2016 models. He stated that future vehicle purchases will be staggered on a three year rotation starting in 2021. He stated that the 2019 model has similar dimensions to the current squads so that transitioning to the new vehicles will be easier.

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He stated that the 2020 model will be a complete redesign that won't fit the current equipment so that, in addition to a higher vehicle cost, there will be higher equipment costs. He stated that the department intends to sell some of the current units and rotate some of them for other uses. Committee requested that the department provide an updated inventory of the fleet and fleet uses for future discussion. Assistant Chief Sievert stated that the vehicles would be purchased from Bergstrom Ford and that Low Voltage Solutions would do the vehicle outfitting. He estimated a purchase and outfitting cost of \$34,929 per vehicle for a total cost of \$244,503. The 2019 Capital Equipment Budget included \$292,650 for this purchase. Chief Olson indicated that the price from Bergstrom Ford was very close to the State bid price. He and Assistant Chief Sievert outlined the advantages of having the local dealership provide service work on the vehicles.

Committee discussed the rotation schedule for future vehicle replacement. They expressed concern with the ability to extend the life of the new vehicles sufficiently to reach the out-years of the rotation schedule, especially given the issues experienced with the current vehicles. Chief Olson and Assistant Chief Sievert reviewed the strategies that the department is planning to use to maximize the life of the new vehicles.

Mayor Kaufert expressed a concern with the purchase of all seven vehicles at one time. He questioned the rationale behind the size of the 8 vehicle patrol fleet. He encouraged limiting the purchase to four units now. He stated that he was willing to pay more for a future model year if it was a better vehicle design. Assistant Chief Sievert noted current fleet availability issues. He noted that the design of the 2019 units is more mature than the current 2016 units, which should address some of the issues that have been experienced. He also stated that achieving the goal of reducing idling time will benefit the life of the new vehicles. Chief Olson outlined the rationale behind the fleet size. He stated that the department is studying the costs and benefits of using a take-home vehicle approach. He stated that the officers have been informed of the proposed rotation schedule so that they can employ the strategies necessary to extend vehicle life.

Assistant Chief Sievert described the power requirements of the requested mobile data computers and the beneficial impact that they would have on vehicle battery and idling demands. He also stated that the department will explore competing vehicle makes when future vehicle purchases are made.

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Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve purchase of seven 2019 Ford Police Interceptor Utility vehicles, AWD, 3.7, V6, at an estimated cost of \$244,503 with the cost funded through the use of borrowed funds as part of the 2019 Capital Equipment Fund Budget.** All voting aye.

Police Department Request to Purchase Panasonic Toughbook MDC's: Assistant Police Chief Sievert reviewed his January 23, 2019, memo regarding purchase of six Panasonic Toughbook CF-33 Mobile Data Computers (MDCs). He noted that the new MDCs are a tablet-style device that will have built in cellular modem and GPS unit, which requires less power draw from the patrol vehicle. He described the flexibility that the tablet devices will provide to the officers for field and reporting work.

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He noted that the current devices run Windows 7, which will no longer be supported. The new devices will run Windows 10, which allows them to maintain compatibility with the software that the department operates.

Assistant Chief Sievert noted that the Department intends to request a carry forward of the related 2018 Capital Equipment budget item to purchase three additional MDCs later in the year. Committee stated that those funds could be used to complete the purchase at this point. The 2019 budget for the purchase of 6 units is \$54,000 (Page 293 of 2019 Operating and Capital Improvements Budget). The 2018 budget for the purchase of 3 units was \$26,000 (Page 286 of 2018 Operating and Capital Improvements Budget). Assistant Chief Sievert stated that the total cost to purchase 9 units is \$67,275. He confirmed that there would not be a price reduction based on the number of purchased units.

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Following discussion, **Motion/Second/Carried Lendrum/Hillstrom to recommend Council approve purchase of nine Panasonic Toughbook CF-33 MDCs and all necessary hardware and wiring at a total cost of \$67,275 (\$7,475 each) with funding to come from the 2018 Capital Equipment Fund Budget and the 2019 Capital Equipment Fund Budget.** All voting aye.

Approval of Special Assessment Report: The item was tabled to the meeting of February 12, 2019.

Licenses:

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Shelby K. Day, Crystal A. De Los Santos, Madison M. Dorow, Ariaiah A. Duboard, Erin E. Flanagan, Rose M. Holmes, Jennifer L. Johnson, Bradley R. Karlen, Melissa M. Lone and Calista M. Van Deurzen.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend Council approve beverage operator license applications Shelby K. Day, Crystal A. De Los Santos, Madison M. Dorow, Ariaiah A. Duboard, Erin E. Flanagan, Rose M. Holmes, Jennifer L. Johnson, Bradley R. Karlen, Melissa M. Lone and Calista M. Van Deurzen.** All voting aye.

Beverage Operator License Application (New) - Delinquent Fee: The Committee reviewed the beverage operator license application for Holly C. Kolb.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Lang to recommend Council approve the beverage operator license application (new) for Holly C. Kolb contingent upon payment of all delinquent City fees.** All voting aye.

Temporary Class "B" / "Class B" (Picnic) Beer & Wine License Application - St. Margaret Mary Parish: The Committee reviewed the Temporary Class "B" / "Class B" (Picnic) Beer & Wine License Application for St. Margaret Mary Parish for their Chili Dinner & Bingo Night on February 9, 2019.

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C.A.

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve the Temporary Class “B”/“Class B” (Picnic) Beer & Wine License Application for St. Margaret Mary Parish, 620 Division Street, for their Chili Dinner & Bingo Night to be held on February 9, 2019.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 1-18 (Andrew, Richard, Geiger, Whiting) – Work is complete. A final estimate is being brought to the 01/29 Board of Public Works.
2. Contract 2-18 (Cecil, Adams)
 - a. Adams St – Work is complete.
 - b. Cecil St – Final topsoil and seeded will be done when weather permits.
3. 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 next year. Quantities on the Nature Trail/Eaglecrest work have been finalized with the contractor. Special assessment billings will be sent in September 2019.
4. Contract 1-19 (Caroline, Stevens, Fifth) – The bid opening is scheduled for 2/6/2019.
5. Contract 2-19 (Stanley Ct, Stanley St, Thomas) – The bid opening is tentatively scheduled for 2/20/2019.
6. Downtown Traffic Study – An RFP is being prepared for the next phase of the traffic study.
7. Automated Collection Carts – Staff is continuing to work through cart change requests. About 120 requests remain to be fulfilled.
8. Local Road Improvement Program Application – A substitution project application for the 2018-2019 program was submitted and approved by the Winnebago County Highway Commissioner. The submitted project had been Winneconne Avenue (Commercial – Washington). The replacement project is Thomas Court. Our LRIP reimbursement amount for this biennium is \$63,806.61.
9. Harrison Street Pond – The City has prepared a preliminary design for the pond. We are also exploring the purchase of the remaining residential property abutting the site to allow us additional area for the pond and additional flexibility in the design. Phase 2 environmental investigation work was completed. It identified a petroleum contaminated area in the vicinity of a former dairy that was located on the site, more or less, immediately south of the existing residential property. The investigation also identified several small surficial areas of coal and wood dust. A meeting with DNR staff is being arranged to address the proper disposition of problematic soils that will be excavated as part of pond construction.
10. Director Kaiser informed the Committee that Bill Waech has accepted our offer to be the Assistant Public Works Superintendent. His first scheduled day is Thursday, January 31.

Committee discussed potential impacts of the Foxconn project on bid pricing for 2019 projects.

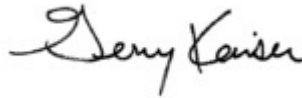
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Committee discussed plowing operations for the two recent snowstorms. Director Kaiser related that, depending on the timing of the snowfall, nighttime plowing is preferred since it is safer for the public, safer for our drivers and allows for a more efficient snow clearing operation.

Announcements/Future Agenda Items: None.

Motion/Second/Carried Hillstrom/Stevenson to adjourn at 7:35 p.m. All voting aye.

Respectfully submitted,

A handwritten signature in black ink that reads "Gerry Kaiser". The signature is written in a cursive style with a large initial "G".

Gerry Kaiser, PE
Director of Public Works



RESOLUTION NO. 2019-05

RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$8,825,000 GENERAL OBLIGATION PROMISSORY NOTES

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Neenah, Winnebago County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of projects included in the City's Capital Improvement Program (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, the City is authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, on January 16, 2019, the Common Council of the City adopted a resolution (the "Set Sale Resolution") providing for the sale of general obligation promissory notes (the "Notes") to pay costs of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the City directed Robert W. Baird & Co. Incorporated ("Baird") to take the steps necessary to sell the Notes;

WHEREAS, Baird, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on February 6, 2019;

WHEREAS, the City Clerk (in consultation with Baird) caused notice of the sale of the Notes to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. Baird has recommended that the City accept the

Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1. Ratification of the Official Notice of Sale and Offering Materials. The Common Council hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by Baird are hereby ratified and approved in all respects. All actions taken by officers of the City and Baird in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of EIGHT MILLION EIGHT HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$8,825,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes"; shall be issued in the aggregate principal amount of \$8,825,000; shall be dated March 1, 2019; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2019. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on March 1, 2025 and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, 2024 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2019 through 2028 for payments due in the years 2019 through 2029 in the amounts set forth on the Schedule. The amount of tax levied in the year 2019 shall be the total amount of debt service due on the Notes in the years 2019 and 2020; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of principal of or interest on the Notes in the year 2019.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from taxes levied in anticipation of the issuance of the Notes, proceeds of the Notes or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay debt service on the Notes coming due in 2019 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, dated March 1, 2019" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay

principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of

the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the City Clerk or the City Treasurer (the "Fiscal Agent").

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent.

The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 17. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a

right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded this 6th day of February, 2019.

Recommended by: Finance and Personnel
Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Dean R. Kaufert, Mayor

Passed: _____

Patricia A. Sturn, City Clerk

EXHIBIT A

Official Notice of Sale

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Robert W. Baird & Co. Incorporated and incorporated into the Resolution.

(See Attached)

EXHIBIT E

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
WINNEBAGO COUNTY
NO. R-____ CITY OF NEENAH \$_____
GENERAL OBLIGATION PROMISSORY NOTE

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, _____ March 1, 2019 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$_____)

FOR VALUE RECEIVED, the City of Neenah, Winnebago County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on September 1, 2019 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by the City Clerk or City Treasurer (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$8,825,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of projects included in the City's Capital Improvement Program, as authorized by a resolution adopted on February 6, 2019. Said resolution is recorded in the official minutes of the Common Council for said date.

The Notes maturing on March 1, 2025 and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, 2024 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has

been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Neenah, Winnebago County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF NEENAH
WINNEBAGO COUNTY, WISCONSIN

By: _____
Dean R. Kaufert
Mayor

(SEAL)

By: _____
Patricia A. Sturn
City Clerk

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, January 7, 2019 – 6:30 p.m
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

MINUTES

Present: Chairman Erickson; Aldermen Kunz, Boyette, Steele and Stevenson; Mayor Kaufert; City Attorney Godlewski; Director of Finance Easker

Others Present: Director of Community Development Haese.

Public Appearances: None.

Minutes: Motion/Second/Carried Kunz/Stevenson to approve the minutes from the December 10, 2018 Regular Meeting and the December 19, 2018 Special Meeting. All voting aye.

Intermunicipal Agreement with the City of Appleton for Dial-A-Ride Cost Sharing: Committee reviewed memo from Assistant Planner Kasimor recommending Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. The agreement is similar to the 2018 agreement and is in line with the City's 2019 budget which calls for the City of Neenah to contribute \$12,000 towards the program. Issues discussed included the \$14 cost and \$3.50 fee per ride. Chairman Erickson asked that Planner Kasimor provide the Committee with information on actual ridership from Neenah area residents from 2017 and 2018.

REPORT

Motion/Second/Carried Stevenson/Steele recommending Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. All voting aye.

Community Development Auto Purchase: Committee reviewed memo from Director Haese recommending Council authorize the Department of Community Development to purchase a 2018 Ford Focus from Bergstrom Automotive in the amount not to exceed \$16,200. The 2019 Capital Equipment budget included \$18,000 for the purchase. Director Haese indicated that this vehicle would replace the vehicle currently used for code inspection. Committee and staff reviewed the mechanics report which recommends replacement of the existing code inspection vehicle.

REPORT

Motion/Second/Carried Kunz/Steele recommending Council authorize the Department of Community Development to purchase a 2018 Ford Focus from Bergstrom Automotive in the amount not to exceed \$16,200 from funds included in the 2019 Capital Equipment budget. All voting aye.

Annexation Impact Report – Annexation #211 (Larson/905 Bayview Road – Town of Neenah) - .85 Acres: Committee reviewed memo from Director Easker with regard to the impact of the proposed annexation of .85 acres located at 905 Bayview Road in the Town of Neenah (Annexation 211). The annexation would involve one parcel of land on which

the owners plan to build a single family home that they wish to be located within the City boundaries. All departments who expressed an opinion recommend approval of the annexation. Committee and staff reviewed a map of the property area and discussed such issues as the potential locations of the home and the options for the City to provide snow plowing service to the property.

REPORT

Motion/Second/Carried Kunz/Steele recommending Council approve and accept the petition for annexation of .85 acres located at 905 Bayview Road in the Town of Neenah. All voting aye.

Annexation Impact Report – Annexation #212 (Loren’s Auto Recycling/2405 Schultz Drive – Town of Neenah – 29.94 Acres): Committee reviewed memo from Director Easker with regard to the impact of the proposed annexation of 29.94 acres located at 2405 Schultz Drive in the Town of Neenah (Annexation 212). The annexation is part of the City/CDA plan to purchase the property, placing it in TIF 9 as part of a TIF amendment, then ultimately clearing and marketing the property for development. The annexation also includes a portion of railroad right-of-way.

Committee and staff discussed various aspects of the proposed annexation, including reviewing a map of the area. Discussion took place on the approximately \$150,000 for sanitary sewer and storm sewer system fees identified in the annexation report, including the choice to either waive the fees or pay them from TIF increment. Alderman Stevenson said he firmly believes that the fees should be paid by TIF increment. Discussion also took place on the next agenda item regarding potential grant funding for a Phase II environmental assessment of the property.

REPORT

Motion/Second/Carried Stevenson/Kunz recommending Council approve and accept the petition for annexation of 29.94 acres located at 2405 Schultz Drive in the Town of Neenah, including the recommendation that the approximately \$150,000 for sanitary sewer and storm sewer system fees identified in the annexation report be paid for by TIF 9 increment. All voting aye.

Proposed Application for Wisconsin Assessment Monies (WAM) Grant: Committee reviewed memo from Director Haese recommending Council approve Resolution No. 2019-03 to allow staff to apply for the Wisconsin Assessment Monies (WAM) grant for completion of a Phase II assessment at 2405 Schultz Drive. The grant requires no matching funds and up to \$35,000 in free services are available. The estimated cost of the Phase II assessment is \$20,000. Committee and staff discussed various aspects of the proposed grant application.

RESOLUTION

Motion/Second/Carried Stevenson/Boyette recommending Council approve Resolution No. 2019-03 to allow staff to apply for the Wisconsin Assessment Monies (WAM) grant for completion of a Phase II assessment at 2405 Schultz Drive. All voting aye.

Wetland Bank Acquisition/Development: Committee reviewed memo from Director Haese recommending the Community Development Authority proceed with an acquisition agreement to acquire 150 acres of property from Mr. Steven Heimbruch, Waupaca County, at a cost of \$787,500 for the purpose of developing a City of Neenah wetland mitigation bank. The recommendation is the culmination of ongoing discussions on the issue, including a tentative proposal to the Committee in early 2018. The potential of partnering with the City of Oshkosh on the wetland bank project, which was part of the 2018 proposal, is not included in this proposal. The impetus for the creation of a wetland bank is the increasing frequency in which the presence of isolated wetlands has delayed, modified or in some cases prevented development projects within the City. Director Haese indicated that the most significant obstacle that has arisen since the last review was a verbal indication from the U.S. Corp of Engineers that a wetland bank in the location proposed would not be eligible to extend wetland credits to a project within Neenah or Oshkosh if another bank were created within Neenah's sub water shed. The specifics of the proposal are as follows:

Proposal

- Upon acceptance of the Offer to Purchase by both parties, the City and Mr. Heimbruch would submit a Wetland Bank Prospectus to the Wisconsin DNR for review and consideration. The Corp of Engineers will also review the prospectus.
- Upon approval of the wetland prospectus, and especially as it relates to the City's ability to utilize credits for projects within Neenah, the City would determine its interest in pursuing a wetland bank on the property.
- Upon a favorable approval of a wetland prospectus, the City would prepare and submit for review and approval a Wetland Bank Instrument, which would detail the site mitigation efforts. Upon approval of the Bank Instrument, and if the City decides to move forward with the bank, Mr. Heimbruch would be paid a total purchase price of \$787,500.
- Additionally, Mr. Heimbruch would also receive two wetland credits (or the equivalent value) from the project.
- Should the wetland prospectus be approved, but the City chooses not to move forward with the project, the City would be provided two wetland credits should the property be developed as a wetland bank within a reasonable time period.
- While the Bank Instrument is under review, the City would lease the acreage to Mr. Heimbruch for agricultural purposes at a rate of \$50 per tillable acre (estimated at 60 acres) per year.
- Upon completion of the project and sale of all available credits, the City would return ownership of the property to Mr. Heimbruch for the nominal charge of \$30,000 (\$200 per acre).

Director Haese indicated that the overall acquisition and development of a wetland bank project on the subject property will likely take five to ten years to complete at an overall cost of approximately \$2.4 million. The project is anticipated to generate 70-75 wetland credits over the life of the project. Wetland credits are currently selling for approximately \$70,000 per credit. Assuming this value remains constant through the life of the project, the overall income from the sale of credits is estimated to generate revenues of \$4.9 million. He also said that the City of Oshkosh continues to express interest in partnering in the

creation of the wetland bank but had declined a formal partnership until the ability to utilize wetland credits from the proposed bank within their jurisdiction can be clarified.

Committee and staff discussed various aspects of the proposed offer, acquisition and development. Issues discussed included the ongoing discussions with the City of Oshkosh, more specifics on the DNR Wetland Bank Prospectus process, the short and long term maintenance plans for the property as well as specific discussion on the timeframe for all of the contingencies that need to occur before the purchase would take place. Director Haese indicated that he believes there is about a 50/50 chance that everything would fall into place for the wetland purchase to ultimately occur.

Motion/Second/Carried Stevenson/Kunz recommending the Community Development Authority proceed with an acquisition agreement to acquire 150 acres of property from Mr. Steven Heimbruch, Waupaca County, at a cost of \$787,500 for the purpose of developing a City of Neenah wetland mitigation bank, consistent with the points listed under the Proposal subheading above, and that the Common Council be presented with the results of the State of Wisconsin DNR Wetland Bank Prospectus prior to and for the purpose of finalizing the acquisition agreement, and with the purchase to be funded by Storm Water Utility reserves, and to recommend amending and increasing the 2019 Storm Water Capital budget by \$787,500. All voting aye.

Claim Against the Home Insurance Company (“Home”) & Wisconsin Security Insurance Fund (WSIF): Committee reviewed memos from Mayor Kaufert, City Attorney Godlewski and Menasha City Attorney Pam Captain regarding the ratification of the acceptance of the offer of \$223,125 from the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin, including assignment to rights of Neenah-Menasha Sewerage Commission to future distributions from the Home Insurance Company estate, to resolve the Neenah-Menasha Sewerage Commission claim filed with WSIF. The City had previously accepted a settlement offer of \$250,000 from the Home Insurance Company estate. Subsequently, the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin rejected the settlement and determined that \$223,125 was the maximum that could be paid. Outside counsel has advised the Cities of Neenah and Menasha that not accepting this settlement offer would likely reduce the final amount due to additional litigation costs. Committee and staff discussed various aspects of the proposed new settlement.

Motion/Second/Carried Stevenson/Kunz recommending Council ratify the decision made by Mayor Kaufert to accept the offer of \$223,125 from the Wisconsin Security Insurance Fund’s Guaranty Association of Wisconsin, including assignment to rights of Neenah-Menasha Sewerage Commission to future distributions from the Home Insurance Company estate, to resolve the Neenah-Menasha Sewerage Commission claim filed with WSIF. All voting aye.

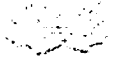
Fiscal Matters: November Vouchers: Motion/Second/Carried Boyette/Steele to approve the November vouchers as presented. All voting aye.

Motion/Second/Carried Stevenson/Boyette to convene into the closed session meeting at 9:00 p.m. All voting aye.

Respectfully submitted,

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

Michael K. Easker, CPA
Director of Finance



Mayor and Council:

Director Haese requested that I provide you the following information on Dial-A-Ride ridership:

Total ridership for Dial-A-Ride:

2016 7,846
2017 8,523
2018 7,577

Residents registered for the program:

	<u>Total</u>	<u>Neenah</u>		<u>Menasha</u>	
2016	424	320	75.5%	104	24.5%
2017	404	318	78.7%	86	21.3%
2018	450	345	76.66%	105	23.33%

Ridership by community:

2018 Through August 4,999 total rides

3,541	Neenah residents	70.83%
1,458	Menasha residents	29.16%

2018 was the first year we tracked usage by participant community, and we have not completed that yet for the year. With most of the usage compiled through August, the program is mostly used by Neenah residents, though Menasha residents used it at a higher rate than their share of total program participants.

If you have any questions, please do not hesitate to contact me.

Carol Kasimor
Assistant Planner
Department of Community Development, City of Neenah
Phone: 920-886-6128
Fax: 920-886-6129

CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, January 28, 2019 – 6:30 p.m
Hauser Room, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

MINUTES

Present: Chairman Erickson; Aldermen Kunz, Boyette, Steele and Stevenson; Mayor Kaufert; City Attorney Godlewski; Director of Finance Easker

Others Present: Police Chief Olson, Director of Community Development Haese, Director of Public Works Kaiser, Director of Community Development Schmidt.

Public Appearances: None.

Minutes: Motion/Second/Carried Kunz/Stevenson to approve the minutes from the January 7, 2019 Regular Meeting and the January 16, 2019 Special Meeting. All voting aye.

Request to Fill Police Captain Position: Committee reviewed memo from Chief Olson requesting authorization to fill the pending Police Captain vacancy effective February 25, 2019. Mayor Kaufert has reviewed the request and concurs with filling the position. He informed the Committee that an individual has been chosen for the position pending Committee and Police Commission approval. Committee and staff discussed various aspects of filling the vacant position, including removing the effective date of February 25 for the hiring.

Motion/Second/Carried Kunz/Erickson authorizing the Police Department to fill the pending Police Captain vacancy. All voting aye.

Request to Fill Police Officer Position: Committee reviewed memo from Chief Olson requesting authorization to fill the pending Police Officer vacancy effective February 18, 2019. Mayor Kaufert has reviewed the request and concurs with filling the position. Committee and staff discussed various aspects of filling the vacant position.

Motion/Second/Carried Kunz/Boyette authorizing the Police Department to fill the pending Police Officer vacancy effective February 18, 2019. All voting aye.

ERP Funding and Implementation Timeline Plan: Agenda item deferred to a future meeting.

Off Network Backup Solution Purchase Request: Agenda item deferred to a future meeting.

Annexation Impact Report – Annexation #213 (Lone Oak Drive/Paint Brush Drive – Town of Neenah – 14.516 Acres: Committee reviewed memo from Director Easker with regard to the impact of the proposed annexation of 14.516 acres located at Lone Oak Drive/Paint Brush Drive in the Town of Neenah (Annexation 213). Committee and staff reviewed the map of the proposed annexation area. Deputy Director Schmidt indicated that fifteen residential lots are planned by the developer within the annexed property. Issues discussed included the amount of deferred assessments generated by the annexation, the proposed road layout and potential annexation land to the north of the property.

REPORT

Motion/Second/Carried Kunz/Boyette recommending Council approve and accept the petition for annexation of 14.516 acres located at Lone Oak Drive/Paint Brush Drive in the Town of Neenah. All voting aye.

Acquisition of 502 Monroe Street for Storm Water Management Purposes: Committee reviewed memo from Director Haese recommending Council authorize the appropriate staff to acquire 502 Monroe Street, at a purchase price of \$147,000, for the purpose of storm water management. The property is adjacent to land purchased earlier from Neenah Foundry by the City for storm water management. Director Haese pointed out how controlling the property would greatly benefit the configuration and efficiency of the storm water pond proposed for the site.

Committee and staff discussed various aspects of the proposed purchase. Alderman Kunz suggested that the City consider using CDBG funds for the purchase. Director Haese said that could be an option, pending the additional requirements that are part of a CDBG purchase. Other issues discussed included the role the DNR will play in the storm pond project, the cost to demolish the house and proposed uses for the property if it is ultimately not used as part of the storm pond. Alderman Stevenson suggested that the City investigate the potential of Habitat for Humanity moving the home as opposed to demolishing it.

REPORT

Motion/Second/Carried Stevenson/Kunz recommending Council authorize the appropriate staff to acquire 502 Monroe Street, at a purchase price of \$147,000, for the purpose of storm water management, with funding for the acquisition assumed to be provided from the storm water utility fund, pending additional investigation on the potential of using CDBG funding, and that City staff investigate the potential of Habitat for Humanity moving the home as opposed to demolishing it. All voting aye.

Acquisition of 886, 1225 and 1229 S. Commercial Street Utilizing Community Development Block Grant Funding: Committee reviewed memo from Director Haese recommending Council authorize the appropriate staff to acquire 886 S. Commercial Street at a purchase price of \$45,000 and acquire 1225 and 1229 S. Commercial Street for a total purchase price of \$157,000, with the use of CDBG funds as the funding source for the purchases.

The memo indicated that the property at 886 S. Commercial has been vacant for many years and has attracted little interest. Among other options, preliminary discussions with an adjacent property owner indicate that removal of the existing building could ultimately lead to their ability to acquire and utilize the property. The property at 1225 S. Commercial Street has a common ownership interest and has reached a high degree of economic obsolescence, while the 1229 S. Commercial property is a single-family residence that is both in a state of disrepair and inconsistent with adjoining land uses. He indicated that the properties could be combined for development with adjoining property already controlled by the City.

Committee and staff discussed various aspects of the proposed purchases. A map of the area was reviewed and options for potential development were discussed.

REPORT

Motion/Second/Carried Kunz/Stevenson recommending Council authorize the appropriate staff to acquire 886 S. Commercial Street at a purchase price of \$45,000. The funding source for the purchase shall be CDBG funds. All voting aye.

REPORT

Motion/Second/Carried Kunz/Stevenson recommending Council authorize the appropriate staff to acquire 1225 and 1229 S. Commercial Street for a total purchase price of \$157,000. The funding source for the purchase shall be CDBG funds. All voting aye.

Sanitary Sewer Lateral Assessments: Committee reviewed memo from Director Kaiser recommending Council approve proposed revisions to Policy 2013-1 “Policy on procedures and payment for repairs on private sanitary sewer laterals.” The revised policy would change the cost-share arrangement between the utility customer and the utility. The changes fall into two major areas:

1. The City will cost-share in full lateral replacements, whether done as part of a City utility project or as a stand-alone replacement.
2. Complete sanitary sewer lateral replacement from the sewer main to the building will be the standard of work on City utility replacement projects.

The need to replace substandard laterals will allow the utility to reduce the amount of infiltration and inflow (“I&I”) getting into the system through substandard laterals. I&I is a significant problem for the City as some estimates put the amount of I&I at 50% of the total flowage, with a significant portion of I&I coming into the system through faulty or substandard sewer laterals. As an inducement for property owners to do a complete replacement of laterals, and thereby reduce the amount of I&I coming into the system, the City would participate in the cost of replacement at 50% of the cost based on the most recent bid amount for lateral replacement times the average distance between the sewer main and the building served by the new lateral on the street where the property is located. The fiscal impact of this proposal, would increase the base charge for the sewer utility by an estimated \$5.85 per quarter, or \$23.40 annually. The estimated annual cost would be approximately \$500,000.

Committee and staff discussed various aspects of the proposed policy revisions. Director Kaiser indicated that he would like to add a definition of "Partial Replacement" and City Attorney Godlewski indicated that language needed to be added to exclude City properties that are served by non-City utilities or sanitary district. Aldermen Kunz and Steele expressed concern that the special assessments would still be needed for sewer laterals but Alderman Steele indicated that after consideration, the proposal is a good starting point. Alderman Stevenson voiced concern that newer constructed buildings would be subsidizing older areas since most of the newer areas of the City already have sewer laterals made of acceptable material. Director Kaiser indicated that newer construction would benefit from this program through reduced treatment charges due to reduced I&I in the system. Discussion also took place regarding creating a sewer credit (similar to the TARF waiver) for those properties that have had a special assessment for sanitary sewer lateral replacement in the past five years.

Motion/Second/Carried Boyette/Kunz recommending Council approve amended Policy 2013-1 "Policy on procedures and payment for repairs on private sanitary sewer laterals" with additional language clarifying that City properties served by non-City utilities or sanitary districts are not eligible for this program and added a definitions for Partial Replacement. Staff is also directed to develop a sewer credit program (similar to the TARF waiver) for those properties that have had a special assessment for sanitary sewer lateral replacement in the past five years. Motion carried 4-1, with Alderman Stevenson voting no.

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

Motion/Second/Carried Stevenson/Boyette to adjourn the meeting at 9:00 p.m. All voting aye.

Respectfully submitted,



Michael K. Easker, CPA
Director of Finance

REPORT



P O L I C Y

DATE: ~~4/16~~12/13/2013 **EFFECTIVE DATE** Immediately **POLICY NO:** 2013-~~40~~1

TITLE: Sanitary Sewer Lateral Repair
ISSUER: Public Works and Utilities
COVERAGE: Public Works and Utilities
AUTHORITY: ~~Council Approval, January 16, 2013~~
DURATION: Perpetual
SYNOPSIS: Policy on procedures and payment for repairs on private sanitary sewer laterals.

DEFINITIONS

Sanitary Sewer Lateral - the pipe from the public sanitary sewer main to a private building(s). This pipe, including the connection at the main, is owned by the private property owner. The owner is responsible for maintaining it in good condition. **Nothing in this policy should be construed as changing the ownership of or responsibility for the lateral from the private property owner to the City.**

Sanitary Sewer Main – the pipe owned by the City used to provide for the common collection and transmission of sewage discharges. The City is responsible to operate, maintain and repair sanitary sewer mains.

Defective Sanitary Sewer Lateral – a sanitary sewer lateral is considered defective if any of the following conditions exist:

1. There is cracked, broken or crushed pipe, open or offset joints, root intrusion, or other imperfections that may allow entry of surface or groundwater into the sanitary sewer system.
2. ~~Pipes~~The pipe is made of vitrified clay.
- ~~2.3.~~ The pipe is made of concrete or cast iron ~~that have~~and has clear water flowing through them.
- ~~3.4.~~ The pipe has direct clear water connections. Direct connections, which are illegal ~~and~~, include: connections of roof drains, connection to the foundation ~~drains directly or through~~drain, connection to a sump pump, or similar conduits that may allow entry of rain, surface drainage, or groundwater into the sanitary sewer system.

Infiltration - groundwater, or groundwater that is influenced by surface water, that enters sewer pipes (mains, manholes, or laterals) through holes, breaks, joint failures, connection failures and other openings. Infiltration quantities often exhibit seasonal variation in response to groundwater levels.

Inflow - surface water that enters the wastewater system from yard, roof and footing drains, from cross-connections with storm drains directly or through a sump pump, downspouts, and through holes in manhole covers. Inflow occurs as a result of storm events such as rainfall, snowfall, springs or snow melt ~~that contribute to excessive sewer flows.~~

Partial Replacement -- Any repair work to a sanitary sewer lateral that that does not result in the entire sewer lateral (from the sewer main to building) being replaced with an authorized lateral pipe material

Sewer Grouting – A non-invasive method of leak repair for sanitary sewer pipes. It is a soil sealing process that uses a two-part liquid chemical grout that solidifies after curing. The grout is remotely applied under pressure to leaking joints or laterals and small cracks in sewers and manholes to seal the voids within the soil surrounding the exterior of the pipe at the point of leakage.

BACKGROUND

In the early 1980's, the City was placed under a building moratorium because of high sanitary sewer flows – much of it related to clear water that was entering the system. Since that time, the City has made extensive efforts to reduce that infiltration/inflow (I/I). Private sewer laterals are a significant source of I/I into the City's sanitary sewer system. It is in the City's interest to eliminate, to the extent practical, I/I from entering the public sanitary sewer system. The operation of private sanitary sewer laterals (lateral) has an impact on both the private property that is served and the capacity of the City's sanitary sewer mains (main). Defective laterals may cause damage to private property by way of sanitary sewer back-ups and flooding. Defective laterals may also cause an increase in I/I into the City's sanitary sewer system, which can reduce the ability of the City's mains to carry sewage, eventually leading to by-passes of raw sewage to the storm water system or raw sewage flooding basements, and increase the cost to the City for treatment of sewage, which is based on volume received at the wastewater treatment plant.

Currently, sanitary sewer lateral repairs happen in one of three ways.

1. The private property owner notices a problem and arranges a repair.
2. The City replaces the lateral ~~from the main to the property line~~ in the course of sanitary sewer main rehabilitation or replacement. ~~The property owner is provided the opportunity to replace the remainder of the lateral at their expense.~~
3. The City notices a leaking lateral during the course of sewer televising and arranges to either seal the lateral by grouting or make a repair.

These practices have created inconsistencies at a number of levels that this policy is intended to address. In addition, the cost of a lateral repair or replacement can be substantial. It is in the City's interest that these repairs are done while alleviating the cost impact on the property owner.

POLICY

I. Property Owner Initiated Repair

- ~~1.A.~~ Procedure: If the owner of a property is experiencing a problem with their sanitary sewer lateral, the property owner should contact the City. The City will examine the flow in the adjacent sanitary sewer main to determine if there is an obstruction in the main and then notify the property owner of their findings.
- ~~a.1.~~ If the main is obstructed, the City will make efforts necessary to clear the obstruction.
- ~~b.2.~~ If the main is not obstructed, it is the property owner's responsibility to arrange for cleaning, further investigation or repair of their lateral.
- ~~2.B.~~ City Assistance: ~~If it is the property owner's responsibility, the~~The City will provide assistance for property-owner initiated repair in the following manner:
- ~~a.1.~~ Review ~~of any~~ investigative ~~material~~materials provided by the property owner or their contractor.
- ~~b.2.~~ If the repair extends into the street right-of-way, a Street Excavation Permit is required. The City will charge the base permit fee for the work. The City will reduce the charge ~~of the normal fees related to street repair by 50%-~~%.
3. For complete lateral replacement, the City will contribute an amount of 50% of the cost of replacement up to a maximum of the rate for the most recently completed city contract replacement, as calculated in Section II.
- a. If the property owner enters into the appropriate agreement with the City, the City will pay the contractor and bill the property owner their share of cost as a special assessment on the property.
4. For partial replacement or spot repair, there will be no City cost participation.

II. City Initiated Repair – During Main Rehabilitation/Replacement

- ~~1.A.~~ Procedure: If the City is undertaking sanitary sewer rehabilitation or replacement work and if sanitary laterals on the project are considered defective, the City's contractor will replace those laterals from the main to the ~~right-of-way line.~~building. Prior to the start of that work, the City will notify the property owners of the impending work ~~and provide them with the opportunity to repair their lateral with their own qualified contractor. The property owner will also be given the opportunity to have the lateral replacement extended from the right-of-way line to their building, at their cost. All work on the lateral will be assessed to the property owner.~~
- ~~2.~~City Assistance: ~~The City will provide assistance in the following manner:~~
- ~~a.~~Investigate the condition of/Special Assessment: Costs for work related to the lateral ~~and arrange for its replacement in whole or in part depending on the wishes of the property owner.~~
- ~~b.B.~~ The City will pay for the initial cost of all work. The cost of the work that occurs on private property will be included in the property owner's lateral assessmentassessed

as described below. This assessment shall be done in accordance with Sec. 13-2 of the Municipal Code, which allows the payment to be made over 5 years.

1. Investigate the condition of the lateral and arrange for its replacement.
2. An average lateral replacement cost will be calculated for each street using as-bid pricing. 50% of the calculated average lateral replacement cost will be issued as a special assessment to each served property on that street.
 - a. Cost calculation inclusions:
 - i. Cost to connect the lateral at the sewer main.
 - ii. Cost to install the sewer lateral pipe.
 - iii. Cost to make either an interior or exterior connection to the existing lateral at the foundation wall.
 - iv. Lateral televising.
 - b. Cost calculation exclusions:
 - i. Costs to make interior plumbing adjustments
 - ii. Costs to remove or redirect flow from direct clear water connections to the sanitary sewer lateral.

III. City Initiated Repair – Unrelated to Main Rehabilitation/Replacement

- ~~1.~~A. Procedure: If the City notes the presence of clear water estimated to be in excess of 1.5 gallons per minute coming from a lateral during the course of sewer televising, the City will contact the property owner and inform them of the defective lateral and issue an order for its repair. The property owner will have 180 days to comply with the order.
- ~~2.~~B. City Assistance: The City will provide assistance in the following manner:
 - ~~a.~~1. Review ~~of any~~ investigative ~~material~~materials provided by the property owner or their contractor.
 2. If the repair extends into the street right-of-way, a Street Excavation Permit is required. The City will charge the base permit fee for the work. The City will reduce the charge of the normal fees related to street repair by 50% of the normal fees related to street repair by 50% if the lateral repair work is done within 180 days of notice.
 3. For complete lateral replacement, the City will contribute an amount of 50% of the cost of replacement up to a maximum of the rate for the most recently completed city contract replacement, as calculated in Section II.
 4. For partial replacement or spot repair, there will be no City cost participation.

IV. Exception to City Cost Participation – The City will not have a cost participation in sanitary sewer lateral construction under the following circumstances:

- A. Partial sewer lateral replacement or spot repair on a sewer lateral:
- B. Sewer lateral replacement that does not eliminate direct connections to clear water sources.
- C. The lateral is installed as part of new construction.
- ~~b.~~D. Properties located in the City, but served by non-City utilities or sanitary districts.

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, January 29, 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	PRESENT	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	Jeff Welhouse - 1351 Hedgerow Dr.
Jim Sehloff – Davel Engineering		

Minutes:

MSC Genett/Lang to approve the January 8, 2019 meeting minutes. All Aye.

Mayor Kaufert called the meeting to order at 4:15 p.m.

Public Appearances: None

Public Hearings:

- a. **TID No. 9 Amendment 1** – Amended Boundaries and Project Plan

Mayor Kaufert opened the public hearing. No comments were heard. Mayor Kaufert closed the public hearing.

Action Items:

- a. **TID No. 9 Amendment 1** – Amended Boundaries and Project Plan

Deputy Director Schmidt began by explaining the history of TID #9 and the need for the amendment to the TID. With the original creation of TID #9 in 2015, it was anticipated that the original district would include the proposed amendment area. However, due to the inability to complete an acquisition of a key property at that time, the inclusion of this area has been delayed. The City has now been able to complete the land acquisition and is requesting approval of the proposed amendment.

The amendment to TID #9 will continue to support the rehabilitation/conservation of the industrial area adjacent to Highway 41. The proposed amendment area is made up of an auto salvage yard (with additional road and railroad right-of-way). Due to the location being at the front steps of Neenah, the investment that is already in the ground on Shultz Drive (sewer and sanitary lines), and the eventual ability to create a larger site for development, this is a key site for the City to acquire. The annexation and eventual development consisting of manufacturing/industrial use is consistent with the City's Comprehensive Plan.

An agreement has been made with the owner and the property will be annexed into the City with the purchase being complete by the end of March 2019. TID financing will be used to purchase the property, clean up, and the costs associated with selling the property.

The proposed plan includes \$4.4 million in investment into the site and \$1.87 million in financing. An increment of \$12.5 million is expected while remaining conservative. Interest costs will be approximately \$650,000.

The amendment will increase the life of the TID considerably – it is set to close in year 13 and, with the amendment, it will close in year 26. The City will still be below the 12% mark allowed for increment in TID districts.

Deputy Director Schmidt then explained that TID #6 is directly south of TID #9 and is set to close within a few years. There are wetland areas in TID #6 and in the immediate area that have added to the difficulty in developing the sites. At the close of TID #6, it is anticipated that another amendment to TID #9 will be proposed and will include some areas that were previously in TID #6. This will help TID #9 to close sooner than year 26. Originally it was thought that the district could be overlapped but because of the distressed designation of TID 6, this is not possible.

MSC Andrews/Kaiser, Plan Commission recommends Council approve Plan Commission Resolution No. 2019-01, approving the amended Project Plan and amending Tax Increment District #9 boundaries, and recommend the Neenah Common council approve the same. All Aye.

PC Res. 2019-01

b. Annexation – Betty Brazil – Town of Neenah (#213 – Ord. No. 2019-03)

Betty Brazil, a property owner in the Town of Neenah, in conjunction with Cardinal Partnership, LLC, has petitioned the City to annex approximately 14.5 acres directly north of the second addition to Nature Trail. Currently, the land use is undeveloped land and the future use will be single-family residential. Public water/sanitary sewer is available. This is consistent with the City's Comprehensive Plan.

MSC Kaiser/Andrews, Plan Commission recommends Council approve Annexation #213 (Ord. No. 2019-03) and the property also receive an R1, Single-Family Residence District zoning classification. All Aye.

Discussion Items:

a. Zoning Code Updates

Community Development staff continue to review the zoning code to ensure clarity and efficiency. The following have been examined and changes to the code regarding the following will be brought to Plan Commission in the future:

- Definition additions and minor changes
- Special Use Permits
 - Electric Substation; Auto and truck rental, sales, service and auto body; Bank and financial institution; Boat, camper and travel trailer sales/rentals; Gas stations; Restaurant (drive-in)
- Setback for Multi-Family Adjacent to Single-Family
 - Common Rear and Side yard a minimum of 30 feet
- Clean-up of C-1 and C-2 Permitted Uses
- Regulation of outdoor storage in I-1 and I-2 Districts
- Clarity shed height and dormer language

Deputy Director Schimdt also mentioned that a review of exterior lighting codes has been requested and will be done. He went into more detail regarding the situations that staff is proposing to consider special use permits going forward. This would give the City more flexibility regarding regulations and specific conditions. Entities that would be considered as special use going forward would be grandfathered in and would not have to go through that process unless they completed significant enough improvements to warrant a review.

Plan Commission members asked that the zoning code and PowerPoint from this meeting be emailed to them.

Member Kunz suggested that codes regarding property maintenance and rental properties be reviewed.

b. 2018 Planning/Zoning Overview

In 2018, 3 major site plans were reviewed along with 17 minor site plans. Plan Commission reviewed 1 rezoning petition, subdivision plat, and variance/appeal. The year saw 5 city CSMs and 9 extraterritorial CSMs. Some major projects included:

- Horseshoe Beverage Remodel
- Dayton Freight Expansion
- Tailwaggers Building
- Cobblestone Creek Apartments
- Car Wash in Westowne
- Rezoned Downtown Properties to C-2
- First Addition to Southfield Plat
- Annexation along Woodenshoe Road

In 2019, several plats are expected to be reviewed as well as many annexation petitions. A Downtown housing project is expected as well as in-fill development projects. A review of the Official Street Map and the South Commercial Street Plan will also be completed.

Mayor Kaufert would like information on the site plans that were reviewed but the projects were never completed.

c. Comprehensive Plan 2040 – Implementation

Due to weather conditions, Deputy Director Schmidt will discuss the Comprehensive Plan at a future Plan Commission meeting.

Announcements and future agenda items:

Next Plan Commission meeting is scheduled for February 12, 2019.

Adjournment: The Commission adjourned its meeting at 5:00 P.M. MSC Kaiser/Genett. All Aye.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Samantha Jefferson", with a stylized flourish at the end.

Samantha Jefferson
Office Manager, Community Development



AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – 14.516 Acres of land north of the 2nd
Addition to Nature Trails Subdivision and west of
the Eaglecrest Estates Subdivision – Betty
Brazil owned property to the City of Neenah.

ORDINANCE NO. 2019-03

Introduced: February 6, 2019

Committee/Commission Action:

RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Pursuant to Section 66.0217(2), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Neenah, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit 1:

Part of the Southeast 1/4 of the Fractional Northwest 1/4 of Section 06, Township 19 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 632,318 Square Feet (14.5160 Acres) of land described as follows:

Commencing at the North 1/4 corner of Section 06; thence, along the East line of the fractional Northwest 1/4 of said Section 06, S00°38'26"E, 1526.18 feet to the point of beginning; thence continuing along said East line, S00°38'26"E, 642.45 feet to the North line of 2nd Addition to Nature Trail; thence, along said North line and the extension thereof, S88°52'07"W, 1310.40 feet to the Southwest corner of the Southeast 1/4 of said Fractional Northwest 1/4, as evidenced; thence, along the West line of said Southeast 1/4 of the Fractional Northwest 1/4 as evidenced, N00°26'24"W, 321.71 feet; thence N88°54'14"E, 650.35 feet; thence N00°25'25"W, 321.01 feet to the Southwest corner of Lot 1 CSM 6541; thence along South line of said Lot 1, N88°51'18"E, 657.70 feet to the point of beginning.

That said territory shall be zoned R-1, Single-Family Residence District.

Section 2. The petition for annexation is conducted under unanimous approval (Wisconsin State Statute Sec. 66.0217(2)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14184. The annexation area is 14.516 acres in size and

is wholly located in the Town of Neenah, Winnebago County. The parcel number of the land being annexed is 0100085 and the population of all people living on the transferred land is 0.

Section 3. That the limits of the Third Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. 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 5. 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 Sturn, City Clerk

Exhibit 1

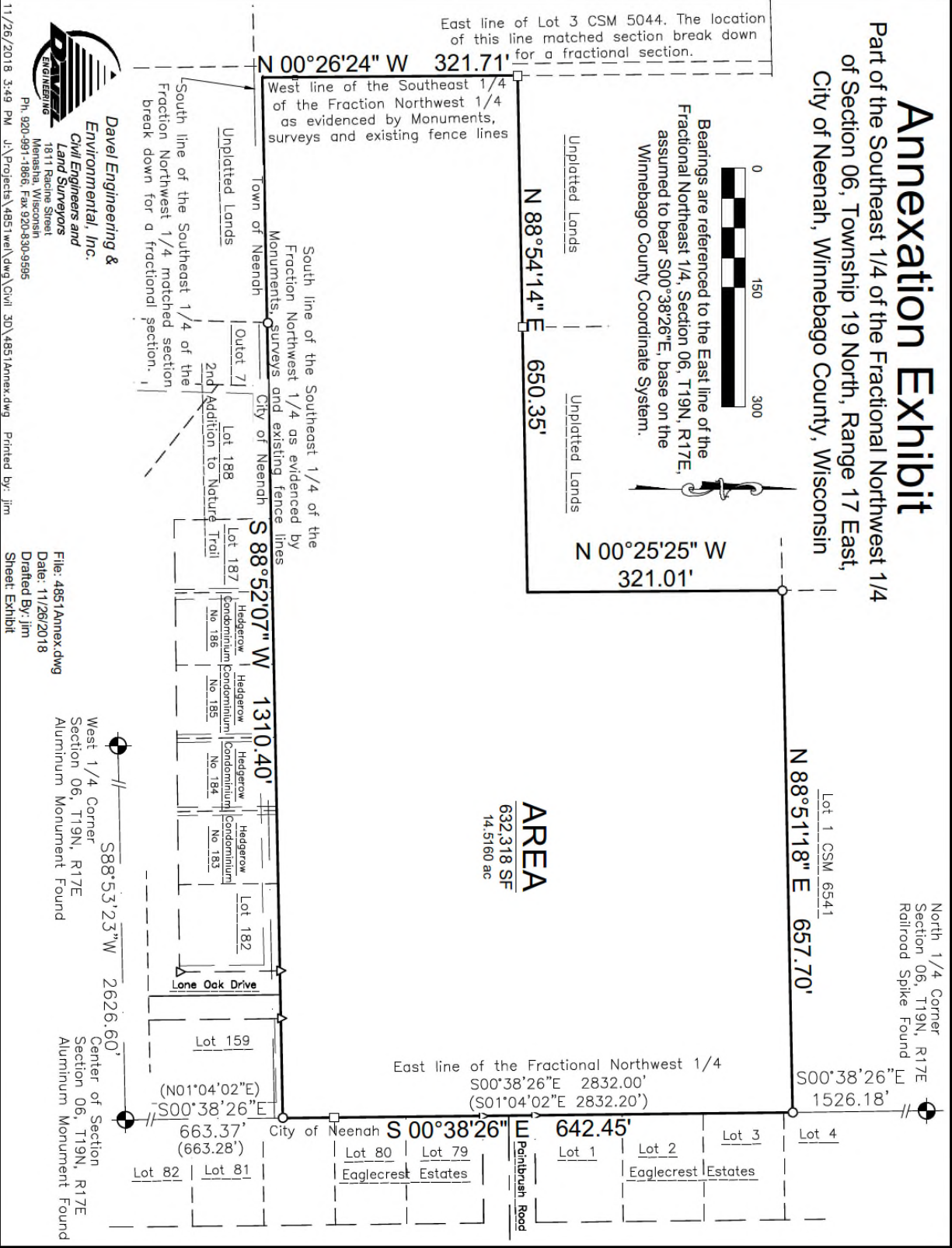
Annexation Exhibit

Part of the Southeast 1/4 of the Fractional Northwest 1/4 of Section 06, Township 19 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin

North 1/4 Corner
Section 06, T19N, R17E
Railroad Spike Found



Bearings are referenced to the East line of the Fractional Northeast 1/4, Section 06, T19N, R17E, assumed to bear S00°38'26"E, base on the Winnebago County Coordinate System.



AREA
632,318 SF
14.5160 ac

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

File: 4851Annex.dwg
Date: 11/26/2018
Drafted By: Jim
Sheet Exhibit

**Minutes of the Board of Public Works Meeting
Tuesday, January 29, 2019 – 12:00 p.m.
Hauser Room**

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

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

Chairman Kaufert called the meeting to order at 12:00 p.m.

MINUTES: MSC Hillstrom/Easker to approve the minutes from the January 8, 2019 Board of Public Works meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Public Works:

Change Order No. 2 for Contract 1-18: Dir. Kaiser requested approval of Change Order No. 2 for Contract 1-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$37,225.09. This change order is due to more residents having sanitary lateral and water service installed to their houses plus additional quantities of storm main and base course gravel. These increased costs are included in the special assessment billing. **MSC Kaiser/Hillstrom to approve Change Order No. 2 for Contract 1-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$37,225.09, all voting aye.**

Final Payment for Contract 1-18: Dir. Kaiser requested approval of the Final Payment for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$31,620.32. This final payment is based on reconciliation with the contractor and reflects a \$3,000 penalty for late completion on Whiting Court. **MSC Kaiser/Godlewski to recommend Council approve the Final Payment for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$31,620.32, all voting aye.**

Water Department:

Change Order No. 2 for Contract 18-01W: Dir. Mach requested approval of Change Order No. 2 for Contract 18-01W for Chemical Storage and Feed Modifications in the amount of

\$2,685.00. This change order is to upgrade to a 8-slot analog I/O input card with associated wiring harness due to specified 6-slot card being discontinued and to increase the ferric and upsizing polymer feed piping from 2" to 3" due to pump head capacities of the chemical delivery trucks. **MSC Easker/Godlewski to approve Change Order No. 2 for Contract 18-01W for Chemical Storage and Feed Modifications in the amount of \$2,685.00, all voting aye.**

MSC Easker/Godlewski to adjourn at 12:18 p.m., all voting aye.

Respectfully Submitted,


Patricia A. Sturn, WCPC, MMC
City Clerk

Pay To: David Tenor Corporation
2759 Dewey Decker Drive
Green Bay, WI 54313

Contract No. Contract 1-18 Miscellaneous Sewer and Water Main Construction
and Street Construction on Andrew Avenue, Richard Avenue,
Geiger Street and Whiting Court

Water Work Order No: 388, 389, 390, 392

Date: January 25, 2019

Estimate No. Final

Account Description	Account #	Payment	Contract Breakdown	Budget	Change Orders	Pd to Date
Sanitary - Andrew (Geiger to Main)	046-5075-743-0236	\$6,987.41	\$109,293.50	\$130,000		\$111,272.01
Water Main - Andrew (Geiger to Main)	400-0000-207-0388	\$4,785.51	\$113,496.00	\$124,800	\$2,500	\$111,449.46
Storm - Miscellaneous Repairs	049-5203-743-0236	\$1,135.64	\$39,054.00	\$39,054		\$41,422.36
Street - Andrew (Geiger to Main)	012-4389-743-0236	\$95.70	\$122,000.00	\$140,000		\$122,664.99
Sanitary - Richard (Geiger to Main)	046-5076-743-0236	\$5,964.73	\$111,463.50	\$130,000		\$117,345.60
Water Main - Richard (Geiger to Main)	400-0000-207-0389	\$4,902.13	\$111,646.00	\$127,100	\$2,000	\$113,219.63
Storm - Miscellaneous Repairs	049-5203-743-0236	\$1,366.20	\$16,542.00	\$16,542		\$14,462.80
Street - Richard (Geiger to Main)	012-4390-743-0236	\$89.06	\$122,000.00	\$140,000		\$143,293.12
Sanitary - Geiger (Green Bay to Western)	046-5001-742-0236	\$0.00	\$3,950.00	\$3,950		\$5,763.96
Water Main - Geiger (Green Bay to Western)	400-0000-207-0390	\$6,595.28	\$131,270.00	\$157,500	\$7,004	\$131,801.23
Storm - Miscellaneous Repairs	049-5203-743-0236	\$2,053.11	\$43,865.00	\$43,865		\$41,180.69
Street - Geiger (Green Bay to Western)	012-4391-743-0236	\$185.78	\$194,774.00	\$220,000		\$173,043.35
Water Main - Whiting (Tullar)	400-0000-207-0392	\$410.63	\$27,715.00	\$31,800	\$5,000	\$32,054.37
Storm - Miscellaneous Repairs	049-5203-743-0236	\$49.14	\$0.00	\$3,836		\$5,485.85
Street - Whiting (Tullar)	012-4393-743-0236	\$0.00	\$52,343.98	\$60,000		\$54,062.33
SUBTOTAL		\$34,620.32				
Contract Deadline Penalty - Deduct		(\$3,000.00)				
TOTAL		\$31,620.32	\$1,199,412.98	\$1,368,447	\$16,504	\$1,218,521.75

Prepared by January 25, 2019 HK

Approved by Public Works Department January 25, 2019 [Signature]

Approved by Board of Public Works January 29, 2019

Approved by Common Council February 6, 2019
 (final payments only)

Approved by Water Commission February 18, 2019
 (final payments only)

Sent to Finance February 7, 2019

Number of Attachments 2

City of Neenah
 Public Works Department

The following is the Final Estimate for Contract 1-18, Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, and Geiger Street. to David Tenor Corporation, 2759 Dewey Decker Drive, Green Bay WI, 54313

DESCRIPTION	Unit Price	Original Bid		Estimate No. 6		Final Estimate	
		Quantity	Total	Quantity	Total	Quantity	Total
Part 1 - Andrew Ave., Richard Ave., Geiger St., Whiting Ct.							
A. Sanitary Sewer							
1. Furnish and relay 8-inch PVC sanitary sewer	\$50.00	1,920 Lin. Ft.	\$96,000.00	1,920 Lin. Ft.	\$96,000.00	1,920 Lin. Ft.	\$96,000.00
2. Furnish and relay 6 inch sanitary lateral in ROW (61)	\$39.50	1,800 Lin. Ft.	\$71,100.00	1,145 Lin. Ft.	\$45,227.50	1,145 Lin. Ft.	\$45,227.50
3. Furnish and relay 6 inch sanitary lateral ROW to house	\$36.00	100 Lin. Ft.	\$3,600.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
4. Furnish and pipeburst sanitary lateral	\$15.38	400 Lin. Ft.	\$6,152.00	1,690 Lin. Ft.	\$25,992.20	1,690 Lin. Ft.	\$25,992.20
5. Reconnect sanitary lateral at foundation - pipeburst	\$1,535.00	2 Each	\$3,070.00	1 Each	\$1,535.00	1 Each	\$1,535.00
6. Reconnect under basement floor - pipeburst	\$1,790.00	13 Each	\$23,270.00	32 Each	\$57,280.00	33 Each	\$59,070.00
7. Reconnect lateral to wye at main	\$250.00	3 Each	\$750.00	3 Each	\$750.00	3 Each	\$750.00
8. Furnish and Install Standard manhole (6)	\$280.00	56 Ver. Ft.	\$15,680.00	55.8 Ver. Ft.	\$15,624.00	55.8 Ver. Ft.	\$15,624.00
9. Remove sanitary manhole	\$250.00	6 Each	\$1,500.00	6 Each	\$1,500.00	6 Each	\$1,500.00
10. Adjust sanitary manhole (with slurry backfill)	\$400.00	6 Each	\$2,400.00	2 Each	\$800.00	2 Each	\$800.00
11. Clean and Tokyise Sewer (Sanitary only)	\$1,635.00	1 Lump Sum	\$1,635.00	0 Lump Sum	\$0.00	1 Lump Sum	\$1,635.00
Part 1.A. Sanitary Sewer Total			\$225,157.00		\$244,708.70		\$248,133.70
B. Water Main							
1. Furnish & install 16-inch PVC C-900 main	\$82.50	1,236 Lin. Ft.	\$101,970.00	1,241 Lin. Ft.	\$102,382.50	1,241 Lin. Ft.	\$102,382.50
2. Furnish & install 10-inch PVC C-900 main	\$55.00	10 Lin. Ft.	\$550.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
3. Furnish & install 8-inch PVC C-900 main	\$52.00	2,400 Lin. Ft.	\$124,800.00	2,396 Lin. Ft.	\$124,592.00	2,396 Lin. Ft.	\$124,592.00
4. Furnish & install horizontal 16-inch valve w/ box	\$7,960.00	2 Each	\$15,920.00	2 Each	\$15,920.00	2 Each	\$15,920.00
5. Furnish & install 8-inch valve w/ box	\$1,285.00	4 Each	\$5,140.00	4 Each	\$5,140.00	4 Each	\$5,140.00
6. Furnish & install 8-inch tapping valve w/ box	\$3,300.00	1 Each	\$3,300.00	1 Each	\$3,300.00	1 Each	\$3,300.00
7. Furnish & install 4-inch valve w/ box & reconnect service	\$835.00	1 Each	\$835.00	1 Each	\$835.00	1 Each	\$835.00
8. Furnish & install 2-inch short side service	\$1,695.00	1 Each	\$1,695.00	1 Each	\$1,695.00	1 Each	\$1,695.00
9. Furnish & install 1-inch long side service	\$1,490.00	31 Each	\$46,190.00	31 Each	\$46,190.00	31 Each	\$46,190.00
10. Furnish & install 1-inch short side service	\$1,000.00	32 Each	\$32,000.00	32 Each	\$32,000.00	32 Each	\$32,000.00
11. Reconnect copper service	\$750.00	7 Each	\$5,250.00	7 Each	\$5,250.00	7 Each	\$5,250.00
12. Furnish & install 1-inch service from ROW to house by excavat	\$35.00	25 Lin. Ft.	\$875.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
13. Furnish & install 1-inch service from ROW to house by excavation in same trench as san. lateral	\$12.00	75 Lin. Ft.	\$900.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
14. Furnish & install 1-inch service from ROW to house by pulling w/ sanitary sewer pipeburst	\$5.13	400 Lin. Ft.	\$2,052.00	1,075 Lin. Ft.	\$5,514.75	1,075 Lin. Ft.	\$5,514.75
15. Furnish & install 1-inch service from ROW to house by pulling	\$33.00	25 Lin. Ft.	\$825.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
16. Water service connection to structure	\$360.00	15 Each	\$5,400.00	27 Each	\$9,720.00	27 Each	\$9,720.00
17. Furnish & install hydrant, lead and valve	\$4,575.00	7 Each	\$32,025.00	7 Each	\$32,025.00	7 Each	\$32,025.00
18. Abandon hydrant	\$250.00	6 Each	\$1,500.00	5 Each	\$1,250.00	5 Each	\$1,250.00
19. Abandon Valve manhole	\$300.00	2 Each	\$600.00	3 Each	\$900.00	3 Each	\$900.00
20. Abandon Valve Box	\$150.00	10 Each	\$1,500.00	8 Each	\$1,200.00	8 Each	\$1,200.00
21. Furnish & install electrical grounding	\$200.00	4 Each	\$800.00	4 Each	\$800.00	4 Each	\$800.00
CO1.1 Added 2-16" bends to get under storm	\$3,300.00	LS	\$0.00	1 LS	\$3,300.00	1 LS	\$3,300.00
CO1.2 Whiting Court rock, moving of main	\$5,000.00	LS	\$0.00	1 LS	\$5,000.00	1 LS	\$5,000.00
CO1.3 4" Water main	\$2,204.00	LS	\$0.00	1 LS	\$2,204.00	1 LS	\$2,204.00
CO1.4 Water Breaks	\$500.00	Each	\$0.00	9 Each	\$4,500.00	9 Each	\$4,500.00
CO1.5 Grnding time for oversized 14"	\$1,500.00	LS	\$0.00	1 LS	\$1,500.00	1 LS	\$1,500.00
Part 1.B. Water Main Total			\$384,127.00		\$405,218.25		\$405,218.25

DESCRIPTION	Unit Price	Original Bid		Estimate No. 6		Final Estimate	
		Quantity	Total	Quantity	Total	Quantity	Total
C. Storm Sewer							
1. Furnish and relay 24-inch storm sewer	\$242.00	50 Lin Ft	\$12,100.00	43 Lin Ft	\$10,406.00	43 Lin Ft	\$10,406.00
2. Furnish and relay 12-inch storm sewer	\$51.00	545 Lin Ft	\$27,795.00	616 Lin Ft	\$31,416.00	616 Lin Ft	\$31,416.00
3. Furnish and relay 10-inch storm sewer	\$41.00	430 Lin Ft	\$17,630.00	459 Lin Ft	\$18,819.00	459 Lin Ft	\$18,819.00
4. Furnish and relay 4-inch storm sewer lateral	\$30.00	100 Lin Ft	\$3,000.00	117 Lin Ft	\$3,510.00	117 Lin Ft	\$3,510.00
5. Furnish and install storm manhole (8)	\$320.00	47 Var Ft	\$15,040.00	47 Var Ft	\$14,924.80	47 Var Ft	\$14,924.80
6. Furnish and install catch basin	\$1,215.00	14 Each	\$17,010.00	16 Each	\$19,440.00	16 Each	\$19,440.00
7. Remove Storm Manhole	\$250.00	7 Each	\$1,750.00	7 Each	\$1,750.00	7 Each	\$1,750.00
8. Remove Storm catch basin	\$175.00	10 Each	\$1,750.00	10 Each	\$1,750.00	10 Each	\$1,750.00
9. Adjust storm manhole (w/ slurry backfill)	\$350.00	4 Each	\$1,400.00	3 Each	\$1,050.00	3 Each	\$1,050.00
10. Adjust storm catch basin	\$300.00	4 Each	\$1,200.00	2 Each	\$600.00	2 Each	\$600.00
11. Install and Maintain Type 'D' Inlet Protection	\$95.00	20 Each	\$1,900.00	24 Each	\$2,280.00	24 Each	\$2,280.00
12. Clean and Televiser Sewer (Storm only)	\$1,210.00	1 Lump Sum	\$1,210.00	0 Lump Sum	\$0.00	1 Lump Sum	\$1,210.00
Part 1 C Storm Sewer Total			\$101,785.00		\$105,945.80		\$107,155.80
D. Street (HMA Pavement)							
1. Remove existing pavement and maintain utility trench	\$0.75	8,400 Lin Ft	\$6,300.00	6,481 Lin Ft	\$4,860.75	6,481 Lin Ft	\$4,860.75
2. Sawcut existing bituminous pavement	\$2.00	200 Lin Ft	\$400.00	100.00 Lin Ft	\$200.00	100.00 Lin Ft	\$200.00
3. Full depth sawcut existing concrete pavement	\$2.00	300 Lin Ft	\$600.00	196.50 Lin Ft	\$393.00	196.50 Lin Ft	\$393.00
4. Remove existing bituminous pavement	\$1.44	14,000 Sq Yd	\$20,160.00	14,000 Sq Yd	\$20,160.00	14,000 Sq Yd	\$20,160.00
5. Remove concrete pavement	\$12.36	250 Sq Yd	\$3,090.00	109.92 Sq Yd	\$1,358.61	109.92 Sq Yd	\$1,358.61
6. Remove concrete curb and gutter	\$2.43	1,800 Lin Ft	\$4,320.00	2,274.00 Lin Ft	\$5,525.82	2,274.00 Lin Ft	\$5,525.82
7. Remove concrete sidewalk/driveway apron	\$5.48	10,000 Sq Ft	\$5,480.00	3,220.11 Sq Ft	\$1,754.65	3,220.11 Sq Ft	\$1,754.65
8. Unclassified Excavation	\$9.52	5,000 Cu Yd	\$47,600.00	5,805 Cu Yd	\$55,321.65	5,805 Cu Yd	\$55,321.65
9. Furnish and install geogrid (G-ger St & Whiting Ct.)	\$1.55	6,250 Sq Yd	\$9,687.50	6,772 Sq Yd	\$10,496.60	6,772 Sq Yd	\$10,496.60
10. Furnish and install crushed aggregate base	\$10.61	7,600 Ton	\$78,575.00	10,582.21 Ton	\$112,277.25	10,582.21 Ton	\$112,277.25
11. Furnish and install 30-inch concrete curb and gutter (various loc)	\$23.05	1,800 Lin Ft	\$41,490.00	2,274.00 Lin Ft	\$52,415.70	2,274.00 Lin Ft	\$52,415.70
12. Furnish and install 4-inch concrete sidewalk	\$5.50	2,500 Sq Ft	\$13,750.00	2,696.71 Sq Ft	\$14,866.91	2,696.71 Sq Ft	\$14,866.91
13. Furnish and install 6-inch concrete sidewalk/driveway apron	\$5.60	2,400 Sq Ft	\$13,440.00	1,328.54 Sq Ft	\$7,442.28	1,328.54 Sq Ft	\$7,442.28
14. Furnish and install 8-inch concrete pavement repair	\$59.40	250 Sq Yd	\$14,850.00	109.92 Sq Yd	\$6,529.25	109.92 Sq Yd	\$6,529.25
15. Furnish and install drill tie bars 66	\$7.18	100 Each	\$718.00	48 Each	\$344.64	48 Each	\$344.64
16. Furnish and install drill dowel bars 66	\$11.28	64 Each	\$721.92	88 Each	\$1,002.88	88 Each	\$1,002.88
17. Fine grading and base preparation	\$1.16	14,000 Sq Yd	\$16,240.00	14,000 Sq Yd	\$16,240.00	14,000 Sq Yd	\$16,240.00
18. Furnish and install HMA Pavement	\$54.53	3,200 Ton	\$174,496.00	2,850 Ton	\$155,410.50	2,850 Ton	\$155,410.50
19. Furnish and install 1/2-inch rods	\$0.67	600 Lin Ft	\$402.00	2,380 Lin Ft	\$1,581.20	2,380 Lin Ft	\$1,581.20
20. Install detectable warning fields (supplied by City)	\$35.68	12 Each	\$428.16	9 Each	\$321.12	9 Each	\$321.12
21. Trenching, fertilize, seed & hydromulch	\$25.42	260 Sq Yd	\$6,609.20	745.74 Sq Yd	\$18,956.71	745.74 Sq Yd	\$18,956.71
22. Install and Maintain Traffic Control	\$5,100.00	1 Lump Sum	\$5,100.00	1 0 Lump Sum	\$5,100.00	1 0 Lump Sum	\$5,100.00
Part 1 D. Street Total			\$488,343.68		\$492,634.32		\$492,634.32
TOTAL Part 1			\$1,109,412.68		\$1,248,507.07		\$1,253,142.07
TOTAL Parts 1A through 1D			\$1,189,412.98		\$1,248,507.07		\$1,253,142.07

C O 1	\$16,604.00	Work to date	\$1,248,507.07	Work to date	\$1,253,142.07
C O 2	\$37,225.09	Retainage ¹	\$20,685.32	Retainage ¹	\$0.00
C.O. 3		Due Contractor	\$1,218,521.76	Due Contractor	\$1,253,142.07
	\$1,253,142.07	Previously paid	\$972,281.45	Previously paid	\$1,218,521.75
		Due this estimate	\$248,240.30	Due this estimate	\$34,620.32
				Deduct Penalty	\$3,000.00
				Net Due	\$31,620.32

NOTE (1): Retainage set per Wis. Statute 66.0901(9)

Retainage is 5% of the estimate until 50% of the work is completed

At 50% completion, no additional amounts are retained

For Final Estimates, there is no retainage

Respectfully submitted,


Gerry Kaban, PE

Director of Public Works

Contractor Signature



Date

1/25/19

PETITION FOR ANNEXATION

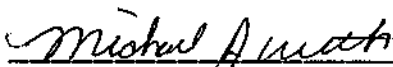
The undersigned, constituting 100 percent of the Owners of the following described territory located in the Town of Vinland, Winnebago County, Wisconsin, lying contiguous to the City of Neenah, petition the Honorable Mayor and Common Council of said City to annex the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the City of Neenah, Winnebago County, Wisconsin.

All of Lot 2 of Certified Survey Map No. 7383, recorded as Document No. 1771789 on 07/31/2018 at 09:11 a.m. and a part of Woodenshoe Road as dedicated by Certified Survey Map No. 7383, located in the Northeast 1/4 of the Northeast 1/4 of Section 12, Township 19 North, Range 17 East, Town of Vinland, Winnebago County, Wisconsin, containing 343,067 square feet (7.876 acres) more or less of land, being more fully described as follows:

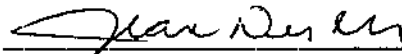
Commencing at the Northeast corner of said Section 12; thence S00°36'47"E, 661.37 feet along the East line of the Northeast 1/4 of said Section 12 to the Easterly extension of the South line of Lot 2 of Certified Survey Map No. 1954 as recorded in Volume 1 of Certified Survey Maps on Page 1954 as Document No. 715811 and the Point of Beginning; thence continue S00°36'47"E, 461.93 feet along said East line to the start of a meander line to an intermittent stream, said point being N00°36'47"W, 29 feet more or less from the centerline of said intermittent stream; thence S84°28'08"W, 669.36 feet along said meander line to the East line of Lands described in Document No. 1712550, said point being N00°36'24"W, 29 feet more or less from the centerline of said intermittent stream; thence N00°36'24"W, 510.78 feet along said East line to the Southwest corner of Lot 2 of said Certified Survey Map No. 1954; thence N88°39'15"E, 666.89 feet along the South line of said Lot 2 and its Easterly extension to the Point of Beginning. Including all the Lands lying between the above described meander line and the centerline of said intermittent stream.

There are no persons residing in the above described territory.

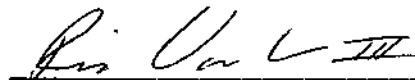
Dated this 1 day of November, 2018



Michael J. Werth—Member
Integrity Construction, LLC
2835 W. College Avenue
Appleton, WI 54914



Jean Werth—Member
Integrity Construction, LLC
2835 W. College Avenue
Appleton, WI 54914

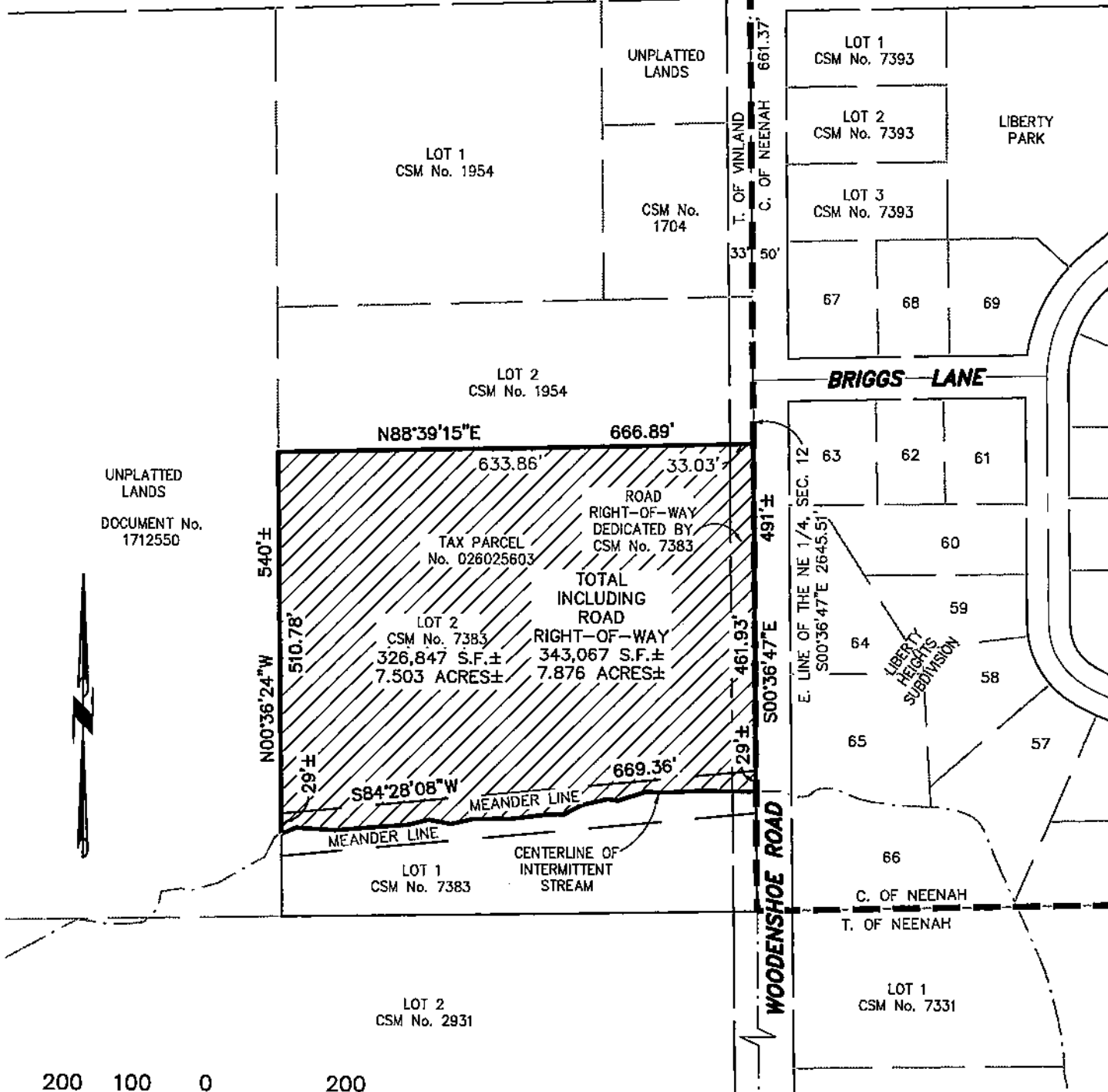


Rich Van Sistine III—Member
Integrity Construction, LLC
2835 W. College Avenue
Appleton, WI 54914

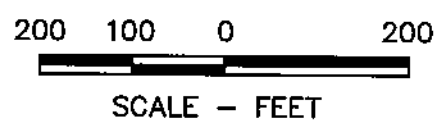
NORTHEAST CORNER
SEC. 12, T.19N., R.17E.
BERNTSEN MON. FOUND

T. OF NEENAH
C. OF NEENAH

C.T.H "G"



UNPLATTED
LANDS
DOCUMENT No.
1712550



EAST 1/4 CORNER
SEC. 12, T.19N., R.17E.
BERNTSEN MON. FOUND

COUNTY RD G

CITY OF NEENAH

HIGHLAND CT

AMENDMENT DR

BRIGGS LN

HIGHLAND DR

PLAINS AVE

PRESIDENTIAL DR

WOODSHOE RD

TOWN OF VINLAND

TOWN OF NEENAH





AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – 0.85 Acres of land along Bayview Road – Richard O. & Susan K. Larson Revocable Trust owned property to the City of Neenah.

ORDINANCE NO. 2019-01
Introduced: January 16, 2019
Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Pursuant to Section 66.0217(2), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Neenah, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit 1:

Part of the Southeast 1/4 of the Northeast 1/4 of Section 34, Township 20 North, Range 17 East, Town of Neenah, Winnebago County, Wisconsin, containing 37,029 Square Feet (0.8501 Acres) of land described as follows:

Commencing at the East 1/4 corner of Section 34; thence N00°33'21"W, 800.90 feet along the east line of the Northeast 1/4 of Section 34 to the Point of Beginning; thence S89°52'39"W, 322.00 feet; thence N00°33'21"W, 115.00 feet; thence N89°52'39"E, 322.00 feet to the east line of the Northeast 1/4 of Section 34; thence S00°33'21"E, 115.00 feet along said east line to the Point of Beginning.

That said territory shall be zoned R-1, Single-Family Residence District.

Section 2. The petition for annexation is conducted under unanimous approval (Wisconsin State Statute Sec. 66.0217(2)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14183. The annexation area is 0.85 acres in size and is wholly located in the Town of Neenah, Winnebago County. The parcel number of the land being annexed is 010042501 and the population of all people living on the transferred land is 0.

Section 3. That the limits of the Second Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. 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 5. 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: _____

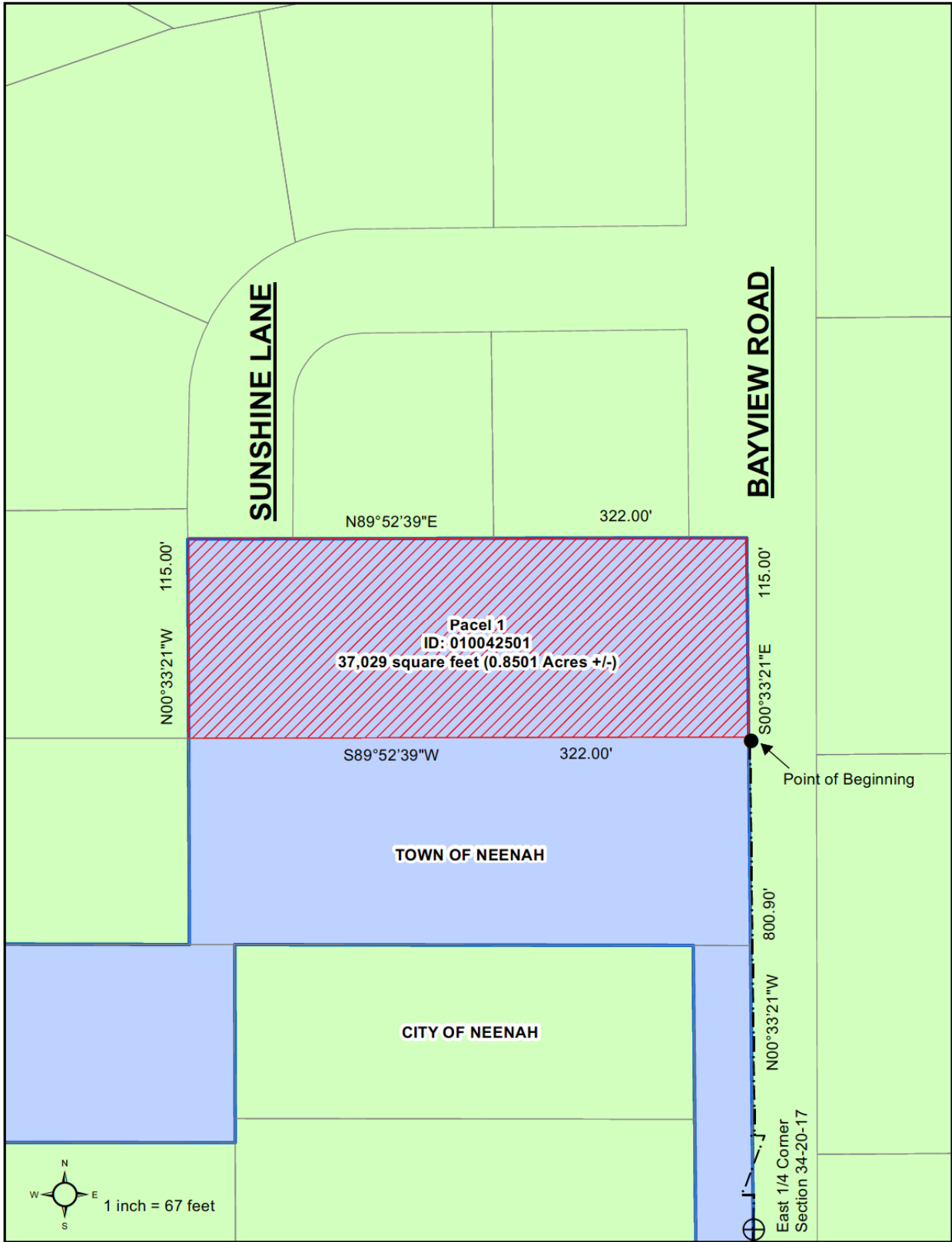
Approved:

Dean R. Kaufert, Mayor

Attest:

Patricia Sturn, City Clerk

Exhibit 1





**211 Walnut Street
Neenah, WI 54956**

AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – 29.94 Acres of land along the east side of I-41 and between Bell Street and County Road G – Loren Rangeloff owned property to the City of Neenah.

ORDINANCE NO. 2019-02
Introduced: January 16, 2019

Committee/Commission Action:
RECOMMENDED FOR PASSAGE

AN ORDINANCE

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

Section 1. Pursuant to Section 66.0217(2), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Neenah, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit 1:

Located in Section Five (5) Township Nineteen (19) Range Seventeen (17) East, Town of Neenah, Winnebago County, Wisconsin, containing 1,304,186 Square Feet (29.94 Acres) of land described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 5; thence South 88 degrees 45 minutes 42 seconds West, 33.00 feet along the south line of the fractional northeast $\frac{1}{4}$ of Section 5 to the west right of way line of Schultz Drive and the Point of Beginning; thence continuing South 88 degrees 45 minutes 42 seconds west, 579.52 feet along said south line to an easterly line of the Fox River Valley Railroad, 1408.76 Feet; thence South 20 degrees 09 minutes 51 seconds West, along the easterly line of the Fox Valley Railroad to the southwest corner of Lot 2, Certified Survey Map No. 6276; thence continuing South 20 degrees 09 minutes 51 seconds West, along the easterly line of the Fox Valley Railroad 1,467.56 feet, more or less, to the south right of way line of County Road G; thence South 88 degrees 19 minutes 21 seconds west along the south right of way line of County Road G a distance of 180.03 feet, more or less, to the east right of way of Interstate 41 (also being the west line of the Soo Line Railroad); thence North 20 degrees 09 minutes 51 seconds East, along the easterly right of way line of Interstate 41 (also being the west line of the Soo Line Railroad) a distance of 3,775.82 feet, more or less; thence North 70 degrees 09 minutes 51 seconds West, along the right of way of Interstate 41 (also being the west line of the Soo Line Railroad) a distance of 33.00 feet, more

or less; thence North 20 degrees 09 minutes 51 seconds East, continuing along the easterly right of way line of Interstate 41 (also being the west line of the Soo Line Railroad) a distance of 586.15 feet, more or less; thence South 86 degrees 33 minutes 17 seconds west a distance of 85.30 feet, more or less; thence Northerly, on a line of 01 degree 40 minutes to the East a distance of 310.16 feet, more or less; thence North 33 degrees 53 minutes 34 seconds East a distance of 352.09 feet, more or less; thence North 88 degrees 41 minutes 04 seconds East a distance of 83.00 feet, more or less, to the East line of Section Five (5) Township Nineteen (19) Range Seventeen (17) East, Town of Neenah, Winnebago County, Wisconsin; thence continuing South along the East line of Section Five (5) Township Nineteen (19) Range Seventeen (17) East, Town of Neenah, Winnebago County, Wisconsin a distance of 1,073.15 feet, more or less, to the north right of way of Enterprise Drive and the southwest corner of Lot 1, Certified Survey Map No. 1915; thence South 88 degrees 16 minutes 07 seconds West along the north right of way line of Enterprise Drive a distance of 33.00 feet; thence South 01 degree 59 minutes 20 seconds East along the west right of way line of Schultz Drive a distance of 906.82 feet to the Point of Beginning.

That said territory shall be zoned temporary I-1, Planned Business Center District.

Section 2. The petition for annexation is conducted under unanimous approval (Wisconsin State Statute Sec. 66.0217(2)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14170. The annexation area is 29.94 acres in size and is wholly located in the Town of Neenah, Winnebago County. The parcel numbers of the land being annexed are 01000440201, 0100072, 010007301, 0100050, 0100065, 010004401, 0100071, 010007302, 0100064, 0100051, 0100045, and 010004402 and the population of all people living on the transferred land is 0.

Section 3. That the limits of the Second Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. 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 5. 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:

Adopted: _____

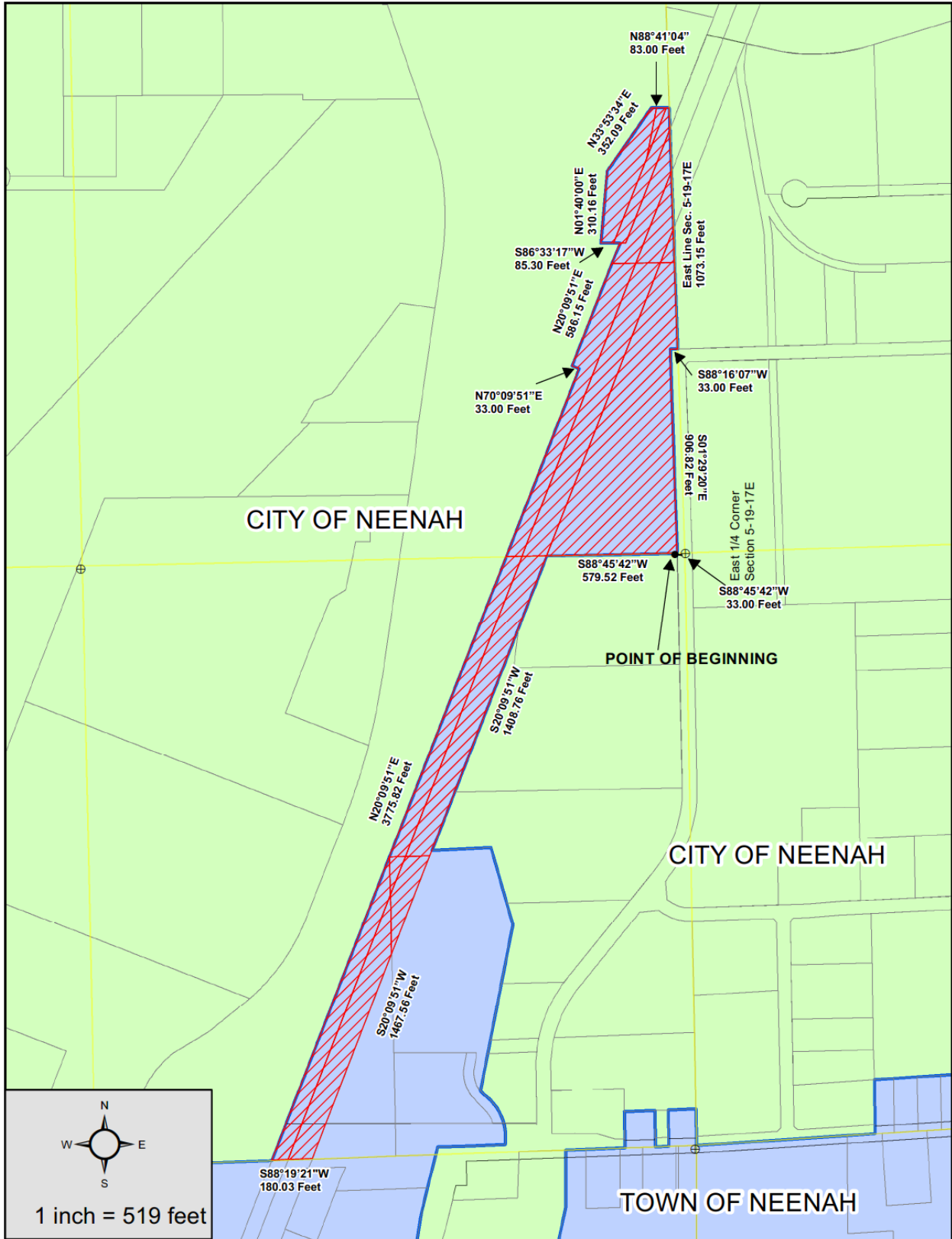
Dean R. Kaufert, Mayor

Published: _____

Attest:

Patricia A. Sturn, City Clerk

Exhibit 1



STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

Date: February 6, 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