



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, October 21, 2020 - 7:00 p.m.
Neenah City Hall
Council Chambers

Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting will occur at a virtual location accessed by the below link or conference call. Committee members and the public should use the following information:

Link: <https://global.gotomeeting.com/join/757774389>

OR

Conference Telephone Number (AUDIO ONLY): [+1 \(408\) 650-3123](tel:+14086503123)
Access Code: 757-774-389

- Members of the public who join the meeting will be asked for their name and address and whether they wish to speak during the Public Forum.
- The web link or conference call-in number may be accessed from any location.
- For members of the public unable to access this meeting online or via conference call, the Mayor and a staff member will be present in the Council Chambers, City Hall, 211 Walnut Street, Neenah, to assist those wishing to attend the meeting. The Council Chambers will be open to eight (8) people in addition to the Mayor and one staff person, consistent with the social distancing rules established under Emergency Order 12 (Safer at Home Order).

I. Roll Call

Bergstrom Mahler Presentation: Amy G Moorefield

II. Introduction and Confirmation of Mayor's Appointment(s)—None

III. Approval of Council Proceedings

- A. Approval of the Council Proceedings of October 7, 2020 regular session. **(UC)**

IV. Public Hearings

- A. Consider Special Use Permit—912 S Commercial Street-Tow Truck Business

V. Plan Commission report pertaining to the Public Hearings

- A. Plan Commission meeting of October 13, 2020: (Ald. Lang) (Minutes can be found on the City web site)
1. Plan Commission finds that the proposed use meets the findings for a Special Use Permit (Sec. 26-48) and recommends Council approve a Special Use Permit for a tow truck business located at 912 S Commercial Street subject to the Approval letter and by removing the fencing requirement but limiting the number of vehicles related to the tow

business to two tow trucks stored in the building and a maximum of four trailers may be stored on the property. A review of the special use permit will be conducted in one year. **(RollCall)**

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 the Retail "Class B" License Application for Rolling Thunder Lanes LLC, d/b/a Rolling Thunder Lanes, 934 Byrd Ave, Neenah, William Smith, Agent, for the 2020-2021 licensing year. **(PSSC) *Clerk Note: All Liquor Licenses are issued when applicant is in compliance with all required inspections and payment of any debts to the City. Code secs. 4-1 & 4-95(c).**
- B. **(UC)**

IX. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of October 13, 2020: (Chairman Bates/Vice Chairman Lang) (Minutes can be found on the City web site)
1. Committee recommends Council approve Ord. 2020-16 Amending Sec. 22-323 Stormwater Performance Standards **(RollCall-Pro)**
- B. Regular Finance and Personnel Committee meeting of October 12, 2020: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
1. Committee recommends Council approve the petition for Annexation #220 of 0.74 acres located at 1261 W. Winneconne Avenue in the Town of Neenah **(RollCall)**
 2. Committee recommends Council approve the Lease Agreement between the City of Neenah and Brazee Farms, Inc. for City owned property located at CTH G and Woodenshoe Road in the Town of Vinland **(RollCall)**
 3. Committee recommends Council approve the Church Lot Lease Agreement between the City of Neenah and First Presbyterian Church of Neenah for the ten-year period from September 1, 2020 through August 31, 2030 at an annual lease rate of \$8,000. (RollCall)
 4. Committee recommends Council approve amending Tax Increment District No. 11 Development Agreement with Pendleton Park LLC to increase the Maximum City Contribution to \$2,215,000, change the completion date of the Coral Court Development to January 1, 2021 and increase the estimated value of the Coral Court Development to

\$3.75 million. The recommended approval of the amendment includes acknowledgement of the \$2 million increase in the Pendleton Park TIF project value as part of the rationale. **(RollCall)**

5. Committee recommends Council approve the 2021 health, dental, and vision insurance plans **(RollCall)**
- C. NMFR Joint Finance & Personnel Committee meeting of October 6, 2020: (Chairman Boyette) (Minutes can be found on the City web site)
 1. Committee recommends Council approve the Joint Powers Agreement with the Winnebago County and the City of Neenah **(RollCall)**
- X. Reports of special committees and liaisons and various special projects committees
 - A. Regular Plan Commission meeting of September 29, 2020: (Council Rep. Lang) (Minutes can be found on the City website)
 1. Commission declares the remnant land along Mayer Street and Harrison Street as excess public property and recommend Council authorize the sale of the property **(RollCall)**
 - B. Regular Plan Commission meeting of October 13, 2020: (Council Rep Lang) (Minutes can be found on the City web site)
 1. The Commission recommends approval Annexation #220 (Ordinance #2020-15) and the property also receive an R-1, Single Family Residence District zoning classification. **(RollCall)**
 - C. Board of Public Works meeting of October 13, 2020: (Vice Chairman Bates) (Minutes can be found on the City web site)
 1. Information Only Items:
 - a) The Board approved Pay Estimate No. 1, Contract 11-20, Lakeshore Avenue Street Construction to Sommers Construction Company, Inc., Shiocton, in the amount of \$5,225.00
 2. Council Action Items:
 - a) The Board recommends Council approve Final Payment for Contract 8-20, Epoxy Pavement Markings to Century Fence, Pewaukee, in the amount of \$59,183.45 **(RollCall)**
 - D. Community Development Authority
 1. Report from the CDA – Director Haese
 - E. Library Board
 1. Report from the Library Board – Alderperson Erickson
 - F. Neenah Arts Council
 1. Report from the Neenah Arts Council – Alderperson 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

XIV. New Business

- A. 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.

Common Council Minutes
Wednesday, October 7, 2020—7:00pm

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met virtually in regular session at 7:00pm, October 7, 2020.

Mayor Kaufert in the chair.

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

Also Present: Mark Gaell, Lee Hilstrom, Deputy Director of Community Development & Assessment Schmidt, and Director of Information Systems Wenninger

Mayor Kaufert called the meeting to order at 7:04pm

- I. Clerk Cheslock called a voice roll call
- II. Introduction and Confirmation of Mayor's Appointments
 - A. Ratification of Alderperson Brian Borchardt's appointments to the following committees: Finance & Personnel, Neenah-Menasha Fire Rescue Finance & Personnel Committee, Committee of Rules, Park & Recreation Commission, and Sustainable Neenah Committee.
MS Stevenson/Boyette to confirm the appointment of Alderperson Borchardt to Finance & Personnel, Neenah-Menasha Fire Rescue Finance & Personnel Committee, Committee of Rules, Park & Recreation Commission, and Sustainable Neenah Committee. There being no objections the motion was approved by unanimous consent.
- III. Proceedings
MS Bates/Stevenson to approve the Council Proceedings of the regular meeting of September 16, 2020 and the special meeting of September 29, 2020. There being no objections the motion was approved by unanimous consent.
- IV. Public Hearings—None
- V. Report pertaining to the Public Hearings—None
- VI. Public Forum
 - A. Natalie Strohmeier—618 Bondow Drive, Neenah—Stated she is running for re-election as the Register of Deeds for Winnebago County. She shared some of the highlights of her last term and requested support at the November General Election.

- B. Mike Geall—617 E Wisconsin Ave, Neenah—Thanked the Council for reviewing his permit and will be attending the remainder of the meeting if anyone has any questions.
- C. There being no further appearances, Mayor Kaufert closed the public forum.

VII. Mayor/Council consideration of public forum issues

- A. Alderperson Bates asked Ms. Strohmeyer about training options and annual conferences available for the Register of Deeds staff. Ms. Strohmeyer stated there are two annual conferences, one in spring and one in fall. Alderperson Boyette thanked Ms. Strohmeyer for running for the office of Register of Deeds.

VIII. Consent Agenda—None

IX. Reports of standing committees

- A. Chairman Bates reported from the Regular Public Service & Safety Committee meeting of September 29, 2020: (Chairman Bates/Vice Chair Lang) (Minutes can be found on the City's website)
 - 1. Committee recommends Council approve the Easement for We Energies work request 4437057 for the installation of a transformer at 231 E Wisconsin Avenue
No discussion.
MSCRП Bates/Lang, all voting aye.
- B. Chairman Erickson reported from the regular Finance & Personnel Committee meeting of September 28, 2020:
 - 1. Committee recommends Council authorize the sale of 1,200 square feet of public land to Corey and Michelle VerHaagh for \$500
Council discussed how and when the property will be assessed with the new addition. Dep. Dir. Schmidt explained that a Certified Survey Map will be executed to combine the addition to the adjacent property and as of January 1, 2021 be assessed as part of that property.
MSCRП Erickson/Boyette, all voting aye.
 - 2. Committee recommends Council approve the authorization to expend \$71,000 of reserves divided equally from Tax Increment Districts #5 (\$35,500) and #8 (\$35,500) to expand the City's fiber network into the downtown area, starting at City Hall and terminating near Gateway Plaza. Council discussed the fact that this is an addition to the budget and therefore requires a $\frac{3}{4}$ vote to pass.
MSCRП Erickson/Stevenson, all voting aye.
Alderperson Steele had some technical issues and was not present for two roll call votes. Unanimous consent was requested to record her votes with the majority. There were no objections.
 - 3. Committee recommends Council approve the authorization to enter into a 60 month agreement with Gordon Flesch Company for the lease of 21 Canon Multifunction Devices, support services for those devices and support

services for 21 HP printers currently owned by the City at an average monthly cost of \$2,540.

No discussion.

MSCR P Erickson/Borchardt, all voting aye.

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

A. Vice Chairman Bates reported from the Board of Public Works meeting of October 1, 2020:

1. Information Only

a. The Board approved Pay Estimate No. 6 for Contract 1-20, Sewer and Water Main and Street Construction on Abby Avenue, Bond Street, Center Street, and Clybourn Street to Kruczek Construction, Inc., Green Bay, in the amount of \$253,634.86

b. The Board approved Pay Estimate No. 3 for Contract 3-20, HMA Street Construction on Cavalry Lane, Gillingham Road, Monroe Street, and Van Street to Sommers Construction, Shiocton in the amount of \$23,155.12

c. The Board approved Pay Estimate No. 3 for Contract 4-20, Water Main and Street Construction on Green Bay Road, Marathon Avenue, and Tullar Road to Vinton Construction, Co Inc., Two Rivers, in the amount of \$380,686.29

d. The Board approved Pay Estimate No. 1 for Contract 7-20, Re-Roof Apparatus Garage, Neenah-Menasha Fire Station #32, to Oshkosh Industrial Roofing and Sheet Metal, Winnebago, in the amount of \$30,087.50

Council discussed the Fire Station roof project and what percentage was complete. It is 75% complete and waiting on the sky lights to be delivered and installed.

B. Landmarks Commission

1. Alderperson Lang stated there has not been a Landmarks meeting and therefore no report.

C. Sustainable Neenah Committee

1. Mayor Kaufert stated there has not been a meeting and therefore no report.

D. Reports on neighborhood groups

1. Business Improvement District (BID) Board

a. Alderperson Lang reported from the BID Board meeting of September 15, 2020. She stated Ultimate Ladies Day was held on Sept. 12, 2020 and was successful and had numerous positive comments. The Luminary Pop-up Cookie Crawl will take place on Dec 17, 2020. Small Business Saturday is November 28th. There is a Downtown Neenah Gift Certificate Event on November 6 & 7. There are also two large development projects breaking ground in the coming months.

E. Bergstrom Mahler Museum

1. Alderperson Spellman reported the museum is temporarily closed due to the health orders. The Museum encourages people to visit their website and online store.

F. Neenah Arts Council

1. Alderperson Erickson reported from the Neenah Arts Council meeting of September 23, 2020. The Council has passed on a public pumpkin carving event due to lack of time to conduct an event successfully and safely. They are currently discussing Celebrate the Season 2020.

XI. Petitions—None

XII. Council Directives—None

XIII. Unfinished Business

- A. Motion by Boyette, seconded by Stevenson to reconsider the Revocable Occupancy Permit to Michael Geall for installation of a fence on S. Park Avenue for his property located at 617 E Wisconsin Avenue** (Originally recommended for approval by the August 25, 2020 meeting of the Public Service and Safety Committee and rejected by the Council at the September 2, 2020 meeting.)

Council discussed the potential safety concerns of having a shorter fence in that location with the amount of foot traffic that will be in the area after the Lakeshore trail is complete, the possibility of lowering the fence height, the aesthetic appeal of the current fence, the fact that this property is a corner lot, the options for fencing on the Wisconsin Ave side of the property, and the possibility of this item going back to committee for further discussion.

Mr. Geall, the property owner, explained that the current fence had not been an issue until the buckthorn had been cleared and they discovered the fence needed to be repaired or replaced. They cannot move the fence back to the usual set back because of the utility easement placed there by We Energies. They would like the fence to remain six feet tall due to security issues. If they cannot put in a new 6 ft fence as desired they plan to keep the current fence in place.

Motion Passes 5-4 (Ald. Boyette, Lendrum, Lang, Stevenson, and Borchardt voted yes; Ald. Steele, Bates, Erickson, and Spellman voted no. MSC Lendrum/Erickson to send the Revocable Occupancy Permit for Michael Geall for installation of a fence on S. Park Avenue for his property located at 617 E Wisconsin Avenue, back to Public Services and Safety Committee for further discussion; 5-4 (Ald. Lendrum, Steele, Bates, Erickson, and Spellman voted yes; Ald. Boyette, Lang, Stevenson, and Borchardt voted no).

- B. Consideration of revised mitigation plan relating to the recovery and cataloguing of cultural artifacts, and monitoring of excavation for the road reconstruction of

the Lake Shore Avenue project (contract 11-20)—attachment to be distributed at a later date.

Dir. Kaiser walked through his memo distributed October 5, 2020. He reiterated the fact that regardless of the alternative chosen for this project this kind of mitigation plan would have been necessary. Dir. Easker outlined funding options for the fees. Attorney Godlewski walked through his memo regarding the status of the area being a no excavation zone after construction is complete.

Council discussed the kind of equipment needed for this kind of excavation work, the possibility to apply for any grants to assist in paying the fees, some small changes made to the project to accommodate the burial features, the prospective locations of the reburial sites and what that means for any kind of future development. The Council also discussed how the plan was approved, what agencies were involved, and what the ramifications are if they do not pay the fees. They also discussed the opportunity this project is giving the City to collect, share, and celebrate the history of our area, and what the reserve funds are generally used for.

MSC Lang/Bates to amend the 2020 capital projects budget and approve the mitigation plan and the expenditure of \$125,000 with staff reports to committees and updates to the council to come from the public works reserve fund, 7-2 (Ald. Boyette and Stevenson voted no.)

XIV. New Business

Ald. Lang touched base on the grant making project and asked for an update from staff.

Attorney Godlewski announced his upcoming retirement from the City of Neenah. He will retire on February 4, 2021. The process has already begun to fill the position. Attorney Godlewski stated it is time for him to move on and let younger hands take the wheel, though he won't be going far. He looks forward to a new way to be involved with the City.

Mayor Kaufert proclaimed his thanks to Attorney Godlewski for his years of service. Council President Stevenson also acknowledged Attorney Godlewski on behalf of the Council and thanked him for his dedication to the position.

Mayor Kaufert stated Trick or Treat will take place October 31 from 4-7 in the City of Neenah and suggests taking as many precautions as possible to be safe.

Mayor Kaufert and City Clerk Cheslock outlined upcoming dates and deadlines for the General Election. In office absentee voting begins in City Hall on October 20 and runs through October 30. The deadline to register by mail or online is October 14th and the last day to request an absentee ballot is October 29th, though it is recommended to do so as soon as possible because all ballots must be received back in the clerk's office by 8pm on Election day. The City did order a new ballot drop box which will be located in the main vestibule of City Hall for those voters who do not want to mail their ballot in.

Mayor Kaufert discussed the current state of COVID-19 in our area and highlighted how the City is working with the Winnebago Health Department and

Council Minutes

October 7, 2020

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continues to follow CDC guidelines. The Council discussed the benefits of being able to continue to hold meetings virtually.

XV. Adjournment

MSC Stevenson/Boyette to adjourn at 9:16 pm, all voting aye.



Stephanie Cheslock
City Clerk

Common Council Proceedings
Wednesday, October 7, 2020—7:00pm

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Mayor Kaufert in the chair.

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Also Present: Mark Gaell, Lee Hilstrom, Deputy Director of Community Development & Assessment Schmidt, and Director of Information Systems Wenninger

Mayor Kaufert called the meeting to order at 7:04pm

- I. Clerk Cheslock called a voice roll call
- II. Introduction and Confirmation of Mayor's Appointments
 - A. Ratification of Alderperson Brian Borchardt's appointments to the following committees: Finance & Personnel, Neenah-Menasha Fire Rescue Finance & Personnel Committee, Committee of Rules, Park & Recreation Commission, and Sustainable Neenah Committee.
MS Stevenson/Boyette to confirm the appointment of Alderperson Borchardt to Finance & Personnel, Neenah-Menasha Fire Rescue Finance & Personnel Committee, Committee of Rules, Park & Recreation Commission, and Sustainable Neenah Committee. There being no objections the motion was approved by unanimous consent.
- III. Proceedings
MS Bates/Stevenson to approve the Council Proceedings of the regular meeting of September 16, 2020 and the special meeting of September 29, 2020. There being no objections the motion was approved by unanimous consent.
- IV. Reports of standing committees
 - A. Chairman Bates reported from the Regular Public Service & Safety Committee meeting of September 29, 2020: (Chairman Bates/Vice Chair Lang) (Minutes can be found on the City's website)
 1. Committee recommends Council approve the Easement for We Energies work request 4437057 for the installation of a transformer at 231 E Wisconsin Avenue
MSCRP Bates/Lang, all voting aye.
 - B. Chairman Erickson reported from the regular Finance & Personnel Committee meeting of September 28, 2020:
 1. Committee recommends Council authorize the sale of 1,200 square feet of public land to Corey and Michelle VerHaagh for \$500

MSCRP Erickson/Boyette, all voting aye.

2. Committee recommends Council approve the authorization to expend \$71,000 of reserves divided equally from Tax Increment Districts #5 (\$35,500) and #8 (\$35,500) to expand the City's fiber network into the downtown area, starting at City Hall and terminating near Gateway Plaza.

MSCRP Erickson/Stevenson, all voting aye.

Aldersperson Steele had some technical issues and was not present for two roll call votes. Unanimous consent was requested to record her votes with the majority. There were no objections.

3. Committee recommends Council approve the authorization to enter into a 60 month agreement with Gordon Flesch Company for the lease of 21 Canon Multifunction Devices, support services for those devices and support services for 21 HP printers currently owned by the City at an average monthly cost of \$2,540.

MSCRP Erickson/Borchardt, all voting aye.

V. Unfinished Business

- A. **Motion by Boyette, seconded by Stevenson to reconsider the Revocable Occupancy Permit to Michael Geall for installation of a fence on S. Park Avenue for his property located at 617 E Wisconsin Avenue** (Originally recommended for approval by the August 25, 2020 meeting of the Public Service and Safety Committee and rejected by the Council at the September 2, 2020 meeting.)

Motion Passes 5-4 (Ald. Boyette, Lendrum, Lang, Stevenson, and Borchardt voted yes; Ald. Steele, Bates, Erickson, and Spellman voted no. MSC Lendrum/Erickson to send the Revocable Occupancy Permit for Michael Geall for installation of a fence on S. Park Avenue for his property located at 617 E Wisconsin Avenue, back to Public Services and Safety Committee for further discussion; 5-4 (Ald. Lendrum, Steele, Bates, Erickson, and Spellman voted yes; Ald. Boyette, Lang, Stevenson, and Borchardt voted no).

- B. Consideration of revised mitigation plan relating to the recovery and cataloguing of cultural artifacts, and monitoring of excavation for the road reconstruction of the Lake Shore Avenue project (contract 11-20)—attachment to be distributed at a later date.

MSC Lang/Bates to amend the 2020 capital projects budget and approve the mitigation plan and the expenditure of \$125,000 with staff reports to committees and updates to the council to come from the public works reserve fund, 7-2 (Ald. Boyette and Stevenson voted no.)

VI. Adjournment

MSC Stevenson/Boyette to adjourn at 9:16 pm, all voting aye.



Stephanie Cheslock
City Clerk

**CITY OF NEENAH
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the City of Neenah to consider a Special Use Permit request by the Easy Towing Fox Valley, to establish a towing business on property located at 912 S. Commercial Street, Neenah, Wisconsin.

The property for which the Special Use Permit is requested is legally described as follows:

Lot 1 of CSM No. 7157 being part of the NW ¼ of the NW ¼, all being part of Section 34, Township 30 North, Range 17 East, City of Neenah, Winnebago County, Wisconsin.

The hearing will be held at a virtually. Details on how to access the virtual meeting can be found at www.ci.neenah.wi.us/events/

Plan Commission Informal Hearing

**Tuesday, October 13, 2020
4:15 P.M.**

Council Formal Hearing

**Wednesday, October 21, 2020
7:00 P.M.**

Brad R. Schmidt, AICP
Deputy Director
Community Development
Neenah, Wisconsin

Stephanie Cheslock
City Clerk
Neenah, Wisconsin

Publish: October 9 and 12

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, October 13, 2020, 6:30 PM

Due to the Public Health Emergency caused by the COVID-19 Pandemic, these meeting minutes are from a virtual web link (Audio & Video) and conference call (Audio only). There were no in-person attendees from the public.

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

Excused:

Also Present: Mayor Kaufert, City Attorney Godlewski, Deputy City Attorney Westbrook, Public Works Director Kaiser, Police Chief Olson, Captain Bernice, Community Liaison Officer Zuehls, Deputy Director Community Development and Assessment Schmidt, PW Office Manager Mroczkowski, Alderperson Boyette, County Sup. Brian Defferding, and Ron Klatt,

Approval of Minutes of the meetings for September 29, 2020

Motion Second/Carried Lendrum/Lang to approve of the minutes of the Meeting of September 29, 2020. All voting aye.

Public Appearances:

Brian Defferding, Winnebago County Board Supervisor District 6, 686 Oak St., Neenah.

Mr. Defferding spoke to the committee in regards to the new Winnebago County Connect Program. This is a collaborative effort between the Winnebago County District Attorney's Office and the Winnebago County Department of Health and Human Services. This program will be the central focus of the County's incarceration diversion programs. The plan for the Connect Program is that offenders will be referred by the District Attorney's Office. They will be assessed by the Department of Health and Human Services case managers. If they pass the assessment, a custom plan will be developed for each individual. Upon successful completion of the program the individual's criminal charge will be expunged from their record.

Mr. Defferding also inquired about a request that he had made in regards to the Police MRAP Unit. He has not received the requested information and would like to know the status.

Chief Olson stated the information was sent out and put on the City's webpage. Director Kaiser stated the information was presented at the July 7th Public Services and Safety Committee. Chief Olson will send Mr. Defferding the information again.

Ron Klatt, 202 Grant St., Neenah WI

Mr. Klatt spoke to the committee in regards to renaming of the slough. He provided background and history of the slough and suggested that there be a proclamation renaming the slough to the Hunt River.

Aldersperson Lendrum stated she would support the idea of a proclamation of informally naming the slough. Aldersperson Lang asked Mr. Klatt what his goal is for renaming of the slough. Did he want signage? Did he want people to use the new name and if so what are his ideas to make that happen.

Mr. Klatt responded stating he would like to see signage along Winneconne Avenue, Cecil Street and Main Street. The name would only be for the part of the slough that is in the city's boundaries. Aldersperson Boyette stated she had talked with Traffic Engineer Merten regarding the cost of placing signs along the slough and he said it would be minimal.

Aldersperson Bates likes the idea of taking the negative connotation away by renaming the slough. She stated it could make it more inviting for people to use for recreational purposes and attract potential developers. She would like the name to only be for the part of the slough that is in the city.

Aldersperson Spellman stated she also likes the idea of renaming the slough and taking away the negative connotation that the word slough brings. She is afraid of inconsistencies across jurisdictions so she too would like the renaming to be only for the part that is within city boundaries. She added though, she is not sure the renaming is going to have the impact we are looking for market wise if it is not changed on maps.

Aldersperson Stevenson expressed that he was excited when this idea was brought up in 2012. Now Mr. Klatt is presenting some valid points and good ideas. He would support the renaming but only within the city boundaries.

Aldersperson Bates would like to see a copy of the original report that was done by the Parks and Recreation Department. Aldersperson Boyette stated that Community Development Department has the report. Aldersperson Bates will put this on a future agenda after all the information has been collected.

Revocable Occupancy Permit 617 E Wisconsin Ave:

Aldersperson Lendrum was disappointed that the property owner was not at the meeting to answer questions.

Deputy Director Schmidt stated he talked with the owner's representative who told him that he had shared what he wanted to at the Common Council meeting. The representative stated that the owner made it clear this was his request and he was not willing to change it. Deputy Director Schmidt stated if Committee and Council decides to not approve the revocable occupancy permit, the current fence will remain.

Aldersperson Bates stated that this agenda item should be brought back at a future meeting when the property owner can attend. She stated that she wanted to address the fence on

the Wisconsin Avenue side of the property in addition to the fence on S. Park Avenue. Deputy Director Schmidt reiterated that this item has nothing to do with the Wisconsin Avenue fence. He further stated that this revocable occupancy permit does not set a precedent. Alderperson Bates did not agree.

Mayor Kaufert noted that, in his discussions with the owner's representative, the owner expressed his intention of installing the same type of fence along the Wisconsin Avenue side of his property. Alderperson Bates stated she would like to deal with both of the fences at the same time. Deputy Director Schmidt stated that the difference with the fence along the Wisconsin Avenue side of this property, which is also in the city right-of-way, is that there is a high probability that it can be moved back onto the owner's property, whereas the fence on S. Park Avenue cannot. The situations are not the same.

Alderperson Stevenson expressed support for the revocable permit. He feels the original fence was put up years ago and has not affected city infrastructure.

Officer Zuehls stated that, from a crime prevention through environmental design standpoint, the current fence is in poor condition and does nothing to prevent access to the owner's property. He stated that a new fence would be better at discouraging access to this property.

Alderperson Bates asked Director Kaiser about the future plans of the sidewalk along Wisconsin Avenue and if the fence on the Wisconsin Avenue side of this property will impede the Wisconsin Avenue sidewalk installation included in the Lakeshore Avenue project. Director Kaiser stated the current sidewalk plans included in that project will not be affected by the fence.

Motion/Second Lendrum/Bates to table discussion of the Revocable Occupancy Permit 617 E Wisconsin Avenue.

Ald. Stevenson requested Unanimous Consent to suspend the rule restricting discussion of a tabling motion. Request failed 3-2 (Alderspersons Lendrum and Bates voting no).

The motion to table was on the floor. **Motion passed** 3-2 (Alderspersons Lang and Stevenson voting no).

Ord 20-16 Amending Sec. 22-323 Stormwater Performance Standards:

Assistant City Attorney Westbrook reviewed the ordinance changes. He noted that the changes to the code are intended to bring the code in conformance with actual practice. The first change clarifies our practice relative to the threshold of impervious area requiring water quality best management practices. The interpretation of this section came up recently with the Lakeshore project. Our ordinance has always been interpreted to mean 20,000 additional square feet of impervious surface. The second change is in the exemption section regarding multi-modal trails. The DNR separates trails and other projects. We need to follow the DNR regulations with protected areas, so by adding this

language to the ordinance we are just incorporating the DNR rules we already have to follow.

Aldersperson Stevenson asked for clarification of the differences between the Arrowhead Park project and the Lakeshore Avenue Project. Assistant City Attorney Westbrook stated the Arrowhead Park project had more than 20,000 square feet of additional impervious surface for the trail. The Lakeshore project is under 20,000 square feet of additional impervious surface including the road and the trail.

Mayor Kaufert asked if changing this ordinance now will hurt the ongoing litigation on the Lakeshore Avenue Project. Assistant City Attorney Westbrook stated it will not. The ordinance changes are to match our past practice.

Report Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approval of Ord 20-16 Amending Sec. 22-323 Stormwater Performance Standards.** All voting aye.

Ord 20-17 Creating Sec. 11-57 Metal Detectors Prohibited on Public Lands and Right-of-Way:

Assistant City Attorney Westbrook reviewed his memo regarding the creation of Section 11-57 to Ordinance 20-17 prohibiting the use of metal detectors on public property. This new section was created after a recent discussion with the State and Tribal representatives on Lakeshore Avenue. Their concern is with people digging in burial areas. Lakeshore Avenue is considered a burial area and Kimberly Point Park is a likely burial area also. He further stated there are exemptions, where a no cost permit can be taken out if there is a real need to use a metal detector. Director Kaiser followed up that any public utilities that are not city owned are required to take out a Street Excavation Permit to work in the city right-of-way. We can make this a condition of their permit.

Mayor Kaufert was glad to see there is an exemption in the ordinance. He further stated he would like to see the ordinance allow metal detectors but ban the digging on city and park land. Assistant City Attorney Westbrook stated the committee has the authority to amend and add whatever language they deem is appropriate.

Director Kaiser stated that Parks Superintendent Fink informed him that there are park rules that prohibit digging in city parks. Aldersperson Bates asked if the park rules are part of the ordinance. Assistant City Attorney Westbrook stated the ordinance includes language that the Park Commission oversees the parks but the rules that Director Kaiser talked about are not in the ordinance.

Aldersperson Bates would like to see all the parks, except for Kimberly Point Park, as an exemption to the ordinance. Aldersperson Stevenson questioned why we were entertaining the idea of banning the use of metal detectors in the parks if we have already addressed the issue of banning digging on city land and parks through the park rules. Assistant City Attorney Westbrook clarified that Lakeshore Avenue falls under state law that prohibits any metal detector use and digging on a cataloged burial site. When talking with the tribal

representatives, their concern was with Kimberly Point Park, which does not fall under state law, because of the proximity to Lakeshore Avenue. After discussion with staff Kimberly Point Park and all the other parks were included in the ordinance too.

Aldersperson Stevenson stated that he did not support the ordinance as written banning the use of metal detectors in all city parks.

Aldersperson Lang agreed with Aldersperson Stevenson and Aldersperson Bates. She further stated she has concerns with Riverside Park not being part of this ordinance because it has similar characteristic to Kimberly Point Park, she still feels this ordinance is too strict and reactive because of the Lakeshore Avenue Project.

Following discussion, **Motion/Second/Carried Stevenson/Spellman to refer the proposed ordinance back to staff to amend the language to allow metal detector use on public land and city parks with the exception of Kimberly Point Park and have Lakeshore Avenue fall under the state jurisdiction.** All voting aye.

3rd Quarter 2020 Statistics for the Neenah Police Department:

Chief Olson reviewed the 3rd Quarter Statistic Report. He stated a lot of the data is COVID-19 driven. He reviewed the significant decrease in accidents, reckless driving and OWI's. He attributes this to COVID-19. He noted that the Crime Prevention statistic is much higher than this same time in 2019. He stated that this includes officers who are patrolling, checking doors, walking by hotels and parks and more. He reviewed Overdoses and Drugs. He said the numbers are down because we are stopping fewer cars which is where the majority of the trafficked drugs are found.

Mayor Kaufert asked Chief Olson about the solution to all the graffiti taking place in the city. Chief Olson responded that officers are patrolling the parks more. They are also looking at cameras for the parks. He noted the logistics and costs related to installing cameras. Aldersperson Lendrum suggested looking at the camera that is used at the Neenah- Menasha Waste Water Treatment Plant along the Loop the Lake Trail. Aldersperson Spellman stated that the City of Detroit has started a program called the Green Light Project. This project is a collaboration between the city and businesses. Businesses can volunteer to put up cameras on their store fronts that are then available to the police department. She would like Police Department research this option before purchasing cameras. Chief Olson stated that they are already working on this option. The Police Department is creating a data base of the available cameras.

Chief Olson reviewed the Unified Crime Report. He reviewed in detail the Traffic Citations, Traffic Warnings, OWI arrests, Parking Citations and Accidents. He especially noted the locations of where accidents are occurring. He noted the number of traffic accidents taking place in round-a-bouts are decreasing as drivers become more familiar with them. He reviewed Drug Overdoses. Overdoses have become more related to Covid-19 than actual drug use.

Chief Olson discussed the Open Record Requests in detail. He stated since Marcy's Law was passed the open records requests have become overwhelming for staff. They have

gone from a part-time person to a full time person handling all the requests and have had to assign additional staff to assist the full time person. He stated some of these requests can take a full shift to complete because of the media type in these records and redaction required. There have been 836 open record requests in the 3rd Quarter.

Alderperson Stevenson questioned who was making the background check requests. Chief Olson responded that most of those are employers and insurance companies. Alderperson Stevenson asked for detail information of who is requesting the background checks. Assistant Chief Bernice stated that the majority are employers.

Licenses:

Liquor License Review Subcommittee of the Public Service & Safety Committee recommends the Committee approve the Retail "Class B" License Application for Rolling Thunder Lanes LLC, d/b/a Rolling Thunder Lanes, 934 Byrd Ave, Neenah, William Smith, Agent, for the 2020-2021 licensing year.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve the Retail "Class B" License Application for Rolling Thunder Lanes LLC, d/b/a Rolling Thunder Lanes, 934 Byrd Ave, Neenah, William Smith, Agent, for the 2020-2021 licensing year.** All voting aye.

Public Works General Construction and Department Activity:

- 1) Contract 7-19 (Breezewood Sanitary Sewer) – Work is complete.
- 2) Contract 1-20 (Abby, Bond, Center, Clybourn) Utility work is complete. Paving on Bond is scheduled for 10/9. The other streets will follow.
- 3) Contract 2-20 (Utilities - Van, Monroe) – Work is complete. A final estimate is being prepared.
- 4) Contract 3-20 (Street - Van, Monroe, Gillingham)
 - a) Gillingham, Van, Monroe, Cavalry – Work is complete.
 - b) Shootingstar – Work is on hold pending resolution of boundary issues. A CSM is being prepared.
- 5) Contract 4-20 (Green Bay, Tullar, Marathon)
 - a) Tullar, Marathon – Work is complete.
 - b) Green Bay – Water main work is complete. Concrete pavement was placed on the east side of the street. Pavement along the west side will be placed the week of October 12. Alderperson Stevenson asked Director Kaiser when traffic will be able to flow both ways. Director Kaiser stated paving could be done in the next two weeks. After that is done pavement marking will need to be done.

- 6) Contract 5-20 (Utilities - Lakeshore) – Utility work is complete except for the northernmost storm sewer outfall.
- 7) Contract 6-20 (Millview Drive Utility Relocation) – Mainline storm sewer and sanitary sewer relocation is complete. Some miscellaneous utility work and pavement repair remains.
- 8) Contract 7-20 (Fire 32 Roof) – Work is complete except for replacement of the skylights, which are on order.
- 9) Contract 9-20 (Misc. Asphalt Pavement Repairs) – Work has not been scheduled.
- 10) Contract 10-20 (Misc. Concrete Pavement and Sidewalk Repair) – Work is nearly complete for the year.
- 11) Contract 11-20 (Street - Lakeshore) – Archaeology investigation is ongoing. Monitored excavation is scheduled to start on October 12.
- 12) Building Manager – Pat Fischer has announced his retirement after more than 26 years with the city. A request to fill the position is being taken to the October 12 F&PC meeting. Alderperson Stevenson noted that the Committee authorized filling the position.
- 13) Recycling/Refuse Guide – Staff is doing its annual update to the guide. If there are any areas that you feel need clarity, let us know.
- 14) Electronics Recycling – We have an e-waste event at the Tullar Garage on October 17. There is no sponsorship for item charges. The event flyer is attached.

Adjournment: **Motion/Second/Carried Lendrum/Stevenson to adjourn at 9:07 p.m.** All voting aye.

Respectfully submitted,



Lisa Mroczkowski
Public Works Officer Manager

I wish to thank the Public Services and Safety Committee and the Mayor Kaufert for the opportunity to update you on my vision for The Slough. I also want to extend my heartfelt thanks to aldermen Cari Lendrum and Kathy Boyette who have helped me with this journey. I will briefly talk about four things: 1. The history of The Slough 2. Why the name should be changed 3. What I believe it now should be called. 4. How I came to this decision.

1. THE HISTORY:

From reviewing books, documents, and maps I learned that the slough has been called The Slough since 1847. In Cunningham's 1878 book it says "We soon thought about some way to get across the Neenah Slough" I have a 1909 map designating the waterway as The Slough.

The first time The Slough was involved in a possible name change was 1961-62 when the term Stoney River was presented to the Winnebago County Board by the Neenah Council, who had petitioned the Health Education and Welfare Department to change Neenah Slough back to Stoney River. This effort did not produce any official name change and I have found no maps with Stoney River listed on it. I learned about this effort through Cari Lendrum's facebook Slough page which she established in 2017. This is an excellent resource and many people have responded with their thoughts about The Slough on this page.

The second time was 50 years later in 2012. Laurie Olson, Superintendent of Recreation, headed a Name Selection Committee. I spoke to Laurie and she indicated that even though the name Neenah Creek was selected by the committee she did not forward it on. There was lack of enthusiasm for the new name and there were many local, county, and state obstacles that would have had to have been addressed and worked through. Also there is a Neenah Creek already near Oxford WI.

2. WHY A NAME CHANGE

By renaming The Slough home values could increase for the present homeowners along the waterway, as well as those who purchase homes in the future.

By renaming The Slough those who use non motorized crafts such as canoes and kayaks could be more attracted to this waterway

By renaming The Slough it would hopefully discourage an ongoing problem of the improper dumping of trash into the waterway

By renaming The Slough it would encourage the continuity of usage into Arrowhead and Washington parks. A rebranding of this waterway could coincide with the rebranding, rebuilding and expansion of these two Neenah parks.

By renaming The Slough it would promote a more desirable waterfront through the city and thus would be seen as an attraction rather than an aversion

3. WHAT SHOULD THE SLOUGH BE CALLED-- The Hunt River.

4.HOW I CAME TO THIS CONCLUSION

I picked up the torch in 2017 when I discovered several postcards of the Hunt River- Neenah WI. Researching it with Jane Lang I discovered that Edward Hunt owned property where Fox Point is today He had a gas station and cabins to rent on The Slough during the 1920's into the 1940's. The 1946 Hunt subdivision and Hunt Ave were named after his family. Being an entrepreneur my guess is he renamed The Slough after himself to draw renters to his cabins. Neenah also had a Hunt grocery store, and the P& E Hunt family firm had agencies at points along the Fox River involved in the flour business. Before it was called Doty Island it was called Hunt Island by the natives. Nothing to do with Edward of course. I walked The Slough from Main street to Cecil Ave. knocking on all the doors of homes that border the slough on the east and west sides. When I presented the Hunt name instead of The Slough the home owners overwhelmingly said they would much prefer Hunt River over The Slough.

MY LAST THOUGHTS

During my research on The Slough and previous efforts regarding a name change I have come to the following conclusion.

1. It would be too difficult to change the whole length of The Slough to a new name. The city of Neenah, various Towns, Winnebago County, the state of Wisconsin and the Corps of Engineers would all have to be involved and agree. I'm sure you understand. A Proclamation might be a much better way to go.
2. It has to be just one name -not a selection process. I fervently believe that if the name of The Slough is to be changed, the new name should be historically connected to our city. Stoney River or Cobblestone Creek are pleasant sounding names, but they do not represent the struggle that families had in building our thriving city in which we now reside. I favor Hunt because of its historic connection to Neenah and it is the only other name I actually found that was ever attached to the waterway, albeit by Edward Hunt.



**211 Walnut Street
Neenah, WI 54956**

AN ORDINANCE: By Public Services & Safety
Committee
Re: Amending Art. IV of Ch. 22, Erosion Control &
Stormwater Management

ORDINANCE NO. 2020-16
Introduced: 10/13/2020
Committee/Commission Action:
Recommended for Passage

AN ORDINANCE

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

Section 1. Section 22-323(c)(1) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

- (c) *Requirements.* The stormwater management plan shall meet the following minimum requirements to the maximum extent practicable:
 - (1) *Water Quality.* BMPs shall be designed, installed and maintained to control pollutants carried in runoff from the post-construction site. The design shall be based on the average annual rainfall, as compared to no runoff management controls.
 - a. The following is required for post-construction sites with one or more of the following: 20,000 square feet or more of additional impervious surface disturbance, or one acre or more of additional land disturbance.
 - 1. Except as provided in subsection 22-323(c)(1)a.2., a pollutant reduction is required as follows:

| Watershed | Total Suspended Solids (TSS) & Total Phosphorus (TP) Reduction | | | | | |
|---------------|--|-----|---------------|-----|---------------------|-----|
| | New Development | | Redevelopment | | Routine Maintenance | |
| | TSS | TP | TSS | TP | TSS | TP |
| Fox River | 80% | 41% | 72% | 41% | 72% | 41% |
| L. Winnebago | 80% | - | 40% | - | 40% | - |
| Neenah Slough | 80% | 41% | 52% | 41% | 52% | 41% |

- 2. A pollutant reduction is not required for routine maintenance areas that are part of a post-construction site with less than 5 acres of disturbance.

- b. For post-construction sites with less than 20,000 square feet of additional impervious surface disturbance, reduce the pollutant load using BMPs from the City of Neenah Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.
- c. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after September 3, 2008 are required to satisfy the performance standards within subsections 22-323(c)(1)a.1. and 2.
- d. The amount of pollutant control previously required for the site shall not be reduced as a result of the proposed development or disturbance.
- e. When designing BMPs, runoff draining to the BMP from offsite areas shall be taken into account in determining the treatment efficiency of the practice. Any impact on the BMP efficiency shall be compensated for by increasing the size of the BMP accordingly. The pollutant load reduction provided by the BMP for an offsite area shall not be used to satisfy the required onsite pollutant load reduction, unless otherwise approved by the administering authority in accordance with subsection 22-323(e).
- f. If the design cannot meet the water quality performance standards of subsections 22-323(c)(1)a. through e., the storm water management plan shall include a written, site specific explanation of why the water quality performance standard cannot be met and why the pollutant load will be reduced only to the maximum extent practicable. Except as provided in subsection 22-323(f), the administering authority may not require any person to exceed the applicable water quality performance standard to meet the requirements of maximum extent practicable.

Section 2. Section 22-323(c)(2) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

(2) *Peak discharge.* BMPs shall be designed, installed and maintained to control peak discharges from the post-construction site.

- a. The following is required for post-construction sites with one or more of the following: 20,000 square feet or more of additional impervious surface disturbance, or one acre or more of additional land disturbance.
 - 1. The peak post-development discharge rate shall not exceed the peak pre-development discharge rate for the one-year, two-year, ten-year, and 100-year, 24-hour design storms. These peak discharge requirements apply to new development and redevelopment areas. No peak discharge control is required for routine maintenance areas, unless runoff from the routine maintenance area discharges into a proposed peak flow control facility.
 - 2. Peak discharge calculations shall use TR-55 methodology. Atlas 14 rainfall depths and the MSE4 rainfall distribution shall be used unless the site is to be served by a previously constructed peak discharge facility. At the permittee's discretion, the TP-40 rainfall depths and the Type II rainfall distribution can be used for sites that are to be served by a previously constructed peak discharge facility. The meaning of "hydrologic soil group" and "runoff curve number" are as determined in TR-55. Unless the site is currently woodland, peak pre-development discharge rates shall be determined using the following runoff curve numbers for a "meadow" vegetative cover:

| Maximum Pre-Development Runoff Curve Numbers | |
|--|-----------------------|
| | Hydrologic Soil Group |
| | |

| Vegetative Cover | A | B | C | D |
|------------------|----|----|----|----|
| Meadow | 30 | 58 | 71 | 78 |
| Woodland | 30 | 55 | 70 | 77 |

b. For post-construction sites with less than 20,000 square feet of additional impervious surface disturbance, reduce peak post-development discharge rates using BMPs from the City of Neenah Storm Water Reference Guide. These sites are not required to satisfy a numeric performance standard.

c. Sites with a cumulative addition of 20,000 square feet or greater of impervious surfaces after September 3, 2008 are required to satisfy the performance standards within subsections 22-323(c)(2)a.1. and 2.

d. The amount of peak discharge control previously required for the site shall not be reduced as a result of the proposed development or disturbance.

e. When designing BMPs, runoff draining to the BMP from offsite areas shall be taken into account in determining the performance of the practice. Any impact on the BMP performance shall be compensated for by increasing the size of the BMP accordingly. The peak discharge reduction provided by the BMP for an offsite area shall not be used to satisfy the required onsite peak discharge reduction, unless otherwise approved by the administering authority in accordance with subsection 22-323(e).

f. An adequate outfall shall be provided for each point of concentrated discharge from the post-construction site. An adequate outfall consists of non-erosive discharge velocities and reasonable downstream conveyance.

g. *Exemptions.* The peak discharge performance standards do not apply to the following:

1. A transportation facility where the discharge is directly into a lake over 5,000 acres or a stream or river segment draining more than 500 square miles.
2. Except as provided under subsections 22-323(c)(2)d.—f., a highway reconstruction site.
3. Except as provided under subsections 22-323(c)(2)d.—f., a transportation facility that is part of a redevelopment project.

Section 3. Section 22-323(c)(4) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

(4) *Protective areas.*

e. *Exemptions.* The following areas are not required to meet the protective area requirements of subsection 22-323(c)(4):

1. Redevelopment and routine maintenance areas provided the minimum requirements within subsection 22-323(c)(4)d. are satisfied.
2. Structures that cross or access surface waters such as boat landings, bridges and culverts.
3. Structures constructed in accordance with Wis. Stats § 59.692(1v).
4. Areas of post-construction sites from which the runoff does not enter the surface water, including wetlands, without first being treated by a BMP to meet the requirements of

subsection 22-323(c)(1) and (2), except to the extent that vegetative ground cover is necessary to maintain bank stability.

5. Areas of post-construction sites with less than 20,000 square feet of additional impervious surface disturbance, or less than one acre of land disturbance.

6. Multi-modal trails

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.

Moved by: _____

Approved:

Adopted: _____

Dean R. Kaufert, Mayor

Approved: _____

Attest:

Published: _____

Stephanie A. Cheslock, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
Deputy City Attorney Adam J. Westbrook
211 Walnut Street
Neenah WI 54956
State Bar No. 1005210

**CITY OF NEENAH
FINANCE AND PERSONNEL COMMITTEE MEETING**

Monday, October 12, 2020 – 6:30 p.m.

Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting occurred at a virtual location accessed by conference call on gotomeeting.com.

MINUTES

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

Others Present: Deputy Director of Finance Kahl, Director of Public Works Kaiser, Director of Community Development and Assessment Haese, Deputy Director of Community Development and Assessment Schmidt, Director of Human Resources and Safety Kehl.

Absent/Excused: None.

Public Appearances: None.

Minutes: Motion/Second/Carried Borchardt/Stevenson to approve the minutes from the September 28, 2020 Regular Meeting. All voting aye.

Request to Fill Vacant Building Manager Position: Committee reviewed memo from Director Kaiser requesting approval to fill the Building Manager vacancy. Current Building Manager Pat Fischer has informed the City of his intention to retire in January 2021. Mayor Kaufert has reviewed the request and concurs with filling the future vacant position.

Committee and staff discussed various aspects of the pending vacancy. Items discussed included the job description and pay grade for the position as well as qualifications desired for candidates to fill the position.

Motion/Second/Carried Stevenson/Boyette granting approval to fill the Building Manager vacancy. All voting aye.

Annexation #220 – 1261 W. Winneconne Avenue – Town of Neenah Annexation: Committee reviewed memo of Director Easker recommending Council's approval of the petition for Annexation #220 of 0.74 acres located at 1261 W. Winneconne Avenue in the Town of Neenah be accepted. All departments that expressed an opinion recommend approval or do not object to the proposed annexation. Committee and staff discussed various aspects of the proposed annexation.

Motion/Second/Carried Stevenson/Boyette requesting Council's approval of the petition for Annexation #220 of 0.74 acres located at 1261 W. Winneconne Avenue in the Town of Neenah be accepted. All voting aye.

Neenah Agricultural Land Lease: Committee reviewed memo of Director Haese recommending Council approve the Lease Agreement between the City of Neenah and Brazee Farms, Inc. for City owned property located at CTH G and Woodenshoe Road in the Town of Vinland. The property in question is 130 acres of agricultural land that was

acquired by the City in 2020 to facilitate future residential growth within the City. The development is likely in the next 5-10 years, providing an opportunity for continued farming on the property until that development takes place. The terms of the lease require an annual payment of \$70 per tillable acre to be paid to the City on April 1 of each year. Committee and staff discussed various aspects of the proposed lease agreement.

Motion/Second/Carried Borchardt/Boyette recommending Council approve the Lease Agreement between the City of Neenah and Brazee Farms, Inc. for City owned property located at CTH G and Woodenshoe Road in the Town of Vinland.

All voting aye.

First Presbyterian Church of Neenah Parking Lot Lease: Committee reviewed memo of Director Haese recommending Council approve the Church Lot Lease Agreement between the City of Neenah and First Presbyterian Church of Neenah for the ten-year period from September 1, 2020 through August 31, 2030 at an annual lease rate of \$8,000, the same rate as the last five years of the previous ten-year lot lease.

Motion/Second/Carried Stevenson/Steele recommending Council approve the Church Lot Lease Agreement between the City of Neenah and First Presbyterian Church of Neenah for the ten-year period from September 1, 2020 through August 31, 2030 at an annual lease rate of \$8,000. All voting aye.

Amended Pendleton Park Development Agreement (TID #11): Committee reviewed memo of Director Haese recommending Council approve amending Tax Increment District No. 11 Development Agreement with Pendleton Park LLC to increase the Maximum City Contribution to \$2,215,000, change the completion date of the Coral Court Development to January 1, 2021 and increase the estimated value of the Coral Court Development to \$3.75 million.

Director Haese indicated that Mr. Tom Vandeyacht, the developer of Pendleton Park Apartments, has requested reconsideration of the Development Agreement for the project and additional assistance to help with unanticipated costs incurred as a result of complying with the obligations of the Agreement. The cost overruns of almost \$650,000 were due in large part to the significant amount of bedrock that was encountered during the construction. Additionally, the Coral Court Apartment development, which is included within the Development Agreement, also incurred additional costs of approximately \$300,000 to address the large amount of fill and construction debris that was encountered on the property.

Mr. Vandeyacht recognizes that there is inherent risk in each development that is undertaken and that it is his responsibility to address these issues. However, given the significant amount of additional costs incurred, he is requesting an adjustment to the Agreement to provide an additional \$300,000 in incentive for the project. In reviewing the financial performance of the project, staff is recommending an increase in the incentive of \$200,000.

REPORT

REPORT

In his memo, Director Haese said that, in addition to the increase in value from \$2 million to \$3.75 million in the Coral Court project, the Pendleton Park project property value is estimated to increase from the original Development Agreement amount of \$14 million to \$16 million. He said that the staff recommendation to approve the amendment includes recognition that the developer is bringing the City value from both the TIF and non-TIF projects, and that using that total value was part of the rationale to increase the maximum City contribution for the Pendleton Park TIF project.

Committee and staff discussed various aspects of the proposed agreement amendment. Issues discussed included how the value increased in both projects from their original estimate, if precedent is being set by amending the agreement, how the City is substantiating the cost overruns claimed by the developer as well as a discussion on the language in the amended agreement. Alderman Stevenson said that any motion to approve the amendment should include an acknowledgement of the \$2 million increase in the Pendleton Park TIF project value as part of the rationale.

Motion/Second/Carried Stevenson/Boyette recommending Council approve amending Tax Increment District No. 11 Development Agreement with Pendleton Park LLC to increase the Maximum City Contribution to \$2,215,000, change the completion date of the Coral Court Development to January 1, 2021 and increase the estimated value of the Coral Court Development to \$3.75 million. The recommended approval of the amendment includes acknowledgement of the \$2 million increase in the Pendleton Park TIF project value as part of the rationale. All voting aye.

Request to Fill Vacant City Attorney Position: Committee reviewed memo of Mayor Kaufert requesting approval to fill the City Attorney vacancy. Current City Attorney Jim Godlewski has informed the City of his intention to retire effective February 4, 2021. Mayor Kaufert has reviewed the request and concurs with filling the future vacant position.

Motion/Second/Carried Stevenson/Boyette granting approval to fill the City Attorney vacancy. All voting aye.

2020 Wage Update & 2021 Wage Information: Committee reviewed memo of Director Kehl with regard to 2020 wage update and 2021 wage information for non-represented employees. The recommendation includes a 1% salary plan movement as well as planned wage increases that equate to those given in 2020. They include a 1% January cost of living increase, a July merit increase, based upon performance, of between 0.5% - 1.25% as well as October midpoint adjustments averaging 0.25% - 2.25%. Committee and staff discussed various aspects of the proposed wage increases. Action to set funding for the 2021 salary plan will be finalized as part of the 2021 Operating Budget review and adoption process, so no committee action is required at this time.

2021 Health, Dental & Vision Insurance Proposals: Committee reviewed memo of Director Kehl requesting a recommendation to Council to approve the 2021 health, dental and vision insurance plans. Director Kehl indicated that, due to high claims experienced in the past 12 months, the City only received one quote for the City's two existing health

plans for 2021. That quote came from the City's current health insurance provider, Robin Health. Robin's initial renewal rate came in at a 29% increase. Subsequent negotiations, along with the City's willingness to increase deductibles and co-pays on current Health Plan No. 2, reduced the expected increase in the City's share of health insurance costs to between 10-14%. The final increase will depend upon employee health plan choices, including the choice to opt-out of the City's plan. The final health plans offered will also include a modification in City funding to employee Health Reimbursement Arrangements (HRA), an increase in the employee premium cost share as well as continuing to offer both a broad and focused health care network under both City health plans.

Committee and staff discussed various aspects of the proposed 2021 health plans. Issues discussed included the plan's most recent loss ratio and a historical perspective on the City's health insurance program. Other issues discussed included the City's dental plan, the new offering of vision care available at complete employee expense and the potential to request proposals for City health insurance consulting services for 2021.

Motion/Second/Carried Stevenson/Boyette recommending Council approve the 2021 health, dental and vision insurance plans. All voting aye.

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

Motion/Second/Carried Boyette/Borchardt to adjourn the meeting at 8:20 p.m. All voting aye.

Respectfully submitted,



Michael K. Easker, CPA
Director of Finance

REPORT

NMFR Joint Finance & Personnel Committee Meeting Minutes
October 6, 2020 – 5:30 p.m.
Virtual Meeting

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

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

Public Forum: No members of the public were present.

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

Minutes: The Committee reviewed the August 25, 2020 meeting minutes. **MSC Sevenich/Grade to approve the August 25, 2020 meeting minutes, and place on file, all voting aye.**

Activity and Automatic Aid Report: The Committee reviewed the August, and year-to-date, activity and automatic aid reports. Ald. Sevenich asked what protocols are in place for EMS calls due to Covid. Chief Kevin explained how our protocols have not changed since they changed when the pandemic started in March. “Sick” type calls, where there isn’t a need for an emergency response, we are not responding to. However, if Gold Cross Ambulance is out of district, or not able to respond in a timely manner, we will respond. This did reduce some of our calls. However, our EMS call volume has increased over the last month and we are quickly catching up to what our numbers were at last year. Ald. Stevenson asked about staffing. Ald. Kloehn said within the last couple of weeks our department has had some people test positive and/or are on quarantine due to an exposure. Due to the high number of people who were out this affected our staffing. We have worked with Neenah HR, Winnebago County Health Department and implemented the new CDC guidelines for emergency health care workers and this will help with our staffing. Ald. Grade asked how response times are with the current covid situation. Chief Kloehn said our response times continue to remain normal and there has not been any delays due to the increase of EMS calls. We have not experienced a delay in response times with the increase in EMS calls. **Ald. Stevenson/Borchardt to approve the August 2020 and year-to-date activity and automatic aid reports and place on file, all voting aye.**

Ald. Boyette introduced Ald. Borchardt to the members of the Committee. The Committee welcomed him to the group.

NMFR’s 2019 Budget Audit and Distribution: The Committee reviewed the 2019 budget audit and distribution. Director Easker noted that this is an annual review and any monies that are left over are returned to both Cities, per the 2019 budget formula. These funds are placed in each City’s general fund.

Squad 32 Refurbish Update: The Committee reviewed the information from Chief Kloehn on the CIP refurbish project for Squad 32 and the overage for this project.

Ald. Grade asked when budgeted monies are returned from previous budget years, is there a way that some of this money could be placed in a fund for expenditures like this. Ald. Sevenich asked if we could do something like this for equipment replacement, similar to what Menasha Public Works does, versus

always having CIP budget monies for equipment and vehicles. Ald. Stevenson said this is not a bad idea and he's not opposed to a reserve fund for some expenditures but doesn't feel comfortable having it so high that it will fund a replacement fire truck as these funds are typically borrowed. The Committee asked Chief Kloehn and both Finance Directors to look at this suggestion and see if something can be done.

Joint Powers Agreement: The committee reviewed the Joint Powers Agreement with Winnebago County.

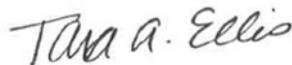
Ald. Sevenich/Grade recommends the City of Menasha Common Council approve the Joint Powers Agreement with Winnebago County and the City of Menasha, all voting aye.

Ald. Stevenson/Borchardt recommends the City of Neenah Common Council approve the Joint Powers Agreement with the Winnebago County and the City of Neenah, all voting aye.

NMFR's Preliminary 2021 Budget: The Committee reviewed the preliminary budget for 2021. It was noted this budget does not include any budget reductions from the Mayors. Both Mayors will be getting together in the near future to review our budget and we will go from there. Ald. Borchardt asked about the increase in the overtime budget. Chief Kloehn noted for the past several years we look at this line item and project what will be coming up. This line item is not only for short shift but it is also for training. In the next couple of years, we have several retirements coming up and are working on training staff to take over these positions. Director Easker noted there is a special escrow portion of the budget that is used to potentially fund special things that cannot always be predicted. He noted that we will need to change the health insurance escrow and add \$24,000 to it. The number used in September was an estimate and the final numbers were just received from the health insurance carrier. This will bring the overall budget increase to 4.15%. Ald. Grade said he felt Chief Kloehn did a great job with this budget. 60% of this budget is salaries, now there is a health insurance increase and very little of the budget he had control over was increased. He is happy with what he sees. Ald. Borchardt asked which City the employees receive health insurance through. Director Easker noted at the merger it was agreed upon that they are all technically City of Neenah employees, as only one City can employ them, so they are under Neenah's insurance. Ald. Stevenson asked about the professional services budget. MA Ellis noted the reduction is due to not needing chest x-rays in 2021.

MSC Sevenich/Stevenson adjourn at 6:20 p.m., all voting aye.

Respectfully Submitted,



Tara Ellis
Management Assistant

Winnebago County Sheriff

www.co.winnebago.wi.us



Sheriff

John F. Matz

Chief Deputy

Todd A. Christopherson

4311 JACKSON ST
OSHKOSH, WISCONSIN 54901
(920) 236-7300 (920) 727-2888

JAIL (920) 236-7380

ADMINISTRATION FAX (920) 236-7333

RECORDS FAX (920) 236-7302

August 26, 2020

To All Winnebago County E911 Users:

Enclosed is the **JOINT POWERS AGREEMENT** which is required by State Statute 256.35(9). The Statute requires an annual renewal of the Agreement. Space is provided for signing by your City Mayor and Clerk, Town/Village Chairman and Clerk or other designee.

Please do the following:

1. Sign, date, and return the **Original** to me no later than **November 13, 2020** in the enclosed self-addressed envelope.

Please remember to put **postage** on your envelope before mailing it back.
Please Do Not fax the document as we need to have the **original** copy.
Please Do Not staple the document.

2. Please make a copy of the agreement for your records.

Your assistance in this matter is greatly appreciated. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Matz".

Sheriff John F. Matz

JFM/kkd

enc.

**JOINT POWERS AGREEMENT
WINNEBAGO COUNTY 911 EMERGENCY SYSTEM**

WHEREAS, Winnebago County and the municipalities located within the boundaries of Winnebago County have implemented an Emergency 911 System for the purposes of providing emergency services to residents and visitors of these municipalities, including fire fighting, law enforcement, ambulance, medical and other emergency services; and

WHEREAS, Sec. 256.35(9), Wis. Stats. "Joint Powers Agreement", requires that in implementing a 911 system as has been done in Winnebago County, municipalities shall annually enter into a Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Winnebago County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements, and conditions contained herein, it is hereby jointly agreed between Winnebago County and the City of Neenah, municipality", as follows:

1. That effective December 1, 2020, this Agreement shall, thereafter, be applicable on a daily basis from said date through November 30, 2021.
2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Winnebago County Emergency 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional (or as defined by contract) boundaries.
3. That a Winnebago County Communications and Information System Advisory Committee shall be established to develop and recommend policy and procedures for emergency services communications and public safety records management issues in Winnebago County. A User's Guide that was developed in 1994 has been updated as necessary, and includes directives and guidelines for the proper use of E911 communication devices (which may include, but not be limited to, radios, computers, mobile data devices and pagers). Violation of User Guide directives could result in disciplinary action being imposed by the employing agency. The committee will be charged to effectively recommend equipment/software purchases and resource allocation with the authority to develop sub-committees as needed to accomplish that task. The committee may develop special ad-hoc, advisory task forces to research regional communication

network(s) with neighboring public safety departments or other County E911 Systems. The Advisory Committee will report to the County Executive and service that position in an advisory nature. Membership on the Advisory Committee shall consist of 9 representatives (appointed by the County Executive) from the following:

4 – Police Agency (separate departments) Representatives (normally the Police Chief or his/her designee).

4 – Fire Agency (separate departments) Representatives (normally the Fire Chief or his/her designee).

1 – Emergency Government Representative.

The Advisory Committee shall elect one Chair and Vice-Chair each year commencing in January.

4. That a copy of this Agreement shall be filed with the State Department of Justice, as required by Sec. 256.35 (9)(c), Wis. Stats.

WINNEBAGO COUNTY

By: Mark L. Harris
Winnebago County Executive
Mark L. Harris

Date: 8/21/20

By: Susan T. Ertmer
County Clerk
Susan T. Ertmer

Date: 8-20-2020

CITY OF NEENAH

By: _____
Mayor

Date: _____

By: _____
City Clerk

Date: _____

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, September 29, 2020
4:15 p.m.

Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting occurred at a virtual location accessed by conference call on www.gotomeeting.com

Present:

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

Also present:

| | | |
|---|---|---|
| Brad Schmidt, Deputy Director of Community Development | Chris Haese, Director of Community Development | Dave Gliniecki, Applicant, 125 Byrd Avenue |
| | | |
| | | |

Minutes: MSC Andrews/Ellenberger, the Plan Commission to approve the August 25, 2020 meeting minutes. All aye. Motion passed.

Public Appearances: None.

Public Hearings: None.

Action Items:

1. Site Plan Review – 510 Discovery Drive – Change of Use

Deputy Director Schmidt explained why the Plan Commission would review this site plan. Due to the proposed change in use, the Plan Commission must review the application.

The building at 510 Discovery Drive (approximately 4,000 square feet) was previously used as a printing company and has been vacant for approximately 12 months. TD Supply (currently located on Cecil Street) purchased the building and is planning to relocate their business there. They exist as a tool and equipment distributor. They will be utilizing the site for mainly warehouse space but there will be some trucks that may travel to and from the site. This use is permitted in the I-1 district.

Mayor Kaufert asked if the application is allowed to leave equipment outdoors for any length of time. No personal items should be stored outside of the building and outdoor storage of material, equipment or products for a period longer than 24 hours is prohibited unless the site is screen with a six-foot tall sight tight fence. The applicant plans to extend the parking lot slightly and is being asked to stripe parking spaces and add a handicap stall.

MSC Lang/Andrews, the Plan Commission to approve the site plan for a change of use to establish a tool and equipment distribution business at 510 Discovery Drive subject to the following conditions:

- 1. Obtain all necessary building permits prior to any construction, alteration, parking lot expansion or sign installation.**
- 2. Stripe parking spaces and add a handicap accessible stall.**

2. Site Plan Review – 125 Byrd Avenue – Change of Use

A site plan has been submitted for a change of use at 125 Byrd Avenue. The property was previously used as an assisted living facility and the applicant is proposing to reconfigure the existing rooms inside the building into 58, 1 bedroom and studio apartments. The reconfiguration also includes tenant amenity areas and offices for staff. Due to the proposed change of use and because it has been vacant for over 12 months, a site plan review is required.

This size of the site is 4.15 acres which would allow for 75 apartment units – the applicant is planning for 58 units. Deputy Director Schmidt’s memo says that the property contains 82 off-street parking stalls but the Zoning Code requires a minimum of 1.5 off-street parking stalls for each bedroom unit therefore they are required to have 87 off-street parking stalls. The applicant has since shown that the site has all of the required parking. The applicant will indicate the location of handicap accessible parking stalls.

All refuse disposal areas shall be screened from adjacent properties and public right-of-way with a 6-foot tall sight tight fence or an evergreen screen approved by the Community Development Department. The Zoning Code requires that landscaping be maintained. The applicant will submit a lighting plan and is encouraged to construct a sight tight, 6-foot fence along the west property line to buffer noise and light from vehicles in the parking lot.

Plan Commission Minutes

September 29, 2020

Page 2

Mayor Kaufert commented that the site is currently in rough shape and would like to see it fixed up. The Mayor strongly suggests the six-foot fence on the west side of the property to shield the homes from car lights. He felt that there is a market for this type of housing for individuals or couples. He also asked if there would be an onsite manager for this facility. Mr. Gliniecki was not certain but will ask the owner and report back to Deputy Director Schmidt.

Member Hancock-Cooke asked what the timeline is for construction and residency. Mr. Gliniecki explained that they are hoping for residency by next spring.

Director Kaiser asked if the site tight fence that is being suggested will be just along the parking lot. Deputy Director Schmidt indicated that this is the intent but it may extend a bit further.

Member Ellenberger asked what the typical rent will be expected to be. Mr. Gliniecki did not know as he is working on the construction and not management.

Member Hancock-Cooke asked how it would occur if the city wanted to have low-income housing. Deputy Director Schmidt explained that a developer would approach the city proposing to develop these to receive tax credits.

MSC Kaiser/Andrews, the Plan Commission to approve the site plan for a change of use to establish a multi-family residence at 125 Byrd Avenue subject to the following conditions:

- 1. Obtain all necessary building permits prior to any construction, alteration, parking lot expansion or sign installation.**
- 2. Submit a landscape plan if any landscaping is proposed to be removed or added.**
- 3. Provide details for screening or refuse collection area.**
- 4. Provide a detailed parking lot layout to show the location of handicap accessible stalls.**
- 5. Consider installing a 6-foot tall sight tight fence along the west property line.**
- 6. Submit a lighting plan showing the location, lighting levels and light fixture details prior to installation of any exterior lighting.**

All aye. Motion passed.

3. Excess Public Land – Mayer Street/Harrison Street

During the construction of the Main Street Overpass, several properties were acquired to provide enough room for the project. For some of this land, small pieces of the previous parcels were not needed and now exist as an unbuildable piece of land. This exists in the case of a piece of land that exists along Mayer Street and Harrison Street. It is about 7,700 square feet in size and abuts three properties. Staff will suggest that this land be sold to adjoining property owners but it must be declared excess public property by the Plan Commission.

MSC Andrews/Genett, the Plan Commission declares the remnant land along Mayer Street and Harrison Street as excess public property and recommend the Common Council authorize the sale of the property. All aye. Motion passed.

Discussion Items: None.

Announcements and Future Agenda Items: Deputy Director Schmidt hopes to have the consultant who is working on S. Commercial Street Corridor Plan present the plan to the Plan Commission within the next month.

Next meeting: October 14, 2020

Adjournment: The Commission adjourned its meeting at 4:54 P.M. MSC Ellenberger/Kaiser. All Aye. Motion passed.

Respectfully Submitted,



Samantha Jefferson
Office Manager, Community Development

REPORT

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, October 13, 2020
4:15 p.m.

Due to the Public Health Emergency caused by the COVID-19 Pandemic, this meeting occurred at a virtual location accessed by conference call on www.gotomeeting.com

Present:

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

Also present:

| | | |
|---|---|--|
| Brad Schmidt, Deputy Director of Community Development | Chris Haese, Director of Community Development | Courtney Ramsey, Easy Towing Fox Valley |
| | | |
| | | |

Minutes: MSC Ellenberger/Andrews, the Plan Commission to approve the September 29, 2020 meeting minutes. All aye. Motion passed.

Public Appearances: None.

Public Hearings: Special Use Permit – 912 S. Commercial Street – Tow Truck Business

The applicant, Easy Towing Fox Valley, is requesting a special use permit to operate a tow truck business located at 912 S. Commercial Street. The site (1.1 acres) is vacant and includes a small building on the west side of the property. The property is zoned C-1, General Commercial District. Their business model does not include impounding of vehicles but up to 10 vehicles may be stored on the site. Minor repair to those vehicles may be done on the site. Land north, south and west of the property is also zoned C-1 and includes allowable uses. The land to the east includes two-family and multi-family residences.

The City's zoning code requires that certain findings be met when considering a Special Use. The proposed use is similar to past uses. The applicant indicated that up to 10 vehicles related to the tow truck business may be stored on the site. Approximately 4-6 tow trucks would remain on the lot as well. Additionally, the applicant intends to run another business from the site which rents inflatable items. That business would store around 4-6 trailers on the site.

Staff is recommending that all vehicles be parked/stored behind a 6-foot tall sight tight wood fence. The applicant may want to display the tow trucks closer to the street but the Municipal Code prohibits vehicles to be located in a manner which provides advertising. Staff also requires that the landscaping be maintained.

Mayor Kaufert opened the public hearing.

Courtney Ramsey, Easy Towing Fox Valley, explained that the space they will be leasing will be much smaller than they anticipated. They have suggested storing the tow trucks inside the building – these trucks will be used each day for the business. She feels that there is no need for a fence as they plan to keep their vehicles very tidy and would not be doing any large car repair or storage on the property. The applicant has only signed a one year lease with the owner and the owner isn't favorable to putting a fence up.

Mayor Kaufert closed the public hearing.

Action Items:

1. Special Use Permit – 912 S. Commercial Street – Tow Truck Business

Mayor Kaufert asked if there is any other planned use for the remainder of the site. The applicant was not aware of any additional use. Deputy Director Brad said that the Plan Commission would review any additional proposed use.

Member Andrews asked how many trailers will be stored on the property. The applicant explained that the inflatable business utilizes four trailers. Mayor Kaufert asked how large the trailers are. The trailers are 8x10 black and silver trailers. The applicant is discussing being on the police department's list for towing but does not want to be responsible for impounding vehicles.

Member Hancock-Cooke asked if this use would fit in with the S. Commercial plan. Deputy Director Schmidt indicated that the S. Commercial Plan identifies this site as a redevelopment site which could include high-density residential or a mixed use development.

Report

Plan Commission Minutes

October 13, 2020

Page 2

Member Genett asked if this is still part of a TIF District. It is not. Mayor Kaufert explained that he is planning to put money in his budget for the revitalization of the area.

Mayor Kaufert asked what signage is planned to be used. The applicant will talk with Deputy Director Schmidt to confirm property signage.

MSC Lang/Ellenberger, the Plan Commission finds that the proposed use meets the findings of fact for a Special Use Permit (Sec. 26-48) and recommends Common Council approve a Special Use Permit for a tow truck business located at 912 S. Commercial Street subject to the Approval letter and by removing the fencing requirement but limiting the number of vehicles related to the tow business to two tow trucks stored in the building and a maximum of four trailers may be stored on the property. A review of the special use permit will be conducted in one-year. All voting aye. Motion passed.

2. Annexation No. 220 – 1261 W. Winneconne Avenue (Ord. 2020-15)

The owners of 1261 W. Winneconne Avenue (.74 acres) have submitted a petition for direct annexation to the City of Neenah. The site includes a single family residence and upon annexation would be zoned R-1, Single Family Residence District. The proposed use is consistent with the City's Comprehensive Plan. The property is currently located within the Town of Neenah.

Deputy Director Schmidt explained that the applicant has decided to annex as opposed to replacing the well. There are city laterals already running past the property. Several different departments review the annexation request as well as the Common Council.

MSC Andrews/Kaiser, the Plan Commission to recommend Council approve Annexation #220 (Ordinance #2020-15) and the property also receive an R-1, Single Family Residence District zoning classification. All voting aye. Motion passed.

Ord. 2020-15

Discussion Items: Member Hancock-Cooke asked that an update on the quality and capacity of our water program be placed on the agenda.

Announcements and Future Agenda Items:

Next meeting: October 27, 2020

Adjournment: The Commission adjourned its meeting at 4:45 P.M. MSC Kaiser/Hancock-Cooke. All Aye. Motion passed.

Respectfully Submitted,



Samantha Jefferson
Office Manager, Community Development



AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – 0.74 Acres of land – 1261 W.
Winneconne Avenue – to the City of Neenah.

ORDINANCE NO. 2020-15
Introduced: 10/13/2020

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(3), 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 $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 29, Town 20 North, Range 17 East, Town of Neenah, Winnebago County, State of Wisconsin, being bounded and described as follows:

Beginning at the Northeast corner of the Southeast $\frac{1}{4}$ thence 874.0 feet West, thence 225.0 feet South $0^{\circ}27'0''E$, and thence 133.90 feet West to the point of beginning.

From the point of beginning North $90^{\circ}0'0''W$, 138.0 feet, thence South $6^{\circ}50'0''E$ a distance of 265.9 feet to the centerline of State Trunk Highway "114" otherwise known as W. Winneconne Avenue, thence North $70^{\circ}13'00''E$ a distance of 137.2 feet along said centerline, thence North $6^{\circ}32'0''W$ a distance of 218.0 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 one-half approval (Wisconsin State Statute Sec. 66.0217(3)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14339. The annexation area is 0.74 acres in size and is wholly located in the Town of Neenah, Winnebago County. The parcel number of the land being annexed is 010028401 and part of 01002830101 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

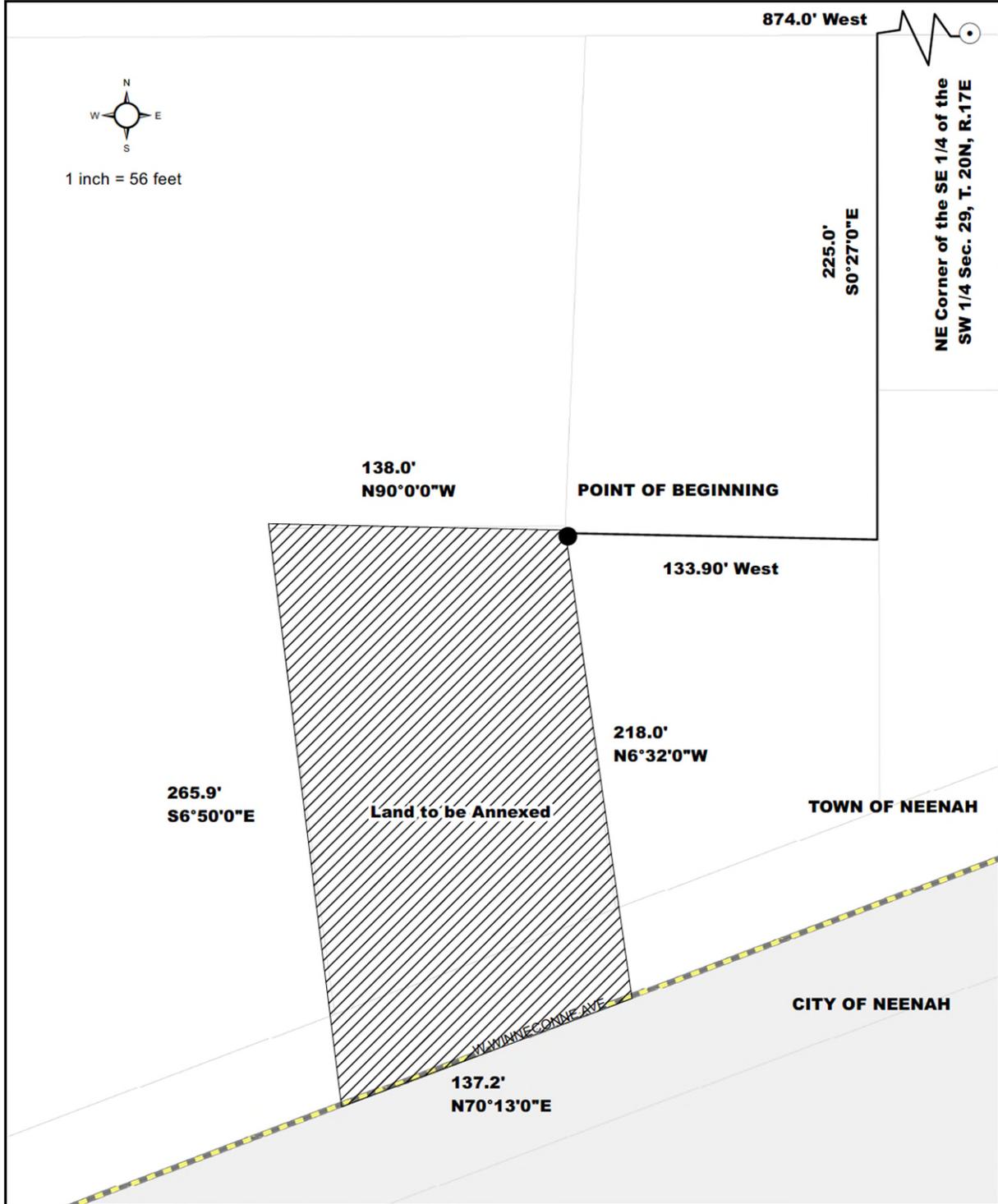
Attest:

Stephanie Cheslock, City Clerk

Exhibit 1

MAP OF PROPOSED ANNEXATION

MAP OF THE SE 1/4 OF THE SW 1/4 OF SEC. 29, T. 20N, R.17E, TOWN OF NEENAH, WINNEBAGO COUNTY



**Minutes of the Board of Public Works Meeting
Tuesday, October 13, 2020, 12:00pm Noon**

MEMBERS PRESENT: Mayor Kaufert, Director of Public Works Kaiser, Director of Finance Easker, Director of Community Development & Assessment Haese and Alderpersons Bates & Lang. Excused: City Attorney Godlewski

ALSO PRESENT: City Clerk Cheslock and Traffic Engineer Merten

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

MINUTES: MSC Bates/Kaiser to approve the minutes from the October 1, 2020 meeting, all voting aye.

APPEARANCES: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Public Works:

1. Pay Estimate No. 1 for Contract 11-20: Dir. Kaiser explained this payment is only for one item—erosion control. He also noted that the listing included the alternate bid amounts for the asphalt portion of the contract that was rejected. This will be remedied before the next payment. Dir. Kaiser requested approval of Pay Estimate No. 1, Contract 11-20, Lakeshore Avenue Street Construction to Sommers Construction Company Inc., Shiocton, in the amount of \$5,225.00

MSC Kaiser/Haese to approve Pay Estimate No. 1, Contract 11-20, Lakeshore Avenue Street Construction to Sommers Construction Company Inc., Shiocton, in the amount of \$5,225.00, all voting aye.

2. Final Payment for Contract No. 8-20: Dir. Kaiser explained the attachment. Traffic Engineer Merten explained that the overage requiring a change order is due to additional epoxy used to extend lines near crosswalks, though that was not part of the requested work. The Board discussed negotiating that overage down due to the mistake being on the contractor's part, the number of contractors who do this work, and the potential of the City purchasing the necessary equipment to epoxy marking internally. Dir. Kaiser requested approval of the Final Payment for Contract 8-20, Epoxy Pavement Markings to Century Fence, Pewaukee, in the amount of \$59,183.45

MSC Haese/Bates to approve change order and direct staff to work with contractor to reduce final pay amount, all voting aye.

MSC Kaiser/Haese to recommend Council approve the Final Payment for Contract 8-20, Epoxy Pavement Markings to Century Fence, Pewaukee, in the amount of \$59,183.45, all voting aye.

Report

The Board also discussed the recent graffiti and vandalism in the City, the cleanup process and timeline, and possible deterrents to implement moving forward. These deterrents include increasing patrols in problem areas and possible camera installation.

ADJOURNMENT

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

Respectfully Submitted,



Stephanie Cheslock,
City Clerk

STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981

Date: October 21, 2020

Date of Directive: 4/17/2018

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

Responsible Party: Ald. Lendrum

Status: Pending