

COMMON COUNCIL MINUTES

Wednesday, July 20, 2016 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., July 20, 2016 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Assistant Fire Chief Green, Police Chief Wilkinson, Dir. of Human Resources & Safety Barber, Greg & Lisa Radtke, Dr. Ellsworth Brown of the State Historical Society, Dean Michels, Heidi Bryan, Nicole Hardina-Wilhelm, Catherine Davis, Kim Heltemes, Joellen Wollangk, Maurice Mead, City Financial Advisor John Rader of Baker, Tilly, Virchow, Krause, LLP and Forrest Bates.

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

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

Mayor Kaufert welcome Menasha's City Attorney Pam Captain and thanked her for sitting in for our City Attorney Godlewski.

Introduction of New Assistant Superintendent of Public Works

- I. Dir Kaiser introduced Gregory Radtke our new Assistant Superintendent of Public Works. Greg will replace Jeff Harding who recently retired. Greg has 25 years working in the department and has been exposed to every aspect of the Public Works operations.
 - A. Greg Radtke indicated he has 25 years' experience. He is not replacing Jeff, Jeff is non-replaceable. He is taking the position. He looks forward to working with everyone.

State Award Presentation to Neenah Historical Society

- I. Dr. Ellsworth Brown presented an award to the Neenah Historical Society for their exhibit, "When Neenah Comes Marching Home". The exhibit was honored for its depth of research and use of students.
 - A. Ald. Lang accept the award on behalf of the Neenah Historical Society. She thanked Dr. Brown and the State Historical Society, Board of Directors as well as the other members of the Historical Society that made this possible. Several were in attendance.

2015 Comprehensive Annual Financial Report (CAFR)

- I. John Rader, Baker, Tilly, Virchow, Krause, LLP gave a brief presentation on the 2015 Comprehensive Annual Financial Report (CAFR) and newly named Communication to Those Charged with Governance and Management for the year ending December 31, 2015. The City of Neenah once again has a clean opinion or unmodified opinion, which is important for its bond rating. He focused on the "Report to the City Council" which highlights the 2015 Financial Statements and the "Communication to those charged with Governance and Management" which use to be the "Report on Internal Control" and answered questions from the Council.
 - A. **MSC Stevenson/Lendrum to accept the 2015 Comprehensive Annual Financial Report (CAFR), Communication to Those Charged with Governance and Management and Report to the City Council, place them on file and refer them to the Finance & Personnel Committee for review, all voting aye.**

Introduction and Confirmation of Mayor's Appointment(s)

- I. **MSCRIP Stevenson/Bates to confirm Mayor Kaufert's reappointment of Jane Lang & Ruth Streck to the Landmarks Commission, term expires July 2019, all voting aye.**
- II. **MSCRIP Stevenson/Pollnow to confirm Mayor Kaufert's appointment of John Rather from 2nd Alternate to 1st alternate on Board of Appeals – term expires January 2017, all voting aye.**
 - A. Mayor Kaufert advised that the resignation of Joe Kardel leaves a vacant 2nd Alternate position on the Board of Appeals.to be filled at a later date
- III. City Clerk Sturn administered the oath to Jane Lang.

Mayor Kaufert took a short recess to address issues with the sound system at 8:05 pm.

Mayor Kaufert reconvened at 8:15 pm.

Council Proceedings

- I. **MSCRIP Pollnow/Hillstrom to approve the Council Proceedings of June 14, 2016 regular session, all voting aye.**

Public Forum

- I. Dean Michels, 635 Winnebago Heights, expressed concern over the incident at the cycle shop late last year. He is not personally connected to any of the people involved. His concern is that an officer disobeyed orders and killed an innocent

hostage while he was trying to escape. He then laughed about it while leaving him lay there for 25 minutes while they had an armored military type vehicle they could have used to help him. He feels this could have been handled in a more professional manner. He cannot condone the handling of this situation. He resigned his post on the Citizen Advisory Committee effective immediately.

II. There being no further appearances, Mayor Kaufert declared the public forum closed.

Consent Agenda

- I. **MSCRIP Pollnow/Stevenson to approve the Consent Agenda as follows:**
- A. **Approve Beverage Operator license for: Monica M. Allen, Tara A. Balassi, Kayla N. Bartels, Natasha R. Cattelino, Stephanie A. Cheslock, Kari A. Driscoll, Alex P. Fehrenbach, Tyler J. Gibson, Matt R. Gloede, Ashton R. Hannack, Jana L. Holly, Ashley R. Jensen, Amanda L. Keohler, Kasie M. Lemerand, Meghan M. Lessor, Gary S. Mack, Patricia A. Mindel, Justine N. Moderson, Kacie J. Olsen, Alexandra R. Sagataw, Kirk A. Schuler, Randall C. Steward and Erin R. Wasinger.**
 - B. **Approve the Beverage Operator License Application (renewal) for Brian J. Burr contingent upon payment of delinquent utility bill balance of \$85.69 and any other outstanding City fees.**
 - C. **Approve the Beverage Operator License Application (renewal) for Daniel L. Scott contingent upon payment of delinquent utility bill balance of \$739.53 and any other outstanding City fees.**
 - D. **Approve the Sidewalk Café Application for Paper City Pub, 211 W. Wisconsin Avenue, Matt Johnson, Agent, subject to the submittal of liability insurance.**
 - E. **Approve the Street Use Permit for the Furry Flurry Walk for Pets to be held on August 20, 2016, in Riverside Park, sponsored by the Neenah Animal Shelter, 951 County Road G, Neenah.**
 - F. **Approve Beverage Operator license for: Tracy A. Behreandt, Patricia M. Brooks, Linda M. Cashman, Kirstin J. Chapman, Krista L. Danielsen, Wendy M. Eiting, Michelle L. Flowers, Stacy L. Forsythe, Evelin R. Juarez, Thomas A. Kuhr, Scott S. Laurin, Craig N. Lestor, Chelsea A. Niemuth, Carlos M. Ramirez, Cheryl A. Sturgis, Jessica M. Werhand and Dalton J. Zanin.**
 - G. **Approve the Temporary “Class B” Retail (Picnic) Beer & Wine License Application for the Fox Cities Chamber of Commerce/Pulse Young Professionals, 125 N. Superior Street, Appleton, for the Board Development with the Community Foundation Event to be held at the Bergstrom-Mahler Museum, 165 N. Park Avenue on July 21, 2016 from 5-7 pm.**
 - H. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of June 28, 2016:
 - A. Committee recommends Council adopt Ordinance No. 2016-08 amending Chapter 14, Art. V relating to Street Use Permits. (Ordinance to follow)
- II. Chairman Bates reported the regular meeting of July 12, 2016: **No Report**

Finance & Personnel Committee

- I. The Finance & Personnel Committee meeting of June 27, 2016 was cancelled.
- II. Chairman Pollnow reported the regular meeting of July 11, 2016:
 - A. Committee recommends Council deny Claim No. 2015-12, filed by Karen Buhl for injuries sustained allegedly resulting from a sidewalk defect at 404/406 East Wisconsin due to the City's discretionary act immunity. **MSCR P Pollnow/Stevenson, all voting aye.**
 - B. Committee recommends Council approve Claim No. 2016-9, Joan LaRock, in the amount of \$8,391.74 plus towing and storage fees. **MSCR P Pollnow/Erickson, all voting aye.**
 - C. Committee recommends Council approve: beginning 1/1/17 sick leave accrual for non-union employees be capped at 180 days and that any employees currently above the maximum no longer accrue additional days in their bank unless their balance falls below 180 days; only the current year's vacation can be paid out upon retirement to non-union employees effective 1/1/18, with a two-week notice required for an employee to be entitled to any vacation payout; and sick leave accrual begin in the first full month of employment and that an employee would receive their first sick day in the second full month of employment effective with non-union employees hired after 1/1/17. **MS Pollnow/Stevenson.**
 1. Director Barber requested eliminating the wording, "only the current year's vacation can be paid out upon retirement to non-union employees effective 1/1/18" as she is looking at a new retirement health savings program which she will bring to the Finance & Personnel Committee meeting on Monday. This program has different taxation of accrual benefits where payroll taxes would not have to be paid on vacation paid out. She will bring this back at a later date. She advised that these recommendations are not well received by staff. It is making them nervous.
 2. Ald. Kunz questioned if vacation that was carried over can be paid out upon retirement.
 3. Dir. Barber commented that there are several factors that come into play. Instead of retiring January 2nd employees will need to retire Feb. 1st after they use their 3 weeks of carryover vacation we require them to use. That would cost an additional month of health insurance and payroll taxes on those 3 weeks of vacation. She would like more time to research the new retirement health savings plan and be able to present more on that.

4. Ald. Erickson asked Dir. Barber if it would be appropriate to wait to vote on this until all the information is received from her.
 5. Dir. Barber indicated there is not a need to wait however the sooner we can have employees start planning for things the better. Whatever she finds out regarding the vacation carryover will not affect the other pieces of this motion. It would be up to the Council whether they would like to table everything or just look at the vacation piece and come back.
 6. Ald. Pollnow indicated he feels it is fair to remove the portion recommended by Dir. Barber but vote on the remaining pieces.
 7. **MSCRP Pollnow/Stevenson to amend the motion removing the language, “only the current year’s vacation can be paid out upon retirement to non-union employees effective 1/1/18” to review at the July 25, 2016 Finance & Personnel Committee meeting, all voting aye.**
 8. **The original motion, as amended, carried by a 9-0 RollCall-Pro System vote, all voting aye.**
- D. Committee recommends Council authorize the CDA to proceed with the acquisition of 217 Smith Street at the agreed upon price of \$70,500. (To be acted on following a report from the CDA)
 - E. Committee recommends Council authorize the CDA to proceed with the acquisition of 219 Smith Street at the agreed upon price of \$68,500. (To be acted on following a report from the CDA)
 - F. Committee recommends Council authorize the CDA to proceed with the acquisition of 208 Main Street at the agreed upon price of \$120,000. (To be acted on following a report from the CDA)

Plan Commission

- I. Regular Plan Commission meeting of June 28 & July 12, 2106 was cancelled.

Community Development Authority

- I. Ald. Hillstrom reported from the Community Development Authority (CDA) meeting of July 11, 2016:
 - A. The CDA recommends Council authorize the CDA to proceed with the acquisition of 217 Smith Street at the agreed upon price of \$70,500. **MSCRP Hillstrom/Lendrum, all voting aye.**
 - B. The CDA recommends Council authorize the CDA to proceed with the acquisition of 219 Smith Street at the agreed upon price of \$68,500. **MSCRP Hillstrom/Lendrum, all voting aye.**
 - C. The CDA recommends Council authorize the CDA to proceed with the acquisition of 208 Main Street at the agreed upon price of \$120,000. **MSCRP Hillstrom/Pollnow, all voting aye.**

Neenah-Menasha Fire Rescue Joint Finance & Personnel Committee

- I. Council President Stevenson reported the Neenah-Menasha Fire Rescue Joint Finance & Personnel Committee meeting of June 28, 2016:
 - A. Committee recommends the City of Neenah approve Resolution #2016-25 amending the fee schedule of the City of Neenah to provide for a residential smoke detector fee and the City of Menasha Common Council approve the proposed ordinance change to Menasha ordinance Sec 5-3-3 Smoke Detector Requirement, to impose a special charge. (Resolution to follow)
 - B. Committee recommends the City of Neenah and City of Menasha Common Councils approve the Wisconsin Administrative Code Chapter ATCP 93 Local Program Operator Contract between Wisconsin Department of Agriculture, Trade, and Consumer Protection and Neenah-Menasha Fire Rescue for a time period of January 1, 2016 through December 31, 2017 and authorize Chief Kevin Kloehn to sign this contract on behalf of Neenah-Menasha Fire Rescue. **MSCRP Stevenson/Pollnow, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of July 12, 2016:
 - A. Information Only Items:
 1. The Board approved Change Order No. 3, Contract 1-16 Miscellaneous Sewer and Water Main Construction and Street Construction on Franklin Avenue, Columbian Avenue, Oak Street, Higgins Avenue, Division Street, Henry Street, Lincoln Street, Meade Street and Maple Street to Van Straten Construction Co., Inc., Green Bay in the amount of \$38,881.50.
 2. The Board approved Pay Estimate No. 3, Contract 1-16 Miscellaneous Sewer and Water Main Construction and Street Construction on Franklin Avenue, Columbian Avenue, Oak Street, Higgins Avenue, Division Street, Henry Street, Lincoln Street, Meade Street and Maple Street to Van Straten Construction Co., Inc., Green Bay in the amount of \$366,297.92.
 - B. Council Action Items:
 1. The Board recommends Council approve the Final Payment for Contract 3-16 Epoxy Pavement Marking to Guide Lines Pavement Marking, LLC, Rio in the amount of \$42,051.78. **MSCR Hillstrom/Pollnow, all voting aye.**
 2. The Board recommends Council approve the final payment for Fox Valley Energy (FVE) Demolition Contract to Pyramid Dismantling, LLC in the amount of \$10,499 which come to the total of \$99,999.00 budgeted. **MS Hillstrom/Pollnow.**
 - a) Ald. Pollnow added that the donor had made the payment so the net results of expenditures is zero.
 - b) Mayor Kaufert explained that the money donated by a private citizen brings us close to netting out even at this point. He thanked Miron Construction for taking down the overhead

steam line at no charge. He thanked Dir. Haese, Easker & Kaiser and City Atty. Godlewski for their time spent on this project.

- c) Ald. Kunz indicated he is happy with the results. The results have exceeded his expectation. It was not an easy route but saved tax payer dollars.
- d) **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Landmarks Commission

- I. Ald. Lang reported from the Landmarks Commission meeting of July 19, 2016:
 - A. The Commission reviewed and approved a building plan for a historic property on E. Forest Avenue.
 - B. They discussed various educational activities including the Neenah Landmarks Coloring Book.
 - C. The Commission voted to help fund the Fox of the River Voyager Canoe Group to come to the Neenah Historical Society's 4th Annual Vintage Adventure to be held on Saturday Sept. 17th from 11 am - 3 pm. It is a great opportunity to see some of Neenah's Landmark Homes from the waterside view. .

Bergstrom Mahler Museum

- I. Ald. Erickson reported from the Bergstrom Mahler Museum:
 - A. The 42nd Annual Bergstrom Mahler Museum Art Show was held Sunday in Riverside Park.
 - B. The current exhibit "Thank You", an exhibition of cast glass by Jeffrey Stenbom, will run now thru August 21, 2016.
 - C. Friday August 19, 2016 from 4:30 – 5:30 pm there will be a film screening of Homecoming Conversations with Combat PTSD at the Neenah Public Library.
 - D. Saturday, August 20th at 9:00 am the museum will hold a glass casting workshop with artist Jeffrey Stenbom.

Reports on neighborhood groups.

- I. Ald. Lang reported from the Business Improvement District Board (BID Board) on June 21, 2016:
 - A. The BID Board discussed the possibility of signage on Hwy. 41 to direct traffic to downtown Neenah.
 - B. A Women in Commercial Real Estate took place downtown. Participants had lots of positive comments.
 - C. Board member Grant Birtch who head the Maintenance Committee gave an overview of the District walk thru and concluded that the District is in good

shape. Most noticeably, the crosswalk on W. Wisconsin Avenue has been improved.

- D. Future Neenah's update included an overview of Street Ball 25, the Theda Care Listening Sessions, Navigate Neenah Project and a new initiative to help spouses of employees locating to Neenah connect to jobs in the area.
- E. The City of Neenah update included an overview of the Gateway Office Development Site on which constructions has now begun. The 2040 Comprehensive Plan was also discussed. An online survey is available on Neenah's website. She asked everyone to take a few minutes and give their input.

Community Development Authority Update

- I. Dir. Haese advised that Site 7 continues to move forward. He expects steel to be placed next week. Other than the property acquisitions approved tonight, they have an appraisal on one other property that they have not met with the property owner on yet. Hopefully they will have progress there as well.

Library Board

- I. Ald. Erickson reported from the Library Board meeting of July 20, 2016:
 - A. The signup for Summer Youth Programs is at 2,023. Last year 1,554 attended the entire summer. The Programs run through the month of August.
 - B. Visit the Library website for additional programming.
 - C. The Butterfly Garden in front of the Library is in full bloom. She thanked her fellow Master Gardeners for a great job.

Ordinances

- I. **Ordinance No. 2016-08** amending Ch. 14, Art. V relating to Street Use Permits was presented.
 - A. **MSCRP Stevenson/Pollnow to adopt Ordinance No. 2016-08, all voting aye.**

Resolutions

- I. **Resolution No. 2016-25** amending the fee schedule of the City of Neenah to provide for a residential smoke detector fee and the City of Menasha Common Council approve the proposed ordinance change to Menasha ordinance Sec 5-3-3 Smoke Detector Requirement, to impose a special charge was presented.
 - A. **MS Stevenson/Pollnow.**
 - B. Mayor Kaufert indicated if fire fighters go out on a call and see the need for a smoke detector, they take that opportunity to donate one to owner/occupied residences.

- C. Asst. Chief Green explained that the intent of this is so they are not donating them to rental properties as the owners of rental properties are required to have them in place on their properties.
- D. Ald. Pollnow explained that there is a \$30 fee and he, as a landlord, does not have a problem paying that.
- E. Ald. Lendrum questioned if it is common to see residents without smoke detectors.
- F. Asst. Chief Green explained it is not extremely common. This started with a grant process back in 2012 offering smoke detectors to low income, single parent and/or elderly adult homes. Through this program they have found the need to continue this program. They just want to continue this program in case they see a need.
- G. Mayor Kaufert added the firefighters go to 3rd, 4th and 5th grade classrooms teaching children the stop/drop/roll and remind them to tell their parents to check their smoke detectors.
- H. Acting City Atty. Captain indicated this was already adopted by the Menasha City Council.
- I. Ald. Boyette questioned if a follow up is done when a smoke detector is installed.
- J. Asst. Chief Green indicated they give them information on how often to test the smoke detector and contact information if they have questions. These are placed in single family homes and not commercial inspected properties so it is a little different.
- K. Asst. Chief Green, at the request of Ald. Pollnow, advised that Kuehl Electric donated 100 devices to this program, at \$1,300 value. They budgeted roughly \$300 per year for the program.
- L. **Motion to adopt Resolution No. 2016-25, carried by a 9-0 RollCall-Pro System vote, all voting aye.**

Unfinished Business

- I. Ald. Hillstrom thanked all CommunityFest volunteers for a successful event. He also thanked the Park & Recreation Department, Community Development and Public Works for their assistance.

New Business

- I. Ald. Lendrum advised those listening if they are interested in reviewing the Summary Audit they can contact the Finance Dept.
- II. Ald. Lendrum reminded everyone of a cleanup day this Saturday at 9:00 am at the Kimberly Point Park. The Pokémon Go phenomenon has left the park in need of a cleanup. One of the Pokémon fans, Glenn has sponsored a cleanup day. Bags and gloves will be provided.

- III. Mayor Kaufert advised that the implementation of Accela is coming along nicely. Because of the Election and vacated Deputy Clerk position the agenda has been amended. Aldermen iPads should be here August 1st so we are looking at an orientation for the aldermen on August 3rd. In September we will have a parallel meeting and a Go Live on October 7th.
- IV. Mayor Kaufert advised of the final two sessions of CPR training tomorrow night at 5 pm & 6 pm at Fire Station No. 32 on Columbian Avenue. We are the first City in the State to have 100% participation on hands free CPR and the use of AEDs.
- V. Mayor Kaufert advised that the city garage is moving forward with a trial period of Sunday hours at the drop off site. They will target the last Sunday in July/August/September from 8 am to noon.

Adjournment

- I. **MSC Pollnow/Stevenson to adjourn at 9:08 p.m., all voting aye.**

Patricia A. Sturn, WCPC/MMC