



**City of Neenah**  
**COMMON COUNCIL AGENDA**  
**Wednesday, August 21, 2019 - 7:00 p.m.**  
**Neenah City Hall**  
**Council Chambers**

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointment(s)
  - A. Mayor Kaufert's reappointment of Jane Lang on the Landmarks Commission for a three-year term to expire July 2022. (Motion to confirm) **(UC)**
  - B. Mayor Kaufert's appointment of Monica Larabee (1<sup>st</sup> Alternate) to fill the expired term of Jose Morales (regular member) on the Landmarks Commission for a three-year term to expire July 2022. (Motion to confirm) **(UC)**
  - C. Mayor Kaufert's appointment of Theo Haaks to fill the unexpired term of Melodie Vanderkolk on the Sustainable Neenah Committee—term expires December 2020. (Motion to confirm) **(UC)**
  - D. Mayor Kaufert's appointment to fill the expired term of Wayne Sigl on the Board of Review for five-year term to expire June 2024. (Motion to confirm) **(UC)**
  - E. Swearing in
- III. Approval of Council Proceedings
  - A. Approval of Council Proceedings of August 7, 2019 regular session. **(UC)**
- IV. Public Hearings (None)
- V. Plan Commission, Public Services & Safety Committee or Finance & Personnel Committee report pertaining to the Public Hearings (None)
- VI. Public Forum
  - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- VII. Mayor/Council consideration of public forum issues
- VIII. Consent Agenda
  - A. Approve Beverage Operator License Applications for: Olivia Eichhorst, Jessica Moderson, Amanda Musial and Emily Reisdorf. **(PSSC)**
  - B. **(UC)**
- IX. Reports of standing committees
  - A. Regular Public Services and Safety Committee meeting of August 13, 2019: (Chairman Bates/Vice Chairman Lang) (Minutes can be found on the City web site)
    1. Committee recommends Council adopt Ordinance 2019-19 amending Article III of the Neenah Electrical Code. **(RollCall-Pro)**
    2. Committee recommends Council approve the Beverage Operator License Application for Chloe Allyn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to

- prepare a stipulated agreement defining the license conditions. **(RollCall-Pro)**
3. Committee recommends Council approve the Beverage Operator License Application for Kelsey Bockhorn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions. **(RollCall-Pro)**
  4. Committee recommends Council approve the Beverage Operator License Application for Grace Kenny with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions. **(RollCall-Pro)**
- B. Regular Finance and Personnel Committee meeting of August 12, 2019: (Chairman Erickson/Vice Chairman Boyette) (Minutes can be found on the City web site)
1. Committee recommends Council adopt Ordinance 2019-20 Annexation #215 Integrity Construction – CTH G – Town of Vinland-19.619 acres. (To be considered following a report from the Plan Commission)
  2. Committee recommends Council approve the proposed contract with Baker Tilly to provide audit services to the City and City owned utilities for Fiscal Years 2019-2021. **(RollCall-Pro)**
- X. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of August 13, 2019: (Council Rep Lang) (Minutes can be found on the City web site)
1. Commission recommends Council approve Annexation #215 (Ordinance #2019-20) and the property also receive R-1, Single-Family Residence District zoning classification. **(RollCall-Pro)**
  2. Commission recommends Council approve the Preliminary Plat of the First Addition to Integrity Acres Subdivision subject to the comments on the Preliminary Plat Review Letter. **(RollCall-Pro)**
- B. Board of Public Works meeting of August 13, 2019: (Vice Chairman Bates) (Minutes can be found on the City web site)
1. Information Only Items:
    - a) The Board approved Change Order No. 1 for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of (\$12,577.32).
    - b) The Board approved Pay Request No. 7 for Washington Park Phase 3 to R & R Wash, Ripon, WI, in the amount of \$77,649.84.
  2. Council Action Items:
    - a) The Board recommends Council approve the Final Payment for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of \$79,801.68. **(RollCall-Pro)**
    - b) The Board recommends Council approve the Final Payment No. 2 for Contract 1-18 Miscellaneous Sewer and Water Main Construction

and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street, and Whiting Court to David Tenor Corporation, Green Bay, WI, in the amount of \$21,461.37. **(RollCall-Pro)**

- C. Community Development Authority
    - 1. Report from the CDA – Director Haese
  - D. Library Board
    - 1. Report from the Library Board – Alderperson Erickson
  - E. 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. Mayor Kaufert's appointment to fill the expired term of Sandy Miller on the Committee on Aging for a three-year term to expire September 2022. (To be considered at the September 4, 2019 Council meeting)
  - B. Any announcements/questions that may legally come before the Council.
- XV. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk's Office (920) 886-6100 or the **City's ADA Coordinator at (920) 886-6106 or e-mail [attorney@ci.Neenah.wi.us](mailto:attorney@ci.Neenah.wi.us)** at least 48 hours prior to the scheduled meeting or event to request an accommodation.

City of Neenah  
Application For Appointment



Name	Theo Haaks	Date	06/26/19
Address	603 Caroline St	Employer	Boys and Girls Club of the FOX Valley
City, ST Zip	Neenah, WI 54956	Eve. Phone	920-903-7534
E-mail	Theoh192@gmail.com	Day Phone	920-903-7534
		Fax	

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

- |  |   |
|--|---|
| <input type="checkbox"/> Library Board                   | <input type="checkbox"/> Park and Recreation Commission |
| <input type="checkbox"/> Committee on Aging              | <input type="checkbox"/> Board of Appeals               |
| <input type="checkbox"/> Plan Commission                 | <input type="checkbox"/> Board of Review                |
| <input type="checkbox"/> Police Commission               | <input type="checkbox"/> Emergency Government Committee |
| <input type="checkbox"/> N-M Joint Fire Commission       | <input type="checkbox"/> Loan Assistance Board          |
| <input type="checkbox"/> Landmarks Commission            | <input type="checkbox"/> Board of Harbor Commissioners  |
| <input type="checkbox"/> Business Improvement District   | <input type="checkbox"/> Water Works Commission         |
| <input type="checkbox"/> Board of Health                 | <input type="checkbox"/> N/M Sewerage Commission        |
| <input type="checkbox"/> Community Development Authority | <input type="checkbox"/> Citizen Advisory Committee     |
| <input type="checkbox"/> Other                           | <input type="checkbox"/> Sustainable Neenah Committee   |

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

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

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Please Sign and Date:  06/26/19

Please return to the Neenah City Clerk's Office

Sustainability is a topic very close to my heart. Nature and the natural environment have always been important to me and were a formative part of my Wisconsin childhood. Hiking, bird watching, canoeing, and fishing in Wisconsin's brilliant variety of natural places has fostered my appreciation for Nature's beauty. The disregard which some individuals, corporations, and even governments have for the environment shocks and concerns me. However, I remain optimistic that communities and individuals who take measures towards sustainability can prevent and even reverse the issues which threaten our environment, creating positive change. I wish to join the Neenah Sustainability Committee to be a part of that change.

Aside from my passion for sustainability, I am fairly well versed in Robert's Rules of Order, so I would be able to efficiently participate in committee meetings. Additionally, I am organized, open to working with all people, and good with technology and social media.

Thank you for considering this application!

## **Proceedings of the Common Council of the City of Neenah**

Wednesday, August 7, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., August 7, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Asst. Fire Chief Green, Dir. of Parks & Recreation Kading, Statutory Assessor Brown, Property Appraiser Engelbreth, Sarahjean Schluechtermann, Becky Jacobsen, Kelly Olson, Andrew Prust and Jens Jacobsen.

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

### **Proceedings**

- I. **MS Lendrum/Bates to approve the Council Proceedings of June 19 and July 17, 2019 regular sessions and the Committee of the Whole minutes of July 17, 2019. There being no objections the motion was approved by unanimous consent.**

### **Consent Agenda**

- I. **MS Bates/Lendrum to remove Grace Kenny and Heidi Raegan from the Consent Agenda to send back to Committee for consideration of police recommendation to deny their applications for a beverage operator licenses.**
  - A. **There being no objections the motion was approved by unanimous consent.**
- II. **MS Lendrum/Lang to approve the Consent Agenda as follows:**
  - A. **Approve beverage operator license applications for Taegen A. Ewald, Daniel Krieg, Jennifer L. Lemke, Kara L. Palasz, Dean A. Ressler, Jodi A. Strzyzewski, and Haley I. Tesch. (PSSC)**
  - B. **Approve the beverage operator license application (renewal) for Melissa C. Wintrow, contingent upon payment of all delinquent City fees. (PSSC)**
  - C. **Approve the Street Use Permit for the Bikers Against Human Trafficking Ride, sponsored by the Bikers Against Trafficking, WI, Becky Jacobsen, 1336 Meadow Lane, Neenah, to be held on August 17, 2019. (PSSC)**
  - D. **Approve the temporary extension of licensed premise application for the Fire Lite, Inc., 1171 Gillingham Road, for their Cornhole Tournament on August 17, 2019. (PSSC)**

- E. **There being no objections the motion was approved by unanimous consent.**

### **Public Services and Safety Committee**

- I. Chairman Bates reported the special meeting of August 7, 2019:
  - A. Committee recommends Council approve Winnebago County retain \$50,925 to cover their 2018 operating deficit, and refund the remaining recycling revenue surplus of \$36,093 for 2018 to all municipalities, based upon the actual tonnage processed in 2018 for each municipality. **MSCRП Bates/Lang, all voting aye.**
- II. Chairman Bates reported the regular meeting of July 30, 2019:
  - A. Committee recommends Council approve the design and engineering proposal for the Shattuck Park Fountain from Ayres Associates for an amount not to exceed \$19,300. **MSCRП Bates/Kunz, all voting aye.**
  - B. Committee recommends Council adopt Ordinance 2019-18 amending the name of Peckham Road, Oak Street Road and (east) Peckham Street between Commercial Street and South Park Avenue as East Peckham Street. **MSCRП Bates/Lang, all voting aye.**
  - C. Committee recommends Council approve Ordinance 2019-17 amending the Smoking Ban to include e-cigarettes. **MS Bates/Erickson.**
    - 1. **MSCRП Erickson/Kunz to remove Section 11-100 (d) exemption for vap stops from the ordinance, all voting aye, Ald. Boyette / Lendrum voting nay.**
    - 2. **The original motion, as amended, carried by a 7-1 RollCall-Pro System vote, all voting aye, Ald. Boyette voting nay.**

### **Finance & Personnel Committee**

- I. Chairman Erickson reported the regular meeting of July 29, 2019:
  - A. Committee recommends Council approve the Cardinal Plat Development Agreement. (To be considered following a report from the Board of Public Works)

### **Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee**


- I. Ald. Kunz reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of July 23, 2019:
  - A. Committee recommends the City of Neenah and City of Menasha Common Council's approve the proposed Cost Distribution Formula as of 12/31/18 for the 2020 budget with the City of Neenah's share at 59.30% and the City of Menasha's Share at 40.70%. **MSCRП Kunz/Bates, all voting aye.**
  - B. Committee recommends the City of Neenah Common Council adopt the City of Neenah Ordinance 2019-5 amending portions of Chapter 7, Article II, Fire Prevention Codes. **MSCRП Kunz/Boyette, all voting aye.**

**Board of Public Works**

- I. Vice Chairman Bates reported the meeting of July 30, 2019:
  - A. Council Action Items:
    1. The Board recommends Council approve the Development Agreement for Cardinal Plat Subdivision. **MSCRP Bates/Kunz, all voting aye.**

**Adjournment**

- I. **MSC Boyette/Lendrum to adjourn at 8:36 p.m., all voting aye.**

  
Patricia A. Sturn, WCPC/MMC  
City Clerk



## **COMMON COUNCIL MINUTES**

Wednesday, August 7, 2019 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., August 7, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Asst. Fire Chief Green, Dir. of Parks & Recreation Kading, Statutory Assessor Brown, Property Appraiser Engelbreth, Sarahjean Schluechtermann, Becky Jacobsen, Kelly Olson, Andrew Prust and Jens Jacobsen.

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

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

### **Introduction / Swearing In of New Deputy Clerk**

- I. Mayor Kaufert introduced newly appointed Deputy Clerk Stephanie Cheslock.
  - A. Clerk Sturn administered the Oath of Office to Stephanie.
  - B. Stephanie advised she was born and raised in the Valley. She is excited for this opportunity and a future with the City of Neenah.

### **2019 Citywide Revaluation Presentation - Assessor's Office**

- I. Deputy Dir. of Community Development & Assessment Schmidt / Statutory Assessor Mark Brown / Property Appraiser Kathy Engelbreth gave a brief presentation on the 2019 Revaluation. This is the first revaluation since 2011. The purpose is to bring assessments in line with market values. The assessment ratio has dipped down below 90% creating the need for a citywide revaluation. Notices will go out to property owners the end of August. The average increase is 20%. Open Book will be held September 10<sup>th</sup>, 11<sup>th</sup> & 12<sup>th</sup> from 9 am to 6 pm. Property owners can also view the assessment roll at the Neenah Library. If these hours do not work, just call the Assessor's Office to set up an appointment anytime. They have an open door policy. Board of Review is scheduled to begin on October 23<sup>rd</sup>. The Assessor's Office strongly recommend that property owners attend the Open Book prior to scheduling an appointment before the Board of Review. Information regarding the entire process can be found on their website. Staff answered questions from the Mayor / Council.
  - A. Mayor Kaufert advised the Council that he is in the process of setting up a Lunch & Learn with Assessor Brown sometime next week. This will give the Council an opportunity to ask questions regarding the re-evaluation prior to the notices going out.

## Proceedings

- I. **MS Lendrum/Bates to approve the Council Proceedings of June 19 and July 17, 2019 regular sessions and the Committee of the Whole minutes of July 17, 2019. There being no objections the motion was approved by unanimous consent.**

## Public Forum

- I. Kelly Olson, 140 N. Lake Street, gave a brief presentation on their group Bikers Against Trafficking (BAT). They are an international 501(c)(3) non-profit with the goal of eradicating human sex trafficking & restoring those impacted through: building awareness; clinical trauma counseling; job placement; housing assistance and mentoring. Their headquarters is in Lake Mary, Florida. BAT has active chapters in Canada and internationally in Ukraine and Netherlands. BAT Wisconsin was formed in 2017. Currently in Sturgis, South Dakota, several organizations are teaming up to host a 140-mile ride through the Black Hills to raise funds and awareness around this problem. They are present at this meeting to speak about their fundraising ride scheduled in Neenah-Menasha on August 17<sup>th</sup> which is before the Council for consideration at this meeting. The route for their ride is proceed through Menasha and Neenah. They will come into Menasha on Third Street (STH 114) and turn left on Tayco Street. They will continue on Tayco Street which becomes Commercial Street in Neenah. They will turn right on Wisconsin Avenue, then left on Main Street and right on to Green Bay Road. She encouraged everyone to support them by waving as they go by.
  - A. Kelly Olson clarified for Ald. Bates that they work with local law enforcement agencies in Neenah, Menasha, Appleton, Oshkosh and others.
  - B. Kelly Olson thanked Ald. Lendrum for suggesting she speak with Future Neenah. She will contact Nikki to let them know about their ride and to share the information with downtown businesses.
- II. Sarahjean Schluetchermann, Community Health Strategist at Winnebago County Health Department, spoke in favor of the proposed amendment to the smoking ban to include vaping. She thanked the Council for working to protect the public health and safety of our youth and community. She reviewed some statistics related to vaping. They do not know the long terms effects of e-cigarette use and vaping but studies are showing these products contain harmful chemicals and can have negative health effects on the person using them as well as those around them. Use of e-cigarettes in public places is a significant public health concern. She thanked the Council for recognizing this as an urgent problem and for taking action. They are also concerned with the bigger picture of youth access to these products. They conduct compliance checks through the Wisconsin WINS Program at both retailers with tobacco licenses as well as vap shops. During the past round of compliance checks for 20 City of Neenah retailers, three unfortunately sold products to their underage

volunteers. In order to protect our youth, we have to change the conditions where these products are less accessibly and less marketed to youth. Including e-cigarette products into a comprehensive indoor air ordinance will make sure everyone has access to clean air. The State and Best Practice Policy recommends that there be no exemption for vap shops. She asked the Council to consider removing the exemption for vap shops from the ordinance. This will avoid confusion, provide consistency and provide all residents and employees clean air. She thanked the Council for their time.

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

### **Consent Agenda**

- I. **MS Bates/Lendrum to remove Grace Kenny and Heidi Raegan from the Consent Agenda to send back to Committee for consideration of police recommendation to deny their applications for a beverage operator licenses.**
- A. **There being no objections the motion was approved by unanimous consent.**
- II. **MS Lendrum/Lang to approve the Consent Agenda as follows:**
- A. **Approve beverage operator license applications for Taegen A. Ewald, ~~Grace Kenny~~, Daniel Krieg, Jennifer L. Lemke, Kara L. Palasz, Dean A. Ressler, Jodi A. Strzyzewski, and Haley I. Tesch. (PSSC)**
- ~~B. Approve the beverage operator license application (new) for Heidi Raegan, contingent upon payment of all delinquent City fees. (PSSC)~~
- C. **Approve the beverage operator license application (renewal) for Melissa C. Wintrow, contingent upon payment of all delinquent City fees. (PSSC)**
- D. **Approve the Street Use Permit for the Bikers Against Human Trafficking Ride, sponsored by the Bikers Against Trafficking, WI, Becky Jacobsen, 1336 Meadow Lane, Neenah, to be held on August 17, 2019. (PSSC)**
- E. **Approve the temporary extension of licensed premise application for the Fire Lite, Inc., 1171 Gillingham Road, for their Cornhole Tournament on August 17, 2019. (PSSC)**
- F. **There being no objections the motion was approved by unanimous consent.**

### **Public Services and Safety Committee**

- I. Chairman Bates reported the special meeting of August 7, 2019:
- A. Committee recommends Council approve Winnebago County retain \$50,925 to cover their 2018 operating deficit, and refund the remaining recycling revenue surplus of \$36,093 for 2018 to all municipalities, based

upon the actual tonnage processed in 2018 for each municipality. **MS Bates/Lang.**

1. Ald. Kunz asked to be updated as to how other municipalities have voted on this.
2. Dir. Easker indicated, as City of Neenah's representative on the Solid Waste Board, he will share this information with the Council once it is received.
3. Mayor Kaufert advised that the tipping fee for recycled materials is \$10/ton. For garbage, we pay \$41/ton. The more we recycling the more savings to the City. He cautioned not to put things in recycling that are not recyclable as this would add costs to remove it.
4. Ald. Steele added that she has read that China is not buying U.S. recyclables anymore because we were sending too much contaminated recycling material to them. This would cause tipping fees to go up significantly.
5. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

II. Chairman Bates reported the regular meeting of July 30, 2019:

- A. Committee recommends Council approve the design and engineering proposal for the Shattuck Park Fountain from Ayres Associates for an amount not to exceed \$19,300. **MSCRП Bates/Kunz, all voting aye.**
- B. Committee recommends Council adopt Ordinance 2019-18 amending the name of Peckham Road, Oak Street Road and (east) Peckham Street between Commercial Street and South Park Avenue as East Peckham Street. **MSCRП Bates/Lang, all voting aye.**
- C. Committee recommends Council approve Ordinance 2019-17 amending the Smoking Ban to include e-cigarettes. **MS Bates/Erickson.**
  1. Asst. City Attorney VandenHeuvel advised that the State smoking ban is only for tobacco products, cigars, cigarettes, pipes, all this ordinance does is add a definition that e-cigarettes are included in the smoking ban. Anywhere you cannot smoke in the City of Neenah you now cannot smoke a vap. Appleton, Grand Chute, Kimberly have all passed similar bans. The State Legislature has a bill pending but it has not been presented on the floor yet. He clarified for Ald. Lendrum that the Park & Rec Commission has a rule that you cannot smoke within 100' of any playground, park structure or any other structure. If this passes, vaping would be included in that rule as well.
  2. Asst. City Attorney VandenHeuvel advised that Appleton passed this a while back, then spent a few months negotiating with the vap shops because they were unhappy. They found out that people who vap like to try the product before they buy it. They added the exemption for vap shops in existence at the time the ordinance was passed. Rather than go through what Appleton went through, he put the exemption in right away. If the Council wishes to remove it, they can do that.

3. Ald. Boyette indicated this is a vap shops livelihood. She expressed concern over removing the exemption for vap shops.
4. **MS Erickson/Kunz to remove Section 11-100 (d) exemption for vap stops from the ordinance.**
5. Ald. Erickson added that this is for the health of people working in a vap shop. It is also a public space in which they are considered an employee and should not have to deal with vaping. Studies show that even though the risk of secondhand smoke is not as great with vaping, there is a risk.
6. Ald. Boyette indicated she will vote in favor of the ordinance but is opposed to this amendment. She feels people entering a vap shop know vaping occurs in there. If you don't like it, you don't go there. If you are afraid for your health, you don't go there. On that same note, you would not apply for a job there if you don't like it or are afraid for health reasons. There is no need for this amendment in her eyes. She feels it will hinder their business and it is not fair for government to do this to a business.
7. Ald. Spellman questioned how many cap shops exist in the City of Neenah.
8. Asst. City Attorney VandenHeuvel advised there is only one "strictly" vap shop and that is the Neenah Vap on Cecil Street. The exemption would apply to any business which IDs customers where you have to be 18 years of age or older and sell vap. It would also apply to Tobacco Outlet.
9. Ald. Spellman asked if it would be beneficial to have open dialog with those businesses before we disrupt their business.
10. Asst. City Attorney VandenHeuvel indicated the City continues to take the stand to not actively approach either side when passing an ordinance.
11. City Attorney Godlewski indicated if we would like to have such dialog we would notify both sides and hold a public hearing.
12. Ald. Kunz indicated this exemption may have an impact on a business however our ordinance that does not allow beer sales in convenience stores or in the park also impact businesses. Just like the smoking ban itself. He does not see this as a negative.
13. Ald. Lang asked if we have any idea what the State proposal is and if this would be in conflict with that.
14. Asst. City Attorney VandenHeuvel advised that this would definitely not be in conflict. The State's proposal is almost identical to this except it just adds vap shops to the list of smoke free workplaces. Vap shops would not be exempt in the State law as it is currently proposed. We are allowed to be more restrictive than State law but not less restrictive.
15. Ald. Boyette questioned how cigar bars work and how they can stay in business with the State smoking ban in place.
16. Asst. City Attorney VandenHeuvel advised that when the smoking ban was passed, there was an exemption for businesses already in

- existence on June 3, 2009 in which only the smoking of cigars and pipes is allowed.
17. Ald. Boyette asked for a friendly amendment to grandfather in existing businesses.
  18. Ald. Erickson indicated she is not okay with the friendly amendment.
  19. Asst. City Attorney VandenHeuvel clarified for Mayor Kaufert that neighboring communities have added vaping. Appleton has the exemption, Kimberly does not. Menasha has not added vaping to the smoking ban. In Neenah it is illegal for anyone under 18 to possess a vap. In the State, it is illegal for anyone under 18 to possess nicotine or tobacco. It is not illegal to possess the vap unless it has nicotine in it.
  20. **The amendment to delete the exemption for vap shops, carried, by a 6-2 RollCall-Pro System vote, all voting aye, Ald. Boyette / Lendrum voting nay.**
  21. Asst. City Attorney VandenHeuvel clarified for Ald. Bates that we do not need to prove whether or not it contains nicotine. The wording was changed to say, "Anything that can house nicotine" therefore they cannot vap period. He advised Ald. Boyette that he is unfamiliar with Hookah Bars therefore unsure how this would affect them. Reading State law, he thinks they would not be able to open a new Hookah Bar but they could have been grandfathered in.
  22. City Atty. Godlewski added that the ordinance does not prevent them from selling Hookah, just smoking it indoors or selling to those under 18.
  23. Ald. Lang indicated they can still sell Hookah product they just can't smoke it indoor.
  24. Mayor Kaufert advised that the City Attorney's Office will look up the impact of this on Hookah Bars.
  25. Ald. Bates added that she would be happy to put Hookah Bar discussion on a future PSSC agenda.
  26. **The original motion, as amended, carried by a 7-1 RollCall-Pro System vote, all voting aye, Ald. Boyette voting nay.**

### **Finance & Personnel Committee**

- I. Chairman Erickson reported the regular meeting of July 29, 2019:
  - A. Committee recommends Council approve the Cardinal Plat Development Agreement. (To be considered following a report from the Board of Public Works)

### **Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee**

- I. Ald. Kunz reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of July 23, 2019:
  - A. Committee recommends the City of Neenah and City of Menasha Common Council's approve the proposed Cost Distribution Formula as of 12/31/18 for the 2020 budget with the City of Neenah's share at

59.30% and the City of Menasha's Share at 40.70%. **MSCRK Kunz/Bates, all voting aye.**

- B. Committee recommends the City of Neenah Common Council adopt the City of Neenah Ordinance 2019-5 amending portions of Chapter 7, Article II, Fire Prevention Codes. **MSCRK Kunz/Boyette, all voting aye.**

### **Board of Public Works**

- I. Vice Chairman Bates reported the meeting of July 30, 2019:
- A. Information Only Items:
1. The Board approved Pay Estimate No. 4 for Contract 1-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Caroline Street, Stevens Street and Fifth Street to Carl Bowers & Sons Construction Co., Inc., Kaukauna, WI, in the amount of \$348,562.79.
  2. The Board approved Pay Estimate No. 4 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, Thomas Court to Robert J. Immel Excavating, Inc., Greenville, WI, in the amount of \$72,094.54.
  3. The Board approved Pay Estimate No. 1 for Contract 4-19 Concrete Pavement and Sidewalk Repair to Sommers Construction Company Inc., Shiocton, WI, in the amount of \$237,895.69.
  4. The Board approved Pay Estimate No. 1 for Contract 5-19 HMA Pavement Repair to MCC, Inc., Appleton, WI, in the amount of \$36,251.54.
  5. The Board approved Pay Request No. 6 for Washington Park Phase 3 to R & R Wash, Ripon, WI, in the amount of \$223,129.62
- B. Council Action Items:
1. The Board recommends Council approve the Development Agreement for Cardinal Plat Subdivision. **MSCRK Bates/Kunz, all voting aye.**

### **Bergstrom Mahler Museum**

- I. Alderperson Spellman reported from the Bergstrom Mahler Museum:
- A. The Museum's 45<sup>th</sup> Annual Arts Festival was well attended.
- B. Leaves in Glass two day class will be held September 12<sup>th</sup> from 5:30 – 8:30 pm & September 14<sup>th</sup> from 10 am – 1 pm. Preserve the beautiful fall foliage in glass. Learn how to combine powdered glass and dried leaves to create a custom sheet of glass.
- C. Their next meeting will be held August 28<sup>th</sup>.

### **Unfinished Business**

- I. Ald. Kunz questioned the status of the Memorandum of Understanding (MOU) with the Village of Fox Crossing.

- A. City Attorney Godlewski advised that MOU should be completed late this week or early next week.

**New Business**

- I. Mayor Kaufert thanks everyone who participated in the Mayor's Golf Outing. There was a good turnout. Once again, Dir. Easker and Ald. Stevenson took first place.
- II. Mayor Kaufert invited everyone to check out the Splash Pad at Washington Park. It has been well received. The Grand Opening of Washington Park will be held September 14<sup>th</sup>.
- III. Ald. Erickson questioned when the vaping ordinance will take effect and the plan to spread the word.
  - A. City Atty. Godlewski advised that the ordinance will take effect upon publication which is on Monday August 12<sup>th</sup>. Beside the article in the Post Crescent, there is no plan to spread the word other than by word of mouth or possibly social media.
- IV. Ald. Boyette announced the Stroll for Epilepsy at Memorial Park on August 17<sup>th</sup> from 10 am to 1:30 pm.
- V. Mayor Kaufert announced his employee appreciation luncheon will be held on Wednesday August 14<sup>th</sup> from 11 am to 1 pm. He invited the Council / staff to stop by.

**Adjournment**

- I. **MSC Boyette/Lendrum to adjourn at 8:36 p.m., all voting aye.**

  
Patricia A. Sturn, WCPC/MMC  
City Clerk



**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES**  
**Tuesday, August 13, 2019 - 6:30 PM**  
**Hauser Room - City Administration Building**

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

**Excused:** Alderman Spellman

**Also Present:** Mayor Kaufert, Director of Public Works Kaiser, Chief Building Inspector Walter, Police Captain Bernice

**Minutes: Motion/Second/Carried Lendrum/Stevenson to approve the minutes of the July 30, 2019, Regular Meeting and the August 7, 2019, Special Meeting.** All voting aye.

**Public Appearances:** None.

Ordinance 2019-19: Amending Article III - Electrical Code: Committee reviewed Inspector Walter's August 7, 2019, memo regarding Ordinance 2019-19 amending the Neenah Electrical Code to bring it into compliance with the 2015 Act 55 and Wisconsin Statutes 101.86, which requires all municipalities that perform electrical inspections to update their local electrical codes to conform to Wisconsin Statutes in regards to licensing electricians. He noted that many of the language adjustments relate to all electrician licensing being done at State level now and not by local municipalities.

ORD.

Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approve Ordinance 2019-19 amending Article III the Neenah Electrical Code.** All voting aye.

Refuse/Recycling Cart Placement for Storage: Director Kaiser reviewed his August 8, 2019, memo regarding placement for storage of refuse and recycling carts. Chairman Bates had requested that the Committee discuss code relative to the placement of carts and staff practice for enforcing that code. Director Kaiser reviewed current city ordinance and the ordinance language used in several other communities. Committee reviewed photos of properties that are in violation of the current ordinance. Committee discussed the number and type of complaints that have been received. Committee noted that more general language such as requiring that carts be stored in an "inconspicuous location" gives the property owner more flexibility for placement. Committee discussed problems that corner lot properties have in complying with the current ordinance. Committee expressed a desire to avoid storage in the front yard or in public view but to retain a clause allowing the Public Works Department to grant a variance to a property.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to direct staff to review the comments from the Committee and prepare an amendment to Sec. 12-9 of the municipal code for future Committee review.** All voting aye.

Warehouse - Harrison Street Pond Site: Director Kaiser reviewed his August 9, 2019, regarding the warehouse on the Neenah Foundry property that was recently purchased by the City. This property was purchase for construction of a storm water detention pond.

**Public Services and Safety Committee Meeting**  
**August 13, 2019**  
**Page 2**

The initial assumption in pond design was that the warehouse would be removed as part of the general site clean-up and to maximize the aesthetic value of the site. However, use of that area for increasing the pond size is limited because of a barrier created by water and sanitary sewer utilities running along the west side of the building that are not going to be relocated. He noted that staff has been evaluating the use of the building for city purposes. Committee discussed the options for the warehouse building. Committee questioned the suitability of the building for police purposes either for evidence storage or a shooting range. Committee questioned if other departments had been approached regarding their space or storage needs that could be handled with this building. Director Kaiser noted that he had discussed the building's use with the Parks and Recreation Department.

Following discussion, the Committee directed Director Kaiser to seek input from other city departments to see if this building is suited for any of their space needs.

**Beverage Operator License Applications:** The Committee reviewed the beverage operator license applications for Olivia Eichhorst, Jessica Moderson, Amanda Musial and Emily Reisdorf.

C.A. Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve beverage operator license applications for Olivia Eichhorst, Jessica Moderson, Amanda Musial and Emily Reisdorf.** All voting aye.

**Beverage Operator License Applications - Denials:** The Committee discussed the types of violations that were noted on the denials. They discussed the fairness of the expectation that applicants have a complete recollection of violations that should be noted on the form. Mayor Kaufert noted the emphasis that staff makes to potential applicants about the need to completely and accurately fill out the form. He noted that City Attorney Godlewski intends to review the application process and materials. Police Captain Bernice outlined the background check process. He noted that some violations are not listed in CCAP but are found in department review of municipal citations from area communities. Captain Bernice noted that there had been seven denials in the past month for non-disclosure of violations. He stated that the department attempts to treat all of the applications consistently and does not judge or evaluate the type of violation that has not been disclosed. Committee discussed the relationship between the violations discovered and the work to be performed under the license.

Committee noted the responsibility of the applicant to complete the form accurately. Committee discussed the application form. Mayor Kaufert provided the Committee with a copy of the application packet. Committee expressed concern that a denied applicant cannot re-apply for one year regardless of the reason for denial. Committee noted a willingness to shorten that time period if the denial is based on a failure to disclose and the undisclosed violation does not include one of the standard parameters for the denial of an operator's license. Committee noted that the re-application could be charged a fee that is less than the normal fee for a new license.

**Public Services and Safety Committee Meeting**  
**August 13, 2019**  
**Page 3**

Committee questioned if applicants with lower severity violations could be contacted to correct their application. Mayor Kaufert noted staff concerns with treating all applicants equally.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to direct City Attorney Godlewski to provide a legal opinion on the possibility of reducing the time lag between a license denial and a new application if the reason for a denial was a failure to properly disclose a violation and if the undisclosed violation is not included in the standard parameters for denial.** All voting aye.

The Committee discussed the beverage operator license application (new) for Chloe Allyn. The Neenah Police Department had recommended license denial based on a failure to disclose a violation for operating after revocation/suspended registration in 2015.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Chloe Allyn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** All voting aye.

The Committee discussed the beverage operator license application (new) for Kelsey Bockhorn. The Neenah Police Department had recommended license denial based on a failure to disclose a violation for failure to wear a seatbelt in 2017.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Kelsey Bockhorn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** All voting aye.

The Committee discussed the beverage operator license application (new) for Grace Kenny. The Neenah Police Department had recommended license denial based on a failure to disclose two speeding violations.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Grace Kenny with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** Motion passed 3-1 (Ald. Bates voting No).

**Public Works General Construction and Department Activity:**

1. Contract 1-18 (Andrew, Richard, Geiger, Whiting) – Subsequent to our issuing final payment for this work, we were notified that a subcontractor had found an error in the final quantities. The Board of Public Works recommended Council approval of an adjusted final payment.
2. Contract 2-18 (Cecil, Adams). Staff met with the contractor to review final quantities. The Board of Public Works recommended Council approval of the final pay estimate.

**Public Services and Safety Committee Meeting**  
**August 13, 2019**  
**Page 4**

3. Contract 3-18 (Nature Trails/Eaglecrest) – Work is complete. The contractor has been contacted about providing an estimate to grade and pave the Shootingstar Drive connection.
4. Contract 1-19 (Caroline, Stevens, Fifth) – Work is complete. Final quantity measurements are being made.
5. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
  - a. Stanley Court – Utility work is complete. The street is in the rest period.
  - b. Stanley Street – Water main work is complete. The street is in the rest period.
  - c. Thomas Court – Road removal/grading started the week of August 5.
6. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The contractor is scheduled to re-start work on Tullar Road the week of August 12. Pavement repairs in the southbound travel lane and sidewalk repairs on the west side need to be done. Following that, pavement repairs around the centerline manholes will be done.
7. Contract 5-19 (Hot-Mix Asphalt Pavement Repair) – Work has started. The contractor will be in after Labor Day to complete the work.
8. Courtney Court – Construction started the week of June 22. Sanitary sewer main and water main installation are complete.
9. Staffing Updates –
  - a. An Administrative Assistant for the Tullar Garage has been hired. She starts on August 19 for two days per week while she transitions out of her current job. At the beginning of September she will start working her normal schedule of 29 hours per week.
  - b. We are extending an offer to fill the open sanitation worker position.
  - c. One of our drop-off attendants has resigned. We have hired a replacement.

**Announcements/Future Agenda Items:**

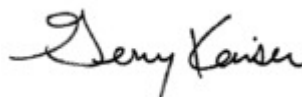
Ald. Lang noted that she was contacted by Fox Cities Magazine about historic names of streets. She asked Committee to pass along any suggestions that they have.

Chairman Bates informed the Committee that she had asked for a discussion on the subject of liquidated damages distribution.

Chairman Bates noted that Committee will have a future discussion on requirements of hard surface for driveways and driveway aprons. Ald. Lendrum noted that the Council directive also included a requirement to include a garage as part of new residential construction.

**Motion/Second/Carried Lendrum/Stevenson to adjourn at 8:20 p.m.** All voting aye.

Respectfully submitted,



Gerry Kaiser, PE  
Director of Public Works



AN ORDINANCE: By Public Services and Safety  
Committee  
Re: Amending Article 3 Code §§ 21-73, 21-75, 21-  
76, 21-77, 21-78

ORDINANCE NO. 2019-19  
Introduced: September 4, 2019  
Committee/Commission Action:  
**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

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

**Section 1.** Section 21-73(a)(1) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(a) Required.

- (1) Electrical permits are required in accordance with SPS 316.012(1). ~~Unless otherwise expressly provided, no person shall start any electrical work unless a permit therefor has been obtained from the Electrical Inspector.~~

**Section 2.** Section 21-75(a) of the Code of Ordinances of the City of Neenah is amended by adding the highlighted language to read as follows:

- (a) *Inspector authorized.* The Inspector may periodically make thorough examinations of all electrical wires and appliances installed within the City, ~~except for facilities exempted under State Statute 101.875(2).~~

**Section 3.** Section 21-77 of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

Sec. 21-77. - Electrician's licenses.

(a) Licenses are required in accordance with State Statute 101.862.

- (1) Exception. The owner and occupant of his own home, housing not more than one family, may do the work described in this subsection in such home without a license with the exception of installing or replacement of service equipment; but he shall obtain a permit therefor, and such work shall be inspected and approved by the Department of Community Development.

~~(a) *Electrical contractor's license.*~~

~~(1) *Required.* No person shall contract with another party for the performance of electrical work unless licensed by the City. Before any person shall be licensed as an electrical contractor, he must possess a State of Wisconsin master electrician's certificate, or possess a master electrician's license in any municipality with which the City has a licensing reciprocity agreement. In either case, said license shall be current and unrevoked. Exemption from these licensing requirements shall be provided any person who, as of March 1, 1988, possesses a City Electrical Contractor's license. Furthermore, every person licensed as an Electrical Contractor shall abide by the following:~~

~~a. Any electrical contractor who owns and operates any electrical contracting business located at any one address shall not operate another electrical contracting business at another electrical contracting business at another location unless a licensed Master Electrician is fully employed.~~

~~b. No person other than a licensed electrical contractor shall use or display the title "Electrical Contractor," or append his name to, or in connection with such title or any other title or words which represent him as a licensed electrical contractor.~~

~~c. Every holder of an electrical contractor's license shall promptly notify the Department of Community Development of any change in business address.~~

~~(2) *Insurance.* Each contractor must file a copy of the insurance in force. The copy shall be kept on file in the City Clerk's office. Required coverage is \$500,000.00 minimum personal liability and \$100,000.00 minimum property damage.~~

~~(3) *Master electrician's license.*~~

~~a. No person shall perform the work of a master electrician unless licensed by the City. Before any person shall be licensed as a master electrician, he must possess a State of Wisconsin master electrician's certificate, or possess a master electrician's license in any municipality with which the City has a licensing reciprocity agreement. In either case, said license shall be current and unrevoked. Exemption from these licensing requirements shall be provided any person who, as of March 1, 1988, possesses a City master electrician's license.~~

~~b. Exception. The owner and occupant of his own home, housing not more than one family, may do the work described in this subsection in such home without a license with the exception of installing or replacement of service equipment; but he shall obtain a permit therefor, and such work shall be inspected and approved by the Department of Community Development.~~

~~(b) *Application.* Application for a license shall be made to the Inspector on forms he shall furnish.~~

~~(c) *Term and fees.*~~

~~(1) *Electrical contractor's license.* The annual fee for an electrical contractor's license shall be established by the Common Council, with such licenses being valid from May 1 to April 31. For any licenses issued between May 1 to April 31 of the following year.~~

~~(2) *Master electrician's license.* The annual fee for a master electrician's license shall be established by the Common Council, with such licenses being valid from May 1 to April 31 of the following year.~~

**Section 4.** Section 21-78(a) of the Code of Ordinances of the City of Neenah is amended by deleting the stricken language and adding the highlighted language to read as follows:

(a) *Application.* The State Electrical Code **SPS 316-Comm. 16**, and all changes, is hereby adopted by reference to apply to all electrical installations.

**Section 5. 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 6. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Moved by: \_\_\_\_\_

\_\_\_\_\_  
Dean R. Kaufert, Mayor

Adopted: \_\_\_\_\_

Attest:

Approved: \_\_\_\_\_

Published: \_\_\_\_\_

\_\_\_\_\_  
Patricia A. Sturn, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:  
Assistant City Attorney Adam James VandenHeuvel  
211 Walnut Street  
Neenah, WI 54956  
State Bar No. 1098561

**CITY OF NEENAH  
FINANCE AND PERSONNEL COMMITTEE MEETING  
Monday, August 12, 2019 – 6:30 p.m.  
Hauser Room, Neenah City Administration Building  
211 Walnut Street, Neenah, Wisconsin**

**MINUTES**

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

**Others Present:** Deputy Director of Community Development Schmidt.

**Absent/Excused:** Alderman Stevenson.

**Public Appearances:** None.

**Minutes:** Motion/Second/Carried Steele/Kunz to approve the minutes from the July 29, 2019 Regular Meeting. All voting aye.

**Ordinance 2019-20 Annexation #215 Integrity Construction – CTH G – Town of Vinland – 19.619 Acres:** Committee reviewed memo of Director Easker on Ordinance 2019-20 and petition for Annexation #215 Integrity Construction – CTH G – Town of Vinland. The proposed annexation is 19.619 acres for the purpose of the development of approximately 27 single family residential lots. The estimated revenues to the City by the developer totaling \$140,132.22 include oversized sanitary sewer interceptor and water main fees along with storm sewer fees. All City departments that expressed an opinion all recommend approval of or do not object to the proposed annexation.

Committee and staff discussed various aspects of the proposed annexation and reviewed a map of the area. Issues discussed included the need for and cost of the oversized utility fees, potential future development in the area, the City's current relationship with the Town of Vinland and the increased cost of services as city boundaries move further from the center of the city.

**Motion/Second/Carried Kunz/Boyette recommending Council approve Ordinance 2019-20 Annexation #215 Integrity Construction – CTH G – Town of Vinland-19.619 acres.** All voting aye.

**Consideration of Baker Tilly Audit Services 2019-2021/Deferred from Previous Meeting – 2015 Audit Selection Committee Results:** Committee reviewed memo of Director Easker regarding the committee deferral of action at its previous meeting on the three-year proposal from Baker Tilly to continue to provide audit services to the City for fiscal years 2019-2021, pending review of the results of the full analysis of audit services providers conducted in 2015 by an Auditor Selection Committee appointed by Mayor Kaufert. The Auditor Selection Committee results included the selection criteria, points assigned to each criteria and the scoring from each member of the selection committee that were then merged to determine a combined score for each of the auditing firms.



Committee and staff discussed various aspects of the auditor selection process. Items discussed included the recent merger of two audit firms that were involved in the 2015 review process and the City's long-standing relationship with Baker Tilly or its affiliates. Upon questioning, Director Easker indicated Alderman Stevenson had communicated that, in his absence, he felt comfortable with the Committee moving forward with the recommendation to Council to approve the contract with Baker Tilly to provide audit services to the City and City owned utilities for Fiscal Years 2019-2021.

REPORT

**Motion/Second/Carried Kunz/Steele recommending Council approve the proposed contract with Baker Tilly to provide audit services to the City and City owned utilities for Fiscal Years 2019-2021.** All voting aye.

**Fiscal Matters: Second Quarter Financial Statements:** Discussion took place on various aspects of the Second Quarter 2019 Financial Statements.

**Motion/Second/Carried Boyette/Steele to approve and place on file the Second Quarter Financial Statements as presented.** All voting aye.

**Motion/Second/Carried Boyette/Kunz to adjourn the meeting at 7:10 p.m.** All voting aye.

Respectfully submitted,



Michael K. Easker, CPA  
Director of Finance



AN ORDINANCE: By the Neenah Plan Commission  
Re: Annexing – 19.619 Acres of land west of Integrity Acres Subdivision and south of County Highway G – Integrity Custom Homes, LLC, owned property to the City of Neenah.

ORDINANCE NO. 2019-20

Introduced: August 21, 2019

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

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

**Section 1.** Pursuant to Section 66.0217(2), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Vinland, 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:

A part of Lot 1 of Certified Survey Map No. 2931 as recorded in Volume 1 of Certified Survey Maps on Page 2931 as Document No. 878981 and a part of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , all located in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 12, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 854,614 square feet (19.619 acres) of land, being more fully described as follows:

Commencing at the North  $\frac{1}{4}$  corner of said Section 12; thence N88°18'14"E, 1333.74 feet along the North line of the Northeast  $\frac{1}{4}$  of said Section 12 to the Northerly extension of the West line of Lands described in Document No. 1788672 and the Point of Beginning; thence continue N88°18'14"E, 666.87 feet along said North line to the Northerly extension of the West line of Lot 1 of Certified Survey Map No. 1954 as recorded in Volume 1 of Certified Survey Maps on Page 1954 as document No. 715811; thence S00°36'24"E, 1314.62 feet along said Northerly extension and the Southerly extension of said West line to the Southwest corner of Lot 1 of Certified Survey Map No. 7383 recorded as Document No. 1771789; thence S89°01'11"W, 600.87 feet along the North line of Lot 2 of said Certified Survey Map No. 2931 to the Northwest corner thereof; thence N00°36'07"W, 290.68 feet along the East line of Lot 1 of said Certified Survey Map No. 2931 to the Southeast corner of Lands described in Document No. 1788672; thence S89°23'53"W, 66.00 feet along the South line of said Lands to the Southwest corner thereof; thence N00°36'07"W, 1015.18 feet along the West line of said Lands and its Northerly extension to the Point of Beginning.

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

**Section 2.** The petition for annexation is conducted under unanimous approval (Wisconsin State Statute Sec. 66.0217(2)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14231. The annexation area is 19.619 acres in size and is wholly located in the Town of Vinland, Winnebago County. The parcel numbers of the land being annexed is all of 026025801 and part of 0260262 and the population of all people living on the transferred land is 0.

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

**Section 4. Severability.** In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

**Section 5. Repeal and Effective Date.** All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Adopted: \_\_\_\_\_

Published: \_\_\_\_\_

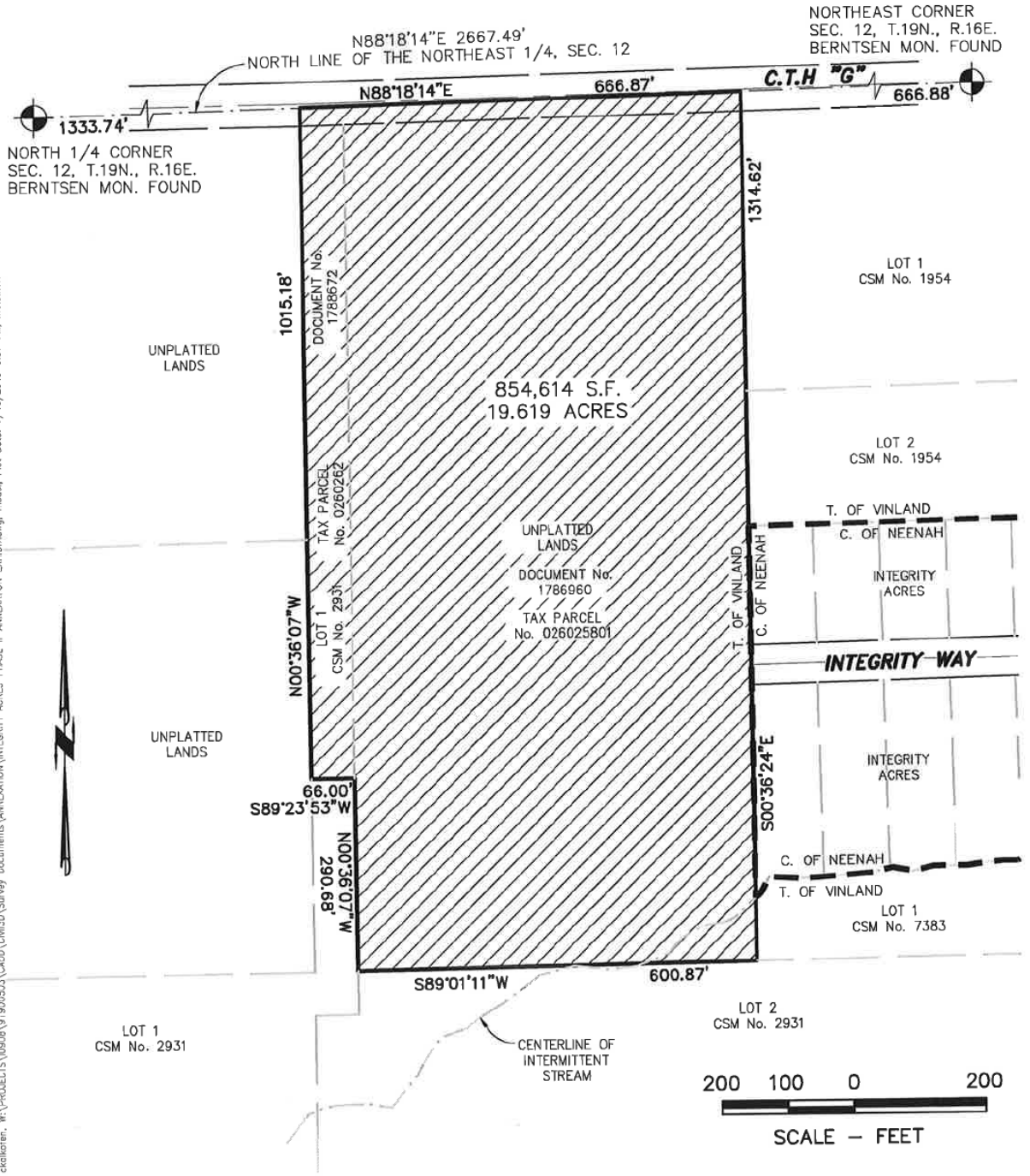
Approved:

\_\_\_\_\_  
Dean R. Kaufert, Mayor

Attest:

\_\_\_\_\_  
Patricia Sturn, City Clerk

# Exhibit 1



c:\allen\w1\PROJECTS\080808\91900503\CADD\Civil3D\Survey Documents\ANEXAD\INTEGRITY ACRES PHASE II-ANEXAD\EXHIBIT.dwg, model, Plot Date: 7/15/2019 3:37 PM, areafname

**MINUTES OF THE NEENAH PLAN COMMISSION**  
**Tuesday, August 13, 2019**  
**4:15 p.m.**

**Present:**

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

**Also present:**

Brad Schmidt, Deputy Director of Community Development	Cassandra Kohls, Administrative Assistant Community Development	Ald. Cari Lendrum
Adam Franke, Community Development Intern	Kellen Kinney – 628 Maple Street, Neenah, WI	

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

**Minutes:**

**MSC Hancock-Cooke/Kaiser to approve the July 9, 2019 meeting minutes with the following correction to Motion on Item 2. Motion changed from “Karen/Genett” to “Kaiser/Genett”. All Aye. Piergrossi abstained. Motion passed.**

**Public Appearances:** Mayor Kaufert opened for Public Appearances. No one commented. Mayor Kaufert closed Public Appearances.

**Public Hearings:** None.

**Action Items:**

**1. Site Plan Review – 109 Wright Avenue – Building Addition**

Adam Franke (Community Development Intern) provided an overview of the site plan submitted to construct an expansion for Ray’s Transmission and Auto Repair to be used as off-site storage.

The subject site is .15 acres and Zoned C-1, General Commercial District. The site includes an existing storage building which is about 2,050 square feet in size. The proposed 30’x30’ addition would match the height of the existing building (20-feet) and include 10 foot side yard setback, and landscaping requirements of 1 shade tree and 3 shrubs. Currently the site includes a gravel driveway which would be required to be replaced by asphalt or concrete.

Deputy Director Schmidt expanded on the proposed use, explaining the current outside storage would be moved inside.

Director Kaiser inquired about where the setback would fall. Deputy Director Schmidt explained the setback would fall just in front of the duplex to the west on the south of the existing building.

Member Piergrossi asked about the average setback on the street. Deputy Director Schmidt explained they would maintain an average setback due to the surrounding residential properties.

Member Hancock-Cooke clarified the subject is Zoned C-1 and is commercial adjacent to residential. Deputy Director Schmidt explained the property to the west of the subject is residential.

**MSC Kaiser/Lang, Plan Commission approves the site plan for the construction of an expansion located at 109 Wright Avenue subject to the site plan review letter.**

**All Aye. Motion passed.**

Mayor Kaufert inquired about lack of landscaping requirements on the west side of the subject property. Deputy Director Schmidt explained that there is a fence that comes to the front of the residence and mature trees.

**2. Site Plan Review – 135 N. Lake Street – Change of Use**

Deputy Director Schmidt explained a site plan has been submitted to change the use of the property from a warehouse facility to a contractor use. The subject is one parcel (2.1 acres) with two buildings which are attached as a condo. The building is currently occupied by one tenant and the remaining two-thirds of the building will be used by the applicant for a contracting business, 5 Star Contracting LLC. The proposed assembly use is a permitted use in the I-2 District, General Industrial District.

The area south of the building is proposed to be cleared, fenced with a 6-foot tall sight tight fence, and laid with gravel to be used for equipment storage. The subject site has trees lining the perimeter. Dumpsters on the south end would need screening with a 6-foot sight tight fence.

Plan Commission Minutes

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Member Hancock-Cooke requested that the trees abutting the railroad tracks remain to preserve the view from the Loop the Lake trail.

Kellen Kinney (628 Maple Street) indicated he is not opposed to leaving trees.

Mayor Kaufert expressed concern as the applicant is leasing the property and he would like to know how we could ensure that trees will remain on the site.

Kellen Kinney (applicant) expressed his intent to purchase the property contingent on the approval of this change of use.

Member Hancock-Cooke indicated she reviewed a map and believes the railroad owns the trees adjacent to the railroad tracks.

Deputy Director Schmidt indicated Staff will review the view corridor with the applicant.

**MSC Piergrossi/Kaiser, Plan Commission approves the site plan for a change of use to a contractor use for 5 Star Contracting, LLC at 135 N. Lake Street subject to the conditions of the site plan review letter and applicant will work with Staff to preserve as many trees as possible on the subject site.**

**All Aye. Motion passed.**

Mayor Kaufert welcomed the applicant and inquired about the type of building construction he was involved in. Kellen Kinney indicated he does commercial and residential construction. His current business is located in Menasha.

**3. Annexation #215 – CTH G – Town of Vinland (19.619 Acres) – Integrity Custom Homes, LLC**

Deputy Director Schmidt provided an overview of the petitioner's (Integrity Custom Homes, LLC) request for direct annexation to the City of Neenah for land located west of Integrity Acres Subdivision and south of County Highway G in the Town of Vinland.

The subject land includes 2 parcels identified in the City's Comprehensive Plan with a future use as Rural Conservation. The purpose of the Rural Conservation land use category is to protect from premature development until a time when city water, sewer and other services are available to serve the area. The subject area is adjacent to city water and sewer infrastructure which is adequate to serve this site. The proposed use is consistent with the City's Comprehensive Plan.

Upon annexation, the property will be zoned R-1, Single-Family Residential and will be subdivided into 27 lots. The annexation was sent to the Wisconsin Department of Administration per State Statutes for review as well as the Town of Vinland Clerk and Neenah Joint School District.

Member Hancock-Cooke inquired about the distance of existing infrastructure that would provide services to the subject site. Deputy Director indicated the infrastructure is already right there. He went on to explain that the city can annex any property in the Town of Neenah growth area. In the Town of Vinland the city can only annex contiguous land.

**MSC Kaiser/Andrews, Plan Commission recommends Common Council approve Annexation #215 (Ordinance #2019-20) and the property also receive R-1, Single-Family Residence District zoning classification.**

**All Aye. Motion passed.**

**4. Preliminary Plat – First Addition to Integrity Acres – Integrity Custom Homes, LLC.**

Deputy Director Schmidt indicated Staff received a preliminary plat for the First Addition to Integrity Acres Subdivision (Phase II). The preliminary plat is consistent with the concept plan. Staff has worked with the Developer and Developer's engineers. The proposed plat (16.62 acres) will include 27 single-family residential lots. Land east of the development includes Integrity Acres. Integrity Way is proposed to extend west to the west boundary of the proposed plat. Honor Street will extend from Integrity Way north to County Highway G. Respect Avenue will extend north from Integrity Way along the eastern portion of the plat and connect into Honor Street. The average lot size is 24,487 square feet. Deeper lots located on the south end of the plat contain wetlands which are not developable.

The developer is responsible for installing all public utilities as well as constructing all roads within the plat. An agreement with the developer will be produced and reviewed by the Finance Committee and Board of Public Works. An oversized water main runs through the site.

ORD. #2019-20

Plan Commission Minutes

August 13, 2019

Page 3

REPORT

Stormwater from this plat will be managed through rear yard drainage swales, storm water sewers, and ultimately will drain to a stormwater pond in the first phase of the development. Sidewalks are planned for both sides of Integrity Way and Honor Street.

Member Piergrossi inquired about the necessity for a water tower. Deputy Director Schmidt indicated as the city grows west we encounter elevation challenges. At some point a water tower will be needed. Expansion west may also bring the necessity to plan for an additional park and stormwater ponds. Staff is conceptualizing these plans now.

Mayor Kaufert suggested Liberty Heights Park.

**MSC Piergross/Andrews, Plan Commission recommends Common Council approve the Preliminary Plat of the First Addition to Integrity Acres Subdivision subject to the comments on the Preliminary Plat Review Letter.**

**All Aye. Motion Passed.**

**Announcements and future agenda items:**

Next Plan Commission meeting is scheduled for August 27, 2019.

Deputy Director Schmidt indicated future agenda items to include site plan updates and an Amendment to TID 9.

**Adjournment: The Commission adjourned its meeting at 4:40 P.M. MSC Kaiser/Lang. All Aye.**

Respectfully Submitted,



Cassandra Kohls  
Administrative Assistant, Community Development



AN ORDINANCE: By the Neenah Plan Commission  
Re: Annexing – 19.619 Acres of land west of Integrity Acres Subdivision and south of County Highway G – Integrity Custom Homes, LLC, owned property to the City of Neenah.

ORDINANCE NO. 2019-20

Introduced: August 21, 2019

Committee/Commission Action:

**RECOMMENDED FOR PASSAGE**

## AN ORDINANCE

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

**Section 1.** Pursuant to Section 66.0217(2), Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Vinland, 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:

A part of Lot 1 of Certified Survey Map No. 2931 as recorded in Volume 1 of Certified Survey Maps on Page 2931 as Document No. 878981 and a part of the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , all located in the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 12, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 854,614 square feet (19.619 acres) of land, being more fully described as follows:

Commencing at the North  $\frac{1}{4}$  corner of said Section 12; thence N88°18'14"E, 1333.74 feet along the North line of the Northeast  $\frac{1}{4}$  of said Section 12 to the Northerly extension of the West line of Lands described in Document No. 1788672 and the Point of Beginning; thence continue N88°18'14"E, 666.87 feet along said North line to the Northerly extension of the West line of Lot 1 of Certified Survey Map No. 1954 as recorded in Volume 1 of Certified Survey Maps on Page 1954 as document No. 715811; thence S00°36'24"E, 1314.62 feet along said Northerly extension and the Southerly extension of said West line to the Southwest corner of Lot 1 of Certified Survey Map No. 7383 recorded as Document No. 1771789; thence S89°01'11"W, 600.87 feet along the North line of Lot 2 of said Certified Survey Map No. 2931 to the Northwest corner thereof; thence N00°36'07"W, 290.68 feet along the East line of Lot 1 of said Certified Survey Map No. 2931 to the Southeast corner of Lands described in Document No. 1788672; thence S89°23'53"W, 66.00 feet along the South line of said Lands to the Southwest corner thereof; thence N00°36'07"W, 1015.18 feet along the West line of said Lands and its Northerly extension to the Point of Beginning.



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

**Section 2.** The petition for annexation is conducted under unanimous approval (Wisconsin State Statute Sec. 66.0217(2)). The Wisconsin Department of Administration issued this annexation petition Municipal Boundary Review number 14231. The annexation area is 19.619 acres in size and is wholly located in the Town of Vinland, Winnebago County. The parcel numbers of the land being annexed is all of 026025801 and part of 0260262 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.

Approved:

Adopted: \_\_\_\_\_

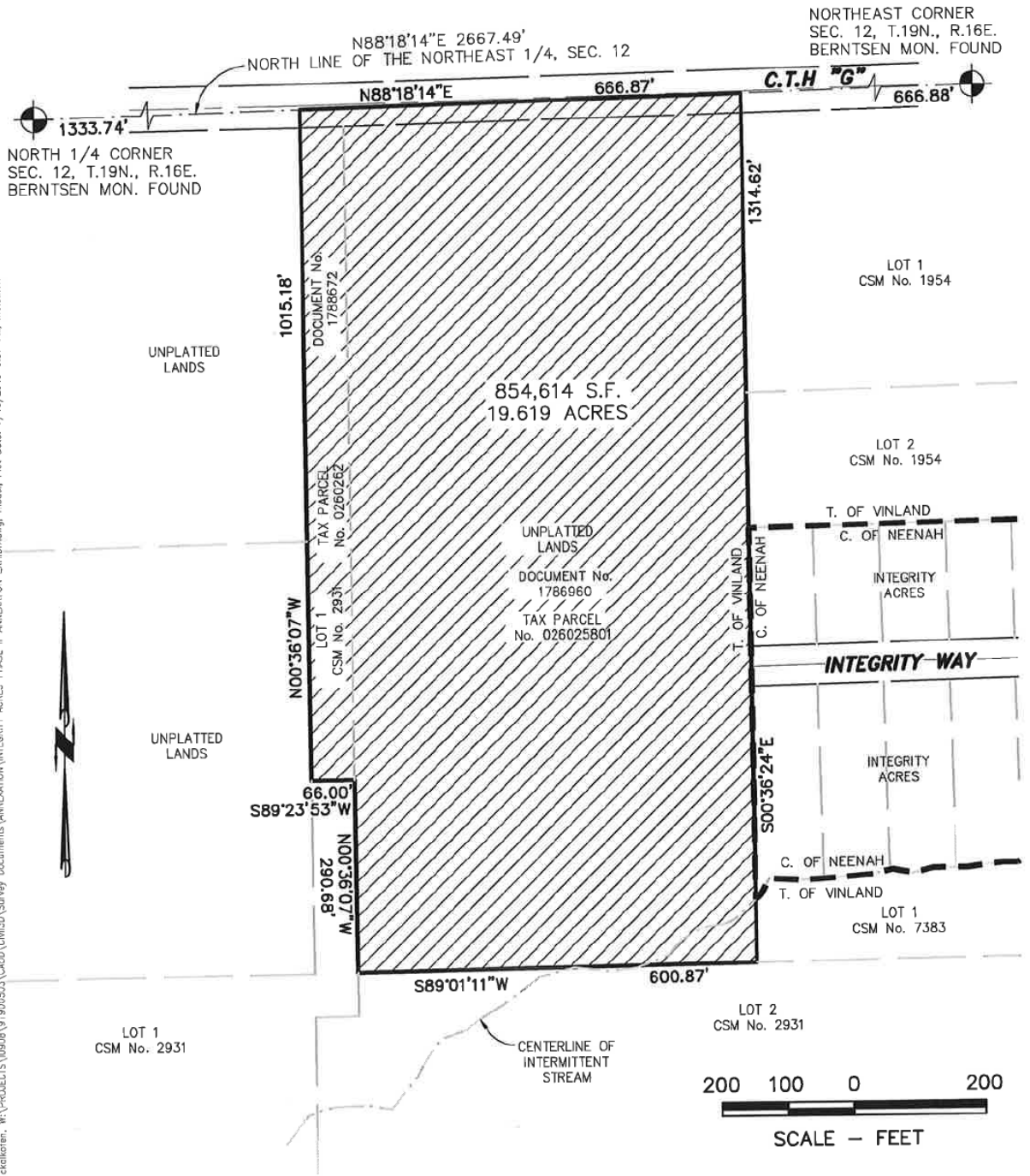
\_\_\_\_\_  
Dean R. Kaufert, Mayor

Published: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Patricia Sturn, City Clerk

# Exhibit 1



c:\allen\w\PROJECTS\080808\91900553\CADD\Civil3D\Survey Documents\ANEXADIM\INTEGRITY ACRES PHASE II-ANEXADIM EXHIBIT.dwg, model, Plot Date: 7/15/2019 3:37 PM, areafname

**Minutes of the Board of Public Works Meeting  
August 13, 2019 - 12:00 Noon  
Hauser Room**

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

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

Mayor Kaufert called the meeting to order at 12:05 p.m.

**MINUTES:** **MSC Godlewski/Easker to approve the minutes from the July 30, 2019 meeting, all voting aye.**

**APPEARANCES:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

**Public Works:**

**Change Order No. 1 for Contract 2-18:** Dir. Kaiser requested approval of Change Order No. 1 for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of (\$12,577.32). This is as built quantity totals to close out the contract plus (\$30,000) liquidated damages for completing the project 30 days beyond completion date. He indicated this is a new process where the cover sheet reflects the change order amount and the attached summary itemizes the quantity and cost adjustment by line item. The net increase is \$17,422.68. **MSC Kaiser/Godlewski to approve Change Order No. 1 for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of (\$12,577.32), all voting aye.**

**Final Payment for Contract 2-18:** Dir. Kaiser requested approval of the Final Payment for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of \$79,801.68. This includes the (\$30,000) liquidated damages. Mayor Kaufert questioned the possibility of refunding a portion of the liquidated damages to the 35-40 effected property owners for the inconvenience by reducing their assessment. Dir. Kaiser indicated other residents than these property owners expressed concern over the inconvenience it created. City Atty. Godlewski cautioned using public funds for private use. With no policy in place, the Board determined the liquidated damages could be spread across the various portions of the contract. Dir. Kaiser indicated he feels this situation may have come up 2-3 times in the last 5 years. With the TARF in place, there is no assessment to reduce moving forward. **MSC Kaiser/Easker to recommend Council approve the Final Payment for Contract 2-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay, WI, in the amount of \$79,801.68, all voting aye.**

Info Only

Report

Report

Final Payment No. 2 for Contract 1-18: Dir. Kaiser reviewed the memo he prepared at the request of the Board at the last meeting explaining the request for a second final payment. The following is a list of events that led to this request: prior to processing the final payment estimate, staff received the asphalt tickets from the prime contractor; in the course of preparing the final payment estimate, some of those tickets were inadvertently left out of the estimate calculation; the final estimate was sent to the prime contractor for review and approval, which was received on January 25, 2019; on February 6, 2019, the Council approved the final payment for Contract 1-18 to in the amount of \$31,620.32; the City issued payment to the prime contractor in that amount; the paving subcontractor contacted the prime contractor to report an underpayment; and City staff investigated and confirmed an underpayment in the asphalt quantity of 393.57 tons. In his view, there is no doubt that the prime contractor is owed the money for this work. This is the first time that he is aware of something like this happening. Staff has discussed administrative ways to avoid this from happening in the future. He requested approval of the Final Payment No. 2 for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street, and Whiting Court to David Tenor Corporation, Green Bay, WI, in the amount of \$21,461.37. **MSC Kaiser/Bates to recommend Council approve the Final Payment No. 2 for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street, and Whiting Court to David Tenor Corporation, Green Bay, WI, in the amount of \$21,461.37, all voting aye.**

**Parks & Recreation:**

Info Only

Pay Request No. 7 for Washington Park Phase 3: In the absence of Dir. Kading, Dir. Kaiser indicated his memo, included in the agenda packet, outlines Pay Request No. 7 for Washington Park Phase 3 to R & R Wash, Ripon, WI, in the amount of \$77,649.84. Most of this work placement of the prebuilt restroom / concession building. The balance is for assembly and installation of site furnishings, clear stone and site restoration. The Grand Re-opening Celebration is scheduled for Saturday, September 14<sup>th</sup> from 10 am to 1 pm. Mayor Kaufert asked for confirmation that we will not be responsible to pay for any of the issues with the pre-built concession building. **MSC Bates/Haese to approve Pay Request No. 7 for Washington Park Phase 3 to R & R Wash, Ripon, WI, in the amount of \$77,649.84, all voting aye.**

Ald. Bates indicated she will place further discussion on potentially changing the policy to include a proportionate reduction in assessments for effected property owners when liquidated damages are recouped for projects that go beyond the completion date on a future PSSC agenda.

**ADJOURNMENT:**

**MSC Easker/Haese to adjourn at 12:38 p.m., all voting aye.**

Respectfully Submitted,



Patricia A. Sturn, WCPC, MMC  
City Clerk

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

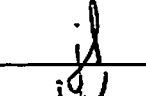
Contract No. Contract 2-18 Miscellaneous Sewer and Water Main Construction  
and Street Construction on Cecil Street and Adams Street

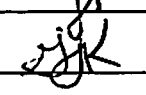
Water Work Order No: 387, 391

Date: August 9, 2019

Estimate No. Final

Account Description	Account #	Payment	Contract Breakdown	Budget	Pd to Date
Sanitary - Cecil (Oak to Congress)	046-5074-743-0236	\$8,039.97	\$193,090.00	\$210,000	\$192,900.85
Water Main - Cecil (Oak to Congress)	400-0000-207-0387	\$24,832.26	\$371,975.00	\$234,100	\$312,894.36
Storm - Cecil (Oak to Congress)	049-5258-743-0236	\$1,426.01	\$173,905.00	\$150,000	\$171,190.99
Street - Cecil (Oak to Congress)	012-4388-743-0236	\$17,302.66	\$445,000.00	\$450,000	\$490,634.16
Sanitary - Adams (RR to Church)	046-5077-743-0236	\$6,058.67	\$137,013.00	\$110,000	\$119,161.50
Water Main - Adams (RR to Church)	400-0000-207-0391	\$7,198.40	\$141,259.00	\$141,500	\$142,104.32
Storm - Miscellaneous Repairs	049-5203-743-0236	\$2,487.70	\$45,790.00	\$45,790	\$47,266.30
Street - Adams (RR to Church)	012-4392-743-0236	\$42,456.01	\$283,816.10	\$295,000	\$223,316.61
<b>TOTAL DUE</b>		<b>\$109,801.68</b>	<b>\$1,791,848.10</b>	<b>\$1,636,390</b>	<b>\$1,699,469.10</b>
Liquidated Damages		<b>(\$30,000.00)</b>			
<b>NET DUE</b>		<b>\$79,801.68</b>			

Prepared by Public Works Department August 9, 2019 

Approved by Public Works Department August 9, 2019 

Approved by Board of Public Works August 13, 2019

Approved by Common Council August 21, 2019  
 (final payments only)

Approved by Water Commission August 19, 2019  
 (final payments only)

Sent to Finance August 22, 2019

Number of Attachments 2

City of Neenah  
 Public Works Department  
 Contract Payment Form

The following is the Final Estimate for Contract 2-18, Miscellaneous Sewer and Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, 2759 Dewey Decker Drive, Green Bay WI, 54313.

DESCRIPTION	Unit Price	Original Bid		Estimate No. 4		Estimate No. 5		Final Estimate	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
<b>Part 1 - Cecil Street &amp; Adams Street</b>									
<b>A. Sanitary Sewer</b>									
1. Furnish and relay 12-inch PVC sanitary sewer	\$65.00	73 Lin. Ft.	\$4,745.00	78 Lin. Ft.	\$5,070.00	78 Lin. Ft.	\$5,070.00	78 Lin. Ft.	\$5,070.00
2. Furnish and relay 10-inch PVC sanitary sewer	\$60.00	560 Lin. Ft.	\$33,600.00	569 Lin. Ft.	\$34,140.00	569 Lin. Ft.	\$34,140.00	569 Lin. Ft.	\$34,140.00
3. Furnish and relay 8-inch PVC sanitary sewer	\$60.00	2,379 Lin. Ft.	\$142,740.00	2,377 Lin. Ft.	\$142,620.00	2,377 Lin. Ft.	\$142,620.00	2,377 Lin. Ft.	\$142,620.00
4. Furnish and relay 6 inch sanitary lateral in ROW (59)	\$45.00	1,750 Lin. Ft.	\$78,750.00	1,586 Lin. Ft.	\$71,370.00	1,586 Lin. Ft.	\$71,370.00	1,586 Lin. Ft.	\$71,370.00
5. Furnish and relay 6 inch sanitary lateral ROW to house	\$38.00	100 Lin. Ft.	\$3,800.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
6. Furnish and pipeburst sanitary lateral	\$15.38	400 Lin. Ft.	\$6,152.00	562 Lin. Ft.	\$8,643.56	600 Lin. Ft.	\$9,228.00	600 Lin. Ft.	\$9,228.00
7. Reconnect sanitary lateral at foundation - pipeburst	\$1,538.00	2 Each	\$3,076.00	0 Each	\$0.00	0 Each	\$0.00	0 Each	\$0.00
8. Reconnect under basement floor - pipeburst	\$1,795.00	14 Each	\$25,130.00	14 Each	\$25,130.00	15 Each	\$26,925.00	15 Each	\$26,925.00
9. Reconnect lateral to wye at main	\$250.00	3 Each	\$750.00	0 Each	\$0.00	0 Each	\$0.00	0 Each	\$0.00
10. Furnish and Install Standard manhole (9)	\$320.00	79 Ver. Ft.	\$25,280.00	78 Ver. Ft.	\$24,960.00	78 Ver. Ft.	\$24,960.00	78 Ver. Ft.	\$24,960.00
11. Remove sanitary manhole	\$300.00	9 Each	\$2,700.00	9 Each	\$2,700.00	9 Each	\$2,700.00	9 Each	\$2,700.00
12. Clean and Televis Sewer (Sanitary only)	\$2,580.00	1 Lump Sum	\$2,580.00	1 Lump Sum	\$2,580.00	1 Lump Sum	\$2,580.00	1 Lump Sum	\$2,580.00
13. Adjust sanitary manhole (slurry backfill)	\$400.00	2 Each	\$800.00	0 Each	\$0.00	2 Each	\$800.00	2 Each	\$800.00
Part 1.A. Sanitary Sewer Total			\$330,103.00		\$317,213.56		\$320,393.00		\$320,393.00
<b>B. Water Main</b>									
1. Rock Removal	\$32.50	1,600 Lin. Ft.	\$52,000.00	800 Lin. Ft.	\$26,000.00	1,093 Lin. Ft.	\$35,522.50	1,473 Lin. Ft.	\$47,872.50
2. Furnish & install 16-inch PVC C-900 main	\$91.00	1,830 Lin. Ft.	\$166,530.00	1,698 Lin. Ft.	\$154,518.00	1,821 Lin. Ft.	\$165,711.00	1,821 Lin. Ft.	\$165,711.00
3. Furnish & install 12-inch PVC C-900 main	\$200.00	55 Lin. Ft.	\$11,000.00	23 Lin. Ft.	\$4,600.00	28 Lin. Ft.	\$5,500.00	28 Lin. Ft.	\$5,500.00
4. Furnish & install 10-inch PVC C-900 main	\$160.00	35 Lin. Ft.	\$5,600.00	68 Lin. Ft.	\$10,880.00	121 Lin. Ft.	\$19,360.00	121 Lin. Ft.	\$19,360.00
5. Furnish & install 8-inch PVC C-900 main	\$64.00	1,447 Lin. Ft.	\$92,608.00	1,213 Lin. Ft.	\$77,632.00	1,234 Lin. Ft.	\$78,976.00	1,234 Lin. Ft.	\$78,976.00
6. Furnish & install 6-inch PVC C-900 main	\$78.00	115 Lin. Ft.	\$8,970.00	18 Lin. Ft.	\$1,404.00	121 Lin. Ft.	\$9,438.00	121 Lin. Ft.	\$9,438.00
7. Furnish & install 16-inch valve w/ box	\$7,650.00	5 Each	\$38,250.00	5 Each	\$38,250.00	5 Each	\$38,250.00	5 Each	\$38,250.00
8. Furnish & install 12-inch valve w/ box	\$2,385.00	2 Each	\$4,770.00	2 Each	\$4,770.00	2 Each	\$4,770.00	2 Each	\$4,770.00
9. Furnish & install 8-inch valve w/ box	\$1,375.00	10 Each	\$13,750.00	10 Each	\$13,750.00	10 Each	\$13,750.00	10 Each	\$13,750.00
10. Furnish & install 2-inch short side service	\$1,750.00	1 Each	\$1,750.00	1 Each	\$1,750.00	1 Each	\$1,750.00	1 Each	\$1,750.00
11. Furnish & install 1.25-inch long side service	\$1,500.00	22 Each	\$33,000.00	22 Each	\$33,000.00	22 Each	\$33,000.00	22 Each	\$33,000.00
12. Furnish & install 1.25-inch short side service	\$1,200.00	30 Each	\$36,000.00	30 Each	\$36,000.00	30 Each	\$36,000.00	30 Each	\$36,000.00
13. Furnish & install 1.25-inch service from ROW to house by excav	\$36.00	50 Lin. Ft.	\$1,800.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
14. Furnish & install 1.25 inch service from ROW to house by excavation in same trench as san. lateral	\$12.00	100 Lin. Ft.	\$1,200.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
15. Furnish & install 1.25 inch service from ROW to house by pulling w/ sanitary sewer pipeburst	\$5.12	400 Lin. Ft.	\$2,048.00	0 Lin. Ft.	\$0.00	507 Lin. Ft.	\$2,595.84	507 Lin. Ft.	\$2,595.84
16. Furnish & install 1.25 inch service from ROW to house by pulling	\$40.00	25 Lin. Ft.	\$1,000.00	0 Lin. Ft.	\$0.00	96 Lin. Ft.	\$3,840.00	96 Lin. Ft.	\$3,840.00
17. Water service connection to building	\$358.00	16 Each	\$5,728.00	0 Each	\$0.00	13 Each	\$4,654.00	13 Each	\$4,654.00
18. Furnish & install electrical grounding	\$200.00	5 Each	\$1,000.00	0 Each	\$0.00	0 Each	\$0.00	0 Each	\$0.00
19. Furnish & install hydrant, lead and valve	\$4,600.00	7 Each	\$32,200.00	5 Each	\$23,000.00	6 Each	\$27,600.00	6 Each	\$27,600.00
20. Abandon hydrant	\$250.00	7 Each	\$1,750.00	0 Each	\$0.00	7 Each	\$1,750.00	7 Each	\$1,750.00
21. Abandon Valve manhole	\$300.00	1 Each	\$300.00	1 Each	\$300.00	1 Each	\$300.00	1 Each	\$300.00
22. Abandon Valve Box	\$150.00	12 Each	\$1,800.00	5 Each	\$750.00	12 Each	\$1,800.00	12 Each	\$1,800.00
Part 1.B. Water Main Total			\$513,054.00		\$426,604.00		\$484,567.34		\$496,917.34
<b>C. Storm Sewer</b>									
1. Furnish and relay 30-inch storm sewer	\$65.00	390 Lin. Ft.	\$25,350.00	402 Lin. Ft.	\$26,130.00	402 Lin. Ft.	\$26,130.00	402 Lin. Ft.	\$26,130.00
2. Furnish and relay 24-inch storm sewer	\$58.00	755 Lin. Ft.	\$43,790.00	785 Lin. Ft.	\$45,530.00	785 Lin. Ft.	\$45,530.00	785 Lin. Ft.	\$45,530.00
3. Furnish and relay 15-inch storm sewer	\$48.00	105 Lin. Ft.	\$5,040.00	102 Lin. Ft.	\$4,896.00	102 Lin. Ft.	\$4,896.00	102 Lin. Ft.	\$4,896.00
4. Furnish and relay 12-inch storm sewer	\$48.00	735 Lin. Ft.	\$35,280.00	692 Lin. Ft.	\$33,216.00	692 Lin. Ft.	\$33,216.00	692 Lin. Ft.	\$33,216.00
5. Furnish and relay 10-inch storm sewer	\$41.00	505 Lin. Ft.	\$20,705.00	864 Lin. Ft.	\$35,424.00	864 Lin. Ft.	\$35,424.00	864 Lin. Ft.	\$35,424.00
6. Furnish and relay 4-inch storm sewer lateral	\$35.00	100 Lin. Ft.	\$3,500.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
7. Furnish and install storm manhole (14)	\$300.00	80 Ver. Ft.	\$24,000.00	77.9 Ver. Ft.	\$23,370.00	77.9 Ver. Ft.	\$23,370.00	77.9 Ver. Ft.	\$23,370.00
8. Furnish and install catch basin	\$1,250.00	29 Each	\$36,250.00	29 Each	\$36,250.00	29 Each	\$36,250.00	29 Each	\$36,250.00
9. Remove Storm Manhole	\$300.00	19 Each	\$5,700.00	16 Each	\$4,800.00	16 Each	\$4,800.00	16 Each	\$4,800.00
10. Remove Storm catch basin	\$175.00	16 Each	\$2,800.00	26 Each	\$4,550.00	26 Each	\$4,550.00	26 Each	\$4,550.00
11. Adjust storm catch basin	\$300.00	31 Each	\$9,300.00	0 Each	\$0.00	0 Each	\$0.00	0 Each	\$0.00
12. Install and Maintain Type "D" Inlet Protection	\$95.00	50 Each	\$4,750.00	26 Each	\$2,470.00	26 Each	\$2,470.00	26 Each	\$2,470.00
13. Clean and Televis Sewer (Storm only)	\$3,230.00	1 Lump Sum	\$3,230.00	0.5 Lump Sum	\$1,615.00	0.5 Lump Sum	\$1,615.00	0.5 Lump Sum	\$1,615.00
Part 1.C. Storm Sewer Total			\$219,695.00		\$218,251.00		\$218,251.00		\$218,251.00

DESCRIPTION	Unit Price	Original Bid		Estimate No. 4		Estimate No. 5		Final Estimate	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
<b>F. Street (Concrete Pavement Alternate)</b>									
1. Remove existing pavement and maintain utility trench	\$0.75	11,000 Lin. Ft.	\$8,250.00	8,310 Lin. Ft.	\$6,232.50	8,310 Lin. Ft.	\$6,232.50	8,310 Lin. Ft.	\$6,232.50
2. Furnish and install temporary 3" HMA pavement (Oak Street)	\$31.78	100 Sq. Yd.	\$3,178.00	0 Sq. Yd.	\$0.00	0 Sq. Yd.	\$0.00	0 Sq. Yd.	\$0.00
3. Sawcut existing bituminous pavement	\$2.05	600 Lin. Ft.	\$1,230.00	380 Lin. Ft.	\$779.00	430 Lin. Ft.	\$881.50	430 Lin. Ft.	\$881.50
4. Full depth sawcut existing concrete pavement	\$3.06	200 Lin. Ft.	\$612.00	30 Lin. Ft.	\$91.80	32 Lin. Ft.	\$97.92	32 Lin. Ft.	\$97.92
5. Remove existing bituminous pavement	\$1.22	12,500 Sq. Yd.	\$15,250.00	11,800 Sq. Yd.	\$14,396.00	11,800 Sq. Yd.	\$14,396.00	11,800 Sq. Yd.	\$14,396.00
6. Remove existing concrete pavement	\$14.28	100 Sq. Yd.	\$1,428.00	50 Sq. Yd.	\$714.00	12 Sq. Yd.	\$174.22	12 Sq. Yd.	\$174.22
7. Remove concrete curb and gutter	\$1.88	6,400 Lin. Ft.	\$12,032.00	6,400 Lin. Ft.	\$12,032.00	6,400.00 Lin. Ft.	\$12,032.00	6,400.00 Lin. Ft.	\$12,032.00
8. Remove concrete sidewalk/driveway apron	\$0.66	12,500 Sq. Ft.	\$8,250.00	7,000 Sq. Ft.	\$4,620.00	7,000.00 Sq. Ft.	\$4,620.00	14,983.03 Sq. Ft.	\$9,888.80
9. Unclassified Excavation	\$9.74	7,500 Cu. Yd.	\$73,050.00	5,300 Cu. Yd.	\$51,622.00	8,350.00 Cu. Yd.	\$81,329.00	8,350.00 Cu. Yd.	\$81,329.00
10. Furnish and install crushed aggregate base	\$9.79	9,000 Ton	\$88,110.00	7,500 Ton	\$73,425.00	11,348.08 Ton	\$111,097.70	11,428.08 Ton	\$111,880.90
11. Furnish and install concrete pavement 7-inch (undowelled)	\$30.50	13,000 Sq. Yd.	\$396,500.00	8,700 Sq. Yd.	\$265,350.00	12,602.71 Sq. Yd.	\$384,382.66	13,055.95 Sq. Yd.	\$398,206.48
12. Furnish and install concrete curb and gutter	\$24.83	550 Lin. Ft.	\$13,656.50	100 Lin. Ft.	\$2,483.00	468.10 Lin. Ft.	\$11,622.92	515.50 Lin. Ft.	\$12,799.87
13. Furnish and install 4-inch concrete sidewalk	\$4.18	7,500 Sq. Ft.	\$31,350.00	1,000 Sq. Ft.	\$4,180.00	5,756.74 Sq. Ft.	\$24,063.17	7,944.94 Sq. Ft.	\$33,209.85
14. Furnish and install 6-inch concrete sidewalk/driveway apron	\$4.59	5,000 Sq. Ft.	\$22,950.00	1,000 Sq. Ft.	\$4,590.00	5,151.79 Sq. Ft.	\$23,646.72	7,038.09 Sq. Ft.	\$32,304.83
15. Furnish and install drill tie bars #4	\$8.16	50 Each	\$408.00	0 Each	\$0.00	22 Each	\$179.52	22 Each	\$179.52
16. Furnish and install HMA pavement (4-inch)	\$78.95	300 Ton	\$23,685.00	40 Ton	\$3,158.00	362.99 Ton	\$28,658.06	362.99 Ton	\$28,658.06
17. Install detectable warning fields (supplied by City)	\$35.70	38 Each	\$1,356.60	14 Each	\$499.80	33.00 Each	\$1,178.10	33.00 Each	\$1,178.10
18. Terracing, fertilize, seed & hydromulch	\$6.90	3,000 Sq. Yd.	\$20,700.00	1,371 Sq. Yd.	\$9,461.97	1,371.30 Sq. Yd.	\$9,461.97	3,371.00 Sq. Yd.	\$23,259.90
19. Install and Maintain Traffic Control	\$7,000.00	1 Lump Sum	\$7,000.00	2 Lump Sum	\$10,500.00	1.00 Lump Sum	\$7,000.00	1.00 Lump Sum	\$7,000.00
Part 1.F. Alternate Concrete Pavement Street Total			\$728,996.10		\$464,135.07		\$721,053.96		\$773,709.44
<b>TOTAL Parts 1A through 1D</b>			<b>\$1,791,848.10</b>		<b>\$1,426,203.63</b>		<b>\$1,744,265.30</b>		<b>\$1,809,270.78</b>

C.O. 1	\$17,422.68	Work to date	\$1,426,203.63	Work to date	\$1,744,265.30	Work to date	\$1,809,270.78
C.O. 2		Retainage <sup>1</sup>	\$44,796.20	Retainage <sup>1</sup>	\$44,796.20	Retainage <sup>1</sup>	\$0.00
C.O. 3		Due Contractor	\$1,381,407.43	Due Contractor	\$1,699,469.10	Due Contractor	\$1,809,270.79
	\$1,809,270.78	Previously paid	\$974,725.86	Previously paid	\$1,381,407.43	Previously paid	\$1,699,469.10
		Due this estimate	<b>\$406,681.57</b>	Due this estimate	<b>\$318,061.67</b>	Due this estimate	<b>\$109,801.68</b>
						Liquidated Damages	(\$30,000.00)
						Net Due	<b>\$79,801.68</b>

NOTE (1): Retainage set per Wis. Statute 66.0901(9).  
Retainage is 5% of the estimate until 50% of the work is completed.  
At 50% completion, no additional amounts are retained.  
For Final Estimates, there is no retainage.

Respectfully submitted,

Gerry Kaiser, PE  
Director of Public Works

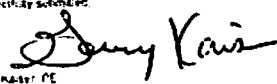
Contractor Signature
Date

**Signatures below. This copy included for legibility.**

DESCRIPTION	Unit Price	Original Bid		Estimate No. 4		Estimate No. 5		Final Estimate	
		Quantity	Total	Quantity	Total	Quantity	Total	Quantity	Total
<b>F. Street (Concrete Pavement Alternative)</b>									
1. Remove existing curb and sidewalk on 1/2 mile by 10 ft	\$9.75	11,000 Lvs. Ft.	\$1,072.50	7,812 Lvs. Ft.	\$762.12	6,210 Lvs. Ft.	\$604.50	6,210 Lvs. Ft.	\$604.50
2. Furnish and install concrete sidewalk (4.00 ft)	\$11.75	110,000 Sq. Yd.	\$1,292.50	11,000 Sq. Yd.	\$129.25	11,000 Sq. Yd.	\$129.25	11,000 Sq. Yd.	\$129.25
3. Remove existing concrete sidewalk	\$2.55	600 Lvs. Ft.	\$1,530.00	300 Lvs. Ft.	\$765.00	400 Lvs. Ft.	\$1,020.00	400 Lvs. Ft.	\$1,020.00
4. Reinforce concrete sidewalk to match pavement	\$1.00	1,000 Lvs. Ft.	\$1,000.00	200 Lvs. Ft.	\$200.00	1,000 Lvs. Ft.	\$1,000.00	1,000 Lvs. Ft.	\$1,000.00
5. Remove existing concrete sidewalk	\$1.77	11,000 Lvs. Ft.	\$1,947.00	11,000 Lvs. Ft.	\$1,947.00	11,000 Lvs. Ft.	\$1,947.00	11,000 Lvs. Ft.	\$1,947.00
6. Remove existing concrete sidewalk	\$12.25	100 Sq. Yd.	\$1,225.00	100 Sq. Yd.	\$1,225.00	100 Sq. Yd.	\$1,225.00	100 Sq. Yd.	\$1,225.00
7. Remove concrete sidewalk	\$1.85	6,400 Lvs. Ft.	\$1,184.00	6,400 Lvs. Ft.	\$1,184.00	6,400 Lvs. Ft.	\$1,184.00	6,400 Lvs. Ft.	\$1,184.00
8. Remove concrete sidewalk	\$1.00	11,000 Lvs. Ft.	\$1,100.00	11,000 Lvs. Ft.	\$1,100.00	11,000 Lvs. Ft.	\$1,100.00	11,000 Lvs. Ft.	\$1,100.00
9. Unexcavated sidewalk	\$9.75	1,000 Lvs. Ft.	\$9,750.00	1,000 Lvs. Ft.	\$9,750.00	1,000 Lvs. Ft.	\$9,750.00	1,000 Lvs. Ft.	\$9,750.00
10. Furnish and install curb and sidewalk	\$9.75	2,000 Lvs. Ft.	\$19,500.00	2,000 Lvs. Ft.	\$19,500.00	2,000 Lvs. Ft.	\$19,500.00	2,000 Lvs. Ft.	\$19,500.00
11. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
12. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
13. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
14. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
15. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
16. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
17. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
18. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
19. Furnish and install concrete sidewalk (4.00 ft)	\$12.50	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00	11,000 Sq. Yd.	\$1,375.00
<b>Part 1E Alternative Concrete Pavement Street Total</b>			\$176,000.00		\$146,155.00		\$174,255.00		\$1,800,270.78
<b>TOTAL Part 1A through 1D</b>			\$1,701,848.10		\$1,426,203.87		\$1,744,285.30		\$1,800,270.78

NOTE: (1) Retainage set per WBS STANDARD 06.0001101  
 Retainage is 5% of the estimate until 50% of the work is completed.  
 At 50% completion, no additional amounts are retained.  
 For Final Estimate, there will be no retainage.

C.G. 1	\$17,427.00	Work to Date	\$1,426,203.87	Work to Date	\$1,744,285.30	Work to Date	\$1,800,270.78
C.G. 2		Retainage	\$44,796.20	Retainage	\$44,796.20	Retainage	\$0.00
C.G. 3		Over Contract	\$1,261,407.43	Over Contract	\$1,599,409.10	Over Contract	\$1,409,270.78
	\$1,800,270.78	Previously paid	\$974,725.16	Previously paid	\$1,599,409.10	Previously paid	\$1,655,469.10
		Due this estimate	\$400,881.51	Due this estimate	\$119,001.67	Due this estimate	\$150,001.68
						Liquidated Damages	\$50,000.00
						Net Due	\$70,001.68

Respectfully submitted,  
  
 Jimmy Kair  
 City Manager  
 Director of Public Works

Contractor Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_





Department of Public Works  
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426  
Phone 920-886-6241 • e-mail: gkaiser@ci.neenah.wi.us  
GERRY KAISER, P.E.  
DIRECTOR OF PUBLIC WORKS

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## M E M O R A N D U M

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**DATE:** August 7, 2019  
**TO:** Mayor Kaufert and Members of the Board of Public Works  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** Contract 1-18, Final Payment 2

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At the last Board meeting I stated that I would provide an explanation of the request for a second final payment on Contract 1-18 (Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court). The prime contractor was Dave Tenor Corporation, Green Bay. Here is a listing of the events that led to this request.

- Prior to processing the final payment estimate, staff received the asphalt tickets from the prime contractor.
- In the course of preparing the final payment estimate, some of those tickets were inadvertently left out of the estimate calculation.
- The final estimate was sent to the prime contractor for review and approval, which was received on January 25, 2019.
- On February 6, 2019, the Council approved the final payment for Contract 1-18 to in the amount of \$31,620.32.
- The City issued payment to the prime contractor in that amount.
- The paving subcontractor contacted the prime contractor to report an underpayment.
- City staff investigated and confirmed an underpayment in the asphalt quantity of 393.57 tons.

In my view, there is no doubt that the prime contractor is owed the money for this work.

This is the first time that I am aware of something like this happening. Regardless, it has spurred us to consider some changes to our contract closeout processes involving internal review of final estimates, requiring lien waivers from the contractor, and/or having the prime contractor and all subcontractors sign off on the final payment estimate.

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

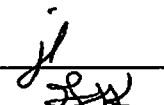
Contract No. Contract 1-18 Miscellaneous Sewer and Water Main Construction  
and Street Construction on Andrew Avenue, Richard Avenue,  
Geiger Street and Whiting Court

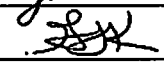
Water Work Order No: 388, 389, 390, 392

Date: August 9, 2019

Estimate No. Final 2

Account Description	Account #	Payment	Contract Breakdown	Budget	Change Orders	Pd to Date
Sanitary - Andrew (Geiger to Main)	046-5075-743-0236		\$109,293.50	\$130,000		\$118,259.42
Water Main - Andrew (Geiger to Main)	400-0000-207-0388		\$113,496.00	\$124,800	\$2,500	\$116,234.97
Storm - Miscellaneous Repairs	049-5203-743-0236		\$39,054.00	\$39,054		\$42,558.00
Street - Andrew (Geiger to Main)	012-4389-743-0236	\$5,453.00	\$122,000.00	\$140,000		\$122,760.69
Sanitary - Richard (Geiger to Main)	046-5076-743-0236		\$111,463.50	\$130,000		\$123,310.33
Water Main - Richard (Geiger to Main)	400-0000-207-0389		\$111,646.00	\$127,100	\$2,000	\$118,121.76
Storm - Miscellaneous Repairs	049-5203-743-0236		\$16,542.00	\$16,542		\$15,829.00
Street - Richard (Geiger to Main)	012-4390-743-0236	\$5,453.00	\$122,000.00	\$140,000		\$143,382.18
Sanitary - Geiger (Green Bay to Western)	046-5001-742-0236		\$3,950.00	\$3,950		\$5,763.96
Water Main - Geiger (Green Bay to Western)	400-0000-207-0390		\$131,270.00	\$157,500	\$7,004	\$138,396.51
Storm - Miscellaneous Repairs	049-5203-743-0236		\$43,865.00	\$43,865		\$43,233.80
Street - Geiger (Green Bay to Western)	012-4391-743-0236	\$6,738.27	\$194,774.00	\$220,000		\$173,229.13
Water Main - Whiting (Tullar)	400-0000-207-0392		\$27,715.00	\$31,800	\$5,000	\$32,465.00
Storm - Miscellaneous Repairs	049-5203-743-0236		\$0.00	\$3,836		\$5,534.99
Street - Whiting (Tullar)	012-4393-743-0236	\$3,817.10	\$52,343.98	\$60,000		\$54,062.33
<b>SUBTOTAL</b>		<b>\$21,461.37</b>				
Contract Deadline Penalty - Deduct						(\$3,000.00)
<b>TOTAL</b>		<b>\$21,461.37</b>	<b>\$1,199,412.98</b>	<b>\$1,368,447</b>	<b>\$16,504</b>	<b>\$1,250,142.07</b>

Prepared by August 9, 2019 

Approved by Public Works Department August 9, 2019 

Approved by Board of Public Works August 13, 2019

Approved by Common Council August 21, 2019  
 (final payments only)

Approved by Water Commission February 7, 2019  
 (final payments only)

Sent to Finance August 22, 2019

Number of Attachments 2

City of Neenah  
 Public Works Department  
 Contract Payment Form

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

DESCRIPTION	Unit Price	Original Bid		Final Payment		Final Payment 2	
		Quantity	Total	Quantity	Total	Quantity	Total
<b>Part 1 - Andrew Ave., Richard Ave., Geiger St., Whiting Ct.</b>							
<b>A. Sanitary Sewer</b>							
1. Furnish and relay 8-inch PVC sanitary sewer	\$50.00	1,920 Lin. Ft.	\$96,000.00	1,920 Lin. Ft.	\$96,000.00	1,920 Lin. Ft.	\$96,000.00
2. Furnish and relay 6 inch sanitary lateral in ROW (61)	\$39.50	1,800 Lin. Ft.	\$71,100.00	1,145 Lin. Ft.	\$45,227.50	1,145 Lin. Ft.	\$45,227.50
3. Furnish and relay 6 inch sanitary lateral ROW to house	\$36.00	100 Lin. Ft.	\$3,600.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
4. Furnish and pipeburst sanitary lateral	\$15.38	400 Lin. Ft.	\$6,152.00	1,690 Lin. Ft.	\$25,992.20	1,690 Lin. Ft.	\$25,992.20
5. Reconnect sanitary lateral at foundation - pipeburst	\$1,535.00	2 Each	\$3,070.00	1 Each	\$1,535.00	1 Each	\$1,535.00
6. Reconnect under basement floor - pipeburst	\$1,790.00	13 Each	\$23,270.00	33 Each	\$59,070.00	33 Each	\$59,070.00
7. Reconnect lateral to wye at main	\$250.00	3 Each	\$750.00	3 Each	\$750.00	3 Each	\$750.00
8. Furnish and Install Standard manhole (6)	\$280.00	56 Ver. Ft.	\$15,680.00	55.8 Ver. Ft.	\$15,624.00	55.8 Ver. Ft.	\$15,624.00
9. Remove sanitary manhole	\$250.00	6 Each	\$1,500.00	6 Each	\$1,500.00	6 Each	\$1,500.00
10. Adjust sanitary manhole (with slurry backfill)	\$400.00	6 Each	\$2,400.00	2 Each	\$800.00	2 Each	\$800.00
11. Clean and Televiser Sewer (Sanitary only)	\$1,635.00	1 Lump Sum	\$1,635.00	1 Lump Sum	\$1,635.00	1 Lump Sum	\$1,635.00
Part 1.A. Sanitary Sewer Total			\$225,157.00		\$248,133.70		\$248,133.70
<b>B. Water Main</b>							
1. Furnish & install 16-inch PVC C-900 main	\$82.50	1,236 Lin. Ft.	\$101,970.00	1,241 Lin. Ft.	\$102,382.50	1,241 Lin. Ft.	\$102,382.50
2. Furnish & install 10-inch PVC C-900 main	\$55.00	10 Lin. Ft.	\$550.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
3. Furnish & install 8-inch PVC C-900 main	\$52.00	2,400 Lin. Ft.	\$124,800.00	2,396 Lin. Ft.	\$124,592.00	2,396 Lin. Ft.	\$124,592.00
4. Furnish & install horizontal 16-inch valve w/ box	\$7,960.00	2 Each	\$15,920.00	2 Each	\$15,920.00	2 Each	\$15,920.00
5. Furnish & install 8-inch valve w/ box	\$1,285.00	4 Each	\$5,140.00	4 Each	\$5,140.00	4 Each	\$5,140.00
6. Furnish & install 8-inch tapping valve w/ box	\$3,300.00	1 Each	\$3,300.00	1 Each	\$3,300.00	1 Each	\$3,300.00
7. Furnish & install 4-inch valve w/ box & reconnect service	\$835.00	1 Each	\$835.00	1 Each	\$835.00	1 Each	\$835.00
8. Furnish & install 2-inch short side service	\$1,695.00	1 Each	\$1,695.00	1 Each	\$1,695.00	1 Each	\$1,695.00
9. Furnish & install 1-inch long side service	\$1,490.00	31 Each	\$46,190.00	31 Each	\$46,190.00	31 Each	\$46,190.00
10. Furnish & install 1-inch short side service	\$1,000.00	32 Each	\$32,000.00	32 Each	\$32,000.00	32 Each	\$32,000.00
11. Reconnect copper service	\$750.00	7 Each	\$5,250.00	7 Each	\$5,250.00	7 Each	\$5,250.00
12. Furnish & install 1-inch service from ROW to house by excava	\$35.00	25 Lin. Ft.	\$875.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
13. Furnish & install 1-inch service from ROW to house by excavation in same trench as san. lateral	\$12.00	75 Lin. Ft.	\$900.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
14. Furnish & install 1-inch service from ROW to house by pulling w/ sanitary sewer pipeburst	\$5.13	400 Lin. Ft.	\$2,052.00	1,075 Lin. Ft.	\$5,514.75	1,075 Lin. Ft.	\$5,514.75
15. Furnish & install 1-inch service from ROW to house by pulling	\$33.00	25 Lin. Ft.	\$825.00	0 Lin. Ft.	\$0.00	0 Lin. Ft.	\$0.00
16. Water service connection to structure	\$360.00	15 Each	\$5,400.00	27 Each	\$9,720.00	27 Each	\$9,720.00
17. Furnish & install hydrant, lead and valve	\$4,575.00	7 Each	\$32,025.00	7 Each	\$32,025.00	7 Each	\$32,025.00
18. Abandon hydrant	\$250.00	6 Each	\$1,500.00	5 Each	\$1,250.00	5 Each	\$1,250.00
19. Abandon Valve manhole	\$300.00	2 Each	\$600.00	3 Each	\$900.00	3 Each	\$900.00
20. Abandon Valve Box	\$150.00	10 Each	\$1,500.00	8 Each	\$1,200.00	8 Each	\$1,200.00
21. Furnish & install electrical grounding	\$200.00	4 Each	\$800.00	4 Each	\$800.00	4 Each	\$800.00
CO1.1 Added 2-16" bends to get under storm	\$3,300.00	LS	\$0.00	1 LS	\$3,300.00	1 LS	\$3,300.00
CO1.2 Whiting Court rock, moving of main	\$5,000.00	LS	\$0.00	1 LS	\$5,000.00	1 LS	\$5,000.00
CO1.3 4" Water main	\$2,204.00	LS	\$0.00	1 LS	\$2,204.00	1 LS	\$2,204.00
CO1.4 Water Breaks	\$500.00	Each	\$0.00	9 Each	\$4,500.00	9 Each	\$4,500.00
CO1.5 Grinding time for oversized 14"	\$1,500.00	LS	\$0.00	1 LS	\$1,500.00	1 LS	\$1,500.00
Part 1.B. Water Main Total			\$384,127.00		\$405,218.25		\$405,218.25

DESCRIPTION	Unit Price	Original Bid		Final Payment		Final Payment 2	
		Quantity	Total	Quantity	Total	Quantity	Total
<b>C. Storm Sewer</b>							
1. Furnish and relay 24-inch storm sewer	\$242.00	50 Lin. Ft.	\$12,100.00	43 Lin. Ft.	\$10,406.00	43 Lin. Ft.	\$10,406.00
2. Furnish and relay 12-inch storm sewer	\$51.00	545 Lin. Ft.	\$27,795.00	616 Lin. Ft.	\$31,416.00	616 Lin. Ft.	\$31,416.00
3. Furnish and relay 10-inch storm sewer	\$41.00	430 Lin. Ft.	\$17,630.00	459 Lin. Ft.	\$18,819.00	459 Lin. Ft.	\$18,819.00
4. Furnish and relay 4-inch storm sewer lateral	\$30.00	100 Lin. Ft.	\$3,000.00	117 Lin. Ft.	\$3,510.00	117 Lin. Ft.	\$3,510.00
5. Furnish and install storm manhole (8)	\$320.00	47 Ver. Ft.	\$15,040.00	47 Ver. Ft.	\$14,924.80	47 Ver. Ft.	\$14,924.80
6. Furnish and install catch basin	\$1,215.00	14 Each	\$17,010.00	16 Each	\$19,440.00	16 Each	\$19,440.00
7. Remove Storm Manhole	\$250.00	7 Each	\$1,750.00	7 Each	\$1,750.00	7 Each	\$1,750.00
8. Remove Storm catch basin	\$175.00	10 Each	\$1,750.00	10 Each	\$1,750.00	10 Each	\$1,750.00
9. Adjust storm manhole (w/ slurry backfill)	\$350.00	4 Each	\$1,400.00	3 Each	\$1,050.00	3 Each	\$1,050.00
10. Adjust storm catch basin	\$300.00	4 Each	\$1,200.00	2 Each	\$600.00	2 Each	\$600.00
11. Install and Maintain Type "D" Inlet Protection	\$95.00	20 Each	\$1,900.00	24 Each	\$2,280.00	24 Each	\$2,280.00
12. Clean and Televiser Sewer (Storm only)	\$1,210.00	1 Lump Sum	\$1,210.00	1 Lump Sum	\$1,210.00	1 Lump Sum	\$1,210.00
Part 1.C. Storm Sewer Total			\$101,785.00		\$107,155.80		\$107,155.80
<b>D. Street (HMA Pavement)</b>							
1. Remove existing pavement and maintain utility trench	\$0.75	8,400 Lin. Ft.	\$6,300.00	6,481 Lin. Ft.	\$4,860.75	6,481 Lin. Ft.	\$4,860.75
2. Sawcut existing bituminous pavement	\$2.00	200 Lin. Ft.	\$400.00	100.00 Lin. Ft.	\$200.00	100.00 Lin. Ft.	\$200.00
3. Full depth sawcut existing concrete pavement	\$2.00	300 Lin. Ft.	\$600.00	196.50 Lin. Ft.	\$393.00	196.50 Lin. Ft.	\$393.00
4. Remove existing bituminous pavement	\$1.44	14,000 Sq. Yd.	\$20,160.00	14,000 Sq. Yd.	\$20,160.00	14,000 Sq. Yd.	\$20,160.00
5. Remove concrete pavement	\$12.36	250 Sq. Yd.	\$3,090.00	109.92 Sq. Yd.	\$1,358.61	109.92 Sq. Yd.	\$1,358.61
6. Remove concrete curb and gutter	\$2.43	1,600 Lin. Ft.	\$3,888.00	2,274.00 Lin. Ft.	\$5,525.82	2,274.00 Lin. Ft.	\$5,525.82
7. Remove concrete sidewalk/driveway apron	\$0.48	10,000 Sq. Ft.	\$4,800.00	3,220.11 Sq. Ft.	\$1,545.65	3,220.11 Sq. Ft.	\$1,545.65
8. Unclassified Excavation	\$9.53	5,000 Cu. Yd.	\$47,650.00	5,805 Cu. Yd.	\$55,321.65	5,805 Cu. Yd.	\$55,321.65
9. Furnish and install geogrid (Geiger St. & Whiting Ct.)	\$1.55	6,250 Sq. Yd.	\$9,687.50	6,772 Sq. Yd.	\$10,496.60	6,772 Sq. Yd.	\$10,496.60
10. Furnish and install crushed aggregate base	\$10.61	7,500 Ton	\$79,575.00	10,582.21 Ton	\$112,277.25	10,582.21 Ton	\$112,277.25
11. Furnish and install 30-inch concrete curb and gutter (various loc	\$23.05	1,600 Lin. Ft.	\$36,880.00	2,274.00 Lin. Ft.	\$52,415.70	2,274.00 Lin. Ft.	\$52,415.70
12. Furnish and install 4-inch concrete sidewalk	\$5.50	7,500 Sq. Ft.	\$41,250.00	2,666.71 Sq. Ft.	\$14,666.91	2,666.71 Sq. Ft.	\$14,666.91
13. Furnish and install 6-inch concrete sidewalk/driveway apron	\$5.90	2,500 Sq. Ft.	\$14,750.00	1,329.54 Sq. Ft.	\$7,844.29	1,329.54 Sq. Ft.	\$7,844.29
14. Furnish and install 8-inch concrete pavement repair	\$59.40	250 Sq. Yd.	\$14,850.00	109.92 Sq. Yd.	\$6,529.25	109.92 Sq. Yd.	\$6,529.25
15. Furnish and install drill tie bars #6	\$7.18	100 Each	\$718.00	48 Each	\$344.64	48 Each	\$344.64
16. Furnish and install drill dowel bars #9	\$11.28	64 Each	\$721.92	96 Each	\$1,082.88	96 Each	\$1,082.88
17. Fine grading and base preparation	\$1.16	14,000 Sq. Yd.	\$16,240.00	14,000 Sq. Yd.	\$16,240.00	14,000 Sq. Yd.	\$16,240.00
18. Furnish and install HMA Pavement	\$54.53	3,200 Ton	\$174,496.00	2,850 Ton	\$155,410.50	3,243.57 Ton	\$176,871.87
19. Furnish and install 1/2-inch rods	\$0.67	600 Lin. Ft.	\$402.00	2,360 Lin. Ft.	\$1,581.20	2,360 Lin. Ft.	\$1,581.20
20. Install detectable warning fields (supplied by City)	\$35.88	12 Each	\$430.56	9 Each	\$322.92	9 Each	\$322.92
21. Terracing, fertilize, seed & hydromulch	\$25.42	250 Sq. Yd.	\$6,355.00	745.74 Sq. Yd.	\$18,956.71	745.74 Sq. Yd.	\$18,956.71
22. Install and Maintain Traffic Control	\$5,100.00	1 Lump Sum	\$5,100.00	1.0 Lump Sum	\$5,100.00	1.0 Lump Sum	\$5,100.00
Part 1.D. Street Total			\$488,343.98		\$492,634.32		\$514,095.69
<b>TOTAL Part 1</b>			\$1,199,412.98		\$1,253,142.07		\$1,274,603.44
<b>TOTAL Parts 1A through 1D</b>			\$1,199,412.98		\$1,253,142.07		\$1,274,603.44

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

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

At 50% completion, no additional amounts are retained.

For Final Estimates, there is no retainage.

Respectfully submitted,

C.O. 1	\$16,504.00	Work to date	\$1,253,142.07	Work to date	\$1,274,603.44
C.O. 2	\$37,225.09	Retainage <sup>1</sup>	\$0.00	Retainage <sup>1</sup>	\$0.00
C.O. 3		Due Contractor	\$1,253,142.07	Due Contractor	\$1,274,603.44
	\$1,253,142.07	Previously paid	\$1,218,521.75	Previously paid	\$1,250,142.07
		Due this estimate	<b>\$34,620.32</b>	Due this estimate	<b>\$24,461.37</b>
		Liquidated Damages	-3,000.00	Liquidated Damages	-3,000.00
		Net Due	<b>31,620.32</b>	Net Due	<b>21,461.37</b>

Gerry Kaiser, PE

Director of Public Works

Contractor Signature

Date

**Signatures below. This copy included for legibility.**

DESCRIPTION	Unit Price	Original Bid		Final Payment		Final Payment 2	
		Quantity	Total	Quantity	Total	Quantity	Total
<b>C. Storm Sewer</b>							
1. Furnish and relay 24-inch storm sewer	\$242.00	50 Lin Ft	\$12,100.00	43 Lin Ft	\$10,406.00	43 Lin Ft	\$10,406.00
2. Furnish and relay 12-inch storm sewer	\$51.00	545 Lin Ft	\$27,765.00	518 Lin Ft	\$26,418.00	518 Lin Ft	\$26,418.00
3. Furnish and relay 10-inch storm sewer	\$41.00	430 Lin Ft	\$17,630.00	459 Lin Ft	\$18,919.00	459 Lin Ft	\$18,919.00
4. Furnish and relay 4-inch storm sewer lateral	\$30.00	130 Lin Ft	\$3,900.00	117 Lin Ft	\$3,510.00	117 Lin Ft	\$3,510.00
5. Furnish and install storm manhole (6)	\$370.00	47 Ver Ft	\$15,000.00	47 Ver Ft	\$14,824.00	47 Ver Ft	\$14,824.00
6. Furnish and install catch basin	\$1,215.00	14 Each	\$17,010.00	16 Each	\$19,440.00	16 Each	\$19,440.00
7. Remove Storm Manhole	\$250.00	7 Each	\$1,750.00	7 Each	\$1,760.00	7 Each	\$1,760.00
8. Remove Storm catch basin	\$175.00	10 Each	\$1,750.00	10 Each	\$1,750.00	10 Each	\$1,760.00
9. Adjust storm manhole (w/urry backfill)	\$350.00	4 Each	\$1,400.00	3 Each	\$1,050.00	3 Each	\$1,050.00
10. Adjust storm catch basin	\$330.00	4 Each	\$1,320.00	2 Each	\$660.00	2 Each	\$660.00
11. Install and Maintain Type "D" Inlet Protection	\$95.00	20 Each	\$1,900.00	24 Each	\$2,280.00	24 Each	\$2,280.00
12. Clean and Televis Sewer (Storm only)	\$1,210.00	1 Lump Sum	\$1,210.00	1 Lump Sum	\$1,210.00	1 Lump Sum	\$1,210.00
<b>Part 1 C. Storm Sewer Total</b>			<b>\$101,785.00</b>		<b>\$107,155.80</b>		<b>\$107,155.80</b>
<b>D. Street (HMA Pavement)</b>							
1. Remove existing pavement and maintain utility trench	\$0.75	6,403 Lin Ft	\$4,802.25	6,481 Lin Ft	\$4,860.75	6,481 Lin Ft	\$4,860.75
2. Sawcut existing bituminous pavement	\$2.00	200 Lin Ft	\$400.00	100.00 Lin Ft	\$200.00	100.00 Lin Ft	\$200.00
3. Full depth sawcut existing concrete pavement	\$2.00	300 Lin Ft	\$600.00	166.50 Lin Ft	\$333.00	166.50 Lin Ft	\$333.00
4. Remove existing bituminous pavement	\$1.44	14,000 Sq Yd	\$20,160.00	14,000 Sq Yd	\$20,160.00	14,000 Sq Yd	\$20,160.00
5. Remove concrete pavement	\$12.35	250 Sq Yd	\$3,087.50	109.92 Sq Yd	\$1,358.61	109.92 Sq Yd	\$1,358.61
6. Remove concrete curb and gutter	\$2.43	1,600 Lin Ft	\$3,888.00	2,274.00 Lin Ft	\$5,525.82	2,274.00 Lin Ft	\$5,525.82
7. Remove concrete sidewalk/driveway apron	\$0.48	10,000 Sq Ft	\$4,800.00	3,220.11 Sq Ft	\$1,545.65	3,220.11 Sq Ft	\$1,545.65
8. Unclassified Excavation	\$6.53	5,000 Cu Yd	\$32,650.00	6,005 Cu Yd	\$39,261.65	6,005 Cu Yd	\$39,261.65
9. Furnish and install geogrid (Geicor S1 & Whiting C1)	\$1.55	6,250 Sq Yd	\$9,687.50	6,772 Sq Yd	\$10,496.60	6,772 Sq Yd	\$10,496.60
10. Furnish and install crushed aggregate base	\$10.61	7,500 Ton	\$79,575.00	10,582.21 Ton	\$112,277.25	10,582.21 Ton	\$112,277.25
11. Furnish and install 30-inch concrete curb and gutter (various loc)	\$23.05	1,600 Lin Ft	\$36,880.00	2,274.00 Lin Ft	\$52,415.70	2,274.00 Lin Ft	\$52,415.70
12. Furnish and install 4-inch concrete sidewalk	\$5.50	7,500 Sq Ft	\$41,250.00	2,666.71 Sq Ft	\$14,666.91	2,666.71 Sq Ft	\$14,666.91
13. Furnish and install 6-inch concrete sidewalk/driveway apron	\$5.80	2,500 Sq Ft	\$14,750.00	1,320.54 Sq Ft	\$7,644.28	1,320.54 Sq Ft	\$7,644.28
14. Furnish and install 8-inch concrete pavement repair	\$58.40	250 Sq Yd	\$14,650.00	109.92 Sq Yd	\$6,320.25	109.92 Sq Yd	\$6,320.25
15. Furnish and install drill re bars #9	\$7.18	100 Each	\$718.00	48 Each	\$344.64	48 Each	\$344.64
16. Furnish and install drill cover bars #9	\$11.25	64 Each	\$720.00	96 Each	\$1,080.00	96 Each	\$1,080.00
17. Fine grading and base preparation	\$1.18	14,000 Sq Yd	\$16,520.00	14,000 Sq Yd	\$16,520.00	14,000 Sq Yd	\$16,520.00
18. Furnish and install HMA Pavement	\$54.83	3,200 Ton	\$174,496.00	2,850 Ton	\$156,145.50	3,243.87 Ton	\$176,871.87
19. Furnish and install 1/2-inch rods	\$0.67	600 Lin Ft	\$402.00	2,380 Lin Ft	\$1,591.70	2,380 Lin Ft	\$1,591.70
20. Install detectable warning fretts (supplied by City)	\$35.88	12 Each	\$430.56	9 Each	\$322.92	9 Each	\$322.92
21. Terracing, fertilize, seed & hydromulch	\$25.42	250 Sq Yd	\$6,355.00	745.74 Sq Yd	\$18,956.71	745.74 Sq Yd	\$18,956.71
22. Install and Maintain Traffic Control	\$5,100.00	1 Lump Sum	\$5,100.00	1.0 Lump Sum	\$5,100.00	1.0 Lump Sum	\$5,100.00
<b>Part 1 D. Street Total</b>			<b>\$489,343.68</b>		<b>\$497,834.32</b>		<b>\$514,095.69</b>
<b>TOTAL Part 1</b>			<b>\$1,169,412.68</b>		<b>\$1,253,142.07</b>		<b>\$1,274,603.44</b>
<b>TOTAL Parts 1A through 1D</b>			<b>\$1,199,412.98</b>		<b>\$1,253,142.07</b>		<b>\$1,274,603.44</b>

CC 1	\$18,504.80	Work to date	\$1,253,142.07	Work to date	\$1,274,603.44
CC 2	\$37,225.09	Retainage <sup>1</sup>	\$0.00	Retainage <sup>1</sup>	\$0.00
CC 3		Due Contractor	\$1,253,142.07	Due Contractor	\$1,274,603.44
	\$1,253,142.07	Previously paid	\$1,216,521.75	Previously paid	\$1,250,142.07
		Due this estimate	\$34,620.32	Due this estimate	\$24,461.37
		Liquidated Damages	-3,000.00	Liquidated Damages	-3,000.00
		Net Due	\$1,620.32	Net Due	\$21,461.37


NOTE (1): Retainage set per Wis Statute 66.0601(5).  
 Retainage is 5% of the estimate until 50% of the work is completed.  
 At 50% completion, no additional amounts are retained.  
 For Final Estimates, there is no retainage

Respectfully submitted,

  
 Gerry Kaiser, PE

Director of Public Works

Contractor Signature



Date 7/25/19

**STATUS OF COUNCIL DIRECTIVES ISSUED SINCE JULY 1, 1981**

Date: August 21, 2019

**Date of Directive:** 4/17/2018

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

**Responsible Party:** Ald. Lendrum

**Status:** Pending