

**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES**  
**Tuesday, June 11, 2019 - 6:30 PM**  
**Hauser Room - City Administration Building**

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

**Excused:** Alderman Lang

**Also Present:** Mayor Kaufert, Assistant City Attorney VandenHeuvel, Director of Public Works Kaiser, Police Chief Olson, Assistant Police Chief Sievert, Police Captain Bernice, Police Lieutenant Kuffel, Traffic Engineer Merten, Alderman Boyette, Alderman Kunz, Matt Krahenbuhl, Scott Krahenbuhl, Kyle Fink

**Minutes:**

**Motion/Second/Carried Lendrum/Stevenson to approve the minutes of the May 28, 2019, Regular Meeting.** All voting aye.

**Public Appearances:** None.

**Purchase Replacement Handguns and Associated Equipment:** Assistant Police Chief Sievert and Police Lieutenant Kuffel reviewed their memo of June 6, 2019, recommending the purchase of replacement handguns and associated equipment. They provided the Committee with an updated quote, which includes a trade-in of \$20 per unit for the tactical weapon light and reduces the overall purchase cost to \$37,582.22. They reviewed issues experienced with the current handguns, which are over ten years old. They noted the conversion to 9mm ammunition. They confirmed that a vendor had provided a quote for the purchase but that quote was higher.

REPORT Following discussion, **Motion/Second/Carried Stevenson/Spellman to recommend Council approve purchase of replacement handguns and associated equipment from Kiesler Police Supply, Inc., for a total purchase price of \$37,582.22 with funding from the 2019 Capital Equipment Budget.** All voting aye.

**Ordinance 2019-14 Amending Article IV - Division 3: Noise:** Committee reviewed Assistant City Attorney VandenHeuvel's June 6, 2019, memo regarding changes that were made to the proposed noise ordinance since the Committee's last review. He noted that he had corresponded with Ald. Kunz to address the concerns that he raised. One revision added a definition for the term "decibel". A second revision added language to create an exemption for the use of powered lawn and garden equipment. He noted that this revision also incorporated snow removal equipment which is currently exempted under a different section. Committee discussed the use of the nuisance ordinance for noise issues that crossed zoning classifications. Ald. Boyette addressed the Committee to inquire if the ordinance could be used to cite a celebration or event at a city park. Assistant City Attorney VandenHeuvel stated that enforcement of those situations would be handled the same as they are currently. He noted that officers will now respond with a decibel meter to noise complaint calls. Chief Olson stated that three meters are on order. Chief Olson reviewed the training received by staff to determine if a motorcycle muffler is stock or non-stock.

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Assistant City Attorney VandenHeuvel stated that staff reviewed the acceptable sound level table in Section 4 of the proposed ordinance and found it to be in line with other community noise ordinances.

ORD.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council adopt Ordinance 2019-14 amending Article IV Division 3 of the municipal code relating to noise violations.** All voting aye.

Ordinance 2019-15 Amending Code §4-106: Temporary Extension of Licensed Premises: Committee reviewed Assistant City Attorney VandenHeuvel's June 11, 2019, memo regarding Ordinance No. 2019-15 amending the Code creating the section for a temporary extension of licensed premises. He noted that staff has recommended an application lead time of 25 days since that works within the normal Committee and Council schedule. Committee discussed the event times frames noted in Sec. 4-107(d). Committee discussed the differences between the proposed ordinance and the requirements of the Temporary Class "B" (Picnic) Beer License. Committee expressed a desire to be informed when the situation results in the Mayor approving a Temporary Extension of Premises application.

Ald. Kunz addressed the Committee. He noted that Sec. 4-107 limits the number of events to three per year. He expressed a willingness to allow more. He noted a preference for the language in the code concerning Temporary Class "B" (Picnic) Beer License applications. He expressed a concern with the fencing requirement. He felt that a boundary could be established beyond which alcohol could not be taken. He noted a concern that fencing can detract from the ambiance of an event. Assistant City Attorney VandenHeuvel noted concern with using the Temporary Class "B" (Picnic) Beer License language since that could impact the ability for a business to hold an event on short notice if the same kind of event had not been previously held at that business. Committee discussed fencing and boundary options.

Following discussion, **Motion/Second Stevenson/Spellman to recommend Council adopt Ordinance 2019-15 applying Beer Garden and Sidewalk Café requirements to State licenses premises and providing for a temporary extension of licensed premises including an adjustment to Sec. 4-107(a)(1) requiring notification of Council within 48 hours or prior to an event for events that have been approved by the Mayor.**

Committee continued discussing establishment of different hours of operation and amplified sound for weekends versus weekdays.

Following discussion, **Motion/Second/Carried Stevenson/Bates to amend the motion to change Sec. 4-107(d) to establish hours of operation Sunday thru Thursday between 8 a.m. to 10 p.m. and any amplified sound (music or speech) between the hours of 9 a.m. and 9 p.m. and hours of operation on Fridays and Saturdays between 8 a.m. to 10:30 p.m. and any amplified sound (music or speech) between the hours of 9 a.m. and 10 p.m.** All voting aye.

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ORD.

Following discussion, **the original motion as amended to recommend Council adopt Ordinance 2019-15 applying Beer Garden and Sidewalk Café requirements to State licenses premises and providing for a temporary extension of licensed premises including an adjustment to Sec. 4-107(a)(1) requiring notification of Council within 48 hours or prior to an event for events that have been approved by the Mayor and changing Sec. 4-107(d) to establish hours of operation Sunday thru Thursday between 8 a.m. to 10 p.m. and any amplified sound (music or speech) between the hours of 9 a.m. and 9 p.m. and hours of operation Fridays and Saturdays between 8 a.m. to 10:30 p.m. and any amplified sound (music or speech) between the hours of 9 a.m. and 10 p.m.** All voting aye.

Ordinance 2019-16: Amending Code §17-201(c) to Correct a Statutory Reference: Assistant City Attorney VandenHeuvel reviewed City Attorney Godlewski's memo of June 6, 2019, outlining the need to amend the recently adopted TARF ordinance to correct a statutory reference error. It was recently discovered that one of the statutory references in §17-206(c) was incorrect. That section outlines the Common Council's authority under state law and includes, among other references, §66.0207. That section outlines standards to be applied by the Boundary Review Commission for determining whether a proposed incorporation can be scheduled for referendum. That obviously has nothing to do with the TARF ordinance. Instead, the reference should have been to §66.0807 which permits joint operations of public utilities by municipalities and privately owned public utilities. Mayor Kaufert noted legislation that has been introduced to require that wheel taxes be approved by referendum even if already enacted. He also noted that Oshkosh has adopted a TARF.

ORD.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council adopt Ordinance 2019-16 amending Code §17-201(c) to correct a statutory reference.** All voting aye.

**Motion/Second/Carried Stevenson/Spellman to amend the agenda to address item 8: Special Event Permit for Udderly Euro Car Show.** All voting aye.

Special Event Permit Applications:

Udderly Euro Car Show: Committee reviewed the Street Use Permit request for the Udderly Euro Car Show and Display, to be held on August 24, 2019. Matt Krahenbuhl, event organizer, addressed the Committee. He noted that the footprint of the 2019 event will be slightly smaller than it was for the 2018 event. The event proposes to close Wisconsin Avenue from Commercial Street to the west driveway of the Shattuck Park/Library parking lot. This will allow the lot to function throughout the event. Event setup would start at 1 p.m., immediately following the Farmer's Market. The event runs to 5 p.m. Event clean-up is scheduled to run through 5:30 p.m. Committee discussed food vending for the event. Committee discussed trash removal and collection for the event. Mr. Krahenbuhl noted that the trash receptacles were full from Farmer's Market at the start of the 2018 event. Mayor Kaufert told the event organizers that full trash bags could be placed behind the Shattuck Park pavilion for later pick-up. Traffic Engineer Merten confirmed that the event has reserved Shattuck Park so those restrooms are available for the event.

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No port-a-potties are required. Committee discussed access to the Doubletree by Hilton Neenah. The hotel has removed their access to Doty Avenue and the event's road closure covers their access onto Wisconsin Avenue. Mr. Krahenbuhl noted that the hotel has been aware of the pending event closure since last year. Traffic Engineer Merten reviewed his contacts with the hotel's event coordinator to provide access to other lots for hotel guests during the car event. Committee suggested the use of the changeable message boards to direct guests to the available lots.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Udderly Euro Car Show and Display, sponsored by the Udderly Euro, to be held on August 24, 2019.** All voting aye.

Resolution No. 2019-16: Compliance Maintenance Annual Report for Sanitary Sewer: Committee reviewed Resolution No. 2019-16 and the 2018 Compliance Maintenance Annual Report. Director Kaiser reviewed the financial and collection system aspects of the report. Committee discussed sewer back-up reports, sanitary sewer overflow events, the potential of performing an energy study for one of the sewer lift stations, and system infiltration/inflow. Director Kaiser reviewed efforts made to reduce infiltration/inflow in the collection system. He noted that the change in policy to perform complete lateral replacements was identified in the report as a new I/I reduction strategy.

RES.

Following discussion, **Motion/Second/Carried Stevenson/Spellman to recommend Council adopt Resolution No. 2019-16 Compliance Maintenance Annual Report for Sanitary Sewer.** All voting aye.

**Licenses:**

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Alicia M. Andrews, Amber A. Ansell, Judith A. Bergman, Rita E. Bock, Deborah A. Boyce, Halie M. Callaway, Zenaida A. DeSantos, Judith A. DeShaney, Kari A. Driscoll, Brianna L. Espe, Amanda J. Evers, Amber M. Evers, Jose Alberto Tellez Garcia, Stephanie A. Giron, Jennifer L. Glasheen, Jennifer R. Henson, Kelly I. Hollander, Samantha A. Jones, Dean R. Kaufert, Courtney S. Kaul, Joanne M. Kiefer, Courtney E. Koci, Julie A. Kosmerchock, Courtney R. Liesch, Kandi Lynn, Johnathon E. Maloney, Michael J. McClellan, Larry L. McPeake, Christine R. Miller, Eric F. Neumeyer, Kyria-Jo R. Navarre, Shelley S. Nennig, Keanan A.N. Nys, Joey E. O'Neill, Jeremy M. Oppelt, Caitlyn E. Paul, Charles W. Pitzrick, Michelle M. Pitzrick, Donna K. Puckett-Morris, Dominick A. Reshel, Amber S. Romenesko, Mikal T. Sauer, Christopher J. Schmitz, Mary J. Schroth, Debby L. Schueler, Robert G. Simon, Lindsey N. Solie, Paige C. Stuckey, Karen L. Tritt, Jennifer M. Van Groll, Casey Vickman, Cari L. Yelvington, Thomas C. Weis and Lori B. Werres.

C.A.

Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approve beverage operator license applications for Alicia M. Andrews, Amber A. Ansell, Judith A. Bergman, Rita E. Bock, Deborah A. Boyce, Halie M. Callaway, Zenaida A. DeSantos, Judith A. DeShaney, Kari A. Driscoll, Brianna L. Espe, Amanda**

J. Evers, Amber M. Evers, Jose Alberto Tellez Garcia, Stephanie A. Giron, Jennifer L. Glasheen, Jennifer R. Henson, Kelly I. Hollander, Samantha A. Jones, Dean R. Kaufert, Courtney S. Kaul, Joanne M. Kiefer, Courtney E. Koci, Julie A. Kosmerchock, Courtney R. Liesch, Kandi Lynn, Johnathon E. Maloney, Michael J. McClellan, Larry L. McPeake, Christine R. Miller, Eric F. Neumeyer, Kyria-Jo R. Navarre, Shelley S. Nennig, Keanan A.N. Nys, Joey E. O'Neill, Jeremy M. Oppelt, Caitlyn E. Paul, Charles W. Pitzrick, Michelle M. Pitzrick, Donna K. Puckett-Morris, Dominick A. Reshel, Amber S. Romenesko, Mikal T. Sauer, Christopher J. Schmitz, Mary J. Schroth, Debby L. Schueler, Robert G. Simon, Lindsey N. Solie, Paige C. Stuckey, Karen L. Tritt, Jennifer M. Van Groll, Casey Vickman, Cari L. Yelvington, Thomas C. Weis and Lori B. Werres.  
All voting aye.

Retail Liquor/Beer License Application - Ballroom at the Reserve: Committee reviewed the retail liquor/beer license application for the Ballroom at the Reserve. Committee noted that the license is being transferred from the building owner to a tenant occupying the upper level of the Reserve building.

C.A. Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council approve the retail liquor/beer license application for the Ballroom at the Reserve, 116 S. Commercial Street, Justun Hart, Agent.** All voting aye.

Beverage Operator License Application (Renewal) - Delinquent Payment: The Committee discussed the beverage operator license application for Simplicia O. Rodriguez.

C.A. Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approve the beverage operator license application (renewal) for Simplicia O. Rodriguez, contingent upon payment of all delinquent City fees.** All voting aye.

Beverage Operator License Application (New) - Denial: The Committee reviewed the beverage operator license application for Jeffrey C. Gerarden. The Neenah Police Department had recommended license denial. Mayor Kaufert noted that the applicant had previously held a beverage operator license but it has lapsed. He noted that on the new application, the applicant failed to truthfully answer the question regarding previous convictions.

REPORT Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council deny the new beverage operator license application for Jeffrey C. Gerarden.** All voting aye.

Taxi Cab License Application - Call A Cab LLC: Committee reviewed the taxi cab license application for Call A Cab, LLC, 220 Kaukauna Street, Menasha.

C.A. Following discussion, **Motion/Second/Carrier Lendrum/Stevenson to recommend Council grant a taxi cab license to Call A Cab, LLC, 220 Kaukauna Street, Menasha.** All voting aye.



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Taxi Cab License Application - TNT Limousine Service LLC: Committee reviewed the taxi cab license application for TNT Limousine Service LLC, 936 9th Street, Menasha.

C.A. Following discussion, **Motion/Second/Carrier Lendrum/Stevenson to recommend Council grant a taxi cab license to TNT Limousine Service LLC, 936 9th Street, Menasha.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 2-18 (Cecil, Adams). A final pay estimate is being prepared. The contractor has been informed of a number of punchlist items.
2. Contract 3-18 (Nature Trails/Eaglecrest) – The only work remaining under this contract is completion of the Liberty Heights trail along Woodenshoe Road. The contract will remain open so that this work can be done early this year.  
Staff has done a field review of the concrete work with the contractor and identified one driveway apron and two sections of sidewalk that need to be replaced under the warranty. Concrete repairs should be done the week of June 10.  
Quantities on the Nature Trail/Eaglecrest work have been finalized with the contractor. Special assessment billings will be sent in September 2019.
3. Contract 1-19 (Caroline, Stevens, Fifth)
  - a. Caroline Street – Utility work is complete. The street rest period has just ended. Private side lateral work should start the week of June 17.
  - b. Stevens Street – Utility work is complete. Service work behind the sidewalk will take place the week of June 10. Grading and graveling work is complete.
  - c. Fifth Street – Utility work is complete. Service installation behind the sidewalk was done the week of May 20. Grading and graveling is complete. Concrete work is complete.
4. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
  - a. Stanley Court – Water main and storm sewer installation is complete.
  - b. Stanley Street – The connection at Commercial Street has been made and water main installation is ongoing. Utility work should start the week of June 10.
  - c. Thomas Court – Utility work is complete. Requested lateral replacements have not yet been done.
5. Contract 3-19 (Epoxy Pavement Marking) – Work is ongoing. Director Kaiser noted that there has been some concerns expressed by residents of Forest Avenue between Third Street and Fourth Street regarding the parking and pavement marking changes. He stated that this will be a topic at the next Committee meeting.
6. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The Bell Street trail has been poured. The contractor will start work on Pendleton Road the week of June 10. Work on Tullar Road must be done while school is out.
7. Contract 5-19 (Hot-Mix Asphalt Pavement Repair) – Work has not yet been scheduled.
8. Courtney Court – Work has not started.
9. Appliance pickup service through Krueger's Hardware is no longer available. It is not known at this point if this a permanent situation or if someone else will restart this service.

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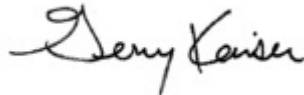
10. GIS/Asset Management – Seven proposals were received. Staff is currently reviewing those.

Announcements/Future Agenda Items: Mayor Kaufert noted the assistance of City Parks and Public Works crews to clear the long grass abutting the new Bell Street trail in advance of a visit by the CEO of Amcor.

Committee discussed the work schedule for Fifth Street.

**Motion/Second/Carried Lendrum/Stevenson to adjourn at 8:05 p.m.** All voting aye.

Respectfully submitted,

A handwritten signature in black ink that reads "Gerry Kaiser". The signature is written in a cursive, flowing style.

Gerry Kaiser, PE  
Director of Public Works