

Common Council Minutes
Wednesday, May 18, 2022—7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., May 18, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Borchardt, Hillstrom, Lendrum, Erickson, Skyrms, Steiner, and Stevenson. Staff present Director of Finance Easker, Assistant Director of Community Development & Assessment Schmidt, Director of Public Works Kaiser, City Attorney Westbrook, and City Clerk Nagel.

Mayor Lang called the meeting to order at 7:02 p.m.

- I. The Clerk called a voice roll call, followed by the Pledge of Allegiance led by Alderperson Lendrum.
- II. Introduction and Confirmation of Mayor's Appointment(s).
 - A. Appoint Alderperson Borchardt to Sustainable Neenah Committee for a one year term expiring April, 2023.
 - B. Appoint Kristi Branchford to the Committee of Aging for the remainder of Joan Brown's term expiring September, 2023.
 - C. **(UC)**
Seeing no objections, ordered approved under unanimous consent.
- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of May 4, 2022 regular session. **(UC)**
Seeing no objections, ordered approved under unanimous consent.
- IV. Public Forum
 - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
 1. Dwight Kerr, 434 High Street – Concerned with neighborhood rental property in which the upper occupants are abusing drugs on a regular basis. Emergency services have responded to the residence on a routine basis where Narcan is used and often left for future use. The neighbors feel the leaving of Narcan for future use encourages the continued use of drugs. Mr. Kerr would like the city to contact the landlord to put pressure on the upper tenant to stop or move.

The lower occupant is a single mom with young children who is in recovery herself. The concern is the impact on the young children. Mr. Kerr e-mailed the Mayor and all the Council Members his concerns.

After three calls for additional comments, there were no additional appearances. The public forum was closed at 7:08 p.m.

- V. Mayor/Council consideration of public forum issues
- A. Mayor Lang commented that she did receive Mr. Kerr's e-mail. The Mayor plans on discussing this situation with Police Chief Olson in the next couple of days.
 - B. Attorney Westbrook offered education on the how the city's nuisance program works, specifically, landlord/tenant issues. If there are three or more calls to the residence for citable offenses the location is put on the Police Department's nuisance abatement list. Meaning a letter is sent to the landlord advising them of the frequency of calls to the home and asking for resolution to the problem. If nothing is done to rectify the situation, the landlord receives a significant fine. This typically resolves any issue.

Attorney Westbrook also advised that under Wisconsin law the act of a drug overdose is not a crime in and of itself; possession of illegal drugs is a crime. Therefore, the overdose must be paired with an additional criminal charge in order to have the call a citable offense.

- C. Alderperson Boyette asked Mr. Kerr if the rental was owner occupied. Mr. Kerr advised that the lower tenant is a relative of the landlord but not owner occupied.
- VI. Consent Agenda
- A. Approve the Temporary Class B Retailer's license for Future Neenah's Summer Kickoff event, June 15, 2022. **(PSSC)**
 - B. Approve the Temporary Class B Retailer's license for Future Neenah's Boogie Downtown event, August 24, 2022. **(PSSC)**
 - C. **(UC)**
Seeing no objections, ordered approved under unanimous consent.

- VII. Reports of standing committees
- A. Regular Public Services and Safety Committee meeting of May 10, 2022: (Chairman Lendrum/Vice Chairman Hillstrom) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve the purchase of a John Deere 324L compact wheel loader and snow push box from Brooks Tractor for a total of \$89,150 with \$75,000 coming from the 2022 capital equipment program funds to replace the 1999 tractor and the remaining \$14,150 to come from the 2022 capital equipment budget funds for the pavement roller replacement. **(RollCallPro)**
MSRCP by Lendrum/Borchardt to approve the purchase as presented, all voting aye.

Discussion: Director Kaiser explained Superintendent Radtke noted that the compact wheel loader provides greater flexibility to do a number of the tasks more safely than the current tractor. With the

motor located in the rear of the cab, there is better operator vision and significantly less bouncing.

When it was realized that the compact wheel loader would be over budget, Superintendent Radtke went through the 2022 Capital Equipment Budget to see if there was equipment that could be eliminated or deferred. Superintendent Radtke noted with the increased amount of asphalt patching currently being done, a larger asphalt roller would be needed in the future to make up for the deficiencies of the current roller. Superintendent Radtke also evaluated the possibility of renting a larger roller on an as needed basis. Therefore, Superintendent Radtke recommends using in the 2022 capital equipment funds for the compact wheel loader and defer the larger asphalt roller until next year.

- B. Regular Finance and Personnel Committee meeting of May 9, 2022: (Chairman Erickson/Vice Chairman Skyrms) (Minutes can be found on the City web site)
1. Committee recommends Council approve Resolution 2022-08 which supports amending the by-laws of the East Central Wisconsin Regional Planning Commission (ECWRPC) to remove the Gubernatorial appointments to the Commission Board. **(RollCallPro)**
MSRCP Erickson/Stevenson to approve Resolution 2022-08 as presented, all voting aye.

No discussion.

2. Committee recommends Council approve the purchase of a new record management system for DOLAS at a cost not to exceed \$8,000.00 to be funded by using unspent DOLAS operating funds created by existing staff vacancies within the department. **(RollCallPro)**
MSRCP Erickson/Skyrms to approve the purchase as presented, all voting aye.

Discussion: Attorney Westbrook explained the current records management system can only be used with Internet Explorer. Internet Explorer is no longer being supported and is becoming obsolete. The Attorney Westbrook and his legal assistant demoed numerous companies. They recommend the NetDocs system which is the industry leader using cloud technology.

The not to exceed \$8,000 is the cost to migrate the files over to the NetDocs. There will be an annual cost for the program use which is comparable to the current costs and will be included in the DOLAS annual operating budget.

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

- A. Regular Plan Commission meeting of May 10, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)
1. Commission recommends Council approve the proposed 2 Lot CSM for the former Bridgewood Golf Course located along Jewelers Park Drive and Harrison Street and accept the public trail easement along former hole 9 of the golf course. **(RollCallPro)**
MSRCP Steiner/Stevenson to approve the 2 lot CSM as presented, all voting aye.

No discussion.
 2. Commission recommends Council the proposed CSM creating an outlot and reconfiguring existing lots for the former Bridgewood Golf Course located along Jewelers Park Drive and Harrison Street and accepting the public access easement adjacent to the northern pond. **(RollCallPro)**
MSRCP Steiner/Borchardt to approve the CSM as presented, all voting aye.

No discussion.
- B. Board of Public Works meeting of May 10, 2022: (Vice Chairman Hillstrom) (Minutes can be found on the City web site)
1. Information Only Items:
 - a. The Board approved Pay Estimate No.3, Contract 7-21, Harrison Street Stormwater Pond, to MCC Inc., Appleton, in the amount of \$291,121.69.
 - b. The Board approved Pay Estimate No.3, Contract 8-21, Jeweler's Park Drive Trail, to Vinton Construction, Inc., Two Rivers, in the amount of \$371,572.22
 - c. The Board approved Pay Estimate No.2, Contract 1-22, Sanitary, Storm and Water Main Construction, Apple Blossom Dr., Fredrick Dr., Green Acres Ln., Honeysuckle Ln. Meadow Ln., Primrose Ln., Wild Rose Ln., to Kruczek Construction Inc., Green Bay, in the amount of \$775,823.84.
 - d. The Board approved Pay Estimate No.1, Contract 2-22, Sanitary, Water Services and Street Construction on Dieckhoff Street and Grove Street, to Donald Hietpas & Sons Construction Inc., in the amount of \$179,892.14.
 - e. The Board approved Pay Estimate No.1, Contract 4-22, Sanitary, Storm and Water Main Construction, S. Commercial Street, to Robert J. Immel Exc., Inc., in the amount of \$169,073.73.
 - f. The Board approved Pay Estimate No.1, Contract 5-22, Sanitary and Storm Sewer Construction, CTH CB & CTH JJ to DeGroot, Inc., in the amount of \$272,978.17.
 - g. Board approved Change Order No. 3, Contract 2-21, Sanitary Sewer, Water Main and Street Construction, Fairview Avenue and Laudan Boulevard, Carl Bowers & Sons Construction Company,

Inc., Kaukauna, in the amount of \$30,024.00 using the remainder of the budgeted expense for this project.

2. Council Action Items:

- a. Board recommends Council approve Final Payment for Contract 2-21, Sewer, Water Main and Street Construction, Fairview Avenue and Laudan Boulevard, to Carl Bowers & Sons Construction Company, Inc., Kaukauna, in the amount of \$377,687.47. **(RollCallPro)**
MSRCP Hillstrom/Borchardt to approve the final payment as presented, all voting aye.

No discussion.

Aldersperson Skyrms asked for a status report on the Harrison Street Pond. Director Kaiser reported that the project is not progressing as quickly as expected. The project is weather dependent and there has been rain recently. Director Kaiser will follow up with the contractor.

C. Community Development Authority

1. Report from the CDA – Director Haese
 - a. No report.

D. Library Board

1. Report from the Library Board – Aldersperson Erickson
 - a. Meeting of May 18, 2022
 - b. Youth Program sign up for summer programs is under way. There are over 1,000 youths signed up already.
 - c. June activities: Sunrise Yoga, Memory Cafe' featuring fishing, All Ages Hip-Hop Workshop, Short Story Night, Not Quite Cozy Mystery Book Club.
 - d. More information can be found on the Neenah Public Library web site.

E. Neenah Arts Council

1. Report from the Neenah Arts Council – Aldersperson Erickson
 - a. Meeting of May 11, 2022
 - b. Checkout the creative artwork in the flower beds along Wisconsin Avenue.
 - c. Neenah High School Art Show concluded today at the Neenah Public Library. The YMCA has an art show that will be on display for the next week.
 - d. Discussed the many summer activities the Neenah Arts Council will be hosting. Alderspersons will be asked to volunteer.
 - e. Youth-Go is hosting a Summer Open House on Wednesday, June 1st from 3:00 – 7:00 p.m. to learn out their services and summer programming.

F. Landmarks Commission

1. Report from the Landmarks Commission – Alderperson Steiner
 - a. Meeting of May 9, 2022.
 - b. The Commission approved the Certificate of Appropriateness for 106 W. Wisconsin Avenue. The building was previously used by Associate Bank as office space. The building will now be used as retail space which is consistent with its historical use.

IX. Presentation of petitions

- A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
 1. None

X. Council Directives - None

XI. Unfinished Business

- A. Memorial Day Parade, Alderperson Stevenson advised there will be a combined Neenah City Council and Menasha City Council unit. The unit number is 32 meeting on the south side of 1st Street in Menasha.

XII. New Business

- A. Any announcements/questions that may legally come before the Council.
 1. Alderperson Borchardt contacted Attorney Westbrook and Chief Olson to form a group to discuss a sex offender residency ordinance.

Alderperson Borchardt was approached by concerned residents with the number of sexual offenders being relocated to the city. The concern is that the number registered sex offenders being relocated here is disproportionate. Alderperson Borchardt reached out to the City of Sparta Council members and City Attorney for to gather information as they have recently established a sex offender residency ordinance. Alderperson Borchardt had discussions with Police Chief Olson who is interested pursuing this. Attorney Westbrook advised that there should be a committee formed in order to create said ordinance.

Council President Stevenson agrees in pursuing a sex offender residency ordinance and that the Legislative Review Committee is the organizational structure to create such an ordinances. Council members are able to attend the Legislative Review Committee meetings. Council President Stevenson would rather see an existing organizational structure be utilized for its intended purpose rather than creating a new committee.

2. Attorney Westbrook advised Winnebago County Hazard Mitigation Plan was presented to Former Mayor Kaufert before his departure. Former Mayor Kaufert wanted to have the new council act on the plan. This item will be on the next agenda.

Council President Stevenson advised that the Winnebago County Hazard Mitigation Plan should be reviewed by the Emergency Government

Committee. The response requested by the county warrants participation by the committee.

XIII. Adjournment

Motion by Stevenson/Boyette to adjourn, all voting aye. Meeting adjourned at 7:35 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Charlotte K. Nagel". The signature is written in a cursive, flowing style.

Charlotte Nagel, City Clerk