

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, November 26, 2019 - 6:30 PM
Council Chambers - City Administration Building

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

Also Present: Mayor Kaufert, City Attorney Godlewski, Director of Public Works Kaiser, Director of Community Development and Assessment Haese, Police Chief Olson, Police Captain Bernice, Police Lieutenant Kuffel, Investigator Streubel, Traffic Engineer Merten, Ald. Boyette, Karen Law, Gary Haberland, Donna Haberland, Jim Spranger, Linda Spranger, Wendy Baranczyk, Heidi Keating, Spencer Lenz, E. Lacobre, Rev. Christina Leone-Tracy, Samantha Zinth, Ben Zinth, Brian Defferding, Katie Schierl, Dan Schierl, Lydia Christensen, Kathy Flores, Nate Wolff, Helen Boyd, Brandt Swardenski, Tony Hinkel, Jerry Finch, Josh Finch, Beth Schnorr, Cheri Bricco, Paul Reiser, Marcia Steele, Linda Nowak, Marcia Steele, Eileen McCoy, Jim Gunz

Minutes: Motion/Second/Carried Lendrum/Lang to approve the minutes of the October 29, 2019, Regular Meeting and the November 20, 2019, Special Meeting. All voting aye.

Public Appearances: None.

Conversion Therapy Ban - Youth Mental Health Ordinance Discussion: Chairman Bates opened the floor to public comment.

Kathy Flores, Appleton, addressed the Committee to support the proposed youth mental health ordinance. She outlined her background in working within the LGBTQ community. She cited statistics from the Wisconsin youth risk behavior survey regarding the social and mental health issues that LGBTQ students experience. She noted that, while conversion therapy often occurs within the context of a religious organization, the proposed ordinance does not affect religious organizations but only licensed therapists. She cited a number of professional medical and therapy organizations that oppose conversion therapy.

Lydia Christensen, Oshkosh, addressed the Committee to support the proposed youth mental health ordinance. She stated that there is no scientific evidence that conversion therapy is effective. She stated that practitioners are actually harming their patients with this unethical treatment.

Pastor Christina Leone-Tracy, Appleton, addressed the Committee to support the proposed youth mental health ordinance. She stated that conversion therapy is a pseudo-science that is physically and emotionally harmful to the patient. She stressed the biblical call to accept people as they are.

Katie Schierl, Town of Clayton, addressed the Committee to support the proposed youth mental health ordinance. She described her family's experience in having a transgender child. She expressed concern with the mental anguish that the therapy can cause.

Dave Schierl, Town of Clayton, addressed the Committee to support the proposed youth mental health ordinance.

Public Services and Safety Committee
November 26, 2019
Page 2

Spencer Lenz, Neenah, addressed the Committee to support the proposed youth mental health ordinance. He noted his experience as someone who had undergone conversion therapy. He noted the emotional toll caused by the therapy.

Tony Hinkel, Green Bay, addressed the Committee to support the proposed youth mental health ordinance. He note his experience as a high school teacher in observing the LGBTQ student interactions with the rest of the student body. He stated that the proposed ordinance was a protectionist measure that would allow the City to cite any ongoing conversion therapy practices while also discouraging any others from coming to the City.

Brandt Swardenski, Neenah, addressed the Committee to support the proposed youth mental health ordinance. He stated that approving the ordinance shows that Neenah is a safe place for people regardless of orientation.

Brian Defferding, Neenah, addressed the Committee to support the proposed youth mental health ordinance. He stated that conversion therapy has been proven to harm more than heal. He noted the evolution of societal attitudes toward the LGBTQ community.

Jerry Finch, Fox Crossing, addressed the Committee. He noted that he is a Winnebago County Board member and a member of the Winnebago County Human Services Board. He encouraged the City to engage with the County on this issue.

Wendy Baranczyk, Wrightstown, addressed the Committee to oppose the proposed youth mental health ordinance. She expressed concern with banning voluntary conversion therapy. She expressed a concern that it would threaten the freedom of a counselor to interact with their patients. She posed a concern as to how a counselor would respond to a voluntary request for therapy from a patient. She expressed concern that the proposed ordinance would infringe on the professional free speech between a therapist and their client. She expressed a concern that the ordinance would infringe on the rights and duties of parents. She questioned if this was a known problem in Neenah. She stated that the City would open itself to the potential of lawsuits if the ordinance were enacted.

Nate Wolf, Appleton, addressed the Committee to support the proposed youth mental health ordinance. He noted that the ordinance has been passed in other communities and lawsuits have not been filed.

Heidi Keating, Neenah, addressed the Committee to support the proposed youth mental health ordinance. She noted that the Winnebago County Health Department had provided the Committee with a letter expressing support for the proposed ordinance (attached). She stated that mental health has been identified as a community health priority. She noted the disproportionate impact of mental health issues on the LGBTQ community. She expressed the hope that the City would create an environment where all people can thrive.

Josh Finch, Fox Crossing, addressed the Committee to support the proposed youth mental health ordinance. He expressed the hope that passage of the proposed ordinance would spur action in surrounding communities.

Public Services and Safety Committee
November 26, 2019
Page 3

Spencer Lenz, Neenah, addressed the Committee. He disagreed with the concern that the ordinance would infringe on parental rights.

Ald. Spellman stated her support for the ordinance. She reviewed the definitions of "Conversion Therapy" and "Medical or Mental Health Professional" included in the proposed ordinance. She expressed that the ordinance does not restrict first amendment or religious rights. She expressed the belief that this type of therapy is occurring in Neenah. She supported being proactive in passing the measure to get ahead of a possible issue. She stated that courts have upheld these bans in other jurisdictions.

Assistant City Attorney Vanden Heuvel reviewed his research on implementation of similar ordinances in other communities. He stated that there were a variety of approaches for investigating complaints in the five communities he surveyed. Madison refers them to their Office of Civil Rights. Milwaukee directs the complaints to their Health Department. Racine has the City Attorney's office investigate complaints. He noted that all five of the surveyed communities were ultimately uncertain of how they would enforce a complaint but don't envision receiving any.

City Attorney Godlewski reviewed Winnebago County Board action on the issue. He note that they had proposed a resolution encouraging the Wisconsin Legislature to enact a ban that failed to achieve the $\frac{3}{4}$ vote required by their rules with a vote of 19 ayes, 6 noes and 9 abstentions. He confirmed that the City of Neenah is covered by the Winnebago County Health Department, which handles all local health issues.

Ald. Bates stated that abuse is wrong regardless of circumstances. She questioned if the State should be approached since the proposed ordinance deals with licensed therapists. Ald. Spellman encouraged engagement with the State and County after support can be shown at the local level. Ald. Bate cited other instances where issues that were brought to the City were more suited to State action.

Mayor Kaufert questioned the status of action by the State legislature. He reviewed action by the Winnebago County Board. Kathy Flores addressed the Committee to inform them that Rep. Amanda Stuck had brought a measure to the legislature but that it did not reach the floor for a vote. Ald. Spellman expressed that State action is not likely. She noted her experience in working on the Winnebago County Board resolution. Ald. Bates expressed a concern with the specificity in the ordinance to LGBTQ persons rather than broader language that would apply to all people. Ald. Spellman stated that the ordinance is framed in that manner because the LGBTQ youth are more susceptible to abuse.

Mayor Kaufert noted efforts made regionally to reduce suicides by teens by assisting them in mental health issues. He questioned the place for local government on the conversion therapy issue and expressed the belief that the State should be leading that effort. He expressed concern with the ability of the City to enforce the propose ordinance and noted that either Winnebago County or the State are better equipped for enforcement of these matters. He questioned the status of a similar ordinance proposed in Appleton.

Public Services and Safety Committee
November 26, 2019
Page 4

Kathy Flores addressed the Committee to inform them that the Appleton Board of Health will revisit the issue on December 11.

Ald. Spellman stated that outreach and education is needed to make County Board and Council members aware of the problems and give them a greater understanding of the issue.

Motion Spellman to refer the issue to the next available Public Services and Safety Committee meeting. Motion failed for lack of a second.

Request to Authorize Police Department to Accept Walmart Grant: Police Chief Olson reviewed his memo requesting authorization to accept a \$3000 grant from Walmart to equip a second Tactical Emergency Medic (TEMS Medic). Chief Olson noted that, per the grant policy, the Committee of Jurisdiction must be notified of a grant amount between \$2,500 and \$10,000. Lt. Kuffel noted that a TEMS Medic is a trained officer on-scene who can offer medical assistance. He reviewed the items that are covered by the grant. He confirmed that Narcan is not covered by the grant. He described the department's Narcan training.

Following discussion, **Motion/Second/Carried Lang/Lendrum to approve the Police Department accepting a \$3000 grant from Walmart to equipment a second Tactical Emergency Medic (TEMS Medic).** All voting aye.

Auto License Plate Reader: Chief Olson reviewed his memo requested authorization to purchase an auto license plate reader. Committee questioned the ability of the equipment to interface with the NuPark parking management software. Chief Olson stated that the equipment will work with NuPark. Director Haese clarified that the problems with NuPark are software related, not hardware related. Chief Olson noted that parking enforcement will be a small part of the use for this equipment. He stated that it will be used primarily for investigative purposes and will allow the officer to be alerted to stolen vehicles, unregistered vehicles, vehicles with expired or suspended plates or vehicles that have been identified as being involved in a crime. He stated that the equipment is similar to that used by other agencies and is from the same manufacturer of other City security cameras. Investigator Streubel noted that the proposed purchase is the same equipment that is used on the parking enforcement vehicle. He described the hot lists that are provided to the department to identify vehicles of interest. He described the manner in which the lists are used. He stated that data that is captured by the camera will be stored for about one year. He described a variety of instances where local law enforcement departments have used similar equipment to assist with investigations. Committee noted that the purchase is about \$5,000 below budget. Chief Olson confirmed that the quoted price includes installation. He stated that the equipment will be installed on a regular squad vehicle.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council authorize the Neenah Police Department to purchase an Auto License Plate Reader/Installation with a total project cost of \$19,975.31.** All voting aye.

REPORT

Jewelers Drive Trail Design Services Memorandum of Understanding (MOU): Director Haese outlined the Jewelers Drive trail design services MOU between the City and Jewelers Mutual Insurance Company. He stated that the MOU provides that the City will front the cost of the design services and be reimbursed by Jewelers Mutual Insurance Company. He noted that \$200,000 is included in the 2020 TID 7 budget for the trail project. He stated that staff estimated design costs of \$100,000. He stated that the estimated construction cost of the trail is \$1,000,000. He noted that construction funding options are being explored. Mayor Kaufert noted that the timing of this project allows good coordination relative to the Neenah Foundry's slough clean-up work and potential future development of the Bridgewood Golf Course property. Committee discussed timing of the request for proposals and the impact of the course closure on potential design options. Director Haese described the approximate alignment of the trail and noted the potential of this trail to connect with other trails built as part of the golf course redevelopment. Ald. Bates requested that staff provide a concept drawing of the trail location. Mayor Kaufert noted the difficulty in placing sidewalk directly adjacent to Jewelers Park Drive.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council authorize appropriate staff to execute the Memorandum of Understanding between the City and Jewelers Mutual Insurance Company ensuring the reimbursement of design services costs to the City from Jewelers Mutual Insurance Company for the proposed Jewelers Park Drive Trail.** All voting aye.

Neenah Center 3 Parking Memorandum of Understanding: Director Haese reviewed the Memorandum of Understanding with Neenah Downtown Redevelopment Limited Partnership (NDRLP) detailing the provision of additional parking to support the relocation of the Thedacare corporate offices to downtown Neenah. He noted the on-street parking locations that will be required to accommodate the new tenant, including a portion of the north side of the 100 and 200 blocks of E. Wisconsin Avenue and on the 100 and 200 blocks of E. Doty Avenue. He noted that the MOU commits NDRLP to obtain alternative parking for the E. Wisconsin Avenue stalls by June 15, 2020. He noted that the MOU also states a goal of 12 months to find alternative parking for the E. Doty Avenue parking.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council authorize appropriate staff to execute the Memorandum of Understanding (MOU) between the City and Neenah Downtown Redevelopment Limited Partnership (NDRLP) providing 229 parking spaces for the terms agreed upon in the MOU.** All voting aye.

East Downtown Street Parking Changes: Traffic Engineer Merten outlined temporary downtown street parking changes to accommodate the new tenant in the Neenah Center buildings.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council authorize temporary conversion of E. Doty Avenue from S. Commercial Street to Oak Street (both sides of the street) and E. Wisconsin Avenue from N. Commercial Street to the Neenah Library parking lot entrance (300 feet west of Oak Street) (north side) to "Permit Parking 8 AM to 4 PM".** All voting aye.

**Public Services and Safety Committee
November 26, 2019
Page 6**

Incomplete Operator License Amendment Process: Chairman Bates noted that Deputy Clerk Cheslock was unable to attend the meeting to review the new process for incomplete operator license applications. **Motion/Second/Carried Lendrum/Lang to postpone discussion on the topic to a future meeting.**

Beverage Operator License Application: The Committee reviewed the beverage operator license applications for Alex P. Fehrenbach.

C.A. Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve beverage operator license application for Alex P. Fehrenbach.** All voting aye.

Beverage Operator License Application (New) - Delinquent Payment: The Committee discussed the beverage operator license application for Kylie R. Kingery.

C.A. Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend Council approve the beverage operator license application (new) for Kylie R. Kingery, contingent upon payment of all delinquent City fees.** All voting aye.

Beverage Operator License Application - Denial: The Committee discussed the beverage operator license application (new) for Brianna R. Rich. Committee reviewed the notes of Deputy Clerk Cheslock regarding attempts to contact the applicant to provide additional information on the application. City Attorney Godlewski noted that the Committee could make a recommendation on the denial but hold Council action until the second meeting in December to allow the applicant more time to provide the needed information.

REPORT Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend to Council deny the beverage operator license (new) for Brianna R. Rich with the motion to be reported at the December 18, 2019, meeting of the Common Council.** All voting aye.

Public Works General Construction and Department Activity:

1. Contract 1-19 (Caroline, Stevens, Fifth) – Work is complete. Final quantity measurements are being made.
2. Contract 2-19 (Stanley Ct, Stanley St, Thomas) – Work is complete. Final quantity measurements are being made.
3. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – Work is complete. A final estimate is being brought to the Board of Public Works.
4. Contract 5-19 (Hot-Mix Asphalt Pavement Repair) – Approximately 50% of the work has been done. The remaining patches are scheduled for the week of December 2.
5. Contract 7-19 (Breezewood Sanitary Sewer) – The contractor plans to start work the week of December 2. The initial area of work will be through the Harness easement. When weather improves next year, the work in Breezewood Lane will be done.
6. Courtney Court – Utility work, excavating, and curb/gutter installation are complete. The asphalt binder coat has been placed. The topcoat of asphalt will be placed next year.
7. Cardinal Plat – Utility installation is complete. Ground conditions have caused a halt to grading and graveling the streets.

Public Services and Safety Committee

November 26, 2019

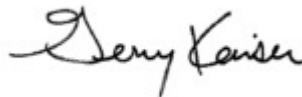
Page 7

8. Multi-modal Local Supplement – Staff will be preparing an application for the Jewelers Park Trail. We are also working with Winnebago County on an application for the CTH JJ/CTH CB roundabout and with the Town of Neenah and Town of Clayton on an application for the reconstruction of Oakridge Road/Larsen Road.
9. Downtown Traffic Study – The consultant has taken the travel time data that was collected on various routes to and through the downtown, worked with ECWRPC on fine-tuning the area traffic model, made adjustments to the model based on projected development and parking ramp loadings, and evaluated with the model a number of alternative traffic management treatments to see if they can meet the project goals.
10. Jewelers Park Trail – Staff is reviewing the design proposals received for consulting services to prepare plans and specifications for a trail along Jewelers Park Drive.
11. Director Kaiser informed the Committee that Office Manager Judy Larson is retiring in mid-January. The hiring process is ongoing.

Announcements/Future Agenda Items: None

Motion/Second/Carried Stevenson/Lendrum to adjourn at 8:55 p.m. All voting aye.

Respectfully submitted,



Gerry Kaiser, PE
Director of Public Works

Mark Harris, County Executive
Doug Gieryn, Director/Health Officer

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November 26, 2019

RE: Conversion Therapy Ban

To City of Neenah Public Services and Safety Committee,

The Winnebago County Health Department wishes to express support for banning the practice of conversion therapy. Conversion therapy includes a range of dangerous and discredited practices that falsely claim to change a person's sexual orientation or gender identity or expression. According to the UCLA Williams Institute on Sexual Orientation and Gender Identity Law and Public Policy, as of 2018, almost 700,000 lesbian, gay, bisexual, transgender and queer/questioning (LGBTQ) adults in the U.S. had received conversion therapy; in addition, an estimated 57,000 youths will receive change efforts from religious or health care providers before they turn 18 years old.ⁱ These practices have been rejected by numerous mental health and medical organizations including the American Psychological Association, the American Academy of Pediatrics, the American College of Physicians, the American Counseling Association, the American Medical Association, and moreⁱⁱ. However, due to continuing discrimination and societal bias against people who identify as LGBTQ, some practitioners continue to conduct conversion therapy.

This is especially concerning because we already see disproportionate rates of mental health challenges, substance use, and suicide among LGBTQ youth due to exclusion and bullying they may experience. **According to the 2019 Youth Risk Behavior Survey (YRBS) in Winnebago County, 40% of students who identified as lesbian, gay, bisexual, and/or transgender reported seriously considering attempting suicide in the last 12 months, compared to 12% of students who identified as straight and cisgendered** (someone whose gender identity aligns with their sex assigned at birth).ⁱⁱⁱ Students who identified as lesbian, gay, or bisexual are also disproportionately affected by a lack family and peer support. The use of conversion therapy, and the overall lack of support in the community for LGBTQ youth, may further put youth at risk for harm.

We are committed to preserving public health and protecting our youth which includes ensuring that health outcomes are not determined by sexual orientation or gender identity. Although we are unaware of the prevalence of conversion therapy in Neenah due to lack of reporting, it is important to be proactive in banning this harmful practice. In order to build a healthy community that supports the mental health and wellbeing of our future generations, we support banning conversion therapy.

Respectfully submitted,

A handwritten signature in black ink that reads "Douglas D. Gieryn". The signature is written in a cursive, flowing style.

Doug Gieryn
Public Health Director/Health Officer

ⁱ Christy Mallory, Taylor Brown & Kerith Conron, The Williams Institute on Sexual Orientation and Gender Identity Law, UCLA School of Law, Conversion therapy and LGBT youth (Jan. 2018)

ⁱⁱ Policy & Positions Statements on Conversion Therapy. <https://www.hrc.org/resources/policy-and-position-statements-on-conversion-therapy>

ⁱⁱⁱ https://www.co.winnebago.wi.us/sites/default/files/uploaded-files/county_hs_yrbs_winnebago_2018-19.pdf