

**COMMON COUNCIL MINUTES**  
**Organizational Meeting**  
**Tuesday, April 21, 2020 – 7:00 p.m.**  
**Neenah City Hall**  
**Virtual Meeting**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in organizational session at 7:00 p.m., April 21, 2020.

Mayor Kaufert in the chair.

Present: Aldermen Lendrum, Steele, Boyette, Erickson, Bates, Kunz, Lang, Stevenson, and Spellman, City Attorney Godlewski and Deputy City Clerk Cheslock.

Also Present: Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, NMFR Deputy Chief Voss, Director of Parks & Recreation Kading, Deputy Director of Community Development & Assessment Schmidt, Police Chief Olson, Director of Human Resources & Safety Kehl, and Director of Information Systems Wenninger.

Mayor Kaufert called the meeting to order at 7:04 p.m.

Deputy Clerk Cheslock called a voice roll call for the Mayor/Aldermen followed by the Pledge of Allegiance.

**SWEARING IN CEREMONY**

Deputy City Clerk Cheslock administered the oath of office to newly elected First District Alderperson Cari Lendrum, Second District Alderperson Tami Erickson, and Third District Alderperson Jane Lang for 3-year terms, which expire April 2023.

- Mayor Kaufert thanked the elected Alderpersons for their willingness to step forward and serve the community.

**PRESENTATIONS ON COVID-19 PANDEMIC & IMPACT ON NEENAH**

Dr. Imran Andrabi, President & CEO of Thedacare Health Systems highlighted the need for testing in our community as things begin to reopen. He stated that approximately four weeks ago ThedaCare stopped elective surgeries and began curbing people coming into clinics. They set up respiratory clinics throughout the area, two of which are in Neenah and Appleton, with three in the outlying communities served by ThedaCare. The goal of these clinics is to treat patients with respiratory illnesses while also keeping them separated from other patients; this can help minimize the spread. He stated that they continued to see a spike in cases up until two weeks into the Governor's order. He also shared that in the last two weeks equipment for testing had been redirected from ThedaCare to areas that had more need. This has led to a limited ability to test for COVID-19 in our area. Dr. Andrabi emphasized the fact that the people of our community have done a good job self-isolating and following the Governor's Order. The next step is to increase testing as this will be the hallmark to better understand the spread in our communities and see who is being infected and by whom.

Doug Gieryn, Director of Public Health in Winnebago County explained that in response to the COVID-19 pandemic, his team has nearly tripled and is looking to double that in the coming weeks. Dir. Gieryn shared the COVID-19 Situation Update for Winnebago County, which gets updated daily. He highlighted the fact that the numbers shown on this update are really higher than portrayed due to the limited testing available. In comparing State and County data, Dir. Geirynd noted that while the state levels seem to be trending down, when you look at the numbers in the Fox Valley, we are trending steadily upward. He believes that the stay at home order is necessary and working. He stressed the importance of reopening things slowly enough that we can study the impact. He fears that if things reopen too quickly and without study, we could lose control.

### **ORGANIZATIONAL MEETING**

Election of Council President:

- **MSC Bates/Lendrum to nominate Alderman Stevenson for Council President.**
- **MSC Bates/Lendrum to close nominations and cast a unanimous ballot to elect Alderman Stevenson as Council President for the ensuing term of one year, all voting aye.**

Mayor's appointments to the Standing Committees, one-year terms to expire April 2021.

- Finance & Personnel Committee – (4) Aldermen & the Council President
  1. Alderperson Erickson
  2. Alderperson Boyette
  3. Alderperson Kunz
  4. Alderperson Steele
  5. Council President Stevenson
- Public Services & Safety Committee – (4) Aldermen & the Council President
  1. Alderperson Bates
  2. Alderperson Lang
  3. Alderperson Lendrum
  4. Alderperson Spellman
  5. Council President Stevenson
- Neenah-Menasha Fire Rescue Joint Finance & Personnel Committee - the Council President, a member of the Finance & Personnel Committee and an at large Alderperson.
  1. Council President Stevenson
  2. Member of the Finance & Personnel Committee Kunz
  3. Alderperson Boyette
- **MSC Lendrum/Steele to confirm the Mayor's appointments, all voting aye.**

Mayor's Appointments to the Special Council Committees, one-year terms to expire April 2021

- Committee on Rules – (3) Aldermen
  1. Alderperson Kunz

2. Alderperson Steele
3. Alderperson Spellman
- Legislative Review Committee
  1. Mayor Kaufert
  2. Council President Stevenson
  3. Chair of Finance & Personnel Committee Erickson
- **MSC Bates/Lendrum to confirm the Mayor's appointments, all voting aye.**

Mayor Kaufert recessed the meeting at 8:00 p.m. to permit organizational meetings of the Standing Committees.

Mayor Kaufert reconvened the Council at 8:07 p.m.

Organizational Reports of the Standing Committee:

Alderman Stevenson reported that the Finance and Personnel Committee elected the following members as chair and vice chair and chose the following meeting times.

- Chair Erickson
- Vice-Chair Boyette
- Meetings will be held at 6:30pm on Mondays the week prior to Council.

Alderman Stevenson reported that the Public Services & Safety Committee elected the following members as chair and vice chair and chose the following meeting times.

- Chair Bates
- Vice-Chair Lang
- Meetings will be held at 6:30pm on Tuesdays the week prior to Council.

The Committee on Rules and Legislative Review Committees will elect officers and select meeting times at their first meeting.

Mayor's Appointment of:

- Dir. of Finance Easker to Fox Cities Room Tax Commission for a one-year term to expire April 2021.
- James B. Gunz to Fox Cities Room Tax Commission for a one-year term to expire April 2021.
- Chris A. Haese to the Fox Cities Tourism and Convention Bureau for a one-year term to expire April 2021
- (1) Appointee to the Fox Cities Transit Commission for a one year term to expire April 2021.
  1. Trish Nau
- Himself to the Appleton Redevelopment Authority (ARA) Exhibition Center Advisory Committee of the Appleton Redevelopment Authority. Term to expire December 2021.
- (1) Appointee to the Joint Review Board for a one-year term to expire April 2021.
  1. Mike Faulks

- (1) Alderperson to chair the Neenah Arts Council for a one-year term to expire April 2021.
  1. Alderperson Erickson
- (4) Appointees to the Neenah Arts Council for three-year terms to expire April 2023.
  1. Pat Rosenak
  2. Laurie Asbury
  3. Anne Marie Brunner-Abderholden
  4. Maegan Johnson
- (2) members of the Public Services & Safety Committee to the Liquor Licensing Review Subcommittee for a one-year term to expire in April 2021.
  1. Alderperson Bates
  2. Alderperson Stevenson
- (2) members of the Public Services & Safety Committee to the Board of Public Works for a one-year term to expire April 2021.
  1. Alderperson Bates
  2. Alderperson Lang
- (2) Appointees to the Library Board for a three-year term commencing May 1, 2020 and ending April 30, 2023.
  1. Carol Codner
  2. Michael Koller
- (1) Alderperson to the Community Development Authority (CDA) for a term coinciding with their Aldermanic term to expire in April.
  1. Alderperson Lendrum
- (2) Appointees to the Community Development Authority (CDA) for a term to expire April 2023.
  1. Tom Martin
  2. Grant Birch
- (1) Appointee to the Plan Commission for a three-year term to expire April 2023.
  1. Gerry Andrews
- (1) Neenah Joint School District Appointee to the Plan Commission for a one-year term to expire April 2021.
  1. Betsy Ellenberger
- (1) Park and Recreation Board Appointee to the Plan Commission for a one-year term to expire April 2021.
  1. Kate Hancock-Cook
- Mayor, Fire Chief Kloehn, City Attorney Godlewski, Deputy City Clerk Cheslock, Director of Community Development & Assessment Haese, Director of Finance Easker, Director of Public Works Kaiser, Director of the Water Utility Mach, Police Chief Olson, Director of Information Systems Wenninger, Director of Parks & Recreation Kading, Director of Library Services Raab, Director of Human Resources & Safety Kehl, Council representative (Previously held by Alderperson Lendrum), Winnebago County Health Representative Doug Gieryn, School Superintendent Pfeiffer and a Red Cross Representative to the Emergency Government Committee for a one-year term to expire April 2021.
- (1) Alderperson as his representative on the Bergstrom Mahler Museum Board of Directors for a one-year term to expire April 2021.

1. Alderperson Spellman

**MSC Lendrum/Lang to confirm the Mayor's appointments, all voting aye.**

Council Appointment of:

- (1) Alderperson as Council representative to the Joint Review Board for a one-year term to expire April 2021.
  - 1. Alderperson Steele
- (1) Alderperson as Council representative to the Water Works Commission for a one-year term to expire April 2021.
  - 1. Alderperson Boyette
- (1) Alderperson as Council representative to the Plan Commission for a one-year term to expire April 2021.
  - 1. Alderperson Lang
- (1) Alderperson as Council representative to the Loan Assistance Board for a one-year term to expire April 2021.
  - 1. Alderperson Lendrum
- (1) Alderperson as Council representative to Park & Recreation Commission for a one-year term to expire April 2021.
  - 1. Alderperson Kunz
- (1) Alderperson as Council representative to the Landmarks Commission for a one-year term to expire April 2021.
  - 1. Alderperson Lang
- (1) Alderperson as Council representative to the Library Board for a one-year term expires April 2021..
  - 1. Alderperson Erickson
- (1) Alderperson as Council representative to the BID Board for a one-year term to expire April 2021..
  - 1. Alderperson Lang

**MSC Stevenson/Bates to confirm the Mayor's appointments, all voting aye.**

**STATE OF CITY REPORT**

Mayor Kaufert will share the State of the City Report at a later date due to the length of the meeting agenda tonight.

- **Introduction and Confirmation of Mayor's Appointment(s)**  
None.
- **Approval of Council Proceedings**  
**MSC Lendrum/Erickson to approve the Council Proceedings of April 1, 2020, all voting aye.**
- **Public Hearings**  
None.

- **Plan Commission Report Pertaining to the Public Hearings**
  - A. Alderperson Lang reported from the regular Plan Commission meeting of April 14, 2020:
    - 1. Commission recommends Council approve Ordinance No. 2020-01 partially rezoning 1313 S Commercial Street and rezoning parcel number 02-0618-00-00 to M-1, Multi-Family Residence District.
    - 2. Deputy Director Schmidt stated the applicant is asking to consolidate three existing parcels. The City requires one zoning per parcel so the land owner is asking to rezone them all the M-1 before consolidating.
    - 3. **MSRC Lang/Boyette to approve Ordinance No. 2020-01 partially rezoning 1313 S. Commercial Street and rezoning parcel number 02-0618-00-00 to M-1, Multi-Family Residence District. Roll call vote, 9-0. Motion passes.**
  
- **Public Forum**
  - 1. Ned Hughes—1140 Manor Drive #104—stated that he has lived in Neenah since 1991 and as an avid runner, walker, and biker, knows the Lakeshore Avenue area to be an important public transportation corridor. He asked the Council to focus on safety of all users of this corridor and therefore approve option #3.
  - 2. Attorney Rodney Carter, representing the property owners of Lakeshore Avenue, stated he has four main points; 1) Survey sent out to the city was not conducted in the best way. He believes residents of Neenah were not made aware of the fact that residents of on Lakeshore Ave are currently involved in a legal dispute regarding the green space mentioned in the survey; 2) The use as a trail is a park use, not a right of way use; 3) the easement referred to by the City is a right of passage not a right of use; and 4) the lack of action by the City since the 1930's shows a loss of rights to said easement. Attorney Carter summarized his statements by saying the City has given up their rights to the green space granted by the easement from the 1930's; please listen to the neighbors and cooperate without getting a judge involved. They ask for Option #1 with a move toward tree preservation.
  - 3. Dan McIntosh—234 Lakeshore Avenue—believes option 3 is environmentally unsafe and would create a lot of excess run off into the lake. He noted that survey results depend on how a question is asked, what information is given, and who is asked to take the survey.
  - 4. Joe Bachman—629 Wheeler Street—states, as a biologist, professor at Duke University, and forester, option 3 is simply a bad idea. It is the most expensive option. Separating the paved areas will damage the roots of the remaining trees, reducing the filtering of the increased run off. He does not believe environmental costs have been added to the overall cost of this project. He asks the Council to think critically and vote accordingly.
  - 5. Judd Stevenson—632 Reed Street—though he is not a resident of Lakeshore Ave, he asks the Council to reconsider their choice in option 3.

He stated, he regularly walks that path and has never had any safety concerns.

6. Joyce Argall—1350 Whittier Drive—has concerns that there are some areas where the green space is incredibly narrow and putting a trail there just doesn't make sense.

- **Mayor/Council consideration of public forum issues**

- **Consent Agenda**

- A. Approve a temporary Class "B" (picnic) beer license to Future Neenah, Inc., for their Summer Kick Off: Bike to Boogie to be held at 200 W Wisconsin Avenue on June 10, 2020. (From February 25, 2020 PSSC Meeting) **(UC)**
- B. **MSRC Lendrum/Stevenson. Mayor called for unanimous consent. There being no objections, motion passes.**

- **Reports from Standing Committees**

- A. Special Public Services and Safety Committee meeting of April 21, 2020:
  1. Consideration of Committee's recommendation regarding purchase of Fresh Gear RSS in the amount of \$19,845 using Capital Equipment Reserves with the expectation that the reserves will be reimbursed if Federal COVID-19 funds are received.
    - a) Council discussed the kind of gear that will be cleaned using this technique. Chief Olson shared that this technique is also used by the US Military. Council also discussed how we are applying for federal reimbursement for COVID-19 related expenses and the chances of receiving any funds.
    - b) **MSRC Bates/Lendrum; Voice roll call vote, 9-0. Motion passes.**
- B. Regular Public Services and Safety Committee meeting of April 14, 2020: (Minutes can be found on the City web site)
  1. Committee recommends Council direct staff to proceed with design and bidding for Option 3 (offset trail) on Lakeshore Avenue.
    - a) Council discussed the safety concerns that have been brought up; the options to replant or save current trees; the option for a walking trail off street in addition to a bike path on the road; the cost comparison of the 3 options; the importance of ambiance and the fact that this area is a community asset; the current condition of the street; and the potential for additional run off into the lake. Council also discussed the history of the green space, the fact that there are property owners on Lakeshore who do not want a trail on their property, how the survey results should be used; and potential future development at Kimberly Point.
    - b) **MSRC Bates/Kunz; Voice roll call vote, 7-2, Alderpersons Stevenson and Boyette voted no. Motion passes.**
  2. Committee recommends Council authorize the Neenah Police Department to continue to provide LWAM with an investigator with

an additional duty of being LWAM's K9 handler at no cost to the City of Neenah.

- a) Director Taylor from LWAM K9 shared his thanks with the Council and his hopes for the future.
- b) **MSRC Bates/Lang; Voice roll call vote, 9-0. Motion passes.**

- **Reports of special committees and liaisons and various special projects committees**

- 1. Board of Canvass meeting of April 13, 2020: (Minutes can be found on the City web site)
  - Council President Stevenson reported the results of the April 7, 2020 Spring Election.
- 2. Board of Public Works meeting of April 15, 2020: (Minutes can be found on the City web site)
  - Information Only Items:
    - a) The Board approved Change Order No. 1 for Contract 1-19, for Sewer and Water Main Construction and Street Construction to Carl Bowers & Sons Construction Co., Inc., Kaukauna, in the amount of \$40,539.07.
    - b) The Board to approved Change Order No. 2 for Contract 2-19, for Miscellaneous Sewer and Water Main Construction and Street Construction to Robert J. Immel Excavating, Inc. Greenville, in the amount of (\$36,445.67).
    - c) The Board approved Pay Estimate No. 1 for Contract 1-20, Sewer and Water Main and Street Construction to Kruczek Construction, Inc. in the amount of \$95,340.10.
    - d) The Board approved Pay Estimate No. 1 for Contract 2-20, Miscellaneous Sewer and Water Main Construction to Carl Bowers & Sons Construction Co., Inc., Kaukauna, in the amount of \$427,922.75.
    - e) The Board approved Pay Estimate No. 1 for Contract 5-20, Sewer and Water Main Construction to Robert J. Immel Excavating Inc., Greenville, in the amount of \$92,228.55.
  - Council Action Items:
    - a) The Board recommends Council award Contract 7-20, Re-Roof Apparatus Garage, Neenah-Menasha Fire Station #32, 125 E. Columbian Ave, Neenah WI to Oshkosh Industrial Roofing & Sheet Metal for the low bid of \$39,000.00 with an alternate bid of \$2,500 for a total of \$41,500.00.
      - (1) The Council discussed the history of the project; the difference in bid amounts, and if this project should have been seen by any of the joint NMFR committees—it was determined that it does not need to as it will be paid for out of City of Neenah budget.
      - (2) **MSRC Bates/Boyette; Voice roll call vote, 9-0. Motion passes.**

- b) The Board recommends Council approve the Final Payment for Contract 1-19, Miscellaneous Sewer and Water Main Construction to Carl Bowers & Sons Construction Co., Inc., Kaukauna, in the amount of \$73,832.52.
    - (1) No discussion.
    - (2) **MSRC Bates/Erickson; Voice roll call vote, 9-0. Motion passes.**
  - c) The Board recommends Council approve the Final Payment for Contract 2-19, Miscellaneous Sewer and Water Main Construction to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$113,543.15.
    - (1) No discussion.
    - (2) **MSRC Bates/Stevenson; Voice roll call vote, 9-0. Motion passes.**
  - d) The Board recommends Council approve the Amendment to Development Agreement for the First Addition to Integrity Acres.
    - (1) No discussion.
    - (2) **MSRC Bates/Lang; Voice roll call vote, 9-0. Motion passes.**
3. Community Development Authority
    - Report from the CDA - Dir. Haese stated staff has met with developers of site 6 and should be moving through CDA and to Council in the next month.
  4. Library Board
    - Report from the Library Board – Alderperson Erickson recognized Mary Whipple for her service after over 30 years of serving on the Library Board. Alderperson Erickson also stated the Library will be open for curbside pick-up starting on April 24<sup>th</sup>. The dropbox will also reopen for those wishing to return library items. Items will be placed in sealed bags and set aside for 72 hours before being processed by library staff.
  5. Neenah Arts Council
    - Report from Neenah Arts Council – Alderperson Erickson—No report.
- **Presentation of petitions**  
None.
  - **Council Directives**  
None.
  - **Unfinished business**  
None.
  - **New Business**
    1. Discuss dates for Council picture—The Council discussed waiting to take a new photo until after the stay at home order has been lifted and the

possibility of using last year's photo. Deputy Clerk Cheslock shared that she has been in contact with the photographer and he is available either of the meetings in June. Deputy Clerk Cheslock will get that penciled in for the second meeting in June but we will revisit it at the second meeting in May.

2. Mayor Kaufert's announcement of his appointment to fill the expired term of Patrick Lewis on the Neenah-Menasha Joint Fire Commission, term expires May 2022. (To be announced at the May 6, 2020 Council meeting)
3. Mayor Kaufert's announcement of his appointment to fill the expired term of Kim Skorlinski on the Police Commission, term expires May 2024. (To be announced at the May 6, 2020 Council meeting)
4. Mayor Kaufert's announcement of his appointment to fill the unexpired term of Larry Stelow as second alternate, term expires June 2024. (To be announced at the May 6, 2020 Council meeting)
5. **Ratification Of Mayoral Proclamation No. 2020-03** Implementing Policy 2020-04 Pursuant to Emergency Authority as Provided by Wis. Stat. §323.14(4)(B) and The Declaration Of A Health Emergency In the City of Neenah By Mayoral Proclamation 2020-01
  - Director of Human Resources & Safety Kehl recapped the Family first COVID Response Act and its key provisions providing emergency paid sick leave for employees. She stated there have been recent changes to the act to allow municipalities to exempt some employees from this leave, specifically emergency responders. The City would like to add Public Works and Water employees to this exemption.
  - Council discussed which employees would be effected by this policy; the order in which employees must use benefits in this situation; what happens if Council does not approve this Proclamation at this time; and the option to send this through the Finance & Personnel Committee for further discussion.
  - **MSRC Bates/Erickson to refer Mayoral Proclamation No. 2020-03 to Finance and Personnel Committee. All voted aye.**
6. Any announcements/questions that may legally come before the Council
  - Mayor Kaufert shared announcements from the:
    - a) Parks & Recreation Department
      - Quarantine May 50K—Sign up with the Parks and Recreation Department. Run/Walk/Skip your way to 50K and earn a medal
      - Renew the Slough has been rebranded to Renew Neenah to help spread people around and create more opportunities to help pick up the City. Watch for details on our Facebook pages.
      - Touch-A Truck has been rescheduled for August 26<sup>th</sup>.
    - b) Public Works Department
      - The Drop off site is still open Monday through Friday and May 9<sup>th</sup> will start Saturday Drop off.
      - Yard waste collection is going on until May 18<sup>th</sup>. Collection occurs the day after your regular garbage

pick-up. If your pick up is Friday, your pick up will be Monday.

- There is compost available for pick-up
- c) City Hall
  - The Finance drive through window has been opened up for residents to submit payments for taxes and permits.
- Alderperson Erickson asked about summer park and recreation programs. Director Kading stated they have to wait for word from the Governor's office on amounts of people allowed and how the Safer at Home Order will be rolled back before final decisions can be made.
- **Adjournment**
- I. **MSC Stevenson/Lendrum to adjourn at 11:01 p.m., all voting aye.**