

COMMON COUNCIL MINUTES

Wednesday, November 6, 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., November 6, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Assistant Comptroller Kahl and Director of Human Resources & Safety Kehl.

Mayor Kaufert called the meeting to order at 7:08 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.

Proceedings

- I. **MS Lendrum/Lang to approve the Council Proceedings of the regular meeting of October 16, 2019. There being no objections the motion was approved by unanimous consent.**

Consent Agenda

- I. **MS Lendrum/Lang to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for Amy E. Decker, Nichole C. Gambsky, Dylan J. Howard, Brooke L. Klabunde, Julie M. Redemann, Alicia S. Rhinehart, Ashley M. Siebers, and Jody J. Sipiorski. (PSSC)**
 - B. **Approve the Secondhand Article Dealer License Application for Blind Tiger Games, 675 S. Green Bay Road pending receipt of the requested information. (PSSC)**
 - C. **Approve the Secondhand Dealer License Application for ecoATM, LLC, 1530 S Commercial Street, Neenah. (PSSC)**
 - D. **There being no objections the motion was approved by unanimous consent.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of October 29, 2019:

- A. Committee recommends Council deny the Beverage Operator License Application (new) for Jennifer L. Thomack due to an incomplete application. **MS Bates/Lendrum.**
1. Ald. Bates questioned this denial asking for clarification of the incomplete application.
 2. Clerk Sturn advised that the applicant was given the opportunity to come back to update her application and she did not take advantage of that opportunity. We actually tried several times to reach out to her but had no response.
 3. Mayor Kaufert questioned the timeframe these applicants are given. He would like to see consistency in how these are handled. His concern is that by denying this, they would need to start the application process all over including paying the fees.
 4. City Attorney Godlewski indicated the fees are non-refundable by ordinance. The timeframe is consistent as they all have the opportunity to make those changes between the time of the Public Services & Safety Committee (PSSC) and Council meet.
 5. Ald. Bates added that she will bring this up at the PSSC meeting.
 6. Mayor Kaufert suggested possibly leaving these applications open for 30 days to allow them time to make the corrections to their applications.
 7. Ald. Stevenson indicated the question came up in Committee as to what constitutes incompleteness on the applications.
 8. Clerk Sturn advised that it is typically things the Police Department finds when running the background check. Most of the time it is something like a speeding ticket or something not even related to serving alcohol. The question on the application asks if they have any ordinance violations.
 9. Mayor Kaufert indicated it is the truthfulness of the applicant.
 10. Ald. Stevenson indicated that consistent with our newly adopted procedures we streamlined this and became more efficient by contacting the applicant when the Police Department finds something missing on the application to give them the opportunity to fix it. In this case, the Police found something and the applicant was notified to come in to correct it and they never did.
 11. Clerk Sturn concurred indicating that the timeframe is actually longer than between the time of the Committee meeting and Council as the applicant is notified as soon as we get word from the Police Department. That could be two weeks or longer.
 12. Ald. Stevenson indicated he does not want to take a process we streamlined and make it more difficult however we do not know if the applicant ever received the message. We do not know their circumstances for not coming in to correct their application. Maybe in the spirit of streamlining, we simply do not act on it.
 13. City Attorney Godlewski suggested that if the Council wishes, they could postpone action to the next meeting or to a date certain.

14. Mayor Kaufert concurred indicating a lot of things could have happened. He suggested contacting her place of employment. For this one it may be beneficial to hold off and have Chairman Bates try to get some parameters in place.
15. Clerk Sturn apologized for not having the information available. She added that moving forward we could have Deputy Clerk Cheslock outline the procedures used in trying to contact the applicant so the Committee has a better idea of what happened.
16. Chairman Bates advised that she will add an agenda item to discuss a possible timeline for this process including an outline of the process used.
17. Ald. Boyette asked if there is an appeal process she could use.
18. City Attorney Godlewski advised that this is a new application and does not have a process to appeal. She has made no contact whatsoever. If this was a renewal, there would be a due process hearing held.
19. **MSC Stevenson/Bates to table the denial of the Beverage Operator License Application (new) for Jennifer L. Thomack to the next Council meeting, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of October 28, 2019:
 - A. Committee recommends Council approve Ordinance No. 2019-22 to create a Municipal Board of Absentee Canvassers in the City of Neenah. **MSCRPErickson/Stevenson, all voting aye.**
 - B. Committee recommends Council approve the 2020 health and dental insurance plans. **MS Erickson/Lang.**
 1. Ald. Bates asked for clarification of the extra charge to remain with the other provider.
 2. Dir. Kehl explained that the proposal this year has a Broad and a Focused Network. The current network (2019) is a Broad Network plan. For 2020 we are allowing employees to stay on that plan or move to the Focused Network Plan. Premium changes are higher to stay on the Broader Plan. The main change with the network is that Ascension providers would no longer be a part of the Focused Network. Theda, Aurora and Bellin would be in the Focused but not Ascension.
 3. Mayor Kaufert commented that other municipalities are experiencing much greater increase for health insurance. Dir. Easker and Kehl were able to negotiate to keep the premiums down.
 4. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**
 - C. Committee recommends Council adopt Res. 2019-22, increase pet license fees by \$1 effective 1/1/2020. **MS Erickson/Stevenson.**
 1. Ald. Bates questioned the \$5 late fee and who gets that fee.
 2. Dir. Easker advised that the City receives the late fee.
 3. Ald. Bates questioned if we could add an additional fee for late license applications.

4. City Attorney Godlewski advised that he would like to take some time to look into this however the appropriate way to handle that would be to charge an additional administrative fee for having to respond to a complaint about an unlicensed dog. We are allowed to recoup costs we incur. He will look into that and let the Council know.
5. Mayor Kaufert added that there are different types of complaints such as those that are police initiated. Each would need to be addressed.
6. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee

- I. Council President Stevenson reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of October 22, 2019:
 - A. Committee reviewed NMFR's 2020 Operating and CIP budgets with the Mayor's reductions and recommends the City of Neenah and City of Menasha Common Councils incorporate the budget into their 2020 Operating and CIP budgets. **MSCRP Boyette/Stevenson, all voting aye.**

Board of Public Works

- I. Vice Chairman Bates reported the meeting of October 30, 2019:
 - A. Information Only Items:
 1. The Board approved Change Order No. 2 for Washington Park Phase 3 Contract to R&R Wash Materials, Ripon, WI in the amount of 4,175.99.
 2. The Board approved Change Order No. 4 for Contract Chemical Feed and Delivery Upgrade to August Winter & Sons, Appleton, WI in the amount of (\$4,000).
 3. The Board recommended the Water Commission approve Final Payment for Contract Chemical Feed and Delivery Upgrade to August Winter & Sons, Appleton, WI in the amount of \$9,987.65.
 - B. Council Action Items:
 7. The Board recommends Council approve Final Payment for Washington Park Phase 3 Contract to R&R Wash Materials, Ripon, WI in the amount of \$179,607.95. **MSCRP Bates/Lang, all voting aye.**

Landmarks Commission

- I. Alderperson Lang reported from the Landmarks Commission meeting of .
 - A. The Commission met last on October 8th. They discussed their sponsorship of the canoe rides in association with the Neenah-Menasha Intertribal POW WOW. It was a great success with 120-130 people participating. The canoe rides feature historic information on properties along the river. It was overall a success.

Business Improvement District (BID) Board

- I. Alderperson Lang reported from the Business Improvement District Board (BID Board).
 - A. November 30th is Small Business Saturday.
 - B. December 6th is a Very Neenah Christmas from 6-8 pm.
 - C. December 7th is Celebrate the Season from 10 am – 1 pm.
 - D. December 19th is the Luminary Popup with a Cookie Crawl.
 - E. The BID will meet on November 19th to approve their 2020 Operating Plan.

Bergstrom Mahler Museum

- I. Alderperson Spellman reported from the Bergstrom Mahler Museum meeting of October 23, 2019.
 - A. The Board held their Annual Meeting on October 23, 2019 followed by a social with museum members. There was a presentation and a video in honor of the museum's 60th anniversary.
 - B. Their next meeting will be held on November 19th at 5:30 pm.
 - C. Saturday November 9th there is a class at the museum where you can make a turkey sun catcher for \$15. All ages are welcome. Just drop in any time between 10 am – 3 pm.
 - D. During this time, the Museum Gift Shop will have an Open House for holiday décor, jewelry and glass Christmas trees. While shopping enjoy homemade holiday treats.

New Business

- I. Mayor Kaufert announced his appointment to fill the unexpired term of Jan Sarnecki on the Library Board, three year terms to expire May 2022 will be considered at the November 20, 2019 Council meeting.
- II. Mayor Kaufert invited everyone watching to be a part of the 2020 Budget Process.
 - A. Monday and Tuesday next week Budget Workshops will be held.
 - B. November 19th is the Budget Public Hearing at 7 pm.
- III. Ald. Bates questioned how the early snow will affect leaf pickup.
 - A. Dir. Kaiser advised they will continue as scheduled in the recycling guide. He responded to Mayor Kaufert indicating residents can also bring their leaves to the City Garage.

Adjournment

- I. **MSC Bates/Boyette to convene into closed session pursuant to Wis. Stat. §19.85(1) (e) for the purpose of discussing bargaining strategy related to acquiring 409 W. North Water Street and pursuant to Wis. Stat. §19.85(1)(g) for the purpose of conferring with the City Attorney who will render advice**

regarding intervention in the Georgia Pacific personal property tax exemption appeal before the Wisconsin Tax Appeals Commission at 7:43 p.m., all voting aye.

II. The Council reconvened into open session at 8:23 p.m. to consider action on closed session items:

A. **MS Erickson/Boyette to authorize intervening in the Georgia Pacific M&E tax exemption appeal and retain Atty. Amy Seibel to represent the City's interest with Green Bay and Neenah splitting the cost based on their respective shares of Georgia Pacific personal property claimed exempt by Georgia Pacific (79.16% share for Green Bay with Neenah at 20.84%).**

1. **MS Stevenson/Boyette to make a friendly amendment to add a 250 hour limit. Ald. Erickson/Boyette agreed with the friendly amendment.**

2. **The motion, as amended, carried, all voting aye.**

B. **MSC Stevenson/Boyette to adjourn at 8:29 p.m.**



Patricia A. Sturn, WCPC/MMC
City Clerk