

**Common Council Minutes**  
**Wednesday, December 2, 2020—7:00pm**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met virtually in regular session at 7:00pm, December 2, 2020.

Mayor Kaufert in the chair.

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

Also Present: Deputy Director of Community Development and Assessment Schmidt, Josh Worrell, Lee Hillstrom, Director of Information Systems Wenninger, Mike Hill, Jake Bunz.

Mayor Kaufert called the meeting to order at 7:00pm

I. Clerk Cheslock called a voice roll call

Dir. Wenninger introduced Josh Worrell, Business Development Manager of TDS Telecommunications, LLC. Mr. Worrell shared a presentation that outlined the change in technology that is coming to the Fox Valley and provided details regarding how and when this project would be implemented in the City of Neenah.

The Council asked questions regarding timeline, fees, communication to residents regarding construction, and other benefits of adding this service in the community. It was decided that Mr. Worrell would plan a second presentation and question answer session at the committee level.

II. Introduction and Confirmation of Mayor's Appointments

A. Mayor Kaufert introduced Robert Karrmann his recommended appointee to the Police Commission for the unexpired term of Steve Morton to expire May 2023.

**MS Stevenson/Erickson to confirm Mayor Kaufert's appointment of Robert Karrmann to Police Commission for a term to expire May 2023. There being no objections the motion was approved by unanimous consent.**

III. Proceedings

**MS Lendrum/Erickson to approve the Council Proceedings of the regular meeting of November 17, 2020. There being no objections the motion was approved by unanimous consent.**

IV. Public Hearings

- A. Consider various amendments to the Neenah Comprehensive Plan 2040 and Future Land Use Maps  
There being no appearances the Mayor closed the Public Hearing.
- V. Plan Commission Report pertaining to the Public Hearings
- A. Council Rep. Lang reported from the Plan Commission meeting of November 24, 2020:
1. Commission recommends Council approve Ordinance No. 2020-22 amending the Comprehensive Plan 2040 and Future Land Use Map. Deputy Dir. Schmidt explained this is the first amendment since its update in 2017 and is basically a cleanup of small areas where rezoning was necessary to align with current use.  
**MSCRP Lang/Borchardt, all voting aye.**
- VI. Public Forum
- Lee Hillstrom—1021 Sterling Ave, Neenah—shared his experience with great customer service with TDS Telecommunication.
  - Jake Bunz—1818 Parmenter Street, Middleton—pointed out an error on the agenda regarding the LLC name for the Revocable Occupancy Permit for 215 Main Street. The LLC is Solaris on Main LLC.
  - There being no other appearances, the Mayor closed the public forum.
- VII. Mayor/Council consideration of public forum issues—None
- VIII. Consent Agenda—None
- IX. Reports of standing committees
- A. Chairman Bates reported from the Regular Public Service & Safety Committee meeting of November 24, 2020: (Chairman Bates/Vice Chair Lang) (Minutes can be found on the City's website)
1. Committee recommends Council approve Ordinance No. 2020-20, amending Municipal Code Sec. 21-34 to require an attached or detached garage for all residential properties  
Council discussed how this requirement would affect new residential builds, particularly Habitat homes, how having a garage can add value to the home, and if this requirement may deter some residents from building in Neenah.  
**MSCRP Lendrum/Stevenson, 8-1 Ald. Boyette votes no.**
  2. Committee recommends Council approve the outdoor premise area expansion application for Barrel 41 Brewery Co., LLC located at 1132 S Commercial Street, Neenah  
Council discussed the fencing on the south end of the area.  
**MSCRP Lendrum/Lang, all voting aye.**
  3. Committee recommends Council approve entering into a contract with Orion Waste Solutions to provide containers and regular refuse collection for commercial dumpster customers with collection commencing July 1, 2021.

Council discussed how the costs are paid and reimburses. The costs will come out of the refuse collection budget and billed through the utility bill.

**MSCR P Bates/Lendrum, all voting aye.**

4. Committee recommends Council approve the Revocable Occupancy Permit to John and Jennifer DeBruin, 620 E. Wisconsin Avenue, for irrigation systems facilities located with the Lakeshore Avenue right-of-way. Council discussed that these irrigation systems are already existing.

**MSCR P Bates/Lang, all voting aye.**

5. Committee recommends Council approve the Revocable Occupancy Permit to Mary Ellen Wroblewski Trust, 114 Lakeshore Avenue, for irrigation systems facilities located with the Lakeshore Avenue right-of-way. No discussion.

**MSCR P Bates/Stevenson, all voting aye.**

6. Committee recommends Council approve the Revocable Occupancy Permit to Grant J. Lamontagne and Judith A. Lamontagne, 157 N Park Avenue, for irrigation systems facilities located with the Lakeshore Avenue right-of-way. No discussion.

**MSCR P Bates/Lang, all voting aye.**

7. Committee recommends Council approve the Revocable Occupancy Permit to Solaris on Main, LLC for an encroachment of their building at 215 Main Street into Millview Drive right-of-way. Council discussed the location of the balcony railing. Mr. Bunz detailed that there will also be landscaping between the sidewalk and railing as an additional barrier.

**MSCR P Bates/Lang, all voting aye.**

8. Committee recommends Council approve budget expenditure with 2016 carried forward budget funds for industrial Drive Entrance to include the street lighting upgrade on Industrial Drive from Bell Street to Castle Oak Drive the amount of \$98,800, installation of an overhead street name sign for Industrial/Bell in the amount of \$1,000, and a street name sign with City logo banner within the Industrial Park in the amount of \$500.

**MSC Bates/Stevenson to amend the motion to add the requested traffic cabinet relocation and traffic detection upgrade for the Industrial Drive and Bell Street intersection at an estimated cost of \$48,111.00, all voting aye on voice vote.**

Council discussed the future signage options, the fact that this upgrade is overdue, and confirmed the funding would come from the Capital Improvement Budget from 2016.

**MSCR P Bates/Stevenson, as amended, all voting aye.**

- B. Chairman Erickson reported from the regular Finance & Personnel Committee meeting of November 23, 2020:

1. Committee recommends Council give direction for City staff to take the necessary steps to purchase the property at 401 W North Water Street, utilizing Community Development Block Grant Funds, for the purpose of

expanding Cook Park, at the negotiated purchase price of \$65,000 along with agreed upon closing costs **to be split 50/50.**

Council discussed what the closing costs would be and how they will be split down the middle per negotiation.

**MSC Stevenson/Boyette, to include” closing costs to be split 50/50,” all voting aye on voice vote.**

**MSCRП Erickson/Boyette, as amended, all voting aye.**

2. Committee recommends Council approve the Development and Fee Agreement for the First Addition to Southfield Plat **(to be acted on after report from Board of Public Works)**
3. Committee recommends Council adopt Resolution 2020-17, approving the Neenah Central City Business Improvement District 2021 Operating Plan Mayor Kaufert explained the BID Operating Plan. No discussion.

**MSCRП Erickson/Borchardt, all voting aye.**

4. Committee recommends Council approve the Maintenance Assessment Services Contract (2021-2025) with Associated Appraisal Consultants, Inc., for an annual fee of \$36,500.

No discussion.

**MSCRП Erickson/Stevenson, all voting aye.**

5. Committee recommends Council approve retaining Larry Nicholson to conduct appraisals for the 2019 and 2020 tax years on the WalMart and CVS properties for a total cost of \$24,000.

Council discussed which account should be used to fund this expense, the costs of going to court compared to hiring a good appraiser, and who is hiring this specific appraiser.

**MSC Erickson/Bates to amend recommendation to fund these expenses now and moving forward from the liability account, all voting aye on voice vote.**

Council discussed that all expenses related to these two cases will be taken out of this account from now on, how much is currently in that account, and receiving regular reports from the City Attorney’s office regarding these cases.

**MSCRП Erickson/Borchardt, as amended, 7-2; Ald. Boyette and Stevenson voted no.**

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

- A. Council Rep. Lang reported from the regular Plan Commission Meeting of November 24, 2020:
  1. Commission recommends Council approve Ordinance #2020-23 approving Project Plan Approval #2-20 for the Glatfelter Mill Planned Development District, allowing the construction of a public plaza and ice rink.  
No discussion.  
**MSCRП Lang/Erickson, all voting aye.**
- B. Vice Chairman Bates reported from the Board of Public Works meeting of November 24, 2020:

1. Information Only
    - a. The Board approved Pay Estimate No. 7 for Contraction 1-20, Sewer and Water Main and Street Construction on Abby Avenue, Clybourn Street, Bond Street, and Center Street to Kruczek Construction, Green Bay, in the amount of \$294,607.81
    - b. The Board approved Pay Estimate No. 4 for Contract 4-20, Water Main and Street Construction on Green Bay Road, Tullar Road, and Marathon Avenue to Vinton Construction Company, Two Rivers, in the amount of \$424,524.73
    - c. The Board approved Change Order No. 1 for Contract 10-20, Concrete Pavement and Sidewalk Repair to Sommers Construction Company, Inc., Shiocton, for pavement repair increase due to storm sewer repairs completed by staff in the amount not to exceed \$17,294.27
  2. Council Action Items
    - a. The Board recommends Council approve Final Payment for Contract 10-20, Concrete Pavement and Sidewalk Repair to Sommers Construction Company, Inc., Shiocton, in the amount of \$104,565.02  
No discussion.  
**MSCRП Bates/Lang, all voting aye.**
    - b. The Board recommends Council approve the Development and Fee Agreement for the 1<sup>st</sup> Addition to the Southfield Plat  
No discussion.  
**MSCRП Bates/Borchardt, all voting aye.**
  - C. Neenah Arts Council—No Report
  - D. Landmarks Commission—No Report
  - E. Sustainable Neenah Committee—No Report
  - F. Reports on neighborhood groups
    1. Business Improvement District (BID) Board
      - a. Alderperson Lang reported from the BID Board meeting of November 17, 2020, stating the Board approved their operating plan. She highlighted the many holiday themed events occurring in the downtown in December. Visit the Future Neenah website for a complete list.
  - G. Bergstrom Mahler Museum
    1. Alderperson Spellman reported from the Bergstrom Mahler Museum meeting of November 25, 2020, stating the museum is currently closed due to a COVID exposure but plans to reopen in mid-December. Visit the museum website for updates and great holiday shopping options.
- XI. Petitions—None
- XII. Council Directives  
Ald. Lendrum requested her current council directive be amended as part of the project has been completed with the passage of Ordinance 2020-20.  
**MSC Lendrum/Stevenson to place the council directive update on the next Council agenda, all voting aye on voice vote.**

XIII. Unfinished Business

A. Council Action on First Amendment to TID 11 Development Agreement  
City Attorney Godlewski explained that this amendment is simply some technical adjustments and require ratification from the Council.

**MSC Lendrum/Erickson to approve the First Amendment to the TID 11 Development Agreement and authorize the Mayor and City Staff to finalize and execute the amendment on behalf of the City.**

XIV. New Business

A. Determine and approve the process by which the upcoming aldermanic vacancy in District 2 will be filled.

Clerk Cheslock explained that on September 2, 2020 the Council acted to appoint Ald. Borchardt to fill the vacated District 2 Aldermanic seat until April 2021. At that time, the motion did not detail how the vacancy would be filled after April 2021. We are now within the time window for the Council the order a Special Election be held concurrently with the Spring Election to fill the seat for the remainder of the term.

Council discussed the option of appointing someone for the remainder instead of holding a special election, how the winners of each seat will be chosen, if this will be confusing for voters or candidates, and the possibility that candidates will not be interested in running for the one year term due to the time investment it takes to run for office.

**MSC Stevenson/Bates to hold a special election concurrent with the regular spring election to fill the unexpired district 2 aldermanic seat, formerly held by Ald. Kunz, to expire April 2022, 8-1 Ald. Boyette voted no.**

B. Mayor Kaufert reminded residents that this copy of Neenah Notes contains the recycling and refuse guide for 2021.

C. Mayor Kaufert also noted that tax bills will be coming out in the next couple of weeks. He reminded residents that there could be an increase in their taxes due to two reasons; 1) a change in property assessment on their home, or 2) the school district's referendum being passed last spring.

D. Council also highlighted that the NMFR Santa Float will be making rounds. They thanks the firefighters for volunteering their time to keep this tradition alive.

XV. Adjournment

**MSC Boyette/Erickson to adjourn at 9:45pm, all voting aye.**



Stephanie Cheslock  
City Clerk