

COMMON COUNCIL MINUTES

Wednesday, September 18, 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., September 18, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Alderpersons Boyette, Bates, Lang, Lendrum, Erickson, Spellman, Steele, Kunz & Stevenson, Director of Finance Easker, Deputy Dir. of Comm. Dev & Assessment Brad Schmidt, Director of Public Works Kaiser, Asst. City Attorney Vanden Heuvel, City Clerk Sturn, and Deputy Clerk Cheslock.

Also Present: Police Chief Olson, Police Captain Bernice, City Financial Advisor Brad Viegut, Kurt Gilhart, Amritpal Gill, Philip Langohr, Ned Hughes, Brittany Keuss and Ryan Roth.

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

Deputy City Clerk Cheslock called a voice roll call as the Mayor/Alderpersons recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance.

Mayor Kaufert welcomed Police Chief Olson back from his three month training at Quantico. He also welcomed Deputy Director of Community Development and Assessment Schmidt to the meeting who was sitting in for Director Haese. Mayor Kaufert also noted that Assistant City Attorney Vanden Heuvel was sitting in for City Attorney Godlewski and Deputy City Clerk Cheslock was sitting in for City Clerk Sturn.

2020 Rock the Block Presentation

- I. Ryan Roth, Director of Community Development Greater Fox Cities Area Habitat for Humanity, gave a short presentation on the 2020 Rock the Block. The events are hosted by the Fox Cities Habitat for Humanity. Rock the Block engages homeowners, volunteers, and the community as a whole to enhance the quality of life in the neighborhood. During Rock the Block they replace roofs, siding, windows, paint exteriors, fix front porches, and remove overgrown vegetation. Together as a community, they make a positive impact. Rock the Block has taken place three other times in the City of Neenah and they look forward to another event fall 2020. Habitat for Humanity is looking for volunteers to help build a better, stronger, and safer neighborhood. Mr. Roth answered questions from the Council.

Introduction and Confirmation of Mayor's Appointments

- I. **MS Stevenson/Erickson to confirm Mayor Kaufert's appointment of Larry Stelow to fill the expired term of Wayne Sigl on the Board of Review for a 5-year term to expire June 2024. There being no objections the motion was approved by unanimous consent.**

Proceedings

- I. **MS Lendrum/Erickson to approve the Council Proceedings of the regular meeting of August 21, 2019. There being no objections the motion was approved by unanimous consent.**

Public Hearing

- I. Consider the proposed amendments to Tax Increment District #9 which will: alter the boundaries of the District to allow for the attachment of the parcels on the northerly edge of the District; continue to support the rehabilitation/conservation of the industrial area adjacent to Highway 41; include additional investment to support redevelopment activities that may include acquisition, demolition, infrastructure installation, and site preparation; and may also include cash grants to owners, lessees or developers for such purposes.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission Report Pertaining to the Public Hearing

- I. Council Rep. Lang reported from the Plan Commission meeting of August 27, 2019:
 - A. Commission recommends the Neenah Common Council approve Resolution 2019-20 amending Tax Increment District #9 boundaries. **MS Lang/Stevenson.**
 1. Deputy Director Schmidt shared with Council that TIF #9 was created in 2015 for the Menasha Corp headquarters. The first amendment was early in 2019 for Loren's Auto land acquisition. This will be the second amendment for the former Plexus Engineering building for 55 Jewelers Park Drive, which has sat vacant for a few years. TIF is the only economic tool the City has to offer to ease the issues with filling that building, namely the lack of parking. He also shared that no development agreements have been discussed with any developers as of yet. This amendment is the first step to allow for those discussions to happen moving forward.
 2. The Council discussed the appendicies and looked at the anticipated investment in this project. They also discussed what has all changed in the project plan, primarily the boundaries of the TIF. This will need final approval by the Joint Review Board.
 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

Public Forum

- I. Amritpal Gill, owner of Gill Liquor at 1117 S Commercial Street, shared his concerns regarding Ordinance 2019-21 Click and Collect Alcohol Sales. He does not think this is a practical, safe, or possible endeavor. He continued also

noted that he does not want other businesses offering this and thus hurting his business.

- II. Kurt Gilhardt, Festival Store Director, shared some of their store policies regarding click and collect alcohol sales in other communities; among them is a four hour wait time between order and pick up. Additionally, he noted this option is designed for families and convenience. He is willing to answer any questions the Council may have.
- III. There being no further appearances, Mayor Kaufert declared the public forum closed.

Mayor/Council Consideration of Public Forum Issues

- I. Ald. Boyette requested Mr. Gilhart from Festival share their policy on having minors with the purchaser in these situations. Mr. Gilhart shared that they will have licensed operators selling alcohol through any online sales and there is an application they use to scan and check all IDs. He shared that the policies will be revised to mirror the requirements of the ordinance if it is passed.

MSC Stevenson/Boyette to amend the agenda to move up items IX (B) (2) for consideration, all voting aye, Ald. Lendrum voting nay.

Finance & Personnel Committee

- B. Special Finance & Personnel Committee meeting of September 18, 2019:
 2. Committee recommends Council approve Resolution 2019-21 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$1,550,000 General Obligation Refunding Bonds. **MSCRP Erickson/Stevenson, all voting aye.**

Consent Agenda

- I. **MS Stevenson/Lang to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for Michayla S. Braun, Elizabeth R. Broemer, Monica L. Harder, Riley G. Hietpas, Cecilia T. Krautkramer, Kristina M. Kriefall and Marissa B. Lee. (PSSC)**
 - B. **Approve the Street Use Permit for the St. Joe's 5K Run/Walk, sponsored by Pacesetters Running Club, Inc., Ned Hughes, P.O. Box 681, Menasha, to be held on October 12, 2019. (PSSC)**
 - C. **Approve the Street Use Permit for the Fox Cities Down Syndrome Awareness Walk, sponsored by the Down Syndrome Assoc. of WI-Fox Cities, Melanie Baeten, 211 E. Franklin Street, Appleton, to be held on October 5, 2019. (PSSC)**
 - D. **Approve the Beverage Operator License Application (new) for Chloe Allyn. (PSSC)**
 - E. **Approve the Beverage Operator License Application (new) for Kelsey Bockhorn. (PSSC)**

- F. **Approve the Beverage Operator License Application (new) for Grace Kenny. (PSSC)**
- G. **Approve the Beverage Operator License Application (new) for Heidi Reagan. (PSSC)**
- H. **Approve the Beverage Operator License Application (new) for Brittany Reuss. (PSSC)**
- I. **There being no objections the motion was approved by unanimous consent.**

Public Services and Safety Committee

- I. Chairman Bates reported the special meeting of September 10, 2019:
 - A. Committee recommends Council adopt Ordinance 2019-21: Click and Collect Alcohol Sale amending section 4-95(h) and creating section 4-95(i) of the Neenah Municipal Code to provide for online ordering and curbside pickup of alcohol beverages and to include the following language in section 4-95(i)(3), "If requested, these records must be made available for the City to inspect to ensure compliance with the above provisions". **MS Stevenson/Lendrum.**
 - 1. Ald. Bates shared a memo from the Winnebago County Health Department which, in summary, requests the Council not pass this ordinance as it allows for greater access to alcohol, which is unnecessary in Wisconsin as it is already so accessible.
 - 2. Discussion ensued regarding the potential dangers of alcohol and drunk driving, the four hour wait time required, which residents are requesting this kind of service being many families and those who would use it for convenience with their normal grocery shopping, the ability of the police department to gather crime statistics and compare alcohol related citations before and after the passage of this ordinance, the ease of revoking these permits once issued, and how allowing this ordinance could grow our community economically.
 - 3. Ald. Erickson asked Mr. Gilhardt from Festival Foods some questions. He shared that they have 31 stores total and somewhere in the mid to upper 20's have this kind of program in place. All these stores have the four hour delay. There have not been any issues with this program at any of those stores. The average grocery order currently purchased with click and collect is about \$150 and when customers come in and shop it is only about \$70-\$80. Most of the sales at these stores are not exclusively alcohol but instead a small part of a large grocery order.
 - 4. Chief Olson shared information detailed in his memo. He has not spoken to any police chiefs in the area who have experienced any problems with any curb side pickup for any alcohol at any store.
 - 5. **MS Kunz/Stevenson to amend Ordinance 2019-21 to change the end of sales from 6:00pm to 8:00pm and remove sections 7 and 8. Motion failed 1-8; Kunz voting aye.**

6. Council continued discussion regarding accessibility of alcohol, the fact that the number of places that sell alcohol will not change, but rather allowing already licensed premises to sell in a different way, this program being more restrictive than current alcohol sales inside of stores, the fact that OWI citations are going down in the valley, and looking at the best interest and safety of Neenah residents in addition to looking at the convenience factor.
 7. **The original motion carried by a 7-2 RollCall-Pro System vote, Spellman and Bates voting no.**
- B. Committee recommends Council deny the Beverage Operator License for Nathan A. Witthuhn based on failure to disclose OWI violations from 2015. **MSCRP Bates/Stevenson, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the Special meeting of September 18, 2019:
 - A. Committee recommends Council approve utilizing Central Count for Processing Absentee Ballots and approve the purchase of (1) Image Cast Evolution (ICE) voting machine plus 31 Badger Books for a total cost of \$68,931 + shipping of Badger Books utilizing \$48,000 in the 2019 CIP and approximately \$20,931 from Equipment ReservesClerk. **MS Erickson/Lang.**
 1. Sturn have a brief overview of the proposed purchase as outlined in her memo.
 2. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
 - B. ~~Committee recommends Council approve Resolution 2019-21 Authorizing the Issuance and Establishing Parameters for the Sale of Not to Exceed \$1,550,000 General Obligation Refunding Bonds. (Previously acted on)~~

Board of Public Works

- I. Vice Chairman Bates reported the meeting of August 27, 2019:
 - A. Information Only Items:
 1. The Board approved Pay Estimate No. 6, for Contract 3-18 Nature Trail Subdivision Street Construction to MCC, Inc., 2600 N Roemer Road, Appleton in the amount of \$56,605.32.
 2. The Board approved Pay Request No. 8 for Washington Park Phase 3 to R & R Wash, Ripon, WI in the amount of \$44,229.96.
 3. The Board approved Pay Estimate No. 7 for Chemical Feed and Delivery Upgrade to August Winters in the amount of \$24,850.00.
- II. Vice Chairman Bates reported the meeting of September 10, 2019:
 - A. Information Only Items:
 1. The Board approved Pay Estimate No. 5 for Contract 2-19 Miscellaneous Sewer and Water Main Construction and Street Construction on Stanley Street, Stanley Court, and Thomas Court to Robert J. Immel Excavating. Inc., in the amount of \$214,951.50.

2. The Board approved Pay Estimate No. 2 for Contract 4-19 Concrete Pavement and Sidewalk Repair to Sommers Construction Company, Inc., in the amount of \$181,291.25.

Landmarks Commission

- I. Alderperson Lang reported from the Landmarks Commission.
 - A. The Commission did not meet in September.
 - B. The Commission is sponsoring the voyager canoe rides at the Pow Wow Saturday, September 21st.

Sustainable Neenah Committee

- I. Alderperson Kunz reported from the Sustainable Neenah Committee.
 - A. The Committee is in the process of reorganizing from 18 to 9 members and will have more meaningful updates once this takes place.

Business Improvement District (BID) Board

- I. Alderperson Lang reported from the Business Improvement District Board (BID Board) meeting of September 17, 2019.
 - A. The BID recently put on the downtown employee appreciation day, which was slightly smaller than anticipated due to weather concerns, but was still a hit.
 - B. The BID will be moving forward with hanging basket flowers in 2020 instead of maintaining the flowerbeds currently on Wisconsin Ave.
 - C. The BID wanted to highlight Future Neenah's Neenah Uncovered Art Works event on October 2 from 6-9pm at the Masonic Lodge on Wisconsin Ave.

Bergstrom Mahler Museum

- I. Alderperson Spellman reported from the Bergstrom Mahler Museum meeting of August 28, 2019.
 - A. The Museum is feature A Zesty and Tasty Evening with Joyce J. Scott on September 20 from 6-9pm. This event will be an intimate dinner with artist Ms. Scott created by Chef Yusuf Bin-Rella featuring influenced dishes from the African Diaspora.
 - B. The Museum has two classes coming up; fused candle votive on Thursday, September 26 and photos on glass on Saturday, September 28.

Community Development Authority

- I. Deputy Director Schmidt gave a brief update on the Community Development Authority:
 - A. The CDA had applied for a Community Development Investment grant for \$250,000; the application has been accepted and is currently being reviewed.

Library Board

- I. Alderperson Erickson reported from the Library Board meeting of September 18, 2019.
 - A. The Board wants to remind Council and residents of the Friends of the Neenah Public Library Event taking place September 25-30. See details on the Neenah Public Library website.
 - B. The Board wants to alert Council and residents to the Fox Cities Book Festival taking place across the valley October 7-13.
 - C. The Board would like to share that programing participation is up 28% this year.

Neenah Arts Council

- I. Alderperson Erickson reported from the Neenah Arts Council meeting of September 11, 2019.
 - A. The Council is hosting Neenah Rocks, a live music festival across the City of Neenah, on October 3rd.

Unfinished Business

- I. Mayor Kaufert shared the success of the Washington Park Splash Pad Grand Opening. He congratulated the Parks and Recreation Department and noted the success of the Discovery Field Exhibition, pickle ball courts, and fitness area. He also thanked Scheels for their sponsorship.

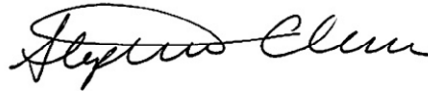
New Business

- I. Mayor Kaufert announced his appointment to fill the expired term of John Rather and Lee Erickson on the Neenah Harbor Committee for a three-year term to expire October 2022 will be considered at the October 2, 2019 Council meeting.
- II. Mayor Kaufert indicated he is looking to fill the newly vacant aldermanic seat on the Board of Public Works. The alderperson must be a member of the Public Services & Safety Committee. Those interested should let him know.
- III. Ald. Lang highlighted the Neenah Historical Society event, The Hidden History of Doty Island, Part 1, to be held Thursday, September 19th.
- IV. Mayor Kaufert discussed the revaluation. Notices recently went out and Open Book has occurred. Board of Review will take place at the end of October. All objection forms need to be filed in the Clerk's office by October 21st at 9am.
- V. Mayor Kaufert noted that construction season is nearing its end. The work near Winneconne Ave is progressing and the town homes behind Krueger's hardware are being built.

- VI. Mayor Kaufert is working to find a date to meet with the CN Railroad regarding the yard off of Main Street.
- VII. Mayor Kaufert shared that the investigation by State Department of Justice has been closed and the Winnebago County District Attorney's office has reviewed the reports.

Adjournment

- I. **MSC Ald. Stevenson/Boyette to adjourn at 9:12 p.m., all voting aye.**



Stephanie Cheslock
Deputy Clerk