

COMMON COUNCIL MINUTES

Wednesday, April 3, 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., April 3, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

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

Also Present: Fire Chief Kloehn, Asst. Fire Chief Green, several members of the NMFR, NMFR Shift Inspector Jerry Mavroff, his parents Tom & Jean Mavroff, Public Works Superintendent Radtke, his wife Lisa, Assistant Superintendent Waech, Nikki Hessel, Sue Klockzien, Preston & Jacqui Brown and Ben Hamblin.

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

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

Introduction of Public Works Superintendent / Asst. Superintendent

- I. Public Works Director Kaiser thanked the Council for the opportunity to introduce his management team at the Tullar Road Garage. He introduced Superintendent Greg Radtke. This was on previous Council agendas, however, due to snow storms had to be cancelled so they are not real new to these positions. Greg was promoted to Superintendent after many years of services starting at the ground floor out at the garage. He has learned that operation inside and out by doing it. It will certainly serve him well as he serves as our Superintendent.
 - A. Greg Radtke advised he just started his 28th year with the City of Neenah. He did not replace Rick Freese, he took the position. There was a lot of knowledge in Rick's head, which he still taps from time to time. He passed along Rick's thank you to everyone. He introduced his new Assistant Superintendent Bill Waech. Bill comes from the Village of Jackson near West Bend. There he had 15 years as the lead laborer supervisor. He also has two years with the Village of Newburg doing superintendent work. His new position is on a scale of six times bigger than he is used to. He is currently living in West Bend and hopes to move up here soon.
 - B. Bill Waech thanked everyone for this opportunity. He has been here for two months now. He is a family guy. He brought his wife Tammy along tonight. He has seven children. He is up for the challenge of working in a larger community. He looks forward to serving the residents of the City of Neenah.

Recognition of Promotions by Neenah-Menasha Joint Fire Rescue

- I. Fire Chief Kloehn recognized Gina Vendola for her promotion to Captain and Jerry Mavroff for his promotion to Shift Inspector. Gina Vendola was unable to attend this meeting.
 - A. Jerry Mavroff indicated he looks forward to his new role at the department. He keeps learning every day. The thanked the Chief and Council for his promotion.
 - B. Mayor Kaufert congratulated Jeff Mavroff indicating he knows he will do a good job. He is proud of all the guys and gals that serve us and keep us safe at night.

Introduction and Confirmation of Mayor's Appointments

- I. Mayor Kaufert introduced Nikki Hessel, his recommended appointees to the Neenah Arts Council to fill the unexpired term of Amy Barker on the Neenah Arts Council for a three-year term to expire April 2022.
 - A. **MSCRP Bates/Lendrum to confirm Mayor Kaufert's appointment of Nikki Hessel to the Neenah Arts Council for a three-year term to expire April 2022, all voting aye.**
 - B. City Clerk Sturn administered the oath to Nikki Hessel.

Proceedings

- I. **MSCRP Lendrum/Stevenson to approve the Council Proceedings of the regular meeting of March 20, 2019, all voting aye.**

Public Hearing

- I. Consider the installation of sanitary sewer laterals for properties served by sanitary sewers on Courtney Court.
 - A. Preston & Jacqui Brown, 121 Courtney Street, thanked the Council for responding to his email. He questioned if there will be a sidewalk installed as they currently do not have one.
 - B. Dir. Kaiser responded that this public hearing is specific to the sanitary sewer lateral installation. General project questions can be directed to the project engineer who is present at this meeting.
 - C. Preston Brown questioned if the sanitary lateral replacement gets charged to the property owners.
 - D. Dir. Kaiser advised it will be a 50% charge to the residents based on the new policy.
 - E. Preston asked if any landscaping torn up during the installation will be replaced by the City.
 - F. Dir. Kaiser advised that general restoration is part of the contract. If your lateral needs to be open cut to the house, the resident may be responsible for restoration there.

- G. There being no further appearances, Mayor Kaufert declared the public hearing closed at 7:17 pm.
- II. Consider amending the Official Street Map of the City of Neenah, established in section 26-30 of the Municipal Code – County Highway O.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed at 7:19 pm.

Plan Commission / Public Services & Safety / Finance & Personnel Committee Report Pertaining to the Public Hearings

- I. Council Rep. Lang reported from the Plan Commission meeting of March 26, 2019:
 - A. Commission recommends Council approve Ordinance 2019-10, amending the Official Street Map by removing a 66-foot street reservation between CTH O and Rockwood Lane and adding a 66-foot street reservation along Oakridge Road. **MSCRП Lang/Erickson, all voting aye.**

Consent Agenda

- I. **MSCRП Lang/Stevenson to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Jared L. Frisby. (PSSC)**
 - B. **Approve the Street Use Permit the Bike to Boogie Event sponsored by Future Neenah, Inc., to be held on June 12, 2019. (PSSC)**
 - C. **Approve the Temporary Class “B” (picnic) beer license application for Future Neenah, Inc., 135 W. Wisconsin Avenue, for their Summer Kick Off Bike to Boogie event to be held on June 12, 2019. (PSSC)**
 - D. **All voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of March 25, 2019:
 - A. Committee recommends Council approve Resolution 2019-10.1 for the 2019 Community Development Block Grant and authorization to enter into agreements for the activities, subject to approval by the U.S. Department of Housing and Urban Development. **MS Erickson/Kunz.**
 - 1. Ald. Lendrum thanked Finance Chairman Erickson for asking for more detail regarding the CDBG activity. She asked if this will be provided quarterly moving forward.
 - 2. Dir. Haese advised this is an annual report similar to what was presented tonight.
 - 3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
 - B. Committee recommends Council approve a 2018 transfer of \$125,048 from the Benefit Accrual Fund to the General Fund to offset the loss of

revenue caused by the mandated reduction of market value on City investments for fiscal year 2018. **MSCRP Erickson/Stevenson, all voting aye.**

Plan Commission

- I. Council Rep. Lang reported from the Plan Commission meeting of March 26, 2019:
 - A. Committee recommends Council approve the Final Plat for the Integrity Acres Phase I subdivision subject to the comments on the Plat Review Letter. **MSCRP Lang/Stevenson, all voting aye.**

Board of Canvass

- I. Council President Stevenson reported from the Board of Canvass meeting of April 3, 2019:
 - A. The Board compared the Image Cast Evolution (ICE) machine printout with the immediate return sheets as filed by the Elections Board of the City of Neenah and confirmed Aldermanic election votes of April 2, 2019 as follows:
 1. Kathie Boyette received 1264 votes and there were 27 write-ins. Kathie Boyette, having received the highest number of votes cast, is hereby declared elected Alderperson in the First Aldermanic District of the City of Neenah for a three-year term, expiring April 2022.
 2. Christopher Kunz received 2016 votes and there were 31 write-ins. Christopher Kunz, having received the highest number of votes cast, is hereby declared elected Alderperson in the Second District of the City of Neenah for a three-year term, expiring April 2022.
 3. Stephanie Spellman received 1828 votes and there were 17 write-ins. Stephanie Spellman, having received the highest number of votes cast, is hereby declared elected Alderperson in the Third District of the City of Neenah for a three-year term expiring April 2022.
 4. **MSCRP Stevenson/Lendrum to accept the report from the Board of Canvass and place it on file, all voting aye.**
 5. Council President Stevenson congratulated Ald. Boyette & Kunz and welcomed Ald. Spellman.

Committee on Rules

- I. Committee on Rules meeting of March 27, 2019: (Chairman Kunz) (Minutes can be found on the City web site)
 - A. Committee recommends Council adopt Resolution No. 2019-11 adopting changes to the Rules of Order as discussed. **MSCRP Kunz/Hillstrom, all voting aye.**

- B. Committee recommends Council adopt Ordinance No. 2019-11 adopting various amendments to Neenah Code Chapter 2 relating to Council, committee, boards and commissions as discussed. **MS Kunz/Hillstrom.**
1. Ald. Kunz expressed concern over the wording on page 3 of the ordinance stating he would prefer it read, "At their first meeting each committee shall elect its chair and vice chair".
 2. **MS Kunz/Boyette to amend the motion by removing everything after, "at their first meeting, each committee shall elect its chair and vice chair".**
 3. Ald. Bates asked if this means only the standing committees elect their chair / vice chair at the organizational meeting.
 4. City Atty. Godlewski indicated the first meeting of the Finance & Personnel and Public Services & Safety Committee happen at the organizational meeting.
 5. **The amendment carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
 6. Ald. Kunz pointed out that the goal was to try to clean up some things to match what being done. Because there was nothing in the rules that states a non-member could speak or not speak at a committee meeting where they are not a member of and Roberts Rules says you cannot speak we wanted to add language in the rules. The other change was to look at duties of each committee making some changes to what the ordinance said.
 7. Mayor Kaufert added that members who are not part of a standing committee will be allowed to speak, ask questions and participate in the discussion until someone makes the motion or calls for the question.
 8. Ald. Boyette asked for clarification as she is of the understanding that there needs to be a motion and a second before any discussion can take place. She questioned how we can go against Robert Rules.
 9. City Atty. Godlewski clarified that the practice of the committees has been that staff presents the issues before the committee and discussion takes place. Only after discussion, is there a motion. They have not had a motion and second before discussion.
 10. Mayor Kaufert added that the practice of the committee has been staff presents, discussion takes place. Then after the discussion is done, a motion and second is made. They let everyone speak before making the motion.
 11. Ald. Bates asked that this be discussed again next time the committee meets. This is our practice but not how Roberts Rules reads. She would like it made clearer.
 12. Ald. Kunz added that Roberts Rules does leave opportunities for committees to work in different ways. In his mind, this is why we have the Committee of the Whole.
 13. Ald. Boyette continued to expressed concern over contradicting Roberts Rules.

14. City Atty. Godlewski advised that the rules are relaxed for committees. Roberts Rules are designed for big conventions not smaller bodies.
15. **The original motion, as amended, carried by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Boyette voting nay.**

Neenah-Menasha Joint Fire Commission

- I. Council President Stevenson reported from the Neenah-Menasha Joint Fire Commission meeting of March 27, 2019: (Minutes can be found on the City web site):
 - A. The Commission recommends the City of Neenah and City of Menasha Common Councils approve the Regional Fire Department Hiring Process Agreement with Fox Valley Technical College. **MSCRP Stevenson/Kunz, all voting aye.**

Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee

- I. Chairman Kunz reported from the Neenah-Menasha Joint Fire Rescue Finance & Personnel Committee meeting of March 26, 2019:
 - A. Committee recommends the City of Neenah and City of Menasha Common Council's approve the Memorandum of CERT Firefighter Rehabilitation Agreement with Outagamie County Emergency Management CERT Rehab Program. **MSCRP Kunz/Stevenson, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of March 27, 2019:
 - A. Information Only Items:
 1. The Board approved Pay Request No. 2 for Chemical Storage and Feed Modifications to August Winter & Sons in the amount of \$52,820.00.

Sustainable Neenah Committee

- I. Ald. Kunz reported from the Sustainable Neenah Committee:
 - A. The Committee is working on solar panel options for the City. He will bring a presentation to Council next month.

Business Improvement District (BID) Board

- I. Ald. Lang reported from the Business Improvement District Board (BID Board):
 - A. The BID annual meeting was held on March 26th. A slide show was viewed showing the accomplishments of the BID in the past year.
 - B. There are several new stores downtown. She urged everyone to check them out.

- C. There are just a few tickets left for the Ultimate Ladies' Day is April 13th.

Bergstrom Mahler Museum

- I. Ald. Erickson reported from the Bergstrom Mahler Museum:
- A. Art Activity Day will be held this Saturday April 6th from 10 am - 1 pm. No need to pre-register. Come and make a tree sun catcher for a cost of \$15.
 - B. Check the Museum website for additional programming available.
 - C. The next exhibit will be Reflecting Perspectives: Artists Confront Issues of Diversity and Inclusion. The exhibit focuses on how artists use the power of their art to promote diversity and inclusion. The exhibit runs from April 18th through September 22nd.

Unfinished Business

- I. Consider vacating a portion of Laudan Boulevard between Elm Street and Reed Street:
- A. Resolution No. 2019-02 was introduced by the Public Services & Safety Committee on January 8, 2019. (Minutes can be found on the City web site)
 - B. Council Public Hearing was held on March 20, 2019. (Minutes can be found on the City web site)
 - C. In light of the fact that the NJSD referendum question failed at the April 2nd Election, City Atty. Godlewski suggested tabling the resolution.
 - D. Consideration of Resolution 2019-02 vacating a portion of Laudan Boulevard. **MS Stevenson/Lendrum to table Resolution No. 2019-02.**
 1. Ald. Bates added she would prefer denying the resolution rather than tabling it. It was tied to the referendum and discussion was that if the referendum failed the resolution would not be required. If in one year they present a new plan and that plan requires the vacation of Laudan Boulevard, they can request the vacation at that time.
 2. Mayor Kaufert advised that once a resolution is tabled, it can be taken off the table at any time. Because the election was just yesterday, he would like time to talk to Superintendent Pfeiffer to see what they would like to do. He does not have a strong feeling either way.
 3. Ald. Boyette asked how the resolution was worded.
 4. City Atty. Godlewski advised that the resolution was contingent on passage of the referendum. By tabling it, it kills it. The process would need to be restarted. Either way, it is the same outcome.
 5. Ald. Stevenson added his decision was to table the resolution until feedback could be received from the NJSD.
 6. Mayor Kaufert concurred indicating it could then be acted on at the next meeting.
 7. City Atty. Godlewski responded to Dir. Haese indicating if no action is taken tonight, we would be required to start the process over.

8. Dir. Haese indicated tabling or denying has the same action. Either way, we would need to start the process over.
9. Ald. Bates expressed concern that if tabling kills the action she would like to include in the motion that this essentially kills the process to vacate. She does not want residents to feel this is still hanging over them. If this vacation is requested in the future she would like to be assured there will be a hearing. She would like to see the residents have another chance to weigh in on this vacation.
10. City Atty. Godlewski advised that a motion to table is not amendable.
11. Ald. Stevenson expressed concern that this is less than 24 hours after the results were received.
12. Mayor Kaufert will talk to them and get an answer before the next meeting.
13. Ald. Bates indicated she feels this is giving the petitioner the upper hand.
14. **Motion carried by a 7-1-1 RollCall-Pro System vote, all voting aye, Ald. Bates voting nay and Ald. Kunz abstaining.**

New Business

- I. Mayor Kaufert announced appointments to be made at the April 16, 2019 Organizational Meeting:
 - A. Mayor Kaufert's appointment to fill the expired term of James B. Gunz on the Fox Cities Room Tax Commission for a term to expire April 2020. (To be considered at the April 16, 2019 Council Organizational Meeting)
 - B. Mayor Kaufert's appointment to fill the expired terms of Beth Irish, Lisa Hemes and Jan Sarnecki on the Library Board for 3-year terms to expire April 30, 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
 - C. Mayor Kaufert's appointment to fill the expired terms of Michelle Bauer on the Community Development Authority for 4-year term to expire April 2023. (To be considered at the April 16, 2019 Council Organizational Meeting)
 - D. Mayor Kaufert's appointment to fill the expired term of Karen Genett on the Plan Commission for a three year term to expire April 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
 - E. Mayor Kaufert's appointment to fill the expired terms of Jane Lang, Jan Mirenda Smith and Amy Michaels to the Neenah Arts Council for 3 year terms to expire April 2022. (To be considered at the April 16, 2019 Council Organizational Meeting)
- II. Ald. Kunz questioned the CIP process. He does not see Finance or Public Services & Safety posted on the calendar.
 - A. Dir. Easker indicated they typically have the CIP workshop on the Monday that Finance would meet and that meeting would be cancelled. He does not know for certain but that notification should come out shortly. The goal is to minimize any Finance items for that night.

- B. Clerk Sturn advised that immediately following this meeting, all meetings will be placed on the calendar for the next year. Staff waits until the committee organized tonight to post the next year's meetings.
- III. Ald. Bates thanked the poll workers for a great job in yesterday's election, it is a very long day. Her polling place, Peace Lutheran, had twice as many votes as expected in a normal spring election with 58%. She appreciates voter's patience. She advised that they had a power outage shortly after the polls closed. They were able to modem the results to the Council however had to complete post-election paperwork by flashlight.
- A. Clerk Sturn added her thanks to all the poll workers. She particularly appreciates those called in on short notice which allowed us to split the books and keep the lines down.
 - B. Mayor Kaufert added that citywide, the turnout was 48.62%. Very good for a spring election.
 - C. Clerk Sturn added that the 2016 Spring Election which had the Presidential Preference Primary had at 57% turnout. Yesterday Peace Lutheran had a 58% turnout.
 - D. Ald. Lendrum thanked Clerk Sturn for her hard work in administering the election. She works long hours during the elections. She is very organized. Clerk Sturn and Deputy Clerk Goffard together make the process run smoothly. She also thanked Shellatte's for the spectacular food they provided for the poll workers.
- IV. Ald. Kunz reminded everyone of the Fox Cities Book Festival on April 11th & 12th at Menasha High School and Lawrence University. The Fox Cities Book Festival hosts two annual programs: a spring program, Fox Cities Reads, and a week-long festival in the fall. The book, Evicted: Poverty and Profit in the American City, written by Pulitzer-Prize winning author Matthew Desmond was selected for the 2019 Fox Cities Reads, a community reading program. He encouraged everyone to pick up a copy of the book and take part in the discussion and events leading up to Desmond's visit to the Fox Cities on April 11th and 12th. Check out their website for more details.
- V. Mayor Kaufert advised citizens that the public works crew has been out working every day addressing pot holes in the City. Due to the number of pot holes, they were considering adding overtime hours however they feel they have a handle on it. He encouraged everyone to contact the garage if they find areas that were missed.
- VI. Council President Stevenson gave a short farewell presentation honoring Ald. Hillstrom. He shared two stories of his encounter with Lee during his 1989 aldermanic campaign and 2010 mayoral campaign indicating he will never forget Lee's comments. Lee has an endless list of events / programs / groups he has donated his time to. His new love is for his support group which he intends to dedicate more time. He thanked Ald. Hillstrom for his great leadership during his

12 years of service on the Council. He is leaving us, but already has volunteered to serve on several committee. We look forward to his continued service.

A. Ald. Hillstrom thanked everyone for their support. He thanked Stephanie Spellman as the newest member of the Neenah Council and let her know there is no City with a better group of people to work with. He thanked those who supported him over the last 12 years with their votes showing their faith in him doing a good job representing them. His involvement began back in the 1970s when Ald. Walter Chrapla fought to get him on the new Adhoc Cable TV Committee. He served 18 years on the Park & Rec Commission and hopes to continue on that commission. He has served on Finance, Plan Commission, Landmarks, Water Commission, I/S User Forum, Public Services & Safety, Board of Public Works, Community Development Authority, Committee on Rules, Parking Task Force and Park & Rec Commission along with the City Council. He has enjoyed learning about all the things the City does. He enjoyed being an alderman doing his best to not only keep Neenah a great City but being a visionary making sure there are many great years in front of us. At times this has conflicted with him spending time with his wife while she was recovering from some major health issues. It has been those battles and missing out on time with their grandchildren that help him make the difficult decision to not run for re-election. He plans to continue to work with not only his cancer support group but expanding to more groups helping others with their cancer journey. He is proud to say the American Cancer Society has chosen Joy and him to be their honorary survivors for this year's Sole Burner Run / Walk on May 11th. In closing, he indicated while not on the Council or many committees, he will still be doing his best to make the City of Neenah a great place to live, work and play.

B. Mayor Kaufert advised that there is cake and ice cream in honor of his last meeting.

VII. Mayor Kaufert reminded everyone of the Joint Council / Park & Rec Commission meeting next Monday April 8th at 5:30 pm.

VIII. Mayor Kaufert also reminded the Council that the next meeting will be held on Tuesday April 16th. It is our Organizational Meeting and is required by law to be held on the third Tuesday in April.

Adjournment

I. **MSC Hillstrom/Stevenson to adjourn at 8:50 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk