

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, August 13, 2019 - 6:30 PM
Hauser Room - City Administration Building

Present: Aldermen Bates, Lang, Lendrum, and Stevenson

Excused: Alderman Spellman

Also Present: Mayor Kaufert, Director of Public Works Kaiser, Chief Building Inspector Walter, Police Captain Bernice

Minutes: Motion/Second/Carried Lendrum/Stevenson to approve the minutes of the July 30, 2019, Regular Meeting and the August 7, 2019, Special Meeting. All voting aye.

Public Appearances: None.

Ordinance 2019-19: Amending Article III - Electrical Code: Committee reviewed Inspector Walter's August 7, 2019, memo regarding Ordinance 2019-19 amending the Neenah Electrical Code to bring it into compliance with the 2015 Act 55 and Wisconsin Statutes 101.86, which requires all municipalities that perform electrical inspections to update their local electrical codes to conform to Wisconsin Statutes in regards to licensing electricians. He noted that many of the language adjustments relate to all electrician licensing being done at State level now and not by local municipalities.

ORD.

Following discussion, **Motion/Second/Carried Lendrum/Stevenson to recommend Council approve Ordinance 2019-19 amending Article III the Neenah Electrical Code.** All voting aye.

Refuse/Recycling Cart Placement for Storage: Director Kaiser reviewed his August 8, 2019, memo regarding placement for storage of refuse and recycling carts. Chairman Bates had requested that the Committee discuss code relative to the placement of carts and staff practice for enforcing that code. Director Kaiser reviewed current city ordinance and the ordinance language used in several other communities. Committee reviewed photos of properties that are in violation of the current ordinance. Committee discussed the number and type of complaints that have been received. Committee noted that more general language such as requiring that carts be stored in an "inconspicuous location" gives the property owner more flexibility for placement. Committee discussed problems that corner lot properties have in complying with the current ordinance. Committee expressed a desire to avoid storage in the front yard or in public view but to retain a clause allowing the Public Works Department to grant a variance to a property.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to direct staff to review the comments from the Committee and prepare an amendment to Sec. 12-9 of the municipal code for future Committee review.** All voting aye.

Warehouse - Harrison Street Pond Site: Director Kaiser reviewed his August 9, 2019, regarding the warehouse on the Neenah Foundry property that was recently purchased by the City. This property was purchase for construction of a storm water detention pond.

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The initial assumption in pond design was that the warehouse would be removed as part of the general site clean-up and to maximize the aesthetic value of the site. However, use of that area for increasing the pond size is limited because of a barrier created by water and sanitary sewer utilities running along the west side of the building that are not going to be relocated. He noted that staff has been evaluating the use of the building for city purposes. Committee discussed the options for the warehouse building. Committee questioned the suitability of the building for police purposes either for evidence storage or a shooting range. Committee questioned if other departments had been approached regarding their space or storage needs that could be handled with this building. Director Kaiser noted that he had discussed the building's use with the Parks and Recreation Department.

Following discussion, the Committee directed Director Kaiser to seek input from other city departments to see if this building is suited for any of their space needs.

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Olivia Eichhorst, Jessica Moderson, Amanda Musial and Emily Reisdorf.

C.A. Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve beverage operator license applications for Olivia Eichhorst, Jessica Moderson, Amanda Musial and Emily Reisdorf.** All voting aye.

Beverage Operator License Applications - Denials: The Committee discussed the types of violations that were noted on the denials. They discussed the fairness of the expectation that applicants have a complete recollection of violations that should be noted on the form. Mayor Kaufert noted the emphasis that staff makes to potential applicants about the need to completely and accurately fill out the form. He noted that City Attorney Godlewski intends to review the application process and materials. Police Captain Bernice outlined the background check process. He noted that some violations are not listed in CCAP but are found in department review of municipal citations from area communities. Captain Bernice noted that there had been seven denials in the past month for non-disclosure of violations. He stated that the department attempts to treat all of the applications consistently and does not judge or evaluate the type of violation that has not been disclosed. Committee discussed the relationship between the violations discovered and the work to be performed under the license.

Committee noted the responsibility of the applicant to complete the form accurately. Committee discussed the application form. Mayor Kaufert provided the Committee with a copy of the application packet. Committee expressed concern that a denied applicant cannot re-apply for one year regardless of the reason for denial. Committee noted a willingness to shorten that time period if the denial is based on a failure to disclose and the undisclosed violation does not include one of the standard parameters for the denial of an operator's license. Committee noted that the re-application could be charged a fee that is less than the normal fee for a new license.

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Committee questioned if applicants with lower severity violations could be contacted to correct their application. Mayor Kaufert noted staff concerns with treating all applicants equally.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to direct City Attorney Godlewski to provide a legal opinion on the possibility of reducing the time lag between a license denial and a new application if the reason for a denial was a failure to properly disclose a violation and if the undisclosed violation is not included in the standard parameters for denial.** All voting aye.

The Committee discussed the beverage operator license application (new) for Chloe Allyn. The Neenah Police Department had recommended license denial based on a failure to disclose a violation for operating after revocation/suspended registration in 2015.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Chloe Allyn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** All voting aye.

The Committee discussed the beverage operator license application (new) for Kelsey Bockhorn. The Neenah Police Department had recommended license denial based on a failure to disclose a violation for failure to wear a seatbelt in 2017.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Kelsey Bockhorn with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** All voting aye.

The Committee discussed the beverage operator license application (new) for Grace Kenny. The Neenah Police Department had recommended license denial based on a failure to disclose two speeding violations.

REPORT

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to approve the beverage operator license for Grace Kenny with the condition that there be a one-year probationary period and direct City Attorney Godlewski to prepare a stipulated agreement defining the license conditions.** Motion passed 3-1 (Ald. Bates voting No).

Public Works General Construction and Department Activity:

1. Contract 1-18 (Andrew, Richard, Geiger, Whiting) – Subsequent to our issuing final payment for this work, we were notified that a subcontractor had found an error in the final quantities. The Board of Public Works recommended Council approval of an adjusted final payment.
2. Contract 2-18 (Cecil, Adams). Staff met with the contractor to review final quantities. The Board of Public Works recommended Council approval of the final pay estimate.

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3. Contract 3-18 (Nature Trails/Eaglecrest) – Work is complete. The contractor has been contacted about providing an estimate to grade and pave the Shootingstar Drive connection.
4. Contract 1-19 (Caroline, Stevens, Fifth) – Work is complete. Final quantity measurements are being made.
5. Contract 2-19 (Stanley Ct, Stanley St, Thomas)
 - a. Stanley Court – Utility work is complete. The street is in the rest period.
 - b. Stanley Street – Water main work is complete. The street is in the rest period.
 - c. Thomas Court – Road removal/grading started the week of August 5.
6. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – The contractor is scheduled to re-start work on Tullar Road the week of August 12. Pavement repairs in the southbound travel lane and sidewalk repairs on the west side need to be done. Following that, pavement repairs around the centerline manholes will be done.
7. Contract 5-19 (Hot-Mix Asphalt Pavement Repair) – Work has started. The contractor will be in after Labor Day to complete the work.
8. Courtney Court – Construction started the week of June 22. Sanitary sewer main and water main installation are complete.
9. Staffing Updates –
 - a. An Administrative Assistant for the Tullar Garage has been hired. She starts on August 19 for two days per week while she transitions out of her current job. At the beginning of September she will start working her normal schedule of 29 hours per week.
 - b. We are extending an offer to fill the open sanitation worker position.
 - c. One of our drop-off attendants has resigned. We have hired a replacement.

Announcements/Future Agenda Items:

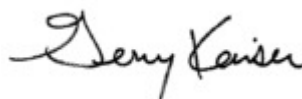
Ald. Lang noted that she was contacted by Fox Cities Magazine about historic names of streets. She asked Committee to pass along any suggestions that they have.

Chairman Bates informed the Committee that she had asked for a discussion on the subject of liquidated damages distribution.

Chairman Bates noted that Committee will have a future discussion on requirements of hard surface for driveways and driveway aprons. Ald. Lendrum noted that the Council directive also included a requirement to include a garage as part of new residential construction.

Motion/Second/Carried Lendrum/Stevenson to adjourn at 8:20 p.m. All voting aye.

Respectfully submitted,



Gerry Kaiser, PE
Director of Public Works