

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

**Present:** Aldermen Bates, Lang, Lendrum, Spellman and Stevenson

**Also Present:** Mayor Kaufert, City Attorney Godlewski, Assistant City Attorney Vanden Heuvel, Director of Public Works Kaiser, Assistant Police Chief Sievert, Police Captain Bernice, Parks and Recreation Director Kading, Public Works Superintendent Radtke, Kelly Olson, Andrew Prust, Jens Jacobsen, Laura Nelson, John Schmidt, Sarahjean Schluechtermann, Larry Langohr, Jake Lamb, Ald. Erickson

**Minutes:** **Motion/Second/Carried Lendrum/Spellman to approve the minutes of the July 9, 2019, Regular Meeting.** All voting aye.

**Motion/Second/Carried Lendrum/Spellman to amend the agenda to address item 4, Recommendation to Award Contract to Ayres Associates.** All voting aye.

Recommendation to Award Contract to Ayres Associates for the Design and Engineering of the Shattuck Park Fountain: Director Kading reviewed the Shattuck Park fountain design and engineering proposal. He reviewed the issues encountered with the current fountain and noted problems that soil conditions present for that type of fountain design. He stated that \$150,000 was included in the 2020 budget request to construct a new water feature at that spot. He reviewed the intended design and bid schedule. Mayor Kaufert noted that it was his intention to have private donors assist with project construction costs. Director Kading stated that the requested design work would be covered through \$22,342 in funds remaining from the \$30,000 budgeted in 2019 for Shattuck Park Fountain design. He stated that work performed with that budget to this point included an evaluation of alternatives for the fountain. He stated that under their proposal, Ayres Associates would provide engineering, final design, and permitting for a splash pad on the site.

Committee discussed timing of the work relative to the opening of the Washington Park splash pad. They expressed concern with proceeding with a second design by this consultant without having experience with the operation of the Washington Park splash pad. Director Kading stated that they would have about six weeks of use for the Washington Park splash pad this year prior to bidding on the Shattuck Park project. He also expressed confidence in the experience of the design engineer involved. Committee questioned if a budget amendment was needed for this design work. City Attorney Godlewski stated that the request is consistent with the original purpose of the budget item so a budget amendment is not needed. Director Kading clarified that the contract proposal from Ayres Associates was in the amount of \$19,300.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve the design and engineering proposal for the Shattuck Park Fountain from Ayres Associates for an amount not to exceed \$19,300.** All voting aye.

**Public Appearances:** None.

REPORT

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**Motion/Second/Carried Stevenson/Lang to amend the agenda to address item 9, Special Event Permits - Bikers Against Human Trafficking Ride.** All voting aye.

Special Event Permits - Bikers Against Human Trafficking Ride: Committee reviewed the Special Event Permit for the Bikers Against Human Trafficking Ride to be held on Saturday, August 17, 2019. Kelly Olson, support services director for Damascus Road, addressed the committee as the sponsor representative. The course for the motorcycle ride through Neenah is on Commercial Street from Menasha to Wisconsin Avenue, Main Street, Green Bay Road and North Street. She stated that this is their second year holding the event and their first time using this route. She expects 50 to 100 riders. Mayor Kaufert commented on his discussions with police staff about staffing for the event. He indicated that CSAs will be held over on that day to handle traffic control at the necessary intersections. Ms. Olson indicated that the ride will take about 10 to 15 minutes to pass through Neenah, depending on the number of participants, sometime between 4:30 p.m. and 5:00 p.m. Committee requested that church service times be checked to avoid conflicts with churches along the route.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend the Chairman of the Public Services and Safety Committee sign and the Council approve the Street Use Permit for the Bikers Against Human Trafficking Ride, sponsored by the Bikers Against Trafficking, WI, Becky Jacobsen, 1336 Meadow Lane, Neenah, to be held on August 17, 2019.** All voting aye

**Motion/Second/Carried Stevenson/Lendrum to amend the agenda to address item 10, Licenses.** All voting aye.

Temporary Extension of Licensed Premise Application: The Committee reviewed the request for a temporary extension of licensed premise for the Fire Lite, Inc., for their Cornhole Tournament on August 17, 2019. Laura Nelson, applicant, addressed the Committee to describe the layout for the event. She stated that there would be no music outside. She stated that the event should end by 10:00 p.m.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve the temporary extension of licensed premise application for the Fire Lite, Inc., 1171 Gillingham Road, for their Cornhole Tournament on August 17, 2019.** All voting aye.

Beverage Operator License Applications: The Committee reviewed the beverage operator license applications for Taegen A. Ewald, Grace Kenny, Daniel Krieg, Jennifer L. Lemke, Kara L. Palasz, Dean A. Ressler, Jodi A. Strzyzewski, and Haley I. Tesch.

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C.A.

Following discussion, **Motion/Second/Carried Lang/Lendrum to recommend Council approve beverage operator license applications for Taegen A. Ewald, Grace Kenny, Daniel Krieg, Jennifer L. Lemke, Kara L. Palasz, Dean A. Ressler, Jodi A. Strzyzewski, and Haley I. Tesch.** All voting aye.

**Beverage Operator License Application (New) - Delinquent Payment:** The Committee discussed the beverage operator license application for Heidi Raegan.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve the beverage operator license application (new) for Heidi Raegan, contingent upon payment of all delinquent City fees.** All voting aye.

**Beverage Operator License Application (Renewal) - Delinquent Payment:** The Committee discussed the beverage operator license application for Melissa C. Wintrow.

C.A.

Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend Council approve the beverage operator license application (renewal) for Melissa C. Wintrow, contingent upon payment of all delinquent City fees.** All voting aye.

**Police Department Statistics and Data:** Police Captain Bernice reviewed the Police Department's statistics and data. He reviewed the following reports:

- Second Quarter Calls for Service (April – June 2019)
- Uniform Crime Report (UCR)/Wisconsin Incident Based Reporting System (WIBRS) Report - (January – June 2019)
- Traffic Arrests, OWI Tests, Traffic Violation Detail – June 2019
- Citation Detail – June 2019
- Warning Detail – June 2019
- Dangerous Animal Report (January 1 – July 12, 2019)

Captain Bernice noted continuing data issues between the record management system and WIBRS and ongoing discussions with the State about improvements. Committee discussed 911 Hangups and Alcohol calls. Assistant Chief Sievert outlined police interaction with human trafficking resource centers. Committee discussed the disposition of dangerous animal cases.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to accept and place on file the Second Quarter Calls for Service (April – June 2019) report, the Uniform Crime Report (UCR)/Wisconsin Incident Based Reporting System (WIBRS) Report - (January – June 2019), Traffic Arrests, OWI Tests, Traffic Violation Detail – June 2019, Citation Detail – June 2019, Warning Detail – June 2019, and Dangerous Animal Report (January 1 – July 12, 2019).** All voting aye.

**Ordinance 2019-18: Amending the City's Official Map by Changing the Name of Peckham Road, Oak Street Road, and Peckham Street to East Peckham Street:** City Attorney Godlewski reviewed the need for Ordinance 2019-18. He described the areas affected by the change. Committee discussed notification to residents and EMS.

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ORD.

Following discussion, **Motion/Second/Carried Stevenson/Lendrum to recommend Council adopt Ordinance 2019-18 amending the name of Peckham Road, Oak Street Road and (east) Peckham Street between Commercial Street and South Park Avenue as East Peckham Street.** All voting aye.

Ordinance 2019-17: Amending Section 11-100 to Include a Ban on E-Cigarettes: Assistant City Attorney VandenHeuvel reviewed his memo of July 30, 2019, regarding an amendment to the City's smoking ban to include e-cigarettes and similar products. He noted that an exemption is included in the proposed ordinance that would allow sampling at vaping retailers. He noted receipt of a letter of support for the proposed ordinance from the Winnebago County Health Department. Mayor Kaufert expressed the belief that the ordinance will clarify a currently ambiguous issue. Committee discussed the encroachment of a regulation into a matter that businesses are capable of controlling. They indicated that this is a matter that should be addressed on a state-wide level. Assistant City Attorney VandenHeuvel stated that there are discussions about this because of the number of communities that have implemented their own vaping bans.

Ald. Erickson addressed the Committee to note the support for a city-wide ban that she has heard from restaurant and tavern owners. She noted a personal experience with an individual who was vaping at a restaurant.

Sarahjean Schluechtermann of the Winnebago County Health Department addressed the Committee to express support for the ordinance. She noted recent incidents where youths who had been vaping needed to be hospitalized.

Assistant City Attorney VandenHeuvel stated that he did not expect the ordinance to require additional law enforcement efforts.

ORD.

Following discussion, **Motion/Second/Carried Lang/Spellman to recommend Council approve Ordinance 2019-17 amending the Smoking Ban to include e-cigarettes.** All voting aye.

Discussion of Extension of Premise for Alcohol Beverage License to Allow for Car Side Alcohol Sales: Assistant City Attorney VandenHeuvel reviewed the history of the extension of premises requests that have come before the City, Committee, and Council. He noted that he and Police Chief Olson had contacted other police departments about this issue. The police departments that they contacted in communities that allow curbside alcohol sales have not experienced additional enforcement issues. He stated that these locations have also had a perfect record in compliance checks. He stated that this is likely due to the requirement that a licensed individual conduct the sale along with the time lag between the order and the pick-up. He noted the statutory requirements for curbside alcohol pick-up. He indicated a preference for the conditions included in the ordinance from DePere.

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Chairman Bates expressed a concern in handling this issue outside of a Committee of the Whole meeting. She expressed the belief that this ordinance and discussion of allowing alcohol sales at convenience stores are inter-related because they both reflect a change in the alcohol culture in Neenah. Assistant City Attorney VandenHeuvel noted that from a legal standpoint they are separate issues. He also noted receipt of a letter of opposition to allowing curbside alcohol sales from the Winnebago County Health Department. Ald. Lendrum expressed a concern with the impact that this could have on small businesses.

Ald. Stevenson expressed the belief that curbside alcohol sales is a separate issue from convenience store alcohol sales. He noted that the curbside alcohol sales issue relates to businesses that have a current alcohol license and doesn't expand the number of alcohol sales outlets in the city. Committee discussed the methods by which a Committee of the Whole meeting can be called. Ald. Stevenson stated that he felt the current Committee setting was appropriate for the discussion of curbside alcohol sales. He stated that the convenience store alcohol sales issue is unique and warrants a Committee of the Whole discussion.

Chairperson Bates opened the floor to public comment. No comments were made.

Following discussion, **Motion/Second/Carried Stevenson/Lang to direct the City Attorney's Office to draft an ordinance allowing for the extension of premises for alcohol beverage licenses to allow for car side sales for future Committee discussion.** Motion passed 4-1 (Ald. Bates voting No).

Discussion of Tullar Garage Drop-Off Site Layout and Operations: Director Kaiser and Superintendent Radtke reviewed their memo of July 25, 2019, regarding the layout and operation of the Tullar Garage drop-off site. They noted concerns with user safety, site security, and site abuse that have led them to consider changes. They reviewed comparisons between the Neenah drop-off site and those of surrounding communities. They also noted trends in large item tonnage. They reviewed layout changes that they are considering for 2020. They discussed the possibility of using a punch-card system for site use. Their proposal would provide the owner of each residential property with four or fewer units with a card for five free uses of the large item bins at the drop-off site. After those five uses, the property owner would need to purchase a card for additional uses. The card would also allow admittance to other areas of the drop-off site. Committee discussed a number of aspects of the drop-off site including the use of security cameras, the need to educate the public on outlets to donate items that they want to discard, the importance of having the attendants check user IDs, the possibility staffing multiple attendants to improve oversight, and the resident reaction to being charged for its use.

Committee directed staff to develop firm proposals for further Committee discussion.

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**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. We will be issuing a correction payment to resolve this.
2. Contract 2-18 (Cecil, Adams). Staff met with the contractor to review final quantities. A final pay estimate is being prepared.
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 – The western section of water main needs to have testing completed. Service work can be completed when the testing is complete.
  - c. Thomas Court – The contractor is scheduled to start road removal the week of August 5.
6. Contract 4-19 (Concrete Pavement and Sidewalk Repair) – Tullar Road pavement and sidewalk repairs are ongoing. 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.
8. Courtney Court – Construction started the week of June 22. Sanitary sewer main installation should be complete the week of July 29.
9. Storm Damage – Extra yard waste pick-up was done due to damage resulting from the July 20 storms.
10. Harrison Street Pond – Staff have been reviewing concepts for the Harrison Street Pond (on the former Neenah Foundry property). In the review of the project, we have begun evaluating the potential of retaining the warehouse on the property. The benefit that would be gained by its removal is reduced due to the presence of sanitary and water utilities that extend through the site and are planned to remain.
11. Quiet Zone – We received notice from the Federal Railroad Administration that our railroad quiet zone is still compliant.
12. Survey work is starting for 2020 street and utility projects.

Director Kaiser noted a need to hold a special meeting prior to the August 7 Council meeting to address the 2018 Surplus Commodity Revenue ballot from the Winnebago County Solid Waste Board.

Chairperson Bates commented on a fountain in the Pondview detention pond. Superintendent Radtke stated that this fountain is a 5 hp fountain, whereas other pond fountains are 1 hp fountains, so this fountain shoots a more substantial stream of water. He reviewed the information received on the cost to convert existing fountain locations to aerators.

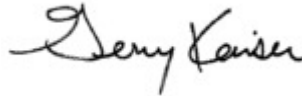
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Ald. Stevenson noted a concern from Scott Francis about the lack of parking near his commercial property. He is the owner of a building at the northeast corner of Commercial Street and Forest Avenue. Director Kaiser indicated that he'd had several recent conversations with Mr. Francis about his concerns. He stated that Mr. Francis is concerned with the incremental loss of parking around his building. He indicated that he intended to meet with Director Haese and Traffic Engineer Merten to consider options to address the concerns of Mr. Francis.

**Announcements/Future Agenda Items:** None.

**Motion/Second/Carried Lang/Lendrum to adjourn at 8:55 p.m.** All voting aye.

Respectfully submitted,

A handwritten signature in black ink that reads "Gerry Kaiser". The signature is written in a cursive style with a large initial "G".

Gerry Kaiser, PE  
Director of Public Works