

**Common Council Minutes**  
**Wednesday, June 1, 2022—7:00 p.m.**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., June 1, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Borchardt, Hillstrom, Lendrum, Erickson, Skyrms appeared by phone, Steiner, and Stevenson. Staff present Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, and City Clerk Nagel. City Attorney Westbrook was excused.

Also present: Police Chief Olson appeared by phone, Assistant Police Chief Bernice, Police Captain Tom Van Sambeek, Deputy Fire Chief Krueger, and Assistant Fire Chief Dorn.

Mayor Lang called the meeting to order at 7:02 p.m.

- I. The Clerk called a voice roll call as the Mayor/Alderpersons recorded their attendance on the RollCall-Pro System.

Mayor Lang recognized Boy Scout Troop Group 3 Chartered by St. Thomas Episcopal Church. The Troop is working on requirements for the Citizenship in the Community Merit Badge. As such, the Pledge of Allegiance led by Boy Scout Troop Group 3.

**RECOGNITION OF RETIREMENTS:**

- Patrick Pedersen, Police Department Investigations Lieutenant, 30 years, 8 months years of service.  
Mayor Lang acknowledged how proud and thankful the community is for all that Lieutenant Pedersen has done for the City during his tenure.

**Presentations by Aldermanic District 3 Candidates to Council**

Aldermanic candidates Mellisa Stafford, Timothy Jacobson, Jeffrey Linski, and Scott Weber gave brief presentations as part of the application process to be appointed to fill the vacant District 3 aldermanic seat vacated by Former Alderperson Lang being elected Mayor.

After the presentations had been given, a vote was taken for the four candidates. Mellisa Stafford received three votes; Timothy Jacobson received one vote; Jeffrey Linski received one vote; and Scott Weber received three votes.

A second vote was taken for the candidates who received the two highest votes (Stafford and Weber). Mellisa Stafford received three votes and Scott Weber received five votes. The Council recommendation is to appoint Scott Weber as Alderperson District 3 for the remainder of Former Alderperson Lang's term ending April 2023.

It should be noted that Alderperson Skyrms was present via the Clerk Nagel's cell phone. Alderperson Skyrms texted his vote for Alderperson District 3 to Clerk Nagel's cell phone. Both Director Easker and Clerk Nagel tallied the votes. At 7:52 p.m. Alderperson Skyrms was disconnected from the meeting.

**Motion to appoint a candidate to the Common Council's vacant District 3 Aldermanic position for the remainder of Alderperson Lang's term to expire April 2023.**

**MS by Stevenson/Borchardt based on the tabulation and the process approved by the Council to appoint Scott Weber as Alderperson District 3 for the remainder of Former Alderperson Lang's term ending April 2023, no discussion, all voting aye.**

**Swearing in of newly appointed District 3 Alderperson**

Clerk Nagel swore in Scott Weber as the new District 3 Alderperson.

- II. Introduction and Confirmation of Mayor's Appointment(s).
  - A. Re-appointment Karen Genett to the Plan Commission for a three-year term expiring in 2025.  
**There being no objections the motion was approved by unanimous consent.**

Clerk Nagel swore in Karen Genett as a member of the Plan Commission.

- III. Approval of Council Proceedings
  - A. Approval of the Council Proceedings of May 18, 2022 regular session.  
**There being no objections the motion was approved by unanimous consent.**

- IV. Public Forum
  - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
    - 1. Heather Schiesser, 320 3<sup>rd</sup> Street – Ms. Schiesser was denied a Beverage Operator's License by the Clerk's Office. Ms. Schiesser acknowledged that she received a denial letter explaining reasons for the denial and the process for an appeal. Ms. Schiesser admitted that she missed the deadline to file an appeal. Ms. Schiesser would like Council's approval to submit an appeal after missing the deadline.

Ms. Schiesser spoke about the last felony on her background check which was Intentionally Cause Harm to a Child. Ms. Schiesser explained the incident to the Council. Ms. Schiesser's daughter, Starr Anna Rhodes-Concepcion, submitted a handwritten letter to Mayor Lang explaining the felony charge. Ms. Rhodes-Concepcion could not

attend the meeting. This letter was submitted to the Clerk for distribution to the Council.

2. Randy Steward, 310 Winneconne Avenue – Spoke in support of Ms. Schiesser being granted the opportunity to appeal the denial of her Beverage Operator’s License. Mr. Steward is one of the owners of Sherrytown Station, the bar in which Ms. Schiesser would be working. Mr. Steward advised that Ms. Schiesser has turned her life around, is currently on a good path, and would like to see her be given the opportunity to work.
3. Amritpal Gill, Gill Liquor, 1117 S. Commercial Street – Mr. Gill spoke on video gambling machines located inside competitor businesses. Mr. Gill cannot compete with businesses that are allowed to have video gambling machines. Mr. Grill submitted documentation in support of video gambling machines only allowed in Class B licensed establishments, not Class A. Since this is the renewal licensing period, Mr. Gill would like those with Class A licensed establishments with video gambling machines to be denied their license until the machines are removed.

V. Mayor/Council consideration of public forum issues

- A. Alderperson Lendrum would like to receive copies of all the submittals.
- B. Council President Stevenson would like Attorney Westbrook to issue a legal opinion regarding Mr. Gill’s concern regarding gambling machines in Class A licensed establishments and Ms. Schiesser’s request for an appeal of the Beverage Operator’s License denial appeal as well.

VI. Consent Agenda

- A. None

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of May 24, 2022: (Chairman Lendrum/Vice Chairman Hillstrom) (Minutes can be found on the City web site)
  1. Committee recommends Council approve entering into a contract with Miron Construction in the role of Construction Manager for the Police Department’s building expansion and to bring back to the committee a formal contract including a guaranteed maximum price between Miron Construction and the City of Neenah for approval.  
**MSRCP Lendrum/Hillstrom to approve as presented, all voting aye.**

Discussion: Alderperson Stevenson voiced his concerns at the Public Services and Safety Committee meeting. The Miron bid was reviewed by the special team consisting of Mayor Lang, Council President Stevenson, Alderperson S kyrms, Assistant Police Chief Bernice, and Police Captain Van Sambeek. Miron recommended the same building structure as the city's architect. The special review team questioned the lack of a guaranteed maximum value for the cost of the project. Police Chief Olson was advised of the concern. Miron Construction presented their bid at Public Services and Safety Committee meeting and agreed there should be language included in the contract regarding guarantee maximum value. Miron explained their compensation methodology at committee and Alderperson Stevenson supports Police Chief Olson and Attorney Westbrook finalizing the contract and bringing it back to the Council.

2. Committee recommends Council approve the 2022-2023 Renewal of Retail Class "A" and Class "B" Liquor/Beer Licenses.  
**MSRCP Lendrum/Borchardt to approve as presented contingent upon payment of any and all money owed to the city, all voting aye.**

Discussion: Alderperson Lendrum advised that in past years there was a list of outstanding monies owed to the city. This year there are only a few, so approval of their liquor license will be contingent upon payment made to the city for any and all outstanding money owed.

- B. Regular Finance and Personnel Committee meeting of May 23, 2022: (Chairman Erickson/Vice Chairman S kyrms) (Minutes can be found on the City web site)
  1. Cancelled.
- C. NMFR Joint Finance & Personnel Committee meeting of May 24, 2022: (Alderperson Borchardt) (Minutes can be found on the City web site)
  1. Committee recommends the City of Neenah Common Council approve Ordinance 2022-12 Amending Sect 7-20 of the Neenah Municipal Code relating to Fire Prevention Code and standards.  
**MSRCP Borchardt/Boyette to approve as presented, all voting aye.**

No discussion.

2. Committee recommends City of Neenah and City of Menasha Common Councils reallocate \$185,000 of the budgeted \$675,000 for new Engine 31 and to spend \$85,000 for a new command truck

\$75,000 for a new command Tahoe and \$25,000 for a used pick-up truck in 2022.

**MSCR P Borchardt/Boyette to approve as presented, all voting aye.**

Discussion: Deputy Fire Chief Krueger gave an overview of the reason for the money movement. NMFR purchased a new fire truck at the beginning of the year. The manufacturer advised that larger apparatus lead times are currently about 24 months out. Therefore in an effort to balance how money is spent, this proposal is to use the money for the second payment of the new fire truck be used to replace smaller end of life cycle vehicles currently in stock.

Aldersperson Borchardt appreciates the Fire Department's insight to provide reasonable solutions for potential problems and the forward thinking that is brought forth to the Council.

Mayor Lang advised this proposal was talked about in CIP discussions and she is also proud of the solution the Fire Department brought forth to the Council.

Aldersperson Steiner inquired on the payment for the new fire truck. Director Easker addressed the inquiry. There was a manufacturer offer at the time the new fire truck was ordered for the City to put down fifty-percent of the cost at time of order and pay the remaining fifty-percent upon delivery of the fire truck. Splitting the payment for the new fire truck this way offered significant savings. It was this splitting the payment for the new fire truck that provided the flexibility to now replace the smaller end of life cycle vehicles. However, it must be understood that next year final payment of the new fire truck is due so the both the cities of Neenah and Menasha will have to borrow they respective shares to make that final payment for the new fire truck in 2023 upon its delivery.

Aldersperson Stevenson clarified that the second payment for the new fire truck was due upon delivery. That delivery is not going to occur until 2023. Therefore the borrowed money for the second payment of the fire truck will be used to purchase smaller end of life cycle vehicles. Next year the borrowed money will be used to for the second payment of the new fire truck upon its delivery. The amount of money remains the same.

- VIII. Reports of special committees and liaisons and various special projects committees
  - A. Regular Plan Commission meeting of May 24, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)

1. Cancelled.
  - B. Landmarks Commission
    1. Report from the Landmarks Commission – Alderperson Steiner
      - a. The next meet is scheduled for June 8, 2022.
  - C. Sustainable Neenah Committee
    1. Report from the Sustainable Neenah Committee – Alderperson Borchardt
      - a. Farmer’s Markets will begin June 11, 2022. Sustainable Neenah Committee will have booths at each Farmer’s Market promoting various sustainable initiatives.
  - D. Reports on neighborhood groups.
    1. Business Improvement District Board (BID Board) – Alderperson S kyrms
      - a. Forward to next Council Meeting of June 15, 2022.
  - E. Bergstrom Mahler Museum
    1. Report from the Bergstrom Mahler Museum – Alderperson Steiner
      - a. Meeting of Monday, May 23, 2022.
      - b. Catching Fire is the current exhibit.
      - c. Crystal Ball event was a huge success.
      - d. 80<sup>Th</sup> Birthday Party for Wally Bergstrom was held. The Sulphide Gallery was named in Mr. Bergstrom’s honor.
      - e. Hosted a Paperweight Collector Association Conference for paper weight enthusiasts around the world.
  - F. Parks & Recreation Commission
    1. Report from Parks & Recreation Commission – Alderperson Borchardt
      - a. Shattuck Park water feature is working out some kinks; hoping to be operational this Friday.
      - b. Final Arrowhead Park pier design has been approved the DNR. The final approval is a modified designed from the original but the integrity of what it was designed for will be spectacular.
      - c. There was discussion on creating Friends of Carpenter’s Preserve. Keep this in mind for volunteer opportunities.
- IX. Presentation of petitions
- A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
    1. None.
- X. Council Directives
- A. None.
- XI. Unfinished Business
- A. None.
- XII. New Business

- A. Any announcements/questions that may legally come before the Council.
- B. Scheduling of 2022 Council photo.

XIII. Closed Session

- A. Adjourn into closed session pursuant to Wis. State Statute §19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved (Ullrich vs. City of Neenah—Lake Shore Avenue Litigation and Lake Shore Avenue Reconstruction Project)
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session relating to downtown parking.
- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

**Motion by Boyette/Stevenson to adjourn into closed session for the above referenced items, all voting aye.**

At 8:09 pm., the Council recessed to prepare for the closed session.

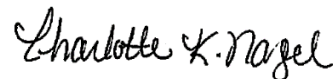
At 8:16 p.m., the Council reconvened into closed session.

Council adjourned the meeting within the closed session at 9:02 p.m. No action taken.

XIV. Adjournment

**Motion by Stevenson/Borchardt to adjourn, all voting aye. Meeting adjourned at 9:02 p.m.**

Respectfully submitted,



Charlotte Nagel, City Clerk