

## COMMON COUNCIL MINUTES

Wednesday, February 6, 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., February 6, 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: Police Chief Olson, Assistant Police Chief Sievert and City Financial Advisor John Mechan.

Mayor Kaufert called the meeting to order at 7:02 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.

### Proceedings

- I. **MSCRP Lendrum/Lang to approve the Council Proceedings of the regular meeting of January 16, 2019, 2019, all voting aye.**

**MSC Stevenson/Bates to amend the agenda to move up agenda items IX(B)(1) Report from the February 6, 2019 Special Finance & Personnel Committee meeting and Resolution No. 2019-05 Authorizing the Issuance and Sale of \$8,825,000 General Obligation Promissory Notes, all voting aye.**

### Finance & Personnel Committee

- I. Chairman Erickson reported the special meeting of February 6, 2019:
  - A. Committee recommends Council adopt Resolution No. 2019-05 Authorizing the Issuance and Sale of \$8,825,000 General Obligation Promissory Notes. **MS Erickson/Stevenson.**
    1. Ald. Erickson asked Dir. Easker to give a brief explanation of this borrowing.
    2. Dir. Easker explained that this is the annual borrowing for Capital needs, specifically facilities, equipment, TIFs, streets and pedestrian routes. This year the City needs approximately \$8.8 million dollars. The typically bidding process was followed through our Financial Advisor, Robert W. Baird. There were (6) bids received and opened this morning. The low bid from Pieper Jaffrey came in at 2.46%. He advised that John Mechan is present, serving as financial advisor to answer any questions.
    3. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**

### Consent Agenda

- I. **MSCRP Lendrum/Stevenson to approve the Consent Agenda as follows:**
  - A. **Approve Beverage Operator License Applications for: Shelby K. Day, Crystal A. De Los Santos, Madison M. Dorow, Ariaah A. Duboard, Erin E. Flanagan, Rose M. Holmes, Jennifer L. Johnson, Bradley R. Karlen, Melissa M. Lone and Calista M. Van Deurzen. (PSSC)**
  - B. **Approve the Beverage Operator License Application (new) for Holly C. Kolb contingent upon payment of all delinquent City fees. (PSSC)**
  - C. **Approve the Temporary "Class B" (Picnic) Beer & Wine License Application for St. Margaret Mary Parish, 620 Division Street, for their Chili Dinner & Bingo Night to be held on February 9, 2019. (PSSC)**
  - D. **All voting aye.**

### Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of January 29, 2019:
  - A. Committee recommends Council approve the proposal from WE Energies for an amendment to the Wilderness Park Easement. **MSCRP Bates/Hillstrom, all voting aye.**
  - B. Committee recommends Council approve the proposal from Service Motor Company, Inc., for a Kubota SSV65 in the amount not to exceed \$35,231.38. **MSCRP Bates/Lendrum, all voting aye.**
  - C. Committee recommends Council approve purchase of seven 2019 Ford Police Interceptor Utility vehicles, AWD, 3.7, V6, at an estimated cost of \$244,503 with the cost funded through the use of borrowed funds as part of the 2019 Capital Equipment Fund Budget. **MS Bates/Hillstrom.**
    1. Ald. Kunz expressed concern over purchasing more vehicles when the maintenance issues have not been addressed. He would like to see a better maintenance plan / schedule in place. He also would like to see a plan in place to schedule two vehicles purchases at a time moving forward. He is uncomfortable moving forward with this purchase without a clear path on how to improve how we deal with these vehicles to assure better life.
    2. Asst. Police Chief Sievert explained that one of their new officers is taking over the fleet. He is working with Rick Spoo to assure maintenance is being addressed. The officer has many years working in the automotive industry and has taken a pro-active approach to this. They have come up with a plan to alternate vehicle assignments which should help stagnate vehicle purchases. The patrol vehicle have more mileage than others. This should take care of the longevity concern for the fleet. In 2020 Ford will change their body style creating a potential \$8,000 difference for the change-over costs. If the plan is to stagnate vehicle purchases over a five year period, this is the ultimate time to do it. Plus we are saving over \$40,000 from what was budgeted.

3. Ald. Steele questioned when they anticipate the next vehicle purchase.
  4. Asst. Police Chief Sievert explained they have a ten year plan with their vehicles. The first two vehicles will start to be transitioned out in 2021. From that point forward, they will be transitioned every year until the cycle is done. After this is all said and done there will be a three year cycle for their vehicles.
  5. Ald. Steele asked if there has been thought about putting charging stations to plug in these vehicles at places like the Courthouse where they sit, at times, for hours.
  6. Asst. Police Chief Sievert responded he is not sure this could be done with the County however if they find a place where this happens frequently, they will work with them to see if they are willing to participate.
  7. Ald. Bates questioned how this will be reported back to Public Services & Safety Committee so they can see that the balancing of the vehicle purchases is working.
  8. Asst. Police Chief Sievert advised that on the 1<sup>st</sup> and 15<sup>th</sup> of each month, they provide the garage with a list of all squads and the mileage for those squads. He will make sure this gets forwarded to the Committee.
  9. Ald. Kunz asked if an analysis could be done to find if the number of squads is the issue. He would love to see a report on where these vehicles are being used.
  10. Asst. Police Chief Sievert advised they are on the County CAD System. They can monitor the vehicles from the station. The problem is they do not want the location of each squad known to the public. It would be problematic. He will reach out to the County to see if there is some information they can provide.
  11. Police Chief Olson added that they want the officer out of the station, therefore, are having them write their reports from their squad car. You will see them sitting at their stations longer now, doing they reports. The reason for this is that staff would like the squads to be visible. Writing these reports at the station does not deter anyone from crime or speeding. He surveyed all 72 Sheriffs in the state and received 32 responses. Next week they will meet to discuss the processes used by each department to try to figure out which system is working the best. Leasing unmarked cars and purchasing marked cars seem to work the best because marked cars are run 27/7 and the unmarked are not used as much.
  12. Ald. Kunz indicated he appreciates the efforts being made.
  13. Mayor Kaufert added that he appreciates administration's efforts to address some of these concerns.
  14. **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
- D. Committee recommends Council approve purchase of nine Panasonic Toughbook CF-33 MDCs and all necessary hardware and wiring at a total cost of \$67,275 (\$7,475 each) with funding to come from the 2018

Capital Equipment Fund Budget and the 2019 Capital Equipment Fund Budget. **MSCRП Bates/Lang, all voting aye.**

### **Finance & Personnel Committee**

- I. Chairman Erickson reported the regular meeting of January 7, 2019:
  - A. Deferred from the January 16, 2019 Council meeting: Committee recommends Council approve the 2019 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. **MS Bates/Stevenson.**
    1. Ald. Erickson questioned why the ridership numbers cannot be received and percentages be applied accordingly as part of this agreement each year. She also questioned why it is taking so long to get the numbers for 2018.
    2. Dir. Haese explained that rides are counted manually. Each ticket is counted. He cannot answer why those numbers cannot be provided for 2018. They have tracked total rides however breakdown was just started in the last two years. The tickets need to be received from the providers, then manually counted. Their office manager counts these tickets. Moving forward, he will direct his staff to have the previous year's numbers by the time the following year's agreement is approved.
    3. Ald. Kunz added that if we take a close look at those numbers and apply them, we might pay more than we currently are. There could be unintended consequences to have that detail.
    4. Dir. Haese added that these numbers are based on estimates. The usage fluctuates from year to year.
    5. Mayor Kaufert indicated that since these tickets are issued out of his office, he sees the people utilizing this program. For many of those folks, that program is their life line. It is not cheap to provide these rides and only a small portion of our residents utilize it but it is their life line. The people he sees are very appreciative of this program.
    6. **Motion carried, by an 8-1 RollCall-Pro System vote, all voting aye, Ald. Erickson voting nay.**
- II. Chairman Erickson reported the regular meeting of January 28, 2019:
  - A. Committee recommends Council approve and accept the petition for annexation of 14.516 acres located at Lone Oak Drive/Paint Brush Drive in the Town of Neenah. (Ordinance No. 2019-03 to be acted on following a report from the Plan Commission).
  - B. Committee recommends Council authorize the appropriate staff to acquire 502 Monroe Street, at a purchase price of \$147,000, for the purpose of storm water management, with funding for the acquisition assumed to be provided from the storm water utility fund, pending additional investigation on the potential of using CDBG funding, and that City staff investigate the potential of Habitat for Humanity moving the home as opposed to demolishing it. **MSCRП Erickson/Kunz, all voting aye.**

- C. Committee recommends Council authorize the appropriate staff to acquire 886 S. Commercial Street at a purchase price of \$45,000. The funding source for the purchase shall be CDBG funds. **MSCRP Erickson/Steele, all voting aye.**
- D. Committee recommends Council authorize the appropriate staff to acquire 1225 and 1229 S. Commercial Street for a total purchase price of \$157,000. The funding source for the purchase shall be CDBG funds. **MSCRP Erickson/Steele, all voting aye.**
- E. Committee recommends Council approve amended Policy 2013-1 “Policy on procedures and payment for repairs on private sanitary sewer laterals” with additional language clarifying that City properties served by non-City utilities or sanitary districts are not eligible for this program and added a definitions for Partial Replacement. Staff is also directed to develop a sewer credit program (similar to the TARF waiver) for those properties that have had a special assessment for sanitary sewer lateral replacement in the past five years. **MS Erickson/Boyette.**
  - 1. **MSC Lendrum/Bates to split the question at “Partial Replacement”, all voting aye, Ald. Stevenson voting nay.**
  - 2. Committee recommends Council approve amended Policy 2013-1 “Policy on procedures and payment for repairs on private sanitary sewer laterals” with additional language clarifying that City properties served by non-City utilities or sanitary districts are not eligible for this program and added a definitions for Partial Replacement. **MS Erickson/Boyette.**
    - a) Mayor Kaufert commented that the Council has taken action on street assessments for road construction. The Council has asked staff to look at what could be done with sanitary sewer laterals. This is on private property.
    - b) Dir. Kaiser advised that as they were discussing the transportation assessment replacement fee, the Council directed staff to look at the sanitary sewer lateral assessment charges. There have been a number of discussions at Finance Committee about the advisability of doing anything and what kind of alternatives there were offering relief to the property owners that have utility construction done on their streets. With the sewer lateral being a piece of their private property that effects the overall sanitary sewer system there is a joint interest in making sure those are in good repair. Several options were outlined for the Finance Committee, ranging from what most communities in this area do, which is 100% assessable cost and requiring full replacement, ultimately landing on an approach that is similar to a couple communities offering an incentive to the property owners for doing the full replacement. The need is for that full replacement to happen. The cost share settled on was a 50% cost share. That would include the sewer main and everything up to and including the reconnection in the

basement or foundation for the home owner. That is the policy brought before.

- c) Ald. Kunz indicated he hopes to eliminate special assessments all together. I/I numbers were staggering to him. We spend over \$5.5 million dollars in expenses every year on our sanitary system. Over 50% of what flows through those pipes is I/I. The need is huge. To address that, we would only do a partial lateral replacement but it became very clear we need to do the entire thing. The compromise is the property owners pay ½ and the City pays ½. Overall it was a great compromise.
  - d) Ald. Lendrum explained that it is unusual that the plan was sent to us already yet we are approving to direct him to create the plan. It seems like it is a done deal.
  - e) City Atty. Godlewski advised that the question before the Council at this time is the motion to approve revised Policy 2013-1.
  - f) Dir. Easker indicated it is important to know the compromise here is that moving forward, all property owners will be mandated to replace sewer laterals from the middle of the street to the curb and from the curb to the house. We are eliminating special assessments for property owners to pay ½ and in doing so adding \$250,000 to the rate payers on an annual basis for the cost of that. That will be made up through the rates. Dir. Kaiser has calculated that to be \$23.40 per year for the average rate payer. That is important because that is the potential amount of credit that will go back to those who in the past five years have had special assessments on sanitary sewer laterals to help offset that to some degree.
  - g) Ald. Stevenson indicated he has changed his mind. He did not support the motion in Committee but will support it now because of the information Ald. Kunz shared regarding the I/I.
  - h) Mayor Kaufert commented that developing a solution to the I/I issue and the bigger picture does come with a cost. At some point we have to raise the utility bill to cover these costs.
  - i) **Motion carried, by a 9-0 RollCall-Pro System vote, all voting aye.**
3. Committee directed staff to develop a sewer credit program (similar to the TARF waiver) for those properties that have had a special assessment for sanitary sewer lateral replacement in the past five years. **MSCRП Erickson/Lang, all voting aye, Ald. Lendrum voting nay.**

**Plan Commission**

- I. Council Rep. Lang reported from the Plan Commission meeting of January 29, 2019:
  - A. Committee recommends Council approve Annexation #213 (Ord. No. 2019-03) and the property also receive an R1, Single-Family Residence District zoning classification. **MSCRP Lang/Kunz, all voting aye.**

### **Board of Public Works**

- I. Vice Chairman Hillstrom reported the meeting of January 29, 2019:
  - A. Information Only Items:
    1. The Board approved Change Order No. 2 for Contract 1-18 Miscellaneous Sewer & Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$37,225.09.
    2. The Board approved Change Order No. 2 for Contract 18-01W for Chemical Storage and Feed Modifications in the amount of \$2,685.00. .
  - B. Council Action Items:
    4. The Board recommends Council approve Final Payment for Contract 1-18 Miscellaneous Sewer and Water Main Construction and Street Construction on Andrew Avenue, Richard Avenue, Geiger Street and Whiting Court to Dave Tenor Corporation, Green Bay in the amount of \$31,620.32. **MSCRP Hillstrom/Bates, all voting aye.**

### **Business Improvement District (BID) Board**

- I. Ald. Lang reported from the January 15, 2019 Business Improvement District Board (BID Board) meeting:
  - A. Following discussion over having a 2018 audit or financial review it was the consensus of the members to complete a full audit every 3 years and have a financial review in the off years.
  - B. The Public Relations and Marketing Luminary Pop Up night was a success.
  - C. A Very Neenah Christmas was very successful although attendance was down due to the weather.
  - D. The Warm Your Heart event will be held Saturday February 9<sup>th</sup>.
  - E. Ultimate Ladies Day is April 13<sup>th</sup>.
  - F. The Historical Box wraps are being designed for the boxes at the corner of Church Street and Wisconsin Avenue. Look for those to come out late spring or early summer.
  - G. The February 5<sup>th</sup> Network Neenah event at Barrel 41 last night sponsored by Stellar Blue was a very successful event and a lot of fun.

### **Bergstrom Mahler Museum**

- I. Report from the Bergstrom Mahler Museum – Alderman Erickson

- A. She encouraged everyone to visit the current exhibit “Sharper Edges – Women Working on the Edge of Glass”. The exhibit features the work of female artists exploring social issues. The exhibit ends February 17<sup>th</sup>.
- B. Visit the Bergstrom Mahler Museum of Glass website for additional exhibits and classes.

### Petitions

- I. Clerk Sturn distributed the petition of qualified property owners for direct annexation to the City filed by Loren Rangeloff, owner of Loren’s Auto Recycling, LLC which was filed today in her office.
  - A. Dir. Haese explained the technical issues regarding the previous petition advising that the railroad asked not to be included as part of this annexation, therefore the type of annexation and area has been modified. This should move forward quickly as most of the impact reports should not change.
  - B. **MSCRП Stevenson/Kunz to refer the amended petition of qualified property owners for direct annexation to the City filed by Loren Rangeloff, owner of Loren’s Auto Recycling, LLC to the Finance & Personnel Committee and Plan Commission, all voting aye.**

### Unfinished Business

- I. Mayor Kaufert advised that the impact letter was received from the DOA therefore Ordinance No. 2019-01 Annexing 0.85 Acres of land along Bayview Road – Richard O. & Susan K. Larson Revocable Trust owned property to the City of Neenah and the property receive an R-1, Single-Family Residence zoning classification was placed back on the table. **MSCRП Lang/Kunz to adopt Ordinance No. 2019-01 annexing 0.85 acres of land along Bayview Road – Richard O. & Susan K. Larson Revocable Trust owned property to the City of Neenah and the property receive an R-1, Single-Family Residence zoning classification was placed back on the table, all voting aye.**
- II. Mayor Kaufert advised that the original petition by Loren Rangeloff annexing 29.94 Acres of land along the east side of I-41 and between Bell Street and County Road G (Loren’s Salvage Yard) has been withdrawn. **MSCRП Stevenson/Bates to withdrawn the original petition for Annexation of Loren’s Salvage Yard which was presented on December 19, 2018, all voting aye.**

### New Business

- I. Mayor Kaufert advised that he and several other aldermen will be out of town for the March 6<sup>th</sup> Council meeting. He suggested having the PSSC meeting on February 12<sup>th</sup>; F&P on February 18<sup>th</sup> F&P with a Special Council meeting on February 18<sup>th</sup> to act on the annexation and TID #9 proposed amendments. We would need to call a Special Council meeting on Wednesday February 27<sup>th</sup> to act



on Committee recommendations then cancel Feb. 20<sup>th</sup> and March 6<sup>th</sup> regular Council meetings. The February 25<sup>th</sup> Finance & Personnel Committee meeting and February 26<sup>th</sup> Public Services & Safety Committee meeting will be cancelled. The Council concurred with this schedule.

- A. Clerk Sturn indicated she will send out those notices / cancellations tomorrow so they go onto the calendar.
- II. Clerk Sturn advised the public that the Spring Primary will be held February 19<sup>th</sup>. Absentee voting can be done in the Clerk's Office through Friday February 15<sup>th</sup> during normal office hours 7:30 am to 4:30 pm Monday thru Thursday. On Friday the office is open until 4:00 pm. February 14<sup>th</sup> and 15<sup>th</sup>, the office will remain open until 5 pm. There is one office on the ballot. Neenah Joint School District – School Board Member. There are 8 candidates that need to be narrowed down to 6 for the April 2<sup>nd</sup> Spring Election. A low turnout is expected.
- III. The newsletter is in the process of being proofed and ready to go to print. It should go out at the end of the month.
- IV. Mayor Kaufert thanked Bemis for the artwork they donated. Pat will be picking that artwork up tomorrow and he is in the process of finding a location for that artwork. Bemis is now out of Tower 1. They have consolidated some of their operations to the Innovation Center in the Industrial Park and their Oshkosh facility.
- V. Mayor Kaufert advised of the new flag in a case hanging just outside the Council Chambers. That flag went to Afghanistan with former Neenah students who were in the same platoon. It has been at several bases in Afghanistan. A plate is being made and will soon be hung to explain the significance of the flag.

### Adjournment

- I. **MSC Stevenson/Boyette to adjourn at 8:42 p.m., all voting aye.**

  
Patricia A. Sturn, WCPC/MMC  
City Clerk