

SPECIAL COMMON COUNCIL MINUTES

Wednesday, February 27, 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 27, 2019 in the Council Chambers of Neenah City Hall.

Mayor Kaufert in the chair.

Present: Aldermen Boyette, Bates, Hillstrom, Lendrum, Erickson, Lang, Steele & Kunz, Assistant Comptroller Kahl, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski and City Clerk Sturn. Alderman Stevenson was excused.

Also Present: Assistant Director of Community Development & Assessment Schmidt, Police Chief Olson, Assistant Police Chief Sievert, Police Lieutenant Voelker, Police School Liaison Officer Ross (Accreditation Manager), Police Administrative Service Technician Mathison, Grand Chute Police Chief Greg Peterson (President of the Wisconsin Law Enforcement Accreditation Group (WILEAG) and Aldermanic Candidate Stephanie Spellman.

Mayor Kaufert called the meeting to order at 7:04 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.

Presentation of Police Department Accreditation Award

- I. Grand Chute Police Chief Greg Peterson, President of the Wisconsin Law Enforcement Accreditation Group (WILEAG), presented the Neenah Police Department with an Accreditation Award for demonstrating its commitment to law enforcement excellence through its compliance to a body of standards.
 - A. Police Chief Olson accepted the award. He thanked Greg and the Group for the fantastic job they do to professionalize the police profession. This is not something he can do by himself. He thanked Police School Liaison Officer Ross (Accreditation Manager), Police Administrative Service Technician Mathison, Police Lieutenant Voelker and Assistant Police Chief Sievert for their part in achieving this award.

Introduction and Confirmation of Mayor's Appointments

- I. **MSCRP Bates/Lang to confirm Mayor Kaufert's appointment of Joseph Ziembra (J. Anthony Jewelers) to fill the expired terms of John Skyrms on the Business Improvement District Board (BID) for three-year terms to expire December 2021, all voting aye, Ald. Boyette voting nay.**

Proceedings

- I. **MSCRP Lendrum/Hillstrom to approve the Council Proceedings of the February 6, 2019 regular session, all voting aye.** Since the Proceedings from

the Special Council meeting of February 18, 2019 were not included in the packet, approval will be made at the next meeting.

Public Hearings

- I. Consider the installation of sanitary sewer laterals for properties served by sanitary sewers on the following streets: Caroline Street (Union to Van); Stevens Street (Congress to Doty); 5th Street (Clark to Lincoln); and ~~Courtney Court~~.
 - A. Dir. Kaiser advised that Courtney Court was pulled from this public hearing. That public hearing will be held at a later time when it can be done in conjunction with the Town Public Info meeting.
 - B. There being no appearances, Mayor Kaufert declared the public hearing closed at 7:26 pm.
 - C. Mayor Kaufert thanked staff for the information session in the lobby prior to this meeting. They were here to answer questions regarding this street work.

- II. Consider several amendments to Chapter 26 of the Municipal Code of the City of Neenah, Zoning, related to Definitions, District Standards, and Accessory Structures.
 - A. There being no appearances, Mayor Kaufert declared the public hearing closed.

Plan Commission Report Pertaining to the Public Hearings

- I. Council Rep. Lang reported from the Plan Commission meeting of February 26, 2019:
 - A. Commission recommends Council adopt Ordinance No. 2019-08 miscellaneous updates to Municipal Code Chapter 26 Zoning Code. **MSCRP Lang/Kunz, all voting aye.**

Consent Agenda

- I. **MSCRP Bates/Lendrum to approve the Consent Agenda as follows:**
 - A. **Approve Beverage Operator License Applications for: Sarah N. Gima, Penny N. Glick, Rebecca L. Hilgers, Chelsie C. Nachreiner-Wickman, Andrea L. Reinke, and Brenda L. Schmulke. (PSSC)**
 - B. **Approve the Beverage Operator License Application (new) for Elizabeth Reyes contingent upon payment of all delinquent City fees. (PSSC)**
 - C. **Approve the Temporary Class "B" (Picnic) Beer License Application for St. Gabriel Parish, 900 Geiger Street, for their Friday Fish Fry to be held on March 8, March 15, March 22, April 5 and April 12, 2019. (PSSC)**
 - D. **Approve the Preliminary Plat of the Integrity Acres Subdivision subject to the Preliminary Plat Review letter. (PC)**
 - E. **All voting aye.**

Public Services and Safety Committee

- I. Chairman Bates reported the regular meeting of February 12, 2019:
 - A. Committee recommends Council approve Public Works purchase of a 2019 Chevrolet Silverado 1500 extended cab work truck for use by Superintendent Radtke from Ewald Hartford Ford of Hartford for \$31,321.00 and an allowance of \$1,000 for a toolbox and road temperature sensor with funds coming from the Public Works 2019 Capital Equipment Budget. **MSCRP Bates/Hillstrom, all voting aye.**
 - B. Committee recommends a fee schedule resolution to increase the taxi cab license fee from \$25 to \$50 and to direct staff to prepare an update to the taxi cab licensing ordinance and to provide for a taxicab drivers fee (Resolution No. 2019-09). **MS Bates/Lang.**
 1. Ald. Kunz supported the concept of simplifying this process however expressed concern over spending time on this when Uber/Lift have taken over the taxi business. His concern is over directing staff to look at this. He would prefer discontinuing the fees all together.
 2. Ald. Boyette concurred questioning what makes a taxi service different than Uber/Lift.
 3. City Atty. Godlewski explained that the way Uber/Lift are structured we would need to contact the owner of the business and we have not done that. In larger cities, they are not licensing the drivers but the corporation itself. We would need to look into that when we come back to committee with a process.
 4. Ald. Boyette expressed concern that just because we have not contacted the other companies, they are not required to pay this fee but yet they can continue to provide rides for individuals.
 5. Ald. Bates advised that this is part of the direction the committee asked staff to look into. Part of the licensing review is to make sure they have the proper insurance.
 6. Ald. Boyette added that Uber drivers have to go through a background check. They also have to have insurance and a newer vehicle that is safety rated. They actually go through more strenuous checks than these taxi cabs. If we are not going to have everyone obtain a license, the she would prefer doing away with the taxi license.
 7. Mayor Kaufert indicated the first part of this motion is to bring our fees more in line with neighboring communities. The second part is asking staff to look into the matter and bring something back to committee.
 8. **Motion carried, by a 5-3 RollCall-Pro System vote, all voting aye, Ald. Steele, Kunz and Boyette voting nay.**
 - C. Committee recommends Council approve Ordinance 2019-06 revising the solid waste ordinance to allow single family residential premises to obtain an additional refuse and a recycling can with a fee to be established by the Common Council. (Ordinance No. 2019-06). **MS Bates/Lendrum.**

1. Ald. Kunz commented that if we are going to create a fee, it should be set across the board. He expressed concern over picking up garbage for non-profits when they do not pay. There are also some businesses that do not pay, however, you could argue they pay taxes. He feels this fee is not applied properly. Non-profits should have to pay.
2. **Motion carried, by an 8-0 RollCall-Pro System vote, all voting aye.**

Finance & Personnel Committee

- I. Chairman Erickson reported the regular meeting of February 18, 2019:
 - A. Committee recommends Council approve Resolution 2019-06 amending the Fee Schedule of the City of Neenah to provide for an Automated Collection Cart Swap Fee and an Additional Cart Annual Fee. **MSCR P Erickson/Lang, all voting aye.**
 - B. Committee recommends Council approve expenditures not to exceed \$38,000 to upgrade all devices on the city network to the Windows 10 Operating System (OS). Funding for this purchase will be a combination of \$35,000 that was approved in Information Systems 2019 CIP Budget and \$3,000 of unspent funds from the Door Swipe Access Control project in Information Systems 2018 CIP Budget. **MSCR P Erickson/Kunz, all voting aye.**
 - C. Committee recommends Council approval to purchase a Spectra Logic Storage solution from Heartland Business Systems at a cost not to exceed \$20,000. Funding for this purchase will be a combination of \$15,000 that was approved in Information Systems 2019 CIP Budget and \$5,000 of unspent funds from the Expanded Citrix Disaster Recovery Capabilities project in Information Systems 2018 CIP Budget. **MSCR P Erickson/Kunz, all voting aye.**
 - D. Committee recommends Council approve Resolution 2019-08 establishing the Interest Rate for Special Assessments Paid in Installments under Wis. Stats. §66.0715 at 5.00% for 2019 projects. **MSCR P Erickson/Lang, all voting aye.**

Board of Public Works

- I. Vice Chairman Hillstrom reported the meeting of February 26, 2019:
 - A. Information Only Items:
 1. The Board approved Pay Request No. 1 for chemical storage and feed modifications for the Water Utility to August Winter & Sons in the amount of \$112,575.00.
 - B. Council Action Items:
 1. The Board recommends Council award the bid for Washington Park Phases 3 and 4 to R & R Wash Materials from Ripon, the lowest qualified bid in the amount not to exceed \$1,101,556.04 for the base bid minus lighting deduct; accept Alternate Bid #2 Decorative Lighting in the amount not to exceed \$44,650 for a total project

award to R&R Wash Materials of \$1,146,206.04; and reject Alternative Bid #1 Harrison Street Parking. In addition, the Board recommends Council approve a 5% contingency for the project in the amount of \$57,310.30; and an allowance to bid out and direct purchase by the City, specific equipment in the amount of \$332,793. The funding for the project will be 2019 Washington Park CIP Budget of \$1,063,444.00; Washington Park Carry Forward Phase 2 (2018) \$219,791.97; Washington Park Carry Forward Phase 1 (2017) \$47,083.37; Stormwater Utility Off-set \$61,990.00; and Alternate Funding: (current) \$144,000.00 for a total of \$1,536,309.30, all voting aye. **MS Hillstrom/Kunz.**

- a) Dir. Kading responded to Ald. Lendrum indicating they are recommending to remove the lighting base bid in the amount of \$125,000 and replacing that with Alternate Bid #2 in the amount of \$44,650 to match the current lighting. As we are proposing to wrap up the project, the splash pad will be part of the construction project this year. It will also include a Discovery Ball Field which is a fully ADA accessible ball field. They are also looking at Whiffle Ball, T-Ball and other opportunities as well as two tennis courts and pickle ball courts. Connecting trail ways, lighting and infrastructure are also part of the project. He highlighted the fact that they continue to receive alternate funding. What that does is reduce the request for funding. There has been a great cooperative effort with the Neenah-Menasha Firefighters creating the splash pad in a firefighter theme. The firefighters and Park & Rec having been undertaking a fundraising for this splash pad. This is the last phase of Washington Park upgrades.
 - b) City Atty. Godlewski clarified that the motion is to award the contract to the low bid from R&R Wash Materials for the low bid of \$1,101,556.04 for the base bid minus lighting deduct; accept Alternate Bid #2 Decorative Lighting in the amount not to exceed \$44,650 for a total project award to R&R Wash Materials of \$1,146,206.04; and reject Alternative Bid #1 Harrison Street Parking.
 - c) Ald. Bates mentioned that the storm water is a portion of this.
 - d) Dir. Kading responded that they are working with Public Works and the Storm Water Utility to remove and replace the 24' storm water sewer line at the northeast corner of the current Park & Rec building. It makes sense to just do it now rather than in ten years from now.
 - e) **Motion carried, by a 6-2 RollCall-Pro System vote, all voting aye, Ald. Boyette and Lendrum voting nay.**
2. The Board recommends Council accept the Construction Administration Agreement from Ayres and Associates for Washington Park Phases 3 & 4 in the amount of \$25,000, utilizing 2019 Washington Park CIP Budget in the amount of \$25,000.

MSCRIP Hillstrom/Bates, all voting aye, Ald. Boyette and Lendrum voting nay.

- II. Vice Chairman Hillstrom reported the meeting of February 12, 2019: (Minutes can be found on the website)
- A. Information Only Items:
 - 1. The Board approved Pay Estimate No. 5 for Contract 2-18 Sewer and Water Main Construction and Street Construction on Cecil Street and Adams Street to David Tenor Corporation, Green Bay in the amount of \$318,061.67.
 - B. Council Action Items:
 - 1. The Board recommends Council approve the Final Payment for Contract 8-17 Commerce Court Pond Expansion and Storm Sewer Installation to Carl Bowers & Sons Construction, Kaukauna in the amount of \$35,401.00. **MSCRIP Hillstrom/Bates, all voting aye.**

Community Development Authority

- I. Dir. Haese reported from the Community Development Authority (CDA):
- A. The CDA closed on 502 Monroe Street on Monday.
 - B. The CDA has met all the conditions relative to the Loren's Salvage Yard acquisition. They are moving towards closing the end of March
 - C. The CDA continues to meet with interest property owners in the Gateway Redevelopment area to discuss possible future acquisition in that neighborhood.
 - D. The CDA is in the early stage of two downtown Development Agreements. Those will be before the Council sometime next month.
 - 1. Ald. Boyette questioned the timing of removing vehicles from Loren's Salvage Yard.
 - 2. Dir. Haese advised the once the closing takes place, they will be given 18 months to clear the vehicles.

Library Board

- I. Ald. Erickson reported from the Library Board meeting of February 20, 2019:
- A. The Library has a number of new programs. Ald. Erickson encouraged everyone to check out their website.
 - B. On March 5th the Library will show the movie, "Ralph Breaks the Internet".
 - C. On March 11th at 1:00 pm the Library will show, "Green Book" which is the Academy Awards – Best Picture.
 - D. The Light Therapy Box is available at the reference desk. If you are interested in trying the "Happy Light" that is available from the Reference Desk on the second floor of the Library.
 - E. Check the website for more programming available.

Neenah Arts Council

- I. Ald. Erickson reported from the Neenah Arts Council meeting of February 13, 2019:
 - A. March is Youth Art Month. There will be a Youth Art Exhibit at the Neenah Public Library. The Exhibit will be installed tomorrow. The opening reception will be Monday March 4th at 4:00 pm.
 - B. Members of the Neenah Arts Council are encouraged to attend the Opening Reception for the High School Glass Art Exhibit on March 8th from 5-7 pm. The Exhibit runs March 1st thru March 31st.
 - C. An Art after Dark event will be held on March 21st from 5-7 pm featuring "Young At Art".
 - D. Neenah Historical Society is holding fundraiser on Saturday March 9th at Bridgewood Resort Hotel. The band the Britains will be performing and a silent auction will be held. Profits go to the Neenah Historical Society.
 - E. Mayor Kaufert indicated the Neenah Arts Council has been doing some cool activities. The thanked them for what they do. He also thanked Bemis for the art donations they made. Residents can find these pieces throughout City Hall.

New Business

- I. Mayoral Proclamation No. 2019-01 declaring February 12th Snow Emergency. (Motion to ratify) **MSCR P Bates/Erickson, all voting aye.**
- II. Mayoral Proclamation No. 2019-02 rescinding Mayoral Proclamation No. 2019-01 declaring February 12th Snow Emergency. (Motion to ratify) **MSCR P Bates/Lang, all voting aye.**
- III. Mayor Kaufert's appointment to fill the unexpired term of Paul Seveska and Trina Woldt on the Neenah Arts Council for a three year term to expire April 2022. (To be considered at the March 20, 2019 Council meeting)
- IV. Mayor Kaufert advised that the City Garage has a lot of old garbage cans available. Citizens interested in these cans may pick them up for free.
 - A. Dir. Kaiser indicated at the moment, they are encouraging everyone to stay out of that area as it is being used for impounded cars from the mass pileup on Sunday. Once the drop off site is open, feel free to help yourself.
 - B. Mayor Kaufert advised that the opening day for the recycling center scheduled for March 1st has to be moved back because the City Garage is being used for impounded cars from the mass pileup on Sunday. Winnebago County has control of that lot for now and are not letting anyone in or out. They plan to move the opening of the drop off site back to March 18th.
- V. Mayor Kaufert offered his sympathy for former Mayor Marigen Carpenter. Last weekend her brother and sister-in-law were in a tragic accident in Colorado. Her brother Bill Braun remains in the hospital however his wife did not survive the accident. Anyone wishing to sign a sympathy card for former Mayor Carpenter can stop in the Mayor's office to sign a card.

- VI. Mayor Kaufert indicated he has had some discussions with City Atty. Godlewski regarding Rules changes and a possible Committee on Rules meeting. If anyone has any ideas they would like to see as rule changes, they should be shared with him or City Atty. Godlewski to be discussed at that meeting.
- VII. Dir. Kaiser reminded citizens to shovel around fire hydrants.
 - A. Mayor Kaufert added, time does matter. Look at the fire yesterday where an entire family on Shannon Street were displaced from their home.

Adjournment

- I. **MSC Lendrum/Boyette to adjourn at 8:18 p.m., all voting aye.**


Patricia A. Sturn, WCPC/MMC
City Clerk