

COMMON COUNCIL MINUTES
Wednesday, May 20, 2020 - 7:00 p.m.

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session virtually at 7:00 p.m., May 20, 2020.

Mayor Kaufert in the chair.

Present: Alderpersons Boyette, Bates, Lang, Lendrum, Erickson, Spellman, Steele, Kunz & Stevenson, Director of Finance Easker, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Godlewski and Deputy City Clerk Cheslock.

Also Present: Mike Norton, Deputy Dir. of Community Development & Assessment Schmidt, and Police Captain Bernice.

Mayor Kaufert called the meeting to order at 7:00 pm.

- I. Clerk Cheslock called a voice roll call. All members were present.
- II. **Introduction and Confirmation of Mayor's Appointments**
None
- III. **Proceedings**
MS Lendrum/Steele to approve the Council Proceedings of the regular meeting of May 6, 2020. There being no objections the motion was approved by unanimous consent.
- IV. **Public Hearing**
 - A. Consider Special Use Permit—521 S Commercial Street—Truck and Trailer Rental
 - There being no appearances, Mayor Kaufert declared the public hearing closed.
 - B. Consider Special Use Permit—112 Langley Boulevard—Wholesale Vehicle Sales
 - Scott Smith, 2513 Bishop Lane—owner of 112 Langley Blvd—is present to answer questions.
 - There being no further appearances, Mayor Kaufert declared the public hearing closed
- V. **Plan Commission Report Pertaining to the Public Hearings**
 - A. Council Rep. Lang reported from the Regular Plan Commission meeting of May 12, 2020:
 - a. Commission recommends Council approve a Special Use Permit for a truck and trailer rental sales business located at 521 S. Commercial Street subject to the conditions of the Approval Letter and based on the submitted site plan. The use shall have no more than 4 rental trucks on the north end of the site and 3 trailers along the south end of the site.

Council discussed the notice received by neighbors within 200 feet of the property, if this is the kind of use we want to see in such a prominent corridor of the City, the landscaping required as part of the special use permit and its location, the number of vehicles allowed on the property, the options to revoke the permit if the conditions of the letter are not followed, how the UHaul business will be operated out of the gas station, and the background of why these special use permits are required for this business and not others that have been grandfathered in as a permitted use. **MSCRP Lang/Boyette, carried on roll call 8-1, Erickson voted no.**

- b. Commission recommends Council approve a Special Use Permit for a wholesale and retail used vehicle sales business located at 112 Langley Boulevard subject to the conditions of the Approval Letter. Council discussed the option for the property owner to simply combine his two lots into one parcel to achieve the same thing, where landscaping will be present, how the driveways will be repaved, and other ways the site will be brought into compliance as part of this special use permit. **MSCRP Lang/Stevenson, all voting aye.**

VI. Public Forum

- A. Paula Pitch—210 Main Street—thanked the Council for taking action and reducing the fees of the liquor licenses. She shared that it has been a difficult time financially due to the shutdown. She expressed hope that Council would be able to provide similar help for the bartender license renewal fees and allow some kind of temporary outdoor seating option for bars and restaurants.
- B. Don Shuck—129 N Green Bay Road—ICU Bar & Grill—Shared the hardship his business has been under due to the shutdown, though they were open for takeout their business cannot be sustained on that alone. He reiterated the desire for an outdoor seating option for restaurants and bars.
- C. Laurie Davis—1102 Harris Street—Short Branch Saloon—also shared the current hardships their business is facing and stated the need for bartenders to receive assistance as well.
- D. There being no further appearances, Mayor Kaufert declared the public forum closed.

VII. Mayor/Council Consideration of Public Forum Issues

- A. Alderperson Bates asked the bar owners present what kind of changes they have made inside their establishments
 - ICU owner stated he had made a lot of changes inside including removing the pool table, spacing out tables, and adding a plexiglass divider across the bar.
- B. Alderperson Kunz asked if Community Development had any small business loans that would be of additional assistance to these businesses.

- Dir. Haese stated they did not have the kind of program they would need but the County of Winnebago still has a loan program in place with a deferred payment option.

VIII. Consent Agenda

- A. **MS Lendrum/Stevenson to approve the Consent Agenda as follows:**
1. **Approve Beverage Operator License Applications for Debra L. DeRoche, Ariaah Dubord, Karla Klundt, Janelle R. Potvin, and Andrea L. Reinke (PSSC)**
 2. **Approve the beverage operator license application for Michele L. Bauer contingent on payment of all delinquent City fees (PSSC)**
 3. **Approve the Class "A" and Class "B" Liquor/Beer License renewals, provided in Exhibit A of the agenda, contingent upon payment of all delinquent City fees (PSSC)**
 4. **There being no objections the motion was approved by unanimous consent.**

IX. Reports of Standing Committees

A. **Public Services and Safety Committee**

Chairman Bates reported the regular meeting of May 12, 2020:

1. Committee recommends Council approve for the next year the "Class B" Intoxicating Liquor license fee be reduced from \$350 to \$50, the Class "B" Malt Beverage license fee be reduced from \$100 to \$10, and late fees be waived.

Council discussed the late fees and when fees are generally due, the potential for monetary loss to the City, the risk the City is taking by reducing these fees, the option to reduce the fees by half or allow for a later due date of the fees, the importance of helping businesses when possible and the hardships they are facing due to closures, the potential to also reduce fees for the bartender licenses renewals,

MS Stevenson/Bates to amend the motion to reduce fees by 50%, bringing the \$350 Class B Liquor License fee to \$175 and the \$100 Class B Beer fee to \$50 for an annual total of \$225.

Council discussed fee totals, if license holders need both licenses, the budgetary concerns, the importance of helping businesses and the long term issues businesses are facing, and how refunds will be processed.

Motion fails on roll call 4-5; Alderpersons Boyette, Erickson, Bates, and Stevenson voted yes.

No further discussion.

Original Motion-MSCRП Bates/Lendrum, all voting aye.

2. Committee recommends Council approve Neenah Police Department participation in the Winnebago County Speed Task Force 2020 Summer Speed Enforcement Grant from June 1 to September 30, 2020.

Council discussed how this will be implemented due to all the recent accommodations at the police department. Captain Bernice shared the time line for transitioning jail operations back to normal beginning June 1. This program does not begin until the end of June. Captain Bernice

also stated that this is an overtime grant so if we do not have time to put out the additional patrols we are not required to do so. Last year these deployments were all filled by patrol officers.

MSCRP Bates/Lendrum, all voting aye.

3. Committee recommends Council approve a Distribution Easement—Underground for We Energies work request 4491109 on the Tullar Road Garage site.

No discussion.

MSCRP Bates/Lendrum, all voting aye.

X. Reports of special committees and liaisons and various special project committees

A. Board of Public Works

Vice Chairman Bates reported the meeting of May 12, 2020:

1. Information Only Items:

- a. The Board approved Change Order No. 1 for Contract 5-20, Miscellaneous Sewer and Water Main Construction on Lakeshore Avenue to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$5,515.45 for water service boring.
- b. The Board approved Change Order No. 1 for Contract 7-19, Breezewood Lane and Harness Farm Sanitary Sewer Construction to Dorner, Inc., Luxemburg, in the amount of \$5,105.45 for manhole size change
- c. The Board approved Pay Estimate No. 2 for Contract 1-20 Sewer and Water Main and Street Construction on Abby Ave, Clybourn Street, Bond Street, and Center Street to Kruczek Construction, Inc., Green Bay, in the amount of \$353,850.99
- d. The Board approved Pay Estimate No. 2 for Contract 2-20, Miscellaneous Sewer and Water Main Construction on Van Street and Monroe Street to Carl Bowers & sons Construction Co., Inc., Kaukauna, in the amount of \$670,525.00
- e. The Board approved Pay Estimate 2 for Contract 5-20, Miscellaneous Sewer and Water Main Construction on Lakeshore Avenue to Robert J. Immel Excavating, Inc., Greenville, in the amount of \$227,201.91

B. Board of Public Works

Vice Chairman Bates reported the meeting of May 20, 2020

1. Council Action Items:

- a. The Board recommends Council Award Contract 4-20, Water Main and Concrete Street Construction on Green Bay Road, Tullar Road, and Marathon Avenue to Vinton Construction Co. for the low bid in the amount of \$1,237,337.88. **(RollCall)**

Director Kaiser explained the work being completed in this project as described in the May 20 Board of Public Works minutes, which can be found on the City web site.

Council discussed the incentive attached to the project to get the work done more quickly and have fewer days of road closures, the discretionary funds applied for not being granted, and pre-construction start date scheduled for June 1, with construction on Tullar Road beginning June 8 and taking 30 days. Council also discussed the size of this project and quickly it has been passed through the Board to Council. It was noted that this project was previously approved as part of the Capital Improvement Program. Council discussed where this project falls within the budget, the options to remove some epoxy work to reduce the bottom line, how water projects are approved, and the options in the future for this kind of project to be broken down ahead of time for the Council to review.

MSCRP Bates/Lang, motion passes 8-1, Alderperson Kunz voted no.

C. Community Development Authority

No Report

D. Library Board

Alderperson Erickson reported from the Library Board meeting of May 20, 2020

1. Since the library has started curbside pick up they have distributed over 4500 items
2. They have changed the pick up location to the circle so now patrons do not need to reserve a time but can simply call the library when they have arrived and library staff will bring out their reserved items.
3. The library plans to open June 8 and are working out the details of what that will look like, for example limited the amount of time a person can spend in the library, limiting the number of people in the library at a time, plexiglass barriers throughout the library and around computer screens. Further updates will be provided to Council as they are decided.

E. **Neenah Arts Council**

Alderperson Erickson reported from the Neenah Arts Council meeting of May 13, 2020.

1. The Council discussed virtual art projects; however it has been difficult to plan any initiatives as they do not know how things will be moving forward.
2. May 27th is the Neenah High School graduation. A procession will be held at 11am starting from the High School to Cecil Street to South Park and Riverside and then through the downtown. The Police Department is involved to assist with traffic control.
3. The Council has worked with many businesses to put congratulatory text on their electronic messaging boards. The Council asks citizens

to wear red and white in support of the seniors on that day to show support.

XI. Petitions
None

XII. Council Directives
None

XIII. Unfinished Business

A. Director Easker and Mayor Kaufert have been working on the Capital Improvement Plan and workshops are tentatively scheduled for June 22 and 24 with Council adoption on July 1. Council discussed their availability of these dates and the expectation of holding in person meetings at that time.

XIV. New Business

A. At the request of the Mayor—Resolution No. 2020-09: A Resolution Waiving Interest on Property Tax Payment Installments due on or after April 1, 2020.

1. Mayor Kaufert shared the background on this Resolution as it had to be adopted first by Winnebago County. As a municipality we need to mirror what the County has passed, which limits our options. An amended Resolution was emailed to the Council by Attorney Godlewski for review and adoption tonight.
2. **MS Stevenson/Lendrum to approve Resolution 2020-09: A Resolution Waiving Interest on Property Tax Payment Installments due on or after April 1, 2020**
3. Council discussed the language included in the resolution and if the City can change anything from what the County passed.

B. Mayor's appointment to the Board of Review

C. Mayor's appointment to the Loan Assistance Board

D. Mayor Kaufert asked Council their preference on how they would like staff to proceed regarding outdoor extension of premises for bars and restaurants for the serving of alcohol and food.

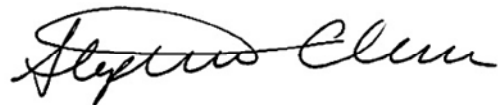
1. Dir. Haese stated there is already a template for this as our ordinance already allows for extension of premises and sidewalk cafes. Generally these are reviewed by staff but approved through committee and Council. Staff is looking for this to be a staff run and approved program due to the limited timeframe that businesses will be able to take advantage of the extension.
2. Council discussed what changes will be made to the current ordinance, how public right of way will be affected, the temporary aspect of any changes, the importance this could have for local restaurants and bars to increase business and draw in for customers while also keeping them safe, if action can take place

tonight, and when a special meeting could take place in order to pass an amended ordinance.

- E. Mayor Kaufert shared his proclamation honoring the 2020 graduates of Neenah High School
- F. Mayor Kaufert updated the Council on how staff and City Hall has been handling the COVID-19 closures and plans to reopen. Council discussed when they may be having in person Council meetings again.

XV. Adjournment

- I. **MSC Stevenson/Boyette to adjourn at 10:21 p.m., all voting aye.**



Stephanie Cheslock
Deputy City Clerk