

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, February 13, 2024, 6:30 PM

Present: Alderpersons Borchardt, Hillstrom, Lendrum, Stevenson, and Weber

Excused:

Also Present: Mayor Lang, Alderperson Boyette, City Attorney Raschid, Public Works Director Kaiser, Community Development Director Haese, Police Chief Olson, Assistant Police Chief Bernice, Deputy Director of Community Development Schmidt, City Clerk Nagel, Assistant Planner Kasimor, Community Development Specialist Jefferson, Public Works Office Manager Mroczkowski, Elise Evenson, Carl Evenson, Scott Becher, Brian Roeh, Adam Hendryx, and Kristen Sandvick

Motion/Second/Carried by Hillstrom/Borchardt to approve the minutes of the Meeting of January 30, 2024. All voting aye.

Public Appearances:

Carl Evenson, 657 Belmont Ct. – Mr. Evenson spoke in regard to the street construction project that is scheduled to be done this year on Belmont Court. Mr. Evenson stated that he and His wife Elsie Evenson request that, in the expansion of the Belmont Court cul-de-sac circle, that the parkland owners and the homeowners share equally the sacrifice of currently occupied land required by the expanded roadway circle. He stated that the planned expanded circle would take 18' of his front lawn.

Brian Roeh, 146 Hazel St. – Mr. Roeh spoke regarding the Douglas Pond. He asked if anyone on this council has gone to Douglas Park to visualize how much will be lost by this pond and if council members have talked to residents of the neighborhood. Mr. Roeh asked if staff discussed with the Galloway Company of building the pond on their property and if the Galloway expansion would have been possible without converting Douglas Park into a retention pond. Mr. Roeh spoke in regard to the fence that was added to the plan near the playground, what the temperature will be from the Galloway water discharged into the pond, the easements that are being requested from Galloway and why the parkland is not having to be rezoned from R1 Residential to A2 Industrial. Mr. Roeh further spoke regarding what the city's plans are for future stormwater retention ponds and stated that he does not believe that dedicating valuable real estate for wet and dry ponds is the most effective use of property.

Scott Becher, 1061 Green Acres Ln. – Mr. Becher spoke regarding the fence that has been added to the design plan for the Douglas Pond. He stated that he is pleased to see that a fence has been added. He stated that he would like the city to consider installing an Emergency Blue Light Phone Box in the park.

Elsie Evenson, 657 Belmont Ct. – Mrs. Evenson spoke in regard to the street construction project that is scheduled to be done this year on Belmont Court. She stated that she understands that there is right-of-way and is not challenging that. She stated that she would like the city to take into consideration that the plat map for this street is from 1964. Mrs. Evenson stated that the park is moderately used and would like the land use for the new cul-de-sac to be equally shared by all the property owners. She stated that she would like to have on-site visits by staff before a final plan is approved.

Kristen Sandvick, 312 Caroline St. – Ms. Sandvick introduced herself as a candidate for alderperson in District 1.

Adam Hendryx, 641 Belmont Ct. – Mr. Hendryx spoke in regard to the street construction project that is scheduled to be done this year on Belmont Court. He stated that he bought his house in 2018. He stated that he is against curb and gutter being installed on the street. He stated that there is no need for it because there are no drainage issues but rather grading issues. Mr. Hendryx stated that there is no Wisconsin Department of Natural Resources (DNR) or Environmental Protection Agency (EPA) mandate that streets have curb and gutter. He stated that installation of curb and gutter is part of the city standard specifications. Mr. Hendryx stated that he would like city staff to consider moving the fire hydrant that is being installed in front of his house be moved to the park side of the street. He stated that he has questions regarding how handicapped residents are taken into consideration during the project, when the project will be approved and when the bids are due.

Aldersperson Lendrum stated that the contractors are very willing and accommodating for the elderly and handicapped.

Director Kaiser stated that the Final Resolution, after being acted on at this meeting tonight, will go to the Common Council next Wednesday, February 21 for approval. He stated that the bid was opened on February 5 and was approved at the Board of Public Works today. Director Kaiser stated that it will now go before the Common Council next Wednesday, February 21 for award as presented at the public informational open house and public hearing.

Director Kaiser reviewed and explained the steps and meaning of the final resolution and what is meant when a contract is awarded in relation to the design of the project.

Aldersperson Borchardt asked why the design of the cul-de-sac is not using park land.

Director Kaiser stated that the plat as it was established in 1964 in regard to legal boundaries, established the limits to the road right-of-way and the area that can be used for transportation purpose. He stated that the plat map also established the property lines for each of the properties on Belmont Court. He stated that he can't work outside of that right-of-way.

Director Kaiser stated that the design being proposed is well within the right-of-way. He stated that the bulb is skewed as close to the parkland as is allowed while still staying in the right-of way.

Aldersperson Borchardt stated that this could be changed by the Council. Director Kaiser stated that involves legal issues with park land.

Aldersperson Borchardt stated that it makes logical sense to share the land needed to put the bulb in with the parkland, but understands there may be legal constraints to doing that.

The Committee further discussed the use of the parkland, plan design approval, right-of-way, shifting the road to the west, utility location and possible increase to utility assessments if road was shifted, city truck and emergency vehicle access, and the type of curb that is going to be installed.

Aldersperson Lendrum closed Public Appearances.

Motion/Second/Carried by Stevenson/Weber to amend agenda and discuss agenda item No.9: All voting aye.

Final Resolutions 2024-01: Installation of sanitary sewer laterals and water services for properties serviced on the following: Bayview Road, Belmont Avenue, Belmont Court, Cedar Street, E. Doty Avenue, North Street, Quarry Lane, Stevens Street, and S. Park Avenue.

Following Discussion: Motion/Second/Carried by Stevenson/Borchardt to recommend the Common Council approve Final Resolution 2024-01: Installation of sanitary sewer laterals and water services for properties serviced on the following streets: Bayview Road, Belmont Avenue, Belmont Court, Cedar Street, E. Doty Avenue, North Street, Quarry Lane, Stevens Street, and S. Park Avenue.
All voting aye.

Police Department-Barrier System Purchase

Assistant Police Chief Bernice reviewed his memo of January 16, 2024, and provided a background as to why the police department is requesting funding for a barrier system. He stated that since 9/11, cities and emergency agencies have reviewed and changed their operating procedures on events to try and prevent terrorist and soft target attacks. He stated that the barrier system will secure the perimeter of City of Neenah events and activities and will provide a safety plan for the agency of jurisdiction. Assistant Chief Bernice stated that this task is the primary focus of law enforcement that utilizes other key players to support the mission. He stated that developing mitigation strategies to

deter harmful events is the top priority since all demographics of the community, from children to the elderly, attend these special events.

Assistant Chief Bernice stated that the barrier system is a device to help save lives and prevent any type of problem within our city. He stated that the \$245,860.09 will come from 2024 Capital Improvement Plan funds.

Aldersperson Borchardt asked if this funding is in addition to the Spirit Funds that the city applied for through Winnebago County. Assistant Chief Bernice stated that is correct. He stated that if the city does get awarded Spirit funds, those funds would be used to purchase additional barriers that would be used for deployment along the parade route and bring the city's total barrier count to 63.

Mayor Lang stated that Winnebago County did recommend award of Spirit funds to the City of Neenah. She stated that the county will vote on it at the next County Board meeting.

Report
Following Discussion: Motion/Second/Carried by Hillstrom/Stevenson to recommend the Common Council approve the purchase of 28x Meridian Archer 1200 barriers, two Meridian Drop Down Trailers and miscellaneous accessories at the cost of \$245,860.09 from the 2024 Capital Improvement Plan Funds. All voting aye.

Houses to Homes (Affordable Housing Program)

Community Development Specialist Jefferson reviewed her memo of February 5, 2024. She stated that Wisconsin Tax Incremental Finance (TIF) law was modified in 2009 to allow communities to extend the life of a Tax Incremental District (TID) by one year for the purposes of benefiting affordable housing and improving the housing stock of their community. She stated that the extension allows a community to collect one additional year of tax increment and utilize at least 75% of those funds to benefit affordable housing and the remaining 25% can be used to improve the housing stock of the community. Community Development Specialist Jefferson stated that the City of Neenah TIF Districts 5 and 6 successfully closed in 2023 after an allowed one-year extension. The extension provided more than \$800,000 to fund a dedicated affordable housing initiative.

Community Development Specialist Jefferson stated that the Houses Into Homes program would consist of two sub-programs: Curb Appeal and Refresh and Renew. She stated that the Curb Appeal program would be for projects that are primarily exterior and could include landscaping, roofing, windows, siding, painting, and front stoop repair/replacement. Community Development Specialist Jefferson stated that the successful applicants with eligible projects at qualified properties would receive a grant to reimburse up to 50% of project costs for owner-occupied properties and up to 25% of project costs for residential investment properties. She stated that this grant would

provide a maximum match of \$5,000 and landscaping projects would have a maximum match of \$250.

Community Development Specialist Jefferson stated that the Refresh and Renew program is for larger, comprehensive projects that could include projects that exceed the grant amounts in the Curb Appeal project and could also include mechanical upgrades and kitchen and bath remodels. She stated that the applicants would apply for a loan through the city which would provide eligible projects with 0% interest, deferred mortgage loans for up to 50% of project costs (owner-occupied) and 25% of project costs to investment properties. Community Development Specialist Jefferson stated that the Loan Assistance Board will have final determination on approval and loan details for the Refresh and Renew portion of the program, loan repayment would be required at the time the property sells and refinancing will be reviewed on a case-by-case basis.

Community Development Specialist Jefferson noted that the program will be piloted on Doty Island and then broadened as we gain experience with it. She noted that eligible properties are single family properties with a value of \$209,000.00 or less and two-family properties with a value of \$267,000.00 or less

Aldersperson Borchardt asked how this program will be advertised. Community Development Specialist Jefferson stated that social media, post cards, Mayor's newsletter, and webpage will be used.

Aldersperson Stevenson asked how many eligible homes in the piloted area. Deputy Director Schmidt stated that there are 711 single family homes in the program piloted area.

Aldersperson Stevenson asked if staff plans on expanding the scope of this program and if so, how does the city assure there is funding for the project expansion. Community Development Specialist Jefferson stated that there is only \$200,000.00 budgeted in the first year. She stated that staff wants to use the first year to gauge the success of the program.

Aldersperson Weber asked how the curb appeal applications will be handled. Community Development Specialist Jefferson stated that those would be handled internally with staff.

Following Discussion: Motion/Second/Carried by Borchardt/Hillstrom to recommend the Common Council approve the creation of the Houses Into Homes program as recommended by the Department of Community Development and funded with proceeds from the affordable housing tax incremental district one-year extension. All voting aye.

Motion/Second/Carried by Stevenson/Borchardt to amend agenda and move agenda item No.5 to the end of the agenda and discuss after agenda item No.10.
All voting aye.

S. Commercial St. Reconstruction Project-Storm Sewer Amendment Request

Director Kaiser reviewed Traffic Engineer Merten's memo of February 9, 2024. Director Kaiser stated that Westwood Professional Services, design consultant for the 2025 S. Commercial Street reconstruction project, prepared a storm sewer design for the S. Commercial Street reconstruction project based on design standards required for Wisconsin Department of Transportation (WisDOT) highways. He stated that this resulted in a severe increase in the amount of proposed storm sewer infrastructure, adding significant cost to the project and maintenance over the long-term. He stated that City staff negotiated with WisDOT to adjust criteria to help reduce the number of structures while still providing adequate flood control. Director Kaiser stated that as this requires Westwood to make substantial changes to the model they have prepared, Westwood has put forth the attached change order in the amount of \$10,560. He stated that this amendment also includes revisions to a street corner to avoid a private sign relocation and real estate acquisition.

Aldersperson Stevenson asked for clarification that this contract amendment is not related to the Douglas Pond. Director Kaiser stated that is correct.

Following Discussion: Motion/Second/Carried by Borchardt/Weber to recommend the Common Council approve Westwood Professional Services to perform a redesign of the storm sewer for the S. Commercial Street reconstruction project for an amount not to exceed \$10,560.00, which shall be funded with the S. Commercial Street design dollars. All voting aye.

Bridge over Neenah Creek-Consultant Contract Amendment

Director Kaiser reviewed his memo of February 9, 2024. He stated that during design work on the Neenah Creek Bridge for the Bridgewood Apartment development, some discrepancies were encountered among the various hydraulic models used along Neenah Creek that needed to be resolved in order to get the bridge permitted. He stated that the work needed was outside of the original scope of services on the bridge design contract because the expectation was that existing models would correspond. He stated that was not the case and additional hydrologic work was needed for the city to get DNR approval and eventually FEMA approval.

Director Kaiser stated that attached is Amendment #1 in the amount of \$31,600. He stated that the original contract with GRAEF for design and construction administration was for \$149,878.39, with the amendment, the revised contract amount is \$181,478.39.

Aldersperson Borchardt asked if the consultant should have expected this or is this something that is out of the ordinary. Director Kaiser stated that between bridge, trail and apartment, the expectation was that all of the projects would be based off the same data so the information would be consistent between all three projects.

Report

Following Discussion: Motion/Second/Carried by Weber/Hillstrom to recommend the Common Council approve Contract Amendment 1 for design and construction administration services on the Neenah Creek Bridge with GRAEF-USA, Inc., in the amount of \$31,600.00. All voting aye.

Douglas Pond-Contract for Design Services

Director Kaiser reviewed his memo of February 9, 2024. He stated that earlier this month he provided the Council with a review of the professional services used to date for analysis and plan development for the Douglas Pond. He stated that he had authorized contracting with Westwood Professional Services for those services because of their knowledge of the Commercial Street area due to their storm sewer and street design work along with their knowledge of the Harrison Pond watershed due to their assistance with hydraulic modelling on that project.

Director Kaiser stated that, given the additional work needed due to design changes resulting from the discussions with the Parks & Recreation Commission and continued staff evaluation of the project and the concerns expressed at the January 30 PSSC meeting about the approval process used for contracted services, we arranged with Westwood to end the prior agreement and start fresh with a contract for services necessary to bring the final plans and specifications to completion.

Director Kaiser stated that the scope of work provided involves changes both to the pond layout and to the storm sewer piping leading to the pond – including changes to the S. Commercial Street storm sewer design and submittals for the permitting necessary to construct the project. He stated that staff recommends that Council approve the contract with Westwood Professional Services for design services on the Douglas Pond at a cost of \$45,300.00.

Aldersperson Hillstrom asked if the map of the pond, is the final pond design. Director Kaiser stated that is the concept that Westwood will be working from.

Aldersperson Lendrum asked that the map be made available for residents. Director Kaiser stated that he will have staff put the map on the website.

Aldersperson Borchardt asked what the temperature of the Galloway water discharge will be. Director Kaiser stated that he would have to check with the Galloway Company.

Aldersperson Stevenson asked what the funding source is for this contract. Director Kaiser stated that we are using the Detention Pond Capital budget account.

Following Discussion: Motion/Second/Carried by Hillstrom/Stevenson to recommend the Common Council to approve the contract with Westwood Professional Services for design services on the Douglas Pond at a cost of \$45,300.00. All voting aye.

Public Works General Construction and Department Activity Report

- 1) Contract 7-21 (Harrison Pond): Storm and sanitary sewer work is complete and the pond is functioning. Stone work on the water feature is complete. Pumps were installed 11/15. We are awaiting the meter socket for the electric service. A number of punchlist items remain to be completed – retaining wall staining, overseeding along Harrison Street and trail grading. Trees that have not survived will be replaced in spring 2024.
- 2) Contract 1-23 (Chestnut, Burr, Dieckhoff, Laudan Utility and Street Construction): Utility work, curb/gutter installation and landscaping are complete. A binder course of asphalt has been paved. The top-coat of asphalt will be paved in spring 2024.
- 3) Contract 7-23 (High, River Utility and Street Construction): Utility work, curb/gutter repairs and landscaping are complete. A binder course of asphalt has been paved. The top-coat of asphalt will be paved in spring 2024.
- 4) Neenah Creek Bridge: The bridge railings were placed but other work is halted until spring. The remaining work is parapet staining, the east approach paving and trail repairs.
- 5) Contract 1-24 (Belmont Ct, Belmont Av, Cedar St, Stevens St- Utilities and Street): Bids were opened on 2/5/2024. The Board of Public Works will review the bids at their 2/13 meeting.
- 6) Contract 2-24 (E. Doty Av - Utilities and Street): Bids are scheduled for opening on 2/28/2024.
- 7) Contract 3-24 (Bayview Rd, Commercial St Water Crossings, Quarry Ln, Reed St - Utilities and Street): Bids are scheduled for opening on 2/28/2024.
- 8) Contract 4-24 (S. Park Avenue Easement – Utilities): Bids are scheduled for opening on 2/28/2024.
- 9) North St, Utilities and Street – This project involves both Neenah and Fox Crossing. A draft intergovernmental agreement has been provided to Fox Crossing for review. The agreement used with Menasha for the Abby Avenue project was used as a template for the North Street project.

10)Automated Truck Replacement – The automated truck purchase that was approved at the Feb. 7 Council meeting should be arriving in the next week or two.

The 2023-2027 CIP includes the replacement of another automated collection truck in 2025 (page 111). Similar to what happened with the recent truck purchase, Superintendent Radtke was informed by the vendor that they have two chassis for that truck that will be available by the end of 2024 that the vendor needs to claim, or they will be assigned elsewhere. The vendor has asked if we are interested in claiming one of them. Last year, the consensus of the committee was to confirm our interest with the vendor provided there was an ability to back out. We were able to work that out with the vendor. We would like to take the same approach this year.

The Committee's consensus was to secure at least one chassis and directed staff to discuss acquiring the second one that is currently available with vendor.

Director Kaiser stated that staff met with TDS Telecom today regarding their ongoing fiber project in Neenah. He stated that they are going to be slowing down the work in Neenah and focusing on service drops.

Director Kaiser stated that the 2024 punch cards will be mailed out to residents the week of February 19.

The Public Services & Safety Committee may convene into closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or the conducting of other specified public business as long as competitive or bargaining reasons required closed session related to land acquisition adjacent to or in the vicinity of the downtown area.

Motion/Second/Carried by Stevenson/Borchardt for the Public Services & Safety Committee may convene into closed session in the pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or the conducting of other specified public business as long as competitive or bargaining reasons required closed session related to land acquisition adjacent to or in the vicinity of the downtown area. The Public Services and Safety Committee may reconvene into open session to take action on the item discuss in closed session, all voting in a voice vote of aye.

The Public Services & Safety Committee may reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

The Public Services and Safety Committee went into closed session at 7:48 PM. Discussion was held for the purpose of developing strategy related to potential land acquisition adjacent to or in the vicinity of the downtown.

The Committee adjourned in closed session at 8:54 PM Motion/Second/Carried Stevenson/Weber. All voting aye.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lisa Mroczkowski".

Lisa Mroczkowski
Public Works Office Manager