



City of Neenah
COMMON COUNCIL AGENDA
Wednesday, July 5, 2023 at 7:00pm
Neenah City Hall – 211 Walnut Street
Council Chambers

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. None.
- III. Approval of Council Proceedings
 - A. Approval of the Council Minutes and Proceedings of June 21, 2023 regular session. **(UC)**
- 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.
- V. Mayor/Council consideration of public forum issues
- VI. Consent Agenda
 - A. Temporary Extension of Licensed Premises Application, Copperstill Bourbon Bar, 211 E Wisconsin Avenue, for a charity fund raiser event to be held Friday, July 14, 2023 from 4:00-10:00PM. **(PSSC)**
 - B. **(UC)**
- VII. Reports of standing committees
 - A. Special Public Services and Safety Committee meeting of July 5, 2023: (Chairperson Lendrum/Vice Chairperson Hillstrom)
 1. Consideration of Committee recommendation regarding Preliminary Resolution 2023-14: Installation of 2-Inch Asphalt Mat Overlay for properties within the Freedom Acres Subdivision. **(RollCall-Pro)**
 2. Consideration of Committee recommendation regarding Preliminary Resolution 2023-15: Installation of 2-Inch Asphalt Mat Overlay for properties within the Homes at Freedom Meadows Subdivision **(RollCall-Pro)**
 3. Consideration of Committee recommendation regarding Original Transfer of regular "Class B" Combination Intoxicating Liquor and Fermented Malt Beverage License from Sherrytown Station, LLC, to Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street. **(RollCall-Pro)**

- B. Regular Public Services and Safety Committee meeting of June 27, 2023: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - 1. Meeting was cancelled, no report.
- C. Regular Finance and Personnel Committee meeting of June 26, 2023: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)
 - 1. Meeting cancelled, no report.
- D. NMFR Joint Finance & Personnel Committee meeting of June 27, 2023: (Alderperson Borchardt) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve the 2024 cost distribution formula with the City of Neenah share at 60.34% and the City of Menasha at 39.66%. **(RollCall-Pro)**
- VIII. Reports of special committees and liaisons and various special projects committees
 - A. Regular Plan Commission meeting of June 27, 2023: (Council Rep Steiner) (Minutes can be found on the City web site)
 - 1. Meeting cancelled, no report.
 - B. Board of Public Works meeting of June 29, 2023: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - 1. Information Only Items:
 - a) The Board approved Pay Request No.3, Contract 1-23, Don E. Parker Excavating, for Sanitary Sewer, Water Main and Street Construction on Burr Avenue, Chestnut Street, Dieckhoff Street, and Laudan Boulevard, in the amount of \$311,103.54.
 - b) The Board approved Pay Request No.1, Contract 2-23, David Tenor Corporation, for Sanitary and Storm Sewer, Water Main and Street Construction on Brantwood Drive, Brantwood Court, Charles Court, Hughes Court, Memorial Court and Patrick Court in the amount of \$244,989.80.
 - c) The Board approved Pay Request No.2, Contract 2-23, David Tenor Corporation, for Sanitary and Storm Sewer, Water Main and Street Construction on Brantwood Drive, Brantwood Court, Charles Court, Hughes Court, Memorial Court and Patrick Court in the amount of \$318,098.95.
 - d) The Board approved Pay Request No.3, Contract 5-23, MCC Inc., for Street, Curb and Gutter, Sidewalks and Apron Construction in Arthur Plat, Cardinal Plat, Integrity Acres, 1st Addition to Integrity Acres, and Liberty Heights in the amount of \$539,829.58.
 - e) The Board approved Pay Request No.3, Contract 6-23, Donald Hietpas & Sons, Inc., for Sanitary and Storm Sewer, Water Main and Street Construction on Columbian Avenue and Beaulieu Road in the amount of \$67,275.15.

2. Council Action Items:
 - a) The Board recommends Council Award Contract 8-23, Re-Roof Office Area at City Service Building, 1495 Tullar Rd, to JT Rams, LLC, Saukville WI, in the amount of \$61,061.00. **(RollCall-Pro)**
 - C. Community Development Authority
 1. Report from the CDA – Director Haese
 - D. Sustainable Neenah Committee
 1. Report from the Sustainable Neenah Committee – Alderperson Lendrum
 - E. Bergstrom Mahler Museum
 1. Report from the Bergstrom Mahler Museum – Alderperson Borchardt
 - F. Parks & Recreation Commission
 1. Report from the Park Commission – Alderperson Weber
- IX. Presentation of petitions
- A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
- X. Council Directives
- A. CD No. 2023-02 to recommend 2017 Wisconsin Act 243 and City of Neenah Ordinance 26-27(7) be reviewed by the Community Development Director Haese and City Attorney Rashid for their recommendation on the appropriate action, if any, by the end of next month.
- XI. Unfinished Business
- XII. New Business
- A. Any announcements/questions that may legally come before the Council.
- XIII. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the Clerk’s Office (920) 886-6100 or the **City’s ADA Coordinator at (920) 886-6106 or e-mail attorney@ci.Neenah.wi.us** at least 48 hours prior to the scheduled meeting or event to request an accommodation.

Common Council Minutes
Wednesday, June 21, 2023 at 7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, June 21, 2023, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Erickson, Hillstrom, Lendrum, Steiner, Stevenson, Skyrms, and Weber. Council President Borchardt was excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Rashid, and City Clerk Nagel.

Also Present: Police Chief Olson and Assistant Police Chief Bernice.

Mayor Lang called the meeting to order at 7:00 p.m.

- I. The Mayor/Alderpersons recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Alderperson Steiner led the Pledge of Allegiance.
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. None.
- III. Approval of Council Proceedings
 - A. Approval of the Council Minutes and Proceedings of June 7, 2023 regular session.
 - B. Approval of the Committee of the Whole Minutes of June 7, 2023.
There being no objections, the Council Minutes and Proceedings of June 7, 2023, and the June 7, 2023 Committee of the Whole were ordered approved as written 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.
Mayor Lang opened the Public Forum at 7:05 PM.

Wendy Szczaepanski, 1037 Oak Street – Spoke on the city's noise ordinance as it pertains to fireworks. Fireworks are going off at all hours of the night in Ms. Sacaepanski's neighborhood and she is wondering why the police are not enforcing the rules. She understands the exception to the rule is July 4th, but there are fireworks well before and after the holiday. Pets should not have be drugged so that someone can light off fireworks. Veterans should not have to deal with PTSD so someone can light off fireworks. Would like Neenah to set the standard by taking action on those who set off fireworks prior to and after the 4th of July.

Seeing no additional appearances, Mayor Lang closed the public forum at 7:08 PM.
- V. Mayor/Council consideration of public forum issues.
 - A. Mayor Lang offered to meet with Ms. Szczaepanski to talk about the fireworks situation.
- VI. Consent Agenda

- A. Approve Temporary Class "B" (Picnic) License to St. Margaret Mary Parish for their Parish Picnic at 439 Washington Avenue to be held on August 6, 2023. (PSSC)
- B. Approve Temporary Class "B" (Picnic) License to Fox Valley Area Labor Council 157 S Green Bay Road for Labor Fest 2023 to be held on September 5, 2023. (PSSC)
- C. Approve Temporary Extension of "Class B" License to Laura Nelson, Firelite, Inc., 1171 Gillingham Road for the 25 Year Customer Appreciation Celebration to be held on July 8, 2023, from 11 AM to 6 PM. (PSSC)
- D. **(UC)**

There being no objections, the Consent Agenda is approved as written by unanimous consent.

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of June 13, 2023: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - A. Committee recommends Council adopt Resolution 2023-12 Compliance Maintenance Annual Report (CMAR) of the city's sewer collection system submitted annually to the Department of Natural Resources. **(RollCall-Pro) MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.**

Discussion: Alderman Lendrum advised that Neenah typically receives an A rating on the CMAR report and did again this year.
 - B. Committee recommends Council approve the purchase of the Vactor2100i, 2023 Combination Sewer and Hydraulic Vac Truck from MacQueen Equipment in the amount \$509,419.00 and the purchase of a new 2-way radio and communication set for an amount not to exceed \$2,500.00 with funding source being Capital Equipment Budget of \$525,000.00. **(RollCall-Pro) MSCRP Lendrum/Borchardt to approve as recommended by committee, all voting aye.**
 - C. Committee recommends Council approve the purchase of 648, 95-gallon carts, from Sierra Container Group in the amount of \$37,404.20 with \$17,000.00 coming from the 2023 Capital Equipment budget and the remainder of \$20,404.20 being funded with Capital Equipment Reserve funds. **(RollCall-Pro) MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.**
 - D. Committee recommends Council approve a 50/50 cost share for the amount in excess of escrow for the installation of the two-inch asphalt mat at Freedom Acres and Homes at Freedom Meadows with a 5-year installment payback option. **(RollCall-Pro)**

MSCRP Lendrum/Boyette to approve as recommended by committee, all voting aye.

- B. Regular Finance and Personnel Committee meeting of June 12, 2023: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)
- A. Committee recommends Council approve the purchase of a new laminator in the amount of \$3,600 to be funded from the capital equipment reserve fund. **(RollCall-Pro)**
MSCRP Erickson/Hillstrom to approve as recommended by committee, all voting aye.

Discussion: The laminator is failing, and after 30 years needs to be replaced. The cost of the laminator is \$3,600 and will be funded out of the capital equipment reserve fund.

- B. Committee recommends Council approve Resolution No. 2023-13 to disengage with Associated Bank as voluntary deferred compensation provider for the City of Neenah. **(RollCall-Pro)**
MSCRP Erickson/Borchardt to approve as recommended by committee, all voting aye.

Discussion: Director of Human Resources and Safety Fairchild seeking approval to disengage with Associated Bank as a voluntary deferred compensation provider for the City of Neenah, and to assist M3 Financial investments in transferring existing funds from Associated Bank's deferred compensation plan to MissionSquare retirement.

Through an internal audit of such provided plans Associated Bank was identified as a current option plan which no longer aligns with the needs of the City of Neenah. Administration of the plan was not being done by the provider; it was being pushed down to the human resources staff.

- C. Committee recommends Council approve the new recommended job posting procedure. **(RollCall-Pro)**
MSCRP Erickson/Borchardt to approve as recommended by committee, all voting aye.

Discussion: The City of Neenah currently requires all job postings to be presented to the Finance and Personnel Committee prior to posting for applications. This process is known as the passive review. The passive review is for approved budgeted positions that have no change. Staff e-mails the job description committee members which starts a seven day hold for the members to comment on the job description. Staff typically does not hear from committee members which loses seven days of recruiting time of the committee by staff, and this process slows the ability for our organization to be able to receive viable applications by up to a week. The proposed change would expedite this process while still imposing checks

and balances through an internal audit process streamlining the ability to post vacant positions in a more efficient manner. This would be for budgeted, preapproved positions only. Any new positions or restructured positions would come back through the Finance and Personnel Committee for recommendation to the Council.

To keep the Finance and Personnel Committee up to date with turnover and potential patterns, Human Resources will provide quarterly updates in the form of a report to show any new hires and separations of employment by department.

The passive review is re-approving an already approved and budgeted position with no change to the job description or pay. Approval of this policy would be eliminating the passive review process giving authority to Human Resources to post the position to streamline the recruitment process. The Council requested to receive a copy of the Finance and Personnel Committee quarterly report.

- D. Committee recommends Council accept the final pay plan with the results of the associated appeals. **(RollCall-Pro)**
MSCRP Erickson/Skyrms to approve as recommended by committee, all voting aye.

Discussion: The City of Neenah participated in a salary plan review which was approved in November of 2022. Employees were given an opportunity to appeal the grade their job was given within the pay plan. The appeals were presented to the consulting firm with a request to provide the city with an explanation for the basis of their grading. As a result, the consultant changed the grade of five positions to one grade higher than the initial report.

Additionally, two other positions were reviewed by the consulting firm, however, staff felt these two grades were still out of alignment of where they should be. Therefore, after further review by the Mayor, Department Director, and Director of Human Resources, the grade recommendation for these two positions be placed above and beyond the consulting firm placement.

The reasoning behind the staff recommendation for the Building Manager is that the Building Manager oversees and advises all city buildings and facility staff which the consultant did not take that into consideration when grading the job position. The regrading was not an arbitrary recommendation, the pay plan structure specifically states that the mayor has the authority to reclassify a job pay grade when it is deemed to be out of alignment with proper justification and Council approval. If this managerial aspect would have been taken into account, the position would

have been upgraded. Only under rare circumstances would staff recommend a deviation from the consultant.

- VIII. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of June 13, 2023: (Council Rep Steiner)
(Minutes can be found on the City web site)
1. Informational Only Items:
 - a. The Commission approved the site proposed addition to the Rollmeister, Inc. building located at 2474 Schultz Dr subject to comments of the Site Plan Review Letter.
- B. Board of Public Works meeting of June 13, 2023: (Vice Chairperson Hillstrom)
(Minutes can be found on the City web site)
1. Information Only Items:
 - a. The Board approved Change Order No.2, Contract 5-23, Street, Curb & Gutter, Sidewalk and Apron Construction, in Arthur Plat, Cardinal Plat, Integrity Acres, 1st Addition to Integrity Acres, and Liberty Acres, to MCC, Inc., Appleton, for sidewalk installation at Freedom Acres and Homes at Freedom Meadows in the amount not to exceed \$183,440.00.
 - b. The Board approved Change Order No.1, Contract 6-23, Columbian Avenue, Sanitary & Storm Sewer, Water Main and Street Construction to Donald Hietpas & Sons Inc., in an amount not to exceed \$50,067.00 for Sanitary Sewer Relay on Beaulieu Road.
 - c. The Board approved Pay Request No.2, Contract 6-23, Columbian Avenue, Sanitary & Storm Sewer, Water Main and Street Construction to Donald Hietpas & Sons, Inc., Little Chute, in an amount of \$139,027.13.
 - d. The Board approved Pay Request No.2, Contract 1-23, Sanitary Sewer, Water Main and Street Construction, on Burr Avenue, Chestnut Street, Dieckhoff Street and Laudan Boulevard to Don E. Parker Inc., in an amount of \$706,857.59.
 - e. The Board approved Pay Request No.2, Contract 5-23, Street Construction at Arthur Plat, Cardinal Plat, Integrity Acres, 1st Addition to Integrity Acres and Liberty Heights Subdivision to MCC Inc., in the amount of \$867,850.58.
 2. Council Action Items:
 - a. The Board recommends Council Award Contract 11-23, Street Construction on Brookwood Drive, Fairwood Drive and Hunt Avenue to Northeast Asphalt, in the amount of \$486,851.00.
(RollCall-Pro)
MSCRP Hillstrom/Lendrum to approve as recommended by committee, all voting aye.
- C. Reports on neighborhood groups.
1. Business Improvement District Board (BID Board) – Alderperson S kyrms
 - a. Reporting from June 20, 2023 Annual Maintenance Walk Meeting. The meeting was well attended by the BID members, Future Neenah, City Directors, Mayor Lang, property owners, and tenants.

- b. Areas of concern were assigned to the responsible parties to look into and correct.
 - c. All and all the district is full and in good standing.
 - D. Library Board
 - 1. Report from the Library Board – Alderperson Erickson
 - a. Reporting from June 21, 2023 meeting.
 - b. The Youth Summer Reading Program is off to a great start. The Adult Summer Reading Program runs June 1st – August 21st. Registration is available at the Reference Desk.
 - c. Visit the Neenah Public Library website for a variety of programs that are available.
 - E. Neenah Arts Council
 - 1. Report from the Neenah Arts Council – Alderperson Erickson
 - a. Reporting from the June 14, 2023 meeting.
 - b. Participated in the Farmer’s Market with creating 3D turtles and made clay impressions.
 - c. The Council will be at Community Fest July 4th and National Night Out in August.
 - d. Alderperson Borchardt gave a reminder of the Art After Dark Event hosted by Bergstrom Mahler Museum of Glass on June 22, 2023 from 6:00 – 9:00 PM.
 - F. Landmarks Commission
 - 1. Report from the Landmarks Commission – Alderperson Weber
 - a. The Wagon Tour took place Saturday, June 17, 2023. There were about 100 participants, both adults and children alike. This event was co-sponsored with the Neenah Historical Society. This was another successful event.
 - IX. Presentation of petitions
 - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
 - 1. No petitions.
 - X. Council Directives
 - A. CD No. 2023-02 to recommend 2017 Wisconsin Act 243 and City of Neenah Ordinance 26-27(7) be reviewed by the Community Development Director Haese and City Attorney Rashid for their recommendation on the appropriate action, if any, by the end of next month.
MSCRP Skyrms/Steiner to postpone the recommendation presentation until next meeting, July 5, 2023, all voting aye.

Discussion: Alderman Skyrms advised a package of bills relating to housing passed the Assembly and Senate on Thursday, June 15, 2023, and went to the Governor’s Office on Friday, June 16, 2023. The Governor has not acted on this package of bills yet. The Governor’s action may affect the staff recommendation under the requested directive. More information should be known by next Council meeting.
- XI. Unfinished Business

XII. New Business

- A. Arrowhead Park Development Status Report. (Ald. Hillstrom)
The pier work is complete with six benches. Enjoy a walk and look at the view.
- B. Schedule Annual Council Photo.
Clerk will e-mail dates to schedule the Annual Council Photo.
- C. Any announcements/questions that may legally come before the Council.

XIII. Closed Session

- A. The Council may convene into closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) 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 concerning public safety for city buildings.
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) with respect to litigation in which the City is involved, including possible settlement discussion and authorization concerning Florek v. City of Neenah federal lawsuit.
- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).
MSCR P Borchardt/Stevenson for the Council to convene into closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) 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 concerning public safety for city buildings. The Council will remain in closed session to consider possible settlement discussion and authorization concerning Florek v. City of Neenah federal lawsuit, all voting aye.

There was a short break at 7:49 PM prior to the closed session.


At 7:58 PM, the Council convened into closed session.

The Council adjourned the meeting in closed session. No action taken.

XIV. Adjournment

Motion by Borchardt/Stevenson to adjourn, all voting aye. Meeting adjourned at 8:41 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk

Common Council Proceedings
Wednesday, June 21, 2023 at 7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, June 21, 2023, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Alderpersons Boyette, Erickson, Hillstrom, Lendrum, Steiner, Stevenson, Skyrms, and Weber. Council President Borchardt was excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Rashid, and City Clerk Nagel.

Also Present: Police Chief Olson and Assistant Police Chief Bernice.

Mayor Lang called the meeting to order at 7:00 p.m.

- I. The Mayor/Alderpersons recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Alderperson Steiner led the Pledge of Allegiance.
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. None.
- III. Approval of Council Proceedings
 - A. Approval of the Council Minutes and Proceedings of June 7, 2023 regular session.
 - B. Approval of the Committee of the Whole Minutes of June 7, 2023.
There being no objections, the Council Minutes and Proceedings of June 7, 2023, and the June 7, 2023 Committee of the Whole were ordered approved as written by unanimous consent.
- IV. Consent Agenda
 - A. Approve Temporary Class "B" (Picnic) License to St. Margaret Mary Parish for their Parish Picnic at 439 Washington Avenue to be held on August 6, 2023. (PSSC)
 - B. Approve Temporary Class "B" (Picnic) License to Fox Valley Area Labor Council 157 S Green Bay Road for Labor Fest 2023 to be held on September 5, 2023. (PSSC)
 - C. Approve Temporary Extension of "Class B" License to Laura Nelson, Firelite, Inc., 1171 Gillingham Road for the 25 Year Customer Appreciation Celebration to be held on July 8, 2023, from 11 AM to 6 PM. (PSSC)
 - D. **(UC)**

There being no objections, the Consent Agenda is approved as written by unanimous consent.
- V. Reports of standing committees
 - A. Regular Public Services and Safety Committee meeting of June 13, 2023: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - A. Committee recommends Council adopt Resolution 2023-12 Compliance Maintenance Annual Report (CMAR) of the city's sewer collection system submitted annually to the Department of Natural Resources. **(RollCall-Pro)**

MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

- B. Committee recommends Council approve the purchase of the Vactor2100i, 2023 Combination Sewer and Hydraulic Vac Truck from MacQueen Equipment in the amount \$509,419.00 and the purchase of a new 2-way radio and communication set for an amount not to exceed \$2,500.00 with funding source being Capital Equipment Budget of \$525,000.00. **(RollCall-Pro)**

MSCRP Lendrum/Borchardt to approve as recommended by committee, all voting aye.

- C. Committee recommends Council approve the purchase of 648, 95-gallon carts, from Sierra Container Group in the amount of \$37,404.20 with \$17,000.00 coming from the 2023 Capital Equipment budget and the remainder of \$20,404.20 being funded with Capital Equipment Reserve funds. **(RollCall-Pro)**

MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

- D. Committee recommends Council approve a 50/50 cost share for the amount in excess of escrow for the installation of the two-inch asphalt mat at Freedom Acres and Homes at Freedom Meadows with a 5-year installment payback option. **(RollCall-Pro)**

MSCRP Lendrum/Boyette to approve as recommended by committee, all voting aye.

- B. Regular Finance and Personnel Committee meeting of June 12, 2023: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)

- A. Committee recommends Council approve the purchase of a new laminator in the amount of \$3,600 to be funded from the capital equipment reserve fund. **(RollCall-Pro)**

MSCRP Erickson/Hillstrom to approve as recommended by committee, all voting aye.

- B. Committee recommends Council approve Resolution No. 2023-13 to disengage with Associated Bank as voluntary deferred compensation provider for the City of Neenah. **(RollCall-Pro)**

MSCRP Erickson/Borchardt to approve as recommended by committee, all voting aye.

- C. Committee recommends Council approve the new recommended job posting procedure. **(RollCall-Pro)**

MSCRP Erickson/Borchardt to approve as recommended by committee, all voting aye.

- D. Committee recommends Council accept the final pay plan with the results of the associated appeals. **(RollCall-Pro)**
MSCRP Erickson/Skyrms to approve as recommended by committee, all voting aye.

VI. Reports of special committees and liaisons and various special projects committees

- A. Regular Plan Commission meeting of June 13, 2023: (Council Rep Steiner) (Minutes can be found on the City web site)
 - 1. Informational Only Items:
 - a. The Commission approved the site proposed addition to the Rollmeister, Inc. building located at 2474 Schultz Dr subject to comments of the Site Plan Review Letter.
- B. Board of Public Works meeting of June 13, 2023: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - 1. Council Action Items:
 - a. The Board recommends Council Award Contract 11-23, Street Construction on Brookwood Drive, Fairwood Drive and Hunt Avenue to Northeast Asphalt, in the amount of \$486,851.00. **(RollCall-Pro)**
MSCRP Hillstrom/Lendrum to approve as recommended by committee, all voting aye.

VII. Council Directives

- A. CD No. 2023-02 to recommend 2017 Wisconsin Act 243 and City of Neenah Ordinance 26-27(7) be reviewed by the Community Development Director Haese and City Attorney Rashid for their recommendation on the appropriate action, if any, by the end of next month.
MSCRP Skyrms/Steiner to postpone the recommendation presentation until next meeting, July 5, 2023, all voting aye.

Discussion: Alderman Skyrms advised a package of bills relating to housing passed the Assembly and Senate on Thursday, June 15, 2023, and went to the Governor's Office on Friday, June 16, 2023. The Governor has not acted on this package of bills yet. The Governor's action may affect the staff recommendation under the requested directive. More information should be known by next Council meeting.

VIII. Closed Session

- A. The Council may convene into closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) 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 concerning public safety for city buildings.
- B. The Council may remain in closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) with respect to litigation in which the City is involved, including possible settlement discussion and authorization concerning Florek v. City of Neenah federal lawsuit.
- C. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).

MSCR P Borchardt/Stevenson for the Council to convene into closed session pursuant to Wis. Stats §19.85 (1)(g) to confer with legal counsel (City Attorney) 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 concerning public safety for city buildings. The Council will remain in closed session to consider possible settlement discussion and authorization concerning Florek v. City of Neenah federal lawsuit, all voting aye.

There was a short break at 7:49 PM prior to the closed session.

At 7:58 PM, the Council convened into closed session.

The Council adjourned the meeting in closed session. No action taken.

IX. Adjournment

Motion by Borchardt/Stevenson to adjourn, all voting aye. Meeting adjourned at 8:41 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk



TEMPORARY EXTENSION OF LICENSED PREMISES APPLICATION

Office of the City Clerk, 211 Walnut Street, Neenah, WI 54956

(920)886-6110

clerk@neenahwi.gov

www.ci.neenah.wi.us

For Office Use Only		Code: LL
Cost: \$10/day up to 3 days	Receipt No:	
Paid:	Date filed:	Deadline:
Map included:		25 days prior to event

Section 1: License Information

Licensee (Name of Sole Proprietor, All Partners or Agent of Corporation or LLC): Tony Kuhr	Contact Phone # 920.205.1723
Corporation or LLC Name: (if applicable) Copperstill Bourbon Bar	Business/Trade Name:
Business Address: 211 E. Wisconsin Ave.	

Section 2: Event Information

Name of Event: Dan Fritsch Charity Fund Raiser
List Dates & Times (include a.m. or p.m.): <i>Dates MUST be consecutive. If not, separate applications must be filed. Cannot exceed (3) days.</i> Friday July 14 4pm - 10pm

Section 3: Extension of Premise

Check all areas you wish to extend and indicate the relationship of each area to the licensed premise.
Example: Parking lot at north side of the premise. The area MUST be contiguous to the current licensed premise.

<input checked="" type="checkbox"/> Sidewalk at the East of premise	<input checked="" type="checkbox"/> Parking lot at the South of premise.
<input type="checkbox"/> Street of the _____ of premise	<input checked="" type="checkbox"/> Parking lot at the West of premise.
<input type="checkbox"/> Other: _____	

Check all that apply for the area(s) on the premise where the event will take place.

<input type="checkbox"/> I own	<input type="checkbox"/> I will obtain a special event permit (see information sheet for details)
<input checked="" type="checkbox"/> I lease	<input type="checkbox"/> I have permission from a special event organization

Section 4: Other:

Describe proposed change(s): *Include a map on the reverse side of this application*
USE OF Back Parking Lot + adjacent handicap walk-ups; Entry

Section 5: Acknowledgement and Signature

APPLICANTS FILING AFTER THE DEADLINE:
I am filing this application after the filing deadline established for the date(s) of the event for which the permit is being sought, and therefore:

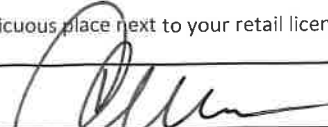
I affirm my understanding that any decision made by the Council is final and not subject to appeal; and

I understand that there is a possibility that my permit may not be approved due to the untimely filing of my application.

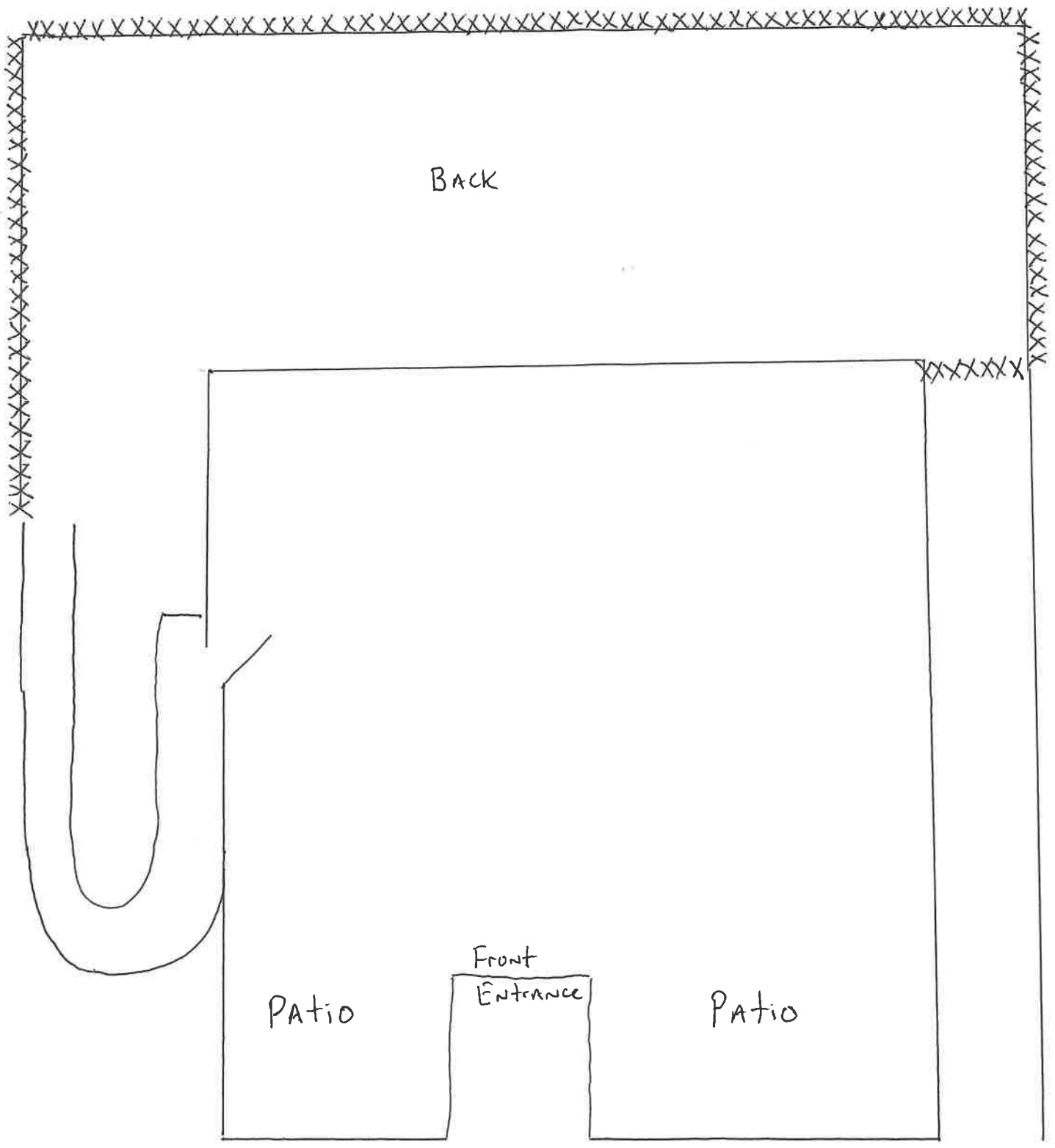
ALL APPLICANTS:

I understand that the filing of an application does not constitute authorization to hold any event, the event for which the permit is sought cannot be held unless a valid Temporary Extension of Licensed Premise Permit has been issued, and that the permit cannot be issued unless and until the fee has been paid and the application approved.

I understand the permit must be posted in a conspicuous place next to your retail license for the duration of the event.



Signature of Sole Proprietor, Partner or Agent



Back

PATIO

Front
Entrance

PATIO

MAIN ST

XXXX Snow fencing

Doubletree lot

**CITY OF NEENAH
SPECIAL MEETING
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING
July 5, 2023 @ 6:30 PM
City Hall, 211 Walnut Street
Council Chambers**

NOTICE IS HEREBY GIVEN, pursuant to the requirements of Wis. Stats. Sec. 19.84, that a majority of the Neenah Common Council may be present at this meeting. Common Council members may be present to gather information about a subject over which they have decision-making responsibility. This may constitute a meeting of the Neenah Common Council and must be noticed as such. The Council will not take any formal action at this meeting.

A G E N D A

1. Public Appearances
2. Preliminary Resolution 2023-14: Installation of 2-Inch Asphalt Mat Overlay for properties within the Freedom Acres Subdivision (Attachment)
3. Preliminary Resolution 2023-15: Installation of 2-Inch Asphalt Mat Overlay for properties within the Homes at Freedom Meadows Subdivision (Attachment)
4. Licenses
 - a. Original Transfer “Class B” Combination Retail Liquor License Application, Sherrytown Station, 432 Sherry Street (Attachment)
 - b. Temporary Extension of Licenses Premises Application, Copperstill Bourbon Bar, 211 E Wisconsin Avenue (Attachment)
5. Announcements/Future Agenda Items
6. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act (ADA), the City of Neenah will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities. If you need assistance, or reasonable accommodation in participating in this meeting or event due to a disability as defined under the ADA, please call the **City Clerk Office at (920)886-6101** or the **City’s ADA Coordinator at (920)886-6106 or e-mail attorney@ci.Neenah.wi.us** at least 48 hours prior to the scheduled meeting or event to request an accommodation.



RESOLUTION NO. 2023-14

PRELIMINARY RESOLUTION OF INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS BY POLICE POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES AND SECTION 13-1 OF THE NEENAH MUNICIPAL CODE.

RESOLVED, by the Common Council of the City of Neenah, Wisconsin.

- 1. The Common Council hereby declares its intention to exercise its power under Section 66.0703 Wisconsin Statutes and Section 13-1 of the Neenah Municipal Code to levy special assessments under the police power upon all properties abutting the following improvements in the City of Neenah, Wisconsin:

Installation 2-Inch Asphalt Mat Overlay for properties served on the following streets within the Freedom Acres Subdivision:

1. Honor Street (CTH G to Terminus)

- 2. The Common Council determines that the above improvements constitute an exercise of the police power and the amount assessed each parcel abutting on the above named street shall be on a reasonable basis as approved by the Common Council which is in effect at the time of installation in accordance with special assessment procedures set forth in provisions of Section 13-1, Neenah Municipal Code.
- 3. The assessments against any parcels of land shall be paid as provided in the City of Neenah Municipal Code, Section 13-2 and 13-3.
- 4. The Public Services and Safety Committee shall with respect to the items mentioned at paragraph 1 above prepare a report consisting of:
 - a. Preliminary or final plans and specifications of the improvements.
 - b. An estimate of the entire cost of the proposed work or improvements.
 - c. A schedule of the proposed assessments as to each parcel of property affected.
 - d. A statement that the properties against which the assessments are proposed are benefited and that the improvements constitute an exercise of the police power.

Upon completion of such report, the Public Services and Safety Committee is directed to file such reports in the City Clerk's office for public inspection.

- 5. Upon receiving a report of the Public Services and Safety Committee, the Clerk is directed to give notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes.

Recommended by:
Public Services and Safety Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Jane Lang, Mayor

Passed: _____

Char Nagel, City Clerk



RESOLUTION NO. 2023-15

PRELIMINARY RESOLUTION OF INTENT TO EXERCISE SPECIAL ASSESSMENT POWERS BY POLICE POWER UNDER SECTION 66.0703 OF THE WISCONSIN STATUTES AND SECTION 13-1 OF THE NEENAH MUNICIPAL CODE.

RESOLVED, by the Common Council of the City of Neenah, Wisconsin.

- 1. The Common Council hereby declares its intention to exercise its power under Section 66.0703 Wisconsin Statutes and Section 13-1 of the Neenah Municipal Code to levy special assessments under the police power upon all properties abutting the following improvements in the City of Neenah, Wisconsin:

Installation 2-Inch Asphalt Mat Overlay for properties served on the following streets within the Homes at Freedom Meadows Subdivision:

- 1. **Founders Street**
- 2. **Honor Street (Founders to Liberty)**
- 3. **Liberty Avenue**

- 2. The Common Council determines that the above improvements constitute an exercise of the police power and the amount assessed each parcel abutting on the above named street shall be on a reasonable basis as approved by the Common Council which is in effect at the time of installation in accordance with special assessment procedures set forth in provisions of Section 13-1, Neenah Municipal Code.
- 3. The assessments against any parcels of land shall be paid as provided in the City of Neenah Municipal Code, Section 13-2 and 13-3.
- 4. The Public Services and Safety Committee shall with respect to the items mentioned at paragraph 1 above prepare a report consisting of:
 - a. Preliminary or final plans and specifications of the improvements.
 - b. An estimate of the entire cost of the proposed work or improvements.
 - c. A schedule of the proposed assessments as to each parcel of property affected.
 - d. A statement that the properties against which the assessments are proposed are benefited and that the improvements constitute an exercise of the police power.

Upon completion of such report, the Public Services and Safety Committee is directed to file such reports in the City Clerk's office for public inspection.

- 5. Upon receiving a report of the Public Services and Safety Committee, the Clerk is directed to give notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes.

Recommended by:
Public Services and Safety Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Jane Lang, Mayor

Passed: _____

Char Nagel, City Clerk

**Minutes of the Liquor Licensing Review Subcommittee
of the Public Services & Safety Committee
Tuesday, June 27, 2023 at 4:00 p.m.
City Hall, Council Chambers**

MEMBERS PRESENT: Police Chief Olson, Director of Community Development & Assessment Haese, City Clerk Nagel, and Aldermen Stevenson, Weber, and Borchardt Fire Chief Kloehn and City Attorney Rashid were excused.

ALSO PRESENT: Shelly Smith of Sherrytown 2, LLC.

Chairman Stevenson called the meeting to order at 4:03 p.m.

- I. Approval of minutes of March 28, 2023 (minutes can be found on the city web site).
MS by Haese/Borchardt to approve the minutes of the March 28 2023 meeting as presented, all voting aye.

- II. Appearances: None.

- III. Unfinished Business: None.

- IV. New Business:
 - A. Review and make recommendation on the transfer of Original “Class B” Combination Alcohol Beverage Retail License Application and Plan of Operation for Sherrytown 2, LLC, d/b/a Sherrytown Station, 432 Sherry Street, Shelly Smith, agent.

The Clerk’s Office received a Transferring License Business to Business, an Original Alcohol Beverage Retail License Application, and an Operations Plan for Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street. The current “Class B” Combination Liquor License is issued to Sherrytown Station, LLC. The bar, Sherrytown Station, is being sold. Part of the sale transaction is the transfer of the liquor license.

A background check has been successfully completed on Sherrytown 2, LLC, with no monies owed to the city. All transfer paperwork is in order. Approving the transfer to Sherrytown 2, LLC, does not impact the liquor license quota.

Staff recommends approval of the transfer of regular “Class B” Combination Intoxicating Liquor and Fermented Malt Beverage License from Sherrytown Station, LLC, to Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street.

MSC Haese/Olson to recommend to Committee approval of the transfer of regular “Class B” Combination Intoxicating Liquor and Fermented Malt Beverage License from Sherrytown Station, LLC, to Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street, all voting aye.

V. Any announcements/questions for the Subcommittee
None.

VI. Adjournment

MSC by Borchardt/Haese to adjourn at 4:06 p.m., all voting aye.

Respectfully submitted,



Charlotte Nagel, City Clerk



Dept. of Legal & Administrative Services
Office of the City Clerk
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426
Phone 920-886-6100 • Fax 920-886-6109
e-mail cnagel@neenahwi.gov
CHARLOTTE K. NAGEL, WCMC

MEMORANDUM

DATE: June 21, 2023

TO: Mayor Lang, Members of Liquor License Review Subcommittee,
Members of Public Services & Safety Committee, Members of the
Common Council

FROM: Char Nagel, City Clerk

RE: Application for Regular “Class B” Liquor License – Sherrytown 2, LLC

The Clerk’s Office received a Transferring License Business to Business, an Original Alcohol Beverage Retail License Application, and an Operations Plan for Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street. The current “Class B” Combination Liquor License is issued to Sherrytown Station, LLC. The bar, Sherrytown Station, is being sold. Part of the sale transaction is the transfer of the liquor license.

A background check has been successfully completed on Sherrytown 2, LLC, with no monies owed to the city. All transfer paperwork is in order. Approving the transfer to Sherrytown 2, LLC, does not impact the liquor license quota.

Staff recommends approval of the transfer of regular “Class B” Combination Intoxicating Liquor and Fermented Malt Beverage License from Sherrytown Station, LLC, to Sherrytown 2, LLC, d/b/a Sherrytown Station at 432 Sherry Street.



TRANSFERRING LICENSE
BUSINESS TO BUSINESS FORM

I/We hereby transfer the following licenses to the City of Neenah:

Class B Combination Beer/Liquor/Wine License No. 22-52

Class _____ Beer/Liquor/Wine License No. _____

Other Amusement License No. 22-52
(Cigarette, Amusement, etc.)

Other Dance License No. 22-52
(Cigarette, Amusement, etc.)

Date licenses transferred 7-1-2023, 2023

License(s) are for the following establishment: (PLEASE PRINT)

Business Name: Sherrytown Station, LLC

Doing business as: Sherrytown Station

Business Address: 432 Sherry Street

City/State: Neenah WI 54956

Signatures: Randall C. Steward
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

Print Name: Randall Steward

Sueann Steward
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

Print Name: Sueann Steward

Shelly Smith
(Additional Partner(s)/Member/Manager of Limited Liability Company (if Any))

Print Name: Shelly Smith

Notes: This form must be signed by all members of the Corp/LLC/Partnership/Individual prior to issuance of the new license.

The licenses listed above were surrendered to me on this 15th day of June, 2023.

Charlotte Nagel
Charlotte Nagel, City Clerk

I/We hereby accept the transfer the following licenses to the City of Neenah:

Class B Combination Beer/Liquor/Wine License No. 22-52

Class _____ Beer/Liquor/Wine License No. _____

Other Amusement License No. 22-52
(Cigarette, Amusement, etc.)

Other Dance License No. 22-52
(Cigarette, Amusement, etc.)

Date licenses transferred 7-1-2023, 2023__

License(s) are for the following establishment: (PLEASE PRINT)

License(s) are for the following establishment: (PLEASE PRINT)

Business Name: Sherrytown 2, LLC

Doing business as: Sherrytown Station

Business Address: 432 Sherry Street

City/State: Neenah WI 54956

Signatures: Shelly Smith
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

Print Name: Shelly A. Smith

Sueann J Steward
(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

Print Name: Sueann J Steward

Randall C Steward
(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

Randall C Steward
Print Name:

Notes: This form must be signed by all members of the Corp/LLC/Partnership/Individual prior to issuance of the new license.

The licenses listed above were accepted as a transfer license to me on this 15th day of June, 2023.

Charlotte Nagel
Charlotte Nagel, City Clerk

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: 07-01-2023 ending: 07-07-2024
(mm dd yyyy) (mm dd yyyy)

To the Governing Body of the: Town of }
 Village of }
 City of }

County of Winnebago Aldermanic Dist. No. _____
 (if required by ordinance)

Check one: Individual Limited Liability Company
 Partnership Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number [REDACTED]	
FEE [REDACTED]	
TYPE OF LICENSE REQUESTED	FEE
<input type="checkbox"/> Class A beer	\$
<input type="checkbox"/> Class B beer	\$
<input type="checkbox"/> Class C wine	\$
<input type="checkbox"/> Class A liquor	\$
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A
<input type="checkbox"/> Class B liquor	\$
<input type="checkbox"/> Reserve Class B liquor	\$
<input type="checkbox"/> Class B (wine only) winery	\$
Publication fee	\$
TOTAL FEE	\$

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)
Shelly Smith Shelly A - Sherrytown 2 LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Smith</u>	(First) <u>Shelly</u>	(Middle Name) <u>Ann</u>	Home Address (Street, City or Post Office, & Zip Code) <u>W 7233 Firlane 2 Menasha WI 54952</u>
Vice President / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name Sherrytown Station Business Phone Number 920-215-3465
 2. Address of Premises 432 Sherry St Post Office & Zip Code Neenah WI 549

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)
Tavern - Upstairs Tavern - Basement Storage

4. Legal description (omit if street address is given above): _____
 5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Sherrytown Station

Schedule for Appointment of Agent by Corporation / Nonprofit Organization or Limited Liability Company

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by an officer of the corporation/organization or one member/manager of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Neenah County of Winnebago

The undersigned duly authorized officer/member/manager of Sherrytown Station / Sherrytown LLC
(Registered Name of Corporation / Organization or Limited Liability Company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Sherrytown Station
(Trade Name)

located at 432 Sherry St, Neenah WI 54950

appoints Shelly Ann Smith
(Name of Appointed Agent)

W7233 Firelane 2 Menasha WI 54952
(Home Address of Appointed Agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? [Redacted]

Place of residence last year W7233 Firelane 2 Menasha WI 54952

For: Sherrytown Station
(Name of Corporation / Organization / Limited Liability Company)

By: Shelly A Smith
(Signature of Officer / Member / Manager)

Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

ACCEPTANCE BY AGENT

I, Shelly Ann Smith, hereby accept this appointment as agent for the
(Print / Type Agent's Name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Shelly Ann Smith 5/8/2023
(Signature of Agent) (Date)

W7233 Firelane 2 Menasha WI 54952
(Home Address of Agent)

Agent's age [Redacted]
Date of birth [Redacted]

APPROVAL OF AGENT BY MUNICIPAL AUTHORITY (Clerk cannot sign on behalf of Municipal Official)

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(Date) (Signature of Proper Local Official) (Town Chair, Village President, Police Chief)

Auxiliary Questionnaire Alcohol Beverage License Application

Submit to municipal clerk.

Individual's Full Name (please print)		(last name)	(first name)	(middle name)
		Smith	Shelly	Ann
Home Address (street/route)		Post Office	City	State
W 7233 Fire Lane 2		Neenah	Neenah	Wi.
Zip Code		Age	Date of Birth	Place of Birth

The above named individual provides the following information as a person who is (check one):

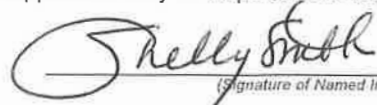
- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- _____ of _____
(Officer / Director / Member / Manager / Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)
- which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? _____
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
 If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
 If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
 If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
 If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name	Employer's Address	Employed From	To

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the undersigned states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. The signer agrees that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000.


(Signature of Named Individual)



Plan of Operation for Alcohol Beverage License Application

OFFICE OF THE CITY CLERK
211 Walnut Street • Neenah, WI 54956
(920) 886-6100

Your application will be returned for failure to fill out this form completely, correctly, and submit the required Detailed Floor Plan as outlined.

Business Name: <i>Sherrytown Station</i>																													
Address of Premises: <i>432 Sherry St Neenah</i>		Business Telephone Number: <i>920-215-3465</i>																											
Business Mailing Address – if different from address of premises :																													
Business Internet/E-mail Address: <i>Sherrytown2@gmail.com</i>		Business Fax Number:																											
Owner's Name: <i>Shelly Smith</i>		Owner's Phone Number:																											
Owner's Address include city, state, zip code: <i>W7233 Fire Lane 2 Menasha WI 54952</i>																													
Will the agent, a partner of the individual licensee be conducting the day-to-day operations of the business: <input type="checkbox"/> Yes <input type="checkbox"/> No If no, list name and address of person who will:																													
<small><i>Class B Applicants: If the agent, a partner or the individual licensee will not be conducting the day-to-day operations of the business, the person listed above must obtain a Class B Manager's license.</i></small>																													
Does anyone else have money invested or any other interest in this business? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain:																													
<p>What types of business do you or will you conduct at this location? (Check all that apply): (Other licenses/permits may be required to operate your business.)</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Full Service Restaurant</td> <td><input type="checkbox"/> Café/Coffee Shop</td> <td><input type="checkbox"/> Bed & Breakfast</td> </tr> <tr> <td><input type="checkbox"/> Grocery Store</td> <td><input type="checkbox"/> Convenience Market</td> <td><input type="checkbox"/> Hotel</td> </tr> <tr> <td><input type="checkbox"/> Liquor Store</td> <td><input type="checkbox"/> Indoor Golf Facility</td> <td><input type="checkbox"/> Private Sports Club</td> </tr> <tr> <td><input type="checkbox"/> Theater</td> <td><input type="checkbox"/> Wine Tasting Room</td> <td><input type="checkbox"/> Veterans Club</td> </tr> <tr> <td><input type="checkbox"/> Brew Pub</td> <td><input checked="" type="checkbox"/> Tavern</td> <td><input type="checkbox"/> Fraternal Club</td> </tr> <tr> <td><input type="checkbox"/> Volleyball Court (Permanent Extension of Premises required)</td> <td><input type="checkbox"/> Catering (sales only allowed on the premises issued and alcohol beverage licensed)</td> <td><input type="checkbox"/> Video Game Center-6 or more games</td> </tr> <tr> <td><input type="checkbox"/> Bar & Grill</td> <td><input type="checkbox"/> Night club</td> <td><input type="checkbox"/> Bowling Center</td> </tr> <tr> <td><input type="checkbox"/> Comedy Club</td> <td><input type="checkbox"/> Recreational Paint Studio</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Billiard Center</td> <td></td> <td></td> </tr> </table>			<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Café/Coffee Shop	<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Grocery Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Hotel	<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Indoor Golf Facility	<input type="checkbox"/> Private Sports Club	<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room	<input type="checkbox"/> Veterans Club	<input type="checkbox"/> Brew Pub	<input checked="" type="checkbox"/> Tavern	<input type="checkbox"/> Fraternal Club	<input type="checkbox"/> Volleyball Court (Permanent Extension of Premises required)	<input type="checkbox"/> Catering (sales only allowed on the premises issued and alcohol beverage licensed)	<input type="checkbox"/> Video Game Center-6 or more games	<input type="checkbox"/> Bar & Grill	<input type="checkbox"/> Night club	<input type="checkbox"/> Bowling Center	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Recreational Paint Studio		<input type="checkbox"/> Billiard Center		
<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Café/Coffee Shop	<input type="checkbox"/> Bed & Breakfast																											
<input type="checkbox"/> Grocery Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Hotel																											
<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Indoor Golf Facility	<input type="checkbox"/> Private Sports Club																											
<input type="checkbox"/> Theater	<input type="checkbox"/> Wine Tasting Room	<input type="checkbox"/> Veterans Club																											
<input type="checkbox"/> Brew Pub	<input checked="" type="checkbox"/> Tavern	<input type="checkbox"/> Fraternal Club																											
<input type="checkbox"/> Volleyball Court (Permanent Extension of Premises required)	<input type="checkbox"/> Catering (sales only allowed on the premises issued and alcohol beverage licensed)	<input type="checkbox"/> Video Game Center-6 or more games																											
<input type="checkbox"/> Bar & Grill	<input type="checkbox"/> Night club	<input type="checkbox"/> Bowling Center																											
<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Recreational Paint Studio																												
<input type="checkbox"/> Billiard Center																													
Briefly detail the type of business you plan to operate, if granted a license: <i>Tavern / Bar</i>																													
What other types of licenses or permits will you or do you hold at this location? :																													
<input type="checkbox"/> Tavern Entertainment	<input type="checkbox"/> Cigarette	<input checked="" type="checkbox"/> Amusement Devices																											
<input checked="" type="checkbox"/> Dance Hall	<input checked="" type="checkbox"/> Food (though Health Dept.)	<input type="checkbox"/> Other(s)																											

If applying for a Class B or C license, what type of food service will you have? (check all that apply):

<input type="checkbox"/> None	<input type="checkbox"/> Prepackaged Foods	<input type="checkbox"/> Snacks
<input type="checkbox"/> Appetizers	<input type="checkbox"/> Catered Events	<input type="checkbox"/> Full Meals

What percentage of your total sales will be from the sales of alcohol beverages? _____ %

Is there at least 300 feet between the building and any church, school or hospital? Yes No

How many alcohol serving premises are within a 4 block radius of your business?

Do you have any future plans for other businesses, licenses or permits at this location? Yes No
If yes, explain:

Is this premise under construction? Yes No If yes, list estimated completion date:

Is this a franchise? Yes No

What was the previous name & nature of the business operating at this location, if applicable?

Is this premises currently or ever been licensed? Yes No If yes, list type of license:

Is the current licensee operating? Yes No If no, list date closed:

If alcohol sales are a new use in this building, please contact the Neenah Police Department at (920) 886-6000 to meet with Chief of Police to review regulations/ordinances.

What is the zoning classification for this premise?

HOURS OF OPERATION FOR ALCOHOL BEVERAGE SALES/SERVICE ONLY		
Day of the Week	Proposed Hours of Operation:	
	Open	Close
Sunday	6am	2:00AM
Monday	6am	2:00AM
Tuesday	6am	2:00 AM
Wednesday	6am	2:00AM
Thursday	6am	2:00 AM
Friday	6am	2:30 AM
Saturday	6am	2:30AM

PROHIBITED HOURS OF OPERATION:
 Class A: 9:00 PM to 8:00 AM; Class B/C: Monday thru Friday 2:00 AM - 6:00 AM;
 Class B/C: Saturday thru Sunday 2:30 AM - 6:00 AM

Legal Capacity/Occupancy of Premises: Inside <u>100</u> Outside _____ (does not include Class A) Call (920) 886-6130 if you have questions.	Number of Parking Spaces on the premises, not including street parking: <u>0</u>
--	---

LITTER/GARBAGE:
What are your plans to keep the grounds clean (check all that apply):
 Sweep Pressure Wash Pick Up Litter Hired Maintenance Garbage Cans Outside
 Other: _____

Who is responsible to keep the grounds clean? Licensee Building Owner Employees
 Hired Maintenance _____ Other: _____

NOISE: How will issues be addressed? (check all the apply): Security Manager approaches
 customer(s) Call police Signs posted Other: _____

DETAILED FLOOR PLAN

Please read all instructions before preparing the floor plan.

- A detailed floor plan must be submitted with this application.
- Even if the premises has been previously licensed and a floor plan submitted, a new floor plan must be submitted with this application.
- The floor plan must be filed on 8 1/2 x 11 inch sized paper. Plans do not need to be architectural drawings and need not be to scale. Handwritten plans are acceptable.
- A separate sheet of paper should be filed for each floor where alcohol will be stored, displayed, sold, given away and/or consumed.

The floor plan must include all of the following items:

1. Dimensions and total square feet of the premises (length x width = square feet)
2. Label all entrances and exits
3. Label and provide dimensions (length & width) of all alcohol storage areas (coolers, stock room, basement, etc.)
4. Label and provide dimensions (length x width) of all alcohol display areas (behind the bar, shelves, etc)
5. Class B & C Applicants only: Label and provide dimensions (length x width) of all outdoor areas used for the sale or service of alcohol beverages (for example, patios, beer gardens, sidewalk cafes)
6. Class B & C Applicants only: Label all seating areas, bars, and food preparation areas (kitchen)
7. Label and provide dimensions (length x width) for the first floor showing the relation of all parking areas on the premises to the building, not including street parking.
8. On each page mark the following: North ↑, Date, Business name & address

ALL NEW & TRANSFER APPLICANTS:

Submit Proof of Ownership, Lease or Offer to Purchase the Building with this application.

A Lease or Offer to Purchase must:

1. Be in the same legal entity names as those applying for the license
2. Reflect the same address as the premises address on this application
3. Reflect current dates and
4. Be signed by the lessor/seller and lessee/buyer

Lease or Offer to Purchase may be contingent upon the license being granted.

Do you own or lease the building? Check one: Own Lease

Who owns the fixtures (i.e. Coolers, etc.)? _____

Subscribed and sworn to before me

this 8th day of May, 20 23

Becca Andruschko
Notary Public, State of Wisconsin

My Commission expires: 09/08/2026

Notary Seal must be affixed

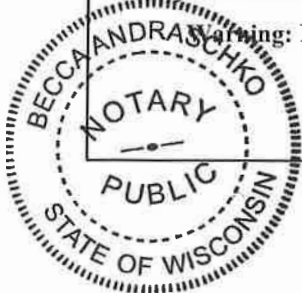
Jully Smith

Signature of Individual/Partner/Officer

Signature of Partner/Officer

Warning: Penalty provided for submitting false statements and affidavits with this application.

Your application will be returned for failure to fill out this form completely and correctly, and submit a detailed floor plan as indicated.



Basement

23.4 Ft wide



Roof
door
stair
access

172 Ft long

Bench Storage Soda + Beer
30 Ft

Bench Storage Beer
12 Ft

Dry Good Storage



Door to Basement
sink
water

23.4 Ft Wide

72 Ft. Long

Basement Door

12ft Back bar storage

6ft Bottle storage

EXIT
Rear door

EXIT
Front Door

NMFR Joint Finance & Personnel Committee

**June 27, 2023 – 5:30 p.m.
Room #132 – City of Menasha**

Present: Ald. Sevenich, Borchardt, Stevenson, Lewis, Grade and Boyette

Also Present: Chief Kloehn, Director Sassman and MA Ellis

Public: No members of the public were present.

Ald. Sevenich called the meeting to order at 5:30 p.m.

Minutes: The Committee reviewed the meeting minutes from May 23, 2023. **MSC Borchardt/Grade to approve the May 23, 2023 meeting minutes and to place on file, all voting aye.**

5:33 p.m., Ald. Boyette entered the meeting.

Review of Calls: The Committee reviewed the May 2023 versus the May 2022 calls. **MSC Borchardt/Stevenson to approve the May 2023 calls and place on file, all voting aye.**

Cost Distribution Formula: The Committee reviewed the proposed 2024 budget for cost distribution formula. Ald. Sevenich asked where the population information is gathered from. Director Sassman said its from the US Census Bureau. **MSC Stevenson/Grade to recommend the City of Neenah and City of Menasha Common Councils approve the 2024 cost distribution formula with the City of Neenah share at 60.34% and the City of Menasha at 39.66%, all voting aye.**

Shared Equipment Contract: The Committee reviewed the Shared Equipment Contract. Chief Kloehn explained this agreement was part of the Fox Valley Study on how departments can work together. This agreement would be to share equipment, apparatus, etc. when one department's is down. The agreement was written up and attorneys for the participating departments have reviewed this. There are two municipalities who have approved this. There was a question regarding insurance and this agreement has been sent to CVMIC for their review. Ald. Boyette asked about equipment under warranty and if another department uses it, and it breaks, if it's covered. Chief Kloehn will inquire about this. This will be reviewed at the next meeting once more information has been received.

Fire Chief's Replacement: The Committee reviewed the memo regarding the requested overlap for a replacement for the Fire Chief's position. Ideally, it would be better to have someone start in December and have some overlap for training. However, this would be additional funds that are not budgeted. Otherwise, this person would start after January 1st. Ald. Sevenich said his decision would be based upon if this is an internal transfer or would this be external. If it's internal there wouldn't be as much training needed. Ald. Boyette asked with the shared revenue that is coming back to Cities if this money can be used to cover this overage. Director Sassman said it cannot be used for 2023 expenditures. It would be for 2024. Ald. Stevenson said he feels this discussion would be better once the process is further along for replacement and we know if it's an internal or external candidate and what the department's budget situation is. He would also suggest if we could have Chief Kloehn stay one more week and cover these funds in the 2024 budget process that may be a better idea. This will be brought back at a future meeting once we are further in the process.

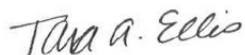
2024 Retirements and Replacements: The Committee reviewed the information regarding known retirements in 2024. This also includes how other departments have started adjusting their hiring process to get candidates at an earlier time. Once our list is established, we have run into issues with people on our list being hired at other departments and then there is no one left for us. Discussion was held on hiring three people this Fall to cover the January and February

Report

retirements and then have another hiring process in the Spring to cover the later retirements in the year. This would be an additional \$40,000 for salaries and benefits this year and it's unbudgeted. Ald. Sevenich asked if we must hire new people coming out of school and if we can hire people from other departments. Chief Kloehn noted that the regional hiring process with Fox Valley Technical College has changed. We have a new system where people from other departments and other states can apply. Ald. Boyette asked how long it takes someone to get education for what we require. Chief Kloehn said two years for the degree and the certifications. She asked if we are working with the unemployment office to have people apply. Chief Kloehn said we have not, but they would have to have our required education and certification for our department. Ald. Borchardt asked who the people on the list are. Chief Kloehn explained it's people who applied for our department, went through our hiring process, and meet our qualifications for hire. He also explained the marketing we have been doing for our department with area high schools, technical colleges, job shadows and job fairs. Ald. Lewis asked if there was a way to partner with the high schools for school to work. Chief Kloehn said right now there are two departments that are working with FVTC running a pilot program where the students can leave the high school and begin their classes at the tech. If this works, they will begin working with area schools to offer this. Ald. Borchardt asked how often our list and standards are matched to other departments. Chief Kloehn said we are different as we do not require paramedic. There are some departments who have different hiring requirements because they need paramedics to work on the ambulance and they will pay for them to go to school for them to complete their paramedic school. In addition, they will pay them to go to school to obtain the remaining certifications where we require these upon hire. Director Sassman said she spoke to Director Rasmussen. They both agree with the concept but if the intent is to go over budget for \$40,000 it is not something they can support unless there is a way to make up this money within the current budget to ensure the overall budget comes in at budget. Ald. Stevenson given the request and based on the Finance Directors not being comfortable going over budget he suggested Chief Kloehn sit down with both Finance Directors to see where we are at within the next few months and go from there on a suggestion. The committee agreed with this.

MSC Stevenson/Boyette to adjourn at 6:15 p.m., all voting aye.

Respectfully submitted,



Tara Ellis
Management Assistant



Memorandum

TO: NMFR Joint Finance & Personnel Committee

FROM: Chief Kevin Kloehn

DATE: June 13, 2023

RE: NMFR's 2024 Budget Formula

I've attached the proposed cost distribution formula for our 2024 budget for your review. I am requesting consideration and action to recommend the Cities of Neenah and Menasha Common Council's approved the proposed 2024 cost distribution formula with the City of Neenah's share at 60.34% and the City of Menasha's share at 39.66%.

If you have any questions, please feel free to contact me at 886-6201.

Thank you.

KK/te

Attachment

**Neenah-Menasha Fire Rescue
Cost Distribution Formula for Budget Year 2024
Factors as of 12/31/22**

Formula Item	Total	Proportionate Share	25% Weighted Factor	Weghted Share Neenah	Weighted Share Menasha
1. Population Estimate - Neenah	27,361	60.47%	0.25	0.1512	
Population Estimate - Menasha	17,889	39.53%	0.25		0.0988
Population Estimate as of 7/1/22 (a)	45,250	100.00%			
2. Equalized Value (w/TIF) - Neenah (b)	\$ 2,733,410,000	64.50%	0.25	0.1612	
Equalized Value (w/TIF) - Menasha ©	1,504,477,700	35.50%	0.25		0.0888
Equalized Value as of 1/1/22	\$ 4,237,887,700	100.00%			
3. Service Calls - Neenah	1,945	60.52%	0.25	0.1513	
Service Calls - Menasha	1,269	39.48%	0.25		0.0987
Service Calls during 2022	3,214	100.00%			
4. Square Miles - Neenah	9,880	56.01%	0.25	0.1400	
Square Miles - Menasha	7,760	43.99%	0.25		0.1100
Square Miles as of 12/31/22	17,640	100.00%			
Total Weighted Factors				0.6037	0.3963
Total Proposed Cost Distribution Formula - 2022 Factor for 2024 Budget				60.37%	39.63%
Previous Year Cost Distribution Formula				60.34%	39.66%
Increase (Decrease) from Previous Year				0.03%	-0.03%

a. Population estimates per the United States Census Bureau

b. Neenah - Equalized Value

Equalized Value (Per Wisconsin Dept of Revenue)	\$ 2,731,410,000
Alliant Energy (Per WI Dept. of Administration)	2,000,000
	<u>\$ 2,733,410,000</u>

c. Menasha - Equalized Value

Equalized Value (Per Wisconsin Dept of Revenue)	1,463,645,400
UW-Fox Valley (Per WI Dept. of Administration)	40,832,300
	<u>\$ 1,504,477,700</u>

**Minutes of the Board of Public Works Meeting
Thursday, June 29, 2023 at 12:30 p.m.**

MEMBERS PRESENT: Mayor Lang, Director of Finance Rasmussen, Director of Public Works Kaiser, Aldermen Lendrum and Hillstrom. City Attorney Rashid and Director of Community Development & Assessment Haese were excused.

ALSO PRESENT: City Clerk Nagel.

CALL TO ORDER: Mayor Lang called the meeting to order at 12:35 a.m.

I. Approval of the minutes of the June 19, 2023 meeting. (Minutes can be found on the City web site)
MSC Hillstrom/Kaiser to approve the meeting minutes as presentation, all voting aye.

II. Appearances.
None.

III. Unfinished Business.
None.

IV. New Business.

A. Public Works

1. Pay Request No.3, Contract 1-23, Don E. Parker Excavating, for Sanitary Sewer, Water Main and Street Construction on Burr Avenue, Chestnut Street, Dieckhoff Street, and Laudan Boulevard, in an amount of \$311,103.54. (Attachment)
MSC Kaiser/Lendrum to approve Pay Request No.3, Contract 1-23, Don E. Parker Excavating in the amount of \$311,103.54, all voting aye.

Info. Only

Discussion: The contract is for utility work which has been completed.

2. Pay Request No.1, Contract 2-23, David Tenor Corporation, for Sanitary & Storm Sewer, Water Main and Street Construction on Brantwood Drive, Brantwood Court, Charles Court, Hughes Court, Memorial Court and Patrick Court in an amount of \$244,989.80. (Attachment)
MSC Kaiser/Ramussen to approve Pay Request No.1, Contract 2-23, David Tenor Corporation, in the amount of \$244,989.80, all voting aye.

Info. Only

Discussion: The contract is for utility work which has been completed.

3. Pay Request No.2, Contract 2-23, David Tenor Corporation, for Sanitary & Storm Sewer, Water Main and Street Construction on Brantwood Drive, Brantwood Court, Charles Court, Hughes Court, Memorial Court and Patrick Court in an amount of \$318,098.95. (Attachment)
MSC Kaiser/Lendrum to approve Pay Request No.2, Contract 2-23, David Tenor Corporation in the amount of \$318,098.95.

Info. Only

Discussion: The contract is for utility work which has been completed.

Info. Only

4. Pay Request No.3, Contract 5-23, MCC Inc., for Street, Curb & Gutter, Sidewalks and Apron Construction in Arthur Plat, Cardinal Plat, Integrity Acres, 1st Addition to Integrity Acres, and Liberty Heights in an amount of \$539,829.58. (Attachment)
MSC Kaiser/Hillstrom to approve Pay Request No.3, Contract 5-23, MCC Inc. in the amount of \$539,829.58, all voting aye.

Discussion: Work continues in the new subdivision which is progressing nicely. Sidewalk installation has started.

Info. Only

5. Pay Request No.3, Contract 6-23, Donald Hietpas & Sons, Inc., for Sanitary & Storm Sewer, Water Main and Street Construction on Columbian Avenue and Beaulieu Road in an amount of \$67,275.15. (Attachment)
MSC Kaiser/Lendrum to approve Pay Request No.3, Contract 6-23, Donald Hietpas & Sons, Inc. in the amount of \$67,275.15, all voting aye.

Discussion: Work on Beaulieu Road was excavation only which is complete. Construction continues on Columbian Avenue.

Report

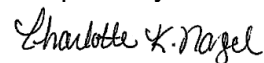
6. Award Contract 8-23, Re-Roof Office Area at City Service Building, 1495 Tullar Rd, to JT Rams, LLC, Saukville WI, in an amount of \$61,061.00. (Attachment)
MSC Kaiser/Hillstrom to recommend Council Award Contract 8-23, Re-Roof Office Area at City Service Building, 1495 Tullar Rd, to JT Rams, LLC, Saukville WI, in an amount of \$61,061.00, all voting aye.

Discussion: Two bids were received to replace the roof on the City Service Building Office Area. JT Rams, LLC was the lowest bid. The bid came in under budget.

- IV. Any announcements/questions for the Board.
None.

- V. Adjournment.
MSC Rasmussen/Lendrum to adjourn, all voting aye. Meeting adjourned at 12:55 p.m.

Respectfully Submitted,



Charlotte Nagel
City Clerk

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: Don E. Parker Excavating		Contract No. 1-23	
Address N2573 Highway 15		Contract Amount \$2,474,739.50	
City Hortonville WI 54944			
Name of Project	Sanitary, Water Main and Street Construction		
Location of Project	Burr Avenue, Chestnut Street, Dieckhoff Street, and Laudan Boulevard		
Pay Request No. 3	For Period	June 1, 2023 through June 23, 2023	

CONTRACT SUMMARY			
Original Contract Amount			\$2,474,739.50
Net Amount of Change Order			\$0.00
Adjusted Contract Amount			<u>\$2,474,739.50</u>
WORK PERFORMED TO DATE			
Work Performed to Date			\$1,525,925.97
Less Retainage of 5%. If different indicate here			\$76,296.30
Net Amount Earned to Date			\$1,449,629.67
Less Previous Payments			\$1,138,526.13
BALANCE DUE THIS PAYMENT			<u>\$311,103.54</u>

CONTRACT BREAKOUT					
	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer Various Repairs	046-5001-743-0236	\$180,000.00	\$0.00	\$2,292.83	\$7,489.90
Sanitary Sewer-Burr Ave	046-5059-743-0236	\$70,000.00	\$58,600.00	\$0.00	\$38,483.88
Sanitary Sewer-Chestnut St	046-5055-743-0236	\$680,000.00	\$570,000.00	\$87,397.34	\$477,465.06
Sanitary Sewer -Dieckhoff St	046-5058-743-0236	\$50,000.00	\$41,156.55	\$0.00	\$26,826.15
Storm Sewer Various Repairs	049-5203-743-0236	\$227,000.00	\$67,135.45	\$50,706.66	\$0.00
Storm Sewer-Chestnut St	049-5276-743-0236	\$182,000.00	\$182,000.00	\$95,277.45	\$1,216.00
Street Constr-Burr Ave	012-4335-743-0236	\$89,000.00	\$78,000.00	\$0.00	\$1,808.80
Street Constr-Chestnut St	012-4333-743-0236	\$710,000.00	\$624,000.00	\$0.00	\$2,713.20
Street Constr-Dieckhoff St	012-4334-743-0236	\$61,000.00	\$54,298.50	\$0.00	\$1,808.80
Street Constr-Laudan Blvd	012-4337-743-0236	\$114,000.00	\$100,000.00	\$0.00	\$0.00
Water Constr-Burr Ave	400-0000-207-0514	\$66,000.00	\$58,369.00	\$2,475.61	\$48,315.41
Water Constr-Chestnut St	400-0000-207-0514	\$449,000.00	\$490,655.00	\$65,003.97	\$407,848.23
Water Constr-Dieckhoff St	400-0000-207-0514	\$56,000.00	\$54,349.00	\$3,997.17	\$45,409.91
Water Constr-Laudan Blvd	400-0000-207-0514	\$128,000.00	\$96,176.00	\$3,952.52	\$79,140.80
		<u>\$3,062,000.00</u>	<u>\$2,474,739.50</u>	<u>\$311,103.54</u>	<u>\$1,138,526.13</u>

CERTIFICATION OF CONTRACTOR:	
I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits	
Certified by Engineer	Date: 6-27-23
Certified by Public Works	Date: 6-27-23
Certified by Water Utility	Date: 6/27/2023
Certified by Contractor	Date:
Approved BPW	Date:
Approved Common Council (Final Payments Only)	Date:

Contract 1-23
Sanitary Storm Sewer, Water, and Street Construction
Burr Ave., Chestnut St., Dieckhoff St., Laudan Blvd.

Item Code	Item Description	UofM	QTY	Unit Price	Extension	Quantity Completed to Date	Pay Request No.2				Pay Request No.3				
							Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	
1	101.3	Furnish and Relay 8-inch PVC Sanitary Sewer	Lin. Ft.	2680	\$76.75	\$205,690.00	2,674.00	879.00	\$67,463.25	\$3,373.16	\$64,090.09	0.00	\$0.00	\$0.00	\$0.00
2	101.4	Furnish and Relay 10-inch PVC Sanitary Sewer	Lin. Ft.	337	\$86.35	\$29,099.95	337.00	337.00	\$29,099.95	\$1,455.00	\$27,644.95	0.00	\$0.00	\$0.00	\$0.00
3	102.3	Furnish and Relay 6 inch Sanitary Lateral in ROW	Lin. Ft.	1800	\$80.45	\$144,810.00	2,293.00	1,517.00	\$122,042.65	\$6,102.13	\$115,940.52	776.00	\$62,429.20	\$3,121.46	\$59,307.74
4	102.4	Furnish and Relay 6 inch Sanitary Lateral ROW to House	Lin. Ft.	100	\$61.60	\$6,160.00	50.00	50.00	\$3,080.00	\$154.00	\$2,926.00	0.00	\$0.00	\$0.00	\$0.00
5	102.6	Reconnect Lateral to Main	Each	2	\$240.00	\$480.00	3.00	3.00	\$720.00	\$36.00	\$684.00	0.00	\$0.00	\$0.00	\$0.00
6	103.1	Furnish and Pipeburst 4-inch Sanitary Lateral	Lin. Ft.	2800	\$5.15	\$14,420.00	2,166.00	642.00	\$3,306.30	\$165.32	\$3,140.99	222.00	\$1,143.30	\$57.17	\$1,086.14
7	103.2	Furnish and Pipeburst 6-inch Sanitary Lateral	Lin. Ft.	200	\$20.60	\$4,120.00	430.00	0.00	\$0.00	\$0.00	\$0.00	197.00	\$4,058.20	\$202.91	\$3,855.29
8	103.3	Reconnect Sanitary Lateral at Foundation - Pipeburst	Each	5	\$1,545.00	\$7,725.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
9	103.4	Reconnect Under Basement Floor - Pipeburst	Each	74	\$2,678.00	\$198,172.00	68.00	20.00	\$53,560.00	\$2,678.00	\$50,882.00	10.00	\$26,780.00	\$1,339.00	\$25,441.00
10	103.4.1	Remove Building Footing to allow Pipeburst	Each	5	\$309.00	\$1,545.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
11	103.5	Extra Hole - Pipeburst	Each	3	\$515.00	\$1,545.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
12	104.1	Furnish and Install Standard Manhole	Ver. Ft.	92	\$506.80	\$46,625.60	91.00	56.00	\$28,380.80	\$1,419.04	\$26,961.76	0.00	\$0.00	\$0.00	\$0.00
13	105.1	Abandon Sanitary Manhole	Each	2	\$350.00	\$700.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
14	105.2	Adjust Sanitary Manhole	Each	3	\$650.00	\$1,950.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
15	105.6	Remove Sanitary Manhole	Each	14	\$200.00	\$2,800.00	14.00	6.00	\$1,200.00	\$60.00	\$1,140.00	0.00	\$0.00	\$0.00	\$0.00
16	106.1	Clean and Televiser Sewer (Sanitary only)	Lump Sum	1	\$3,914.00	\$3,914.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Sanitary						\$669,756.55			\$308,852.95	\$15,442.65	\$293,410.30		\$94,410.70	\$4,720.54	\$89,690.17
17	201.1.1	Furnish & Install 6-inch PVC C-900 Main	Lin. Ft.	40	\$213.80	\$8,552.00	37.00	20.00	\$4,276.00	\$213.80	\$4,062.20	0.00	\$0.00	\$0.00	\$0.00
18	201.1.2	Furnish & Install 8-inch PVC C-900 Main	Lin. Ft.	3400	\$84.70	\$287,980.00	3,329.00	1,801.00	\$152,544.70	\$7,627.24	\$144,917.47	0.00	\$0.00	\$0.00	\$0.00
19	201.1.4	Furnish & Install 12-inch PVC C-900 Main	Lin. Ft.	610	\$125.50	\$76,555.00	598.00	587.00	\$73,668.50	\$3,683.43	\$69,985.08	11.00	\$1,380.50	\$69.03	\$1,311.48

Contract 1-23
Sanitary Storm Sewer, Water, and Street Construction
Burr Ave., Chestnut St., Dieckhoff St., Laudan Blvd.

Item Code	Item Description	UofM	QTY	Unit Price	Extension	Quantity Completed to Date	Pay Request No.2			Pay Request No.3					
							Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	
20	202.1.2	Furnish & Install 1.25-inch PE Water Service in ROW by Trenching	Lin. Ft.	1600	\$57.00	\$91,200.00	2,170.00	1,514.00	\$86,298.00	\$4,314.90	\$81,983.10	656.00	\$37,392.00	\$1,869.60	\$35,522.40
21	202.2.2	Furnish & Install 1.25-inch PE Water Service in ROW by Pulling	Lin. Ft.	100	\$15.00	\$1,500.00	62.00	62.00	\$930.00	\$46.50	\$883.50	0.00	\$0.00	\$0.00	\$0.00
22	202.3.2	Furnish & Install 1.25-inch PE Water Service in ROW by Drilling	Lin. Ft.	100	\$30.90	\$3,090.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
23	202.4.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Trenching	Lin. Ft.	100	\$30.90	\$3,090.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
24	202.5.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Pulling	Lin. Ft.	100	\$30.90	\$3,090.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
25	202.6.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Drilling	Lin. Ft.	100	\$30.90	\$3,090.00	129.00	0.00	\$0.00	\$0.00	\$0.00	129.00	\$3,986.10	\$199.31	\$3,786.80
26	202.7.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Pulling w/Sanitary Sewer Pipeburst	Lin. Ft.	2500	\$3.09	\$7,725.00	2,561.00	483.00	\$1,492.47	\$74.62	\$1,417.85	707.00	\$2,184.63	\$109.23	\$2,075.40
27	202.8.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Excavation in same Trench as Sanitary Lateral	Lin. Ft.	100	\$7.50	\$750.00	62.00	62.00	\$465.00	\$23.25	\$441.75	0.00	\$0.00	\$0.00	\$0.00
28	202.9.2	Furnish & Install 1.25-inch Service Brass Set	Each	79	\$482.00	\$38,078.00	77.00	54.00	\$26,028.00	\$1,301.40	\$24,726.60	23.00	\$11,086.00	\$554.30	\$10,531.70
29	203.1.1	Furnish & Install Cathodic Protection to Water Service	Each	6	\$230.00	\$1,380.00	20.00	18.00	\$4,140.00	\$207.00	\$3,933.00	2.00	\$460.00	\$23.00	\$437.00
30	203.1.3	Water Service Connection to Structure	Each	79	\$824.00	\$65,096.00	59.00	34.00	\$28,016.00	\$1,400.80	\$26,615.20	25.00	\$20,600.00	\$1,030.00	\$19,570.00
31	203.1.4	Water Service Extra Hole (Curb Stop Connection)	Each	3	\$515.00	\$1,545.00	6.00	2.00	\$1,030.00	\$51.50	\$978.50	4.00	\$2,060.00	\$103.00	\$1,957.00
32	203.1.6	Abandon Valve Box	Each	7	\$200.00	\$1,400.00	1.00	1.00	\$200.00	\$10.00	\$190.00	0.00	\$0.00	\$0.00	\$0.00
33	203.1.7	Abandon Valve Manhole	Each	1	\$650.00	\$650.00	2.00	1.00	\$650.00	\$32.50	\$617.50	0.00	\$0.00	\$0.00	\$0.00
34	204.2.4	Furnish & Install 8-inch MJRW Valve and Box	Each	13	\$2,674.00	\$34,762.00	12.00	6.00	\$16,044.00	\$802.20	\$15,241.80	0.00	\$0.00	\$0.00	\$0.00

Contract 1-23
Sanitary Storm Sewer, Water, and Street Construction
Burr Ave., Chestnut St., Dieckhoff St., Laudan Blvd.

Item Code	Item Description	UofM	QTY	Unit Price	Extension	Quantity Completed to Date	Pay Request No.2			Pay Request No.3					
							Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	Contractor Completed This Period QTY	Contractor Completed This Period \$	Retainage Due this Period	Due this Estimate	
35	204.2.6	Furnish & Install 12-inch MJRW Valve and Box	Each	2	\$4,480.00	\$8,960.00	2.00	2.00	\$8,960.00	\$448.00	\$8,512.00	0.00	\$0.00	\$0.00	\$0.00
36	205.1	Furnish & Install Hydrant, Lead and Valve	Each	8	\$7,507.00	\$60,056.00	7.00	3.00	\$22,521.00	\$1,126.05	\$21,394.95	0.00	\$0.00	\$0.00	\$0.00
37	205.2	Abandon Hydrant	Each	4	\$250.00	\$1,000.00	1.00	0.00	\$0.00	\$0.00	\$0.00	1.00	\$250.00	\$12.50	\$237.50
Water						\$699,549.00			\$427,263.67	\$21,363.18	\$405,900.49		\$79,399.23	\$3,969.96	\$75,429.28
38	301.4	Furnish and Relay 10-inch Storm Sewer	Lin. Ft.	380	\$56.90	\$21,622.00	313.00	0.00	\$0.00	\$0.00	\$0.00	313.00	\$17,809.70	\$890.49	\$16,919.22
39	301.5	Furnish and Relay 12-inch Storm Sewer	Lin. Ft.	1410	\$58.95	\$83,119.50	880.00	0.00	\$0.00	\$0.00	\$0.00	880.00	\$51,876.00	\$2,593.80	\$49,282.20
40	301.5.1	Furnish and Relay 15-inch Storm Sewer	Lin. Ft.	640	\$59.95	\$38,368.00	290.00	0.00	\$0.00	\$0.00	\$0.00	290.00	\$17,385.50	\$869.28	\$16,516.23
41	303.1	Furnish and Install 4-inch Storm Sewer Lateral	Lin. Ft.	900	\$48.20	\$43,380.00	263.00	0.00	\$0.00	\$0.00	\$0.00	263.00	\$12,676.60	\$633.83	\$12,042.77
42	304.1	Furnish and Install Sump pump Pit (separate)	Each	10	\$412.00	\$4,120.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
43	304.2	Furnish and Install Sump Pump pit w/ Sanitary Pipeburst	Each	3	\$257.50	\$772.50	4.00	4.00	\$1,030.00	\$51.50	\$978.50	0.00	\$0.00	\$0.00	\$0.00
44	305.1	Furnish and Install Catch Basin	Each	16	\$1,967.00	\$31,472.00	14.00	0.00	\$0.00	\$0.00	\$0.00	14.00	\$27,538.00	\$1,376.90	\$26,161.10
45	305.8	Adjust Storm Catch Basin	Each	2	\$700.00	\$1,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
46	305.9	Remove Storm Catch Basin	Each	16	\$250.00	\$4,000.00	12.00	1.00	\$250.00	\$12.50	\$237.50	11.00	\$2,750.00	\$137.50	\$2,612.50
47	306.1	Furnish and Install Storm Manhole	Vert Ft	31	\$512.75	\$15,895.25	41.70	0.00	\$0.00	\$0.00	\$0.00	41.70	\$21,381.68	\$1,069.08	\$20,312.60
48	306.8	Adjust Storm Manhole	Each	2	\$700.00	\$1,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
49	306.9	Remove Storm Manhole	Each	8	\$250.00	\$2,000.00	9.00	0.00	\$0.00	\$0.00	\$0.00	9.00	\$2,250.00	\$112.50	\$2,137.50
50	308.2.4	Install and Maintain Type "D" Inlet Protection	Each	22	\$72.10	\$1,586.20	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Storm						\$249,135.45			\$1,280.00	\$64.00	\$1,216.00		\$153,667.48	\$7,683.37	\$145,984.12
51	402.2.6.2	Remove Existing Pavement and Maintain Utility Trench	Lin. Ft.	12000	\$0.75	\$9,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
52	405.1	Sawcut Existing Bituminous Pavement	Lin. Ft.	500	\$1.55	\$775.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
53	402.2.6.1	Remove Existing Bituminous Pavement	Sq. Yd.	13000	\$0.01	\$130.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00

Contract 1-23
Sanitary Storm Sewer, Water, and Street Construction
Burr Ave., Chestnut St., Dieckhoff St., Laudan Blvd.

Item Code	Item Description	UofM	QTY	Unit Price	Extension	Quantity Completed to Date	Pay Request No.2			Pay Request No.3					
							Contractor Completed This Period QTY	Retainage Due this Period	Due this Estimate	Contractor Completed This Period QTY	Retainage Due this Period	Due this Estimate			
54	403.2.5.1	Remove Concrete Curb and Gutter	Lin. Ft.	6700	\$1.55	\$10,385.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
55	404.4.5	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	20000	\$0.36	\$7,200.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
56	402.1.7.4	Unclassified Excavation	Cu. Yd.	9000	\$9.99	\$89,910.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
57	402.1.4.11	Furnish and Install Geogrid	Sq. Yd.	15000	\$1.90	\$28,500.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
58	401.1.1	Furnish and Install Crushed Aggregate Base	Ton	11000	\$15.86	\$174,460.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
59	403.2.1.7	Furnish and Install 30-inch Concrete Curb and Gutter (continuous)	Lin. Ft.	6600	\$16.48	\$108,768.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
60	403.2.1.8	Furnish and Install 30-inch Concrete Curb and Gutter (repair)	Lin. Ft.	100	\$61.80	\$6,180.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
61	404.3.2	Furnish and Install 6-inch Concrete Sidewalk/Driveway	Sq. Ft.	10000	\$6.64	\$66,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
62	404.1.1	Furnish and Install 4" Concrete Sidewalk	Sq. Ft.	10000	\$6.34	\$63,400.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
63	706.2	Install Detectable Warning Fields (supplied by City)	Each	30	\$77.25	\$2,317.50	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
64	402.1.5.3	Furnish and Install 1/2-inch rods	Lin. Ft.	550	\$2.06	\$1,133.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
65	102.1.5.3.1	Fine Grade Roadway	Sq. Yd.	12000	\$1.85	\$22,200.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
66	402.2.3.1	Furnish and Install HMA Pavement (4-inch)	Ton	2750	\$75.60	\$207,900.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
67	505.1	Furnish & Install Terracing, Fertilize, Seed & Hydromulch	Sq. Yd.	5000	\$7.72	\$38,600.00	0.00	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
68	706.1	Install and Maintain Traffic Control	Lump Sum	1	\$19,040.00	\$19,040.00	0.35	0.35	\$6,664.00	\$333.20	\$6,330.80	0.00	\$0.00	\$0.00	\$0.00
Street									\$6,664.00	\$333.20	\$6,330.80		\$0.00	\$0.00	\$0.00
Total									\$744,060.62	\$37,203.03	\$706,857.59		\$327,477.41	\$16,373.87	\$311,103.57

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: David Tenor Corporation		Contract No.	2-23
Address 2759 Dewey Decker Drive		Contract Amount	\$1,077,298.50
City Green Bay WI 54313			
Name of Project Sewer, Water Main and Street Construction			
Location of Project Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct, & Patrick Ct			
Pay Request No.	1	For Period	May 1, 2023 through May 31, 2023

CONTRACT SUMMARY

Original Contract Amount \$1,077,298.50
 Net Amount of Change Order \$0.00
 Adjusted Contract Amount \$1,077,298.50

WORK PERFORMED TO DATE

Work Performed to Date \$257,884.00
 Less Retainage of 5%. If different indicate here \$12,894.20
 Net Amount Earned to Date \$244,989.80
 Less Previous Payments \$0.00
BALANCE DUE THIS PAYMENT \$244,989.80

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer-Variou Repairs	046-5001-743-0236	\$180,000.00	\$27,768.00	\$0.00	\$0.00
Storm Sewer-Variou Repairs	049-5203-743-0236	\$227,000.00	\$17,170.00	\$1,900.00	\$0.00
Street Constr-Memorial Park Ct	012-4336-743-0236	\$309,000.00	\$242,000.00	\$0.00	\$0.00
Street Constr-Brantwood Drive	012-4339-743-0236	\$236,000.00	\$185,000.00	\$0.00	\$0.00
Street Constr-Brantwood Court	012-4340-743-0236	\$59,000.00	\$46,034.50	\$0.00	\$0.00
Water Constr-Brantwood Drive	400-0000-207-0521	\$262,000.00	\$261,807.00	\$215,266.20	\$0.00
Water Constr-Brantwood Court	400-0000-207-0522	\$37,000.00	\$44,648.00	\$27,823.60	\$0.00
Water Constr-Charles Court	400-0000-207-0517	\$38,000.00	\$46,364.00	\$0.00	\$0.00
Water Constr-Hughes Court	400-0000-207-0515	\$87,000.00	\$108,310.00	\$0.00	\$0.00
Water Constr-Memorial Court	400-0000-207-0516	\$38,000.00	\$48,675.00	\$0.00	\$0.00
Water Constr-Patrick Court	400-0000-207-0518	\$40,000.00	\$49,522.00	\$0.00	\$0.00
		\$1,513,000.00	\$1,077,298.50	\$244,989.80	\$0.00

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer _____ Date: _____
 Certified by Public Works *[Signature]* Date: 6-28-23
 Certified by Water Utility _____ Date: 6/28/2023
 Certified by Contractor _____ Date: _____

Approved BPW _____ Date: _____
 Approved Common Council (Final Payments Only) _____ Date: _____

Contract 2-23
Sanitary Storm Sewer, Water, and Street Construction
Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct Patrick Ct

							Pay Request No.1				
							Quantity Completed to Date	Contractor Completed This Period		Retainage Due this Period	Due To Contractor This Period
Item Code	Item Description	UofM	QTY	Unit Price	Extension	QTY		\$			
1	103.1	Furnish and Pipeburst 4-inch S	Lin. Ft.	380	\$5.10	\$1,938.00	0	0.00	\$0.00	\$0.00	\$0.00
2	103.4	Reconnect Under Basement Fl	Each	6	\$2,550.00	\$15,300.00	0	0.00	\$0.00	\$0.00	\$0.00
3	105.2	Adjust Sanitary Manhole	Each	13	\$400.00	\$5,200.00	0	0.00	\$0.00	\$0.00	\$0.00
4	105.2N	Furnish and install Chimney Se	Eash	13	\$410.00	\$5,330.00	0	0.00	\$0.00	\$0.00	\$0.00
Sanitary						\$27,768.00			\$0.00	\$0.00	\$0.00
5	201.1.1	Furnish & Install 6-inch PVC C-900 Main	Lin. Ft.	60	\$184.00	\$11,040.00	62	22.00	\$4,048.00	\$202.40	\$3,845.60
6	201.1.2	Furnish & Install 8-inch PVC C-900 Main	Lin. Ft.	3080	\$83.00	\$255,640.00	3,058	1,892.00	\$157,036.00	\$7,851.80	\$149,184.20
7	201.1.2N	Furnish & Install 1.25-inch PE Service in ROW from main to shutoff by Trenching / Pulling / Boring	Lin. Ft.	2000	\$59.00	\$118,000.00	2,658	534.00	\$31,506.00	\$1,575.30	\$29,930.70
8	202.7.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Pulling w/Sanitary Sewer Pipeburst	Lin. Ft.	100	\$5.10	\$510.00	0	0.00	\$0.00	\$0.00	\$0.00
9	202.9.2	Furnish & Install 1.25-inch Service Brass Set	Each	77	\$600.00	\$46,200.00	77	23.00	\$13,800.00	\$690.00	\$13,110.00
10	203.1.1	Furnish & Install Cathodic Protection to Water Service	Each	77	\$143.00	\$11,011.00	77	23.00	\$3,289.00	\$164.45	\$3,124.55
11	203.1.3	Water Service Connection to Structure	Each	2	\$510.00	\$1,020.00	0	0.00	\$0.00	\$0.00	\$0.00
12	203.1.6	Abandon Valve Box	Each	11	\$150.00	\$1,650.00	10	0.00	\$0.00	\$0.00	\$0.00
13	204.2.4	Furnish & Install 8-inch MJRW Valve and Box	Each	7	\$2,915.00	\$20,405.00	8	7.00	\$20,405.00	\$1,020.25	\$19,384.75
14	204.1.3	Furnish & Install 6-inch Live Tap and Valve	Each	2	\$4,100.00	\$8,200.00	2	0.00	\$0.00	\$0.00	\$0.00
15	204.1.4	Furnish & Install 8-inch Live Tap and Valve	Each	2	\$5,000.00	\$10,000.00	2	0.00	\$0.00	\$0.00	\$0.00
16	205.1	Furnish & Install Hydrant, Lead and Valve	Each	9	\$8,250.00	\$74,250.00	8	3.00	\$24,750.00	\$1,237.50	\$23,512.50
17	205.2	Abandon Hydrant	Each	4	\$350.00	\$1,400.00	7	3.00	\$1,050.00	\$52.50	\$997.50
Water						\$559,326.00			\$255,884.00	\$12,794.20	\$243,089.80

							Pay Request No.1				
18	301.4	Furnish and Relay 10-inch Storm Sewer	Lin. Ft.	33	\$60.00	\$1,980.00	0	0.00	\$0.00	\$0.00	\$0.00
19	305.1	Furnish and Install Catch Basin	Each	1	\$2,000.00	\$2,000.00	1	1.00	\$2,000.00	\$100.00	\$1,900.00
20	305.8	Adjust Storm Catch Basin	Each	18	\$350.00	\$6,300.00	0	0.00	\$0.00	\$0.00	\$0.00
21	305.9	Remove Storm Catch Basin	Each	1	\$300.00	\$300.00	0	0.00	\$0.00	\$0.00	\$0.00
22	306.8	Adjust Storm Manhole	Each	12	\$375.00	\$4,500.00	0	0.00	\$0.00	\$0.00	\$0.00
23	308.2.4	Install and Maintain Type "D" Inlet Protection	Each	22	\$95.00	\$2,090.00	0	0.00	\$0.00	\$0.00	\$0.00
Storm						\$17,170.00			\$2,000.00	\$100.00	\$1,900.00
24	402.2.6.2	Remove Existing Pavement and Maintain Utility Trench	Lin. Ft.	5000	\$0.50	\$2,500.00	0	0.00	\$0.00	\$0.00	\$0.00
25	405.1	Sawcut Existing Bituminous Pavement	Lin. Ft.	500	\$1.50	\$750.00	0	0.00	\$0.00	\$0.00	\$0.00
26	402.2.6.1	Remove Existing Bituminous Pavement	Sq. Yd.	13500	\$0.81	\$10,935.00	0	0.00	\$0.00	\$0.00	\$0.00
27	403.2.5.1	Remove Concrete Curb and Gutter	Lin. Ft.	850	\$5.05	\$4,292.50	0	0.00	\$0.00	\$0.00	\$0.00
28	404.4.5	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	1000	\$2.53	\$2,530.00	0	0.00	\$0.00	\$0.00	\$0.00
29	402.1.7.4	Unclassified Excavation	Cu. Yd.	5000	\$12.53	\$62,650.00	0	0.00	\$0.00	\$0.00	\$0.00
30	401.1.1	Furnish and Install Crushed Aggregate Base	Ton	6000	\$9.65	\$57,900.00	0	0.00	\$0.00	\$0.00	\$0.00
31	402.1.4.11	Furnish and Install Geogrid	Sq. Yd.	9000	\$2.02	\$18,180.00	0	0.00	\$0.00	\$0.00	\$0.00
32	402.1.5.3	Furnish and Install 1/2-inch rods	Lin. Ft.	500	\$2.04	\$1,020.00	0	0.00	\$0.00	\$0.00	\$0.00
33	402.1.5.3N	Fine Grade Roadway	Sq. Yd.	13500	\$1.88	\$25,380.00	0	0.00	\$0.00	\$0.00	\$0.00
34	402.2.3.1	Furnish and Install HMA Pavement (4-inch)	Ton	3100	\$75.38	\$233,678.00	0	0.00	\$0.00	\$0.00	\$0.00
35	403.2.1.1	Furnish and Install Concrete Curb & Gutter	Lin. Ft.	850	\$30.60	\$26,010.00	0	0.00	\$0.00	\$0.00	\$0.00
36	404.1.1	Furnish and Install 4" Concrete Sidewalk	Sq. Ft.	250	\$6.38	\$1,595.00	0	0.00	\$0.00	\$0.00	\$0.00
37	404.3.2	Furnish and Install 6-inch Concrete Sidewalk/Driveway	Sq. Ft.	750	\$7.40	\$5,550.00	0	0.00	\$0.00	\$0.00	\$0.00
38	706.2	Install Detectable Warning Fields (supplied by City)	Each	4	\$51.00	\$204.00	0	0.00	\$0.00	\$0.00	\$0.00

Sanitary Storm Sewer, Water, and Street Construction

Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct Patrick Ct

							Pay Request No.1				
39	505.1	Furnish & Install Terracing, Fertilize, Seed & Hydromulch	Sq. Yd.	500	\$8.97	\$4,485.00	0	0.00	\$0.00	\$0.00	\$0.00
40	706.1	Install and Maintain Traffic Control	Lump Sum	1	\$15,375.00	\$15,375.00	0	0.00	\$0.00	\$0.00	\$0.00
Street						\$473,034.50	0		\$0.00	\$0.00	\$0.00
Total						\$1,077,298.50			\$257,884.00	\$12,894.20	\$244,989.80

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: David Tenor Corporation		Contract No. 2-23	
Address 2759 Dewey Decker Drive		Contract Amount \$1,077,298.50	
City Green Bay WI 54313			
Name of Project	Sewer, Water Main and Street Construction		
Location of Project	Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct, & Patrick Ct		
Pay Request No. 2	For Period	June 1, 2023 through June 23, 2023	

CONTRACT SUMMARY

Original Contract Amount	\$1,077,298.50
Net Amount of Change Order	\$0.00
Adjusted Contract Amount	<u>\$1,077,298.50</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$592,725.00
Less Retainage of 5%. If different indicate here	\$29,636.25
Net Amount Earned to Date	\$563,088.75
Less Previous Payments	\$244,989.80

BALANCE DUE THIS PAYMENT


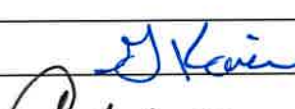

\$318,098.95

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Sanitary Sewer-Variou Repairs	046-5001-743-0236	\$180,000.00	\$27,768.00	\$0.00	\$0.00
Storm Sewer-Variou Repairs	049-5203-743-0236	\$227,000.00	\$17,170.00	\$0.00	\$1,900.00
Street Constr-Memorial Park Ct	012-4336-743-0236	\$309,000.00	\$242,000.00	\$0.00	\$0.00
Street Constr-Brantwood Drive	012-4339-743-0236	\$236,000.00	\$185,000.00	\$0.00	\$0.00
Street Constr-Brantwood Court	012-4340-743-0236	\$59,000.00	\$46,034.50	\$0.00	\$0.00
Water Constr-Brantwood Drive	400-0000-207-0521	\$262,000.00	\$261,807.00	\$38,726.75	\$215,266.20
Water Constr-Brantwood Court	400-0000-207-0522	\$37,000.00	\$44,648.00	\$18,662.75	\$27,823.60
Water Constr-Charles Court	400-0000-207-0517	\$38,000.00	\$46,364.00	\$53,114.50	\$0.00
Water Constr-Hughes Court	400-0000-207-0515	\$87,000.00	\$108,310.00	\$107,073.55	\$0.00
Water Constr-Memorial Court	400-0000-207-0516	\$38,000.00	\$48,675.00	\$52,028.65	\$0.00
Water Constr-Patrick Court	400-0000-207-0518	\$40,000.00	\$49,522.00	\$48,492.75	\$0.00
		<u>\$1,513,000.00</u>	<u>\$1,077,298.50</u>	<u>\$318,098.95</u>	<u>\$244,989.80</u>

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer		Date: 6-27-23
Certified by Public Works		Date: 6-27-23
Certified by Water Utility		Date: 6/27/2023
Certified by Contractor		Date:
	Approved BPW _____	Date:
	Approved Common Council (Final Payments Only)	Date:

Sanitary Storm Sewer, Water, and Street Construction

Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct Patrick Ct

Item Code	Item Description	UofM	QTY	Unit Price	Extension	Quantity Completed to Date	Pay Request No.1				Pay Request No.2				
							Contractor Completed This Period		Retainage Due this Period	Due To Contractor This Period	Contractor Completed This Period		Retainage Due this Period	Due To Contractor This Period	
							QTY	\$			QTY	\$			
1	103.1	Furnish and Pipeburst 4-inch S	Lin. Ft.	380	\$5.10	\$1,938.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
2	103.4	Reconnect Under Basement Fl	Each	6	\$2,550.00	\$15,300.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
3	105.2	Adjust Sanitary Manhole	Each	13	\$400.00	\$5,200.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
4	105.2N	Furnish and install Chimney Se	Eash	13	\$410.00	\$5,330.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Sanitary						\$27,768.00			\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
5	201.1.1	Furnish & Install 6-inch PVC C-900 Main	Lin. Ft.	60	\$184.00	\$11,040.00	62	22.00	\$4,048.00	\$202.40	\$3,845.60	40.00	\$7,360.00	\$368.00	\$6,992.00
6	201.1.2	Furnish & Install 8-inch PVC C-900 Main	Lin. Ft.	3080	\$83.00	\$255,640.00	3,058	1,892.00	\$157,036.00	\$7,851.80	\$149,184.20	1,166.00	\$96,778.00	\$4,838.90	\$91,939.10
7	201.1.2N	Furnish & Install 1.25-inch PE Service in ROW from main to shutoff by Trenching / Pulling / Boring	Lin. Ft.	2000	\$59.00	\$118,000.00	2,658	534.00	\$31,506.00	\$1,575.30	\$29,930.70	2,124.00	\$125,316.00	\$6,265.80	\$119,050.20
8	202.7.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Pulling w/Sanitary Sewer Pipeburst	Lin. Ft.	100	\$5.10	\$510.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
9	202.9.2	Furnish & Install 1.25-inch Service Brass Set	Each	77	\$600.00	\$46,200.00	77	23.00	\$13,800.00	\$690.00	\$13,110.00	54.00	\$32,400.00	\$1,620.00	\$30,780.00
10	203.1.1	Furnish & Install Cathodic Protection to Water Service	Each	77	\$143.00	\$11,011.00	77	23.00	\$3,289.00	\$164.45	\$3,124.55	54.00	\$7,722.00	\$386.10	\$7,335.90
11	203.1.3	Water Service Connection to Structure	Each	2	\$510.00	\$1,020.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
12	203.1.6	Abandon Valve Box	Each	11	\$150.00	\$1,650.00	10	0.00	\$0.00	\$0.00	\$0.00	10.00	\$1,500.00	\$75.00	\$1,425.00
13	204.2.4	Furnish & Install 8-inch MJRW Valve and Box	Each	7	\$2,915.00	\$20,405.00	8	7.00	\$20,405.00	\$1,020.25	\$19,384.75	1.00	\$2,915.00	\$145.75	\$2,769.25
14	204.1.3	Furnish & Install 6-inch Live Tap and Valve	Each	2	\$4,100.00	\$8,200.00	2	0.00	\$0.00	\$0.00	\$0.00	2.00	\$8,200.00	\$410.00	\$7,790.00
15	204.1.4	Furnish & Install 8-inch Live Tap and Valve	Each	2	\$5,000.00	\$10,000.00	2	0.00	\$0.00	\$0.00	\$0.00	2.00	\$10,000.00	\$500.00	\$9,500.00
16	205.1	Furnish & Install Hydrant, Lead and Valve	Each	9	\$8,250.00	\$74,250.00	8	3.00	\$24,750.00	\$1,237.50	\$23,512.50	5.00	\$41,250.00	\$2,062.50	\$39,187.50
17	205.2	Abandon Hydrant	Each	4	\$350.00	\$1,400.00	7	3.00	\$1,050.00	\$52.50	\$997.50	4.00	\$1,400.00	\$70.00	\$1,330.00
Water						\$559,326.00			\$255,884.00	\$12,794.20	\$243,089.80		\$334,841.00	\$16,742.05	\$318,098.95

							Pay Request No.1					Pay Request No.2			
18	301.4	Furnish and Relay 10-inch Storm Sewer	Lin. Ft.	33	\$60.00	\$1,980.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
19	305.1	Furnish and Install Catch Basin	Each	1	\$2,000.00	\$2,000.00	1	1.00	\$2,000.00	\$100.00	\$1,900.00	0.00	\$0.00	\$0.00	\$0.00
20	305.8	Adjust Storm Catch Basin	Each	18	\$350.00	\$6,300.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
21	305.9	Remove Storm Catch Basin	Each	1	\$300.00	\$300.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
22	306.8	Adjust Storm Manhole	Each	12	\$375.00	\$4,500.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
23	308.2.4	Install and Maintain Type "D" Inlet Protection	Each	22	\$95.00	\$2,090.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Storm						\$17,170.00			\$2,000.00	\$100.00	\$1,900.00		\$0.00	\$0.00	\$0.00
24	402.2.6.2	Remove Existing Pavement and Maintain Utility Trench	Lin. Ft.	5000	\$0.50	\$2,500.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
25	405.1	Sawcut Existing Bituminous Pavement	Lin. Ft.	500	\$1.50	\$750.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
26	402.2.6.1	Remove Existing Bituminous Pavement	Sq. Yd.	13500	\$0.81	\$10,935.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
27	403.2.5.1	Remove Concrete Curb and Gutter	Lin. Ft.	850	\$5.05	\$4,292.50	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
28	404.4.5	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	1000	\$2.53	\$2,530.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
29	402.1.7.4	Unclassified Excavation	Cu. Yd.	5000	\$12.53	\$62,650.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
30	401.1.1	Furnish and Install Crushed Aggregate Base	Ton	6000	\$9.65	\$57,900.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
31	402.1.4.11	Furnish and Install Geogrid	Sq. Yd.	9000	\$2.02	\$18,180.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
32	402.1.5.3	Furnish and Install 1/2-inch rods	Lin. Ft.	500	\$2.04	\$1,020.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
33	402.1.5.3N	Fine Grade Roadway	Sq. Yd.	13500	\$1.88	\$25,380.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
34	402.2.3.1	Furnish and Install HMA Pavement (4-inch)	Ton	3100	\$75.38	\$233,678.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
35	403.2.1.1	Furnish and Install Concrete Curb & Gutter	Lin. Ft.	850	\$30.60	\$26,010.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
36	404.1.1	Furnish and Install 4" Concrete Sidewalk	Sq. Ft.	250	\$6.38	\$1,595.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
37	404.3.2	Furnish and Install 6-inch Concrete Sidewalk/Driveway	Sq. Ft.	750	\$7.40	\$5,550.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
38	706.2	Install Detectable Warning Fields (supplied by City)	Each	4	\$51.00	\$204.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00

Sanitary Storm Sewer, Water, and Street Construction

Brantwood Dr, Brantwood Ct, Charles Ct, Hughes Ct, Memorial Ct Patrick Ct

							Pay Request No.1					Pay Request No.2			
39	505.1	Furnish & Install Terracing, Fertilize, Seed & Hydromulch	Sq. Yd.	500	\$8.97	\$4,485.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
40	706.1	Install and Maintain Traffic Control	Lump Sum	1	\$15,375.00	\$15,375.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
Street						\$473,034.50	0		\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00
Total						\$1,077,298.50			\$257,884.00	\$12,894.20	\$244,989.80		\$334,841.00	\$16,742.05	\$318,098.95

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: MCC Inc.		Contract No. 5-23	
Address 2600 Roemer Rd		Contract Amount \$2,776,445.00	
City Appleton WI 54911			
Name of Project		Street Construction, Curb & Gutter, Sidewalk, and Apron	
Location of Project		Arthur Plat, Cardinal Plat, Integrity Acres, and Liberty Heights	
Pay Request No.	3	For Period	June 1, 2023 through June 23, 2023

CONTRACT SUMMARY

Original Contract Amount	\$2,776,445.00
Net Amount of Change Order No. 1 & 2	\$212,690.00
Adjusted Contract Amount	<u>\$2,989,135.00</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$1,606,917.59
Less Retainage of 5%. If different indicate here	\$80,345.88
Net Amount Earned to Date	\$1,526,571.71
Less Previous Payments	\$986,742.13
BALANCE DUE THIS PAYMENT	<u>\$539,829.58</u>

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Street Construction-Arthur Plat	012-4629-743-0236	\$129,000.00	\$94,093.00	\$7,508.96	\$71,788.58
Street Construction-Cardinal Plat	012-4630-743-0236	\$363,000.00	\$272,842.00	\$24,187.00	\$150,552.68
Street Construction-Integrity Acres	012-4628-743-0236	\$743,000.00	\$479,047.00	\$356.25	\$301,330.50
Street Construction-Liberty Heights	012-4627-743-0236	\$2,031,000.00	\$1,765,463.00	\$507,777.38	\$346,429.38
Sidewalk Construction-Integrity Acres	012-5351-743-0236	\$118,000.00	\$118,000.00	\$0.00	\$78,242.00
Sidewalk Construction-Cardinal Plat	012-5352-743-0236	\$47,000.00	\$47,000.00	\$0.00	\$38,399.00
CO#-1Oakrdidge Rd Asphalt Overlay	012-4346-743-0236	\$0.00	\$29,250.00	\$0.00	\$0.00
CO#2-Sidewalk-Freedom Acres	012-5353-743-0236	\$80,600.00	\$80,600.00	\$0.00	\$0.00
CO#2-Sidewalk -Homes @ Freedom Meadows	012-5354-743-0236	\$105,000.00	\$102,840.00	\$0.00	\$0.00
		<u>\$3,616,600.00</u>	<u>\$2,989,135.00</u>	<u>\$539,829.58</u>	<u>\$986,742.13</u>

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer		Date: 6/27/23
Certified by Public Works		Date: 6-27-23
Certified by Water Utility		Date:
Certified by Contractor		Date:
Approved BPW _____		Date:
Approved Common Council (Final Payments Only) _____		Date:

City of Neenah Contract 5-23
Street, Curb Gutter, Sidewalk, Apron
Arthur Plat, Cardinal Plat,
Integrity Acres and Liberty Heights

Item Code	Item Description	UofM	QTY	Change Orders		Unit Price	Contract Total	Quantity Completed to Date	Pay Request No.2				Pay Request No.3				
				Add/Delete	New QTY				Contractor Completed This Period		Retainage Due this Period	Due this Estimate	Contractor Completed This Period		Retainage Due this Period	Due this Estimate	
									QTY	\$			QTY	\$			
1	405.1	Sawcut Existing Bituminous Pavement	Lin. Ft.	1,200	0.00	1,200	\$1.65	\$1,980.00	810	510.00	\$841.50	\$42.08	\$799.43	300.00	\$495.00	\$24.75	\$470.25
2	402.2.6.1	Pulverize existing 2-inch HMA pavement	Sq. Yd.	31,000	0.00	31,000	\$0.50	\$15,500.00	31,000	20,000.00	\$10,000.00	\$500.00	\$9,500.00	9,100.00	\$4,550.00	\$227.50	\$4,322.50
3	403.2.5.1	Remove Concrete Curb and Gutter	Lin. Ft.	80	0.00	80	\$4.00	\$320.00	40	10.00	\$40.00	\$2.00	\$38.00	0.00	\$0.00	\$0.00	\$0.00
4	404.4.4	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	70,000	0.00	70,000	\$0.41	\$28,700.00	58,000	32,150.00	\$13,181.50	\$659.08	\$12,522.43	20,800.00	\$8,528.00	\$426.40	\$8,101.60
5	402.1.7.4	Unclassified Excavation	Cu. Yd.	6,650	0.00	6,650	\$12.40	\$82,460.00	100	0.00	\$0.00	\$0.00	\$0.00	100.00	\$1,240.00	\$62.00	\$1,178.00
6	402.1.4.11	Furnish and Install Geogrid	Sq. Yd.	2,000	0.00	2,000	\$2.00	\$4,000.00	200	0.00	\$0.00	\$0.00	\$0.00	200.00	\$400.00	\$20.00	\$380.00
7	401.1.1	Furnish and Install Base Crushed Aggregate Base	Ton	18,250	0.00	18,250	\$13.00	\$237,250.00	3,550	2,800.00	\$36,400.00	\$1,820.00	\$34,580.00	750.00	\$9,750.00	\$487.50	\$9,262.50
8	403.2.1.7	Furnish & Install 30-inch Concrete Curb and Gutter (continuous)	Lin. Ft.	30,000	0.00	30,000	\$14.60	\$438,000.00	27,644	14,144.00	\$206,502.40	\$10,325.12	\$196,177.28	8,000.00	\$116,800.00	\$5,840.00	\$110,960.00
9	404.4.1	Furnish & Install 4-inch Concrete Sidewalk Repair	Sq. Ft.	19,000	22,000.00	41,000	\$6.57	\$269,370.00	16,000	16,000.00	\$105,120.00	\$5,256.00	\$99,864.00	0.00	\$0.00	\$0.00	\$0.00
10	404.4.2	Furnish & Install 6-inch Concrete Sidewalk/Driveway Apron Repair	Sq. Ft.	77,000	5,000.00	82,000	\$7.78	\$637,960.00	69,463	36,289.40	\$282,331.53	\$14,116.58	\$268,214.95	27,973.80	\$217,636.16	\$10,881.81	\$206,754.36
11	105.2	Adjust sewer manhole	Each	155	0.00	155	\$725.00	\$112,375.00	95	45.00	\$32,625.00	\$1,631.25	\$30,993.75	50.00	\$36,250.00	\$1,812.50	\$34,437.50
12	203.1.6	Adjust Water Valve Box	Each	55	0.00	55	\$100.00	\$5,500.00	41	21.00	\$2,100.00	\$105.00	\$1,995.00	20.00	\$2,000.00	\$100.00	\$1,900.00
13	306.6	Furnish and install Chimney Seal	Each	73	0.00	73	\$835.00	\$60,955.00	0	0.00	\$0.00	\$0.00	\$0.00	0.00	\$0.00	\$0.00	\$0.00
14	305.7	Adjust Storm Catch Basin	Each	82	0.00	82	\$550.00	\$45,100.00	80	49.00	\$26,950.00	\$1,347.50	\$25,602.50	31.00	\$17,050.00	\$852.50	\$16,197.50
15	308.2.3	Install & Maintain Catch Basin Protection Type C	Each	88	0.00	88	\$55.00	\$4,840.00	35	35.00	\$1,925.00	\$96.25	\$1,828.75	0.00	\$0.00	\$0.00	\$0.00
16	9999	Fine grade road base	Sq. Yd.	48,000	0.00	48,000	\$1.30	\$62,400.00	18,000	18,000.00	\$23,400.00	\$1,170.00	\$22,230.00	0.00	\$0.00	\$0.00	\$0.00
17	402.2.3.1	Furnish & Install HMA Pavement (4-inch)	Ton	10,550	0.00	10,550	\$70.00	\$738,500.00	4,275	2,275.00	\$159,250.00	\$7,962.50	\$151,287.50	2,000.00	\$140,000.00	\$7,000.00	\$133,000.00
18	402.1.5.1	Furnish and Install 1/2-inch rods	Lin. Ft.	2,100	0.00	2,100	\$1.50	\$3,150.00	1,825	800.00	\$1,200.00	\$60.00	\$1,140.00	1,025.00	\$1,537.50	\$76.88	\$1,460.63
19	403.2.4.7	Furnish & Install Detectable Warning Fields (Furnished by City)	Each	30	0.00	30	\$100.00	\$3,000.00	27	25.00	\$2,500.00	\$125.00	\$2,375.00	0.00	\$0.00	\$0.00	\$0.00
20	505.1	Furnish & Install Terracing, Fertilize, Seed & Hydromulch	Sq. Yd.	40,000	0.00	40,000	\$4.95	\$198,000.00	3,000	1,000.00	\$4,950.00	\$247.50	\$4,702.50	2,000.00	\$9,900.00	\$495.00	\$9,405.00
21	706.1	Install and Maintain Traffic Control	LS	1	0.00	1	\$10,525.00	\$10,525.00	0.70	0.40	\$4,210.00	\$210.50	\$3,999.50	0.20	\$2,105.00	\$105.25	\$1,999.75
CO#1	9999	Oakridge Rd Mill Butt Joints and Overlay	LS		1.00	1	29250	\$29,250.00	0					0.00	\$0.00	\$0.00	\$0.00
Total								\$2,989,135.00			\$913,526.93	\$45,676.35	\$867,850.58		\$568,241.66	\$28,412.08	\$539,829.58

**City of Neenah
Department of Public Works
Contractor Request for Payment**

Contractor Name: Donald Hietpas & Sons, Inc.		Contract No. 6-23	
Address: 1450 E North Avenue		Contract Amount \$781,639.00	
City Little Chute WI 54140			
Name of Project	Sanitary & Storm Sewer, Water Main and Street Construction		
Location of Project	Columbian Avenue		
Pay Request No. 3	For Period	June 1, 2023 to June 23, 2023	

CONTRACT SUMMARY

Original Contract Amount	\$781,639.00
Net Amount of Change Order No.1	\$50,067.00
Adjusted Contract Amount	<u>\$831,706.00</u>

WORK PERFORMED TO DATE

Work Performed to Date	\$550,657.48
Less Retainage of 5%. If different indicate here	\$27,532.87
Net Amount Earned to Date	\$523,124.60
Less Previous Payments	\$455,849.45



BALANCE DUE THIS PAYMENT \$67,275.15

CONTRACT BREAKOUT

	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Street Construction	012-4341-743-0236	\$345,000.00	\$239,944.00	\$23,473.55	\$1,199.38
Sanitary Sewer Construction	046-5057-743-0236	\$210,000.00	\$292,954.00	\$350.98	\$243,204.96
Storm Sewer Construction	049-5278-743-0236	\$97,000.00	\$56,319.00	\$0.00	\$43,969.52
Water Main Construction	400-0000-207-0523	\$200,000.00	\$192,422.00	\$0.00	\$167,475.60
CO#1-Beaulieu Sanitary Sewer	046-5001-743-0236	\$0.00	\$50,067.00	\$43,450.63	\$0.00
		<u>\$852,000.00</u>	<u>\$831,706.00</u>	<u>\$67,275.15</u>	<u>\$455,849.45</u>

CERTIFICATION OF CONTRACTOR:

I certify that the foregoing is just and correct and the amount claimed is legally due after showing all just credits

Certified by Engineer		Date: 6-27-23
Certified by Public Works		Date: 6-27-23
Certified by Water Utility		Date:
Certified by Contractor		Date:
	Approved BPW _____	Date:
	Approved Common Council (Final Payments Only)	Date:

City of Neenah Contract 6-23
Sanitary, Water, and Street Construction
Columbian Avenue

Change Order No.1									Pay Request No.3				
Item Code	Item Description	UofM	QTY	Add/Delete	New Contract QTY	Unit Price	Contract Total	Quantity Completed to Date	Quantity Completed this Period	\$ Completed this Period	Retainage Due this Period	Due this Estimate	
Sanitary													
1	101.3	Furnish and Relay 8-inch PVC Sanitary Sewer	Lin. Ft.	260	353.00	613.00	\$99.00	\$60,687.00	615.00	353.00	\$34,947.00	\$1,747.35	\$33,199.65
2	101.4	Furnish and Relay 12-inch PVC Sanitary Sewer	Lin. Ft.	30	0.00	30.00	\$148.25	\$4,447.50	0.00	0.00	\$0.00	\$0.00	\$0.00
3	101.4	Furnish and Relay 18-inch PVC Sanitary Sewer	Lin. Ft.	730	0.00	730.00	\$173.65	\$126,764.50	729.50	3.00	\$520.95	\$26.05	\$494.90
4	102.3	Furnish and Relay 6 inch Sanitary Lateral in ROW	Lin. Ft.	600	80.00	680.00	\$93.00	\$63,240.00	490.50	50.00	\$4,650.00	\$232.50	\$4,417.50
5	102.4	Furnish and Relay 6 inch Sanitary Lateral ROW to House	Lin. Ft.	50	0.00	50.00	\$50.00	\$2,500.00	12.00	0.00	\$0.00	\$0.00	\$0.00
6	102.6	Reconnect Lateral to Main	Each	1	1.00	2.00	\$500.00	\$1,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00
7	103.1	Furnish and Pipeburst 4-inch Sanitary Lateral	Lin. Ft.	700	10.00	710.00	\$5.05	\$3,585.50	580.00	20.00	\$101.00	\$5.05	\$95.95
8	103.2	Furnish and Pipeburst 6-inch Sanitary Lateral	Lin. Ft.	35	0.00	35.00	\$20.20	\$707.00	130.00	-10.00	-\$202.00	-\$10.10	-\$191.90
9	103.3	Reconnect Sanitary Lateral at Foundation - Pipeburst	Each	2	0.00	2.00	\$2,020.00	\$4,040.00	0.00	0.00	\$0.00	\$0.00	\$0.00
10	103.4	Reconnect Under Basement Floor - Pipeburst	Each	20	0.00	20.00	\$2,525.00	\$50,500.00	17.00	0.00	\$0.00	\$0.00	\$0.00
11	103.5	Extra Hole - Pipeburst	Each	1	0.00	1.00	\$505.00	\$505.00	0.00	0.00	\$0.00	\$0.00	\$0.00
12	104.1	Furnish and Install Standard Manhole	Ver. Ft.	22.5	11.00	33.50	\$580.00	\$19,430.00	32.85	10.50	\$6,090.00	\$304.50	\$5,785.50
13	105.2	Adjust Sanitary Manhole	Each	2	0.00	2.00	\$800.00	\$1,600.00	0.00	0.00	\$0.00	\$0.00	\$0.00
14	105.6	Remove Sanitary Manhole	Each	2	2.00	4.00	\$400.00	\$1,600.00	2.00	0.00	\$0.00	\$0.00	\$0.00
15	106.1	Clean and Televiser Sewer (Sanitary only)	LS	1	0.00	1.00	\$2,465.00	\$2,465.00	0.00	0.00	\$0.00	\$0.00	\$0.00
Total Sanitary Bid							\$343,071.50			\$46,106.95	\$2,305.35	\$43,801.60	
Water													
17	201.1.1	Furnish & Install 6-inch PVC C-900 Main	Lin. Ft.	40	0.00	40.00	\$150.00	\$6,000.00	31.00	0.00	\$0.00	\$0.00	\$0.00
18	201.1.2	Furnish & Install 8-inch PVC C-900 Main	Lin. Ft.	1000	0.00	1,000.00	\$90.00	\$90,000.00	1,006.00	0.00	\$0.00	\$0.00	\$0.00
19	202.1.2	Furnish & Install 1.25-inch PE Water Service in ROW by Trenching	Lin. Ft.	550	0.00	550.00	\$60.00	\$33,000.00	471.00	0.00	\$0.00	\$0.00	\$0.00

City of Neenah Contract 6-23
Sanitary, Water, and Street Construction
Columbian Avenue

					Change Order No.1				Pay Request No.3				
Item Code	Item Description	UofM	QTY	Add/Delete	New Contract QTY	Unit Price	Contract Total	Quantity Completed to Date	Quantity Completed this Period	\$ Completed this Period	Retainage Due this Period	Due this Estimate	
20	202.2.2	Furnish & Install 1.25-inch PE Water Service in ROW by Pulling	Lin. Ft.	25	0.00	25.00	\$50.00	\$1,250.00	0.00	0.00	\$0.00	\$0.00	\$0.00
21	202.3.2	Furnish & Install 1.25-inch PE Water Service in ROW by Drilling	Lin. Ft.	25	0.00	25.00	\$50.00	\$1,250.00	0.00	0.00	\$0.00	\$0.00	\$0.00
22	202.4.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Trenching	Lin. Ft.	35	0.00	35.00	\$50.00	\$1,750.00	0.00	0.00	\$0.00	\$0.00	\$0.00
23	202.5.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Pulling	Lin. Ft.	35	0.00	35.00	\$30.30	\$1,060.50	62.00	0.00	\$0.00	\$0.00	\$0.00
24	202.6.2	Furnish & Install 1.25-inch PE Water Service from ROW to Structure by Drilling	Lin. Ft.	35	0.00	35.00	\$30.30	\$1,060.50	0.00	0.00	\$0.00	\$0.00	\$0.00
25	202.7.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Pulling w/Sanitary Sewer Pipeburst	Lin. Ft.	500	0.00	500.00	\$5.05	\$2,525.00	570.00	0.00	\$0.00	\$0.00	\$0.00
26	202.8.1	Furnish & Install 1.25-inch PE Service from ROW to Structure by Excavation in same Trench as Sanitary Lateral	Lin. Ft.	35	0.00	35.00	\$10.00	\$350.00	0.00	0.00	\$0.00	\$0.00	\$0.00
27	202.9.2	Furnish & Install 1.25-inch Service Brass Set	Each	19	0.00	19.00	\$515.00	\$9,785.00	0.00	0.00	\$0.00	\$0.00	\$0.00
28	203.1.1	Furnish & Install Cathodic Protection to Water Service	Each	2	0.00	2.00	\$118.00	\$236.00	1.00	0.00	\$0.00	\$0.00	\$0.00
29	203.1.3	Water Service Connection to Structure	Each	19	0.00	19.00	\$505.00	\$9,595.00	17.00	0.00	\$0.00	\$0.00	\$0.00
30	203.1.4	Water Service Extra Hole (Curb Stop Connection)	Each	2	0.00	2.00	\$505.00	\$1,010.00	6.00	0.00	\$0.00	\$0.00	\$0.00
31	203.1.6	Abandon Valve Box	Each	2	0.00	2.00	\$200.00	\$400.00	3.00	0.00	\$0.00	\$0.00	\$0.00
32	204.2.4	Furnish & Install 8-inch MJRW Valve and Box	Each	4	0.00	4.00	\$2,600.00	\$10,400.00	5.00	0.00	\$0.00	\$0.00	\$0.00
33	205.1	Furnish & Install Hydrant, Lead and Valve	Each	3	0.00	3.00	\$7,350.00	\$22,050.00	3.00	0.00	\$0.00	\$0.00	\$0.00

City of Neenah Contract 6-23
Sanitary, Water, and Street Construction
Columbian Avenue

					Change Order No.1				Pay Request No.3				
Item Code	Item Description	UofM	QTY	Add/Delete	New Contract QTY	Unit Price	Contract Total	Quantity Completed to Date	Quantity Completed this Period	\$ Completed this Period	Retainage Due this Period	Due this Estimate	
34	205.2	Abandon Hydrant	Each	2	0.00	2.00	\$350.00	\$700.00	2.00	0.00	\$0.00	\$0.00	\$0.00
Total Water Bid								\$192,422.00			\$0.00	\$0.00	\$0.00
Storm Storm													
38	301.4	Furnish and Relay 10-inch Storm Sewer	Lin. Ft.	120	0.00	120.00	\$62.00	\$7,440.00	0.00	0.00	\$0.00	\$0.00	\$0.00
39	301.5	Furnish and Relay 12-inch Storm Sewer	Lin. Ft.	255	0.00	255.00	\$60.00	\$15,300.00	258.00	0.00	\$0.00	\$0.00	\$0.00
40	301.6	Furnish and install 30-inch Storm Sewer	Lin. Ft.	45	0.00	45.00	\$230.30	\$10,363.50	47.00	0.00	\$0.00	\$0.00	\$0.00
41	303.1	Furnish and Install 4-inch Storm Sewer Lateral	Lin. Ft.	50	0.00	50.00	\$52.00	\$2,600.00	94.50	0.00	\$0.00	\$0.00	\$0.00
42	304.1	Furnish and Install Sump pump Pit (separate)	Each	1	0.00	1.00	\$757.50	\$757.50	0.00	0.00	\$0.00	\$0.00	\$0.00
43	304.2	Furnish and Install Sump Pump pit w/ Sanitary Pipeburst	Each	3	0.00	3.00	\$505.00	\$1,515.00	0.00	0.00	\$0.00	\$0.00	\$0.00
44	305.1	Furnish and Install Catch Basin	Each	4	0.00	4.00	\$2,300.00	\$9,200.00	4.00	0.00	\$0.00	\$0.00	\$0.00
45	305.8	Adjust Storm Catch Basin	Each	2	0.00	2.00	\$500.00	\$1,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00
46	305.9	Remove Storm Catch Basin	Each	8	0.00	8.00	\$250.00	\$2,000.00	5.00	0.00	\$0.00	\$0.00	\$0.00
47	306.1	Furnish and Install Storm Manhole	Lin. Ft.	6.8	0.00	6.80	\$642.00	\$4,365.60	6.80	0.00	\$0.00	\$0.00	\$0.00
48	306.8	Adjust Storm Manhole	Each	2	0.00	2.00	\$500.00	\$1,000.00	0.00	0.00	\$0.00	\$0.00	\$0.00
49	306.9	Remove Storm Manhole	Each	1	0.00	1.00	\$250.00	\$250.00	1.00	0.00	\$0.00	\$0.00	\$0.00
50	308.2.4	Install and Maintain Type "D" Inlet Protection	Each	6	0.00	6.00	\$88.00	\$528.00	0.00	0.00	\$0.00	\$0.00	\$0.00
Total Storm Bid								\$56,319.60			\$0.00	\$0.00	\$0.00
Street													
51	402.2.6.2	Remove Existing Pavement and Maintain Utility Trench	Lin. Ft.	3100	0.00	0.00	\$1.00	\$3,100.00	3,000.00	3,000.00	\$3,000.00	\$150.00	\$2,850.00
52	405.1	Sawcut Existing Bituminous Pavement	Lin. Ft.	250	0.00	0.00	\$2.25	\$562.50	250.00	250.00	\$562.50	\$28.13	\$534.38
53	402.2.6.1	Remove Existing Bituminous Pavement	Sq. Yd.	3600	0.00	0.00	\$1.37	\$4,932.00	3,600.00	3,600.00	\$4,932.00	\$246.60	\$4,685.40
54	403.2.5.1	Remove Concrete Curb and Gutter	Lin. Ft.	1850	0.00	0.00	\$1.94	\$3,589.00	1,800.00	1,800.00	\$3,492.00	\$174.60	\$3,317.40
55	404.4.5	Remove Concrete Sidewalk/Driveway Apron	Sq. Ft.	5500	0.00	0.00	\$0.51	\$2,805.00	0.00	0.00	\$0.00	\$0.00	\$0.00

City of Neenah Contract 6-23
Sanitary, Water, and Street Construction
Columbian Avenue

					Change Order No.1				Pay Request No.3				
Item Code	Item Description	UofM	QTY	Add/Delete	New Contract QTY	Unit Price	Contract Total	Quantity Completed to Date	Quantity Completed this Period	\$ Completed this Period	Retainage Due this Period	Due this Estimate	
56	402.1.7.4	Unclassified Excavation	Cu. Yd.	2400	0.00	0.00	\$7.17	\$17,208.00	500.00	500.00	\$3,585.00	\$179.25	\$3,405.75
57	402.1.4.11	Furnish and Install Geogrid	Sq. Yd.	3800	0.00	0.00	\$1.80	\$6,840.00	500.00	500.00	\$900.00	\$45.00	\$855.00
58	401.1.1	Furnish and Install Crushed Aggregate Base	Ton	3050	0.00	0.00	\$13.95	\$42,547.50	500.00	500.00	\$6,975.00	\$348.75	\$6,626.25
59	403.2.1.1	Furnish and Install Concrete Curb & Gutter	Lin. Ft.	1850	0.00	0.00	\$15.23	\$28,175.50	0.00	0.00	\$0.00	\$0.00	\$0.00
60	404.1.1	Furnish and Install 4" Concrete Sidewalk	Sq. Ft.	2500	0.00	0.00	\$9.90	\$24,750.00	0.00	0.00	\$0.00	\$0.00	\$0.00
61	404.3.2	Furnish and Install 6-inch Concrete Sidewalk/Driveway	Sq. Ft.	3000	0.00	0.00	\$10.45	\$31,350.00	0.00	0.00	\$0.00	\$0.00	\$0.00
62	402.1.5.3	Furnish and Install 1/2-inch rods	Lin. Ft.	150	0.00	0.00	\$3.00	\$450.00	0.00	0.00	\$0.00	\$0.00	\$0.00
63	706.2	Install Detectable Warning Fields (supplied by City)	Each	14	0.00	0.00	\$50.00	\$700.00	0.00	0.00	\$0.00	\$0.00	\$0.00
64	402.2.3.1	Furnish and Install HMA Pavement (4-inch)	Ton	650	0.00	0.00	\$84.23	\$54,749.50	0.00	0.00	\$0.00	\$0.00	\$0.00
65	505.1	Furnish & Install Terracing, Fertilize, Seed & Hydromulch	Sq. Yd.	2000	0.00	0.00	\$7.83	\$15,660.00	0.00	0.00	\$0.00	\$0.00	\$0.00
66	706.1	Install and Maintain Traffic Control	LS	1	0.00	0.00	\$2,525.00	\$2,525.00	1.00	0.50	\$1,262.50	\$63.13	\$1,199.38
Total Street								\$239,944.00			\$24,709.00	\$1,235.45	\$23,473.55
Total Bid								\$831,757.10			\$70,815.95	\$3,540.80	\$67,275.15

Contract 8-23
Re-Roof Office Area at Tullar Garage

Item Description	UofM	Quantity	Engineer Estimate	JT RAMS, LLC	Oshkosh Industrial Roofing & Sheetmetal, LLC
Re-Roof Office Area	LS	1	\$81,000.00	\$61,061.00	\$103,100.00

STATUS OF COUNCIL DIRECTIVES ISSUED MAY 17, 2023

Council Directive No. 2023-02

Date: July 5, 2023

Date of Directive: May 17, 2023

- A. **Item:** Alderman Skyrms – 2017 Wisconsin Act 243 repealed section 62.23 (7) (d) 2m.a of the state code which required an extraordinary vote regarding rezoning protest petitions. As a result, municipalities such as Appleton, Oshkosh, and others have made changes to their ordinances.

Motion by Skyrms, seconded by Steiner to recommend 2017 Wisconsin Act 243 and City of Neenah Ordinance 26-27(7) be reviewed by the Community Development Director Haese and City Attorney Rashid for their recommendation on the appropriate action, if any, by the end of next month.

City Attorney Rashid advised that according to Council Rules, a Council Directive is introduced at the first meeting via motion and second, but voted upon at the second meeting, therefore no vote can be taken tonight on the above proposed Council Directive.

Requesting Party: Ald. Skyrms

Status: June 7, 2023 Vote of 6-2 to move directive forward.

June 21, 2023 MSCRP Skyrms/Steiner to postpone the recommendation presentation until next meeting, July 5, 2023, all voting aye. This due to pending outcome of proposed state legislation.



M E M O R A N D U M

DATE: June 30, 2023
TO: Mayor Lang, Council President Borchardt and Council Members
FROM: Chris A. Haese, Director of Community Development and Assessment
David Rashid, City Attorney
Brad Schmidt, AICP, Deputy Director of Community Development
RE: Council Directive – Rezoning Protest Petitions

Council has requested staff review Section 26.27(7) of the Neenah Zoning Code regarding rezoning protest petitions. As staff completed the research relative to this topic, we became aware of recent action by the legislature and Governor Evers resulting in the creation of 2023 Wisconsin Act 16 which “limits the authority of a political subdivision to impose a supermajority requirement for a zoning ordinance amendment”. This legislation was adopted along with several other pieces of legislation, all centered around the creation of additional affordable housing within the state. The majority of Act 16 will go into effect almost immediately, with the provision prohibiting supermajority votes on rezonings going into effect on January 1, 2025.

In-lieu of this decision, and in conjunction with the 2017, action by the legislature removing statutory language requiring municipalities to have supermajority voting requirements within their zoning codes, Staff is recommending removal of the language for the following reasons:

- 1. Unbalanced process** – Only 20% of the owners of land within 100 feet of a proposed rezoning need to sign a rezoning protest petition to initiate a supermajority vote of Common Council. This is an extremely low threshold, and in many cases, could include very few or even a single property owner. This process does not provide the remaining 80% of property owners who may support the rezoning a similar recourse.
- 2. Confusion and Unnecessary Delays** – It is the responsibility of the City to determine whether a protest petition is valid. This requires a determination of the 100-foot buffer, calculating the land area within the 100-foot buffer, determining whether the signatures on the petition match the owners of the property included in the 100-foot buffer, and whether the signatures are properly verified and attested to. This may seem straight-forward, but in reality can be a complicated and lengthy process leading to different interpretations on how to validate a protest petition.

The submittal of a rezoning protest petition can also lead to unnecessary delays in reviewing a rezoning. For example, there is no time deadline for the submittal of a protest petition. If a protest petition is submitted to the Council during its review of a rezoning request, action on the rezoning would most likely be delayed or postponed to the next meeting as the petition would have to be validated.

Most importantly, those submitting the petition may not clearly understand what is required to submit a valid petition. This can lead to great confusion and mistrust of local government.

June 30, 2023 – Page 2

3. **Inequitable Vote** - A super majority vote (3/4 of the voting Council) requires seven votes to approve (assuming all nine members of Council are voting) a rezoning request if a valid protest petition is submitted. Under a simple majority vote where no protest petition has been submitted, only five votes is required to approve a rezoning. In the super majority scenario, if Council votes 6 to 3 to approve a rezoning, the request fails and the rezoning is denied. Under a protest position scenario, the 3 opposing votes are disproportionately weighted, having the equivalent of 1.67 votes each, while the 6 affirmative votes have the equivalent of 0.67 votes. With a simple majority, all votes are weighted equally.

This rarely used process is problematic and can cause unnecessary delays and confusion which necessarily results in an inequitable vote. The removal of this section will not prohibit the public from objecting to a rezoning request or prohibit property owners from submitting formal or informal protest petitions. This amendment merely eliminates the need for a supermajority vote of common council on rezoning requests, which would be consistent with other zoning actions reviewed by Common Council including special use permits, project plan approvals, and subdivision plat review. Moreover, this proposed change is in keeping with the now clear intent of the State's legislative and executive branches related to rezonings and providing clarity in the rezoning and development process.

Recommendation

Appropriate action at this time is to forward to the Plan Commission a request to review Section 26.27(7) of the Neenah Zoning Code related to rezoning protest petitions and provide a recommendation to Council regarding this provision of the Code.