



**City of Neenah
COMMON COUNCIL AGENDA
Wednesday, October 5, 2022 – 6:45 p.m.
Neenah City Hall – 211 Walnut Street
Council Chambers**

The annual 2022 Common Council picture will be taken at 6:45 p.m. This is a social event in which no business will be conducted during this time. The regular Council meeting will take place as soon thereafter as possible.

I. Roll Call and Pledge of Allegiance

CITY OF NEENAH 2022 FIRE PREVENTION WEEK PROCLAMATION OCTOBER 9-15, 2022.

WHITE CANE SAFETY DAY PROCLAMATION OCTOBER 15, 2022.

II. Introduction and Confirmation of Mayor's Appointment(s)

- A. Appoint Jim Hemes to Water Works Commission for five-year term ending October 2027.
- B. Appoint Jennifer Breining as Poll Worker for the remainder of the 2022-2023 Election Cycle.
- C. **(UC)**
- D. Swearing in

III. Approval of Council Proceedings

- A. Approval of the Council Proceedings of September 21, 2022 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 – **None.**

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of September 27, 2022: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve the 2022-2023 Winnebago County Joint Powers Agreement for 911 Emergency System. **(RollCall-Pro)**
 - B. Regular Finance and Personnel Committee meeting of September 26, 2022: (Chairperson Erickson/Vice Chairperson S kyrms) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve Ordinance 2022-19, Annexation No. 227, 7.248 Acres of land along Woodenshoe Road Town of Vinland. **(Action on this item will take place under Plan Commission Report)**
 - 2. Committee recommends Council approve Resolution No. 2022-16: Affordable Housing Extension for TID No. 5. **(RollCall-Pro)**
 - C. NMFR Joint Finance & Personnel Committee meeting of September 27, 2022: (Aldersperson Borchardt) (Minutes can be found on the City web site)
 - 1. Committee recommends Council approve City of Neenah Common Council approve Resolution 2022-16 and the City of Menasha Common Council approve Resolution R-34-22 authorizing a signatory municipality to exceed the levy limit for Neenah-Menasha Fire Rescue.
- VIII. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of September 27, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)
 - 1. Commission recommends Council approve Ordinance 2022-19, Annexation No. 227, with a zoning classification of R-1, Single-Family Residence District. **(RollCall-Pro)**
 - 2. Commission recommends Council approve the one lot CSM for the property located at 425 Kittiver Court. **(RollCall-Pro)**
 - B. Board of Public Works meeting of September 29, 2022: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 - 1. Information Only Items:
 - a) The Board approved Pay Request No. 2, Contract 7-22, Winneconne Avenue Bridge Repair, Pfeifer Brothers Construction, Neenah, in the amount of \$57,452.24.
 - C. Landmarks Commission
 - 1. Report from the Landmarks Commission – Aldersperson Steiner
 - D. Sustainable Neenah Committee
 - 1. Report from the Sustainable Neenah Committee – Aldersperson Borchardt
 - E. Reports on neighborhood groups.
 - 1. Business Improvement District Board (BID Board) – Aldersperson S kyrms
 - F. Bergstrom Mahler Museum

1. Report from the Bergstrom Mahler Museum – Alderperson Steiner
- G. Parks & Recreation Commission
 1. Report from the Park Commission – Alderperson Borchardt
- IX. Presentation of petitions
 - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
- X. Council Directives
- XI. Unfinished Business
- XII. New Business
 - A. 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) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session to discuss the redevelopment of Shattuck Middle School.**
 - B. May reconvene into open session pursuant to Wis. Stats. § 19.85(2) to consider or act on closed session recommendation(s).**
- XIV. 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.

City of Neenah
2022 Fire Prevention Week Proclamation

WHEREAS, the City of Neenah is committed to ensuring the safety and security of all those living in and visiting our state; and

WHEREAS, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire; and

WHEREAS, home fires caused 2,580 civilian deaths in the United States in 2020, according to the National Fire Protection Association® (NFPA®), and fire departments in the United States responded to 356,500 home fires; and

WHEREAS, smoke alarms sense smoke well before you can, alerting you to danger in the event of fire in which you may have as little as 2 minutes to escape safely; and

WHEREAS, working smoke alarms cut the risk of dying in reported home fires in half; and

WHEREAS, Neenah residents should be sure everyone in the home understands the sounds of the smoke alarms and knows how to respond; and

WHEREAS, Neenah residents who have planned and practiced a home fire escape plan are more prepared and will therefore be more likely to survive a fire; and

WHEREAS, Neenah residents will make sure their smoke and carbon monoxide (CO) alarms meet the needs of all their family members, including those with sensory or physical disabilities; and

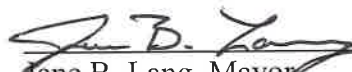
WHEREAS, Neenah-Menasha Fire Rescue is dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education; and

WHEREAS, Neenah residents that are responsive to public education measures are better able to take personal steps to increase their safety from fire, especially in their homes; and

WHEREAS, the 2022 Fire Prevention Week™ theme, “Fire won’t wait. Plan your escape.™,” effectively serves to remind City of Neenah it is important to have a home fire escape plan.

THEREFORE, I, Jane Lang, Mayor of the City of Neenah do hereby proclaim October 9-15, 2022, as Fire Prevention Week throughout this state, and I urge all the people of Neenah to plan and practice a home fire escape for Fire Prevention Week 2022 and to support the many public safety activities and efforts of Neenah-Menasha Fire Rescue.




Jane B. Lang, Mayor
Neenah, Wisconsin

CITY OF NEENAH, WISCONSIN

**WHITE CANE SAFETY DAY
PROCLAMATION**

- WHEREAS,** blindness and severe visual impairment affect approximately 100,000 Wisconsin residents; and
- WHEREAS,** the majority of these person use travel aids, such as a white cane or a service animal to get around public streets and sidewalks and places of public accommodation; and
- WHEREAS,** these travel aids are universally recognized as symbols representing vision loss; and
- WHEREAS,** Wisconsin's White Cane Law requires that motorists come to a full stop before approaching closer than 10 feet to a pedestrian who is using a white cane or service animal; and
- WHEREAS,** Greater awareness of the White Cane Law leads to safer, more attentive driving in general, enhancing the safety of all pedestrians, including children, elders and people with disabilities.

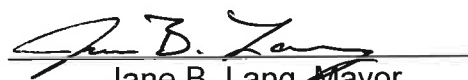
NOW, THEREFORE BE IT RESOLVED that, I, Jane B. Lang, Mayor of the City of Neenah, on behalf of the residents of Neenah do hereby proclaim, October 15, 2022 as

WHITE CANE SAFETY DAY

In Neenah, Wisconsin and also acknowledge the importance of pedestrian safety year-round.

Signed and sealed this 15th day of October, 2022.




Jane B. Lang, Mayor
Neenah, Wisconsin

Common Council Proceedings
Wednesday, September 21, 2022—7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, September 21, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

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

Also present: Police Chief Olson and Police Captain Van Sambeek.

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

- I. The Clerk called the roll as the Mayor/Alderpersons recorded their attendance on the RollCall-Pro System. Alderperson Erickson led the Pledge of Allegiance.

CONSTITUTION WEEK PROCLAMATION, 2022

Mayor Lang read the Proclamation of Constitution Week.

- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. Appoint Lisa Dohr, Teresa Gonya, Ellen Kunz, and Scott Boelter as Poll Workers for the remainder of the 2022-2023 Election Cycle. **(UC)**
There being no objections the Mayor's appointment was ordered by unanimous consent.
- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of September 7, 2022 regular session.
There being no objections the proceedings were approved by unanimous consent.
- IV. Reports of standing committees
 - A. Regular Public Services and Safety Committee meeting of September 13, 2022: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 1. Committee recommends Council approve Clark Dietz, Inc., as the Civil Engineer for the Police Department Building Expansion project in the amount of \$18,600 pending review by the City Attorney and using 2022 CIP Building funds. **(RollCall-Pro)**
MSCR Lendrum/Borchardt to approve Clark Dietz, Inc., as the Civil Engineer for the Police Department Building Expansion project as recommended by Committee, all voting aye.
 2. Committee recommends Council approve entering into an agreement for cost reimbursement with Galloway Company on the Harrison Street storm water pond. **(RollCall-Pro)**

MSCRP Lendrum/Hillstrom to approve the agreement for cost reimbursement with Galloway Company on the Harrison Street storm water pond as recommended by Committee, all voting aye.

3. Committee recommends Council approve the Revocable Occupancy Permit to Lynn and Kyle Tanger, 157 N Park Avenue for a sump pump line and irrigation system facilities located within the Lakeshore Avenue right-of-way. **(RollCall-Pro)**

MSCRP Alderperson Lendrum/Hillstrom to approve the Revocable Occupancy Permit as recommended by Committee, all voting aye.

- B. Regular Finance and Personnel Committee meeting of September 12, 2022: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)
 1. Meeting was cancelled, no report.
- V. Reports of special committees and liaisons and various special projects committees
 - A. Regular Plan Commission meeting of September 13, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)
 1. Meeting cancelled, no report.
- VI. Presentation of petitions
 - A. Annexation 227, Petition for Direct Annexation Pursuant to Section 66.0223 Wisconsin Statutes Where All Property is Owned by the City of Neenah for part of Lot 2 CSM 5779 Woodenshoe Road, Town of Vinland.
MSCRP Boyette/Skyrms to refer Annexation 227 onto the appropriate committees (Finance & Personnel Committee and Plan Commission), all voting aye.
- VII. Adjournment
MSC Stevenson/Boyette to adjourn, all voting aye. Meeting adjourned at 7:17 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk

Common Council Minutes
Wednesday, September 21, 2022—7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, September 21, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

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

Also present: Police Chief Olson and Police Captain Van Sambeek.

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

- I. The Clerk called the roll as the Mayor/Alderpersons recorded their attendance on the RollCall-Pro System. Alderperson Erickson led the Pledge of Allegiance.

CONSTITUTION WEEK PROCLAMATION, 2022

Mayor Lang read the Proclamation of Constitution Week.

- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. Appoint Lisa Dohr, Teresa Gonya, Ellen Kunz, and Scott Boelter as Poll Workers for the remainder of the 2022-2023 Election Cycle. **(UC)**

There being no objections the Mayor's appointment was ordered by unanimous consent.

- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of September 7, 2022 regular session.
There being no objections the proceedings were approved by unanimous consent.

- IV. Public Forum
After three calls for public forum, there were no appearances.

- V. Mayor/Council consideration of public forum issues
 - A. None.

- VI. Consent Agenda
 - A. None.

- VII. Reports of standing committees
 - A. Regular Public Services and Safety Committee meeting of September 13, 2022: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 1. Committee recommends Council approve Clark Dietz, Inc., as the Civil Engineer for the Police Department Building Expansion project in the

amount of \$18,600 pending review by the City Attorney and using 2022 CIP Building funds. **(RollCall-Pro)**

MSCR P Lendrum/Borchardt to approve Clark Dietz, Inc., as the Civil Engineer for the Police Department Building Expansion project as recommended by Committee, all voting aye.

2. Committee recommends Council approve entering into an agreement for cost reimbursement with Galloway Company on the Harrison Street storm water pond. **(RollCall-Pro)**

MSCR P Lendrum/Hillstrom to approve the agreement for cost reimbursement with Galloway Company on the Harrison Street storm water pond as recommended by Committee, all voting aye.

Discussion: Alderperson Lendrum would like any reference within the agreement and minutes to reflect "Neenah Creek" versus "Neenah Slough".

Alderperson Boyette gave a shout out to Galloway Company for working hand in hand with the city on this project and being a great example of a wonderful community partner in business.

3. Committee recommends Council approve the Revocable Occupancy Permit to Lynn and Kyle Tanger, 157 N Park Avenue for a sump pump line and irrigation system facilities located within the Lakeshore Avenue right-of-way. **(RollCall-Pro)**

MSCR P Alderperson Lendrum/Hillstrom to approve the Revocable Occupancy Permit as recommended by Committee, all voting aye.

Discussion: Alderperson S kyrms asked if all the properties on Lakeshore Avenue have similar permits. Director Kaiser advised that there are some Revocable Occupancy Permits that were issued as a result of the Lakeshore Avenue reconstruction project. There maybe a few properties without permits, however, the City did attempt to get permits as it learned of private facilities located in the right-of-way.

Alderperson Steiner asked if there were costs to the city if a determination was made that the facilities needed to be removed. Director Kaiser advised the intent of the permit is the costs would be at the property owner's expense.

- B. Regular Finance and Personnel Committee meeting of September 12, 2022: (Chairperson Erickson/Vice Chairperson S kyrms) (Minutes can be found on the City web site)

1. Meeting was cancelled, no report.

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

- A. Regular Plan Commission meeting of September 13, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)

1. Meeting cancelled, no report.

- B. Board of Public Works meeting of September 14 2022: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:

- a. The Board approved Pay Request No. 4, Contract 2-22, Sanitary, Water Services and Street Construction, Dieckhoff Street & Grove Street, to Donald Hietpas & Sons, Inc., Little Chute, in the amount of \$221,709.88.
 - b. The Board approved Pay Request No. 2, Contract 3-22, Street Construction, Apple Blossom Dr., Fredrick Dr., Green Acres Ln., Honeysuckle Ln., Meadow Ln., Primrose Ln., Wild Rose Ln., Blueberry Ln., Cherry Ln., Farm Ridge Dr., Fresh Air Park, Southview Park Basketball Court, to Northeast Asphalt, Greenville, in an amount of \$899,365.94.
 - C. Community Development Authority
 - 1. Report from the CDA – Director Haese
 - a. CDA will meet in November. The Donaldson Cleaners Site on W. Cecil Street will be on the agenda. Future Council action will be needed to acquire the site.
 - D. Library Board
 - 1. Report from the Library Board – Alderperson Erickson
 - a. Reporting from the September 21, 2022 Meeting.
 - b. Both programming and circulation is doing well.
 - c. The speed puzzling event is scheduled for November 12th with registration opening on October 1, 2022.
 - d. The Board adopted Wahl's internet policy.
 - E. Neenah Arts Council
 - 1. Report from the Neenah Arts Council – Alderperson Erickson
 - a. Reporting from September 14, 2022 Meeting.
 - b. Several members participated in the Boys and Girls Brigade Open House on September 15, 2022.
 - c. Very Neenah Christmas Event planning has started.
 - d. Sesquicentennial Photo Contest is being planned for the upcoming event.
- IX. Presentation of petitions
 - A. Annexation 227, Petition for Direct Annexation Pursuant to Section 66.0223 Wisconsin Statutes Where All Property is Owned by the City of Neenah for part of Lot 2 CSM 5779 Woodenshoe Road, Town of Vinland.
MSCRP Boyette/Skyrms to refer Annexation 227 onto the appropriate committees (Finance & Personnel Committee and Plan Commission), all voting aye.

Discussion: Alderperson Stevenson asked if Council action is necessary due to the fact that the property is currently owned by the City of Neenah.
 - B. Any other petition received by the City Clerk's Office after distribution of the agenda.
- X. Council Directives
 - A. None.
- XI. Unfinished Business
 - A. None.
- XII. New Business
 - A. Arrowhead Park Development Status Report. (Ald. Hillstrom)

1. Reporting from the third Task Force Meeting of September 13, 2022.
 2. Present at the meeting were Mayor Lang, Parks & Recreation Director Kading, Community Development Director Haese, Finance Deputy Director Kahl, Alderpersons Skyrms and Hillstrom, and several members from the Fox Cities Groups and Businesses.
 3. Discussion from the second meeting regarding food accommodations continued. John Horan, owner of Town Council Restaurant downtown, as well as Ryan Batley, manager of Best Western/Bridgewood Resort, talked about ideas for facilities that would complement the downtown. Discussion points were:
 - (1) A second level restaurant overlooking the lake.
 - (2) Food court area for possible food trucks.
 - (3) Parking.
 - (4) Strong recommendations to keep Downtown Neenah uniquely as is and not to bring in a nationwide chain if at all possible.
 - (5) Music facilities would be a large draw.
 - (6) An average of 1,000 trail users per day. Trail usage is likely to increase with the continued development of the park.
 - (7) Rental shops in the ample theatre to create additional use of lake activities such as kayak/paddle board/boat.
 - (8) The importance of differentiating between businesses which Downtown Neenah is very successful doing.
 - (9) Bringing the Downtown Plan consultants into the discussion for their input.
 4. The next meeting is October 4, 2022.
- B. Any announcements/questions that may legally come before the Council.
1. None.

XIII. Adjournment

MSC Stevenson/Boyette to adjourn, all voting aye. Meeting adjourned at 7:17 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday September 27, 2022, 6:30 PM

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

Excused:

Also Present: Mayor Lang, City Attorney Rashid, City Clerk Nagel, Police Lt. Bone, Public Works Office Manager Mroczkowski, Steven Martin, Taylor Berkich, and Gregory Schaller

Approval of the September 13, 2022 Regular Meeting Minutes

Motion/Second/Carried by Hillstrom/Stevenson to approve the minutes of the September 13, 2022 regular meeting. All voting aye

Public Appearances:

None

Appeal of Dangerous Animal Appeal Designation Pursuant to Neenah Code §3-16- Steven Martin and Farrah Marquette, 925 Hunt Avenue

City Attorney Rashid stated for the record that he would be appearing for the City in the appeals. At City Attorney Rashid's direction the Clerk placed all witnesses under oath as they testified.

City Attorney Rashid called Lt. Bone as a witness.

Lt. Bone was sworn in.

Lt. Bone stated that he has been employed by the City of Neenah Police Department for 11 years. He stated that he is in charge of the dangerous animal program for the city. He stated that in this role he reviews any aggressive behavior, any dog fights, cat scratches, anything that's unusual with an animal that someone might have any kind of concern about. He stated that all of these police reports get forwarded to him and he reads them all. Lt. Bone stated that he then makes a determination on if the case meets the requirement for some type of declaration in the dangerous animal statutes.

City Attorney Rashid asked whether in regards to this particular dog that will be referred to hereby as Zeus, you made a designation on July 2, 2022, at the request of Police Chief Olson, this was a dangerous animal pursuant to the City of Neenah Code §3-16.

Lt. Bone stated yes.

City Attorney Rashid asked Lt. Bone to testify to what led him to make that declaration with regard to Zeus.

Lt. Bone stated that there have been five interactions with Zeus and police officers. One in 2018, one in 2020, one in 2021 and two in 2022. He stated the incident in 2018 happened to be with myself. He stated Zeus was at large and off his property and the police were called. He stated that he responded to the call. He stated that he made contact with Zeus and tried to get him back in his yard. Lt. Bone stated that Zeus started to advance on him in an aggressive manner and backed him up all the way across the street to the point that he felt the need to use his Taser on the dog. Lt. Bone stated that, eventually Zeus ran away and got trapped in a backyard and the owner was contacted to come and get him.

City Attorney Rashid asked Lt. Bone what is meant by a dog at large.

Lt. Bone stated that the dog is not under the control of his owner by not being on a leash, under verbal control, or not on owner's property.

City Attorney Rashid asked Lt. Bone if that in itself is a violation of the city ordinance.

Lt. Bone stated yes it is.

City Attorney Rashid asked Lt. Bone with regards to the 2018 incident did he declare Zeus under the city ordinance that he was a potentially dangerous animal.

Lt. Bone stated that based on his interactions with Zeus, he gave the declaration of a potentially dangerous animal which is basically an advisement that the animal has aggressive behavior.

City Attorney Rashid asked Lt. Bone to testify to the incident that occurred in 2020.

Lt. Bone stated that this incident, Zeus was loose at the Hoover Elementary School, which is directly across the street from Zeus's owner's property. Lt. Bone stated that there is a large playground and large field that's attached to Hoover Elementary School. He stated that this time, Zeus was loose in the property which resulted in a citation for animals at large and no dog or cat license.

City Attorney Rashid asked Lt. Bone if all pets are required to be registered or licensed in the City of Neenah. He stated that if an owner fails to register their animal they could be cited.

Lt. Bone stated yes.

City Attorney Rashid asked Lt. Bone to testify to the incident that occurred in 2021 involving Zeus where he bit someone.

Lt. Bone stated that this incident Zeus was loose, but in his own yard. He stated that family members or friends that were there at the house at the time were trying to corral the dog and keep him contained. Lt. Bone stated that this incident did not result in a declaration of a dangerous animal. He stated that the same scenario with another dog wouldn't have been declared either because the dog was on his own property. Lt. Bone stated that this incident resulted in a no dog cat license citation. Lt. Bone noted that the

owner was cited for failing to follow the quarantine order, which to him is a red flag for the ownership of the dog in the city. He stated that when a dog or a cat, bites or scratches somebody, there's a quarantine order that has to be followed to ensure that it's not that it's not infected with rabies, and that was not followed.

City Attorney Rashid asked Lt. Bone if he could have declared Zeus a dangerous animal in 2021.

Lt. Bone stated that incidents need to occur within 36 months of each other. He stated he would have to look at the records to verify that so he cannot give an answer to the question.

City Attorney Rashid asked Lt. Bone to testify to the incidents that have occurred in 2022 involving Zeus.

Lt. Bone stated that there have been two incidents in 2022. The one that is being appealed is case No.11-037. He stated that incident resulted in the most immediate declaration. Lt. Bone stated that this incident involved Zeus lunging aggressively towards a citizen which resulted in an officer being dispatched to the scene. He stated that there was a citizen that was witnessing the incident and he ran out with was like a La Crosse stick to defend another lady because he felt that Zeus was acting aggressively toward this lady. Upon arrival of the officer, the dog was started to act aggressively towards him too. Lt. Bone stated that Zeus was contained and the owner was issued citations for animal at large, no license and then was given the dangerous animal declaration after review of the police report.

Lt. Bone continued his testimony stating that, approximately 10 days ago, well after the dangerous dog declaration had been issued, the same type of incident occurred. He stated that there was a plumber on a different property on the 900 block of Hunt Avenue that became trapped in his car because there was an aggressively barking dog at large. Lt. Bone stated an officer was dispatched to the scene and upon arriving, witnessed Zeus on his own property. He stated that Officer Barry made contact with the plumber who identified the dog, Zeus, as the dog that was barking and being aggressive. He stated that the responding officer reported that upon arriving, the dog was not barking but began to bark again and started to get aggressive and advance towards Officer Barry. Lt. Bone stated that at this time, Officer Barry moving towards his squad car because Zeus was starting to charge him. He stated that Officer Barry described the incident that when he was getting in his car and closing the door, the dog was jumping up on the car door while he was in the squad car. Lt. Bone stated that Zeus was being very aggressive. He further noted that this type of behavior is very unusual and is not the norm for any of the reports that he has read for a dog to act this way towards people as far as their presentation with aggressiveness.

City Attorney Rashid asked Lt. Bone if Officer Barry was retreating into his squad.

Lt. Bone stated yes, as Zeus was starting to advance towards him, Officer Barry moved toward his squad car to get in to try and alleviate the situation. Lt. Bone stated that

Officer Barry, once he got in his squad car, drove to 925 Hunt Avenue, where the dog was finally taken control of and contained.

City Attorney Rashid asked if this most recent incident occurred on September 19, 2022, after it has been designated a dangerous animal under the ordinance and after the owner had filed the appeal of declaration. Lt. Bone confirmed it was.

City Attorney Rashid asked Lt. Bone what concerns him in regards to the dog and the neighborhood it resides in.

Lt. Bone stated his concern is the overall size of the dog, its aggressive nature that it has demonstrated to people and the fact that it resides directly across the street from Hoover Elementary School.

City Attorney Rashid addressed Chairperson Lendrum, and asked the appellant if he had any questions for Lt. Bone.

Mr. Martin stated he had no questions for Lt. Bone.

Mr. Steven L. Martin, 925 Hunt Avenue, was sworn in.

Mr. Martin stated that the testimony of Lt. Bone is accurate, but at the same time the earlier episode with Zeus he was a puppy. He stated that his neighbors have gotten to know Zeus and he'll run to them when outside. Mr. Martin stated that Zeus has been mistaken before for a dog that might attack somebody and as Lt. Bone stated earlier, Zeus is very capable in his appearance and demeanor that if he wanted to attack somebody, he would. Mr. Martin stated that he thinks that Zeus is an overly friendly dog and then when people get afraid of him, he reads that energy and he barks as a form of communication but he does not think Zeus is doing anything that would injure somebody. Mr. Martin stated there was an incident in the driveway where Zeus had gone through the screen door and in the excitement, my son ran out the screen door after him, yelling for him. Mr. Martin stated that his son's, friend's mother was in a Suburban in the driveway, and she hopped out trying to help and when she hopped out, Zeus went to hop in the car and it startled the mother, she kicked her legs and Zeus caught the back of her ankle. He stated that as soon as Zeus did that he put his head down tail between his legs, and he walked immediately to the door because he knew he had done something wrong.

Mr. Martin stated that Zeus's escapes are inexcusable. He stated that Zeus now has a shock collar and he has received quotes for installing a fence. Mr. Martin stated that there are no excuses for his actions.

City Attorney Rashid asked Mr. Martin if he acknowledges that on two occasions Zeus has come after police officers and backed them toward their squad cars.

Mr. Martin stated yes. He stated that the incident that occurred in 2018 with Lt. Bone, Zeus was barking at someone across the street because he had gotten off his cable. Mr. Martin stated that he was at a wedding and knew it was going to be over six hours and left Zeus on a cable attached to a collar in the back yard. He stated that Zeus got free of the collar and was barking at the neighbor across the street. Mr. Martin stated

that when the officer arrived, Zeus had run back into his yard but wasn't able to be contained so when he started running aggressively towards the officer, the officer Tasered Zeus.

City Attorney Rashid inquired of Mr. Martin the concerning characteristics of the neighborhood, the fact that there was a resident that yielded a La Crosse stick to defend a resident and that he has been cited at least two times for a dog at large over the past three years. Mr. Martin acknowledge these things.

Mr. Martin stated that he has received quotes for a fence to keep Zeus contained to the yard and is willing to have him neutered.

City Attorney Rashid asked Mr. Martin, if the committee should uphold the decision of Lt. Bone, that his dog is a dangerous animal, whether he willing to follow the ordinance that when the dog is outdoors he'll be muzzled and leashed, when he's indoors, he'll be confined in a manner that he can't get out through a window or a screen door and that sort of thing. And whether he also agrees that if Zeus is outdoors and not muzzled or leashed that he would be in a city approved kennel the specifications for which are spelled out in the ordinance and that to get a special dangerous dog license, there are other requirements that the ordinance provides that you would have to follow if he wanted to keep this dog?

Mr. Martin stated yes.

Aldersperson Hillstrom asked how many times the owner has been cited for not having a dog license.

Lt. Bone stated, that with the last incident in September, there would be three.

Aldersperson Hillstrom stated that Mr. Martin stated that he would muzzle the dog when outside, but there have been two incidents since the first one in 2018, yet the dog is not being muzzled and asked Mr. Martin to explain.

Mr. Martin stated that Zeus had not been declared a dangerous animal yet so they did not want to muzzle him if he didn't need to be.

Aldersperson Hillstrom asked Mr. Martin if he has bought a muzzle.

Mr. Martin stated no, he was waiting for the outcome of this hearing.

Aldersperson Stevenson stated that in Mr. Martin's testimony he indicates that he is willing to meet all the criteria that is in the city ordinance regarding owning a designated dangerous animal.

Mr. Martin stated that he is fighting for a family member not to have the extremities that could be pushed upon him, but we are willing to deal with them if need be.

Aldersperson Weber asked how old Zeus is.

Mr. Martin stated that he is three years old.

Aldersperson Weber asked about the PTSD that Zeus suffers from that was mentioned in the appeal letter.

Mr. Martin stated that his fiancé wrote the letter and that in her opinion he suffers from PTSD. He stated that he does not believe that Zeus suffers from PTSD. He has never been diagnosed by a veterinarian for PTSD.

Alderson Borchardt asked Lt. Bone if he had not tased the dog, did he feel an imminent danger that Zeus would have attacked him

Lt. Bone stated that he would not have tased him unless he felt like the situation had reached that point.

Alderson Borchardt stated that his biggest concern about the dog is if Lt. Bone hadn't been there with the taser, we're having another incident and another situation that could have been even worse if it was a kid playing or something like that. He stated that he is also concerned that there seems to have been opportunity to take corrective measures and none were taken. He stated now that there is a declaration and the owner is saying he will do what it takes to prevent future situations, but prior to the declaration was not.

Mr. Martin stated that he understand that there appears to be a lack of priority dealing with the situation. He stated there are some family dynamics that have added to Zeus being left out unattended. He stated those have been dealt with.

Alderson Hillstrom asked Mr. Martin if Zeus has been to any training classes.

Mr. Martin stated no formal training. He stated that as far as a neighborhood awareness for safety, if he was going to injure somebody it would have happened already. He's just a dog that gets out and barks when people go by and they get nervous because they see the kind of dog he is.

City Attorney Rashid stated that he feels the city has met its burden of proof that the designation by Lt. Bone was tempered over a number years. He stated that Lt. Bone could have made this designation in my legal opinion in 2021 but did not do so. City Attorney Rashid stated that the owners have been given the benefit of the doubt repeatedly, and it's astonishing to him that more measures weren't taken between July 2 and September 19 of last week, when the owners were certainly on notice. He stated that respectfully, he does not think the owners are taking this seriously enough. He stated we shouldn't wait until a little child has been bitten and hurt before action is taken. He stated that the ordinance is there for a reason and the city has met the stipulations of it and I would ask respectfully that the committee uphold Lt. Bone's designation.

Motion/Second/Carried Stevenson/Borchardt to convene into Closed Session in the Mayor's office, pursuant to Wis. Stat. §19.85(1)(a) for the purpose of conducting deliberations regarding the Dangerous Animal Designation Appeal by Steven Martin & Farrah Marquette, 925 Hunt Avenue. All voting aye.

Motion/Second/Carried Borchardt/Stevenson to reconvene into Open Session to announce result of deliberations on appeal of Dangerous Animal Designation Appeal by Steven Martin & Farrah Marquette, 925 Hunt Avenue for Zeus. All voting aye

Motion/Second/Carried Stevenson/Borchardt to uphold the Dangerous Animal Designation for Zeus. All voting aye

Appeal of Dangerous Animal Appeal Designation Pursuant to Neenah Code §3-16-Lauren Lo Bianco and Taylor Berkich, 352 Stanley Court

City Attorney Rashid called Gregory Schaller as a witness.

Gregory Schaller, 300 Stanley Court, Neenah WI was sworn in.

City Attorney Rashid asked Mr. Schaller if he recalls the incident that occurred on July 2, 2022 on Stanley Court.

Mr. Schaller stated that he recalls the incident.

City Attorney Rashid asked Mr. Schaller if he had been bitten by a German Shepard near his home on that date of July 2, 2022 and to explain to the committee what happened.

Mr. Schaller stated that he lives about 10 houses away from 352 Stanley Court. He was going to help a friend who lives next door to 352 Stanley Court. He stated that when he arrived, his friend's door was partially open. Mr. Schaller stated that his friend sometimes sits around the building on a lawn chair so he wandered around a little bit trying to locate the friend. Mr. Schaller stated about 20 feet away he came around a storage shed and saw a lady sitting on the grass, it was Ms. Berkich's roommate Ms. Lo Bianco. He stated that he hollered over to her to see if she had seen his friend Paul. Mr. Schaller stated the next thing he saw were the three dogs next door. He stated that he must have startled them because two of them charged him and one of them bit him on his hand.

Mr. Schaller showed the committee the back of his right hand.

City Attorney Rashid stated that it was his understanding that there's significant scarring on the back of Mr. Schaller's right hand. He asked Mr. Schaller if that was correct.

Mr. Schaller stated that there was a whole piece of skin that was torn off. He stated that it was just hanging down. He stated that he went to the hospital to have it looked at.

City Attorney Rashid asked Mr. Schaller if he had to have surgery to repair the damage to his hand.

Mr. Schaller stated that he did. He stated the first skin graft surgery was on the day after he was bitten and the second skin graft was on August 9, 2022. He stated there was no tendon damage. Mr. Schaller stated that it will take about two years for it to heal.

City Attorney Rashid asked Mr. Schaller if he experienced any pain and suffering as a result of the bite.

Mr. Schaller stated there was some discomfort for a couple of months.

City Attorney Rashid asked Mr. Schaller if he had incurred significant medical bills as a result of that incident.

Mr. Schaller stated there were medical bills. He stated that Medicare paid most of it. He stated that he was told Ms. Berkich and Ms. Lo Bianco had no insurance.

City Attorney Rashid asked Mr. Schaller if the German Shepherd named Beau was the dog that attacked him and bit his hand.

Mr. Schaller stated that he had read the police report and saw the name in the report. He stated he had never met the dog before.

City Attorney Rashid asked Ms. Berkich if she had any questions for Mr. Schaller.

Ms. Berkich stated she had no questions.

City Attorney Rashid asked the Committee if they had any questions for Mr. Schaller.

Alderman Borchardt asked Mr. Schaller what happened immediately following the incident.

Mr. Schaller stated that he called 911. He stated that he backed up to the building behind him and kept an eye on the dog. He stated that he did not want to lose site of the dog.

Alderman Borchardt asked Mr. Schaller if the dog bit and then let go right away.

Mr. Schaller stated that it was just the one bite. He stated that the owner of the dog yelled no, stop and the dog went back to the owner.

City Attorney Rashid called Lt. Bone as a witness, and confirmed his oath.

City Attorney Rashid asked Lt. Bone if he was on duty on July 2, 2022 when an incident involving a German Shepherd named Beau occurred.

Lt. Bone stated yes, he was on duty.

City Attorney Rashid asked Lt. Bone to confirm that he had not done the initial investigation, but picked this up about eight days later on July 10.

Lt. Bone stated that is correct.

City Attorney Rashid asked Lt. Bone to tell the committee his involvement in the investigation of the dog bite to Mr. Schaller.

Lt. Bone stated that he is in charge of the dangerous animal program for the city. He stated that he reviews all animal bites, dangerous animal activity or suspicious animal

activity to see if it meets the statutory requirement for any type of declaration. Lt. Bone stated that after reviewing the police report for this incident and understanding that the victim had received a substantial injury which resulted in multiple surgeries and skin grafts, he reviewed the prohibited animal ordinance and felt that it met that definition. He stated with having met the prohibited dangerous animal definition, along with the seriousness of the injury, his own personal experience with reviewing every animal bite that comes through, and understanding that this is a very unusual and very serious bite, he made the declaration for this to be a prohibited dangerous animal in the city.

City Attorney Rashid asked Lt. Bone to explain to the committee the prohibited dangerous animal ordinance and what it means?

Lt. Bone read to the Committee the prohibited danger animal ordinance which states “any animal that, without provocation has killed a pet or human being or without provocation inflicts great bodily harm on a pet or human being or has on two or more repeated occasions bitten or attacked a pet or animals or human beings without provocation on either public or private property at a level of aggression that meets the definition for dangerous animals”. Lt. Bone stated that in this case, this attack was without any kind of provocation and inflicted great bodily harm.

City Attorney Rashid asked Lt. Bone if great bodily harm is defined in other city ordinances.

Lt. Bone stated yes.

City Attorney Rashid asked Lt. Bone if the ordinance includes other serious bodily injury.

Lt. Bone stated yes.

City Attorney Rashid asked Lt. Bone if it was his belief that what Mr. Schaller suffered as a result of this dog bite was “other serious bodily injury”.

Lt. Bone stated yes.

City Attorney Rashid asked Lt. Bone what is the significance under city ordinance of the designation as a prohibited dangerous animal for the owner.

Lt. Bone stated that the animal cannot live in the city. He stated Ms. Berkich will have to rehome the dog or move.

City Attorney Rashid stated that unlike the last hearing where there was a dangerous dog license available under our ordinance, there is no such license available for a dog that's declared a prohibited dangerous animal.

Lt. Bone stated that is correct.

City Attorney Rashid asked Lt. Bone if he is asking this committee to uphold his designation of this animal, Beau, as a prohibited dangerous animal in the City of Neenah.

Lt. Bone stated that is correct.

City Attorney Rashid stated that he had no further questions for Lt. Bone.

City Attorney Rashid asked Ms. Berkich if she had any questions for Lt. Bone.

Ms. Berkich stated no.

City Attorney Rashid asked the Committee if they had any questions for Lt. Bone.

Aldersperson Stevenson asked for clarification regarding the number of bites allowed before an animal is declared as a prohibited dangerous animal.

City Attorney Rashid stated there are four subsections in the ordinance and the incident has to meet only one of the four. He stated the one that is being focused on related to this incident being a prohibited dangerous animal is “any animal that, subsection two, without provocation inflicts great bodily harm on a pet animal or human being”. He stated there are other sections that could apply. City Attorney Rashid stated that Lt. Bone mentioned subsection three which may or may not apply but for purposes of this case the City does not need this Committee to consider any other subsections other than the one that mentions “causing great bodily harm” to prove meet its burden.

Aldersperson Borchardt asked if Beau was in his own yard.

Ms. Berkich stated he was in the backyard of the apartment complex.

Aldersperson Hillstrom asked Lt. Bone if he talked with neighbors regarding this incident and if there are any other incidents involving Beau.

Lt. Bone stated that he did not talk to other people, but he always looks up the dog’s background and he does not remember seeing any other incident or fights.

Aldersperson Lendrum asked if the apartment complex is in a single family, residential neighborhood. She asked how Mr. Schaller came to be in the backyard of his friend's home

Lt. Bone stated that Mr. Schaller’s address is listed as 300 Stanley Court in the police report.

Aldersperson Lendrum asked Mr. Schaller if his friend lives in a single family home next to the apartment complex.

Mr. Schaller stated no, he lives in a 4-plex apartment building.

City Attorney Rashid asked Ms. Berkich if she had any questions for Lt. Bone.

Ms. Berkich stated no.

City Attorney Rashid asked Ms. Berkich if she would like to make a statement.

Ms. Taylor Berkich, 352 Stanley Court was sworn in.

Ms. Berkich stated that with Beau not having done this ever before it is unfortunate that it took this incident to get him into training. She stated she is working with a trainer named Carrie at Better Together Training with positive reinforcement and clicker training and specifically working with strangers in what Beau would consider his space.

She stated that she is also muzzle training. Ms. Berkich stated she is also working with a vet on anxiety management because she believes that is part of it why Beau did what he did. Ms. Berkich stated that Beau was outside with three dogs and shouldn't have been. She stated that it was not a responsible way to handle him. She stated it has not happened again nor will it ever happen again. Ms. Berkich stated that since the incident she is always vigilant with him wearing his harness vest and leash. She stated that her and her roommate are trying to minimize the risk as much as possible until they can get out of this lease and move to their own space because she doesn't think that her situation is fit for living in an apartment. Ms. Berkich stated that she handled the situation incredibly irresponsibly and unfortunately, the result is there's a victim and Beau has hurt people now. She stated that is something she is so sorry about. Ms. Berkich stated that she is willing to do anything in order to keep him.

Aldersperson Lendrum asked Ms. Berkich if there are three dogs living in the apartment.

Ms. Berkich stated yes, three dogs.

Aldersperson Lendrum asked if there are any questions from the committee.

Aldersperson Weber asked how old the dog is and has he always had anxiety.

Ms. Berkich stated Beau is 6 years old and has always been a little bit anxious but never to the result of what happened.

Aldersperson Stevenson asked Ms. Berkich how long before her lease is up.

Ms. Berkich stated July of 2023.

Aldersperson Hillstrom asked Ms. Berkich if Beau was licensed at the time of the incident.

Ms. Berkich stated he wasn't.

City Attorney Rashid asked Ms. Berkich if the fact the dog was startled caused this incident in her opinion.

Ms. Berkich stated she believes he was startled not having seen the man before he came around the corner.

City Attorney Rashid asked Ms. Berkich if she thought it's normal for any dog, after being startled, to just bite somebody.

Ms. Berkich stated absolutely not.

City Attorney Rashid asked Ms. Berkich if she knew that this dog had the potential or propensity to bite somebody.

Ms. Berkich stated she had never seen it to that extent, no.

City Attorney Rashid stated that Ms. Berkich stated to this committee that she was very irresponsible prior to this incident in the way she was handling the dog. He asked what she meant by that.

Ms. Berkich stated that the situation was irresponsible in that she was outside with three dogs at one time knowing that Beau has anxiety around people showing up in the yard.

City Attorney Rashid asked Ms. Berkich if there is a place where this dog can go temporarily until she can move.

Ms. Berkich stated she will have to ask for a favor from someone. She stated that if the liability is on her, allowing somebody else to take that responsibility, she would be very nervous.

Aldersperson Borchardt asked Lt. Bone if it matters the severity of the bite or the extent on the type of declaration that is decided on.

Lt. Bone stated that Mr. Schaller said he thought he probably startled he dog. Lt. Bone noted that he doesn't just read some of the animal bite cases, he reads every single animal bite, every single cat scratch report that comes to him. Lt. Bone stated that the severity of this injury is outstanding and not the norm. He stated that in a five year period, this is going to happen one or two times. Lt. Bone stated that the severity of the injury is what caused the declaration. He stated that had it been a nip on the ankle or a nip on the hand or if it was just a puncture wound it would not have resulted in this declaration.

Aldersperson Stevenson stated there must be a number of dogs within the city limits that you've reviewed bite cases for that have not received a prohibitively dangerous animal designation.

Lt. Bone stated that is correct. He stated we just had a bite that did not receive any declaration because of the circumstances around the bite.

Aldersperson Stevenson confirmed that the rationale for the prohibited dangerous animal declaration was the severity of the wound.

Lt. Bone stated that the severity of the injury is what makes it meet the statute for the declaration.

Aldersperson Stevenson asked Lt. Bone what would have had to happen differently for this bite to be designated just a dangerous animal versus a prohibitively dangerous animal.

Lt. Bone stated that it is a different statute. He stated that the statute reads a "dangerous animal inflicts substantial bodily harm on a human being or domestic animal without provocation on public or private property", so based on that, this incident could have met that definition. He stated that his opinion, that the severity of injury raises it to the level of "great bodily harm", which is a different statute.

Motion/Second/Carried Borchardt/Stevenson to convene into Closed Session in the Hauser Room, pursuant to Wis. Stat. §19.85(1)(a) for the purpose of conducting deliberations regarding the Prohibited Dangerous Animal Designation Appeal by Lauren Lo Bianco and Taylor Berkich, 352 Stanley Court, Neenah WI. All voting aye.

Motion/Second/Carried Hillstrom/Borchardt to reconvene into Open Session to announce result of deliberations on appeal of Prohibited Dangerous Animal Designation Appeal by Lauren Lo Bianco and Taylor Berkich, 352 Stanley Court, Neenah WI for Beau. All voting aye

Motion/Second/Carried Weber/Borchardt to uphold the Prohibited Dangerous Animal Designation for Beau.

Aldersperson Stevenson stated that this is difficult case. He stated that he respects the professional recommendation of Lt. Bone. He stated that he supports a dangerous animal designation declaration through July of 2023 at which point the dog would become a potential or prohibitive dangerous animal. He stated this would allow Ms. Berkich to obtain a dog license as a dangerous dog and muzzle the dog when it's outside. Aldersperson Stevenson stated that it would allow her eight months to keep the dog under control, and potentially find some other place to move into. He stated that she would also have to meet all the other requirements of the statute for a dangerous animal declaration which would be insurance, she couldn't fence the property unless she got the approval from the owners of the property so that would not be an eligible thing to do. Aldersperson Stevenson stated he will not support the motion.

Aldersperson Lendrum stated that the committee had a serious deliberation about this case. She stated that her thought is that the risk is just too great for this animal to go that long in an apartment complex. Aldersperson Lendrum stated she will be voting to uphold the declaration.

Vote 4/1(Aldersperson Stevenson voting nay)

Approval of 2022-2023 Winnebago County Joint Powers Agreement 911 Emergency System

Report

Following Discussion: Motion/Second/Carried Stevenson/Hillstrom to approve the 2022-2023 Winnebago County Joint Powers Agreement 911 Emergency System. All voting aye.

Public Works General Construction and Department Activity

- 1) Contract 7-21 (Harrison Pond): Pond excavation is complete. The retaining wall is in place and staining is nearly complete. Work has started on the steps and sidewalk along the wall.
- 2) Contract 8-21 (Jewelers Park Drive Trail): Work is complete. A final pay request is being prepared.
- 3) Contract 2-22 (Utility and Street Construction on Grove and Dieckhoff): The mainline street paving is complete. Work on driveway and sidewalk replacement started on 9/23.
- 4) Contract 3-22 (Street Construction in Fredrick Drive area, Fresh Air Pk, Southview Pk): Work on Fresh Air Park, Shootingstar/Armstrong and the Southview Park basketball court is complete. Concrete repairs in the Fredrick Drive area are complete. Landscaping is 60% complete. Fine-grading is nearly complete. Paving is scheduled for the first week of October.
- 5) Contract 4-22 (S. Commercial Utility Construction): There are some small pieces of asphalt paving still left to do.
- 6) Contract 6-22 (Epoxy Pavement Marking): Some spot markings will be done this year. The remainder of the work identified for 2022 will be rolled into 2023 work.
- 7) Contract 7-22 (Winneconne Ave Overpass Repairs): Repairs to the south column are complete. Patches on the westbound lanes have been poured. Replacement of the north half of the expansion joints is ongoing.
- 8) Contract 8-22 (Miscellaneous Asphalt Repairs): This contract was awarded to Northeast Asphalt. Work has not been scheduled but typically takes place in October.
- 9) Contract 11-22A (Lead service line replacement – Zemlock/Reddin): The contract was awarded to Donald Hietpas & Sons Construction. A schedule has not been set.
- 10) Contract 11-22B (Lead service line replacement – Hunt/Madison/Nicolet): The contract was awarded to Carl Bowers & Sons Construction. A schedule has not been set.
- 11) CB/JJ Roundabout: The roundabout project is scheduled to open the week of September 26.

Public Works Office Manager Mroczkowski informed the Committee that the roundabout would officially open Thursday, September 29th.

- 12) Ponds in New Subdivisions: We are working through the steps with the developer of the Integrity Acres Subdivision to take over ownership of the retention pond in that development per the conditions of the development agreement. Minor work remains to be done on the two ponds in the Freedom Acres development before we begin the ownership transfer process.

- 13) Recycling Audit: Winnebago County pulled a random recycling truck load on 8/31/2022 and our contamination rate of a sample came in at 11.55%. This is about average for their system and in line with the other audits that they've done. The contaminant materials found were actual trash, styrofoam, textiles, yard waste, construction materials, wrappers/napkins/packaging, recyclable film plastics, scrap metal, rigid plastics and other non-recyclable plastics. Several of these items have alternative recycling opportunities. We are preparing information to post on our website and social media to inform the public of these contaminants.

Aldersperson Hillstrom stated he would like to see something mentioned in the newsletter and website about the recycling audit.

Aldersperson Stevenson stated he would like to see a dollar value for the 11.5%

Announcements/Future Agenda Items

None

Adjournment: **Motion/Second/Carried Hillstrom/Borchardt to adjourn at 8:18 PM.**
All voting aye.

Respectfully submitted,



Public Works Office Manager

Sheriff
John F. Matz

Chief Deputy
Todd A. Christopherson



Winnebago County Sheriff

www.co.winnebago.wi.us



4311 JACKSON ST
OSHKOSH, WISCONSIN 54901
(920) 236-7300 (920) 727-2888
JAIL (920) 236-7380
ADMINISTRATION FAX (920) 236-7333
RECORDS FAX (920) 236-7302

August 22, 2022

To All Winnebago County E911 Users:

Enclosed is the **JOINT POWERS AGREEMENT** which is required by State Statute 256.35(9). The Statute requires an annual renewal of the Agreement. Space is provided for signing by your City Mayor and Clerk, Town/Village Chairman and Clerk or other designee.

Please do the following:

1. Sign, date, and return the **Original** to me no later than **November 11, 2022** in the enclosed self-addressed envelope.

Please remember to put **postage** on your envelope before mailing it back.
Please **Do Not** fax the document as we need to have the **original** copy.
Please **Do Not** staple the document.

2. Please **make a copy** of the agreement for your records.

Your assistance in this matter is greatly appreciated. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "John F. Matz".

Sheriff John F. Matz

JFM/kkd

enc.

JOINT POWERS AGREEMENT WINNEBAGO COUNTY 911 EMERGENCY SYSTEM

WHEREAS, Winnebago County and the municipalities located within the boundaries of Winnebago County have implemented an Emergency 911 System for the purposes of providing emergency services to residents and visitors of these municipalities, including fire fighting, law enforcement, ambulance, medical and other emergency services; and

WHEREAS, Sec. 256.35(9), Wis. Stats. "Joint Powers Agreement", requires that in implementing a 911 system as has been done in Winnebago County, municipalities shall annually enter into a Joint Powers Agreement, which Agreement shall be applicable on a daily basis and which shall provide that if an emergency services vehicle is dispatched in response to a request through the Winnebago County 911 System, such vehicle shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries.

THEREFORE, in consideration of the mutual promises, agreements, and conditions contained herein, it is hereby jointly agreed between Winnebago County and the City of Neenah, municipality", as follows:

1. That effective December 1, 2022, this Agreement shall, thereafter, be applicable on a daily basis from said date through November 30, 2023.
2. That if an emergency services vehicle operated by the municipality, or operated by an agency with which the municipality contracts for that particular emergency service, is dispatched in response to a request through the Winnebago County Emergency 911 System, such vehicle (whether owned and operated by the municipality or by the agency) shall render its services to the persons needing the services, regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional (or as defined by contract) boundaries.
3. That a Winnebago County Communications and Information System Advisory Committee shall be established to develop and recommend policy and procedures for emergency services communications and public safety records management issues in Winnebago County. A User's Guide that was developed in 1994 has been updated as necessary, and includes directives and guidelines for the proper use of E911 communication devices (which may include, but not be limited to, radios, computers, mobile data devices and pagers). Violation of User Guide directives could result in disciplinary action being imposed by the employing agency. The committee will be charged to effectively recommend equipment/software purchases and resource allocation with the authority to develop sub-committees as needed to accomplish that task. The committee may develop special ad-hoc, advisory task forces to research regional communication

network(s) with neighboring public safety departments or other County E911 Systems. The Advisory Committee will report to the County Executive and service that position in an advisory nature. Membership on the Advisory Committee shall consist of 9 representatives (appointed by the County Executive) from the following:

4 – Police Agency (separate departments) Representatives (normally the Police Chief or his/her designee).

4 – Fire Agency (separate departments) Representatives (normally the Fire Chief or his/her designee).

1 – Emergency Government Representative.


The Advisory Committee shall elect one Chair and Vice-Chair each year commencing in January.

4. That a copy of this Agreement shall be filed with the State Department of Justice, as required by Sec. 256.35 (9)(c), Wis. Stats.

WINNEBAGO COUNTY

By: 
Winnebago County Executive
Jon Doemel

Date: 8-16-2022

By: 
County Clerk
Susan T. Ertmer

Date: 8-14-2022

CITY OF NEENAH

By: _____
Mayor

Date: _____

By: _____
City Clerk

Date: _____

FINANCE AND PERSONNEL COMMITTEE MEETING
Monday, September 26, 2022 – 6:00 p.m.
Council Chambers, Neenah City Administration Building
211 Walnut Street, Neenah, Wisconsin

MINUTES

Present: Chairman Erickson; Aldermen Boyette, Skyrms, Steiner, and Stevenson (6:17 p.m.); Mayor Lang, Deputy Director of Finance Kahl, City Attorney Rashid.

Others Present: Director of Community Development Haese, Deputy Director of Community Development Schmidt.

Absent/Excused: None.

Public Appearances: None.

Minutes: **Motion/Second/Carried Boyette/Skyrms to approve the minutes from the August 29, 2022 Regular Meeting.** All voting aye.

Annexation 227: Woodenshoe Road

Committee reviewed Annexation No. 227, proposing 7.248 acres of land along Woodenshoe Rd. be annexed into the City. The City currently owns the land and intends to sell the property to Van Sistine Homes, LLC as part of an ongoing six-phase development in the area. Committee briefly discussed the proposed development that would occur after annexation.

Motion/Second/Carried Boyette/Skyrms to recommend Council approve Annexation No. 227. All voting aye.

Tax Incremental District #5 Affordable Housing Extension

Committee reviewed memo from Director Haese requesting committee approval of Resolution No. 2022-16: Affordable Housing Extension for Tax Incremental District #5. Wisconsin Tax Incremental Financing (TIF) law allows communities to extend the life of a Tax Incremental District (TID) by one year for the purposes of benefiting affordable housing and improving the housing stock of their community. The extension allows for one additional year of tax increment so long as 75 percent of those funds are used to benefit affordable housing. The remaining funds can be used to benefit the housing stock of the community.

TID No. 5 has recovered all of its project costs while generating \$14 million of incremental value in the City. The one year extension would apply to tax increment generated and collected from TID No. 5 on the 2022 tax bills, projected to be around \$300,000. Committee and staff discussed potential uses for the funds, which could include housing programs and a City-wide housing study.

Motion/Second/Carried Steiner/Skyrms to recommend Council approve Resolution No. 2022-16: Affordable Housing Extension for TID No. 5.

REPORT

REPORT

Minutes of the Finance and Personnel Committee Meeting

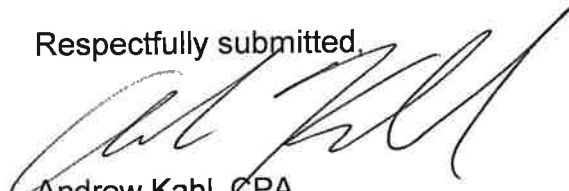
Sep. 26, 2022

Page 2

Fiscal Matters: August Vouchers: Motion/Second/Carried Skyrms/Stevenson to approve the August 2022 vouchers as presented. All voting aye.

Motion/Second/Carried Skyrms/Steiner to adjourn the meeting at 6:27 p.m. All voting aye.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Andrew Kahl', written in a cursive style.

Andrew Kahl, CPA
Deputy Director of Finance



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@ci.neenah.wi.us
CHARLOTTE NAGEL, WCMC

MEMORANDUM

DATE: August 31, 2022

TO: Board of Education
Director of Finance Easker
Director of Public Works Kaiser
Dir. of Water Utility Mach
Dir. of Comm. Dev. & Assessment Haese
City Plan Commission
Park and Recreation Commission
Police Chief Olson
Fire Chief Kloehn
City Attorney Rashid
Town of Vinland, Clerk Karen Brazee

FROM: Char Nagel, City Clerk

RE: **Annexation No. 227 - Part of Lot 2 of CSM 5779 as recorded in Volume 1 of CSMs as Document No. 1368620 Woodenshoe Road, Town of Vinland, Winnebago County Annexation Petition**

Please be advised that a Petition for Annexation Pursuant to Section 66.0223 Wisconsin Statutes has been filed in the Clerk's Office for property in the Town of Vinland. The City of Neenah are the owners of the land with a population of zero. In accordance with Section 26-29 of the Municipal Code.

**Please submit your report to Lorie Raddatz in the Finance Office
no later than 12:00 PM (noon) Thursday, September 8, 2022.**

Committee and Council consideration of this annexation will be as follows:

Committee Approval and Recommendation to Council:

Finance and Personnel Committee meeting	September 12, 2022
Plan Commission meeting	September 13, 2022

Final Council Approval:

Council meeting	September 21, 2022
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Attached is a copy of the petition and map showing the area proposed to be annexed.

cc: Lorie Raddatz, Finance

PETITION FOR DIRECT ANNEXATION
 PURSUANT TO SECTION 66.0223, WISCONSIN STATUTES
 WHERE ALL PROPERTY IS OWNED BY THE CITY OF NEENAH

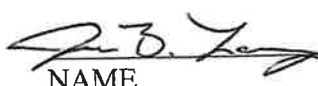
We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Vinland, Winnebago County, Wisconsin, lying contiguous to the City of Neenah petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled maps to the City of Neenah, Winnebago County, Wisconsin.

A part of Lot 2 of Certified Survey Map No. 5779 as recorded in Volume 1 of Certified Survey Maps on Page 5779, Document No. 1368620, located in the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East and a part of the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, all in the Town of Vinland, Winnebago County, Wisconsin containing 315,723 square feet (7.248 acres) of land and being more fully described as follows:

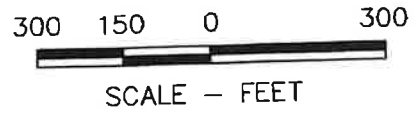
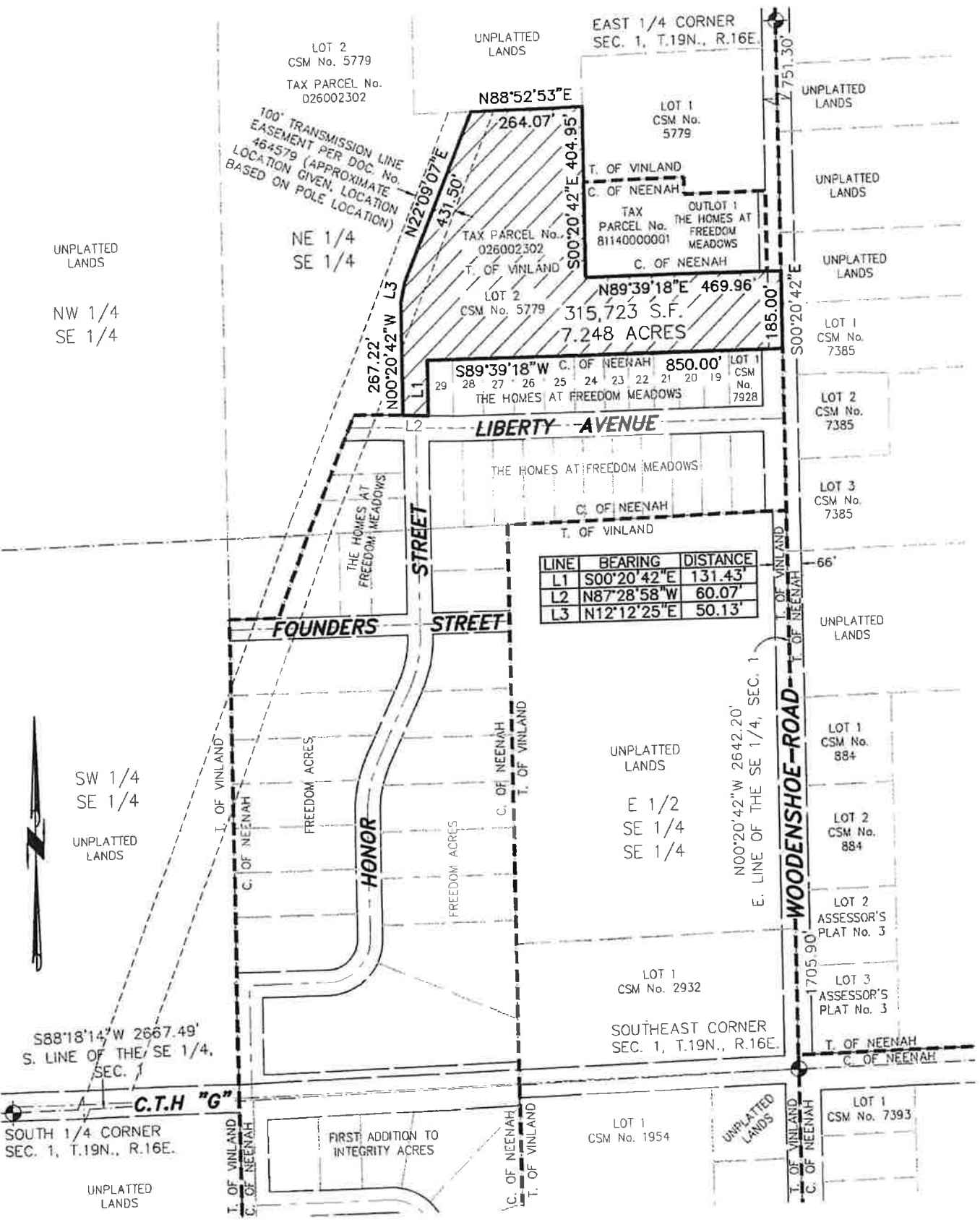
Commencing at the Southeast corner of said Section 1; thence N00°20'42"W, 1705.90 feet along the East line of the Southeast 1/4 of said Section 1 to the Easterly extension of the North line of Lot 1 of Certified Survey Map No. 7928 as recorded in Document No. 1884731 and the Point of Beginning; thence S89°39'18"W, 850.00 feet along said Easterly extension, the North line of said Lot 1 and the North line of Lots 19 thru 29 of The Homes At Freedom Meadows to the Northwest corner of said Lot 29; thence S00°20'42"W, 131.43 feet along the West line of said Lot 29 to the Southwest corner thereof, also being the North right-of-way line of Liberty Avenue; thence N87°28'58"W, 60.07 feet along said North right-of-way line; thence N00°20'42"W, 267.22 feet; thence N12°12'25"E, 50.13 feet; thence N22°09'07"E, 431.50 feet to the North line of said Lot 2 of Certified Survey Map No. 5779; thence N88°52'53"E, 264.07 feet along the North line of said Lot 2; thence S00°20'42"E, 404.95 feet along the North line of said Lot 2 to the Southwest corner of Outlot 1 of said The Homes At Freedom Meadows; thence N89°39'18"E, 469.96 feet along the South line of said Outlot 1 to the East line of the Southeast 1/4 of said Section 1; thence S00°20'42"E, 185.00 feet along said East line to the Point of Beginning.

The current population of such territory is 0.

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

Signature of Petitioner	Date of Signing	Owner	Petition Address
 NAME	<u>8-29-22</u>	CITY OF NEENAH	211 WALNUT STREET NEENAH WI 54956

c:\belton_w\PROJECTS\0706\09220504\GADD\Grid3D\SURVEY Documents\ANNEXATION\EXHIBIT\dwg sheet 1.dwg, sheet 1, Plot Date 6/19/2022 11:05:4M, v.rds, (msd,co-minebapp_2018_04)





AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – City of Neenah owned property located in the Town of Vinland along Woodenshoe Road to the City of Neenah.

ORDINANCE NO. 2022-19
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Pursuant to Section 66.0223, Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Vinland, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit A:

A part of Lot 2 of Certified Survey Map No. 5779 as recorded in Volume 1 of Certified Survey Maps on Page 5779, Document No. 1368620, located in the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East and a part of the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, all in the Town of Vinland, Winnebago County, Wisconsin containing 315,723 square feet (7.248 acres) of land and being more fully described as follows:

Commencing at the Southeast corner of said Section 1; thence N00°20'42"W, 1705.90 feet along the East line of the Southeast 1/4 of said Section 1 to the Easterly extension of the North line of Lot 1 of Certified Survey Map No. 7928 as recorded in Document No. 1884731 and the Point of Beginning; thence S89°39'18"W, 850.00 feet along said Easterly extension, the North line of said Lot 1 and the North line of Lots 19 thru 29 of The Homes At Freedom Meadows to the Northwest corner of said Lot 29; thence S00°20'42"E, 131.43 feet along the West line of said Lot 29 to the Southwest corner thereof, also being the North right—of—way line of Liberty Avenue; thence N87°28'58"W, 60.07 feet along said North right—of—way line; thence N00°20'42"W, 267.22 feet; thence N12°12'25"E, 50.13 feet; thence N22°09'07"E, 431.50 feet to the North line of said Lot 2 of Certified Survey Map No. 5779; thence N88°52'53"E, 264.07 feet along the North line of said Lot 2; thence S00°20'42"E, 404.95 feet along the North line of said Lot 2 to the Southwest corner of Outlot 1 of said The Homes At Freedom Meadows; thence N89°39'18"E, 469.96 feet along the South line of said Outlot 1 to the East line of the Southeast 1/4 of said Section 1; thence S00°20'42"E, 185.00 feet along said East line to the Point of Beginning.

The land to be annexed is part of parcel number **026002302** located in the Town of Vinland

Section 2. Annexation area is proposed to be zoned R-1, Single-Family Residence District upon annexation.

Section 3. That the limits of the Third Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 5. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Adopted: _____

Published: _____

Approved:

Jane Lang, Mayor

Attest:

Charlotte Nagel, City Clerk



Neenah Water Utility

211 Walnut St. PO Box 426 Neenah, WI 54957-0426
Office: (920) 886-6182 Cell: (920) 858-6300
Email: amach@ci.neenah.wi.us

Anthony L. Mach

Director of Neenah Water Utility

MEMORANDUM

DATE: September 13, 2022
TO: Mayor Lang, Chairperson Erickson, and Members of the Finance and Personnel Committee
FROM: Anthony L. Mach
RE: Annexation No. 227 – Woodenshoe Road

In accordance with Section 26-29 (3) of the City of Neenah Municipal Code, the following information summarizes the anticipated impact upon the Water Utility of the proposed annexation of 7.248 Acres of property currently located in the Town of Vinland, part of Parcel No. 026002302 / Document No. 1368620 / CSM No. 5779. Petition dated August 31, 2022.

1. No additional personnel will be required. However, as water main is extended, the need for more personnel will arise in the future.
2. Upon full development, an estimated fifteen (15) water meters will be installed at a cost of \$3,600. These costs will be recovered through quarterly base meter charges.
3. In order to provide adequate pressure for additional developments, a booster station will need to be designed and constructed within this development. The estimated cost of the booster station is \$1,300,000.
4. Water mains will be installed along Honor Street from Liberty Avenue to Patriot Avenue and along Patriot Avenue to supply water to the annexed area and serve the booster station. The Developer will be responsible for all costs incurred for the installation of water mains, valves, services, hydrants, and related appurtenances. All water mains, valves, services, hydrants, and related appurtenances shall be installed to Neenah Water Utility specifications.
5. Upon full development, the estimated annual cost to treat and deliver water to the development within the proposed annexed area is \$1,800. The users will be billed for water usage through the quarterly utility bill.
6. The total estimated capital cost is \$1,303,600.
7. Upon full development, additional Water Utility revenue is estimated to be \$3,500 for water usage per year, \$1,260 per year for base meter charges, and \$230 for fire protection, for a total revenue of \$4,990. Sewer and storm water revenues are not included in these estimates.

Within this development, the water main oversizing assessment due is estimated to be \$2,240 per acre applicable to approximately 7.248 acres for a total estimated assessment of \$16,200.

8. We recommend approving this annexation.



Memorandum

TO: Mayor Lang
City of Neenah Common Council
City of Neenah Finance & Personnel Committee

FROM: Kevin Kloehn *KK*
Fire Chief

DATE: August 31, 2022

RE: Impact on 227 Woodenshoe Road Annexation – Town of Vinland

This memo is reference to the proposed annexation.

This particular annexation would have no immediate impact to the operations of Neenah-Menasha Fire Rescue. However, if this property is used to build a new multi-family residential dwelling, assisted living complexes, industrial business, etc., this would have an immediate impact on operations in our Inspection Bureau and EMS services.

The property is within our normal response time and protection capabilities that currently exist with Neenah-Menasha Fire Rescue.

If you have any questions or concerns, please feel free to call me at 886-6203.

Thank you.



Department of Community Development and Assessment
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426
Phone 920-886-6126 • e-mail: bschmidt@ci.neenah.wi.us
BRAD R. SCHMIDT, AICP

DEPUTY DIRECTOR OF COMMUNITY DEVELOPMENT & ASSESSMENTS

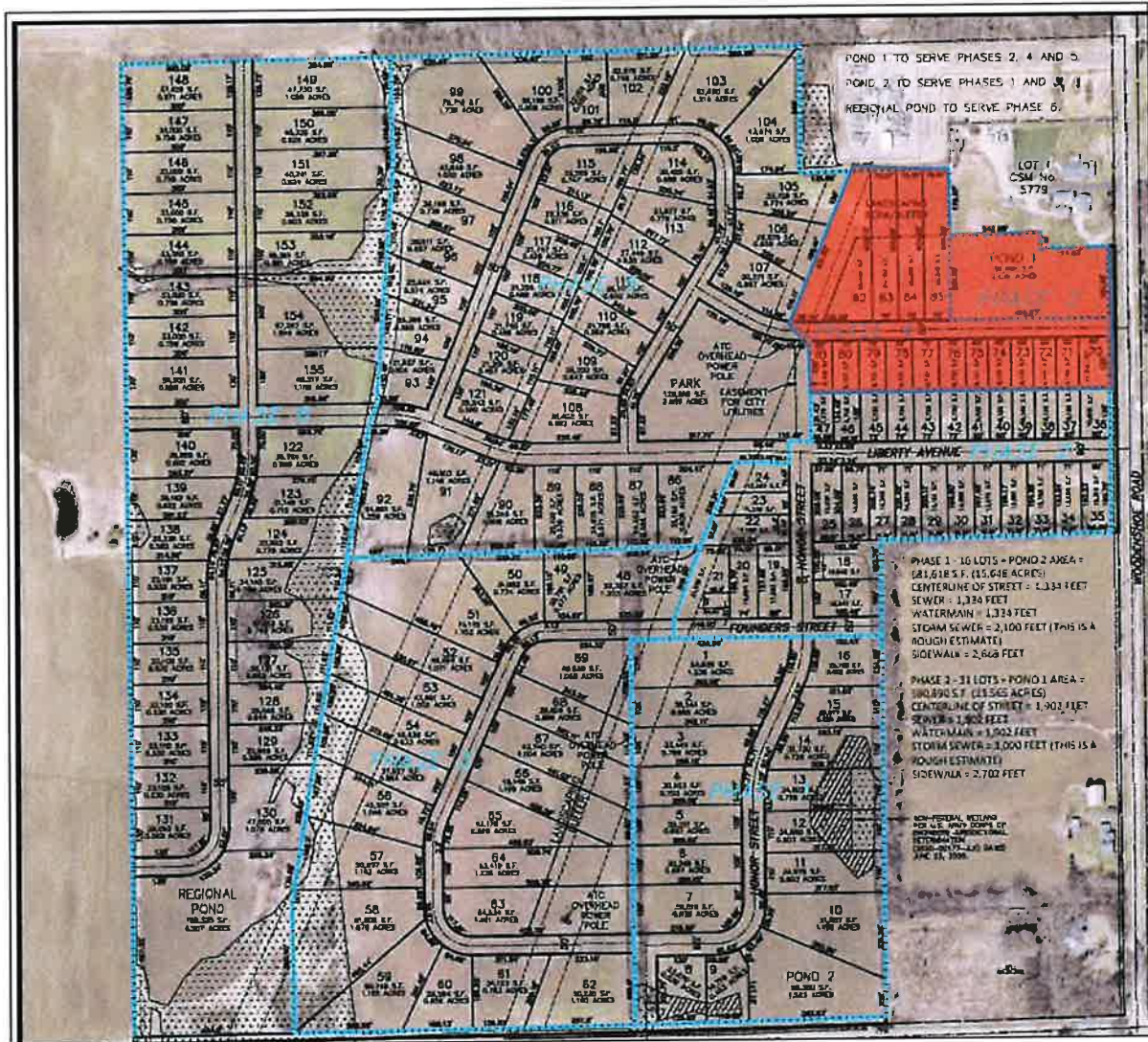
DATE: September 26, 2022
TO: Mayor Lang, Finance Committee and Common Council
FROM: Brad Schmidt, Deputy Director
RE: Annexation #227 (Woodenshoe Road– T. of Vinland) – 7.248 Acres

In accordance with Section 26-29 of the Zoning Code, I am submitting the following comments relative to the proposed annexation.

- Revenues will be generated from development review fees, plan reviews and construction permits.
- The subject land is currently owned by the City and will be sold to Van Sistine Homes, LLC in the amount of \$8,882/acre (\$64,376.74).
- The proposed annexation includes approximately 7.248 acres of land along the west side of Woodenshoe Road in the Town of Vinland.
- The purpose of the annexation is to develop Phase III of the CTH G/Woodenshoe Road concept plan (See Attached). Approximately 16 lots will be developed.
- Upon annexation, the Zoning Classification will be R-1, Single-Family Residence District.
- The proposed annexation will not have any significant impact on the Assessor's operation.

Recommendation

The Department of Community Development and Assessments recommends Ordinance #2022-19 be approved and the petition for annexation of 7.248 acres of land located along Woodenshoe Road be accepted.



PETITION FOR DIRECT ANNEXATION
 PURSUANT TO SECTION 66.0223, WISCONSIN STATUTES
 WHERE ALL PROPERTY IS OWNED BY THE CITY OF NEENAH

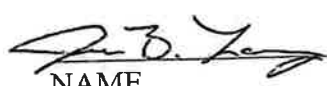
We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Vinland, Winnebago County, Wisconsin, lying contiguous to the City of Neenah petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled maps to the City of Neenah, Winnebago County, Wisconsin.

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The current population of such territory is 0.

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

Signature of Petitioner	Date of Signing	Owner	Petition Address
 NAME	<u>8-29-22</u>	CITY OF NEENAH	211 WALNUT STREET NEENAH WI 54956



Aaron L. Olson
Chief of Police

OFFICER
CITY OF NEENAH
POLICE DEPARTMENT
PATROL
WI



2111 Marathon Avenue
Neenah, Wisconsin 54956

Memo

To: Neenah City Council
Mayor Jane Lang
From: Chief Aaron L. Olson
Date: August 31, 2022
Re: Town of Vinland – Annexation No. 227

The Neenah Police Department has received a copy of the petition for annexation for the Town of Vinland address; 1368620 Woodenshoe Road.

We review annexation requests based on the following criteria:

- Size of proposed annexation
- Anticipated use of property
- Accessibility to emergency vehicles
- 5-year history of law enforcement response to the property
- Impact on safe traffic movement

In this case, the property has no significant history. The key factors for police are size, anticipated use, and traffic concerns.

Size: The size of this annexation does not present a police concern in its present use.

Anticipated Use: No known law enforcement concerns.

Five year history of law enforcement: No known law enforcement concerns.

Traffic Concerns: Given the size and location of this parcel, there is little concern for increased traffic problems and or accessibility to emergency vehicles.

Recommendation: The police department offers no objection to the proposed annexation.





Department of Public Works
 211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426
 Phone 920-886-6241 • e-mail: gkaiser@ci.neenah.wi.us
GERRY KAISER, P.E.
 DIRECTOR OF PUBLIC WORKS

M E M O R A N D U M

DATE: September 6, 2022
TO: Mayor Lang, Chairperson Erickson, Members of the Finance and Personnel Committee
FROM: Gerry Kaiser, Director of Public Works
RE: Annexation 227 Impact Memo
 CTH G/Woodenshoe Road Annexation (Portion of Parcel 026002302)

In response to City Clerk Nagel's note of August 31, 2022, relative to the above annexation, I submit the following in accordance with Section 26-29, City of Neenah Code of Ordinances.

- A. Additional Personnel: This annexation in conjunction with other annexations in this immediate area will trigger the need for one additional public works staff to maintain streets and infrastructure, collect garbage and recyclables, and continue to provide the current level of service.
- B. Additional Equipment: This annexation coupled with the current sanitation workload will require the addition of an additional refuse/recycling truck. The cost of a truck is approximately \$275,000.
- C. New Buildings: No new buildings would be required.
- D. Additional Public Improvements and Costs: \$0
 - 1. None.
- E. Miscellaneous Costs: \$0
 - 1. None.
- F. Estimated Revenues: \$ 43,488.00
 - 1. Fees
 - a. Oversized existing sanitary sewer interceptor fee at \$1,000/acre. \$ 7,248.00
 Est. Actual size = 7.248 acres
 Size per Ordinance = 7.248 acres
 - b. Storm sewer fee at \$5,000/acre. \$ 36,240.00
 Est. actual size = 7.248 acres (including wetlands)
 Size per Ordinance = 7.248 acres (This includes wetlands. Final
 payment calculation will deduct wetlands acreage from this total.)
 - 2. Deferred Assessments: \$0
 - a. CTH G Sanitary Sewer: Per Haese memo of 2/25/2003 this area is \$ 0.00
 outside of the area of direct payment for the CTH G interceptor.

Total Fees and Assessments	\$ 43,488.00
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G. Recommendation: This annexation is recommended.



M E M O R A N D U M

DATE: September 21, 2022
TO: Chairman Erickson and Finance and Personnel Committee Members
FROM: Chris A. Haese, Director of Community Development and Assessment
RE: **Tax Incremental District #5 Affordable Housing Extension – Resolution No. 2022-16**

Wisconsin Tax Incremental Finance (TIF) law was modified in 2009 to allow communities to extend the life of a Tax Incremental District (TID) by one year for the purposes of benefiting affordable housing and improving the housing stock of their community. The extension allows a community to collect one additional year of tax increment and utilize at least 75% of those funds to benefit affordable housing. The remaining 25% can be used to improve the housing stock of the community.

TID No. 5, which was created in 1993, serves a large portion of the downtown. The District has generated increment of almost \$14 million during its life and has helped support significant redevelopment efforts, the largest being the three Neenah Center buildings. The District has recovered all of its project costs and is scheduled for closure this year.

With a one year extension of TID No. 5, \$300,000 in projected tax revenue could be utilized to help fund a number of housing affordability efforts in the City including the following:

- Housing studies
- Affordable housing projects
- Housing stock improvement programs
- Subdivision development (limited)
- Infrastructure for low and moderate income households

A number of communities throughout the state are already taking advantage of this legislation and have implemented their own affordable housing initiatives. I have attached an article published in the January 2018 addition of *The Municipality* as a reference.

As you are all aware, Neenah has historically utilized Community Development Block Grant (CDBG) funds to provide housing rehabilitation loans and grants to lower income households. Since 1983, the program has reviewed over 700 applications from homeowners to assist with home improvement projects. However, even with this success, much of our housing stock has not benefited from this program due to the restrictions and limitations imposed by Housing and Urban Development (HUD) on the CDBG program. With the additional funding provided by the TID No. 5 extension, the City could enhance this program by removing some of the burdensome and restrictive provisions imposed by HUD. Menasha and Oshkosh have done just that with their respective programs. Staff has been working on developing a similar program and will present specific recommendations regarding the program in the near future.

September 22, 2022 – Page 2

Staff has also discussed the possibility of utilizing these funds for the preparation of a City-wide housing study that would better evaluate the housing needs of our community and provide the basis for a more focused approach to addressing our housing needs. The most recent comprehensive housing study to be completed for the City was in 1992.

The ability to provide a direct funding source for affordable housing is a unique opportunity. Not only can it be a great tool to assist with our affordability challenges but can also help improve our housing stock, grow our tax base and improve housing options throughout the City. There is great flexibility with these funds, limited only by the City's creativity. Should the City forgo the extension, TID No. 5 will close this year and the funds will be distributed proportionately to the four taxing entities. A closure resolution will be presented for action in the near future.

Staff strongly recommends the City approve the resolution to extend the life of TID No. 5 for the purpose of funding housing affordability efforts and housing stock improvements within the City.

Appropriate action at this time is to recommend Council approve Resolution No. 2022-16, approving a one year affordable housing extension of TID No. 5 to benefit affordable housing and housing stock improvements within the City.

Using TIF to Benefit Affordable Housing



Curt Witynski, J.D., Deputy Executive Director, League of Wisconsin Municipalities

Most municipal officials are familiar with using tax incremental financing (TIF) to help fund infrastructure and create incentives to promote economic development and job creation within a community. Less are aware that after a TIF district has paid all of its infrastructure and development costs, but before it is formally terminated, it can be repurposed for one additional year to benefit affordable housing and improve housing stock anywhere within the community.

The “Affordable Housing Extension” (AHE) was added to TIF law in 2009, but relatively few of the 600 cities and villages in the state have taken advantage of the option. Under Wis. Stat. sec. 66.1105(6)(g), a city or village with a TIF district that has retired its debt and paid for all of its project costs can extend the life of the district for one year if the city or village does the following: (a) adopts a resolution extending the life of the TIF district for a specified number of months (up to one year) and specifies how the city or village intends to improve its housing stock; and (b) forwards a copy of the resolution to the department of revenue (DOR), notifying the department that it must continue to authorize the allocation of tax increments to the district.

Upon receiving such notice, DOR must authorize the allocation of tax increments to the district during the TIF district’s extended life, without regard to any other statutory requirements that would otherwise require termination of the allocation of such increments. A city or village must use at least 75% of those tax increments to “benefit affordable housing” anywhere within the city or village in which the district exists. Affordable housing is defined as housing costing no more than 30% of the household’s gross monthly income. A household consists of an individual and his or her spouse and all minor dependents. Any remaining portion of the increments must be used by the municipality to improve its housing stock.

Examples of Municipalities Using the Affordable Housing Extension Option

Several communities around the state have taken advantage of the affordable housing extension in the TIF law:

Milwaukee. Since 2015, the City of Milwaukee has extended seven TIDs for an additional year to benefit affordable housing and improve housing stock in the city. In total, over \$2 million of increment has been realized to date for this purpose.

The money has been used to fund many of the programs within the city’s Strong Neighborhoods Plan. An overview of the Strong Neighborhoods Plan is available on the city’s website <http://bit.ly/MilwStrongNeighborhoods>

Madison. Madison has used the provision five times to help fund the city’s Affordable Housing Initiative Fund, which is used to incentivize developers to pursue Section 42 federal tax credits for affordable housing developments. Under the program, the city invites proposals from developers to build affordable units in amenity-rich areas with easy access to public transportation. Affordable units set rents at 30, 50, and 60 percent of area median income.

The Affordable Housing Initiative Fund has led to the funding of 486 affordable housing units over the last three years, representing \$100 million of development between eight developers, supported by \$7.58 million from the city’s fund.

The city budgets about \$4.5 million annually for the Affordable Housing Initiative Fund. Most of that comes from general obligation bonding. However, when a closing TID is capable of being extended one year for affordable housing purposes, the increment from the TID in its last year is added to the fund.

Fitchburg. Fitchburg recently kept one of its TIF districts open an extra year to begin to pay into a fund for affordable housing. The one-year extension generated \$127,000. The City is using approximately \$40,000 of those funds to begin Fitchburg Housing Goals, Strategies, Toolkit, and Implementation Plan with a focus on affordability. The city has hired MSA & Urban Assets as their consultants on implementing their plan.

Monona. Monona used the affordable housing extension to keep its TID #3 open an additional year to help fund a new program called “Renew Monona.” Renew Monona is a housing stock renewal loan program created by the CDA and

Feature

administered by the City of Monona. The program offers 0% interest loans to those purchasing or residing in a home in the city to be used for making substantial improvements to the home to enhance its energy efficiencies and bring it up to modern standards.¹

La Crosse. La Crosse used a combination of CDBG grants and TIF dollars from the affordable housing extension to fund the construction of five energy efficient houses in a struggling neighborhood to be sold to low-moderate income households at an average sale price of \$154,000.

Appleton. Appleton extended its TID #2 for one year under the affordable housing extension provision and used the tax increment to help pay for street repairs in a low-moderate income neighborhood.

Conclusion

Before your next successful TIF district comes to a close, consider taking advantage of the option provided in TIF law to extend the district for one more year and use the tax increments to “benefit affordable housing” within your community.

About the author:

Curt manages the League's lobbying program, representing the League before the Legislature, the Governor's office, and state agencies. He writes the *Legislative Bulletin* and *Capitol Buzz* newsletters, organizes legislative material and the Budgeting Toolkit for the League's web page, and answers questions from the media and members about legislation that the League is following. Additionally, he helps plan League conferences and meetings. Contact Curt at witynski@lwm-info.org

1. The Monona, La Crosse, and Appleton examples are taken from a paper prepared by Abigail Jackson in 2015 as she was pursuing her master's degree at UW-Madison. Her *Analysis of Wisconsin's Act 28, the Affordable Housing Extension* is posted online: https://jacksonabby.files.wordpress.com/2016/04/jackson_final-paper-844-1.pdf

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- Downtown Revitalization Initiatives
- TIF Districts
- BID Creation
- Consolidation Studies
- Comprehensive Planning and Implementation
- Strategic Planning
- Process Improvement
- Classification and Compensation Studies


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RESOLUTION NO. 2022-16

A RESOLUTION APPROVING AN AFFORDABLE HOUSING EXTENSION THROUGH TAX INCREMENT DISTRICT NO. 5 TO BENEFIT AFFORDABLE HOUSING AND IMPROVE THE HOUSING STOCK WITHIN THE CITY OF NEENAH.

WHEREAS, The City of Neenah Created Tax Increment District (TID) No. 5 April 22, 1993 and has successfully completed the implementation of the Project Plan and has paid off the aggregate of all its project costs per an audit completed in July 2022; and

WHEREAS, the State of Wisconsin Statutes requires that TIDs created before 1995 be terminated after 27 years and after all project costs have been paid off; and

WHEREAS, the State of Wisconsin Statutes allowed TIDs to be declared as Distressed, effectively extending the TID by a maximum of 10 years after the statutory required closing; extending the required statutory closing of TID No. 5 to April 22, 2030; and

WHEREAS, the City of Neenah shall cause the termination of TID No. 5 on or before December 31, 2022; and

WHEREAS, state law (sec. 66.1105(6)(g), Wis. Stats.), does allow for the extension of a TID up to one year, using the last year of tax increment to improve the City’s housing stock of which 75% of the final tax increment must benefit affordable housing and the remaining portion to improve the housing stock in the City; and

NOW THEREFORE, BE IT RESOLVED, that the City of Neenah hereby extends the life of TID No. 5 for up to three months to use the final year’s increment collected in 2023 from the 2022 tax roll to benefit affordable housing; and

BE IT FURTHER RESOLVED, the City of Neenah shall use the final increment to improve housing quality and affordability by creating an Affordable Housing Fund and depositing the final increment into the Fund; such funds will be utilized to prepare detailed housing studies, fund improvements to the City’s aging housing stock and revitalizing neighborhoods by providing grants and loans to eligible property owners, funding new affordable housing projects and similar initiatives, all in accordance with sec. 66.1105(6)(g), Wis. Stats.; and

BE IT FURTHER RESOLVED, that the City of Neenah Clerk shall notify the Wisconsin Department of Revenue by providing a copy of this resolution.

Recommended by: **Finance and Personnel Committee**

CITY OF NEENAH, WISCONSIN

Moved:

Jane B Lang, Mayor

Passed:

Charlotte Nagel, City Clerk

NMFR Joint Finance & Personnel Committee Meeting Minutes
September 27, 2022 – 5:30 p.m.
City of Neenah – Hauser Room

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

Also Present: Chief Kloehn, Director Easker and MA Ellis

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

Public: No members of the public were present.

Minutes: The Committee reviewed the meeting minutes from August 23, 2022. **MSC Stevenson/Grade to approve the August 23, 2022 meeting minutes, all voting aye.**

Summary of Calls: The Committee reviewed the year-to-date summary of calls. **MSC Sevenich/Stevenson to approve the year-to-date summary and place on file, all voting aye.**

Year to Date Budget Report: The Committee reviewed the year-to-date budget summary. The overtime budget was reviewed. Chief Kloehn explained the challenges we have had with staffing this year. Ald. Sevenich asked what would have not happened if we would not have hired the third person to cover the FMLA's. In the end, it has helped save money in the budget as we ended up with three long-term FMLA's versus only two. Chief Kloehn said the other challenge we have had is with equipment and vehicles this year. He expressed gratitude for our mechanics with how busy they have been with trying to keep up on the repairs along with the preventative maintenance on the vehicles in addition to their firefighting duties. **MSC Stevenson/Grade to approve the year-to-date budget report through August 31, 2022 and place on file, all voting aye.**

Levey Limit Resolutions: The Committee reviewed Resolutions 2022-16 (City of Menasha) and Resolution R-34-22 (City of Neenah) authorizing a signatory municipality to exceed the levy limit for Neenah-Menasha Fire Rescue. Ald. Sevenich noted this was an annual item just in case one, or both, Cities need this for their budget. **MSC Sevenich/Stevenson to recommend the City of Neenah Common Council approve Resolution 2022-16 and the City of Menasha Common Council approve Resolution R-34-22 authorizing a signatory municipality to exceed the levy limit for Neenah-Menasha Fire Rescue, all voting aye.**

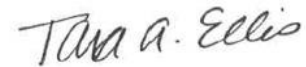
Proposed 2023 Operating and CIP Budget: The Committee reviewed the proposed 2023 operating and CIP budgets. Chief Kloehn noted that both Mayors and Finance Directors met with him to review the proposed budget. He also met with Director Easker and Mayor Lang separately and they have proposed some reductions in the budget that include eliminating the request for another position and overtime. There are a couple of retirements in 2023 that will help with the budget and we will hire replacements at a lower starting salary. Director Easker also noted the City of Neenah is currently working on finalizing their health insurance contract for 2023 and there may be some savings with this. Ald. Sevenich asked about the overtime budget proposed for 2023. He noted we should be in better shape with our recent changes in hiring practices. Chief Kloehn said this discussion was held with both Finance Directors and we proposed this number based on trend of actual usage for the last few years. Director Easker said we can plug a number into that line item at budget time but it may not be realistic. They are looking at possibly adjusting this down. Ald. Sevenich asked if we will hire ahead of time instead of waiting until the person leaves. Chief Kloehn said he will stick with this process as this has worked and saves money. He said he tries his best to stay status quo when putting together the budget. However, in addition to the overtime due to various reason and the many issues with all of our vehicles, we are also trying to work within with the rising costs of everything. He would like keep monies in the overtime budget to train the next group of fire officers since we will have another large group of retirements in 2024. Ald. Stevenson noted we implemented the joint training academy

with Oshkosh and this has worked well. He asked if there is an opportunity to save money in the school and training. Chief Kloehn noted that savings is reflected in the line item. Ald. Grade reviewed the Officer salary and asked about the numbers. By taking the salary amount listed and the total number of employees that doesn't equal out. MA Ellis noted the base pay is listed but total amount also includes longevity pay and education credits, etc.

Chief Kloehn thanked Director Easker for his service for the City of Neenah and also for our department and the City of Neenah. He appreciates all his work during the merger along with the support he gave our department throughout the years. Everyone wished him well in his retirement.

MSC Stevenson/Boyette to adjourn at 6:00 p.m., all voting aye.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Tara A. Ellis".

Tara Ellis

Management Assistant



RESOLUTION NO. 2022-16

**AUTHORIZING A SIGNATORY MUNICIPALITY TO EXCEED THE LEVY LIMIT FOR
NEENAH MENASHA FIRE RESCUE FOR 2023**

WHEREAS, pursuant to Section 66.0602(2) Wis. Stats. The State of Wisconsin has adopted levy limits that limit the amount a municipality may impose on its tax levy; and

WHEREAS, the City of Neenah and the City of Menasha are parties to a joint fire department within the definition of Section 66.0602 (1)(am) Wis. Stats; and

WHEREAS, pursuant to Section 66.0602(3)(h) Wis. Stats. The State of Wisconsin allows for adjustments to the levy limit calculation to account for the contribution to a joint fire department; and

WHEREAS, Section 66.0602(3)(h)2.b. requires that each municipality that is served by a joint fire department to adopt a resolution pursuant to that subsection in order for any participating municipality to apply the levy limit exception of Section 66.0602(3)(h) Wis. Stats.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Neenah that any participating municipality is authorized to exceed the levy limit in accordance with Section 66.0602(3)(h) if they are so qualified and so elect.

Adopted and approved this ____ day of October, 2022

CITY OF NEENAH, WISCONSIN

Moved: _____

Passed: _____

Published: _____

Jane B. Lang, Mayor

Attest:

Charlotte Nagel, City Clerk

MINUTES OF THE NEENAH PLAN COMMISSION
Tuesday, September 27, 2022
4:15 p.m.

Present:

Mayor Jane Lang, Chairperson	PRESENT	Gerry Kaiser, Director of Public Works	PRESENT	Sarah Moore-Nokes	PRESENT
Kate Hancock-Cooke	PRESENT	Karen Genett	ABSENT	Betsy Ellenberger	ABSENT
Gerry Andrews	PRESENT	Ald. Dan Steiner	PRESENT		

Also Present:

Brad Schmidt, Deputy Director of Community Development	Kayla Kubat, Administrative Assistant	Chip Gabbey
Diane Eparvier- 669 Elm St	Timothy Florek- 641/645 Congress St	Peter Kelly- 425/427 Kittiver Ct

Minutes: MSC Sarah Moore-Nokes/Kate Hancock-Cooke, the Plan Commission to approve the August 30, 2022 meeting minutes. Motion passed.

Public Appearances: Chairperson Lang opened public appearances.

Diane Eparvier (669 Elm St) said regarding the available undeveloped residential lots on agenda, she would like the neighborhoods to stay as neighborhoods and not be made into large complexes.

Public Hearings: None

Action Items

a. Annexation #227- City of Neenah- 7.248 Acres (Ord No 2022-19)

The City of Neenah, under Wisconsin State Statute Sec. 66.0223, is proposing to annex land contiguous to the City for the purpose of developing the First Addition to The Homes at Freedom Meadows subdivision. The 7.248 acres of land is currently undeveloped farmland located in the Town of Vinland along the west side of Woodenshoe Road. The Homes at Freedom Meadows subdivision, south of the proposed annexation, is currently platted and new single-family homes will soon be built. In 2020, the City purchased 130 acres of land along the Woodenshoe Road and County Highway G. This proposed annexation will be the third phase out of six development phases.

Upon annexation the subject land will become part of the R-1, Single-Family Residence District. The City's Comprehensive Plan Future Land Use Map (2017) currently identifies the annexation area as Residential Neighborhood Investment Area. The proposed use is consistent with the City's Comprehensive Plan. Future action items will include review of a review of a preliminary and final plat for the proposed subdivision. This development will include 16 lots and 2 outlots.

Member Moore-Nokes asked if there were annexation fees involved. Deputy Director Schmidt said there are fees involved.

MSC Andrews/Kaiser, the Plan Commission recommends Common Council approve Annexation #227 (Ordinance #2022-19) and the property also receive an R-1, Single-Family Residence District zoning classification. All voting aye. Motion passed.

b. CSM #10-22- 425 Kittiver Court

The CSM proposes to combine parcel ID 05-0400-00-00 and parcel ID 05-0400-12-00. Both parcels are owned by Peter and Katherine Kelly. The Kelly's recently built a house on the 05-0400-00-00 parcel while the other parcel is undeveloped, but includes a driveway from Kittiver Court to their house. Normally, any CSM that combines parcels or adjusts a property line between two parcels is reviewed administratively. In this case, Plan Commission and Common Council review is necessary since the resulting CSM changes the exterior boundary of the Kittiver Court Plat. A CSM can modify the exterior boundary of an existing plat as long as there are no additional parcels created. Parcel ID 05-0400-12-00 is within the Kittiver Court Plat while parcel ID 05-0400-00-00 is not. The resulting CSM creates one parcel.

When reviewing a CSM, Plan Commission shall also verify the two parcels are within the same zoning district. Both parcels are located in the R-1, Single-Family Residence District. In addition, the creation or modification of any parcel shall meet the Subdivision Ordinance's design standards.

MSC Andrews/Kaiser, the Plan Commission to recommend Common Council approve the 1 lot CSM for the property located at 425 Kittiver Court. All voting aye. Motion passed.

Discussion Items

a. Undeveloped Residential Lots

Deputy Director Schmidt went over data regarding the undeveloped residential lots in the city and the potential growth opportunities, which are all to the west. Ideally, there should be roughly 200 available undeveloped lots and the city currently has about 126 available. He stated we also want to be focusing on lots where there are already utilities. Discussion regarding inflation and the cost to build a new home. There was also conversation regarding when the city is eventually landlocked. Once this occurs, redevelopment of certain areas would happen like with the Shattuck school site.

b. Downtown Plan Update

Deputy Director Schmidt gave update regarding downtown plan. We are still encouraging residents to go on the Downtown Plan website and offer suggestions for what they'd like to see in the downtown. Hoping to have an open house in early November for residents

to come and see all ideas. Discussion regarding making the downtown more bike friendly and safe. <https://bit.ly/neenahnext>

c. Residential Driveway Standards

Deputy Director Schmidt discussed the lack of driveway standards in the city. He also went through the current challenges we are seeing with having no driveway standards. Some suggestions he brought up would be limiting driveway width at the property line, driveway cannot exceed width of garage, and hard surface driveways for new construction. Residents would be grandfathered in with their current driveways if/when a standard is implemented. In the future, we would review ordinances in other cities to see what they are doing.

Announcements and Future Agenda Items: Next meeting is October 11, 2022

- a. **Plat of the 1st Addition of The Homes at Freedom Meadows**
- b. **Site plan to the Police Station addition**

Adjournment: The Commission adjourned its meeting at 5:05 p.m. MSC Hancock-Cooke/Andrews. All Aye. Motion passed.

Respectfully Submitted,



Kayla Kubat
Administrative Assistant, Community Development



MEMORANDUM

DATE: September 27, 2022
TO: Mayor Lang, and Members of Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: Annexation #227 (Woodenshoe Road) – 7.248 Acres

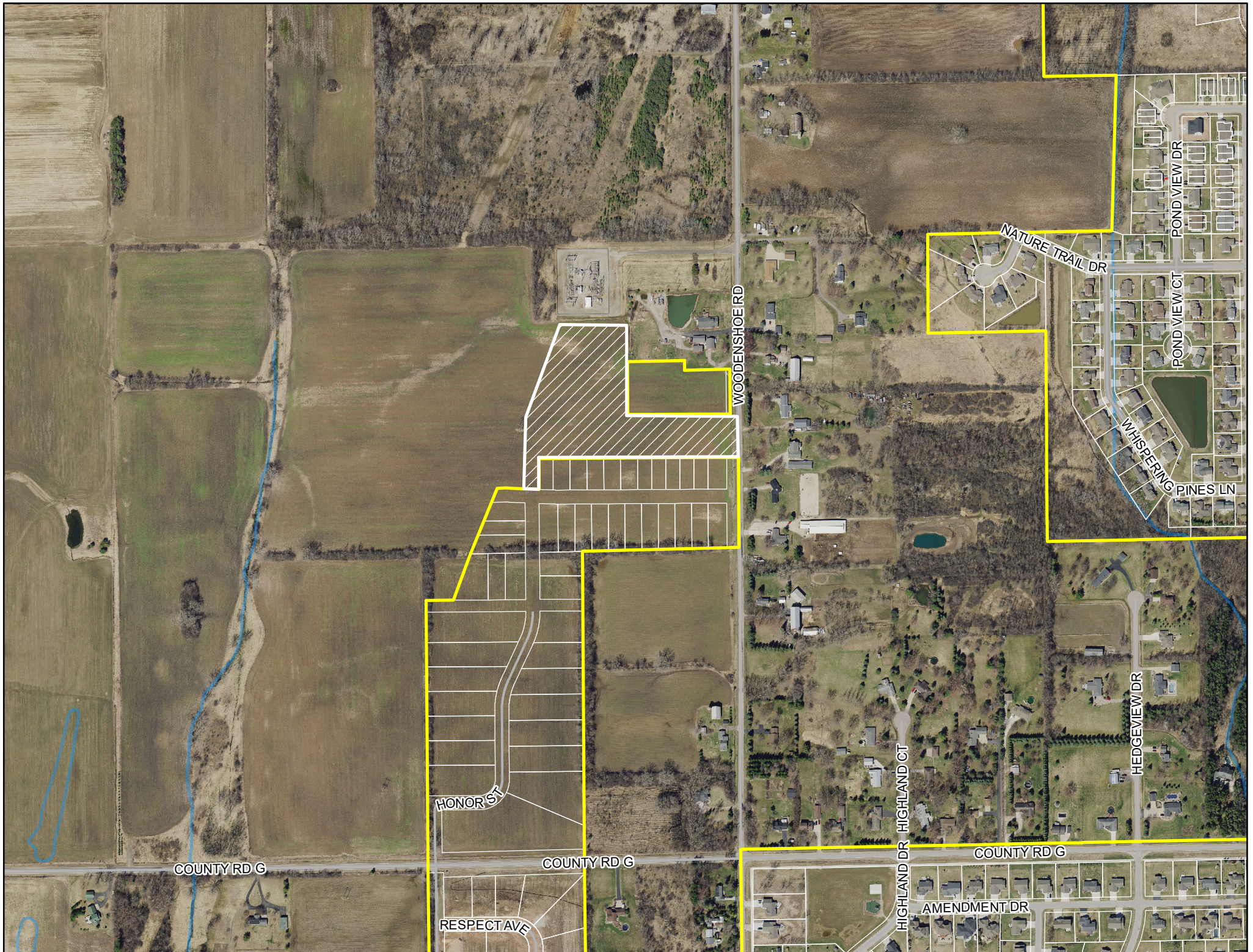
The City of Neenah, under Wisconsin State Statute Sec. 66.0223, is proposing to annex land contiguous to the City for the purpose of developing the First Addition to The Homes at Freedom Meadows subdivision. The 7.248 acres of land is currently undeveloped farmland located in the Town of Vinland along the west side of Woodenshoe Road. The Homes at Freedom Meadows subdivision, south of the proposed annexation, is currently platted and new single-family homes will soon be built. In 2020, the City purchased 130 acres of land along the Woodenshoe Road and County Highway G. This proposed annexation will be the third phase out of six development phases.

Upon annexation the subject land will become part of the R-1, Single-Family Residence District. The City's Comprehensive Plan Future Land Use Map (2017) currently identifies the annexation area as Residential Neighborhood Investment Area. The proposed use is consistent with the City's Comprehensive Plan.

The Plan Commission's role in reviewing annexation requests is to determine whether the proposed annexation is consistent with established City Plans. Future action items will include review of a preliminary and final plat for the proposed subdivision. This development will include 16 lots and 2 outlots.

Recommendation

Appropriate action at this time is for Plan Commission to recommend Common Council approve Annexation #227 (Ordinance #2022-19) and the property also receive an R-1, Single-Family Residence District zoning classification.



COUNTY RD G

COUNTY RD G

COUNTY RD G

HONOR ST

RESPECTAVE

WOODENSHOE RD

HIGHLAND DR

AMENDMENT DR

HEDGEVIEW DR

NATURE TRAIL DR

POND VIEW DR

POND VIEW CT

WHISPERING PINES LN



AN ORDINANCE: By the Neenah Plan Commission
Re: Annexing – City of Neenah owned property located in the Town of Vinland along Woodenshoe Road to the City of Neenah.

ORDINANCE NO. 2022-19

Introduced: _____

Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, do ordain as follows:

Section 1. Pursuant to Section 66.0223, Wis. Stats., the following described territory contiguous to the City of Neenah and presently in the Town of Vinland, be and the same hereby is, annexed to the City of Neenah, and the corporate limits of said City are hereby extended so as to include the following described property and shown on the attached Exhibit A:

A part of Lot 2 of Certified Survey Map No. 5779 as recorded in Volume 1 of Certified Survey Maps on Page 5779, Document No. 1368620, located in the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East and a part of the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, all in the Town of Vinland, Winnebago County, Wisconsin containing 315,723 square feet (7.248 acres) of land and being more fully described as follows:

Commencing at the Southeast corner of said Section 1; thence N00°20'42"W, 1705.90 feet along the East line of the Southeast 1/4 of said Section 1 to the Easterly extension of the North line of Lot 1 of Certified Survey Map No. 7928 as recorded in Document No. 1884731 and the Point of Beginning; thence S89°39'18"W, 850.00 feet along said Easterly extension, the North line of said Lot 1 and the North line of Lots 19 thru 29 of The Homes At Freedom Meadows to the Northwest corner of said Lot 29; thence S00°20'42"E, 131.43 feet along the West line of said Lot 29 to the Southwest corner thereof, also being the North right—of—way line of Liberty Avenue; thence N87°28'58"W, 60.07 feet along said North right—of—way line; thence N00°20'42"W, 267.22 feet; thence N12°12'25"E, 50.13 feet; thence N22°09'07"E, 431.50 feet to the North line of said Lot 2 of Certified Survey Map No. 5779; thence N88°52'53"E, 264.07 feet along the North line of said Lot 2; thence S00°20'42"E, 404.95 feet along the North line of said Lot 2 to the Southwest corner of Outlot 1 of said The Homes At Freedom Meadows; thence N89°39'18"E, 469.96 feet along the South line of said Outlot 1 to the East line of the Southeast 1/4 of said Section 1; thence S00°20'42"E, 185.00 feet along said East line to the Point of Beginning.

The land to be annexed is part of parcel number **026002302** located in the Town of Vinland

Section 2. Annexation area is proposed to be zoned R-1, Single-Family Residence District upon annexation.

Section 3. That the limits of the Third Aldermanic District in the City of Neenah are hereby extended in such manner as to include said territory.

Section 4. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance is for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 5. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Approved:

Adopted: _____

Jane Lang, Mayor

Published: _____

Attest:

Charlotte Nagel, City Clerk

PETITION FOR DIRECT ANNEXATION
PURSUANT TO SECTION 66.0223, WISCONSIN STATUTES
WHERE ALL PROPERTY IS OWNED BY THE CITY OF NEENAH

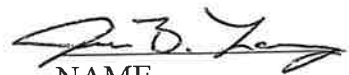
We, the undersigned, constituting all of the owners of the real property in which no electors reside in the following territory of the Town of Vinland, Winnebago County, Wisconsin, lying contiguous to the City of Neenah petition the Honorable Mayor and Common Council of the City of Neenah to annex the territory described below and shown on the attached scaled maps to the City of Neenah, Winnebago County, Wisconsin.

A part of Lot 2 of Certified Survey Map No. 5779 as recorded in Volume 1 of Certified Survey Maps on Page 5779, Document No. 1368620, located in the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East and a part of the Northeast 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, all in the Town of Vinland, Winnebago County, Wisconsin containing 315,723 square feet (7.248 acres) of land and being more fully described as follows:

Commencing at the Southeast corner of said Section 1; thence N00°20'42"W, 1705.90 feet along the East line of the Southeast 1/4 of said Section 1 to the Easterly extension of the North line of Lot 1 of Certified Survey Map No. 7928 as recorded in Document No. 1884731 and the Point of Beginning; thence S89°39'18"W, 850.00 feet along said Easterly extension, the North line of said Lot 1 and the North line of Lots 19 thru 29 of The Homes At Freedom Meadows to the Northwest corner of said Lot 29; thence S00°20'42"W, 131.43 feet along the West line of said Lot 29 to the Southwest corner thereof, also being the North right-of-way line of Liberty Avenue; thence N87°28'58"W, 60.07 feet along said North right-of-way line; thence N00°20'42"W, 267.22 feet; thence N12°12'25"E, 50.13 feet; thence N22°09'07"E, 431.50 feet to the North line of said Lot 2 of Certified Survey Map No. 5779; thence N88°52'53"E, 264.07 feet along the North line of said Lot 2; thence S00°20'42"E, 404.95 feet along the North line of said Lot 2 to the Southwest corner of Outlot 1 of said The Homes At Freedom Meadows; thence N89°39'18"E, 469.96 feet along the South line of said Outlot 1 to the East line of the Southeast 1/4 of said Section 1; thence S00°20'42"E, 185.00 feet along said East line to the Point of Beginning.

The current population of such territory is 0.

We the undersigned, elect that this annexation shall take effect to the full extent consistent with outstanding priorities of other annexations, incorporations, or consolidations proceedings, if any.

Signature of Petitioner	Date of Signing	Owner	Petition Address
 NAME	<u>8-29-22</u>	CITY OF NEENAH	211 WALNUT STREET NEENAH WI 54956



M E M O R A N D U M

DATE: September 27, 2022
TO: Mayor Lang and Members of the Plan Commission
FROM: Brad Schmidt, AICP, Deputy Director
RE: 1 Lot CSM – 425 Kittiver Court

The CSM proposes to combine parcel ID 05-0400-00-00 and parcel ID 05-0400-12-00. Both parcels are owned by Peter and Katherine Kelly. The Kelly's recently built a house on the 05-0400-00-00 parcel while the other parcel is undeveloped, but includes a driveway from Kittiver Court to their house. Normally, any CSM that combines parcels or adjusts a property line between two parcels is reviewed administratively. In this case, Plan Commission and Common Council review is necessary since the resulting CSM changes the exterior boundary of the Kittiver Court Plat. A CSM can modify the exterior boundary of an existing plat as long as there are no additional parcels created. Parcel ID 05-0400-12-00 is within the Kittiver Court Plat while parcel ID 05-0400-00-00 is not. The resulting CSM creates one parcel.

When reviewing a CSM, Plan Commission shall also verify that the two parcels are within the same zoning district. Both parcels are located in the R-1, Single-Family Residence District. In addition, the creation or modification of any parcel shall meet the Subdivision Ordinance's design standards.

Sec. 25-94. - Lot design standards.

- (a) *Size, shape, etc., to be appropriate.* The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.
- (b) *Lot dimensions.* Lot dimensions shall conform to the requirements of the Zoning Code. Lots in a residential district shall not be less than 60 feet wide at the building line nor less than 7,200 square feet in area. A 2½-to-one depth-width ratio of the lots shall be considered a desirable maximum.
- (c) *Access.* All lots shall front or abut on a public street. Lots with access limited to private streets shall only be permitted with Plan Commission approval.
- (d) *Arterial frontage.* Residential lots abutting existing or projected arterial highways shall be platted with additional depth and or width to permit generous distances between the buildings and such traffic ways.
- (e) *Corner lots.* Corner lots in residential districts shall have extra width to permit full building setbacks of at least 25 feet from both streets.
- (f) *Lots at right angles.* Lots at right angles to each other shall be avoided wherever possible, especially in residential areas.
- (g) *Side lot lines.* Side lot lines shall be substantially at right angles or radial to street lines.
- (h) *Large lots.* Subdivided parcels containing one or more acres shall be arranged to allow the resubdivision of said parcels into normal lots in accordance with the provisions of this chapter.

September 27, 2022 – Page 2

(i) *Double frontage lots.* Double frontage and reversed frontage lots shall be avoided except where necessary to provide separation of residential development from traffic arteries or to overcome specific disadvantages of topography and orientation.

Recommendation

An appropriate action at this time is for the Plan Commission to recommend Common Council approve the 1 lot CSM for the property located at 425 Kittiver Court.

1 inch = 94 feet



CERTIFIED SURVEY MAP NO.

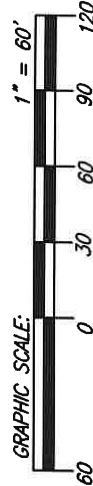
BEING ALL OF LOT 10, KITTIVER COURT, AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7373 AS RECORDED IN DOCUMENT NO. 1769482, LOCATED IN GOVERNMENT LOT 4, SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

OWNER(S) OF RECORD:
 PETER C. & KATHERINE L. KELLY
 TAX PARCEL NO.(S):
 8050400000 & 80504001200

SEE SHEET 3 OF 3 SHEETS
 FOR NOTES REGARDING
 ORDINARY HIGH WATER, ETC.

- LEGEND:**
- = 1" X 18" I.D. ROUND IRON PIPE SET, WEIGHING 1.13 LBS. PER LIN. FT.
 - ⊗ = 3/4" SOLID ROUND IRON REBAR FOUND
 - = 1 1/4" SOLID ROUND IRON REBAR FOUND
 - ⊙ = 1" I.D. IRON PIPE FOUND
 - ⊕ = EXISTING COUNTY MONUMENT
 - () = RECORDED AS BEARING OR DISTANCE

NORTH IS REFERENCED TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN, WHICH BEARS N89°45'29"W PER THE WISCONSIN COUNTY COORDINATE SYSTEM (WINNEBAGO COUNTY)

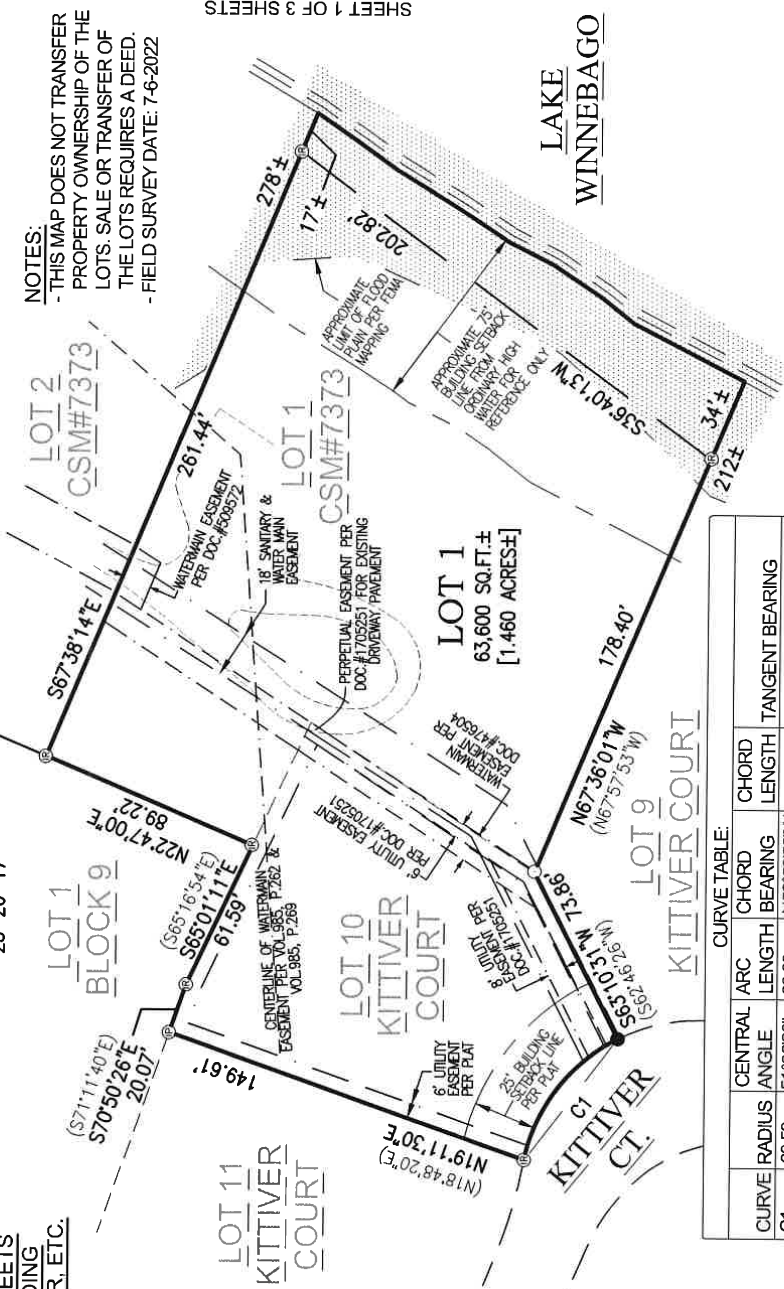


CHRISTOPHER E. PERREAULT, PLS-2249

DATED
 CAROW LAND SURVEYING CO., INC.
 615 N. LYNDALE DR., P.O. BOX 1297
 APPLETON, WISCONSIN 54912-1297
 PHONE: (920)731-4168
 A16117-22 DATED: 8-30-2022
 DRAFTED BY: jdb-cwm MRH

NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 23-20-17
 2639.97'
 CENTER OF SECTION 23-20-17
 235.07'
 WEST 1/4 CORNER SECTION 23-20-17
 467.72'
 2404.90'

NOTES:
 - THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP OF THE LOTS. SALE OR TRANSFER OF THE LOTS REQUIRES A DEED.
 - FIELD SURVEY DATE: 7-6-2022



CURVE TABLE:

CURVE	RADIUS	CENTRAL ANGLE	ARC LENGTH	CHORD LENGTH	CHORD BEARING	TANGENT BEARING
C1	69.59	51°36'26"	62.68	60.58	N52°53'52"W	N27°05'39"W S78°42'05"E

CERTIFIED SURVEY MAP NO. _____

BEING ALL OF LOT 10, KITTIVER COURT AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7373 AS RECORDED IN DOCUMENT NO. 1769482, LOCATED IN GOVERNMENT LOT 4 OF SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, CHRISTOPHER E. PERREAULT, PROFESSIONAL WISCONSIN LAND SURVEYOR, CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED ALL OF LOT 10, KITTIVER COURT AND ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 7373 AS RECORDED IN DOCUMENT NO. 1769482, LOCATED IN GOVERNMENT LOT 4 OF SECTION 23, TOWNSHIP 20 NORTH, RANGE 17 EAST, CITY OF NEENAH, WINNEBAGO COUNTY, WISCONSIN. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF PETER KELLY, 425 KITTIVER COURT, NEENAH, WISCONSIN 54956.

THAT THIS MAP IS A CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARY LINES OF THE LAND SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION ORDINANCE OF THE CITY OF NEENAH.

CHRISTOPHER E. PERREAULT, PLS-2249 DATED
CAROW LAND SURVEYING CO., INC.
615 N. LYNNDALE DRIVE, P.O. BOX 1297
APPLETON, WISCONSIN 54912-1297
PHONE: (920)731-4168
A1611.7-22 (RFR) 9-12-2022

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LAND INCLUDED ON THIS CERTIFIED SURVEY MAP.

CITY TREASURER DATED COUNTY TREASURER DATED

CITY OF NEENAH APPROVAL:

THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE CITY OF NEENAH ON THIS _____ DAY OF _____, 20____.

MAYOR DATED CITY CLERK DATED

NOTE:
 THIS MAP IS FOR OWNERS USE ONLY,
 FOR SELLING PURPOSES REFER
 TO ORIGINAL PLAT MAP.

OWNERS CERTIFICATE
 AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON
 THIS PLAT TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED
 ON THIS PLAT.
 WE ALSO CERTIFY THAT THIS PLAT IS REQUIRED BY S. 236.10 ON S. 236.12.
 WISCONSIN STATUTES, TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL
 OR OBJECTION:

COMMON COUNCIL - CITY OF NEENAH
 DIRECTOR OF LOCAL AFFAIRS AND DEVELOPMENT
 WITNESS THE HAND AND SEAL OF SAID OWNERS THIS _____ DAY OF _____ 1973

WITNESSES
 TOWHY SMITH, JR.
 CLAYTON SMITH
 STATE OF WISCONSIN SS.
 WINNEBAGO COUNTY
 PERSONALLY CAME BEFORE ME ON THIS _____ DAY
 OF _____ 1973, THE SAID OWNERS WHOSE NAMES TO BE
 KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED
 THE SAME.

PLANNING COMMISSION CERTIFICATE
 WE HEREBY CERTIFY THAT THIS PLAT WAS APPROVED AND ACCEPTED BY THE
 PLANNING COMMISSION OF THE CITY OF NEENAH, WISCONSIN, ON THE _____ DAY
 OF _____ 1973.

PRESIDENT - PLANNING COMM.
 CITY CLERK
 TREASURER - WINNEBAGO CO.
 TREASURER - CITY OF NEENAH

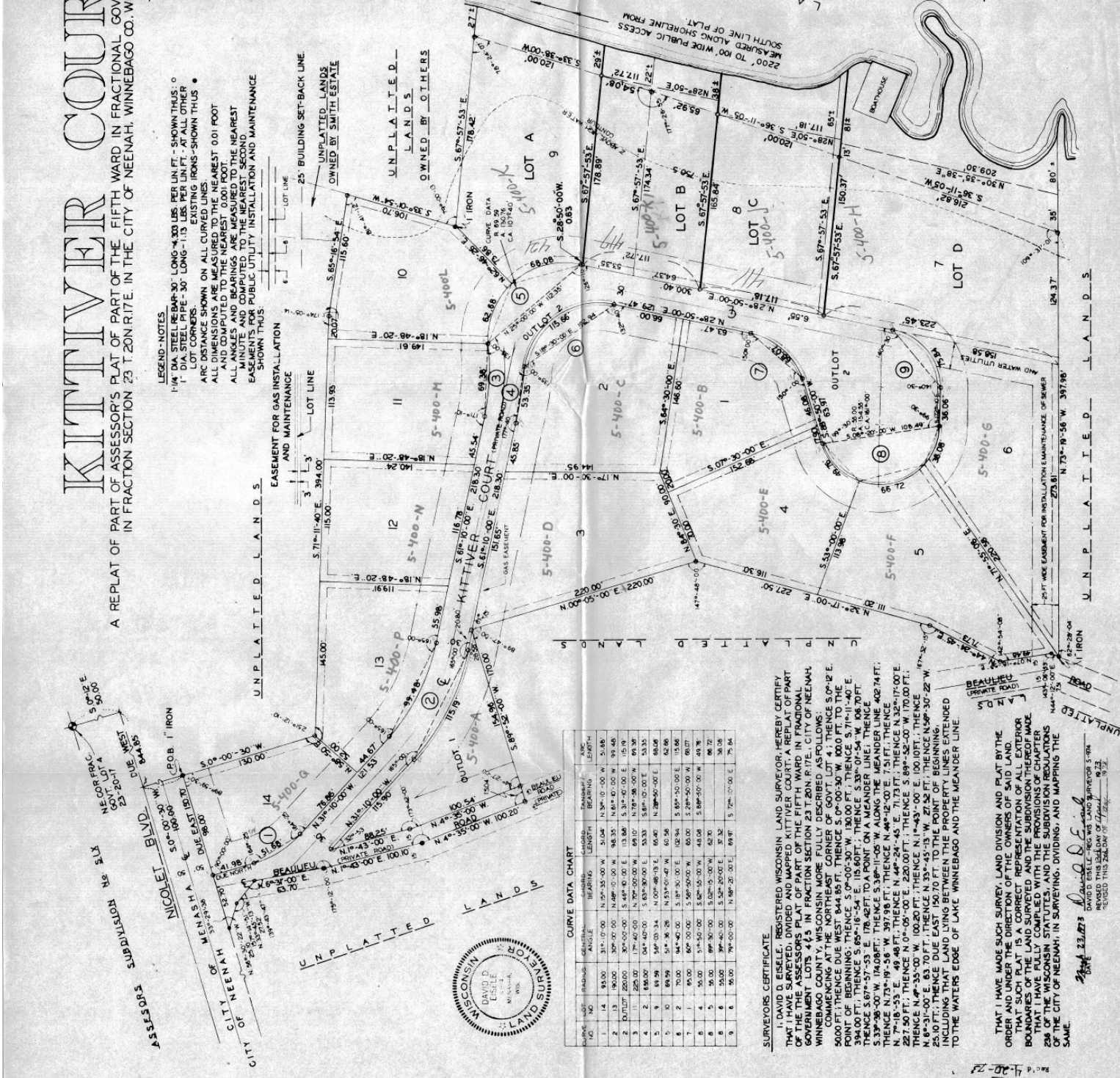
COMMON COUNCIL APPROVAL
 WE HEREBY CERTIFY THAT THIS PLAT WAS APPROVED BY THE COMMON COUNCIL
 OF THE CITY OF NEENAH, WISCONSIN, ON THE _____ DAY OF _____ 1973.

MAYOR
 TREASURERS CERTIFICATE
 WE HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL
 ASSESSMENTS AS OF _____ ON ANY OF THE LANDS INCLUDED IN THIS
 PLAT.

KITTIVER COURT

A REPLAT OF PART OF ASSESSOR'S PLAT OF PART OF THE FIFTH WARD IN FRACTIONAL GOVERNMENT LOTS 4 & 5
 IN FRACTION SECTION 23 T.20N R.17E. IN THE CITY OF NEENAH, WINNEBAGO CO., WIS.

LEGEND - NOTES
 1/4" DIA. STEEL REBAR-30' LONG-4.00 LBS. PER LIN. FT. - SHOWN THUS: ◊
 1" DIA. STEEL PIPE-30' LONG-11.5 LBS. PER LIN. FT. - AT ALL OTHER
 LOCATIONS.
 ARC DISTANCES SHOWN ON ALL CURVED LINES.
 ALL DISTANCES ARE MEASURED TO THE NEAREST 0.01 FOOT
 AND COMPUTED TO THE NEAREST 0.001 FOOT.
 ALL ANGLES AND BEARINGS ARE MEASURED TO THE NEAREST
 SECONDS AND COMPUTED TO THE NEAREST SECOND.
 EASEMENTS FOR PUBLIC UTILITY INSTALLATION AND MAINTENANCE
 SHOWN THUS: _____



CURVE DATA CHART

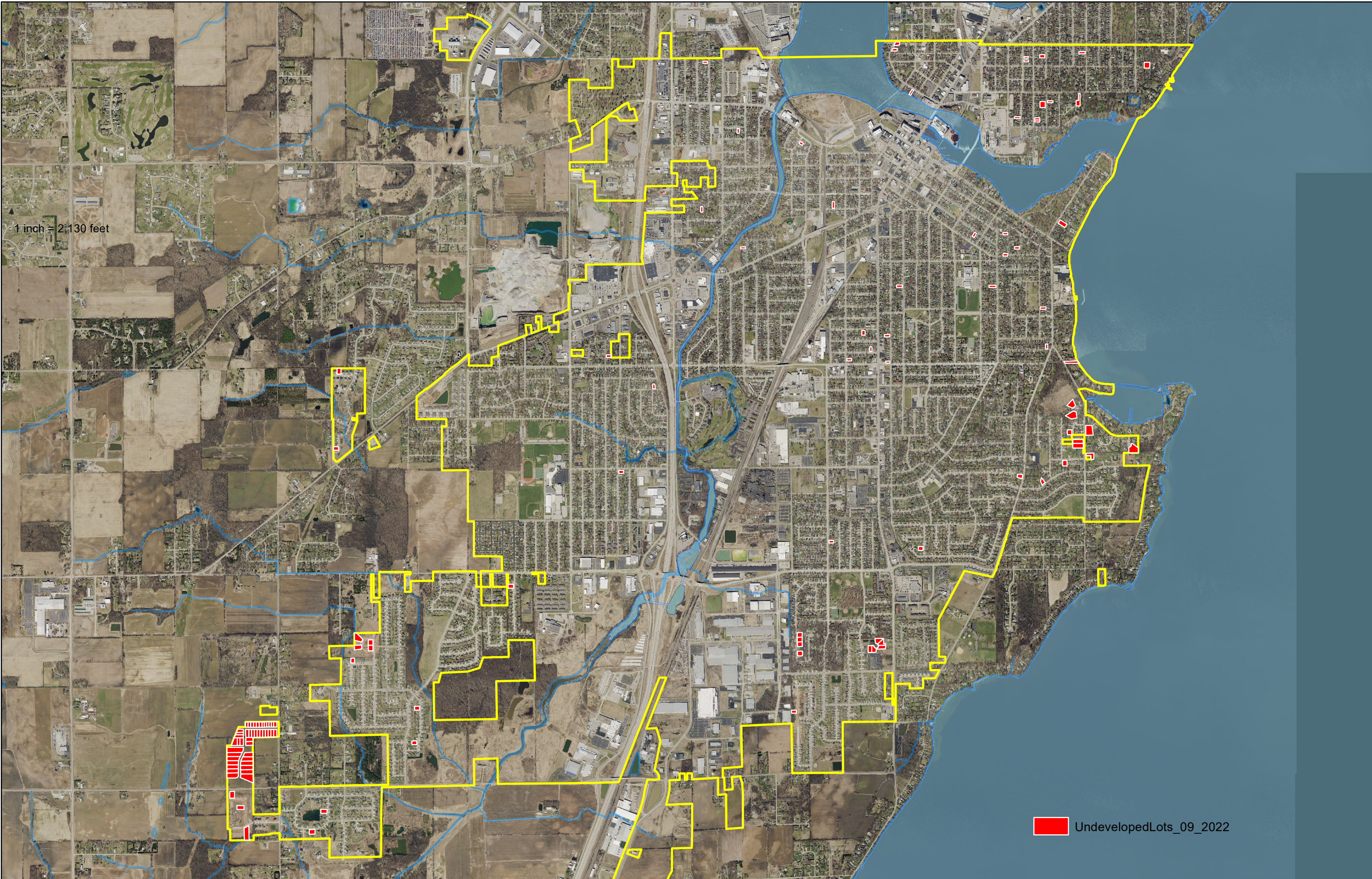
LOT NO.	ANGLE	BEARING	LENGTH	ARC LENGTH
1	311.07-00	S. 89°-55'-00" W.	51.04	N. 54°-10'-00" W. 51.80
2	130.00	S. 89°-55'-00" W.	48.35	N. 61°-47'-00" W. 51.80
3	220.00	S. 89°-55'-00" W.	113.84	S. 31°-47'-00" E. 151.9
4	220.00	S. 89°-55'-00" W.	69.07	N. 79°-58'-00" W. 69.96
5	65.00	S. 89°-55'-00" W.	53.33	S. 65°-00'-00" W. 53.35
6	91.99	S. 89°-55'-00" W.	65.80	N. 28°-50'-00" E. 65.06
7	70.00	S. 89°-55'-00" W.	61.56	N. 53°-01'-47" W. 61.56
8	65.00	S. 89°-55'-00" W.	102.94	S. 65°-50'-00" E. 115.06
9	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00
10	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00
11	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00
12	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00
13	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00
14	65.00	S. 89°-55'-00" W.	65.00	S. 28°-50'-00" W. 65.00

OWNERS CERTIFICATE
 I, DAVID D. ENGLE, REGISTERED WISCONSIN LAND SURVEYOR, HEREBY CERTIFY
 THAT I HAVE SURVEYED, DIVIDED AND MAPPED KITTIVER COURT, A REPLAT OF PART
 OF THE ASSESSOR'S PLAT OF PART OF THE FIFTH WARD IN FRACTIONAL
 GOVERNMENT LOTS 4 & 5 IN FRACTION SECTION 23 T.20N R.17E, CITY OF NEENAH,
 WINNEBAGO COUNTY, WISCONSIN MORE FULLY DESCRIBED AS FOLLOWS:
 5000 FT. BEARING DUE WEST 844.85 FT. THENCE S. 0°-00'-30" W. 100.00 FT. TO THE
 POINT OF BEGINNING, THENCE S. 0°-00'-30" W. 130.00 FT., THENCE S. 71°-11'-40"
 394.00 FT., THENCE S. 65°-16'-54" E. 115.60 FT., THENCE S. 33°-01'-54" E. 68.70 FT.
 THENCE S. 67°-57'-53" E. 178.42 FT. TO A POINT ON A MEANDER LINE, THENCE
 S. 33°-00'-00" W. 114.08 FT., THENCE S. 31°-00'-00" W. ALONG THE MEANDER LINE 427.74 FT.
 N. 71°-16'-33" E. 49.48 FT., THENCE N. 44°-24'-45" E. 71.73 FT., THENCE N. 32°-17'-00"
 227.50 FT., THENCE N. 0°-00'-00" E. 220.00 FT., THENCE S. 89°-55'-00" W. 170.00 FT.,
 THENCE N. 4°-33'-00" W. 100.20 FT., THENCE N. 1°-43'-00" E. 100.10 FT., THENCE
 N. 6°-31'-00" E. 83.70 FT., THENCE N. 33°-45'-15" W. 27.52 FT., THENCE N. 58°-30'-22" W.
 25.10 FT., THENCE DUE EAST 150.70 FT. TO THE POINT OF BEGINNING.
 THE MEANDER LINE EXTENDED TO THE WATERS EDGE OF LAKE WINNEBAGO AND THE MEANDER LINE.

TREASURERS CERTIFICATE
 I HAVE MADE SUCH SURVEY, LAND DIVISION AND PLAT BY THE
 ORDER AND UNDER THE DIRECTION OF THE OWNERS OF SAID LAND.
 THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR
 BOUNDARIES AND INTERESTS AS SHOWN ON THE ORIGINAL PLAT MAP
 BOOK THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER
 236 OF THE WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS
 OF THE CITY OF NEENAH, IN SURVEYING, DIVIDING, AND MAPPING THE
 SAME.

DAVID D. ENGLE
 REGISTERED WISCONSIN LAND SURVEYOR S. 914
 NEENAH, WISCONSIN 54951
 RECORDED THIS 23rd DAY OF _____ 1973

1 inch = 2,130 feet



UndevelopedLots_09_2022

Subdivision Name	Undeveloped Residential Lots
The Homes at Freedom Meadows	31
Misc.	13
Freedom Acres	13
1st Addition to Integrity Acres	7
1st Addition to Southfield Plat	5
Cardinal Plat	4
Ernstings Addition	4
Forest Manor	4
Arthur Plat	3
Plat of the Town of the Island	3
S Commercial Street Plat	3
Wilderness Park Estates	3
1st Addition to Lakeview	2
Bridgewood Condo	2
Congress Plat	2
Liberty Heights	2
Nature Trail	2
Plat of the Meadows	2
Wildfangs Plat	2
Castle Oak VI	1
1st Addition to Forest Manor	1
2nd Addition to Nature Trail	1
6th Addition to Green Acres	1
Canterbury Farms	1
Christophers	1
Cottages at Woodside Green	1
Courtney Place	1
Eskdale Meadow	1
Green Acres	1
Jones Plat of the Island	1
Mahler Farm V	1
Meadow Lane Court	1
Plat of the Winnebago	1
Shaggy Bark Estates	1
Sherrys 1st Addition	1
Van Middleworths	1
Winnebago Heights	1
Woodside Green Estates	1
TOTAL	126

**Minutes of the Board of Public Works Meeting
Thursday, September 29, 2022 at 2:00 p.m.**

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

ALSO PRESENT: City Clerk Nagel.

CALL TO ORDER: Mayor Lang called the meeting to order at 2:04 p.m.

I. Approval of the minutes of the September 14, 2022 meeting. (Minutes can be found on the City web site)

MSC Hillstrom/Easker to approve the meeting minutes as written, all voting aye.

II. Appearances.
None.

III. Unfinished Business.
None.

IV. New Business.

A. Public Works

1. Pay Request No. 2, Contract 7-22, Winneconne Avenue Bridge Repair, Pfeifer Brothers Construction, Neenah, in the amount of \$57,452.24.

MSC Kaiser/Hillstrom to approve Pay Request No. 2, Contract 7-22, Winneconne Avenue Bridge Repair, Pfeifer Brothers Construction, Neenah, in the amount of \$57,452.24, all voting aye.

Info. Only

Discussion: The pay request is for repair work on the north side bridge deck. Deck repairs needs to be completed prior to work on the expansion joints. Work on the south side of the deck will begin when the north side decking is complete. At that time, traffic flow will be switching to the north side of the bridge.

The Winneconne Street Bridge opened in 1989 at railroad grade. There have been minor repairs done to the bridge deck since opening but not to the extent of the current work. Costs for the bridge repair is expected to exceed bid amount due to unanticipated poor pavement quality particularly on the north side of the deck.

V. Any announcements/questions for the Board.
A. None.

VI. Adjournment.

MSC Kaiser/Hillstrom to adjourn, all voting aye. Meeting adjourned at 2:17 p.m.

Respectfully Submitted,

Charlotte K. Nagel

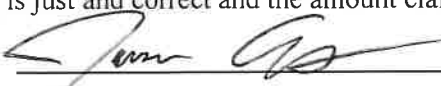

Charlotte Nagel
City Clerk

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

Pheifer Brothers Construction		Contract No. <u>7-22</u>	
Address 599 Bondow Dr		Contract Amount \$217,847.10	
City Neenah WI 54956			
Name of Project	Winneconne Bridge Repairs		
Location of Project	Winneconne Overpass		
Pay Request No.	2	For Period	June 15, 2022 through September 15, 2022

CONTRACT SUMMARY	
Original Contract Amount	\$217,847.10
Net Amount of Change Order	\$0.00
Adjusted Contract Amount	<u>\$217,847.10</u>
WORK PERFORMED TO DATE	
Work Performed to Date	\$93,120.04
Less Retainage of 5%. If different indicate here _____	\$4,656.00
Net Amount Earned to Date	\$88,464.04
Less Previous Payments	\$31,011.80
BALANCE DUE THIS PAYMENT	<u>\$57,452.24</u>

CONTRACT BREAKOUT					
	Account Numbers	Budget Total	Contract Breakdown	Due This Estimate	Paid to Date
Winneconne Bridge Repair	012-5197-743-0236	\$165,000.00	\$217,847.10	\$57,452.24	\$31,011.80
		<u>\$165,000.00</u>	<u>\$217,847.10</u>	<u>\$57,452.24</u>	<u>\$31,011.80</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: <u>9/26/22</u>
Certified by Public Works 	Date: <u>9-26-22</u>
Certified by Water Utility _____	Date: _____
Certified by Contractor _____	Date: _____
Approved BPW _____	Date: _____
Approved Common Council (Final Payments Only)	Date: _____

