



**City of Neenah  
COMMON COUNCIL AGENDA  
Wednesday, August 7, 2024 at 7:00 PM  
Neenah City Hall, 211 Walnut Street  
Council Chambers**

- I. Roll Call and Pledge of Allegiance
- II. Introduction and Confirmation of Mayor's Appointment(s)
  - A. None.
- III. Approval of Council Proceedings
  - A. Approval of the Council Minutes and Proceedings of July 17, 2024 regular session. **(UC)**
- IV. Public Hearings
  - A. Consideration of Ordinance No. 2024-16, repealing and recreating Chapter 24 of the Code of Ordinances relating to sign regulations.
- V. Plan Commission report pertaining to the Public Hearings
  - A. Plan Commission meeting of July 30, 2024: (Alderman Steiner) (Minutes can be found on the City web site)
    - 1. Commission recommends Council approve Ordinance No. 2024-16, Repealing and Recreating Chapter 24 of the Code of Ordinances relating to Sign Regulations. **(RollCall-Pro)**
    - 2. Commission recommends Council approve Resolution No. 2024-14, rescinding Ordinance No. 2024-08, A Moratorium on Select Signs. **(RollCall-Pro)**
- VI. Public Forum
  - A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
- VII. Mayor/Council consideration of public forum issues
- VIII. Consent Agenda
  - A. Approve Temporary Class "B" Picnic License Application to Fox Valley Labor Council, 157 S. Green Bay Road, for Labor Fest, to be held on September 2, 2024, from 12:00 PM to 5:00 PM. **(PSSC)**
  - B. Approve Temporary Class "B" Picnic License Application to Gord's Pub, 210 Main Street, for Gord's Street Dance, to be held on August 9, 2024, from 6:00 PM to 10:00 PM, in the Plexus Parking Lot. **(PSSC)**
  - C. **(UC)**

IX. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of July 30, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)
  - 1. Committee recommends Council approve \$4,482.25 of the 2024 Budgeted roof replacement funds for Fire Station No.31 be used for lighting replacement at Fire Station No.31 **(RollCall-Pro)**
  - 2. Committee recommends Council approve the purchase of the ABI Force Field Groom from Horst Distributing in the amount of \$44,627.00. **(RollCall-Pro)**
  - 3. Committee recommends Council approve the Transferring License Business to Business Application of the "Class B" Combination Intoxicating Liquor and Fermented Malt Beverages License to Westhill Bar. Inc., d/b/a My Place, 1127 S. Commercial Street, Gurvinder Singh, Agent. **(RollCall-Pro)**
- B. Special Finance and Personnel Committee meeting of August 5, 2024: (Chairman Erickson/Vice Chair Boyette)
  - 1. Committee recommends Council approve Annexation 234, Ordinance 2024-17, Annexing City Owned Property North of Liberty Avenue in the Town of Vinland to the City of Neenah. **(Action on this item takes place under Plan Commission Report)**
- C. Regular Finance and Personnel Committee meeting of July 29, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
  - 1. Meeting cancelled, no report.
- D. NMFR Joint Finance & Personnel Committee meeting of July 24, 2024: (Chairman Boyette) (Minutes can be found on the City web site)
  - 1. The Committee recommends Council approve the proposed 2025 cost distribution formula with the City of Neenah's share at 61.12% and the City of Menasha's share at 38.88. **(RollCall-Pro)**
  - 2. The Committee recommends Council approve Neenah Resolution 2024-13 for approval of the project for Winnebago County Spirit Fund Local Government Allocation. **(RollCall-Pro)**
  - 3. The Committee recommends both the City of Neenah and City of Menasha Common Councils approve filling the vacant Assistant Chief/Fire Marshal's position. **(RollCall-Pro)**

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

- A. Regular Plan Commission meeting of July 30, 2024: (Council Rep Steiner) (Minutes can be found on the City web site)
  - 1. Commission recommends Council approve Annexation #234 (Ordinance #2024-17) and the property also receive an R-1, Single-Family Residence District zoning classification. **(RollCall-Pro)**
- B. Board of Public Works meeting of August 7, 2024: (Vice Chairman Hillstrom) (Minutes can be found on the City web site)
  - 1. Council Action Items:
    - a) Consideration of Board recommendation to award Contract 9-24, Epoxy Pavement Markings, to Century Traffic, Inc., in the amount of \$95,747.20. **(RollCall-Pro)**

- C. Sustainable Neenah Committee
  - 1. Report from the Sustainable Neenah Committee Meeting of July 24, 2024 – Alderman Lendrum
- D. Bergstrom Mahler Museum
  - 1. Report from the Bergstrom Mahler Museum – Council President Borchardt
- E. Parks & Recreation Commission
  - 1. Report from the Park Commission Meeting of July 18, 2024 – Alderman Weber
  
- XI. Presentation of petitions
  - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
  
- XII. Council Directives
  - A. Motion by Boyette/Pollnow to review the grant policy using the Meridan Barrier situation as a guideline to ensure the issues with the Memorandum of Understanding don’t happen again.
  
- XIII. Unfinished Business
  
- XIV. New Business
  - A. Arrowhead Park Development Status Report. (Alderman Hillstrom)
  - B. Any announcements/questions that may legally come before the Council.
  
- XV. Closed Session
  - A. The City Council may convene into closed session per Wis. Stat. §19.85(1)(b) considering the investigation of charges against a public employee, regarding the City Attorney.
  - B. The Council may reconvene into open session to take action on item(s) discussed in closed session.
  
- XVI. 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 e-mail [clerk@neenahwi.gov](mailto:clerk@neenahwi.gov) at least 48 hours prior to the scheduled meeting or event to request an accommodation

**Common Council Proceedings**  
**Wednesday, July 17, 2024 at 7:00 p.m.**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., July 17, 2024, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Aldermen Boyette, Erickson, Hillstrom, Lendrum, Steiner, Pollnow, Ellis and Weber. Council President Borchardt was excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Interim City Attorney Walsh, and City Clerk Nagel.

Also Present: Deputy Director of Community Development Schmidt, Director of Human Resources Fairchild, Fire Chief Teesch, Police Chief Olson, Assistant Police Chief Bernice, Police Captain Van Sambeek, and those noted on the attached Meeting Sign-In Sheets.

Mayor Lang called the meeting to order at 7:01 p.m.

- I. The City Clerk called a voice roll call as the Mayor/Aldermen recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance led by Alderman Weber.
- II. Introduction and Confirmation of Mayor's Appointment(s)
  - A. None.
- III. Approval of Council Proceedings
  - A. Approval of the Council Minutes and Proceedings of June 19, 2024 regular session. **(UC)**  
**Seeing no objections, the Minutes and Proceedings were ordered approved.**
- IV. Plan Commission report pertaining to the Public Hearings
  - A. Plan Commission meeting of June 25, 2024: (Ald. Steiner) (Minutes can be found on the City web site)
    1. Commission recommends Council approve Resolution 2024-10 creating Tax Increment District #13. **(RollCall-Pro)**  
**MSCRP Steiner/Ellis to approve as recommended by the Plan Commission, all voting aye.**
- V. Consent Agenda
  - A. Approve Temporary Class "B" Picnic License Application to St. Margaret Mary, 439 Washington Avenue, for the parish picnic to be held on August 14, 2024, from 10:30 AM to 5:00 PM. **(PSSC)**
  - B. Approve Temporary Class "B" Picnic License Application to Bergstrom Mahler Museum, 165 N. Park Drive, for the Glass Art Festival, to be held on August 9, 2024, from 5:00 PM to 7:00 PM and August 10, 2024, from 10:00 AM to 5:00 PM. **(PSSC)**

- C. Approve Temporary Extension of Licenses Premises Application to Lion's Tail Brewing Co., 116 S. Commercial St., for Smoke on the Fox, to be held on July 30, 2024, from 5:00 PM to 10:00 PM. **(PSSC)**
- D. Approve Temporary Extension of Licensed Premises Application to Double Tree, 123 E Wisconsin Ave., for the Forge Summer Events, to be held on July 31, 2024, from 6:00 PM to 8:00 PM, August 7, 2024, from 6:00 PM to 8:00 PM, and August 14, 2024, from 6:00 PM to 8:00 PM. **(PSSC)**
- E. **(UC)**  
**Seeing no objections, the Consent Agenda was ordered approved.**

VI. Reports of standing committees

- A. Special Public Services and Safety Committee meeting of July 17, 2024: (Chairman Lendrum/Vice Chair Hillstrom)
  - 1. Consideration of Committee recommendation to approve Resolution 2024-03 - Accepting Dedication for Public Right-Of-Way and Authorizing Temporary Use of Portions of Various Properties Along South Commercial Street Between Stanley Street and Tyler Street. **(RollCall-Pro)**  
**MSCR P Lendrum/Hillstrom to approve Resolution 2024-03 as recommended by the Public Services and Safety Committee, all voting aye.**
- B. Regular Public Services and Safety Committee meeting of June 25, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)
  - 1. Committee recommends Council direct staff to enter into a contract with Stantec Consulting Services, Inc. for the services related to the preparation of a housing study and needs assessment at a not-to-exceed cost of \$40,000, with funding provided by the City's CDBG program. **(RollCall-Pro)**  
**MSCR P Lendrum/Weber to approve a housing study and needs assessment as recommended by the Public Services and Safety Committee, all voting aye.**
  - 2. Committee recommends Council approve the parking regulations on Tullar Road between Breezewood Lane and West Cecil Street be modified as shown in the attached sketch of proposed parking changes and that the parking regulations on the north side of Apple Blossom Drive west of Tullar Road be removed. **(RollCall-Pro)**  
**MSCR P Lendrum/Weber to approve parking regulations on Tullar Road as recommended by the Public Services and Safety Committee, all voting aye.**
- C. Regular Public Services and Safety Committee meeting of July 9, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)
  - 1. Committee recommends Council approve the Sidewalk Construction Agreement with the Town of Neenah. **(RollCall-Pro)**  
**MSCR P Lendrum/Hillstrom to approve the Sidewalk Construction Agreement with the Town of Neenah as recommended by the Public Services and Safety Committee, all voting aye.**

2. Committee recommends Council approve Resolution 2024-12 Compliance Maintenance Annual Report for Sanitary Sewer (CMAR). **(RollCall-Pro)**  
**MSCR P Lendrum/Hillstrom to approve Resolution 2024-12 as recommended by the Public Services and Safety Committee, all voting aye.**
- D. Special Finance and Personnel Committee meeting of July 17, 2024: (Chairman Erickson/Vice Chair Boyette)
1. Consideration of Committee recommendation to increase Attorney Jim Walsh to sixteen hours per week at the rate of \$125/hour in addition to attendance at meetings as requested by the mayor. The funding source for this increase, per recommendation from Finance Director, Vicky Rasmussen, is the City's Liability Insurance Fund. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve the increase of the Interim City Attorney work hours to sixteen hours per week with a 45-business day review, September 19, 2024, to keep track of the progress as recommended by the Finance and Personnel Committee, all voting aye.**
- E. Regular Finance and Personnel Committee meeting of June 24, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
1. Committee recommends Council approve Resolution 2024-11 Authorizing an Update to the Mission Squared Plan Sponsor Contact to the current Director of Human Resources and Safety. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve Resolution 2024-11 as recommended by the Finance and Personnel Committee, all voting aye.**
  2. Committee recommends Council approve Ordinance 2024-12 Amending Article II – Officers, Section 2-23 City Attorney. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve Ordinance 2024-12 as recommended by the Finance and Personnel Committee, all voting aye.**
- Amended motion by Pollnow/Ellis to change language in paragraph C of this ordinance to the language provided in Alderman Pollnow's email dated 7/16/24 to the Council members as written. Motion failed in a roll call vote 1-7, with Alderman Erickson, Hillstrom, Ellis, Boyette, Steiner, Lendrum, and Weber voting no.**
- Amended motion by Boyette/Pollnow to refer the Ordinance 2024-12 back to committee. Motion carried in a roll call vote, 7-1 with Lendrum dissenting.**
- F. Regular Finance and Personnel Committee meeting of July 8, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
1. Informational items only, no report.
- G. NMFR Joint Finance & Personnel Committee meeting of June 25, 2024: (Alderman Boyette) (Minutes can be found on the City web site)
1. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the purchase and enter into a contract of a

2027 heavy rescue vehicle from Pierce Manufacturing and related equipment for a cost not to exceed \$800,000 and to authorize both Finance Directors to review financing options to approve the most advantageous finance option for both Cities and legal Councils to approved a contract before it's signed that states it's pending budget approval. **(RollCall-Pro) MSCRP Boyette/Ellis to approve the purchase and enter into a contract of a 2027 heavy rescue vehicle from Pierce Manufacturing as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.**

2. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the order of one 2025 Chevy Silverado and related fire equipment for a cost not to exceed \$75,000 and pending budget approval of the 2025 CIP budget by both Cities. **(RollCall-Pro) MSCRP Boyette/Pollnow to approve the ordering of one 2025 Chevy Silverado and related fire equipment as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.**

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

- A. Regular Plan Commission meeting of June 25, 2024: (Council Rep. Steiner) (Minutes can be found on the City web site)
  1. Commission recommends Council approve Ordinance #2024-11, for the amendment to Project Plan Approval #1-22 for the Bridgewood Planned Development District, allowing the modification to the office building layout and the addition of an outdoor swimming pool subject to the Project Plan Approval Letter. **(RollCall-Pro) MSCRP Steiner/Ellis to approve Ordinance 2024-11 as recommended by the Plan Commission, all voting aye.**
- B. Board of Public Works meeting of June 27, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)
  1. Council Action Items:
    - a) The Board recommends Council approve Final Pay Request, Neenah Creek Bridge, Pheifer Brothers, in the amount of \$64,398.02. **(RollCall-Pro) MSCRP Hillstrom/Lendrum to approve Final Pay Request on Neenah Creek Bridge as recommended by the Board of Public Works, all voting aye.**

VIII. Council Directives

- A. **Motion by Boyette/Erickson for an update on the Meridian Barriers from the Police Department, and confirmation on the use of city vehicles to block traffic policy from CVMIC, specifically what the policy will and will not cover. (RollCall-Pro)**

**Motion by Boyette/Pollnow to review the grant policy using the Meridan Barrier situation as a guideline to ensure the issues with the Memorandum of Understanding don't happen again.** Since this is a new Council Directive,

the directive is introduced at this meeting and voted on at the next Council meeting.

- B. **Motion by Ellis/Pollnow to revisit the Special Event Permit Ordinance and permitting process. (RollCall-Pro) No action taken**
- C. **Motion by Ellis/Steiner to revisit the sale of beer and wine at convenience stores. (RollCall-Pro)**

**Motion by Pollnow/Boyette to direct staff to write an ordinance to modify the Neenah Municipal Code to permit the sale of malt beverages at establishments that sell gasoline and allow provisions for wine, if possible, as stated in the July 11, 2024 memo. Motion carried in a roll call vote 7-1, with Hillstrom dissenting.**

IX. Closed session

- A. The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers.
- B. The Council may remain in closed session pursuant to Wis. Stat. Sec. 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, the potential creation of Tax Incremental District #14.
- C. The Council may reconvene into open session to consider action on the item(s) discussed in closed session.

**Motion by Ellis/Boyette for the Council to convene The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers. The Council may remain in closed session pursuant to Wis. Stat. Sec. 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, the potential creation of Tax Incremental District #14. The Council may reconvene into open session to consider action on the item(s) discussed in closed session. Motion carried in a roll call vote, 8-0.**

**Motion by Ellis, seconded by Boyette for the Council to reconvene into open session. Motion carried in roll call vote, 8-0.**

- X. Adjournment  
**Motion by Pollnow/Boyette to adjourn. Motion carried in a voice vote 8-0. Meeting adjourned at 9:55 PM.**

Respectfully submitted,

A handwritten signature in black ink that reads "Charlotte K. Nagel". The signature is written in a cursive style with a large initial 'C'.

Charlotte Nagel, City Clerk

**Common Council Minutes**  
**Wednesday, July 17, 2024 at 7:00 p.m.**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., July 17, 2024, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Aldermen Boyette, Erickson, Hillstrom, Lendrum, Steiner, Pollnow, Ellis and Weber. Council President Borchardt was excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Interim City Attorney Walsh, and City Clerk Nagel.

Also Present: Deputy Director of Community Development Schmidt, Director of Human Resources Fairchild, Fire Chief Teesch, Police Chief Olson, Assistant Police Chief Bernice, Police Captain Van Sambeek, and those noted on the attached Meeting Sign-In Sheets.

Mayor Lang called the meeting to order at 7:01 p.m.

- I. The City Clerk called a voice roll call as the Mayor/Aldermen recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance led by Alderman Weber.
- II. Introduction and Confirmation of Mayor's Appointment(s)
  - A. None.
- III. Approval of Council Proceedings
  - A. Approval of the Council Minutes and Proceedings of June 19, 2024 regular session. **(UC)**  
**Seeing no objections, the Minutes and Proceedings were ordered approved.**
- IV. Public Hearings
  - A. Consider Resolution 2024-10 creating Tax Increment District #13.
    1. Mayor Lang opened the public hearing at 7:02 PM. After several calls for comments, there were no appearances. Mayor Lang closed the public hearing at 7:03 PM.
- V. Plan Commission report pertaining to the Public Hearings
  - A. Plan Commission meeting of June 25, 2024: (Ald. Steiner) (Minutes can be found on the City web site)
    1. Commission recommends Council approve Resolution 2024-10 creating Tax Increment District #13. **(RollCall-Pro)**  
**MSCRP Steiner/Ellis to approve as recommended by the Plan Commission, all voting aye.**
- VI. Public Forum

- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
  - 1. Ray Jahnke, 203 Joseph St. Apt. 2 – Spoke on the Cecil Street sidewalk in need of repair.
  - 2. Robert Lace, 765 Oak Street – Spoke on alcohol sales in gas stations. Mr. Lace was the with Mother’s Against Drunk Driving where he was the victim assistance coordinator. Mr. Lace is against putting alcohol in gas stations. He does not put any weight on the argument that gas station businesses are disadvantaged by not selling alcohol. There are enough alcohol retailers available now without having to put alcohol in gas stations. Mr. Lace encouraged the Council to be a leader just like they were in the ‘80s when Neenah was one of the first communities to change the drinking age to 21.
  - 3. Amritpal Gill of Gill Liquor Store, 1117 S. Commercial Street – Spoke against allowing alcohol sales in gas stations/convenience stores. Mr. Gill is apprehensive about how it will affect his business. He would change his liquor store into a convenience store should the ordinance change be approved. Mr. Gill submitted some research documents to the Council.
  - 4. Scott Becher, 1061 Green Acres Lane – Welcomes the opportunity to have alcohol sold at gas stations because it is part of economic development. There are parts of the city that need economic development and would give larger convenience store companies, such as Kwik Trip, an opportunity to invest in the city.
  
- VII. Mayor/Council consideration of public forum issues
  - A. Alderman Lendrum is willing to work with anyone who would like to know how to view council packets or sign up for email notifications on the city website.
  - B. Alderman Ellis footnoted that back in the ‘80s, Neenah was one of the first cities to enact the 21 year old drinking age. This was done so because the state would withhold funding if the drinking age was not moved to 21. Therefore, the city’s hands were tied as the outcome was not financially beneficial to the city if the drinking age was kept at 18.
  
- VIII. Consent Agenda
  - A. Approve Temporary Class “B” Picnic License Application to St. Margaret Mary, 439 Washington Avenue, for the parish picnic to be held on August 14, 2024, from 10:30 AM to 5:00 PM. **(PSSC)**
  - B. Approve Temporary Class “B” Picnic License Application to Bergstrom Mahler Museum, 165 N. Park Drive, for the Glass Art Festival, to be held on August 9, 2024, from 5:00 PM to 7:00 PM and August 10, 2024, from 10:00 AM to 5:00 PM. **(PSSC)**
  - C. Approve Temporary Extension of Licenses Premises Application to Lion’s Tail Brewing Co., 116 S. Commercial St., for Smoke on the Fox, to be held on July 30, 2024, from 5:00 PM to 10:00 PM. **(PSSC)**

- D. Approve Temporary Extension of Licensed Premises Application to Double Tree, 123 E Wisconsin Ave., for the Forge Summer Events, to be held on July 31, 2024, from 6:00 PM to 8:00 PM, August 7, 2024, from 6:00 PM to 8:00 PM, and August 14, 2024, from 6:00 PM to 8:00 PM. **(PSSC)**

E. **(UC)**

**Seeing no objections, the Consent Agenda was ordered approved.**

IX. Reports of standing committees

- A. Special Public Services and Safety Committee meeting of July 17, 2024: (Chairman Lendrum/Vice Chair Hillstrom)

- 1. Consideration of Committee recommendation to approve Resolution 2024-03 - Accepting Dedication for Public Right-Of-Way and Authorizing Temporary Use of Portions of Various Properties Along South Commercial Street Between Stanley Street and Tyler Street. **(RollCall-Pro)**

**MSCRCP Lendrum/Hillstrom to approve Resolution 2024-03 as recommended by the Public Services and Safety Committee, all voting aye.**

- B. Regular Public Services and Safety Committee meeting of June 25, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)

- 1. Committee recommends Council direct staff to enter into a contract with Stantec Consulting Services, Inc. for the services related to the preparation of a housing study and needs assessment at a not-to-exceed cost of \$40,000, with funding provided by the City's CDBG program. **(RollCall-Pro)**

**MSCRCP Lendrum/Weber to approve a housing study and needs assessment as recommended by the Public Services and Safety Committee, all voting aye.**

- 2. Committee recommends Council approve the parking regulations on Tullar Road between Breezewood Lane and West Cecil Street be modified as shown in the attached sketch of proposed parking changes and that the parking regulations on the north side of Apple Blossom Drive west of Tullar Road be removed. **(RollCall-Pro)**

**MSCRCP Lendrum/Weber to approve parking regulations on Tullar Road as recommended by the Public Services and Safety Committee, all voting aye.**

- C. Regular Public Services and Safety Committee meeting of July 9, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)

- 1. Committee recommends Council approve the Sidewalk Construction Agreement with the Town of Neenah. **(RollCall-Pro)**

**MSCRCP Lendrum/Hillstrom to approve the Sidewalk Construction Agreement with the Town of Neenah as recommended by the Public Services and Safety Committee, all voting aye.**

Alderman Pollnow questioned Director Kaiser on why this item came up? Director Kaiser informed the Council that staff reached out to the Town of Neenah. Once the item was on their radar, the Town responded promptly.

2. Committee recommends Council approve Resolution 2024-12 Compliance Maintenance Annual Report for Sanitary Sewer (CMAR). **(RollCall-Pro)**  
**MSCR P Lendrum/Hillstrom to approve Resolution 2024-12 as recommended by the Public Services and Safety Committee, all voting aye.**
- D. Special Finance and Personnel Committee meeting of July 17, 2024: (Chairman Erickson/Vice Chair Boyette)
1. Consideration of Committee recommendation to increase Attorney Jim Walsh to sixteen hours per week at the rate of \$125/hour in addition to attendance at meetings as requested by the mayor. The funding source for this increase, per recommendation from Finance Director, Vicky Rasmussen, is the City's Liability Insurance Fund. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve the increase of the Interim City Attorney work hours to sixteen hours per week with a 45-business day review, September 19, 2024, to keep track of the progress as recommended by the Finance and Personnel Committee, all voting aye.**
- E. Regular Finance and Personnel Committee meeting of June 24, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
1. Committee recommends Council approve Resolution 2024-11 Authorizing an Update to the Mission Squared Plan Sponsor Contact to the current Director of Human Resources and Safety. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve Resolution 2024-11 as recommended by the Finance and Personnel Committee, all voting aye.**
  2. Committee recommends Council approve Ordinance 2024-12 Amending Article II – Officers, Section 2-23 City Attorney. **(RollCall-Pro)**  
**MSCR P Erickson/Steiner to approve Ordinance 2024-12 as recommended by the Finance and Personnel Committee, all voting aye.**

Alderman Pollnow sent Council members amended language to this ordinance via an email dated July 16, 2024 because he finds the ordinance amendment problematic.

**Amended motion by Pollnow/Ellis to change language in paragraph C of this ordinance to the language provided in Alderman Pollnow's email dated 7/16/24 to the Council members as written. Motion failed in a roll call vote 1-7, with Alderman Erickson, Hillstrom, Ellis, Boyette, Steiner, Lendrum, and Weber voting no.**

Alderman Pollnow read out the language which is attached to the meeting minutes. He also explained his reasoning behind the amendment which is his belief that average people should be able to read and understand the ordinance, therefore, ordinances need to be clear and concise. Alderman Pollnow also finds it problematic with the current language that the city gives the attorney discretion authority to render or receive aid without council

oversite. This language seems to allow for outside work, or “moonlighting”, on behalf of the city attorney.

Alderman Pollnow also finds it problematic that the language is written with the pronouns “he” and “him”, instead of “they” or “their”.

Mayor Lang was upset that Alderman Pollnow’s email that was sent only to Council members, and asked for Attorney Walsh’s professional, legal opinion on the language.

Attorney Walsh explained his understanding of the proposed language was to codify an unwritten agreement between several Fox Valley municipalities to render mutual assistance between attorney offices when there is a conflict, or a need for another attorney. For example, if a family member is issued a traffic citation, the city attorney cannot prosecute a family member because there is a conflict. That municipality would look to another municipal attorney to render aid, without cost, because of the reciprocal arrangement. To Attorney Walsh’s understanding, the reason behind amending the ordinance is because the agreement was unwritten. In Attorney Walsh’s opinion, the initial language goes beyond codifying the unwritten agreement. The agreement was requested amongst attorneys; Mayors and Councils were not involved with the agreement because Mayors or Councils do not always know when a conflict of interest exists with the attorney. So, the agreement was kept only between attorneys and there was never a record of how many times assistance was rendered or received. The participating municipalities in the agreement were Oshkosh, Appleton, Neenah, and Menasha. Over time, personnel in attorney offices changed, and the unwritten agreement may have changed, but the original intent was if help was needed, the attorneys helped. In Attorney Walsh’s opinion, the proposed language could be crafted a little clearer to reflect the original intent.

Attorney Walsh understands the reasons why Alderman Pollnow would rather not cross-reference state statutes. However, a lot of ordinance amendments will need to be made because law is written with cross-references. Statutes change all the time, and if not cross-referenced in the ordinance, then the ordinance does not change with the statute. Statutes are also interrupted by the courts to give a clear understanding of their meaning..

Alderman Boyette is perplexed as to why did our attorney did not write the draft.

Attorney Walsh explained the language was drafted prior to his arrival. No one asked Attorney Walsh his opinion of the proposed language. He assumed that this language is what the council wanted. It does not reflect the Attorney Walsh’s understanding of the original intent of the unwritten agreement amongst the municipal attorneys, but this is what he has to work

with. Alderman Boyette asked if the ordinance amendment could go back to committee so that Attorney Walsh could redraft it. Mayor Lang advised that Menasha City Attorney Struve drafted the ordinance, and Attorney Walsh advised that yes, the proposed ordinance could be sent back to committee, but only after the amendment on the floor was take care.

Alderman Ellis explained that he seconded Alderman Pollnow's motion so that there could be discussion, but that he will be voting against the language amendment. He will vote yes to the original motion because he does not think this is a weighty issue. Alderman Ellis does not believe anyone without a law degree should be writing ordinances. There is merit to the discussion, the Council meeting is not the place for that discussion. Let's have this discussion back in committee with the attorney and the Mayor present so that everyone can feel comfortable with amendment.

Alderman Lendrum referenced Alderman Pollnow's email of July 16, 2024, that just the alderman received. In her opinion, Alderman Pollnow did not follow proper procedure and possibly violated open meetings laws, which she has asked him not to do in the past. Emailing just aldermen, no staff, or the mayor on an agenda item is using a back doorway approach of getting your point across, which she does not want to be part of.

Alderman Pollnow stated the wrong email distribution list was used by accident, which is why the email went to just the aldermen. Alderman Pollnow does not agree with Alderman Lendrum's opinion, as Alderman Pollnow thought he was being transparent. Alderman Pollnow believes the aldermen have a right to speak their opinions and that is what he did.

**The vote was taken on the amended motion which failed in a roll call vote, 1-7 with Aldermen Erickson, Hillstrom, Ellis, Boyette, Steiner, Lendrum, and Weber voting no.**

**Amended motion by Boyette/Pollnow to refer the Ordinance 2024-12 back to committee. Motion carried in a roll call vote, 7-1 with Lendrum dissenting.**

Alderman Steiner believes there is a nice opportunity to take a fresh look at this language, to make changes, and to make sure the language is what the Council wants. Sending it back to Committee allows everyone to be clear on the intent, and certainly appreciates Attorney Walsh's prospective on this item.

- F. Regular Finance and Personnel Committee meeting of July 8, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
  - 1. Informational items only, no report.

- G. NMFR Joint Finance & Personnel Committee meeting of June 25, 2024: (Alderman Boyette) (Minutes can be found on the City web site)
  - 1. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the purchase and enter into a contract of a 2027 heavy rescue vehicle from Pierce Manufacturing and related equipment for a cost not to exceed \$800,000 and to authorize both Finance Directors to review financing options to approve the most advantageous finance option for both Cities and legal Councils to approved a contract before it's signed that states it's pending budget approval. **(RollCall-Pro) MSCRP Boyette/Ellis to approve the purchase and enter into a contract of a 2027 heavy rescue vehicle from Pierce Manufacturing as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.**
  - 2. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the order of one 2025 Chevy Silverado and related fire equipment for a cost not to exceed \$75,000 and pending budget approval of the 2025 CIP budget by both Cities. **(RollCall-Pro) MSCRP Boyette/Pollnow to approve the ordering of one 2025 Chevy Silverado and related fire equipment as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.**
  
- X. Reports of special committees and liaisons and various special projects committees
  - A. Regular Plan Commission meeting of June 25, 2024: (Council Rep. Steiner) (Minutes can be found on the City web site)
    - 1. Commission recommends Council approve Ordinance #2024-11, for the amendment to Project Plan Approval #1-22 for the Bridgewood Planned Development District, allowing the modification to the office building layout and the addition of an outdoor swimming pool subject to the Project Plan Approval Letter. **(RollCall-Pro) MSCRP Steiner/Ellis to approve Ordinance 2024-11 as recommended by the Plan Commission, all voting aye.**
  - B. Regular Plan Commission meeting of July 9, 2024: (Council Rep. Steiner) (Minutes can be found on the City web site)
    - 1. Meeting cancelled, no report.
  - C. Board of Public Works meeting of June 27, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)
    - 1. Information Only Items:
      - a) The Board approved Change Order No.2, Contract 1-24, Utility and Street Construction, on Belmont Ave., Belmont Ct., Cedar St., and Stevens St., to David Tenor Corporation, in the amount of \$35,896.23.
      - b) The Board approved Change Order No.1, Contract 3-24, Utility and Street Construction, on Bayview Rd., Quarry Ln., and Reed St, to Donald Hietpas & Sons Construction, Inc, in the amount of \$255,701.10.

- c) The Board approved Budget Adjustment Request, Contract 3-24, Utility and Street Construction, Bayview Rd., Quarry Ln., and Reed St, to Donald Hietpas & Sons Construction, Inc, in the amount of \$32,916.00.
- d) The Board approved Change Order No.3, Neenah Creek Bridge, Pheifer Brothers, final pay request quantity adjustments, in the amount of \$8,898.29.
- 2. Council Action Items:
  - a) The Board recommends Council approve Final Pay Request, Neenah Creek Bridge, Pheifer Brothers, in the amount of \$64,398.02. **(RollCall-Pro)**  
**MSCRP Hillstrom/Lendrum to approve Final Pay Request on Neenah Creek Bridge as recommended by the Board of Public Works, all voting aye.**
- D. Board of Public Works meeting of July 2, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)
  - 1. Information Only Items:
    - a) Board approved Pay Request No. 6, Contract 2-23W West Side Booster Station Building Construction, to RJM Construction, LLC., in the amount of \$76,939.00.
    - b) Board approved Change Order 1 Contract 2-23W West Side Booster Station Building Construction, to RJM Construction, LLC, in the amount of \$2,739.44.
- E. Board of Public Works meeting of July 17, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)
  - 1. Information Only Items:
    - a) The Board approved Pay Request No.4, Contract 1-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on Belmont Avenue, Belmont Court, Cedar Street and Stevens Street, to David Tenor Corporation, in the amount of \$709,547.99.
    - b) The Board approved Pay Request No.3, Contract 2-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on E. Doty Avenue, to Kruczek Construction, Inc., in the amount of \$262,233.25.
    - c) The Board approved Pay Request No.4, Contract 3-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on Bayview Road, Quarry Lane, and Reed Street, to Donald Hietpas & Sons, in the amount of \$277,917.13.
    - d) The Board approved Pay Request No.1, Contract 5-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on North Street, to David Tenor Corporation, in the amount of \$112,275.27.
    - e) The Board approved Pay Request No. 2, Contract 6-24, Curb & Gutter, Stormwater, Street Overlay and Trail Parking, on Jewelers Park Drive, to MCC, Inc., in the amount of \$256,415.42.
- F. Reports on neighborhood groups.
  - 1. Report from the July 16, 2024 Business Improvement District Board (BID Board) Meeting – Alderperson Ellis

- a) Looking at ideas to beautify the alleyway between Westgor Funeral Home and the adjacent businesses.
  - b) Researching decorative lighting to be used downtown all year round.
  - c) Dates to remember are on the Future Neenah website, [www.neenah.org](http://www.neenah.org).
- G. Library Board
  - 1. Report from the July 17, 2024 Library Board Meeting – Alderperson Erickson
    - a) June saw almost 28,000 visitors to the library, a 15% increase from last year. Circulation is up 5% from last year, and programs are up 104% from last year.
    - b) The free lunch program concluded in June which very successful.
- H. Neenah Arts Council
  - 1. Report from the July 10, 2024 Neenah Arts Council Meeting – Alderperson Erickson.
    - a) Participated in the last Farmer’s Market for Kid’s Day.
    - b) Community Fest saw over 200 kids with family members who made a 4<sup>th</sup> of July craft.
    - c) Farmer’s Market is this weekend, in which there will be a beach craft.
    - d) National Night Out and Movie Night, Tuesday, August 6<sup>th</sup>, at Memorial Park.
    - e) YMCA Community Block Party, August 8<sup>th</sup> in the parking lot.
- I. Parks and Recreation Commission
  - 1. Report from the June 20, 2024 Parks and Recreation Commission Meeting – Alderperson Weber
    - a) Pickleball discussion with the Parks and Recreation Staff.
    - b) Primary Capital Improvement Plan budget was discussed.
    - c) Public Input Meeting on the Little Lake Butte des Mortis Water Quality Study, at the Library, Thursday, July 18<sup>th</sup> at 6:00 PM.
    - d) The Commission asks that Council member take a walk along Doty Park shoreline to view the condition the shoreline is in.
- XI. Presentation of petitions
  - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
    - 1. No petitions.
- XII. Council Directives
  - A. **Motion by Boyette/Erickson for an update on the Meridian Barriers from the Police Department, and confirmation on the use of city vehicles to block traffic policy from CVMIC, specifically what the policy will and will not cover. (RollCall-Pro)**

Assistant Chief Bernice gave a presentation on the acquisition and use of the Meridan Barriers.

Alderman Boyette appreciated Assistant Chief Bernice's presentation because she was unaware of most of the information.

Alderman Pollnow questioned the Memorandum of Understanding with regard to Winnebago County's use of the Meridan barriers. Mayor Lang advised that there was discussion regarding Winnebago County's use of the Meridan barriers with the city attorney and with corporation counsel in which an agreement was reached. The agreement falls within the current Mutual Aide Agreement. Mayor Lang also advised the grant money has been received and deposited into the city's account.

Alderman Pollnow was under the understanding that all the agreements that the city enters into or allocates comes before Council. Mayor Lang advised the agreement is no different than current Mutual Aide Agreement.

Alderman Erickson questioned if the larger city vehicles were still going be used if needed in the community in addition to the Meridan Barriers. Assistant Chief Bernice answered yes, they will.

There was discussion had on whether Alderman Boyette's council directive was to revisit the grant policy. It was determined that the motion itself did not reference the directive to revisit the grant policy.

**Motion by Boyette/Pollnow to review the grant policy using the Meridan Barrier situation as a guideline to ensure the issues with the Memorandum of Understanding don't happen again.** Since this is a new Council Directive, the directive is introduced at this meeting and voted on at the next Council meeting.

Both Mayor Lang and Director Rasmussen advised the Council that this was a very unusual grant process with Winnebago County because the rules kept changing. Therefore, to use this atypical grant process as a learning tool or as a policy maker, is not practical.

**B. Motion by Ellis/Pollnow to revisit the Special Event Permit Ordinance and permitting process. (RollCall-Pro)**

Alderman Ellis explained that we have covered the Special Event Permit in past meetings, and he believes that the Council is being informed on Special Event permits from an informational standpoint.

Alderman Pollnow stated that this was tabled at the Public Services and Safety Meeting and wondered if it would be coming back with a change. Mayor Lang advised there was a misunderstanding on where to find the Special Event Permit information within the Council packet but that has been cleared up, making the Council Directive a moot point. There was continued discussion on a proposed ordinance change but it was based on changing the venue on the 100 and 200 block of West Wisconsin Avenue on behalf of Future Neenah, it had no tie to the council directive. Clerk Nagel did display the Consent Agenda Licenses spreadsheet giving instructions on where the Special Event Permits are located.

C. **Motion by Ellis/Steiner to revisit the sale of beer and wine at convenience stores. (RollCall-Pro)**

Director Haese walked the Council through his memo and the bullet point list of ordinance regulations he recommends be included into code if alcohol is allowed to be sold in gas stations/convenience stores.

Alderman Boyette asked what the difference is with tasting events at a liquor store verses a convenience stores. Director Haese would not recommend tasting events at convenience stores and recommends this language be included directly in the ordinance as a blanket requirement.

Alderman Steiner recognizes that some of the recommended restrictions go above and beyond a regular Class A license for a liquor store or grocery store. Director Haese confirmed that is correct. He also clarified that some of the requirements will be included in the ordinance as a blanket requirement, some will be included with the special use permit and liquor license itself dictated by specific circumstances, for a specific establishment.

One requirement that needs to be added to Director Haese's bullet point list is that alcohol should be contained within a cooler or a cage that can be locked, on-floor displays of alcohol throughout the stores is prohibited. This would be to comply with alcohol sales hours.

Alderman Erickson confirmed that the ordinance change would need a majority vote of the Council.

Director Haese confirmed the intent tonight would be to present proposed regulations that would come forth in an ordinance at a later date.

**Motion by Pollnow/Boyette to direct staff to write an ordinance to modify the Neenah Municipal Code to permit the sale of malt beverages at establishments that sell gasoline and allow provisions for wine, if possible, as stated in the July 11, 2024 memo.**

Alderman Ellis understands that there have been many proactive measures taken to educate consumers on the dangers of alcohol since the ban has been put in place and appreciates that not everyone is going to be happy with whatever decision Council makes. There are many educational opportunities and other safety programs that have been established since the '80s. He hopes liquor stores, grocery stores, and the pharmacies would not be overly damaged should the allowance of alcohol sales in convenience stores/gas station be approved. Lastly, from an economic standpoint, today's convenience stores are yesterday's grocery stores, in which this is a part of, and it brings us into sync with our neighbors.

Alderman Hillstrom spoke against alcohol in gas stations/convenience stores by providing quotes from the World Health Organization and the Central for Disease Control. Alderman Hillstrom will speak more on the topic when it comes back in the form of an ordinance change.

Alderman Lendrum is concerned that allowing alcohol sales in gas stations/convenience store will have a negative impact on the "mom and pop" stores. Big box convenience stores are more appropriate for the west side of the city.

Alderman Pollnow stated that the owner of Kwik Trip is mentioning Neenah in a negative light. Alderman Pollnow's wife is the manager of the Tobacco Outlet, owned by Kwik Trip. He indicated that he has been in meetings with the owner of Kwik Trip who is unwilling to invest development dollars in our city as long as this ordinance is in place. Alderman Pollnow thinks it is ill advised place to be in when the owner of Kwik Trip, one of the most respected businesses in the state or even the country, mentions our city in a negative light.

Alderman Steiner does not see a cogent reason to restrict gas stations/convenience store alcohol sales when alcohol can be purchased from many other establishments throughout the city. It would be a better argument if Neenah banned all alcohol sales in all stores, but we don't. Convenience stores are becoming neighborhood grocery stores. Our role is not to decide which businesses thrive and which do not through legislation. Every large business was a small business at one time. The reason large business grew was because they offered something that people wanted, and were willing to pay for. That is how the economic marketplace works. Alderman Steiner firmly believes that it up to the consumer which businesses they patronize.

Mayor Lang restated the motion and clarified that this is not to approve an ordinance change, it is to direct staff to create an ordinance change of allowing alcohol sales in gas stations/conveniences store. Director Haese also clarified

that the ordinance would come back to the Council through the Public Services and Safety Committee which is the committee of jurisdiction.

**Motion restated: Motion by Pollnow/Boyette to direct staff to write an ordinance to modify the Neenah Municipal Code to permit the sale of malt beverages at establishments that sell gasoline and allow provisions for wine, if possible, as stated in the July 11, 2024 memo. Motion carried in a roll call vote 7-1, with Hillstrom dissenting.**

XIII. Unfinished Business

- A. Alderman Hillstrom thanked all the volunteers for their participation, hard work and dedication to:
  - 1. Community Fest
  - 2. The Swiftie Concert hosted by Future Neenah, Inc.
  - 3. The Filthy Fun Run which had over 500 kids running in the event.
  - 4. Neenah Summer Fun Run with a record number of participants this year in the first three runs. The fourth run will happen this Saturday.
- B. Mayor Lang thanked Alderman Hillstrom and his wife, Joy, for all their work and dedication to the Neenah Fun Runs.

XIV. New Business

- A. Arrowhead Park Development Status Report. (Ald. Hillstrom)  
Alderman Hillstrom reported there will be meeting in the beginning of August to review the RFPs received.
- B. Mayor Lang reminded everyone of the training session scheduled with Dan Foth, JD, with UW-Madison Extension on August 7, 2024 at 5:00 PM. The training will be on How to be an Effective Elected Official.
- C. Mayor Lang received an email during the meeting that the Fox Cities Chamber of Commerce just received the Chamber of the Year Award. Congratulations!
- D. Alderman Steiner would like to have some more training and understanding of a walking quorum, especially in a digital realm. This will be covered in the training with Dan Foth. If any other alderman would like to have particular items addressed, please forward them Mayor Lang.
- E. Alderman Pollnow East Central Regional Planning Commission, with the city having a voice with the organization, how is that process going to be handled? Alderman Pollnow would also like to have a Committee of the Whole Meeting with representatives from that organization. Mayor Lang will review the process.

XV. Closed session

- A. The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or

parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers.

- B. The Council may remain in closed session pursuant to Wis. Stat. Sec. 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, the potential creation of Tax Incremental District #14.
- C. The Council may reconvene into open session to consider action on the item(s) discussed in closed session.

**Motion by Ellis/Boyette for the Council to convene The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers. The Council may remain in closed session pursuant to Wis. Stat. Sec. 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, the potential creation of Tax Incremental District #14. The Council may reconvene into open session to consider action on the item(s) discussed in closed session. Motion carried in a roll call vote, 8-0.**

Prior to convening into closed session, the Council took a short break at 9:13 PM.

At 9:25 PM, the Council convened into closed session.

**Motion by Ellis, seconded by Boyette for the Council to reconvene into open session. Motion carried in roll call vote, 8-0.**

At 9:54 PM, the Council reconvened into open session.

There was no action taken on items discussed in closed.

XVI. Adjournment

**Motion by Pollnow/Boyette to adjourn. Motion carried in a voice vote 8-0. Meeting adjourned at 9:55 PM.**

Respectfully submitted,



Charlotte Nagel, City Clerk



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## M E M O R A N D U M

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**DATE:** July 30, 2024  
**TO:** Mayor Lang and Members of Plan Commission  
**FROM:** Brad Schmidt, AICP, Deputy Director  
**RE:** Zoning Code Amendment – Chapter 24 – Sign Code (Ord. No. 2024-16)

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The City's Sign Code (Chapter 24) was adopted in 1977. In late 2023, the Common Council approved a revised Sign Code addressing concerns of a lawsuit against the City. The revised Sign Code addressed those concerns, and the case was dismissed.

A subsequent lawsuit was brought against the City in 2023, which identified several concerns with the recently updated Sign Code. The court in that case ruled that several sections in the Sign Code violate the First Amendment Freedom of Speech Clause. The specific sections are listed below:

1. Section 24-107(9) – Prohibition against advertising vehicle signs.
2. Section 24-10(2) – Prohibition against off-premises signs.
3. Sections 24-182(5) and 24-183(5) – Limiting the number of portable yard signs in residential districts to one sign.
4. Sections 24-182(5) and 24-183(5) – Limiting the time of portable yard signs in residential districts to no more than 30 days in a 90-day period.
5. Sections 24-27 and 24-131 relating to the permitting process for signs.

Following the court's decision on these items, the Common Council approved a 90-day moratorium on the erection, replacement, repair, relocation, or modifications of select signs in the City. The court's ruling on the City's Sign Code basically prohibited the City from issuing sign permits. The purpose of the moratorium is to provide adequate time for staff to revise the Sign Code to ensure signs which may not otherwise meet the dimensional, locational, or construction requirements of the Sign Code are not placed within the City. The moratorium is proposed to be rescinded with the adoption of the revised Sign Code.

A redline copy of the revised Sign Code is attached to this memo. The redline version identifies the changes that are being proposed. Further details of the specific changes are outlined below:

**Section 24-107(9)** – The Sign Code in its current form includes a prohibition against the placement of a sign on a *vehicle, trailer, or other piece of movable equipment which contains any sign or messaging devise, which is unlicensed and/or inoperable*. The court's concern is that too much emphasis is placed on the inoperability of the vehicle. The Sign Code allows operable vehicles to have signage under certain conditions. The revised Sign Code removes advertising vehicle signs. Staff will consider reviewing the Zoning Code to provide provisions against the placement of inoperable or unlicensed vehicles on commercial and industrial properties.

**Section 24-102(2)** – This section lists prohibited signs and more specifically, off-premises signs. The Sign Code identifies exceptions to off-premises signs which include athletic field signs and sandwich board signs. The court’s concern is that this prohibition of off-premises signs unfairly restricts a homeowner from placing a sign similar to a sandwich board sign on a residential property but allowing them in areas like the downtown. To remedy this concern, the proposed Sign Code expands on the definition of off-premises signs by describing the permanent nature of off-premises signs and its commercial message. In addition, sandwich board signs were removed from the Sign Code and will be included in a future revision to the Street Furniture section of the Municipal Code.

**Sections 24-182(5) and 24-183(5)** – Portable Yards signs in residential districts (R-1, R-2, M-1, and M-2) have historically been limited in the number that can be placed (one), and the-time frame they can remain (30 days in a 90-day period). The court ruled that the limits on the number of signs and time they can be placed are unconstitutional. The recent federal court case regarding the City’s Sign Code did not come to this same conclusion. To remedy the concerns, the proposed Sign Code removes the limit on the number of portable yard signs that can be placed on a residential property and removes the time limit they can remain on a residential property. The Sign Code, however, does limit the size of portable yard signs to no more than 10 square feet, and maximum height of 6 feet, and prohibits them from being placed within the vision clearance area and triangle if they are over 3 feet in height.

**Sections 24-27 and 24-131** – These sections describe when sign permits are required, and which signs don’t require a permit. The court described the current Sign Code as confusing and leaves too much discretion to the Community Development Department on issuing a sign permit. The proposed Sign Code revises *Article II. Administration* detailing the process for applying for a sign permit, identifying when a sign permit will be granted, listing which signs require a sign permit, and including a section which signs do not require a sign permit.

The primary purpose of these changes in the sign code were to satisfy the ruling of the court. However, the City’s Sign Code, even with these proposed revisions, is an outdated sign code. New types of signs like electronic message center signs are not clearly addressed in the sign code. Many modern sign codes include graphics and illustrations to make it easier to read and interpret. Although the Community Development had planned to hire a consultant to re-write and modernize the sign code in 2024, it’s likely that will be pushed to 2025.

#### **Recommendation**

**Appropriate action at this time is for Plan Commission to recommend Common Council approve Ordinance No. 2024-16, repealing and recreating Chapter 24 of the Code of Ordinances relating to sign regulations and recommend Common Council approve Resolution No. 2024-14, rescinding Ordinance No. 2024-08, A Moratorium on Select Signs**



211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: Plan Commission  
Re: Repealing and Replacing Chapter 24 Sign ordinance regarding the regulation of signs in the City of Neenah

ORDINANCE NO. 2024-16

Introduced: \_\_\_\_\_

Committee/Commission Action: \_\_\_\_\_

## AN ORDINANCE

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

**Section 1.** Chapter 24 SIGNS, of the Code of Ordinances of the City of Neenah are repealed and replaced in its entirety.

### Chapter 24 SIGNS<sup>1</sup>

#### ARTICLE I. IN GENERAL

##### Sec. 24-1. Purpose.

- (1) The purpose of this chapter is to establish standards for the fabrication, erection, and use of signs, and to regulate the location, type, size, and height of signage for all properties within the City of Neenah. The adoption of this chapter reflects the formal finding of fact by the City of Neenah Plan Commission and Common Council that regulation of signage advances the following compelling governmental interests:
  - (a) Reduce signage that the City has determined to be a cause of unsafe traffic and visibility conditions for pedestrians, bicyclists, drivers, and passengers.
  - (b) Protect pedestrians, bicyclists, drivers, and passengers from injury caused by the faulty and uncontrolled construction and use of signs within the City.

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<sup>1</sup>Editor's note(s)—Ord. No. 2023-13, § 1, adopted Oct. 4, 2023, repealed the former Ch. 24, §§ 24-1—24-3, 24-26—24-32, 24-56, 24-57, 24-81—24-84, 24-106, 24-107, 24-131—24-133, 24-156—24-159, 24-181—24-187, and enacted a new Ch. 24 as set out herein. The former Ch. 24 pertained to similar subject matter and derived from Code 1977, §§ 18.01—18.09; Ord. No. 1346, § 1(Exh. A), adopted Dec. 20, 2006; Ord. No. 1354, § 1(Exh. A), adopted May 2, 2007; Ord. No. 1372, § 1, adopted June 18, 2008; and Ord. No. 1401, §§ 1—3, adopted April 7, 2010.

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- (c) Protect pedestrians, bicyclists, drivers, passengers, and the general public from injury caused by distractions, obstructions, and hazards created by certain signs or by cluttered, distracting, or illegible signage.
  - (d) Promote the public welfare, health, and safety of all persons using public thoroughfares and rights-of-way within the City of Neenah in relation to the signage displayed thereon, or overhanging, or projecting into such public spaces.
  - (e) Preserve the value of private property by assuring the compatibility of signs with surrounding land uses.
  - (f) Assure that public benefits derived from expenditures of public funds for the improvement and beautification of public streets and other public structures and spaces are protected by exercising reasonable controls over character and design of signage.
  - (g) Advance the aesthetic goals of the City throughout the community and ensure the effectiveness and flexibility in the design, creativity, or use of signage without creating a detriment to the general public.
  - (h) Establish and maintain a distinction between commercial and non-commercial signage as significant due to the inherent nature of commercial signs being indefinitely erected, larger and more prominent than other signs. Whereas indefinitely erected and attention seeking signs often directly affect sightlines, policing power, property values, aesthetics, traffic safety, and the like. Moreover, commercial signs, typically larger and indefinitely erected, require on-going maintenance and upkeep. Thus, it is significantly important for the City to require permits, allowing the City to monitor commercial signs as relates to the City's inherent interests.
- (2) Furthermore, this chapter leaves ample and adequate alternative channels of commercial speech communication for the messages portrayed on advertising signs—namely, distributed print media, broadcast media, and point-of-purchase display—and is narrowly defined so as to limit said prohibition to commercial speech on exterior signage and signage intended to be viewed from beyond the boundaries of a site.
  - (3) The penalties of the City of Neenah Municipal Code may be applicable to violations of the provisions of this chapter.
  - (4) Any sign authorized by this chapter may contain a noncommercial message.
  - (5) Signs that fail to comply with the requirements in this title are subject to the penalties found in Section 1-20.
- (Ord. No. 2023-13, § 1, 10-4-2023)

## **Sec. 24-2. Intent and severability.**

It is not intended by this chapter to repeal, abrogate, annul, impair, or interfere with any existing rules, regulations, or permits previously adopted or issued pursuant to law. Where this chapter imposes greater restrictions, the provisions of this chapter shall govern.

The sections, subsections, paragraphs, sentences, clauses and phrases of this chapter and all provisions adopted by reference in this chapter are severable so that if any section, subsection, paragraph, sentence, clause and phrase of this chapter or of any provision adopted by reference in this chapter is declared unconstitutional or invalid by a valid judgment of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause and phrase of this chapter or of any provision adopted by reference in this chapter, for the common council declares that it is its intent that it would have enacted this chapter and all provisions adopted by reference in this chapter without such invalid or unconstitutional provisions.

(Ord. No. 2023-13, § 1, 10-4-2023)

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### **Sec. 24-3. Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Abandoned sign* means a sign, and all of its components, which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted, or product available on the premises, for a period of 60 days or more, where the sign is displayed.

*Animated sign* means a sign that uses movement or change of lighting to depict action or create a special effect or scene.

*Area of copy* means the entire area within a single, continuous perimeter composed of squares or rectangles which enclose the extreme limits of the advertising message, announcement, or decoration of a wall sign.

*Area of sign* means the area of the largest single face of the sign within a perimeter which forms the outside shape including any frame that forms an integral part of the display, but excluding the necessary supports or uprights on which the signs may be placed. If the sign consists of more than one section or module, all areas will be totaled. Any irregular shaped sign area shall be computed using the actual sign- face surface. In the case of wall signs the area of copy will be used.

*Athletic field sign* means a sign located within an athletic field owned by a school for use in secondary education interscholastic sports.

*Banner* means any sign of lightweight fabric or similar material mounted by the edges to a building.

*Billboard.* See "off-premises sign."

*Building face* means that portion of a building, which is parallel or nearly parallel to an abutting roadway.

*Business identification sign* means any sign, which promotes the name and type of business only on the premises where it is located.

*Canopy sign* means any sign attached to or constructed in, on, or under a canopy. For the purposes of this chapter, an awning promoting the name and type of a business shall be considered a canopy sign. The area of a canopy sign is calculated by the area of copy.

*Changeable message sign* means a sign, either a ground or wall type sign, such as an electronic or a controlled time and temperature sign, message center or reader board, whether electronic, electric, or manual, where different copy changes.

*Copy* means the wording, letters, numbers, figures, designs, or other symbolic representations incorporated into a sign.

*Commercial message* Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business product, service, idea, or commercial activity.

*Directional sign* means a sign providing general information, such as "no parking," "parking areas," "entrance," "exit," "truck and passenger loading/unloading areas," "identification names," "numbers or names of occupants," "signs posted on private property relating to private parking or warning the public against trespass or danger of animals," "neighborhood crime watch signs" or other messages or symbols necessary to direct vehicles or pedestrians to, through or within a site.

*Electric sign* means any sign containing electrical wiring, which is attached or intended to be attached to an electrical energy source.

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*Flashing sign* means any sign which contains an intermittent or flashing light source, or which includes the illusion of flashing, light by means of animation, or an externally mounted intermittent light source, not including changeable message signs.

*Frontage* means the length of the property line of any one premise parallel to and along each public right-of-way it borders. Said public right-of-way may be known as a frontage road.

*Gross area* means the area of a wall sign determined by using the outside perimeter dimensions of the sign. If the sign consists of more than one module or section, their areas will be totaled. If the modules are formed in the shape of letters or symbols the rules for area or copy apply.

*Ground sign* means a sign affixed to the ground on a freestanding frame, mast or pole, or more than one such mast or pole, and not attached to any building. The area of ground signs is calculated on one face only.

*Height of sign* means the vertical distance measured from the grade at the street right-of-way line where the sign is located to the highest point of such sign.

*Logo* means images, texts, shapes, symbols, or a combination thereof that depict the identity or purpose of a business.

*Movable sign* means any sign not permanently attached to the ground or a building and in excess of ten square feet in area.

*Nonconforming sign* means a sign that does not meet code regulations.

*Normal maintenance* means painting and/or replacement of nonsupporting members such as the facing material or basic copy. Normal maintenance does not include modifications that would make the sign noncompliant, or further its nonconforming status.

*Off-premises signs* mean a sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than on which the sign is located. This definition shall include, but is not limited to, billboards, posters, panels, painted bulletins, and similar advertising displays. An off-premises sign is further defined as meeting any one of the following criteria and includes only commercial messages:

- (a) A permanent structure sign which is used for the display of off-site commercial messages; or
- (b) A permanent structure that constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located; or
- (c) An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.
- (d) Athletic field signs, as defined in this chapter, shall not be considered off-premises signs.

*Permanent sign* means a sign that is self-supporting and sufficiently attached to a building or its own ground foundation.

*Portable yard sign* means a sign of ten square feet or less that is not permanently attached to the ground or building. Such signs are freestanding and mounted on one or two stakes or posts and do not have footings. This sign category is intended to accommodate a wide variety of sign purposes. Banners are not considered portable yard signs.

*Principal building* means the building in which is conducted the principal use of the lot on which it is located.

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*Projecting sign* means a sign, normally double faced, which is attached to and projects from a structure or building face. The area of projecting signs is calculated on one face only.

*Roof sign* means a sign erected upon, against or above a roof.

*Sign* means any object, device, display, structure, or part thereof, situated or visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, logos, symbols, fixtures, colors, illumination, or projected images.

Signs do not include:

- (a) Traffic control and other government messages located within a right-of-way.
- (b) Building colors and lighting which do not contain a commercial message, or commercial logo.
- (c) Interior site signs located on the interior of the grounds of the following land uses: outdoor open space, passive outdoor recreational, or active outdoor public recreational facility, which are primarily oriented to persons within the grounds.
- (d) Interior building signs located on the interior of a building and not attached to or located within three feet of the inside of a window, which are primarily oriented to persons within the building.
- (e) Window displays of merchandise, pictures, or models of products or services incorporated in a window display, which are not directly attached to an interior or exterior window surface.
- (f) Individual signs less than one square foot in area are not regulated by this ordinance. Individual signs shall not be combined in a "mosaic" arrangement to create a resulting larger sign.

*Sign contractor* means any person, partnership, or corporation engaged in whole or in part in the erection or maintenance of signs, excluding the business, which the sign advertises.

*Sign structure* means any structure or material, which supports, has supported, or is capable of supporting or helping maintain a sign in a stationary position, including decorative covers.

*Swinging sign* means a sign installed on an arm or mast or spar that is not, in addition, permanently fastened to an adjacent wall or upright pole.

*Vision clearance area* means an unoccupied space extending along the full width of the front lot line between side lot lines as defined in Section 26-3 of the Neenah Municipal Code. Such space shall remain clear of obstructions between three and ten feet above grade.

*Vision clearance triangle* means an unoccupied triangle space at the street corner of a corner lot as defined in Section 26-3 of the Neenah Municipal Code. Such space shall remain clear of obstructions between three and ten feet above grade.

*Wall sign* means a sign attached to or erected against the exterior wall of a building with the face in a parallel plane to the plane of the building wall. A wall sign may project up to 18 inches from a wall or building. Signs attached to the outside of a window are considered wall signs.

*Window sign* means a sign installed inside a window for purposes of viewing from outside the premises.

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**Secs. 24-4—24-25. Reserved.**

## ***ARTICLE II. ADMINISTRATION***

### **Sec. 24-26. Enforcing officer.**

The Chief Building Inspector or Designee shall enforce this chapter and shall perform the following duties:

- (1) Issue permits and conduct inspections of property to determine compliance with the terms of this chapter;
- (2) Establish and enforce necessary or desirable regulations in writing, clarifying or explaining any provision of this chapter;
- (3) Receive and file all applications for variances or appeals; and
- (4) Maintain permanent and current records of this chapter, including but not limited to the following: all permits, plans, variances and appeals.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-27. Permits required.**

Permits shall not be required by a change of copy on any sign, nor for repainting, cleaning, and other normal maintenance of the sign or sign structure. Certain signs, generally permanent in nature, are required to obtain a sign permit prior to installation, erection, or modification of said sign. Permanent signs shall be reviewed based on their location, size, dimensions, and other requirements outlined in this chapter. Such signs include specific location, design and dimensional requirements, as identified in this chapter, to ensure public safety, community aesthetics, and the purpose identified in this chapter.

It shall be unlawful for any person to erect, construct, relocate, enlarge or structurally modify any sign in the City, or cause the same to be done without first obtaining a sign permit for each of the following signs:

- (1) Wall Signs.
- (2) Ground Signs.
- (3) Canopy Signs.
- (4) Projecting Signs.
- (5) Changeable Message Sign.
- (6) Athletic Field Signs.

(Ord. No. 2023-13, § 1, 10-4-2023)

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### **Sec. 24-28. Permit application.**

To obtain a sign permit, a permit application must be submitted to the Chief Building Inspector or Designee. The permit application must include the following:

- (1) The applicant's contact information, including any of the following applicable information:
  - (a) The name of the individual or entity making the application,
  - (b) The name of the individual making the application,
  - (c) The applicant's phone number,
  - (d) The applicant's email address; and
  - (e) The applicant's mailing address.
- (2) A scale drawing(s) of the proposed sign including the following applicable information:
  - (a) The location and nominal dimensions of the proposed sign,
  - (b) The kinds of material to be used in the construction and/or erection of the sign,
  - (c) Construction specifications, including electrical and illumination specifications and if required, showing that the structure and design meet the requirements of this chapter for wind pressure load,
  - (d) The location, size and types of other signs on the premises if such signs exist; and
  - (e) The area of the building face if the sign is to be attached to it.
- (3) The address of the site the proposed sign is to be located.
- (4) A brief description of the proposed sign.
- (5) The applicable permit fee for the proposed sign type.

### **Sec. 24-29. Basis for permit approval.**

Upon receipt of a permit application, the Chief Building Inspector or Designee will review the application and make approval if the following criteria are met:

- (1) A completed application has been submitted to the Chief Building Inspector or Designee including the required as specified in Section 24-28.
- (2) The area/size restrictions are met as specified in this chapter.
- (3) The number restrictions are met as specified in this chapter.
- (4) The illumination restrictions are met as specified in this chapter and Chapter 26.
- (5) The proposed sign type is permitted within the zoning district in which the sign will be located as specified in this chapter.
- (6) The proposed sign does not conflict with vehicular or pedestrian circulation.
- (7) The materials and construction meet the design standards of this chapter, and the building code adopted by the City of Neenah.

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- (8) The permit fees as established by the Neenah Common Council are paid at the time the sign permit application is submitted.
  - (9) An approved sign permit shall expire, and shall be null and void, if the sign is not attached or erected within 180 days after the issuance of the sign permit.

### **Sec. 24-30. Permit denial.**

A sign permit shall be denied if the application is incomplete, illegible, or inaccurate, or the proposed sign is found to be noncompliant with the criteria of this chapter. If the sign permit is denied, written notice of the denial shall be given to the applicant, together with a brief written statement of the reasons for the denial. Denial of a sign permit may not result in total or partial reimbursement of permit fees paid.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-31. Appeal or variance.**

The holder of a denied permit shall be entitled to an appeal before the Zoning Board of Appeals, which shall be held within 30 days of its request by the aggrieved party. In addition, any variances or exceptions to this chapter will also be considered by the Zoning Board of Appeals.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-32. Inspection required.**

The applicant shall upon completion of the installation, relocation, or alteration of a sign, notify the Chief Building Inspector or Designee, who will inspect the sign to ensure it complies with the regulations of this chapter. If the sign is in a location deemed hazardous to inspection or otherwise inaccessible, the Chief Building Inspector or Designee may order the sign to be inspected before its installation. Inspections are required for all signs requiring a permit as described in this chapter.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-33. Signs not requiring a permit**

Certain signs are generally temporary in nature, or otherwise largely unobtrusive to the objectives of public welfare, safety, and aesthetics, and therefore do not require a sign permit prior to installation, erection, or modification. Such signs shall be subject to certain size and location limitations for their use to ensure their compliance with the purpose of this chapter. Additionally, if the Chief Building Inspector or Designee finds that any such sign adversely impacts the, public safety, aesthetics through improper maintenance, unstable construction or anchorage, obstruction of sightlines or travel, , action may be taken to require compliance with this chapter.

The following signs do not require a permit:

- (1) *Nonilluminated emblems, or insignia.* Nonilluminated emblems, or insignia;
- (2) *Government signs.* Government signs for control of traffic and other regulatory purposes, danger signs, railroad crossing signs, and signs of public utilities indicating danger, and aids to service or safety which are erected by or on the order of a public officer in the performance of his public duty;
- (3) *Home occupation signs.* Signs associated with a home occupation as defined in the zoning code;

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- (4) *House numbers and name plates.* House numbers and name plates not exceeding one square foot in area for each residential, commercial or industrial building;
  - (5) *Interior signs.* Signs located within the interior of any building or structure, which are not visible from the public right-of-way. This does not, however, exempt such sign from the structural, electrical or material specifications of this chapter;
  - (6) *Memorial signs and plaques.* Signs which are cut into masonry surface or inlaid so as to be part of a building or when constructed of bronze or other noncombustible material not more than four square feet in area;
  - (7) *Public signs.* Signs required as specifically authorized for a public purpose by any law, statute or ordinance;
  - (8) *Window signs.* In business, commercial and industrial districts, the inside surface of any ground floor window may be used for attachment of signs. The total area of such signs, however, shall not exceed 50 percent of the total window area and shall not be placed on door windows or other windows needed to be clear for pedestrian safety;

(Ord. No. 2023-13, § 1, 10-4-2023)

## **Sec. 24-34. Prohibited Signs**

Some specific signs and classes of signs may only harm community aesthetics and/or the public welfare. Signs in this article are contrary to the purpose of this chapter. The following signs shall be prohibited within the City:

- (1) Abandoned signs.
- (2) Off-premises signs.
- (3) Movable signs.
- (4) Swinging signs.
- (5) Roof signs.
- (6) *Flashing or motion signs.* No sign shall be permitted which is animated by means of flashing, scintillating, blinking, or traveling lights. Changeable message signs are not subject to this restriction. Signs with motion components visible from the public right-of-way are not permitted except for those, which revolve around a vertical axis at speeds less than seven revolutions per minute.
- (7) *Floodlighted signs.* Reflection illuminated signs which light source is positioned so that 25 percent or more of its intensity is visible from a public right-of-way by vehicular traffic or which light source travels to a residential property are prohibited.
- (8) *Unclassified signs.* Signs, which are an imitation of, or resemble in shape, size, copy or color any official traffic sign or signal are prohibited.
- (9) *Right-of-way signs.* No sign, except those specifically permitted by Municipal Ordinance, shall be placed in any public right-of-way, unless said sign has been placed by the City of Neenah.
- (10) Animated signs.
- (11) *Feather sign.* A sign consisting of a piece of vertically elongated, flexible material such as cloth or vinyl which is affixed to a single pole driven in the ground. The materials may be rigid or flexible, but is not permanent.

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(12) *Banners* not entirely attached to an exterior wall of a building.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Secs. 24-35—24-55. Reserved.**

### ***ARTICLE III. NONCONFORMING SIGNS***

#### **Sec. 24-56. Continuation.**

Any sign located within the City on the date of adoption of this chapter, or located in an area annexed to the City, hereafter, which does not conform with the provisions of this chapter, is eligible for characterization as a nonconforming sign and may be continued, except as provided below:

- (1) The sign is structurally altered in any way except for normal maintenance and repair, which tends to make the sign less in compliance with the requirements of this chapter than it was before alteration;
- (2) The sign is relocated;
- (3) The sign is replaced;
- (4) The sign fails to conform to this chapter regarding maintenance and repair, construction standards, or dangerous and abandoned signs; and
- (5) Normal maintenance and repair is limited to painting and/or replacement of nonsupporting members such as the facing material or cross bracing. Individual support posts or members which are structurally damaged by any cause may not be replaced but the sign may continue to be used at dimensions reduced proportionately after removal of said damaged portions. Should more than 50 percent of the support posts be damaged at any one time, the sign will be deemed unrepairable and must be removed.

On the date of occurrence of any of the items outlined in (1) through (5), the sign shall be immediately brought into compliance with this chapter with a new permit secured or shall be removed.

(Ord. No. 2023-13, § 1, 10-4-2023)

#### **Secs. 24-57—24-80. Reserved.**

### ***ARTICLE IV. DANGEROUS, UNMAINTAINED AND ABANDONED SIGNS***

#### **Sec. 24-81. Intent.**

In order to ensure public welfare and safety, and to promote community aesthetics, any dangerous, unmaintained, and abandoned signs shall be ordered removed from the property upon which they are located.

(Ord. No. 2023-13, § 1, 10-4-2023)

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**Sec. 24-82. Deteriorated or dilapidated signs.**

The Chief Building Inspector or Designee shall cause to be removed any deteriorated or dilapidated signs under the provisions of Wis. Stats. § 66.0413. Upon notification, the owner will have 30 days to remove the sign.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Sec. 24-83. Maintenance and repair.**

Regulations for the maintenance and repair of signs are as follows:

- (1) Except for prohibited signs subject to removal, or when repairs for signs are not allowable under this chapter, every sign, including but not limited to those signs for which permits are required, shall be maintained in a safe, presentable, and good structural condition at all times, including replacement of defective parts, painting (except when a weathered or natural surface is intended), repainting, cleaning and other acts required for the maintenance of said sign; and
- (2) The Chief Building Inspector or Designee shall require compliance with all standards of this chapter. If the sign is not modified to comply with safety standards outlined in this chapter, the Chief Building Inspector or Designee shall require its removal.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Sec. 24-84. Abandoned signs.**

Regulations for abandoned signs are as follows:

- (1) All signs or sign messages shall be removed within 60 days by the owner or lessee of the premises, when, for an on-premises sign, the business it advertises is no longer conducted; and for an off-premises sign, when lease payment and rental income are no longer provided; and
- (2) If the owner or lessee fails to remove the sign, the Chief Building Inspector or Designee shall give the owner 30 days' written notice to remove said sign. Upon failure to comply with this notice, the Chief Building Inspector or Designee may cause removal to be executed, the expenses of which will be assessed to the tax roll of the property on which the abandoned sign is located.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Secs. 24-85—24-155. Reserved.**

***ARTICLE V. GENERAL SIGN STANDARDS***

**Sec. 24-156. Generally.**

All permanent signs shall meet the general standards contained in this article regarding construction, installation and design.

(Ord. No. 2023-13, § 1, 10-4-2023)

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## **Sec. 24-157. Specifications.**

Wis. Admin. Code SPS Chapters. 361, 362, 363, 364, 365, and 366 and all amendments thereto are hereby made part of this code by reference. A violation of any provisions therefrom, provisions in this section, or any other applicable local ordinances, shall be a violation of this article. The following provisions are additionally required:

- (1) All sign structures shall be self-supporting structures and permanently attached to sufficient foundations;
- (2) Electric service to ground signs shall be concealed wherever possible;
- (3) All signs, except those attached flat against the wall of a building, shall be constructed to withstand wind loads as follows, with correct engineering adjustments for the height of the sign above grade:
  - a. For solid signs, 30 pounds per square foot on the largest face of the sign and structure; and
  - b. For skeleton signs, 30 pounds per square foot of the total face cover of the letters and other sign surfaces, or ten pounds per square foot of the gross area of the sign as determined by the overall dimensions of the sign, whichever is greater;
- (4) No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action. Signs shall be anchored to prevent any lateral movement that could cause wear on supporting members or connections;
- (5) Supports and braces shall be an integral part of the sign design. Angle irons, chains, or wires used for supports or braces shall be hidden from public view to the extent technically feasible; and
- (6) All signs shall be marked with the manufacturer's name in a size which is easily visible from the ground. All electric signs shall also include: for incandescent lamp signs, the number of lamp holders; for electrical discharge lamp signs, the input amperes at full load and the input voltage.
- (7) All signs with electrical service shall comply with the National Electrical Code 600.6.

(Ord. No. 2023-13, § 1, 10-4-2023)

## **Sec. 24-158. Installation standards.**

- (a) *Safety.* All signs shall be installed and maintained in a workmanlike manner using equipment which is adequate and safe for the task. This chapter recognizes that one of the greatest perils to public safety is improper performance of sign contractors in the use of inadequate equipment. As such, a sign permit may be denied if the sign contractor does not have or does not arrange for use of adequate equipment.
- (b) *Electric signs.* Electric sign contractors and their employees are hereon authorized to perform the following specific tasks:
  - (1) Install exterior electric signs, ballasts, or high voltage transformers to sockets or outline lighting tubes, and connect said signs to primary branch circuit, if said circuit already exists outside of the building;
  - (2) Install interior electric signs, but not connect said signs to the primary branch circuit; and
  - (3) Maintain and replace any electric component within the sign, on its surface, or between the sign and building for exterior signs only. This chapter prohibits the electric sign contractor or its employees from performing work on electric signs in contradiction to the National Electrical Code or the City Electrical Code.

**Sec. 24-159. Design requirements.**

(1) *General design requirements.*

- (a) All ground signs that are located within the applicable setback requirements shall maintain a minimum vertical distance of ten feet between the bottom of the sign and ground level, or shall not be more than three feet in height, measured from ground level to the top of the sign.
- (b) No sign or sign structure shall be located within the vision clearance area or vision clearance triangle.
- (c) All projecting and canopy signs shall maintain a minimum vertical distance between the bottom of the sign and ground level at the right-of-way line of eight feet.
- (d) The gross area of window signs shall not exceed 50 percent of the gross window area of any given building face.
- (e) Any sign location that is accessible to vehicles shall have a minimum vertical clearance of 16 feet.
- (f) No sign shall be located where, by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.

(2) *Projecting sign.*

- (a) Projecting signs shall not exceed ten square feet in area.
- (b) All projecting and canopy signs shall maintain a minimum vertical distance between the bottom of the sign and ground level at the right-of-way line of eight feet.
- (c) Projecting signs may extend no further than five feet from the building to which they are attached.
- (d) Projecting signs shall extend at a 90-degree angle to the building to which they are attached and shall be prohibited at building corners.
- (e) Projecting signs are limited to one sign per building face with direct street and/or public area entry. Businesses without direct street and/or public area entry that are within a multitenant building are allowed one combined projection sign per building face with street and/or public area entry that shall not exceed ten square feet per business or 20 feet in the aggregate.
- (f) Projection signs may be indirectly or directly illuminated. If indirectly illuminated, the light source shall be directed away from pedestrians and shall be directed against the sign such that it does not shine into adjacent property or cause glare for motorists and pedestrians. Backlit, halo-lit illumination, or reverse channel letters with halo illumination is permitted. Exposed neon tubing is permitted, but is prohibited from flashing or blinking.
- (g) Projection signs along Wisconsin Avenue/Main Street from Oak Street to Torrey Street and along Commercial Street from Doty Avenue to Nicolet Boulevard shall also meet the following additional requirements:
  - 1. The frames and faces shall be painted or stained wood or metal. Plastic signs are prohibited; however, those that accurately replicate a natural texture such as wood grain, stone or masonry may be permitted.

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2. The signs must hang at least six inches away from the building to which they are attached.

(3) *Changeable message signs.*

- (a) The sign shall not exceed a total of 40 square feet in area.
- (b) Scrolling of text is permitted. Animation and flashing of text or graphics is prohibited.
- (c) No changeable message sign shall be located where, by reason of its position, size, shape or color, it may obstruct, impair, obscure, interfere with the view of or be confused with any traffic control sign, signal or device, or where it may interfere with, mislead or confuse traffic.

(4) *Athletic field signs—School district fields.* Signs within athletic fields, or within immediate proximity thereof, are subject to the following:

- (a) Signs may not exceed 40 square feet in area.
- (b) Athletic field signs shall be displayed only between March 15 and November 15 in any calendar year.
- (c) The signs must be securely attached to and contained within athletic field fencing. In no case shall the sign extend beyond the top of the fencing or a height of ten feet, whichever is less.
- (d) The sign back shall be of a dark green color (Pantone 3435) and the sign face shall be directed to the interior of the playing field. This provision will not apply to signs that are screened such that the sign is not visible from the exterior of the athletic field.
- (e) If multiple signs are installed, they shall be of consistent size and mounting height to provide a uniform appearance. Fabric signs are permitted.
- (f) Prior to the installation of any athletic field sign, a detailed plan sufficient to determine compliance with the requirements of the sign code shall be submitted for review as outlined in this Chapter.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Secs. 24-160—24-180. Reserved.**

## ***ARTICLE VI. SIGN REQUIREMENTS BY ZONING DISTRICT***

### **Sec. 24-181. Intent.**

Zoning districts by definition, encourage and allow different uses and types of development.

Therefore, the requirements for permitted signs in the districts also differ as related to types of signs, their height, area of coverage and setbacks.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-182. Single- and Two-Family Districts (R-1 and R-2).**

Normally these districts do not allow signs. However, due to special situations that may have been created by special use approvals or rezoning the following guidelines are the maximum allowances for signage in these districts:

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- (1) *Allowable signs.* Portable yard signs, wall signs and one ground sign per property. Ground signs and athletic field signs are only allowed when the use of the property requires a special use permit.
  - (2) *Area restriction.* Wall signs attached to building face shall not exceed one square foot. In addition, one ground sign is limited to 20 square feet for uses which require a special use permit.
  - (3) *Height restriction.* Ground signs are not to exceed 12 feet in height; and
  - (4) *Setbacks.* All ground signs must be at least 20 feet from the front property line.
  - (5) *Portable yard signs.* Portable yard signs cannot exceed ten square feet in area.
    - (a) A sign permit is not required for portable yard signs.
    - (b) Portable yard signs shall be located outside the public right-of-way.
    - (c) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
  - (6) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan or special use permit review process or by the Zoning Administrator.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-183. High Density Residence Districts (M-1 and M-2).**

These districts are similar to both One- and Two-Family Districts in that signs are not normally allowed. However, several institutional type uses and special uses are permitted in these districts as well as other existing nonconforming uses.

- (1) *Allowable signs.* Portable yard signs, wall signs, and one ground sign per property. Ground signs are only allowed when the use of the property requires a special use permit or includes a multi-family residence of more than three units.
- (2) *Area restrictions.* Wall signs attached to building face shall not exceed one square foot. In addition, one ground sign is limited to 20 square feet for uses requiring a special use permit or is a multi-family residence of more than three units.
- (3) *Height restrictions.* Ground signs may not exceed 12 feet in height; and
- (4) *Setbacks.* All ground signs must be at least 20 feet from the front property line.
- (5) *Portable yard signs.* Portable yard signs cannot exceed ten square feet in area.
  - (a) A sign permit is not required for portable yard signs.
  - (b) Portable yard signs shall be located outside the public right-of-way.
  - (c) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
- (6) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan or special use permit review process or by the Zoning Administrator.

(Ord. No. 2023-13, § 1, 10-4-2023)

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## **Sec. 24-184. General Commercial District (C-1).**

This district encourages the development of business uses both as a single tenant and as multiple tenants on a site. Also, this district may be located next to a divided highway corridor where high-speed traffic is present.

- (1) *Allowable signs.* Portable yard signs, wall signs, projecting signs, canopy signs, window signs, banners, and one ground sign per property.
- (2) *Area restrictions for a single tenant.* Wall signs, projecting signs, canopy signs, and banners shall not exceed 15 percent of the building face on which they are attached in the aggregate. Wall signs placed on the outside of a window shall also not exceed 50 percent of the gross window area of any given building face. In addition, one ground sign is to not exceed 100 square feet. For property located adjacent to a divided highway, a second ground sign of up to 200 square feet, is allowed along the divided highway right-of-way;
- (3) *Area restrictions for multiple tenants.* Wall, projecting signs, canopy signs, and banners shall not exceed 15 percent of the building face on which they are attached in the aggregate. In addition, one ground sign is not to exceed 100 square feet in the aggregate for multiple tenant developments with buildings of 15,000 square feet or less, or up to 400 square feet in the aggregate for multiple tenant developments with buildings of more than 15,000 gross square feet. For property located adjacent to a divided highway, a second ground sign, not to exceed 200 square feet in size, is allowed along the divided highway right-of-way;
- (4) *Height restrictions (both single and multiple tenants).* Ground signs are not to exceed 35 feet in height. Signs along a divided highway may exceed the elevation of the abutting highway pavement by 35 feet;
- (5) *Setbacks (both single and multiple tenants)* means ten feet from a street or highway right-of-way;
- (6) *Double frontage lots other than corner lots (both single and multiple tenants).* An additional ground sign is allowed along a second street frontage provided vehicular access is allowed from the abutting street. The total sign area for the property may be divided between the two signs but in no case will the total sign area exceed the total single sign area allowed for the property.
- (7) *Portable yard signs.* A property is allowed one portable yard sign, which cannot exceed ten square feet in area, per street frontage.
  - (a) A sign permit is not required for portable yard signs.
  - (b) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
- (8) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan or special use permit review process or by the Zoning Administrator.

(Ord. No. 2023-13, § 1, 10-4-2023)

## **Sec. 24-185. Central Business District (C-2).**

This district encourages high-density development of both single and multiple tenant uses. Businesses located in this district are less dependent upon passing traffic as in the C-1, General Commercial District.

- (1) *Allowable signs.* Portable yard signs, wall signs, projecting signs, canopy signs, window signs, banners and ground signs;

- 
- (2) *Area restrictions for a single tenant.* Wall signs, projecting signs, canopy signs, and banners shall not exceed 15 percent of the building face on which they are attached in the aggregate. Wall signs placed on the outside of a window shall also not exceed 50 percent of the gross window area of any given building face. In addition, one ground sign is to not exceed 100 square feet. For property located adjacent to a divided highway a second ground sign of up to 200 square feet is allowed along the divided highway right-of-way;
  - (3) *Area restrictions for multiple tenants.* Total area of permitted signs is to not exceed 15 percent of building face; one ground sign is not to exceed 200 square feet;
  - (4) *Height restrictions (both single and multiple tenants).* Ground signs are not to exceed 35 feet in height;
  - (5) *Setbacks (both single and multiple tenants).* No front setback is required;
  - (6) *Double frontage lots other than corner lots (both single and multiple tenants).* An additional ground sign is allowed along a second street frontage provided vehicular access is allowed from the abutting street. The total sign area for the property may be divided between the two signs but in no case will the total sign area exceed the total single sign area allowed for the property.
  - (7) *Portable yard signs.* A property is allowed one portable yard sign, which cannot exceed ten square feet in area, per street frontage.
    - (a) A sign permit is not required for portable signs.
    - (b) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
  - (8) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan or special use permit review process or by the Zoning Administrator.

(Ord. No. 2023-13, § 1, 10-4-2023)

### **Sec. 24-186. Planned Business Center District (I-1).**

This district encourages uses that are generally either employment centers, or are planned developments adjacent to major highways.

- (1) If the uses are primarily commercial in nature, then refer to the General Commercial District (C-1) standards and restrictions; or
- (2) If the uses are primarily industrial in nature, then refer to the General Industrial District (I-2) standards and restrictions.
- (3) *Portable yard signs.* A property is allowed one portable yard sign per street frontage which cannot exceed ten square feet in area.
  - (a) A sign permit is not required for portable yard signs.
  - (b) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
- (4) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan or special use permit review process or by the Zoning Administrator.

(Ord. No. 2023-13, § 1, 10-4-2023)

**Sec. 24-187. General Industrial District (I-2).**

This district encourages uses that are generally employment centers and are not usually dependent upon passing traffic for business.

- (1) *Allowable signs.* Portable yard signs, wall signs, window signs, canopy signs, projecting signs, banners, and one ground sign.
- (2) *Area restriction.* Wall signs, projecting signs, canopy signs, and banners shall not exceed ten percent of the building face on which they are attached. Wall signs placed on the outside of a window shall also not exceed 50 percent of the gross window area of any given building face. In addition, one ground sign is limited to 100 square feet in area;
- (3) *Height restriction.* Ground signs may not exceed 35 feet in height. Signs along a divided highway may exceed the elevation of the abutting highway pavement by 35 feet; and
- (4) *Setbacks.* Signs must be set back ten feet from the front lot line.
- (5) *Portable yard signs.* A property is allowed one portable yard sign, which cannot exceed ten feet in area, per street frontage.
  - (a) A sign permit is not required for portable yard signs.
  - (b) Portable yard signs in excess of three feet in height shall be located outside the vision clearance area and vision clearance triangle.
- (6) *On-site directional sign.* For a land use requiring a special use permit or site plan review, an on-site directional sign(s) not exceeding six square feet in area and four feet in height is allowed and shall be reviewed as part of the site plan review process or by the Zoning Administrator.

**Section 2. 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 3. Repeal and Replaced 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: \_\_\_\_\_

Published: \_\_\_\_\_

Moved by: \_\_\_\_\_

Adopted: \_\_\_\_\_

Approved:

---

Jane B. Lang, Mayor

Attest:

---

Charlotte K. Nagel, City Clerk



**RESOLUTION NO. 2024-14**

**A RESOLUTION TO RESCIND ORDINANCE NO. 2024-08: A MORATORIUM ON SELECT SIGNS DEFINED BY SECTION 24-3 OF THE CODE OF ORDINANCES**

WHEREAS, portions of Chapter 24 of the Code of Ordinances of the City of Neenah, consisting of Sections 24-107(2), 24-107(9), 24-182(5), 24-183(5), and the Chapter's permitting requirements have been invalidated by a court ruling; and,

WHEREAS, the Common Council adopted Ordinance No. 2024-08: A Moratorium on select signs defined by Section 24-3 of the Code of Ordinances to ensure signs erected in the City of Neenah follow applicable building code, electrical code, design standards, and other regulations to secure the compelling government interests relating to signs in Chapter 24 of the Code of Ordinances; and,

WHEREAS, it was identified in Ordinance No. 2024-08 that the need for the moratorium would be removed by the development of compliant standards by the City of Neenah regarding the erection, replacement, repair, renovation, or modification of signs; and,

WHEREAS, the Common Council has adopted Ordinance No. 2024-16 which consists of compliant standards regarding the erection, replacement, repair, renovation, relocation, or modification of signs,

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NEENAH, WISCONSIN this 7<sup>th</sup> day of August 2024 that the Ordinance 2024-08: A Moratorium on Select Signs Defined by Section 24-3 of the Code of Ordinances is hereby rescinded.

BE IT FURTHER RESOLVED THAT City staff are instructed to henceforth administrate and enforce signs based on Chapter 24 of the Code of Ordinances.

Adopted, approved and recorded this 7<sup>th</sup> day of August 2024.

Recommended by: Plan Commission

CITY OF NEENAH, WISCONSIN

Moved: \_\_\_\_\_

\_\_\_\_\_  
Jane B. Lang, Mayor

Passed: \_\_\_\_\_

\_\_\_\_\_  
Charlotte K. Nagel, City Clerk

Published: \_\_\_\_\_

## Public Services & Safety Committee

**July 30, 2024**

### Temporary Class "B" (Picnic) License Application

Applicant	Name of Event	Beer/Beer&Wine	Location	Date & Time
Fox Valley Labor Council	Labor Fest	Beer Only	157 S. Gree Bay Road	9/2/24 Noon-5pm

### Temporary Extension of Licenses Premises Application

Applicant	Event Contact	Name of Event	Location	Date(s) of Event	Time of Event
Gord's Pub	Paula Pitsch	Gord's Pub Street Dance	Plexus Parking Lot	8/9/2024	6p-10p

### Approved Special Event Permits

Applicant	Name of Event	Class of Event	Location	TDORA	Dates	Approved
Bergstrom Mahler Muesem of Glass	Glass Arts Festival	Class A Exceeds 200 Attendees, Travel Lane Closures	Berstro-Mahler Museum 165 N. Park Avenue	Temporary Class B Beer only	8/10/2024	Approved
Integrity Auto	Car Show	Class A Exceeds 200 Attendees, Travel Lane Closures	Langley Blvd	No	8/9/2024	Approved
Gord's Pub	Street Dance	Class A Exceeds 200 Attendees, Travel Lane Closures	Plexus Parking lot	No	8/9/2024	Pending Temp Ext.
Huntington Disease Ren/Walk	Run/Walk	Class A Exceeds 200 Attendees, Travel Lane Closures	Riverside Park	No	8/11/2024	Approved
Fox Valley Labor Council	Labor Day Parade	Class A Exceeds 200 Attendees, Travel Lane Closures	Parade Route	No	9/2/2024	Pending Picnic Licese

# Application for Temporary Class "B" / "Class B" Retailer's License

See Additional Information on reverse side. Contact the municipal clerk if you have questions.

FEE \$ 10.00

Application Date: 7-11-24

Town  Village  City of Neenah

County of Winnebago

The named organization applies for: (check appropriate box(es).)

A Temporary Class "B" license to sell fermented malt beverages at picnics or similar gatherings under s. 125.26(6), Wis. Stats.

A Temporary "Class B" license to sell wine at picnics or similar gatherings under s. 125.51(10), Wis. Stats.

at the premises described below during a special event beginning Noon and ending 5pm and agrees to comply with all laws, resolutions, ordinances and regulations (state, federal or local) affecting the sale of fermented malt beverages and/or wine if the license is granted.

### 1. Organization (check appropriate box) →

- Bona fide Club  Church  Lodge/Society  
 Veteran's Organization  Fair Association or Agricultural Society  
 Chamber of Commerce or similar Civic or Trade Organization organized under ch. 181, Wis. Stats.

(a) Name Fox Valley Area Labor Council

(b) Address P.O. Box 186 Menasha WI 54952  
(Street)  Town  Village  City

(c) Date organized 1982

(d) If corporation, give date of incorporation \_\_\_\_\_

(e) If the named organization is not required to hold a Wisconsin seller's permit pursuant to s. 77.54 (7m), Wis. Stats., check this box:

(f) Names and addresses of all officers:

President Mark Westphal - 945 Hunt Ave. Neenah WI 54956

Vice President Mike Steinmetz - 231 5th St. Neenah WI 54956

Secretary Cindy Carter - 1102 N Superior St. Appleton WI 54911

Treasurer Jason Schmitz - N9055 Spring Valley Rd. Menasha WI 54952

(g) Name and address of manager or person in charge of affair: Jason Schmitz  
N9055 Spring Valley Rd. Menasha WI 54952 (920)915-5004

### 2. Location of Premises Where Beer and/or Wine Will Be Sold, Served, Consumed, or Stored, and Areas Where Alcohol Beverage Records Will be Stored:

(a) Street number 157 S. Green Bay Rd Neenah, WI 54956

(b) Lot \_\_\_\_\_ Block \_\_\_\_\_

(c) Do premises occupy all or part of building? Part

(d) If part of building, describe fully all premises covered under this application, which floor or floors, or room or rooms, license is to cover: Back 2 rooms of building, parking lot, and grass area west of building

### 3. Name of Event

(a) List name of the event Labor Fest

(b) Dates of event September 2nd, 2024

(c) Does this event require a Special Event Permit Application? \_\_\_\_\_

### DECLARATION

An officer of the organization, declares under penalties of law that the information provided in this application is true and correct to the best of his/her knowledge and belief. Any person who knowingly provides materially false information in an application for a license may be required to forfeit not more than \$1,000.

Officer Jason Schmitz 7-11-24  
(Signature) (Date)

Fox Valley Area Labor Council  
(Name of Organization)

Date Filed with Clerk 7/11/24

Date Reported to Council or Board \_\_\_\_\_

Date Granted by Council \_\_\_\_\_

License No. \_\_\_\_\_



# TEMPORARY EXTENSION OF LICENSED PREMISES APPLICATION

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

(920)886-6110

[clerk@neenahwi.gov](mailto:clerk@neenahwi.gov)

[www.ci.neenah.wi.us](http://www.ci.neenah.wi.us)

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

## Section 1: License Information

Licensee (Name of Sole Proprietor, All Partners or Agent of Corporation or LLC): Paula Pitsch	Contact Phone # 920-427-8730
Corporation or LLC Name: (if applicable) Gord's Pub	Business/Trade Name:
Business Address: 210 Main St., Neenah, WI 54956	

## Section 2: Event Information

Name of Event: Gord's Pub Street Dance
List Dates & Times (include a.m. or p.m.): <i>Dates MUST be consecutive. If not, separate applications must be filed. Cannot exceed (3) days.</i> 6:00 PM to 10:00 PM August 9, 2024

## Section 3: Extension of Premise

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

Sidewalk at the \_\_\_\_\_ of premise
  Parking lot at the \_\_\_\_\_ of premise.

Street of the \_\_\_\_\_ of premise
  Parking lot at the \_\_\_\_\_ of premise.

Other: Parking lot 220 Main St.

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

I own
  I will obtain a special event permit (see information sheet for details)

I lease
  I have permission from a special event organization

## Section 4: Other:

Describe proposed change(s): ***Include a map on the reverse side of this application***

## Section 5: Acknowledgement and Signature

**APPLICANTS FILING AFTER THE DEADLINE:**

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

I affirm my understanding that any decision made by the Council is final and not subject to appeal; and
  I understand that there is a possibility that my permit may not be approved due to the untimely filing of my application.

**ALL APPLICANTS:**

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

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

*Paula Pitsch*  
 \_\_\_\_\_  
 Signature of Sole Proprietor, Partner or Agent

**\*\*AMENDED\*\***  
**CITY OF NEENAH**  
**PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES**  
**Tuesday, July 30, 2024**

**Present:** Chairperson Lendrum, Alderperson Borchardt, Hillstrom, Pollnow, and Weber

**Excused:**

**Also Present:** Mayor Lang, Public Works Director Kaiser, Police Captain Olson, Fire Chief Teesch, Parks & Forestry Superintendent Fink, Clerk Nagel, and Public Works Office Manager Mroczkowski

Approval of Minutes of the Meeting of the Meeting of July 9, 2024, and the Special Meeting of July 17, 2024

**Motion by Hillstrom, Seconded by Weber to approve the minutes of the meeting of July 9, 2024, and the Special Meeting of July 17, 2024**

**Motion Carried.** All voting aye. 5/0

Public Appearance

None

Neenah-Menasha Fire Rescue Station No.31 Lighting

Chief Teesch reviewed his memo of July 30, 2024. He stated that he is seeking approval to reallocate budgeted funds that were originally allocated for the roof repair at Fire Station No.31 to be used for an unbudgeted light replacement project at Fire Station No.31.

**Motion by Borchardt, Seconded by Hillstrom to recommend Council approve \$4,482.25 of the 2024 Budgeted roof replacement funds for Fire Station No.31, be used for lighting replacement at Fire Station No.31.**

Alderperson Pollnow asked if building expenditures are shared costs with Menasha. Chief Teesch stated that the only shared building expenditures are for the fire tower.

Call for vote by Chairperson Lendrum

**Motion Carried 5/0**

Field Groomer Purchase

Parks & Forestry Superintendent Fink stated that quotes were solicited for a laser ready field groomer. He stated that two quotes were received, one from Horst Distributing for \$44,627.00 and the other from Reinders Inc., for \$45,955.00 Superintendent Fink

Report

stated that staff and mechanics were universal in the choice of the ABI field groomer from Horst Distributing for \$44,627.00.

Aldersperson Pollnow asked what the budget amount was for the groomer. Superintendent Fink stated the budget included \$55,000.00 for this equipment.

Report  
**Motion by Weber, Seconded by Borchardt to recommend Council approve the purchase of the ABI Force Field Groom from Horst Distributing in the amount of \$44,627.00.**

Aldersperson Pollnow asked if this was a replacement piece of equipment. Superintendent Fink stated this is a new piece of equipment. He stated the groomer will provide the ability for laser grading of the ball diamonds that will address drainage issues and for landscaping.

Call for vote by Chairperson Lendrum

**Motion Carried 5/0**

Police Department 2<sup>nd</sup> Quarter Statistics

Info Only  
**Motion by Borchardt, Seconded by Hillstrom to receive and place on file of the Police Departments 2024 2<sup>nd</sup> Quarter Statistics.**

Aldersperson Pollnow asked what the reason is for the increase in traffic stops. Chief Olson stated that was a 2024 directive he issued to the entire department. He stated that directive addresses the need to slow traffic down and to be more visible in the city, especially in areas where complaints are coming from about excessive speeds.

Call for vote by Chairperson Lendrum

**Motion Carried 5/0**

Licenses & Permits

Approve Temporary Class "B" Picnic License Application to Fox Valley Labor Council for Labor Fest

C.A.  
**Motion by Hillstrom, Seconded by Weber to recommend Council approve the Temporary Class "B" Picnic License Application to Fox Valley Labor Council, 157 S. Green Bay Road, for Labor Fest, to be held on September 2, 2024, from 12:00 PM to 5:00 PM.**

Call for vote by Chairman Lendrum

**Motion Carried.** All voting aye. 5/0

Approve the Temporary Class “B” Picnic License Application to Gord’s Pub for Gord’s Pub Street Dance

C.A.

**Motion by Pollnow, Second by Borchardt to recommend Council approve the Temporary Class “B” Picnic License Application to Gord’s Pub, 210 Main Street, for Gord’s Street Dance, to be held on August 9, 2024, from 6:00 PM to 10:00 PM, in the Plexus Parking Lot.**

Call for vote by Chairman Lendrum

**Motion Carried.** All voting aye. 5/0

Approve the Transferring License Business to Business Application of the Class “B” Combination Intoxicating Liquor and Fermented Malt Beverages License to Westhill Bar. Inc., d/b/a My Place, 1127 S. Commercial Street, Gurvinder Singh, Agent

Report

**Motion by Pollnow, Seconded by Hillstrom to recommend Council approve the Transferring License Business to Business Application of the Class “B” Combination Intoxicating Liquor and Fermented Malt Beverages License to Westhill Bar. Inc., d/b/a My Place, 1127 S. Commercial Street, Gurvinder Singh, agent.**

Call for vote by Chairman Lendrum

**Motion Carried.** All voting aye. 5/0

Special Events Permits Informational Only

Shared cost Inter-Municipal Agreement between the City of Menasha and the City of Neenah for the intersection of Nicolet Boulevard and Third Street

Director Kaiser reviewed his memo of July 26, 2024. He stated that the Committee requested information regarding the agreements in place for the operation of the traffic signals at Nicolet/Third intersection and at the Nicolet/Commercial/First/Sandford intersection.

Director Kaiser reviewed the history of both intersections, including dates signals were installed, funding, operational costs to maintain the intersections, agreements that he could locate, capital expenditures that are planned and completed and the fairness of the agreements as they exist today.

Director Kaiser stated that based on the overall picture of these intersections, the 1988 agreement for operation of the traffic signals at the Nicolet/Commercial/First/Sandford is balanced and treats each community fairly.

The Committee discussed the information provided by Director Kaiser.

Public Works General Construction and Department Activity Report

- 1) Contract 7-21 (Harrison Pond): Troubleshooting is being done on the pump manhole to get them in operation.
- 2) Contract 1-23 (Chestnut, Burr, Dieckhoff, Laudan Utility and Street Construction): Work is complete. A punchlist has been provided to the contractor and final quantities are being prepared.
- 3) Contract 7-23 (High, River Utility and Street Construction): Work is complete. A punchlist is being prepared along with final quantities are being prepared.
- 4) Contract 1-24 (Belmont Ct, Belmont Av, Cedar St, Stevens St-Utilities and Street): Utility work is complete. Road excavation has started on Cedar.
- 5) Contract 2-24 (E. Doty Av - Utilities and Street): Utility mains are installed except for the tie-ins at Pine. Services are being installed in the right-of-way east of Oak
- 6) Contract 3-24 (Bayview Rd, Commercial St Water Crossings, Quarry Ln, Reed St - Utilities and Street):
  - a) Bayview Rd: Concrete paving is complete. Driveway installation and landscaping are the next steps.
  - b) Commercial St Water Crossings: Utility installation is complete.
  - c) Quarry Ln: Utility work is complete. The street is in the rest period.
- 7) Contract 4-24 (S. Park Avenue Easement – Utilities): Work is scheduled to start in August.
- 8) Contract 5-24 (North St - Utilities and Street): Utility installation is complete.
- 9) Contract 6-24 (Jewelers Park Drive – Street): Work is complete. Final quantities are being prepared.
- 10) Contract 7-24 (Misc Concrete Pavement/Sidewalk Repair): Work on the Plummer Ct sidewalk is set to start the week of 7/29.
- 11) Contract 8-24 (Misc Asphalt Pavement/Sidewalk Repair): This contract was awarded to MCC, Inc. A schedule has not been set.
- 12) Contract 10-24 (Tullar Garage Roof, Phase 2): The contract was awarded to H.I.S. Company. They are planning to do this work in August.
- 13) Contract 11-24 (Douglas Park Pond): Pond design is being finalized in preparation for bidding.
- 14) Contract 13-24 (S. Commercial St Turn Lane at Winneconne Av): The contract was awarded to Vinton Construction. A work has not been scheduled. We are working through the property appraisal.

Aldersperson Pollnow asked about the sidewalk on Cecil Street that a resident had brought up at the last Common Council meeting. Director Kaiser stated that PW Superintendent Radtke will have the street crew repair it this week.

Aldersperson Hillstrom asked if the city will be doing any chip sealing this year. Director Kaiser stated there is none planned for this this year, but there is in 2025.

Announcements/Future Agenda Items

None

Adjournment

**Motion by Pollnow, Seconded by Hillstrom to adjourn at 5:35 PM.**

Call for motion vote by Chairman Lendrum

**Motion Carried.** All voting aye. 5/0

**Respectfully submitted,**



Lisa Mroczkowski  
Public Works Office Manager



## **Memorandum**

---

To: Public Services and Safety Committee  
From: Fire Chief Travis Teesch  
Date: July 30, 2024  
Subject: NMFR Station #31 Lighting

Dear Members of the Public Services and Safety Committee,

To ensure that our financial allocations accurately reflect the current needs and priorities of Station #31 I am writing to formally request the reallocation of funds for an unbudgeted capital project at that station.

Attached to this memo, you will find an invoice amounting to \$4,482.25 for the installation of new lighting in the bays at Station #31. This project was completed as an alternative to the planned roof project, which will now be included in the upcoming station remodel.

It is important to highlight that the newly installed lights are energy efficient, aligning with our commitment to sustainability and cost-effectiveness. These lights not only provide immediate benefits in terms of energy savings but can also be repurposed during the station's remodel, ensuring continued value and functionality.

To proceed with this reallocation, we seek the committee's approval and appreciate your support in this matter.

Thank you for your consideration.

Sincerely,

Travis Teesch  
Fire Chief  
Neenah-Menasha Fire Rescue



*Department of  
Parks & Recreation*

---

DATE: July 22, 2024  
TO: Public Services and Safety Committee Members  
FROM: Trevor L Fink, Superintendent of Parks/City Forester *TLF*  
RE: Field Groomer Purchase

Two quotes were received for the purchase of a new laser ready field groomer:

Horst Distributing	ABI Force Z23sit	\$44,627
Reinders Inc.	Toro Field Pro 6040	\$45,955

Park maintenance staff and mechanics were universal in the choice of the ABI field groomer from Horst Distributing. I have attached some literature for the curious.

**Parks and Recreation Commission recommends the purchase of the ABI Force field groomer from Horst Distributing for \$44,627.00.**



# WORLD-CLASS RESULTS FOR EVERY FIELD

## RENOVATE, MAINTAIN, AND GROOM INFIELDS

Whatever field quality you're working with, the Z-23 is the comprehensive grooming, maintenance, and renovation machine you need. Fix drainage, reset infields, seed, fertilize, laser grade, level—all with the same machine and tool-free, quick-swap attachments. From professional crews to coaches and their volunteers, the Z-23 empowers whatever size crew you have to get more done, with greater precision and unprecedented efficiency.

### FORCE ADVANTAGES

**GAME DAY PREP** — Reduce weather-related delays and postponements by getting your field playable, faster.

**FINE TUNE** — Patented lift and swivel rear-mount system replicates the finesse of a hand-raked finish.

**FIX IT** — Leverage a mid-season away series to re-laser grade the infield—no heavy equipment required.





*“I tell people if they’re maintaining their ballfields with anything else other than an ABI Force, you’re wasting your time. I can laser grade four ballfields in a day. Regular infield maintenance with the Force is at a whole new level.”*

**-Rodney Jordan**  
Rock Haven Turf Specialties

**MORE ABOUT THE Z-23'S TURF CARE CAPABILITIES ON PAGE 16**

Actual products may differ slightly from images and may be shown with optional equipment. Available attachments & equipments shown throughout.

## ZERO-TURN LASER GRADING

# PRECISE LASER FINISH GRADING

The ABI Force is the world's first and only stand-on zero-turn laser grading machine, with accuracy plus-or-minus an eighth of an inch! (0.125 inch, 3.175mm) This patented, fully automatic laser grading system delivers unprecedented affordability and finish-grade accuracy to the sports turf and flatwork industries.

### FORCE ADVANTAGES

**ACCURACY** — When every inch matters, the tolerances provided by our RVF technology delivers consistent results.

**OWNERSHIP** — This compact-platform system empowers contractors to expand service offerings and get more done.

**VISIBILITY** — The stand-on zero-turn design allows operators to clearly see the work in progress and respond more quickly to the work site soil conditions.



*It is as advertised. It will laser grade within 1/8". We can place an operator with less experience on it and know that the grade is correct which allows the crew foreman to perform other tasks. It's a well built machine with fewer breakdowns and has been great for our business.*

**-Nolan Thomas**  
Nolan Thomas & Company, Inc.



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

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## MEMORANDUM

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**DATE:** July 26, 2024

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

**FROM:** Char Nagel, City Clerk

**RE:** Application for Regular “Class B” Combination Liquor License –  
My Place, 1127 S. Commercial Street

---

The Clerk’s Office received a Transferring License Business to Business, an Original Alcohol Beverage Retail License Application, and an Operations Plan for Westhill Bar, Inc, d/b/a My Place at 1127 S. Commercial Street. The current “Class B” Combination Liquor License is issued to My Place, TNS, LLC. The bar, My Place, is being sold, in which part of the sale transaction is the transfer of the liquor license.

A background check has been successfully completed on My Place TNS, LLC, with no monies owed to the city. A background check was also conducted on the new owner and agent, Gurvinder Singh, with no issues reported. All transfer paperwork is in order. Approving the transfer to Westhill Bar Inc. does not impact the liquor license quota. The new owners intend to keep the operations and site layout of the bar the same as it currently is.

Staff recommends approval of the transfer of regular “Class B” Combination Intoxicating Liquor and Fermented Malt Beverage License to Westhill Bar Inc., d/b/a My Place at 1127 S. Commercial Street.

# Alcohol Beverage Individual Questionnaire

All individuals involved in the alcohol beverage business must complete this form, including:

- sole proprietor
- all partners of a partnership
- all officers, directors, and agent of a corporation or nonprofit organization
- members and agent of a limited liability company

Your alcohol beverage application or renewal is not complete until all required Individual Questionnaires are submitted.

Part A: Business Information	
1. Legal Business Name (individual name if sole proprietor) WESTHILL BAR INC	
2. Business Trade Name or DBA MY PLACE	
3. Entity Type (check one)	
<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	

Part B: Individual Information			
1. Last Name SINGH	2. First Name GURVINDER	3. M.I.	
4. Relationship to Business (Title) PRESIDENT	5. Email [REDACTED]	6. Phone [REDACTED]	
7. Home Address 500 BOSWORTH LANE			
8. City NEENAH	9. State WI	10. Zip Code 549546	11. Date of Birth [REDACTED]
12. Drivers License/State ID Number [REDACTED]		13. Drivers License/State ID State of Issuance WI	

Part C: Address History			
1. Do you currently reside in Wisconsin? ..... <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes to 1 above, how long have you continuously lived in Wisconsin prior to the date of application? ....			Years
			Months
2. List in chronological order all of your addresses within the last 5 years. Attach additional sheets if necessary.			
Previous Address 1 231 BOSWORTH LANE	City NEENAH	State WI	Zip Code 54956
Previous Address 2	City	State	Zip Code
Previous Address 3	City	State	Zip Code
Previous Address 4	City	State	Zip Code
Previous Address 5	City	State	Zip Code
3. List all states and counties you have lived in as an adult. Attach additional sheets if necessary.			
State WI	County	State	County
State	County	State	County
State	County	State	County

Continued →

**Part D: Criminal History**

1. Have you ever been convicted of any offenses (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or of any county or municipal ordinances? . . . . .  Yes  No

If yes to question 1, please list details of each conviction below. Attach additional sheets as needed.

Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No
Law/Ordinance Violated	Location	Conviction Date
Penalty Imposed		Was sentence completed? . . . . . <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Are charges for any offenses currently pending against you (excluding traffic offenses unless related to alcohol beverages) for violation of any federal, Wisconsin, or another state's laws or any county or municipal ordinances? . . . . .  Yes  No

If yes to question 2, describe nature and status of pending charges using the space below. Attach additional sheets as needed.

**Part E: Attestation**

**READ CAREFULLY BEFORE SIGNING:** Under penalty of law, I have answered each of the above questions completely and truthfully. I certify that I am not prohibited from participating in this business due to any involvement in another tier of the alcohol beverage industry as a restricted investor. I understand that any license issued contrary to Wis. Stat. Chapter 125 shall be void under penalty of state law. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Signature 	Date 06/19/2024
--	--------------------

<b>Agent Type</b> (check one)	
<input type="checkbox"/> Original (no fee)	<input type="checkbox"/> Successor (\$10 fee for municipal licensees only)

<b>Part A: Business Information</b>	
1. Legal Business Name (individual name if sole proprietor) WESTHILL BAR INC	
2. Business Trade Name or DBA MY PLACE	
3. Entity Type (check one) <input type="checkbox"/> Limited Liability Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Nonprofit Organization	
4. Alcohol Beverage Business Authorization (check one) <input checked="" type="checkbox"/> Municipal Retail License <input type="checkbox"/> State Permit	5. If successor agent, provide State Permit or Municipal Retail License Number
6. Describe the reason for appointing a successor agent, if successor is checked above.	


<b>Part B: Agent Information</b>			
1. Last Name SINGH	2. First Name GURVINDER	3. M.I.	
4. Email [REDACTED]		5. Phone [REDACTED]	
6. Home Address 500 BOSWORTH LANE			
7. City NEENAH	8. State WI	9. Zip Code 54956	10. Age [REDACTED]
11. Drivers License/State ID Number [REDACTED]		12. Drivers License/State ID State of Issuance WI	

<b>Part C: Agent Questions</b>	
1. Have you satisfied the responsible beverage server training requirement? ..... Submit proof of completion.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2. Have you completed Form AB-100, <i>Alcohol Beverage Individual Questionnaire</i> ? ..... Submit a completed Form AB-100 with this form.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
3. Have you been a Wisconsin resident for at least 90 continuous days? ..... See instructions for exceptions.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Continued →


**Part D: Business Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Undersigned**, authorize the above-named individual to act for the above-named corporation, nonprofit organization, or limited liability company with full authority and control of the premises and of all alcohol beverage activities on such premises. I certify that I am authorized by the above-named entity to authorize this individual to act on behalf of the entity. If I am appointing a successor agent, I rescind all previous agent appointments for this premises. Further, I understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name SINGH	First Name GURVINDER	M.I.
Title PRESIDENT	Email [REDACTED]	Phone [REDACTED]
Signature 		Date 06/19/24

**Part E: Agent Attestation**

READ CAREFULLY BEFORE SIGNING: I, the **Agent**, hereby accept this appointment as agent for the above-named corporation, nonprofit organization, or limited liability company and assume full responsibility for the conduct of all alcohol beverage activities on the premises for the above-named business. I further understand that I may be prosecuted for submitting false statements and affidavits in connection with this application, and that any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000 if convicted.

Last Name SINGH	First Name GURVINDER	M.I.
Signature 		Date 06/19/24



## Plan of Operation for Alcohol Beverage License Application

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

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

<b>Business Name:</b> My Place																													
<b>Address of Premises:</b> 1127 S Commercial St		<b>Business Telephone Number:</b> 920-727-4922																											
<b>Business Mailing Address – if different from address of premises :</b> Same																													
<b>Business Internet/E-mail Address:</b> [REDACTED]		<b>Business Fax Number:</b>																											
<b>Owner's Name:</b> GURVINDER SINGH		<b>Owner's Phone Number:</b> [REDACTED]																											
<b>Owner's Address include city, state, zip code:</b> 500 Busworth Lane Neenah, WI 54956																													
<b>Will the agent, a partner of the individual licensee be conducting the day-to-day operations of the business:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, list name and address of person who will: <small>Class B Applicants: If the agent, a partner or the individual licensee will not be conducting the day-to-day operations of the business, the person listed above must obtain a Class B Manager's license.</small>																													
<b>Does anyone else have money invested or any other interest in this business?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, explain:																													
<b>What types of business do you or will you conduct at this location? (Check all that apply):</b> (Other licenses/permits may be required to operate your business.) <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Full Service Restaurant</td> <td><input type="checkbox"/> Café/Coffee Shop</td> <td><input type="checkbox"/> Bed &amp; Breakfast</td> </tr> <tr> <td><input type="checkbox"/> Grocery Store</td> <td><input type="checkbox"/> Convenience Market</td> <td><input type="checkbox"/> Hotel</td> </tr> <tr> <td><input type="checkbox"/> Liquor Store</td> <td><input type="checkbox"/> Indoor Golf Facility</td> <td><input type="checkbox"/> Private Sports Club</td> </tr> <tr> <td><input type="checkbox"/> Theater</td> <td><input checked="" type="checkbox"/> Wine Tasting Room</td> <td><input type="checkbox"/> Veterans Club</td> </tr> <tr> <td><input type="checkbox"/> Brew Pub</td> <td><input checked="" type="checkbox"/> Tavern <i>✓</i></td> <td><input type="checkbox"/> Fraternal Club</td> </tr> <tr> <td><input type="checkbox"/> Volleyball Court (Permanent Extension of Premises required)</td> <td><input type="checkbox"/> Catering (sales only allowed on the premises issued and alcohol beverage licensed)</td> <td><input type="checkbox"/> Video Game Center-6 or more games</td> </tr> <tr> <td><input checked="" type="checkbox"/> Bar &amp; Grill</td> <td><input type="checkbox"/> Night club</td> <td><input type="checkbox"/> Bowling Center</td> </tr> <tr> <td><input type="checkbox"/> Comedy Club</td> <td><input type="checkbox"/> Recreational Paint Studio</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Billiard Center</td> <td></td> <td></td> </tr> </table>			<input type="checkbox"/> Full Service Restaurant	<input type="checkbox"/> Café/Coffee Shop	<input type="checkbox"/> Bed & Breakfast	<input type="checkbox"/> Grocery Store	<input type="checkbox"/> Convenience Market	<input type="checkbox"/> Hotel	<input type="checkbox"/> Liquor Store	<input type="checkbox"/> Indoor Golf Facility	<input type="checkbox"/> Private Sports Club	<input type="checkbox"/> Theater	<input checked="" type="checkbox"/> Wine Tasting Room	<input type="checkbox"/> Veterans Club	<input type="checkbox"/> Brew Pub	<input checked="" type="checkbox"/> Tavern <i>✓</i>	<input type="checkbox"/> Fraternal Club	<input type="checkbox"/> Volleyball Court (Permanent Extension of Premises required)	<input type="checkbox"/> Catering (sales only allowed on the premises issued and alcohol beverage licensed)	<input type="checkbox"/> Video Game Center-6 or more games	<input checked="" type="checkbox"/> Bar & Grill	<input type="checkbox"/> Night club	<input type="checkbox"/> Bowling Center	<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Recreational Paint Studio		<input type="checkbox"/> Billiard Center		
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<input type="checkbox"/> Comedy Club	<input type="checkbox"/> Recreational Paint Studio																												
<input type="checkbox"/> Billiard Center																													
<b>Briefly detail the type of business you plan to operate, if granted a license:</b> Bar & Grill																													
<b>What other types of licenses or permits will you or do you hold at this location? :</b>																													
<input checked="" type="checkbox"/> Tavern Entertainment	<input checked="" type="checkbox"/> Cigarette	<input checked="" type="checkbox"/> Amusement Devices																											
<input type="checkbox"/> Dance Hall	<input checked="" type="checkbox"/> Food (though Health Dept.)	<input type="checkbox"/> Other(s)																											

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

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

What percentage of your total sales will be from the sales of alcohol beverages? 15%

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

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

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

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

Is this a franchise?  Yes  No

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

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

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

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

What is the zoning classification for this premise? Commercial

**HOURS OF OPERATION FOR ALCOHOL BEVERAGE SALES/SERVICE ONLY**

Day of the Week	Proposed Hours of Operation:	
	Open	Close
Sunday	10 Am	2 Am
Monday	10 Am	2 Am
Tuesday	10 Am	2 Am
Wednesday	10 Am	2 Am
Thursday	10 Am	2 Am
Friday	10 Am	2:30 Am
Saturday	10 Am	2:30 Am

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

Legal Capacity/Occupancy of Premises: Inside <u>99</u> Outside _____ (does not include Class A) Call (920) 886-6130 if you have questions.	Number of Parking Spaces on the premises, not including street parking: <u>20</u>
---	--

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

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

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

**DETAILED FLOOR PLAN**

Please read all instructions before preparing the floor plan.

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

The floor plan must include all of the following items:

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

**ALL NEW & TRANSFER APPLICANTS:**

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

A Lease or Offer to Purchase must:

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

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

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

Who owns the fixtures (i.e. Coolers, etc.)? main floor and basement located at 1127 S. Commercial St plus outdoor extension on premise as indicated on map

Subscribed and sworn to before me  
this 19<sup>th</sup> day of June, 2024

Charlotte K Nagel  
Notary Public, State of Wisconsin

My Commission expires: 10-18-2027  
Notary Seal must be affixed

[Signature]  
Signature of Individual/Partner/Officer

\_\_\_\_\_  
Signature of Partner/Officer

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

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

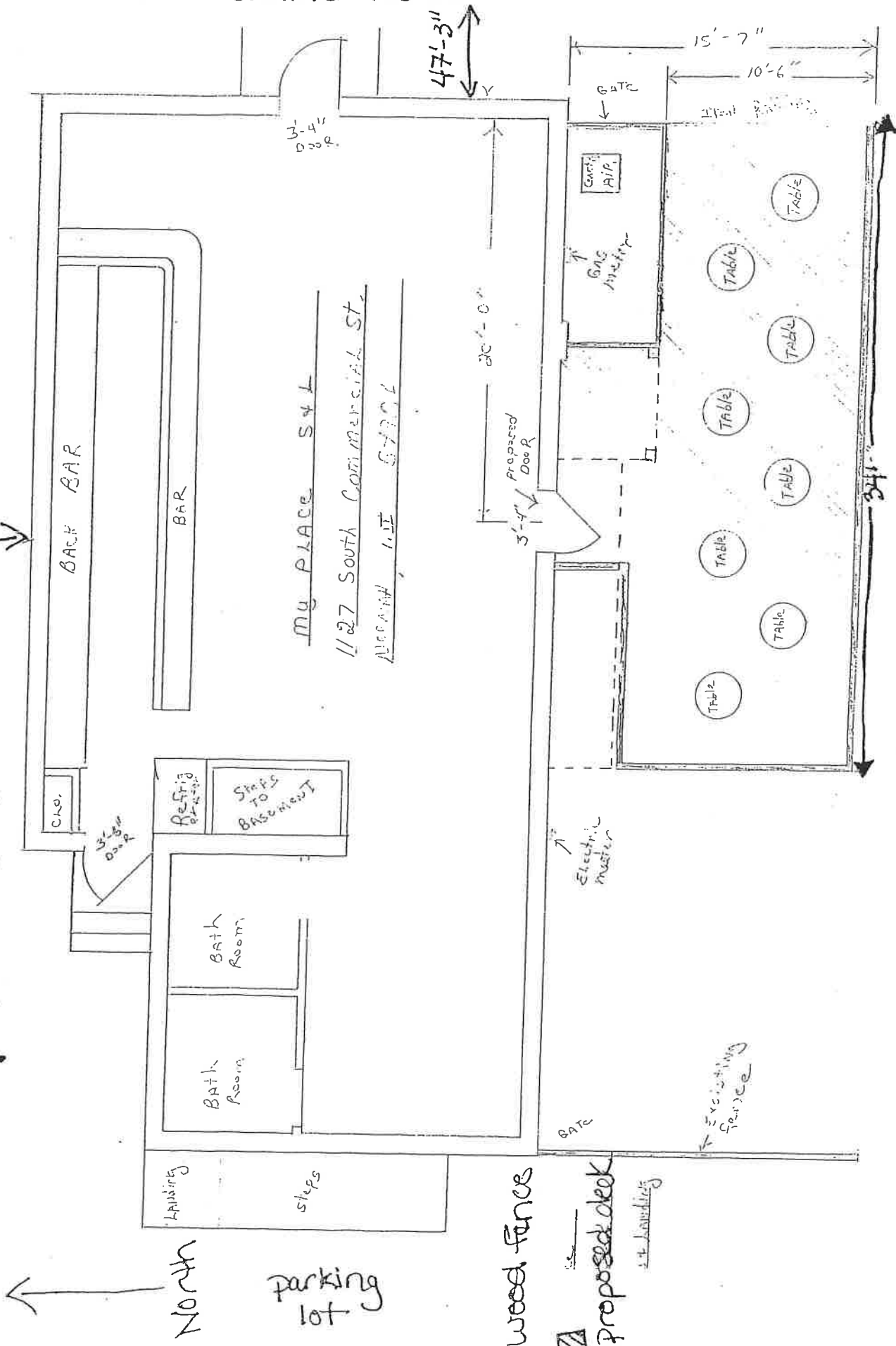


← wright st →

← Commercial St →

# My Place TNS

36'-1"



Laundry mat

North

parking lot

wood fence

Proposed deck

**CITY OF NEENAH  
SPECIAL FINANCE AND PERSONNEL COMMITTEE MEETING  
Monday, August 5, 2024 at 5:30 pm  
Hauser Room, Neenah City Administration Building  
211 Walnut Street, Neenah, Wisconsin**

**MINUTES**

The special meeting was called to order by Chairman Erickson at 5:31 pm.

**Present:** Chairman Erickson, Vice-Chair Boyette, Aldermen Borchardt, and Steiner, Director of Finance Rasmussen, Director of Human Resources Fairchild, and City Clerk Nagel.

**Also present:** Mayor Lang, City Attorney Rashid, Pollnow Jr., and Scott Becher.

**Absent/Excused:** Alderman Ellis

**1. Public Appearances:**

Alderman Pollnow questioned the Alliant Energy Pilot fund balance error. Director Rasmussen advised the formula took the wrong number. The budget formula has since been corrected and the error was shared with the Council.

**2. Minutes: Motion/Second/Carried Borchardt/Steiner to approve the minutes from the July 17, 2024 regular meeting as written.** All voting aye.

**3. Annexation 234, Town of Vinland, 1800 Liberty Ave (Attachments) (Schmidt)**

**Motion/Second/Carried Borchardt/Boyette recommend Council approve Annexation 234, Town of Vinland, 1800 Liberty Avenue,** all voting aye.

Deputy Director Schmidt advised this the Fourth Addition to Homes at Freedom Meadows, which leave only one phase remaining for the subdivision to be complete. This phase is approximately 15 acres and will become forty-seven single-family residential lots.

Boyette inquired on Director Kaiser's report about adding an additional Public Works employee. Deputy Director Schmidt advised the employee will become at a later date when a employee analysis is completed.

**4. 2024 Q2 Financial Statements (Attachments) (Rasmussen)**

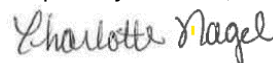
**Motion/Second/Carried Borchardt/Steiner to accept and place on file the 2024 Quarter 2 Financial Statements.** All voting aye.

Discussion: Director Rasmussen referred to her memo of highlighted items, and answered questions of the committee members. Tracking better than last year, break even if not have a surplus. Appreciates the summary.

**5. Adjournment**

**Motion/Second/Carried Steiner/Borchardt to adjourn the meeting 5:37 pm.** All voting aye.

Respectfully submitted,



Charlotte Nagel  
City Clerk

Report

Info.



Dept. of Legal & Administrative Services  
Office of the City Clerk  
211 Walnut St. • P.O. Box 426 • Neenah WI 54957-0426  
Phone 920-886-6110 • Fax 920-886-6109  
e-mail: cnagel@neenahwi.gov  
CHAR NAGEL, CITY CLERK

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## MEMORANDUM

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**DATE:** July 22, 2024

**TO:** Board of Education  
Director of Finance Rasmussen  
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 Teesch  
Interim City Attorney Walsh  
Town of Vinland Clerk

**FROM:** Char Nagel, City Clerk

**RE:** **AX234 Fourth Addition to The Homes at Freedom Meadows**

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Please be advised that a Petition for Annexation Pursuant to Section 66.0217(2) Wisconsin Statutes has been filed in the Clerk's Office for property in the Town of Vinland. The current population of the annexation is 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 noon, Thursday, July 25, 2024.**

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

**Committee Approval and Recommendation to Council:**

Finance and Personnel Committee meeting July 29, 2024

Plan Commission meeting July 30, 2024

**Final Council Approval:**

Council meeting August 7, 2024

Attached is a copy of the petition and map showing the area proposed to be annexed.

cc: Lorie Raddatz, Finance

# Annexation Description

Land being part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 684,781 Square Feet (15.7204 Acres) of land described as follows:

Commencing at the East 1/4 corner of Section 01, Township 19 North, Range 16 East; thence, S88°52'57"W, along the North line of said Section 01, 1948.26 feet to Northwest corner of Lot 101 of the 3rd Addition to The Homes at Freedom Meadows, said point also being the Point Of Beginning of the lands being Annexed to the City of Neenah; thence, S01°07'03"E, along the west line of Lot 101, Lot 100, and Lot 99 of said 3rd Addition, 179.98 feet; thence, S04°11'17"W, along the west line of Lots 99-89 of said 3rd Addition, 745.71 feet to the intersection of said west line and the north line of Liberty Avenue (Public Right of Way) as dedicated to the public within the 1st Addition to Freedom Acres; thence, S12°32'12"W, along the west line of said public right of way, 61.56 feet to the south line of said public right of way; thence, S89°37'05"W, along the south line of the Proposed public right of way, 652.51 feet to the west line of the Southeast 1/4 of Section 01, Township 19 North, Range 16 East; thence, N00°28'59"W, along said west line, 974.00 feet to the North line of the Southeast 1/4 of said Section 01; thence, N88°52'57"E, along said north line, 725.16 feet to the Point Of Beginning of the lands being Annexed to the City of Neenah.



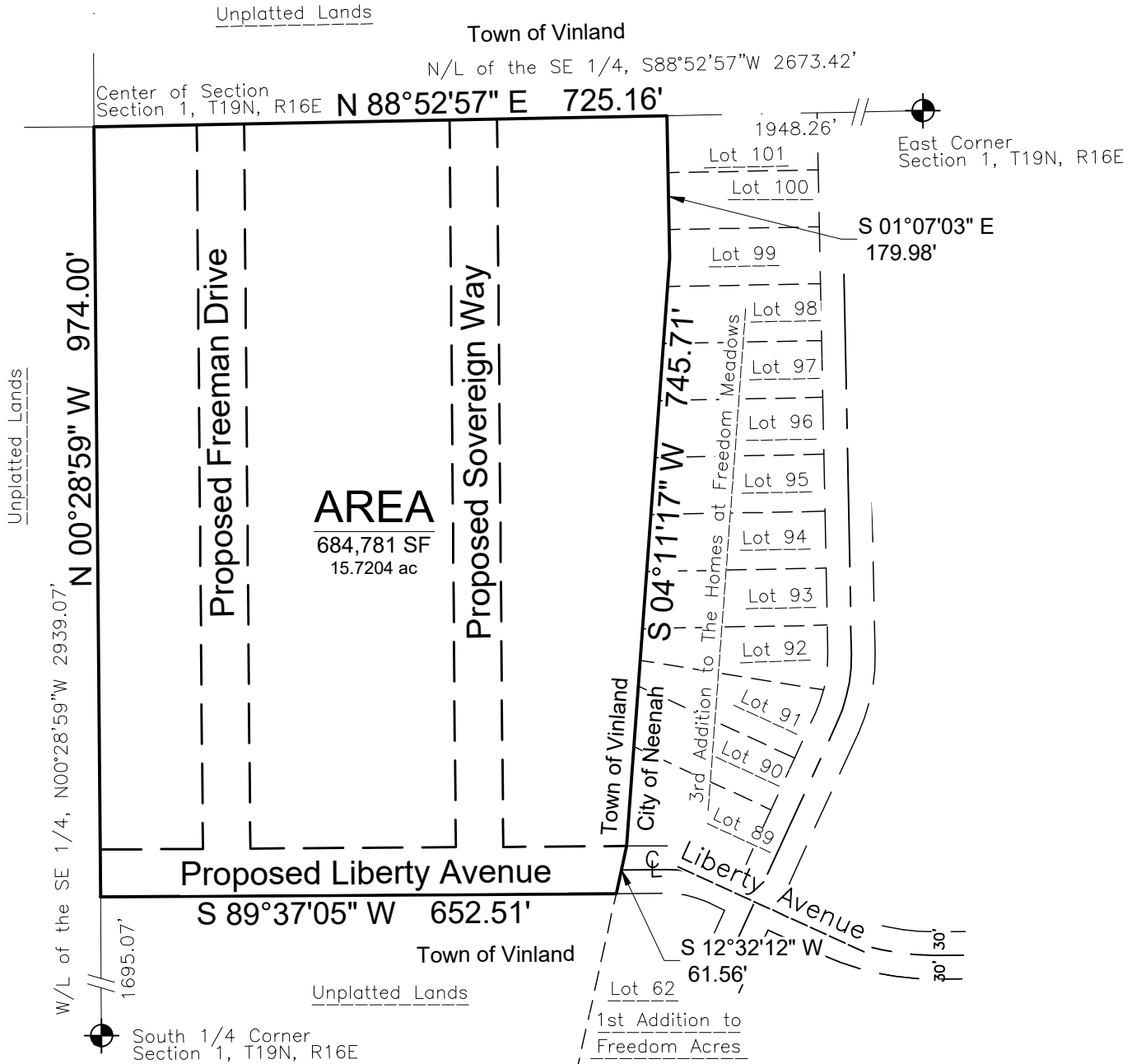
**DAVEL ENGINEERING &  
ENVIRONMENTAL, INC.**  
*Civil Engineers and Land Surveyors*

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro

File: 8117Annex.dwg  
Date: 07/19/2024  
Drafted By: scott  
Sheet: Descript

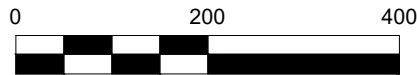
# Annexation Exhibit

Part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East,  
Town of Vinland, Winnebago County, Wisconsin



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro



Bearings are referenced to the North line of the Southeast 1/4, Section 01, T19N, R16E, assumed to bear  $S 88^{\circ}52'57'' W$ , base on the Winnebago County Coordinate System



File: 8117Annex.dwg  
Date: 07/19/2024  
Drafted By: scott  
Sheet: Exhibit





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## M E M O R A N D U M

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**DATE:** July 25, 2024  
**TO:** Mayor Lang, Chairperson Erickson, Members of the Finance and Personnel Committee  
**FROM:** Gerry Kaiser, Director of Public Works  
**RE:** AX-234 Impact Memo – Fourth Addition to Homes at Freedom Meadows

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In response to City Clerk Nagel’s note of July 22, 2024, 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. We have reached the point of needing to add this staff.
- B. Additional Equipment: Automated solid waste collection truck (est. \$375,000).
- 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:.....\$ 157,204.00
  - 1. Fees
    - a. Oversized existing sanitary sewer interceptor fee at \$1,000/acre.                     \$ 15,720.40  
Est. Actual size = 15.7204 acres  
Size per Ordinance = 15.7204 acres
    - b. Storm sewer fee at \$9,000/acre.   \$ 141,483.60  
Est. actual size = 15.7204 acres (including wetlands)  
Size per Ordinance = 15.7204 acres (This includes wetlands. Final  
payment calculation will deduct wetlands acreage from this total.)
  - 2. Deferred Assessments:.....\$0.00
    - 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.

<b>Total Fees and Assessments</b>	<b>\$ 157,204.00</b>
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G. Recommendation: This annexation is recommended.



# NEENAH POLICE DEPARTMENT



*Chief Aaron L. Olson*

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## Memo

**To: Neenah City Council and Mayor Jane Lang**

**From: Chief Aaron L. Olson**

**CC: City Clerk, Char Nagel and Finance Assistant, Lorie Raddatz**

**Date: 7/24/2024**

**Re: Annexation 234, Town of Vinland, 1800 Liberty Avenue**

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The Neenah Police Department has received a copy of the petition for Annexation234, which is located at 1800 Liberty Avenue in the Town of Vinland, Winnebago County, Wisconsin.

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 currently.

**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.



## **Memorandum**

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To: Lorie Raddatz  
From: Fire Chief Travis Teesch  
Date: July 22, 2024

Subject: AX234 Fourth Addition to The Homes at Freedom Meadows

This memo is reference to the proposed annexation of 15.7204 acres.

I found that this annexation would have no immediate impact to the operations of Neenah-Menasha Fire Rescue as vacant property. However, as this property is developed this annexation would have an impact on NMFR operations.

The annexation begins to stretch response times and the protection capabilities that currently exist with Neenah-Menasha Fire Rescue.

If you have any questions or concerns, please let me know.



## 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

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# MEMORANDUM

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**DATE:** July 25, 2024

**TO:** Hon. Mayor Lang, Chairperson Erickson, and Members of the Finance and Personnel Committee

**FROM:** Anthony L. Mach

**RE:** Annexation 234 – 4<sup>th</sup> Addition to The Homes at Freedom Meadows

---

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 15.7204 acres of property currently located in the Town of Vinland.

1. No additional personnel will be required at this time. However, continued expansions in the distribution system will require additional personnel in the future.
2. Upon establishment of Water Utility service, forty-seven (47) 5/8" water meter units will be installed at an estimated cost of \$10,810. This cost will be recovered through quarterly base meter charges.
3. No additional buildings will be required.
4. Water mains and services for this area will be installed the Developer. The Water Utility is proposing to oversize the water mains and valves along Liberty Avenue and Freeman Drive from 8" to 12" to accommodate future expansion.
5. The estimated annual cost to treat and deliver water to these properties is \$5,640. The users will be billed for water usage through the quarterly utility bill.
6. The estimated direct Water Utility cost is \$10,810 for the purchase of the meters and endpoints. In addition, the requested oversizing of water mains and valves will have an estimated cost of \$52,490.
7. The estimated annual Water Utility revenue is \$10,810 for water, \$3,940 for meter base charges, and \$3,980 for fire protection, for a total revenue of \$18,730 per year. Sewer and storm water revenues are not included in these estimates. In addition to establishment of City water service, if the property owner decides to keep their existing well, the well must be tested per Neenah Water Utility requirements and a \$50 licensing fee per well will be due to the Water Utility. Within this development, the water main oversizing assessment due is estimated to be \$2,240 per acre applicable to approximately 15.7204 acres for a total estimated assessment of approximately \$35,210.
8. We recommend approving this annexation.



**DATE:** July 29, 2024  
**TO:** Mayor Lang, Finance Committee and Common Council  
**FROM:** Brad Schmidt, Deputy Director of Community Development  
**RE:** Annexation #234 (Liberty Avenue– T. of Vinland) – 15.72 Acres

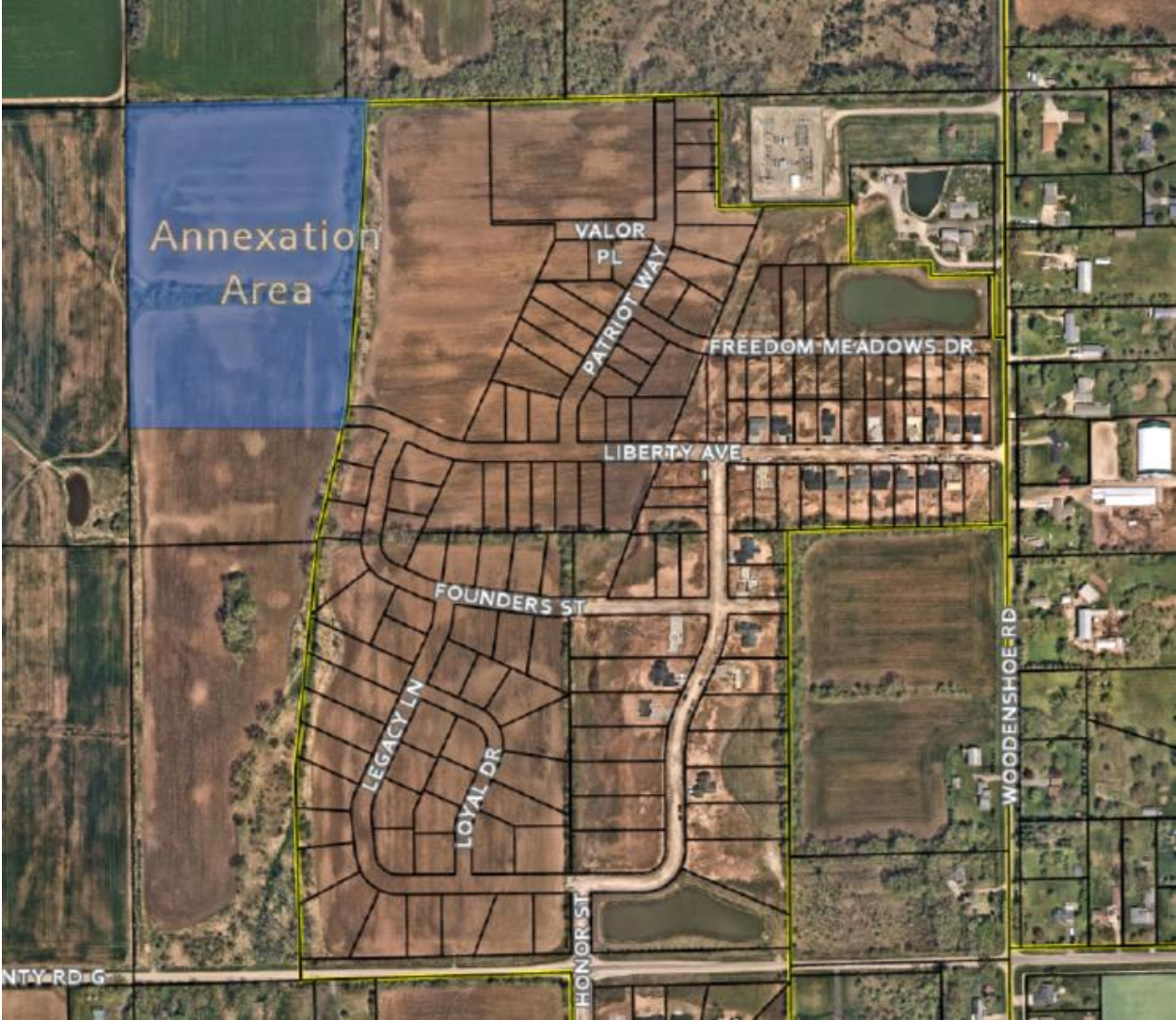
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In accordance with Section 26-29 of the Zoning Code, I am submitting the following comments relative to the proposed annexation.

- 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 \$123,908.19.
- The proposed annexation includes approximately 15.72 acres of land west Woodenshoe Road and north of Liberty Avenue in the Town of Vinland.
- The purpose of the annexation is to develop the 4th Addition to the Homes at Freedom Meadows. Approximately 47 single-family 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 #2024-17 be approved and the petition for annexation of 15.72 acres of land located west of Woodenshoe Road and north of Liberty Avenue be accepted.**





211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission  
Re: Annexing City of Neenah owned property north  
of Liberty Avenue in the Town of Vinland to the  
City of Neenah.

ORDINANCE NO. 2024-17

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:

Land being part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 684,781 SquareFeet (15.7204 Acres) of land described as follows:

Commencing at the East 1/4 corner of Section 01, Township 19 North, Range 16 East; thence, S88°52'57"W, along the North line of said Section 01, 1948.26 feet to Northwest corner of Lot 101 of the 3rd Addition to The Homes at Freedom Meadows, said point also being the Point Of Beginning of the lands being Annexed to the City of Neenah; thence, S01°07'03"E, along the west line of Lot 101, Lot 100, and Lot 99 of said 3rd Addition, 179.98 feet; thence, S04°11'17"W, along the west line of Lots 99-89 of said 3rd Addition, 745.71 feet to the intersection of said west line and the north line of Liberty Avenue (Public Right of Way) as dedicated to the public within the 1st Addition to Freedom Acres; thence, S12°32'12"W, along the west line of said public right of way, 61.56 feet to the south line of said public right of way; thence, S89°37'05"W, along the south line of the Proposed public right of way, 652.51 feet to the west line of the Southeast 1/4 of Section 01, Township 19 North, Range 16 East; thence, N00°28'59"W, along said west line, 974.00 feet to the North line of the Southeast 1/4 of said Section 01; thence, N88°52'57"E, along said north line, 725.16 feet to the Point Of Beginning of the lands being Annexed to the City of Neenah.

The land to be annexed includes part of parcel number **0260024** located in the Town of Vinland

**Section 2.** Said annexation 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 B. Lang, Mayor

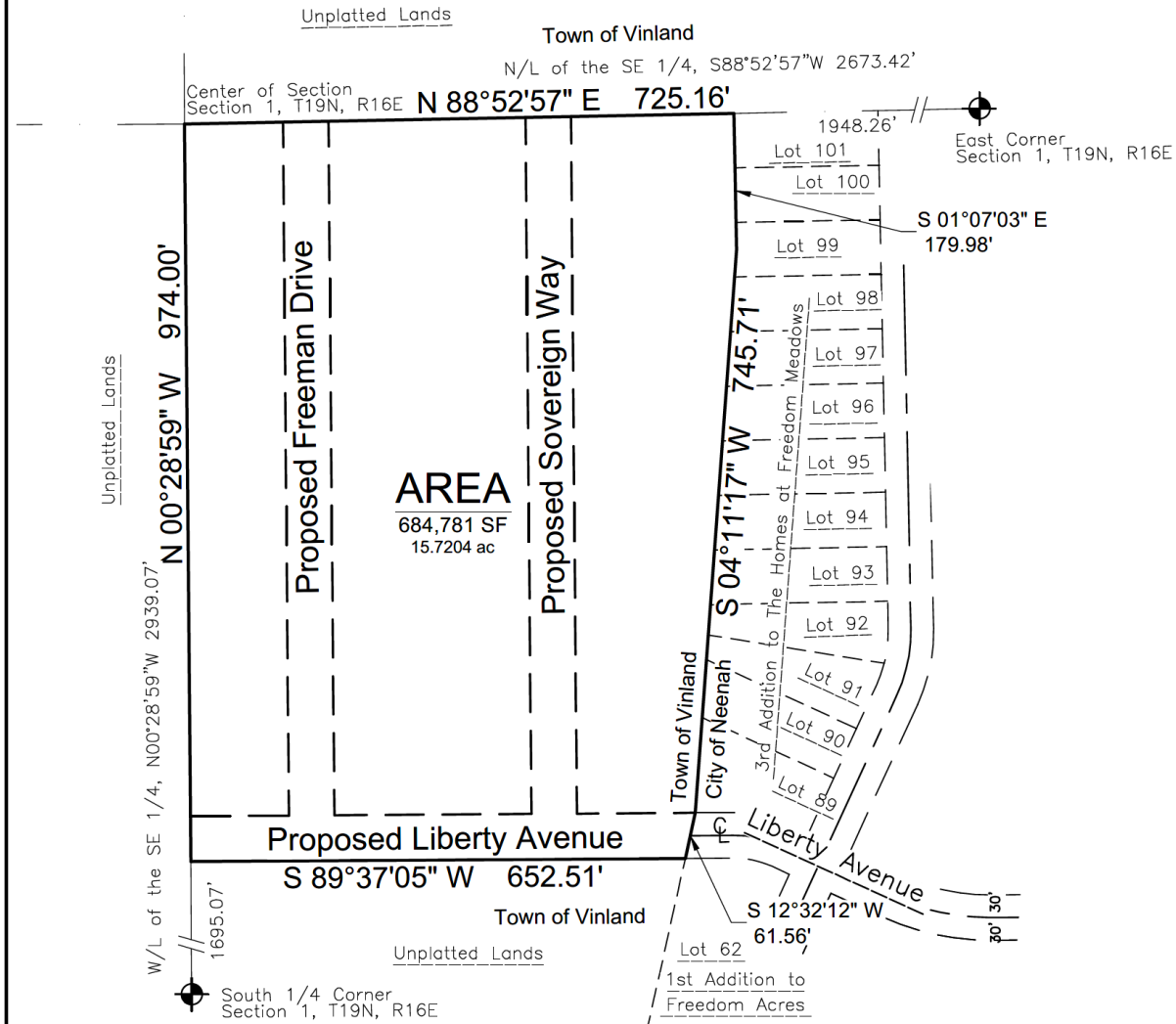
Published: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Charlotte Nagel, City Clerk

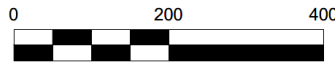
# Annexation Exhibit

Part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East,  
Town of Vinland, Winnebago County, Wisconsin



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro



Bearings are referenced to the North line of the Southeast 1/4, Section 01, T19N, R16E, assumed to bear S88°52'57"W, base on the Winnebago County Coordinate System



File: 8117Annex.dwg  
Date: 07/19/2024  
Drafted By: scott  
Sheet: Exhibit

**NMFR Joint Finance & Personnel Committee Meeting Minutes**

**July 23, 2024 – 4:00 p.m.**

**City of Neenah Hauser Room**

Present: Ald. Sevenich, Pollnow, Boyette, Grade and Marshall

Excused: Ald. Borchardt

Also Present: Chief Teesch, AC Peglow, Director Rasmussen and MA Ellis

Public: No members of the public were present.

Ald. Boyette called the meeting to order at 4:00 p.m.

Minutes: The Committee reviewed the June 25, 2024 meeting minutes. Ald. Sevenich discussed the budget formula and how it this committee approved the wrong formula. However, it was caught at the Menasha Council meeting and they approved the correct formula for 2025. It was noted the later agenda item will reflect the change that should be made and it will be sent to the Neenah Council for their approval since Menasha already approved the correct formula. **MSC Pollnow/Grade to approve the June 25, 2024 meeting minutes and place on file, all voting aye.**

Review of Calls: The Committee reviewed the call reports. Ald. Grade asked why these are approved by the Committee. Ald. Pollnow said we are not approving them but are accepting the numbers and placing on file. Chief Teesch noted the 311 calls are different from previous years due to the way we have to code these now as directed by NFIRS. Ald. Grade said he is very happy with the response times. He appreciates the medical calls are under five minutes. **MSC Pollnow/Grade to approve the June 2024, January 2024 through June 2024 and January 2023 through May 2023 call reports and place on file, all voting aye.**

Budget Report: The Committee reviewed the January 1, 2024, through June 30, 2024 budget report. Chief Teesch reviewed the following line items: 0117 – Clothing allowance this was paid in January due to the labor agreement. 0125 – School/Reimbursements this is per the labor agreement for anyone attending school for a bachelor’s degree. The person attending school has completed their degree. 0247 – Auto insurance came back higher than estimated. 0250 – Maint of Training Tower we carried over money from last year to finish the window/door replacement. 0348 – PPE we had two firefighters who had gear ruined due to soaked in petroleum products. We also hired another person that we didn’t anticipate in 2024. Director Rasmussen said we are at 48% of expenditures with the first six months and are on track with the current budget. **MSC Pollnow/Grade to accept the January 2024 through June 30, 2024 budget report and place on file, all voting aye.**

Cost Distribution Formula: It was noted that the wrong cost distribution formula was approved during our Committee Meeting. The City of Menasha did approve the correct 2025 budget formula. The City of Neenah needs to act on this. **MSC Pollnow/Grade recommends the City of Neenah Common Council approve the proposed 2025 cost distribution formula with the City of Neenah’s share at 61.12% and the City of Menasha’s share at 38.88, all voting aye.**

Report

Resolution 2024-13 and R-21-24 approve the Project for Winnebago County Spirit Fund Allocation: Chief Teesch said this information was first brought forward to this body in March to communicate the application and possible award of the \$500,000 grant for the training grounds. The City of Neenah did receive the money and it is sitting in a fund and collecting interest. We do have five years to complete the project. Ald. Boyette asked if this is the only agreement (resolutions) and do we have a Memorandum of Understanding (MOU) with the County. Chief Teesch said there was an MOU, that was signed and he will share this with the group. The MOUT outlines we have five years

to complete the project and a time frame of when we must submit the documents that show completion and expenditures. Ald. Pollnow asked why we have to do the resolutions. Chief Teesch said it is in case we have to give the money back. He did note this entire process has been different than any other grant process we have been a part of. He feels this is from public pressure given to the County to release these funds. Director Rasmussen said she has documentation on what was supposed to be the process and we had only two weeks to comply and then the process was pulled. There was a survey that was supposed to be done and then people were supposed to re-apply for the grants. However, they did the survey and then released the funds. While the process was very different there was no control by either City, or the department, on how the County decided to disburse the funds and who to. Ald. Pollnow asked why we need the resolution if we have the money already. Director Rasmussen it is so we can spend the money. Ald. Sevenich asked what organization is making the decision to give the funds. Director Rasmussen said there was a Spirit Fund Committee that had county board members and some members of the public. Ald. Pollnow said MOU and Resolutions were after committee approval. Director Rasmussen said this wasn't the intent and they were not aware of contracts and MOU's. Ald. Sevenich asked if we should send the County Committee a thank you. Ald. Pollnow didn't agree with this due to what lack of respect that was given to our staff from the County with this. He said if he wants to do a politician he can. Ald. Sevenich said he thinks this carries weight with the amount of money they are giving us. No other committee are thanking them and he feels we should send one. Ald. Boyette if we want to thank the County Board that may be appropriate. However, it's not on the agenda so we will not discuss it anymore. **MSC Pollnow/Boyette recommend the City of Neenah Common Council approve Neenah Resolution 2024-13 for approval of the project for Winnebago County Spirit Fund Local Government Allocation, all voting aye.**

Report

**MSC Sevenich/Grade to recommends the City of Menasha Common Council approve Menasha resolution R-31-24 for approval of the project for Winnebago County Spirit Fund Local Government Allocation, all voting aye.**

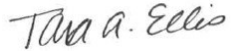
Approval to Replace the Fire Marshal Position: The Committee reviewed the request to approve the vacant Assistant Chief/Fire Marshal position. Chief Teesch noted we have a vacancy with this position due to a resignation. This position is very important within our department, and he requests this be filled. He has reviewed the job description with Human Resources, and he requested the position be changed to a Bachelor's Degree. It is at Carlson Dettman for review. The actual job description will be reviewed by Fire Commission. He noted this position is a 2% dues requirement and funded with this money. On Monday, each City did receive their 2% dues and it was higher than the original memo stated. The City of Neenah's share was \$125,892.21 and the City of Menasha's share was \$71,533.97.

Ald. Sevenich asked if the 2% dues helped fund the position in the past. Chief Teesch said it is something we have done in the past. The monies go to each Cities general funds and not the fire department. There is an audit by the state, and we have to show we are spending the monies to meet their specific requirements for the dues. Director Rasmussen said the money then goes back to fund the fire department from the general fund and is a specific line item for Neenah. Ald. Sevenich said this is not done in Menasha and they will ask where the money is kept. Ald. Grade asked when the position will be filled. Chief Teesch said it will go to both Councils for approval.

He feels he can post the position in mid-August, one month for applicants applying, one month for interviews, etc. and hopes to have it filled by Fall. Ald. Grade asked if the position is being filled by overtime. Chief Teesch said it's a management position and it's being covered by admin staff in addition to their normal duties. However, they do not eligible for any overtime for doing the extra work. **MSC Pollnow/Grade recommends the City of Neenah and City of Menasha Common Councils approve filling the vacant Assistant Chief/Fire Marshal's position, all voting aye**

**MSC Sevenich/Pollnow to adjourn at 4:35 p.m. all voting aye.**

Respectfully submitted,



Tara Ellis

Management Assistant



## **Memorandum**

---

**TO:** NMFR Joint Finance & Personnel Committee

**FROM:** Chief Travis Teesch

**DATE:** July 16, 2024

**RE:** NMFR's 2025 Budget Formula

At last month's meeting, we inadvertently, approved the proposed 2025 Cost Distribution Formula with 2024's numbers versus 2025. The correct proposed formula is City of Neenah's Share 61.12% and City of Menasha's Share 38.88%.

The City of Menasha Common Council has already approved the formula with the correct numbers. I am requesting consideration and action to recommend the City of Neenah approved the proposed 2025 cost distribution formula with the City of Neenah's share at 61.12% and the City of Menasha's share at 38.88%.

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

Thank you.

TT/te

Attachment

**Neenah-Menasha Fire Rescue  
Cost Distribution Formula for Budget Year 2025  
Factors as of 12/31/23**

Formula Item	Total	Proportionate Share	25% Weighted Factor	Weghted Share Neenah	Weighted Share Menasha
1. Population Estimate - Neenah	27,453	60.31%	0.25	0.1508	
Population Estimate - Menasha	18,069	39.69%	0.25		0.0992
<b>Population Estimate (a)</b>	<b>45,522</b>	<b>100.00%</b>			
2. Equalized Value (w/TIF) - Neenah (b)	\$ 3,109,857,600	63.66%	0.25	0.1592	
Equalized Value (w/TIF) - Menasha (c)	1,774,881,100	36.34%	0.25		0.0908
<b>Equalized Value as of 1/1/23</b>	<b>\$ 4,884,738,700</b>	<b>100.00%</b>			
3. Service Calls - Neenah	2,108	62.11%	0.25	0.1553	
Service Calls - Menasha	1,286	37.89%	0.25		0.0947
<b>Service Calls during 2023</b>	<b>3,394</b>	<b>100.00%</b>			
4. Square Miles - Neenah	10,770	58.41%	0.25	0.1460	
Square Miles - Menasha	7,670	41.59%	0.25		0.1040
<b>Square Miles as of 12/31/23</b>	<b>18,440</b>	<b>100.00%</b>			
<b>Total Weighted Factors</b>				<b>0.6112</b>	<b>0.3888</b>
<b>Total Proposed Cost Distribution Formula - 2023 Factor for 2025 Budget</b>				<b>61.12%</b>	<b>38.88%</b>
Previous Year Cost Distribution Formula				60.37%	39.63%
<b>Increase (Decrease) from Previous Year</b>				<b>0.75%</b>	<b>-0.75%</b>

a. Population estimates per the United States Census Bureau

b. *Neenah - Equalized Value*

Equalized Value (Per Wisconsin Dept of Revenue)	\$ 3,107,857,600
Alliant Energy (Per WI Dept. of Administration)	2,000,000
	<u>\$ 3,109,857,600</u>

c. *Menasha - Equalized Value*

Equalized Value (Per Wisconsin Dept of Revenue)	1,734,048,800
UW-Fox Valley (Per WI Dept. of Administration)	40,832,300
	<u>\$ 1,774,881,100</u>



**RESOLUTION NO. 2024-13**

**RESOLUTION FOR APPROVAL OF PROJECT FOR  
WINNEBAGO COUNTY SPIRIT FUND LOCAL GOVERNMENT ALLOCATION**

WHEREAS, the Winnebago County board created the Spirit Fund in March of 2023 allocating grant funding available to municipal government located primarily in the county to fund one time capital needs; and

WHEREAS, the Neenah-Menasha Fire Rescue (NMFR) is eligible to receive an allocation of \$500,000; and

WHEREAS, the NMFR wish to use the funds allocated to upgrade and replace the current training tower, components, and grounds, located at NMFR fire station #31 for the purpose of improving emergency response, and collaborating with other emergency response agencies; and

WHEREAS, through this resolution, NMFR is requesting approval to accept and expend the \$500,000 in funding on improvements to the training facility; and

WHEREAS, NMFR will follow all required competitive bidding procedures and documentation required by Winnebago County, and the Cities of Neenah, and Menasha; therefore,

BE IT RESOLVED, that the Common Council approves this project to be submitted to Winnebago County for reimbursement to receive the allocated \$500,000 from the Spirit Fund Local Government Allocation.

Adopted, approved and recorded this \_\_\_\_\_ day of August 2024.

Recommended By: Neenah-Menasha  
Fire Rescue Joint Finance Commission

CITY OF NEENAH, WISCONSIN

Moved: \_\_\_\_\_

\_\_\_\_\_  
Jane Lang, Mayor

Passed: \_\_\_\_\_

\_\_\_\_\_  
Charlotte Nagel, City Clerk

Published: \_\_\_\_\_



## **Memorandum**

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**TO:** NMFR Joint Finance & Personnel Committee

**FROM:** Chief Travis Teesch

**DATE:** July 17, 2024

**RE:** Replacement of Assistant Chief Prevention/Fire Marshal

We currently have a vacancy in our Assistant Chief of Prevention/Fire Marshal. I am asking for consideration in replacing this budgeted position.

- Development, delivery and administration of Fire Prevention, enforcement of local, state and national fire and life safety codes/standards within our two Cities.
- Supervises the fire inspection duties for all Shift Inspectors and company inspections.
- Coordinates all plan reviews for fire sprinklers, alarms and built-in fire protection system plans for all new construction and remodeling projects.
- Issues permits to ensure safety and compliance (i.e. fireworks, flammable liquids, opening burning, etc.).
- Oversees all fire cause investigations. This includes coordinating investigations with both Police Departments and the State, when needed.
- Manages and oversees the Records Management System along with CAD. This includes mandatory reporting of activities for NFIRS.
- Implements, and oversees, all fire prevention activities.
- Involved in Planning, Safety Committees for both Cities and both school districts.
- Coordinates all fire investigation, arson, inspection, prevention code/standards, etc. for all line staff members.

Any insurer doing a fire insurance business in Wisconsin must pay to the state, fire department dues equal to 2% of the amount of all Wisconsin-based premiums paid to the company during the preceding calendar year for insurance against loss by fire, including insurance on property exempt from taxation. In turn, the State of Wisconsin gives each municipality, who maintains a fire department, their portion of the 2% dues with the requirement that these monies only be used for:

- Fire inspection and public education materials; and the continuing education for firefighters and fire inspectors.
- Salaries of fire prevention and fire inspector positions.

In 2023, the City of Neenah received \$110,119.81 and the City of Menasha received \$60,090.80 in 2% dues, which covers each City's portions of funding this position.

I am asking consideration and action to recommend the City of Neenah and City of Menasha Common Councils approve filling the vacant Assistant Chief/Fire Marshal position.

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

TT/te



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## MEMORANDUM

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**DATE:** July 30, 2024  
**TO:** Mayor Lang, and Members of Plan Commission  
**FROM:** Brad Schmidt, AICP, Deputy Director of Community Development  
**RE:** Annexation #234 (Liberty Avenue) – 15.72 Acres

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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 Fourth Addition to the Homes at Freedom Meadows subdivision. The 15.72 acres of land is currently undeveloped farmland located in the Town of Vinland north of Liberty Avenue. There are currently four phases of the Homes at Freedom Meadows developed or under development, east of the annexation area. In 2020, the City purchased 130 acres of land along the Woodenshoe Road and County Highway G. This proposed annexation will be the sixth phase of the development.

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 27 single-family lots.

### **Recommendation**

**Appropriate action at this time is for Plan Commission to recommend Common Council approve Annexation #234 (Ordinance #2024-17) and the property also receive an R-1, Single-Family Residence District zoning classification.**

Annexation Area

VALOR PL  
PATRIOT WAY

FREEDOM MEADOWS DR

LIBERTY AVE

FOUNDERS ST

LEGACY LN  
LOYAL DR

HONOR ST

RESPECT AVE

WOODENSHOE RD

HIGHLAND CT

AMENDMENT DR

BRIGGS LN

HIGHLAND DR

COUNTY RD G

# Annexation Description

Land being part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 684,781 Square Feet (15.7204 Acres) of land described as follows:

Commencing at the East 1/4 corner of Section 01, Township 19 North, Range 16 East; thence, S88°52'57"W, along the North line of said Section 01, 1948.26 feet to Northwest corner of Lot 101 of the 3rd Addition to The Homes at Freedom Meadows, said point also being the Point Of Beginning of the lands being Annexed to the City of Neenah; thence, S01°07'03"E, along the west line of Lot 101, Lot 100, and Lot 99 of said 3rd Addition, 179.98 feet; thence, S04°11'17"W, along the west line of Lots 99-89 of said 3rd Addition, 745.71 feet to the intersection of said west line and the north line of Liberty Avenue (Public Right of Way) as dedicated to the public within the 1st Addition to Freedom Acres; thence, S12°32'12"W, along the west line of said public right of way, 61.56 feet to the south line of said public right of way; thence, S89°37'05"W, along the south line of the Proposed public right of way, 652.51 feet to the west line of the Southeast 1/4 of Section 01, Township 19 North, Range 16 East; thence, N00°28'59"W, along said west line, 974.00 feet to the North line of the Southeast 1/4 of said Section 01; thence, N88°52'57"E, along said north line, 725.16 feet to the Point Of Beginning of the lands being Annexed to the City of Neenah.



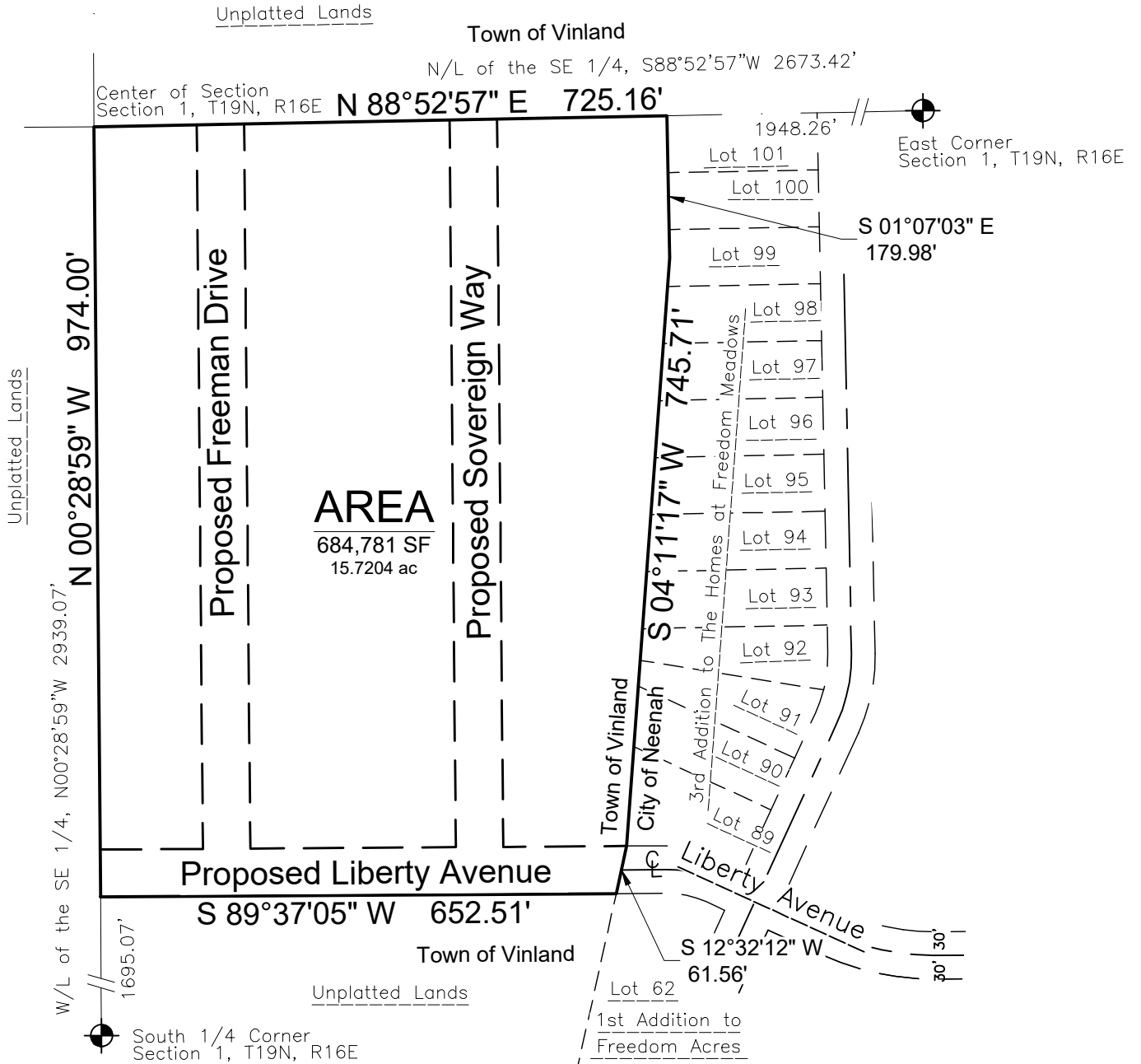
**DAVEL ENGINEERING &  
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*Civil Engineers and Land Surveyors*

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro

File: 8117Annex.dwg  
Date: 07/19/2024  
Drafted By: scott  
Sheet: Descript

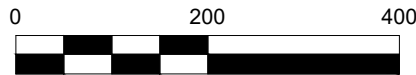
# Annexation Exhibit

Part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East,  
Town of Vinland, Winnebago County, Wisconsin



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-441-0804  
www.davel.pro



Bearings are referenced to the North line of the Southeast 1/4, Section 01, T19N, R16E, assumed to bear S88°52'57"W, base on the Winnebago County Coordinate System



File: 8117Annex.dwg  
Date: 07/19/2024  
Drafted By: scott  
Sheet: Exhibit



211 Walnut Street  
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission  
Re: Annexing City of Neenah owned property north  
of Liberty Avenue in the Town of Vinland to the  
City of Neenah.

ORDINANCE NO. 2024-17

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:

Land being part of the Northwest 1/4 of the Southeast 1/4 of Section 1, Township 19 North, Range 16 East, Town of Vinland, Winnebago County, Wisconsin, containing 684,781 SquareFeet (15.7204 Acres) of land described as follows:

Commencing at the East 1/4 corner of Section 01, Township 19 North, Range 16 East; thence, S88°52'57"W, along the North line of said Section 01, 1948.26 feet to Northwest corner of Lot 101 of the 3rd Addition to The Homes at Freedom Meadows, said point also being the Point Of Beginning of the lands being Annexed to the City of Neenah; thence, S01°07'03"E, along the west line of Lot 101, Lot 100, and Lot 99 of said 3rd Addition, 179.98 feet; thence, S04°11'17"W, along the west line of Lots 99-89 of said 3rd Addition, 745.71 feet to the intersection of said west line and the north line of Liberty Avenue (Public Right of Way) as dedicated to the public within the 1st Addition to Freedom Acres; thence, S12°32'12"W, along the west line of said public right of way, 61.56 feet to the south line of said public right of way; thence, S89°37'05"W, along the south line of the Proposed public right of way, 652.51 feet to the west line of the Southeast 1/4 of Section 01, Township 19 North, Range 16 East; thence, N00°28'59"W, along said west line, 974.00 feet to the North line of the Southeast 1/4 of said Section 01; thence, N88°52'57"E, along said north line, 725.16 feet to the Point Of Beginning of the lands being Annexed to the City of Neenah.

The land to be annexed includes part of parcel number **0260024** located in the Town of Vinland

**Section 2.** Said annexation 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 B. Lang, Mayor

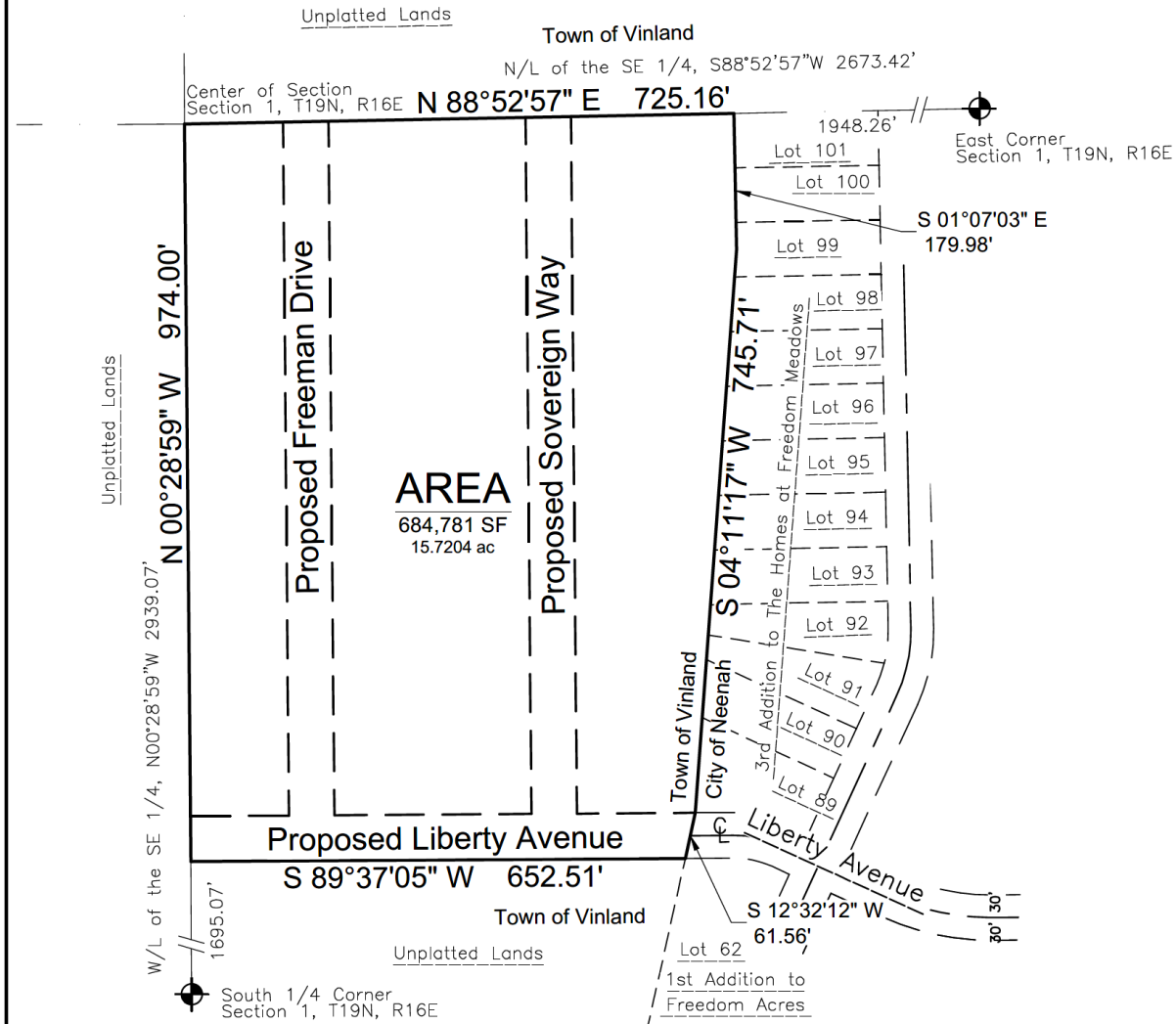
Published: \_\_\_\_\_

Attest:

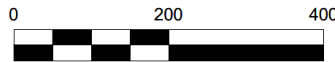
\_\_\_\_\_  
Charlotte Nagel, City Clerk

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## M E M O R A N D U M

**DATE:** August 5, 2024  
**TO:** Chairman Lang and Members of the Board of Public Works  
**FROM:** James Merten, Traffic Engineer  
**RE:** Epoxy Pavement Markings Contract 9-24

Attached is the bid tab for proposed Contract 9-24 involving epoxy pavement marking work. Due to late season bidding for the work, the City received only one bid from the two contractors that typically bid on this contract. The bidder is Century Traffic (formerly Century Fence). The project features new pavement markings for Tullar Road, as well as replacement markings on the newly constructed portion of Bayview Road. The breakdown by street is listed below:

Street	Segment	Bid Estimate
Tullar Road	Breezewood Ln – Cecil St	\$41,899.70
Breezewood Ln	Pendleton Rd – Tullar Rd	\$9,726.10
Pendleton Rd	Gay Dr – Cecil St	\$8,776.40
Winneconne Ave	Pendleton Rd – Tullar Rd	\$6,435.40
Bayview Rd	Park Ave – Construction Limits	\$10,296.15
Bell St	East Approach to Commercial St	\$7,604.70
Commercial St	Railroad Crossing Markings	\$5,400.00
Miscellaneous	Misc Crosswalks & Patch Repair	\$5,608.75
Total		\$95,747.20

The estimate for Tullar Road came in significantly higher than what was budgeted, so the amount of work for the annual maintenance budget was reduced to absorb most of the overages. Additionally, the work on Bell Street is tied to signal work resulting in removal of a concrete median island, so the related pavement markings will be charged to that project. As a result, the total project cost exceeds the sum of available funds by \$3,142.50. Staff propose the overage amount be charged to Tullar Road and funded through infrastructure reserve.

Account	Available Budget	Proposed Allocation
Pavement Markings Annual Maintenance 012-5150-743-0236 SM02	\$55,000.00	\$55,000.00
Tullar Road Pavement Marking Project 012-5150-743-0236 SM03	\$30,000.00	\$30,000.00
Bell Street Upgrades Project 012-4750-743-0236 TC07	\$13,890.50	\$7,604.70
Infrastructure Reserve 012-5150-743-0236 SM03	-----	\$3,142.50
Total		\$95,747.20

Staff recommend awarding Contract 9-24 to Century Traffic Company in the amount of \$95,747.20.

**Contract 9-24**  
**BID TABULATION**  
**Epoxy Pavement Markings**

Item No.	Bid No	Bid Item	UofM	Quantity	Unit Price	Extension
1	801.1.1	Furnish & Install Epoxy Long Line 4-Inch	LF	13,154	\$0.85	\$11,180.90
2	801.2.1	Furnish & Install Epoxy Long Line 6-Inch	LF	18,057	\$1.40	\$25,279.80
3	801.3.1	Furnish & Install Epoxy Long Line 8-Inch	LF	1,165	\$3.00	\$3,495.00
4	802.1	Furnish & Install Epoxy Stop Line 18-Inch	LF	55	\$17.00	\$935.00
5	802.2	Furnish & Install Epoxy Stop Line 24-Inch	LF	72	\$18.00	\$1,296.00
6	805.1	Furnish & Install Epoxy Crosswalk Line 6-Inch	LF	693	\$11.00	\$7,623.00
7	805.2	Furnish & Install Epoxy Crosswalk Line 12-Inch	LF	99	\$14.00	\$1,386.00
8	805.3	Furnish & Install Epoxy Crosswalk Line 24-Inch	LF	820	\$18.00	\$14,760.00
9	806.3	Furnish & Install Epoxy Diagonal Line 8-Inch	LF	90	\$11.00	\$990.00
10	806.4	Furnish & Install Epoxy Diagonal Line 12-Inch	LF	73	\$12.00	\$876.00
11	808.2	Furnish & Install Epoxy Arrow Type 2	Each	22	\$275.00	\$6,050.00
12	808.12	Furnish & Install Epoxy Arrow 6-Foot Bike Lane	Each	16	\$175.00	\$2,800.00
13	809.1	Furnish & Install Epoxy Symbol 6-Foot Bike Lane	Each	16	\$175.00	\$2,800.00
14	809.1	Furnish & Install Epoxy Symbol Railroad Crossing	Each	4	\$1,350.00	\$5,400.00
15	811.2	Remove Marking-Other	Each	1	\$150.00	\$150.00
16	811.4	Remove Line Marking 4-Inch	Each	1,715.0	\$1.00	\$1,715.00
17	811.5	Remove Line Marking 6-Inch	Each	734	\$4.00	\$2,936.00
18	811.6	Remove Line Marking 8-Inch	LF	445	\$2.50	\$1,112.50
19	811.7	Remove Line Marking 12-Inch	LF	111	\$12.00	\$1,332.00
20	811.9	Remove Line Marking 24-Inch	LF	24	\$20.00	\$480.00
21	9999	Remove Concrete Curring Compound	LS	1	\$3,150.00	\$3,150.00
						<u>\$95,747.20</u>

**STATUS OF COUNCIL DIRECTIVES ISSUED JULY 17, 2024**

**Council Directive No. 2024-04**

**Introduced Meeting Date:** July 17, 2024

**Date of Directive:**

**Item:** Motion by Boyette/Pollnow to review the grant policy using the Meridan Barrier situation as a guideline to ensure the issues with the Memorandum of Understanding don't happen again.

Since this is a new Council Directive, the directive is introduced at this meeting and voted on at the next Council meeting.

Both Mayor Lang and Director Rasmussen advised the Council that this was a very unusual grant process with Winnebago County because the rules kept changing. Therefore, to use this atypical grant process as a learning tool or as a policy maker, is not practical.

**Requesting Party:** Alderman Boyette/Alderman Pollnow

**Status:**

- July 17, 2024 Council Directive was introduced.



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# P O L I C Y

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**DATE:** 6/17/2015    **EFFECTIVE DATE** Immediately    **POLICY NO:** 2015-1  
**TITLE:** Grant Administration Policy  
**ISSUER:** Finance Dept.  
**COVERAGE:** Citywide  
**AUTHORITY:** Council Approval: 6/17/2015  
**DURATION:** Perpetual  
**SYNOPSIS:** Procedures for Processing Grants and Donations

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## **I. INTRODUCTION**

To establish a common procedure for all City of Neenah Departments when both applying and accounting for any type of grant funding. Focus criteria includes: 1) solicitation of funds for programs that are consistent with the goals of the City; 2) administration of grant funds awarded in the most efficient manner (including annual audit, single audit, and grant specific compliance requirements); and 3) regular evaluation of the performance of the program(s) receiving funding.

## **II. POLICY**

This policy establishes procedures addressing both the content, accounting and compliance responsibilities associated with each respective grant or donation, in addition to procedures for acceptance and ongoing administration of awarded funds or equipment until grant close out. The policy pertains to all agencies, departments or offices of the City, and those committees, boards or commissions that manage or operate other City properties, installations or activities, unless otherwise provided by statute. Procedures are also modified based on the grant amount or value of equipment donated.

### **A. Grant Review Criteria**

All grants and donations shall be reviewed by the approving authority with the following review criteria in mind: 1) is the grant or donation consistent with City goals, objectives and policies; 2) does the grant or donation require a local match and if so, what is the source for that match; 3) what impacts, if any, does the grant or donation have on existing City personnel; 4) identification of responsible City staff for the grant or donation; and, 5) consider ongoing operating budget impact and further replacement costs.

*B. Exceptions*

Because of their routine nature, this policy does not apply to in-kind donation of services; event sponsorships, memorials and annual recurring grants (such as recycling grants), except that department heads shall evaluate acceptance of in-kind donation of services, sponsorships, memorials and recurring grants consistent with the standards outlined in ¶III.A. above.

*C. City Attorney Review*

Any grant or donation agreement required to receive a grant or donation shall be referred to the City Attorney's office for review. The City Attorney shall use best efforts to complete any review within five (5) business days of receipt.

*D. Less than \$2500*

Small grants or donations require Department Head approval for application and acceptance. City Department Heads are authorized to sign any grant agreement required to receive the grant or donation.

*E. \$2,500 to \$10,000*

Medium sized grants and donations require authorization by the Department Head, and Mayor to proceed. Initial investigation into and application for the grant or donation may begin with Department Head authorization. The Department Head shall notify the Committee of Jurisdiction after the Mayor, with the advice of the Finance Director has approved accepting the the grant or donation. The Mayor is authorized to sign any grant application and contract required to receive the grant or donation.

*F. Greater than \$10,000 involving budgeted program or equipment*

Large grants or donations for currently adopted budgeted items shall initially be authorized by the Department Head. This initial authorization shall permit research and filing of the grant application. The Department Head shall notify the Mayor, and Finance Director and seek approval of the Mayor to proceed with the application. The Department Head shall notify the Common Council upon application for the grant or donation and upon award or denial of the City's application. The Mayor is authorized to sign any grant application and contract required to receive the grant or donation.

*G. Greater than \$10,000 requiring use of unbudgeted City resources*

The department head shall first seek the Mayor's approval with input from the Finance Director before starting any application for a grant or donation requiring a local match or requiring an unbudgeted use of City resources. Prior to submitting an application, the department Head shall seek approval for the grant application from the Common Council. The Common Council shall also review and act on any grant agreement required to receive the grant or donation. The Mayor is authorized to sign the application and grant agreement only after approval of both by the Mayor.

*H. Criteria for Application Involving Outside Subrecipient Agencies*

For grants where the City is a pass-through agency of funding being distributed to subrecipients, it is pertinent that the capability of the potential subrecipient agencies be examined. Thus, if an agency that has not previously received grant funds from the City of Neenah expresses interest in participating in one of our grant funding sources, that agency will be subject to a screening conducted by a Finance Department representative and staff directly involved in implementation and spend down of associated grant funds. The screening will involve:

1. Examination of Agency Documents. The agency seeking to become a subrecipient will be asked to submit the following items to the City for review and verification:
  - a. Federal Tax Identification Number
  - b. Articles of Incorporation/Bylaws and Mission Statement
  - c. Administrative Structure Chart
  - d. Board of Directors/Officers Roster
  - e. Agency Budget/Financial Statements (from previous fiscal year).
2. Interview of Potential Subrecipient. A panel consisting of a Finance Department representative and others directly associated with administration of the grant will conduct an interview with agency representative(s) to address both general agency capacity and appropriateness of activities planned to be accomplished with grant funds if they are awarded.
3. Subrecipients receiving pass-through grants from the City within the past 24 months shall not be required to undergo this this screening unless the subrecipient has experienced significant financial or personnel change.

Upon completion of this screening, the interview panel will make a recommendation related to the capacity and appropriateness of the agency to carry out activities funded under the grant sought.

*I. Procurement*

Any procurement activities that will take place as part of a grant award shall follow all City purchasing policies and procedures. If the procurement requirements of a grant are stricter than those of the City of Neenah, then those requirements must be followed. Grantee departments are encouraged to consult with the Purchasing Manager in the Finance Department.

*J. Grant-Funded Staff*

If grant funds will be used for the hiring of personnel, the grantee department must contact the Human Resources Department to determine employee status and to start the selection process. Any person hired to fill a grant-funded position is subject to all applicable City policies.

*K. Critical Timing Grants*

If a situation arises where the Grant Administration Policy will not accommodate the timeframe in which to apply or accept a grant, the Finance Director, Mayor and Department Head

responsible for the grant can expedite the process and/or acquire the appropriate authorization in order to apply for or accept a grant. Critical Timing Issue utilization will be monitored, however, so that it is not used as a method to avoid compliance with the intent of this Policy. Any decisions made will be reported out to the Committee of Jurisdiction and Finance Committee at the next available meeting.

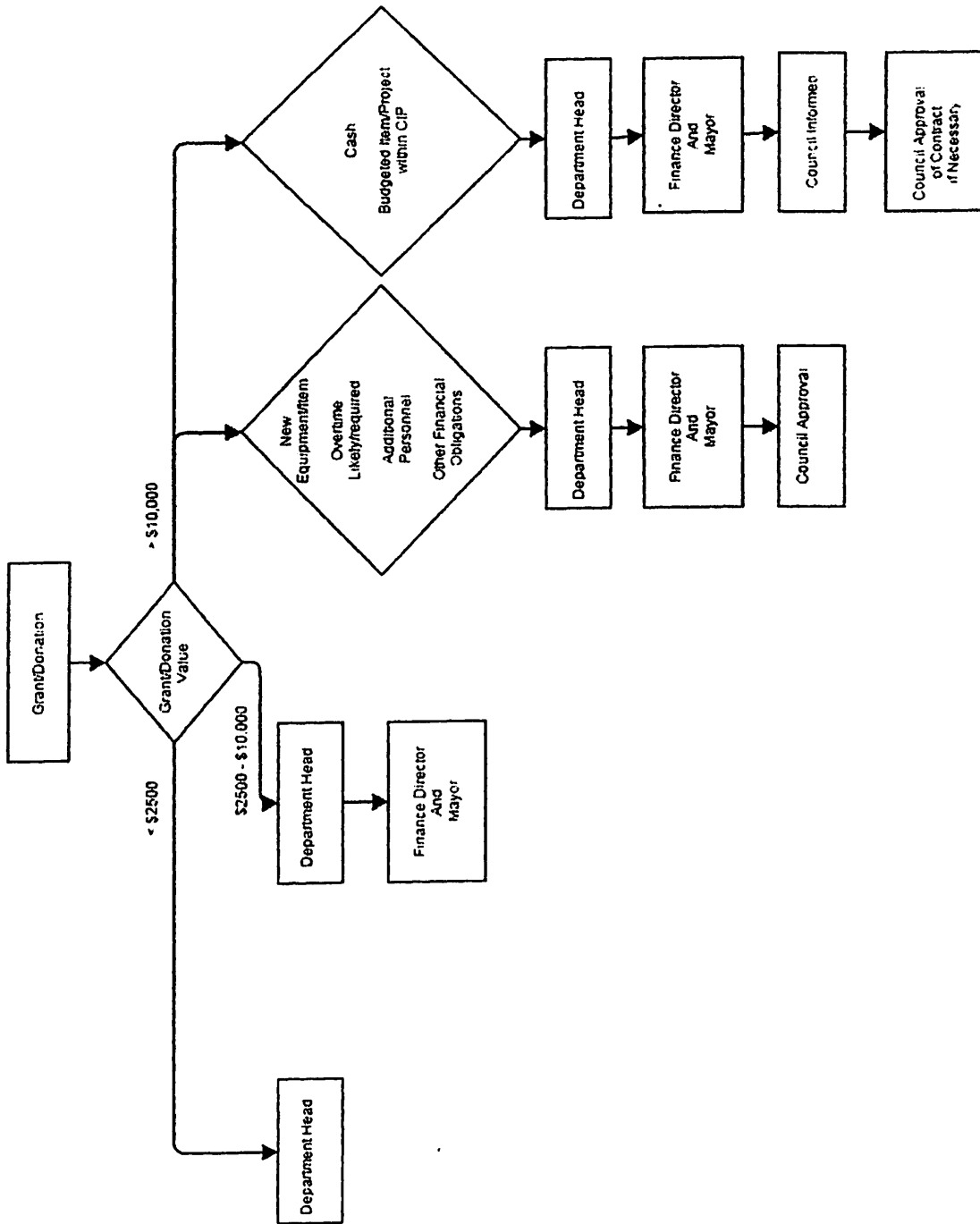
**III. CONCLUSION**

Department heads and City staff are encouraged to find alternative funding sources for City programs and equipment. Utilizing this policy will insure that such grants and equipment donations are consistent with the City's purpose as well as City budget priorities.

**Exhibit A**  
 Grant Administration Flow Chart

grant policy chart 2

Draft Grant and Donation Policy Flow Chart



4/22/2015