

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING
May 27, 2025 @ 5:00 PM
Hauser Room, 211 Walnut Street

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

A G E N D A

1. Approval of Minutes of the Meeting of May 13, 2025 (Attachment)
2. Public Appearances
3. Doty Park Phase 1 Shoreline Improvements Construction Administrative Agreement (Attachment)
4. Designated Outdoor Recreation Area (DORA) (Attachment)
5. Public Works General Construction and Department Activity Report (Attachment)
6. Announcements/Future Agenda Items
7. Adjournment

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

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, May 13, 2025

Present: Chairman Lendrum, Alderperson Linski, and Alderperson Pollnow. Alderperson Borchardt arrived at 5:09 PM.

Excused: Alderperson Weber

Also Present: Mayor Lang, Public Works Director Kaiser, City Clerk Nagel, Alderperson Bruno, Citizens Frank Cuthbert and Scott Becher.

Chairman Lendrum called the meeting to order at 5:00 PM

Approval of Minutes of the Regular Meeting of April 28, 2025

Motion by Pollnow, seconded by Linski to approve the minutes of the Minutes of the Regular Meeting of April 28, 2025

Call for vote by Chairman Lendrum

Motion Carried. All voting Aye. 3/0

Public Appearance – None.

Licenses

Motion by Pollnow, Seconded Linski to recommend Council approve the Temporary Extension of License Premises Application to Lion’s Tail Brewing Co., for Smoke on the Fox.

Call for vote by Chairman Lendrum

Motion Carried. All voting Aye. 3/0

Nicolet/Commercial Roundabout Feasibility Consultant Selection (Attachment)

Motion by Pollnow, seconded by Linski to recommend the City of Neenah enter into a professional services agreement with MSA Professional Services, Inc., for the preparation of a roundabout feasibility analysis for the intersection of Nicolet Boulevard and Commercial Street not to exceed \$13,560.

Director Kaiser advised this analysis study was budgeted for in the 2025 Capital Improvement Plan at the cost of \$15,000 for the five-street conglomerate intersection at Nicolet Boulevard and Commercial Street. The study is a 50/50 cost share with the City of Menasha. This study will answer the questions; 1) will a roundabout fit the area of the

intersection, and 2) if so, how much will it cost. Four replies were received from firms that met the requirements with MSA Professional Services, Inc. having the lowest cost. The study is anticipated to be completed by September in time for the 2026 budget preparation.

Called for Vote by Chairman Lendrum

Motion Carried. All voting Aye. 3/0

Courtside Fields Pond (Attachment)

Report

Motion by Pollnow, seconded by Linski to recommend Council authorize staff to enter into a professional services agreement for design and permitting of the Courtside Fields Pond with Davel Engineering and Environmental, Inc., in the amount of \$17,650 subject to a letter of intent between the city and the property owner.

Director Kaiser advised the pond has to do with the former Shattuck Middle School site called Courtside Field Subdivision. An outlot will be located south of Laudan Blvd. The goal would be for the city to take ownership of that outlot and construct a stormwater detention pond on it to serve the needs of that subdivision. The larger area around the detention pond would also be served by the pond with the objective of treating the stormwater which flows to the Fox River Watershed basin. This would be the first step with the city meeting its stormwater discharge requirements for that basin.

There was discussion on quantifying the developer's contribution to the pond. Director Kaiser advised there are benefits to the city that the developer is giving the city in the form of meeting the city's stormwater discharge requirements. If that land were not available for the pond, the city would have to make the land up somewhere else. This is a different situation than most new developments in that it is an infill project rather than a growth project. In trying to retrofit a pond where it can fit, this land has value to the city.

Easements would not be necessary because the city would own the outlot and the pond. The outlot would be accessible from Laudan Blvd. The Neenah Creek is 75% of the city's watershed, meaning 75% of the stormwater runoff goes to the Neenah Creek. Most of the available properties for a pond has been on the Neenah Creek watershed side of discharge. Sites available for a pond are limited with the Fox River Watershed and Lake Winnebago Watershed because they are very developed areas. Finding strategies to address these two watersheds is challenging. At some point, the stormwater management focus is going to have to shift to the Fox River Watershed and Lake Winnebago Watershed to meet our.

Called for Vote by Chairman Lendrum

Motion Carried. All voting Aye. 4/0

- 1) S. Commercial Street:
 - The west lane was paved the week of 5/5.
 - Intersection and gap paving along the west side will start the week of 5/12.
- 2) Contract 7-21 (Harrison Pond): A punchlist has been provided to the contractor. Final topsoiling has been done. Grading and seeding need to be done.
- 3) Contract 7-23 (High, River Utility and Street Construction): Work is complete. A punchlist was provided to the contractor. Concrete repairs have been made. Restoration at those sites is needed along with a parking lot asphalt repair. Final quantities have been prepared.
- 4) Contract 4-24 (S. Park Avenue Easement – Utilities): Piping work is complete. Restoration is scheduled to start the week of 5/12.
- 5) Contract 6-24 (Jewelers Park Drive): Work on the original contract is complete. Curb and flume installation on the Arrowhead Park loop road was completed the week of 5/5.
- 6) Contract 7-24 (Misc Concrete Pavement/Sidewalk Repair): The majority of the work is complete. The sidewalk on the west side of the north end of Baldwin will be done when arrangements have been finalized with the abutting property owner.
- 7) Contract 11-24 (Douglas Park Pond): Pond excavation and storm pipe installation are complete. Final grading and landscaping will happen in spring. Landscaping is scheduled to start the week of 5/12. Prairie planting will be done by a separate contractor in the fall.
- 8) Contract 13-24 (S. Commercial St Turn Lane at Winneconne Av): The contract was awarded to Vinton Construction. The work has not been scheduled. We are working through the property acquisition.
- 9) Contract 1-25 (Alexander, Lexington, Forest Manor Ct, Bruce, Southfield Plat Utilities and Street): Water main installation is ongoing.
- 10) Contract 2-25 (Elm, Douglas Utilities and Street):
 - a) Elm: Utility work is complete. The street is in the rest period until June.
 - b) Douglas: Utility work is complete. The street is in the rest period until June.
- 11) Contract 3-25 (Caroline, Hickory Utility and Street Construction): Service pipebursting will be completed the week of 5/12.
- 12) Contract 8-25 (Tullar Garage Roof Repair): The contract was awarded to JT Rams, LLC. A schedule has not been set.
- 13) Contract 11-25 (Church/Wisconsin intersection): Work on the intersection is scheduled to start on 5/9. The work involves constructing a bumpout at the northwest corner, replacing the crosswalks on the north, south, and east legs, and creating a crosswalk on the west leg. Traffic signal detection on the Church Street legs will be converted to video detection.
- 14) Church Street Ramp: The storm drains at the outside corners of the ramp have been replaced.

- 15) Fiber Installation Project: Work started 4/30. DDS has completed most of the underground construction at Oak Hill Cemetery and will be moving on to Washington Park next. It is on track for project completion by mid-June.
- 16) E-Waste Event: The spring e-waste event is scheduled for 5/17 at the Tullar Garage from 8 a.m. to noon.
- 17) Tullar Drop-off Center: Saturday morning hours have started at the drop-off.

Announcements/Future Agenda Items

None

Adjournment

Motion by Pollnow, seconded by Borchardt to adjourn at 5:26 PM.

Call for vote by Chairman Lendrum

Motion Carried. All voting Aye. 4/0

Respectfully Submitted,

A handwritten signature in black ink that reads "Charlotte Nagel". The signature is written in a cursive style with a yellow highlighter mark under the letter "e" in "Nagel".

Charlotte Nagel, City Clerk



MEMORANDUM

DATE: May 27, 2025

TO: Mayor Lang and Members of the Public Services & Safety Committee,

FROM: Char Nagel, City Clerk, City Attorney David Rashid, Community Development Director Kelly Nieforth

RE: Resolution 2025-04 Designated Outdoor Recreation Area

In March of 2024, Future Neenah Inc. (FNI) proposed creating a permanent Designated Outdoor Recreation Area (DORA) in downtown Neenah, similar to the DORA in the City of Oshkosh. At that time, City Attorney Rashid and Paralegal DeWitt worked with FNI to craft an ordinance to their satisfaction. The proposed ordinance was on the March 26th Public Services and Safety Committee agenda. The item was tabled for further research.

Mayor Lang, Attorney Rashid, and Clerk Nagel met with FNI to discuss how the state statutes would impact the proposed DORA. The intent of the DORA is to allow alcoholic beverages to be carried and consumed in the public outdoor spaces within a designated area during a specific timeframe. Possession and consumption of alcohol beverages is prohibited in non-licensed businesses open to the public, and alcohol beverages are prohibited from being carried into another licensed establishment (commonly known as “no carry-ins”). What is commonly known as the “to go cups” is the statute that is used to bring alcohol beverages sold by the glass from a licensed bar/restaurant into the DORA area. That statute also needed to be incorporated into the ordinance. These statutes were incorporated into the proposed Ordinance 2024-13 along with additional language which mirrored language used by the City of Oshkosh. The City of Oshkosh established their DORA by resolution.

At the Public Services and Safety Committee Meeting of June 25, 2024, proposed Ordinance 2024-13 was brought forward. There was much discussion as to the vehicle used to establish the DORA, be it by ordinance or resolution. The ordinance was tabled at that meeting to allow staff to make a recommendation as to the legislative format to be used to establish the DORA. Staff reviewed both ordinance and resolution options and determined that a resolution would be the appropriate way to establish the DORA.

Before the Committee tonight is Resolution 2025-04, Approval of a Designated Outdoor Refreshment Area (DORA). The resolution is similar to that of the City of Oshkosh but is not an exact replica. Resolution 2025-04 incorporates the statutes indicated above, which is essentially the functional framework of the DORA.

Staff purposely left out language in the resolution regarding the timeframe of the permanent DORA due to the fact that the timeframe that FNI has proposed (40 hours per week) is much longer as compared to the City of Oshkosh (24 hours per week). Staff felt the timeframe was better left to the discretion of both the Public Services and Safety Committee as well as the Council.

DORA Timeframes:

- The proposed Future Neenah DORA timeframe
Wednesday – Saturday from noon-10pm
- City of Oshkosh approved DORA timeframe
Wednesday – Friday from 5-10pm, and Saturday 1-10pm
The Saturday timeframe was approved specifically to keep the Oshkosh Saturday Morning Farmer's Market alcohol free

Should Future Neenah's proposed hours be approved, the DORA will also be in effect during special events such as:

- FNI's Summer Kickoff Concert
- FNI's Summer Concert Series, Wednesday Night at Shattuck Park
- FNI's Out to Lunch Concert Series, Thursday Noon at Shattuck Park
- Community Fest at Riverside Park
- FNI's Boogie Downtown
- Neenah High School Homecoming Parade
- Any Library Events
- FNI's A Very Neenah Christmas
- FNI's Christmas Market
- Events beyond FNI sponsored events, including those events at Riverside.

The Public Services and Safety Committee has the discretion to make recommendations on Resolution 2025-04 for possible Approval of a Designated Outdoor Refreshment Area (DORA).



RESOLUTION NO. 2025-04

**RESOLUTION FOR APPROVAL OF A
DESIGNATED OUTDOOR REFRESHMENT AREA (DORA)**

WHEREAS, the Common Council may create exceptions to the prohibition of open intoxicants on public right of way by temporarily extending "Class B", Class "B", "Class C" License and/or any permit or license issued under Wis. Stats. Ch. 125, by the State of Wisconsin, to a Designated Outdoor Refreshment Area (DORA) adjacent to the licensed premises.

WHEREAS, a Designated Outdoor Refreshment Area (DORA) permits the carrying of open containers and consumption of alcoholic beverages within the boundaries of a DORA, during such times and under such conditions as the Council may specifically permit; and

WHEREAS, on June 4, 2025, the Council adopted this Resolution 2025-04 granting the request by Future Neenah, Inc. to create a DORA thereby allowing for the alcoholic beverages to be consumed outdoors within boundaries of the DORA (see attached map) during such times and under such conditions as the Council may specifically permit; and

WHEREAS, The Council finds that it is reasonable to create an exception to the open intoxicants ordinance within the area requested under the conditions specified below.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council creates an exception to the prohibition of open intoxicants on public rights of way, and hereby creates a Designated Outdoor Refreshment Area (DORA) permitting the carrying and consumption of open intoxicants as an exception to the City of Neenah Municipal Code in compliance with the following conditions:

- (1) The DORA will commence at 210 Main Street, continuing northeast towards and along the 200 and 100 blocks of West Wisconsin Avenue and ending at and including 211 East Wisconsin Avenue. The DORA will also start at 116 South Commercial Street and conclude at the intersection of North Commercial Street and Wisconsin Avenue. Alta Alley, in accordance with the one certain license agreement controlling same, is managed and operated by both the City of Neenah and Future Neenah, Inc. shall be included in the DORA as per Wis. State 125.09(1). (See Exhibit 1, attached to this resolution from which this condition is derived).
- (2) The DORA will be allowed to operate within the period between April 1, 2025 through March 31, 2026, each week therein from ____ day through ____ day, between the hours of ____:00 AM/PM to ____:00 AM/PM.

- (3) During applicable hours of operation, open intoxicants may be carried and consumed within the DORA, but limited to sidewalks and other portions of the public right of way not open to vehicular traffic including crosswalks and other pedestrian crossing areas while persons are lawfully crossing the street, alley or highway; the Alta Alley; and public rights of way, streets, alleys, sidewalks, and highway that are closed to the public for an approved Special Event under Chapter 14, Article V of the City Municipal Code.
- (4) Permits will be required annually for the use of the DORA by Future Neenah, Inc. by filing an application with the City Clerk. The permit application for the DORA shall be due February 1st of the same year and shall be approved by the Common Council after review and recommendation by the Clerk.
- (5) Pursuant to Chapter 125 of the Wisconsin Statutes, as amended from time to time, the following statutory provisions and limitations are hereby adopted as applicable to the DORA operation:

- (a) 125.09(1) Public place: No owner, lessee, or person in charge of a public place may permit the consumption of alcohol beverages on the premises of the public place, unless the person has an appropriate alcohol beverage retail license or permit or no-sale event venue permit.

A public place is defined as a business not holding any type of license. A business without an appropriate retail license to sell alcohol shall not permit possession or consumption of alcoholic beverages inside the premises.

- (b) 125.32(6)(a) Except as provided in s. 125.33 (2) (o) or (12), 125.69 (9), or 125.70, and subject to par. (c), no person may possess on the premises covered by a retail or wholesale fermented malt beverages license or permit any alcohol beverages not authorized by law for sale on the premises, commonly known as “no carry-ins”.
 - (c) 125.51(3)(a) and (b) A “Class B” license authorizes the retail sale of intoxicating liquor by the glass and not in the original package or container for consumption on the premises where sold or for consumption off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal before the intoxicating liquor is removed from the premises, commonly known as the “to-go cup”. In addition, wine may be sold in the original package or container in any quantity to be consumed off the premises where sold. The “Class B” license also authorizes the sale of intoxicating liquor in the original package or container, in any quantity, to be consumed off the premises where sold.
- (6) The City shall retain the right to suspend or terminate the DORA at any time when in the judgment of the City or the City’s representatives, specifically Chief of Police or Fire Chief, such action is necessary in the interest of public safety or to address issues and concerns that may arise in relation to the DORA, including but not limited to non-compliance of businesses/patrons with the conditions of this ordinance, unreasonable or excessive trash and debris, or disorderly conduct associated with the operation of the DORA. Such suspension or termination shall be promptly reported to the Common Council aldermen who may review the suspension or termination at the next regular Council Meeting.

(7) The City will be responsible for the additional cleanup costs of carrying out this program including, for example, extra police presence and additional refuse collection.

(8) Upon approval of the DORA by the Common Council, the following ordinances of the Neenah Municipal Code shall be temporarily suspended and not applicable or enforceable inside the DORA boundaries during the designated time frame:

- (a) 4-95(b)(1). Alcohol Beverages—Restrictions.
- (b) 4-103. Alcohol Beverages—Intoxicants, Consumption and Possession.
- (c) 4-106(d). Alcohol Beverages—Outdoor service/beer gardens. (Sidewalk Cafes)
- (d) 11-3(a)(b)(1-2). Offenses and miscellaneous provisions— Fermented malt beverages or intoxicating liquor on public property and commercial quadricycles prohibited; exceptions.
- (e) 11-87. Obstructing streets and sidewalks prohibited.

(9) The license holder shall in all regards comply with the requirements of Wis. Stats. Ch. 125 regarding the regulation of alcohol beverages.

Adopted, approved and recorded this 4th day of June, 2025.

Recommended by: Public Services & Safety Committee

CITY OF NEENAH, WISCONSIN

Moved: _____

Jane B. Lang, Mayor

Passed: _____

Charlotte K. Nagel, City Clerk

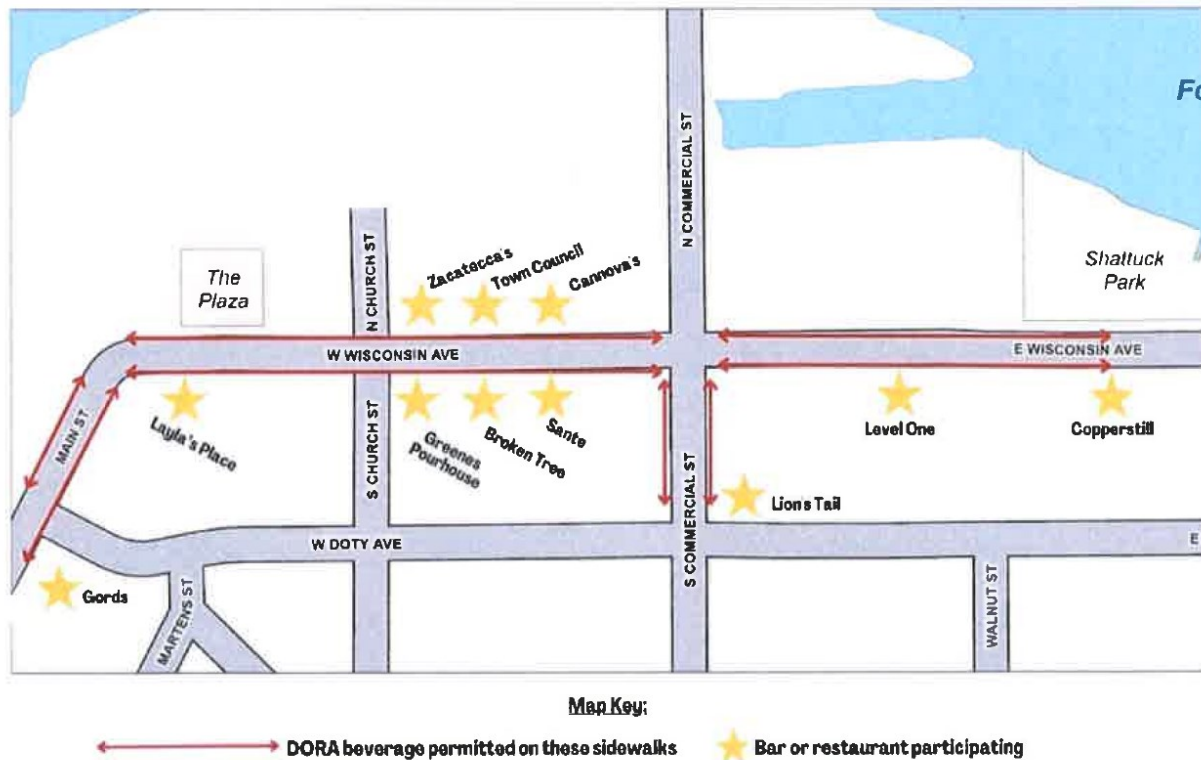
City of Neenah
Notice of Proposed Designated Outdoor Refreshment Area (DORA)

NOTICE IS HEREBY GIVEN that a public meeting will be held by the City of Neenah to consider the establishment of a DORA within a portion of the Neenah Central City Business Improvement District (BID). The intent of a DORA is to allow alcoholic beverages to be carried and consumed in the public outdoor spaces within the designated area during a specific timeframe.

Chapter 125 of the Wisconsin State Statutes as adopted by the City of Neenah within Chapter 4 of the Municipal Code, regulates the businesses that can provide alcoholic beverages and where individuals may take the alcoholic beverages. Here are the details about the proposed DORA:

- Individuals may purchase an alcoholic beverage from a business that is licensed to sell alcoholic beverages (bar, restaurant, etc.) within the DORA boundaries and take the alcoholic beverage outside of the licensed business in a special sealed “DORA” cup.
- When taking the alcoholic beverage in a DORA cup outside of the licensed business, individuals must stay within the DORA boundaries within public places (sidewalks, crosswalks, etc.).
- When taking the alcoholic beverage in a DORA cup outside of a licensed business, individuals cannot take the alcoholic beverage in a DORA cup into a different licensed business (a different bar, different restaurant, etc.) since the alcoholic beverage was not originally purchased from that licensed business. Individuals must finish their alcoholic beverage in a DORA cup before entering a different licensed business. Individuals will receive a new DORA cup for their alcoholic beverage.
- The DORA cup cannot be taken into a non-licensed business (retail, services, etc.). Individuals must finish their alcoholic beverage in a DORA cup before entering a non-licensed business.
- An annual permit will be required for the use of the DORA and shall be considered by the Common Council after review and recommendation by the City Clerk.

The conceptual boundaries of the DORA are shown below with the eligible properties being generally located on West Wisconsin Avenue, East Wisconsin Avenue, Main Street and South Commercial Street.



You have been sent a notice due to the proximity of your property or business near the proposed DORA. **If you are an owner and have a tenant in your building, please share this information with them.**

The Common Council will consider this request on Wednesday, June 4, 2025, at the City Administration Building, 211 Walnut Street, Neenah, Wisconsin at 6:00PM in the Council Chambers.

NOTICE IS FURTHER GIVEN that interested persons may appear at said meeting and be heard for or against the proposed DORA.

Charlotte Nagel
City Clerk
Neenah, Wisconsin

(CARRIED 6-1 LOST _____ LAID OVER _____ WITHDRAWN _____)
(*As Amended)

PURPOSE: APPROVE DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID) AREA

INITIATED BY: BID

WHEREAS, the Common Council by Ordinance 22-271 adopted on June 28, 2022 modified Section 17-7 of the City's Municipal Code to allow for the creation of a Designated Outdoor Refreshment Area (DORA) to permit the carrying of open containers and consumption of alcoholic beverages within the boundaries of a DORA, during such times and under such conditions as the Council may specifically permit; and

WHEREAS, on June 28, 2022, Council adopted Resolution 22-272, granting a request by the Downtown Business Improvement District to create a DORA District to allow for alcoholic beverages to be consumed outdoors within an area generally around the North Main Street downtown area; and

WHEREAS, the Council finds that it is reasonable to create an exception to the open intoxicants ordinance within the area requested under the conditions specified below.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that pursuant to Section 17-7 of the City of Oshkosh Municipal Code permitting the Common Council to create exceptions to the prohibition on open intoxicants on public rights of way, there is hereby created a Designated Outdoor Refreshment Area (DORA) permitting the carrying and consumption of open intoxicants as an exception to Section 17-7 of the City of Oshkosh Municipal Code in compliance with the following conditions:

- The boundaries of the Designated Outdoor Refreshment Area (DORA) shall be defined as shown on the attached Exhibit A "Downtown DORA District".
- The exception to the open intoxicants ordinance shall only permit the carrying and consumption of alcohol beverages within the boundaries of the District during the hours of 1 pm to 10 pm on Wednesdays through Saturdays.

- That this exception shall not apply on the following dates (open intoxicants shall not be permitted on the following dates):

The first Saturdays in April and October, and any other day(s) designated by the City Manager

- As specified in Section 17-7 carrying and consumption of open intoxicants within the DORA is limited to sidewalks and other portions of the public right of way not open to vehicular traffic including crosswalks or other pedestrian crossing areas while persons are lawfully crossing the street, alley or highway; and public rights of way, streets, alleys, sidewalks and highways that are closed to the public for a Special Event under Chapter 5 of the City Municipal Code.
- The carrying and consumption of open intoxicants shall not be permitted within or upon the property of the City of Oshkosh Transit Center located at 110 Pearl Avenue.
- The exception shall not permit the possession or consumption of intoxicating liquor or fermented malt beverages in or on parking lots or premises held out to the public for use of motor vehicles; nor upon any private property without permission of the owner or occupant.
- The exception shall not permit the possession or consumption of any intoxicating liquor or fermented malt beverages in violation of the provisions of state statutes or other municipal codes, including but not limited to the possession or consumption of alcohol beverages on a licensed premises which were not purchased at that premises, possession or consumption of alcohol beverages on premises without a license that are open to the public, possession or consumption by underage persons or any other violation.
- All alcohol beverages sold by individual servings for removal from a licensed premises for consumption within the DORA shall be served in unbreakable transparent or semi-transparent containers, except the beverages may be served or possessed in their original packaging/containers if those containers are not breakable (plastic or cans).
- Beverages sold or possessed in glass containers shall not be permitted to be opened or consumed on the public right of way, streets, alleys, highways or parking lots open to the public.
- The City shall retain the right to suspend or terminate the DORA at any

time when in the judgment of the City or the City's representatives, specifically the City Manager or Chief of Police of the City of Oshkosh, such action is necessary in the interest of public safety or to address issues and concerns that may arise in relation to the DORA, including but not limited to non-compliance of businesses/patrons with the conditions of this resolution, trash and debris or disorderly conduct associated with the operation of the DORA district. Such suspension or termination shall be promptly reported to the Common Council who may review the suspension or termination at a Council Meeting upon the request of any member of the Council.

- The City will be responsible for the additional costs of carrying out this program including, for example, additional police patrols and additional refuse collection.

*Change hours to Wednesday – Friday 5-10PM and Saturday 1PM-10PM.
Allow permit 4/1/2023 to 3/31/2024 to be reviewed by City Council in December 2023.



TO: Honorable Mayor & Members of the Common Council
FROM: Mark Rohloff, City Manager
DATE: December 8, 2022
RE: Approve Designated Outdoor Refreshment Area (DORA) for
Downtown BID

BACKGROUND

In June 2022, council adopted a municipal code amendment to allow for the creation of a Designated Outdoor Refreshment Area (DORA) as an exception to our restrictions on alcoholic beverage consumption in public areas. Council approved a specific pilot project for a DORA district in the downtown area. Following the end of the pilot project, I met with representatives of the BID to review the 2022 DORA season and discuss their plans for 2023. Overall, the first year of the DORA proved to be successful, with no incidents to report from the Police Department. Based on this experience, special Police staffing for the DORA was suspended after Labor Day. Although there have been a few complaints about trash, these are typically identified after a full evening of activity in the downtown area, and cannot be directly attributed to DORA.

ANALYSIS

Based on the success of the first year under the pilot program, the BID is asking that the DORA season for 2023 begin on April 1 and continue year around thereafter. Because of the interest in events in the downtown area both during the week and on weekends, the BID is also asking that the DORA be authorized from Wednesday through Saturday nights, at a single consistent time period of 1 PM to 10 PM. This will not conflict with the Saturday Farmers Market, and will allow the DORA to be used during a Wednesday night concert series in the summer, Waterfest, and other Saturday special events such as Oshkosh Jazz Fest. Ultimately, there is a goal of hosting winter events, so extending the DORA throughout the year is something they would like to pursue.

Chief Smith believes that the downtown DORA, as currently presented, does not represent a public safety concern at this time. With that said, staff reserves the right to restrict a DORA, under certain circumstances, including during family oriented events, such as the holiday parade. We will work with the BID to identify these potential restricted dates and times.

FISCAL IMPACT

Police Chief Smith believes that under current circumstances, no special detail is necessary for DORA, so no fiscal impact is anticipated. The BID will continue to work with a local agency to coordinate special trash pick-ups if needed, so there are no expected costs at this time.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Mark Rohloff', is positioned above the typed name.

Mark Rohloff
City Manager

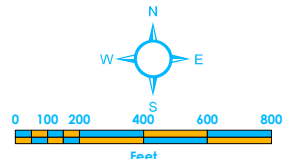


P-01	300 West Lot	115 Algoma Blvd.
P-02	Convention Center North	110 State St.
P-03	400 East Lot	443 Jefferson St.
P-05	Grand South Lot	125 High Ave.
P-06	Hotel Ramp	95 Commerce St.
P-07	Library Lot	106 Washington Ave.
P-09	Otter Lot	115 Otter Ave.
P-10	200 East Lot	205 State St.
P-11	200 West Lot	10 Pearl Ave.
P-12	Recreation Dept. Lot	425 Division St.
P-13	Convention Center East	201 Ceape Ave.
P-14	State Lot	306 State St.
P-15	300 East Lot	17 Washington Ave.
P-16	400 West Lot	17 Church Ave.
P-17	500 West Lot	20 Church Ave.
P-18	Leach Lot	303 Ceape Ave.



Exhibit A

Downtown DORA District



Document Path: H:\Jeff\Arc Map Projects\BID Maps\DORA Map.mxd

PURPOSE: APPROVE DESIGNATED OUTDOOR REFRESHMENT AREA (DORA) FOR THE DOWNTOWN BUSINESS IMPROVEMENT DISTRICT (BID) AREA

INITIATED BY: CITY CLERK

WHEREAS, the Common Council by Ordinance 22-271 adopted on June 28, 2022 modified Section 17-7 of the City's Municipal Code to allow for the creation of a Designated Outdoor Refreshment Area (DORA) to permit the carrying of open containers and consumption of alcoholic beverages within the boundaries of a DORA, during such times and under such conditions as the Council may specifically permit; and

WHEREAS, the Downtown Business Improvement District (BID) has previously requested the creation of a DORA District to allow for alcoholic beverages to be consumed outdoors within an area generally around the North Main Street downtown area; and

WHEREAS, the BID is requesting approval of the DORA District in the downtown area for the period from April 1, 2025 through March 31, 2026; and

WHEREAS, the Council finds that it is reasonable to create an exception to the open intoxicants ordinance within the area requested under the conditions specified below.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Oshkosh that pursuant to Section 17-7 of the City of Oshkosh Municipal Code permitting the Common Council to create exceptions to the prohibition on open intoxicants on public rights of way, there is hereby created a Designated Outdoor Refreshment Area (DORA) permitting the carrying and consumption of open intoxicants as an exception to Section 17-7 of the City of Oshkosh Municipal Code in compliance with the following conditions:

- The boundaries of the Designated Outdoor Refreshment Area (DORA) shall be defined as shown in Exhibit A, "Downtown DORA District".
- The exception to the open intoxicants ordinance shall only permit the carrying and consumption of alcoholic beverages within the boundaries of the District during the hours of 5 pm to 10 pm Wednesdays through Fridays and 1 pm to 10 pm on Saturdays.
- That this exception shall not apply on the following dates (open intoxicants shall not be permitted on the following dates):
- The first Saturdays in April and October, and any other day(s) designated by the City Manager
- As specified in Section 17-7 carrying and consumption of open intoxicants within the DORA is limited to sidewalks and other portions of the public right of way not open to vehicular traffic; including crosswalks or other pedestrian crossing areas while persons are lawfully crossing the street, alley or highway; and public rights of way, streets, alleys, sidewalks and highways that are closed to the public for a Special Event under Chapter 5 of the City Municipal Code.
- The carrying and consumption of open intoxicants shall not be permitted within or upon the property of the City of Oshkosh Transit Center located at 110 Pearl Avenue.
- The exception shall not permit the possession or consumption of intoxicating liquor or fermented malt beverages in or on parking lots or premises held out to the public for use of motor vehicles, nor upon any private property without the permission of the owner or occupant.
- The exception shall not permit the possession or consumption of any intoxicating liquor or fermented malt beverages in violation of the provisions of state statutes or other municipal codes, including but not limited to the possession or consumption of alcoholic beverages on a licensed premise which were not purchased at that premises, possession or consumption of alcoholic beverages on premises without a license that are open to the public, possession or consumption by underage persons or any other

violation

- All alcoholic beverages sold by individual servings for removal from a licensed premise for consumption within the DORA shall be served in unbreakable transparent or semi-transparent containers, except the beverages may be served or possessed in their original packaging/containers if those containers are not breakable (plastic or cans).
- Beverages sold or possessed in glass containers shall not be permitted to be opened or consumed on public rights-of-way, streets, alleys, highways, or parking lots open to the public.
- The City shall retain the right to suspend or terminate the DORA at any time when, in the judgment of the City or the City's representatives, specifically the City Manager or Chief of Police of the City of Oshkosh, such action is necessary in the interest of public safety or to address issues and concerns that may arise in relation to the DORA, including but not limited to non-compliance of businesses/patrons with the conditions of this resolution, trash and debris or disorderly conduct associated with the operation of the DORA district. Such suspension or termination shall be promptly reported to the Common Council, who may review the suspension or termination at a Council Meeting upon the request of any member of the Council.
- The City will be responsible for the additional costs of carrying out this program including, for example, additional police patrols and additional refuse collection.
- The DORA shall be permitted from April 1, 2025, through March 31, 2026.



M E M O R A N D U M

DATE: May 23, 2025
TO: Mayor Lang and Members of the Public Services and Safety Committee
FROM: Gerry Kaiser, Director of Public Works
RE: Public Works General Activity

- 1) S. Commercial Street:
 - Intersection and gap paving along the west side of the road is being done.
 - Grading for sidewalk is ongoing along the west side along with planter box excavation and backfilling.
 - Sidewalk paving was scheduled to begin about 5/22.
 - Traffic signal bases and pullboxes are being installed.
- 2) Contract 7-21 (Harrison Pond): Work under the contract is complete. A final pay request is being prepared.
- 3) Contract 7-23 (High, River Utility and Street Construction): Work is complete. A punchlist was provided to the contractor. Concrete repairs and associated restoration are done. Parking lot asphalt repair remains. Final quantities have been prepared.
- 4) Contract 4-24 (S. Park Avenue Easement – Utilities): Piping work is complete. Softscape restoration is complete. Hardscape restoration is either being done under our concrete/asphalt repair contracts or by city crews.
- 5) Contract 6-24 (Jewelers Park Drive): Work on the original contract is complete. Curb/gutter, flume and trail installation are complete. Fine grading and asphalt paving will be done in the next two weeks.
- 6) Contract 7-24 (Misc Concrete Pavement/Sidewalk Repair): The majority of the work is complete. The sidewalk on the west side of the north end of Baldwin will be done when arrangements have been finalized with the abutting property owner.
- 7) Contract 11-24 (Douglas Park Pond): Pond excavation and storm pipe installation are complete. Final grading and landscaping remain to be completed.
- 8) Contract 13-24 (S. Commercial St Turn Lane at Winneconne Av): The contract was awarded to Vinton Construction. The work has not been scheduled. We are working through the property acquisition.
- 9) Contract 1-25 (Alexander, Lexington, Forest Manor Ct, Bruce, Southfield Plat Utilities and Street): Water main installation is complete on Lexington, Alexander and Bruce. Work on Forest Manor Ct will start the week of 5/27.
- 10) Contract 2-25 (Elm, Douglas Utilities and Street):
 - a) Elm: Utility work is complete. The street is in the rest period until June.
 - b) Douglas: Utility work is complete. Concrete curb and sidewalk repairs will start the week of 5/27.

- 11) Contract 3-25 (Caroline, Hickory Utility and Street Construction): Service line pipebursting is complete. Mainline sewer and water installation are scheduled to start in June.
- 12) Contract 8-25 (Tullar Garage Roof Repair): The contract was awarded to JT Rams, LLC. A schedule has not been set.
- 13) Contract 10-25 (City Hall Window Replacement): The RFP for this work has been posted. Proposals are due on June 18.
- 14) Contract 11-25 (Church/Wisconsin intersection): Work is nearly complete on the northwest quadrant and the north half of the east crosswalk. The contractor plans to switch work to the south side of the intersection the week of 5/27
- 15) Fiber Installation Project: Work started 4/30. All underground construction is complete, restoration 90% complete. Fiber will be installed week of 5/26. On track for project completion by mid-June.
- 16) Compliance Maintenance Annual Report: Our annual report to WDNR about our sanitary sewer system has been completed. It will be brought to our July 10 meeting for review.
- 17) Bridge Repairs: Several of our bridge inspection reports for 2024 highlighted deficiencies that need attention. Staff met with Pheifer Brothers Construction to review repair options for items on the Jewelers Park Drive box culvert over Neenah Creek, the Cecil Street overpass and the Main Street overpass. Repairs or temporary measures will be done the week of 5/27.