

Common Council Minutes
Wednesday, November 16, 2022—7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, November 16, 2022, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

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

Also present: Police Chief Olson, Police Captain Van Sambeek, and Deputy Director of Community Development Schmidt.

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

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

SMALL BUSINESS SATURDAY PROCLAMATION

Mayor Lang read aloud the proclamation.

- II. Introduction and Confirmation of Mayor's Appointment(s) – None.

- III. Approval of Council Proceedings

- A. Approval of the Council Proceedings of November 2, 2022 regular session. **(UC)**

**There being no objections, the Council Proceedings of November 2, 2022
was ordered approved as written by unanimous consent.**

- IV. Public Hearings

- A. Consider Ordinance 2022-20 Amending the Neenah Comprehensive Plan 2040 Future Land Use Map for 600 Elm Street (Shattuck Middle School) from Community Facility to Residential Neighborhood Investment Area. **(No action on this item)**
- B. Consider Ordinance 2022-21 rezoning land located at 600 Elm Street (Shattuck Middle School) and three adjacent parcels south of Laudan Blvd. from R-1 Single-Family Residence District to the Traditional Neighborhood Development (TND) District. **(No action on this item)**

Deputy Director of Community Development Schmidt gave an informational presentation regarding the proposed Shattuck Middle School redevelopment.

Andy Dumke of Northpointe Development gave a presentation on Northpointe Development projects completed in the Fox Valley area, the use of historic or section 42 tax credits, lease/rental requirements, and typical tenants who occupy Northpointe Development buildings.

Jonathan Brinkley, Project Architect, gave a presentation regarding the tentative plans and historic value of converting Shattuck Middle School into apartments.

Mayor Lang announced tonight's public hearing would be recorded and questions would be addressed during the deliberations portion of the process at the November 29, 2022 Plan Commission and at the December 7, 2022 Common Council meetings. No action will be taken on the public hearing items at this meeting.

Mayor Lang opened the public hearing at 7:44 PM.

Mark Ellis, 218 Clybourn St., Neenah

Spoke in favor of the project and spoke on the fear, fact, and faith of change. Addressed the Council on doing the right thing even though it is an unpopular decision.

Sara Kranpitz, 615 Hansen St., Neenah

A landlord in Neenah, Ms. Kranpitz discussed affordable housing vs. stable affordable housing and the impact of eviction or non-renewal of the lease on the renters and their families. Concerned about density with too many people in a small area, Ms. Kranpitz also spoke on past comments made after the new high school referendum passed; comments made to work with the surrounding neighborhood to create a desirable development plan for everyone involved which did not happen. Ms. Kranpitz questioned a conflict of interest regarding Sarah Moore-Nokes being on both the Neenah Joint School Board and the Plan Commission.

Kathryn Noll-Arias, 732 Reed St., Neenah

Indicated she lives in a home built with the help of Habitat for Humanity and doesn't want apartments in her neighborhood. Katherine wants neighborhood to stay single-family home because she wants people to own their own homes and be responsible for something they own.

Warren Bergmann, 762 Congress St., Neenah

Feels unwelcomed in the neighborhood because he is a renter. Comments made about security and low-income renters are broad and unfair assumptions about people like himself who need affordable housing. The impact of decisions and actions must be considered, not the complacency of resting on good intentions. The impact to not rezone perpetuates the exclusion of low to moderate income families. Only through intentional inclusion does the welcoming of all people to our neighborhood become a reality.

Erin McCann, 727 Chestnut St., Neenah

Erin grew up at 671 Elm where her parents remain today. She hopes that her parents can remain in the home on Elm St. for some time. She hopes that the city is one who wants to attract people like her; people who return to their hometown to be in a safe neighborhood where she can raise her family and contribute to the economic success of their community. She is disappointed that a well-established neighborhood must work hard to get the city to slow down to truly evaluate this

opportunity. The proposed Northpointe project does not blend into nor enhance the neighborhood.

Joe James, 516 Hansen St., Neenah

Mr. James believes this project is moving too fast and would like the city to slow down. Spoke on the impact of increased traffic on the neighborhood. Mr. James would not have come to Neenah from California if he had known about the proposal as he believes that section 14 housing is not the environment the city wants and would like to see the property developed as single-family homes.

Nancy Kranpitz, 957 Grove St., Neenah

Ms. Kranpitz is concerned with the renters, the friends that visit them, and who they are responsible to. Ms. Kranpitz is concerned with the volume of traffic as there is no through traffic as both Reed and Elm dead end. One car families are rare, what about parking. Would like to see rendering of the proposed single-family homes and duplexes. Would like to see the green space and walking track preserved in perpetuity.

Jessica Williams, 628 Reed St., Neenah

Ms. Williams moved to Neenah for small town feel and to own her own home. She does not want apartments because she feels like it is taking away from what she has worked hard to own. Ms. Williams believes it would be different if current residents were coming into an already developed situation, however, because this is happening in an already developed neighborhood it makes change harder. It is understood that change is coming but the lack of communication is concerning. Ms. Williams encourages the city to slow down and really look at the impact on the existing neighborhood and make it part of the community.

Aaron Hughes, 848 Higgins Ave., Neenah

Mr. Hughes has lived in apartments before and chose to buy a home because of safety. More apartments are not necessary as there is plenty of affordable housing in Neenah and the Fox Valley area in general.

Marigen Carpenter, 559 Riford Rd., Neenah

Spoke in favor of the project as there are no other offers to purchase the school. Ms. Carpenter believes that everyone here tonight is in favor of doing what is best for the community. The developer is professional, experienced, and local who is not going anywhere. To raze the building would not be economical which is why federal dollars are being pursued. An abandoned building is not a good thing. Improvement is catchy as well as blight and deterioration and supports the rezone.

Kris Payette, 675 Chestnut St., Neenah

Poured her heart out in a letter to the Council. She would like this process to slow down and to have the neighborhood to be part of the solution. Read a piece from Robert F. Kennedy about working together as a community.

Katie Cunningham, 848 Higgins Ave., Neenah

Ms. Cunningham is opposed to the rezone and would like the neighborhood to stay as single family residential zoning. She loves the sense of ownership that the street has with the exception of the rental. It is shameful how the only rental on the street is taken care of.

Tim Florek, 645 Congress St., Neenah

Mr. Florek stated that the Shattuck Neighborhood Association is asking to partner with the city and slow down and develop a vision of this neighborhood for the future. It takes time and effort to see the long-term opportunities. The idea that this development creates a new and walkable city is not realistic; this is an R-1 neighborhood. Both the city and the school district knew for forty years that the end of the school was coming. There should be a third-party study completed along with input from the community to determine what should be done with this property. We cannot miss the mark on this development, we need to get it right through collaborative efforts. Slow down, do the due diligence and come up with a better, collaborative solution for the betterment of the city.

Don Bickham, 113 S. John St., Neenah

Mr. Bickham is new to Neenah because a large corporation bought his old apartment and was forced to move. He settled in Neenah. Growth is good but it should be responsible growth, not rushed into. Mr. Bickham is also a bus rider and would like the old shelter to be moved to the new location because it is heated.

Diane Eparvier, 669 Elm St., Neenah

Slow down the process of rezoning and think about how the future residential neighborhood will look like. Make sure the development fits into the character of the existing neighborhood.

Nevis Martin, 678 Reed St., Neenah

Moved to Neenah 28 years ago from southern California after a nearby drive by shooting. Feels reflectively insignificant as the neighborhood of Neenah vs. the City of Neenah. We are being asked to take on transient living and the neighborhood feels like they are being choked out. This does not fit into the character of the neighborhood. Would like to see senior living and turn the school into an art/cultural center or museum to enhance the neighborhood.

Mike Grambihler, 634 Chestnut St., Neenah

Mr. Grambihler bought his house on Chestnut St. because it was a safe neighborhood. He is concerned with property values when it comes time for him to sell. He likes the proposed redevelopment of the Shattuck building. The concern is with the other eighteen rental properties within the development, what is the future for them as they age and change hands.

Catherine Hancock-Cooke, 216 Bosworth Ln., Neenah

Pointed out the Community Development decision makers who made sound development decisions talked about tonight are the same people making the decisions for the Shattuck Middle School redevelopment using the same thought

process. She referred to a New York Times Article published November 20, 2020 and updated June, 2021 which is a mirror image of this situation that took place in New Berlin. She also spoke of a complementary Stanford University study regarding affordable housing. Both items determined that typically the concerns about the unwelcomed residents who occupy affordable housing do not pan out and have not panned out. Neenah is a prime real estate for climate migration from all over the country and needs to start thinking about sustainability that high density housing has to offer.

Scott Becher, 1061 Green Acres Ln., Neenah

Encouraged the Council to trust but verify the facts and who they are dealing with. Googled ACC Management who does not have great reviews. Spoke on the cost to raze the Shattuck building and how it relates to other funding throughout the city. Slow down and work together to come up with the best solution for the city.

Judd Stevenson, 632 Reed St., Neenah

Mr. Stevenson went through the timeline of the project. He is concerned with communication from Neenah Joint School District offering community conversations and a transparent process to determine the best future of the Shattuck property and entire community. These conversations and a transparent process did not happen. Mr. Stevenson's point being the community was not involved in the process until a concept site plan was brought forth from the developer. He referenced a petition he submitted to the city in opposition to the rezone. He referenced a city ordinance requiring a super majority vote of the council forced by the submitted petition for the rezone.

Chris Erdmann, 1140 Manor Dr., Neenah

Neenah has wonderful parks and wants to keep the Shattuck open green space parkland because parks help people live healthy lives and has intrinsic value. At the time of referendum, the property south of Laudan was not part of the Neenah Joint School District. It is unclear if voters realized that property was a part of the package. The land was donated by Mr. Shattuck with the intention of benefiting the city as a whole and would like to see his vision carried forward into the future by collaboratively working together as a community to determine what is best for the community.

Patty Hein, 708 Chestnut St., Neenah

Ms. Hein did the due diligence of looking into the Traditional Neighborhood Development and determined the neighborhood does not meet the criteria for such zoning. She thanked the neighborhood for coming together to try to collaborate with the city to make the decision regarding the neighborhood.

Megan Florek, 645 Congress St., Neenah

Ms. Florek feels the tight knit, intimate neighborhood, the fabric of Neenah's east side, will be ruined with a large density of transient residents. Does not understand why this plan is being expedited and encourages the rezone to slow down and look

at the development much like the process undertaken with the development of Mahler Farms.

Kristen Grambihler, 634 Chestnut St, Neenah

Ms. Grambihler requests that the city let the neighborhood say goodbye to Shattuck. That the neighborhood is going through the grief process and is mourning a loss of what they thought would be a permanent structure in their community.

David Tonn, 700 Chestnut St., Neenah

Not in my neighborhood. Take some time, get to know the residents of the neighborhood and see what the neighborhood is about. This does not fit the neighborhood.

Mary Helbick, 703 Elm St., Neenah

Ms. Helbick chose to move to the neighborhood because of safety. She would like to see this project put on pause to get a study done and figure out what is the best fit for the community and the neighborhood.

Kathy Tonn, 700 Chestnut, Neenah

Invited everyone to Google Northpointe Development in Palatine, IL which mirrors this situation. The City and Northpointe were able to come up with a solution that everyone could live with. Encouraged a compromise.

Benjamin Bahr, 208 Meade St., Neenah

Supportive of the rezone and the process. There are many abandoned lots that are left open for decades such as those abandoned buildings on Doty Island. Does not want to see the Shattuck property sit vacant.

Chuck Wismer, 637 S. Park Ave, Neenah

Encourages the council to slow down, take a step back, and look at what is best for the community for this site. Develop the right project for this area.

Mayor Lang closed the public hearing at 9:32 PM.

A short recess was taken by the City Council. The Council reconvened at 9:39 PM.

Mayor Lang encouraged the Council members to contact staff or Dr. Mary Pfeiffer of the Neenah Joint School District, who was present at tonight's meeting, with any questions or concerns they have. Plan Commission meeting Tuesday, November 29, 2022 with Council Meeting following on Wednesday, December 7, 2022.

V. Public Forum

- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.

After calls for comments, there were no appearances.

VI. Mayor/Council consideration of public forum issues

VII. Consent Agenda – **None.**

VIII. Reports of standing committees

A. Regular Public Services and Safety Committee meeting of November 8, 2022: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

1. Meeting cancelled, no report.

B. Special Finance and Personnel Committee meeting of November 16, 2022:

1. Consideration of Committee recommendation regarding Resolution No. 2022-20 Terminating Tax Increment District (TID) No. 5 Within the City of Neenah and Authorizing the Distribution of Excess Increment to Overlying Taxing Districts. **(RollCall-Pro)**

MSCRP Erickson/Skyrms approve Resolution No. 2022-20 terminating TID No. 5 as recommended by committee, all voting aye.

Discussion: An audit of TID 5 will be completed and the city's portion will be known prior to the start of the 2024 Budget Process.

2. Consideration of committee recommendation for the creation of an Operating Budget Stabilization Fund, with the City of Neenah's share of TIF 5 surplus dollars directed to the fund, **(RollCall-Pro)**

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

C. Regular Finance and Personnel Committee meeting of November 7, 2022: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)

1. Meeting cancelled, no report

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

A. Regular Plan Commission meeting of November 8, 2022: (Council Rep Steiner) (Minutes can be found on the City web site)

1. Commission recommends Council approve the Preliminary Plat for the First Addition to the Homes at Freedom Meadows subdivision subject to the conditions on the preliminary plat review letter. **(RollCall-Pro)**

MSCRP Steiner/Boyette to approve as recommended by Plan Commission, all voting aye.

B. Board of Public Works meeting of November 10, 2022: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:

- a. Board approved Pay Request No.6, Contract 7-21, Harrison Street Storm Water Pond, MCC, Inc., in the amount of \$102,872.03.
 - b. Board approved Change Order No.1, Contract 8-21, Jewelers Park Drive Trail, Vinton Construction Company, for additional base aggregate, additional geogrid, inlet remove/replace and alt bid-5-inch concrete sidewalk, in an amount of \$96,470.61.
 - c. Board approved Pay Request No.5, Contract 2-22, Sanitary, Water and Storm Water on Dieckhoff Street and Grove Street, Donald Hietpas & Sons, Inc., in an amount of \$83,233.51.
 - d. Board approved Pay Request No.3, Contract 3-22, Street Construction, Apple Blossom Drive., Fredrick Drive, Green Acres Lane, Honeysuckle Lane, Meadow Lane, Primrose Lane, Wild Rose Lane, Blueberry Lane, Cherry Lane, Farm Ridge Lane, Fresh Air Park and Southview Park Basketball Court, Northeast Asphalt Inc., in an amount of \$723,804.14.
 - e. Board approved Pay Request No.3, Contract 7-22, Winneconne Bridge Repair, Pfeifer Brothers Construction, in an amount of \$92,834.99.
 - f. Board approved Pay Request No.1, Contract 8-22, HMA Pavement Repairs, Northeast Asphalt, Inc., in an amount of \$89,426.07.
 - g. Board approved Change Order No. 1 Contract 11A-22 Water Service Replacement Reddin Avenue & Zemlock Avenue extending the completion deadline to April 30, 2023.
 - h. Board approved Change Order No. 1 Contract 11B-22 Water Service Replacement Hunt Avenue, Madison Street & Nicolet Boulevard extending the completion deadline to April 30, 2023.
2. Council Action Items:
- a. Board recommends Council approve Final Pay Request, Contract 8-21, Jewelers Park Drive Trail, Vinton Construction Company, in amount of \$252,361.05. **(RollCall-Pro)**
MSCRP Hillstrom/Stevenson to approve as recommended by the Board, all voting aye.

Discussion: There was discussion regarding the overage of project costs.

- C. Reports on neighborhood groups.
1. Business Improvement District Board (BID Board) – Alderperson Skyrms
 - a. Reporting from BID Board Meeting of November 15, 2022
 - b. Very Neenah Christmas will be held December 2, 2022
 - c. Luminary and Cookie Crawl is scheduled for December 15, 2022
 - d. Board reviewed, discussed, and approved the 2023 Budget which goes to Future Neenah Board for review and approval. The 2023 Budget will come before the Council on December 7, 2022.
 - e. Welcomed two new business: Renewed and Reclaimed and Anthology Salon. Both had sign grants approved.
- D. Library Board
1. Report from the Library Board – Alderperson Erickson
 - a. Reporting from the November 16, 2022 meeting

- b. There are seventy programs offered by the Neenah Library in October. See their website for offered programmed opportunities.
 - E. Neenah Arts Council
 - 1. Report from the Neenah Arts Council – Alderperson Erickson
 - a. Reporting from the November 9, 2022 meeting.
 - b. Will be in Alta Resources Main Street building with a community art project for the Very Neenah Christmas on December 2, 2022.
 - F. Landmarks Commission
 - 1. Report from the Landmarks Commission – Alderperson Steiner
 - a. Meeting was cancelled, no report.
- X. Presentation of petitions
 - A. Received petition in opposition to the proposed rezoning of Shattuck Middle School property, 600 Elm Street, from R-1, Single Family Residence District, to the Traditional Neighborhood Development District (TND). Motion to refer to the appropriate committees. **(RollCall-Pro)**

Discussion was had regarding the path of which the petition is to take.


MSCRP Stevenson/Boyette to refer the petition to the City Attorney for evaluation of relevancy and determination on a super majority requirement of which the Plan Commission and City Council should be made aware, as well as to the Plan Commission and City Council, motion carried in a roll call vote 8-0-1 with Borchardt abstaining.
 - B. Any other petition received by the City Clerk's Office after distribution of the agenda.
- XI. Council Directives

Alderperson Erickson requested a directive of staff attracting a convenience store/gas station to the [Doty] Island.

Discussion ensued regarding procedures for Council Directives. This will be acted on at the next council meeting.
- XII. Unfinished Business
- XIII. New
 - A. Any announcements/questions that may legally come before the Council.
- XIV. Adjournment

MSC Stevenson/Boyette to adjourn, all voting aye. Meeting adjourned at 9:59 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk