

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday March 29, 2022, 6:30 PM

Present: Alderpersons Bates, Hillstrom, Lang, Lendrum, and Stevenson

Excused:

Also Present: Mayor Kaufert, Public Works Director Kaiser, Community Development & Assessment Director Haese, Community Development & Assessment Deputy Director Schmidt, Police Chief Olson, Assistant Police Chief Bernice, Alderperson Skyrms, Fleet Specialist Streubel, Public Works Engineer Kummerow, Community Development & Assessment Office Manager Jefferson, Captain Van Sambeek, Public Works Office Manager Mroczkowski, GIS Coordinator Meverden, Garrett Gronowski, and members of the public.

Approval of Minutes of the meeting for the March 8, 2022 meeting

Motion Second/Carried Hillstrom/Lendrum to approve the minutes of the Meeting of March 8, 2022. All voting aye.

Public Appearances:

None

Motion Second/Carried Stevenson/Lendrum to take up agenda item 4. All voting aye.

Downtown Bus Shelter Discussion

Alderperson Skyrms stated that there is a safety concern with the current location of the bus transfer station. He stated that with the new growth that is taking place downtown, especially on the west end of Wisconsin Avenue, he would like to recommend to the committee to direct staff to look for a new location for the transfer station. Alderperson Skyrms stated that he would like to have an interim location for the transfer station while the study is being done.

Alderperson Bates stated that she recalled that there had been discussion on this topic in the past but stated that it may be too soon to take action because of the changes to the downtown. Alderperson Bates asked Deputy Director Schmidt if he recalled any formal discussions on relocating the transfer station.

Deputy Director Schmidt stated that there have been internal discussions and discussions with business owners and the BID. He stated that when Valley Transit conducted their master route evaluation plan, city staff did make a suggestion of evaluate relocating the transfer station.

Aldersperson Stevenson stated that this is a broader base issue than simply moving the transfer station because of the new developments taking place downtown. He stated that we have a safety study being done. He stated that we also need to include Valley Transit in this discussion.

Motion/Seconded/Carried Stevenson/Lang to direct staff to look into a new location for the bus transfer station using information currently available, engage in discussion with business owners regarding the new development downtown, and engage Valley Transit for their input regarding route management and present staff's recommendation to this committee. All voting aye.

Bird Rides Scooter Pilot Program

Garrett Gronowski, Bird Rides Scooter Company, gave an overview of the history of the Bird Rides Scooter Company and reviewed the details of how the Bird Rides Scooter would work in the City of Neenah. He stated the purpose of the Bird Rides Scooter is to provide an alternative mode for public transportation. He stated that the cost of using a scooter is a \$1 start fee and then \$.30 cents per minute, with the average ride costing \$5.50. He stated that the scooters are tracked with GPS and will not be able to go past the set Geo-Zone areas that are sets up by the city. Mr. Gronowski stated that the City of Neenah will have a Bird account manager and fleet manager. He stated the account manager will be the liaison between Bird Rides and the City of Neenah to resolve issues and assure that the program is running smoothly. He stated that the fleet manager will be a local hire and be in charge of general maintenance of the scooters and daily the distribution of the scooters.

Office Manager Jefferson stated that the City of Neenah's pilot program would start with 50 to 75 scooters placed at various locations throughout the city referred to as nesting areas. She stated that preferred parking areas would also be created where the driver would be given a discount on their charges. She stated there would be geo-fence zones such as round-a-bouts, bridges, overpasses, trestle bridges, and the sidewalks in the 100 to 200 blocks of W. Wisconsin Avenue where the scooters would not be allowed to travel.

Aldersperson Stevenson asked for clarification regarding the geo-fence areas and if the scooters could still be left in those areas. Office Manager Jefferson stated yes, but the rider would continue to be charged.

Officer Manager Jefferson stated that the city will be adding an additional \$.10 cents per ride which will be paid to the city to offset administrative costs. Office Manager Jefferson stated that ordinance Chapter 16-160, Article IV, will need to be amended to allow the use of electric scooters in the city right-of-way and on trails where they are currently prohibited.

Aldersperson Bates asked if Bird Rides will be providing any bike racks. Mr. Gonowski stated that Bird Rides do not supply any infrastructure. He stated that typically there are signs that are placed around the city designating the location of the E-Scooters.

Aldersperson Lendrum stated that she is concerned with kids under the age of 18 using the scooters. She asked how Bird Rides deals with the use of the scooters by underage kids. Mr. Gonowski stated the app has an option called Community Mode, where someone can provide information to Bird Rides and report an unsafe rider. He stated that all the scooters have GPS so if you provided a location they could identify the scooter and know who has rented it. Mr. Gonowski stated they would then reach out the rider and discuss the complaint that had been made.

Aldersperson Stevenson asked how we can prevent having a large number of scooters left in one location. Mr. Gonowski stated that is done through strategic planning, identifying the hot spots and preferred parking. Aldersperson Stevenson requested staff provide a list of the proposed nesting areas and preferred parking areas to the council.

The Committee had a lengthy discussion on preferred parking, the use of the scooters on sidewalks and multi-modal trails, geo-fencing, and the fleet manager role.

Mayor Kaufert asked about the use of the scooters on the Loop the Lake trail and if the city will need permission from Fox Crossing and the City of Menasha since that trail crosses borders.

Office Manager Jefferson stated that the City of Menasha is taking the same type pilot program to their council on April 4th. She stated that Fox Crossing is on board with the scooters as well, but are about a month out from getting their trial approved.

Aldersperson Lang asked if these scooters are ever used for anything other than recreational use. Office Manager Jefferson stated that she is aware of a few people using them to go work. She stated one of the proposed nesting areas is the Bridgewood Hotel. She stated that people staying at the hotel might use them to patron the downtown or explore the area.

The Committee had a lengthy discussion on safety issues, the speed of the scooter, and downtown events that could impact the use of the scooter and the possible clutter of the scooters around the city.

Office Manager Jefferson note that Bird was arranging to have a scoter available for Council members to see prior to the next Council meeting.

Following discussion, **Motion/Seconded/Carried Lendrum/Stevenson to recommend Council approve the Memorandum of Understanding between the City of Neenah and Bird Rides, Inc., which establishes an electric scooter pilot program to expire on December 31, 2022 and to approve Ordinance #2022-08 which will allow for modifications of Article IV and Section 11-2 in regards to the operation and regulation of electric scooters.** All voting aye.

Community Development GIS Update

Deputy Director Schmidt presented an update on the GIS Coordinator position and departments GIS goals. He stated that since the transition, staff has improved GIS integration for all City Hall departments, increased public access to data, and continues to document processes specific to the GIS Coordinator position. He stated that GIS Coordinator Merverden has been focused on updating the public access availability of our maps. Deputy Director Schmidt stated that staff has also developed a number of internal applications that will help departments answer resident's questions. He stated that there is a new public parcel viewer map which shows information of all the utilities in the city. He stated there is also a new internal parcel map that shows all the deferred special assessments owed to the city. Deputy Director Schmidt stated that looking to the future, the department is developing a map that will identify all of the easements in the city and a map application that will allow residents to click on their house and to schedule a large item pick up. He encouraged the committee to visit the City's GIS website.

Aldersperson Stevenson asked how many are involved with data entry to maintain the integrity of our system. Deputy Director Schmidt stated that we have the GIS Coordinator that oversees the entire process, two or three super users and then approximately 10 to 15 that use the system for specific purposes like creating maps.

Aldersperson Stevenson asked if there is a protocol in place to assure that data is being maintained and updated. Deputy Director Schmidt stated that is part of the process documentation that will be in place as staff comes and goes.

Aldersperson Lendrum thanked the staff for their effort. She stated that she is excited to see this progress and feels we are heading in a good direction for our residents to be able to find information that they need.

Memorandum of Understanding (MOU) for Galloway Co.-Harrison Street Pond

Public Works Engineer Kummerow stated that the MOU for Galloway Co., came about after the DNR issued orders to Galloway Co., to cool the water that they were discharging into the Neenah Creek through the City's storm water system. He stated

that as the pond project was being developed, Galloway Co., approached the city about the possibility of using the pond to cool their water. The city proposed that if Galloway Co., would buy the remaining house on the proposed pond site, the city would allow Galloway Co., to use the pond as a cooling site for their water. Public Works Engineer Kummerow stated that Galloway Co., hired McMahan & Associates to conduct a study to see if the pond would cool the water sufficiently. He stated that the result of the study showed that it would.

Aldersperson Bates asked what guarantee do we have that the water going into the pond is clean water. Public Works Engineer Kummerow stated that the water will go through a cooling tower so there is not a high likelihood of it becoming contaminated.

Aldersperson Lendrum asked if this water will prevent any fish stocking of the pond. Public Works Engineer Kummerow stated that he does not think it will be an issue. He stated that he did visit the site where the water is currently being discharge and he could see fish swimming in the area.

Report

Motion/Seconded/Carried Hillstrom/Stevenson to recommend Council approve the entering into a Memorandum of Understanding with Galloway Co., on the Harrison Street Pond. All voting aye

Amendment to City Ordinance Chapter 16-Traffic and Vehicles

Assistant Chief Bernice stated that the City of Neenah Police Department is seeking permission to adopt Wisconsin State Administrative Code Trans 305 by adding it to the city ordinance, Chapter 16, Traffic and Vehicles. He stated that Trans 305 describes minimum requirements for vehicles and the standards for equipment used on vehicles. Assistant Chief Bernice stated this chapter also contains language regarding requirements for equipment for manufactured, home-made, street modified, replica, and reconstructed vehicles.

Assistant Chief Bernice stated that there have been some social media posts asking why the City of Neenah is seeking to adopt Trans 305. He stated that City of Neenah along with the Outagamie County Sheriff's Department are the only two remaining law enforcement agencies in the Fox Valley area that have not adopted Trans 305.

Assistant Chief Bernice stated that the police department is looking to define the use of light bars that are being used on vehicles. The auxiliary, secondary and headlight section of Trans 305 specifically defines the use of these types of lights which will aid in the enforcement of them being used in an illegal manner.

Assistant Chief Bernice stated that in Wisconsin State Statute 347, the recommendation is that a vehicle have one working tail or brake lights and stop lights. Trans 305 recommendation is two working tail or brake lights and stop lights. This enhancement is

being proposed for safety reasons. He stated in Wisconsin State Statute 347 the recommendation is that a vehicle have one side mirror or review mirror or secondary mirror. He stated in Trans 305 vehicles are required to have two working mirrors for visibility purposes. This enhancement is being proposed for safety reasons.

Assistant Chief Bernice stated the new enhancements they are seeking under Trans 305 is the ability to stop vehicles with cracked windshields, fogged or frosted windshields, very dirty windshields and tinted windows that do not allowing the correct percentage of light to come through the window per Trans 305.

Assistant Chief Bernice stated that he requests that the City Attorney to amend Chapter 16 of the City of Neenah Ordinances by adding Wisconsin Administrative Code Chapter Trans 305 and then seek Common Council Approval.

Aldersperson Lendrum asked if Trans 305 will be used in a discretionary manner and also be used based on complaints. Assistant Chief Bernice stated that is correct. He stated that when officers conduct traffic stops, it is the discretion of the officer to give a verbal warning, written warning or citation. He stated that the Neenah Police Department believes in educating the public.

Aldersperson Stevenson stated that he is struggling to understand the controversy with the City of Neenah adopting Trans 305 when a State Trooper or Winnebago County Sheriff's Deputy would have the authority to stop a vehicle in the City of Neenah that has one of these violations.

Aldersperson Bates asked for a list of violations that the City of Neenah Police Department could not enforce because we did not have the authority.

Report

Following discussion, **Motion/Seconded/Carried Stevenson/Hillstrom to recommend Council authorize the City Attorney to amend Chapter 16 of the City of Neenah Ordinances by adding Wisconsin Administrative Code Chapter Trans 305.** All voting aye.

Police Department Request to Purchase Portable Radar Display and Data Loggers

Mayor Kaufert asked how the police department will utilize the data that is collected. Chief Olson stated that we are becoming more data driven. He stated we get complaints from residents about speeding in their neighborhood frequently. He stated that these portable radar displays will be able to be placed quickly, and will provide data to support or refute the complaints. He stated that will enable officers to enforce those areas more.

Motion/Second/Carried Stevenson/Lang to recommend the Council approve the purchase of 2 (12 inch) speed display signs, 2 speed trailers with 15-inch display, and 2 speed tracker data recorders from TrafficLogix in an amount not exceed \$25,000.00 to be funded by Capital Equipment account 011-2132-743-8183. All voting aye.

Ordinance Change Request with Street Assessment on new Subdivision Streets

Director Kaiser reviewed his memo of March 14, 2022. He stated that staff has been evaluating the special assessment process for new subdivision street projects. He stated that the current process divides the total cost of the project among the lot owners based off assessable front footage. He stated that this method causes hardship on corner lot owners who may end up be assessed for front and side street footage. He stated that the proposed new method would be based on the Unit Method. Director Kaiser stated that this method divides the total project cost by the number of parcels in the development. In comparing two recent subdivision street projects, Castle Oak in 2016 there was an average decrease in special assessments of \$1,138.36 and in 2018, the Eaglecrest project showed an average decrease of special assessments of \$3,756.45.

Director Kaiser stated that he brought this before the committee to see if there is any interest in modifying our special assessment ordinance to give staff the option of using the Unit Method for assessing special assessments.

Aldersperson Bates stated that new subdivisions vary in lot size from one to another. She asked how the unit method would account for this. Director Kaiser stated that we could break it out based of the platted phase.

The Committee's consensus was to direct staff to prepare the ordinance to allow the Unit Method of assessing special assessments.

Ordinance Change Request for Storm Water Charges for Condominiums

Director Kaiser reviewed his memo of March 14, 2022. He stated that we have had several inquiries recently about the ERU determination for condominium and twindominium parcels. He stated that currently, each side of a twindominium is charged one ERU, standard duplexes are charged one ERU for the entire parcel, and condominiums are charged one ERU. Director Kaiser stated that when staff looked at the condominiums, there is a fair number of them that he would consider multi-family complexes which computers to a significant stormwater charge for these developments. He stated that he is proposing to charge one ERU for single family detached, .5 ERU's for twindominiums, and condominiums would be charged based on the closet type of

equivalent land use. He stated that means the impervious area would be divided up equally among the units within that development.

Director Kaiser stated that with these changes, there will be an estimated stormwater revenue reduction of \$13,000.

Aldersperson Stevenson noted that the \$13,000 in loss revenue could be offset by a rate change.

Director Kaiser stated that at some point we will be looking at rate adjustment. He stated until then, this is a straight revenue loss.

Director Kaiser stated that he brought this before the committee to see if there is any interest in pursuing an amendment to the ordinance pertaining to the ERU billing charges.

The Committee's consensus was to direct staff to proceed with preparing the ordinance revision.

Request to Purchase Additional Refuse and Recycling Carts

Director Kaiser reviewed his memo of March 21, 2022. He stated that we are currently out of 95 gallon recycling carts and are running very low on the 95 gallon refuse carts. He stated that we have a very large number of 35 gallon carts of both types and 65 gallon carts have reached a static level. Director Kaiser stated that we received a quote from Rehrig who supplied the original order. He stated the cost for 112 of each type of the 95 gallon carts is \$16,560.00. He stated that he is requesting a budget amendment to purchase the carts.

Aldersperson Stevenson asked if these are new residents requesting the 95 gallon carts or are people trading up from 35's and 65 gallon carts. Director Kaiser stated the majority are new resident requests for the 95 gallon size for both refuse and recycling. He stated that we also have quite a few residents that have extra 95 gallon refuse and recycling carts.

Aldersperson Stevenson asked that Director Kaiser work with Director Easker to see if there are funds within the existing budget to purchase the carts. Director Kaiser stated that he will contact Director Easker.

Report

Motion/Second/Carried Lendrum/Lang to recommend the Council approve an amendment to the capital equipment budget to purchase 112 of the 95 gallon recycling carts and 112 of the 95 garbage carts from Rehrig Pacific in the amount of \$16,560.00 using capital equipment reserve funds. All voting aye

Licenses

Temporary Extension of Licenses Premises Application

Mayor Kaufert stated that there is one unanswered question from the Fire Department but it should not hold up the approval of this application. He asked if there were going to be additional porta potties outside. Traffic Engineer Merten stated that they are going to provide porta potties outside.

C.A. Following discussion, **Motion/Second/Carried Lang/Stevenson to recommend the Council approve the Temporary Extension of Licenses Premise Application to Greene's Pour House, 134 W Wisconsin Avenue, for the 10-Year Anniversary Celebration, to be held on May 21, 2022.** All voting aye

Special Events

Greene's Pour House 10-Year Anniversary

C.A. Following discussion, **Motion/Second/Carried Stevenson/Lang to recommend the Council approve the Street Use Permit for Greene's Pour House, 134 W Wisconsin Avenue, for the 10-Year Anniversary Celebration, to be held on May 21, 2022.** All voting aye

Udderly Euro Car Show

C.A. Following discussion, **Motion/Second/Carried Hillstrom/Lang to recommend the Council approve the Street Use Permit for Udderly Euro Stationary Car Show, sponsored by T. Apparel Co., to be held on June 18, 2022 from 3:00 PM to 7:30 PM.** All voting aye

Public Works General Construction and Department Activity

- 1) Contract 3-20 (Street - Van, Monroe, Gillingham)
 - a) Gillingham, Van, Monroe, Cavalry: Work is complete.

- b) Shootingstar: The Shootingstar extension has been graded and graveled. Grading on Armstrong Street and paving on both will be done in spring. Director Kaiser stated that city crews filled in some significant pot holes with gravel.
- 2) Contract 2-21 (Fairview, Laudan): Work is complete. The final estimate is with the contractor.
 - 3) Contract 4-21 (Epoxy Pavement Marking): About 75% of the work under this contract has been completed. The remaining work will be carried over to next year.
 - 4) Contract 6-21 (Misc. Concrete Pavement, Sidewalk Repairs): Work under this contract was not completed. The remaining work is primarily sidewalk repair within the target area. That will be carried over to next year.
 - 5) Contract 7-21 (Harrison Pond): Pond excavation is complete. Work on the west retaining wall is ongoing. Ground conditions have required additional excavation.
 - 6) Contract 8-21 (Jewelers Park Drive Trail): Boardwalk deck panels have been installed. Both abutments for the north crossing have been poured.
 - 7) Contract 1-22 (Utility Construction in Fredrick Drive area): Work is taking place on Fredrick, Apple Blossom and Primrose. A couple of breaks in the old water main have occurred adjacent to the new main installation.
 - 8) Contract 2-22 (Utility and Street Construction on Grove and Dieckhoff): This contract was awarded to Don Hietpas and Sons, Inc. A pre-construction meeting is scheduled for March 31.
 - 9) Contract 3-22 (Street Construction in Fredrick Drive area): Bids were reviewed by the Board of Public Works on March 29. Director Kaiser stated that prices came in favorably.
 - 10) Contract 4-22 (S. Commercial Utility Construction): This contract was awarded to Robert Immel Excavating. Work is tentatively set to start the week of April 11.
 - 11) Contract 5-22 (CTH JJ/CTH CB Utility Construction): This contract was awarded to DeGroot, Inc. A preconstruction meeting was held on March 29 with work tentatively set to start the week of April 6.

Director Kaiser stated that post cards went out in the mail today notifying the residents of the blasting.
 - 12) Freedom Acres: A pre-construction meeting was held to prepare for the utility installation on the next phase in the Freedom Acres development.
 - 13) TDS: Staff has met with the City's inspection consultant and TDS contractors in preparation for their work in 2022. We have established expectations for restoration on work areas done in 2021 before additional areas can be started.

14) Drainage issues: As usual for this time of year, we've been contacted about a number of yard drainage concerns and are following up with property owners to evaluate possible solutions.

Mayor Kaufert stated that there were several terraces from the Marathon Street project last year that needed to be redone. He stated he met with Public Works Engineer Eckhart and the contractor will be coming back in late April or May to repair them.

Mayor Kaufert recognized Tyler Berhman for his contribution of the two flag boxes that hang on the wall in the Council Chambers.

Announcements/Future Agenda Items

Adjournment: **Motion/Second/Carried Stevenson/Lang to adjourn at 9:00 PM.** All voting aye.

Respectfully submitted,



Lisa Mroczkowski
Public Works Officer Manager