

Common Council Minutes
Wednesday, December 18, 2024 at 7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, December 4, 2024, in the Council Chambers of Neenah City Hall.

Council President Borchardt is the chair.

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

Also Present: Community Development Deputy Director Schmidt, Fire Chief Teesch, Information Technology Director Schroeder, and those listed on the attached Attendance Sheets.

Council President Borchardt called the meeting to order at 7: 01PM.

- I. The Mayor/Aldermen recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Alderman Weber led the Pledge of Allegiance.
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. Appointment Ben Ziemba, Bob Gillespie, Robert Wedge, and Christine Rondeau to the Business Improvement District Board for a three-year term expiring December 2027.
 - B. Appoint David Rause to the Sustainable Neenah Committee for a two-year term expiring December 2026.
 - C. Swearing-In
There being no objections, the Mayor's appointments were ordered approved as presented.
- III. Approval of Council Proceedings
 - A. [Approval of the Council Minutes and Proceedings of December 4, 2024 Regular Meeting.](#)
 - B. **(UC)**
There being no objections, the Council Minutes and Proceedings were ordered approved as written by unanimous consent.
- IV. Public Hearings
 - A. Consider Special Use Permit to Alliance Church (applicant) and Neenah Joint School District (owner) to permit the rental of the NJSD educational space to the church for its use for religious services, located at 1012 Oak Street, Horrace Mann School.
 1. Jennifer Breining, 1030 Oak Street – Spoke against the special use permit as a major imposition and detriment to the Horrace Mann neighborhood due to a significant increase in street parking and traffic. She also has security concerns for the building itself as all the entry and exit doors must remain open during the Sunday use of the building. This poses potential security risks for the start of school on Monday morning.
 2. Mike Breining, 1030 Oak Street – Spoke against the special use permit. Added to his wife's concerns that the neighborhood not only has to deal with school traffic during the week, but would now have to deal with

increased traffic on Sundays. He would like the Council to table this issue until after the next School Board meeting. Mr. Breining would like the School Board to seriously consider this independent rental and the impact it will have on the neighborhood.

V. Plan Commission report pertaining to the Public Hearing

A. [Plan Commission meeting of December 10, 2024](#): (Ald. Steiner) (Minutes can be found on the City web site)

1. Commission recommends Council approve a Special Use Permit for a religious use located at 1021 Oak Street (Horrace Mann School) subject to the conditions on the Special Use Permit review letter including adding Christmas Eve to the allowable days the use may occur. **(RollCall-Pro) MSCRP Steiner/Boyette to approve as recommended by Plan Commission, all voting aye.**

There was discussion on whether or not there are legal reasons to deny the request. City Attorney Rashid advised that there has to be substantial reasons to deny the request if the application meets the standards for a special use permit, which this application does. He further explained that parking and neighborhood inconvenience are not substantial reasons. It was explained the Neenah Joint School District is a separate entity from the city. The city responds to the application submitted by the school district, but it is the school district discretion of who they want to lease their property to and the terms of said lease.

Deputy Director Schmidt went over the request from Alliance Church and the owner of this property Neenah Joint School District to utilize part of the school as a religious institution. The difference between a permitted use and a special use permit is that the special use permit has a higher level of review and conditions can be used as means of controlling the use. In this case, the church is planning to use the gymnasium, cafeteria and two classrooms. The request is to utilize the school on Sundays from 6am until noon and for Christmas Eve services. Deputy Director Schmidt went over the other parking options. It is his understanding that this a signed one-year lease. If there are any changes to special use permit, the permit will have to come back to Plan Commission and the Council for approval.

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. Sheriff John Matz introduced himself as a candidate for Winnebago County Executive. He believes in sharing services, resources, and people as he has done in the past with the Neenah Police Department and the Fire Department.

After additional calls for public comments, there were no appearances. Council President Borchart closed the public hearing at 7:15 PM

VII. Mayor/Council consideration of public forum issues

- A. None.

VIII. Consent Agenda

- A. Temporary Class "B" Retail License application to Bergstrom Mahler Museum of Glass Art, 165 N Park Ave., Neenah WI., for Art After Dark, to be held on Thursday, December 19, 2024, from 5:30 PM to 8:30 PM. **(PSSC)**
There was discussion that the Art After Dark Event was cancelled due to weather. Approval can still be given should the event be rescheduled.
- B. Change of Agent application to Kwik Trip 434, 903 S. Green Bay Rd., Neenah WI., appointing Aaron Bowe as the new agent. **(PSSC)**
There being no objections, the Consent Agenda was ordered approved as written by unanimous consent.

IX. Reports of standing committees

- A. [Regular Public Services and Safety Committee meeting of December 10, 2024:](#)
(Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)
1. Committee recommends Council approve Policy 2024-01 Storm Sewer Fee Policy for annexing properties. **(RollCall-Pro)**
MSCR P Lendrum/Weber to approve as recommended by the Public Services and Safety Committee, all voting aye.
 2. Committee recommends Council approve the purchase of a 2025 Chevrolet Trax 1LS from Bergstrom Chevrolet, Neenah, in the amount of \$20,698.00. **(RollCall-Pro)**
MSCR P Lendrum/Pollnow to approve as recommended by the Public Services and Safety Committee, all voting aye.

This is a replacement of vehicle for the assessors.
 3. Committee recommends Council approve the purchase of a 2024 New Way Cobra Refuse Truck from Envirotech Equipment, Menomonee Falls, WI, in the amount of \$244,692.00 and accessory equipment at a cost not to exceed \$2,000.00 utilizing 2025 Capital Equipment funds. **(RollCall-Pro)**
MSCR P Lendrum/Pollnow to approve as recommended by the Public Services and Safety Committee, all voting aye.

This is a replacement of the current fleet vehicle used large item pickup.
 4. Committee recommends Council approve the purchase of a 2024 New Way Sidewinder ASL Truck from Envirotech Equipment, Menomonee Falls, WI., in the amount of \$379,887.00, and accessory equipment at a cost not exceed \$2,000.00 utilizing 2025 Capital Equipment funds and savings on the rear-load truck (Fleet #55). **(RollCall-Pro)**

MSCRP Lendrum/Pollnow to approve as recommended by the Public Services and Safety Committee, all voting aye.

This is a replacement truck for the current fleet vehicle.

5. Committee recommends Council approve Preliminary Resolution 2024-23: Sanitary Lateral and Water Service Construction on Caroline St., Doulgas St., Elm St., and Hickory Ln. **(RollCall-Pro)**
MSCRP Lendrum/Weber to approve as recommended by the Public Services and Safety Committee, all voting aye.

This project covers Caroline Street from Lake Street to the Neenah Slough. Areas west of this location was completed about eight years ago, areas east were done about 15 years, and the pavement on Caroline Street is in good condition.

- B. [Special Public Services and Safety Committee meeting of December 18, 2024:](#)
(Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)
 1. Consider Committee recommendation for Preliminary Resolution 2024-25: Installation of Asphalt Pavement and Curb/Gutter for properties served on Bruce Street from Castle Oak Drive to the northern most property line of 2411 Bruce Street and Southfield Court. **(RollCall-Pro)**
MSCRP Lendrum/Pollnow to approve as recommended by the Public Services and Safety Committee, all voting aye.
- C. [Regular Finance and Personnel Committee meeting of December 9, 2024:](#)
(Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
 1. Committee recommends Council approve the budget transfer of \$55,000 from the City Attorney's Outside Legal Services account in the general fund to the Liability Insurance fund. **(RollCall-Pro)**
MSCRP Erickson/Boyette to approve as recommended by the Personnel and Finance Committee, all voting aye.
- D. [Special Finance and Personnel Committee meeting of December 18, 2024:](#)
(Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
 1. Consider Committee recommendation to approve the purchase of equipment and services to implement a city-wide Multifactor Authentication Solution at a cost not to exceed \$27,042 per the State and Local Cybersecurity Grant Program award. **(RollCall-Pro)**
MSCRP Erickson/Steiner to approve as recommended by the Personnel and Finance Committee, all voting aye.
- E. [NMFR Joint Finance & Personnel Committee meeting of December 9, 2024:](#)
(Chairman 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 filling three firefighter positions no earlier than March 10, 2025. **(RollCall-Pro)**

MSCRP Boyette/Pollnow to approve as recommended by the NMFR Joint Finance and Personnel Committee, all voting aye.

2. Committee recommends both the City of Neenah and the City of Menasha Councils approve the replacement of the Assistant Chief of Training no earlier than March 17, 2025 as long as this overlap fits within the budget. **(RollCall-Pro)**

MSCRP Boyette/Pollnow to approve as recommended by the NMFR Joint Finance and Personnel Committee, all voting aye.

3. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the purchase of ballistic gear with the City of Neenah using \$35,560 from ARPA funds and the City of Menasha using \$19,440 from ARPA interest. **(RollCall-Pro)**

MSCRP Boyette/Pollnow to approve as recommended by the NMFR 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 December 10, 2024: (Council Rep Steiner) (Minutes can be found on the City web site)
 1. Plan Commission action items took place under Public Hearing.
 - B. [Board of Public Works meeting of December 12, 2024](#): (Vice Chair Hillstrom) (Minutes can be found on the City web site)
 1. The Board recommends Council approve an agreement with Directional Drilling Services, Inc to perform fiber optics work to connect Oak Hill Cemetery, Washington Park, and the Traffic Cabinet at Winneconne/Harrison to the city's network at a cost not to exceed \$65,000. Funding to come from the ARPA funds that were previously earmarked for fiber at Arrowhead Park, in the amount of \$50,000, and Information Systems' capital equipment project for smart cities for the remaining balance. **(RollCall-Pro)**
MSCRP Lendrum/Weber to approve as recommended by the NMFR Joint Finance and Personnel Committee, all voting aye.

Director Schroeder advised that currently the city is contracted with Spectrum at both the Oakhill Cemetery and Washington Park for internet services. This fiber would be replacing internet connections that these two locations eliminating the cost for Spectrum. The fiber will increase the band width positioning us better for future needs. The goal with the traffic cabinets is to allow remote control from City Hall. The approximate savings is \$20,000 over a five-year span for this work.
 - C. Landmarks Commission
 1. Report from the Landmarks Commission Meeting of December 11, 2024 – Alderman Weber
 - a. Met with Keepers Design to help redesign the Landmark Commission brochure.

- b. Discussion on information from the Wisconsin Historical Society on grants for local government investigations and applications.
 - D. Sustainable Neenah Committee
 - 1. Report from the Sustainable Neenah Committee Meeting of December 12, 2024 – Alderman Lendrum
 - a. No report.
 - E. Library Board
 - 1. Report from the Library Board Meeting of December 18, 2024 – Alderman Erickson
 - a. Total circulation is up 6% from last year.
 - b. Programming attendance is up 45% from last year.
 - c. Meeting room usage is up 42% from last year. Meeting rooms can be reserved on-line.
 - d. Hoopla and Libby apps are available through the library for audiobooks and movies.
 - F. Bergstrom Mahler Museum
 - 1. Report from the Bergstrom Mahler Museum – Alderman Borchardt
 - a. Art After Dark is cancelled for Thursday.
- 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 Alderman Pollnow, seconded by Boyette to have notice letters sent to constituents that are impacted by street and sidewalk assessments as soon as the budget and CIP are delivered to Council; the letters are to include the street condition, overall reasoning for the improvement, and aldermen contact information. **(RollCall-Pro)** [\(Introduced at the December 4, 2024 Council Meeting\)](#)

Alderman Pollnow discussed his sample letter he handed out at this evening's meeting.

Alderman Ellis likes the idea of the letter, but there are other avenues of communication to be explored. A deeper conversation needs to take place with department heads and the legal department. The intent of the letter is the right path but we need to dig deeper on the topic.

Motion by Ellis/Lendrum to table for more exploration. There was discussion on the motion to table where the aldermen gave their opinion on whether they supported the tabling of this item or not. Motion passes by a roll call vote, 5-3 with Aldermen Erickson, Pollnow, and Boyette voting no.

Director Kaiser explained the current notification process to the Council. The current letter includes all the information brought forth by Alderman Pollnow with the exception of the aldermen information. The notification letter has been a standard practice since 2016 after the budget has been approved. Notifying property owners

prior to final budget approval brings confusion and anxiety to homeowners at a point where it is unknown what the final yearly projects are going to be. The process had tweaked along the way.

XIII. Unfinished Business

- A. There was discussion on the above tabled item, Council Directive A. The discussion was on how to refer the council directive to committee. Atty. Rashid advised that the matter stays tabled until there is a motion to take it from the table. There was discussion with Alderman Lendrum, Chair of Public Services and Safety Committee, to put the item on the agenda. Any member of the committee can request that the item be put on the committee agenda.
- B. Council President Borchardt provided a summation of the council directive.
 - 1. Would like Director Kaiser to provide what kind of impact the letter will have on property owners?
 - 2. Is this letter currently being done?
 - 3. If this letter is going to be provided to the property owner, what additional time and effort will it take on staff?Council President Borchardt would like to have a better understanding of letter's impact order to make a better-informed decision.
- C. Director Haese clarified that part of the intent of a council directive is to avoid staff being assigned duties without concurrence of the council. Now the item is tabled but Council still wants staff to do the work. This all could have been avoided by having the item go directly to committee and by communicating with staff.

Motion by Pollnow/Boyette to take Council Directive A from the table, all voting aye.

There was discussion on the appropriate committee to refer Council Directive A to.

Alderman Pollnow/Boyette withdrawal Council Directive A above.

Motion by Pollnow/Boyette to send Council Directive A above to the Public Services and Safety Committee, all voting aye.

XIV. New Business

- A. Any announcements/questions that may legally come before the Council.
 - 1. Director Kaiser gave an update on the status of the S. Commercial Street Project.

XV. Executive Session

- A. The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with the City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding possible settlement with Walmart over multiple years' tax appeals suits.
MSCR P Ellis/Weber for the Council to convene into closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with the City Attorney who will render advice concerning strategies with respect to pending or

impending litigation involving the City, specifically regarding possible settlement with Walmart over multiple years' tax appeals suits, all voting aye.

At 8:04 PM, the Council convened into closed session.

- B. The Council may reconvene into open session to consider action on the item(s) discussed in closed session.

Council did not reconvene into open session.

XVI. Adjournment

Motion by Ellis/Pollnow to adjourn in closed session, all voting aye. Meeting adjourned at 8:24 PM.

Respectfully submitted,

A handwritten signature in black ink that reads "Charlotte K. Nagel". The signature is written in a cursive, flowing style.

Charlotte Nagel, City Clerk

CITY OF NEENAH – COMMON COUNCIL MEETING
MONDAY, DECEMBER 18, 2024
ATTENDANCE SHEET

NAME	ADDRESS
1. BILL DOUGLAS	530 E CASTLEBURY APPLETON
2. Frank Puthbert	1533 Fallow Dr. Neenah
3. Flo Bruno	1002 E FOREST AV
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CITY OF NEENAH – COMMON COUNCIL MEETING
MONDAY, DECEMBER 18, 2024
ATTENDANCE SHEET

NAME	ADDRESS
1. JOHN MATZ	431 Hickory St Neenah
2. Jennifer Breining	1030 Oak St Neenah
3. Mike Breining	1030 Oak St Neenah
4. Trevor Lind	2624 W Sunnyview Cir Appleton
5. Tina Lind	2624 W Sunnyview Cir Appleton
6. Erin Moore	1220 Perimeter Trail Appleton
7. Matt Boud	1138 Green Forest Ln Neenah
8. Jenni Catron	910 E Forest Ave Neenah
9. Merlyn Catron	910 E Forest Ave Neenah
10. Chanele Espersen	1212 Hazelwood Ct
11. Craig Espersen	1212 Hazelwood Ct
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CITY OF NEENAH – COMMON COUNCIL MEETING
MONDAY, DECEMBER 18, 2024
ATTENDANCE SHEET

NAME	ADDRESS
1. Bill Bratney	1030 Oak St. Neenah
2. Eric L. Gutwirth	12646 Buchanan RD
3. Brian Epitropaki	11319 Westgreen Dr.
4. Tina Joy Moore	1228 Penniman Trl - Neenah
5. Amy Benti	1138 Green Acres Ln. Neenah
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