

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, April 25, 2023, 6:30 PM

Present: Alderpersons Borchardt, Hillstrom, Lendrum, Stevenson, and Weber

Excused: NONE

Also Present: Mayor Lang, Public Works Director Kaiser, Community Development Direct Haese, Police Chief Olson, Traffic Engineer Merten, and Public Works Office Manager Mroczkowski

Public Appearances:

NONE

Approval of Minutes of the Meeting of April 11, 2023

Motion/Second/Carried by Hillstrom/Borchardt to approve the minutes of the Meeting of April 11, 2023. All voting aye.

Community Development Ordinance Update

Community Development Director Haese reviewed his memo of April 19, 2023. He stated that Community Development contracts with E Plan to conduct the state's review of the building plans submitted to the department that require state approval. Director Haese stated that as part of that process, E Plan reviews the city's building code to make sure there are no ordinance provisions that conflict with state statutes. He stated that there are four minor changes being recommended.

Report

Following Discussion: Motion/Second/Carried by Stevenson/Weber to recommend Council approve Ordinance 2023-07 to modify the Neenah Municipal Code to allow for continuity with state UDC code. All voting aye.

S. Commercial Street Hazardous Material Investigation

Traffic Engineer Merten reviewed his memo of April 20, 2023. He stated that one of the state requirements for this project is to have a hazardous material assessment done. He stated that the city contracted with Westwood Professional Services to complete the Phase I hazardous material assessment report. Traffic Engineer Merten stated that Westwood completed the assessment and are recommending a more in-depth investigation for thirteen sites within the project limits, to determine if the potential hazardous material will impact the S. Commercial Street project.

Traffic Engineer Merten stated that five consultants were invited to submit a proposal. He stated that three responded, with MSA Professional Services having the lowest cost proposal at \$31,875.00. He stated that the other two were Westwood with a quote of \$37,600.00 and ECS Midwest LLC with a quote of \$68,608.00.

Alderson Weber asked Traffic Engineer Merten if he could explain ECS Midwest's quote being double of the other two. Traffic Engineer Merten stated that Westwood and MSA have a better understanding of the scope work with this project and may have been able to refine their proposal based on their knowledge of the project.

Alderson Stevenson asked if this work was part of the original scope of work that the committee approved. Traffic Engineer Merten stated that it was.

Report

Following Discussion: Motion/Second/Carried by Borchardt/Stevenson to recommend Council approve entering into a contract with MSA Professional Services for their proposal to provide Phase II Hazardous Materials Investigation for the 2025 S. Commercial Street reconstruction project. All voting aye.

Police Department 2023 1st Quarter Statistics

Police Chief Olson reviewed the 2023 1st Quarter Statistics. He stated that the police department took 5,516 calls for service. He stated that of the 5,516 calls, 741 were traffic stops.

Chief Olson reviewed the Unified Crime Report (UCR). He noted that 49% of the crime reported was Crimes Against Property, 26% was Crimes Against Person, and 25% was Crimes Against Society.

Chief Olson reviewed Traffic Warnings. He noted that there were 735 traffic warnings in 2023, compared with 681 in 2021 and 362 in 2022. He stated that the highest number of warnings were issued in January for speeding.

Chief Olson reviewed Traffic Citations. He noted that these numbers are down due to staffing issues. Chief Olson stated that the department is down five officers. He stated that 302 citations were issued in the 1st quarter which is in line with 2021 with 318. He stated that 2022, 656 citations were issued. He stated that the 2022 numbers he contributes to being at full staff.

Chief Olson reviewed the Traffic Safety Officer's statistics. He noted that statistics for Officer Edwards were 328 traffic stops, 49 citations, 362 warnings, 6 warrants, 1 felony, 2 misdemeanors, and 1 ordinance. Chief Olson noted that Officer Edwards has been responding to other calls as well due to staffing shortages.

Chief Olson reviewed OWI Arrest. He noted that there were 8 in 2023, 14 in 2022 and 12 in 2021.

Chief Olson reviewed Parking Citations. He noted that these numbers are down as well due to staffing shortage and problems with the parking software. He stated that typically the department has eight CSA's. He stated that currently there are two. Chief Olson stated that the parking software is set to be upgraded in the next couple of weeks so he anticipates an increase in parking citations issued.

Chief Olson reviewed Accidents. He noted that accidents are up in 2023 with 138, compared to 98 in 2021 and 80 in 2022.

Chief Olson reviewed Overdoses. He noted that there were 10 in 2023, 12 in 2022 and 16 in 2021.

Chief Olson reviewed Dangerous Animals. He noted that staff and the Finance Department is working with one owner of a designated dangerous dog. He stated that the owner has complied with all of the requirements to be able to keep the dog in the City of Neenah.

Chief Olson reviewed Open Records Requests. He noted that in the 1st quarter of 2023 there were 412 requests, 436 responses and 4,890 minutes on media.

Chief Olson reviewed Code Enforcement. He noted that our code enforcement officer has been on light duty and starting today will be off for three months. Officer Franzke will be filling in during her absence. He noted that in the 1st quarter of 2023, 287 inspections were done, 158 new cases were opened, 48 cases were closed, 12 services fees were issued, 6 Tracs citations were issued, 4 long form violations and 2 parking citations were issued.

Following Discussion: Motion/Second/Carried by Hillstrom/Borchardt to receive and place on file. All voting aye,

Freedom Acres, Homes at Freedom Meadows-Two-Inch Mat Cost

Director Kaiser reviewed his memo of April 21, 2023. He stated that in the City Contract 10-23, the temporary asphalt surface for Freedom Acres and Homes at Freedom Acres has been included. He stated that between the two developments there is \$106,700.00 in escrowed funds for the two-inch mat to be done in the two subdivisions. Director Kaiser stated that the bid prices came in at \$163,638.00, \$56,938.00 over the escrow. He stated that there is funding available to proceed with the project.

Director Kaiser stated that there is a language in the development agreement that if the escrow is not enough to cover the cost of the two-inch mat, the city reserves the right to special assess the shortage against the individual lots in the two subdivisions. He stated that the cost per parcel in Freedom Acres would be \$2,119.24 and in Homes at Freedom Acres the per parcel cost would be \$879.63. Director Kaiser stated that the decision to special assess lies with the council. He requested a recommendation from this committee whether to exercise that right or not.

Aldersperson Hillstrom asked if there are houses on all of the lots. Director Kaiser stated that Freedom Acres has about five lots with houses or are in the process of being built. He stated that Homes at Freedom Acres, the majority of the lots either have a house or are currently under construction.

Alderson Borchardt asked if we do not special assess, where will the money come from. Director Kaiser stated that there is a line-item Capital Improvement budget for \$50,000 for miscellaneous two-inch mat work and \$100,000 in carry forward funds from 2021 and 2022. He stated that if we do not assess the shortfall, then the \$56,000 will be absorbed by everyone in the city.

Alderson Stevenson asked if the property owners were notified. Director Kaiser stated that they have not. He stated that if the special assessment method were chosen, we would follow the standard protocol for exercising the right to assess the costs back to the property owner. Director Kaiser stated that we can assess the property owners after the project is complete,

Alderson Borchardt asked if we do not use the carry forward funds, and keep carrying it forward, how long do we have to use the money. Director Kaiser stated that he had allocated those funds in anticipation of these two subdivisions.

Alderson Borchardt asked what the normal practice for a situation like this is. Director Kaiser stated that we have not encountered a situation before to this degree. He stated that the difference in actual cost to escrow is substantial and he felt that the decision as to how to proceed needed to be done at the committee and council level.

Alderson Borchardt asked what will happen to the 2023 budget line item of \$50,000 if it is not used for this project. Director Kaiser stated that it will go back into the public infrastructure fund balance.

The Committee discussed further what can be done in the future so that the escrowed funds are closer to the budgeted funds, so the city does not end up in this situation again. Committee discussed if individual escrowed items can be combined and used to cover the shortfall.

Alderson Borchardt stated that he likes the idea of combining all the escrowed funds. He stated that it can provide some flexibility throughout the eight-year life cycle of the two-inch mat. He stated that he does support the idea of the city paying for a third of the project.

Director Kaiser stated that there is a benefit to public works operations to putting down a two-inch mat. He stated that he would be fine with cost sharing this project.

Alderson Weber stated that he would also like staff to research the idea of pooling the escrowed funds. He stated that would allow time for staff to communicate with the property owners of a potential special assessment.

Alderson Borchardt stated that he would like to see some type of follow up with the property owners regarding the correspondence that is mailed to them with these types of projects. He stated that he constantly is hearing from property owners that they did not receive the notices.

Alderson Stevenson suggests that staff to research the option of combining the escrow funds before a decision is made as to how to proceed with the covering the shortfall.

Director Kaiser stated that he will look into this report back to committee.

2021-2022 Comparison Reports

Director Kaiser stated that Office Manager Mroczkowski put together a 2021 to 2022 comparison of operation services. Director Kaiser reviewed the reports.

Aldersperson Borchardt stated that he would like to see a more efficient process for the drop-off center access than what we have in place.

Public Works General Construction and Department Activity Report

- 1) Contract 7-21 (Harrison Pond): Storm and sanitary sewer work is complete and the pond is functioning. Work on the water feature stones will continue when weather allows.

Aldersperson Hillstrom asked about the completion of the pond. Director Kaiser stated that we are waiting on electrical work. He stated that before we proceed further, we would like to get the meter pedestal installed. He stated that Kuehl Electric is having a difficulty locating one.

- 2) Contracts 11-22A and 11-22B (Lead service line replacement): Work is substantially complete. Restoration will be finished later this year.
- 3) Contract 1-23 (Chestnut, Burr, Dieckhoff, Laudan Utility and Street Construction): Sewer lateral/water service pulling is about 35% complete. Sewer main installation is complete on Burr Avenue and on Chestnut between Burr and Oak. Sanitary main installation is ongoing moving north from Burr and south from Division. Rock was encountered on Burr Avenue.

Director Kaiser stated that we had a situation today at a house on Chestnut that we are pulling a new service into the basement. He stated that there is a possibility that the tiles on the basement floor are asbestos. He stated that we will be bringing in a contractor to test the air quality of the home. He stated that the Wisconsin Department of Health Services was notified.

Aldersperson Weber asked who will be responsible for covering the cost.

Director Kaiser stated that typically when there is extra plumbing work or other types of extra work, it is passed onto the homeowner. He stated that is what will be done in this case.

- 4) Contract 2-23 (Charles, Hughes, Memorial, Patrick, Brantwood Dr/Ct Utility and Street): The contractor is scheduled to start work the week of April 24 on Brantwood Drive.
- 5) Contract 3-23 (Concrete Pavement/Sidewalk Repair): The contract has been awarded to Al Dix Concrete, Inc. A work schedule has not been set.
- 6) Contract 4-23 (Asphalt Repairs): The contract was awarded to MCC, Inc. A work schedule has not been set.

- 7) Contract 5-23 (New Subdivision Street Construction): The contractor has started curb/gutter preparations on Amber Lane. Amber Lane, Cardinal Plat and Integrity Plat streets have been proof-rolled to test the condition of the subgrade. They tested well.
- 8) Contract 6-23 (Columbian Av Utility and Street Construction): Sanitary sewer main installation is complete. Water main installation is ongoing. Sewer laterals have been installed within the right-of-way on the north side of the street.
- 9) Contract 7-23 (High, River Utility and Street Construction): The project was advertised on April 20. Bid opening is scheduled for May 3. The permit has been submitted to the railroad.
- 10) Contract 9-23 (Epoxy Pavement Marking): The project was awarded to Century Fence. A work schedule has not been set. The primary work areas are the roundabouts at Breezewood / Gillingham, Bell / Harrison, Winneconne / Green Bay, Winneconne / Lake, Green Bay / Festival, and Green Bay / Fox Point along with mainline work on Bayview Road and S. Lake Street.
- 11) Contract 10-23 (Parking Lot, Temporary Asphalt Street Construction): The project bid has been awarded to NEA. A schedule has not been set.
- 12) The annual storm water report was submitted to WDNR at the end of March.
- 13) The annual recycling report is being prepared for submittal by the end of April.
- 14) TDS Telecom: Quanta, the contractor for TDS, has restarted work. They are restoring hardscape that was temporary patched over winter and are completing boring work in one of their four open work permits.

Aldersperson Hillstrom asked how far along TDS is. Director Kaiser stated that TDS is about a third of way complete. He stated that staff is requiring them to make restoration to the four areas they have complete before moving on to new areas.

Announcements/Future Agenda Items

None

Adjournment: Motion/Second/Carried Borchardt/Hillstrom to adjourn at 8:14 PM.
All voting aye.

Respectfully submitted,



Lisa Mroczkowski
Public Works Office Manager