

Common Council Minutes
Wednesday, January 18, 2023—7:00 PM

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, January 18, 2023, 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 Andy Kahl, Community Development & Assessment Haese, Director of Public Works Kaiser, City Attorney Rashid, and City Clerk Nagel.

Also present were Director of Water Utility Mach, Deputy Director of Community Development Schmidt, Police Chief Olson, Assistant Police Chief Bernice, Police Captain Van Sambeek Director of Information Systems Wenninger, Community Development Specialist Jefferson, and Alexander M. Collins.

Mayor Lang called the meeting to order at 7:02 PM.

- I. The Mayor/Alderpersons recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Council President Stevenson led the Pledge of Allegiance.
- II. Introduction and Confirmation of Mayor's Appointment(s)
 - A. None.
- III. Approval of Council Proceedings
 - A. Approval of the Council Proceedings of January 4, 2023 regular session. **(UC)**

There being no objections the Council Proceedings of January 4, 2023 was ordered approved as written by unanimous consent.

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

Seeing no appearances, Mayor Lang turned the floor over to Alderperson Lendrum for an announcement.

Cari Lendrum, 419 11th Street – Recognized Videographer Dan's birthday which is tomorrow, the same day as Alderperson Lendrum's. Dan is an amazing videographer who never misses a meeting unless he is recording the City of Menasha's Meetings. Thank you Dan for sharing your talents with the city.

After additional calls for comments there were no appearances. Mayor Lang closed the public forum at 7:03 PM.

- V. Mayor/Council consideration of public forum issues
- VI. Consent Agenda
 - A. Approve the Cigarette & Tobacco Products License Application for Grainworks Old & New, 200 Main Street, Neenah WI, agent, Brian Duncan. **(PSSC)**
 - B. Approve the Cigarette & Tobacco Products License Application for Commercial Petro, 521 S. Commercial Street, Neenah WI, agent, Manisha Balami. **(PSSC)**
 - C. Approve Class A Combination Liquor/Beer Application for Grainworks Old & New, LLC, 200 Main Street, Neenah WI, agent Brian Duncan. **(PSSC)**
 - D. Approve Class B Combination Liquor/Beer Application for Double Tree by Hilton Neenah, WP Neenah SPE OPS, LLC, 123 E Wisconsin Avenue, Neenah WI, agent Debbie Becklund. **(PSSC)**

- E. Approve Change of Agent/Trade Name for Ultimate Mart, LLC, Pick 'N Save #124, 1530 S Commercial Street, Neenah WI. **(PSSC)**
- F. Approve the renewal Secondhand Dealer Application for J. Anthony Jewelers, 220 S Commercial Street for the 2023 licensing year. **(PSSC)**
- G. Approve the renewal Secondhand Dealer Application for ecoATM, LLC, located inside Walmart at 1155 W Winneconne Ave for the 2023 licensing year. **(PSSC)**
- H. **(UC)**

There being no objections the Consent Agenda of January 18, 2023 was ordered approved as written by unanimous consent.

VII. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of January 10, 2023: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

- 1. Committee recommends Council approve the placement of 82 Historical Doty Island signs on the street name signs, with the City of Neenah donating the labor to install the signs. **(RollCall-Pro)**
MSRPC Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

Discussion: Doty Island District Committee was present to answer any council questions. There were no questions.

- 2. Committee recommends Council approve the SRO (School Resource Officer) contract between the Neenah Joint School District and the City of Neenah. **(RollCall-Pro)**
MSRPC Lendrum/Borchardt to approve as recommended by committee, carried 8-1 with Stevenson dissenting.

No discussion.

- 3. Committee recommends Council approve the lease amendment with Youth Go Inc., for the Cecil Street Garage with a start date of April 1, 2023. **(RollCall-Pro)**
MSRCP Lendrum/Skyrms to approve as recommended by committee, all voting aye.

No discussion.

- 4. Committee recommends Council approve the 2023 budget amendments as outlined in the table in Director Kaiser, January 3, 2023 memo. **(RollCall-Pro)**
MSRCP Lendrum/Weber to approve as recommended by committee, 8-1 with Boyette dissenting.

Discussion: Alderperson Boyette advised she is going to be voting against this item. The reason being the roads chosen in the amendments are not on the road rating report. The amendments should be selected from the road rating report within five year plan.

- B. Regular Finance and Personnel Committee meeting of January 9, 2023: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)

- 1. Committee recommends Council approve 2023 Intermunicipal Agreement with the City of Appleton for Dial-A-Ride cost sharing. **(RollCall-Pro)**
MSRCP Erickson/Skyrms to approve as recommended by committee, all voting aye.

No discussion.

2. Committee recommends Council approve the purchase of parking enforcement software and parking enforcement hardware (13 printers and 1 tablet) at a cost not to exceed \$16,500, funded by the Downtown Parking carry forward in TIF 8. **(RollCall-Pro)**
MSRCP Erickson/Stevenson to approve as recommended by committee, all voting aye.

Discussion: Alderperson Stevenson asked about the utilization of the thirteen printers. Both Director Wenninger and Chief Olson advised that printers would be utilized in squad cars as well as in certain Public Works vehicles. Alderperson Stevenson reminded the council that this is a budget amendment which requires three-fourths vote to pass because this item was not included in the 2023 operating budget.

Alderperson Boyette requested an update on how the parking software system is working for the city.

Director Haese advised that the current system is working well. The investment is relatively low with the exception of the hardware, however, the annual subscriptions are relatively low cost. There was some initial costs that were not paid because of lack of performance. The parking enforcement vehicle worked well from the beginning and most of the squad issues were software glitches. The original company has been bought out several times and the glitches have been addressed. Overall the parking system has worked well for the city, not perfect, but well.

3. Committee recommends Council approve the carry forward of 2022 Information Systems operating funds to 2023 as follows: \$8,000 from Outside Software Services, \$10,000 from Computer Software Outlay, and \$2,000 from Computer Hardware Outlay. **(RollCall-Pro)**
RSRCP Erickson/Borchardt to approve as recommended by committee, all voting aye.

No discussion.

4. Committee recommends Council approve the 2023 Contract for Interim Market Update Assessment Services with Associated Appraisal in the amount of \$50,000. **(RollCall-Pro)**
RSRCP Erickson/Skyrms to approve as recommended by committee, all voting aye.

Discussion: Alderperson Steiner requested an overview as to why the city is moving forward with a revaluation as far as the state's perspective.

Deputy Director Schmidt responded by stating market evaluation is continuous with the goal of keeping assessed values in-line with market values. Currently the market value is higher than the assessed value. The assessment ratio, which is the ration between property sales and assessed values, is currently 86%. The Department of Revenue wants municipalities to be within +/- 10% of 100% market value. A revaluation does not bring in new revenue to the city but rather a redistribution of the tax burden onto property owners which is a more equitable distribution across the entire system.

5. Committee recommends Council approve Resolution 2023-01: Fee Schedule Change. **(RollCall-Pro)**
MSRCP Erickson/Stevenson to approve as recommended by committee, discussion.

Discussion: Alderperson Skyrms would like to have regular biannual reviews the fee schedule to keep it current.

Friendly amendment by Skyrms/Stevenson to approve Resolution 2023-01: Fee Schedule Change as recommended by committee and for the Council to review the fee schedule on a bi-annual basis to keep it current, all voting aye.

Both Director Kaiser and Director Haese are in support of a bi-annual review but would like a reminder with the budget process. Director Haese cautioned that although there is a review of the fee schedule does not mean the recommended fees would be adopted. He has found great success with staff sub-groups such as an evaluation committee to assure the fees are being reviewed. Mayor Lang added that part of the discussion was to initiate a strategic plan which the fee schedule would be part of.

6. Committee recommends Council approve Resolution 2023-02: Weights and Measures Fees. **(RollCall-Pro)**
MSRCP Erickson/Stevenson to approve as recommended by committee, all voting aye.

No discussion.

Director Haese took a moment to recognize the promotion of Samantha Jefferson to the first ever Community Development Specialist. Ms. Jefferson has taken on responsibilities not only within the Community Development Department but within City Hall itself. We look forward to seeing more of Ms. Jefferson in the future and thanked for her for a job well done. Congratulations!

- VIII. Reports of special committees and liaisons and various special projects committees
 - A. Regular Plan Commission meeting of January 10, 2023: (Council Rep Steiner) (Minutes can be found on the City web site)
 1. Meeting cancelled, no report.
 - B. Board of Public Works meeting of January 10, 2023: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
 1. Information Only Items:
 - a. The Board approved Change Order No. 2 for Contract 11B-22 Water Service Replacement Hunt Avenue, Madison Street, and Nicolet Boulevard from Carl Bowers & Sons Construction Company in the amount of \$11,235.00.
 - b. The Board approved Pay Request No. 1 for Contract 11B-22 Water Service Replacement Hunt Avenue, Madison Street, and Nicolet Boulevard for the amount of \$321,277.12 to Bowers & Sons Construction, Kaukauna, WI.
 - c. The Board approved Pay Request No. 1, Arrowhead Park Phase 1B – Pier contract from Lunda Construction Company, Black River Falls, WI in the amount of \$170,725.74 material purchased to complete pier.
 2. Council Action Items: None.
 - C. Reports on neighborhood groups
 1. Business Improvement District Board (BID Board) – Alderperson Skyrms
 - a. Reporting from the January 17, 2023 Meeting.
 - b. New businesses to downtown area:

- (1) Relish & Roots, located next to J. B. Anthony Jewelers, sells ready to make meal kits using local farmers as suppliers. They also hope to have a retail portion in the store as well.
 - (2) Lily & Sparrow to be located in the former Mom & Pop Store, sells specialty home decor.
 - c. Marketplace coral - the Board approved the recommendation to remove one of the small trash dumpsters and replace it with an additional recycling dumpster since there tends to be more recycling than trash. This will be an additional annual cost of about \$1,700.
 - d. Saturday, January 21, 2023 Post Holiday Gift Card Sale downtown.
 - e. Saturday, February 11, 2023 is Warm Your Heart Event which is nearly sold out.
 - f. Future Neenah 2023 Events schedule is posted on their website.
 - g. 2023 marks the 40th anniversary of Future Neenah Inc.
 - D. Library Board
 1. Report from the Library Board – Alderperson Erickson
 - a. Reporting from the January 18, 2023 Meeting.
 - b. Friends of the Neenah Public Library Annual Magazine and Media Sale to be held on Saturday, February 25, 2023 from 10:30 am – 3:45 pm. Proceeds from the sale benefit the Neenah Public Library programs, services, and resources. Donations of books or media are dropped off all year during the library open hours.
 - c. Sunday, February 5, 2023 Caravan Gypsy Swing Ensemble at 2:00 pm in the Shattuck Community Room at the Library.
 - E. Neenah Arts Council
 1. Report from the Neenah Arts Council – Alderperson Erickson
 - a. Reporting from the January 11, 2023 Meeting.
 - b. Second Annual City of Neenah Photo Contest which features photos from around the city by amateur photographers.
 - F. Landmarks Commission
 1. Report from the Landmarks Commission – Alderperson Steiner
 - a. Reporting from the January 11, 2023 Meeting.
 - b. Discussion focused on the Neenah’s Sesquicentennial Celebration activities. More to come on recognizing and identifying historic houses around the community and assisting residents on historical hikes and walks to recognize historical houses.
 - G. Parks & Recreation Commission
 1. Report from the Park Commission – Alderperson Borchardt
 - a. Reporting from the future January 19, 2023 Meeting.
 - b. 7th Annual Winterfest took place at Washington Park on January 14, 2023. About 200 people attended and enjoyed s’mores, hot chocolate, and many games. Thank you to our sponsor, Fox Communities Credit Union.
 - c. Currently summer job applications are being accepted, the deadline is February 1, 2023 for recreational jobs. Park and cemetery jobs will remain open until filled. More information is located on the city’s website.
 - d. Filthy Fun Run registration is now open. The event is held at O’Hauser Park on July 16, 2023 and is co-sponsored with the Village of Fox Crossing Recreational Department.
 - e. Several smaller emerald ash borer infested trees along the Bill Miller Trail will be removed this winter. Replacement trees will be planted this spring.
- VIII. Presentation of petitions
 - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
 1. None.
- IX. Council Directives

A. Status update on Doty Island convenience store/gas station opportunities. (Aldersperson Erickson)

1. Director Haese gave a brief presentation on the feasibility of a modern convenience store to Doty Island. Most modern convenience stores are built near a four-lane highway. Interior convenience stores are possible, however, they are a risk given the amount of investment that is required; therefore, owners are somewhat resistant to do an interior store.

Kwik Trip was contacted. Kwik Trip typically needs a minimum of four gas pump islands, the preference is six or more, with a car wash. The team looked at dimensional requirements specific to Doty Island and how a convenience store/gas station/car wash may fit on an available island site. There are a few sites on Doty Island that can accommodate a modern convenience store/gas station/car wash. The best fit would be the former Custom Marine site on the northwest corner of 1st Street and Forrest Avenue. Due to traffic flow around the building itself, convenience stores are typically not end caps. However, this site is more than sufficient to accommodate a convenience store/gas station/car wash combination. This site may have a better use, however, if another project is packaged with a convenience store, it could work.

The fact that Theda Clark is reinvesting in the community is a draw to Doty Island, but Kwik Trip would prefer to be on N. Commercial Street because of a larger volume of traffic. This location is somewhat problematic because a current N. Commercial Street business would have to be removed in order to have enough real estate to accommodate a Kwik Trip. The store on the island would rely more on local traffic versus highway traffic.

Kwik Trip's business view is that in order for an interior store to be profitable a full product line would have to be offered because the fuel sales would not be at the level as a location near a highway. This brings the conversation to allowing convenience stores to sell alcohol so that Kwik Trip can offer their full product line. This is part and parcel to the customer expectation of being able to purchase all products offered at all, or most of, their stores. The one-off stores, although not impossible, become more of a challenge to operate when different product lines are offered at different stores.

Discussion ensued regarding convenience stores selling alcohol. Kwik Trip on Green Bay Road does not sell alcohol so a Kwik Trip on the island would not be different for the City of Neenah. There was talk of the possibility of a Kwik Trip Express, where there is no fuel just convenience items. Tobacco Outlet is owned by Kwik Trip which sells alcohol, tobacco products, and limited food items. Kwik Trip depends on the convenience store product line for profits but uses fuel to attract customers. There was discussion on the proper council mechanism to reopen the discussion of convenience stores selling alcohol. It was decided that the proper channel would be to have the item go back through the Public Services and Safety Committee which Chairperson Lendrum agreed to put on the next agenda. Director Haese reiterated that if the ordinance changes to allow convenience stores to sell alcohol it does not guarantee a convenience store will come to Doty Island but it will spark interest.

X. Unfinished Business

- A. None.

XI. New Business

- A. Any announcements/questions that may legally come before the Council.
- B. Aldersperson Boyette asked for update on the project on the old Bridgewood Golf Course. Director Haese advised the developer is behind schedule due to DNR permitting on the earthwork. Director Kaiser advised the challenge is getting the bridge hydraulics working without affecting the upstream flow of the slough during a high water event. Consultants have

been working through that challenge along with tweaking the roadway to put the project in a better position to meet the DNR requirements.

Alderson Boyette inquired on additional tenants for the former Shopko building. Director Haese there are two additional tenants have not been publicly announced. Overall about 80% of the building will be occupied with the two additional tenants and Noodles & Company in the outlot should be occupied this summer.

- C. Alderson Skyrms announced that the Neenah Girls Varsity Basketball Team is currently 15-1. Next game is Friday, at Appleton East at 7:30 pm.

IX. Adjournment

MSC Stevenson/Borchardt to adjourn, all voting aye. Meeting adjourned at 8:08 PM.

Respectfully submitted,



Charlotte Nagel, City Clerk