

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, January 7, 2025

Present: Chairperson Lendrum, Alderperson Hillstrom, Pollnow, and Weber

Excused: Alderperson Borchardt

Also Present: Mayor Lang, Public Works Director Kaiser, City Attorney Rashid, Police Chief Olson, Police Captain Van Sambeek, City Clerk Nagel, Public Works Office Manager Mroczkowski, Cooper Franklin, Julissa Toledo, Frank Cuthbert, Scott Becher, and Flo Bruno

Approval of Minutes of the Meeting of December 10, 2024, and the Special Meeting of December 18, 2024

Motion by Hillstrom, Seconded by Weber to approve the minutes of the meeting of December 10, 2024, and December 18, 2024.

Call for vote by Chairman Lendrum

Motion Carried. All voting Aye. 4/0

Public Appearance

None

Bartender Beverage Operating License Appeal for Cooper Franklin

City Attorney Rashid reviewed the process for appealing a bartender operating license application denial. He stated that Mr. Franklin's license application was denied for failure to disclose all ordinance and state statute violations. City Attorney Rashid stated that Mr. Franklin will be given an opportunity to present his case, and the committee will be able to ask him questions. He stated once that part of the hearing is complete, Captain Van Sambeek will present the city's case for the denial after which the committee will have the opportunity to ask Captain Van Sambeek questions. Attorney Rashid stated that as part of the motion, the committee must include findings of fact if the denial is upheld.

Mr. Franklin stated that the violations he omitted from the application were made when he was younger and on a destructive path in his life. He stated that he has a son now and has been working on putting his life back together. He stated that he wants to work at a job he enjoys. Mr. Franklin stated that he is a people person and feels that being bartender would be a good fit for him.

Alderperson Lendrum informed Mr. Franklin that a person who does not have license is allowed to bartend as long as there is a licensed bartender on duty to supervise.

Aldersperson Pollnow stated that he thinks it is admirable that Mr. Franklin is trying to turn things around. He asked Mr. Franklin if fear was the reason he did not disclose all his prior violations.

Mr. Franklin stated that he did not think some of his past violations were serious enough to be listed on the application or he would have included them. He stated that he thought they had to be felonies or major misdemeanors. He stated that he did disclose the violation that led to a bench warrant being issued.

Aldersperson Weber asked Mr. Franklin if he currently has a job. Mr. Franklin stated that he had a job but had car issues. He stated that he has a bartending job lined up at 2 Bullyz Bar, which is within walking distance to his house, but the bar requires a license to start working. He stated that once he has saved up enough money to repair his car, he will start to look for a permanent full-time job.

Aldersperson Lendrum asked if all of Mr. Franklin's court fees and fines have been paid. City Clerk Nagel stated that they have been paid.

Aldersperson Hillstrom stated that his concern is the number of violations that happened in 2-year time span and the lack of disclosure.

Police Captain Van Sambeek stated that the reason Mr. Franklin was denied a bartending beverage license was lack of disclosing multiple convictions including operating a motor vehicle without a license, possession of THC, driving with suspended license, and speeding. He stated that he will be taking on the task of serving the public alcohol and needs to act responsibly, and not disclosing all the violations does not show responsibility.

Aldersperson Pollnow asked Captain Van Sambeek if Mr. Franklin had listed the THC possession charge, would the application have been denied. Captain Van Sambeek stated no because there would not have been basis for the denial.

Mr. Franklin stated that he misread the application. He stated that he has owned up to his past mistakes and is ready to pickup the pieces and move forward on a positive path.

Aldersperson Pollnow stated that he hopes that the Committee takes an open-minded approach to the appeal because everyone has a right to gainful employment.

Ms. Julissa Toledo spoke as a character witness for Mr. Franklin. She stated that a speeding ticket and THC possession should not be a deciding factor because they are not related to the job as a bartender.

The committee further discussed being able to bartend without a license, when a denied applicant can reapply, the wording of the application questions, Mr. Franklin's answers to the questions, and the circumstances that lead to a warrant being issued for the THC possession. Clerk Nagel noted that a denied applicant can reapply six months after the date of denial.

Findings of Fact:

- 1) Mr. Franklin filled out a bartending license application on December 12, 2024, and had otherwise met all the requirements for the license.
- 2) Police background checked showed Mr. Franklin had 4 law violations, including one that lead to an outstanding warrant for unpaid forfeitures.
- 3) Mr. Franklin did not disclose the noted law violations, despite being requested to do so on the application.

Report

Motion by Weber, Seconded by Hillstrom to uphold the denial of Mr. Cooper Franklin's bartending license application based upon the Findings of Fact.

Called for Vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Licenses

Approve the Original Class "A" Fermented Malt Retail License Convenience Store Application to Van Zeeland Oil Co., Inc., for Mobil West, 1350 Gillingham Road, Neenah WI

C.A

Motion by Pollnow, Seconded by Weber to recommend Council approve the Original Class "A" Fermented Malt Retail License Convenience Store Application to Van Zeeland Oil Co., Inc., for Mobil West, 1350 Gillingham Road, Neenah WI

Called for Vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Approve the Change of Agent application to Ballroom at the Reserve, LLC., 116 S Commercial St, Neenah WI, agent Codie Emunson

C.A

Motion by Pollnow, Seconded by Weber to recommend Council approve the Change of Agent application Ballroom at the Reserve, LLC., 116 S Commercial St, Neenah WI, agent Codie Emunson

Call for vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Approve Renewal of Pawnbroker/Secondhand Dealer Application to J. Anthony Jewelers, 220 S. Commercial St., Neenah WI, owner Benjamin Ziemba
Public Works General Construction and Department Activity Report

C.A

Motion by Pollnow, Seconded by Weber to recommend Council approve the renewal of Pawnbroker/Secondhand Dealer Application to J. Anthony Jewelers, 220 S. Commercial St., Neenah WI, owner Benjamin Ziemba

Call for vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Approve Renewal of Pawnbroker/Secondhand Dealer Application to Blind Tiger Games, 675 S. Green Bay Rd., Neenah WI, owner Alexander Thompson

C.A

Motion by Hillstrom, Seconded by Weber to recommend Council approve the renewal of Pawnbroker/Secondhand Dealer Application to Blind Tiger Games, 675 S. Green Bay Rd., Neenah WI, owner Alexander Thompson

Call for vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Public Works General Construction and Department Activity Report

- 4) Contract 7-21 (Harrison Pond): Pumps troubleshooting continues. Sidewalk/trail and staining work is complete. Final topsoiling is about 50% complete. Topsoil is being provided from the Douglas Pond site.
- 5) Contract 7-23 (High, River Utility and Street Construction): Work is complete. A punchlist was provided to the contractor. Final quantities have been prepared.
- 6) Contract 1-24 (Belmont Ct, Belmont Av, Cedar St, Stevens St-Utilities and Street): Work is complete. Final quantities have been prepared.
- 7) Contract 2-24 (E. Doty Av - Utilities and Street): Work is complete. Final quantities are being prepared.
- 8) Contract 3-24 (Bayview Rd, Commercial St Water Crossings, Quarry Ln, Reed St - Utilities and Street, Temporary asphalt paving on Freedom Meadows Drive and Liberty Avenue): Work is complete. Final quantities are being prepared.
- 9) Contract 4-24 (S. Park Avenue Easement – Utilities): Work is about 70% complete. It is estimated that 2 weeks of work remain.
- 10) Contract 5-24 (North St - Utilities and Street): Work is complete. Final quantities are being prepared.
- 11) Contract 6-24 (Jewelers Park Drive): Work is on the original contract is complete. Work on the Arrowhead Park loop road will be done in spring.
- 12) Contract 7-24 (Misc Concrete Pavement/Sidewalk Repair): The majority of the work is complete. The sidewalk on the west side of the north end of Baldwin will be done when arrangements have been finalized with the abutting property owner.

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- 13) Contract 8-24 (Misc Asphalt Pavement/Sidewalk Repair): Work is complete. Final quantities are being prepared.
- 14) Contract 11-24 (Douglas Park Pond): Work is ongoing. About 50% of the pond has been excavated. Excavated material is now being moved to the Arrowhead site with the permission of WDNR. Some of the topsoil that is not needed for final landscaping on this project is being hauled to the Harrison Pond for use there. The remainder is being stockpiled at the Tullar Garage for our future use.
- 15) Contract 13-24 (S. Commercial St Turn Lane at Winneconne Av): The contract was awarded to Vinton Construction. The work has not been scheduled. We are working through the property acquisition.
- 16) Leaf Picker – I authorized Superintendent Radtke to commit to the purchase of a direct replacement for a leaf picker in advance of a January 1 price increase. The replacement was included in the 2024 budget. Supt. Radtke had been researching replacement options throughout the year. The new unit will come in under budget. Formal purchase approval will be brought to the next PSSC meeting.
- 17) City Hall HVAC Upgrade: Work is nearly complete on the 3rd floor HVAC upgrade, which replaced variable air volume units (VAVs) and thermostats to digital controls. These upgrades will integrate with the previously installed digital HVAC control system. Components have been installed. Final system mapping and calibration is being done. We have requested pricing from Energy Control & Design to continue the upgrade project for the 2nd floor.

Announcements/Future Agenda Items

Aldersperson Pollnow stated that he talked with Police Chief Olson regarding the quarterly reports being brought to the committee. Aldersperson Pollnow stated that Chief Olson does he is fine bringing the report to committee. Aldersperson Pollnow stated that he feels it is a good process and have committee members weigh in on the report and provide feedback and the ability to ask questions.

Adjournment

Motion by Hillstrom, Seconded by Pollnow to adjourn at 6:05 PM.

Call for vote by Chairman Lendrum

Motion Carried. All voting aye. 4/0

Respectfully submitted,



Lisa Mroczkowski
Public Works Office Manager