

CITY OF NEENAH
PUBLIC SERVICES AND SAFETY COMMITTEE MEETING MINUTES
Tuesday, August 29, 2023, 6:30 PM

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

Excused:

Also Present: Mayor Lang, City Attorney Rashid, Public Works Director Kaiser, Police Captain Van Sambeek, Traffic Engineer Merten, City Clerk Nagel, Public Works Office Manager Mroczkowski, and William Boos

Public Appearances:

NONE

Approval of Minutes of the Meetings of August 2, 2023, and August 8, 2023

Motion/Second/Carried by Hillstrom/Borchardt to approve the minutes of the Meetings of August 2, 2023, and August 8, 2023. All voting aye.

Beverage License Application Appeal, William Boos

City Attorney Rashid provided a brief overview of the beverage operator application review and appeal process.

Mr. Boos stated that after reading the reasons for the denial, he can understand why his application was not approved. He stated that he should have listed all of his criminal convictions on the application. He stated that his most recent OWI was 6 years ago and the one before that was 16 years ago. He stated that he has been sober for 6 years and has been involved in the community by volunteering at Goodwill and St. Vincent DePaul's. He stated that he would like another chance.

Alderman Borchardt questioned why Mr. Boos, who has had issues with alcohol in the past, would want to work in a bar environment. Mr. Boos stated that he does have a full-time job, but it isn't enough to support him and that is why he is looking for a part-time job. He stated that he also paints houses and thought this may be a good networking opportunity for him.

Alderman Borchardt stated that he would not support an approval of the license based on the OWI criteria that is in the denial guidelines.

Attorney Rashid stated that state statute requires a written reason if the denial is upheld. He stated that the decision process must look at if he violated any part of Chapter 125 of the Wisconsin statutes along with the veracity of the application. Attorney Rashid stated that Mr. Boos failed to disclose criminal convictions related to a control

substance, OWI convictions, and driving after revocation conviction. He stated that the third thing that needs to be looked at is permitted discrimination. Attorney Rashid stated that the committee can discriminate based on convictions that relate to the activity of the licensure. He stated that in Mr. Boos case there is the 2015 conviction of possession of THC and drug paraphernalia and the lifetime OWI's with the most recent occurring within five years of the application.

Attorney Rashid stated that the last thing that is required by state statute to be considered is any type of rehabilitative efforts and documented proof of said rehabilitation, age when offense was committed, length of time since last offense, social contribution surrounding the events of the offense, seriousness of the offense and letters of reference offered by the appellant.

Aldersperson Lendrum asked if the application is denied when would Mr. Boos be eligible to apply again for a beverage operator license. City Clerk Nagel stated that he would have to wait one year.

Aldersperson Lendrum stated that she would like to know the decision of the open criminal case and suggested that Mr. Boos reapply next year.

Mr. Boos stated that in order to have a valid drivers license that he has now, he had to go through treatment, counseling, and had to have an ignition interlock device for 2 years. He stated that he is striving forward and would just like another chance.

Aldersperson Stevenson stated that, the outcome of the September court case is important to committee members, the appeal could be tabled.

City Clerk Nagel stated that if Mr. Boos appeal is denied, he will still be able to bartend as long as there is another licensed bartender supervising him, he just will not be able to bartend alone.

Aldersperson Weber stated that if this item is tabled, he would like documented proof of any rehabilitative measures that Mr. Boos has done.

C.A **Following Discussion: Motion/Second/Carried by Hillstrom/Borchardt to deny the Beverage Operating License Application for William Boos.** All voting aye.

Temporary Extension of Licenses Premises Application, Lions Tail Brewing, Oktoberfest

City Clerk Nagel reviewed the Temporary Extension of Licenses Premises Application. She stated that the blueprint is the same as last year with the exception that the Boys & Girls Brigade will supply the food. There will be no food trucks.

Report

Following Discussion: Motion/Second/Carried by Borchardt/Stevenson, recommends Council approve the Temporary Extension of Licenses Premises Application to Lions Tail, 116 S. Commercial St, for Oktoberfest, to be held on September 22, 2023, from 3:00 PM to 11:00 PM and September 23, 2023, from 12:00 PM to 11:00 PM. All voting aye.

Temporary Extension of Licenses Premises Application, Cedar Bar & Grill, End of Summer Concert

City Clerk Nagel reviewed the Temporary Extension of Licenses Premises Application. She stated that the blueprint is the same as last year

Report

Following Discussion: Motion/Second/Carried by Borchardt/Stevenson, recommends Council approve the Temporary Extension of Licenses Premises Application to Cedar Bar & Grill, 1330 S. Commercial St, for an End of Summer Concert, to be held on September 23, 2023, from 3:00 PM to 7:00 PM. All voting aye.

Temporary Class "B" Fermented Malt Beverage License, Bergstrom Mahler Museum of Glass, Art After Dark Renaissance Faire

City Clerk Nagel reviewed the Temporary Class "B" Fermented Malt Beverage License application. She stated that this is for malted beverages only, no wine.

Report

Following Discussion: Motion/Second/Carried by Stevenson/Borchardt, recommends Council approve the Temporary Class "B" Fermented Malt Beverage License to Bergstrom Mahler Museum of Glass, 165 N Park Drive, for Art After Dark Renaissance Faire, to be held on September 21, 2023, from 6:00 PM to 9:30 PM. All voting aye.

Purchase Additional Flock Cameras

Captain Van Sambeek reviewed his memo of August 23, 2023. He stated that Flock cameras are a great tool that law enforcement agencies use on a daily basis all across the country. He stated that they are looking to purchase 6 additional cameras this year that were budgeted in 2024 because of a price increase in 2024 to \$3,000 per camera.

Aldersperson Stevenson clarified that the recommendation of \$21,000 is for the purchase of 6 additional cameras and to enter into a 5-year contract for 12 cameras. He asked

how long these cameras will last. Captain Van Sambeek stated that the police department does not own the cameras. He stated that everything is owned by Flock. He stated that they do all the installation and maintenance on the cameras. Captain Van Sambeek stated that the 5-year contract is for 2024 and will include 12 cameras at a cost of \$2500 per unit instead of \$3500 saving the city \$12,000 on the cost of cameras alone.

Report

Following Discussion: Motion/Second/Carried by Stevenson/Borchardt, recommends Council approve the Neenah Police Department install six additional Flock cameras at a cost not to exceed \$21,000 and to allow the Police Department to enter a 5-year contract starting in 2024, with Flock to secure pricing at \$2500 per camera for all twelve cameras, with the funding source being Capital Equipment Reserve Fund All voting aye.

S. Commercial Street and Winneconne Avenue Right-of-Way Plat

Traffic Engineer Merten reviewed his memo of August 25, 2023. He stated that with the proposed dedicated southbound right turn lane on Commercial Street to Winneconne Avenue, the city will need to acquire right-of-way on the northwest corner of Commercial Street and Winneconne Avenue. He stated that Resolution 2023-23, the project Relocation Order, is the next step in the land acquisition process.

Alderson Hillstrom asked what is happening with the owner of the property on the northwest corner who has attended several meetings asking for driveway access off of Commercial Street for a proposed development on this site. Traffic Engineer Merten stated that staff has told him that he needs to bring in a proposed development and we will review it at that time.

Traffic Engineer Merten stated that although that issue has been talked about with this project, the two are separate. He stated that these are independent of each other.

Alderson Hillstrom asked if the right turn lane onto Winneconne will be signed with a yield sign. Traffic Engineer Merten stated yes.

Alderson Hillstrom asked if there were going to be any changes to the traffic flow on Church Street. Traffic Engineer Merten stated that not at this time. He stated that we need to wait and see how this proposed change effects the intersection.

Alderson Stevenson stated that he is not comfortable acquiring the right-of-way for this project without knowing what the long-term strategy is for Church Street.

The Committee discussed in length the possibility and cost of purchasing the property on the northwest corner for a roundabout, what the long-term vision is for this intersection, how the current proposed right turn lane will impact Church Street,

driveway access off of S. Commercial Street, and any future development of the property on the northwest corner of S. Commercial Street and Winneconne Avenue.

Director Kaiser stated that with the committee's hesitation with the proposed plan, he would suggest bringing the Intersection Control Evaluation (ICE) report back to committee for further discussion.

Aldersperson Borchardt stated that he thinks that would be helpful.

Director Kaiser stated that he will but the ICE report on the September 12th agenda.

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 has restarted on the water feature. The installation of the electric service also needs to be done.

Aldersperson Hillstrom asked if the trees and shrubs are going to be replaced.
Director Kaiser stated yes.

2) Contract 1-23 (Chestnut, Burr, Dieckhoff, Laudan Utility and Street Construction): Utility work is complete. Street excavation was completed 8/25. Some additional gravel will be placed and then curb installation will start.

3) Contract 2-23 (Charles, Hughes, Memorial, Patrick, Brantwood Dr/Ct Utility and Street): Utility work is complete. Concrete repairs are complete. Streets are being graded and graveled.

4) Contract 3-23 (Concrete Pavement/Sidewalk Repair): The contractor has started work. He will re-mobilize on that contract in the middle of September to complete the downtown target area and the N. Park Avenue sidewalk.

5) Contract 4-23 (Asphalt Repairs): The contract was awarded to MCC, Inc. A work schedule has not been set.

6) Contract 5-23 (New Subdivision Street Construction):

a) Arthur Plat: Work is complete.

b) Cardinal Plat: Work is complete.

c) Integrity Acres: Work is complete.

d) Liberty Heights: Curb/gutter and driveways are complete. The binder course of asphalt is in place. Landscaping is ongoing.

7) Contract 6-23 (Columbian Av Utility and Street Construction): Work is complete except for two asphalt driveways.

a) Beaulieu Road sanitary sewer – Work is complete.

8) Contract 7-23 (High, River Utility and Street Construction): The contract was awarded to Carl Bowers & Sons Construction. Work is scheduled to start after Labor Day. Work on several isolated sewer lateral replacements has been done from the house to the terrace. These will be completed with the project.

Director Kaiser state that the Pre-Con meeting is scheduled for August 31st.

9) Contract 8-23 (Tullar Garage Office Area Roof Replacement): This contract was awarded to JT Rams, LLC. Work schedule is tentatively scheduled to start in late September.

10)Contract 9-23 (Epoxy Pavement Marking): Work is complete.

Traffic Engineer Merten stated that there are two areas that the contractor forgot to paint the Shopko roundabout and Church/Wisconsin.

11)Contract 10-23 (Parking Lot, Temporary Asphalt Street Construction): Work on the parking lots started on 8/23. Some areas of wet soil were uncovered in the Marketplace Lot. Grading and structure adjustments are scheduled to start on 8/30. Paving is tentatively scheduled for Labor Day week.

12)Contract 11-23 (Hunt, Fairwood, Brookwood Street Construction): Pavement removal and concrete repairs are complete. Grading and structure adjustments are ongoing.

13)City Hall Elevator: Work is scheduled to start on the elevator upgrade in mid-September.

14)Neenah Creek Bridge: Bids were opened on 8/24. These will be reviewed by the Board of Public Works at their 8/31 meeting with a recommendation going to Council on 9/6.

Announcements/Future Agenda Items

NONE

Adjournment: Motion/Second/Carried Borchardt/Hillstrom to adjourn at 8:21 PM.

All voting aye.

Respectfully submitted,



Lisa Mroczkowski
Public Works Office Manager