



**City of Neenah**  
**Committee of the Whole Minutes**  
**Wednesday, May 20, 2026 at 6:30 PM**  
**Immediately following the Common Council Meeting**  
**Neenah City Hall – 211 Walnut Street**  
**Council Chambers**

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- I. Call to Order  
Council President Steiner called the meeting to order at 7:30 PM.
  
- II. Roll Call  
Present: Mayor Borchardt, Council President Steiner, Aldermen Bruno, Erickson, Linski, Defferding, Pollnow, Ellis, and Weber. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Nieforth, Public Works Director Kaiser, City Attorney Rashid, and City Clerk Nagel.
  
- III. Discuss and make recommendation on the following petitions
  - A. Petition P2026-01 Submitted by Andrew Leonard, 1747 Legacy Lane, to move forward with a temporary road improvement no later than Spring 2027 due to ongoing safety, accessibility and quality-of-life concerns with the Freedom Meadows and Freedom Acres subdivisions. (Attachment)
  - B. Petition P2026-02 Submitted by Jacob Schreiber, 1710 Sovereign Lane, to move forward with a revised plan of final roads installed in 2028 in the Freedom Meadows and Freedom Acres subdivisions. (Attachment)

Council President Steiner outlined the meeting agenda as to how the meeting was going to be conducted. Director Kaiser will present his analysis of the two petitions that were presented and his recommendation for consideration. If there is going to be a recommendation to Council, it will be made at the June 3rd Council Meeting. Council President Steiner then turned the meeting over to Director Kaiser.

Director Kaiser recapped the work that had been done in the neighborhood prior to the April 14th Special Public Services and Safety Meeting held for the road conditions in Freedom Acres and Homes at Freedom Meadows subdivisions.

- Silt fencing was installed along lots where erosion control had been prematurely removed.
- With the exception of Freedom and Sovereign, the builder installed erosion control.
- Erosion control monitoring continued as final landscaping on properties were starting to come together. Over 600 inspections of this area have been conducted from 2023 to 2026.
- Following the April 14th meeting, in working with the developer, potholes and reclaimed asphalt were repaired.
- The developer placed additional gravel and regraded Freeman and Sovereign at the end of Liberty Avenue.
- Installed “Do Not Dump Dirt on Road” signs targeting landscapers.

Currently, staff and the developer is searching for sources of reclaimed asphalt due to development agreement obligations to Freedom and Sovereign in the west end of Liberty. Dust control was another issue that arose. Staff is working on the equipment modification for a calcium chloride treatment application for dust control. A couple applications of calcium chloride treatment would be required annually. Due to equipment modification and material costs, staff is also contacting contractors who might be able to provide this work. Once this

data is available, staff can make an analysis on the most cost-effective way to provide calcium chloride treatment applications.

At this point Council had the opportunity to ask questions regarding work that had been done to address the road conditions.

Mayor Borchardt asked Council President Steiner to amend the agenda to include public forum. Council President Steiner was comfortable making that amendment. At this time, Council President Steiner opened the floor for public forum.

Andrew Leonard, 1747 Legacy Lane – Raised concerns about the developer's agreement and the need for a 48-hour notice to the developer if the road conditions were not upheld. He highlights challenges with contractors moving erosion control barriers because they don't want to drive on the sidewalks and crack them. Mr. Leonard asked for an accounting of how much money has been spent out the development escrow account because he believes, according to the developer agreement, that if there is unspent money remaining, it is owed residents.

Director Kaiser advised that after the April 14th meeting, staff and the developer met and decided to take the middleman out of the road maintenance. Therefore, the city has taken over the maintenance of the roads and using the escrow for that maintenance. As issues arise, there is no need to the developer, the city is maintaining the roads. Mr. Leonard commented that there is a clear difference in the road conditions since the city has taken over road maintenance and thanked Director Kaiser for that.

Jacob Schreiber, 1710 Sovereign Lane – Submitted one of the petitions. He explained the whole idea behind the petition was to make sure that everyone in the neighborhood had an idea of what both options were. He hopes the data collected gives the city give some resident perspective, and appreciates the work that has been done.

Lindsay Gonzalez, 1634 Valor Place – Shared a conversation with a family member experienced in the excavating and paving industry, who suggested reclaimed asphalt should be rolled very six months for maintenance.

Director Kaiser commented that rolling reclaimed asphalt as part of maintenance could be arranged with a pavement contractor. The city does not have the equipment for that service.

After several calls for additional comments, none were heard. Council President Steiner closed the public forum.

Council President Steiner opened the meeting up for Council comments at this time.

Director Kaiser asked if rolling the reclaimed asphalt was in the current maintenance plan. He responded that it was not but would not have any issue including it in the maintenance plan.

There were questions about the challenges of the removing of the erosion control by landscapers. Director Kaiser confirmed that has been a challenge. As staff is out there, contact is made with landscapers on-site. It is not uncommon for there to be a gap between staff understanding the need for erosion control and field workers who simply want it out of their way. Staff is diligent in contacting on-site landscapers and it's to the point where the

workers are moving the erosion control out of the way and placing it back where it's needed, not removing it altogether.

The sidewalks have been a hurdle as well. Landscapers want to dump the dirt as close to the yards as possible which resulted in a couple of cracks in the sidewalk. Contractors should do whatever they can to prevent that from happening, but it is challenging.

Alderman Pollnow is more concerned with process improvements. He would like to have written documentation of every phone call, every meeting, every conversation had with developers or contractors.

Director Kaiser is not looking at doing a history recap at this point; at this point it's about dealing with the two petitions and moving forward. There is certainly time for debrief and learning opportunities, but tonight's agenda is dealing with the two petitions.

Council President Steiner refocused the meeting to the two petitions at hand.

Director Kaiser went through his memo from the April 14th meeting which broke down the two options in the petitions.

The final street construction estimate is \$4 million in today's current industry pricing. This project is 100 percent assessable to the abutting property owners. The city provides two assessment methods identified with the city code. Calculations were completed for both assessment methods, unit rate and front footage, for each parcel in the subdivisions. Freedom Acres have slightly larger parcels which the unit rate came in just under \$18,000 per parcel. Freedom Meadows with a little higher lot density came in around \$14,500 per parcel. At the time of final street construction, Council will be reviewing reports on each assessment method and making a final determination on how the roads will be assessed. The city allows for a repayment method for eight years.

Alternative petition is paving a temporary two-inch asphalt mat that has reclaimed asphalt or gravel. The estimate for the just under 11,000 centerline of road is about \$432,000. Assessing each parcel owner, the cost would be approximately \$1500 - \$2,000 per lot depending on the assessment method used. The temporary two-inch mat has been used in the past and would likely to get eight to ten years of use on that surface.

Alderman Pollnow commented that to include the final road construction in the 2028 Capital Improvement Plan (CIP) there would have to be some shuffling of other projects. What would be Director Kaiser's recommendation for moving projects slated for 2028 around. Director Kaiser reminded everyone that the CIP is a planning document which is meant to be flexible, adjustments are made as issues present themselves. Meaning a project scheduled for 2030 could easily be pushed out or moved forward. Even projecting out to 2036, there is not a convenient way to fit a five-million-dollar project in the CIP without moving projects around no matter when the final street construction is done. The issue at the time of final street construction is going to be the selective moving of projects. The CIP process kicks off next week for the next five years. It is Alderman Pollnow's opinion that there is more flexibility in the CIP if there's a 50/50 cost share with the 2-inch mat which would give 8-10 years of adjustment time. He believes a 50/50 cost share is not unprecedented, but needs to be done quickly as the city didn't follow through with their process and the property owners are emotionally charged by this issue.

City Attorney Rashid advised against the city subsidizing temporary or permeant roads, citing potential legal risks and claims from property owners.

Alderman Defferding echoes concerns about the long-term financial impact on the city budget and the potential for resentment among residents. We also need to keep in mind that the Council just passed a debt management policy and have to make sure our tax dollars are spent wisely.

Alderman Pollnow referenced a 2023 meeting where Director Kaiser discussed the possibility of a 50/50 cost share for a 2-inch mat where City Attorney Rashid did not have an issue with the cost-share.

Director Kaiser clarified the first phase of Freedom Meadows referenced above; there was an escrow established for the placement of two-inch mat in the subdivision. The escrow was short of the actual amount needed to do that pavement. The discussion was how do we handle the gap in the escrow. The reason the gap was handled with the cost-share was because the development agreement stated that in the event the escrow is insufficient, the city reserves the right to special assess a shortage against the individual lots in Freedom Meadows. The development agreement does not specify what percentage the city will special assess.

Regarding the ordinance question on the five-year payment versus the eight-year payment for special assessments. The committee questioned whether the five-year payment or eight-year payment would apply. The discussions were had between Director Kaiser and the City Attorney related to new developments section of the city code which did not offer any specificity on what road project would activate the eight-year payment plan. This is why the payment plan was laid out the way it was.

Alderman Ellis confirmed with Director Kaiser that the steps currently being taken can continue until permanent roads are put in. The political answer is not the correct answer in that there is an exception made. The moment that council starts to make more exceptions is the moment the ordinance is relinquished. How many times has that happened with sidewalks? To that end, the ordinance becomes a guideline, and is no longer an ordinance. If an exception is made today, it'll continue to happen until a five-year plan no longer has meaning either. A case-by-case basis is not something that is equitable and just to taxpayers or councils.

Alderman Pollow again harkened back to the process, to cost sharing, to better development agreements.

Director Kaiser clarified that the city's practice was three years, three freeze/thaw cycles, and at least 75% filled for permanent road installation in subdivisions. That criteria are met here. Really final streets in Freedom Acres and Freedom Meadows is not precedent. What jumped in the middle of this practice is 2-inch mat which extended the installation of permanent roads out further. There is nothing precedent with the proposal for the final streets.

Mayor Borchardt supports the recommendation for permanent road installation. He struggles with residents viewing the CIP as a permanent plan when it's truly a planning document. The projects scheduled for 2028 will be shuffled around but not forgotten.

There was discussion on making a substantive motion tonight or to have this item go through the CIP process. Either way, the Committee of the Whole can only make recommendations to Council, the motion would have to come from Council.

**Motion by Ellis, seconded by Erickson to have this Discussion, possible action, on staff recommendation to include the roads in Freedom Meadows and Freedom Acres subdivision in the 2028 Capital Improvement Plan (CIP) in response to P2026-01 and P2026-02 Petitions on the June 3, 2026 Council Meeting Agenda. Motion carried in a voice vote, 8-0.**

IV. Closed Session

- A. Committee of the Whole may convene into closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with City Attorney and outside legal counsel who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding: Arrowhead Park and the Wisconsin Department of Natural Resources.
- B. The Committee of Whole may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on item (s) discussed in closed session.

**Motion by Pollnow, seconded by Weber for the Committee of the Whole to convene into closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with City Attorney and outside legal counsel who will render advice concerning strategies with respect to pending or impending litigation involving the City, specifically regarding: Arrowhead Park and the Wisconsin Department of Natural Resources. The Committee of Whole may reconvene into open session pursuant to Wis. Stats. §19.85(2) to consider or act on item (s) discussed in closed session. Motion carried in a voice vote, 8-0.**

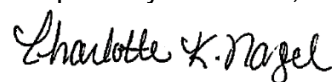
At 8:52 PM, the Council convened into closed session.

At 9:35 PM, the Council adjourned in closed session. No action taken by the Council in open session.

V. Adjournment

**Motion by Ellis/Weber to adjourn. Motion carried in a voice vote 8-0. Meeting adjourned at 9:35 PM.**

Respectfully submitted,



Charlotte Nagel, City Clerk