

**Common Council Proceedings**  
**Wednesday, March 20, 2024 at 7:00 PM**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 PM, March 20, 2024 in the Council Chambers of Neenah City Hall.

Mayor Lang in the chair.

Present: Aldermen Boyette, Erickson, Hillstrom, Lendrum, Stevenson, and Weber. Council President Borchardt and Aldermen Skyrms and Steiner were excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, and City Clerk Nagel. Sitting in for City Attorney Rashid was Menasha City Attorney Struve.

Also Present: Police Chief Olson, Assistant Police Chief Bernice, Police Lieutenant Van Sambeek, Fire Chief Teesch, Community Development Deputy Director Schmidt, Human Resources Director Fairchild, Information Systems Interim Schroeder, Paralegal DeWitt and citizens listed on the attached attendance sheets.

Mayor Lang called the meeting to order at 7:05 PM.

- I. The Mayor/Alderspersons recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Alderman Lendrum led the Pledge of Allegiance.
  
- III. Introduction and Confirmation of Mayor's Appointment(s)
  - A. None.
  
- III. Approval of Council Proceedings
  - A. Approval of the Council Minutes and Proceedings of March 6, 2024 regular session.  
**(UC)**  
**There being no objections, the March 20, 2024 Council Minutes and Proceedings were ordered approved as written by unanimous consent.**
  
- IVI. Public Hearings
  - A. Consider 2024 Community Development Block Grant Program Proposed Use of Funds and Annual Action Plan.  
Mayor Lang opened the public hearing at 7:06 PM.  
  
After three calls for comment, there were no appearances. Mayor Lang closed the public hearing at 7:07 PM.
  
  - B. Consider Ordinance No. 2024-02, amending the City of Neenah Comprehensive Plan Update 2040.  
Mayor Lang opened the public hearing at 7:07 PM.  
  
After three calls for comment, there were no appearances. Mayor Lang closed the public hearing at 7:08 PM.
  
  - C. Consider a subdivision variance for the creation of two lots which are less than 60 feet wide and less than 7,200 square feet in area for the 2 lot CSM located at 806 Main Street.

Mayor Lang opened the public hearing at 7:08 PM.

- 1) Dawn Zimmerman, former owner of 806 Main Street. Ms. Zimmerman advised that there is some confusion as to who submitted the variance application as she did not. Ms. Zimmerman would prefer her name be removed from the application.
- 2) Robert Nolan, 804 Main Street, would like to know what the ultimate plan is for the lot. He received the notice of the variance which did not include any information as to the plans for the parcel.
- 3) Joan Doucette, 819 Edward Street, thinks splitting the parcel is a crazy idea as the parcel is small to begin with. There is not enough room to build a house on such as small parcel. She has had trouble with the past neighbor and doesn't want anymore.
- 4) Jane Estrangela, 810 Edward Street, lives across the street from the proposed lot. She would like to know what the plans are for the lot.

After additional calls for comment, none were heard. Mayor Lang closed the public hearing at 7:14 PM.

Deputy Director of Community Development Schmidt gave an overview of the variance and the plans for the parcel. The lot fronts both Main and Edward Streets. The plan is to split the lot into two separate lots and build a house on the southern lot which fronts Edward Street. Typically, this type of land division is handled with a Certified Survey Map (CSM), of which the approval process does not come before council. The original lot is a substandard sized lot, and to split the lot requires a variance. Variances need a public hearing and council approval. The variance is the width of the lot is less than 60 feet and less than 7,200 square feet in size. In this case, the width is 46 feet. Although the lot is a substandard sized lot, the setback requirements for the house remains the same.

- VI. Plan Commission report pertaining to the Public Hearing
- A. Plan Commission meeting of March 12, 2024: (Ald. Steiner) (Minutes can be found on the City web site)
1. Commission recommends Council approve Ordinance No. 2024-02, amending the City of Neenah Comprehensive Plan Update 2040. **(RollCall-Pro)**  
**MSRCP Weber/Hillstrom to approve ordinance No. 2024-02 amending the Comprehensive Plan Update 2040, all voting aye.**

Discussion: Deputy Director Schmidt gave an overview of the intent of a comprehensive plan. The comprehensive plan gives a guide for local elected officials in land use decisions making. The document looks at the city as a whole, it's surrounding areas, and 20-30 years in the future. The plan is dynamic, which means it should be reviewed on a regular basis for land use patterns changes, market pattern changes, and land condition changes. This amendment was a cursory review; meaning each chapter was reviewed for economic, demographic, and housing statistics that were available in 2020. The implementation plan, which is the main part of the Comprehensive Plan includes goals, recommendations, and action items were also updated.

Major items that took place since 2017 which are incorporated in the update are:

- The closure of Theda Clark Hospital, which did not occur. Those references were removed.
- The boundary agreement with the Town of Neenah was updated. References to the updated boundary agreement were amended.
- Both the South Commercial Street Corridor and the Downtown Neenah Plans were incorporated in this update.
- The Police Department Addition/Remodel Project was also incorporated in the update.

In summary, the Comprehensive Plan is not a regulatory document; it is a guide, conceptual in nature, subject to change as land use, land conditions, and market conditions change.

2. Commission recommends Council approve a subdivision variance for the creation of two lots which are less than 60 feet wide and less than 7,200 square feet in area for the 2 lot CSM located at 806 Main Street. **(Roll Call-Pro)**  
**MSCRP Boyette/Weber to table pending further review of the application and paperwork.**

Director Haese clarified that the public hearing on this item has been completed. Therefore, the notice requirement has been satisfied. When the variance comes back for action, there will be no notice given. It is the responsibility of the interested parties to watch for the Plan Commission and the Council agendas.

## VII. Public Forum

- A. Speakers should give their name and residential address (not mailing address) and are allowed five minutes to speak on any topic.
  1. Kay Horan, 324 9<sup>th</sup> Street, Winnebago County Board Supervisor for District 5. Supervisor Horan advised of the County Board's approval for the mobile traffic barrier systems for both cities of Neenah and Menasha. She thanked everyone who had a hand in educating the County Board on the safety concerns of the request for \$300,000 from the Spirit Fund to purchase traffic barrier system. Supervisor Horan is extremely enthusiastic about the communication and the conversation between the city and County Board.
  2. Dr. William Von Lopek works for Esther within First United Methodist Church. Esther received a grant to study homelessness in Winnebago County. Through this study, Dr. Von Lopek has learned that there is a thin line between living in your comfort zone and homelessness. It only takes one illness, one layoff, one accident, one divorce, to land in the homelessness category. The cost of rent and homes have increased 20-35% in Winnebago County, however, wages have not increased. So many people, post covid, are left homeless because they have no place to go. This is not a preferred

way to live. Dr. Von Lopek asked the council to challenge themselves by asking what is a better way to deal with homelessness in Neenah other than shewing them away, especially when there is no other place to go. Other cities has tackled homelessness and Neenah can too if other options are explored.

3. Rosemary McCarthery, 650 S. Lake Street, is a foster parent for seven children as well as a parent to her own kids. Everyone stumbles. Most of her neighbors live paycheck to paycheck. Neenah needs more affordable housing and community resources to lift those who have fallen on hard times up again and make them whole. Mental healthcare and affordable housing are the two largest needs. We cannot just bully the weakest. We need to figure out how the city is going deal with homelessness because it is not going away as wages are not meeting the cost of living. It's not very Wisconsin of us.
4. Sara Kosmicki, 4 Armstrong Street, Town of Neenah, Director of Casa-Esther House. Is here to speak on the camping ordinance. The ordinance does not address the homelessness issue, it asks them to move out of sight where we don't have to look at it. She appreciates the ordinances does not go as far as criminalizing homelessness, but to assess monetary penalty for sleeping outside when there are no shelter beds available is unjust. A monetary penalty given to a person who already cannot meet their basic needs only exacerbates the situation. Not having a home is a tragedy, not a crime. Neenah has no shelters for homeless individuals. Shelters in Appleton or Oshkosh consistently operate at capacity with long waiting lists. This ordinance is about two people who may or may not have been homeless but were deemed as eyesores. Once the ordinance is enacted it will apply to all homeless in Neenah, now and in the future. Homelessness is not going away. To address a growing homelessness issue by passing an ordinance that is to punish the unhoused is misguided. Ms. Kosmicki encourages the council to reach out to local organization working on creating solutions to homelessness.
5. Raymond Jahnke, 203 Joseph Court, Apt. 2. Spoke on the camping ordinance and homelessness. There are agencies help available to those who are homeless. The homeless need to do their part by working at a job.
6. Alderman Lendrum read a statement she received from a constituent Susan Perkins, 613 S. Park Avenue, who couldn't be at tonight's meeting. The statement is paraphrased below. A copy of the full written statement is attached to the meeting minutes.

The no camping ordinance is essential. The best way to show true compassion is to not allow the encampments. Encampments leads to a dangerous and unhealthy situation for the unhoused. Those who are homeless can be directed to the numerous facilities in our area to get the right kind of help as opposed to handouts. Just ignoring them is also not compassionate. Ms. Perkins urges the council to vote in favor of the ordinance.

7. Michael Rust, Candidate for Winnebago County Circuit Court Branch 1. Mr. Rust introduced himself. He will be in attendance of tonight's meeting and is willing to speak to anyone after the meeting.

VIII. Mayor/Council consideration of public forum issues  
After calls for council comments, none were heard.

VIII. Consent Agenda

- A. Approve Temporary Class "B" (Picnic) License Application to Bergstrom Mahler Museum of Glass, 165 N. Park Avenue, for Art After Dark, to be held on March 21, 2024, from 6:00 PM to 8:00 PM. **(PSSC)**
- B. Accept the City Hall Third floor HVAC control upgrade proposal from Energy Control & Design in the amount of \$64,271.00 with funding of \$60,000 coming from the Capital Facilities Budget and the remaining \$4,271.00 being funded with Public Facility Funds **(PSSC)**

**Alderman Lendrum requested Item B to be reported out Public Services and Safety Report of March 12, 2024.**

**With the removal of Item B, the remainder of the Consent Agenda was approved with unanimous consent.**

IXI. Reports of standing committees

- A. Regular Public Services and Safety Committee meeting of March 12, 2024: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
  1. Committee recommends Council accept the City Hall Third floor HVAC control upgrade proposal from Energy Control & Design in the amount of \$64,271.00 with funding of \$60,000 coming from the Capital Facilities Budget and the remaining \$4,271.00 being funded with Public Facility Funds **(PSSC)**  
**MSCR P Lendrum/Stevenson to accept the City Hall Third Floor HVAC control upgrade, all voting aye.**
  2. Committee recommends Council to approve Ordinance 2024-04 Camping on City Owned Property and amendments to the Open Burning Ordinance. **(RollCall-Pro)**  
**MSCR P Lendrum/Weber to approve Ordinance 2024-04 Camping on City Owned Property and amendments to the Open Burning Ordinance, all voting aye.**

Discussion: Alderman Boyette asked for a legal opinion on if there is state statute that is being adopted by this ordinance. Attorney Struve responded that §86.025 which is camping on highways that would criminalize this action. Attorney Struve read the statute in its entirety.

Alderman Boyette asked for clarification on the actual fine amount. Paralegal DeWitt's understanding of the proposed ordinance is that the fine amount is at the discretion of the judge within the fine scale.

B. Regular Finance and Personnel Committee meeting of March 11, 2024: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)

1. Committee recommends Council approve the 2023 General Fund Operating Carry Forwards to 2024. **(RollCall-Pro)**  
**MSCRP Erickson/Boyette to approve the 2023 General Fund Operating Carry Forwards, all voting aye.**

No discussion.

2. Committee recommends Council approve the use of Fiscal Year 2023 General Fund balance (surplus) in the amount of \$436,518.78 and ARPA interest in the amount of \$239,593.62, totaling \$676,112.40, to be applied to the following deficits: Municipal Court (\$245,287.61), Neenah Menasha Fire Rescue (\$274,260.91) and 50% of Parking Utility (\$156,563.88), for a total of (\$676,112.40). **(RollCall-Pro)**  
**MSCRP Erickson/Lendrum to approve as recommended by Committee, all voting aye.**

Discussion: Alderman Stevenson questioned Municipal Court deficit which takes care of the Neenah portion but does not address the Menasha's portion. Director Rasmussen has been in discussions with City of Menasha Finance Director who knows that we are planning on paying off Neenah's portion of the Municipal Court deficit and that Menasha must come up with a plan to make their portion whole. Director Rasmussen also advised a taskforce will be created to look at what can be done differently and to follow the agreement more closely.

Alderman Stevenson asked about the plan for Parking Utility. Director Rasmussen responded that she had to watch the undesignated fund balance percentage to be in the right range for a good bonding rate. Parking rates were reviewed last year, and adjustments were made to the fee structure. The Parking Utility relies heavily on Community Service Aides (CSAs) to enforce parking. Most of the CSAs were lost during covid, and the Police Department is trying to build staffing back up. A taskforce is being formed to look at the Parking Utility but currently it is not funding itself as intended.

Both Alderman Stevenson and Mayor Lang thanked Director Rasmussen for being proactive and addressing the debt.

3. Committee recommends Council approve an agreement with BenTek Software services in a prorated amount of \$15,000 for year one costs and \$10,000 for implementation to be purchased from the Information Systems ERP Suite account within the Capital Equipment Budget. **(RollCall-Pro)**  
**MSCRP Erickson/Lendrum to approve the agreement with BenTek Software, all voting aye.**

Discussion: Alderman Stevenson asked if the BenTek agreement was part of the ERP planning process. Interim Director Schroeder advised Information Systems was planning on purchasing this type of software at the end of the year but decided to move it up due to a recent retirement. The reason being is timing; training a new employee could take place once on the BenTek system versus having to be retrained at the end of the year.

Alderman Boyette asked about costs of the program. Interim Director Schoeder explained the cost is prorated for the first year at \$15,000 in June with the plans full year cost of \$30,000 going forward.

- XI. Reports of special committees and liaisons and various special projects committees
- A. Regular Plan Commission meeting of March 12, 2024: (Council Rep Steiner) (Minutes can be found on the City web site)
1. Items reported under Public Hearing.
- B. Board of Public Works meeting of March 14, 2024: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)
1. Information Only Items:
- a. The Board approved Pay Request No.3, Neenah Creek Bridge, to Pheifer Brothers Construction, in the amount of \$70,315.20.
- b. The Board approved Pay Request No. 3, Contract 2-23W West Side Booster Station Building Construction, to RJM construction, LLC., in the amount of \$103,265.00.
2. Council Action Items:
- a. The Board recommends Council award Contract 4-24, S. Park Drive Easement, Sanitary Sewer and Water Main, to Scott Lamers Construction in the amount of \$366,812.00. **(RollCall-Pro)**  
**MSCR Hillstrom/Lendrum to award Contract 4-24 as recommended by the Board with funding coming out of the 2024 Capital Borrowing Fund, all voting aye.**
- b. The Board recommends Council Award Contract 5-24, North Street, Sanitary Sewer and Water Main, to David Tenor Corporation, in the amount of \$549,607.60. **(RollCall-Pro)**  
**MSCR Hillstrom/Lendrum to award Contract 5-24 as recommended by the Board with funding coming out of the 2024 Capital Borrowing Fund, all voting aye.**

Discussion: Director Kaiser advised Contract 5-24 is a joint project with the Village of Fox Crossing. The Council recently approved a Memorandum of Understanding with Fox Crossing which broke out the cost share of each of the items. There is some shared storm sewer and street costs. The sanitary sewer cost is all city, but Fox Crossing has some water utility work they want to have done while there is access, done at their cost. We are proceeding with the MOU cost break down with the bid prices received.

- c. The Board recommends Council award Contract 6-24, Jewelers Park Drive, Storm Sewer and Street Construction, to MCC, Inc., in the amount of \$573,435.19. **(RollCall-Pro)**  
**MSCRP Hillstrom/Lendrum to award Contract 6-24 as recommended by the Board with funding coming out of Tax Increment District No. 12, all voting aye.**
  - d. The Board recommends Council award Contract 12-24, Douglas Storm Water and Water Main to De Groot, Inc, in the amount of \$205,786.42, with the storm water overages to come from the detention pond budget. **(RollCall-Pro)**  
**MSCRP Hillstrom/Lendrum to award Contract 4-24 as recommended by the Board with funding coming out of the 2024 Capital Borrowing Fund, all voting aye.**
- C. Reports on neighborhood groups.
- 1. Business Improvement District Board (BID Board) Meeting of March 19, 2024 – Alderman Skyrms  
Report to be given at the next meeting.
- F. Library Board
- a. Report from the Library Board Meeting of March 20, 2024 – Alderperson Erickson
    - a. Friday, April 12, 2024 the Library will be closed for electrical work.
    - b. Programming is up 59% from 2023 to 2024.
    - c. Sundays in April, the Lawrence University Student Quartet will be performing jazz at the library. Each week will feature a different artist. Come early as this is very popular event.
- E. Neenah Arts Council
- 1. Report from the Neenah Arts Council Meeting of March 13, 2024 – Alderperson Erickson
    - a. Neenah Public Library/Neenah Arts Council Photo Contest is currently under way. Visit the Neenah Public Library website for entry information. The deadline to submit photos is March 31<sup>st</sup>.
- F. Landmarks Commission
- 1. Report from the Landmarks Commission Meeting of March 13, 2024 – Alderperson Weber
    - a. There was a formal recognition of Flo Bruno with the Bacon-Johnson house on the approval of the State Historical Register. Also discussed with Ms. Bruno was the inclusion of her home on the Neenah Historical Places Register.
    - a. The Commission is consistently recruiting new members. There are two that will be coming up for appointment soon.
    - b. Election of new officers as Ron Klatt stepped down. Alderman Weber was elected the new Commission Chair with Jim Tayler elected as Vice-Chair.

- XI. Presentation of petitions  
Any other petition received by the City Clerk's Office after distribution of the agenda.  
None.
- XII. Council Directives  
None.
- XIII. Unfinished Business  
None.
- XIV. New Business
- A. Receive and place on file the Neenah-Menasha Fire Rescue 2023 Annual Report. (Fire Chief Teesch) **(Voice Vote)**  
Fire Chief Teesch, recognized Local 275 is giving \$37,000 to the community. Over the course of their existence the total is forward of \$1 million. They are very vested in giving back the cities.
- Neenah Menasha Fire Rescue held the 5<sup>th</sup> Joint Recruit Academy. Neenah Menasha Fire Rescue has lead the way collaboration and innovation for over twenty years on the Joint Recruit Academy.
- Retired Fire Chief Kloehn received the 2023 State Fire Investigators Association's Chief of the Year. There are upwards of 800 departments in Wisconsin and one person receives that award, who worked for NMFR.
- NMFR received \$100,000 in grants. The department also received ISO Class 1, 10<sup>th</sup> the state to achieve the rating, 500<sup>th</sup> in the nation.
- Motion by Stevenson/Boyette to Receive and place on file the Neenah-Menasha Fire Rescue 2023 Annual Report. Motion carried in a voice vote, 6-0.**
- B. Arrowhead Park Development Status Report. (Ald. Hillstrom)  
Next week Wednesday the Taskforce will be presented the proposed design plan at Arrowhead Park.
- C. Clerk Nagel gave dates and time of Absentee/Early Voting for the upcoming April 2<sup>nd</sup> Spring Election.
- D. Alderman Boyette will be attending the signing of the Service Animal bill in Madison Friday.
- XV. Closed Session
- a. The Council may convene into closed session pursuant to Wis. Stat. §19.85(1)(e) for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or the conducting of other specified public business as long as competitive or bargaining reasons required closed session related to land acquisition adjacent to or in the vicinity of the Southpark Industrial Center area.

**MSC Stevenson/Boyette for the Council to move into closed session, the Council may reconvene into open session to consider actions on the items discussed in closed session, all voting aye.**

**At 8:09 PM the Council reconvened in to closed session.**

**Motion by Stevenson/Boyette for the Council reconvened into open session to take action on items discussed in closed session.**

- b. The Council may reconvene into open session to consider actions on the items discussed in closed session.

**At 8:29 PM Motion by Stevenson/Boyette the Council reconvened into open session to take action on items discussed in closed session. Motion carried in a voice vote, 6-0.**


**Motion by Steveson/Weber to approve the Development Agreement with Checker Logistics (RGL Logistics) for the construction of a new 600,000 square foot distribution facility in the Southpark Industrial Center Expansion Area as detailed in the Development Agreement. Motion carried in a voice vote, 6-0.**

**Motion by Steveson/Weber to authorize the Neenah Community Development Authority to proceed with the acquisition of 1730 Dixie Road for the purchase price of \$800,000 and to take the necessary steps to ensure protection from potential environmental liability offered through the Wisconsin Local Governmental Unit (LGU) liability exemption. Motion carried in a voice vote, 6-0.**

**XVI. Adjournment**

**Motion by Erickson/Boyette to adjourn, motion carried unanimously in a voice vote. Meeting adjourned at 8:33 PM.**

Respectfully submitted,



Charlotte Nagel, City Clerk

**CITY OF NEENAH – COMMON COUNCIL MEETING**  
**WEDNESDAY MARCH 20, 2024**  
**ATTENDANCE SHEET**

NAME	ADDRESS
1. Kay Horan	324 9th St. Neenah
2. Bill Van Lopik	108 W. Doty Ave, Neenah
3. Kristen Sandvick	312 Caroline St. Neenah
4. Jane Mastrangelo	810 Edward St Neenah
5. Joan Doucette	819 EDWARD ST NEENAH
6. Rosemary McCarthy	650 SLAKE ST
7. Sara Kosmicki	4 Armstrong St Neenah
8. Karl Fredrick	815 Helen St Neenah
9. Russell Z:bell	1146 Maple St Neenah
10. Susan Garcia Franz	1790 Wendy Way Neenah
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**CITY OF NEENAH – COMMON COUNCIL MEETING  
WEDNESDAY MARCH 20, 2024  
ATTENDANCE SHEET**

NAME	ADDRESS
1. Dawn Zimmerman	
2. JEFF LWSKI	1563 KINGWOOD DR
3. Dick McCoy	650 S Lake St
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**From:** Susan Perkins

**Date:** March 19, 2024 at 5:30:45 PM CDT

**To:** [clendrum@neenahwi.gov](mailto:clendrum@neenahwi.gov)

**Subject:** No camping on city

To Cari - with permission to read out loud in the City Council meeting on 3/20/24:

As a 25yr resident and taxpayer, I believe the NO CAMPING ordinance is absolutely essential. As a person who assists homeless inmates and currently takes them into my own home until they can get established, here are my thoughts.. Following the same principles of broken windows and unkept property that invites more of the same.....The best way to show true compassion is to not allow the encampments. Allowing encampments leads to a dangerous and unhealthy situation.

Troubled folks can be directed to the several facilities available in our area so they get the RIGHT kind of help—as opposed to hand outs (food, money, etc)and just ignoring them is also not compassionate.

Thank you !

Sincerely

Susan Perkins

613 S Park Ave