

**Common Council Minutes**  
**Wednesday, June 5, 2024 at 7:00 p.m.**

The Common Council of the City of Neenah, Winnebago County, Wisconsin, met in regular session at 7:00 p.m., May 15, 2024, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Council President Borchardt, Aldermen Boyette, Erickson, Hillstrom, Ellis, Lendrum, Steiner, Pollnow, and Weber. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Attorney Struve (City of Menasha sitting in), and City Clerk Nagel.

Also Present: Police Chief Olson, Assistant Police Chief Bernice, and those noted on the attached Meeting Sign-In Sheets.

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

I. The City Clerk called a voice roll call as the Mayor/Aldermen recorded their attendance in the RollCall-Pro System followed by the Pledge of Allegiance led by Alderman Steiner.

II. Introduction and Confirmation of Mayor's Appointment(s).

A. Reappoint Grant Birtch to the Board of Review for a five-year term ending June of 2029  
**(UC)**

**Seeing no objections, the reappointment of Grant Birtch to the Board of Review was ordered approved.**

III. Approval of Council Proceedings

A. Approval of the Council Minutes and Proceedings of May 15, 2024 regular session. **(UC)**  
**Seeing no objections, the Council Minutes and Proceedings of May 15, 2024 were ordered approved.**

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.

Mayor Lang opened the Public Forum at 7:03 PM.

Gerry Andrews, 1608 Lone Oak Drive, Neenah – Mr. Andrews is on the Parks and Recreation Commission. Mr. Andrews gave a presentation on the plans for Carpenter Preserve.

Martin Loescher, 432 S. Lake Street, Neenah – Spoke on the Fox Valley Pride Event taking place on June 22, 2024 at Riverside Park. Mr. Loescher does not believe a park is the appropriate setting for the event that celebrates sexuality and should be kept out of an area where children and family congregate.

After additional calls for comments there were no additional appearances. Mayor Lang closed the Public Forum was closed at 7:19 PM.

V. Mayor/Council consideration of public forum issues

- A. Alderman Pollnow asked for an explanation on how Special Event Permits are approved. Clerk Nagel explained that an application is submitted, the Special Events Team reviews the application, and if the application meets code requirements, it is approved. If the application does not meet code requirements, the team works with event coordinators until the event meets code requirements, at which time the event is approved. The ordinance states that both the Public Services and Safety Committee and the City Council are only to be informed for the approved events, not to approve the events. The Special Events ordinance was approved last year through standard ordinance approval process of going to the Public Services and Safety Committee for recommendation to the Council.
  - B. Alderman Erickson questioned the study of the Carpenter Preserve plan. The study should have come to the Council through the Park and Recreation Commission or Department. Mr. Andrews advised that the Council did approve funding for the Remaster Plan last year. As a result of that study, the Park and Recreation Commission adopted the recommended Remaster Plan. It is not believed that the Remaster Plan was presented to the Council, which is why Mr. Andrews is here tonight. Alderman Erickson believes the presentation should come from Parks and Recreation Department to follow proper procedure. Alderman Erickson would like the Council to receive review of the recommended Remaster Plan from Park and Recreation Department before any action is taken.
  - C. Alderman Lendrum questioned Mr. Andrews about not wanting deer in the Carpenter Preserve. It would be best if there were not deer in the preserve because they destroy and damage plantings. There are also many near accidents with the deer crossing Pendleton Road. Deer elimination would more than likely not happen.
  - D. Alderman Ellis would like to re-explore the Special Event Permitting process from an educational and informational standpoint. From the Pride Event standpoint, Alderman Ellis advised Mr. Loescher that this Council is human, and does their best to make things fair and balanced for anyone that wants to utilize city facilities. If there is inappropriate behavior by an organization that is utilizing city facilities, it will be made known. Learning will come from that event, and the appropriate protective actions will be taken. The converse is true as well. The city cannot discriminate against organizations as long as the organization does not generate negative actions.
  - E. Alderman Weber thanked Mr. Andrews for his passion with the Carpenter Preserve, and wanted addressed Alderman Erickson's question on the Carpenter Preserve. Alderman Weber is the Council Representative on the Park and Recreation Commission, and he is certain that he kept the Council informed through his Commission Reports on the Remaster Plan for Carpenter Preserve. If there is a protocol that must be followed, he was unaware of it, and will circle back with the Commission to bring it to council.
  - F. Alderman Boyette thanked Mr. Loescher for bringing his concern to the Council as it was courageous for him to do so. Alderman Boyette asked Police Chief Olson to comment on the Fox Valley Pride Event to answer some of Mr. Loescher's questions on how the event was going to be handled. Chief Olson advised that the Department must remain unbiased as to subject matter in which organization represents but rather looks at the event from a public safety standpoint. The police department is planning for all sorts of contingencies so that if something happens officers will respond properly. Officers will be on site to pride safety and will deal with issues should they arise.
- II. Consent Agenda
- A. Approve 2024-2025 Liquor License Renewals. **(PSSC)**

B. (UC)

**Seeing no objections, the Consent Agenda is ordered approved as recommended by the Public Services and Safety Committee.**

III. Reports of standing committees

A. Regular Public Services and Safety Committee meeting of May 28, 2024: (Chairman Alderman Lendrum/Vice Chairman Alderman Hillstrom) (Minutes can be found on the City web site)

1. Committee recommends Council approve the purchase of a Reading Service Body with a Miller EnPak from Monroe Truck Equipment for \$72,111.00 with funding to come from \$51,751.09 in carry forward funds and \$20,359.91 from the Capital Equipment fund balance. **(RollCall-Pro)**  
**MSCRCP Lendrum/Hillstrom to approve as recommended by the Committee.**

Alderman Pollnow wanted it noted that this was a delayed purchase. The chassis was purchased last year in 2023 for \$53,248.91. Combined with the current expenses, the total purchase price of this vehicle, \$125,359.91. Since the total capital budget for this item was \$80,000, this item would be a budget amendment requiring two-thirds vote. Director Rasmussen concurred.

**Amended motion: Motion by Lendrum, seconded by Hillstrom to approve the purchase of a Reading Service Body with a Miller EnPak from Monroe Truck Equipment for \$72,111.00 with funding to come from \$51,751.09 in carry forward funds and \$20,359.91 from the Capital Equipment fund balance, for a total combined purchase price of \$125,359.91, all voting aye.**

2. Committee recommends Council approve Structures Unlimited to replace the salt shed roof at the City's Services Building with canvas fabric in the amount of \$27,300.00 to be funded from the remaining \$19,801.00 from Phase 1 Tullar garage roof repair, the remaining \$5,385.00 from the City Hall entry door replacement, and \$2,114.00 from the Public Facilities fund balance. **(RollCall-Pro)**  
**MSCRCP Lendrum/Borchardt to approve as recommended by committee, all voting aye.**

G. Special Finance and Personnel Committee meeting of June 5, 2024: (Chairman Alderman Erickson/Vice Chairman Alderman Boyette)

1. Consideration of Committee recommendation on Ordinance 2024-09 Amending Ward Map to Comply with Legislative District Boundaries and Recent Annexations. **(RollCall-Pro)**  
**MSCRCP Erickson/Steiner to approve as recommended by committee, all voting aye.**
2. Consideration of Committee recommendation on Ordinance 2024-10 Establish Article VII – Elections, Section 2-244 Election Inspectors to allow for a flexible Election Day work schedule. **(RollCall-Pro)**

**MSCRIP Erickson/Borchardt to approve as recommended by committee, all voting aye.**

3. Consideration of Committee recommendation on Resolution 2024-06 Amending the Designated Polling Locations. **(RollCall-Pro)**  
**MSCRIP Erickson/Ellis to approve as recommended by committee, all voting aye.**

Aldermen Pollnow inquired on the voter notice plan for the polling location changes. Clerk Nagel advised a letter will be mailed to each voter, along with postings on the city's social media accounts and website.

- H. Regular Finance and Personnel Committee meeting of May 27, 2024: (Chairman Alderman Erickson/Vice Chairman Alderman Boyette) (Minutes can be found on the City web site)
  1. Meeting was cancelled, no report.
- VI. Reports of special committees and liaisons and various special projects committees
  - A. Regular Plan Commission meeting of May 28, 2024: (Council Rep Alderman Steiner) (Minutes can be found on the City web site)
    1. Meeting cancelled, no report.
  - B. Board of Public Works meeting of May 23, 2024: (Vice Chairman Alderman Hillstrom) (Minutes can be found on the City web site)
    1. Information Only Items:
      - a) The Board approved Change Order No.1, Contract 1-24, Utility and Street Construction, Belmont Ave., Belmont Ct., Cedar St., and Stevens St., to David Tenor Corporation, for City Services Building parking lot resurfacing, 1495 Tullar Rd., in an amount of \$154,964.00.
      - b) The Board approved Pay Request No.1, Contract 12-24, Storm Sewer and Water Main Construction, Commercial Street for Douglas Pond, to De Groot, Inc., in an amount of \$182,615.29.
      - c) The Board approved Pay Request No. 5, Contract 2-23W West Side Booster Station Building Construction, to RJM construction, LLC., in the amount of \$111,100.00.
  - C. Reports on neighborhood groups.
    1. Report from the May 21, 2024 Meeting Business Improvement District Board (BID Board) – Alderman Ellis
      - a) Future Neenah Inc. distributed their 2024 Summer Event Calendar.
      - b) Discussion was held on street furniture, sidewalk cafés, and sandwich boards in the downtown. The Borad requested that these ordinances and permitting process be revisited.
      - c) Presentation on AI (Artificial Intelligence) software that Future Neenah, Inc., is considering purchasing. The data that can be collected on downtown visitors is incredible. Alderman Ellis would like Council to hear the presentation as it could be beneficial for marketing the city.
  - D. Landmarks Commission
    1. Report from the May 29, 2024 Landmarks Commission – Alderman Weber

- a) Held a public hearing on the home at 1002 E. Forest Avenue for eligibility on Neenah Registry of Historic Places. The Commission voted to accept this home on the Neenah Registry.
    - b) Discussion was held on upcoming activities. The Voyager Canoe Tour was funded for 2024, date and time to be announced.
  - E. Sustainable Neenah Committee
    - 1. Report from the May 22, 2024 Sustainable Neenah Committee – Alderman Lendrum
      - a) No report.
  - F. Bergstrom Mahler Museum
    - 1. Report from the Bergstrom Mahler Museum – Council President Borchardt
      - a) The 4th edition of our Catching Fire Auction, June 5th - June 15th, 2024, with a Live Auction on June 12th, 6:45pm CST. See Bergstrom-Mahler Museum of Glass website for more details.
      - b) GLASS Arts Festival, August 10th, 2024. See Bergstrom-Mahler Museum of Glass website for more details.
      - c) Spring Fund Drive “Help Us Grow,” April 15 – June 15, 2024 with MATCH Challenge! See Bergstrom-Mahler Museum of Glass website for more details.
- IV. Presentation of petitions
  - A. Any other petition received by the City Clerk’s Office after distribution of the agenda.
    - 1. None.
- V. Council Directives
  - A. Motion by Boyette/Erickson for an update on the Meridian Barriers from the Police Department, and confirmation on the use of city vehicles to block traffic policy from CVMIC, specifically what the policy will and will not cover.
  - B. Motion by Ellis/Pollnow to revisit the Special Event Permit Ordinance and permitting process.
  - C. Motion by Ellis/Steiner to revisit the sale of beer and wine at convenience stores.
- VI. Unfinished Business
  - A. None.
- VII. New Business
  - A. Any announcements/questions that may legally come before the Council.
- VIII. Closed session
  - A. The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the city, regarding the Minks and Novak vs. City of Neenah case, and Ordinance 2024-08 A Moratorium on select signs defined by Section 24-3 of the Code of Ordinances. **(RollCall-Pro)**  
**MSCRP Borchardt/Pollnow for the Council to convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(g) to confer with City Attorney who will render advice concerning strategies with respect to pending or impending litigation involving the city, regarding the Minks and Novak vs. City of Neenah case, and Ordinance**

**2024-08 A Moratorium on select signs defined by Section 24-3 of the Code of Ordinances. The Council may reconvene into open session to consider action on the item discussed in closed session.  
all voting aye.**

After a short break, the Council I convened into closed session at 7:56 PM.

- B. The Council may reconvene into open session to consider action on the item discussed in closed session.

**MSCRP Ellis/Steiner for the Council to reconvened into open session to consider action on the item discussed in closed session, all voting aye.**

At 8:21 PM, the Council reconvened into open session to consider action on the item discussed in closed session.

**MSCRP Ellis/Borchardt to approve Ordinance 2024-08 implementing a 90-day sign moratorium as specified within the Ordinance, and ensuring the protection of the public health, safety, and well-being of the City, all voting aye.**

There was discussion on the confusion of this case as to why the sign code rewrite satisfied the federal court case but not the state case. It is unclear as to why that is, but City Attorney Rashid believed, at the time of the sign code rewrite, the rewrite should have satisfied both the federal and state case.

- IX. Adjournment

**Motion by Pollnow/Steiner to adjourn, all voting aye. Meeting adjourned at 8:41 PM.**

Respectfully submitted,



Charlotte Nagel, City Clerk