Common Council Minutes
Wednesday, July 17, 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., July 17, 2024, in the Council Chambers of Neenah City Hall.

Mayor Lang is the chair.

Present: Aldermen Boyette, Erickson, Hillstrom, Lendrum, Steiner, Pollnow, Ellis and Weber. Council President Borchardt was excused. Staff present Director of Finance Rasmussen, Director of Community Development & Assessment Haese, Director of Public Works Kaiser, Interim City Attorney Walsh, and City Clerk Nagel.

Also Present: Deputy Director of Community Development Schmidt, Director of Human Resources Fairchild, Fire Chief Teesch, Police Chief Olson, Assistant Police Chief Bernice, Police Captain Van Sambeek, and those noted on the attached Meeting Sign-In Sheets.

Mayor Lang called the meeting to order at 7:01 p.m.

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 Weber.

II. Introduction and Confirmation of Mayor's Appointment(s)
   A. None.

III. Approval of Council Proceedings
   A. Approval of the Council Minutes and Proceedings of June 19, 2024 regular session. **(UC)**
      Seeing no objections, the Minutes and Proceedings were ordered approved.

IV. Public Hearings
   A. Consider Resolution 2024-10 creating Tax Increment District #13.
      1. Mayor Lang opened the public hearing at 7:02 PM. After several calls for comments, there were no appearances. Mayor Lang closed the public hearing at 7:03 PM.

V. Plan Commission report pertaining to the Public Hearings
   A. Plan Commission meeting of June 25, 2024: (Ald. Steiner) (Minutes can be found on the City web site)
      1. Commission recommends Council approve Resolution 2024-10 creating Tax Increment District #13. **(RollCall-Pro)**
         MSCRP Steiner/Ellis to approve as recommended by the Plan Commission, all voting aye.

VI. 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. Ray Jahnke, 203 Joseph St. Apt. 2 – Spoke on the Cecil Street sidewalk in need of repair.
   2. Robert Lace, 765 Oak Street – Spoke on alcohol sales in gas stations. Mr. Lace was the with Mother's Against Drunk Driving where he was the victim assistance coordinator. Mr. Lace is against putting alcohol in gas stations. He does not put any weight on the argument that gas station businesses are disadvantaged by not selling alcohol. There are enough alcohol retailers available now without having to put alcohol in gas stations. Mr. Lace encouraged the Council to be a leader just like they were in the '80s when Neenah was one of the first communities to change the drinking age to 21.
   3. Amritpal Gill of Gill Liquor Store, 1117 S. Commercial Street – Spoke against allowing alcohol sales in gas stations/convenience stores. Mr. Gill is apprehensive about how it will affect his business. He would change his liquor store into a convenience store should the ordinance change be approved. Mr. Gill submitted some research documents to the Council.
   4. Scott Becher, 1061 Green Acres Lane – Welcomes the opportunity to have alcohol sold at gas stations because it is part of economic development. There are parts of the city that need economic development and would give larger convenience store companies, such as Kwik Trip, an opportunity to invest in the city.

VII. Mayor/Council consideration of public forum issues

A. Alderman Lendrum is willing to work with anyone who would like to know how to view council packets or sign up for email notifications on the city website.

B. Alderman Ellis footnoted that back in the '80s, Neenah was one of the first cities to enact the 21 year old drinking age. This was done so because the state would withhold funding if the drinking age was not moved to 21. Therefore, the city's hands were tied as the outcome was not financially beneficial to the city if the drinking age was kept at 18.

VIII. Consent Agenda

A. Approve Temporary Class "B" Picnic License Application to St. Margaret Mary, 439 Washington Avenue, for the parish picnic to be held on August 14, 2024, from 10:30 AM to 5:00 PM. **(PSSC)**

B. Approve Temporary Class "B" Picnic License Application to Bergstrom Mahler Museum, 165 N. Park Drive, for the Glass Art Festival, to be held on August 9, 2024, from 5:00 PM to 7:00 PM and August 10, 2024, from 10:00 AM to 5:00 PM. (**PSSC**)

C. Approve Temporary Extension of Licenses Premises Application to Lion's Tail Brewing Co., 116 S. Commercial St., for Smoke on the Fox, to be held on July 30, 2024, from 5:00 PM to 10:00 PM**.** (**PSSC**)

D. Approve Temporary Extension of Licensed Premises Application to Double Tree, 123 E Wisconsin Ave., for the Forge Summer Events, to be held on July 31, 2024, from 6:00 PM to 8:00 PM, August 7, 2024, from 6:00 PM to 8:00 PM, and August 14, 2024, from 6:00 PM to 8:00 PM. (**PSSC**)

E. **(UC)**

Seeing no objections, the Consent Agenda was ordered approved.

IX. Reports of standing committees

A. Special Public Services and Safety Committee meeting of July 17, 2024: (Chairman Lendrum/Vice Chair Hillstrom)

1. Consideration of Committee recommendation to approve Resolution 2024-03 - Accepting Dedication for Public Right-Of-Way and Authorizing Temporary Use of Portions of Various Properties Along South Commercial Street Between Stanley Street and Tyler Street. **(RollCall-Pro)**

   MSCRP Lendrum/Hillstrom to approve Resolution 2024-03 as recommended by the Public Services and Safety Committee, all voting aye.

B. Regular Public Services and Safety Committee meeting of June 25, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)

1. Committee recommends Council direct staff to enter into a contract with Stantec Consulting Services, Inc. for the services related to the preparation of a housing study and needs assessment at a not-to-exceed cost of $40,000, with funding provided by the City’s CDBG program. **(RollCall-Pro)**

   MSCRP Lendrum/Weber to approve a housing study and needs assessment as recommended by the Public Services and Safety Committee, all voting aye.

2. Committee recommends Council approve the parking regulations on Tullar Road between Breezewood Lane and West Cecil Street be modified as shown in the attached sketch of proposed parking changes and that the parking regulations on the north side of Apple Blossom Drive west of Tullar Road be removed. **(RollCall-Pro)**

   MSCRP Lendrum/Weber to approve parking regulations on Tullar Road as recommended by the Public Services and Safety Committee, all voting aye.

C. Regular Public Services and Safety Committee meeting of July 9, 2024: (Chairman Lendrum/Vice Chair Hillstrom) (Minutes can be found on the City web site)

1. Committee recommends Council approve the Sidewalk Construction Agreement with the Town of Neenah. **(RollCall-Pro)**

   MSCRP Lendrum/Hillstrom to approve the Sidewalk Construction Agreement with the Town of Neenah as recommended by the Public Services and Safety Committee, all voting aye.

   Alderman Pollnow questioned Director Kaiser on why this item came up? Director Kaiser informed the Council that staff reached out to the Town of Neenah. Once the item was on their radar, the Town responded promptly.

2. Committee recommends Council approve Resolution 2024-12 Compliance Maintenance Annual Report for Sanitary Sewer (CMAR). **(RollCall-Pro)**
   MSCRP Lendrum/Hillstrom to approve Resolution 2024-12 as recommended by the Public Services and Safety Committee, all voting aye.

D. Special Finance and Personnel Committee meeting of July 17, 2024: (Chairman Erickson/Vice Chair Boyette)

1. Consideration of Committee recommendation to increase Attorney Jim Walsh to sixteen hours per week at the rate of $125/hour in addition to attendance at meetings as requested by the mayor. The funding source for this increase, per recommendation from Finance Director, Vicky Rasmussen, is the City's Liability Insurance Fund. **(RollCall-Pro)**
   MSCRP Erickson/Steiner to approve the increase of the Interim City Attorney work hours to sixteen hours per week with a 45-business day review, September 19, 2024, to keep track of the progress as recommended by the Finance and Personnel Committee, all voting aye.

E. Regular Finance and Personnel Committee meeting of June 24, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)

1. Committee recommends Council approve Resolution 2024-11 Authorizing an Update to the Mission Squared Plan Sponsor Contact to the current Director of Human Resources and Safety. **(RollCall-Pro)**
   MSCRP Erickson/Steiner to approve Resolution 2024-11 as recommended by the Finance and Personnel Committee, all voting aye.
2. Committee recommends Council approve Ordinance 2024-12 Amending Article II – Officers, Section 2-23 City Attorney. **(RollCall-Pro)**
   MSCRP Erickson/Steiner to approve Ordinance 2024-12 as recommended by the Finance and Personnel Committee, all voting aye.

   Alderman Pollnow sent Council members amended language to this ordinance via an email dated July 16, 2024 because he finds the ordinance amendment problematic.

   Amended motion by Pollnow/Ellis to change language in paragraph C of this ordinance to the language provided in Alderman Pollnow's email dated 7/16/24 to the Council members as written. Motion failed in a roll call vote 1-7, with Alderman Erickson, Hillstrom, Ellis, Boyette, Steiner, Lendrum, and Weber voting no.

   Alderman Pollnow read out the language which is attached to the meeting minutes. He also explained his reasoning behind the amendment which is his belief that average people should be able to read and understand the ordinance, therefore, ordinances need to be clear and concise. Alderman Pollnow also finds it problematic with the current language that the city gives the attorney discretion authority to render or receive aid without council oversite. This language seems to allow for outside work, or “moonlighting”, on behalf of the city attorney.

Alderman Pollnow also finds it problematic that the language is written with the pronouns “he” and “him”, instead of “they” or “their”.

Mayor Lang was upset that Alderman Pollnow’s email that was sent only to Council members, and asked for Attorney Walsh’s professional, legal opinion on the language.

Attorney Walsh explained his understanding of the proposed language was to codify an unwritten agreement between several Fox Valley municipalities to render mutual assistance between attorney offices when there is a conflict, or a need for another attorney. For example, if a family member is issued a traffic citation, the city attorney cannot prosecute a family member because there is a conflict. That municipality would look to another municipal attorney to render aid, without cost, because of the reciprocal arrangement. To Attorney Walsh’s understanding, the reason behind amending the ordinance is because the agreement was unwritten. In Attorney Walsh’s opinion, the initial language goes beyond codifying the unwritten agreement. The agreement was requested amongst attorneys; Mayors and Councils were not involved with the agreement because Mayors or Councils do not always know when a conflict of interest exists with the attorney. So, the agreement was kept only between attorneys and there was never a record of how many times assistance was rendered or received. The participating municipalities in the agreement were Oshkosh, Appleton, Neenah, and Menasha. Over time, personnel in attorney offices changed, and the unwritten agreement may have changed, but the original intent was if help was needed, the attorneys helped. In Attorney Walsh’s opinion, the proposed language could be crafted a little clearer to reflect the original intent.

Attorney Walsh understands the reasons why Alderman Pollnow would rather not cross-reference state statutes. However, a lot of ordinance amendments will need to be made because law is written with cross-references. Statutes change all the time, and if not cross-referenced in the ordinance, then the ordinance does not change with the statute. Statutes are also interrupted by the courts to give a clear understanding of their meaning..

Alderman Boyette is perplexed as to why did our attorney did not write the draft.

Attorney Walsh explained the language was drafted prior to his arrival. No one asked Attorney Walsh his opinion of the proposed language. He assumed that this language is what the council wanted. It does not reflect the Attorney Walsh’s understanding of the original intent of the unwritten agreement amongst the municipal attorneys, but this is what he has to work with. Alderman Boyette asked if the ordinance amendment could go back to committee so that Attorney Walsh could redraft it. Mayor Lang advised that Menasha City Attorney Struve drafted the ordinance, and Attorney Walsh advised that yes, the proposed ordinance could be sent back to committee, but only after the amendment on the floor was take care.

Alderman Ellis explained that he seconded Alderman Pollnow's motion so that there could be discussion, but that he will be voting against the language amendment. He will vote yes to the original motion because he does not think this is a weighty issue. Alderman Ellis does not believe anyone without a law degree should be writing ordinances. There is merit to the discussion, the Council meeting is not the place for that discussion. Let's have this discussion back in committee with the attorney and the Mayor present so that everyone can feel comfortable with amendment.

Alderman Lendrum referenced Alderman Pollnow's email of July 16, 2024, that just the alderman received. In her opinion, Alderman Pollnow did not follow proper procedure and possibly violated open meetings laws, which she has asked him not to do in the past. Emailing just aldermen, no staff, or the mayor on an agenda item is using a back doorway approach of getting your point across, which she does not want to be part of.

Alderman Pollnow stated the wrong email distribution list was used by accident, which is why the email went to just the aldermen. Alderman Pollnow does not agree with Alderman Lendrum's opinion, as Alderman Pollnow thought he was being transparent. Alderman Pollnow believes the aldermen have a right to speak their opinions and that is what he did.

The vote was taken on the amended motion which failed in a roll call vote, 1-7 with Aldermen Erickson, Hillstrom, Ellis, Boyette, Steiner, Lendrum, and Weber voting no.

Amended motion by Boyette/Pollnow to refer the Ordinance 2024-12 back to committee. Motion carried in a roll call vote, 7-1 with Lendrum dissenting.

Alderman Steiner believes there is a nice opportunity to take a fresh look at this language, to make changes, and to make sure the language is what the Council wants. Sending it back to Committee allows everyone to be clear on the intent, and certainly appreciates Attorney Walsh's prospective on this item.

F. Regular Finance and Personnel Committee meeting of July 8, 2024: (Chairman Erickson/Vice Chair Boyette) (Minutes can be found on the City web site)
   1. Informational items only, no report.

G. NMFR Joint Finance & Personnel Committee meeting of June 25, 2024: (Alderman Boyette) (Minutes can be found on the City web site)

1. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the purchase and enter into a contract of a 2027 heavy rescue vehicle from Pierce Manufacturing and related equipment for a cost not to exceed $800,000 and to authorize both Finance Directors to review financing options to approve the most advantageous finance option for both Cities and legal Councils to approved a contract before it’s signed that states it’s pending budget approval. **(RollCall-Pro)**
MSCRP Boyette/Ellis to approve the purchase and enter into a contract of a 2027 heavy rescue vehicle from Pierce Manufacturing as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.

2. Committee recommends both the City of Neenah and the City of Menasha Common Councils approve the order of one 2025 Chevy Silverado and related fire equipment for a cost not to exceed $75,000 and pending budget approval of the 2025 CIP budget by both Cities. **(RollCall-Pro)**
MSCRP Boyette/Pollnow to approve the ordering of one 2025 Chevy Silverado and related fire equipment as recommended by the NMRF Joint Finance and Personnel Committee, all voting aye.

X. Reports of special committees and liaisons and various special projects committees

A. Regular Plan Commission meeting of June 25, 2024: (Council Rep. Steiner) (Minutes can be found on the City web site)

1. Commission recommends Council approve Ordinance #2024-11, for the amendment to Project Plan Approval #1-22 for the Bridgewood Planned Development District, allowing the modification to the office building layout and the addition of an outdoor swimming pool subject to the Project Plan Approval Letter. **(RollCall-Pro)’**
MSCRP Steiner/Ellis to approve Ordinance 2024-11 as recommended by the Plan Commission, all voting aye.

B. Regular Plan Commission meeting of July 9, 2024: (Council Rep. Steiner) (Minutes can be found on the City web site)

1. Meeting cancelled, no report.

C. Board of Public Works meeting of June 27, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:

a) The Board approved Change Order No.2, Contract 1-24, Utility and Street Construction, on Belmont Ave., Belmont Ct., Cedar St., and Stevens St., to David Tenor Corporation, in the amount of $35,896.23.

b) The Board approved Change Order No.1, Contract 3-24, Utility and Street Construction, on Bayview Rd., Quarry Ln., and Reed St, to Donald Hietpas & Sons Construction, Inc, in the amount of $255,701.10.

c) The Board approved Budget Adjustment Request, Contract 3-24, Utility and Street Construction, Bayview Rd., Quarry Ln., and Reed St, to Donald Hietpas & Sons Construction, Inc, in the amount of $32,916.00.

d) The Board approved Change Order No.3, Neenah Creek Bridge, Pheifer Brothers, final pay request quantity adjustments, in the amount of $8,898.29.

2. Council Action Items:

a) The Board recommends Council approve Final Pay Request, Neenah Creek Bridge, Pheifer Brothers, in the amount of $64,398.02. **(RollCall-Pro)**

MSCRP Hillstrom/Lendrum to approve Final Pay Request on Neenah Creek Bridge as recommended by the Board of Public Works, all voting aye.

D. Board of Public Works meeting of July 2, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:

a) Board approved Pay Request No. 6, Contract 2-23W West Side Booster Station Building Construction, to RJM Construction, LLC., in the amount of $76,939.00.

b) Board approved Change Order 1 Contract 2-23W West Side Booster Station Building Construction, to RJM Construction, LLC, in the amount of $2,739.44.

E. Board of Public Works meeting of July 17, 2024: (Vice Chair Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:

a) The Board approved Pay Request No.4, Contract 1-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on Belmont Avenue, Belmont Court, Cedar Street and Stevens Street, to David Tenor Corporation, in the amount of $709,547.99.

b) The Board approved Pay Request No.3, Contract 2-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on E. Doty Avenue, to Kruczek Construction, Inc., in the amount of $262,233.25.

c) The Board approved Pay Request No.4, Contract 3-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on Bayview Road, Quarry Lane, and Reed Street, to Donald Hietpas & Sons, in the amount of $277,917.13.

d) The Board approved Pay Request No.1, Contract 5-24, Sanitary and Storm Sewer, Water Main, and Street Construction, on North Street, to David Tenor Corporation, in the amount of $112,275.27.

e) The Board approved Pay Request No. 2, Contract 6-24, Curb & Gutter, Stormwater, Street Overlay and Trail Parking, on Jewelers Park Drive, to MCC, Inc., in the amount of $256,415.42.

F. Reports on neighborhood groups.

1. Report from the July 16, 2024 Business Improvement District Board (BID Board) Meeting – Alderperson Ellis

a) Looking at ideas to beautify the alleyway between Westgor Funeral Home and the adjacent businesses.
b) Researching decorative lighting to be used downtown all year round.
c) Dates to remember are on the Future Neenah website, www.neenah.org.

G. Library Board
1. Report from the July 17, 2024 Library Board Meeting – Alderperson Erickson
a) June saw almost 28,000 visitors to the library, a 15% increase from last year. Circulation is up 5% from last year, and programs are up 104% from last year.
b) The free lunch program concluded in June which very successful.

H. Neenah Arts Council
1. Report from the July 10, 2024 Neenah Arts Council Meeting – Alderperson Erickson.
a) Participated in the last Farmer's Market for Kid's Day.
b) Community Fest saw over 200 kids with family members who made a 4th of July craft.
c) Farmer's Market is this weekend, in which there will be a beach craft.
d) National Night Out and Movie Night, Tuesday, August 6th, at Memorial Park.
e) YMCA Community Block Party, August 8th in the parking lot.

I. Parks and Recreation Commission
1. Report from the June 20, 2024 Parks and Recreation Commission Meeting – Alderperson Weber
a) Pickleball discussion with the Parks and Recreation Staff.
b) Primary Capital Improvement Plan budget was discussed.
c) Public Input Meeting on the Little Lake Butte des Mortis Water Quality Study, at the Library, Thursday, July 18th at 6:00 PM.
d) The Commission asks that Council member take a walk along Doty Park shoreline to view the condition the shoreline is in.

XI. Presentation of petitions
A. Any other petition received by the City Clerk's Office after distribution of the agenda.
1. No petitions.

XII. 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. (RollCall-Pro)**

Assistant Chief Bernice gave a presentation on the acquisition and use of the Meridan Barriers.

Alderman Boyette appreciated Assistant Chief Bernice's presentation because she was unaware of most of the information.

Alderman Pollnow questioned the Memorandum of Understanding with regard to Winnebago County's use of the Meridan barriers. Mayor Lang advised that there was discussion regarding Winnebago County's use of the Meridan barriers with the city attorney and with corporation counsel in which an agreement was reached. The agreement falls within the current Mutual Aide Agreement. Mayor Lang also advised the grant money has been received and deposited into the city's account.

Alderman Pollnow was under the understanding that all the agreements that the city enters into or allocates comes before Council. Mayor Lang advised the agreement is no different than current Mutual Aide Agreement.

Alderman Erickson questioned if the larger city vehicles were still going be used if needed in the community in addition to the Meridan Barriers. Assistant Chief Bernice answered yes, they will.

There was discussion had on whether Alderman Boyette's council directive was to revisit the grant policy. It was determined that the motion itself did not reference the directive to revisit the grant policy.

Motion by Boyette/Pollnow to review the grant policy using the Meridan Barrier situation as a guideline to ensure the issues with the Memorandum of Understanding don't happen again. Since this is a new Council Directive, the directive is introduced at this meeting and voted on at the next Council meeting.

Both Mayor Lang and Director Rasmussen advised the Council that this was a very unusual grant process with Winnebago County because the rules kept changing. Therefore, to use this atypical grant process as a learning tool or as a policy maker, is not practical.

B. **Motion by Ellis/Pollnow to revisit the Special Event Permit Ordinance and permitting process. (RollCall-Pro)**

Alderman Ellis explained that we have covered the Special Event Permit in past meetings, and he believes that the Council is being informed on Special Event permits from an informational standpoint.

Alderman Pollnow stated that this was tabled at the Public Services and Safety Meeting and wondered if it would it be coming back with a change. Mayor Lang advised there was a misunderstanding on where to find the Special Event Permit information within the Council packet but that has been cleared up, making the Council Directive a moot point. There was continued discussion on a proposed ordinance change but it was based on changing the venue on the 100 and 200 block of West Wisconsin Avenue on behalf of Future Neenah, it had no tie to the council directive. Clerk Nagel did display the Consent Agenda Licenses spreadsheet giving instructions on where the Special Event Permits are located.

C. **Motion by Ellis/Steiner to revisit the sale of beer and wine at convenience stores. (RollCall-Pro)**

Director Haese walked the Council through his memo and the bullet point list of ordinance regulations he recommends be included into code if alcohol is allowed to be sold in gas stations/convenience stores.

Alderman Boyette asked what the difference is with tasting events at a liquor store verses a convenience stores. Director Haese would not recommend tasting events at convenience stores and recommends this language be included directly in the ordinance as a blanket requirement.

Alderman Steiner recognizes that some of the recommended restrictions go above and beyond a regular Class A license for a liquor store or grocery store. Director Haese confirmed that is correct. He also clarified that some of the requirements will be included in the ordinance as a blanket requirement, some will be included with the special use permit and liquor license itself dictated by specific circumstances, for a specific establishment.

One requirement that needs to be added to Director Haese's bullet point list is that alcohol should be contained within a cooler or a cage that can be locked, on-floor displays of alcohol throughout the stores is prohibited. This would be to comply with alcohol sales hours.

Alderman Erickson confirmed that the ordinance change would need a majority vote of the Council.

Director Haese confirmed the intent tonight would be to present proposed regulations that would come forth in an ordinance at a later date.

Motion by Pollnow/Boyette to direct staff to write an ordinance to modify the Neenah Municipal Code to permit the sale of malt beverages at establishments that sell gasoline and allow provisions for wine, if possible, as stated in the July 11, 2024 memo.

Alderman Ellis understands that there have been many proactive measures taken to educate consumers on the dangers of alcohol since the ban has been put in place and appreciates that not everyone is going to be happy with whatever decision Council makes. There are many educational opportunities and other safety programs that have been established since the ‘80s. He hopes liquor stores, grocery stores, and the pharmacies would not be overly damaged should the allowance of alcohol sales in convenience stores/gas station be approved. Lastly, from an economic standpoint, today’s convenience stores are yesterday’s grocery stores, in which this is a part of, and it brings us into sync with our neighbors.

Alderman Hillstrom spoke against alcohol in gas stations/convenience stores by providing quotes from the World Health Organization and the Central for Disease Control. Alderman Hillstrom will speak more on the topic when it comes back in the form of an ordinance change.

Alderman Lendrum is concerned that allowing alcohol sales in gas stations/convenience store will have a negative impact on the “mom and pop” stores. Big box convenience stores are more appropriate for the west side of the city.

Alderman Pollnow stated that the owner of Kwik Trip is mentioning Neenah in a negative light. Alderman Pollnow’s wife is the manager of the Tobacco Outlet, owned by Kwik Trip. He indicated that he has been in meetings with the owner of Kwik Trip who is unwilling to invest development dollars in our city as long as this ordinance is in place. Alderman Pollnow thinks it is ill advised place to be in when the owner of Kwik Trip, one of the most respected businesses in the state or even the country, mentions our city in a negative light.

Alderman Steiner does not see a cogent reason to restrict gas stations/convenience store alcohol sales when alcohol can be purchased from many other establishments throughout the city. It would be a better argument if Neenah banned all alcohol sales in all stores, but we don’t. Convenience stores are becoming neighborhood grocery stores. Our role is not to decide which businesses thrive and which do not through legislation. Every large business was a small business at one time. The reason large business grew was because they offered something that people wanted, and were willing to pay for. That is how the economic marketplace works. Alderman Steiner firmly believes that it up to the consumer which businesses they patronize.

Mayor Lang restated the motion and clarified that this is not to approve an ordinance change, it is to direct staff to create an ordinance change of allowing alcohol sales in gas stations/conveniences store. Director Haese also clarified that the ordinance would come back to the Council through the Public Services and Safety Committee which is the committee of jurisdiction.

Motion restated: Motion by Pollnow/Boyette to direct staff to write an ordinance to modify the Neenah Municipal Code to permit the sale of malt beverages at establishments that sell gasoline and allow provisions for wine, if possible, as stated in the July 11, 2024 memo. Motion carried in a roll call vote 7-1, with Hillstrom dissenting.

XIII. Unfinished Business

A. Alderman Hillstrom thanked all the volunteers for their participation, hard work and dedication to:
   1. Community Fest
   2. The Swiftie Concert hosted by Future Neenah, Inc.
   3. The Filthy Fun Run which had over 500 kids running in the event.
   4. Neenah Summer Fun Run with a record number of participants this year in the first three runs. The fourth run will happen this Saturday.

B. Mayor Lang thanked Alderman Hillstrom and his wife, Joy, for all their work and dedication to the Neenah Fun Runs.

XIV. New Business

A. Arrowhead Park Development Status Report. (Ald. Hillstrom)
Alderman Hillstrom reported there will be meeting in the beginning of August to review the RFPs received.

B. Mayor Lang reminded everyone of the training session scheduled with Dan Foth, JD, with UW-Madison Extension on August 7, 2024 at 5:00 PM. The training will be on How to be an Effective Elected Official.

C. Mayor Lang received an email during the meeting that the Fox Cities Chamber of Commerce just received the Chamber of the Year Award. Congratulations!

D. Alderman Steiner would like to have some more training and understanding of a walking quorum, especially in a digital realm. This will be covered in the training with Dan Foth. If any other alderman would like to have particular items addressed, please forward them Mayor Lang.

E. Alderman Pollnow East Central Regional Planning Commission, with the city having a voice with the organization, how is that process going to be handled? Alderman Pollnow would also like to have a Committee of the Whole Meeting with representatives from that organization. Mayor Lang will review the process.

XV. Closed session

A. The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers.

B. The Council may remain in closed session pursuant to Wis. Stat. Sec. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, the potential creation of Tax Incremental District #14.

C. The Council may reconvene into open session to consider action on the item(s) discussed in closed session.

Motion by Ellis/Boyette for the Council to convene The Council may convene in closed session pursuant to Wis. Stat. Sec. 19.85(1)(d) Except as provided in s. 304.06 (1) (eg) and by rule promulgated under s. 304.06 (1) (em), considering specific applications of probation, extended supervision or parole, or considering strategy for crime detection or prevention, Council Directive 2024-01 Acquisition and Use of the Meridian Barriers. The Council may remain in closed session pursuant to Wis. Stat. Sec. 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, the potential creation of Tax Incremental District #14. The Council may reconvene into open session to consider action on the item(s) discussed in closed session. Motion carried in a roll call vote, 8-0.

Prior to convening into closed session, the Council took a short break at 9:13 PM.

At 9:25 PM, the Council convened into closed session.

Motion by Ellis, seconded by Boyette for the Council to reconvene into open session. Motion carried in roll call vote, 8-0.

At 9:54 PM, the Council reconvened into open session.

There was no action taken on items discussed in closed.

XVI. Adjournment

Motion by Pollnow/Boyette to adjourn. Motion carried in a voice vote 8-0. Meeting adjourned at 9:55 PM.

Respectfully submitted,

Charlotte K. Nagel

Charlotte Nagel, City Clerk