Common Council Minutes
Wednesday, February 7, 2024 at 7:00 PM

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

Mayor Lang in the chair.

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

Also Present: Police Chief Olson, Assistant Police Chief Bernice, Police Lieutenant Van Sambeek, Fire Chief Teesch, and Parks and Recreation Director Kading.

Mayor Lang called the meeting to order at 7:04 p.m.

I. The Mayor/Alderpersons recorded their attendance on the RollCall-Pro System as the Clerk called the roll. Alderman Boyette led the Pledge of Allegiance.

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 January 17, 2024 regular session.
   There being no objections, the Council Minutes and Proceedings of January 17, 2024 were ordered approved as written by unanimous consent.

IV. Public Hearing
   A. Consider Final Resolution 2024-01 Special Assessments for installation of sanitary sewer laterals and water services on Belmont Avenue (Stevens St to Cedar St), Belmont Court (Belmont Ave to terminus), Cedar Street (E Doty Ave to Winnebago Heights), E Doty Avenue (Commercial St to Pine St), North Street (Green Bay Rd to Western Ave), Quarry Lane (Higgins Ave to Reed St), Stevens Street (Belmont Ave to Winnebago Hts), S. Park Ave. Utility Easement, and Bayview Road (S. Park Ave to Bayview Ln).
   Mayor Lang opened the public hearing at 7:05 PM.

   1. Loren Wahl, 653 Belmont Court – Mr. Wahl would like to know if there is a possibility of altering the engineering drawings as he does not want a curb installed. Belmont Court currently does not have a curb.
   2. Carl Evenson, 657 Belmont Court – The court currently does not have a curb and would like it to remain that way. The current plans call for roadwork to invade his front yard significantly would like the plan amended.
   3. David Oost, 749 Congress Place – Wanted to know if there was consideration for Congress Place Boulevard since it is a one-way each way. If Cedar Street is under construction and undrivable, vehicles are unable to turn around on Congress Place Blvd.

4. Adam Hendryx, 641 Belmont Court – Echoed the concerns of his neighbors on the court regarding the installation of the curb. Would like the opportunity to have an open forum on the amending the plans.

   Mayor Lang advised that all the questions received during the public hearing would be addressed at the end of the public forum. However, Director Kaiser gave an overview of the special assessment process. Those who had questions or concerns with assessment process would be able to speak with the Public Services and Safety Committee at their Tuesday meeting next week at 6:30 PM. If there were concerns with the design of the project, engineers are at the lobby tables tonight as well as available by appointment to address any project design concerns or questions.

   Mr. Hendryx is speaking on behalf of the entire Belmont Court neighborhood; they do not want curb. The recommendation is to grade into Quarry Park which has no drainage issues. Speaking for the neighborhood, most do not have an operating sump pump because, currently, there are no drainage concerns the way the street constructed.

   After three calls for additional comments, there were no additional comments heard. Mayor Lang closed the public hearing at 7:20 PM.

V. 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. Scott Woulf, 713 S. Commercial Street – Has concerns about the proposed Douglas Park Pond. Would like to know why city money and land is being used to correct a problem caused by a private business. Mentioned that Douglas Park was donated to the city to be a park. Would also like the pond plans and watershed plans made public.
2. Kate Hancock-Cooke, 216 Bosworth Court – Spoke on safety concerns regarding Douglas Park Pond particularly with regard to special needs children. The concern is there putting a pond in a park is a high safety risk. Douglas Park is a low population park, therefore, if a child wandered into the pond, it is likely there will not be anyone to help them. Can the pond be made safer even though there is no requirement to. Asked about public education on water safety.
3. Brian Roeh, 146 Hazel Street – Stated the land was a gift from the Nelson Family to the city to be used for a park. With the creation of a retention pond, the park is no longer maintained as a Parks Department but rather as a stormwater pond under the Water Utility. Questions the long-term city stormwater management system plan over the next 5, 10, or 20 years.
4. Scott Becher, 1061 Green Acres Lane – Is concerned that the pond is going to cause additional poverty in the community. There is no other close-by park for kids in this area to go to. This city has not taken this gem of a park seriously. Mr. Becher doesn’t want to see this neighborhood become, as some many neighborhoods in the City of Neenah have become, havens for drugs and violence. Wants to see the city care about its parks and its residents.

After several calls for additional comments, none were heard. Mayor Lang closed the public forum at 7:24 PM.

VI. Mayor/Council consideration of public forum issues

A. Alderman Lendrum – Advised that all third graders in Neenah and Menasha will take a water safety course through the Neenah-Menasha YMCA. Clerk Nagel displayed the pond plans on overhead screen, as Alderman Lendrum gave instructions on where to find the plan on the website. The Douglas Park Pond is not an anomaly as the city has several parks in or near waterways, such as Kimberly Point, Riverside, Doty, and many others.

B. Aldermen Steiner – Asked Director Kaiser to address some of the concerns raised under Public Forum. Director Kaiser will respond to Mr. Roeh on the technical data requested. Galloway is currently planning for future stormwater requirements by acquiring nearby properties on the west side of the building which increases the pervious land around the building itself. They are installing a dry storage area as part of stormwater management. As Galloway does projects, they have been addressing stormwater requirements. Historic discharge or original discharge is what is being addressed with the Harrison Street Pond as well as with the proposed Douglas Park Pond. These are discharge concerns that were issues from the original build. Any in-fill construction after the original stormwater has been addressed must account for any new impervious areas that are created.

C. Aldermen Stevenson – Historically the State of Wisconsin has forced municipalities to react to stormwater management legislation in urban areas. The reason why the former Neenah Foundry Site was attractive was because it helped the city meet some of the state stormwater criteria in the already developed area. Creating a pond in Douglas Park is not meant to be disrespectful to Mr. Nelson for his generous gift, but rather to develop and create additional dollars so that other areas of the city can develop needed park space. The big picture is that the pond will be able to help the city as whole with stormwater and parkland.

D. Director Kaiser – About 15-years ago, stormwater regulations was in a state of flux in which a comment was made about a city-wide stormwater treatment facility instead of having smaller sites throughout the city. The cost of getting stormwater to a treatment facility is enormous.

Much effort is going to treat the quality and the quantity of water going to the Neenah Slough, Fox River, and Lake Winnebago which is where the stormwater will end up. The Department of Natural Resources (DNR) has requirements for intake water for each of these three water bodies.

Douglas Park Pond will also address the flooding on South Commercial Street which occurs right where the park is located. Other alternatives have been explored but Douglas Park has been identified as being a recommended site to control the quality and the quantity of stormwater discharging into the management system downstream. Ultimately, it expands the reach of the Harrison Street Pond.

E. Alderman Hillstrom – Many cities struggle with stormwater management, and it has to do with what do is done with the stormwater. Douglas Park works out well, it is better than buying up the surrounding houses and displacing residents.

F. Director Haese – A rezone is not required for the Douglas Street Pond. Most of the city ponds are in R1-Single Family zoning districts. It is also the understanding of Director Haese that Douglas Park was initially donated to the city for a municipal garage, not a park. It became Douglas Park around 1949 according to Parks of Neenah.

After additional calls for comments from Council or staff, Mayor Lang closed the Council consideration of public forum issues.

VII. Consent Agenda

A. Approve Temporary Class "B" (Picnic) license application to St. Gabriel Church, 900 Gieger Street, Neenah WI, for Friday fish fry to be held on February 9, 16, 23, and March 1 and 8 (**PSSC**)

B. Approve renewal of Secondhand Dealer license for J. Anthony Jewelers, 220 S. Commercial Street, Neenah WI for the 2024 licensing year. (**PSSC**)

There being no objections, the Consent Agenda was ordered approved as presented by unanimous consent.

VIII. Reports of standing committees

A. Regular Public Services and Safety Committee meeting of January 30, 2024: (Chairperson Lendrum/Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

1. Committee recommends Council approve Memorandum of Agreement with Galloway Company relative to the construction of the Douglas Park Pond. **(RollCall-Pro)**

MSRC Lendrum/Weber to approve as recommended by committee in a roll call vote of 7-1 with Boyette dissenting and Borchardt excused.

Discussion: Alderman Stevenson requested that as a follow up to Director Kaiser's memo regarding the hiring of a consultant for this project, that Chairperson Lendrum add an agenda item on the next Public Services and Safety Committee meeting to discuss the procedures and reaffirm the process of hiring consultants. Chairperson Lendrum agreed.

Alderman Boyette will be voting no on this item because she agrees with two of the individuals who spoke this evening.

Alderman Skyrms read the Park Commission and Public Services and Safety minutes, which paints a clearer picture of the Douglas Park Pond. Douglas Park will remain a park, it will be a park with a pond. The shelter remains, the playground remains, most of the trees remain. This fills a need that the city has with flooding of Commercial Street. If the city is going to spend money to fix Commercial Street, now is the time to address the flooding issue. Both the Park Commission and the Public Services and Safety Committee voted to recommend the plan move forward. These committees know more of the details of the project. The pond fits the overall Commercial Street Project and addresses the flooding problem. The fact that money is coming out of the project for future park acquisitions and for park improvements is a bonus.

Alderman Lendrum explained the committee level of meetings. At committee level, the details of a project are looked at and hashed out with the staff. The agenda items are the result of the committee meetings. Anyone can sign up to receive email agendas and minutes, and committee meetings are open, public meetings for anyone to attend.

2. Committee recommends Council approve the purchase of two 2025 Ford Hybrid Police Utility cars, one 2024 Ford F150 Training Lieutenant Pick-Up Truck, two 2024 civilian Ford Explorers, and one 2024 Ford F150 Police Responder Pick-Up Truck, all from Bergstrom Automotive, Neenah WI, and to include all equipment and changeover costs not to exceed the approved 2024 Capital Improvement Equipment budgeted amount of $357,913.00. **(RollCall-Pro)**
MSCRP Lendrum/Stevenson to approve as recommended by committee, all voting aye.

Note Police Staff was present to answer any questions.

3. Committee recommends Council approve Phase II of the Police Department's remodel of the briefing room, gym, mat room, and patrol supervisor's office, in the amount of $170,000.00 with funding coming from the Capital Facilities Budget. **(RollCall-Pro)**
MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

Discussion: There was discussion on the funding of the project. This is a separate line item in the Capital Improvement Budget which has not been borrowed yet this year.

4. Committee recommends Council approve the purchase of a 2023 GMC Sierra 1500 Pick-Up Truck, from Holiday Automotive, Fond du Lac WI, in the amount of $43,705.00 and the purchase of a safety lighting package, two-way radio, and toolboxes to outfit the truck with a not to exceed cost of $5,000.00, all to be funded by 2024 Capital Equipment funds. **(RollCall-Pro)**
MSCRP Lendrum/Steiner to approve as recommended by committee, all voting aye.

5. Committee recommends Council approve the purchase of a 2024 Ford 350 chassis from Ewald Automotive Group, Hartford WI, in an amount of $52,210.00, to be funded by 2024 Capital Equipment funds. **(RollCall-Pro)**
MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

6. Committee recommends Council approve the purchase of a John Deere 624P HL Wheel Loader from Brooks Tractor Inc., De Pere WI, in the amount of $269,000.00, snowplow and wing package from Monroe Truck Equipment, De Pere WI, in an amount of $53,306.00, and approve the purchase of pallet forks and other accessories with a not exceed cost of

$25,000.00, all to be funded by 2024 Capital Equipment funds. **(RollCall-Pro)**
MSCRP Lendrum/Stevenson to approve as recommended by committee, all voting aye.

7. Committee recommends Council approve the purchase of a 2024 International Single Axle chassis from Packer City Trucks, Appleton WI, in the amount of $113,997.00 and approve the purchase of the equipment package from Monroe Truck Equipment, De Pere WI, in the amount of $128,870.00, all to be funded by 2024 Capital Equipment funds. **(RollCall-Pro)**
MSCRP Lendrum/Weber to approve as recommended by committee, all voting aye.

8. Committee recommends Council approve the purchase a 2024 International Tandem Axle Chassis from Packer City Trucks, Appleton WI, in the amount of $124,917.00 and approve the purchase of the equipment package from Monroe Truck Equipment, De Pere WI, in the amount of $140,458.00, all to be funded by 2024 Capital Equipment funds. **(RollCall-Pro)**
MSCRP Lendrum/Stevenson to approve as recommended by committee, all voting aye.

9. Committee recommends Council approve the purchase of a 2023 New Way Sidewinder ASL truck from Envirotech Equipment, Menomonee Falls, WI, in the amount of $352,797.00 and approve the purchase of new radio equipment, city logos, and additional lighting with a not to exceed cost of $3,500.00. **(RollCall-Pro)**
MSCRP Lendrum/Hillstrom to approve as recommended by committee, all voting aye.

Discussion: This is an automatic trash/refuse truck which is a replacement truck in the current fleet.

Alderman Stevenson addressed the audience in general by stating that the money spent tonight has been budgeted for and approved by the Council through the budget process. The staff is trying to get ahead of the supply chain issue to receive the equipment in a timely manner and to lock in pricing. Most of the equipment ordered from tonight's meeting will be physically received in calendar year 2025.

B. Regular Finance and Personnel Committee meeting of January 29, 2024: (Chairperson Erickson/Vice Chairperson Skyrms) (Minutes can be found on the City web site)
   1. Meeting cancelled, no report.

C. NMFR Joint Finance & Personnel Committee meeting of January 23, 2024: (Alderperson Stevenson) (Minutes can be found on the City web site)

1. Committee recommends Council approve the carry forward of $2,512 from the software budget (180-2301-712-0218) line item carry forward from 2023 to 2024. **(RollCall-Pro)**
   MSCRP Stevenson/Skyrms to approve as recommended by committee, all voting aye.

2. Committee recommends Council approve the carry forward of $8,000 from the Burn Building/Maintenance (180-2301-712-025) to cover the purchase of the new windows that were ordered in September and will be delivered 2nd Quarter of 2024. **(RollCall-Pro)**
   MSCRP Steveson/Boyette to approve as recommended by committee, all voting aye.

3. Committee recommends Council approve filing the one vacancy created by a resignation no earlier than March 1, 2024. **(RollCall-Pro)**
   MSCRP Stevenson/Boyette to approve as recommended by committee, all voting aye.

4. Committee recommends Council approve the proposal of one (1) 2027 Impel Ascendt Mid Mount Platform from Pierce Manufacturing and related equipment for a cost not to exceed $2,200,000 and to authorize the Finance Directors to review financing options and approve the most advantageous financial option for both cities up to and including authorization to pre-sign a contract pending council approval to avoid a 1.1% increase that is a $20,000 after February 1, 24. **(RollCall-Pro)**
   MSCRP Stevenson/Boyette to approve as recommended by committee, all voting aye.

   Discussion: This is a supply chain issue in which the equipment is ordered this year but not received until 2027.

   The cost share between the two cities was discussed. Currently, Neenah pays 60.37%, Menasha pays 39.63%. Both Director Rasmussen and Fire Chief Teesch agreed that the annual cost share will be used when the invoice is received, which is typically around 60/40 with Neenah paying 60. The cost share is formula is reviewed and approved annually by both city councils in the first quarter of the new fiscal year. Attorney Rashid recommends a clause be added to the contract indicating that payment will be approved by a future Council because this current Council cannot approve a future expenditure even if the equipment is being ordered this year and not received or paid for until another fiscal year.

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

A. Regular Plan Commission meeting of January 30, 2024: (Council Rep Steiner) (Minutes can be found on the City web site)

1. No report.

B. Board of Public Works meeting of January 23, 2024: (Vice Chairperson Hillstrom) (Minutes can be found on the City web site)

1. Information Only Items:
    a. The Board approved Pay Request No. 1, Contract 2-23W West Side Booster Station Building Construction, to RJM Construction, LLC., in the amount of $98,144.50.
    b. The Board approved Change Order No. 2, Neenah Creek Bridge, to Pheifer Brothers, in the amount of $11,872.15.
    c. The Board approved Pay Request No. 2, Neenah Creek Bridge, to Pheifer Brothers, in the amount of $156,025.15.
2. Council Action Items:
    a. The Board recommends Council approve Pay Request No. 7 and Final Pay Request for the Arrowhead Pier and Kayak Launch from Lunda Construction Company, Black River Falls, WI, in the amount of $31,393.11 for retainage held on the project completed September 2023, utilizing approved budgeted CIP Carry Forward Funds. **(RollCall-Pro)**
    MSCRP Hillstrom/Weber to approve as recommended by the board, all voting aye.
    b. The Board recommends Council approve Final Pay Request, Contract 2-23, Street and Utility Construction on Brantwood Ct., Brantwood Dr., Charles Ct., Hughes Ct., Memorial Ct., and Patrick Ct., to David Tenor Corporation, in the amount of $90,515.21. **(RollCall-Pro)**
    MSCRP Hillstrom/Lendrum to approve as recommended by the board, all voting aye.

C. Community Development Authority

1. Report from the CDA – Director Haese
    a. Reporting from the Monday, February 5, 2024 Meeting.
    b. There were no action items. The Authority reviewed preliminary work the new downtown parking structure. More information will be forthcoming.
    c. The Community Development Authority Annual Report has been published.

D. Sustainable Neenah Committee

1. Report from the Sustainable Neenah Committee – Alderman Lendrum
2. Reporting from the January 24, 2024 Meeting.
    a. There will be a new member coming forth to be appointed.
    b. Sustainable Neenah will have a booth at this year's Farmer's Markets. The topics of the booths will be rain barrels, safe biking, recycling, solar energy, and pollinator information. Dates will be forthcoming.

E. Bergstrom Mahler Museum

1. Report from the Bergstrom Mahler Museum – Alderman Borchardt
2. Upcoming Exhibition: 2024 Fox Valley Area High School Glass Exhibition, February 23 – April 1, 2024.
3. Upcoming Exhibition: Language of Light: Stephanie Sara Lifshutz, April 26 – October 13, 2024..
4. Community Event: Art After Dark: Women's History Month, March 21, 6 - 8pm

5. Thank you to all who bought tickets to this Saturday's Crystal Ball. The event is sold out! It is sure to be an amazing evening!

F. Parks & Recreation Commission
1. Report from the Park Commission – Alderman Weber
2. Reporting from the January 18, 2024 Meeting
a. Consideration for the City to recognize those who have served in the conflict on the Global War on Terrorism.
b. Douglas Park – Stormwater Utility request for land use
c. YMCA to use a portion of Memorial Park, including the Open-Air Shelter, throughout the summer from 2024-2026.
d. Doty Park Shoreline Restoration Project discussion.
e. Carpenter Preserve Planning Session is scheduled for February 8th at the Memorial Park Shelter from 5:30 – 7:00 PM.

X. Presentation of petitions
A. Any other petition received by the City Clerk's Office after distribution of the agenda.
1. None.

XI. Council Directives
A. None.

XII. Unfinished Business
A. Aldermen Steiner and Weber are partnering together on the Sister City Project. They reached out on an information exercise with no response at this time. However, will update the Council as information is received.

XIII. New Business
A. The Adopted Budget Book have been printed and ready for pick up at your convenience.

XIII. Adjournment
Motion by Stevenson/Weber to adjourn, all voting aye. Meeting adjourned at 8:24 PM.

Respectfully submitted,

Charlotte K. Nagel

Charlotte Nagel, City Clerk