



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – JUNE 20, 2023

Pursuant to adjournment on June 6, 2023 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman (Via ZOOM) at 7:00 P.M. on Tuesday, June 20, 2023.

Roll call present: Antoine, Coenen, DeCoster, Eggleston, Kilgas, Moore, Schell and Thiele

Also present: Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Fin. Dir. Van Rossum, Planner Stephenson, Police Chief Graff, HR Dir. Swaney, and interested citizens.

One minute of silent prayer and the Pledge of Allegiance to the American Flag observed by the assembly.

Motion by Moore, seconded by Coenen to adopt the minutes of the Common Council meeting of June 6, 2023.

All Ald. voted aye.

Motion carried.

PRESENTATION OF LETTERS, PETITIONS, REMONSTRANCES, MEMORIALS, AND ACCOUNTS

Bills Payable

Motion by Moore, seconded by Antoine to pay bills out of the proper accounts.

All Ald. voted aye.

Motion carried.

PUBLIC APPEARANCES

Dan Nicholson, 3108 Green Bay Road, Kaukauna asked for an extension past June 30 for his liquor license renewal. He is asking for an extension on his payment of delinquent taxes. To get the liquor license for the Skyview Club, all back taxes will need to be paid. He is asking for an extension in order to come up with the money.

BUSINESS PRESENTED BY THE MAYOR

Damaged Home Siding Claim.

Mayor Penterman reported on the damaged home siding claim. Information regarding the claim was included in the meeting packet. The property owner, Ms. Schmitt, submitted a quote in the amount of \$14,900 for damages. This item will be coming up under 9a in closed session. Mayor Penterman asked if anyone had questions for Ms. Schmitt. Alder Thiele asked Ms. Schmitt if the siding on her home had been discontinued. Ms. Schmitt stated that the siding has been discontinued and they are unable to match the new siding to the existing siding.

Reappointment of Joseph Lucas to the Kaukauna Public Library Board.

Motion by Kilgas, seconded by Schell to reappoint Joseph Lucas to the Kaukauna Public Library Board.

All Ald. voted aye.

Motion carried.

Reappointment of Anna Neumeier to the Kaukauna Public Library Board.

Motion by Thiele, seconded by Antoine to reappoint Anna Neumeier to the Kaukauna Public Library Board.

All Ald. voted aye.

Motion carried.

2022 Audited City Financial Statements - presented by CLA (CliftonLarsonAllen).

Finance Director Van Rossum introduced Amber Drewieske from Clifton Larson Allen (CLA) to go over the 2022 City Financial Statements. The annual financial report and management communications were provided to the Council. Ms. Drewieske touched on several areas of this report. The annual audit went well, and no concerns were evident.

Motion by Moore seconded by Eggleston to receive and place on file the 2022 Audited City Financial Statements.

All Ald. voted aye.

Motion carried.

REPORTS OF CITY OFFICERS**Fire Report**

Motion by Moore, seconded by Antoine to receive and place on file the May 2023 Fire Report.

All Ald. voted aye.

Motion carried.

Ambulance Report

Motion by Moore, seconded by Kilgas to receive and place on file the May 2023 Ambulance Report.

All Ald. voted aye.

Motion carried.

Police Report

Motion by Moore, seconded by Schell to receive and place on file the May 2023 Police Report.

All Ald. voted aye.

Motion carried.

Municipal Court Report

Motion by Moore, seconded by Eggleston to receive and place on file the May 2023 Municipal Court Report.

All Ald. voted aye.

Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Coenen to receive and place on file the May 2023 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.

Motion carried.

Building Inspection Report.

Motion by Moore, seconded by Kilgas to receive and place on file the May 2023 Building Inspection Report.

All Ald. voted aye.

Motion carried.

Carnegie Building Update.

Planning and Community Development Director Stephenson gave an update on the Carnegie Building (former Library). The building is comprised of eight apartment rentals and a front office area. The apartments range from studio to two bedrooms. They are still looking for a tenant for the commercial office space, but are trying to find the right tenant to fit the uniqueness of the space. Discussion held and questions answered.

Fox Cities Arts and Culture Tour Application.

Planning and Community Development Director Stephenson stated this is a coordination between communities. The Convention and Visitors Bureau coordinated with all the Planners in the Fox Cities to get all the locations of events, art and statues and will be putting out a tour application for visitors to use. Visitors will receive points for visiting these locations.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of June 19, 2023.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, June 19, 2023 at 6:00 P.M.

Members present: Antoine, Coenen, DeCoster, Eggleston, Kilgas, Moore, Schell, and Thiele.

Also present: Mayor Penterman (via ZOOM), DPW/Eng. Neumeier, Fire Chief Carrel and interested citizens.

1. Correspondence – none.

2. Discussion Topics.

a. Authorization to seek bids for Project 11-22 Jonen Park Pavilion Re-Bid.

City Staff have been working with McMahon Associates to develop a modified building plan, alternative bid items and specifications for the construction of a pavilion at Jonen Park. Items removed from the previous design, now to be bid as alternates include plumbing fixtures, painting, concession casework, landscaping, removed insulation under concrete slab, removed face brick and insulation at exterior, and HVAC ventilation only. Estimated cost of this project is \$500,000. We would anticipate an August bid opening and construction schedule of Fall 2023-Summer 2024 to be ready for next summer park use. Questions from the Board were answered.

Motion by Moore, seconded by Antoine to authorize the Engineering Department to seek bids for Project 11-22 – Jonen Park Pavilion Re-Bid.

All Ald. voted aye.

Motion carried.

b. Authorization to seek bids for Project 12-23 Wisconsin Avenue Seawall.

City staff and McMahon have been obtaining funding for the Wisconsin Avenue Seawall Project. With most of the project funds in place from grants and the remaining funds borrowed for, we are seeking authorization to finalize a bid package and seek bids. The project has strong support from Fox Locks. Adding a decorative light and a nautical outlet

were suggestions made for this project. We are waiting for provisions from State Historic Preservation before we can accept bids. We would anticipate a Fall 2023 bid opening and construction schedule of Fall 2023-Summer 2024. Questions from the Board were answered.

Motion by DeCoster, seconded by Eggleston to authorize the Engineering Department to seek bids for Project 12-23 – Wisconsin Avenue Seawall.

All Ald. voted aye.

Motion carried.

c. Update on Public Service Commission Complaint.

DPW/Eng. Neumeier stated the Public Service Commission (PSC) authorized an investigation into HOV and the City's complaint. This triggers a possibility for other parties to join the HOV. We did see a motion for party status from Little Chute and Kimberly. This is all public information on the PSC website.

d. Public Works Update.

DPW/Eng. Neumeier updated the Board on current projects. The street patch on Highway 55 is three quarters complete. Some utility work will take place later this summer to finish up the project. Street paving has been pushed back until late next week or the following week in the new neighborhoods of Hurkman Heights. The chip seal coat project in Blue Stem Meadows and Wildlife Heights subdivisions are tentatively scheduled to start on Tuesday, June 27. Once the start time is finalized notices will go out to abutting residents.

Alder Moore thanked Senior Project Engineer Bodoh for sending out weekly updates.

3. Adjourn.

Motion made by Kilgas, seconded by Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:24 p.m.

Sally Kenney
Clerk

Motion by Thiele, seconded by Moore to adopt the Board of Public Works Meeting Minutes of June 19, 2023.

All Ald. voted aye.

Motion carried.

Health and Recreation Committee Meeting Minutes of June 19, 2023.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, June 19, 2023 at 6:24 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman (via ZOOM), Ald. Antoine, Ald. Eggleston, Ald. Moore, Ald. Thiele, DPW/Eng. Neumeier, Fire Chief Carrel, and interested citizens.

1. Correspondence – None.

2. Discussion Topics.

a. Tavern Report.

Overall, it was a good year. Questions from the Committee were answered.

Motion by Coenen, seconded by Schell to receive and place on file the Tavern Report.

All members voted aye.

Motion carried.

b. 2023-2024 Beer and Liquor Licenses.

The list was distributed. They have all been approved except for two establishments still waiting on Department approval and one establishment who did not apply. Questions from the Committee were answered.

Motion by DeCoster, seconded by Schell, to grant the 2023-2024 Beer and Liquor Licenses provided all contingencies are met.

All members voted aye.

Motion carried.

c. 2023-2024 Outdoor Alcoholic Beverage Area Permits.

Motion by Coenen, seconded by DeCoster to approve the 2023-2024 Outdoor Alcoholic Beverage Area Permits providing all contingencies are met.

All members voted aye.

Motion carried.

d. 2023-2024 Sidewalk Display and Sidewalk Café Permits.

Motion by DeCoster, seconded by Schell to approve the 2023-2024 Sidewalk Café Permits.

All members voted aye.

Motion carried.

e. Temporary Class "B" License to St. Paul Elder Services, 316 E. 14th Street, on June 28, 2023 for Brat Fry – Alzheimer's Fundraiser.

Motion by DeCoster, seconded by Coenen to approve the Temporary Class "B" License to St.

Paul Elder Services, 316 E. 14th Street, on June 28, 2023 for Brat Fry – Alzheimer's Fundraiser.

All members voted aye.

Motion carried.

f. Amplified Music request to Debra Schultz, Peace United Methodist Church on July 9, 2023 from 8:00am to 11:00am at Riverside Park for a Church Service and Family Picnic.

Motion by Coenen, seconded by Schell to approve the Amplified Music request to Debra Schultz, Peace United Methodist Church on July 9, 2023 from 8:00am to 11:00am at Riverside Park for a Church Service and Family Picnic.

All members voted aye.

Motion carried.

g. Amplified Music request to Ashley Thiem-Menning, Kaukauna Public Library on July 12, 2023 from 10:00am to Noon for the Touch a Truck Event at Hydro Park.

Item pulled.

h. Temporary allowance of farm animals at Hydro Park for petting zoo at Touch a Truck Event, July 12, 2023 from 10:00am to Noon.

Motion by Schell, seconded by Coenen to approve the Temporary allowance of farm animals at Hydro Park for petting zoo at Touch a Truck Event, July 12, 2023 from 10:00am to Noon.

All members voted aye.

Motion carried.

i. Fireworks application submitted by Happy Fireworks, LLC for the sale of fireworks at 200 Lawe Street.

Motion by Coenen, seconded by Schell to approve the Fireworks application submitted by Happy Fireworks, LLC for the sale of fireworks at 200 Lawe Street contingent upon Fire Department approval.

All members voted aye.

Motion carried.

3. Adjourn.

Motion made by DeCoster, seconded by Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:34 P.M.

Sally Kenney

Clerk

Motion by Kilgas, seconded by Antoine to adopt the Health and Recreation Committee Meeting Minutes of June 19, 2023.

All Ald. voted aye.

Motion carried.

Legislative Committee Meeting Minutes of June 19, 2023.

LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chair Coenen on Monday, June 19, 2023 at 6:35 P.M.

Members present: Coenen, Eggleston, Moore, and Schell.

Also present: Mayor Penterman (Via Zoom), Ald. DeCoster, Kilgas, Antoine, Thiele, DPW/Eng. Neumeier, Fire Chief Carrel and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. Ordinance 1883-2023 Creating Section 3.18 Special Charges.

Mayor Penterman stated Finance Director Van Rossum presented the to the Council a memo in May of 2023 regarding the creation of this special charge ordinance. The Common Council then directed legal to draft Ordinance 1883-2023 and put it into the appropriate section of the Municipal Code. The reason for creating this code is due to the increase in abatements with code violations. Home owners who refuse to take action on their own would be charged by the City for the cleanup. Special charges cannot be transferred to the tax roll, so this allows the City

to offer a payment plan to our residents who have abatement charges. Questions from the Board were answered.

Motion by Eggleston, seconded by Moore to recommend approval of the proposed ordinance, 1883-2023 Creating Section 3.18 Special Charges to the Common Council.

All members voted aye.

Motion carried.

3. General Matters – none.

4. Adjourn.

Motion by Moore, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:39 p.m.

Sally Kenney, Clerk

Motion by Coenen, seconded by Schell to adopt the Legislative Committee Meeting Minutes of June 19, 2023.

All Ald. voted aye.

Motion carried.

Public Protection and Safety Committee Meeting Minutes of June 19, 2023.

PUBLIC PROTECTION AND SAFETY COMMITTEE

A meeting of the Public Protection and Safety Committee was called to order by Chairman DeCoster on Monday, June 19, 2023 at 6:39 P.M.

Members present: Antoine, DeCoster, Kilgas, Thiele.

Also present: Mayor Penterman (via ZOOM), Ald. Coenen, Ald. Eggleston, Ald. Moore, Ald. Schell, DPW/Eng. Neumeier, Fire Chief Carrel, and interested citizens.

1. Correspondence - None.

2. Discussion Topics.

a. Equipment Sharing Agreement – Fire Department.

The purpose of this Agreement is to create a system for the occasional and temporary sharing of motor vehicles, equipment, tools and machinery (collectively referred to in this agreement as "Equipment") between the Parties for efficiency and effectiveness of operations. The Parties agree to make available to each other vehicles, equipment, tools, machinery, and related items in the manner and pursuant to the terms and conditions provided in the agreement. A Party supplying Equipment shall be designated the "Provider." A Party receiving Equipment shall be designated the "Borrower."

This item is informational only. A few clarifications need to be made by the legal department before bringing this item back to the Public Protection and Safety Committee in July.

3. General Matters - none.

4. Adjourn.

Motion by Thiele, seconded by Kilgas to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:49 p.m.

Sally Kenney

Clerk

Motion by DeCoster, seconded by Coenen to adopt the Public Protection and Safety Committee Meeting Minutes of June 19, 2023.

All Ald. voted aye.

Motion carried.

Board of Appeals Meeting Minutes of June 7, 2023.

Motion by Moore, seconded by Kilgas to receive and place on file the Board of Appeals Meeting Minutes of June 7, 2023.

All Ald. voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of May 9, 2023.

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of April 11, 2023.

All Ald. voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of May 17, 2023.

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of May 17, 2023.

All Ald. voted aye.

Motion carried.

Moore thanked the staff who attended this special community meeting in Combined Locks. It was very informative.

Operator (Bartender) Licenses.

The following applicants have applied for an operator's license for the license year **2022-2024** and have been recommended for approval based on their record check by the police department:

| | | | | |
|-----------|---------|----|------------------------------|----------|
| Bubolz | Chelsea | M. | 1271 Maple St. | Neenah |
| Dolan | Tyler | J. | 120 Lamplighter Dr. #4 | Kaukauna |
| Goodchild | Debra | A. | W6050 Hearthstone Dr. | Appleton |
| Thao | Emily | | 720 N. Mayflower Dr. Apt. #1 | Appleton |
| Yates | Bryn | S. | 200 Spring Ridge Dr. | Kaukauna |

Motion by Kilgas, seconded by Thiele to approve the Operator (Bartender) Licenses.

All Ald. voted aye.

Motion carried.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Ordinance 1883-2023 Creating Section 3.18 Special Charges.

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Ordinance 1883-2023.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1883-2023.

All Ald. voted aye.

Motion carried.

Resolution 2023-5391: A Resolution Accepting Community Development Investment - Vibrant Spaces Grant and Authorizing the Mayor, Anthony Penterman, to Enter into a Grant Agreement with the Wisconsin Economic Development Corporation.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2023-5391.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2023-5391.

All Ald. voted aye.

Motion carried.

Bond Resolution 2023-5392 - \$2,050,765 City of Kaukauna Waterworks System Revenue Bonds, Series 2023 (Safe Drinking Water Loan) (the "Revenue Bonds")

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2023-5392.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2023-5392.

All Ald. voted aye.

Motion carried.

CLOSED SESSION

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(g) to confer with legal counsel with regard to litigation in which it is or is likely to become involved.

Motion by Moore, seconded by Coenen to adjourn to closed session pursuant to State Statute 19.85(1)(g) to confer with legal counsel with regard to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 7:55 p.m.

Return to Open Session for possible action.

Motion by Coenen, seconded by Moore to return to open session for possible action.

All Ald. voted aye.

Motion carried.

Returned to open session at 9:11 p.m.

No action taken.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public property - Land Acquisition.

Motion by Moore, seconded by Coenen to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of public property – Land Acquisition.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 9:13 p.m.

Return to Open Session for possible action.

Motion by Thiele, seconded by Moore to return to open session for possible action.

All Ald. voted aye.

Motion carried.

Returned to open session at 9:16 p.m.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public property - Land Acquisition.

Motion by Moore, seconded by Kilgas to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of public property – Land Acquisition.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 9:17 p.m.

Return to Open Session for possible action.

Motion by Eggleston, seconded by Antoine to return to open session for possible action.

All Ald. voted aye.

Motion carried.

Returned to open session at 9:19 p.m.

Adjourn to Closed Session Pursuant to State Statute 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.

Motion by Moore, seconded by Coenen to adjourn to closed session pursuant to State Statute 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.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 9:20 p.m.

Return to Open Session for possible action.

Motion by Moore, seconded by Kilgas to return to open session for possible action.

All Ald. voted aye.
Motion carried.

Returned to open session at 9:27 p.m.

Motion by Kilgas, seconded by Thiele to direct staff to dismiss the raze order on 317 Park Street, on or after October 1, 2023, once the building has gained occupancy. Continue to work with the builders to ensure a timely completion date of September 30, 2023.

All Ald. voted aye.
Motion carried.

ADJOURN

Motion by Antoine, seconded by Schell to adjourn.
All Ald. voted aye.
Motion carried.

Meeting adjourned at 9:28 p.m.

Sally Kenney, Clerk

