



# COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – DECEMBER 19, 2023

Pursuant to adjournment on December 5, 2023 a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, December 19, 2023.

Roll call present: DeCoster, Eggleston, Kilgas, Moore, and Thiele.

Absent & Excused: Antoine, Coenen, and Schell

Also present: Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Fin. Dir. Van Rossum, Lib. Dir. Thiem-Menning, Building Insp. Jensen, KU Gen. Mgr. Avanzi, KU Eng. & Oper. Dir. Pahl, KU Water Sup. Vanden Heuvel, Asst. Fire Chief Foss, and interested citizens.

Motion by Thiele, seconded by Kilgas to excuse the absent members.

All Ald. present voted aye.

Motion carried.

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

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of the minutes of the Common Council meeting of December 5, 2023.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt the Common Council meeting minutes of December 5, 2023.

All Ald. present voted aye.

Motion carried.

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

### Bills Payable

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

All Ald. present voted aye.

Motion carried.

## PUBLIC APPEARANCES

None.

## BUSINESS PRESENTED BY THE MAYOR

**Certificate of appreciation to KHS Civic Engagement Class students Daisy Vera, Noah Ritzke and Andrew Milhans for coordinating the Little Free Pantry Food Drive.**

Library Director Thiem-Menning stated the KHS Civic Engagement Class collected enough food to last about three months. She thanked the class for help in collecting food for the Little Free Food Pantry.

Mayor Penterman presented the Noah Ritzke with a certificate of appreciation. Daisy Vera and Andrew Milhans were unable to make this meeting.

**Approval of Election Inspectors for the 2024-2025 term.**

Motion by Moore, seconded by DeCoster to approve the Election Inspectors for the 2024-2025 term.

All Ald. present voted aye.

Motion carried.

**2024 Committee and Council Meeting Schedule.**

Motion by Moore, seconded by Kilgas to approve the 2024 Committee and Council Meeting Schedule.

All Ald. present voted aye.

Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Committee of the Whole Meeting Minutes of December 12, 2023.**

**COMMITTEE OF THE WHOLE**

A meeting of the Committee of the Whole was called to order by Chairman Penterman on Tuesday, December 12, 2023 at 5:00 P.M.

Members present: Coenen (Via Zoom), Eggleston, Kilgas, Moore, Schell, and Thiele.

Absent & Excused: Antoine, and DeCoster.

Also present: DPW/Eng. Neumeier, Attorney Davidson, and interested citizens.

Motion by Kilgas, seconded by Moore to excuse the absent members.

All members present voted aye.

Motion carried.

**1. Correspondence – none.**

**2. Discussion Topics**

**a. Resolution 2023-5414 A Resolution Opposing 2023 Senate Bill 691 Regarding the Creation of Urban Towns.**

Mayor Penterman read the Resolution.

**CITY OF KAUKAUNA RESOLUTION 2023-5414**

**A RESOLUTION OPPOSING 2023 SENATE BILL 691 REGARDING THE CREATION OF URBAN TOWNS**

**WHEREAS**, current law allows for villages and cities to determine the service area for their water and sewerage systems; and

**WHEREAS**, this statutory home rule power given to villages and cities to make its own decisions on public services is a fundamental reason for many local communities to become incorporated municipality; and

**WHEREAS**, 2023 Senate Bill 691 would require cities and villages to allow connection to their water or sewerage systems outside its boundaries in any town that is self-designated as an "Urban Town;" and

**WHEREAS**, 2023 Senate Bill 691 would define a town as an "Urban Town" if:

- The town has a population of more than 5,000;
- The town has a population density of 750 persons in any square mile;
- The town provides law enforcement service;
- The town has enacted a subdivision ordinance;
- The town has enacted a zoning ordinance or is subject to county zoning; and

**WHEREAS**, the water or sewerage system owner would be allowed to disapprove a request only if its water or sewerage system does not have sufficient capacity to serve the area that is subject of the request; and

**WHEREAS**, "Urban Towns" would not be subject to extraterritorial zoning or extraterritorial plat approval by a neighboring city or village; and

**WHEREAS**, "Urban Town" territory may not be annexed to a city or village except by unanimous approval of all the property owners of the property to be annexed; and

**WHEREAS**, villages and cities have made significant investments in their water and sewerage systems and depend on additional tax revenues created through the addition of properties to their jurisdictions which their utility services promote; and

**WHEREAS**, Senate Bill 691 does not require any minimum level of police service, rendering that criterion essentially meaningless as an indication of real urbanization, and the historical policy of directing development to incorporated municipalities that provide true urban levels of service promotes the public health, safety and welfare and should be continued; and

**WHEREAS**, Senate Bill 691 allows an urban town to designate the service area and may consume all reserve capacity of the existing city or village system, forcing city or village taxpayers or ratepayers to contribute the cost of new wells, water towers, and other major infrastructure improvements to meet their future needs that would otherwise be accommodated by the existing system capacities; and

**WHEREAS**, Senate Bill 691 allows an urban town to designate the service area and may consume all reserve capacity of the existing city or village system, effectively limiting the city's or village's ability to expand services for development within its own boundaries; and

**WHEREAS**, Senate Bill 691 would make the urban town responsible for maintenance of the portion of the water or sewer system located in the town, but makes no provision assuring the urban town will have the experience or ability to properly maintain a water or sewer system and creating a risk that inadequate maintenance would result in contamination of a municipal water system, excess treatment costs due to clearwater infiltration and inflow resulting in damage to the city or village system and excess costs to all ratepayers; and

**WHEREAS**, Senate Bill 691 provides no mechanism for collection of unpaid utility service charges owed by customers they would be forced to serve beyond their jurisdictions such as is available under §66.0809, Wis. Stats. for customers within the serving municipality nor any requirement that an urban town clerk pay over any amounts collected through special charges to the municipality to which they are owed; and

**WHEREAS**, Senate Bill 691 would allow an urban town to designate the point of connection to the city or village system with no requirement that such determination be made in accordance with sound engineering practices; and

**WHEREAS**, Senate Bill 691 would allow an urban town to impose maintenance responsibility for sanitary lift stations and other substantial improvements on a city or village by selecting a connection point that assures those improvements are located in the city or village.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Kaukauna opposes Senate Bill 691 and requests that the Legislature and the Governor reject its enactment; and

**BE IT FURTHER RESOLVED**, that the City of Kaukauna Clerk is directed to send a copy of this resolution to the Governor of the State of Wisconsin, current representatives of the City in the State Legislature, and the League of Wisconsin Municipalities.

Introduced and adopted this 12th day of December, 2023.

APPROVED: \_\_\_\_\_  
Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_  
Sally Kenney, Clerk

Motion by Moore, seconded by Kilgas to approve Resolution 2023-5414 A Resolution Opposing 2023 Senate Bill 691 Regarding the Creation of Urban Towns as printed.

All members present voted aye.

Motion carried.

### **3. Adjourn.**

Motion made by Thiele, seconded by Eggleston to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 5:11 pm.

Sally Kenney, Clerk

Motion by Moore, seconded by Thiele to approve the Committee of the Whole Meeting Minutes of December 12, 2023 as printed.

All Ald. present voted aye.

Motion carried.

### **Board of Public Works Meeting Minutes of December 18, 2023.**

#### **BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, December 18, 2023 at 6:00 P.M.

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

Absent & Excused: Antoine.

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, HR Dir. Swaney, Street Sup. Van Gompel, Police Chief Graff, Com. Erich. & Rec. Dir. Vosters, Grignon Mansion Exec. Dir. Mickelson, Rec. Prog. Mgr. Zimmer and interested citizens.

Motion by Coenen, seconded by Schell to excuse the absent member.  
All Ald. present voted aye.  
Motion carried.

## **2. Correspondence – none.**

## **3. Discussion Topics.**

### **a. Recommendation for award of Replacement of Truck 213.**

The Street Department received bids from Quality Truck and Packer City for the 2023 or newer dump truck with plow package. Both trucks were bid with Monroe Equipment. Quality Truck bid the Western Star 47X while Packer City bid the International HV607. Bid packets were sent out with four body/plow package options. After reviewing bids and options we feel the Western Star 47X is the best option with overall quality and shorter lead times.

Motion by Moore, seconded by Eggleston to award bid to Quality Truck with option #1, Stainless steel box, option #2 electric controls, #4 sander pre-wet, without the trade for \$293,090.00.  
All Ald. present voted aye.  
Motion carried.

### **b. Recommendation for award of Project 10-23R Diesel Back-Up Generator Replacement at Tower Drive Lift Station – Re-Bid.**

The back-up generator at the Tower Drive Stormwater Lift Station is near the end of its useful life. This project was previously bid, and all bids were rejected due to the price of work and the complexity of the options. The project scope has been revised/reduced and we will now seek bids for an outside generator set. The City received two lump sum – base bids for the new generator: Enterprise Electric Inc - \$168,000.00 Elmstar Electric - \$184,772.00.

Motion by Schell, seconded by Kilgas to award Project 10-23R Diesel Back-Up Generator Replacement at Tower Drive Lift Station – Re-Bid to Enterprise Electric, Inc. for total bid price of \$168,000.00.  
All Ald. present voted aye.  
Motion carried.

### **c. Recommendation for Municipal Pool Change Order #2.**

DPW/Eng. Neumeier stated a change order for the municipal pool was received from Enterprise Electric for undergrounds. During the demo process, all the original wires that needed to be disconnected and reconnected to the new building, were discovered to be poured into the concrete floor. The damaged conduits and wires will need to be replaced. The existing speaker wires will also need to be reconnected.

Motion by Moore, seconded by DeCoster to approve the Municipal Pool Change Order #2 for the underground wires and speakers not to exceed a cost of \$22,388.58.

All Ald. present voted aye.

Motion carried.

**d. Memorandum of Understanding (MOU) - Outagamie County Highway Department.**

DPW/Eng. Neumeier stated the Memorandum of Understanding establishes the highway maintenance responsibilities for Outagamie County highways within the City of Kaukauna. This understanding is in regard to maintenance operations only and does not change how capital project costs are shared. Discussion held and questions answered.

Motion by Coenen, seconded by Kilgas to authorize the Mayor and DPW/Eng. Neumeier to enter into a Memorandum of Understanding (MOU) with Outagamie County Highway Department for maintenance pending the City Attorney approval.

All Ald. present voted aye.

Motion carried.

**e. Authorization to seek bids for Project 3-24 - Downtown Alley Paving.**

The Engineering Department has included an alley reconstruction project in the 5-year capital plan in order to continue the replacement of deteriorating alleys throughout the City. The area chosen for 2024 are alleys which had been previously identified for significant repairs, has existing drainage issues, and will include the pedestrian alley site work. The Engineering Department has completed a survey and is finalizing design for installation of concrete alleys. A preliminary resolution declaring intent to exercise special assessments will be included on a future Common Council agenda.

Motion by Eggleston, seconded by DeCoster to authorize the Engineering Department to seek bids for Project #3-24, 2024 Alley Paving Project.

All Ald. present voted aye.

Motion carried.

**f. Authorization to seek bids for Project 5-24 - Kenneth Avenue Utility Relay.**

The Engineering Department is completing plans for our Kenneth Avenue utility relay project with Kaukauna Utilities. The proposed project is in the Kenneth Avenue neighborhoods. The project will include replacement of sanitary sewer, water mains, private laterals from the main to the homes, temporary asphalt overlay, and restoration of the affected areas.

Motion by Moore, seconded by Coenen to authorize the Engineering Department to seek bids for Project #5-24, Kenneth Avenue Utility Relay.

All Ald. present voted aye.

Motion carried.

**g. State/Municipal Financial Agreement (SMFA) - Wisconsin DOT - Rosehill Road Overpass.**

DPW/Eng. Neumeier stated the I41 project is starting, and the overpass has been moved up on the list due to deterioration of the overpass. The City has an opportunity to add lighting and sidewalks with DOT funding. The estimated cost of completing the sidewalks along this area is just under one hundred thousand dollars and the State would pay eighty percent. The lighting costs would be about fifty thousand dollars and the City's portion of cost would be about thirteen thousand dollars. Discussion was held and questions answered.

Motion by Moore, seconded by Coenen to authorize the Department of Public Works to enter

into the State Municipal Financial Agreement for Rosehill Road as presented to include the sidewalk and lighting.

Roll call vote: Coenen-aye, DeCoster-aye, Eggleston-aye, Kilgas-nay, Moore-aye, Schell-aye, Thiele-aye.

Motion carried.

**h. Public Works Update.**

DPW/Eng. Neumeier provided an update on City projects. Municipal Pool renovation pictures were shared. Jonen Park pavilion is well underway. The block walls should be up by the end of the year. Street Superintendent Van Gompel stated the Street Department is expanding their use of brine by fabricating spray bars for existing equipment to help with trail, sidewalk, and street snow removal operations, while reducing salt use. Discussion held and questions answered.

**4. Adjourn.**

Motion made by Moore, seconded by Coenen to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:52 pm.

Sally Kenney

Clerk

Motion by Thiele, seconded by Kilgas to adopt the Board of Public Works Meeting Minutes of December 18, 2023.

All Ald. present voted aye.

Motion carried.

Mayor Penterman stated the Memorandum of Understanding – Outagamie County Highway Department was reviewed and approved by the City Attorney.

**Finance and Personnel Committee Meeting Minutes of December 18, 2023.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, December 18, 2023, at 6:53 p.m.

Members present: Mayor Penterman, Coenen, Eggleston, Moore, and Thiele.

Absent & Excused: Antoine.

Also present: Ald. Schell, Ald. Kilgas, Ald. DeCoster, Attorney Davidson, DPW/Eng. Neumeier, HR Dir. Swaney, Fin. Dir. Van Rossum, Com. Enrich. Service Dir. Vosters, Grignon Mansion Exec. Dir. Mickelson and interested citizens.

Motion by Coenen, seconded by Moore to excuse the absent member.

All members present voted aye.

Motion carried.

**1. Correspondence - None.**



## 2. Discussion Topics.

### a. **Permission to fill Records Assistant.**

Melody Lankey, Records Assistant at the Police Department, has turned in official notice of her retirement. Melody has been with the department since 2016. Her last day of employment will be 2/1/2024.

Motion by Thiele, seconded by Coenen to authorize filling the position of Records Assistant due to retirement.

All members present voted aye.

Motion carried.

### b. **Permission to fill Laborer.**

Bill Leon, Sweeper Operator in the street department, has turned in official notice of his retirement. Bill has been with the street department since 1997. His last day of employment will be 1/2/2024.

Motion by Moore, seconded by Eggleston to authorize filling a Laborer position due to retirement.

All Ald. present voted aye.

Motion carried.

### c. **Seasonal Youth Sports Position wage update.**

Recreation staff currently do not have a generic youth sport employee wage. Each sport is specific to a position and position wage. Staff is recommending that we update the 2024 seasonal wage position to add a youth sports position with a wage of \$15.01.

Motion by Moore, seconded by Thiele to accept the proposed update to youth sport assistant position wage.

All members present voted aye.

Motion carried.

### d. **Aquatic Center Fees for 2024.**

Staff evaluated current daily admission, season passes and pool rental fees for comparison from neighboring communities. Our current daily admissions, season passes and rental fees along with surrounding communities' fees were provided. We currently do not offer rentals during open swim. Staff is not recommending an increased non-resident daily fee but are recommending different rates for non-resident and resident season pass fee.

Motion by Moore, seconded by Thiele to approve the recommended Aquatic Center Fees for 2024.

All members present voted aye.

Motion carried.

### e. **Adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to discuss employment, promotion, compensation, or performance evaluation data of any public employee.**

Motion by Moore, seconded by Eggleston to adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to discuss employment, promotion, compensation, or performance evaluation data of any public employee.

All members present voted aye.

Motion carried.



Adjourned to Closed Session at 7:08 pm.

f. **Return to Open Session for possible action.**

Motion by Moore, seconded by Coenen to return to Open Session.

All members present voted aye.

Motion carried.

Returned to Open Session at 7:27 pm.

g. **Adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to discuss employment, promotion, compensation, or performance evaluation data of any public employee.**

Motion by Moore, seconded by Coenen to adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to discuss employment, promotion, compensation, or performance evaluation data of any public employee.

All members present voted aye.

Motion carried.

Adjourned to Closed Session at 7:28 pm.

h. **Return to Open Session for possible action.**

Motion by Moore, seconded by Thiele to return to Open Session.

All members present voted aye.

Motion carried.

Returned to Open Session at 8:04 pm.

Motion by Moore, seconded by Thiele to counter Maureen Feldt's offer to increase her hours from 29 to 37.5 per week for the time period of December 26 to February 2 with the hourly pay rate increase of \$4.41/hour.

All members present voted aye.

Motion carried.

Motion by Thiele, seconded by Eggleston to authorize the placement of the Naturalist position with pay range of \$59,770 - \$75,184.

All members present voted aye.

Motion carried.

3. **Adjourn.**

Motion by Moore, seconded Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 8:07 p.m.

Sally Kenney, Clerk

Alder Eggleston clarified the dates for Maureen Feldt's retirement letter.

Motion by Eggleston, seconded by Moore to adopt the Finance and Personnel Committee Meeting Minutes of December 18, 2023 as amended.

All Ald. present voted aye.

Motion carried.

### **Health and Recreation Committee Meeting Minutes of December 18, 2023.**

#### **HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, December 18, 2023 at 8:07 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman, Ald. Eggleston, Ald. Moore, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Com. Erich. & Rec. Dir. Vosters, Grignon Mansion Exec. Dir. Mickelson, HR Dir. Swaney, Fin. Dir. Van Rossum, and interested citizens.

#### **1. Correspondence – None.**

#### **2. Discussion Topics.**

##### **a. Introduction of Community Enrichment Coordinators Alex Depagter and Tayler Lentz.**

Item pulled.

##### **b. Live! at Hydro 2023 Recap.**

Terri provided observations and notes on the Live! From Hydro 2023.

##### **c. Request for Proposal (RFP) for Live! from Hydro.**

Two proposals for entertainment management for the City of Kaukauna's Live! from Hydro Park Concert Series were submitted to City staff. At this time, staff is asking for permission to enter into contract negotiations with ARS Productions, LLC based on the proposal received.

Motion by Schell, seconded by Coenen to enter into contract negotiations with ARS Productions, LLC based on the proposal received.

All members voted aye.

Motion carried.

#### **3. Adjourn.**

Motion made by Coenen, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

The meeting adjourned at 8:14 P.M.

Sally Kenney  
Clerk

Motion by Kilgas, seconded by Eggleston to adopt the Health and Recreation Committee Meeting Minutes of December 18, 2023.

All Ald. present voted aye.

Motion carried.

**Legislative Committee Meeting Minutes of December 18, 2023.**

## LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chair Coenen on Monday, December 18, 2023 at 8:15 P.M.

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

Also present: Mayor Penterman, Ald. DeCoster, Ald. Kilgas, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, HR Dir. Swaney, Fin. Dir. Van Rossum and interested citizens.

### 1. Correspondence - None.

### 2. Discussion Topics.

#### a. Update to Municipal Code 1.37 Board of Police and Fire Commissioners.

The City of Kaukauna Common Council adopted ordinance 1743 on August 16, 2016 enacting a board without pay. In review of previous ordinances, the Board of Police and Fire Commission have been compensated dating back to at least 1951. After review of the current ordinance and compensation records, the City of Kaukauna is still and has been compensating the board for their service. Due to the workload and time commitment compensation should continue as removal of this might hinder their willingness to serve.

Motion by Moore, seconded by Eggleston to recommend approval to the Common Council for approval of the ordinance amending section 1.37(1) Board of Police and Fire Commission.

All members voted aye.

Motion carried.

#### b. Update to 7.12(1)(ar) Reaume Avenue Parking.

DPW/Eng. Neumeier stated this item was brought to the Board of Public Works for discussion previously.

Motion by Eggleston, seconded by Coenen to approve the update to 7.12(1)(ar) Reaume Avenue Parking and recommend the same to the Common Council.

All members voted aye.

Motion carried.

### 3. Adjourn.

Motion by Moore, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 8:21 p.m.

Sally Kenney, Clerk

Motion by Eggleston, seconded by Moore to adopt the Legislative Committee Meeting Minutes of November 20, 2023 as presented.

All Ald. present voted aye.

Motion carried.

**Plan Commission Meeting Minutes of November 9, 2023.**

Motion by Moore, seconded by DeCoster to receive and place on file the Plan Commission Meeting Minutes of November 9, 2023.

All Ald. present voted aye.

Motion carried.

**Redevelopment Authority of the City of Kaukauna Meeting Minutes of November 9, 2023.**

Motion by Moore, seconded by DeCoster to receive and place on file the Redevelopment Authority of the City of Kaukauna Meeting Minutes of November 9, 2023.

All Ald. present voted aye.

Motion carried.

**Industrial Park Commission Meeting Minutes of October 16, 2023.**

Motion by Moore, seconded by Kilgas to receive and place on file the Industrial Park Commission Meeting Minutes of October 16, 2023.

All Ald. present voted aye.

Motion carried.

**Grignon Mansion Board Meeting Minutes of October 23, 2023.**

Motion by Thiele, seconded by DeCoster to receive and place on file the Grignon Mansion Board Meeting Minutes of October 23, 2023.

All Ald. present voted aye.

Motion carried.

**Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of November 14, 2023.**

Motion by Moore, seconded by DeCoster to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of November 14, 2023.

All Ald. present voted aye.

Motion carried.

**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:

Anthony	Joshua	M.	4538 Grandview Rd.	Larsen
Kelnhofer	Natasha	E.	813 Oviatt St.	Kaukauna
Ritari	Rachel	A.	105 E. McKinley Ave.	Little Chute
Russell	Tracy	L.	2115 Glenview Ave.	Kaukauna
Smith	Jessica	A.	400 E. 20 <sup>th</sup> St.	Kaukauna

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

All Ald. present voted aye.

Motion carried.

**REPORTS OF CITY OFFICERS****Fire Report**

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

All Ald. present voted aye.

Motion carried.

**Ambulance Report**

Motion by Moore, seconded by DeCoster to receive and place on file the November 2023.

Ambulance Report.

All Ald. present voted aye.  
Motion carried.

### **Police Report**

Motion by Moore, seconded by Kilgas to receive and place on file the November 2023 Police Report.  
All Ald. present voted aye.  
Motion carried.

### **Municipal Court Report**

Motion by Moore, seconded by DeCoster to receive and place on file the November 2023 Municipal Court Report.  
All Ald. present voted aye.  
Motion carried.

### **Clerk-Treasurer's Deposit Report**

Motion by Moore, seconded by Eggleston to receive and place on file the November 2023 Clerk-Treasurer's Deposit Report.  
All Ald. present voted aye.  
Motion carried.

### **Building Inspection Report.**

Motion by Moore, seconded by DeCoster to receive and place on file the November 2023 Building Inspection Report.  
All Ald. present voted aye.  
Motion carried.

### **Development Update.**

Mayor Penterman provided an update on developments within the City of Kaukauna. Uhaul Project at Commerce Crossing – Continues construction, the elevator shaft along with the exterior walls have been erected. Legacy Creekside Apartments – 5 apartments at Commerce Crossing – continue to build and has finished the structure of the largest western apartment building and will be starting on the interior work. Dreamville – will be looking to close on their bond in the new year. Staff continues to meet with them regularly. The Reserve – Medical Residential, Senior Living Facility at Commerce Crossing, will be closing on the property on or before December 4th. They have started on their site plans and continue to get engineering and site work together. Tann Corporation – Manufacturing Facility at New Prosperity Center –Tann broke ground Monday September 25th, 2023, and has started putting in their foundations. Bassett Mechanical – Industrial Manufacturer in the South Industrial Park – Is nearly complete with their office addition. This project will likely have occupancy before the end of the year. Straightline – Manufacturer in New Prosperity Industrial Park –broke ground and has their foundation in as they continue construction through the winter. Klink Equipment – Klink and the City have agreed to the terms of an offer to purchase on a lot in the Industrial Park. Staff has been preparing all the deliverables for the contract and Klink has started their due diligence work on the property. Grand Stay Hotel – Grand Stay hotel has done all their soil borings and expects those results to be back to them within the week. Once they have the soil boring tests, they will begin engineering work and refining their site plan for the new 4 story hotel building vs the previous 3 story. Enterprise Electric: Enterprise Electric will be building a new 9,000 square foot facility off of Driessen Drive. They have submitted site plans to the plan commission to review. Industrial Development: there is an interested party for the 10-acre corner lot of our industrial park. Planning believes this use will fit very well. Once a formal offer is submitted more information will be given. Copps Building: A new owner has taken over the Copps building and is working with Planning to develop a concept for the site. Senior Living: senior living

remains a hot topic in the area. Multiple soft inquiries have been made to build several types of housing targeted at seniors. Housing: housing continues to be a topic of discussion. While staff has had numerous soft inquiries for more market rate housing, affordable rent-controlled housing that many members of the community are asking for, remains to be a hard spot to fill. Staff has found little interest from the development community to build this type of product. Commercial: commercial inquiries have been near non-existent. This has been a similar trend in other communities as well.

#### **Water Study Update - Michael Avanzi.**

Kaukauna Utilities General Manager Michael Avanzi introduced Engineer and Operations Manager Dave Pahl and Water Superintendent Andy Vandenheuvel. A presentation with a high-level overview of the water system study and the various alternatives and options being considered for Kaukauna water was given.

#### **Reallocation of KU ARPA Funds.**

Kaukauna Utilities seeks to reallocate approved ARPA funds from one project to another. Currently, the private wells project, initially funded at \$50,000, is significantly under budget. The water study project, also allocated \$50,000, is experiencing overruns and costs that continue to rise. The objective is to transfer unspent funds from the private wells project to the water study, ensuring that the combined expenditure for both projects remain within the approved total of \$100,000.

Motion by Thiele, seconded by DeCoster to approve the reallocation of ARPA funds from the Private well project (49) to the Water Study project (51) for a total spend of both projects not to exceed \$100,000.

All Ald. present voted aye.

Motion carried.

### **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

#### **Ordinance 1896-2023 Ordinance Amending Section 1.37 (1) Board of Police and Fire Commission.**

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Ordinance 1896-2023.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1896-2023.

All Ald. present voted aye.

Motion carried.

#### **Ordinance 1897-2023 - Ordinance Creating Section 7.12(1)(AR)(4) - No Parking Reaume Avenue.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1897-2023.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1897-2023.

All Ald. present voted aye.

Motion carried.

#### **Ordinance 1898-2023 Ordinance Annexing Land from the Town of Buchanan to the City of Kaukauna.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Ordinance 1898-2023.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1898-2023.

All Ald. present voted aye.

Motion carried.

**Resolution 2023-5415 Resolution Approving a Lot Split Certified Survey Map for Parcel 322095504.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Resolution 2023-5415.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by DeCoster to adopt Resolution 2023-5415.

All Ald. present voted aye.

Motion carried.

**CLOSED SESSION**

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(g) with respect to litigation in which it is or is likely to become involved - Raze/Repair Order for 317 Park Street.**

Motion by Moore, seconded by Kilgas to adjourn to Closed Session Pursuant to State Statute 19.85(1)(g) with respect to litigation in which it is or is likely to become involved - Raze/Repair Order for 317 Park Street.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 8:09 p.m.

**Return to Open Session for possible action.**

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 8:13 p.m.

Motion by Moore, seconded by Kilgas to authorize the City Attorney to file a dismissal of the Raze/Repair order with Outagamie County Circuit Court for 317 Park Street, Kaukauna.

All Ald. present voted aye.

Motion carried.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business - Outlot 3 NEW Prosperity Center.**

Motion by Moore, seconded by Eggleston to adjourn to Closed Session.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 8:14 p.m.



**Return to Open Session for possible action.**

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 8:29 p.m.

Motion by Moore, seconded by DeCoster to make a counteroffer on Lot 3 - New Prosperity Center with same financial conditions adding normal city contingencies.

All Ald. present voted aye.

Motion carried.

**ADJOURN**

Motion by Eggleston, seconded by DeCoster to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 8:31 p.m.

Sally Kenney, Clerk

