



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – FEBRUARY 5, 2024

Pursuant to adjournment on January 16, 2024 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, February 5, 2024.

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

Also present: Mayor Penterman, Finance Director Van Rossum, Associate Planner Paul, Fire Chief Carrel, Marketing and Communications Manager Fencel, 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 Schell to suspend the rules and waive the reading of the minutes of the Common Council meeting of January 16, 2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt the Common Council meeting minutes of January 16, 2024.

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

Margaret Siebers, 408 E. 8th Street, Kaukauna spoke about buying their house in Kaukauna and loving the beautiful trees in the neighborhood. Due to the street improvements planned on her street many of the trees will be cut down. She asked that the City consider options for keeping the trees. Violet Siebers, 408 E. 8th Street, Kaukauna read a letter she wrote to the Council asking to keep the trees in her neighborhood. Mayor Penterman asked the Siebers family to reach out to himself or the Engineering Department to discuss this matter.

BUSINESS PRESENTED BY THE MAYOR

Reappointment of Patricia Brogan to the Grignon Mansion Board.

Motion by Thiele, seconded by Moore to reappoint Patricia Brogan to the Grignon Mansion Board.

All Ald. voted aye.

Motion carried.

A Proclamation by the Kaukauna Mayor Declaring a Class III Snow Emergency Pursuant to 7.125 Traffic Regulations During Snow Emergencies.

Mayor Penterman read the Proclamation A Proclamation by the Kaukauna Mayor Declaring a Class III Snow Emergency Pursuant to 7.125 Traffic Regulations During Snow Emergencies.

Motion by Antoine, seconded by Kilgas to receive and place on file the Proclamation A Proclamation by the Kaukauna Mayor Declaring a Class III Snow Emergency Pursuant to 7.125 Traffic Regulations During Snow Emergencies.

All Ald. voted aye.

Motion carried.

Fox Firecracker 5k Banner Agreement.

This agreement governs the temporary display of 10-20 donated pole banners on municipally owned light poles in the Kaukauna area. Pole banners will be displayed in 2024, 2025 and 2026 for approximately 6 weeks, from roughly late May through 4th of July. After three years, the pole banners will be evaluated to measure condition and wear and tear. If conditions are still good, a separate agreement extending the display period may be offered to Fox Firecracker 5k.

Motion by Thiele, seconded by Eggleston to allow City staff to enter into an agreement with Fox Firecracker 5k for pole banners for the next three years.

Roll call vote - Motion carried.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of February 5, 2024.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Vice-Chair Coenen on Monday, February 5, 2024 at 6:00 P.M.

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

Absent & Excused: Thiele

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, HR Dir. Swaney, Street Sup. Van Gompel, Com. Erich. & Rec. Dir. Vosters and interested citizens.

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

All Ald. present voted aye.

Motion carried.

1. Correspondence – none.

2. Discussion Topics.

a. Recommendation for award of Project 4-24: Asphalt Paving.

The Engineering Department has compared the two received bids against the Engineer's Estimate. The bids themselves are within \$58,605.44 of each other which is a good indication that they are competitive. The lower bid (Northeast) is under the Engineer's Estimate by \$59,394.50 which is another indication that the received bids are reasonable and competitive. There is the Alternate A section of this project, which is the relay of storm sewer in the Downtown Second Street Alley. This work would be done in early Spring, so the storm sewer relay does not interfere with other utility work in the Alley.

Motion by Schell, seconded by DeCoster to award Project 4-24: Asphalt Paving Units A and B to Northeast Asphalt, Greenville, WI for a total bid price of \$318,455.85 and award Project 4-24 Asphalt Paving Alternate A to Northeast Asphalt Paving for a total bid price of \$129,845.35.

All Ald. present voted aye.

Motion carried.

b. Recommendation for award of Project 5-24: Kenneth Avenue Utility Relay.

The Engineering Department has compared the eight received bids against the Engineer's Estimate. The bids themselves are within \$28,822.00 from the three lowest bids, which is a good indication that they are competitive. The lowest bid (Feaker) is under the Engineer's Estimate by \$60,186.50 which is another indication that the received bids are reasonable and competitive. The bids for the Alternate Arthur Street are within \$22,316.14 from the three lowest bids, which is competitive. The lowest bid (Feaker) is under the Engineer's Estimate by \$33,059.95, which indicates the bids we received are reasonable and competitive. Kaukauna Utilities Board will review the bids and recommend the project on February 21st.

Motion by Moore, seconded by Kilgas to Award Project 5-24 Kenneth Avenue Utility Relay to Feaker & Sons, De Pere, WI including the base bid price of \$1,318,816.00 and Alternate Bid for Arthur Street for bid price of \$658,752.50, total contract award of \$1,945,634.36.

All Ald. present voted aye.

Motion carried.

c. Authorization to seek bids for Project 6-24: 1000 Islands Boardwalk.

The Engineering Department is completing plans to reconstruct a series of trails through the 1000 Islands Conservancy Area. This project will include removal of the old boardwalks, installation of steel footings, construction of new boardwalks with safety edges and railings in select locations, and appropriate restoration of the affected areas. This boardwalk reconstruction is planned to be completed over 2 phases. Phase 1 will be the main focus for this project, with phase 2 being bid as an alternate. If prices are good, both phases may be awarded on this project.

Motion by Moore, seconded by Eggleston to authorize the Engineering Department to seek bids for Project #6-24, 1000 Islands Boardwalk Reconstruction.

All Ald. present voted aye.

Motion carried.

d. Project Support and Authorization to submit applications for 2024 Grants – 1000 Islands Boardwalk.

The Greenway Fund is an Outagamie County program that offers grants to assist local units of government, within Outagamie County, develop greenway networks that are regional in nature. A greenway, defined here, is a trail or collection of open space, usually continuous and linear in fashion, found in urban and rural settings, serving various purposes. Greenway Fund grants are awarded annually, following a competitive application process. Funding requests are limited to 25% of the total project cost. Funds are provided to grant recipients on a reimbursement basis only. Local units of government in Outagamie County are encouraged to apply. In this funding cycle, up to \$30,000 will be available.

Motion by Eggleston, seconded by Kilgas for the Board of Public Works to support the 1000 Islands Boardwalk replacement project and to authorize the Director of Public Works/City

Engineer to apply for and administer 2024 Greenway Fund Grant and a Nelson Fund Grant on behalf of the City.

All Ald. present voted aye.

Motion carried.

e. Office Update for Code Enforcement Officer.

With Code Enforcement proposed to align under the Police Department, staff believe keeping the Code Enforcement office in the same department for communications, supervision, record keeping, and daily operations/collaborations is important. We have identified a storage area that could be converted to additional office space, and the location is ideal for communication and access to the department and to meet with any residents, complainants, or violators looking to have in-person conversations with Code Enforcement Officer. City staff has worked with several contractors to price out the project and would like to have the support of the Board to proceed. The anticipated project cost is \$4,400 plus any furnishings not already available. Funding will be discussed in a Finance and Personnel meeting later tonight. This project will also free up more office space in the MSB.

Motion by Antoine, seconded by Moore for the Board of Public Works to support the Code Enforcement Officer office project contingent upon budget amendment approval for Code Enforcement Budget Item Reallocation.

All Ald. present voted aye.

Motion carried.

f. 2024 Sidewalk Builders License to IEI General Contractors, Inc.

Motion by Moore, seconded by Eggleston to approve the 2024 Sidewalk Builders License to IEI General Contractors, Inc.

All Ald. present voted aye.

Motion carried.

g. Public Works Update.

DPW/Eng. Neumeier provided an update on current projects. The structure at Jonen Park is going up and will be ready for the roof soon. Trusses for the Pool building is being erected. A Public Information Meeting regarding the Utility Relay Project will be held on March 4 at 5:00 pm. The main pressurized hydraulic line on garbage truck 225 leaked on December 28. The hydraulic fluid spill was cleaned up with no downstream or ditch exposure. The truck unloaded 50 to 75 gallons of hydraulic fluid. Sewer crew started vacuuming at all 6 inlets to the sewer main. It cost \$575 to dispose of oil water. Oil booms were purchased and installed. No visible residue is being seen. Total clean-up costs were just under \$1,000. The Street Department is looking at purchasing a few oil spill kits to be present on each of the garage trucks. Discussion held and questions answered.

3. Closed Session.

a. 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, whenever competitive or bargaining reasons require a closed session – Municipal Pool Contract.

Motion by Moore, seconded by Antoine to adjourn to closed session.

All Ald. present voted aye.

Motion carried.

Meeting adjourned to closed session at 6:23 p.m.

b. Return to open session for possible action.

Motion by Moore, seconded by Eggleston to return to open session.

All Ald. present voted aye.

Motion carried.

Returned to open session at 6:37 p.m.

4. Adjourn.

Motion made by Moore, seconded by Schell to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:38 pm.

Sally Kenney

Clerk

Motion by Moore, seconded by Thiele to amend the previous motion under item 2b the Board of Public Works Meeting Minutes changing amounts with the corrected alternate bid number \$626,818.36 in place of \$658,752.50.

Roll call vote - Motion carried.

Motion by Thiele, seconded by Eggleston to adopt the Board of Public Works Meeting Minutes of February 5, 2024 as amended.

All Ald. voted aye.

Motion carried.

Finance and Personnel Committee Meeting Minutes of February 5, 2024.

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, February 5, 2024 at 6:39 p.m.

Members present: Mayor Penterman, Antoine, Coenen, Eggleston, Moore.

Absent & Excused: Thiele.

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 and interested citizens.

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

All members present voted aye.

Motion carried.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. Summer Hours 2023 Pilot Program Report.

The program did not seem to have a significant impact on our ability to serve residents. With an increase in online services and a scheduled website update in 2024 to further enhance our website, we can continue to offer residents easy access to usual questions and services.

Employee morale was boosted by the program. Staff was very appreciative of the opportunity

to have more work/life balance during the summer months.

Motion by Moore, seconded by Coenen to implement summer hours as a regular program annually from Memorial Day – Labor Day, aligned by pay periods. The program will be continually monitored to ensure that city staff are able to continue meeting the needs of residents and the community.

All members present voted aye.

Motion carried.

b. Code Enforcement Classification.

Staff have completed a review of the Code Enforcement Officer (CEO) position and classification. This included a review of work products and progress the position made from its inception in June of 2022 to its vacancy in December of 2023, current outstanding caseload, potential caseload, review of current Code Enforcement processes and procedures, and review of other municipalities' Code Enforcement programs. In completing this review, staff determined that a part-time position with a well-qualified candidate would better meet current needs. Staff also believe a realignment of the position is warranted moving its supervision from Planning to the Police Department. We are confident that with a skilled CEO under the Police Department's supervision, 20 hours per week will be sufficient to begin to implement a successful Code Enforcement program. The Police Department will provide better access to resources, databases, and collaboration with law enforcement officers which will further help the success of the position. The Police Department's approach of education, respect, fairness, and integrity will also help support the success of the program.

Motion by Moore, seconded by Coenen to re-classify the full-time Code Enforcement Officer position to a part-time Code Enforcement Officer position at 20 hours per week and re-classify the Code Enforcement Officer position from exempt to non-exempt in pay grade 11. Grant staff permission to fill a part-time Code Enforcement Officer due to the position being currently vacant.

All members present voted aye.

Motion carried.

c. Budget Amendment for Code Enforcement Officer moving to Police Department and Record Clerk Hour changes.

To align the budget effects of the code enforcement classification change, we will need a reallocation of budgeted funds from the Planning Department to the Police Department. This will align the expenses that will be charged with the position change. This reallocation will include the salary and benefits that were originally budgeted. This reclassification will also free up budgeted funds that will go toward the cost to convert the storage space into office space for this position. There is resolution to formalize this on the February 6, 2024, Council agenda.

The second budget adjustment in the Police Department pertains to the Records Clerk position. The four positions within this area have budgeted scheduled hours ranging from 20 hours to 29 hours. With the recent retirements the department is looking to make all positions within this area budgeted 25 hours. This will help with scheduling, crossing training and some of the processes within the department. There will be little to no fiscal impact on the 2024 Budget. With the recent changes, retirement, and vacant positions, it will allow this change to stay within budget.

Motion by Moore, seconded by Coenen to approve the reallocation of funds from Planning/Community Development to the Police department to match budget with actual

expenses.

All members present voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to approve the adjusted hours for the four Records Assistant positions within the police department, making them all consistently budgeted at 25 hours.

All members present voted aye.

Motion carried.

d. Financial Request Submission - Electric City Experience 2024.

This is the first request since implementing our process. The request is for an existing event that has happened for many years and appears to be successful without any issues with the crowd. The event organizer has shared that the event will be like years past and has indicated the request is to help pay for expenses for the event to survive.

Motion by Antoine, seconded by Moore to approve funding request for Electric City Experience 2024 contingent upon event organizer providing more information on the event description than what he has provided as well as it being approved by the Special Events Committee.

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 Coenen to adjourn to closed session.

All members present voted aye.

Motion carried.

Adjourned to closed session at 7:04 pm.

f. Return to Open Session for possible action.

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

All members voted aye.

Motion carried.

Returned to Open Session at 7:13 pm.

Motion by Eggleston, seconded by Coenen to reimburse Charlie Vosters \$577.77 to make him whole on his retirement contributions.

All members present voted aye.

Motion carried.

3. Adjourn.

Motion by Antoine, seconded Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:14 p.m.

Sally Kenney, Clerk

Motion by Antoine, seconded by Coenen to adopt the Finance and Personnel Committee Meeting Minutes of February 5, 2024.
All Ald. voted aye.
Motion carried.

1000 Islands Environmental Center Committee Meeting Minutes of November 16, 2023.

Motion by Eggleston, seconded by Moore to receive and place on file the 1000 Islands Environmental Center Committee Meeting Minutes of November 16, 2023.
All Ald. voted aye.
Motion carried.

Grignon Mansion Board Meeting Minutes of November 27, 2023.

Motion by Thiele, seconded by Kilgas to receive and place on file the Grignon Mansion Board Meeting Minutes of November 27, 2023.
All Ald. 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:

Micke	Brad	A.	2032 Meadowview St.	Kaukauna
Schultz	Abbey	I.	2217 Joan Ct.	Kaukauna
Van Ark	Kyra	M.M.	2200 Green Bay Rd. #406	Kaukauna

Motion by Kilgas, seconded by Schell to approve the operator/bartender licenses.
All Ald. voted aye.
Motion carried.

REPORTS OF CITY OFFICERS

None.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2024-5417 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties along East 2nd Street, West 2nd Street, East 3rd Street, West 3rd Street, Reaume Avenue, Main Avenue, Crooks Avenue.

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of Resolution 2024-5417.

All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2024-5417.

All Ald. voted aye.
Motion carried.

Resolution 2024-5418 Resolution Changing Meeting Schedule of the City of Kaukauna Common Council.

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Resolution 2024-5418.

All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2024-5418.

All Ald. voted aye.
Motion carried.

Resolution 2024-5419 Resolution Authorizing Various Budgetary Adjustments.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5419.

All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Schell to adopt Resolution 2024-5419.

All Ald. voted aye.
Motion carried.

CLOSED SESSION

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, whenever competitive or bargaining reasons require a closed session. - (N.E.W. Prosperity Center - 2023-PL-09).

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. voted aye.
Motion carried.

Adjourned to close session at 7:40 p.m.

Return to open session for possible action.

Motion by Antoine, seconded by Schell to return to open session.

All Ald. voted aye.
Motion carried.

Returned to Open Session at 7:43 pm

Motion by Antoine, seconded by Schell to approve the Amendment to the Offer to Purchase between the City of Kaukauna and Klink Properties LLC.

All Ald. 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, whenever competitive or bargaining reasons require a closed session. (Tax ID Parcel No. 23056 – Van Treeck).

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. voted aye.
Motion carried.

Adjourned to closed session at 7:44 pm.

Return to open session for possible action.

Motion by Moore, seconded by DeCoster to return to open session.

All Ald. voted aye.
Motion carried.

Returned to Open Session at 7:51 pm

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, whenever competitive or bargaining reasons require a closed session - WPPI Agreement with Kaukauna Utilities.

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 7:51 pm.

Return to open session for possible action.

Motion by Antoine, seconded by Eggleston to return to open session.

All Ald. voted aye.

Motion carried.

Returned to Open Session at 7:53 pm.

Adjourn to Closed Session Pursuant to 19.85(1)(e) for 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 – Dreamville Kaukauna.

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 7:55 pm.

Return to open session for possible action.

Motion by Schell, seconded by Thiele to return to open session.

All Ald. voted aye.

Motion carried.

Returned to Open Session at 8:19 pm

ADJOURN

Motion by Moore, seconded by DeCoster to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:19 p.m.

Sally Kenney, Clerk