



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – FEBRUARY 20, 2024

Pursuant to adjournment on February 6, 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 20, 2024.

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, Marketing and Com. Mgr. Fencil, Library Dir. Thiem-Menning, Assoc. Planner Paul, 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 Eggleston to suspend the rules and waive the reading of the minutes of the Common Council meeting of February 6, 2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt the Common Council meeting minutes of February 6, 2024.

All Ald. 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. voted aye.

Motion carried.

#### **PUBLIC APPEARANCES**

Murray Matzner, 817 Spring Street, Kaukauna spoke about the trees in his neighborhood that will be removed. He does not want to see the City take these trees down.

Margaret Siebers, 408 E. 8<sup>th</sup> Street, Kaukauna spoke about the trees in her neighborhood being removed. She read the negative comments on the City Facebook page regarding removal of the trees.

#### **BUSINESS PRESENTED BY THE MAYOR**

**Congratulations to Sue Meyer on 25 years of service at the Kaukauna Public Library.**

Mayor Penterman thanked Sue Meyer for her service for the past 25 years with the Kaukauna Public Library.

#### **Reappointment of Dave Pahl to the Board of Review.**

Motion by Moore, seconded by Kilgas to reappoint Dave Pahl to the Board of Review.

All Ald. voted aye.  
Motion carried.

**Reappointment of Sharon Nisler to the Board of Appeals.**

Motion by Eggleston, seconded by Antoine to reappoint Sharon Nisler to the Board of Appeals.  
All Ald. voted aye.  
Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Board of Public Works Meeting Minutes of February 19, 2024.**

**BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, February 19, 2024 at 6:00 P.M.

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

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, HR Dir. Swaney, Street Sup. Van Gompel, Fire Chief Carrel, Police Chief Graff, Marketing and Com. Mgr. Fencil and interested citizens.

1. **Correspondence** – none.

2. **Discussion Topics.**

**a. Authorization to seek bids for Project #1-24, 2024 Concrete Street Paving.**

The Engineering Department is finalizing design for installation of concrete streets on E. Eighth, E. Ninth, E. Tenth, Metoxen, Quinney and Spring. The street reconstruction work will include removal of existing pavements and any existing base, installation or replacement of storm sewer and storm laterals, installation of sidewalks, and restoration. A preliminary resolution declaring intent to exercise special assessments is on the agenda for tomorrow's Common Council meeting. Discussion held and questions answered.

Motion by Moore, seconded by Coenen to authorize the Engineering Department to seek bids for Project #1-24, 2024 Concrete Street Paving.

All Ald. voted aye.  
Motion carried.

**b. Authorization to seek bids for Project #8-24; 2024 Sidewalk Replacement Program.**

The City proposes a sidewalk replacement project every other year and is scheduled for 2024. All areas of the City are covered under the program on a rotating basis. Additional sidewalks outside of the project area may also be replaced due to various issues causing unsafe conditions. Homeowners are given notice of the defective sidewalk abutting their property and are given an opportunity to complete the work themselves or by a private hired contractor. The City hired contractor will replace the sidewalk if the homeowner fails to do so and the cost is assessed back to the abutting property owner.

Motion by Kilgas, seconded by Antoine to authorize the Engineering Department to seek bids for Project 8-24: 2024 Sidewalk Replacement Program.

All Ald. voted aye.  
Motion carried.

**c. Recommendation for award Athletic Field Groomer.**

The Street Department received one bid from Horst Distributing Inc. Other suppliers did not bid because of the long lead times before receiving equipment, and prices were subject to change. The Smithco Sandstar III from Horst Distributing Inc. is a machine that the City is familiar with as Kaukauna Youth Baseball's machine has been used in the past with great response from operators. This machine did come in \$997.00 over budget but there is room for adjustment with other pieces of equipment within the 2024 capital equipment fund.

Motion by Moore, seconded by Schell to authorize the Street Superintendent to accept the proposal from Horst Distributing Inc. for the Smithco Sandstar III 3WD with power steering for a total package price of \$26,997.00.

All Ald. voted aye.

Motion carried.

**d. HOVMSD Interceptor Project and Financing Update.**

DPW/Eng. Neumeier stated a preconstruction meeting is scheduled for the end of March, which will give a better timeline of the project. The Public Service Commission hearing regarding financing is on Wednesday starting at 10:00 AM. The Mayor and DPW/Eng. Neumeier will be heading down to our attorney's office in Madison to attend the meeting virtually from there. Testimony from both sides will be heard.

Alder Eggleston asked where this meeting could be watched. DPW/Eng. Neumeier will send a link for the meeting to anyone interested.

**3. Adjourn.**

Motion made by Moore, seconded by Eggleston to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:13 pm.

Sally Kenney  
Clerk

Motion by Thiele, seconded by Schell to adopt the Board of Public Works Meeting Minutes of February 19, 2024.

All Ald. voted aye.

Motion carried.

**Finance and Personnel Committee Meeting Minutes of February 19, 2024.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, February 19, 2024 at 6:14 p.m.

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

Also present: Ald. Schell, Ald. Kilgas, Ald. DeCoster, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Police Chief Graff, HR Dir. Swaney, Fin. Dir. Van Rossum, Street Sup. Van Gompel, Marketing and Com. Mgr. Fencl, and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. **Permission to fill HR Payroll Coordinator position due to resignation.**

The HR/Payroll Generalist has resigned from her position effective 2/12/2024. In reviewing the job description and core duties of this position, the position has been re-titled from HR/Payroll Generalist to HR/Payroll Coordinator. There is no recommended change to current salary grade.

Motion by Antoine, seconded by Moore to authorize staff to fill the HR/Payroll Coordinator position due to resignation.

All members voted aye.

Motion carried.

b. **Review and update of City Purchasing Policy.**

Finance Director Van Rossum stated that it has been two years since the last review and update of the purchasing policy. The accounts payable process has evolved with a new accounting system and automating of the invoice data. The main reason for the review and update is due to the ARPA Funding that we have to follow for our own internal policies. Staff would like to update a few sections, formalize it, and follow it to a tee so when we have our single audit on the ARPA Funding, we do not get scolded. Discussion was held and questions answered.

Motion by Moore, seconded by Thiele to Adopt updated City Purchasing Policy making it effective February 2024 subject to City Attorney and Finance Director reviewing the suggested changes.

All members voted aye.

Motion carried.

c. **Application of Unassigned 2023 Fund Balance.**

Finance Director Van Rossum stated that there is an unexpected fund balance due to an increase in interest rates. Several strategic options for these funds were explained. If we have unbudgeted funds come in it ends up falling in the unassigned funds. The options are to leave the funds, assign the funds to a Capital Project, or increase fund balance for projected possible down falls.

Discussion was held on where to move money that gives the city the most flexible options for allocation of these funds.

Motion by Moore, seconded by Coenen to apply the unassigned 2023 fund balance surplus to a Capital Project using target 30% fund balance from the 2023 statements and apply the surplus of \$624,000 over that level to the park's projects.

All members voted aye.

Motion carried.

d. **Website Redesign Financial Request.**

During the 2024-2026 creation of the Strategic Plan, under the objective of enhancing the City of Kaukauna's external communication, it was determined that a website redesign would be necessary to create a more clear and navigable experience for all users. Website redesigns are very extensive and require extensive knowledge of code, search engine optimization, user

experience, and design. It is more than one person can complete on their own, so late last summer, the City had received several quotes for a website redesign project, as is required per city purchasing policy. The quotes and time limits were provided. The deadline per the Strategic Plan is December 2024. After reviewing the quotes, Digisage and Powderkeg were considered. Questions from the committee were answered.

Motion by Antoine, seconded by Eggleston to grant permission to the Marketing and Communications Manager to enter into an agreement with Powderkeg for \$18,840 to redevelop the City Website.

All members voted aye.

Motion carried.

### 3. **Adjourn.**

Motion by Moore, seconded Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:52 p.m.

Sally Kenney, Clerk

Motion by Antoine, seconded by Moore to adopt the Finance and Personnel Committee Meeting Minutes of February 19, 2024.

All Ald. voted aye.

Motion carried.

### **Health and Recreation Committee Meeting Minutes of February 19, 2024.**

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

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, February 19, 2024 at 6:53 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman, Ald. Eggleston, Ald. Moore, Ald. Thiele, Ald. Antoine, Attorney Davidson, DPW/Eng. Neumeier, Police Chief Graff, Fire Chief Carrel, HR Dir. Swaney, Fin. Dir. Van Rossum, Street Superintendent Van Gompel, Marketing and Com. Mgr. Fencl, and interested citizens.

1. **Correspondence** – None.

2. **Discussion Topics.**

a. **Amplified Music Request to Isabel Kutzmer on June 1, 2024 in the Community Room.**

Motion by Coenen, seconded by DeCoster to grant amplified music request to Isabel Kutzmer on June 1, 2024 in the Community Room.

All members voted aye.

Motion carried.

b. **Temporary Class B License to Holy Cross Parish/St. Ignatius Catholic School, 220 Doty Street, gym, lobby, & cafeteria, on March 22, 23, 24, 2024 and April 5,6,7, 2024 for "Holy Cross Men's Open"**

Motion by Schell, seconded by Coenen to approve the Temporary Class B License to Holy Cross Parish/St. Ignatius Catholic School, 220 Doty Street, gym, lobby, & cafeteria, on March 22, 23, 24, 2024 and April 5,6,7, 2024 for "Holy Cross Men's Open".

All members voted aye.

Motion carried.

**c. Combination Class B License to MG's B&G, LLC, Ginger Denton Agent, 219 E. 14th Street, Kaukauna.**

Motion by DeCoster, seconded by Schell to approve the Combination Class B License to MG's B&G, LLC, Ginger Denton Agent, 219 E. 14th Street, Kaukauna.

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 was adjourned at 6:56 P.M.

Sally Kenney, Clerk

Motion by Kilgas, seconded by Schell to adopt the Health and Recreation Committee Meeting Minutes of February 19, 2024.

All Ald. voted aye.

Motion carried.

### **Public Protection and Safety Committee Meeting Minutes of February 19, 2024.**

#### **PUBLIC PROTECTION AND SAFETY COMMITTEE**

A meeting of the Public Protection and Safety Committee was called to order by Chair DeCoster on Monday, February 19, 2024 at 6:56 P.M.

Members present: Antoine, DeCoster, Kilgas, Thiele.

Also present: Mayor Penterman, Ald. Coenen, Ald. Eggleston, Ald. Moore, Ald. Schell, DPW/Eng. Neumeier, Attorney Davidson, Fire Chief Carrel, Police Chief Graff, Finance Director Van Rossum, HR Dir. Swaney, Marketing and Com. Mgr. Fencl, Street Superintendent Van Gompel and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

- 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 – Holland Township – Ambulance Coverage.**

Motion by Thiele, seconded by Kilgas to adjourn to closed session.

All members voted aye.

Motion carried.

Adjourned to closed session at 6:57 p.m.

**b. Return to open session for possible action.**

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

All members voted aye.

Motion carried.

Returned to open session at 7:04 p.m.

Motion by Kilgas, seconded by Antoine to forward the Holland Township Ambulance Coverage agreement to the Common Council for full approval.

All members voted aye.

Motion carried.

### **3. Adjourn**

Motion by Antoine, seconded by Kilgas to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:05 p.m.

Sally Kenney, Clerk

Motion by DeCoster, seconded by Eggleston to adopt the Public Protection and Safety Committee Meeting Minutes of February 19, 2024 with an amendment to item 2b changing the motion by Eggleston to Antoine.

All Ald. voted aye.

Motion carried.

#### **Plan Commission Meeting Minutes of January 4, 2024.**

Motion by Moore, seconded by DeCoster to receive and place on file the Plan Commission Meeting Minutes of January 4, 2024.

All Ald. voted aye.

Motion carried.

#### **Redevelopment Authority of the City of Kaukauna Meeting Minutes of November 29, 2023.**

Motion by Moore, seconded by Antoine to receive and place on file the Redevelopment Authority of the City of Kaukauna Meeting Minutes of November 29, 2023.

All Ald. voted aye.

Motion carried.

#### **Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of January 10, 2024.**

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of January 10, 2024.

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:



Godin	Pamela	J.	3404 E. Canary St. Apt. 9	Appleton
Joset	Gitana	M.	2300 Woodrow Ct. Apt. 6	Appleton
Shiffert	Jacob	J.	1906 Green Bay Rd.	Kaukauna

Motion by Kilgas, seconded by Coenen to approve the Operator (Bartender) Licenses.  
All Ald. voted aye.  
Motion carried.

## REPORTS OF CITY OFFICERS

### Fire Report

Motion by Moore, seconded by Schell to receive and place on file the January 2024 Fire Report.  
All Ald. voted aye.  
Motion carried.

### Ambulance Report

Motion by Moore, seconded by Eggleston to receive and place on file the January 2024 Ambulance Report.  
All Ald. voted aye.  
Motion carried.

### Police Report

Motion by Moore, seconded by Eggleston to receive and place on file the January 2024 Police Report.  
All Ald. voted aye.  
Motion carried.

### Municipal Court Report

Motion by Moore, seconded by Antoine to receive and place on file the January 2024 Municipal Court Report.  
All Ald. voted aye.  
Motion carried.

### Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Kilgas to receive and place on file the January 2024 Clerk-Treasurer's Deposit Report.  
All Ald. voted aye.  
Motion carried.

### Building Inspection Report.

Motion by Moore, seconded by Coenen to receive and place on file the January 2024 Building Inspection Report.  
All Ald. voted aye.  
Motion carried.

### Dual Response Agreement between Aegis Group, Inc. d/b/a County Rescue Services and Kaukauna Fire Department.

Motion by Moore, seconded by Kilgas to authorize the Fire Chief to enter into an agreement between Aegis Group, Inc. d/b/a County Rescue Services and Kaukauna Fire Department.  
All Ald. voted aye.  
Motion carried.



### **Development Update.**

Associate Planner Pahl gave an update on the developments taking place in the City. Developments taking place in Commerce Crossing include the GrandStay Hotel, U-Haul, Legacy Creekside Apartments, The Reserve, and Berkers Family Dentistry. Projects taking place in NEW Prosperity Center are TANN Corp., Straightline Refrigeration Manufacturing, and Klink Equipment.

The City hopes to secure development on multiple parcels that were recently annexed into the city, which is adjacent to Commerce Crossing. The 34+ acre parcel directly to the west of Commerce Crossing could see a light industrial development. The 7+ acre parcel adjacent to the west of Legacy Creekside Apartments could see more residential development. And the 14+ and 13+ acre parcel directly north of commerce crossing could also see residential development. All the land mentioned is owned privately.

The Redevelopment Authority of Kaukauna (RACK) approved an application for Renew Kaukauna - Façade Improvement Program for 103 & 107 East 2nd Street in the amount of \$12,500 to be paid directly to the contractor upon completion of the following work: Remove all loose paint and stucco. Patch areas needed with new stucco. Paint the stucco and brick on the front and side of the building a matte black. RACK approved an application for Renew Kaukauna - Interior Renovation Program Application for 103 & 107 East 2nd Street in the amount of \$942.69 to be paid directly to the contractor upon completion of the following work: Remove existing flooring and tread on the steps and hallway. Finish with carpet. RACK approved an application for Renew Kaukauna - Façade Improvement Program for 140 E 2nd Street in the amount of \$4,079.14, to be paid directly to the contractor(s) upon completion of the following work: window installation, stonework on front and back façade of the first level of the building. RACK approved an application for Renew Kaukauna - Façade Improvement Program for 140 E 2nd Street in the amount of \$8,250, to be paid directly to the contractor(s) upon completion of the following work: vinyl siding installation on the whole building. There is one application for the program to be reviewed in March.

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

#### **Resolution 2024-5420 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements on E. Eighth Street, E. Ninth Street, E. Tenth Street, Metoxen Avenue, Quinney Avenue, and Spring Street.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Resolution 2024-5420.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt Resolution 2024-5420.

All Ald. voted aye.

Motion carried.

#### **Resolution 2024-5421 Resolution Approving a Road Dedication Certified Survey Map for Parcel 32056.**

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of Resolution 2024-5421.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2024-5421.

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 – Dreamville.**

Motion by Moore, seconded by DeCoster to 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 – Dreamville.

All Ald. voted aye.  
Motion carried.

Adjourned to closed session at 7:36 p.m.

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

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

All Ald. voted aye.  
Motion carried.

Returned to open session at 7:38 p.m.

**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 – 2024-PL-01.**

Motion by Moore, seconded by Eggleston to 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 – 2024-PL-01.

All Ald. voted aye.  
Motion carried.

Adjourned to closed session at 7:39 p.m.

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

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

All Ald. voted aye.  
Motion carried.

Returned to open session at 7:49 p.m.

Motion by Moore, seconded by Coenen to enter into the intergovernmental agreement with the Village of Harrison.

All Ald. voted aye.  
Motion carried.

**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 Kilgas 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 7:50 p.m.

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

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

All Ald. voted aye.

Motion carried.

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

**ADJOURN**

Motion by Moore seconded by Coenen to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:30 p.m.

Sally Kenney, Clerk

