



# COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – FEBRUARY 4, 2025

Pursuant to adjournment on January 21, 2025, 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 4, 2025.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Dir. of Planning and Com. Dev. Kittel, Fin. Dir. VanRossum, Lib. Dir. Thiem-Menning, Paralegal Reif, Assistant Chief Sanderfoot, Mark. and Com. Man. FencI, HR Director Hodge, Point of Beginning Lundberg, Kaukauna Area School District Slowinski and McDaniel, 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 21, 2025.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt the Common Council meeting minutes of January 21, 2025.

All Ald. voted aye.

Motion carried.

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

### Bills Payable

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

All Ald. voted aye.

Motion carried.

## PUBLIC APPEARANCES

### BUSINESS PRESENTED BY THE MAYOR

**Public Hearing to repeal and replace 17.32 to add storage container regulations.**

### Appointment of Brett Jensen as Building Inspector.

Motion by Moore, seconded by Eggleston to appoint Brett Jensen as Building Inspector.

All Ald. voted aye.

Motion carried.

### Appointment of Kayla Nessmann as City Clerk.

Motion by Thiele, seconded by DeCoster to appoint Kayla Nessmann as City Clerk.

All Ald. voted aye.

Motion carried.

**Appointment of Dave Kittel as Director of Planning & Community Development.**

Motion by Antoine, seconded by Kilgas to appoint Dave Kittel as Director of Planning & Community Development.

All Ald. voted aye.

Motion carried.

**Appointment of Terri Vosters as Community Enrichment & Recreation Director.**

Motion by Moore, seconded by Schell to appoint Terri Vosters as Community Enrichment & Recreation Director.

All Ald. voted aye.

Motion carried.

**Appointment of Jake Van Gompel as Street Superintendent.**

Motion by Eggleston, seconded by DeCoster to appoint Jake Van Gompel as Street Superintendent.

All Ald. voted aye.

Motion carried.

**Appointment of Will Van Rossum as Treasurer.**

Motion by Moore, seconded by Antoine to appoint Will Van Rossum as Treasurer.

All Ald. voted aye.

Motion carried.

**2026 Budget Process and Approval Schedule.**

Motion by Antoine, seconded by Kilgas to receive and place on file the 2026 budget preparation and approval schedule.

All Ald. Voted aye.

Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Board of Public Works Meeting Minutes of February 3, 2025**

**BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, February 3, 2025 at 6:00 P.M.

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

Absent & Excused: DeCoster.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Lib. Dir. Thiem-Menning (Zoom), and interested citizens.

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

All Ald. Present voted aye.

Motion carried.

**1. Correspondence – none.**

## **2. Discussion Topics.**

### **a. Elect Vice-Chair.**

Motion by Antoine that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Kilgas as Vice-Chair of the Board of Public Works.

Roll call vote: Antoine- aye, Eggleston- aye, Kilgas- aye, Moore- aye, Schell-aye, Schumacher-aye, and Thiele-aye.

Motion carried. 7-0.

### **b. Recommendation for award of Project 1-25, Concrete Street Paving.**

The Engineering Department has reviewed the bids from three contractors, received on January 29, 2025, at 4:00 PM for the 1-25 Concrete Street Paving Project. The Engineering Department also created an engineer's estimate prior to bid opening.

Motion by Antoine, seconded by Kilgas to award Project 1-25 Concrete Street Paving to Vinton Construction for a total bid price of \$2,799,836.49.

All Ald. Present voted aye.

Motion carried.

### **c. Recommendation for award of Project 4-25, Asphalt Paving.**

The Engineering Department has reviewed the bids from two contractors, received on January 29, 2025, at 4:00 PM for the 4-25 Asphalt Paving Project. The Engineering Department also created an engineer's estimate prior to bid opening.

Motion by Moore, seconded by Eggleston to award Project 4-25 Asphalt Paving to MCC, Inc. for a total bid price of \$283,184.50.

All Ald. Present voted aye.

Motion carried.

### **d. Authorization to seek bids for Project 3-25, Alley Paving Project.**

The Engineering Department has completed survey and is finalizing design for the asphalt paving for West Ninth/Tenth Street Alley – Eden Avenue to Main Avenue and East Ninth/Tenth Street Alley –Main Avenue to Crooks Avenue. The Alley needs reconstruction. The project will include excavation, storm sewer replacement, stone replacement and asphalt paving. Discussion held and questions answered.

Motion by Eggleston, seconded by Schell to authorize the Engineering Department to see bids for Project 3-25 Alley Paving.

All Ald. Present voted aye.

Motion carried.

### **e. Authorization to seek bids for Project 6-25, Kaukauna Public Library Office Renovations.**

The library will be adding a new sorting machine as an innovative solution to help relieve some issues caused by staff shortages. To accommodate the installation of the sorting machine, several office/desk spaces will need to be relocated. In addition, the current office/desk space is less than what is needed when the library is fully staffed. Discussion held and questions answered.

Motion by Antoine, seconded by Kilgas to authorize Director of Public Works to seek bids for Project 6-25, Kaukauna Public Library Office Renovations.

Roll call vote: Antoine- aye, Eggleston- aye, Kilgas- aye, Moore- nay, Schell-aye, Schumacher-aye, and Thiele-aye.

Motion carried. 6-1 (Moore).

**f. Authorization to seek proposals for Project 7-25 Kaukauna Public Library Automated Material Handling System.**

The library will be adding a new sorting machine as an innovative solution to help relieve some issues caused by staff shortages. In addition to the sorting machine, we are proposing to upgrade the entire automated system, including three self-checks, two sets of security gates, and replacement radio frequency identification (RFID) pads for all the service desks to be able to utilize the same technologies. Discussion held and questions answered.

Motion by Kilgas, seconded by Schell to authorize Director of Public Works to seek proposals for Project 7-25 Kaukauna Public Library Automated Material Handling System.

All Ald. Present voted aye.

Motion carried.

**g. Authorization to seek bids for Project 8-25, 2025 Cured-In-Place Pipe Rehabilitation Project.**

The Engineering Department is completing plans for a city wide Sanitary and Storm Sewer trenchless rehabilitation project. This project will include cleaning of sewer lines, installation of cure-in-place pipe liner, reinstatement of private sewer services, post televising, rehabilitation of old manholes, and documentation of all repairs. Discussion held and questions answered.

Motion by Moore, seconded by Antoine to authorize the Engineering Department to seek bids for Project #8-25, Cured-In-Place-Pipe (CIPP) Rehabilitation Project.

All Ald. Present voted aye.

Motion carried.

**h. Public works Updates.**

The second phase of the boardwalk project at 1000 Islands is underway and should be done by March. The Company Woods Pond grant reimbursement from DNR was received for just over \$85,000. A State Municipal Financial Agreement for I-41 projects will be on the next Board agenda. The street department has been hard at work with Ash tree removal and re-forestation throughout various Kaukauna parks. 293 Ash trees were removed in 2024 and 39 have been removed so far in 2025. Over 50 trees were planted last year and more re-forestation efforts can ramp up now that most of the Ash trees are removed.

**3. Adjourn.**

Motion made by Schell, seconded by Kilgas to adjourn.

All Ald. Present voted aye.

Motion carried.

Meeting adjourned at 6:31 pm.

Kayla Nessmann  
Clerk

Motion by Thiel, seconded by Moore to adopt the Board of Public Works Meeting Minutes of February 3, 2025.

All Ald. Voted aye.

Motion carried.

### **Health & Recreation Committee Meeting Minutes of February 3, 2025**

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

A meeting of the Health and Recreation Committee was called to order by Chair Schell on Monday, February 3, 2025 at 6:33 P.M.

Members present: Eggleston, Schell, and Thiele.

Absent & Excused: DeCoster.

Also present: Mayor Penterman, Ald. Moore, Alder Antoine, Ald. Kilgas, Ald. Schumacher, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Lib. Dir. Thiem-Menning (Zoom), and interested citizens.

Motion by Thiele, seconded by Eggleston to excuse the absent member.

All Ald. Present voted aye.

Motion carried.

#### **1. Correspondence – none.**

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

- a. **Temporary Class B License to St. Katharine Drexel Parish, 112 W 8th Street, on March 2, 2025, for Breakfast Bingo.**

Motion by Eggleston, seconded by Thiele to approve the Temporary Class B License to St. Katharine Drexel Parish, 112 W 8th Street, on March 2, 2025, for Breakfast Bingo.

All members Voted aye.

Motion carried.

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

Motion by Thiele, seconded by Eggleston to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:35 pm.

Kayla Nessmann, Clerk

Motion by Schell, seconded by Eggleston to adopt the Health & Recreation Committee Meeting Minutes of February 3, 2025.

All Ald. Voted aye.

Motion carried.

**Legislative Committee Meeting Minutes of February 3, 2025**  
**LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Antoine on Monday, February 3, 2025 at 6:36 P.M.

Members present: Antoine, Thiele, and Schumacher.

Absent & Excused: DeCoster.

Also present: Ald. Schell, Ald. Kilgas, Ald. Eggleston, Ald. Moore, Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Lib. Dir. Thiem-Menning (Zoom), and interested citizens.

Motion by Antoine, seconded by Thiele to excuse the absent member.  
All members Present voted aye.  
Motion carried.

**1. Correspondence**

**2. Discussion Topics.**

**a. Resolution 2025-5459 Resolution of the Common Council Adopting the Outagamie County Hazard Mitigation Plan 2024-2029.**

Motion by Thiele, seconded by Schumacher to recommend approval to the Common Council resolution 2025-5459, Outagamie County Hazard Mitigation Plan 2024-2029.  
All members present voted aye.  
Motion carried.

**b. Resolution 2025-5460- Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties Along East 9th Street, West 9th Street, East 10th Street, West 10th Street, Eden Avenue, Kenneth Avenue, Sullivan Avenue, Hendricks Avenue, Main Avenue, and Crooks Avenue.**

Motion by Thiele, seconded by Schumacher to recommend approval to the Common Council resolution 2025-5460- Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties Along East 9th Street, West 9th Street, East 10th Street, West 10th Street, Eden Avenue, Kenneth Avenue, Sullivan Avenue, Hendricks Avenue, Main Avenue, and Crooks Avenue  
All members present voted aye.  
Motion carried.

**c. Ordinance 1917-2025 Ordinance Repealing and Replacing Section 17.32.**

Motion by Thiele, seconded by Schumacher to approve the updated ordinance to repeal and replace 17.32 with this additional language and recommend the same to Common Council.  
All members present voted aye.  
Motion carried.

**d. Ordinance 1918-2025 Ordinance to Annex 144.576 Acres of Land from the Town of Buchanan to the City of Kaukauna.**

Motion by Antoine, seconded by Schumacher to approve the Ordinance for Annexation for Kaukauna Area School District parcels 030064701, 030066900, 030064200, 030064600 & 030064700, subject to verification of the legal description, and recommend the same to Common Council.

2 aye, 1 nay (Thiele).

Motion carried.

**e. Ordinance 1919-2025 Ordinance Creating Section 12.16.**

Motion by Thiele, seconded by Schumacher to approve the updated ordinance for 12.16 and recommend the same to Common Council.

All members present voted aye.

Motion carried.

**f. Ordinance 1920-2025 Ordinance Creating Section 12.17.**

Motion by Thiele, seconded by Schumacher to approve the updated ordinance for 12.17 and recommend the same to Common Council.

All members present voted aye.

Motion carried.

**g. Ordinance 1921-2025 Ordinance Repealing Section 11.12.**

Motion by Thiele, seconded by Schumacher to approve the updated ordinance for 11.12 and recommend the same to Common Council.

All members present voted aye.

Motion carried.

**h. Ordinance 1922-2025 Ordinance Amending Section 9.15.**

Motion by Thiele, seconded by Schumacher to approve the updated ordinance for 9.15 and recommend the same to Common Council.

All members present voted aye.

Motion carried.

**3. Adjourn.**

Motion by Schumacher, seconded by Thiele to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:04 p.m.

Kayla Nessmann, Clerk

Motion by Antoine, seconded by Thiele to adopt the Legislative Committee Meeting Minutes of February 3, 2025.

All Ald. Voted aye.

Motion carried.

**Board of Appeals Meeting Minutes of January 22, 2025.**

Item was pulled.

**Board of Appeals Meeting Minutes of December 18, 2024.**

Item was pulled.

**Library Board Meeting Minutes of November 26, 2024.**

Motion by Kilgas, seconded by Eggleston to receive and place on file the Library Board Meeting Minutes of November 26, 2024.

All Ald. Voted aye.

Motion carried.

**Operator (Bartender) Licenses.**

The following applicants have applied for an operator's license for the license year 2024-2026 and have been recommended for approval based on their record check by the police department:

Victoria	Fischer	L.	1101 Holly Ct	Kaukauna
Roscoe	Kincheloe	L.	901 9 <sup>th</sup> St	Menasha
Blaine	Mc Laurin	W.	204 Clairmont Ct Apt #2	Neenah
Peter	Verbruggen	J.	415 Buchanan Rd	Kaukauna
Brittany	Wiegand	N.	W2584 Ridgefield Ct	Appleton

Motion by Schell, seconded by Antoine to approve the operator/bartender licenses as listed.

All Ald. Voted aye.

Motion carried.

**REPORTS OF CITY OFFICERS****Storage Container Ordinance.**

The Plan Commission has been working through an update to Section 17 to place clear guidance on the use of storage containers in the City of Kaukauna. The ordinance would limit the use of these containers in residential areas while still allowing provisions to have shipping containers for moving/temporary use. Commercial properties would be able to use storage containers for temporary use but would need Plan Commission approval for long term/permanent use. Discussion held and questions answered.

**Annexation -Parcel 030064701, 030066900, 030064200, 030064600 & 030064700.**

The Kaukauna Area School District has submitted an annexation request for direct annexation of parcels 030064701, 030066900, 030064200, 030064600 & 030064700. This annexation request is a total of 144.576 acres and will assist in facilitating the development of the new middle school on this property as well as open new land for future development potential for the City. This annexation request aligns with the City's Comprehensive Plan and assists in meeting goals stated in economic development, Utilities and Community Facilities as well as aligning with the City's future land use map. As it currently stands, the property would default to Residential Single family for zoning if the annexation is approved. Discussion held and questions answered.

**Pigeon Ordinance.**

After the last discussion in January on the City of Kaukauna's Pigeon keeping ordinance, the Common Council directed staff to clarify a few points on the proposed ordinance updates for keeping of pigeons. A restriction of height of the loft, the number of permits and clarifications on removal have been added.



**Library Annual Report 2024.**

Motion by Moore, seconded by Kilgas to receive and place on file the Library Annual Report 2024.

All Ald. voted aye.

Motion carried.

**PRESENTATION OF ORDINANCES AND RESOLUTIONS**

**Resolution 2025-5459 Resolution of the Common Council Adopting the Outagamie County Hazard Mitigation Plan 2024-2029.**

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Resolution 2025-5459 Resolution of the Common Council Adopting the Outagamie County Hazard Mitigation Plan 2024-2029.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2025-5459 Resolution of the Common Council Adopting the Outagamie County Hazard Mitigation Plan 2024-2029.

All Ald. voted aye.

Motion carried.

**Resolution 2025-5460- Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties Along East 9th Street, West 9th Street, East 10th Street, West 10th Street, Eden Avenue, Kenneth Avenue, Sullivan Avenue, Hendricks Avenue, Main Avenue, and Crooks Avenue.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Resolution 2025-5460- Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties Along East 9th Street, West 9th Street, East 10th Street, West 10th Street, Eden Avenue, Kenneth Avenue, Sullivan Avenue, Hendricks Avenue, Main Avenue, and Crooks Avenue.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Schell to adopt Resolution 2025-5460- Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties Along East 9th Street, West 9th Street, East 10th Street, West 10th Street, Eden Avenue, Kenneth Avenue, Sullivan Avenue, Hendricks Avenue, Main Avenue, and Crooks Avenue.

All Ald. voted aye.

Motion carried.

**Ordinance 1917-2025 Ordinance Repealing and Replacing Section 17.32.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1917-2025 Ordinance Repealing and Replacing Section 17.32.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1917-2025 Ordinance Repealing and Replacing Section 17.32.

All Ald. voted aye.

Motion carried.

**Ordinance 1918-2025 Ordinance to Annex 144.576 Acres of Land from the Town of Buchanan to the City of Kaukauna.**

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Ordinance 1918-2025 Ordinance to Annex 144.576 Acres of Land from the Town of Buchanan to the City of Kaukauna.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1918-2025 Ordinance to Annex 144.576 Acres of Land from the Town of Buchanan to the City of Kaukauna.

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

Motion carried. 7-1.

**Ordinance 1919-2025 Ordinance Creating Section 12.16.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Ordinance 1919-2025 Ordinance Creating Section 12.16.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Ordinance 1919-2025 Ordinance Creating Section 12.16.

All Ald. voted aye.

Motion carried.

**Ordinance 1920-2025 Ordinance Creating Section 12.17.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1920-2025 Ordinance Creating Section 12.17.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Schell to adopt Ordinance 1920-2025 Ordinance Creating Section 12.17.

All Ald. voted aye.

Motion carried.

**Ordinance 1921-2025 Ordinance Repealing Section 11.12.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1921-2025 Ordinance Creating Section 11.12.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1921-2025 Ordinance Repealing Section 11.12.

All Ald. voted aye.

Motion carried.

#### **Ordinance 1922-2025 Ordinance Amending Section 9.15.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1922-2025 Ordinance Creating Section 9.15.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Schell to adopt Ordinance 1922-2025 Ordinance Amending Section 9.15.

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 bargaining reasons require a closed session - Lawe street.**

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

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:06 pm.

#### **Return to Open Session**

Motion by Antoine seconded by Moore to return to open session.

All Ald. voted aye.

Motion carried.

Returned to open session at 8:20 p.m.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.**

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

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:21 PM.

#### **Return to Open Session**

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

All Ald. voted aye.

Motion carried.

Returned to open session at 8:48 PM.

#### **ADJOURN**

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

Meeting adjourned at 8:49 p.m.

Kayla Nessmann, Clerk

