



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – DECEMBER 16, 2025

Pursuant to adjournment on December 2, 2025, a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:02 P.M. on Tuesday, December 16, 2025.

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

Also present: Mayor Penterman, Attorney Greenwood, Associate Planner Nelson, Finance Director Van Rossum, HR Director Hodge (Zoom), Mark. and Com. Manager Fencil (Zoom), Fire Chief Carrel (Zoom), Attorney Kubiak, DPW/ Engineer Neumeier, and interested citizens.

Motion by Moore, seconded by Thiele to excuse the absent member (Antoine).

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.

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

#### PUBLIC APPEARANCES

Kristin McEneary, W5466 Amy Avenue, Appleton, WI 54915, expressed her support for the planned roundabout on Crooks Ave. and East Morningside Drive. McEneary was part of the "Vote Yes" committee for the referendum and was at many school board discussions and community conversations. McEneary expressed how the access point off highway 55 and the likelihood of a roundabout were clearly communicated at these meetings.

#### BUSINESS PRESENTED BY THE MAYOR

##### **Certificate of Appreciation to Madyson Bargaquist for the KHS Civic Engagement Class Food Drive for the Kaukauna Public Library Little Food Pantry.**

Mayor Penterman recognized Madyson Bargaquist for the food drive for the Kaukauna Public Library Little Food Pantry.

##### **Certificate of Appreciation to Anya Wuyts for the KHS Civic Engagement Class Food Drive for the Kaukauna Public Library Little Food Pantry.**

Mayor Penterman recognized Anya Wuyts for the food drive for the Kaukauna Public Library Little Food Pantry.

##### **Certificate of Appreciation to Logan VandeHey for the KHS Civic Engagement Class Food Drive for the Kaukauna Public Library Little Food Pantry.**

Mayor Penterman recognized Logan VandeHey for the food drive for the Kaukauna Public Library Little Food Pantry.

**Certificate of Appreciation to Phoenix Wyne for the KHS Civic Engagement Class Food Drive for the Kaukauna Public Library Little Food Pantry.**

Mayor Penterman recognized Phoenix Wyne for the food drive for the Kaukauna Public Library Little Food Pantry.

**Light Ordinance.**

Motion by DeCoster, seconded by Moore to forward the light ordinance to the Plan Commission.

All Ald. Present Voted aye.

Motion carried.

**CONSENT AGENDA**

**Finance & Personnel Committee Meeting Minutes of December 16, 2025.**

**Legislative Committee Meeting Minutes of December 16, 2025.**

**Common Council Meeting Minutes of December 2, 2025.**

**Heart of the Valley Metropolitan Sewerage District Special Meeting from December 2, 2025.**

**Plan Commission Meeting Minutes of November 20, 2025.**

**Heart of the Valley Metropolitan Sewerage District Meeting from November 11, 2025.**

**1000 Islands Environment Center Meeting of September 18, 2025.**

**Board of Appeals Meeting of June 18, 2025.**

**Fire Report for November 2025.**

**Ambulance Report for November 2025.**

**Police Report for November 2025.**

**Code Enforcement Report for November 2025.**

**Court Report for November 2025.**

**Clerk-Treasurer's Daily Deposit Report for November 2025.**

**Building Inspection Report for November 2025.**

**Bills Payable.**

Motion by Moore, seconded by Kilgas, to approve the consent agenda.

All Ald. Present Voted aye.

Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**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:

Ackley	Emma	R.	Kaukauna
Thielemann	Shawn	R.	Little Chute
Jansen	Kelly	J.	Kimberly

Motion by DeCoster, seconded by Schell, to approve the operator/bartender licenses as listed.  
All Ald. Present Voted aye.  
Motion carried.

## REPORTS OF CITY OFFICERS

### 2024 Housing Fee Report.

In 2018, the Wisconsin State Legislature approved new legislation (Wis. Stats. 66.10013) which requires communities with populations of 10,000 or more to provide an annual report related to housing to shed light and foster change on affordable housing issues across the state. This report contains information on the amount of plats, certified survey maps, and building permits approved by the city, as well as maps showing undeveloped parcels in the city that may be suitable for residential development. The report analyzes the prior year, as data cannot be finalized until the year is complete. The report being brought forth shows data from 2024.

Motion by Moore, seconded by Kilgas to receive and place on file the 2024 housing fee report.  
All Ald. Present voted aye.  
Motion carried.

### 17.25 Ordinance Amendment – Data Centers.

Per discussion with the Common Council and the Plan Commission, staff are proposing an update to section 17.25 of the Municipal Code to allow for data centers in the City's Industrial District as a special exception. This would allow the City to accommodate a growing industry while maintaining local control to ensure that existing infrastructure and the community are not negatively impacted by a data center development. Section 17.47 of the Municipal Code, which covers special exceptions, states that the Plan Commission may recommend to the Common Council appropriate additional conditions as deemed necessary for a special exception to be approved.

Motion by Moore, seconded by Eggleston, to direct staff to set a public hearing date and to bring the recommended update before the Plan Commission and Legislative Committee for review.  
All Ald. Present voted aye.  
Motion carried.

### Mill Rate Comparison.

As property tax bills are issued each year, residents frequently inquire about how the City of Kaukauna's mill rate compares to surrounding municipalities. To provide clear, consistent, and easily accessible information, staff created a mill rate comparison webpage. The webpage explains what a mill rate is, how to interpret differences across communities, where to locate the mill rate on an individual tax bill, and how Kaukauna's financial decisions influence its rate. It also includes a comparison table that can be updated annually. The goal is to improve transparency and help residents better understand how Kaukauna aligns with the region and with other similar-sized cities across Wisconsin. While many additional municipalities could be included, staff focused on two logical comparison groups: surrounding communities, where a Kaukauna resident might realistically relocate, and similar-sized municipalities, which are likely to provide comparable levels

of service. This approach provides meaningful context while ensuring the comparison remains relevant and easy for residents to interpret.

Motion by Eggleston, seconded by Thiele to receive and place on file the mill rate comparison, acknowledging the creation of the annual mill rate comparison webpage as part of the City's continued effort to provide transparent and accessible financial information to residents.

All Ald. Present voted aye.

Motion carried.

#### **CSM Review – Parcel 030032306 (Lauers Subdivision).**

Garrett Smith, agent, has submitted a certified survey map on behalf of Gregory Lauer, owner, for his property located on Peters Road (parcel 030032306). The property was recently annexed into the City and is pending an updated parcel number. The CSM creates, essentially, four lots. One would be landlocked and abuts the Konkapot River. This landlocked lot has some topography and floodplain items that would make it difficult to develop. Three lots would be created near Peters Road with a small access road with a cul-de-sac at the end.

Motion by Moore, seconded by Schumacher, to approve the CSM as presented.

All Ald. Present voted aye.

Motion carried.

#### **Longevity pay for 2025.**

Motion by Moore, seconded by Kilgas, to approve longevity pay for 2025.

All Ald. Present voted aye.

Motion carried.

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

#### **Resolution 2025-5491 Resolution approving a Certified Survey Map to divide one lot into four lots for parcel 030032306.**

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Resolution 2025-5491 Resolution approving a Certified Survey Map to divide one lot into four lots for parcel 030032306.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2025-5491 Resolution approving a Certified Survey Map to divide one lot into four lots for parcel 030032306.

All Ald. Present Voted aye.

Motion carried.

### **ALDER REQUESTS FOR DISCUSSION AT THE NEXT COMMON COUNCIL MEETING**

#### **CLOSED SESSION**

**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 update.**

Motion by Moore, seconded by Schell to 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 update. Common Council will also allow Attorney Kubiak to join in the closed session.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 7:35 PM.

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

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 8:00 PM.

Motion by Moore, seconded by DeCoster to authorize staff to enter an engagement with the Texas law firm recommended by Attorney Kubiak for the asset-recovery process with a retainer of \$5000.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to pay back taxes to parcels 322032911, 322032912, and 322032913.

All Ald. Present voted aye.

Motion carried.

**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 – The Reserve update.**

Motion by Moore, seconded by Schumacher to 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 – The Reserve update.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 8:02 PM.

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

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 8:27 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 bargaining reasons require a closed session – Wayfinding Sign Project.**

Motion by Moore, seconded by Schumacher 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 bargaining reasons require a closed session – Wayfinding Sign Project.

All Ald. Present voted aye.  
Motion carried.

Adjourned to closed session at 8:28 PM.

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

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

All Ald. Present voted aye.  
Motion carried.

Returned to open session at 8:49 PM.

Motion by Moore, seconded by Schell to terminate contract with ACSM and direct staff to solicit bids for the completion of the project.

All Ald. Present voted aye.  
Motion carried.

**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 – Vanepern property.**

Motion by Moore, seconded by DeCoster to 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 – Vanepern property.

All Ald. Present voted aye.  
Motion carried.

Adjourned to closed session at 8:51 PM.

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

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

All Ald. Present voted aye.  
Motion carried.

Returned to open session at 9:07 PM.

Motion by Moore, seconded by Schumacher to accept the counteroffer and extend the contract to December 31, 2025.

All Ald. Present voted aye.  
Motion carried.

**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 – Discuss Potential Sale of Property to Straightline Properties, LLC.**

Motion by Eggleston, seconded by DeCoster to 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 – Discuss Potential Sale of Property to Straightline Properties, LLC.

All Ald. Present voted aye.  
Motion carried.

Adjourned to closed session at 9:08 PM.

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

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 9:18 PM.

Motion by Schell, seconded by Moore to enter into a developer's agreement with Straightline Refrigeration on Lot 7 in the new Prosperity Center for \$1.

All Ald. Present voted aye.

Motion carried.

**Adjourn to Closed Session Pursuant to 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. – Fox Shores.**

Motion by Moore, seconded by Thiele to adjourn to Closed Session Pursuant to 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. – Fox Shores.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 9:19 PM.

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

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 9:42 PM.

Motion by Moore, seconded by Thiele to extend the tolling agreement to March 15, 2026, with Fox Shores and direct the City Attorney to continue negotiations.

All Ald. Present voted aye.

Motion carried.

**ADJOURN**

Motion by DeCoster, seconded by Schell to adjourn.

All Ald. Present voted aye.

Motion carried.

Meeting adjourned at 9:43 p.m.

Kayla Nessmann, Clerk