



# COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – JANUARY 16, 2024

Pursuant to adjournment on January 2, 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, January 16, 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, Police Chief Graff, 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 Coenen to suspend the rules and waive the reading of the minutes of the Common Council meeting of January 2, 2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt the Common Council meeting minutes of January 2, 2024.

All Ald. voted aye.

Motion carried.

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

### Bills Payable

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

All Ald. voted aye.

Motion carried.

## PUBLIC APPEARANCES

None.

## BUSINESS PRESENTED BY THE MAYOR

### Badge Pinning of Firefighter/Paramedic Elliott Chier.

Chief Carrel gave background on Eliot Chier and welcomed him to the Kaukauna Fire Department after an 18-month probationary period. The badge was pinned on by his wife.

### Retirement of Tom Bartolazzi from the Police Department - 27 years.

Mayor Penterman thanked Lieutenant Tom Bartolazzi for his service for the last 27 years and wished him well in retirement.

### Retirement of Al Tennesen from the Street Department - 26 Years.

Al's last day was January 10, 2024. Mayor Penterman thanked him for his service and dedication to the City of Kaukauna and wished him well in retirement.

**Retirement of Bill Leon from the Street Department - 26 Years.**

Mayor Penterman thanked Bill Leon for his 26 years of service with the Street Department and wished him well in retirement.

**Appointment of Carmen Greenwood to Public Housing Authority to replace Henry Beno.**

Motion by Coenen, seconded by Kilgas to appoint Carmen Greenwood to Public Housing Authority to replace Henry Beno.

All Ald. voted aye.

Motion carried.

Moore thanked Henry Beno for his dedication and service on the Public Housing Authority.

**Reappointment of Christina Crook to the Grignon Mansion Board.**

Motion by Thiele seconded by Moore to reappoint Christina Crook to the Grignon Mansion Board.

All Ald. voted aye.

Motion carried.

**Reappointment of Sandy Coenen to the Grignon Mansion Board.**

Motion by Antoine, seconded by Eggleston to reappoint Sandy Coenen to the Grignon Mansion Board.

All Ald. voted aye.

Motion carried.

**Reappointment of Scott Granger to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.**

Motion by Kilgas, seconded by Moore to approve the reappointment of Scott Granger to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.

All Ald. voted aye.

Motion carried.

**Reappointment of Jack Pautz to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.**

Motion by Moore, seconded by Schell to approve the reappointment of Jack Pautz to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.

All Ald. voted aye.

Motion carried.

**Reappointment of Dr. Paul Russo to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.**

Motion by Antoine, seconded by Coenen to approve the reappointment of Dr. Paul Russo to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board.

All Ald. voted aye.

Motion carried.

**Reappointment of Greg VandeHey to the Fox Cities Transit Commission.**

Motion by Schell, seconded by Eggleston to approve the reappointment of Greg VandeHey to the Fox Cities Transit Commission.

All Ald. voted aye.

Motion carried.

**Proclamation City of Kaukauna School Choice Week - January 21-27, 2024.**

Mayor Penterman read the Proclamation.

Motion by Moore, seconded by Antoine to receive and place on file the Proclamation City of Kaukauna School Choice Week – January 21-27, 2024.  
All Ald. voted aye.  
Motion carried.

**Proclamation Wisconsin Adult School Crossing Guard Recognition Week - January 22-26, 2024.**  
Mayor Penterman read the Proclamation.

Motion by Moore, seconded by Coenen to receive and place on file the Proclamation Wisconsin Adult School Crossing Guard Recognition Week – January 22-26, 2024.  
All Ald. voted aye.  
Motion carried.

### **Sheldon Niquette Fund.**

Mayor Penterman stated that community members have generously come together to recognize a past educator of the Kaukauna Area School District: Sheldon Niquette. He passed in 2021 and family and friends are looking for a way to remember him. Discussion held and questions answered. Attorney Davidson stated that the City should not be in the position of handling funds for a charitable cause due to potential liability. Staff will reach out to these community members to discuss other arrangements for handling these funds.

### **American Legion Post 41 Pole Banner Agreement.**

This is a renewal of the banner agreement for another three-year term.

Motion by Thiele, seconded by Schell to enter into an agreement with American Legion Post 41 for Pole Banners.  
All Ald. voted aye.  
Motion carried.

## **REPORTS OF STANDING AND SPECIAL COMMITTEES**

### **Board of Public Works Meeting Minutes of January 15, 2024.**

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

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, January 15, 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, HR Dir. Swaney, Street Sup. Van Gompel, Police Chief Graff, Com. Enrich. & Rec. Dir. Vosters, Fire Chief Carrel, Fin. Dir. Van Rossum, and interested citizens.

**1. Correspondence** – none.

**2. Discussion Topics.**

**a. Recommendation for award of Project 2-24 - Tobacnoir Street Area Utility Relay.**

The Engineering Department has compared the eight received bids against the engineers estimate. The two lowest bidders are within \$53,243.55 with their total bid, which is a good indication that they are competitive, yet the City is also getting a much better price. The six

lowest bids were within \$353,177 of one another, again showing the competitiveness and that the City is receiving great prices for the work to be completed. The engineer's estimate is compiled utilizing previous years' prices and adjusted for inflation and changes in work descriptions, and three of the bids were lower than that estimate. Discussion was held and questions answered.

Motion by Moore, seconded by Schell to award Project 2-24 – Tobacnoir Street Area Utility Relay – Phase 1 to Carl Bowers & Sons, Kaukauna, WI for all units, an amount of \$2,482,213.00.

All Ald. voted aye.

Motion carried.

**b. Authorization to add utility relay on Arthur Street as an Alternate Bid for Project 5-24 Kenneth Avenue Utility Relay.**

DPW/Eng. Neumeier stated Arthur Street was identified as an area that needed repair sooner than anticipated. Several spots are separated. Some areas have cracks along the top edge of the pipes. The Engineering Department would like to add Arthur Street to Project 5-24 as an alternative bid and hoping to get favorable pricing for this work.

Motion by Antoine, seconded by Kilgas to add the utility relay on Arthur Street as an Alternative Bid for Project 5-24 Kenneth Avenue Utility Relay.

All Ald. voted aye.

Motion carried.

**c. Authorization to seek bids for an athletic field groomer.**

The park department has been grooming athletic fields with a compact tractor and drag attachments to prep baseball/softball fields before games and tournaments. With the time constraints of rain, maneuverability, and weight issues with the compact tractor, the field groomer is the right piece of equipment for the job. The groomer is a lighter three-wheel tractor with wider tires which allows staff to get on fields quicker after rain. The groomer also carries both attachments which allows the operator to change operations and transport to the next field without cleaning and lifting heavy drags onto a trailer. Questions from the Board were answered.

Motion by Moore, seconded by DeCoster to authorize the street superintendent to seek bids for one athletic field groomer.

All Ald. voted aye.

Motion carried.

**d. Public Works Update.**

DPW/Eng. Neumeier thanked the Street Department crew for putting in extra hours working hard all weekend to get the snow cleaned up. There is no considerable progress to report on the Jonen Park pavilion or the pool renovations. A garbage truck recently had a hydraulic line leak on the area of Fieldcrest and Frances Street. This leak was contained and isolated by the Street Department. A more formal report on this will be brought back to the Board in the near future. Discussion held and questions answered.

**e. 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 – Pool Renovations.**

Motion by Moore, seconded by Coenen to adjourn to closed session.  
All Ald. voted aye.  
Motion carried.

Meeting adjourned to closed session at 6:15 p.m.

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

Motion by Moore, seconded by Schell to return to open session.  
All Ald. voted aye.  
Motion carried.

Returned to open session at 6:25 p.m.

**3. Adjourn.**

Motion made by Eggleston, seconded by Coenen to adjourn.  
All members voted aye.  
Motion carried.

Meeting adjourned at 6:26 pm.

Sally Kenney  
Clerk

Motion by Thiele, seconded by Antoine to adopt the Board of Public Works Meeting Minutes of January 15, 2024.  
All Ald. voted aye.  
Motion carried.

**Finance and Personnel Committee Meeting Minutes of January 15, 2024.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, January 15, 2024 at 6:27 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, HR Dir. Swaney, Fin. Dir. Van Rossum, Com. Enrich. Service Dir. Vosters, Police Chief Graff, and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

**a. Permission to fill 1000 Islands Environmental Center Administrative Assistant position due to retirement.**

Maureen Feldt, Environmental Center Administrative Assistant, has turned in official notice of her retirement. Maureen has been with the City since 2018. Her last day of employment will be 02/02/2024.

Motion by Thiele, seconded by Antoine to authorize HR to fill an Environmental Center

Administrative Assistant position due to retirement.  
All members voted aye.  
Motion carried.

**b. Permission to fill Laborer Position due to retirement.**

Al Tennesen, Garbage Truck Operator, in the street department, has turned in official notice of his retirement. Al has been with the street department since 1997. His last day of employment was 1/10/2024.

Motion by Eggleston, seconded by Moore to authorize HR to fill a Laborer position due to retirement.  
All members voted aye.  
Motion carried.

**3. Adjourn.**

Motion by Antoine, seconded Coenen to adjourn.  
All members voted aye.  
Motion carried.

Meeting adjourned at 6:29 p.m.

Sally Kenney, Clerk

Motion by Antoine, seconded by Coenen to adopt the Finance and Personnel Committee Meeting Minutes of January 15, 2024.  
All Ald. voted aye.  
Motion carried.

**Health and Recreation Committee Meeting Minutes of January 15, 2024.**

**HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, January 15, 2024 at 6:30 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, Com. Enrich. & Rec. Dir. Vosters, Police Chief Graff, Fire Chief Carrel, HR Dir. Swaney, Fin. Dir. Van Rossum, and interested citizens.

**1. Correspondence – None.**

**2. Discussion Topics.**

**a. Permission to enter into an agreement with ARS Productions for Live! from Hydro.**

After entering negotiations with ARS Productions, LLC and reaching an agreement in expectations, staff is seeking authorization to enter into the attached Service Agreement based on the proposal received for the Live! from Hydro Park Concert Series. Discussion was held and questions answered.

Motion by Coenen, seconded by Schell to authorize staff to enter into an agreement with ARS Productions for Live! From Hydro.

All members voted aye.  
Motion carried.

**b. Special Events Application to Mary Brennan, 12th Annual Alex's Peace 'N Love 5K Walk at Hydro Park on April 27, 2024 from start to 10am.**

Motion by DeCoster, seconded by Coenen to approve the 12<sup>th</sup> Annual Alex's Peace N' Love 5K Walk at Hydro Park on April 27, 2024.

All members voted aye.  
Motion carried.

**c. Special Events Application to Sarah Wroblewski, Kaukauna Public Library for Touch-a Truck event at Hydro Park on Wednesday, July 10, 2024 from 10am to 12pm.**

Motion by Schell, seconded by DeCoster to approve the Touch-a-Truck event at Hydro Park on Wednesday, July 10, 2024 from 10am to 12pm.

All members voted aye.  
Motion carried.

**d. Special Events Application to Brad Zuraski, Ghosts in the Grignon at Grignon Park on September 14, 2024 from 7am to 7pm.**

Motion by Coenen, seconded by Schell to approve the Ghosts in the Grignon at Grignon Park on September 14, 2024 from 7am to 7pm.

All members voted aye.  
Motion carried.

**3. Adjourn.**

Motion made by DeCoster, seconded by Coenen to adjourn.

All members voted aye.  
Motion carried.

The meeting adjourned at 6:43 P.M.

Sally Kenney, Clerk

Motion by Kilgas, seconded by Coenen to adopt the Health and Recreation Committee Meeting Minutes of January 15, 2024.

All Ald. voted aye.  
Motion carried.

**Legislative Committee Meeting Minutes of January 15, 2024.**

**LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Coenen on Monday, January 15, 2024 at 6:43 P.M.

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

Also present: Mayor Penterman, Ald. Antoine, Ald. DeCoster, Ald. Kilgas, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, Police Chief Graff, Fire Chief Carrel, and interested citizens.

**1. Correspondence - None.**

2. **Discussion Topics.**

- a. **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 - Building Inspection and Code Enforcement Officer.**

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

All members voted aye.

Motion carried.

Moved to closed session at 6:44 p.m.

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

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

All members voted aye.

Motion carried.

Returned to open session at 6:51 p.m.

- c. **Ordinance 1900-2024 - Ordinance Creating Section 8.09 and Repealing and Replacing Sections 10.07(3)(a)(b) and (c), 10.13(1), 17.56, 19.30 and 19.30(1).**

Motion by Moore, seconded by Schell to recommend approval to the Common Council the Ordinance Creating Section 8.09 and Repealing and Replacing Sections 10.07(3)(a)(b) and (c), 10.13(1), 17.56, 19.30 and 19.30(1).

All members voted aye.

Motion carried.

- d. **Ordinance 1901-2024 Ordinance Repeal and Recreating Section 14.04 Building Inspection and Building Inspection Department.**

Motion by Moore, seconded by Eggleston to recommend approval to the Common Council the Ordinance 1901-2024 Ordinance Repeal and Recreating Section 14.04 Building Inspection and Building Inspection Department.

All members voted aye.

Motion carried.

3. **Adjourn.**

Motion by Eggleston, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:53 p.m.

Sally Kenney, Clerk

Motion by Coenen, seconded by Schell to adopt the Legislative Committee Meeting Minutes of January 15, 2024 as presented.

All Ald. voted aye.

Motion carried.

**Public Protection and Safety Committee Meeting Minutes of January 15, 2024.**

**PUBLIC PROTECTION AND SAFETY COMMITTEE**



A meeting of the Public Protection and Safety Committee was called to order by Chair DeCoster on Monday, January 15, 2024 at 6:54 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, 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 6:55 p.m.

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

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

All members voted aye.

Motion carried.

Returned to open session at 7:14 p.m.

3. **Adjourn**

Motion by Eggleston, seconded by Kilgas to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:15 p.m.

Sally Kenney, Clerk

Motion by DeCoster, seconded by Eggleston to adopt the Public Protection and Safety Committee Meeting Minutes of January 15, 2024.

All Ald. voted aye.

Motion carried.

**Plan Commission Meeting Minutes of December 7, 2023.**

Motion by Moore, seconded by Antoine to receive and place on file the Plan Commission Meeting Minutes of December 7, 2023.

All Ald. voted aye.

Motion carried.

**Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of December 12, 2023.**

Motion by Moore, seconded by Kilgas to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of December 12, 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:

Krueger	Mackenzie	S.	N4003 McHugh Rd.	Freedom
Mueller	Kelly	A.	W5006 Schmidt Rd.	Kaukauna
Oli	Madhu Sudhan		1386 Kingston Ter #2	Green Bay
Wojcik	Carri	S.	110 W. 11 <sup>th</sup> St. #7	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 DeCoster to receive and place on file the December 2023 Fire Report.

All Ald. voted aye.  
Motion carried.

### **Ambulance Report**

Motion by Moore, seconded by Schell to receive and place on file the December 2023 Ambulance Report.

All Ald. voted aye.  
Motion carried.

### **Police Report**

Motion by Moore, seconded by Kilgas to receive and place on file the December 2023 Police Report.

All Ald. voted aye.

Motion carried.

### **Municipal Court Report**

Motion by Moore, seconded by Eggleston to receive and place on file the December 2023 Municipal Court Report.

All Ald. voted aye.  
Motion carried.

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

Motion by Moore, seconded by DeCoster to receive and place on file the December 2023 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.  
Motion carried.

### **Building Inspection Report.**

Motion by Moore, seconded by Schell to receive and place on file the December 2023 Building Inspection Report.

All Ald. voted aye.

Motion carried.

### **Development Update.**

Mayor Penterman provided an update on developments within the City of Kaukauna.

- U-Haul Project at Commerce Crossing – Continues construction.
- Legacy Creekside Apartments – 5 apartments at Commerce Crossing – Continues construction.
- Dreamville – Update will be given in closed session.
- Tann Corporation – Continues construction.
- Bassett Mechanical – Has gained Occupancy.
- Hindu Temple of NE Wisconsin – Has completed their addition and gained occupancy.
- Straightline – Manufacturer in New Prosperity Industrial Park – Continues construction.
- Klink Equipment – both parties have approved Developer's Agreement. Next step is site plan approval. Closing date is March 1, 2024.
- Outlot 3 NEW Prosperity Center (Bakery) – The buyer and the City have agreed to the terms of an offer to purchase on the lot. Staff has been preparing all the deliverables for the contract and the developer has started their due diligence work on the property.

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

#### **Ordinance 1900-2024 - Ordinance Creating Section 8.09 and Repealing and Replacing Sections 10.07(2), 10.07(3)(a)(b) and (c), 10.13(1), 17.56, 19.30 and 19.30(1).**

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of Ordinance 1900-2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1900-2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded Thiele by to amend the Ordinance to add section 10.07(2).

All Ald. voted aye.

Motion carried.

#### **Ordinance 1901-2024 Ordinance Repeal and Recreating Section 14.04 Building Inspection and Building Inspection Department.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1901-2024.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Ordinance 1901-2024.

All Ald. voted aye.

Motion carried.

#### **Resolution 2024-5416 Resolution Supporting the WEDC Grant Application for Funds to Renovate a Downtown Building.**

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5416.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2024-5416.

All Ald. voted aye.

Motion carried.

**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.**

Item pulled.

### **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 Coenen 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 8:11 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 8:41 p.m.

### **ADJOURN**

Motion by Antoine, seconded by Schell to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:42 p.m.

Sally Kenney, Clerk