



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – JANUARY 20, 2026

Pursuant to adjournment on January 6, 2026, 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 6, 2026.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/ Engineer Neumeier, HR Director Hodge, Police Chief Graff, Mark. and Com. Manager Fencil, Fire Chief Carrel, Police Chief Graff, Assistant Police Chief Krueger, Associate Planner Nelson, Finance Director Van Rossum (Zoom), Kaukauna Utilities General Manager Michael Avanzi (Zoom), Library Director Thiem-Menning (Zoom), and interested citizens.

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

Sara Kay Gengler, 1801 N Gillette Street, Appleton, Sign Language Interpreter at Park Community Charter School, asked for the Common Council's consideration in recognizing and supporting Deaf History Month in April, and Deaf Awareness Month in September. Park Community Charter School recently launched an American Sign Language (ASL) club and raised over \$500 through a fundraiser.

Daniel Dirnbauer, 3055 Crooks Avenue, Kaukauna, discussed his concerns with the roundabout on STH 55 and Morningside Drive and how much it was going to cost.

#### BUSINESS PRESENTED BY THE MAYOR

##### **Badge Pinning of Kory Krueger as new Assistant Police Chief.**

Police Chief Graff introduced Kory Krueger as the new Assistant Police Chief. Krueger's wife pinned his badge and he gave a speech.

##### **Public Hearing on 17.25 Ordinance Amendment – Data Centers.**

Prior to the public hearing, Mayor Penterman gave a brief overview on the purpose of the 17.25 ordinance amendment. The proposed amendment aims to grant the city greater control and impose stricter regulations on data centers seeking to locate within Kaukauna. Specifically, it would mandate a special public hearing for each individual application. Currently, data centers are permitted to build in the industrial district provided they meet building requirements with minimal input from city or residents. Due to the lack of explicit zoning code provisions, adoption of this amendment would fortify our city codes.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or on Zoom wished to address the Council regarding 17.25 Ordinance Amendment – Data Centers.

David Roloff, 209 W Morningside Drive, Kaukauna, brought up his concerns about 17.25 Ordinance Amendment – Data Centers. Roloff was concerned if there would be extra fees or taxes associated with a data center. Roloff was also concerned that the ordinance was too vague and could present opportunities for potential loopholes.

Travis Sutton, 1106 E Main Street, Little Chute, brought up his concerns about 17.25 Ordinance Amendment – Data Centers. Sutton had concerns about the environmental impacts of data centers and how the infrastructure would be paid for. He also stated that the ordinance was too vague.

Mary Bloomer, 1982 Mayflower Street, Kaukauna, brought up environmental concerns related to data centers and expressed how she did not want data centers in the City of Kaukauna.

Samantha Huebel, 711 E 10<sup>th</sup> Street, Kaukauna, thanked the Common Council for being proactive in their measures to protect Kaukauna residents and would be happy to see a measure passed if the language was more specific to hold corporations accountable to the impact they have on the community. Huebel stated how the community would not be happy if a data center came to the City of Kaukauna.

After asking two more times if anyone else wished to address the council, no one appeared, Mayor Penterman declared the public hearing closed.

After closing the public hearing, Mayor Penterman reiterated how no data center has approached the city. Mayor Penterman also expressed how the city is aware of the environmental and health concerns that go along with data centers, as well as how much water and electricity they use. The City of Kaukauna wants to amend the 17.25 ordinance to strengthen the city's position if a data center were to express interest in locating within the city. If a data center were to locate within the city, it would have to be through special exception, which would require a public hearing and a class 2 notice in the paper.

**Reappointment of Jerry Brien to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board (3-year term).**

Motion by Moore, seconded by Schell to reappoint Jerry Brien to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board (3-year term).

All Ald. Voted aye.

Motion carried.

**Reappointment of Phil Kohne to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board (3-year term).**

Motion by Antoine, seconded by Eggleston to reappoint Phil Kohne to the Kaukauna Alcohol, Tobacco, and Other Drug Awareness Board (3-year term).

All Ald. Voted aye.

Motion carried.

**Reappointment of Kelli Antoine to the ARA Exhibition Center Advisory Committee (2-year term).**

Motion by Eggleston, seconded by DeCoster to reappoint Kelli Antoine to the ARA Exhibition Center Advisory Committee (2-year term).

All Ald. Voted aye.

Motion carried.

**Reappointment of Bruce Werschem to the Grignon Mansion Board (3-year term).**

Motion by Moore, seconded by Thiele to reappoint Bruce Werschem to the Grignon Mansion Board (3-year term).

All Ald. Voted aye.

Motion carried.

**Donation of \$530 from St. Ignatius Athletic Association for the use of Farmers Market parking lot to sell Christmas Trees.**

Mayor Penterman informed the Common Council on the \$530 donation received from St. Ignatius Athletic Association for the use of farmers market parking lot to sell Christmas trees.

**Proclamation City of Kaukauna School Choice Week January 25-31, 2026.**

Mayor Penterman read the Proclamation City of Kaukauna School Choice Week January 25-31, 2026.

Motion by Moore, seconded by Schumacher to receive and place on file the Proclamation City of Kaukauna School Choice Week January 25-31, 2026.

All Ald. Voted aye.

Motion carried.

**CONSENT AGENDA**

**Committee of the Whole Meeting Minutes of January 19, 2026.**

**Board of Public Works Meeting Minutes of January 19, 2026.**

**Finance & Personnel Committee Meeting Minutes of January 19, 2026.**

**Health and Recreation Committee Meeting Minutes of January 19, 2026.**

**Legislative Committee Meeting Minutes of January 19, 2026.**

**Common Council Meeting Minutes of January 6, 2026.**

**Committee of the Whole Meeting Minutes of January 6, 2026.**

**Heart of the Valley Metropolitan Sewerage District Meeting Minutes of December 9, 2025.**

**Plan Commission Meeting Minutes of December 4, 2025.**

**Fire Report for December 2025.**

**Ambulance Report for December 2025.**

**Police Report for December 2025.**

**Code Enforcement Report for December 2025.**

**Court Report for December 2025.**

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

**Building Inspection Report for December 2025.**

## **Bills Payable.**

Motion by Antoine, seconded by Kilgas, to approve the consent agenda.  
All Ald. 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:

Cota	L	Tracy	Kaukauna
Lesmeister	L	Breanna	Neenah
Effa	G	Sarah	Little Chute

Alder Moore made a comment on how bartenders' first names should be redacted to prevent people from finding out their gender. Alder Moore said that only last names and city should be published in the Common Council minutes. Mayor Penterman stated how addresses have been removed from being published and they would need to investigate the legality of removing first names from publication.

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

## **REPORTS OF CITY OFFICERS**

### **Extraterritorial CSM Review – Parcels 200021800, 200021801, 200021802, and 200021803.**

Troy Hewitt, agent, has submitted a certified survey map on behalf of North Kaukauna Storage Units LLC, owner, to create two lots from parcels 200021800, 200021801, 200021802, and 200021803 in the Town of Vandebroek. This request to combine four parcels into two parcels is for the facilitation of a storage unit development. These parcels fall within the extraterritorial review area of the City of Kaukauna, which is why the CSM is being brought before the Common Council. They are located just to the west of Commerce Crossing, the City's professional business park, on Evergreen Drive. Per the City's future land use map, this area was planned to be used as public land, but there are no plans for annexation soon.

Motion by Moore, seconded by DeCoster to approve the extraterritorial CSM for parcels 200021800, 200021801, 200021802, and 200021803.  
All Ald. 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. Per the Common Council's request, a list of possible conditions and safeguards are listed below: no off-site parking is to be used for the day-to-day operations of the business, yearly inspection is to be done by the Planning and Community Development Department or other designee to ensure compliance. If the ownership or proposed use changes, the applicant/property owner must go through the special exception process again, electrical usage must not exceed a certain amount without prior recommendation from Kaukauna Utilities and approval from the Common Council, water usage must not exceed a certain amount without prior recommendation from Kaukauna Utilities and approval from the Common Council, and any additions, new buildings, and changes in use must be reviewed and approved by the Common Council.

Attorney Greenwood expressed how an explicit list of data center restrictions might not be the best idea as additional things could come up in the future that aren't included on the list. Keeping the list open allows the city to have more flexibility with restrictions rather than narrowing it down to a specific list.

Alder Thiele said this ordinance amendment allows the city to have good businesses if they fit our needs and not allow businesses that will have a negative impact on the community. This ordinance amendment is designed to give the city greater control and place restrictions as needed if a data center were to approach the City of Kaukauna.

#### **Rezoning Request - KASD.**

The Kaukauna Area School District, in collaboration with Point of Beginning, has applied to rezone Lot 1 of their proposed certified survey map from Residential Single-Family (RSF) to Institutional (IT). The purpose of this rezoning is to facilitate the construction of a new middle school. Although schools are a permitted use in the RSF District, the height of all permissible principal uses and structures are limited to 35' within that district. By rezoning to IT, the middle school can be constructed to the proposed height of 45' 6".

Some alders did not feel comfortable moving this request on to the Plan Commission as no application request was included in the Common Council packet. Associate Planner Nelson stated the application has been received by staff. As the application was received by staff, Attorney Greenwood said Common Council can still refer this item to the Plan Commission since this item will need to come back to Common Council anyways for final approval.

Motion by Moore, seconded by Kilgas to forward the rezoning request on to the Plan Commission for review and recommendation, and that a public hearing date be set.  
Motion carried 6-2 (DeCoster and Thiele).

#### **Kaukauna Professional Police Association Collective Bargaining Agreement for January 1, 2026 - December 31, 2028.**

The city and the Kaukauna Professional Police Association have reached an agreement regarding their Collective Bargaining Agreement for 2026-2028. The positions covered by this agreement are the patrol officers, sergeants, detectives, MEG unit, and the school resource officer.

Motion by Moore, seconded by Thiele, to ratify the Kaukauna Professional Police Association Collective Bargaining Agreement for January 1, 2026 – December 31, 2028.  
All Ald. voted aye.  
Motion carried.

## **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

**Resolution 2026-5492 Resolution Approving a Certified Survey Map to combine four lots into two lots for parcels 200021800, 200021801, 200021802, and 200021803.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2026-5492 Resolution Approving a Certified Survey Map to combine four lots into two lots for parcels 200021800, 200021801, 200021802, and 200021803.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2026-5492 Resolution Approving a Certified Survey Map to combine four lots into two lots for parcels 200021800, 200021801, 200021802, and 200021803, with the correct spelling of the city clerk.

All Ald. Voted aye.

Motion carried.

**Resolution 2026-5493 Resolution in Support of Reauthorization of the State Funding for Knowles-Nelson Stewardship Program.**

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2026-5493 Resolution in Support of Reauthorization of the State Funding for Knowles-Nelson Stewardship Program.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2026-5493 Resolution in Support of Reauthorization of the State Funding for Knowles-Nelson Stewardship Program.

All Ald. Voted aye.

Motion carried.

**Resolution 2026-5494 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements on Bens Way, Setter Drive, Boxer Street, Ninth Street, Brill Road, Eden Avenue, Sullivan Avenue, Hendricks Avenue, Florence Street, Washington Street, and Thilmany Road.**

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Resolution 2026-5494 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements on Bens Way, Setter Drive, Boxer Street, Ninth Street, Brill Road, Eden Avenue, Sullivan Avenue, Hendricks Avenue, Florence Street, Washington Street, and Thilmany Road.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2026-5494 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements on Bens Way, Setter Drive, Boxer Street, Ninth Street, Brill Road, Eden Avenue, Sullivan Avenue, Hendricks Avenue, Florence Street, Washington Street, and Thilmany Road.

All Ald. Voted aye.

Motion carried.

**Ordinance 1947-2026 Ordinance Amending Section 17.25.**

Alder Moore thanked the public who appeared at the Common Council meeting and commented on the ordinance amendment.

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Ordinance 1947-2026 Ordinance Amending Section 17.25.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Schell to adopt Ordinance 1947-2026 Ordinance Amending Section 17.25.

All Ald. Voted aye.

Motion carried.

Mayor Penterman said how amending this ordinance will grant the city greater control to impose stricter regulations on the data centers.

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

Alder Thiele suggested having a mock meeting, where people could come in and gain an understanding of how committee and council meetings work.

### **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 – Inside the Park Place Lot 26 and Lot 1 of CSM 7744.**

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 – Inside the Park Place Lot 26 and Lot 1 of CSM 7744.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:18 PM.

**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 8:37 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 – Dreamville Update.**

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 bargaining reasons require a closed session – Dreamville Update.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:38 PM.



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

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

All Ald. voted aye.

Motion carried.

Returned to open session at 8:48 PM.

**ADJOURN**

Motion by Moore, seconded by DeCoster to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:49 PM.

Kayla Nessmann, Clerk

