

COUNCIL PROCEEDINGS - Council Chambers - Kaukauna, Wisconsin – June 20, 2017

Pursuant to adjournment on June 6, 2017, meeting of the Common Council of the City of Kaukauna called to order by Mayor Rosin at 7:00 P.M. on Tuesday, June 20, 2017.

Roll call, present: Coenen, DeCoster, Driessen, Leon, McGinnis, Penterman, and Roehrig.

Absent & excused: Meyerhofer.

Also present: Atty. Davidson, DPW/Eng. Sundelius, Fin. Dir. VanRossum, Planner Jakel, Asst. Fire Chief Teesch, Police Chief Manion, Rec. Dir. Malloy, and interested citizens.

One minute of silent prayer and the Pledge of Allegiance to the American Flag observed by the assembly present.

Motion by Penterman, seconded by Leon, to suspend the rules and waive the reading of the minutes of the previous meeting of June 6, 2017.

All Ald. present voted aye.

Motion carried.

Motion by Penterman, seconded by Leon, to adopt the minutes of the previous meeting of June 6, 2017.

All Ald. present voted aye.

Motion carried.

Motion by Penterman, seconded by McGinnis, that Vouchers No. 102813 through No. 102921 be approved and placed on file with the Clerk/Treasurer.

Upon roll call, all Ald. present voted aye.

Motion carried.

Kris Kitelinger, 311 Reaume Avenue, stated he was against the no parking on the terrace on Reaume Avenue. Parking was allowed for 40 years and now we need to find alternate parking. Jenny Kitelinger stated she was Fred Cazzola's daughter and has lived here her entire life. They have a garage but they also have an apartment that they rent and need parking for that. They questioned the use of the City parking lot where the firemen park. The aldermen suggested parking in the parking lot across the street at 121 W. Third Street with the owners permission. Fred Cazzola asked if the skate board park could be moved to LaFollette Park or elsewhere. It was also suggested to include additional parking lots for permit parking or expand parking to more than the business district.

Motion by McGinnis, seconded by Driessen, to reappoint Joe Lucas and Gary Keating to the Kaukauna Library Board.

All Ald. present voted aye.

Motion carried.

The Mayor presented John Zierler, Sergeant in the Police Department, with a retirement award. His wife, Nona, and their family were present for the award presentation. Officer Vosters presented Officer Zierler with a plaque for his years of dedicated service.

Ald. McGinnis presented the minutes of the 1000 Islands Environmental Center Committee of May 18, 2017, and moved it be accepted and placed on file, seconded by Penterman.

All Ald. present voted aye.

Motion carried.

Ald. McGinnis presented and read the following report:

BOARD OF PUBLIC WORKS

Meeting of the Board of Public Works called to order by Chairman McGinnis at 6:00 P.M. on Monday, June 19, 2017.

Members present: Coenen, DeCoster, Driessen, Leon, McGinnis, Penterman, and Roehrig.

Absent & excused: Meyerhofer.

Also present: Mayor Rosin, DPW/Eng. Sundelius, Atty. Davidson, Planner Jakel, Police Chief Manion, Fire Chief Hirte, Fin. Dir. VanRossum, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, Sr. Proj. Eng. Strelcheck, and interested citizens.

1. Motion by Penterman, seconded by Coenen, that no more bids be accepted for Project No. 4-17 – Sidewalk Replacement Program and those bids already received be opened.

All Ald. present voted aye.

Motion carried.

2. Bids are as follows:

| CONTRACTOR | BID AMOUNT | BID/WORK UNIT B (Combined Locks) |
|--------------------------------------|------------|-------------------------------------|
| Al Dix Concrete, Kaukauna | \$170,360 | \$214,960 |
| Fischer-Ulman Construction, Appleton | \$182,140 | \$225,690 |

Motion by Penterman, seconded by Driessen, to authorize the Engineering Department to tabulate the bids and come back with a recommendation.

All Ald. present voted aye.

Motion carried.

3. Motion by Penterman, seconded by Leon, that no more bids be accepted for Project No. 5-17 –Downtown Plaza Construction and those bids already received be opened.

All Ald. present voted aye.

Motion carried.

4. Bids are as follows:

| CONTRACTOR | BID AMOUNT |
|--------------------------------|------------|
| Vinton Construction, Manitowoc | \$417,000 |
| Alternate bid (Limestone Caps) | \$ 61,000 |

Motion by Penterman, seconded by Leon, to authorize the Engineering Department to tabulate the bid and come back with a recommendation.

All Ald. present voted aye.

Motion carried.

5. DPW/Eng. Sundelius explained that he has talked to the Wisconsin Department of Transportation (WDOT) and the language in the state/municipal agreement for Delanglade Street (STH 55) regarding the City maintaining the sidewalk/terrace areas for the railroad. The language has been used in several projects in the past with other railroads and those agreements have been approved with the affected municipalities. There is statewide discussion on this to confirm a consistent response for issues like this. This item will be discussed at a future meeting.

6. DPW/Eng. Sundelius reviewed the agreement with WDOT for the connecting highway limits change for STH 55 from Lawe Street to I-41 in 2018. He presented a map showing an area in red that will become part of the connecting highway system. The portion of STH 55 that will be added extends from Blackwell Street to the south I-41 ramp. The state would be responsible for the two roundabouts by the on/off I-41 ramps.

Motion by Driessen, seconded by Leon, to authorize the Mayor to enter into the agreement for the connecting highway change number 284.

All Ald. present voted aye.

Motion carried.

7. Planner Jakel explained that an engineering study was contracted to be completed by McMahon in the amount of \$78,000 for the extension of the CE trail in 2018. This cost is eligible for funding from the Outagamie County Greenways but the City needs to apply for this funding and will need authorization.

Motion by Penterman, seconded by Leon, to authorize the City Planner to apply for Outagamie County Greenway funds for extension of the CE trail from Loderbauer Road to Haas Road (Phase 1).

All Ald. present voted aye.

Motion carried.

8. Eng./GIS Spec. Neumeier reviewed the Compliance Maintenance Annual Report (CMAR). This report is a self-evaluation tool that promotes the owner's awareness and responsibility for wastewater collection and treatment needs, measures the performance during the year, and assesses its level of compliance with permit requirements. The City has achieved an "A" grade for 2016 which requires no formal corrective action. The CMAR now includes a section for energy usage for lift stations within the system.

9. The City will urbanize Loderbauer Road as part of the 2017 Concrete Street Paving Project. The project will include the widening of driving surface, installation of curb and gutter, and installation of sidewalk. The Wisconsin Department of Natural Resources (WDNR) will require the City to install post construction stormwater best management practices to reduce total suspended solids, total phosphorus, and reduce peak flow rates. K & B Development owns property along Loderbauer Road – half within an existing subdivision and half for a proposed residential development. The WDNR will also require K & B Development to install stormwater best management practices for the next phase of residential development and K & B Development had a pond designed to accommodate future residential development. Engineering Department has been working on an agreement with K & B Development on terms for an expansion of the designed pond and installation of the same to accommodate the project and allow for future expansion of their subdivision.

Motion by Penterman, seconded by Leon, to direct the Engineering Department and City Attorney to finalize an agreement with K & B Development for a shared stormwater pond on Loderbauer Road.

All Ald. present voted aye.

Motion carried.

10. Fin. Dir. VanRossum would like to include the storm and sewer user fees in the study staff will be doing for review of other fees. He would like to initiate a smaller fee sooner than a larger one later.

Motion by Penterman, seconded by Leon, to direct staff to review the storm and sewer fees and come back with a recommendation.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 6:25 P.M.

Susan J. Duda
Clerk/Treasurer

and moved for its adoption, seconded by Penterman.

All Ald. present voted aye.

Motion carried.

Ald. McGinnis presented the following report:

CITY PLAN COMMISSION

A meeting of the City Plan Commission was called to order at 4:00 p.m. on Thursday, June 8, 2017, by Chairman Rosin.

Members Present: Feldt, McGinnis, Oldenburg, Rosin, Schoenike, and Sundelius.

Absent and Excused: Penterman and VanderSanden.

Also Present: Planning Director Jakel, Project Engineer Neumeier, Planning/Engineering Tech Holmes, Planning Intern Harp, and Media.

1. A motion to excuse the absent Commission members was made by McGinnis, seconded by Feldt. All members voted Aye. Motion carried.
2. A motion to approve the minutes of the May 4, 2017, meeting was made by Sundelius, seconded by Schoenike. All members voted aye. Motion carried.
3. Mr. Jakel introduced this year's Planning Intern Alex Harp to the Commission and explained that Alex will be working on trails projects and grant applications along with researching procedures for downtown sidewalk vendors and food trucks.
4. Mr. Jakel explained that the property in question is the former City Hall parking lot, which was technically part of Second Street. As the new Fire Department is being built on the property, it will need to be vacated. A motion to recommend to the Council approval of the request to vacate a portion of Second Street was made by McGinnis, seconded by Schoenike. All members voted aye. Motion carried.
5. Mr. Jakel explained that the relocation of Bicentennial Court and the need for improvements to Third Street to accommodate the Street Department storage yard and proposed recreational trails require the vacation of a portion of Third Street. Mr. Jakel asked if there were any easements in the area that would need to be maintained. Mr. Sundelius explained that he would verify the location and need for any easements. Mr. Sundelius explained that once portions of Second and Third Street are vacated, a CSM will be done to combine all the municipal parcels and clean up the legal description. A motion to recommend to the Council approval of the request to vacate a portion of Third Street was made by Feldt, seconded by Sundelius. All members voted aye. Motion carried.

6. Mr. Jakel explained that staff received a plat for the development of Moon Ridge Meadows and that several duplexes have already been completed. The original intent was to have a six-unit building fronting the creek, however, Outagamie County has approved a request to permit access on to CTH HH which could change the configuration. The revised plan calls for two duplexes on Lot 3 and one on Lot 4, all similar to surrounding structures. Mr. Schoenike explained that the city limit line is the center of DeBruin Road. Mr. Sundelius asked if sanitary sewer and water laterals were available for Lot 1. Mr. Neumeier explained that storm and sanitary sewer and water laterals are located in the easement. Mr. Jakel explained that a two-foot gap on the easement between Lot 1 and the easement that would have to be eliminated – it needs to be abutting. Mr. Schoenike suggested that the surveyor may have used the old lot line in the survey. Mr. Sundelius explained that the reason for the gap needs to be determined before approval is granted and enough frontage must be left to accommodate future access. A motion to recommend to the Council approval of the CSM contingent on the adjustment of the property line down two feet or the extension of the easement to 32 feet to accommodate access was made by Sundelius, seconded by Schoenike. All members voted aye. Motion carried.
7. Mr. Jakel explained that staff is in the process of reviewing all fees and that review of the Certified Survey Map fee can be pulled for further discussion once the new fee schedule is determined.

There being no further business to be brought before the Commission, a motion to adjourn the meeting at 4:20 pm was made by McGinnis, seconded by Sundelius. All members voted aye. Motion carried.

Julianne Schroeder, Executive Secretary

and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Ald. Penterman presented the minutes of the Heart of the Valley Metropolitan Sewerage District Commission of May 9, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Ald. Penterman presented and read the following report:

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chairman Rosin on Monday, June 19, 2017, at 6:45 P.M.

Members present: Coenen, DeCoster, Penterman, and Roehrig.

Absent & excused: Meyerhofer.

Also present: Ald. Driessen, Leon, and McGinnis, Atty. Davidson, DPW/Eng. Sundelius, Fin. Dir. VanRossum, Planner Jakel, Fire Chief Hirte, Police Chief Manion, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, Sr. Proj. Eng. Strelcheck, and interested citizens.

1. Fin. Dir. VanRossum reviewed the 2017 Capital Improvement Project List along with the funding source. Project cost is at \$11,827,420 with \$8,288,307 coming from the 2017 general obligation borrowing. The storm and sewer revenue bond borrowing schedule was also discussed and in order to get the best rates the Finance Director is recommending the minimum bond amount be \$750,000 which will get added to the project cost for the 2018 borrowing for each utility.

Motion by Roehrig, seconded by Coenen, to approve the 2017 Capital Improvement Projects borrowing as presented along with the financing schedule.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 7:09 P.M.

Susan Duda
Clerk/Treasurer

and moved for its adoption, seconded by Driessen.

All Ald. present voted aye.

Motion carried.

Ald. Coenen presented and read the following report:

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman Coenen on Monday, June 19, 2017, at 6:30 p.m.

Members present: Coenen, Driessen, McGinnis, and Roehrig.

Also present: Ald. DeCoster, Leon, and Penterman, Mayor Rosin, DPW/Eng. Sundelius, Atty. Davidson, Police Chief Manion, Planner Jakel, Fire Chief Hirte, Fin. Dir. VanRossum, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, Sr. Proj. Eng. Strelcheck, and interested citizens.

1. Discussion held on an outdoor alcoholic beverage area permit for Benchwarmers, 701 Dodge Street. Dale VanElsen, 709 Dodge Street, explained that they are 50 feet from Benchwarmers and he and his wife sleep with earplugs and keep their windows closed. They are requesting that you do not issue Benchwarmers a permit. Ald. Roehrig asked if there have been any noise complaints over the past year at this location. Chief Manion stated he will review the activity there and asked if you could hold off on the permit until tomorrow night.

Motion by Roehrig, seconded by McGinnis, to hold off on the outdoor alcoholic beverage area permit for Benchwarmers, 701 Dodge Street, until tomorrow night.

All members voted aye.

Motion carried.

2. Discussion held on an outdoor alcoholic beverage area permit for Hyland House, 701 Hyland Avenue. Chairman Coenen stated he received a phone call from Dave Roloff and he is not opposed but would like to get the notice sooner. He just received his notice this morning.

Motion by McGinnis, seconded by Driessen, to grant the outdoor alcoholic beverage area permit to Cash & Swillies, Hyland House, 701 Hyland Avenue.

All members voted aye.
Motion carried.

3. Discussion held on tavern report. Police Chief Manion on how good a year it was.

Motion by McGinnis, seconded by Driessen, to receive and place on file the Tavern Report.
All members voted aye.
Motion carried.

4. Motion by Roehrig, seconded by McGinnis, to grant the 2017-2018 Beer and Liquor Licenses as presented.
All members voted aye.
Motion carried.

Meeting adjourned at 6:38 P.M.

Susan J. Duda
Clerk/Treasurer

#1 – Chief Manion reported that there are cameras inside and out at Benchwarmers. Ken Zastrow was present to answer any questions and explained that there is no music after 9 outside and the volume is controlled by the system. The outside area that would be licensed is approximately a 30 x 40 area (2400 sq.ft.) and would not include the back half by the basketball hoop.

Motion by Penterman, seconded by McGinnis, to approve the outdoor alcoholic beverage area permit at 701 Dodge Street.
All Ald. present voted aye.
Motion carried.

and moved for its adoption as amended, seconded by McGinnis.
All Ald. present voted aye.
Motion carried.

Ald. Coenen presented the following applications for operator licenses for the 2016-2018 License Year:

Evelyn M. Defatte-Singh - 2906 Fieldcrest Drive, Kaukauna
Amber L. Deprez - N884 County Road GG, Kaukauna
Annah J. Fink - 2801 Welhouse Drive, Kaukauna
Bailey M. Miller - 2061 White Wolf Lane, Kaukauna
Jennifer L. Nussbaum - N126 State Hwy 55, Kaukauna
Marissa L. Schroeder - 1870 Antelope Trail, Kaukauna

and moved that they be granted as presented, seconded by McGinnis.
All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Fire Report for the month of May, 2017, and moved it be accepted and placed on file, seconded by Coenen.
All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Ambulance Report for the month of May, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Police Department Report for the month of May, 2017, and moved it be accepted and placed on file, seconded by McGinnis.
All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Municipal Court Report for the month of May, 2017, and moved it be accepted and placed on file, seconded by Driessen.
All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Treasurer Deposit Report for the month of May, 2017, and moved it be accepted and placed on file, seconded by Leon.
All Ald. present voted aye.
Motion carried.

Ald. Penterman presented the Summary of Permits and Fees for the month of May, 2017, and moved it be accepted and placed on file, seconded by DeCoster.
All Ald. present voted aye.
Motion carried.

Motion by Penterman, seconded by Coenen, to award the bid for Project No. 4-17 – 2017 Sidewalk Replacement Program to Al Dix Concrete in the amount of \$214,960.
All Ald. present voted aye.
Motion carried.

Motion by Penterman, seconded by Roehrig, to award the bid for Project No. 5-17, Downtown Plaza Construction to Vinton Construction with the addition of the alternate bid items for a total contract price of \$478,000.
All Ald. present voted aye.
Motion carried.

Planner Jakel explained that we received the commitment for financing from the bank for Clay Eiting for renovation of the building at 150-152 East Second Street. He reviewed the development agreement with 150-152 East Second Street LLC.

Motion by McGinnis, seconded by Penterman, to approve the development agreement with Clay Eiting for redevelopment of 150-152 E. Second Street subject to final review by the City Attorney and including a life insurance policy for Clay Eiting.
All Ald. present voted aye.
Motion carried.

Planner Jakel reviewed the site plan for 1100 Lawe Street for the Lawe Street Retail Center (Jerry VanDynHoven). He presented a site plan prepared by Martenson & Eisele Inc. with the changes in yellow. There is a minor issue with how to properly handle the stormwater management.

Motion by Penterman, seconded by Roehrig, to direct staff to comply with the stormwater requirements to meet state approval and approve the site plan amendment to the agreement with Dutch Boyz.
All Ald. present voted aye.
Motion carried.

Motion by Penterman, seconded by Leon, to suspend the rules and waive the reading of Resolution No. 4094.

All Ald. present voted aye.

Motion carried.

Ald. Penterman presented Resolution No. 4094 filing a Compliance Maintenance Annual Report (CMAR) with the Wisconsin Department of Natural Resources and moved for its adoption, seconded by Driessen.

All Ald. present voted aye.

Motion carried.

Motion by Penterman, seconded by Leon, to suspend the rules and waive the reading of Resolution No. 4095.

All Ald. present voted aye.

Motion carried.

Ald. Penterman presented Resolution No. 4095 approving a Certified Survey Map for David Evers and moved for its adoption, seconded by McGinnis.

All Ald. present voted aye.

Motion carried.

Ald. Roehrig thanked the City of Kaukauna especially the police and fire departments on behalf of the girls state champions. You really made an impact on them.

Motion by Leon, seconded by Coenen, to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 8:12 P.M.

Susan J. Duda

Clerk/Treasurer