

COUNCIL PROCEEDINGS - Council Chambers - Kaukauna, Wisconsin – August 15, 2017

Pursuant to adjournment on August 1, 2017, meeting of the Common Council of the City of Kaukauna called to order by Mayor Rosin at 7:00 P.M. on Tuesday, August 15, 2017.

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

Absent & excused: Roehrig.

Also present: Atty. Davidson, DPW/Eng. Sundelius, Fin. Dir. VanRossum, Police Chief Manion, HR Dir. Vanderloop, and interested citizens.

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

Motion by Meyerhofer, seconded by Leon, to suspend the rules and waive the reading of the minutes of the previous meeting of August 1, 2017.

All Ald. present voted aye.

Motion carried.

Motion by Meyerhofer, seconded by McGinnis, to adopt the minutes of the previous meeting of August 1, 2017.

All Ald. present voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Penterman, that Vouchers No. 103143 through No. 103333 be approved and placed on file with the Clerk/Treasurer.

Upon roll call, all Ald. present voted aye.

Motion carried.

Brian Roebke, 429 Park Street, stated he intends to run for Mayor.

Mayor reminded aldermen of the League Conference on October 18-20, 2017, in Appleton.

Motion by McGinnis, seconded by Meyerhofer, to reappoint Pat Landreman to the Redevelopment Authority of the City of Kaukauna.

All Ald. present voted aye.

Motion carried.

Ald. McGinnis presented the minutes of the 1000 Islands Environmental Center Committee of July 20, 2017, and moved it be accepted and placed on file, seconded by Leon.

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, August 14, 2017.

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

Also present: Mayor Rosin, DPW/Eng. Sundelius, Atty. Davidson, Fire Chief Hirte, Fin. Dir. VanRossum, HR Dir. Vanderloop, Asst. Police Chief Graff, Eng./GIS Spec. Neumeier, Sr. Proj. Eng. Strelcheck, Planning Intern Harp, and interested citizens.

1. DPW/Eng. Sundelius reported that the Wisconsin Department of Transportation (WDOT) has removed the language from the state/municipal maintenance agreement (SMMA) for Delanglade Street (STH 55) that would have assigned maintenance of the new sidewalk that crosses the railroad right-of-way to the City.

Motion by Meyerhofer, seconded by Coenen, to authorize the Director of Public Works to enter into the revised state/municipal maintenance agreement for Delanglade Street (STH 55) dated July 31, 2017.

All Ald. voted aye.

Motion carried.

2. Eng./GIS Spec. Neumeier reported on the required actions and recommended actions in the areas of noncompliance as reported in the Wisconsin Department of Natural Resources MS 4 audit report. Any comments or recommendations can be made to staff.

Motion by Driessen, seconded by Roehrig, to receive and place on file the municipal separate storm sewer system (MS4) program evaluation followup actions.

All Ald. voted aye.

Motion carried.

3. Discussion held on overnight parking on Reaume Avenue year round. DPW/Eng. Sundelius explained that the City Plan Commission reviewed alternatives to terrace parking on Reaume Avenue between Third Street and Fifth Street. The City Plan Commission's consensus, based on residents preference, was to allow overnight parking on Reaume Avenue on alternative sides of the street during the winter months from Third Street to Fifth Street. Past minutes from 1990 were included for review. Ald. Meyerhofer stated that there is ample parking for these residents.

Motion by Driessen, seconded by McGinnis, to allow overnight parking on Reaume Avenue on alternate sides of the street from Third Street to Fourth Street during the winter months of December through March.

Motion by Driessen, seconded by McGinnis, to amend the motion to have a trial period for one winter to see how it goes.

Upon voice vote, aye: Coenen, DeCoster, Driessen, McGinnis, and Penterman (5).

nay: Leon, Meyerhofer, and Roehrig (3).

Motion carried.

4. Motion by Driessen, seconded by McGinnis, to allow overnight parking on Reaume Avenue on alternate sides of the street from Third Street to Fourth Street during the winter months of December through March for one winter as a trial period.

Upon voice vote, aye: DeCoster, Driessen, McGinnis, and Penterman (4).

nay: Coenen, Leon, Meyerhofer, and Roehrig (4).

Tie vote. Motion lost.

5. Mayor reported that Kaukauna Coffee and Tea will be remodeling the interior of their business and would like to use the Coffee Camper in front of their business to serve customers directly on the sidewalk during the remodeling.

Motion by Meyerhofer, seconded by Driessen, to authorize Kaukauna Coffee and Tea permission to parallel park the Coffee Camper overnight in front of their business during remodeling.

All Ald. voted aye.

Motion carried.

6. Planning Intern Harp gave a presentation on how a downtown sidewalk and street use permit could be implemented from April 1 through November 30. Sidewalks in the downtown will be wider going from 10 feet to 13 ½ feet which will allow for café options or business display opportunities and pedestrian traffic. Mr. Harp explained this his survey of surrounding communities included permit fees, alcohol sales, hours of operation, types of barricades, type of furniture, and outdoor advertising.

Motion by Meyerhofer, seconded by Penterman, to authorize the City Attorney to work with staff and draft an ordinance that he deems appropriate for committee review for a downtown sidewalk and street use permit.

All Ald. voted aye.

Motion carried.

7. Ald. Penterman questioned Asst. Chief Graff regarding the temporary traffic signals on Third Street. Asst. Chief Graff stated they will be adding a temporary crossing guard at this intersection at the start of the school year until the end of the project.

Motion by Meyerhofer, seconded by Coenen, to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 6:53 P.M.

Susan J. Duda
Clerk/Treasurer

#4 – Ald. DeCoster made a motion to reconsider.

Upon roll call, aye: DeCoster and Driessen (2).

nay: Coenen, Leon, McGinnis, Meyerhofer, and Penterman (5).

Motion to reconsider lost.

and moved for its adoption, seconded by Driessen.

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, August 3, 2017, by Chairman Rosin.

Members Present: McGinnis, Oldenburg, Penterman, Rosin, and Sundelius.

Absent and Excused: Feldt, Schoenike, and VanderSanden.

Also Present: Planning Director Jakel, City Attorney Davidson, Planning/Engineering Tech Holmes, Planning Intern Harp, Clerk/Treasurer Duda, Senior Project Engineer Strelcheck, Media, and interested citizens.

1. A motion to excuse the absent Commission members was made by Penterman, seconded by McGinnis. All members voted Aye. Motion carried.
2. . A motion to approve the minutes of the July 13, 2017, meeting was made by McGinnis, seconded by Penterman. All members voted aye. Motion carried.
3. . Mr. Jakel explained that plans for the reconstruction of Reaume Avenue eliminated on-street and terrace parking causing neighbors to reconsider parking options. The Common Council directed the Plan Commission to look into alternatives and formulate a recommendation. Planning staff considered several alternatives including residents leasing space at the storage facility on Third and Reaume, the possible use of leased parking spaces in the municipally-owned lot on Third Street currently used as parking for Fire Department staff, and possibly expanding space at LaFollette Park for parking during the winter. Mr. Jakel explained that every reaction causes a change in the characteristics of the neighborhood – older homes were not typically designed to accommodate more than two cars. With the increased demand for parking, the possibility of allowing on-street overnight parking on one side of Reaume Avenue could be considered in the winter months. Mr. Jakel explained that preliminary research showed some significant opposition to the terrace parking as far back as 1990. Mr. Sundelius asked why the Board of Public Works did not take appropriate action at that time. Mr. Jakel explained that there has been no evidence of any action in the minutes. Chairman Rosin asked if the current Fire Department parking lot is considered as an alternative, would parking be restricted to Reaume Avenue residents or open to the public. Mr. Jakel explained that priority would be given to Reaume Avenue residents and that boats, trailers, and non-operational vehicles would be prohibited – however Council and department head input would be necessary. Mr. Penterman asked if on-street parking in the winter would alternate sides. Mr. Jakel explained that snow removal and emergency access would be the primary concern and that the parking would likely alternate sides of the street. Mr. McGinnis asked about the number of spaces needed to accommodate the loss of terrace parking. Mr. Jakel explained that it was difficult to determine based on the variables of the rental properties and it appeared that the impact would be limited to four properties. Mr. Sundelius explained that the Recreation Department intended to use the Fire Department parking lot and asked what the benefit to the City was by having to maintain a municipal parking lot for a small number of residents. He suggested possibly selling the lot in that case. Mr. Jakel explained that it is a philosophical issue for elected officials and that other municipal lots are used by private residents in high-density residential areas. There is also the topography of the lots to consider.

Jenny Kitelinger of 311 and 311 ½ Reaume Avenue explained that her property is considered two family due to the availability of tenant parking and separate utility meters. She would like to see concrete on the terrace to accommodate parking. With three cars and a one car garage, she is able to configure parking using her driveway and the terrace. If terrace parking is not available, she prefers parking as close to the residence as possible. Dave VanDeraa of 319 Reaume Avenue explained that some residents on Third Street are permitted to park on the terrace despite having adequate off-street facilities available. The Reaume Avenue properties should be grandfathered in and while he appreciates the alternatives presented, on-street parking is not the best option. He explained that if the residents had known that the parking issue was not resolved by ordinance in 1990, they would have been here long ago. He also asked why residents would now opt to lease space when it has been free for so long. Mr. VanDeraa explained that he works second shift and would have no guarantee that parking would be available to him and that eliminating the parking at his property will decrease its value. Chris Kitelinger of 311 and 311 ½ Reaume Avenue asked about the letters of opposition from 1990. Mr. Jakel explained that a private resident has the documents but was not able to attend the meeting. Mr. Kitelinger explained that he would prefer on-street parking rather than space in an off-site parking lot.

Mr. Sundelius explained that the Common Council has already determined that terrace parking will be eliminated and directed the Plan Commission to review alternatives. Chairman Rosin explained that more research will be done regarding past action of the Council. Mr. Jakel explained that if no ordinance exists, there is no pre-existing circumstance and it will be up to the Council to make a determination. Mr. Jakel noted that the input of residents is always appreciated and that the Council and Plan Commission now understand their position and concerns. If making additional meetings is difficult, comments can be relayed via email or letter. Mr. Strelcheck answered questions from residents on the specifics of the paving project. A motion to continue researching the minutes of the Council and Plan Commission from 1990 and forward all information on to the Council was made by Sundelius, seconded by Penterman. All members voted aye. Motion carried.

4. Mr. Jakel explained that the reconstruction of the downtown will create wider sidewalks and increase business display opportunities and pedestrian movement. Mr. Harp explained this his survey of surrounding communities regarding downtown sidewalk and street use permits included permit fees, alcohol sales, hours of operation, types of barricades, type of furniture, outdoor advertising, and sanitation. Don Dix, owner of Bob's Inn, applauded the City for considering the permit as a way to boost downtown business. Mr. Jakel asked if 10:00 p.m. was a realistic expectation regarding monitoring. Mr. Dix explained that a case by case review would be a better option. Mr. Sundelius explained that any action would require Police Department review and that he favors making the process as easy as possible on businesses. Mr. Sundelius would like to see Mr. Harp give his presentation to the Council as well. Chairman Rosin agreed. Mr. Jakel suggested a hold harmless clause so the City is not liable. Attorney Davidson explained that the City's current outdoor alcohol permit does not apply to public spaces so a new procedure would need to be created. A motion to proceed with establishing a recommendation on the downtown sidewalk and street use permit to be presented to the Council, Board of Public Works, and/or the Health and Recreation Committee was made by Penterman, seconded by Oldenburg. All members voted aye. Motion carried.

5. Mr. Jakel explained that the Plan Commission does not typically review extraterritorial Certified Survey Maps, however, this may impact the City in the future. One lot is landlocked and while that is not permitted in the City, Outagamie County does permit it. Mr. Sundelius explained that it is difficult to understand Gene Biese's reasoning for this layout of the property in the Town of Kaukauna.

There being no further business to be brought before the Commission, a motion to adjourn the meeting at 5:25 was made by Penterman, 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. Meyerhofer presented the minutes of the Heart of the Valley Metropolitan Sewerage District Commission of July 11, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

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

Erika J. Cortes – 149 Lamplighter Drive, Kaukauna
Christine C. Kelch – 2701 Fieldcrest Drive, Kaukauna
Desiree D. Kinnard – 1593 Acorn Court, Menasha
Jessica A. Mischler – W496 Jillian Court, Kaukauna
Sabin Pandey – 3082 Winnipeg Street, Menasha

Sandra J. Simmons – 129 Grant Street, Kaukauna
Diane M. Smits – N249 VanHandel Drive, Appleton
Amber L. Starr – 164 Grant Street, Kaukauna
Chloe M. Svejda – 712 E. 3rd Street, Kimberly

and moved that they be granted as presented, seconded by McGinnis.

All Ald. present voted aye.

Motion carried.

Ald. Meyerhofer presented the Fire Report for the month of July, 2017, and moved it be accepted and placed on file, seconded by McGinnis.

All Ald. present voted aye.

Motion carried.

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

All Ald. present voted aye.

Motion carried.

Ald. Meyerhofer presented the Police Department Report for the month of July, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Ald. Meyerhofer presented the Municipal Court Report for the month of July, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Ald. Meyerhofer presented the Treasurer Deposit Report for the month of July, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Ald. Meyerhofer presented the Summary of Permits and Fees for the month of July, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. present voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Penterman, to receive and place on file the memorandum of understanding for environmental review for Kaukauna Housing Authority.

All Ald. present voted aye.

Motion carried.

Motion by Penterman, seconded by McGinnis, to approve the Council dates for 2018 with no meeting on July 3, 2018.

All Ald. present voted aye.

Motion carried.

Motion by McGinnis, seconded by Penterman, to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 7:17 P.M.

Susan J. Duda
Clerk/Treasurer