

Regular meeting of the Common Council of the City of Kaukauna called to order by Mayor Rosin in the Council Chambers at 7:00 P.M. on Tuesday, November 7, 2017.

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

Also present: Atty. Davidson, DPW/Eng. Sundelius, Police Chief Manion, Fin. Dir. VanRossum, Planner Jakel, HR Dir. Vanderloop, 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 Meyerhofer, seconded by Leon, to suspend the rules and waive the reading of the minutes of the previous meeting of October 17, 2017.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by McGinnis, to adopt the minutes of the previous meeting of October 17, 2017.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Leon, that Vouchers No. 103759 through No. 103881 be approved and placed on file with the Clerk/Treasurer.

Upon roll call, all Ald. voted aye.

Motion carried.

Four senior students from the Civic Engagement Class updated the council on their plans for Fassbender Park. They gave the park more of an amphitheatre look after talking with the City Planner. They had to change the statue of Electa Quinney that would be located in the park to a Native American Indian carrying a canoe as the Grignon group was already using Electa Quinney. The bubbler will be removed and there will not be a water feature in the park at all. The students are looking at fundraising and getting donations for the trees and the bricks with people buying a brick or tree. They also have two people writing grants to help with the cost. Ald. Meyerhofer suggested that the students itemize everything even the inkind donations and come back with a more thorough plan. Ald. DeCoster stated that if plans are to have music at the park to make sure enough electrical items are there to accommodate for the music.

Mikenna Buchinger and Molly Josephs, two senior students from the civic engagement class gave a presentation on the Grignon Home signage. They presented their plans for a sign. The cost of the sign is \$1,625 and they have raised \$2,200. The overage will be donated to the Grignon Home.

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, November 6, 2017.

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

Also present: Mayor Rosin, DPW/Eng. Sundelius, Atty. Davidson, Police Chief Manion, Fire Chief Hirte, Fin. Dir. VanRossum, HR Dir. Vanderloop, Planner Jakel, Trevor Frank-Architect from SEH, and interested citizens.

1. Motion by Meyerhofer, seconded by Leon, that no more bids be accepted for the Grand Kakalin Overlook and those already received be opened.

All Ald. voted aye.

Motion carried.

2. Bids are as follows:

BIDDER	BID AMOUNT
Janke General Contractors, Athens	\$669,099
Milbach Construction, Kaukauna	\$711,930
NuGen Johnson LLC, Sussex	\$774,696

Motion by Meyerhofer, seconded by Coenen, to authorize the Planning Director to tabulate the bids and come back with a recommendation.

All Ald. voted aye.

Motion carried.

3. DPW/Eng. Sundelius reviewed Phase 3 of the space needs improvements which is the remodeling of the Street, Park, and Recreation Departments. Trevor Frank was present to answer any questions.

This phase also includes improvements to the existing Community Room and Street and Park Department operations. Staff has met internally and have done several "test fits" for improved operations. Next step is the design/construction contract with Short Elliott Hendrickson (SEH) for Phase 3 then we can place the project out for bid in April of 2018 with completion in April of 2019.

Motion by Meyerhofer, seconded by Leon, to authorize the Mayor to enter into a contract with SEH for architectural services for the construction of Phase 3 of the Space Needs Improvements.

All Ald. voted aye.

Motion carried.

4. Ald. Penterman stated he would be running for Mayor.

5. Motion by Penterman, seconded by Coenen, to convene to Closed Session at 6:17 P.M. pursuant to Wisconsin State Statutes 19.85 (1) (g) to confer with legal counsel regarding the Veterans Memorial Bridge funding with respect to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

6. Motion by Penterman, seconded by Driessen, to reconvene to Open Session at 7:04 P.M.

All Ald. voted aye.

Motion carried.

7. Motion by Roehrig, seconded by Penterman, to authorize the Mayor and Director of Public Works to contact the Fox River Navigational Authority, the Corps of Engineers, East Central Wisconsin Regional Planning Commission, etc. explaining the difficulty we are having in getting funding for the Veterans Memorial Bridge and request an extension for use of the STP-Urban funding we are designated to receive until additional state/federal funding is found for the project.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 7:05 P.M.

Susan J. Duda
Clerk/Treasurer

and moved for its adoption, seconded by Meyerhofer.
All Ald. 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, October 26, 2017, by Chairman Rosin.

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

Also Present: Planning Director Jakel, City Attorney Davidson, Project Engineer Neumeier, Media, Applicants, and interested citizens.

1. A motion to approve the minutes of the October 5, 2017, meeting was made by McGinnis, seconded by Penterman. All members voted aye. Motion carried.
2. Mr. Jakel explained an existing cable line is still located on the property and if the Council decides to accept the Wildenberg North 2 final plat prior to the relocation, it would need to be acknowledged on the plat and no building permits would be issued until the line is moved. Mr. Sehloff explained that the work to relocate the cable line is under contract but no date has been determined yet. Mr. Jakel explained that storm water will drain through the back of Lot 45 however that shouldn't have an impact on building permits. Mr. Neumeier explained that the easement along Lot 44 needs to be expanded – the 50' stream setback should be 75' based on the zoning district. Mr. Jakel explained that due to the large area of wetland on Lot 44 and the required 5' setback, the lot can likely accommodate only a small home. The plat design creates only three corner lots in an effort to reduce frontage and special assessment costs. Mr. Sundelius asked if the cable easement should be shown on the plat if the line is not relocated prior to the Council meeting. Mr. Jakel suggested language on the plat acknowledging the cable line on Lots 45 – 57 and prohibiting the issuing of building permits until the line is relocated. Mr. Feldt questioned the width of the easement – 10' versus 20'. Mr. Sehloff explained that it was originally added as 10' but will be corrected to 20'. Mr. Sundelius expressed his concern regarding the likely in-filling of the wetland on Lot 44 and who will enforce the restrictions. Mr. Jakel explained that there are no statutes on wetland enforcement by municipalities. Attorney Davidson explained that the WDNR would pursue property owners – not the municipality relative to wetland enforcement. Mr. Neumeier suggested an agreement or a temporary easement holding the developer responsible for monitoring and maintaining the wetlands. Mr. Sehloff explained that a conservation easement is an option. Mr. Penterman asked if Lot 44 included a pond or a wetland. Mr. Sehloff explained that it is a wet pond that has already been constructed. A motion to recommend approval of the final plat to Wildenberg North Phase 2 contingent on the conditions noted above was made by Penterman, seconded by Sundelius. All members voted aye. Motion carried.
3. Chairman Rosin explained that the new constructed downtown plaza names should be similar and relevant to the deep roots and history of our community. He suggested Vaudette Plaza for the plaza located at Second Street and Crooks Avenue – the Vaudette was a theater located in the current St. Vincent De Paul building and before that in the former Masonic Temple building on Second Street. Chairman Rosin suggested Eagle Plaza for the plaza located at the north end of Main Avenue to acknowledge the donation of the eagle sculpture to the City by the Brogan family and as a nod to the River View Middle School Eagles.

A motion to recommend to the Council the naming of the plaza at Second Street and Crooks Avenue as Vaudette Plaza was made by McGinnis, seconded by Schoenike. All members voted aye. Motion carried.

4. A motion to recommend to the Council the naming of the plaza at the north end of Main Avenue as Eagle Plaza was made by Penterman, seconded by Oldenburg. All members voted aye. Motion carried.

There being no further business to be brought before the Commission, a motion to adjourn the meeting at 4:25 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 Meyerhofer.

All Ald. voted aye.

Motion carried.

Ald. Meyerhofer presented the minutes of the Kaukauna Library Board of August 22, 2017, and moved it be accepted and placed on file, seconded by Leon.

All Ald. 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, November 6, 2017, at 7:06 p.m.

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

Also present: Ald. DeCoster, Leon, Meyerhofer, and Penterman, Mayor Rosin, Atty. Davidson, DPW/Eng. Sundelius, Fire Chief Hirte, Police Chief Manion, Fin. Dir. VanRossum, HR Dir. Vanderloop, Planner Jakel, and interested citizens.

1. Motion by McGinnis, seconded by Driessen, to grant a Solicitor's License to Otto Krueger, Oshkosh, to sell Christmas balloons and light-up items along parade route.

All members voted aye.

Motion carried.

2. Motion by Driessen, seconded by Roehrig, to grant a Solicitor's License to Patricia Krueger, Oshkosh, to sell Christmas balloons and light-up items along parade route.

All members voted aye.

Motion carried.

3. Motion by Roehrig, seconded by McGinnis, to grant a Solicitor's License to Lewis Olszewski, Oshkosh, to sell Christmas balloons and light-up items along parade route.

All members voted aye.

Motion carried.

4. Motion by McGinnis, seconded by Roehrig, to deny a Solicitor's License to Adam Davis, Oshkosh, to sell Kirby vacuums based upon the recommendation of the Police Department due to his record.

All members voted aye.

Motion carried.

5. Motion by Driessen, seconded by McGinnis, to grant a Solicitor's License to Elwin West, Oshkosh, to sell vacuums.
All members voted aye.
Motion carried.

6. Motion by McGinnis, seconded by Coenen, to grant a Class B Beer and Class C Wine License to The Recyclist/Drop Bar Café, 631 Saunders Road.
All members voted aye.
Motion carried.

7. Motion by Driessen, seconded by Roehrig, to grant a Combination Class B Beer and Liquor License to Skyview Acquisition Corporation, Dan Nicholson, Agent, for Skyview Club, 3108 Green Bay Road.
All members voted aye.
Motion carried.

8. Planner Jakel explained that Gidget Peerenboom, Event Coordinator, was planning an indoor Farmers Market at City Hall but she is getting more vendors than last year and would like to use the former Library (Carnegie Building) for this year to be held on November 25, 2017.

Motion by McGinnis, seconded by Roehrig, to allow the indoor Farmers Market to be held at the former Library (Carnegie Building) on November 25, 2017.
All members voted aye.
Motion carried.

Meeting adjourned at 7:11 P.M.

Susan J. Duda
Clerk/Treasurer

and moved for its adoption, seconded by Penterman.
All Ald. voted aye.
Motion carried.

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

Cheyenne B. Johnson – 453 Tarragon Drive, Kaukauna
Kelly A. Novak – 1544 Harrison Street, Kaukauna
Victoria K. Rojas – N8389 State Park Road, Menasha
Stephanie S. Schroeder – 215 W. Wilson Avenue, Appleton
Alicia L. Welhouse – 1601 Paul Drive, Kaukauna
Amanda J. Wieseler – 118 E. Randall Street, Appleton

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

Ald. Coenen presented the following application for an operator's license for the 2016-2018 License Year:

Julie A. Haanen – 1319 W. Rogers Avenue, Appleton

and moved that it be denied based upon the recommendation of the Police Department due to her record, seconded by McGinnis.

All Ald. voted aye.

Motion carried.

Planner Jakel updated the Council on the CE trail extension from Loderbauer Road to Haas Road. A recent change at the state level included a provision eliminating eminent domain for trails or sidewalks. This could cause a delay for the project if property owners do not participate. A joint effort with Outagamie County, East Central Wisconsin Regional Planning Commission, and the Town of Buchanan in obtaining grants has lowered the cost to the City. The 2019 preliminary opinion of probable costs is estimated at \$513,052.

Motion by Meyerhofer, seconded by Penterman, to authorize staff to draft a joint letter with the school district and county to the legislators to add an exemption to the new rule for trails to lift the eminent domain provision when used for safe routes to school.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Penterman, to suspend the rules and waive the reading of Resolution No. 4104.

All Ald. voted aye.

Motion carried.

Ald. Meyerhofer presented Resolution No. 4104 accepting Wildenberg North 2 and requiring sewer therein and moved for its adoption, seconded by McGinnis.

All Ald. voted aye.

Motion carried.

Motion by Penterman, seconded by Coenen, to convene to Closed Session at 7:55 P.M. pursuant to Wisconsin State Statutes 19.85 (1) (g) to confer with legal counsel regarding property at 913 Draper Street with respect to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Penterman, to reconvene to Open Session at 8:08 P.M.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by McGinnis, to convene to Closed Session at 8:09 P.M. pursuant to Wisconsin State Statutes 19.85 (1) (g) to confer with legal counsel regarding Gerald VanDynHoven with respect to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

Motion by Penterman, seconded by Meyerhofer, to reconvene to Open Session at 8:12 P.M.

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Coenen, to convene to Closed Session at 8:13 P.M. pursuant to Wisconsin State Statutes 19.85 (1) (g) to confer with legal counsel regarding Modern Dairy with respect to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by McGinnis, to reconvene to Open Session at 8:24 P.M.

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Penterman, to convene to Closed Session at 8:25 P.M. pursuant to Wisconsin State Statutes 19.85 (1) (g) to confer with legal counsel regarding the room tax issue with respect to litigation in which it is or is likely to become involved.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Coenen, to reconvene to Open Session at 8:48 P.M.

All Ald. voted aye.

Motion carried.

Motion by Meyerhofer, seconded by Coenen, to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:49 P.M.

Susan J. Duda

Clerk/Treasurer