

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, March 6, 2018.

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

Absent & excused: Roehrig.

Also present: Atty. Davidson, DPW/Eng. Sundelius, Fin. Dir. VanRossum, Planner Jakel, Police Chief Manion, Fire Chief Hirte, 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 Coenen, to suspend the rules and waive the reading of the minutes of the previous meeting of February 21, 2018.

All Ald. present voted aye.

Motion carried.

Ald. Leon stated that she would like to amend her comment from the last meeting to state that she was receiving questions how the absentee ballots were handled.

Motion by Meyerhofer, seconded by McGinnis, to adopt the minutes of the previous meeting of February 21, 2018, as amended.

All Ald. present voted aye.

Motion carried.

Ald. Roehrig arrived at this time - 7:03 P.M.

Motion by Meyerhofer, seconded by Coenen, that Vouchers No. 104593 through No. 104682 be approved and placed on file with the Clerk/Treasurer.

Upon roll call, all Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Coenen, to appoint Greg VandeHey to the Fox Cities Transit Commission to replace Jeff McCabe.

All Ald. 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, March 5, 2018.

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, Planner Jakel, Fin. Dir. VanRossum, HR Dir. Vanderloop, St. Supt. VandenHeuvel, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, and interested citizens.

1. DPW/Eng. Sundelius reviewed the streets that will get concrete street paving for 2018. The streets included are Coriander Court, Tarragon Drive, Sweet Meadow Lane, Moon Ridge Court, Nature View Court, Ridgecrest Drive, Haen Drive, Alyssa Street, East 12th Street, East 13th Street, East 14th Street, and Oakridge Avenue. He explained that Moon Ridge Court and Sweet Meadow Lane do not meet the typical 2/3 developed subdivision but the existing sealcoat surface is beyond repair. A letter was included from Alice Evers for Moon Ridge Meadows Subdivision requesting postponing the concrete street until the subdivision is 70% occupied. We did have a similar situation years ago on Mallard Court, Peters Road, and White Wolf Lane. The Board directed that these streets receive concrete pavement to avoid the continued expense of repairing the temporary surface. A request was also received to postpone installation of sidewalk on Nature View Court until other sidewalk or a trail reaches this area. A public hearing will be held for this project before special assessments are levied.

Motion by Coenen, seconded by Penterman, to pull Moon Ridge Court from the concrete street paving project for this year and delay paving until 2019.

Upon voice vote, aye: Coenen, DeCoster, Driessen, McGinnis, Meyerhofer, Penterman, and Roehrig (7).
nay: Leon (1).

Motion carried.

2. Motion by Driessen, seconded by DeCoster, to not install sidewalk on Nature View Court in conjunction with the street paving project this year but install the sidewalk in two years.

Upon voice vote, aye: Coenen, DeCoster, Driessen, McGinnis, Meyerhofer, and Roehrig (6).
nay: Leon and Penterman (2).

Motion carried.

3. DPW/Eng. Sundelius explained that Phase 3 is the remodeling of the former fire station/City Hall and areas in the Street Department to include the Recreation Department and a 10,000 square foot addition to the Street Department garage. Trevor Frank, S.E.H., was present to answer any questions. Plans are 50% complete. Bid opening could be April 2, 2018, with the awarding of the bid for the project as early as April 4, 2018.

Motion by Meyerhofer, seconded by Driessen, to authorize the Engineering Department to seek bids for Phase 3 of the Municipal Building Project for Street Department and Recreation Department.

All Ald. voted aye.

Motion carried.

4. DPW/Eng. Sundelius explained that correspondence was received from David Strelcheck resigning as senior project engineer. We do have a full schedule of public works projects and engineering related work for this summer and need to be at full staff to successfully complete these projects.

Motion by Penterman, seconded by Coenen, to authorize the Engineering Department to fill the vacant project engineer position.

All Ald. voted aye.

Motion carried.

5. Eng./GIS Spec. Neumeier presented the annual report of activities and updates to the City's stormwater management plan. The Engineering Department distributes the report to the Board and Council and provides public access to the report prior to the filing of the report with the Wisconsin Department of Natural Resources. Please review the report as it is in a new format and we will bring back at the next Board Meeting for approval.

6. Eng./GIS Spec. Neumeier presented the total maximum daily loading (TMDL) implementation plan. This document is guided by the TMDL analysis that provides details of the actions and specifies monitoring needed to document actions and progress toward meeting water quality standards. City

staff along with McMahon Associates is developing a compliance schedule to implement pollutant reduction measures in accordance with a stormwater management plan to meet applicable TMDL reductions. The compliance schedule is required to show continual progress by meeting benchmarks of performance with each five year permit term. Six ponds are included in the stormwater plan of action to be presented at next Board meeting.

7. Planner Jakel presented a proposal from Robert E. Lee & Associates, Inc. in the amount of \$23,500 for annual maintenance on the former Lehrer Landfill. This would come out of the environmental tax incremental finance account (ERTIF).

Motion by Meyerhofer, seconded by Coenen, to approve the maintenance contract as presented with Robert E. Lee & Associates in the amount of \$23,500 for the former Lehrer Landfill.

All Ald. voted aye.

Motion carried.

8. DPW/Eng. Sundelius explained that existing ordinances vaguely prohibit the practice of discharging anything into the MS4 system that is not stormwater. However, the language does not specifically address grass clippings or any other form of yard waste. City Attorney is recommending a separate ordinance under Chapter 10 – public nuisances – to address prohibiting grass clippings and yard waste onto public streets.

Motion by Meyerhofer, seconded by Penterman, to direct the City Attorney to work with City staff to draft the appropriate ordinance prohibiting the discharge of grass clippings and yard waste onto public streets.

All Ald. voted aye.

Motion carried.

9. Ald. Coenen stated he had a phone call concerning parking on the streets when tree trimming is being done and questioned why the streets are not cleaned up right away.

Motion by Driessen, seconded by DeCoster, to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 6:40 P.M.

Susan J. Duda
Clerk/Treasurer

Motion by Penterman, seconded by McGinnis, to amend the minutes to correct the nay vote under #1.

All Ald. voted aye.

Motion carried.

and moved for its adoption, seconded by Leon.

All Ald. voted aye.

Motion carried.

Ald. McGinnis presented the following report:

A meeting of the City Plan Commission was called to order at 3:00 p.m. on Thursday, February 8, 2018, by Chairman Rosin.

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

Absent and Excused: Schoenike.

Also Present: Planning Director Jakel, City Attorney Davidson, Finance Director Van Rossum, Alderman DeCoster, Assistant Fire Chief Grindheim, Project Engineer Neumeier, Planning/Engineering Technician Holmes, Applicants, Interested Citizens, and Media.

1. A motion to excuse the absent Commission member was made by Feldt, seconded by Sundelius. All members voted aye. Motion carried.
2. A motion to approve the minutes of the January 15, 2018, meeting was made by McGinnis, seconded by Penterman. All members voted aye. Motion carried.
3. Mr. Jakel explained that the site plan for the redevelopment of the former St. Al's site is preliminary and if the project moves forward, there will be two public hearings where residents will be permitted to comment. The plan submitted by Jon Verstegen, Judy Verstegen, and Jeff Verstegen intends 20 single-family lots along Hendricks, Main, and St. Mary's Place which will be slightly larger than surrounding lots and 12 duplex lots under single ownership accessed by a private drive in the center. There will be 30-foot setbacks and a light density for the size of the parcel. In order to facilitate the demolition of the existing buildings, a TIF district would be created where revenue on the development is used to pay off the bonds. TIF regulations require a certain density which the project meets, however, if units are lost as a result of a re-design, the project may be at risk. Jon Verstegen explained that they are sensitive to the neighborhood and intend to create single family lots for sale and duplexes similar in style to ones located at Coffee Hill. The project cost will range from \$5.7 to \$6.1 million and will generate from \$133,000 to \$142,000 in annual tax increment. Mr. Penterman asked if the developer had completed similar projects in other locations. Mr. Verstegen explained that this would be their first large scale development and that he is an architect and general contractor by trade. Mr. Penterman asked about single family lots adjoining two-family lots. Mr. Verstegen explained that the project will have a low density for the size of the parcel and that the square footage of the units can be adjusted. The units would be similar to those at Coffee Hill – they would not have basements and have a zero-entry feature. They are popular with people 55+ looking to downsize. Mr. Jakel clarified that the development would be market-rate housing – not limited to seniors. Mr. VanderSanden asked if the private drive would be asphalt and if it had been approved for emergency equipment access. Mr. Grindheim explained that emergency access should be verified with the Fire Department along with signage prohibiting parking and a plan for enforcement. Mr. Verstegen explained that there is a turnaround planned for the end and adjustments could be made to accommodate access. Mr. McGinnis asked about a potential City street up the center of the development. Mr. Verstegen explained that would not be feasible economically. Mr. Sundelius explained that there are similar developments throughout the City and the private road tends to become an operational headache for City staff relative to enforcement of parking restrictions, snow removal, and visitor parking. He also explained that the Board of Public Works will want to see sidewalks in the development to adhere to their general philosophy throughout the City. Mr. McGinnis asked about the decision to include a

private street. Mr. Verstegen explained that the additional cost would be approximately \$200,000 which could not be covered by the sale of lots in the development.

4. Mr. Jakel explained that if the proposed development proceeds at the former St. Al's site, the City would create a TIF district prior to September 30, 2018, to accommodate the demolition of the existing buildings. This process requires a number of public hearings for the TIF as well as the rezoning. Mr. Sundelius explained that he was in favor of creating the TIF district to aid in the development, however, we need to address the issues that have resulted in similar developments. Mr. Feldt asked what items the TIF would be used for. Mr. Jakel explained that funds would be used for demolition and infrastructure if the developer opts for a City street. Chairman Rosin asked if a public street were placed, if it would run through to St. Mary's Place. Mr. Jakel explained that it would not as it would create additional corner lots of lower value that would affect the project density per the TIF creation regulations. Mr. Verstegen explained that the layout could be adjusted to accommodate the public street and still maintain the density. At the current mill rate, the \$6.1 million development at full value would be covered within three years. Mr. Sundelius explained that the TIF district could cover more infrastructure costs if the street were public. Mr. McGinnis asked if the project would generate more value if it were all single family. Mr. Verstegen didn't think so and explained that his group would not be interested in the project without the duplex component. The consensus of the Commission was that a public street would be preferred. A motion to direct staff to meet with the developer to revise the plan and bring the item back to the Commission with options for the TIF district and public street was made by Rosin, seconded by Penterman. All members voted aye. Motion carried.

5. Mr. Feldt explained that the natural gas easement would run across the Rapide Croche property to serve Fox Energy. There would be minimal disruption to municipal property and Kaukauna Utilities has no technical objection to the easement. The agreed upon compensation is equal to the amount other property recently sold for. The easement has been reviewed and approved by the Kaukauna Utilities Commission. A motion to recommend approval of the easement as presented to the Council was made by Penterman, seconded by McGinnis. All members voted aye. Motion carried.

6. Mr. Jakel explained that there is currently an accepted offer for property in Commerce Crossing by Dr. Berkers for a dental facility. With Wal-Mart opting not to locate in Kaukauna, Dr. Berkers is looking to relocate his proposed facility to the front of the development near STH 55 and is looking at expanding the original size of the project by 1,000 square feet of lease space. Construction could be completed in October of 2018 after breaking ground in May. Mr. Jakel suggested locating on the other side of Arbor Way close to US 41. Dr. Berkers explained that the exact location was not an issue to him and that he was looking for visibility and enough space to fit the revised building design of approximately 9,000 square feet.

7. A motion to adjourn to Executive Session at 3:50 p.m. pursuant to Wisconsin State Statutes 19.85 (1) (e) to consider the letter of intent was made by McGinnis, seconded by VanderSanden. All members voted aye. Motion carried.

8. A motion to return to Open Session at 4:20 p.m. was made by Oldenburg, seconded by Feldt. All members voted aye. Motion carried.

9. A motion to advance the Letter of Intent for "Clinic 2" to the Council and to encourage Planning staff to work out a developer's agreement with "Clinic 1" in lieu of an amendment to the offer to purchase was made by Sundelius, seconded by Penterman. All members voted aye. Motion carried.

10. A motion to adjourn to Executive Session at 4:21 p.m. pursuant to Wisconsin State Statute 19.85 (1) (e) to consider a Vacant Land Offer to Purchase submitted by DBD, LLC was made by Feldt, seconded by McGinnis. All members voted aye. Motion carried.

11. A motion to return to Open Session at 4:25 p.m. was made by McGinnis, seconded by Penterman. All members voted aye. Motion carried.

12. A motion to take no action on the offer was made by Sundelius, seconded by VanderSanden. All members voted aye. Motion carried.

There being no further business to be brought before the Commission, a motion to adjourn the meeting at 4:26 p.m. was made by Sundelius, seconded by Feldt. 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 Industrial Park Commission of February 8, 2017, and moved it be accepted and placed on file, seconded by Leon.

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, March 5, 2018, at 6:41 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, Planner Jakel, Fin. Dir. VanRossum, HR Dir. Vanderloop, St. Supt. VandenHeuvel, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, and interested citizens.

1. Motion by Driessen, seconded by Roehrig, to grant a Temporary Class B Retailers License to Karma for Electric City Pre-party on March 24, 2018, at 151 E. Second Street (Vaudette).

All members voted aye.

Motion carried.

Meeting adjourned at 6:42 P.M.

Susan J. Duda

Clerk/Treasurer

and moved for its adoption, seconded by McGinnis.

All Ald. voted aye.

Motion carried.

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

Shayna N. Chartier – 512 Franklin Street, Little Chute

Melanie M. Henke – 1111 Oviatt Street, Kaukauna

Kayla M. Howard – 113 W. 4th Street, Kaukauna

Sharon A. Moehring – W1290 Hwy 96, Kaukauna

Doreen K. Rogers – 1168 High Street, Kaukauna

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

All Ald. voted aye.

Motion carried.

Police Chief commended for a nice job on annual report.

Motion by Meyerhofer, seconded by Coenen, to adopt the 2017 Police Department Annual Report.

All Ald. voted aye.

Motion carried.

The gas easement between the City and Wisconsin Public Service Corporation was reviewed. In the event the pipe is abandoned the grantee will fill with cement, sand, or other methods as approved by grantor.

Motion by Meyerhofer, seconded by McGinnis, to approve the gas easement with Wisconsin Public Service Commission.

All Ald. voted aye.

Motion carried.

City Attorney reported that he was in court concerning Modern Dairy and we can move forward with razing the structure after a six week stay. One semi is left to be removed from the property.

Ald. Roehrig requested that Southerland Circle and Weiler Road be looked at as water and ice builds up on the corner and he has witnessed near misses. We need to get the water away from the stop sign as this is a safety hazard. Engineering Department will look at intersection.

Ald. Roehrig questioned the Clerk/Treasurer what was being done with appointing a deputy clerk.

Clerk/Treasurer Duda stated she would not be appointing a deputy as she is retiring and she already has an office assistant, Christina Hartjes, that can handle the office and Michelle Mielke and Sue will assist.

Concerns were raised regarding the street sweeping and no parking on garbage days as it relates to medical issues or emergencies. DPW/Eng. Sundelius stated these things will develop and get worked out as we go along in the process.

Motion by McGinnis, seconded by Coenen, to adjourn to Closed Session at 7:33 P.M. pursuant to Wisconsin Statutes Section 19.85 (1) (e) to discuss developers agreement.

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Coenen, to reconvene to Open Session at 7:59 P.M.

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Meyerhofer, to adjourn.
All Ald. voted aye.
Motion carried.

Meeting adjourned at 8:00 P.M.

Susan J. Duda
Clerk/Treasurer