

COUNCIL PROCEEDINGS - Council Chambers - Kaukauna, Wisconsin – August 21, 2018

Pursuant to adjournment on August 7, 2018, meeting of the Common Council of the City of Kaukauna called to order by Mayor Penterman at 7:00 P.M. on Tuesday, August 21, 2018.

Roll call present: Coenen, DeCoster, Driessen, Duda, Kohne, McGinnis, Roehrig and Thiele.

Also present: Attorney Davidson, DPW/Eng. Sundelius, Planner Jakel, Fire Chief Hirte, Police Chief Manion, Rec. Dir. Malloy, Fin. Dir. Van Rossum, HR Director Vanderloop, Naturalist Nowak, and interested citizens.

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

Motion by Coenen, seconded by Kohne to suspend the rules and waive the reading of the minutes of the previous meeting of August 7, 2018.

All Ald. voted aye.

Motion carried.

Motion made by Coenen, seconded by Kohne to approve the minutes of the August 7, 2018 meeting as presented.

All Ald. voted aye.

Motion carried.

Presentation of letters, petitions, remonstrances, memorials, and accounts – none.

Participation thank you from the 11th Annual Fox Firecracker 5 K – Motion by McGinnis, seconded by Coenen, to receive and place on file the thank you from the 11th Annual Fox Firecracker 5 K.

All Ald. Voted aye.

Motion carried.

Bills Payable - Coenen made a motion, seconded by Kohne to pay bills out of the proper accounts.

All Ald. voted aye.

Motion carried

Public Appearances

Joe Grunde, 913 Draper Street, Kaukauna addressed the issue of beekeeping. He voiced his opinion on flow hives and recommended the Council consider making this the only option given to residents interested in permits for beekeeping.

Business Presented by the Mayor

1000 Islands Conservancy Zone use of goats for invasive species control.

Ald. Thiele expressed concerns about protection of the goats in the evening. Naturalist Nowak stated the goats will be locked in a fenced in area and secured in the evenings. Mayor Penterman stated that this item will need to be brought to the Legislative Committee to amend the Ordinance allowing goats in the City of Kaukauna.

Motion made by Kohne, seconded by Roehrig to forward to the Legislative Committee the redraft of the ordinance to allow goats for invasive species control at the 1000 Islands Conservancy Zone.

All Ald. voted aye.

Motion carried.

Reappointment of Jeff Feldt to the Redevelopment Authority

Motion by McGinnis, seconded by Driessen to reappoint Jeff Feldt to the Redevelopment Authority.

All Ald. voted aye.

Motion carried.

Filling Vacancy in Office of Municipal Judge

Attorney Davidson informed the committee of the options available for filling the judge vacancy. An election can take place, but not on the same day as the general election on November 6. The recommendation would be to have this special election on November 13. Another option would be to maintain the current appointment and hold the election in the Spring co-current with the regular Spring election. The third option would be to have a temporary appointment until the Spring election.

Motion made by Driessen, seconded by Roerhig to order a special election to fulfill the judicial vacancy on November 13. After discussion a roll call vote was made: Coenen – aye, DeCoster - aye, Driessen – aye, Duda – nay, Kohne – aye, McGinnis – aye, Roehrig – aye, Thiele – aye.

Motion carried – 7 to 1.

9/4/18 - Motion by Coenen, seconded by McGinnis to amend the minutes to reflect reconsideration of order of special election and fill vacant office of municipal judge.

All voted aye.

Motion carried.

Report of Standing and Special Committees

Presentation of the Board of Public Works Committee of August 20, 2018 by Chairman McGinnis.

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 20, 2018.

Members present: Coenen, DeCoster, Driessen, Duda, Kohne, McGinnis, Roehrig and Thiele.

Also present: Mayor Penterman, DPW/Eng. Sundelius, Police Assistant Chief Graff, Eng./GIS Spec. Neumeier, Fire Chief Hirte, Planner Jakel, Fin. Dir. Van Rossum, Street Superintendent VandenHeuvel, HR Director Vanderloop, and interested citizens.

- 1. Correspondence – None.**
- 2. Open Bids for Project 8-18 Closed CE Landfill.**

Motion made by Kohne, seconded by Coenen to receive no more bids for project 8-18 Closed CE Landfill.

All Ald. voted aye.

Motion carried.

Representative from Robert E. Lee and Associates, consulting engineers on the CE Landfill, per the DNR requirements was present to open the one bid that was received electronically. The bid was from Advanced Construction in the amount of \$338,080.

Motion by Coenen, seconded by Kohne to direct the planning department to check the bid and come back to the Common Council for a recommendation.

All Ald. voted aye.

Motion carried.

Planner Jakel gave background information on the project. The Planning Department will be meeting with the DNR and giving them the results of the bid tabulations and report back to the Common Council.

3. Storm Water Utility Credit Policy.

Eng./GIS Spec. Neumeier provided an overview and background information about the Stormwater Credit Policy and answered questions.

Ald. Roehrig commented on the program and the great overall community involvement with the project. Coenen stated that the storm water fees charged get a black eye and letting the community know what these fees are going to and having community involvement in the plan was an excellent idea. Ald. Kohne stated how impressed he was with the trail area. He felt the opportunity to add additional trail along the trail would be a nice add on to residents to walk through the woods and get closer to nature. Driessen stated her surprise as to the lack of knowledge by residents about the Stormwater Credit Policy.

Motion made by Roehrig, seconded by DeCoster to update the Stormwater Utility Credit Policy per the proposed plan.

All voted aye.

Motion carried.

4. Kaukauna Municipal Pool Evaluation.

Recreation Director Malloy gave an overview of the evaluation and asked for guidance on future master plan projects for the pool. Ald. Roerhig stated that the Kaukauna Municipal Pool needs work. A larger scale plan is needed to update the facility. Ald. Coenen agreed that with the age of the pool a revitalization will need to be done. Safety issues were discussed.

Motion made by Roerhig, seconded by Driessen to develop a master plan for updating the Kaukauna Municipal Pool.

All Ald. voted aye.

Motion carried.

5. General Matters.

Ald. McGinnis expressed concerns about citizens continuing to blow grass clippings into the road. Mayor Penterman stated that if alderperson see this happening they should contact Eng./GIS Spec. Neumeier with addresses so information about the resulting problems with the stormwater can be given out.

Ald. McGinnis conveyed concerns from citizens about junk collectors driving through the City with overloaded and unsecured items in pickup trucks. He asked that reminders be given to these junk collectors about securing their loads.

DPW/Eng. Sundelius reminded Alderpersons that a tour of the phase 3 remodeling project will be given immediately after all meetings were concluded.

Motion by Driessen, seconded by Kohne to adjourn.

All voted aye.
Motion carried.

Meeting adjourned at 6:34 P.M.

Sally Kenney
Clerk/Treasurer

Motion made by McGinnis, seconded by Coenen to accept the Board of Public Works Committee meeting of August 20, 2018 minutes as presented.

All Ald. Voted aye.
Motion carried.

Presentation of the Health and Recreation Committee of August 20, 2018 by Chairman Roerhig.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman Roerhig on Monday, August 20, 2018 at 7:00 p.m.

Members present: Roerhig, Duda, McGinnis, and Kohne.

Also present: Mayor Penterman, Ald. Coenen, DeCoster, Driessen, Thiele, DPW/Eng. Sundelius, Fin. Dir. Van Rossum, Planner Jakel, Fire Chief Hirte, Assistant Police Chief Graff, Street Superintendent VandenHeuvel, Eng./GIS Spec. Neumeier, HR Director Vanderloop and interested citizens.

1. **Correspondence** – None.
2. **Approve Trick or Treat Hours – Wednesday, October 31, 2018 from 4:00 pm to 7:00 pm.**

Mayor Penterman stated that a poll was done in August of 2017. The most votes were for Trick or Treat time being on October 31 from 4:00 pm to 7:00 pm. Motion by McGinnis, seconded by Driessen to approve Trick or Treat Hours – Wednesday, October 31 from 4:00 pm to 7:00 pm. Ald. Kohne asked why Kaukauna is not in the same time frame as other neighboring communities. Mayor Penterman stated the reason for this time frame was due to the results of approximately 500 people being surveyed.
All members voted aye.
Motion carried.

3. **Combination Class B Beer and Liquor License to Hardware Store LLC, Dan Steidl, Agent, Hardware Store, 128 E. 2nd Street, Kaukauna.**

Motion by Kohne, seconded by Duda to approve Combination Class B Beer and Liquor License to Hardware Store LLC, Dan Steidl, Agent, Hardware Store, 128 E. 2nd Street, Kaukauna.
All members voted aye.
Motion carried.

4. **Temporary Class B Beer License to Catalpa Health on September 15, 2018, at 207 Thilmany Road, level 1, room 1, 2, 3, 4 all connected, Suite 203 & 205,**

Kaukauna.

Motion by McGinnis to approve Temporary Class B Beer License to Catalpa Health on September 15, 2018, at 207 Thilmany Road, level 1, room 1, 2, 3, 4 all connected, Suite 203 & 205, Kaukauna. Ald. Duda stated that the City cannot issue a license for this event because it is on private property not city owned property. Attorney Davidson stated that a license would not be needed on private property. Ald. McGinnis withdrew his motion and item number 4 was taken off the agenda.

5. General Matters – None.

Motion made by Roehrig, seconded by Kohne to adjourn.
All Ald. voted aye.
Motion carried.

Meeting adjourned at 7:07 P.M.

Sally Kenney
Clerk/Treasurer

Motion made by Roerhig, seconded by Kohne to accept the Health and Recreation Committee meeting of August 20, 2018 minutes as presented.
All Ald. Voted aye.
Motion carried.

Presentation of the Legislative Committee of August 20, 2018 by Chairman Coenen.

LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chairman Coenen on Monday, August 20, 2018, at 6:38 P.M.

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

Also present: Mayor Penterman, Ald. Duda, Kohne, McGinnis, Thiele, Atty. Davidson, DPW/Eng. Sundelius, Assistant Police Chief Graff, Rec. Dir. Malloy, Eng./GIS Spec. Neumeier, Fire Chief Hirte, Planner Jakel, Fin. Dir. Van Rossum, HR Director Vanderloop and interested citizens.

1. Correspondence - None.

2. Ordinance pertaining to Beekeeping within the City limits.

Planner Jakel gave an overview of the ordinance creating section 12.15, Beekeeping, of Chapter 12, Licenses and Permits and answered questions from the Common Council.

Ald. Driessen stated her concern over the lack of bees and their importance to our food source. After reviewing the proposed ordinance, she expressed concern over a few items in the policy. Public education and involvement on beekeeping should be pursued. Ald. Driessen handed out granola she made with pure honey to all present.

Ald. DeCoster asked about locations for these public beekeeping areas. Jakel stated several areas are being considered for these beekeeping locations.

Ald. Coenen liked the suggestion of having these beekeeping areas on municipal owned properties. It gives the city leverage on who will be licensed for beekeeping.

Ald. Roerhig expressed how great of a job Principal Planner Watson did in creating this ordinance.

Motion made by Roehrig, seconded by Driessen to make suggested changes and recommend approval from the Common Council the Ordinance pertaining to Beekeeping within the City limits.

All voted aye.

Motion carried.

3. Ordinance amending section 7.12(2), Parking Regulations, of Chapter 7, Traffic Code.

Planner Jakel gave an overview of the ordinance amending section 7.12(2), Parking Regulations, of Chapter 7, Traffic Code and answered questions from the Common Council.

This ordinance is step one of several steps that will be presented to the Common Council in the next couple of months. The impetus for the ordinance is due to the number of buildings being converted to apartments in the downtown area. The downtowns have historically been zero lot lines which leaves very little room for parking areas. This ordinance would allow tavern owners to give a parking permit to someone who has had too much to drink. This would allow them to park in the lot overnight without getting a ticket.

Ald. DeCoster expressed concerns about street parking and whether or not this could be included in the ordinance. Jakel stated that this would be a different ordinance that would need modification to include street parking overnight.

Ald. Kohne gave compliments to the planning department on the work put into these ordinance changes.

Motion made by Driessen, seconded by Roehrig to bring the Ordinance amending section 7.12(2), Parking Regulations, of Chapter 7, Traffic Code to the Common Council for approval.

All Ald. voted aye.

Motion carried.

4. General Matters – None.

Motion by Roerhig, seconded by DeCoster to adjourn. Meeting adjourned at 7:00 PM

Sally Kenney
Clerk/Treasurer

Motion made by Coenen, seconded by Thiele to accept the Legislative Committee meeting of August 20, 2018 minutes as presented.

All Ald. Voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District of July 10, 2018.

Motion made by Coenen, seconded by DeCoster to receive and place on file the Heart of the Valley Metropolitan Sewerage District of July 10, 2018 minutes as presented.

All Ald. Voted aye.

Motion carried.

Motion by Coenen, seconded by Thiele to adopt the minutes of the Heart of the Valley Metropolitan Sewerage District of July 10, 2018 minutes as presented.

All Ald. Voted aye.

Motion carried.

1000 Islands Environmental Center Committee of July 19, 2018

Motion by McGinnis, seconded by Kohne to receive and place on file the minutes of the 1000 Islands Environmental Center Committee of July 19, 2018.

All Ald. voted aye.

Motion carried

City Plan Commission of August 3, 2018

Motion by McGinnis, seconded by Duda to receive and place on file the minutes of the City Plan Commission Meeting of August 3, 2018.

All Ald. voted aye.

Motion carried.

Redevelopment Authority of the City of Kaukauna of June 11, 2018.

Motion by Coenen, seconded by Kohne to receive and place on file the minutes of the Redevelopment Authority of the City of Kaukauna of June 11, 2018.

All Ald. voted aye.

Motion carried.

Operators/Bar Tenders License - The following operators have applied for an operator's license for 2018-2020 and has been recommended for approval based upon the records check done by the Kaukauna Police Department.

Amanda M. Gloude-mans – 656 Fern St., Kaukauna
Laura M. Volkman – N3643 Vine Rd., Freedom

Motion made by Roehrig, seconded by McGinnis to approve the Operators/Bartenders license.

All Ald. voted aye.

Motion carried.

Reports of City Officers

Fire Report

Motion by Coenen, seconded by Kohne to receive and place on file the Fire Report.

All Ald. voted aye.

Motion carried.

Ambulance Report

Motion made by Coenen, seconded by McGinnis to receive and place on file the Ambulance Report.

All Ald. voted aye.

Motion carried.

Police Report

Motion made by Coenen, seconded by Driessen to receive and place on file the Police Report.

All Ald. voted aye.

Motion carried.

Municipal Court Report

Motion made by Coenen, seconded by McGinnis to receive and place on file the Municipal Court Report.
All Ald. voted aye.
Motion carried.

Treasurer's Deposit Report

Motion made by Coenen, seconded by McGinnis to receive and place on file the Treasurer's Deposit Report.
All Ald. voted aye.
Motion carried.

Building Inspection Report

Motion made by Coenen, seconded by DeCoster to receive and place on file the Building Inspection Report.
All Ald. voted aye.
Motion carried.

Presentation and Review of 2017 Audited Financial Statements.

Mayor Penterman stated that this is a review of the year end audit, not the independent third-party audit. Finance Director Van Rossum introduced Amber Drewieske from Schenck. Amber gave an overview of the two reports presented. Mayor Penterman stated the City of Kaukauna maintained an AA- Standard and Poor's Rating. Roehrig inquired if the City has made the recommended changes under the reconciliation of city cash. Finance Director Van Rossum stated that yes this is being done not only monthly, but on a daily basis.

Award Bid for Project Number 8-18 Closed CE Landfill. - This item was pulled from agenda.

Presentation of Ordinances and Resolutions

Finance Director Van Rossum introduced representative from Hutchinson Shockey Erley & Co. to discuss the two promissory notes. Rating reports were distributed.

Motion made by Coenen, seconded by Roerhig to suspend the rules and wave the reading of the Resolution Authorizing the Issuance and Sale of \$1,220,000 Sanitary Sewer System Revenue Bonds.
All Ald. voted aye.
Motion carried.

Motion by Coenen seconded by Kohne to adopt Resolution Authorizing the Issuance and Sale of \$1,220,000 Sanitary Sewer System Revenue Bonds.
All Ald. voted aye.
Motion carried

Motion made by Coenen, seconded Kohne by to suspend the rules and wave the reading of the Resolution Authorizing the Issuance of Sale of \$5,200,000 General Obligation Promissory Notes, Series 2018A.

Motion by Coenen, seconded by McGinnis to adopt Resolution Authorizing the Issuance of Sale of \$5,200,000 General Obligation Promissory Notes, Series 2018A.
All Ald. voted aye.
Motion carried.

Motion by Coenen, seconded by DeCoster to suspend the rules and wave the reading of the Resolution vacating a portion of Arbor Way.
All Ald. Voted aye.

Motion carried.

Motion by Coenen, seconded by Duda to adopt the Resolution vacating a portion of Arbor Way.

All Ald. Voted aye.

Motion carried.

Motion made by Coenen, seconded by Kohne to suspend the rules and wave the reading of the Resolution to Adopt long-range plan for the Grignon Mansion.

All Ald. voted aye.

Motion carried.

Motion by Coenen seconded by McGinnis to adopt Resolution to Adopt long-range plan for the Grignon Mansion.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Kohne to suspend the rules and waive the reading of the Resolution approving a Certified Survey Map for Gregory and Kayleigh Klister.

Motion by Coenen seconded by Thiele to adopt Resolution approving a Certified Survey Map for Gregory and Kayleigh Klister.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by McGinnis to suspend the rules and waive the reading of the Resolution approving a Certified Survey Map for Kaukauna Cold Storage.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by McGinnis to adopt Resolution approving a Certified Survey Map for Kaukauna Cold Storage.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Kohne to suspend the rules and waive the reading of the Resolution granting an Ingress/Egress Easement to Alexander and Kelsey Puffer, 1212 Oakridge Avenue.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Kohne to approve the Resolution granting an Ingress/Egress Easement to Alexander and Kelsey Puffer, 1212 Oakridge Avenue. Ald. Kohne expressed concern over giving away property and its consequences.

Roll Call vote: Thiele – aye, Roehrig – aye, McGinnis – aye, Kohne – nay, Duda – aye, Driessen – aye, DeCoster – aye, Coenen – aye.

Motion carried 7 to 1.

Motion by Coenen, seconded by Kohne to suspend the rules and waive the reading of Ordinance pertaining to beekeeping within the city limits.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Driessen to approve the Ordinance pertaining to beekeeping within the city limits.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Kohne to suspend the rules and waive the reading of Ordinance adoption amendments to the City of Kaukauna Zoning Code for a portion of State Highway 96 (Plank Road and Green Bay Road). Ald. Duda inquired about the public hearing for this matter. Planner Jakel stated the Public Hearing was published, but was not specifically placed on the agenda. With the recommendation from Attorney Davidson, this item was pulled from the agenda.

Ordinance amending section 7.12(2), Parking Regulations, of Chapter 7, Traffic Code. This item was pulled from the agenda.

Consideration of Miscellaneous Business

Motion by McGinnis, seconded by Coenen to adjourn to Closed Session pursuant to Wis. State Statute 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting of other specified public business whenever competitive or bargaining reasons require a closed session: Negotiation of Tax Increment District #10 Developer's Agreement with The Donory, LLC. Adjourned to closed session at 8:10 pm

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Driessen to return to open session for possible action. Returned to open session at 8:28 pm.

Motion made by Coenen, seconded by DeCoster to authorize the Mayor to negotiate a developer's agreement with Donory LLC.

All Ald. voted aye.

Motion carried.

Motion by McGinnis, seconded by Coenen to adjourn to Closed Session pursuant to Wis. State Statute 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting of other specified public business whenever competitive or bargaining reasons require a closed session: Negotiation of Real Estate Purchase at 222 Lawe Street and Developer's Agreement with Leines Development, Inc. Adjourned to closed session at 8:29 pm.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by DeCoster to return to open session for possible action. Returned to open session at 8:36 pm.

Motion by Coenen, seconded by McGinnis to authorize Negotiation of Real Estate Purchase at 222 Lawe Street and Developer's Agreement with Leines Development, Inc.

All Ald. voted aye

Adjourn

Motion by Driessen, seconded by Coenen to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:39 P.M.

Sally A. Kenney, Clerk/Treasurer