



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – NOVEMBER 17th, 2020

Pursuant to adjournment on November 4, 2020 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, November 17, 2020 with remote teleconference via ZOOM.

Roll call present: Coenen, Driessen, DeCoster, Duda, Moore, Roehrig, Schell and Thiele.

Also present: Attorney Davidson, Planner Jakel, Principal Planner Watson Brunette, Eng./GIS Spec. Neumeier, Police Chief Graff, Fire Chief Carrel, Library Dir. Theim-Menning, Finance Dir. Van Rossum, HR Dir. Vanderloop, IT Dir. Krause, Naturalist Nowak, KU Gen. Mgr. Feldt, and interested citizens.

One minute of silent prayer and the Pledge of Allegiance to the American Flag observed by the assembly with remote teleconference via ZOOM.

Motion by Coenen, seconded by Schell to suspend the rules and waive the reading of the minutes of the previous meeting of November 4, 2020.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Moore to adopt the minutes of the meeting of November 4, 2020 as presented.

All Ald. voted aye

Motion carried.

PRESENTATION OF LETTERS, PETITIONS, REMONSTRANCES, MEMORIALS, AND ACCOUNTS.

Bills Payable

Motion by Coenen, seconded by Thiele to pay bills out of the proper accounts.

Roll call vote: Coenen-aye, DeCoster-aye, Driessen-aye, Duda-aye, Moore-aye, Roehrig-aye, Schell-aye, Thiele-aye.

Motion carried.

PUBLIC APPEARANCES - none

BUSINESS PRESENTED BY THE MAYOR

Public Hearing on the 2021 City of Kaukauna Budget.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or via ZOOM wished to address the Council regarding the 2021 City of Kaukauna Budget. Ald. Duda asked about the date on the public hearing notice. She questioned if it was published correctly. Fin. Dir. Van Rossum stated that the wrong date was caught and published correctly.

Bruce Werschem, 1901 Hendricks Ave., Kaukauna spoke about his concern with the increase in property taxes proposed. Mr. Werschem suggested that City staff look at ways to lower expenses so property taxes would not need to be raised.

After asking two more times if anyone else wished to address the council, no one appeared, Mayor Penterman declared the public hearing closed.

2021 Committee and Council Meeting Dates.

Mayor Penterman presented the dates for the 2021 Committee and Council Meeting Dates.

Motion by Coenen, seconded by Roehrig to approve the 2021 Committee and Council Meeting dates.

All Ald. voted aye.

Motion carried.

Small Business Saturday – November 28.

Mayor Penterman asked Council members, City staff and residents to support our local business by shopping and dining local on November 28.

Appoint HR Director as ADA Coordinator of City facilities.

Mayor Penterman stated the City web-site now includes information for anyone who needs ADA accommodations, to attend a meeting or event, contact the HR Director to address these needs.

Motion by Thiele, seconded by Schell to appoint the HR Director as ADA Coordinator of City facilities.

All Ald. voted aye.

Motion carried.

Cancellations and Closings due to COVID-19 Alert.

Mayor Penterman stated all City buildings will remain closed. Several different options will be used for tax payments; residents can pay online, mail them, drop payments in the drop box in front of the Municipal Services Building, or at the Bank of Kaukauna drive-through. Ald. Coenen asked this information be published in the paper and put on the City web site.

Ald. Thiele asked if residents need to be a Bank of Kaukauna member to make payments there. Fin. Dir. Van Rossum stated they do not.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of November 16, 2020.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chairman Thiele on Monday, November 16, 2020 at 6:00 P.M. remote teleconference via ZOOM.

Members present: Coenen, DeCoster, Driessen, Duda, Moore, Roehrig, Schell and Thiele.

Also present: Mayor Penterman, Attny. Davidson, Eng./GIS Spec. Neumeier, Planner Jakel, Fin. Dir. Van Rossum, Police Chief Graff, Fire Chief Carrel, Rec. Dir. Malloy, HR Dir. Vanderloop, IT Dir. Krause, and interested citizens.

1. Correspondence – None.
2. Open bids for Project 7-20, Bel Air Court Outfall.

Motion by Coenen, seconded by Moore to accept no more bids and to open the bids received. All Ald. voted aye.
Motion carried.

Eng./GIS Spec. Neumeier provided background information on the project and opened the bids.

<u>Contractor</u>	<u>City</u>	<u>Total Bid</u>
Advance Construction	Green Bay	\$45,700.00
Carl Bowers and Sons Construction	Kaukauna	\$60,500.00
DeGroot Inc.	Green Bay	\$33,433.40
Highway Landscapers	Little Chute	\$31,110.00
Kruczek Construction Inc.	Green Bay	\$59,559.59
Milbach Construction Services	Kaukauna	\$86,836.60
Scott Lamers Construction	Kaukauna	\$18,400.00

Motion by Coenen, seconded by Moore to have the Engineering Department tabulate the bids and come back with a recommendation.

All members voted aye.
Motion carried.

3. Open bids for Project 8-20, 10th Street and Bel Air Court Lift Station Upgrades.

Motion by Coenen, seconded by Schell to accept no more bids and to open the bids received.

All Ald. voted aye.

Motion carried.

Eng./GIS Spec. Neumeier provided background information on the project and opened the one bid received.

Contractor	City	Total Bid
August Winter & Sons, Inc.	Appleton	\$197,400.00

Motion by Coenen, seconded by DeCoster to have the Engineering Department tabulate the bid and come back with a recommendation. Ald. Coenen requested that the Engineering Department provide reasoning as to why only one bid was received and that pricing is comparable to other similar projects.

All members voted aye.

Motion carried.

4. Open bids for Project 9-20, Ann Street Detention Pond Expansions.

Motion by DeCoster, seconded by Schell to accept no more bids and to open the bids received.

All Ald. voted aye.

Motion carried.

Eng./GIS Spec. Neumeier provided background information on the project and opened the bids.

<u>Contractor</u>	<u>City</u>	<u>Total Bid</u>
Advance Construction	Green Bay	\$244,215.36
Highway Landscapers	Little Chute	\$129,026.00
Krause Excavating Inc.	Markesan	\$242,727.72
Roger Bowers Construction	Kaukauna	\$ 99,351.50

Motion by Coenen, seconded by Roehrig to have the Engineering Department tabulate the bids and come back with a recommendation.

All members voted aye.

Motion carried.

5. Permission to bid Project 10-20, Ducharme Street Culvert Replacement and Stream Dredging.

The Engineering Department is proposing to bid a project to dredge the ditch/stream starting behind Kaukauna Veterinary Clinic (CTH 00 and High Street) and continuing

northeasterly to STH 55 – Delanglade Street. The project will also include the replacement and project sizing of culverts at Ducharme Street prior to 2021 street reconstruction project. Questions from the Board were answered.

Motion by Schell, seconded by Roehrig to authorize the Engineering Department to seek bids for Project 10-20: Ducharme Street Culvert Replacement and Stream Dredging.

All Ald. voted aye.

Motion carried.

6. General Matters.

Ald. Thiele stated that Friday evening at 6:30 p.m. the City Street Crew were out collecting leaves. She talked with them and was told they would be out on the streets until all the areas in the City were picked up. Ald. Thiele received a complaint from a resident about the leaves not being picked up. She was able to reach out to the resident later on Saturday and was informed that the leaves did get picked up. She thanked the City Street Department staff who have been working late to finish picking up leaves around town.

Ald. Coenen also thanked the City Street Department staff for working extra hours on Friday night and Saturday to complete leaf pick up. Mayor Penterman stated the street crew would be making a sweep through the City to pick up any areas in the City that have not yet been covered.

Ald. Moore asked if the City Street Department would be picking up branches that have not been picked up yet. Mayor Penterman stated that a crew will be out yet this week to complete the branch pick up.

Motion made by Coenen, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:22 P.M.

Sally Kenney
Clerk

Motion by Thiele, seconded by Driessen to approve the Board of Public Works Meeting Minutes of November 16, 2020 as presented.

All Ald. present voted aye.

Motion carried.

Public Protection and Safety Committee Meeting Minutes of November 16, 2020.

PUBLIC PROTECTION & SAFETY COMMITTEE

A meeting of the Public Protection and Safety Committee was called to order by Chairman DeCoster on Monday, November 16, 2020 at 6:23 P.M. remote teleconference via ZOOM.

Members present: DeCoster, Roehrig, Thiele, Driessen.

Also present: Mayor Penterman, Ald. Coenen, Duda, Moore, Schell, Attorney Davidson, Eng./GIS Spec. Neumeier, Planner Jakel, Police Chief Graff, Fin. Dir. Van Rossum, Rec. Dir. Malloy, HR Dir. Vanderloop, Fire Chief Carrel, IT Dir. Krause and interested citizens.

1. Correspondence – None.
2. Update on ambulance billing charges.

Fire Chief Carrel provided background on the ambulance billing charges. Every few years it is a good idea to review billing rates to make sure they are comparable to other services in our area. It has been five years since a comparable was completed. This year LifeQuest completed a rate survey. The suggested ambulance rate changes were provided to the committee.

Questions regarding the rates were answered by Chief Carrel.

Motion by DeCoster, seconded by Roehrig to recommend the LifeQuest rate changes as provided and be sent to the Common Council for approval. Amended to be sent to the Public Protection & Safety Committee for approval.

All members voted aye.

Motion carried.

3. General Matters – None.

Motion made by Roehrig, seconded by Thiele to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:32 P.M.

Sally Kenney, Clerk

Motion by DeCoster to adopt the Public Protection and Safety Committee Meeting Minutes of November 16, 2020. Ald. Duda called for a separate vote on item number 2. She feels now is not a good time to increase fees and this should wait at least a year or two. Ald. Coenen expressed his concern for not raising the rates. The rates being raised are mostly things insurance will cover. Expenses continue to rise and in order to not lose money, rates would need to be raised. Ald. Thiele stated that the City of Kaukauna rates are significantly lower than many communities. If we are not charging the rates to cover costs the tax

payers will have to pay the difference. Mayor Penterman asked Chief Carrel to explain items on the rate survey that were not discussed during the Public Protection and Safety Committee meeting. Chief Carrel stated the on scene rates, which are typically not paid by insurance, should be explored again to not over burden the residents who simply needs the service. Mayor Penterman asked Chief Carrel to research these rates again and bring back to Council.

Separate vote called on item 2: To recommend the LifeQuest rate changes as provided and be sent to the Common Council for approval.

Roll call vote: DeCoster-nay, Driessen-nay, Duda-nay, Moore-nay, Roehrig-aye, Schell-nay, Thiele-nay, Coenen-nay.

Motion fails 7-1.

Motion by DeCoster, seconded by Duda to adopt the Public Protection and Safety Committee Meeting Minutes of November 16, 2020 as corrected.

Roll call vote: Driessen-aye, Duda-aye, Moore-aye, Roehrig-aye, Schell-aye, Thiele-aye, Coenen-aye, DeCoster-aye.

Motion carried unanimously.

Committee of the Whole Meeting Minutes of October 27, 2020.

Motion by Coenen, seconded by Thiele to adopt the Committee of the Whole Minutes of October 27, 2020. Ald. Duda stated that the Committee reports are a recommendation to the Council. The ordinance in the minutes was already published, but the minutes are just being adopted this evening. Clerk Kenney stated that the ordinance was published before minutes of this meeting could be typed and brought to Council and that this ordinance could be published again if needed. Attorney Davidson stated that in years past it was fairly standard procedure that publication take place simultaneously, if not a little before, Council would actually approve of the various minutes. The order is, while not correct, not something outside of the practice of this council. A second publication will need to occur.

Roll call vote: Duda-aye, Moore-aye, Roehrig-aye, Schell-aye, Thiele-aye, Coenen-aye, DeCoster-aye, Driessen-aye.

Motion carried.

Committee of the Whole Meeting Minutes of November 9, 2020.

Motion by Coenen, seconded by Roehrig to adopt the Committee of the Whole Minutes of November 9, 2020.

All Ald. voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of October 13, 2020.

Motion by Coenen, seconded by Moore to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of October 13, 2020.

All Ald. voted aye.

Motion carried.

Kaukauna Public Library Board Meeting Minutes of September 22, 2020.

Motion by Driessen, seconded by Roehrig to receive and place on file the Kaukauna Public Library Board Meeting Minutes of September 22, 2020.

All Ald. voted aye.

Motion carried.

1000 Islands Environmental Center Meeting Minutes of October 15, 2020.

Motion by Driessen, seconded by Roehrig to receive and place on file the 1000 Islands Environmental Center Meeting Minutes of October 15, 2020.

All Ald. voted aye.

Motion carried.

Grignon Mansion Board Meeting Minutes of September 28, 2020.

Motion by Thiele, seconded by Moore to receive and place on file the Grignon Mansion Board Meeting Minutes of September 28, 2020.

All Ald. voted aye.

Motion carried.

Operators/Bartenders License.

The following applicants have applied for an operator's license for the license year 2020 2022 and have been recommended for approval based on their record check by the police department:

Ashauer	Adam	P	712 W 7 th St, Apt A	Kaukauna
De Shaney	Hope	E	2359 Fiesta Ct	Neenah
Lyons	Micheal	J	414 Whitney St	Kaukauna
Martin	Mckenzie	R	140 Mc Kinley St	Kaukauna
Novak	Christy	L	524 Harrison St	Little Chute

Motion by Duda, seconded by Coenen to grant the operator/bar tender licenses.

All Ald. voted aye.

Motion carried.

REPORTS OF CITY OFFICERS.

Fire Report

Motion by Coenen, seconded by Roehrig to receive and place on file the October 2020 Fire Report.

All Ald. voted aye.

Motion carried.

Ambulance Report

Motion made by Coenen, seconded by DeCoster to receive and place on file the October 2020 Ambulance Report.

All Ald. voted aye.

Motion carried.

Police Report

Motion made by Coenen, seconded by Schell to receive and place on file the October 2020 Police Report.

All Ald. voted aye.

Motion carried.

Municipal Court Report.

Motion made by Coenen, seconded by Duda to receive and place on file the September 2020 Municipal Court Report.

Ayes-7 – Nay-1 (Moore).

Motion carried.

Clerk-Treasurer's Deposit Report

Motion made by Coenen, seconded by DeCoster to receive and place on file the October 2020 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.

Motion carried.

Ald. Moore questioned if this is the Clerk's deposits or a combination of Clerk's and Treasurer's deposits. Clerk Kenney stated the report reflects all deposits for the City.

Building Inspection Report

Motion made by Coenen, seconded by Duda to receive and place on file the October 2020 Building Inspection Report.

All Ald. voted aye.

Motion carried.

Memo on Housing Market Analysis for Sites located in TID #8 and TID #4.

Principal Planner Watson summarized the memo to the Common Council from the Planning Department. Staff seek to solicit development proposals for high density, urbanized style multi-family in Kaukauna's downtown district. Staff has solicited proposals from two firms that previously worked with the City to price out the development of a housing market analysis. The two sites in question are in TID #4 (Central Park area) and TID #8 (Southeast of Kwik Trip along Catherine Street).

After reviewing the proposals, Redevelopment Resources was selected as the most qualified. The cost included in the proposal is provided at a range from \$7,750-\$9,375. Questions from the Council were answered.

Motion by Moore, seconded by Coenen to authorize staff to enter into a contract with Redevelopment Resources and pay for this expense (not to exceed \$9,375) as a TIF eligible expenditure from TID #8.

All Ald. voted aye.

Motion carried.

Memo on Phase II Limited ESA for 624/626 Hyland Avenue.

Planner Jakel outlined the memo to the Common Council from the Planning Department regarding Environmental Phase II Assessment at 624/626 Hyland Avenue. The City of Kaukauna acquired the land that now composes 624/626 Hyland Avenue in late 2018 through a land swap with the Bank of Kaukauna. The City acquired the land and agreed to repay \$43,470.41 to the Bank of Kaukauna on or before December 18, 2020 – giving the City two years to sell and redevelop the land. The land was subdivided into two separate parcels. The corner lot sold and the interior lot remains available for sale. While attempting to sell the land for redevelopment, it was discovered that the Department of Natural Resources and Department of Commerce had issued a "closed status" letter for this land in 2007. This was at the time that the Fox Cities Motel was still the owner of the site. This letter noted that while soil contamination remained, from the presence of then-removed underground fuel storage tanks, that unless further ground disturbance occurred the contamination was seen to be contained and the case closed. Not knowing the full extent of where contaminants lie has concerned potential buyers. Discussions with Robert E. Lee and Associates, the City's environmental consultants, concludes that it is necessary to proceed with a Phase II environmental assessment including on-site borings and analysis.

Motion by Coenen, seconded by Schell to authorize staff to continue with Phase II Limited ESA for 624/626 Hyland Avenue.

All Ald. voted aye.

Motion carried.

Request to extend COVID-19 Temporary Outdoor Seating Area Permit through April 2021 submitted by Kyle Megna, owner of 313 Dodge.

Principal Planner Watson Brunette passed along this request from the owners of 313 Dodge. Questions from the Council were answered.

Motion by Moore, seconded by DeCoster to extend COVID-19 Temporary Outdoor Seating Area Permit through March 31, 2021 submitted by Kyle Megna, owner of 313 Dodge.
All Ald. voted aye.
Motion carried.

Update on second K-9.

Police Chief Graff introduced second K-9 Officer Boto. Due to COVID-19 restrictions, Boto was not able to be introduced in person. Some pictures of Boto and handler Officer Maas were provided to the Council. Boto is a German Shepard from Germany. Chief Graff thanked the K-9 Committee for all their fundraising, Kaukauna Veterinary Clinic who provides excellent care to Rocko and Boto, and Adam at Clever K9 for providing one year of free food to Boto and food at cost for Rocko. Boto will be certified the first week in December and will be working in the community after being certified. Ald. Moore requested that Boto be introduced to the Community especially the school kids as soon as possible. He thanked Officer Maas for being Boto's handler.

Permission to hire Community Development Coordinator-Planning & Development.

This position is due to the retirement of Julie Schroeder.

Motion by Schell, seconded by Roehrig to grant permission to hire Community Development Coordinator – Planning & Development.
All Ald. voted aye.
Motion carried.

PRESENTATION OF ORDINANCES AND RESOLUTIONS.

Resolution 2020-5245 Resolution Supplementing Resolution No. 2690; Establishing Parameters for the Sale of not to exceed \$19,725,000 Electric System Refunding Revenue Bonds, and Providing for the Payment of such Bonds and other details and covenants with respect thereto.

Motion by Coenen, seconded by Moore to suspend the rules and waive the reading of Resolution 2020-5245 Resolution Supplementing Resolution No. 2690; Establishing Parameters for the Sale of not to exceed \$19,725,000 Electric System Refunding Revenue Bonds, and Providing for the Payment of such Bonds and other details and covenants with respect thereto.
All Ald. voted aye.
Motion carried.

Motion by Coenen, seconded by Moore to adopt Resolution 2020-5245 Resolution Supplementing Resolution No. 2690; Establishing Parameters for the Sale of not to exceed \$19,725,000 Electric System Refunding Revenue Bonds, and Providing for the Payment of such Bonds and other details and covenants with respect thereto.

All Ald. voted aye.

Motion carried.

Resolution 2020-5246 Resolution Supplementing Resolution No. 3000; Establishing Parameters for the Sale of not to exceed \$3,300,000 Water Works System Revenue Bonds, Series 2020; and Providing for the Payment of such Bonds and covenants with respect thereto.

Motion by Coenen, seconded by Roehrig to suspend the rules and waive the reading of Resolution 2020-5246 Resolution Supplementing Resolution No. 3000; Establishing Parameters for the Sale of not to exceed \$3,300,000 Water Works System Revenue Bonds, Series 2020; and Providing for the Payment of such Bonds and covenants with respect thereto.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Roehrig to adopt Resolution 2020-5246 Resolution Supplementing Resolution No. 3000; Establishing Parameters for the Sale of not to exceed \$3,300,000 Water Works System Revenue Bonds, Series 2020; and Providing for the Payment of such Bonds and covenants with respect thereto.

All Ald. voted aye.

Motion carried.

Resolution 2020-5247 Resolution Designating Appropriations and Levying a Tax for the 2021 Budget of the City of Kaukauna.

Motion by Coenen, seconded by Roehrig to suspend the rules and waive the reading of Resolution 2020-5247 Resolution Designating Appropriations and Levying a Tax for the 2021 Budget of the City of Kaukauna.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Roehrig to approve Resolution 2020-5247 Resolution Designating Appropriations and Levying a Tax for the 2021 Budget of the City of Kaukauna.

All Ald. voted aye.

Motion carried.

Ordinance 1819 Annexing land from the Town of Buchanan to the City of Kaukauna.

Motion by Coenen, seconded by Roehrig to suspend the rules and waive the reading of Ordinance 1819 Annexing land from the Town of Buchanan to the City of Kaukauna.

All Ald. voted aye.
Motion carried.

Motion by Coenen, seconded by Roehrig to approve Ordinance 1819 Annexing land from the Town of Buchanan to the City of Kaukauna.
All Ald. voted aye.
Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTE 19.85(1)(E) TO DISCUSS THE DISPOSITION OF PROPERTY LOCATED AT 3700 ELECTRIC CITY BLVD. (NEW PROSPERITY CENTER).

Motion by Coenen, seconded by Moore to adjourn to Closed Session pursuant to Wisconsin State Statute 19.85(1)(e) to discuss the disposition of property located at 3700 Electric City Blvd. (NEW Prosperity Center).
All Ald. voted aye.
Motion carried.

Adjourned to Closed Session at 8:18 PM.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION.

Motion by Driessen, seconded by DeCoster to return to Open Session for possible action.
All Ald. voted aye.
Motion carried.

Returned to Open Session at 8:37 PM.

Motion by Coenen, seconded by Schell to direct City Attorney to draft an offer to purchase, with attached contingencies, and authorize the Mayor to enter into an offer to purchase agreement with Modix, Inc. (Sebastian Schmidt) for the sale of property located at 3700 Electric City Blvd. for \$49,400.
All Ald. voted aye.
Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO WISCONSIN STATE STATUTE 19.85(1)(E) TO DISCUSS THE DISPOSITION OF PROPERTY LOCATED AT 111 MAIN AVENUE (CARNEGIE BUILDING).

Motion by Coenen, seconded by Moore to adjourn to Closed Session pursuant to Wisconsin State Statute 19.85(1)(e) to discuss the disposition of property located at 111 Main Avenue (Carnegie Building).
All Ald. voted aye.
Motion carried.

Adjourned to Closed Session at 8:40 PM.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION.

Motion by Driessen, seconded by DeCoster to return to Open Session for possible action.
All Ald. voted aye.
Motion carried.

Returned to Open Session at 9:01 PM.

CONSIDERATION OF MISCELLANEOUS BUSINESS – none.

ADJOURN

Motion by Coenen, seconded by DeCoster to adjourn.
All Ald. voted aye.
Motion carried.

Meeting adjourned at 9:03 PM.

Sally Kenney
Clerk

