



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – MARCH 2, 2021

At the February 17 meeting no motion or second was made to adjourn. Mayor Penterman stated that to his knowledge no Council business was conducted during the period between meetings. The Mayor asked for a motion to adjourn the February 17, 2021 meeting.

Motion by Moore, seconded by Schell to adjourn the Wednesday, February 17, 2021 meeting.
All Ald. voted aye.
Motion carried.

The swearing in of Jennie Eggleston took place immediately before the start of this meeting.

Pursuant to adjournment on February 17, 2021 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, March 2, 2021 with remote teleconference via ZOOM.

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

Also present: DPW/Eng. Sundelius, City Attorney Davidson, Principal Planner Brunette, Sen. Proj. Eng. Neumeier, Fire Chief Carrel, Police Chief Graff, Community Enrichment Cord. Hicks, Fin. Dir. Van Rossum, HR Dir. Audette, Library Dir. Thiem-Menning, IT Dir. Krause, 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 Roehrig to suspend the rules and waive the reading of the minutes of the previous meeting of February 17, 2021.
All Ald. voted aye.
Motion carried.

Motion by Coenen, seconded by Roehrig to adopt the minutes of the meeting of February 17, 2021 as presented.
All Ald. voted aye
Motion carried.

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

Bills Payable

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

Roll call vote: Coenen-aye, DeCoster-aye, Duda-aye, Eggleston-aye, Moore-aye, Roehrig-aye, Schell-aye, Thiele-aye.
Motion carried.

PUBLIC APPEARANCES

Nancy Sprangers, 412 Park Street, Kaukauna spoke in regard to the Carnige Building (old Library). She would ask that the building not be torn down or demolished. Mayor Penterman stated this matter would be discussed later in this meeting.

BUSINESS PRESENTED BY THE MAYOR

Public Hearing regarding proposed change to City of Kaukauna Zoning Code: Ordinance amending certain permitted, accessory, and special exception uses in RSF – Residential Single Family District; RTF – Residential Two Family District; RMF – Residential Multifamily District; CCD – Commercial Code District; CMB – Central Business District; CHD – Commercial Highway District; and IPD – Industrial Park District.

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 proposed change to City of Kaukauna Zoning Code: Ordinance amending certain permitted, accessory, and special exception uses in RSF – Residential Single Family District; RTF – Residential Two Family District; RMF – Residential Multifamily District; CCD – Commercial Code District; CMB – Central Business District; CHD – Commercial Highway District; and IPD – Industrial Park District.

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

Public Hearing regarding proposed change to City of Kaukauna Municipal Code Ch. 1, Sec. 1.31(1) City Plan Commission.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or via ZOOM wished to address the Council regarding proposed change to City of Kaukauna Municipal Code Ch. 1, Sec. 1.31(1) City Plan Commission.

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

Statement by Mayor Penterman regarding Carnige Library

Mayor Penterman stated he has received a number of inquiries about future plans for the sale of the former library and Central Park. While a potential development is under negotiation, he wanted to correct misinformation and assure residents of the lengths the City is taking to preserve the historic building in the long term. The library building is registered as one of the sixteen properties on the national registry of historical places in the City. We are required by State law to ensure the national register listed buildings, or transferred into private ownership, have restrictions in place that will ensure historic preservation. These structures cannot be torn down and protections are in place to prevent major changes from impacting the historic nature of the building. A potential development is in the works and the Mayor hopes to be able to share more information on this as soon as details are finalized. The potential development has been reviewed by a number of staff, as well as various boards and commissions since last fall and by the State Historic Preservation Office. Two key priorities are to see that the property, with both historic and community

significance, is preserved into the future and that any development retains the historic character of the building. The second key priority for the 100+ year old property, is to preserve, historicize and transfer into private ownership so it can stand for another 100 years or longer. The City has spent close to fifty thousand dollars over the last four years on property maintenance related expenditures on this building. The best long term outcome for this building is to see it in the hands of a private owner with needed maintenance and structural improvements being made to preserve the building and to ensure that it is a tax generating property moving forward.

Appoint Jennie Eggleston to the Health & Recreation Committee Meeting.

Motion by Moore, seconded by Coenen to appoint Jennie Eggleston to the Health & Recreation Committee.

All Ald. voted aye.

Motion carried.

Appoint Jennie Eggleston to the Public Protection & Safety.

Motion by Schell, seconded by Moore to Appoint Jennie Eggleston to the Public Protection & Safety Committee.

All Ald. voted aye.

Motion carried.

Cancellations and closings due to COVID-19 ALERT.

The Kaukauna Utilities will be opening their lobby on April 5. Municipal Court and the 1000 Islands opened up today. The Municipal Services Building will potentially open up in conjunction with the Kaukauna Utilities on April 5.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of March 1, 2021.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chairman Thiele on Monday, March 1, 2021 at 6:00 P.M. remote teleconference via ZOOM.

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

Absent & Excused: Duda

Also present: Mayor Penterman, Attny. Davidson, DPW/Eng. Sundelius, Sen. Proj. Eng. Neumeier, Fin. Dir. Van Rossum, Fire Chief Carrel, Police Chief Graff, Street Sup. Vandenheuvel, Rec. Dir. Malloy, Principal Planner Watson Brunette, IT Dir. Krause, KU Gen. Mgr. Feldt and interested citizens.

Motion by Coenen, seconded by Moore to excused the absent member.

All members present voted aye.

Motion carried.

1. Correspondence.

Letter from Kayla and Dakota Ruley, 900 Brill Road, regarding a snow bill was read. The letter was to ask for the snow removal fee to be waived or reduced.

Motion by Coenen, seconded by Moore to receive and place on file the letter from Kayla and Dakota Ruley.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by DeCoster to bring the request from Kayla and Dakota Ruley to the next Board of Public Works meeting.

All Ald. present voted aye.

Motion carried.

2. Permission to Bid Project 7-21, Lawe Street Water and Sanitary Reconstruction – with Kaukauna Utilities.

In 2022, Outagamie County Highway Department will be resurfacing CTH J (Lawe Street) from STH 55 (Delanglade Street) to Lamplighter Drive. Prior to this resurfacing KU will be replacing all of the older water utilities within the right-of-way. The City has some defective sanitary sewer within the project limits also. Engineering Department is proposing to contract with KU to have the sanitary sewer replaced along with their project. Anticipated construction timing is June-September 2021. A map of the proposed project area was provided.

Motion by Roehrig, seconded by Schell to authorize the Engineering Department to bid Project #7-21, Lawe Street Water and Sanitary Reconstruction with Kaukauna Utilities.

All Ald. present voted aye.

Motion carried.

3. Underground Facilities Locating and Marking Service Agreement Renewal (Damage Prevention Services).

The City uses a private company to locate and mark underground electrical facilities that we own. The underground electric lines include traffic signals, athletic field lighting, park pavilions, decorating lighting, etc. The City entered into a three year contract with Damage Prevention Services in 2018 that is set to expire. Staff is recommending renewal of the contract as we need to continue to locate these underground facilities and the service from Damage Prevention Services has been at a high level.

Motion by Coenen, seconded by Schell to authorize the Director of Public Works to enter into a 3 year (March 12, 2021 thru March 11, 2024) Underground Facilities Locating and Marking Service Agreement with Damage Prevention Services.

All Ald. present voted aye.

Motion carried.

4. Stormwater Management Easement – Farmview Village – K4 Storage.

As part of the K4 Basin Flood Relief plan, the Ann Street at Fieldcrest existing dry pond which was installed as part of the 4th Addition to Farmview Village, will be expanded to provide additional flood storage. The expansion requires an expanded easement area into the abutting Fieldcrest Drive lots. City Planning has been working with the property owners to acquire the easement for this work. The proposed pond and easement diagram was provided. A resolution authorizing the Mayor and Clerk to sign a Stormwater Utility Easement is on the Tuesday, March 2, 2021 agenda. Questions from the Board were answered.

5. 2021 Updates to Stormwater Management Plan.

Sen. Proj. Eng. Neumeier provided updates on the Stormwater Management Plan. Detailed plan information will be provided to the Council in the next couple of weeks. Substantial updates will be made to the Stormwater Management Plan and different programs. Information will be published on the City web-site with the ability for residents to review.

6. Sidewalk Builders License to Dan Verbeten Construction.

Ald. Schell asked about other sidewalk construction companies, and if they are able to do work in Kaukauna. DPW/Eng. Sundelius stated that this license is to be obtained by all companies who install sidewalks in Kaukauna.

Motion by Moore, seconded by Coenen to grant the Sidewalk Builders License to Dan Verbeten Construction.

All Ald. present voted aye.

Motion carried.

7. General Matters.

Ald. Moore thanked DPW/Eng. Sundelius for having the Redhill Landfill update on the March 15, 2021 Board of Public Works Meeting Agenda.

Motion made by Coenen, seconded by Moore to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:19 p.m.

Sally Kenney
Clerk

Motion by Thiele, seconded by Schell to adopt the Board of Public Works Meeting Minutes of March 1, 2021 as presented.

All Ald. voted aye.

Motion carried.

Finance & Personnel Committee Meeting Minutes of March 1, 2021.

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chairman Penterman on Monday, March 1, 2021 at 6:20 p.m. remote teleconference via ZOOM.

Members present: Mayor Penterman, Coenen, Moore, Roehrig and Schell.

Absent & Excused: Duda.

Also present: Ald. Thiele, Ald. DeCoster, Attorney Davidson, DPW/Eng. Sundelius, Sen. Proj. Eng. Neumeier, Principal Planner Watson Brunette, Fin. Dir. Van Rossum, Fire Chief Carrel, Police Chief Graff, Street Sup. Vandenheuvel, Rec. Dir. Malloy, HR Dir. Audette, KU Gen. Mgr. Feldt and interested citizens.

Motion by Coenen, seconded by Moore to excuse the absent member.

All members present voted aye.

Motion carried.

1. **Correspondence** - None.

2. **Letter of Agreement between Mead & Hunt and City of Kaukauna.**

Principal Planner Watson Brunette gave an overview of the agreement between Mead and Hunt and the City of Kaukauna. Questions from the committee were answered.

Motion by Coenen, seconded by Roehrig to authorize the Principal Planner enter into an agreement between Mead & Hunt and the City of Kaukauna for contracted planning services.

All members present voted aye.

Motion carried.

3. **Permission to fill vacant firefighter/paramedic position due to resignation.**

A memo with background information from HR Dir. Audette was provided. This position was posted on February 16, 2021 to begin the application collection process.

Motion by Moore, seconded by Roehrig to grant permission to fill the vacant firefighter/paramedic position due to resignation.

All members present voted aye.

Motion carried.

4. **Permission to fill DPW Laborer position due to retirement.**

Due to the upcoming retirement of Jim Dix, a DPW Laborer position is becoming available. This position will likely not be posted. A qualified candidate from the most recent hiring round will be extended an offer.

Motion by Coenen, seconded by Schell to grant permission to fill the DPW Laborer position due to

retirement.
All members present voted aye.
Motion carried.

5. General Matters - none.

Motion by Moore, seconded Coenen to adjourn.
All members present voted aye.
Motion carried.

Meeting adjourned at 6:29 P.M.

Sally Kenney, Clerk

Motion by Coenen, seconded by Moore to adopt the Finance & Personnel Committee Meeting Minutes of March 1, 2021 as presented.
All Ald. voted aye.
Motion carried.

Health and Recreation Meeting Minutes of March 1, 2021.

This meeting was pulled due to lack of quorum.

Committee of the Whole Meeting Minutes of February 22, 2021.

COMMITTEE OF THE WHOLE MEETING

Meeting of the Committee of the Whole called to order by Mayor Penterman at 6:00 P.M. on Monday, February 22, 2021 with remote teleconference via ZOOM.

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

Absent and excused: DeCoster

Also present: Atty. Davidson, HR Dir. Audette, KU Feldt, Fire Chief Carrel, Ald. Candidate Eggleston, Ald. Candidate Johnsrud, Ald. Candidate Palmer, Ald. Candidate Schuh, Ald. Candidate Wurdinger and interested citizens.

Motion by Moore, seconded by Coenen to excuse the absent member.
All Ald. present voted aye.
Motion carried.

Correspondence

Motion made by Coenen, seconded by Moore to receive and place on file the letters of interest from Jennie Eggleston, Zach Johnsrud, Gerald Palmer, Brian Schuh, Jesus Septimo and Robert Wurdinger for District 1 Alderperson.
All Ald. present voted aye.
Motion carried.

Ald. DeCoster arrived at 6:05 p.m.

Interview for Alderperson in Aldermanic District 1

Four questions were asked of each candidate. One candidate was not present (Jesus Septimo).

1. Robert Wurdinger
2. Zach Johnsrud
3. Jennie Eggleston
4. Brian Schuh
5. Gerald Palmer

Motion made at 6:38 p.m. by Coenen, seconded by Moore to convene to Closed Session pursuant to Wis. Stat. Sec. 19.85(1)(c) to deliberate on candidates for appointment to 1st District Alderperson seat.

All Ald. Voted aye.

Motion carried.

Motion made at 7:15 p.m. by Coenen, seconded by Moore to reconvene to Open Session.

All Ald. Voted aye.

Motion carried.

Mayor Penterman thanked all the candidates for coming out today and for their interest in the District 1 Aldermanic seat. This appointment is for the remaining term with re-election in April of 2022.

Motion made by Coenen, seconded by Thiele to nominate Jennie Eggleston as the District 1 Alderperson for the remainder of the term.

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

Motion carried 5 to 2.

General Matters

The appointed Alderperson, Jennie Eggleston, will be sworn in on March 2, 2021 at the Common Council Meeting. She will attend in person.

Motion made by Coenen, seconded by Moore to adjourn the meeting.

All Ald. Voted aye.

Motion carried.

Meeting adjourned at 7:19 P.M.

Sally Kenney, Clerk

Motion by Coenen, seconded by Thiele to adopt the Committee of the Whole Meeting Minutes of February 22, 2021 as presented.

All Ald. voted aye.

Motion carried.

Kaukauna Public Library Board Meeting Minutes of January 26, 2021.

Motion by Coenen, seconded by Moore to receive and place the Kaukauna Public Library Meeting Minutes of January 26, 2021.

All Ald. voted aye.

Motion carried.

KATODA Meeting Minutes of January 20, 2021.

Motion by Schell, seconded by Coenen to receive and place on file the KATODA Meeting Minutes of January 20, 2021.

All Ald. voted aye.

Motion carried.

Grignon Mansion Board Meeting Minutes of January 25, 2021.

Motion by Thiele, seconded by Roehrig to receive and place on file the Grignon Mansion Board Meeting Minutes of January 25, 2021.

All Ald. voted aye.

Motion carried.

Operators/Bartenders License - None.

REPORTS OF CITY OFFICERS

Presentation of new Kaukauna Farmers Market and Live! From Hydro Park event logos, presented by Community Enrichment Coordinator Dakota Hicks.

Principal Planner Brunette introduced Community Enrichment Coordinator Dakota Hicks who joined the City of Kaukauna in September.

Dakota provided the Council members with photos of the new logos and answered questions.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2021-5257 Authorizing the Mayor to enter into a Developer's Agreement between Tim Schulke or Assigns and the City of Kaukauna.

This item was pulled from the agenda.

Resolution 2021-5258 Authorizing the Mayor to enter into a Developer's Agreement between John Brogan or Assigns and the City of Kaukauna.

This item was pulled from the agenda.

Resolution 2021-5259 Authorizing the Mayor and Clerk to sign a Storm Water Utility Easement.

Motion by Coenen, seconded by Roehrig to suspend the rules and waive the reading of Resolution 2021-5259 Authorizing the Mayor and Clerk to sign a Storm Water Utility Easement.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Roehrig to adopt Resolution 2021-5259 Authorizing the Mayor and Clerk to sign a Storm Water Utility Easement.

All Ald. voted aye.

Motion carried.

Ordinance 1826 Ordinance Amending Certain Permitted Accessory, and Special Exception uses in RSF – Residential Single Family District; RTF – Residential Two Family District; RMF – Residential Multifamily District; CCD – Commercial Core District; CMB – Central Business District; CHD – Commercial Highway District; and IPD – Industrial Park District.

Motion by Coenen, seconded by Roehrig to suspend the rules and waive the reading of Ordinance 1826 Ordinance Amending Certain Permitted Accessory, and Special Exception uses in RSF – Residential Single Family District; RTF – Residential Two Family District; RMF – Residential Multifamily District; CCD – Commercial Core District; CMB – Central Business District; CHD – Commercial Highway District; and IPD – Industrial Park District.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Thiele to adopt Ordinance 1826 Ordinance Amending Certain Permitted Accessory, and Special Exception uses in RSF – Residential Single Family District; RTF – Residential Two Family District; RMF – Residential Multifamily District; CCD – Commercial Core District; CMB – Central Business District; CHD – Commercial Highway District; and IPD – Industrial Park District.

All Ald. voted aye.

Motion carried.

Ordinance 1827 Ordinance Amending Chapter 1, Sec. 1.31(1) – City Plan Commission.

Motion by Coenen, seconded by Moore to suspend the rules and waive the reading of Ordinance 1827 Ordinance Amending Chapter 1, Sec. 1.31(1) – City Plan Commission.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Thiele to adopt Ordinance 1827 Ordinance Amending Chapter 1, Sec. 1.31(1) – City Plan Commission.

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

Motion carried.

Ordinance 1828 Adopting Updated Building Code.

Motion by Coenen, seconded by Schell to suspend the rules and waive the reading of Ordinance 1828 Adopting Updated Building Code.

All Ald. voted aye.

Motion carried.

Motion by Coenen, seconded by Moore to adopt Ordinance 1828 Adopting Updated Building Code.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS THE DISPOSITION OF MUNICIPALLY OWNED PROPERTY AND DRAFT DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 111 MAIN AVENUE

Motion by Coenen, seconded by Moore to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss the disposition of municipally owned property and draft development agreement for property located at 111 Main Avenue.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 7:39 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Motion by Moore, seconded by Coenen to Return to Open Session for possible action.

All Ald. voted aye.

Motion carried.

Returned to Open Session at 7:50 p.m.

Motion by Coenen, seconded by Thiele to direct staff to submit counter offer with Tim Schuelke or Assigns with the contingency of presenting a clear title from the City and bring to the City Plan Commission for approval.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS DRAFT DEVELOPMENT AGREEMENT FOR PROPERTY LOCATED AT 120 E. WISCONSIN AVENUE

This agenda item was pulled.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS THE DISPOSITION OF LOTS 2 AND 13 IN THE NEW PROSPERITY CENTER INDUSTRIAL PARK

Motion by Moore, seconded by Eggleston to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss the disposition lots 2 and 13 in the New Prosperity Center Industrial Park.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 7:56 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Motion by Coenen, seconded by Schell to Return to Open Session for possible action.

All Ald. voted aye.

Motion carried.

Returned to Open Session at 8:01 p.m.

Motion by Coenen, seconded by Thiele to direct staff to accept offer to purchase, contingent on the Industrial Park Commission's acceptance of the WB-40 amendment for the buyer entity on Friday, 3/5/2021. Ald. Moore asked DPW/Eng. Sundelius about the retention pond servicing this area.

This question was answered.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS THE DISPOSITION OF MUNICIPALLY OWNED PROPERTY LOCATED AT 222 LAWE STREET AND 140 E. WISCONSIN AVENUE

Motion by Moore, seconded by Coenen to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss the disposition of municipally owned property located at 222 Lawe Street and 140 E. Wisconsin Avenue.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:05 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Motion by Moore, seconded by DeCoster to Return to Open Session for possible action.

All Ald. voted aye.

Motion carried.

Returned to Open Session at 8:24 p.m.

Motion by Moore, seconded by Coenen to direct staff to execute the offer to purchase property located at 222 Lawe Street with the contingency that the City Plan Commission approves during their meeting on 3/4/21.

All Ald. voted aye.

Motion carried.

Motion by Schell, seconded by Moore to direct staff to execute the offer to purchase property located at 140 E. Wisconsin Ave. with the contingency that the City Plan Commission approves during their meeting on 3/4/21.

All Ald. voted aye.

Motion carried.

CONSIDERATION OF MISCELLANEOUS BUSINESS

Ald. Roehrig thanked the Kaukauna Athletic Club for the donation of \$12,000 for the purchase of two new field machines for Kaukauna Girls' Fast Pitch and Kaukauna Youth Baseball. The two new field machines will be used on all the fields in the City.

ADJOURN

Motion by Coenen, seconded by Roehrig to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:24 PM.

Sally Kenney
Clerk

