



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – MAY 18, 2021

Pursuant to adjournment on May 4, 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, May 18, 2021 in-person and with remote teleconference via ZOOM.

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

Also present: DPW/Eng. Sundelius, Sen. Proj. Eng. Neumeier, Fin. Dir. Van Rossum, Fire Chief Carrel, Asst. Police Chief Sanderfoot, Prin. Planner Brunette, Rec. Dir. Malloy, 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 Moore, seconded by Coenen to suspend the rules and waive the reading of the minutes of the previous meeting of May 4, 2021.

All Ald. voted aye.

Motion carried.

Motion by Thiele, seconded by Schell to adopt the minutes of the meeting of May 4, 2021.

All Ald. voted aye.

Motion carried.

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

Bills Payable

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

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

Motion carried.

PUBLIC APPEARANCES

Daniel Densow, 537 N. Superior Street, Appleton spoke about the parking restriction on the property he and his wife own at 500 Hendricks Ave. This item is on this Council meeting agenda. He is asking the Council to please remove the restriction of street parking for this property.

Tim Eichsteadt, N5541 St. Catherines Bay Road, Hilbert expressed his concern regarding the street parking restrictions on the property he is purchasing at 500 Hendricks Ave.

Keith Martin, 182 Claribel Street, Kaukauna spoke about the sewage backup claims which were presented to the Council in 2020. This claim was denied in 2020, but he was told he could request the claim be reconsidered once a new Common Council was seated.

Joanne Densow, 537 N. Superior Street, Appleton spoke about the parking restrictions on the property at 500 Hendricks Ave. She asked the Council consider removing the street parking restrictions for the property. A picture of the property was provided to the Council.

Kathy Keating, 1000 W. Wisconsin Ave., Kaukauna spoke stating the ZOOM meeting attendees could not hear all the in person people when speaking. The microphones were tested.

BUSINESS PRESENTED BY THE MAYOR

Public Hearing to consider a rezoning within the proposed Ash Grove Estates.

Mayor Penterman declared the Public Hearing open and asked if anyone in the Council Chambers or via ZOOM wished to speak for or against the rezoning within the proposed Ash Grove Estates.

The Mayor asked two more times if anyone in the Council Chambers or via ZOOM wished to speak for or against the rezoning within the proposed Ash Grove Estates.

No one appeared. Mayor Penterman declared the Public Hearing to consider a rezoning within the proposed Ash Grove Estates closed.

Ald. Thiele inquired about notice to surrounding residents, if and how they were contacted. Principal Planner Brunette stated that all residents within 200' received a letter, a copy of the notice, a map of the area and a copy of the petition that went before the Plan Commission regarding this Public Hearing. All of this information was posted on the City's web-site and signs were placed on-site stating the information about the Public Hearing.

Disallowance of Insurance Claim #: WM000442410233.

Motion by Coenen, seconded by Moore to disallow claim number WM000442410233.

All members voted aye.

Motion carried.

Appoint Neal Borchert to replace Robert Kelley on the Kaukauna Veterans Memorial Park Association.

Motion by DeCoster, seconded by Schell to appoint Neal Borchert to replace Robert Kelley on the Kaukauna Veterans Memorial Park Association.

All Ald. voted aye.

Motion carried.

Electric City Experience – June 10-12, 2021.

Mayor Penterman informed the Council about this event.

Cancellations and closings due to COVID-19 ALERT.

The Municipal Services Building opened up to residents on May 3. Council members will be asked about comfort level resuming in-person meetings.

A Committee of the Whole Meeting is scheduled for Monday, May 24 at 6:00 p.m. to interview and appoint an Alderperson for District 3.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of May 17, 2021.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chairperson Thiele on Monday, May 17, 2021 at 6:00 P.M. in person and remote teleconference via ZOOM.

Members present: Antoine, Coenen, DeCoster, Eggleston, Moore, Schell and Thiele.

Also present: Mayor Penterman, DPW/Eng. Sundelius, Sen. Proj. Eng. Neumeier, Proj. Eng. Cesafsky, HR Dir. Audette, Fire Chief Carrel, Police Chief Graff, Rec. Dir. Malloy, IT Dir. Krause, and interested citizens.

1. Correspondence – none.

2. Open Bids for Project 3-21, 2021 Alley Paving Project.

Motion by Coenen, seconded by Moore to receive no more bids for Project 3-21, 2021 Alley Paving Project and open bids received.

All members voted aye.

Motion carried.

<u>CONTRACTOR</u>	<u>CITY</u>	<u>TOTAL BID</u>
MCC, Inc.	Appleton	\$199,529.93
Northeast Asphalt	Greenville	\$178,442.90

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

All members voted aye.

Motion carried.

3. Open Bids for Project 9-21, Fox River Boardwalk Trail and Parking Lot.

Motion by Coenen, seconded by Schell to receive no more bids for Project 9-21, Fox River Boardwalk Trail and Parking Lot and open bids received.

All members voted aye.

Motion carried.

<u>CONTRACTOR</u>	<u>CITY</u>	<u>TOTAL BID</u>
MCC, Inc.	Appleton	\$148,720.08
Northeast Asphalt	Greenville	\$144,993.50

Motion by Moore, seconded by Antoine to have Engineering Department tabulate the bids and come back to the Council with a recommendation tomorrow evening.

All members voted aye.
Motion carried.

4. Public Hearing for Project 6-21 CTH Z Curb Replacement and Sidewalk Installation.

Senior Project Engineer Neumeier gave a presentation on the project areas providing assessment rates, payments and policies. Questions from the Board were answered.

Chairman Thiele declared the Public Hearing for Project 6-21 CTH Z Curb Replacement and Sidewalk Installation open and asked if anyone in person or via ZOOM wished to address the Board.

Troy Hubers, 1000 Brill Road, Kaukauna spoke regarding the sidewalk installation policy and why the sidewalk installation will not be completed further to HWY HH. Mayor Penterman asked Mr. Hubers to reach out to the City Engineering Department to get additional details on installation of sidewalks on this project.

Chairman Thiele asked two more times if anyone in person or via ZOOM wished to address the Board regarding Project 6-21 CTH Z Curb Replacement and Sidewalk Installation. No one else appeared. The Public Hearing was declared closed. The final Resolution on this project is on the Common Council agenda tomorrow evening.

5. Update on Red Hills Landfill Odor Concerns.

Ahlstrom-Munksjo has received and reviewed possible odor reduction solutions with their landfill consultant and continue activity at the landfill. Representatives Lee Hammen-Mill Manager and Heath Hoffman-Operations Manager from the Ahlstrom-Munksjo were present to provide information, along with photos, on their efforts and plans. Questions from the Board were answered. Another progress report will be given at the second Board of Public Works meeting in July.

6. Authorize to fill vacant Street Department Laborer.

HR Director Audette informed the Board of the resignation of Kurt Ebben in the Street Department and asked for authorization to fill the vacant position.

Motion by Moore, seconded by Coenen to authorize the Street Department to fill the vacant Laborer position due to the resignation of Kurt Ebben.

All members voted aye.
Motion carried.

7. General Matters - none.

Motion made by DeCoster, seconded by Eggleston to adjourn.
All members voted aye.
Motion carried.

Meeting adjourned at 6:31 p.m.
Sally Kenney
Clerk

Motion by Thiele, seconded by Eggleston to adopt the Board of Public Works Meeting Minutes of May 17, 2021 as presented.

All Ald. voted aye.

Motion carried.

Health & Recreation Meeting Minutes of May 17, 2021.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman DeCoster on Monday, May 17, 2021 at 6:33 P.M. in person and remote teleconference via ZOOM.

Members present: Coenen, DeCoster, Eggleston, and Schell.

Also present: Mayor Penterman, Ald. Antoine, Moore, Thiele, DPW/Eng. Sundelius, Sen. Proj. Eng. Neumeier, Proj. Eng. Cesafsky, HR Dir. Audette, Fire Chief Carrel, Police Chief Graff, Rec. Dir. Malloy, IT Dir. Krause, and interested citizens.

1. Correspondence – None.

2. Temporary Class B License to Warrior Songs, Inc., at Hydro Park and adjacent area surrounding 100 Crooks Avenue and Farm Market Parking Lot and 1 block of East Second Street, on June 10, 11, 12, 2021 for “Electric City Experience”.

Ald. DeCoster inquired about having licensed bartenders on staff during this event. Jason Lipsky, event organizer, stated the Lion’s Club members along with other licensed bartenders will be working the event.

Motion by Coenen, seconded by Schell to grant the Temporary Class B License to Warrior Songs, Inc., at Hydro Park and adjacent area surrounding 100 Crooks Avenue and Farm Market Parking Lot and 1 block of East Second Street, on June 10, 11, 12, 2021 for “Electric City Experience”.

All members voted aye.

Motion carried.

3. Temporary Class B License to Kaukauna Lions Club, Hydro Park, on June 2, 9, 16, 23, 30, July 3, 7, 14, 21, 28, August 7, and rain dates of August 14, 21, 2021 for “Live from Hydro”.

Motion by Coenen, seconded by Schell to grant the Temporary Class B License to Kaukauna Lions Club, Hydro Park, on June 2, 9, 16, 23, 30, July 3, 7, 14, 21, 28, August 7, 2021 and rain dates of August 14, and 21, 2021 for “Live from Hydro”.

All members voted aye.

Motion carried.

4. Carnival License to Stuart J. Schmitt, S&J Enterprise, N578 Military Road, P.O. Box 342, Sherwood on June 10-12, 2021 in parking lot between Main Avenue and Crooks Avenue along the side of Fox River for “Electric City Experience”.

Motion by Coenen, seconded by Schell to grant the Carnival License to Stuart J. Schmitt, S&J Enterprise, N578 Military Road, P.O. Box 342, Sherwood on June 10-12, 2021 in parking lot between Main Avenue and Crooks Avenue along the side of Fox River for "Electric City Experience".

All members voted aye.

Motion carried.

5. Request for use of small section of Konkapot Trail and for Amplified Music on October 16, 2021, for Memory Lane 1k-roll & 5k-Run/Walk, submitted by St. Paul Elder Services, Inc.

Motion by Schell, seconded by Eggleston to grant the Request for use of small section of Konkapot Trail and for Amplified Music on October 16, 2021, for Memory Lane 1k-roll & 5k-Run/Walk, submitted by St. Paul Elder Services, Inc.

All members voted aye.

Motion carried.

6. General Matters – None.

Motion made by Coenen, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:40 P.M.

Sally Kenney, Clerk

Motion by DeCoster, seconded by Antoine to adopt the Health and Recreation Meeting Minutes of May 17, 2021 as presented.

All Ald. voted aye.

Motion carried.

Redevelopment Authority Meeting Minutes of March 19, 2021.

Motion by Moore, seconded by Thiele to receive and place on file the Redevelopment Authority Meeting Minutes of March 19, 2021.

All Ald. voted aye.

Motion carried.

Plan Commission Meeting Minutes of April 22, 2021.

Motion by Moore, seconded by Coenen to receive and place on file the Plan Commission Meeting Minutes of April 22, 2021.

All Ald. voted aye.

Motion carried.

Industrial Park Commission Meeting Minutes of April 15, 2021.

Motion by Moore, seconded by Schell to receive and place on file the Industrial Park Commission Meeting Minutes of April 15, 2021.

All Ald. voted aye.
Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of April 13, 2021.

Motion by Moore, seconded by DeCoster to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of April 13, 2021.
All Ald. voted aye.
Motion carried.

Heart of the Valley Metropolitan Sewerage District Special Meeting Minutes of April 27, 2021.

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Special Meeting Minutes of April 27, 2021.
All Ald. voted aye.
Motion carried.

Operators/Bartenders License.

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

Amboise	Jude		2500 Riverside Dr	Kaukauna
Basten	Jennifer	L.	220 W 12 th St. Apt. 7	Kaukauna
Crook	Christina	L.	307 Whitney St.	Kaukauna
Kurtovic	Jane	A.	115 E. Brewster St.	Appleton
Lindberg	Andrea	M.	2200 Green Bay Rd. #512	Kaukauna
Radtke Jr.	Robert	L.	324 N. Outagamie St.	Appleton

Motion by DeCoster, seconded by Schell to grant the operator/bar tender license.
All Ald. voted aye.
Motion carried.

REPORTS OF CITY OFFICERS

Fire Report

Motion by Moore, seconded by Coenen to receive and place on file the April 2021 Fire Report.
All Ald. voted aye.
Motion carried.

Ambulance Report

Motion made by Moore, seconded by Antoine to receive and place on file the April 2021 Ambulance Report.
All Ald. voted aye.
Motion carried.

Police Report

Motion made by Moore, seconded by Eggleston to receive and place on file the April 2021 Police Report.

All Ald. voted aye.
Motion carried.

Municipal Court Report

Motion made by Moore, seconded by Coenen to receive and place on file the April 2021 Municipal Court Report.

All Ald. voted aye.
Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Schell to receive and place on file the March 2021 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Eggleston to receive and place on file the April 2021 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.
Motion carried.

Building Inspection Report

Motion made by Moore, seconded by Coenen to receive and place on file the April 2021 Building Inspection Report.

All Ald. voted aye.
Motion carried.

Award Project 9-21, Fox River Trail and Parking Lot.

Senior Project Engineer Neumeier provided the bid tabulations. After review, all bids checked out.

Motion by Moore, seconded by Thiele to award Project 9-21, Fox River Boardwalk Trail and Parking Lot to Northeast Asphalt Inc. for the total bid price of \$144,993.50.

All Ald. voted aye.
Motion carried.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2021-5271 Approving a 1-Lot Certified Survey Map at 1213 Crooks Avenue for Lorri Kavanaugh.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2021-5271 Approving a 1-Lot Certified Survey Map at 1213 Crooks Avenue for Lorri Kavanaugh.

All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2021-5271 Approving a 1-Lot Certified Survey Map at 1213 Crooks Avenue for Lorri Kavanaugh.

All Ald. voted aye.
Motion carried.

Resolution 2021-5272 Authorizing Mayor Penterman to sign a Groundwater Monitoring Station Easement to U.S. Department of Interior, U.S. Department of Geological Survey and Wisconsin Geological and Natural History Survey – University of Wisconsin - Madison.

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2021-5272 Authorizing Mayor Penterman to sign a Groundwater Monitoring Station Easement to U.S. Department of Interior, U.S. Department of Geological Survey and Wisconsin Geological and Natural History Survey – University of Wisconsin - Madison.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by DeCoster to adopt Resolution 2021-5272 Authorizing Mayor Penterman to sign a Groundwater Monitoring Station Easement to U.S. Department of Interior, U.S. Department of Geological Survey and Wisconsin Geological and Natural History Survey – University of Wisconsin - Madison.

All Ald. voted aye.

Motion carried.

Resolution 2021-5273 Final Resolution Authorizing Public Improvements to Streets on CTH Z (State Street, W. 10th Street, and E. 10th Street).

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2021-5273 Final Resolution Authorizing Public Improvements to Streets on CTH Z (State Street, W. 10th Street, and E. 10th Street).

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt Resolution 2021-5273 Final Resolution Authorizing Public Improvements to Streets on CTH Z (State Street, W. 10th Street, and E. 10th Street).

All Ald. voted aye.

Motion carried.

Resolution 2021-5274 Accepting Plan Commission Approval of a Special Exception for Tim and Noreen Eichstaedt.

Principal Planner Brunette gave background on the history of the zoning change for this property. Discussion was held and questions answered.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2021-5274 Accepting Plan Commission Approval of a Special Exception for Tim and Noreen Eichstaedt.

All Ald. voted aye.

Motion carried.

Motion by Thiele, seconded by Coenen to adopt Resolution 2021-5274 Accepting Plan Commission Approval of a Special Exception for Tim and Noreen Eichstaedt, with the second condition on the special exception stricken.

All Ald. voted aye.

Motion carried.

Ordinance 1832 Rezoning Certain Property in the Proposed Ash Grove Estates Subdivision.

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1832 Rezoning Certain Property in the Proposed Ash Grove Estates Subdivision.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Ordinance 1832 Rezoning Certain Property in the Proposed Ash Grove Estates Subdivision.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS DISPOSITION OF LOT 5, NEW PROSPERITY CENTER.

Motion by Coenen, seconded by Moore to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of Lot 5, NEW Prosperity Center.

All Ald. voted aye.

Motion carried.

Moved to closed session at 8:00 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Motion by Coenen, seconded by Moore to return to open session for possible action.

All Ald. voted aye.

Motion carried.

Returned to open session at 8:12 p.m.

Motion by Moore, seconded by Coenen to direct staff to counter offer the purchase of Lot 5, NEW Prosperity Center to TANN Corporation with the site plan review by July 29, 2021 and closing August 31, 2021.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS DISPOSITION OF LOT 13 IN NEW PROSPERITY CENTER AND LOT 2 OF CSM 6242 IN NEW PROSPERITY CENTER.

Motion by Coenen, seconded by DeCoster to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of Lot 13 in NEW Prosperity Center and Lot 2 of CSM 6242 in NEW Prosperity Center.

All Ald. voted aye.

Motion carried.

Moved to closed session at 8:14 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 8:22 p.m.

Motion by Moore, seconded by Coenen to direct staff to counter offer the accepted WB-40 amendment as drafted for this offer purchase with site plan review by July 1, 2021 and closing July 31, 2021.

All Ald. voted aye.

Motion carried.

ADJOURN TO CLOSED SESSION PURSUANT TO STATE STATUTE 19.85(1)(E) TO DISCUSS INVESTMENT OF MUNICIPAL FUNDS FOR PROPERTY LOCATED IN BLUE STEM MEADOWS SUBDIVISION.

Motion by Coenen, seconded by Moore to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss investment of municipal funds for property located in Blue Stem Meadows Subdivision.

All Ald. voted aye.

Motion carried.

Moved to closed session at 8:24 p.m.

RETURN TO OPEN SESSION FOR POSSIBLE ACTION

Motion by Coenen, seconded by Moore to return to open session for possible action.

All Ald. voted aye.

Motion carried.

Returned to open session at 8:34 p.m.

CONSIDERATION OF MISCELLANEOUS BUSINESS

Ald. Moore thanked Mayor Penterman for the luncheon provided to City staff on May 12.

Ald. DeCoster asked Mayor Penterman to provide an update on the abandoned gas station at the corner of Lawe and Division Street at an upcoming meeting.

Ald. DeCoster requested the insurance claim for the sewer backup to residents on Green Bay Road and Claribel Street be put on a future agenda.

ADJOURN

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

Meeting adjourned at 8:38 p.m.

Sally Kenney
Clerk

