



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – APRIL 17, 2023

Pursuant to adjournment on April 5, 2023 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, April 17, 2023.

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

Absent & Excused: Thiele

Also present: Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Asst Fire Chief Foss, Fire Lieut. Steffel, Fin. Dir. Van Rossum, Planner Stephenson, Police Chief Graff, HR Dir. Swaney, Director/Naturalist Nowak, and interested citizens.

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

All Ald. present voted aye.

Motion carried.

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

Motion by Moore, seconded by Coenen to adopt the minutes of the Common Council meeting of April 5, 2023.

All Ald. present voted aye.

Motion carried.

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

Bills Payable

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

All Ald. present voted aye.

Motion carried.

PUBLIC APPEARANCES

No one appeared.

Mayor Penterman informed the Council that on Wednesday, April 19, he and Director of Planning and Community Development Joe Stephenson will be doing a community update at the Heart of the Valley Chamber of Commerce.

BUSINESS PRESENTED BY THE MAYOR

Congratulations to Sgt. Mike Frank on 25 years with the City of Kaukauna Police Department.

Mayor Penterman congratulated Sgt. Mike Frank on 25 years of service with the City of Kaukauna Police Department and presented him with a gift.

Retirement award to Scot Vanden Heuvel, Paid-on Call Firefighter, for 29 years of service.

Mayor Penterman congratulated Scot Vanden Heuvel on his retirement as a Paid-on Call Firefighter and presented him with a gift.

Proclamation for National Library Week - April 23-29, 2023.

Mayor Penterman read the Proclamation for National Library Week.

Motion by Kilgas, seconded by Moore to receive and place on file the Proclamation for National Library Week - April 23-29, 2023.

All Ald. present voted aye.

Motion carried.

Proclamation for Arbor Day - April 28, 2023.

Mayor Penterman read the Proclamation for Arbor Day – April 28, 2023.

Motion by Schell, seconded by Eggleston to receive and place on file the Proclamation for Arbor Day – April 28, 2023.

All Ald. present voted aye.

Motion carried.

Reappointment of Mike Vandeberg to the Industrial and Commercial Development Commission.

Motion by Moore, seconded by Kilgas to reappoint Mike Vandeberg to the Industrial and Commercial Development Commission.

All Ald. present voted aye.

Motion carried.

Reappointment of Tony Nytes to the Industrial and Commercial Development Commission.

Motion by Coenen, seconded by Antoine to reappoint Tony Nytes to the Industrial and Commercial Development Commission.

All Ald. present voted aye.

Motion carried.

Reappointment of Beth Jasiak to the Police and Fire Commission.

Motion by Eggleston, seconded by Kilgas to reappoint Beth Jasiak to the Police and Fire Commission.

All Ald. present voted aye.

Motion carried.

Reappointment of Michael Avanzi to the City Plan Commission.

Motion by Moore, seconded by Antoine to reappoint Michael Avanzi to the City Plan Commission.

All Ald. present voted aye.

Motion carried.

Help for the Homeless drive collects \$665,000 worth of donations.

Mayor Penterman informed the Council that \$665,000 was raised for the 2022 “Help for the Homeless” Hygiene Drive.

Temporary allowance of goats to be used at 1000 Islands Conservancy Zone to control invasive species. (June 12-26 and September 25-October 9).

Motion by Eggleston, seconded by DeCoster to allow goats to be used at 1000 Islands Conservancy Zone to control invasive species (June 12-26 and September 25-October 9).

All Ald. present voted aye.

Motion carried.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of April 17, 2023.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Vice Chairperson Coenen on Monday, April 17, 2023 at 6:00 P.M.

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

Absent & Excused: Thiele

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Director/Naturalist Nowak, and interested citizens.

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

All Ald. present voted aye.

Motion carried.

1. Correspondence – none.

2. Discussion Topics.

a. No Mow May Discussion.

DPW/Eng. Neumeier is proposing different ways to increase pollinators without participating in “No Mow May”. Residents can still do No Mow May, if they would like, on their own, **but need to keep all weeds and grass under 12 inches, per City Ordinance.** Director/Naturalist Nowak gave a presentation on ways to help pollinators with a different technique - “Slow Mow Summer”. Decreasing the amount of times grass is cut, planting flowers; especially plants that flower early in the season, increasing mower height to highest setting, doing social media posts, and reducing pesticide use are a few ways to increase pollinators. Questions from the Board were answered.

b. Recommend Award of Project 3-23 Alley Paving.

The Engineering Department has reviewed and analyzed the bids from Vinton Construction Company, M.C.C., Inc. and Northeast Asphalt for the 3-23 Alley Paving Project. The Engineering Department has created an engineer’s estimate prior to bid opening and has compared the three received bids against the engineers’ estimate. The bids themselves are within \$41,174.50 of each other, which is a good indication that they are competitive. The bid tabulation showing the pricing differences between the received bids was provided.

Motion by Moore, seconded by Antoine to award Project 3-23, Alley Paving, to Vinton Construction Company, Two Rivers, WI for a total bid price of \$147,145.25.

All members present voted aye.

Motion carried.

c. Authorization to seek bids for Replacement of Tower Drive Storm Lift Station Back-up Generator.

DPW/Eng. Neumeier stated the back-up generator at the Tower Drive Stormwater Lift Station has been declining for several years. Small repairs and service calls have been increasing. Larger concerns/issues with the injectors and now with low results from the load-bank testing signify that the generator is near the end of its useful life. We had previously budgeted and borrowed for

this item in the 2021 CIP but were able to keep the unit operating with a good level of confidence until this year. Questions from the Board were answered.

Motion by Kilgas, seconded by DeCoster to authorize the Street Department to seek bids for the replacement of the Tower Drive Storm Lift Station Back-up Generator.

All members present voted aye.

Motion carried.

d. Authorization to seek bids for Project 11-23 Rehabilitation of Horseshoe Park Storm Sewer.

The flow line of the 72" Corrugated Metal Pipe (CMP) under Horseshoe Park has deteriorated and is allowing soil migration, leading to sink holes in the park. Photos of the pipe were provided. After assessing the pipe with staff and consultants we are recommending bidding out a contract to patch/rehabilitate the flow line of the pipe and make tuck-point repairs to structures in the system. In addition, we will be looking for alternate bids to install structural liner for the CMP sections.

Motion by Schell, seconded by Eggleston to authorize Engineering Department to seek bids for Project 11-23, Rehabilitation of Horseshoe Park Storm Sewer.

All members present voted aye.

Motion carried.

e. Public Works update.

DPW/Eng. Neumeier stated the annual watershed cleanup will be May 6 at multiple sites.

Diamond #2 concession repair quotes are coming in. Materials costs to repair the roof should be under \$1,000. On-line site card renewal will be rolling out slowly. Participants who provided an email address will be contacted starting this week. Ash tree removal in full swing. 36 Ash trees have been removed since March 20. This will be a multiple year project to remove all the necessary Ash trees. Director/Naturalist Nowak will help with the replanting of trees.

3. Adjourn.

Motion made by Antoine, seconded by DeCoster to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:29 p.m.

Sally Kenney, Clerk

Motion by Coenen adopt the Board of Public Works Meeting Minutes of April 17, 2023, as presented. Moore asked to have clarification on the verbiage "Residents can still do No Mow May, if they would like, on their own". Discussion ensued as to amend versus reconsider, City Attorney Davidson advised to amend to change the language is appropriate if the language was incorrect, but changing the result of the action requires motion to reconsider.

Motion by Moore, seconded by Antoine to reconsider the No Mow May as discussed last night.

All Ald. present voted aye.

Motion carried.

Discussion was held about how to word it. City Attorney Davidson advised the procedure is to articulate exactly what change is wanted, then make a motion to that effect.

Motion by Moore, seconded by Eggleston to adopt the Board of Public Works Meeting Minutes of April 17, 2023 as presented.
All Ald. present voted aye.
Motion carried.

Second Motion by Kilgas, seconded by DeCoster to reconsider the approval of the minutes.
All Ald. present voted aye.
Motion carried.

Motion by Moore, seconded by Kilgas to reconsider Board of Public Works Meeting Minutes Item 2a "No Mow May" discussion.
All Ald. present voted aye.
Motion carried.

Motion by Moore, seconded by Schell to amend the minutes to include "all weeds and grass not to exceed 12 inches, as per City Ordinance" into the minutes.
All Ald. present voted aye.
Motion carried.

Motion by DeCoster, seconded by Coenen to adopt the minutes of the Board of Public Works of April 17, 2023 as amended.
All Ald. present voted aye.
Motion carried.

Health and Recreation Committee Meeting Minutes of April 17, 2023.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman Eggleston on Monday, April 17, 2023 at 6:30 P.M.

Members present: Antoine, DeCoster, Eggleston, and Kilgas.

Also present: Mayor Penterman, Attorney Davidson, Alder Coenen, Alder Schell, Alder Moore, DPW/Eng. Neumeier and interested citizens.

1. Correspondence – None.

2. Discussion Topics.

a. Amplified music request from Cassidy Mickelson, Wisconsin Volunteer Infantry/City of Kaukauna on Saturday, May 13, 2023 from 9 AM to 3 PM at Grignon Mansion Grounds/Lower Grignon Park.

Motion by DeCoster, seconded by Antoine to grant the Amplified music request from Cassidy Mickelson, Wisconsin Volunteer Infantry/City of Kaukauna on Saturday, May 13, 2023 from 9 AM to 3 PM at Grignon Mansion Grounds/Lower Grignon Park.
All members voted aye.
Motion carried.

b. Electric City Experience Community Vision Grant.

Mayor Penterman stated the Community Foundation reached out to Jason Lipsky, Event Coordinator, encouraging him to apply for the grant. Because the City is the Fiscal Sponsor of the event, the grant would be given to the City; who will then pay some of the event expenses. The City

is legally responsible in keeping with the rules of the grant. Discussion was held and questions answered.

Motion by DeCoster, seconded by Antoine to have the City of Kaukauna act as the Fiscal Agent for the Electric City Experience, the application of the Community Vision Grant and to authorize Mayor Penterman to enter into this agreement.

All members voted aye.

Motion carried.

c. Amplified music request to Chris Wachel, Riverside Rally on May 13, 2023 from 9:00 AM to 3:00 PM at Riverside Park.

Motion by DeCoster, seconded by Kilgas to grant the amplified music request to Chris Wachel, Riverside Rally on May 13, 2023 from 9:00 AM to 3:00 PM at Riverside Park.

All members voted aye.

Motion carried.

3. Adjourn.

Motion made by Antoine, seconded by Kilgas to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:41 pm.

Sally Kenney, Clerk

Motion by Eggleston, seconded by Antoine to adopt the Health and Recreation Committee Meeting Minutes of April 17, 2023.

All Ald. present voted aye.

Motion carried.

Library Board Meeting Minutes of February 28, 2023.

Motion by Kilgas, seconded by Coenen to receive and place on file the Library Board Meeting Minutes of February 28, 2023.

All Ald. present voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of March 14, 2023.

Motion by Moore, seconded by Schell to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of March 14, 2023.

All Ald. present voted aye.

Motion carried.

Operator (Bartender) Licenses.

The following applicants have applied for an operator's license for the license year **2022-2024** and have been recommended for approval based on their record check by the police department:

Garnett	Tabitha	D.	966 E. Elm Dr. #1	Little Chute
Gautam	Krishna	P.	2213 S. Maplecrest Dr. #8	Appleton
Larsen	Nicole	L.	1085 Rock Ledge Ln.	Neenah
Wiensch	Breanna	M.	17313 US Hwy 151	Valders

Motion by Eggleston, seconded by DeCoster to approve the Operator (Bartender) Licenses.
All Ald. present voted aye.
Motion carried.

REPORTS OF CITY OFFICERS

2022 Police Department Annual Report

Police Chief Graff acknowledged Administrative Assistant Inge Murphy and officers for the work they put into the annual report. Graff provided an overview of the report information and answered questions from the Council.

Motion by Coenen, seconded by Moore to receive and place on file the Police Department 2022 Annual Report.
All Ald. present voted aye.
Motion carried.

2022 Fire Department Annual Report

Fire Chief Carrel thanked the citizens, council members, mayor and other City staff for their support to both Fire and EMS. 2022 was a special Year. 100 years as a paid fire department was celebrated. Carrel provided an overview of the report information and answered questions from the Council.

Motion by Coenen, seconded by Kilgas to receive and place on file the Fire Department 2022 Annual Report.
All Ald. present voted aye.
Motion carried.

Fire Report

Motion by Moore, seconded by Antoine to receive and place on file the March 2023 Fire Report.
All Ald. present voted aye.
Motion carried.

Ambulance Report

Motion by Moore, seconded by Schell to receive and place on file the March 2023 Ambulance Report.
All Ald. present voted aye.
Motion carried.

Police Report

Motion by Moore, seconded by Coenen to receive and place on file the March 2023 Police Report.
All Ald. present voted aye.
Motion carried.

Municipal Court Report

Motion by Moore, seconded by Eggleston to receive and place on file the March 2023 Municipal Court Report.
All Ald. present voted aye.
Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Kilgas to receive and place on file the March 2023 Clerk-Treasurer's Deposit Report.

All Ald. present voted aye.

Motion carried.

Building Inspection Report.

Motion by Moore, seconded by Eggleston to receive and place on file the March 2023 Building Inspection Report.

All Ald. present voted aye.

Motion carried.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2023-5381 A Resolution Approving the Final Plat for Phase 4 of The Hurkman Heights Subdivision.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2023-5381.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt Resolution 2023-5381 as presented contingent on stormwater pond easement as directed by the Plan Commission be included.

All Ald. present voted aye.

Motion carried.

Resolution 2023-5382 A Resolution Accepting a Special Exception for Lot 1 of Certified Survey Map No.8468.

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Resolution 2023-5382.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2023-5382.

All Ald. present voted aye.

Motion carried.

CLOSED SESSION

Adjourn to Closed Session Pursuant to 19.85(1)(g) to discuss disposition of public funds - 2021-PL-13 - TANN Corporation.

Motion by Moore, seconded by Coenen to adjourn to closed session.

All Ald. present voted aye.

Motion carried.

Moved to closed session at 8:15 p.m.

Return to Open Session for possible action.

Motion by DeCoster, seconded by Moore to return to Open Session.

All Ald. present voted aye.

Motion carried.

Returned to Open Session at 8:19 p.m.

Motion by Moore, seconded by Coenen to approve Amendment A to the Developer's Agreement between TANN Investment Company, LLC and the City of Kaukauna.
All Ald. present voted aye.
Motion carried.

Adjourn to Closed Session Pursuant to 19.85(1)(g) to discuss disposition of public property - Commerce Crossing.

Motion by Moore seconded by Kilgas to adjourn to closed session.
All Ald. present voted aye.
Motion carried.

Moved to closed session at 8:20 p.m.

Return to Open Session for possible action.

Motion by Moore, seconded by Kilgas to return to Open Session.
All Ald. present voted aye.
Motion carried.

Returned to Open Session at 8:33 p.m.

Motion by Antoine, seconded by Coenen to authorize staff to contract with Mead and Hunt to draft Annexation boundaries and move ahead with the annexation of the discussed land.
All Ald. present voted aye.
Motion carried.

Adjourn to Closed Session Pursuant to 19.85(1)(g) to discuss disposition of public funds - 2022-PL-08 - Legacy Creekside Apartments.

Motion by Moore seconded by Eggleston to adjourn to closed session.
All Ald. present voted aye.
Motion carried.

Moved to closed session at 8:35 p.m.

Return to Open Session for possible action.

Motion by Coenen, seconded by Antoine to return to Open Session.
All Ald. present voted aye.
Motion carried.

Returned to Open Session at 8:41 p.m.

Motion by Moore, seconded by Schell to direct Mayor to enter into the Development Agreement 2022-PL-08 with Legacy Creekside Apartments.
All Ald. present voted aye.
Motion carried.

Adjourn to Closed Session Pursuant to 19.85(1)(g) to discuss disposition of public funds - 2022-PL-22 - Straight-line Development in New Prosperity Center.

Motion by Moore seconded by Coenen to adjourn to closed session.
All Ald. present voted aye.

Motion carried.

Moved to closed session at 8:42 p.m.

Return to Open Session for possible action.

Motion by DeCoster, seconded by Eggleston to return to Open Session.

All Ald. present voted aye.

Motion carried.

Returned to Open Session at 8:51 p.m.

Motion by Moore, seconded by Schell to authorize the Mayor to enter into a Developer's Agreement 2022-PL-22 with Straightline Properties, LLC. in New Prosperity Center.

All Ald. present voted aye.

Motion carried.

CONSIDERATION OF MISCELLANEOUS BUSINESS

Swearing in of newly elected officials.

Clerk Kenney swore in the newly elected officials.

ADJOURN SINE DIE

Motion by Moore, seconded by Kilgas to adjourn sine die.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 8:54 p.m.

Sally Kenney, Clerk

