



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – DECEMBER 17, 2024

Pursuant to adjournment on December 3, 2024 a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, December 17, 2024.

Roll call present: DeCoster, Antoine, Kilgas, Moore, and Schell.

Absent & Excused: Eggleston and Thiele.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier (arrived at 7:34 PM), Dir. of Planning and Com. Dev. Kittel, Ast. Chief of Police Sanderfoot, Mark. and Comm. Manager Fencil (Zoom), and Fin. Dir. VanRossum.

Motion by Moore, seconded by DeCoster to excuse the absent members.

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 Antoine to suspend the rules and waive the reading of the minutes of the Common Council meeting of December 3, 2024.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt the Common Council meeting minutes of December 3, 2024.

All Ald. Present voted aye.

Motion carried.

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

Motion by Moore, seconded by Kilgas to go out of order to agenda item 4.

All Ald. Present voted aye.

Motion carried.

### **PUBLIC APPEARANCES**

### **BUSINESS PRESENTED BY THE MAYOR**

**Appointment of Kellie Antoine to the Merit Incentive Recommendations and Review Committee to replace Mike Coenen (1-year Term).**

Motion by Moore, seconded by DeCoster to appoint Kellie Antoine to the Merit Incentive Recommendations and Review Committee to replace Mike Coenen (1-year Term).

All Ald. Present voted aye.

Motion carried.

## **REPORTS OF STANDING AND SPECIAL COMMITTEES**

### **Board of Public Works Meeting Minutes of December 16, 2024.**

#### **BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, December 16, 2024 at 6:00 P.M.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, Fire Chief Carrel, Com. Enrich. and Rec. Dir. Vosters (Zoom), Lib. Dir. Thiem- Menning (Zoom), and interested citizens.

#### **1. Correspondence – none.**

#### **2. Discussion Topics.**

##### **a. Recommendation for Award of Project 12-24 CTH J Sewer Extension.**

The Engineering Department has reviewed and analyzed the bids received on December 4th, 2024, at 4:00pm for the 12-24 CTH J Sewer Extension project. The Engineering Department received eight bids for this project and compared said bids against the Engineer's estimate that was put together prior to bid opening. The Engineer's estimate is compiled utilizing previous years' prices and adjusted for inflation and changes in work descriptions. The lowest bidder was \$15,572 lower than the Engineer estimate, and was \$22,549.22 lower than the second lowest bidder, which shows that the City is getting a great price to complete this work. All eight bidders were within \$81,000 which shows that the bids were competitive. Discussion held and questions answered.

Motion by Antoine, seconded by Kilgas to Award Project 12-24 CTH J Sewer Extension to Feaker & Sons, De Pere, WI for Unit A and B, contingent upon the developer approval, a total amount of \$129,673.00.

All Ald. voted aye.

Motion carried.

##### **b. Recommendation for Award of New Automated Garbage Truck.**

Agenda item will be discussed at a later meeting.

##### **c. Authorization to seek proposals for Project 5-25 Strassburg Park Playground Updates.**

Staff is proposing playground updates, evaluating potential layouts, and different equipment/amenities available for Strassburg Park. We are generating guidelines for the type of equipment and site amenities we would want to see installed and will work with vendors to generate proposals for staff review/recommendation. Staff is seeking authorization to seek sealed proposals for final design/layout, the furnishing and installing of park equipment, and related surfacing/path work within the playground. Discussion held and questions answered.

Motion by Schell, seconded by Eggleston to authorize staff to seek proposals for Project #5-25: Strassburg Park Playground Updates.

All Ald. voted aye.  
Motion carried.

**d. Sale of garbage truck #226.**

Truck 226 is one of the three rear load garbage trucks within the street department fleet. Truck 226 is a 1998 Crane Carrier with a 25yd Leach Packer. This truck is no longer needed for collections after 26 years of services because of the updated waste ordinance 11.11. During its last internal annual inspection, the deteriorating frame from rust jacking takes this truck out of service. With the current age and condition of this unit, we do not expect to see a large return. City staff is determining best financial outcome based on sale price of like units, and scrap yard price. Discussion held and questions answered.

No action needed.

**e. Waste Ordinance Policies.**

Section 11.11 Waste Material ordinance has been updated over the past few years, and we have specifically added language about the disposal site and enforcement of this municipal code section. With continued violations of the disposal site agreement causing hazardous conditions for staff, added expense for all taxpayers, and general disorder of the disposal site, the City will be issuing fines to violators.

Section 11.11 allows for enforcement of the section by Code Enforcement Officer or other designee of the Board of Public Works. To specifically allow for Public Works to issue fines for this site, we would like the Director of Public Works and Street Superintendent to be designated by the Board of Public Works. Staff is also recommending a policy to issue a fine of \$150 for first offense and \$300 for second and any future offenses. Revocation of site access is allowed at any time at the judgement of Director/Superintendent/Code Enforcement Officer for any violations. Discussion held and questions answered.

Motion by Moore, seconded by Kilgas to designate the Director of Public Works and the Street Superintendent as additional designees to enforce section 11.11 and approve the fine policy as discussed.

All Ald. voted aye.  
Motion carried.

**f. Mailbox Replacement Policy.**

During collection routes or winter snowplow operations residential mailboxes can become damaged because of proximity to the work area. Currently if city equipment contacts the mailbox and causes damage the city will reimburse for materials in the replacement (no maximum established). No labor costs would be reimbursed, and the city does not provide the reinstallation. Resident/installer is responsible to meet all United States Postal Services installation specifications. Without a limit on the dollar amount for reimbursement there is potential for the city to reimburse for upgraded/unauthorized materials. Discussion held and questions answered.

Motion by Moore, seconded by Eggleston to authorize the Street Superintendent to issue a reimbursement for a maximum of \$125 for mailboxes with verified damages from city

equipment after material receipt has been confirmed by the Street Superintendent or their designee, and follow up with a more thorough policy.

All Ald. voted aye.

Motion carried.

**g. Project 7-23 Kaukauna Municipal Pool Renovation Project Closeout.**

Director of Public Works is looking to issue the final payment for the municipal pool project and is seeking any concerns from the Board. Discussion held and questions answered.

No action needed.

**3. Adjourn.**

Motion made by Antoine, seconded by DeCoster to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 6:48 pm.

Kayla Nessmann  
Clerk

Motion by Moore, seconded by Schell to adopt the Board of Public Works Meeting Minutes of December 16, 2024.

All Ald. Present voted aye.

Motion carried.

**Finance and Personnel Committee Meeting Minutes of December 16, 2024.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, December 16, 2024 at 6:49 pm.

Members present: Mayor Penterman, DeCoster, Kilgas, Moore, and Schell.

Also present: Ald. Antoine, Ald. Eggleston, Ald. Thiel, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, Fire Chief Carrel, Com. Enrich. and Rec. Dir. Vosters (Zoom), Lib. Dir. Thiem- Menning (Zoom), and interested citizens.

**1. Correspondence.**

None.

**2. Discussion Topics.**

**a. Community Enrichment Refund Policy.**

The Recreation Division of Community Enrichment recommends adding a cancellation/refund/ transfer policy to its programs. Staff have researched several other municipal recreation departments to decide what we believe is best for our residents.

Motion by Moore, seconded by DeCoster to approve the proposed cancellation/ refund/ transfer

policy presented.  
All Ald. Voted aye.  
Motion carried.

### 3. **Adjourn.**

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

Meeting adjourned at 6:52 pm.

Kayla Nessmann, Clerk

Motion by Moore, seconded by Schell to amend meeting minutes to include the word "transfer" in the motion under 2A.  
All Ald. Present voted aye.  
Motion carried.

Motion by Moore, seconded by Antoine to adopt the Finance and Personnel Meeting Minutes, of December 16, 2024, as amended.  
All Ald. Present voted aye.  
Motion carried.

### **Health and Recreation Committee Meeting Minutes of December 16, 2024.**

#### **HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Schell on Monday, December 16, 2024 at 6:53 P.M.

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

Also present: Mayor Penterman, Ald. Moore, Alder Antoine, Ald. Kilgas, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, Fire Chief Carrel, Com. Enrich. and Rec. Dir. Vosters (Zoom), Lib. Dir. Thiem- Menning (Zoom), and interested citizens.

#### 1. **Correspondence.**

None.

#### 2. **Discussion Topics.**

##### a. **Combination Class B Liquor Licenses to Ozzie's Skyview Club, Hidri Osman Agent, 3108 Green Bay Road.**

Motion by Thiele, seconded by Eggleston to approve Combination Class B Liquor Licenses to Ozzie's Skyview Club, Hidri Osman Agent, 3108 Green Bay Road.  
All Ald. Voted aye.  
Motion carried.

##### b. **Combination Class B Beer and Class C Wine License to Patty & Pablo's Family Restaurant, Garcia Ramirez Agent, 145 E. 2nd Street.**

Motion by Eggleston, seconded by DeCoster to approve Combination Class B Beer and Class C Wine License to Patty & Pablo's Family Restaurant, Garcia Ramirez Agent, 145 E. 2<sup>nd</sup> Street.  
All Ald. Voted aye.  
Motion carried.

**c. Combination Class A Liquor License to Badger Travel Center, Kamaljit Singh Agent, 3011 Lawe Street.**

Motion by DeCoster, seconded by Thiele to approve Combination Class A Liquor License to Badger Travel Center, Kamaljit Singh Agent, 3011 Lawe Street.

All Ald. Voted aye.

Motion carried.

**d. Request for Amplified Music Will Stachour and Susan Rabideau on June 7, 2025, from 6-9 PM in the Community Room.**

Motion by Eggleston, seconded by DeCoster to approve request for Amplified Music to Will Stachour and Susan Rabideau on June 7, 2025, from 6-9 PM in the Community Room.

All Ald. Voted aye.

Motion carried.

**e. Requested contributions from clubs for use of City fields and facilities.**

City staff is requesting financial or in-kind contributions to help reimburse the expenses incurred to prepare and maintain facilities and fields for game play. Staff is recommending requesting contributions each fall based on the previous year expenses incurred. We are also asking that when a rentable park/pavilion facility is occupied due to tournament/field use, that the club will also reserve and pay for the rental fees of said park.

Club communication with city staff can also help reduce costs and reduce excessive staff time preparing fields. City will be requesting clubs use an online system to reserve fields and indicate the intended use (game or practice) to automate and document how the parks department will schedule staff each day; a small fee is proposed. Finally, we are requesting clubs to take out a special events application for each facility they will use each year. Discussion had and questions answered.

A recommendation was made to direct staff to request financial contributions based on each club's field/facility use and actual expenses incurred, approve communication policy changes as discussed, and work with clubs to develop a memorandum of agreement to better define roles and responsibilities moving forward.

**3. Adjourn.**

Motion by DeCoster, seconded by Eggleston to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:43 pm.

Kayla Nessmann, Clerk

Motion by Schell, seconded by Kilgas to adopt the Health and Recreation Committee Meeting Minutes of December 16, 2024.

All Ald. Present voted aye.

Motion carried.

**Plan Commission Meeting Minutes of November 21, 2024.**

Motion by Antoine, seconded by Moore to receive and place on file the Plan Commission Meeting Minutes of November 21, 2024.

All Ald. Present voted aye.

Motion carried.

**1000 Islands Committee Meeting Minutes of October 17, 2024.**

Motion by Moore, seconded by Antoine to receive and place on file the 1000 Islands Committee Meeting Minutes of October 17, 2024.

All Ald. Present voted aye.

Motion carried.

**Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of November 12, 2024.**

Motion by Moore, seconded by Kilgas to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of November 12, 2024.

All Ald. Present voted aye.

Motion carried.

**Operator (Bartender) Licenses.**

The following applicants have applied for an operator's license for the license year 2024-2026 and have been recommended for approval based on their record check by the police department:

Huebner	Naomi	C.	1934 School Rd	Greenleaf
Kassel	William.	J.	1106 W. Wisconsin Ave Apt 7	Kaukauna

Motion by Schell, seconded by Moore to approve the operator/bartender licenses as listed.

All Ald. Present Voted aye.

Motion carried.

The following applicant has applied for an operator's license for the license year **2024-2026** and have been recommended for **denial** based on their record check by the police department:

Winius	Michael	T.	1617 Main Ave	Kaukauna
--------	---------	----	---------------	----------

Motion by Schell, seconded by Kilgas to deny the operator/ bartender license.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by DeCoster to return to agenda item 3A.

All Ald. Present Voted aye.

Motion carried.

**Bills Payable**

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

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to move back into sequence to agenda item 7.

All Ald. Present voted aye.

Motion carried.

## **REPORTS OF CITY OFFICERS**

### **Federal Requirements Compliance Certifications for SDWL's 5120-10, 5120-13, and 5120-14**

Motion by Moore, seconded by DeCoster to receive and place on file the Federal Requirements Compliance Certifications for SDWL's 5120-10, 5120-13, and 5120-14.

All Ald. Present voted aye.

Motion carried.

### **The 2025 Tax Bill Overview**

Property tax bills were mailed out last week, and residents have been stopping by to make payments and calling with questions. This year, the tax bill includes a new section highlighting the referendum details at the center of the bill. This section informs taxpayers about the portion of their bill attributed to the recently passed referendum. It also specifies the year the referendum amount will be removed from the tax bill. The Assessment Ratio is currently listed at 76.7%, indicating that the assessed valuation is 76.7% of the fair market value. Put another way, the assessed value is 23.3% lower than the fair market value.

### **Fire Report**

Motion by Moore, seconded by Schell to receive and place on file the November 2024 Fire Report.

All Ald. Present voted aye.

Motion carried.

### **Ambulance Report**

Motion by Moore, seconded by Kilgas to receive and place on file the November 2024 Ambulance Report.

All Ald. Present voted aye.

Motion carried.

### **Police Report**

Motion by Moore, seconded by Schell to receive and place on file the November 2024 Police Report.

All Ald. Present voted aye.

Motion carried.

### **Code Enforcement Report**

Motion by Moore, seconded by Antoine to receive and place on file the November 2024 Code Enforcement Report.

All Ald. Present voted aye.

Motion carried.

### **Municipal Court Report**

Motion by Moore, seconded by Kilgas to receive and place on file the November 2024 Municipal Court Report.

All Ald. Present voted aye.

Motion carried.

### **Clerk-Treasurer's Deposit Report**

Motion by Moore, seconded by Schell to receive and place on file the November 2024 Clerk-Treasurer's Deposit Report.

All Ald. Present voted aye.

Motion carried.



**Building Inspection Report.**

Motion by Moore, seconded by DeCoster to receive and place on file the November 2024 Building Inspection Report.

All Ald. Present voted aye.

Motion carried.

**PRESENTATION OF ORDINANCES AND RESOLUTIONS****Ordinance 1914-2024 Ordinance Repealing and Replacing Section 7.02.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1914-2024 Ordinance Repealing and Replacing Section 7.02.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1914-2024 Ordinance Repealing and Replacing Section 7.02.

All Ald. Present voted aye.

Motion carried.

**CLOSED SESSION**

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session - City Wide Revaluation Assessor Contract.**

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

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 7:38 pm.

**Return to Open Session**

Motion by Moore seconded by DeCoster to return to open session.

All Ald. Present voted aye.

Motion carried.

Returned to open session at 7:50 p.m.

Motion by Moore, seconded by Antoine to authorize the Finance Director to execute an agreement with Bowmar for assessing services as outlined in the attached contract with updated corrections.

All Ald. present voted aye.

Motion carried.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session – Wayfinding Signs.**

Motion by DeCoster, seconded by Schell to adjourn to closed session.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 7:52 pm.

### **Return to Open Session**

Motion by Moore, seconded by DeCoster to return to open session.

All Ald. Present voted aye.

Motion carried.

Returned to open session at 8:02 p.m.

Motion by Moore, seconded by Kilgas to direct City staff to enter into an agreement with outside legal counsel to pursue action against ASCM for breach of contract if they fail to provide a detailed completion plan by December 20, 2024.

All Ald. Present voted aye.

Motion carried.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session - Kaukauna Utilities Water Filtration Facility Agreement Pool Hill.**

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

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 8:03 PM.

### **Return to Open Session**

Motion by Moore, seconded by Schell to return to open session.

All Ald. Present voted aye.

Motion carried.

Returned to open session at 8:11 PM.

Motion by Kilgas, seconded by Moore to review the agreements and authorize the Mayor to sign the agreements for Kaukauna Utilities Water Filtration Plant.

All Ald. Present voted aye.

Motion carried.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session - Kaukauna Utilities Water Filtration Facility Agreement Riverside Park.**

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

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 8:13 pm.

### **Return to Open Session**

Motion by Moore, seconded by Schell to return to open session.  
All Ald. Present voted aye.  
Motion carried.

Returned to open session at 8:16 p.m.

Motion by Antoine, seconded by Schell to review the agreements and authorize the Mayor to sign the agreements for Kaukauna Utilities Water Filtration Plant.  
All Ald. Present voted aye.  
Motion carried.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session- to discuss sale and development of municipal property located on Evergreen Drive in Commerce Crossing Business Park.**

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

Adjourned to closed session at 8:17 pm.

### **Return to Open Session**

Motion by Moore, seconded by DeCoster to return to open session.  
All Ald. Present voted aye.  
Motion carried.

Returned to open session at 8:41 p.m.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session- Agreement for sale of Parcel 322095701.**

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

Adjourned to closed session at 8:42 pm.

### **Return to Open Session**

Motion by Antoine, seconded by Kilgas to return to open session.  
All Ald. Present voted aye.  
Motion carried.

Returned to open session at 8:51 p.m.

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session - Amendment to Development Agreement 2024-PL-02 Central Block Development.**

Motion by Moore, seconded by Antoine to adjourn to closed session.  
All Ald. Present voted aye.  
Motion carried.

Adjourned to closed session at 8:52 pm.

### **Return to Open Session**

Motion by Moore, seconded by DeCoster to return to open session.  
All Ald. Present voted aye.  
Motion carried.

Returned to open session at 9:03 p.m.

### **ADJOURN**

Motion by Schell, seconded by Kilgas to adjourn.  
All Ald. Present voted aye.  
Motion carried.

Meeting adjourned at 9:04 p.m.

Kayla Nessmann, Clerk

