

## **LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Moore on Monday, May 4, 2026, at 7:47 P.M.

Members present: Eggleston, Moore, Schell, and Schumacher.

Also present: Ald. DeCoster, Ald. Antoine, Mayor Penterman, DPW/Eng. Neumeier, Street Superintendent Van Gompel, Associate Planner Nelson (Zoom), HR Director Hodge (Zoom), and interested citizens.

**1. Correspondence** – none.

**2. Discussion Topics.**

**a. Extraterritorial CSM Review – Town of Vandebroek.**

Steven C. De Jong, surveyor, has submitted a certified survey map on behalf of Sean Melvin, owner of parcel 200001111, and Kevin and Susan Melvin, owners of parcel 200001110, to adjust lot lines between parcels 200001111 and 200001110 in the Town of Vandebroek. These parcels fall within the extraterritorial review area of the City of Kaukauna, which is why this CSM resolution is being brought before the Legislative Committee. They are located approximately 0.85 miles northwest of Kaukauna's New Prosperity Center. This CSM will have no direct impact on any current or future plans for the city, and these parcels are not contiguous to any land within the City of Kaukauna.

Motion by Eggleston, seconded by Schell to recommend approval of the extraterritorial Certified Survey Map resolution to the Common Council.  
All members voted aye.  
Motion carried.

**b. Annexation Petition Review – Dercks 5 LLC.**

Verbeten Development Inc. submitted an annexation request for unanimous annexation of parts of parcels 030062307 and 030063500 from the Town of Buchanan to the City of Kaukauna. Although Verbeten Development initiated the annexation, they have now formally sold the property to Dercks 5 LLC, who would like to continue with the unanimous annexation process. The annexation request is for a total of 28.5993 acres. As it currently stands, the property would default to Residential Single-Family for zoning if the annexation is approved, which is compliant with the City's comprehensive plan. The property can be serviced with water and sewer by the City, and the request for annexation is being made to support future neighborhood development.

Motion by Schell, seconded by Schumacher to approve the annexation ordinance to the Common Council.  
All members voted aye.  
Motion carried.

**c. Resolution 2026-5515 Resolution Authorizing the Memorandum of Understanding (MOU) Establishing Unified Command for Fox Cities Marathon 2026.**

Motion by Schumacher, seconded by Eggleston to recommend approval of the Resolution 2026-5515 Resolution Authorizing the Memorandum of Understanding (MOU) Establishing Unified Command for Fox Cities Marathon 2026 and forward it on to Common Council.  
All members voted aye.

Motion carried.

**d. Repeal and Replacement of Municipal Code § 9.29 – Tobacco and Nicotine Products.**

Section 9.29 of the City of Kaukauna Municipal Code currently regulates the purchase, possession, and provision of cigarettes, tobacco products, and nicotine products by persons under the age of 18. Since adoption of the current ordinance, Wisconsin Statutes governing youth access to tobacco and nicotine products, as well as retailer obligations, have been amended, including Wisconsin Statutes §§ 254.92 and 134.66.

The proposed ordinance updates definitions to mirror current Wisconsin Statutes, providing clarity while maintaining strict conformity with state law. It aligns local regulation with Wis. Stat. § 254.92 by limiting regulation to the conduct expressly authorized by statute and expressly incorporates statewide sales restrictions and retailer obligations under Wis. Stat. § 134.66 rather than restating or duplicating those provisions. The ordinance also removes outdated or duplicative language that is no longer consistent with the current statutory framework and reflects the limitations placed on municipal regulation by state law.

Motion by Eggleston, seconded by Schumacher, to adopt the proposed ordinance repealing and replacing Section 9.29 and forward to the Common Council for approval.

All members voted aye.

Motion carried.

**e. 1.33 – Industrial and Commercial Development Commission.**

The Industrial and Commercial Development Commission has been a commission of the city going back decades. Recently, it was recognized that the Commission has been operating for some time with only 7 members when, by current ordinance, it is supposed to consist of 9 members. It was requested to review the ordinance and determine if the city could modify the ordinance, so it only required 7 members to operate.

Motion by Schumacher, seconded by Schell to approve the amendment to Ordinance 1.33 and forward to the Common Council for approval.

All members voted aye.

Motion carried.

**f. 2025 Compliance Maintenance Annual Report (CMAR) Resolution.**

Motion by Eggleston, seconded by Schell to forward the 2025 Compliance Maintenance Annual Report (CMAR) Resolution to a future Common Council meeting.

All members voted aye.

Motion carried.

**g. Final Resolution Levying Special Assessment Police Powers for Public Improvements on Bens Way, Setter Drive, Boxer Street, Ninth Street, Brill Road, Eden Avenue, Sullivan Avenue, Hendricks Avenue, Florence Street, and Washington Street.**

Alders acknowledged the questions and concerns brought up by residents in the public hearing and expressed how they would like more information before they make a decision at a future Common Council meeting.

**3. Adjourn.**

Motion by Schell, seconded by Eggleston to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 8:12 PM

Kayla Nessmann, Clerk