



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – AUGUST 2, 2022

Pursuant to adjournment on July 19, 2022, meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, August 2, 2022.

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

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planner Stephenson, Fin. Dir. Van Rossum, Police Chief Graff, Asst. Police Chief Sanderfoot, Fire Chief Carrel, Lib. Dir. Thiem-Menning and interested citizens.

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 adopt the minutes of the Common Council meeting of July 19, 2022.

All Ald. voted aye.

Motion carried.

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

Bills Payable

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

All Ald. voted aye.

Motion carried.

PUBLIC APPEARANCES

Municipal Judge Carley Windorff, 2909 Hendricks Ave., Kaukauna spoke regarding agenda item 5d – Municipal Court Operations Update and recommendations. Concerns about this matter were submitted in a memo by herself to the Alders and City Attorney. She asked that she be able to respond with her concerns when discussing this item. She feels several recommendations violate the separation of powers and other statutory powers of the municipal judge.

Mayor Penterman informed the Council of the back-to-school drive going on now through August 10. School supply donations can be dropped off at the library and at the Municipal Services Building.

BUSINESS PRESENTED BY THE MAYOR

Swearing in of Police Officer Caleb Lyons.

Police Chief Graff introduced Caleb Lyons. Caleb is originally from Kentucky and comes to Kaukauna with several years of law enforcement experience. Caleb spent almost six years in the Air Force, four of which were active duty, before becoming a law enforcement officer. Caleb lives in Kaukauna with his wife Chelsey.

Clerk Kenney swore in new police officer Caleb Lyons.

Appointment of Cindy Fallona to the Kaukauna Public Library Board to replace Shana Beach for the remainder of her term ending 6-30-24.

Motion by Kilgas, seconded by Coenen to appointment of Cindy Fallona to the Kaukauna Public Library Board to replace Shana Beach for the remainder of her term ending 6-30-24.

All Ald. voted aye.

Motion carried.

City of Kaukauna receives \$345,000 in grants through the David L. and Rita E. Nelson Family Fund within the Community Foundation for the Fox Valley Region.

The City received \$345,000 in grants through the David L. and Rita E. Nelson Family Fund within the Community Foundation of the Fox Valley Region. Mayor Penterman stated \$250,000 is to repair and upgrade the Kaukauna Municipal Pool. The remaining \$95,000 is to help build the new Wisconsin Avenue boat dock which will allow access to uptown and downtown Kaukauna businesses through trails and sidewalks. It will serve as a direct link to the Kaukauna Interpretive Locks Trail.

Municipal Court Operations update and recommendations.

There has been an increase in complaints from the public around the lack of customer service the municipal court has been providing. With a gain in efficiency is a loss in office hours and availability. The current clerk of court has made significant improvements to the administrative processes. With this, there has been less time spent in the office and standard office hours have not been upheld. Because of this, other staff has been fielding calls that they haven't been able to answer. Some of these calls have been bounced around to City staff and ended up in a voicemail box of many different departments. Some have been returned in a reasonable time while others haven't. Customers that come in can make payments, but other information has been limited if the clerk of courts isn't present. This seems to have caused deterioration in trust and respect for law enforcement and the judiciary, which is a big problem, and actions locally can either help or hinder, and they directly impact local attitudes toward the police department and the Court. For obvious reasons the police department, the City Attorney and the Muni Court will always receive complaints from some unhappy defendants, so we must take many complaints with a grain of salt, but some are legitimate, and when the judiciary shows no respect to the people, the people will respond in kind. With the recent resignation of the current Clerk of Courts Mayor Penterman would like to reestablish some standards that he believes will improve the operations of the judiciary. All the Alders received a letter from the Judge in response this information.

City Attorney clarified that a mandate is not within the Council's authority. The hiring and the running of the court are the preview of the Municipal Judge.

Discussion was held and questions answered. Mayor Penterman was given direction for staff to find an appropriate office space to best accommodate current staff without adding space and increasing the city budget. An agreement between the Municipal Judge and the Mayor needs to be worked out to rectify issues.

City Attorney Referendum Information Sheet and public info meeting dates.

An information sheet on the City Attorney Referendum and public information meeting dates was provided. Additional comparison data should be included with the informational sheet. How to reach the most residents was considered. Dates for the public information meetings were discussed. Alder Antione would like to have the wording of the referendum question changed replacing the word "appointed".

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of August 1, 2022.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chairman Thiele on Monday, August 1, 2022 at 6:00 P.M.

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

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, HR Dir. Swaney, Street Sup. Vanden Heuvel, Police Chief Graff, Fire Chief Carrel, Fin. Dir. Van Rossum, Com. Enrich. Ser. Dir. Vosters, Street Foreman Van Gompel, KU Gen. Mgr. Avanzi, KU Water Sup. Vanden Heuvel, Naturalist Nowak, and interested citizens.

1. Correspondence – none.

2. Discussion Topics.

a. Retirement of Street Superintendent Patrick J. Vanden Heuvel.

Street Superintendent Vanden Heuvel thanked city staff and his family for their support in his 16 years of service with the City of Kaukauna. Mayor Penterman and Alders thanked Vanden Heuvel for his service in the Street Department and wished him well in retirement.

b. Authorization to seek bids for Project 11-22 – Jonen Park Pavilion.

DPW/Eng. Neumeier provided background information on the project. City staff have been working with McMahon Associates to develop plans and specifications for the construction of a pavilion at Jonen Park. A draft rendering and floor plan were provided. There would be an anticipated September bid opening and construction schedule of late Fall 2022-Spring 2023. The pavilion could be ready for next spring/summer park use. Questions from the Board were answered.

Motion by Coenen, seconded by Schell to authorize the Engineering Department to seek bids for Project 11-22 – Jonen Park Pavilion.

All members voted aye.

Motion carried.

c. Public Works update.

DPW/Eng. Neumeier provided a list of projects currently, or soon to be, underway. These projects include the intersection of Island and Elm Streets with traffic light installation and Riverview Middle School moving its driveway; utility work being done between Kenneth and Crooks Avenue; curb patching for the two County paving projects (Lawe Street and Hillcrest Drive); alley paving project; and the Island Street Bridge behind Kaukauna Utilities will be starting on August 15 and will be closed for three months. Questions from the Board were answered.

3. General Matters.

Alder Eggleston requested a garbage receptacle be placed at Riverside Park at the top of the hill above the ball diamond.

4. Adjourn.

Motion made by DeCoster, seconded by Moore to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:15 p.m.

Sally Kenney

Clerk

Motion by Thiele, seconded by Antoine to adopt the Board of Public Works Meeting of August 1, 2022 as read.

All Ald. voted aye.

Motion carried.

Finance & Personnel Committee Meeting Minutes of August 1, 2022.

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chairman Penterman on Monday, August 1, 2022, at 6:16 pm.

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

Also present: Attorney Davidson, Alder Thiele, Alder Eggleston, Alder Antoine, DPW/Eng. Neumeier, HR Dir. Swaney, Street Sup. Vanden Heuvel, Police Chief Graff, Fire Chief Carrel, Fin. Dir. Van Rossum, Com. Enrich. Ser. Dir. Vosters, Street Foreman Van Gompel, KU Gen. Mgr. Avanzi, KU Water Sup. Vanden Heuvel, Naturalist Nowak, and interested citizens.

1. Correspondence - None.

2. Discussion Topics.

a. ARPA project presentation and discussion on what projects to fund.

The ARPA Committee has narrowed the list of projects to the awarded \$1.7 million. Some projects were left as presented the first time, while others had funding reduced and some projects removed. A complete list of projects for ARPA funding was provided by Finance Director Van Rossum. Questions from the Alders were answered.

Motion by Moore, seconded by Coenen to use the standard revenue loss allowance for the ARPA funding.

All members voted aye.

Motion carried.

Motion by Moore, seconded by DeCoster to approve the fund allocation as shown in Table B of this document, supporting the ARPA projects from Table C.

All members voted aye.

Motion carried.

b. Approval of 2022 Handbook updates.

HR Director Swaney stated the City of Kaukauna employee handbook recently underwent a full legal and compliance review. The purpose of this review was to ensure the handbook

accurately captured the City's policies, procedures and was in legal compliance with current state and federal law. As a result of this review changes were made to the handbook. Alder Moore feels some corrections and changes need to be made before the handbook updates can be approved.

c. Compensation and classification study update.

HR Director Swaney stated representatives from HR Consulting were unable to attend the meeting to provide information on the compensation and classification study. Swaney explained that all job descriptions have been reviewed and the consulting firm is working with Department Heads to get clarification on aspects of certain job descriptions and making necessary adjustments. A market study is on track and should be completed by the end of September.

d. Notification of Jake Van Gompel accepting Street Superintendent position.

HR Director Swaney informed the Council that Jake Van Gompel was offered and has accepted the position of Street Superintendent. His first day in this role is August 3, 2022. Jake provided some personal and career information to the Council. He is excited to start his new role as Street Superintendent.

e. Permission to fill Street Foreman position.

Motion by Kilgas, seconded by Coenen to grant permission to fill the Street Foreman position.

All members voted aye.

Motion carried.

3. General Matters – none.

4. Adjourn.

Motion by DeCoster, seconded Coenen to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 6:47 pm.

Sally Kenney, Clerk

Motion by Moore, seconded by Schell to approve the Finance & Personnel Committee Meeting Minutes of August 1, 2022 as read.

All Ald. voted aye.

Motion carried.

Health & Recreation Meeting Minutes of August 1, 2022.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman Eggleston on Monday, August 1, 2022 at 6:47 P.M.

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

Also present: Mayor Penterman, Attorney Davidson, Alder Thiele, Alder Coenen, Alder Moore, Alder Schell, DPW/Eng. Neumeier, HR Dir. Swaney, Street Sup. Vanden

Heuvel, Police Chief Graff, Fire Chief Carrel, Fin. Dir. Van Rossum, Com. Enrich. Ser. Dir. Vosters, Street Foreman Van Gompel, and interested citizens.

1. Correspondence – None.

2. Discussion Topics.

- a. Amplified music request to Annie Johnson, St. Paul Elder Services, 316 E. Fourteenth Street, Kaukauna on October 8, 2022 from 7:30 am to 12:00 pm.**

Motion by DeCoster, seconded by Antoine to grant amplified music request to Annie Johnson, St. Paul Elder Services, 316 E. Fourteenth Street, Kaukauna on October 8, 2022 from 7:30 am to 12:00 pm.

All members voted aye.

Motion carried.

- b. Request for amplified music to Esmeralda Mireles, 410 Foxshores Drive, Apt. 4, Kaukauna in the Community Room on Saturday, August 6, 2022.**

Motion by DeCoster, seconded by Kilgas to grant the request for amplified music to Esmeralda Mireles, 410 Foxshores Drive, Apt. 4, Kaukauna in the Community Room on Saturday, August 6, 2022.

All members voted aye.

Motion carried.

3. General Matters.

4. Adjourn.

Motion made by Antoine, seconded by Kilgas to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:50 P.M.

Sally Kenney
Clerk

Motion by Eggleston, seconded by Kilgas to adopt the Health & Recreation Meeting Minutes of August 1, 2022 as read.

All Ald. voted aye.

Motion carried.

Legislative Committee Meeting Minutes of August 1, 2022.

LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chairman Antoine on Monday, August 1, 2022 at 6:51 P.M.

Members present: Antoine, Coenen, Moore, and Thiele.

Also present: Mayor Penterman, Attorney Davidson, Alder DeCoster, Alder Eggleston, Alder

Kilgas, Alder Schell, DPW/Eng. Neumeier, HR Dir. Swaney, Street Sup. Vanden Heuvel, Police Chief Graff, Fire Chief Carrel, Fin. Dir. Van Rossum, Com. Enrich. Ser. Dir. Vosters, Street Foreman Van Gompel, and interested citizens.

1. Correspondence - none.

2. Discussion Topics.

a. Consideration to change Mayor term from 2 to 4 years.

Staff has checked in to other communities to see what term lengths for the Mayor position are. A table listing thirty-eight other communities with similar populations to Kaukauna was provided. Feedback from department heads was requested on their interactions with the Mayor position. The request asked to provide feedback on their preference on term length and why. Four responses were received and provided. The Mayor term is solidified by City Code 2011, § 1.04. Any change to the position term will have to come in the form of an ordinance change that is done at the council level. Alders asked to table this matter until additional information can be provided.

b. Outdoor Alcohol Beverage Area Ordinance Review.

This item was tabled until City staff is available to provide more information.

c. Recommended Ordinance Update 17.32(3)(c)(1) – Driveway Ordinance.

Section 17.32(3)(c)(1) commonly referred to as the driveway ordinance, was sent back to Plan Commission for review. Engineering Department outlined some changes and discussion was held. Plan Commission recommendations for updated language were provided. Discussion was held and questions answered.

Motion by Thiele, seconded by Moore to direct the City Attorney and staff to draft the ordinance amendment documents for Common Council and to schedule a public hearing for the same.

All members voted aye.

Motion carried.

3. General Matters – None.

4. Adjourn.

Motion by Coenen, seconded by Thiele to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:16 p.m.

Sally Kenney, Clerk

Motion by Antoine, seconded by Coenen to approve the Legislative Committee Meeting Minutes of August 1, 2022 as read.

All Ald. voted aye.

Motion carried.

Grignon Mansion Board Meeting Minutes of June 27, 2022.

Motion by Thiele, seconded by Moore to receive and place on file the Grignon Mansion Board Meeting Minutes of June 27, 2022.

All Ald. voted aye.

Motion carried.

Plan Commission Meeting Minutes of June 23, 2022.

Motion by Moore, seconded by Thiele to receive and place on file the Plan Commission Meeting Minutes of June 23, 2022.

All Ald. voted aye.

Motion carried.

1000 Islands Environmental Center Committee Meeting Minutes of June 16, 2022.

Motion by Eggleston, seconded by Thiele to receive and place on file the 1000 Islands Environmental Center Committee Meeting Minutes of June 16, 2022.

All Ald. voted aye.

Motion carried.

Operators/Bartenders License

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:

Callaway	Corrine	M.	322 N. Nash St.	Hortonville
Coffey	Kevin	M.	115 E. 7 th St.	Kaukauna
Eierman	Sarah	R.	4416 Island View Dr.	Oshkosh
Granger	Michael	J.	400 Lemon Grass Way	Kaukauna
Kelly	Angela	A.	2349 Comet St.	Oshkosh
Krueger	Riley	J.	817 Augustine St.	Kaukauna
Terry	Rachel	A.	220 W. 12 th St. Apt. 4	Kaukauna
VandenHoogen	Brett	H.	2230 Imperial Ln. Apt. 7	Appleton
Wepfer	Christine	M.	100 E. Mitchell Ave. Apt. 7	Appleton
Zornow	Tania	A.	2101 Taylor St.	Little Chute

Motion by Eggleston, seconded by Coenen to approve the operator/bartender licenses.

All Ald. voted aye.

Motion carried.

REPORTS OF CITY OFFICERS

No Reports.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Ordinance 1865-2022 Ordinance Amending Sections 12.01(2)(D) Reserve Class B and 12.03(11) Permit for Outdoor Alcoholic Beverage Area of the Municipal Code.

This item was pulled from the agenda.

CLOSED SESSION

Adjourn to Closed Session Pursuant to 19.85(1)(e) deliberating and/or negotiations regarding disposition of public property.

Motion by Moore, seconded by Coenen to Adjourn to Closed Session Pursuant to 19.85(1)(e) deliberating and/or negotiations regarding disposition of public property.

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 8:04 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 8:30 p.m.

Motion by Moore, seconded by Schell to approve the parking lot lease agreement as discussed with changes to cost, annual fee, and restoration.

All Ald. voted aye.

Motion carried.

Adjourn to Closed Session Pursuant to 19.85(1)(g) with respect to litigation in which it is or is likely to become involved.

This item was pulled from the agenda.

CONSIDERATION OF MISCELLANEOUS BUSINESS

Alder Antoine thanked the Council members for their open discussion on tricky topics over the last two meetings.

Alder Schell asked about the status of the Marathon gas station on Lawe Street. He feels it is an eye sore and should be torn down.

Alder Moore would like an update on the Red Hills Landfill odor.

Alder Kilgas asked to have additional no parking and no U-Turn signage by the library.

Alder Coenen would like additional recycling receptacles in the waste drop off site.

ADJOURN

Motion by Thiele, seconded by Kilgas to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 8:34 p.m.

Sally Kenney, Clerk