



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – NOVEMBER 18, 2025

Pursuant to adjournment on November 4, 2025, 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, November 18, 2025.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/ Engineer Neumeier (Zoom), HR Director Hodge (Zoom), Police Chief Graff, Dir. of Plan. & Com. Dev. Kittel, Lib. Dir. Thiem-Menning, Fin. Dir, Van Rossum, Kaukauna Utilities Manager Avanzi, ATC Zweig, WPPI Dreischmeier, and interested citizens.

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

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.

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

#### PUBLIC APPEARANCES

Perry Killian, 2807 Crooks Avenue Kaukauna, went to the Coffee and Conversations meeting presented by the Kaukauna Area School District. Killian was wondering why the City of Kaukauna did not have a representative there. Killian expressed concerns about the new middle school design and the increased traffic.

#### BUSINESS PRESENTED BY THE MAYOR

##### **Public Hearing on the 2026 City of Kaukauna Budget.**

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or on Zoom wished to address the Council regarding the 2026 City of Kaukauna budget.

After asking two more times if anyone else wished to address the council, no one appeared, Mayor Penterman declared the public hearing closed.

##### **Mayor's 2026 Budget Letter to the Common Council.**

Motion by Kilgas, seconded by Moore to receive and place on file the Mayor's 2026 budget letter to the Common Council.

All Ald. Present Voted aye.

Motion carried.

##### **2026 Department Mission and Goals.**

Ald. Moore expressed how there should be a process where alders have input into department mission and goals. Ald. Moore also stated that for 2026, department leaders should look at their goals and determine how they will be measured.

Motion by Thiele, seconded by Moore to receive and place on file the 2026 department mission and goals.

All Ald. Present Voted aye.

Motion carried.

**Public Hearing on the amendment of the Zoning Code 17.03, 17.20, 17.25 and 17.32 and the creation of 17.33(6).**

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or on Zoom wished to address the Council regarding the amendment of the Zoning Code 17.03, 17.20, 17.25 and 17.32 and the creation of 17.33(6).

After asking two more times if anyone else wished to address the council, no one appeared, Mayor Penterman declared the public hearing closed.

**Committee and Council Meetings 2026.**

Motion by Antoine, seconded by Eggleston to adopt the standing committee and council meetings for 2026.

All Ald. Present Voted aye.

Motion carried.

**Clarification of the definition of voting and non-voting capabilities for an ex-officio member.**

There will be an upcoming Committee of the Whole meeting to discuss clarification of the definition of voting and non-voting capabilities for an ex-officio member.

**Clarification on current meeting procedures.**

There will be an upcoming Committee of the Whole meeting to discuss clarification on current meeting procedures.

**CONSENT AGENDA**

**Board of Public Works Meeting Minutes of November 17, 2025.**

**Finance & Personnel Committee Meeting Minutes of November 17, 2025.**

**Legislative Committee Meeting Minutes of November 17, 2025.**

**Committee of the Whole Meeting Minutes of November 10, 2025.**

**Common Council Meeting Minutes of November 4, 2025.**

**Plan Commission Meeting Minutes of October 23, 2025.**

**Common Council Meeting Minutes of October 21, 2025.**

*Item removed by Mayor Penterman and taken up separately.*

**E-Bike Sub-Committee Meeting Minutes of October 16, 2025.**

**Heart of the Valley Metropolitan Sewerage District Special Meeting from September 23, 2025.**

**Heart of the Valley Metropolitan Sewerage District Special Meeting from September 2, 2025.**

**RACK Meeting Minutes of August 7, 2025.**

**Fire Report for October 2025.**

**Ambulance Report for October 2025.**

**Police Report for October 2025.**

**Code Enforcement Report for October 2025.**

**Court Report for October 2025.**

**Clerk-Treasurer's Daily Deposit Report for October 2025.**

**Building Inspection Report for October 2025.**

**Bills Payable.**

Motion by Moore, seconded by Thiele, to approve the remainder of the consent agenda.

All Ald. present Voted aye.

Motion carried.

**Common Council Meeting Minutes of October 21, 2025.**

Mayor Penterman requested to pull the Common Council Meeting Minutes of October 21, 2025, to look for clarification on a motion that was made by Moore, to adopt the remainder of the consent agenda, with no second. Mayor Penterman questioned what the procedure to adopt consent agendas should be, as it has been inconsistent over the last several months.

Motion by Moore, seconded by Antoine to amend the October 21, 2025, Common Council meeting minutes to approve the consent agenda with Alder Antoine seconding the motion.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to approve the amended October 21, 2025, Common Council meeting minutes.

All Ald. Present voted aye.

Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**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:

|            |         |    |          |
|------------|---------|----|----------|
| Wood       | Kate    | L. | Appleton |
| Gilbertson | Carla   | L. | Kaukauna |
| Ochoa      | Mecella | M. | Neenah   |

Motion by DeCoster, seconded by Eggleston, to approve the operator/bartender licenses as listed.  
All Ald. Present Voted aye.  
Motion carried.

**Special event application and amplified noise request to the Friends of the Grignon Mansion for the Christmas Tours on December 6, 13, &14, 2025 from 2pm-7pm.**

Item pulled.

**Request for special allowance of horses from the Friends of the Grignon Mansion for Christmas Tours on December 6, 13, &14, 2025 from 2pm-7pm.**

Item pulled.

## **REPORTS OF CITY OFFICERS**

**Deferred Compensation Committee Charter.**

Over the past year, staff from the City of Kaukauna and Kaukauna Utilities have collaborated to develop a charter for the Deferred Compensation Committee. This work was undertaken to establish a formal governance structure for oversight of the Employers' 457 Deferred Compensation Plan and 401(a) Defined Contribution Plan. The proposed charter provides clear guidance on membership, authority, responsibilities, meeting structure, and reporting expectations. Importantly, it establishes a consistent and transparent process for monitoring investment performance, evaluating third-party providers, and ensuring participant communication.

Motion by Moore, seconded by Thiele to approve the Deferred Compensation Committee Charter as presented.

All Ald. Present voted aye.

Motion carried.

**Adoption of Revised Investment Policy Statement.**

The City of Kaukauna and Kaukauna Utilities Deferred Compensation Committee undertook a review of the Investment Policy Statement governing the City's 401(a) and 457(b) Deferred Compensation Plans. The policy was originally adopted in 2018 and has guided the administration, monitoring, and evaluation of plan investment options and fiduciary responsibilities. As part of the Committee's regular oversight, the updated policy was reviewed in August 2025 to confirm continued alignment with plan objectives, participant needs, and industry best practices. Following its review, the Committee determined no substantive revisions were necessary. To maintain compliance with governance practices and reaffirm oversight, the Committee intends to re-sign and re-adopt the policy in its current form.

Motion by Antoine, seconded by Kilgas, to authorize the Deferred Compensation Committee to sign the updated policy dated November 18, 2025.

All Ald. Present voted aye.

Motion carried.

**Special Event Fee Comparison 2025.**

Special event fees were compared to other municipalities and Kaukauna's prices were relatively low compared to other municipalities. Alder Moore expressed how the 2026 fee schedule should be reviewed after a year, to ensure groups are not deterred to host their events in Kaukauna due to increased fees. Alder Eggleston expressed how these new fees might be prohibitive for events not bringing in any income.

Motion by Moore, seconded by Kilgas to allow staff to implement the following fees for external Special Events beginning for 2026 events: City Staff: Overtime Labor \$70/hr./staff City Staff: Double time/Holiday \$93/hr./staff Picnic tables-\$7/table Garbage/recycle carts-\$4/cart Barricades-\$2/item/day Cones-1-20, \$10/day 20-50, \$20/day 51+, \$30/day Application fee-\$20 per application, nonrefundable or transferable Deadline-60 days before event.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to waive the Fox Heritage Run fees for 2026

All Ald. Present voted aye.

Motion carried.

### **Cell Phones for Alderpersons.**

Attorney Greenwood discussed some of the legal implications of when alders use personal vs. city-issued devices. Concerns were brought up if a personal device was used for city business and taken through a court process or a police investigation. This would typically only happen if an open records request was made to an alder. If requestor did not believe a responsive record was provided, they could appeal their request to a Magistrate Judge or go through circuit court. Attorney Greenwood also discussed that any city-related business on personal devices should be kept to follow records retention policy.

Motion by Kilgas, seconded by Moore, to go out of order and take up the discussion on updating 17.25 to allow for data centers.

All Ald. Present voted aye.

Motion carried.

### **Discussion on updating 17.25 to allow for Data Centers.**

Technology continues to evolve rapidly, leading to the emergence of new industries and land use needs. One such growing industry is data centers. While there is currently no active proposal for a data center development, staff recognize the importance of proactively updating our zoning regulations to attract future opportunities. This change would help the city to accommodate a modern and growing industry, helping diversify our commercial base and remain competitive while being able to address any concerns of a data center specific to our area. This flexibility allows the city to have a higher degree of control to ensure that the potential development is not going to negatively impact the city while creating a process for developers. Representatives from ATC and WPPI were present to discuss the energy implications of data centers in Kaukauna.

### **Discussion Updated Inspection Fee Schedule.**

Staff have taken some time to review existing fees for Building Inspection. Most of the fees are still applicable but a few have been identified needing some updates. The review consisted of reviewing the time on average it would take staff to review and issue a permit and average number of inspections to ensure the fees are reflective of the time/cost to the city. In addition, staff researched other communities as a secondary review.

### **Sign Ordinance update.**

Staff have initiated an update and reorganization of the City's sign ordinance to improve clarity, enforcement, and alignment with current development patterns. Proposed changes include new Section 17.33: Consolidates all sign regulations into a standalone section for easier reference and enforcement. Removal from 17.32: Sign and billboard regulations will be removed from the general zoning provisions to reduce redundancy and confusion.

**Annexation Petition Review- Debruin parcel 200049900.**

Thomas DeBruin has submitted an annexation request for direct annexation of parcel 200049900. The annexation request is for a total of 0.378 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 and logical for the current use as a single-family residence. The property can be serviced with water and sewer by the City, and this is the main reason the owners of the property are requesting to annex into the City.

**Award Contract for City Dance Program.**

Item pulled.

**PRESENTATION OF ORDINANCES AND RESOLUTIONS**

**Resolution 2025-5488 Resolution Clarifying Appointments to the 1000 Islands Environmental Center Board.**

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of Resolution 2025-5488 Resolution Clarifying Appointments to the 1000 Islands Environmental Center Board.

All Ald. Present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2025-5488 Resolution Clarifying Appointments to the 1000 Islands Environmental Center Board.

All Ald. Present Voted aye.

Motion carried.

**Resolution 2025-5489 Resolution Designation Appropriations and Levying a tax for the 2026 Budget of the City of Kaukauna.**

Alder Moore expressed the importance of departments sticking to their approved budgets and that when departments go over, that affects the overall general fund balance and overall bond ratings.

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Resolution 2025-5489 Resolution Designation Appropriations and Levying a tax for the 2026 Budget of the City of Kaukauna.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2025-5489 Resolution Designation Appropriations and Levying a tax for the 2026 Budget of the City of Kaukauna.

All Ald. Present Voted aye.

Motion carried.

**Resolution 2025-5490 - Resolution Ordering a Special Election for Municipal Judge for the Kaukauna Municipal Court to be Held on April 7, 2026**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Resolution 2025-5490 - Resolution Ordering a Special Election for Municipal Judge for the Kaukauna Municipal Court to be Held on April 7, 2026.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2025-5490 - Resolution Ordering a Special Election for Municipal Judge for the Kaukauna Municipal Court to be Held on April 7, 2026.  
All Ald. Present Voted aye.  
Motion carried.

**Ordinance 1938-2025 Ordinance Repealing and Replacing Section 11.11 Waste Material.**

Ald. Moore stated how no specification was made in the ordinance update about electric trees being collected. DPW/ Engineer Neumeier stated how there have been no issues so far and feels that Christmas trees are adequate.

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Ordinance 1938-2025 Ordinance Repealing and Replacing Section 11.11 Waste Material.  
All Ald. Present Voted aye.  
Motion carried.

Motion by Moore, seconded by Eggleston to adopt Ordinance 1938-2025 Ordinance Repealing and Replacing Section 11.11 Waste Material.  
All Ald. Present Voted aye.  
Motion carried.

**Ordinance 1940-2025 Ordinance Establishing Salaries for Various Elected Officials.**

Motion by Moore, seconded by Antoine to suspend the rules and waive the reading of Ordinance 1940-2025 Ordinance Establishing Salaries for Various Elected Officials.  
All Ald. Present Voted aye.  
Motion carried.

Motion by Moore, seconded by Thiele to adopt Ordinance 1940-2025 Ordinance Establishing Salaries for Various Elected Officials.  
All Ald. Present Voted aye.  
Motion carried.

**Ordinance 1941-2025 Ordinance to Annex 16,487 Square Feet of Land from the Town of Vandebroek to the City of Kaukauna.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1941-2025 Ordinance to Annex 16,487 Square Feet of Land from the Town of Vandebroek to the City of Kaukauna.  
All Ald. Present Voted aye.  
Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1941-2025 Ordinance to Annex 16,487 Square Feet of Land from the Town of Vandebroek to the City of Kaukauna.  
All Ald. Present Voted aye.  
Motion carried.

**Ordinance 1942-2025 Ordinance Repealing and Replacing Section 17.03.**

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Ordinance 1942-2025 Ordinance Repealing and Replacing Section 17.03.  
All Ald. Present Voted aye.  
Motion carried.

Motion by Moore, seconded by Schumacher to adopt Ordinance 1942-2025 Ordinance Repealing and Replacing Section 17.03.

All Ald. Present Voted aye.

Motion carried.

**Ordinance 1943-2025 Ordinance Repealing and Replacing Section 17.20.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1943-2025 Ordinance Repealing and Replacing Section 17.20.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by Schumacher to adopt Ordinance 1943-2025 Ordinance Repealing and Replacing Section 17.20.

All Ald. Present Voted aye.

Motion carried.

**Ordinance 1944-2025 Ordinance Repealing and Replacing Section 17.25 Industrial District.**

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Ordinance 1944-2025 Ordinance Repealing and Replacing Section 17.25 Industrial District.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Ordinance 1944-2025 Ordinance Repealing and Replacing Section 17.25 Industrial District.

All Ald. Present Voted aye.

Motion carried.

**Ordinance 1945-2025 Ordinance Amending Section 17.32.**

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Ordinance 1945-2025 Ordinance Amending Section 17.32.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Ordinance 1945-2025 Ordinance Amending Section 17.32.

All Ald. Present Voted aye.

Motion carried.

**Ordinance 1946-2025 Ordinance Creating Section 17.33.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Ordinance 1946-2025 Ordinance Creating Section 17.33.

All Ald. Present Voted aye.

Motion carried.

Motion by Moore, seconded by DeCoster to adopt Ordinance 1946-2025 Ordinance Creating Section 17.33.

All Ald. Present Voted aye.

Motion carried.

**ALDER REQUESTS FOR DISCUSSION AT THE NEXT COMMON COUNCIL MEETING**

Alder Moore requested that merit pay emails be referred to the Finance and Personnel committee.

## CLOSED SESSION

**Adjourn to Closed Session Pursuant to 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 – Development of LOT 1 CSM 8469 Commerce Crossing.**

Motion by Moore, seconded by DeCoster to adjourn to Closed Session Pursuant to 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 – Development of LOT 1 CSM 8469 Commerce Crossing.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 9:25 PM.

**Return to Open Session for possible action.**

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 9:44 PM.

**Adjourn to Closed Session Pursuant to 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 - Vanepern Property.**

Motion by Moore, seconded by Kilgas to adjourn to Closed Session Pursuant to 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 - Vanepern Property.

All Ald. Present voted aye.

Motion carried.

Adjourned to closed session at 9:45 PM.

**Return to Open Session for possible action.**

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

All Ald. Present voted aye.

Motion carried.

Returned to open session at 10:00 PM.

## ADJOURN

Motion by Moore, seconded by DeCoster to adjourn.

All Ald. Present voted aye.

Motion carried.

Meeting adjourned at 10:00 p.m.

Kayla Nessmann, Clerk