



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – MARCH 5, 2024

Pursuant to adjournment on February 20, 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, March 5, 2024.

Roll call present: Antoine (via ZOOM), Coenen, Eggleston, Kilgas, Moore, Schell, and Thiele.

Absent and Excused: DeCoster.

Also present: Mayor Penterman, Attorney Davidson, Finance Director Van Rossum, Associate Planner Paul, Fire Chief Carrel, Police Chief Graff, Marketing and Communications Manager Fencil, and interested citizens.

Motion by Coenen, seconded by Eggleston 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 Kilgas to suspend the rules and waive the reading of the minutes of the Common Council meeting of February 20, 2024.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt the Common Council meeting minutes of February 20, 2024.

All Ald. present voted aye.

Motion carried.

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

Bills Payable

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

All Ald. present voted aye.

Motion carried.

Mayor congratulated the Kaukauna Wrestling Team for winning the Division 1 State Championship and the Kaukauna Girls Dance Team for winning the National Championship in the Large Pom Division.

PUBLIC APPEARANCES

None.

BUSINESS PRESENTED BY THE MAYOR

Swearing in of Police Officer Philip Watry.

Chief Graff introduced new Police Officer Philip Watry. Officer Watry has been in law enforcement for the last nine years.

Clerk Kenney swore in Police Officer Philip Watry and his wife pinned on his badge.

Appointment of Brian Buechel to the Grignon Mansion Board.

Motion by Thiele, seconded by Kilgas to appointment of Brian Buechel to the Grignon Mansion Board.

All Ald. present voted aye.

Motion carried.

Reappointment of Ryan Gaffney to the Industrial and Commercial Development Commission (3-year term).

Motion by Schell, seconded by Moore to reappoint Ryan Gaffney to the Industrial and Commercial Development Commission (3-year term).

All Ald. present voted aye.

Motion carried.

Reappointment of Nick Rieth to the Industrial and Commercial Development Commission (3-year term).

Motion by Kilgas, seconded by Thiele to reappoint Nick Rieth to the Industrial and Commercial Development Commission (3-year term).

All Ald. present voted aye.

Motion carried.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of March 4, 2024.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, March 4, 2024 at 6:00 P.M.

Members present: Antoine (via Zoom), Coenen, DeCoster, Eggleston, Kilgas, Moore, Schell, and Thiele

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

1. Correspondence – none.

2. Discussion Topics.

a. Tenth/Metoxen Intersection and Traffic Pattern Recommendation.

As part of the design considerations for the upcoming street paving project in the Quinney/Metoxen area, a section of very narrow roadway was identified as an area of concern. An approximately 140' long curved stretch of 10th Street, from Metoxen Avenue to the alley between Metoxen and Spring Street, is currently about 18-22' wide with shrubs tight along one edge and a steep hillside on the opposite. The Engineering Department is recommending creating a one-way street for vehicles to exit from the alley or Spring Street westerly only onto 10th Street at his location. The improvements will create a safer driving

lane, as well as allowing for a sidewalk installation to connect to the park. In addition to the physical street changes, we are recommending a three-way stop at the 10th/Metoxen intersection. The stop will provide safer access for pedestrians crossing to enter or leave the park and will provide better opportunity for drivers to see the “do not enter” signage for the proposed one-way section of road. Discussion held and questions answered.

Motion by Moore, seconded by Coenen to direct the Engineering Department to work with City Attorney’s office to draft the appropriate ordinance update designating a one-way street for a portion of E. 10th Street, draft the appropriate updates to the Official Traffic Map for the 10th/Metoxen intersection, and forward both to Legislative Committee for consideration.

All Ald. voted aye.

Motion carried.

b. TDS Request for Reinstatement.

Due to repeated unsafe and unacceptable construction practices, all TDS Right-of-Way permits for mainline construction were suspended indefinitely as of Friday October 13, 2023. Spriggs Construction LLC and Moreno and Sons Excavation were no longer permitted to work within the right-of-way of the city of Kaukauna. TDS was informed that to apply or re-apply for Right-of-Way permits, a formal request for reinstatement and a proposed safety management plan would be required by the city of Kaukauna. TDS has submitted several safety program documents and a formal letter to request reinstatement. The City, KU, and TDS have also conducted a reinstatement meeting to better understand what the requirements and expectations will be for the TDS Internal Construction Crews (ICC). Discussion was held and questions answered.

Paul Schultz from TDS spoke on behalf of TDS. If allowed to work within the City of Kaukauna they will be using internal employees. A different design method to eliminate road crossings will be used to reduce cuts and breaks in gas lines. If approved, they would start sometime in April.

Motion by Moore, seconded by Schell to direct staff to work with TDS to establish a new Right-of-Way registration and to grant permits with the following conditions: All registration and permit requirements of Municipal Code section 8.06 are met, a plan for relocating TDS facilities currently in conflict with City and KU facilities is approved by the Director of Public Works, a plan for completing all hard surface and soft surface restoration from previous work is approved by the Director of Public Works, and all safety plans and communications policies presented by TDS are followed.

All Ald. voted aye.

Motion carried.

c. Ash Tree Removal Update.

DPW/Eng. Neumeier provided before, during and after pictures of the Grignon Park area. Two hundred seventy-two ash trees and substantial amounts of buckthorn have been removed. The next area to be worked on will be White City Park. Last fall a replanting plan for Horseshoe Park was created with greater diversity and specific varieties included to provide desirable bird habitat and pollinator interest. The Engineering Department will be working with the 1000 Islands Naturalist, the Planning Department, the Grignon Mansion and the Street Department to produce similar plans for Grignon Park and White City Park. The City has been using DNR grant funds to help with the removal and replanting expenses so far and will be applying for a new federal funds grant program available to help provide more funding for replanting in the areas. Discussion was held and questions answered.

d. **Public Works Update.**

DPW/Eng. Neumeier stated the Jonen Park pavilion is coming along nicely. The roof is up and the block work is done. The Aquatic Center is moving along. The roof is almost all watertight. The Splash pad area and rental area is coming along. The archery range has new targets and target covers thanks to the hard work of our street department and collaboration on design with Combined Locks. The Street Department is also working with City Attorney's office regarding the large and irregular waste on the curb. Thirty-five properties with large and irregular items on the curb were sent a letter and the City only had to follow up with four of those residents. DOT I-41 public involvement meetings are scheduled for March 12, 13, and 14. Alders were asked to contact DPW/Eng. Neumeier for more information. Questions answered.

3. Adjourn.

Motion made by Eggleston, seconded by Kilgas to adjourn.
All members present voted aye.
Motion carried.

Meeting adjourned at 6:40 pm.

Sally Kenney
Clerk

Motion by Thiele, seconded by Coenen to adopt the Board of Public Works Meeting Minutes of March 4, 2024.
All Ald. present voted aye.
Motion carried.

**Health and Recreation Committee Meeting Minutes of March 4, 2024.
HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, March 4, 2024 at 6:41 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman, Ald. Eggleston, Ald. Moore, Ald. Thiele, Ald. Antoine (via ZOOM), Attorney Davidson, DPW/Eng. Neumeier, and interested citizens.

1. Correspondence – None.

2. Discussion Topics.

a. Solicitor's Licenses.

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

Agustin	Benjamin	D.	511 ½ E. Main St.	Little Chute
Santiago	Flores-Espinosa		1835 W. Pershing St. #229	Appleton
Taylor	Seth	G.	471 High Ave.	Oshkosh
Wetter	John	G.	26 Thistle Down Ct.	Appleton

Motion by Coenen, seconded by Schell to grant the solicitor's licenses.
All members voted aye.

Motion carried.

b. Request from Race Director Jessica Decet for the use of Hydro Park on July 2, 3, 4 & 5 for the 17th Annual Fox Firecracker 5K and Kids Run.

Motion by DeCoster, seconded by Coenen to approve the request from Race Director Jessica Decet for the use of Hydro Park on July 2, 3, 4 & 5 for the 17th Annual Fox Firecracker 5K and Kids Run.

All members voted aye.

Motion carried.

c. Special Events Application to Jillian Schwake, 1275 Camden Lane, Oshkosh on April 13, 2024 from 10am to 1pm at the Space on Second for Ready, Set, Bloom.

Motion by Schell, seconded by DeCoster to approve the Special Events Application to Jillian Schwake, 1275 Camden Lane, Oshkosh on April 13, 2024 from 10am to 1pm at the Space on Second for Ready, Set, Bloom.

All members voted aye.

Motion carried.

3. Adjourn.

Motion made by DeCoster, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

The meeting adjourned at 6:47 P.M.

Sally Kenney, Clerk

Motion by Kilgas, seconded by Schell to adopt the Health and Recreation Committee Meeting Minutes of March 4, 2024.

All Ald. present voted aye.

Motion carried.

Plan Commission Meeting Minutes of February 8, 2024.

Motion by Moore, seconded by Eggleston to receive and place on file the Plan Commission Meeting Minutes of February 8, 2024.

All Ald. present voted aye.

Motion carried.

1000 Islands Environmental Center Committee Meeting Minutes of January 18, 2024.

Motion by Eggleston, seconded by Kilgas to receive and place on file the 1000 Islands Environmental Center Committee Meeting Minutes of January 18, 2024.

All Ald. present voted aye.

Motion carried.

Library Board Meeting Minutes of January 16, 2024.

Motion by Kilgas, seconded by Coenen to receive and place on file the Library Board Meeting Minutes of January 16, 2024.

All Ald. present voted aye.

Motion carried.

Operator (Bartender) Licenses.

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

Walsvik	Gracie	J.	4840 N. Latitude Lane #G	Appleton
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Motion by Kilgas, seconded by Schell to approve the operator/bartender license.
All Ald. present voted aye.
Motion carried.

REPORTS OF CITY OFFICERS

None.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2024-5422 Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2024-5422.

All Ald. present voted aye.
Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2024-5422.

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 or bargaining reasons require a closed session. - (Dreamville).

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

Adjourned to close session at 7:22 p.m.

Return to open session for possible action.

Motion by Thiele, seconded by Moore to return to open session.
All Ald. present voted aye.
Motion carried.

Returned to Open Session at 7:39 pm

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. (2023-PL-11 New Prosperity Center Out Lot 3).

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

Adjourned to closed session at 7:40 pm.

Return to open session for possible action.

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

All Ald. present voted aye.
Motion carried.

Returned to Open Session at 7:55 pm.

Motion by Moore, seconded by Schell to approve the WB-40 Amendment to 2023 -PL-11 Offer to Purchase as presented.

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 (2022-PL-19 Grand Stay Hotel).

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

Adjourned to closed session at 7:56 pm.

Return to open session for possible action.

Motion by Eggleston, seconded by Thiele to return to open session.
All Ald. present voted aye.
Motion carried.

Returned to Open Session at 8:01 pm.

Motion by Moore, seconded Schell authorize the City to enter into an agreement for a new hotel study covering half the cost.

All Ald. present voted aye.
Motion carried.

ADJOURN

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

Meeting adjourned at 8:03 p.m.

Sally Kenney, Clerk