



## **COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – FEBRUARY 19, 2025**

Pursuant to adjournment on February 4, 2025, a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 8:36 P.M. on Wednesday, February 19, 2025.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Dir. of Plan. & Com. Dev. Kittel (Zoom), HR Director Hodge (Zoom), Com Enrich. & Rec Dir. Vosters (Zoom), Fin. Dir. Van Rossum, Mark. & Com. Manager Fencil (Zoom), 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 Schell to suspend the rules and waive the reading of the minutes of the Common Council meeting of February 4, 2025.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt the Common Council meeting minutes of February 4, 2025.

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**

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

Mayor Penterman provided an update that Congressman Tony Wied was in Kaukauna on February 19 and did some tours of Kaukauna Utilities, City of Kaukauna Fire Department, and Ahlstrom-Munksjo. He also addressed the Utilities Commission.

#### **5-21-24: Wisconsin Disaster Fund (WDF) Grant.**

#### **Proclamation Government Communicators Day February 21, 2025**

Motion by Moore, seconded by Kilgas to receive and place on file the Proclamation Government Communicators Day February 21, 2025.

All Ald. Voted aye.

Motion carried.

**Reappoint Mike VandeBerg to the Board of Appeals (3-year term) February 18th.**

Motion by Moore, seconded by Antoine to reappoint Mike VandeBerg to the Board of Appeals (3-year term) February 18th.

All Ald. Voted aye.

Motion carried.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Board of Public Works Meeting Minutes of February 19, 2025.**

**BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Wednesday, February 19, 2025 at 6:00 P.M.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Chief Graff, HR Director Hodge (Zoom), Com Enrich. & Rec Dir. Vosters (Zoom), Fin. Dir. Van Rossum, Mark. & Com. Manager Fencel (Zoom), Judge Proffitt, and interested citizens.

**1. Correspondence** – none.

**2. Discussion Topics.**

**a. Recommendation to award Project #2-25 –Sanitary Sewer and Water Main Joint Utility Project.**

The Engineering Department has reviewed and analyzed the bids from Feaker & Sons, Kruczek Construction, Carl Bowers & Sons, DeGroot Inc., Advance Construction, Dorner Inc., David Tenor Corp., and PTS Contractors received on February 5th, 2025, at 4:00pm for the 2-25 Sanitary Sewer and Water Main Joint Utility 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.

Motion by Antoine, seconded by Schell to Award Project #2-25 Sanitary Sewer and Water Main Joint Utility Project to Carl Bowers & Sons, Kaukauna, WI for Base Bid Units A thru E and Alternate Unit F, a total amount of \$3,671,905.15.

All Ald. Voted aye.

Motion carried.

**b. Authorization to seek bids for Project #9-25 – Linda Court Utility Relay and K4 Stormwater Basin Improvements.**

The Engineering Department is completing plans with Kaukauna Utilities for a utility relay/construction project. A main focus of this project will be to provide Stormwater storage and relieve flooding caused by the flow restrictions within the K4 Basin, specifically in the Linda Court area. Additional work on this project will replace failing water mains, sanitary sewer mains, and services as well as providing turf restoration and an asphalt overlay. Discussion held and questions answered.

Motion by Moore, seconded by DeCoster to authorize the Engineering Department to seek

bids for Project #9-25, Linda Court Utility Relay and K4 Stormwater Basin Improvements.  
All Ald. voted aye.  
Motion carried.

**c. State/Municipal Financial Agreement for (SMFA) for County Trunk Highway (CTH) CC/Rosehill Road and CTH J/Lawe Street.**

Motion by Moore, seconded by Kilgas to authorize the Director of Public Works/ Engineer Neumeier to enter into a State/ Municipal Agreement for (SMFA) for County Trunk Highway (CTH) CC/Rosehill Road and CTH J/ Lawe Street.  
All Ald. voted aye.  
Motion carried.

**3. Adjourn.**

Motion made by Eggleston, seconded by Moore to adjourn.  
All Ald. voted aye.  
Motion carried.

Meeting adjourned at 6:13 pm.

Kayla Nessmann, Clerk

Motion by Thiele, seconded by Moore to adopt the Board of Public Works Meeting Minutes of February 19, 2025.  
All Ald. voted aye.  
Motion carried.

**Finance and Personnel Committee Meeting Minutes of February 19, 2025.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Wednesday, February 19, 2025, at 6:14 pm.

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

Also present: Ald. Antoine, Ald. Eggleston, Ald. Thiel, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Chief Graff, HR Director Hodge (Zoom), Com Enrich. & Rec Dir. Vosters (Zoom), Fin. Dir. Van Rossum, Mark. & Com. Manager Fencl (Zoom), Judge Proffitt, and interested citizens.

**1. Correspondence.**

None.

**2. Discussion Topics.**

**a. Request for Additional Funds by Municipal Court.**

**b. Adjourn to Closed Session Pursuant to State Statute 19.85(1)(c) to discuss employment, promotion, compensation or performance evaluation data of any public employee.**

Motion by Kilgas, seconded by DeCoster to adjourn to closed session.  
All Members Voted aye.  
Motion carried.

Adjourned to closed session at 6:29 PM.

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

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

All Members Voted aye.

Motion carried.

Returned to open session at 7:03 PM.

Motion by Moore, seconded by Schell to approve an additional 90 hours for the Clerk of Court hours in the Court budget to be covered by city fund balance from the 2025 budgeted funds.

All Members voted aye.

Motion carried.

**d. Fund Balance Policy Adjustment.**

The City of Kaukauna is projected to have a surplus in its fund balance in its 2024 financial statements due to multiple factors. Cost savings have been realized as certain positions remained unfilled during the year, and department heads exercised fiscal responsibility in managing allocated budget line items. The City is in a strong financial position regarding stability, operational liquidity, and safeguarding against economic downturns or emergencies. This surplus presents an opportunity to reassess the undesignated fund balance policy, which is currently set at 15% of general fund operating expenditures. The 2024 year-end financial statements indicate a fund balance of 34.6%. In the past, we have only talked about the growing fund balance and now can commit to the long-term financial stability of the city. Discussion held and questions answered.

Motion by Moore, seconded by Kilgas to approve a policy adjustment to establish a minimum undesignated fund balance of thirty percent (30%) of general fund operating expenses and forward the attached resolution to the Legislative Committee and Common Council for consideration.

All Members Voted aye.

Motion carried.

**e. 2024 Fiscal Year Surplus Fund Balance Allocation.**

As noted in the Fund Balance Policy update agenda item, the City of Kaukauna is projected to have a surplus in its fund balance in the 2024 financial statements. This surplus is driven by multiple factors, including cost savings and revenues exceeding budgeted expectations. The primary contributor, once again this year, is the higher-than-anticipated interest income earned on the City's reserves. While the additional funds are beneficial, they also present a challenge, as they represent a one-time financial event. To ensure fiscal responsibility, these funds should be applied to one-time expenditures or project funding, thereby mitigating the risk of creating ongoing expenses that may become unfunded in the future. Discussion held and questions answered.

Motion by DeCoster, seconded by Moore to Approve the reallocation of \$700,000 from the undesignated General Fund balance to support a one-time expense in a restricted account of the Parks & Pool Fund.

All Members Voted aye.

Motion carried.

**f. Department of Public Works Proposal to Add Annual Clothing Allowance.**

Regular employees of the DPW department will receive an annual clothing allowance of \$300. The clothing allowance is to be used for the purchase of work-appropriate apparel (shirts, sweatshirts, safety footwear, pants, shorts, etc.). Discussion held and questions answered.

Motion by Schell, seconded by Kilgas to approve the described process to allow for payroll processing and employee communication. The Employee Handbook will include the approved changes with the next applicable update.

All Members Voted aye.

Motion carried.

**g. Department of Public Works Proposal to Change Regular Work Hours.**

The DPW hourly staff have proposed moving from the current work hours schedules to a version of the "Summer Hours" program year-round for that department. The daily overtime for hours worked in excess of 8 hours will be removed and DPW hourly staff will follow the weekly overtime rules in place for other hourly non-exempt departments. In accordance with the Fair Labor Standards Act, weekly overtime is required to be paid for all hours worked in excess of 40 hours in the defined pay week. The City of Kaukauna's pay week is defined as 12:00 am Thursday - 11:59 pm Wednesday. Discussion held and questions answered.

Motion by Moore, seconded by Schell to approve the standard work schedules described to be the standard year-round schedules. The Employee Handbook will include the approved changes with the next applicable update.

All Members Voted aye.

Motion carried.

**h. International Association of Firefighters Local 1594 Collective Bargaining Agreement for 2025-2027.**

The City and the International Association of Firefighters Local 1594 have reached an agreement regarding their Collective Bargaining Agreement for 2025-2027. Discussion held and questions answered.

Motion by Moore, seconded by Kilgas to ratify the International Association of Firefighters AFL-CIO-Kaukauna Local 1594 Collective Bargaining Agreement for January 1, 2025 – December 31, 2027.

All Members Voted aye.

Motion carried.

**3. Adjourn.**

Motion by Moore, seconded DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 8:10 pm.

Kayla Nessmann, Clerk

Motion by Moore to adopt minutes as presented.

No second for Moore's motion.

Motion by Eggleston to amend the Finance and Personnel Committee Meeting Minutes of February 19, 2025, to amend the first paragraph of sub. (g) to read: "The daily overtime for hours worked in excess of 8 hours will be removed and DPW hourly staff will follow the weekly overtime rules in place for other hourly non-exempt departments. In accordance with the Fair Labor Standards Act, weekly overtime is required to be paid for all hours worked in excess of 40 hours in the defined pay week. The City of Kaukauna's pay week is defined as 12:00 am Thursday - 11:59 pm Wednesday." No second for Eggleston's motion.

Motion by Eggleston, seconded by Antoine to amend the Finance and Personnel Committee Meeting Minutes of February 19, 2025, to amend the first paragraph of sub. (g) to read: "The DPW hourly staff have proposed moving from the current work hours schedules to a version of the "Summer Hours" program year-round for that department. In accordance with the Fair Labor Standards Act, weekly overtime is required to be paid for all hours worked in excess of 40 hours in the defined pay week. The City of Kaukauna's pay week is defined as 12:00 am Thursday - 11:59 pm Wednesday.

Motion by Moore, seconded by Schell to approve the standard work schedules described to be the standard year-round schedules. The Employee Handbook will include the approved changes with the next applicable update.

All Members Voted aye.

Motion carried."

Motion by Antoine, seconded by DeCoster to adopt the Finance and Personnel Meeting Minutes, of February 19, 2025, as amended.

All Ald. voted aye.

Motion carried.

### **Health and Recreation Committee Meeting Minutes of February 19, 2025.**

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

A meeting of the Health and Recreation Committee was called to order by Chair Schell on Wednesday, February 19, 2025 at 8:11 P.M.

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

Also present: Mayor Penterman, Ald. Moore, Alder Antoine, Ald. Kilgas, Ald. Schumacher, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Chief Graff, HR Director Hodge (Zoom), Com Enrich. & Rec Dir. Vosters (Zoom), Fin. Dir. Van Rossum, Mark. & Com. Manager Fencel (Zoom), and interested citizens.

#### **1. Correspondence – none.**

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

- a. Temporary Class B License to Holy Cross Parish/St. Ignatius Catholic School, 220 Doty Street, gym, lobby, & cafeteria, on March 28-30, 2025, and April 4-6, 2025, for "Holy Cross Men's Open."**

Motion by DeCoster, seconded by Eggleston to approve the Temporary Class B License to Holy Cross Parish/St. Ignatius Catholic School, 220 Doty Street, gym, lobby, & cafeteria, on March 28-30, 2025, and April 4-6, 2025, for "Holy Cross Men's Open."

All members voted aye.

Motion carried.

### **3.Adjourn.**

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

Meeting adjourned at 8:12 pm.

Kayla Nessmann, Clerk

Motion by Schell, seconded by DeCoster to adopt the Health and Recreation Committee Meeting Minutes of February 19, 2025.  
All Ald. voted aye.  
Motion carried.

### **Legislative Committee Meeting Minutes of February 19, 2025.**

#### **LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Antoine on Wednesday, February 19, 2025, at 6:36 P.M.

Members present: Antoine, DeCoster, Thiele, and Schumacher.

Also present: Ald. Schell, Ald. Kilgas, Ald. Eggleston, Ald. Moore, Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fire Chief Carrel, Street Superintendent Van Gompel, Dir. of Plan. & Com. Dev. Kittel (Zoom), Lib. Dir. Thiem-Menning (Zoom), and interested citizens.

### **1. Correspondence**

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

#### **a. Resolution for Fund Balance Policy Adjustment.**

This resolution is adjusting the policy to maintain a minimum undesignated fund balance of 30% would align with best practices and financial prudence. This change will provide the following benefits to the City: financial stability & risk management, improved creditworthiness, operational flexibility, tax rate stability, enhance public confidence, compliance with best practices, and support strategic planning.

Motion by Thiele, seconded by Schumacher to approve the attached resolution to establish a minimum undesignated fund balance of thirty percent (30%) of general fund operating expenses and forward on to the Council for consideration.

All members voted aye.

Motion carried.

#### **b. Resolution 2025-5462 Resolution Approving Fee for Loft License.**

With 12.16 being recently created for the allowance of pigeons keeping in the city of Kaukauna, the next step is setting the fee for this license. As stated in 12.16(2)(a) an annual loft license fee is set by the common council from time to time. For simplicity, staff is proposing the fee to be set at \$24 to match the fee for chicken keeping as the work required is very similar on staff. Staff will be keeping a record of roughly how much time is spent reviewing and inspecting any application that would come forth for a loft license to ensure this fee is appropriate moving forward and come back to common council if any changes are needed.

Motion by Thiele, seconded by Schumacher to adopt a resolution setting the annual fee for a Loft License as stated in 12.16 at \$24.00  
All members voted aye.  
Motion carried.

### **3. Adjourn.**

Motion by Schumacher, seconded by Thiele to adjourn.  
All members voted aye.  
Motion carried.

Meeting adjourned at 7:04 p.m.

Kayla Nessmann, Clerk

Motion by Antoine, seconded by DeCoster to amend the Legislative Committee Meeting Minutes of February 19, 2025, as indicated by the City Attorney.  
All Ald. voted aye.  
Motion carried.

Motion by Antoine, seconded by Thiele to adopt the Legislative Committee Meeting Minutes of February 19, 2025, amended as read.  
All Ald. voted aye.  
Motion carried.

#### **Board of Appeals Meeting Minutes of January 22, 2025.**

Motion by Moore, seconded by Eggleston to receive and place on file the Board of Appeals Meeting Minutes of January 22, 2025.  
All Ald. voted aye.  
Motion carried.

#### **RACK Meeting Minutes of January 9, 2025.**

Item pulled.

#### **Board of Appeals Meeting Minutes of December 18, 2024.**

Motion by Moore, seconded by Kilgas to receive and place on file the Board of Appeals Meeting Minutes of December 18, 2024.  
All Ald. voted aye.  
Motion carried.

#### **Grignon Mansion Board Meeting Minutes of October 28, 2024.**

Motion by Thiele, seconded by Schell to receive and place on file the Grignon Mansion Board Meeting Minutes of October 28, 2024.  
All Ald. voted aye.  
Motion carried.

#### **Operator (Bartender) Licenses.**

### **REPORTS OF CITY OFFICERS**

#### **Fire Report**

Motion by Moore, seconded by Antoine to receive and place on file the January 2025 Fire Report.  
All Ald. voted aye.

Motion carried.

**Ambulance Report**

Motion by Moore, seconded by Schell to receive and place on file the January 2025 Ambulance Report.

All Ald. voted aye.

Motion carried.

**Police Report**

Motion by Moore, seconded by Eggleston to receive and place on file the January 2025 Police Report.

All Ald. voted aye.

Motion carried.

**Code Enforcement Report**

Motion by Moore, seconded by Kilgas to receive and place on file the January 2025 Code Enforcement Report.

All Ald. voted aye.

Motion carried.

**Municipal Court Report**

Motion by Moore, seconded by DeCoster to receive and place on file the January 2025 Municipal Court Report.

All Ald. voted aye.

Motion carried.

**Clerk-Treasurer's Deposit Report**

Motion by Moore, seconded by Antoine to receive and place on file the January 2025 Clerk-Treasurer's Deposit Report.

All Ald. voted aye.

Motion carried.

**Building Inspection Report.**

Motion by Moore, seconded by Schell to receive and place on file the January 2025 Building Inspection Report.

All Ald. voted aye.

Motion carried.

**Loft License Fee.**

Motion by Antoine, seconded by DeCoster to adopt a resolution setting the annual fee for a Loft License as stated in 12.16 at \$24.00

All Ald. voted aye.

Motion carried.

**PRESENTATION OF ORDINANCES AND RESOLUTIONS**

**Resolution 2025-5461 Establishing a Policy Accumulating a Surplus Undesignated Fund Balance.**

Motion by Moore, seconded by DeCoster to suspend the rules and waive the reading of Resolution 2025-5461 Establishing a Policy Accumulating a Surplus Undesignated Fund Balance.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2025-5461 Establishing a Policy Accumulating a Surplus Undesignated Fund Balance.

All Ald. voted aye.

Motion carried.

**Resolution 2025-5462 Resolution Approving Fee for Loft License.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2025-5462 Resolution Approving Fee for Loft License.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2025-5462 Resolution Approving Fee for Loft License.

All Ald. voted aye.

Motion carried.

**CLOSED SESSION**

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

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

All Ald. voted aye.

Motion carried.

Adjourned to closed session at 9:20 PM.

**Return to Open Session**

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

All Ald. voted aye.

Motion carried.

Returned to open session at 9:36 PM.

**ADJOURN**

Motion by Antoine, seconded by Kilgas to adjourn.

All Ald. voted aye.

Motion carried.

Meeting adjourned at 9:36 p.m.

Kayla Nessmann, Clerk