



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – JULY 18, 2023

Pursuant to adjournment on July 5, 2023 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, July 18, 2023.

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

Also present: Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Fin. Dir. Van Rossum, Planner Stephenson, Police Chief Graff, Street Sup. Van Gompel, Street Foreman Nelson, Asst. Fire Chief Schneider, Asst. Fire Chief Resch, Equip. Mech. Hirschy, 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 5, 2023.

All Ald. voted aye.

Motion carried.

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

Bills Payable

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

All Ald. voted aye.

Motion carried.

PUBLIC APPEARANCES

None.

BUSINESS PRESENTED BY THE MAYOR

Retirement of Terry Verbeten from 32 years with the City of Kaukauna.

Mayor Penterman thanked Terry Verbeten for his 32 years of service with the City of Kaukauna and presented him with a retirement gift. Street Superintendent Van Gompel thanked Terry for his service and dedication during the last 32 years with the City of Kaukauna.

American Heart Association EMS Award to the Kaukauna Fire Department.

Mayor Penterman stated the Kaukauna Fire Department has received the American Heart Association's Mission Lifeline EMS Silver Achievement Award for its commitment to offering rapid research-based care to people who experience the most severe form heart attack and stroke. Mission Lifeline EMS is the American Heart Association's national initiative to advance the system of care to patients with high risk. The program helps reduce barriers to prompt treatment starting from when 911 is called to EMS transport and continuing through hospital treatment and discharge. Optimal care for heart attack and stroke patients takes coordination between the individual, pre-hospital providers and health care systems.

Fire Chief Carrel accepted the award on behalf of the City of Kaukauna Fire Department and thanked staff, especially Assistant Chief Joe Resch and Assistant Chief Craig Schneider. Fire Chief Carrel is very proud of the Firefighters/Paramedics for earning this award. The paramedics are doing many things before cardiac arrest. The paramedics are recognized in this award for their fast response arriving to scene, getting an EKG on patients right away and notifying hospital staff before the patient is transported. Cardiologists can read the EKG while patients are still in their home. The hospital can prepare for the patient immediately. Early care is essential for recovery. None of this is possible without the support of our community, Common Council, Mayor and wonderful City of Kaukauna firefighters/paramedics.

Appointment of John Sundelius to the Industrial and Commercial Development Commission.

Motion by Coenen, seconded by Schell to appoint John Sundelius to the Industrial and Commercial Development Commission.

All Ald. voted aye.

Motion carried.

Reappointment of Keith Peterson to the Building Construction Board of Review.

Motion by Eggleston, seconded by Kilgas to reappoint Keith Peterson to the Building Construction Board of Review.

All Ald. voted aye.

Motion carried.

Reappointment of Lee St. Aubin to the Building Construction Board of Review.

Motion by Antoine, seconded by Moore to reappoint Lee St. Aubin to the Building Construction Board of Review.

All Ald. voted aye.

Motion carried.

Presentation by Jeff Belongia, from HSE, of the 2023 Kaukauna General Obligation Bonding Results and Ratings.

Finance Director Van Rossum introduced Jeff Belongia, Bond Advisor from Huntington. Mr. Belongia provided information on the 2023 General Obligation Bonding Results and Ratings. The interest rates and credit ratings were presented. An all-inclusive interest rate of 3.68% was obtained. Mayor Penterman thanked Mr. Belongia, Finance Director Van Rossum, City staff and the Common Council for being fiscally responsible and allowing us to capture a true interest cost of 3.68% and maintain our bond rating of a AA-. Discussion was held and questions answered.

Successful City Domain Migration to Kaukauna.gov.

Mayor Penterman stated the City Domain has been successfully migrated to Kaukauna.gov. This was a mandate from the Elections Commission to do this by 2024. Questions on the migration should be directed to IT Manager Tim Taplin.

Strategic Plan update.

A draft of the Strategic Plan was provided. Staff and several Alders met several times to collaborate and formulate the plan. We will continue to move forward with the plan and adjust as needed. A final draft will be presented to the Common Council in the coming months.

Alder Moore thanked staff for coordinating these brainstorming sessions. Alder Antoine appreciated the frank and candid conversations that occurred during those two days. Alder Eggleston asked when the plan will be finalized. Mayor Penterman stated the Strategic Plan will be reviewed periodically and adjustments will be made accordingly.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of July 17, 2023.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, July 17, 2023 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, Com. Enrich. Serv. Dir. Vosters, Grignon Mansion Dir. Mickelson, HR Dir. Swaney, Fire Chief Carrel and interested citizens.

1. **Correspondence** – none.

2. **Discussion Topics.**

a. **Recommendation to award bid for Project #7-23: Kaukauna Municipal Pool Renovation Project.**

DPW/Eng. Neumeier stated Project #7-23 is for the renovation of the Kaukauna Municipal Pool. The project scope includes, but not limited to, demotion, erosion control, pavement removal, earthwork, underground plumbing, concrete paving, fencing, water feature installation, pool bathhouse construction, splashpad building construction, electrical and lighting, landscaping, and site restoration. Alternate bids units were received for waterslide installation and mini golf course construction. Staff has reviewed and analyzed bids from Milbach Construction and Miron Construction received on June 28, 2023. Questions from the Board were answered. Alders thanked Katie McDonald, Parkitecture and Planning representative who was present via ZOOM.

Motion by Moore, seconded by Schell to Award Project 7-23 Kaukauna Municipal Pool Project Renovation to Miron Construction Co., Inc., to include the total base bid and Alternate Bids A1-A5 for (Waterslide, Pump House Addition, Dense Grade Base-course, Concrete Pavement-5" and Earthwork).

Roll call vote: Antoine-aye, Coenen-aye, DeCoster-aye, Eggleston-nay, Kilgas-aye, Moore-aye, Schell-aye, Thiele-aye.

Motion carried 7 – 1.

b. **Authorization to seek bids for replacement of Tower Drive Storm Lift Station Back-up Generator – Re-Bid.**

The back-up generator at the Tower Drive Stormwater Lift Station has been declining for a number of years. The generator is near the end of its useful life. This project was previously bid and all bids were rejected due to the price of work and the complexity of the options. The project scope has been revised/reduced and we will now seek bids for an outside generator unit. Questions from the Board were answered.

Motion by Moore, seconded by Kilgas to authorize the Street Department to seek bids for the replacement of the Tower Drive Storm Lift Station Back-up Generator.

All Ald. voted aye.

Motion carried.

c. Notice of Noncompliance – Sanitary Sewer Overflow Follow-up Letter.

DPW/Eng. Neumeier stated the City received a notice of noncompliance from the State of Wisconsin Department of Natural Resources (DNR) on July 7, 2023. The purpose of this letter is to issue a Notice Of Noncompliance (NON) for alleged violations of the sanitary sewer overflow going back to May. Section 5 of Kaukauna's general permit prohibits any overflow or discharge of wastewater from the sewage collection system. The street department sewer crew and Senior Project Engineer Jeff Bodoh quickly acted and the overflow was contained to the quarry. A thorough cleanup was done. The DNR concurred that what happened following this incident was satisfactory. This notice of noncompliance will be part of the 2023 CMAR report. No further action is needed by the City of Kaukauna at this time to address this violation. Questions from the Board were answered.

d. Public Works Update.

DPW/Eng. Neumeier updated the Board on current projects. Some meetings on the I-41 Corridor project are coming up. If Alders need this information, they are asked to reach out to DPW/Eng. Neumeier. Concrete street paving is on the second half of the new construction streets (Hurkman Heights). The second half of these roads will be paved this week. Lunda Construction will be in town later this week or next week to do some work on the Veteran's Memorial Lift Bridge. The bridge will be closed for a few hours for this work to be completed.

Kilgas thanked Senior Engineer Bodoh for his detailed emails on the City's public works projects.

3. Adjourn.

Motion made by Antoine, seconded by Coenen to adjourn.
All members voted aye.
Motion carried.

Meeting adjourned at 6:23 p.m.

Sally Kenney
Clerk

Motion by Thiele, seconded by Kilgas to adopt the Board of Public Works Meeting Minutes of July 17, 2023.
All Ald. voted aye.
Motion carried.

**Finance and Personnel Committee Meeting Minutes of July 17, 2023.
FINANCE AND PERSONNEL COMMITTEE MEETING**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, July 17, 2023, at 6:24 p.m.

Members present: Mayor Penterman, Antoine, Coenen, Eggleston, Moore, and Thiele.

Also present: Ald. Schell, Ald. DeCoster, Ald. Kilgas, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Com. Enrich. Dir. Vosters, Grignon Mansion Dir. Mickelson, HR Dir. Swaney, and interested citizens.

1. **Correspondence** - None.
2. **Discussion Topics.**
 - a. **Authorization to fill vacant Laborer position due to retirement.**

Terry Verbeten has given his official retirement notice from the Street Department. His last day will be July 26. He has been with the City for 32 years. Staff is looking to fill a Laborer position due to the vacancy his retirement will create.

Motion by Thiele, seconded by Eggleston to authorize the filling of the vacant Laborer position due the retirement of Terry Verbeten.

All members voted aye.

Motion carried.

3. **Closed Session**
 - a. **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 Moore, seconded by Coenen to 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.

All members voted aye.

Motion carried.

Moved to closed session at 6:28 p.m.

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

Motion by Antoine, seconded by Coenen to return to Open Session.

All members voted aye.

Motion carried.

Returned to Open Session at 6:41 p.m.

- c. **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.**

Motion by Moore, seconded by Coenen to 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.

All members voted aye.

Motion carried.

Moved to closed session at 6:41 p.m.

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

Motion by Moore, seconded by Eggleston to return to Open Session.

All members voted aye.

Motion carried.

Returned to Open Session at 6:44 p.m.

4. **Adjourn.**

Motion by Coenen, seconded Moore to adjourn.
All members voted aye.
Motion carried.

Meeting adjourned at 6:45 p.m.

Sally Kenney, Clerk

Motion by Eggleston, seconded by Moore to adopt the Finance and Personnel Committee Meeting Minutes of July 17, 2023.
All Ald. voted aye.
Motion carried.

Health and Recreation Committee Meeting Minutes of July 17, 2023.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, July 17, 2023 at 6:46 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman , Ald. Antoine, Ald. Eggleston, Ald. Moore, Ald. Thiele, DPW/Eng. Neumeier, Attorney Davidson, Fire Chief Carrel, Com. Enrich. Serv. Dir. Vosters, HR Dir. Swaney, Grignon Mansion Dir. Mickelson, and interested citizens.

1. **Correspondence** – None.

2. **Discussion Topics.**

a. **Request from Cassidy Mickelson for the use of Lower Grignon Park, temporary allowance of horses and overnight camping on the grounds of the Grignon Mansion for the Civil War Living History Demonstration on August 25-27, 2023.**

Motion by Schell, seconded by Coenen to approve the request from Cassidy Mickelson for the use of Lower Grignon Park, temporary allowance of horses and overnight camping on the grounds of the Grignon Mansion for the Civil War Living History Demonstration on August 25-27, 2023.

All members voted aye.
Motion carried.

b. **Amplified noise request for the Civil War Living History Demonstration at Grignon Mansion Grounds/Lower Grignon Park on August 26 - 27, 2023.**

Motion by DeCoster, seconded by Coenen, to grant amplified noise request for the Civil War Living History Demonstration at Grignon Mansion Grounds/Lower Grignon Park on August 26 - 27, 2023.

All members voted aye.
Motion carried.

c. **Request from Cassidy Mickelson for the use of Lower Grignon Park and temporary allowance of horses for Grignon Mansion Car Show on August 13, 2023.**

Motion by Coenen, seconded by DeCoster to grant the request from Cassidy Mickelson for the use of Lower Grignon Park and temporary allowance of horses for Grignon Mansion Car Show on August 13, 2023.

All members voted aye.
Motion carried.

d. Amplified music request for Grignon Mansion Car Show on August 13, 2023.

Motion by DeCoster, seconded by Schell to grant the amplified music request for Grignon Mansion Car Show on August 13, 2023.

All members voted aye.

Motion carried.

3. Adjourn.

Motion made by Coenen, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:49 P.M.

Sally Kenney

Clerk

Motion by Kilgas, seconded by Schell to adopt the Health and Recreation Committee Meeting Minutes of July 17, 2023.

All Ald. voted aye.

Motion carried.

Public Protection and Safety Committee Meeting Minutes of July 17, 2023.

These minutes were pulled and will be brought back at next meeting.

Plan Commission Meeting Minutes of May 18, 2023.

Motion by Moore, seconded by Coenen to receive and place on file the Plan Commission Meeting Minutes of May 18, 2023.

All Ald. voted aye.

Motion carried.

Redevelopment Authority Meeting Minutes of June 8, 2023.

Motion by Moore, seconded by Antoine to receive and place on file the Redevelopment Authority Meeting Minutes of June 8, 2023.

All Ald. voted aye.

Motion carried.

Grignon Mansion Board Meeting Minutes of May 22, 2023.

Motion by Thiele, seconded by Kilgas to receive and place on file the Grignon Mansion Board Meeting Minutes of May 22, 2023.

All Ald. voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of June 13, 2023.

Motion by Moore, seconded by Coenen to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of June 13, 2023.

All Ald. voted aye.

Motion carried.

Operator (Bartender) Licenses.

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:

Ochoa	Erika	A.	2055 Allerton Dr.	Oshkosh
Sanchez	Leila	K.	124 Lamplighter Dr. #8	Kaukauna

Motion by Kilgas, seconded by Eggleston to approve the Operator (Bartender) Licenses.
 All Ald. voted aye.
 Motion carried.

REPORTS OF CITY OFFICERS

Fire Report

Motion by Moore, seconded by Schell to receive and place on file the June 2023 Fire Report.
 All Ald. voted aye.
 Motion carried.

Ambulance Report

Motion by Moore, seconded by DeCoster to receive and place on file the June 2023 Ambulance Report.
 All Ald. voted aye.
 Motion carried.

Police Report

Motion by Moore, seconded by Coenen to receive and place on file the June 2023 Police Report.
 All Ald. voted aye.
 Motion carried.

Municipal Court Report

Motion by Moore, seconded by Kilgas to receive and place on file the June 2023 Municipal Court Report.
 All Ald. voted aye.
 Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Coenen to receive and place on file the June 2023 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 June 2023 Building Inspection Report.
 All Ald. voted aye.
 Motion carried.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Resolution 2023-5393 City of Kaukauna Expressing Support for Wisconsin Act 12.

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2023-5393.
 All Ald. voted aye.
 Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2023-5393.
All Ald. voted aye.
Motion carried.

Resolution 2023-5394 Resolution Authorizing the Issuance and Sale of \$3,240,000 General Obligation Promissory Notes, Series 2023A.

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2023-5394.
All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2023-5394.
All Ald. voted aye.
Motion carried.

Resolution 2023-5395 Resolution Authorizing the City of Kaukauna Fire Department and Chief Jacob Carrel to enter into an Equipment Sharing Agreement between area fire departments.

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Resolution 2023-5395.
All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2023-5395.
All Ald. voted aye.
Motion carried.

Resolution 2023-5396 Resolution Amending Equivalent Runoff Unit (ERU) Charges for Stormwater Utility.

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2023-5396.
All Ald. voted aye.
Motion carried.

Motion by Moore, seconded by Schell to adopt Resolution 2023-5396.
All Ald. voted aye.
Motion carried.

CLOSED SESSION

Adjourn to Closed Session Pursuant to State Statute 19.85(1) (e) to discuss disposition of public property - Land Acquisition.

Motion by Moore, seconded by Coenen to adjourn to closed session pursuant to State Statute 19.85(1) (e) to discuss disposition of public property - Land Acquisition.
All Ald. voted aye.
Motion carried.

Adjourned to closed session at 7:58 p.m.

Return to Open Session for possible action.

Motion by DeCoster, seconded by Moore to return to open session for possible action.

All Ald. voted aye.
Motion carried.

Returned to open session at 8:03 p.m.

Motion by Moore, seconded by Coenen to direct staff to proceed with the offer to purchase parcels 322085801 and 322085802.

All Ald. voted aye.
Motion carried.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public funds – Commerce Crossing.

Motion by Eggleston, seconded by Antoine to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of public funds – Commerce Crossing.

All Ald. voted aye.
Motion carried.

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

Return to Open Session for possible action.

Motion by Moore, seconded by Coenen to return to open session for possible action.

All Ald. voted aye.
Motion carried.

Returned to open session at 8:21 p.m.

Motion by Moore, seconded by Schell to approve the Development Agreement between the City of Kaukauna and JFB Enterprises LLC and approval of the assignment from 55 Arbor Way LLC to JFB Enterprises LLC.

All Ald. voted aye.
Motion carried.

Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) to discuss disposition of public funds - Development Update.

Motion by Thiele, seconded by Moore to adjourn to closed session pursuant to State Statute 19.85(1)(e) to discuss disposition of public funds - Development Update.

All Ald. voted aye.
Motion carried.

Adjourned to closed session at 8:24 p.m.

Return to Open Session for possible action.

Motion by DeCoster, seconded by Eggleston to return to open session for possible action.

All Ald. voted aye.
Motion carried.

Returned to open session at 8:34 p.m.

ADJOURN

Motion by Antoine, seconded by Schell to adjourn.

All Ald. voted aye.
Motion carried.

Meeting adjourned at 8:34 p.m.

Sally Kenney, Clerk

