



COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – NOVEMBER 15, 2022

Pursuant to adjournment on November 1, 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, November 15, 2022.

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

Absent & Excused: DeCoster

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planner Stephenson, Police Chief Graff, Fin. Dir. Van Rossum, Fire Chief Carrel, HR Dir. Swaney, Com. Enrich. Ser. Dir. Vosters, Dir./Naturalist Nowak, Grignon Mansion Dir. Mickelson, Library Dir. Thiem-Menning, Staff Accountant Roehl, Street Foreman Nelson, Street Sup. Van Gompel, and interested citizens.

Motion by Moore, seconded by Eggleston the 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 Antoine to adopt the minutes of the Common Council meeting of November 1, 2022.
All Ald. present voted aye.
Motion carried.

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

Bills Payable

Motion by Moore, seconded by Antoine to pay bills out of the proper accounts.
All Ald. present voted aye.
Motion carried.

PUBLIC APPEARANCES

No one appeared.

BUSINESS PRESENTED BY THE MAYOR

Public Hearing on the 2023 City of Kaukauna Budget.

Mayor Penterman read his budget letter addressed to the Council dated November 15, 2022.

Motion by Antoine, seconded by Schell to receive and place on file the 2023 Budget letter.
All Ald. present voted aye.
Motion carried.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers wish to speak for or against the 2023 City of Kaukauna Budget.

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

Public Hearing for the rezoning of 1302 Moon Ridge Court from Residential Single-Family (RSF) to Residential Two-Family (RTF).

Planner Stephenson received many phone calls and emails with comments about the rezoning of 1302 Moon Ridge Court. Mayor Penterman read a summary of the comments from neighboring residents.

Motion by Kilgas, seconded by Moore to receive and place on file comments from residents.
All Ald. present voted aye.
Motion carried.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers wish to speak for or against the rezoning of 1302 Moon Ridge Court from Residential Single-Family (RSF) to Residential Two-Family (RTF).

Andrew Thielke, 1301 Mood Ridge Court stated his comment, which the mayor read, was not in favor of the rezoning as stated by the Mayor.

Motion by Kilgas, seconded by Thiele to receive and place on file the amended letter.
All Ald. present voted aye.
Motion carried.

Andrew Thielke, 1301 Moon Ridge Court asked for information on the process of a public hearing to make sure the residents are heard.

Ed Vandenheuvel, 1311 W. Ann Street, stated he is against the rezoning. He does not feel a multi-family unit should be placed in the middle of single-family dwellings.

Debbie and Ken Bouressa, 1219 Saunders Road, spoke against the rezoning. When they bought their house they were told that the zoning would always be single-family. They feel by allowing multi-family it will lower their property value.

Tim Knoll, 1306 Moon Ridge Court, stated he is against the rezoning.

Malcom Gustafson, 1217 Saunders Road, stated he is against the rezoning and would like to see the property stay single-family.

Josh and Katie Dalke, owners of 1302 Moon Ridge Court, stated when they bought the property, they were told it would not be an issue to rezone the property. They would be occupying a portion of the duplex and want good tenants living next to them. They are in favor of the rezoning.

After asking two more times if anyone else wished to address the council. Mayor Penterman declared the public hearing closed.

Planner Stephenson provided an overview of how the rezoning of property works. The authority of rezoning lies with the Plan Commission and then ultimately the Common Council. Staff will get

requests from individuals on rezoning of property and will give their professional opinion as to whether rezoning of property should occur. Staff did look at the property adjacent to 1302 Moon Ridge Court which has residential two-family lots. From a use standpoint, it will not drastically impact the neighborhood. Given these criteria, recommended approval was given by staff. It then went to Plan Commission and now Council. Letters were sent out to neighbors within in 200 feet of the proposed rezoned property. A sign was placed on the property stating when this public hearing on the rezoning would be held. Staff fields questions from residents on the rezoning.

Mayor Penterman stated letters sent to property owners within 200 feet is not mandatory by State Statute, but the City goes above this requirement to inform residents.

Motion by Moore, seconded by Schell to allow a resident to speak again.

All Ald. present voted aye.

Motion carried.

Andrew Thielke, 1301 Moon Ridge Court, spoke on behalf of the neighbors about concerns they have with building a duplex on this property.

Bill Leon 25 years with the Kaukauna Street Department.

Mayor Penterman thanked Bill Leon for his 25 years serving the City of Kaukauna in the Street Department.

2023 Committee and Council Meetings.

Mayor Penterman provided the list of Committee and Council Meeting dates for 2023.

Ald. Coenen asked to adjust the July 3 meeting schedule. Mayor Penterman stated a determination on this meeting date will be made closer to the date. More than likely, this date will be adjusted.

Motion by Kilgas, seconded by Antoine to receive and place on file the 2023 Committee and Council Meeting dates.

All Ald. present voted aye.

Motion carried.

Information Technology Update.

Mayor Penterman informed the Council that Tim Taplin has accepted the IT Manager position. He will be starting full-time with the City on December 1.

Girl Scouts - Camp Winnecomac Property Sale Update.

Mayor Penterman received an email from the Girl Scouts stating the Winnecomac property will remain under ownership by the Girl Scouts of the Northwestern Great Lakes at this time. The Girl Scouts of the Northwestern Great Lakes is not under contract with any buyer, is not pursuing a sales process for the property at this time and will not transfer ownership to any other party for the time being.

Proclamation Shop Wisconsin Downtowns this Holiday Season.

Mayor Penterman read the Proclamation Shop Wisconsin Downtowns this Holiday Season.

Motion by Schell, seconded by Kilgas to receive and place on file the Proclamation Shop Wisconsin Downtowns this Holiday Season.

All Ald. present voted aye.

Motion carried.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Committee of the Whole Meeting Minutes of November 2, 2022.

Motion by Moore, seconded by Antoine to adopt the Committee of the Whole Meeting Minutes of November 2, 2022.

All Ald. present voted aye.

Motion carried.

Plan Commission Meeting Minutes of October 6, 2022.

Motion by Moore, seconded by Schell to receive and place on file the Plan Commission Meeting Minutes of October 6, 2022.

All Ald. present voted aye.

Motion carried.

Grignon Mansion Board Meeting Minutes of September 26, 2022.

Motion by Thiele, seconded by Kilgas to receive and place on file the Grignon Mansion Board Meeting Minutes of September 26, 2022.

All Ald. present voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of October 11, 2022.

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of October 11, 2022.

All Ald. present voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of October 26, 2022.

Motion by Moore, seconded by Eggleston to receive and place on file the Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of October 26, 2022.

All Ald. present voted aye.

Motion carried.

REPORTS OF CITY OFFICERS

Fire Report

Motion by Moore, seconded by Antoine to receive and place on file the October 2022 Fire Report.

All Ald. present voted aye.

Motion carried.

Ambulance Report

Motion by Moore, seconded by Schell to receive and place on file the October 2022 Ambulance Report.

All Ald. present voted aye.

Motion carried.

Police Report

Motion made by Moore, seconded by Kilgas to receive and place on file the October 2022 Police Report.

All Ald. present voted aye.

Motion carried.

Municipal Court Report

Motion by Moore, seconded by Thiele to receive and place on file the October 2022 Municipal Court Report.

All Ald. present voted aye.

Motion carried.

Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Antoine to receive and place on file the October 2022 Clerk-Treasurer's Deposit Report.

All Ald. present voted aye.

Motion carried.

Building Inspection Report.

Motion by Moore, seconded by Eggleston to receive and place on file the October 2022 Building Inspection Report.

All Ald. present voted aye.

Motion carried.

Temporary allowance of horses at Lower Grignon Park for December 3 & 10, 2022.

Grignon Mansion Executive Director Mickelson stated this is an annual event and they are asking for the same allowance for horses as in the past.

Motion by Thiele, seconded by Schell to approve the Temporary allowance of horses at Lower Grignon Park for December 3 & 10, 2022.

All Ald. present voted aye.

Motion carried.

Bridge/Public Works Update.

DPW/Eng. Neumeier stated the bridge is open. Several small jobs need to be completed but will be done in the next couple of weeks. DPW/Eng. Neumeier thanked Ryan Schindhelm from Patrick Engineering, Jodi Jarosinski and Brian Edwards from the DOT and all contractors that worked on the bridge and adjacent street project.

The City did receive a fifty percent DNR grant for the Company Woods Pond. This area is in the 1000 Islands property just off Hillcrest Drive. City staff will be working with McMahon and 1000 Islands Director/Naturalist to get the plans together for construction late next fall.

PRESENTATION OF ORDINANCES AND RESOLUTIONS**Resolution 2022-5363 Resolution Designating Appropriations and Levying a Tax for the 2023 Budget of the City of Kaukauna.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2022-5363.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to withdraw the motion to suspend the rules and waive the reading of Resolution 2022-5363.

All Ald. present voted aye.

Motion carried.

Ald. Moore read Resolution 2022-5363 Resolution Designating Appropriations and Levying a Tax for the 2023 Budget of the City of Kaukauna.

Motion by Moore, seconded by Thiele to adopt Resolution 2022-5363 as read.

All Ald. present voted aye.

Motion carried.

Ordinance 1869-2022 An Ordinance Rezoning 1302 Moon Ridge Court from Residential Single-Family District to Residential Two-Family District.

Alders asked and staff answered questions regarding the rezoning.

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Ordinance 1869-2022.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Ordinance 1869-2022.

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

Motion failed.

CLOSED SESSION

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 Eggleston 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 Ald. present voted aye.

Motion carried.

Adjourned to closed session at 8:15 p.m.

Return to Open Session for possible action.

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 8:48 p.m.

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 bargaining reasons require a closed session.

Motion by Moore, seconded by Kilgas to 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 bargaining reasons require a closed session.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 8:49 p.m.

Return to Open Session for possible action.

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 9:09 p.m.

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. (Commerce Crossing - Evergreen Drive).

Motion by Thiele, seconded by Moore to 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 bargaining reasons require a closed session.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 9:10 p.m.

Return to Open Session for possible action.

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 9:18 p.m.

Motion by Moore, seconded by Antoine to approve the extension for Duquaine Developments on parcel 322095500 to May 15, 2023.

All Ald. present voted aye.

Motion carried.

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. (Commerce Crossing - Arbor Way)

Motion by Moore, seconded by Schell to 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 bargaining reasons require a closed session.

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 9:19 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. present voted aye.

Motion carried.

Returned to open session at 9:28 p.m.

Motion by Moore, seconded by Coenen to approve the offer to purchase by GrandStay Hotel and move forward with the hotel development proposed by GrandStay Hotel as presented.

All Ald. present voted aye.

Motion carried.

ADJOURN

Motion by Coenen, seconded by Moore to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 9:30 p.m.

Sally Kenney, Clerk

