



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

Pursuant to adjournment on March 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, March 15, 2022.

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

Absent & Excused: Coenen, DeCoster and Thiele.

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planner Stephenson, Fire Chief Carrel, Police Chief Graff, Fin. Dir. Van Rossum, Associate Planner Pahl, and interested citizens.

Motion by Moore, seconded by Eggleston to excused the absent members.
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 adopt the minutes of the Common Council meeting of March 1, 2022.
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.

PUBLIC APPEARANCES

No one appeared.

Mayor Penterman expressed sympathy to the family of Deb Zornow. Deb was a crossing guard for the City of Kaukauna for twenty-five years. She passed away on February 28, 2022.

BUSINESS PRESENTED BY THE MAYOR

Public Hearing to consider the rezoning of property from Residential Single Family (RSF) to Commercial Core District (CCD) located at 301 W. Seventh Street, Club Ritz.

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers wished to address the Council regarding rezoning of property from Residential Single Family (RSF) to Commercial Core District (CCD) located at 301 W. Seventh Street, Club Ritz.

Marsha Goetzman, 710 Sullivan Ave., Kaukauna spoke about the amount of traffic this establishment creates. If this rezoning takes place, will this create more traffic and parking issues?

Luke Quella, owner of Club Ritz, W4770 Hwy 55, Freedom spoke about the need to rezone so larger ADA compliant bathrooms can be added. The owners try to work with neighbors to keep the bar a small neighborhood establishment.

Jim Lettau, 216 W. 8th Street, Kaukauna spoke about the speeding traffic, littering and foul language from patrons of the establishment. He feels by rezoning and increasing the size of this bar more issues will result.

Abby Quella, owner of Club Ritz, W4770 Hwy 55, Freedom spoke about the need to rezone and add ADA compliant bathrooms. They are not going add on a big addition, just make bigger bathrooms.

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

Reappointment of Glenn Schilling to the Industrial & Commercial Development Committee.

Motion by Moore, seconded by Schell to reappoint Glenn Schilling to the Industrial & Commercial Development Committee.

All Ald. present voted aye.

Motion carried.

Reappointment of Michael Avanzi to the Industrial & Commercial Development Committee.

Motion by Kilgas, seconded by Moore to reappoint Michael Avanzi to the Industrial & Commercial Development Committee.

All Ald. present voted aye.

Motion carried.

Reappointment of Scott Jerome to the Industrial & Commercial Development Committee.

Motion by Eggleston, seconded by Moore to reappoint Scott Jerome to the Industrial & Commercial Development Committee.

All Ald. present voted aye.

Motion carried.

Temporary allowance of goats to be used at 1000 Islands Conservancy Zone to control invasive species. (June 6-17 and September 26-October 7).

Naturalist Nowak stated this will be the third year for the use of goats to control invasive species.

The project has been a success in creating good PR for the City of Kaukauna and Nature Center. It is also a great educational tool for Kaukauna High School students.

Motion by Kilgas, seconded by Schell to allow the use of goats to be used at 1000 Islands Conservancy Zone to control invasive species. (June 6-17 and September 26-October 7).

All Ald. present voted aye.

Motion carried.

Nuisance Property Enforcement Policy.

Mayor Penterman asked what kind of calls Alderpersons have received about nuisance problems. The majority of complaints are about uncut grass/grass in the streets, dog waste, vehicles parking in lawns, unlicensed cars in driveways, and trash in yards.

A nuisance enforcement policy will be brought back to the Council for review and approval. A full-time Code Enforcement Officer will be hired to enforce nuisance violations. The Alderpersons are asked to contact the Mayor and City Attorney with any suggestions for this proposed policy. The Mayor will be speaking to departments directly impacted by these complaints. Questions from the Council were answered.

REPORTS OF STANDING AND SPECIAL COMMITTEES

Board of Public Works Meeting Minutes of March 14, 2022.

BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chairman Thiele on Monday, March 14, 2022 at 6:00 P.M.

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

Absent & Excused: Coenen and DeCoster

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, Planner Stephenson, Police Chief Graff, Street Sup. Vanden Heuvel, Proj. Eng. Cesafsky, Fire Chief Carrel and interested citizens.

Motion by Moore, seconded by Kilgas to excuse the absent members.

All members present voted aye.

Motion carried.

1. Correspondence – none.

2. Discussion Topics.

a. Open Bids for Truck #7.

Motion by Moore, seconded by Eggleston to accept no more bids and open bids received.

All Ald. present voted aye.

Motion carried.

Street Superintendent VandenHeuvel stated only 1 bid was received. All truck dealers were called. Of the five dealers, three stated they would not be bidding.

<u>Dealer</u>	<u>Outright Price</u>	<u>Trade-In</u>	<u>Total Cost</u>
Gustman's Chevrolet	\$62,220	\$7,000	\$55,220

Motion by Antoine, seconded by Schell to authorize the Street Department to tabulate the bid and come back to the Board with a recommendation on the replacement of Chevy 1 Ton Dump Truck with Lift Gate - Equipment #7.

All Ald. present voted aye.

Motion carried.

b. Permission to Bid Project #10-22 - CTH Q & CTH J (Lawe Street) Curb Replacement and Sidewalk Installation.

As part of the 2022 Outagamie County Highway asphalt re-surfacing project on CTH J and CTH Q, the City will be spot replacing sections of existing vertical curb and gutter as maintenance prior to the new asphalt pavement on CTH J (STH 55 to Lamplighter Drive) and on CTH Q (Dodge Street to CTH CE). In conjunction with this project, the Engineering Department is recommending the addition of concrete sidewalk along the west and east side of Lawe Street. A map and an informational letter was sent out to residents on Monday, March 7th, 2022. Questions from the Board were answered.

Motion by Moore, seconded by Antoine to authorize the Engineering Department to seek bids for Project #10-22 – CTH Q & CTH J (Lawe Street) Curb Replacement and Sidewalk Installation.

All Ald. present voted aye.

Motion carried.

c. Award Bid for Project 1-22, Concrete Street Paving.

The Engineering Department has reviewed and analyzed the bids from Vinton Construction and Michels Stone and Road Inc, received on March 9th, 2022 at 4:00PM for the 1-22 Concrete Street Paving Project. The Engineering Department received two bids this year and also created an engineer's estimate prior to bid opening. The Engineering Department has compared the two received bids against the engineers estimate. The bids themselves are within \$26,446.46 of each other which is a good indication that they are competitive. The higher bid (Michels) is also under the Engineers Estimate by \$33,291.50 which is another indication that the received bids are reasonable and competitive. The engineer's estimate is compiled utilizing previous years' prices and adjusted for inflation and changes in work descriptions.

Motion by Moore, seconded by Schell to award Project 1-22 Concrete Street Paving to Vinton Construction, Manitowoc, WI for a total bid price of \$1,026,966.79.

All Ald. present voted aye.

Motion carried.

d. Sidewalk Builders License to Al Dix Concrete, Inc.

Motion by Kilgas, seconded by Moore to grant Al Dix Concrete, Inc. a Sidewalk Builders License.

All Ald. present voted aye.

Motion carried.

e. Sidewalk Builders License to Jim Fischer Inc.

Motion by Antoine, seconded by Moore to grant Jim Fischer Inc. a Sidewalk Builders License.

All Ald. present voted aye.

Motion carried.

f. Sidewalk Builders License to IEI General Contractors, Inc.

Motion by Kilgas, seconded by Eggleston to grant IEI General Contractors, Inc. a Sidewalk Builders License.
All Ald. present voted aye.
Motion carried.

g. Sidewalk Builders License to Dan Verbeten Construction.

Motion by Moore, seconded by Schell to grant Dan Verbeten Construction a Sidewalk Builders License.
All Ald. present voted aye.
Motion carried.

h. 2021 Municipal Separate Storm Sewer System (MS4) Annual Report to DNR.

As a permitted municipality under Wisconsin NR 216, an annual report of activities and updates to the City's storm water management is submitted to Wisconsin DNR. Prior to the March 31 submission, the City Engineering Department distributes the report to the BOPW and Common Council and provides public access to the report via the City website. The reason for distribution is an effort to provide awareness to the activities the City is completing in order to maintain compliance with State and Federal regulations as well as gather comments on the report itself. In addition to the DNR reporting form, a summary of activities and accomplishments was provided, citing each General Permit section requirements. Questions from the Board were answered.

Motion by Moore, seconded by Schell to receive and place on file the 2021 Municipal Separate Storm Sewer System (MS4) Annual Report and direct the Engineering Department to submit the same to Wisconsin DNR with recommended additions.
All Ald. present voted aye.
Motion carried.

i. Authorize the Director of Public Works to submit applications for Bipartisan Infrastructure Law (BIL) funding on behalf of the City of Kaukauna.

DPW/Eng. Neumeier provided background information on the Bipartisan Infrastructure Law (BIL) funding. All applications are processed through the Department of Transportation (DOT) and submitted by the highest ranking official or it's designee.

Motion by Moore, seconded by Kilgas to authorize the Director of Public Works to submit applications for Bipartisan Infrastructure Law (BIL) funding on behalf of the City of Kaukauna.
All Ald. present voted aye.
Motion carried.

3. General Matters - None.

4. Adjourn.

Motion made by Antoine, seconded by Eggleston to adjourn.

All Ald. present voted aye.
Motion carried.

Meeting adjourned at 6:34 p.m.

Sally Kenney, Clerk

Motion by Moore, seconded by Antoine to adopt the Board of Public Works Meeting Minutes of March 14, 2022, as presented.

All Ald. voted aye.
Motion carried.

Public Protection & Safety Committee Meeting Minutes of March 14, 2022.

PUBLIC PROTECTION AND SAFETY COMMITTEE

A meeting of the Public Protection and Safety Committee was called to order by Chairman Schell on Monday, March 14, 2022, at 6:35 P.M.

Members present: Antoine, Eggleston, Schell, Thiele.

Also present: Mayor Penterman, Ald. Kilgas, Ald. Moore, Atty. Davidson, Fin. Dir. Van Rossum, DPW/Eng. Neumeier, Police Chief Graff, Fire Chief Carrel, Planner Stephenson, Proj. Eng. Cesafsky, Street Sup. Vanden Heuvel and interested citizens.

1. Correspondence - None.

2. Discussion Topics.

a. Update on planned ladder truck replacement.

Fire Chief Carrel gave an update on the findings for the replacement of the ladder truck. This truck in the fire service is the most expensive and the longest lasting. The ladder trucks have a life expectancy of between 20 and 30 years. The City's truck will be 30 years old in 2025. Initially, the replacement of this truck was in the 2023 Capital Improvement Plan but has since moved to 2024.

Due to the increase in time to build the truck and the price increase, Chief Carrel would like to move forward and order the truck before May of 2022 to lock in a price and potentially receive the truck in 2024. Discussion was held and questions from the Committee were answered.

Additional details on the truck will be brought to the next Public Protection and Safety Committee.

3. General Matters – None.

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

Meeting adjourned at 6:45 p.m.

Sally Kenney, Clerk

Motion by Schell, seconded by Kilgas to adopt the Public Protection & Safety Committee Meeting Minutes of March 14, 2022, as presented.
All Ald. voted aye.
Motion carried.

Finance and Personnel Committee Meeting Minutes of March 14, 2022.

FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chairman Penterman on Monday, March 14, 2022, at 6:49 P.M.

Members present: Mayor Penterman, Antoine, Coenen (via phone), Kilgas, and Moore.

Absent & Excused: DeCoster

Also present: Ald. Thiele, Ald. Eggleston, Ald. Schell, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Planner Stephenson, Fin. Dir. Van Rossum, Street Sup. VandenHeuvel, Police Chief Graff and interested citizens.

Motion by Moore, seconded by Kilgas to excuse the absent member.
All members present voted aye.
Motion carried.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. **Address needs with reallocating human capital and position creation.**

With the recent announcement of the retirement of the Administrative Coordinator, it has given the opportunity to assess our staffing levels in some departments of the city. The Mayor and staff have discussed how reallocating staff and blending a few positions will satisfy some of our immediate needs. The position areas discussed were Code Enforcement, Community Development Coordinator, Administrative Coordinator, Human Resources and Payroll.

3. **Closed Session.**

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

Motion by Kilgas, seconded by Moore to adjourn to closed session.
All members present voted aye.
Motion carried.

Adjourned to closed session at 6:55 pm.

b. **Return to open session for possible action.**

Motion by Moore, seconded by Antoine to return to open session for possible action.
All members present voted aye.

Motion carried.

Returned to open session at 7:26 pm.

Motion by Moore, seconded by Kilgas to approve the creation of a full-time Human Resources Payroll Generalist position, remove the Accounting Specialist – Payroll position from organization chart, internally advertise for an Administrative Coordinator, and to approve the creation of a full-time Code Enforcement Position to start in May of 2022. All members present voted aye.
Motion carried.

Nuisance Property Enforcement Policy will be discussed during the March 15 Common Council meeting.

4. General Matters - None.

5. Adjourn.

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

Meeting adjourned at 7:28 P.M.

Sally Kenney, Clerk

Motion by Moore, seconded by Eggleston to adopt the Finance and Personnel Committee Meeting Minutes of March 14, 2022, as presented.
All Ald. present voted aye.
Motion carried.

Health & Recreation Meeting Minutes of March 14, 2022.

HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Vice Chairman Eggleston on Monday, March 14, 2022 at 7:29 P.M.

Members present: Coenen (via phone), Eggleston, and Schell.

Absent & Excused: DeCoster

Also present: Mayor Penterman, Ald. Antoine, Ald. Kilgas, Ald. Moore, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Police Chief Graff, Fire Chief Carrel, Planner Stephenson, Fin. Dir. Van Rossum, Street Sup. VandenHeuvel, and interested citizens.

Motion by Coenen, seconded by Schell to excuse the absent member.
All members present voted aye.
Motion carried.

3. Correspondence – None.

4. Discussion Topics.
a. Solicitor's License.

The following applicants have applied for a solicitor's license for the license year 2022 and have been recommended for approval based on their record check by the Police Department:

Zimmerman	Dylan	1111 Wisconsin Ave.	Oshkosh
Yee	Peter	857 Jackson Street	Oshkosh

Motion by Schell, seconded by Coenen to approve the list of solicitor's as recommended by a record check by the Police Department.

All members present voted aye.

Motion carried.

b. Combination Class B Beer and Liquor License, 173 Wisconsin Ave. LLC, Jordan La Chance Agent, JJ's Bottleroom, 173 W. Wisconsin Ave., Kaukauna.

Motion by Schell, seconded Coenen to approve the Combination Class B Beer and Liquor license as amended.

All members present voted aye.

Motion carried.

c. Request for amplified music to Felicia Torres on Saturday, August 13, 2022 in the Community Room.

Motion by Coenen, seconded by Schell to allow amplified music to Felicia Torres on Saturday, August 13, 2022 in the Community Room.

All members voted aye.

Motion carried.

3. General Matters.

Ald. Thiele expressed concern about last minute amendments and additions to meetings. She highly suggests that these last-minute changes are not made and a hard deadline be followed.

4. Adjourn.

Motion made by Coenen, seconded by Schell to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 7:45 pm.

Sally Kenney
Clerk

Motion by Eggleston, seconded by Schell to adopt the Health & Recreation Meeting Minutes of March 14, 2022, as presented.

All Ald. present voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of February 8, 2022.

Motion by Moore, seconded by Schell to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of February 8, 2022.

All Ald. present voted aye.

Motion carried.

Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of February 17, 2022.

Motion by Moore, seconded by Kilgas to receive and place on file the Heart of the Valley Metropolitan Sewerage District Special Community Meeting Minutes of February 17, 2022.

All Ald. present voted aye.

Motion carried.

1000 Islands Environmental Center Committee Meeting Minutes of January 20, 2022.

Motion by Eggleston, seconded by Moore to receive and place on file the 1000 Islands Environmental Center Committee Meeting Minutes of January 20, 2022.

All Ald. present voted aye.

Motion carried.

Operators/Bartenders License

The following applicant has applied for an operator's license for the license year 2020-2022 and have been recommended for approval based on their record check by the police department:

Conn	Zachary	A.	1619 N. Gillett St.	Appleton
Hawley	Catherine	E.	2127 Dickinson Road	De Pere
Moore	Philip	J.	239 S. Lynndale Dr.	Appleton
Ossmann	Heather	S.	630 Trumpeter Tr.	De Pere
Rogers	Cyanne	P.	213 Gertrude St.	Kaukauna
Vandenberg	Riley	R.	208 Lox Ct.	Combined Locks

Motion by Eggleston, seconded by Moore to approve the operator/bartender license.

All Ald. present voted aye.

Motion carried.

REPORTS OF CITY OFFICERS

Fire Report

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

All Ald. present voted aye.

Motion carried.

Ambulance Report

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

All Ald. present voted aye.

Motion carried.

Police Report

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

All Ald. present voted aye.

Motion carried.

Municipal Court Report

Motion made by Moore, seconded by Schell to receive and place on file the February 2022

Municipal Court Report.

All Ald. present voted aye.

Motion carried.

Clerk-Treasurer's Deposit Report

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

All Ald. present voted aye.

Motion carried.

Building Permit Summary Report

Motion made by Moore, seconded by Eggleston to receive and place on file the February 2022

Building Permit Summary Report.

All Ald. present voted aye.

Motion carried.

Rezone - 301 W. Seventh Street.

Planner Stephenson provided background information on the proposed rezoning. The primary reason for the rezoning from a Residential Single-Family District to Commercial Core District is to allow the business to add ADA compliant bathrooms. The building currently is considered legal, nonconforming. It is a commercial building within a residential district, which is allowed to exist in their current state. The Plan Commission has discussed and agreed the rezoning will have to meet certain requirements such as off-street parking and a transitional zone. Questions from the Council were answered.

PRESENTATION OF ORDINANCES AND RESOLUTIONS

Ordinance 1857-2022 An Ordinance Creating Chapter 1, Section 1.44 - 1000 Islands Environmental Center Committee.

Ald. Moore asked about the board composition and number of members. He suggested the terms be added stating up to eight residents or a minimum of 6 because of the difficult time the City has in filling these volunteer committee roles. Attorney Davidson stated that an ambiguous number of members need to be defined.

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1857-2022.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1857-2022 as presented.

All Ald. present voted aye.

Motion carried.

Ordinance 1858-2022 An Ordinance Rezoning 301 W. Seventh Street (Club Ritz).

Motion by Moore, seconded by Eggleston to suspend the rules and waive the reading of Ordinance 1858-2022.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Schell to adopt Ordinance 1858-2022 as presented.

All Ald. present voted aye.

Motion carried.

CONSIDERATION OF MISCELLANEOUS BUSINESS

Ald. Moore thanked Ald. Antoine for attending the meeting via ZOOM so we would have a quorum present, even though she was not feeling well.

Ald. Moore requested that bid openings take place the Wednesday before Council meetings to ensure a quicker turnaround for awarding bids.

ADJOURN

Motion by Schell, seconded by Moore to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 8:15 p.m.

Sally Kenney, Clerk

