

LEGISLATIVE COMMITTEE MEETING

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Monday, October 19, 2026 at 6:15 PM

AGENDA

In-Person and Remote Teleconference via ZOOM

1. Correspondence.
2. Discussion Topics.
 - [a.](#) Resolution 2026-5526 Resolution Canceling the Regular Meetings of the Standing Committees and the Common Council Scheduled for November 4, 2026.
 - [b.](#) Resolution 2026-5527 Resolution Approving a Certified Survey Map to Adjust Lot Lines Between Parcels 325032307 and 325032308.
 - [c.](#) Resolution 2026-5528 Resolution Accepting the City of Kaukauna 2025 Annual Clearwater Sustainability Program Report to the Heart of the Valley Metropolitan Sewerage District (HOVMSD).
 - [d.](#) Resolution 2026-5529 Resolution Approving Amendment to Protective Covenants for new Prosperity Center.
3. Adjourn.

NOTICES

Legislative Committee - Notice is hereby given this is a public meeting of the Legislative Committee. As such, all members or a majority of the City's Common Council and Standing Committees will likely be in attendance. While members of the Common Council or any Standing Committees may participate in discussions, only the Legislative Committee will take formal action.

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.

MEETING ACCESS INFORMATION:

You can access this meeting by one of three methods: from your telephone, computer, or by an app. Instructions are below.

To access the meeting by telephone:

1. Dial 1-312-626-6799
2. When prompted, enter Meeting ID 234 605 4161 followed by #
3. When prompted, enter Password 54130 followed by #

To access the meeting by computer:

1. Go to <http://www.zoom.us>
2. Click the blue link in the upper right hand side that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow Zoom to access your microphone or camera if you wish to speak during the meeting

To access the meeting by smartphone or tablet:

1. Download the free Zoom app to your device
2. Click the blue button that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow the app to access your microphone or camera if you wish to speak during the meeting

Members of the public will be muted unless there is an agenda item that allows for public comment or if a motion is made to open the floor to public comment.

CITY OF KAUKAUNA
OUTAGAMIE COUNTY, STATE OF WISCONSIN

RESOLUTION NO. 2026-5526

**A RESOLUTION CANCELING THE REGULAR MEETINGS OF THE
 STANDING COMMITTEES AND THE COMMON COUNCIL
 SCHEDULED FOR NOVEMBER 4, 2026**

WHEREAS, Section 2.01 of the Code of Ordinances of the City of Kaukauna provides for regular meetings of the Common Council; and

WHEREAS, the City's Standing Committees are regularly scheduled to meet during the week preceding Common Council meetings; and

WHEREAS, a statewide general election will be conducted on November 3, 2026, requiring substantial staff time and resources before, during, and immediately following Election Day; and

WHEREAS, City staff involved in election administration, including the City Clerk's Office, will be required to work extended hours on Election Day and complete post-election responsibilities in the days immediately following the election; and

WHEREAS, the Common Council finds that canceling the regularly scheduled Standing Committee and Common Council meetings on November 4, 2026, will allow staff sufficient time to complete election-related and post-election responsibilities.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that the regular meetings of the Standing Committees and Common Council scheduled for November 4, 2026, are hereby canceled.

Introduced and adopted this 20th day of October, 2026.

APPROVED: _____
 Anthony J. Penterman, Mayor

ATTEST: _____
 Kayla Nessmann, Clerk

CERTIFIED SURVEY MAP NO. _____

LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. 8976; BEING PART OF GOVERNMENT LOTS 5 AND 6 IN SECTION 21, TOWNSHIP 21 NORTH, RANGE 19 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN.

CURVE TABLE							
CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD	TANGENT IN	TANGENT OUT
1	55.00'	139°43'12"	134.12'	N71°11'40.0"E	103.27'	S38°56'44"E	N01°20'04"E
2	55.00'	066°06'41"	63.46'	S72°00'04.5"E	60.00'	S38°56'44"E	N74°56'35"E
3	55.00'	073°36'31"	70.66'	N38°08'19.5"E	65.90'	N74°56'35"E	N01°20'04"E

SURVEYOR'S CERTIFICATE

I, GARY A. ZHRINGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:

THAT I HAVE SURVEYED, MAPPED AND DIVIDED AT THE DIRECTION OF GREG LAUER, LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. 8976; BEING PART OF GOVERNMENT LOTS 5 AND 6 IN SECTION 21, TOWNSHIP 21 NORTH, RANGE 19 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN. CONTAINING 87,092 SQUARE FEET [2.000 ACRES]. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND WITH THE CITY OF KAUKAUNA SUBDIVISION ORDINANCE IN SURVEYING, DIVIDING AND MAPPING THE SAME.

THAT THIS MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION THEREOF.

GIVEN UNDER MY HAND THIS _____ DAY OF _____, 2026.

GARY A. ZHRINGER, PROFESSIONAL LAND SURVEYOR S-2098

THIS CERTIFIED SURVEY MAP IS CONTAINED WHOLLY WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS

OWNERS OF RECORD:	RECORDING INFORMATION:	PARCEL NUMBER:
GREG LAUER REVOCABLE TRUST	DOCUMENT NO. 2355967	325032307 AND 325032308

CITY OF KAUKAUNA COMMON COUNCIL APPROVAL:

RESOLVED BY THE COMMON COUNCIL OF THE CITY OF KAUKAUNA, THAT THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED.

DATED THIS _____ DAY OF _____, 20__.

ANTHONY J. PENTERMAN, MAYOR

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE RESOLUTION ADOPTED BY THE COMMON COUNCIL.

DATED THIS _____ DAY OF _____, 20__.

KAYLA NESSMANN, CITY CLERK

TREASURER'S CERTIFICATE:

I HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON ANY OF THE LANDS SHOWN INCLUDED IN THIS CERTIFIED SURVEY MAP.

CITY TREASURER	DATE	COUNTY TREASURER	DATE
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CERTIFIED SURVEY MAP NO. _____

LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. 8976; BEING PART OF GOVERNMENT LOTS 5
AND 6 IN SECTION 21, TOWNSHIP 21 NORTH, RANGE 19 EAST, CITY OF KAUKAUNA,
OUTAGAMIE COUNTY, WISCONSIN.

GREGORY R. LAUER IRREVOCABLE TRUST OWNERS CERTIFICATE:
AS OWNER, I THE UNDERSIGNED, HEREBY CERTIFY THAT WE CAUSED THE LAND ABOVE DESCRIBED TO BE
SURVEYED, DIVIDED, AND MAPPED AS SHOWN AND REPRESENTED ON THIS MAP.

I ALSO FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.10 OR 236.12 TO BE
SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF KAUKAUNA

DATED THIS _____ DAY OF _____, 20__

TRUSTEE SIGNATURE

PRINT NAME

STATE OF WISCONSIN)
_____) SS
_____ COUNTY)

PERSONALLY CAME BEFORE ME ON THE _____ DAY OF
_____, 20__, THE ABOVE OWNERS
TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE
FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

NOTARY PUBLIC, STATE OF WISCONSIN
MY COMMISSION (IS PERMANENT)
(EXPIRES:_____)



APPLICATION: CERTIFIED SURVEY MAP REVIEW FORM

To: Planning Commission, City of Kaukauna, Outagamie County, WI

Petitioner Information:

Name: Gregory Lauer

Mailing Address: W1470 Peters Rd. Kaukauna WI 54130

Phone Number:

Email:

Property Owner Information (If Not Petitioner):

Name: Gergory Lauer

Mailing Address: W1470 Peters Rd. Kaukauna WI 54130

Phone Number:

Email:

Property Information:

Site Address/Location: Peters Rd, Kaukauna, Lots 2 and 3 of CSM 8976

Lot Dimensions and Area: 87,092 sq.ft.

Current Zoning: None

Number of Lots to be Created: 2

If multiple owners are involved, please add all additional owner information on an attached document.

Please State Reason(s) for Certified Survey Map Review Request:

Move lot line between lots 2 and 3 to give lot 3 a bigger buildable area.

Additional Requirements: For Certified Survey Map review, professionally drawn maps are required to be submitted. These maps must include all structures, lot lines, and streets with distances to each. Maps should be drawn to a scale of not less than 1":1,000'. Additional information may also be requested as may be appropriate per the proposal being made.

Lot Division by Certified Survey Map (1-4 lots) Fee Schedule: \$10.00/lot based on total lots

Please Note: Certified survey map reviews often require action by multiple governmental bodies. Between multiple meetings and statutory requirements for public hearings and noticing of meetings, sometimes reviews and authorizations can take more than 30 days. Please let staff know of your request as early as possible if you have a specific deadline that you need Plan Commission authorization by.

Signature of Petitioner:



Signature of Owner (If Not Petitioner):

Date Submitted to City of Kaukauna:

Please submit by email to planning@kaukauna.gov or by mail to:

City of Kaukauna

Attn: Plan Commission

P.O. Box 890

Kaukauna, WI 54130

FOR DEPARTMENT USE ONLY:

Date Application Received: 9/29/2026

Payment Received: 9/28/2026

Payment Receipt #: N/A

Site Plan Reviewed: N/A

1st Notice Sent: N/A

2nd Notice Sent: N/A

Plan Commission Approval: 10/8/2026

Common Council Approval:

Signature of Planning & Community Dev. Staff:



RESOLUTION 2026-_____**RESOLUTION APPROVING A CERTIFIED SURVEY MAP TO ADJUST LOT LINES
BETWEEN PARCELS 325032307 AND 325032308**

WHEREAS, the Gregory R. Lauer Revocable Trust, by its trustee Gregory R. Lauer, as owner of Parcels 325032307 and 325032308, has presented a Certified Survey Map to the City of Kaukauna Common Council as prepared by Gary A. Zahringer, a registered Land Surveyor, for the purposes of adjusting lot lines between two parcels; and

WHEREAS, the Certified Survey Map has been reviewed in accordance with applicable provisions of Wis. Stat. § 236; and

WHEREAS, the Plan Commission has reviewed the Certified Survey Map and recommended approval; and

WHEREAS, the Certified Survey Map describes the following lands:

LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. 8976; BEING PART OF GOVERNMENT LOTS 5 AND 6 IN SECTION 21, TOWNSHIP 21 NORTH, RANGE 19 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN. CONTAINING 87,092 SQUARE FEET [2.000] ACRES. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that the Certified Survey Map as submitted and on file with the City Clerk is hereby approved.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 20th day of October, 2026.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessmann, City Clerk



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Legislative Committee
From: Adrienne Nelson, Associate Planner
Date: October 12, 2026
Re: CSM Review – Lauer Subdivision

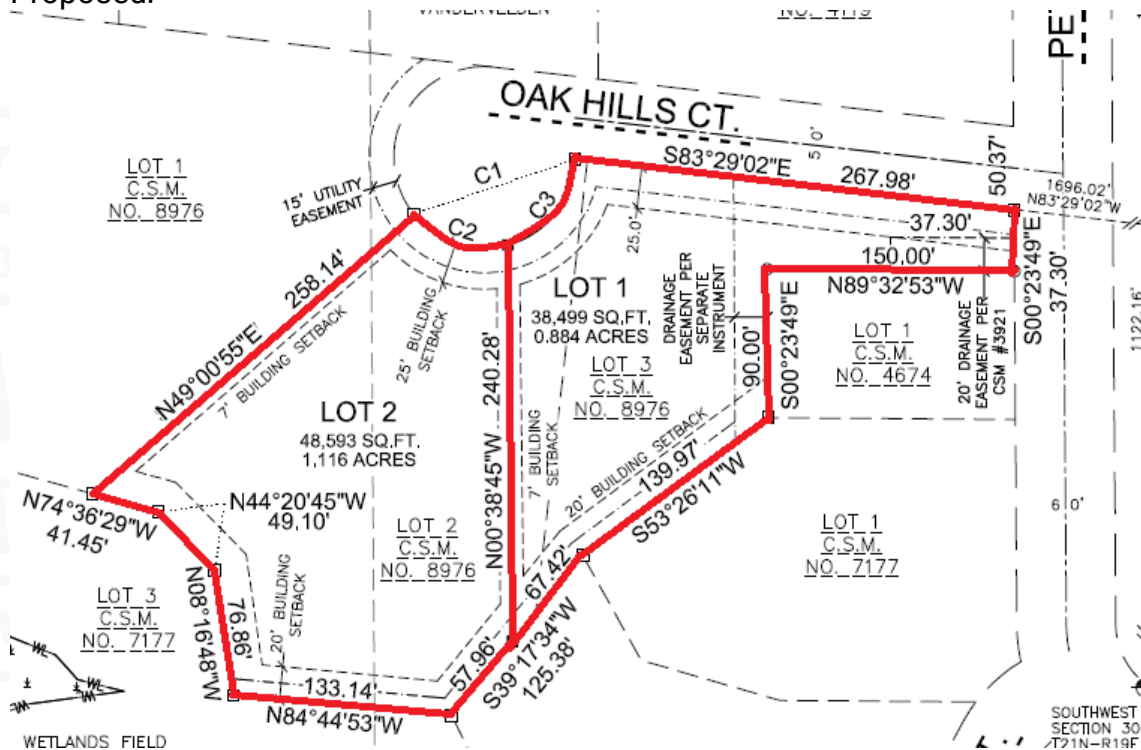
Gary A. Zahringer, surveyor, has submitted a certified survey map (CSM) on behalf of Greg Lauer, owner, to adjust the lot lines between parcels 325032307 and 325032308. This request to adjust the lot lines will allow parcel 325032308 to have a larger buildable area. The application, draft of the CSM, and proposed resolution are attached to this report. The current map and proposed map are shown below for additional detail. The Plan Commission recommended approval of the proposed CSM at their meeting on [October 8th, 2026](#).



Current:



Proposed:



Staff Recommendation:

Recommend approval of the CSM resolution to the Common Council.



RESOLUTION NO. 2026-5528

RESOLUTION ACCEPTING THE CITY OF KAUKAUNA 2025 ANNUAL CLEARWATER SUSTAINABILITY PROGRAM REPORT TO THE HEART OF THE VALLEY METROPOLITAN SEWERAGE DISTRICT (HOVMSD)

WHEREAS, it is a requirement of the HOVMSD that member communities file an annual report as part of its Clearwater Sustainability Program; and

WHEREAS, the governing body of the City of Kaukauna has reviewed the annual report to the HOVMSD; and

WHEREAS, the annual report contains the following components as required by the HOVMSD:

1. Compliance Maintenance Annual Report (CMAR) as submitted to the Wisconsin Department of Natural Resources (WDNR)
2. WDNR response to CMAR
3. Summary of construction and non-construction inflow/infiltration reduction projects
4. Local ordinance changes related to inflow/infiltration
5. Capacity, Management, Operation, and Maintenance (CMOM) updates or changes

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna that the report prepared by the City of Kaukauna Engineering Department has been accepted and shall be forwarded to the HOVMSD as per HOVMSD requirements.

Introduced and adopted this 20th day of October 2026.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessmann, Clerk



MEMO

PLANNING AND COMMUNITY DEVELOPMENT

To: Legislative Committee
From: Adrienne Nelson, Associate Planner
Date: October 15, 2026
Re: NEW Prosperity Center Covenants – Amendment Request

An amendment request was submitted by Straightline Refrigeration to amend the [NEW Prosperity Center Protective Covenants](#). Per the amendment process laid out in section eleven of the covenants, City staff mailed out the attached documents to all property owners within the NEW Prosperity Center, as defined in section ten of the covenants, to gather votes in the form of a recordable document. For the amendments to pass, the majority of property owners must sign off in favor of the changes, and the amendments must receive a three-fourth's favorable vote by the Common Council.

A total of 20 votes were needed in favor of the amendment to constitute a majority of the property owners. At this time, 26 votes have been received in favor of the amendment request. No votes were received against the amendment request. The Industrial Park Commission recommended approval of the amendments as presented at their [October 14th, 2026 meeting](#).

Recommendation

Staff recommends approval of the resolutions as presented with the understanding that a formal vote will be taken at the Common Council level in compliance with covenant requirements.

September 9th, 2026

Business Name
Street Address
City, State ZIP



To Whom It May Concern:

Straightline Refrigeration, located in Kaukauna's NEW Prosperity Center, is requesting an amendment to the NEW Prosperity Center protective covenants. The protective covenants of the NEW Prosperity Center require a front yard setback of fifty feet. Straightline Refrigeration has requested an amendment to the Protective Covenants that would authorize the Commission to approve front yard setbacks of less than fifty (50) feet, provided that no front yard setback may be less than twenty (20) feet. The protective covenants require a majority of NEW Prosperity Center property owners, as defined in paragraph 10 of the protective covenants, together with approval by a three-fourths vote of the Common Council, to authorize a covenant amendment.

City staff are asking all property owners in the NEW Prosperity Center to review the proposed amendments to the protective covenants and submit their response for or against each proposed amendment. The proposed amendment is as follows:

"2. Setbacks and Bulk Regulations.

A. Front Yard. Any part or portion of any building shall be set back at least fifty (50) feet from the lot line adjoining any street. **The Commission may approve a reduced front yard setback. In no event shall the front yard setback be less than twenty (20) feet."**

Enclosed is a copy of the protective covenants, the submittal form, and a postage paid envelope for your response to the suggested amendment. Copies will be sent to both the mailing address and physical address of your business. Responses may be scanned and emailed over as well. Please return the questionnaire with your notarized response, company name, and signature to the City of Kaukauna's Planning and Community Development Department **by noon on October 1st, 2026**. If you do not have a notary on staff, please reach out to the City using the contact information listed below, and a meeting can be set up to notarize the documents.

Thank you for your time and attention to this matter. If you have any questions or would like additional information, please feel free to contact this office at 920.766.6315 ext. 1165 or planning@kaukauna.gov.

Respectfully,

Adrienne Nelson
 Associate Planner

**CONSENT AND VOTE OF PROPERTY OWNER
FOR AMENDMENT TO PROTECTIVE COVENANTS
FOR NEW PROSPERITY CENTER**

Property Name(s): _____

d/b/a: _____

Property Address: _____

Legal Description (or Lot/Parcel Number): _____

WHEREAS, the undersigned is the owner of the above-described property subject to the Protective Covenants for NEW Prosperity Center recorded in Outagamie County, Wisconsin (the “Protective Covenants”); and

WHEREAS, the Protective Covenants provide that they may be amended upon approval of the required percentage of property owners; and

WHEREAS, pursuant to the Protective Covenants for NEW Prosperity Center, each property is allocated a voting interest based upon the number of acres comprising such property, and the above-described property is entitled to **blank (blank) vote(s)**;

WHEREAS, the terms of the proposed Amendment to the Protective Covenants for NEW Prosperity Center (the “Amendment”) are set forth herein below.

PROPOSED AMENDMENT TO PROTECTIVE COVENANTS

2. Setbacks and Bulk Regulations.

- A. Front Yard. Any part or portion of any building shall be set back at least fifty (50) feet from the lot line adjoining any street. **The Commission may approve a reduced front yard setback. In no event shall the front yard setback be less than twenty (20) feet.**

CONSENT AND VOTE OF PROPERTY OWNER
FOR AMENDMENT TO PROTECTIVE COVENANTS
FOR NEW PROSPERITY CENTER

NOW, THEREFORE, the undersigned hereby casts the vote indicated below with respect to the proposed Amendment.

☐ FOR APPROVAL – The undersigned hereby votes in favor of and consents to the adoption of the Amendment to the Protective Covenants.

☐ AGAINST APPROVAL – The undersigned votes against the proposed Amendment.

(Check one)

The undersigned certifies that they are authorized to execute this Consent on behalf of the property owner. The undersigned authorizes this Consent to be used to determine whether the required approval threshold for adoption of the Amendment has been met, and to be included with the official records of the Amendment.

Dated this _____ day of _____, 2026.

Property Name(s): _____

d/b/a: _____

By: _____

Printed Name: _____

Title: _____

NOTARY ACKNOWLEDGMENT

State of Wisconsin
Outagamie County

Personally came before me this _____ day of _____, 2026, the above-named _____ to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin: _____

My Commission (expires/is permanent): _____

(Seal)

CONSENT AND VOTE OF PROPERTY OWNER
FOR AMENDMENT TO PROTECTIVE COVENANTS
FOR NEW PROSPERITY CENTER

RESOLUTION 2026-5529

RESOLUTION APPROVING AMENDMENT TO PROTECTIVE COVENANTS FOR NEW PROSPERITY CENTER

WHEREAS, lands within the NEW Prosperity Center are subject to Protective Covenants dated October 24th, 2006, which are recorded as Document No. 1742383 with the Register of Deeds of Outagamie County, Wisconsin; and,

WHEREAS, said Protective Covenants may be amended only upon the recording of an instrument to said effect duly signed by a majority of the then owners of the lots in said subdivision with the approval thereof by the Common Council as evidenced by a resolution duly adopted by at least a three-fourth's favorable vote of all members of the Common Council; and,

WHEREAS, in determining a majority of property owners one vote shall be counted for each owner owning three acres of land or less, and one additional vote for each full three acres, with a maximum of ten (10) votes for any one property owner, counting the unsold lands retained by the City of Kaukauna; and,

WHEREAS, the City of Kaukauna received duly executed and notarized consents from property owners entitled to vote under Paragraphs 10 and 11 of the Protective Covenants, and the votes cast in favor of the proposed amendment constitute the required majority for amendment of the Protective Covenants; and

WHEREAS, the Industrial Park Commission, at its meeting of October 14th, 2026, made recommendation to approve the amendment;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin that the following amendment be added to the NEW Prosperity Center Protective Covenants:

"2. Setbacks and Bulk Regulations

A. Front Yard. Any part or portion of any building shall be set back at least fifty (50) feet from the lot line adjoining any street. **The Commission may approve a reduced front yard setback. In no event shall the front yard setback be less than twenty (20) feet.**

BE IT FURTHER RESOLVED, that the appropriate City officials are authorized to execute and record any documents necessary to effectuate this amendment.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 20th day of October, 2026.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTEST: _____
Kayla Nessmann, City Clerk