

# \* AMENDED COMMON COUNCIL

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



Tuesday, May 07, 2024 at 7:00 PM

## AGENDA

### In-Person and Remote Teleconference via ZOOM

1. Roll call, one minute of silent prayer, Pledge of Allegiance to the American Flag.
2. Reading and approval of minutes.
  - [a.](#) Common Council Meeting Minutes of April 16, 2024.
  - [b.](#) Common Council - New Council Seated Meeting Minutes of April 16, 2024.
3. Presentation of letters, petitions, remonstrances, memorials, and accounts.
  - [a.](#) Bills Payable.
4. Public appearances.
5. Business presented by Mayor.
  - [a.](#) Public Hearing to consider the rezoning of parcel 322032000 from Industrial (IND) to Residential Two Family (RTF).
  - [b.](#) Public Hearing to consider the rezoning of parcel 322031801 from Industrial (IND) to Residential Two Family (RTF).
  - [c.](#) Reappointment of Will Van Rossum to the Fox Cities Room Tax Commission.
  - [d.](#) Proclamation Professional Municipal Clerk's Week - May 5-11, 2024.
  - [e.](#) Proclamation Police Week - May 12-18, 2024.
  - [f.](#) Temporary allowance of goats to be used at 1000 Islands Conservancy Zone to control invasive species. (June 10-24, 2024)
  - [g.](#) Special Exception Request - 154 Plank Road.
  - [h.](#) Special Exception Request - 194 Plank Road.
6. Reports of standing and special committees.
  - [a.](#) Committee of the Whole Meeting Minutes of May 6, 2024.
  - [b.](#) Board of Public Works Meeting Minutes of May 6, 2024.
  - [c.](#) Finance and Personnel Committee Meeting Minutes of May 6, 2024.
  - [d.](#) Health and Recreation Committee Meeting Minutes of May 6, 2024.
  - [e.](#) Legislative Committee Meeting Minutes of May 6, 2024.
  - [f.](#) Public Protection and Safety Committee Meeting Minutes of May 6, 2024.
  - [g.](#) Board of Appeals Meeting Minutes of April 24, 2024.
  - [h.](#) Library Board Meeting Minutes of March 26, 2024.
  - [i.](#) 1000 Islands Environmental Center Committee Meeting Minutes of March 21, 2024.
  - [j.](#) Operator (Bartender) Licenses.
7. Reports of City officers.

8. Presentation of ordinances and resolutions.
  - [a.](#) Resolution 2024-5428 World Migratory Bird Day.
  - [b.](#) Resolution 2024-5429 Resolution Authorizing the Issuance and Sale of Up to \$1,957,280 Waterworks System Revenue Bonds, Series 2024, and providing for other details and Covenants with Respect thereto.
  - [c.](#) Resolution 2024-5430 Resolution Redistricting Ward Splits by Legislative Lines and Creating Seventeen Wards.
  - [d.](#) Ordinance 1905-2024 Amending Section 3.14(7) Operating Permit.
  - [e.](#) Ordinance 1907-2024 an Ordinance Rezoning 1208 Blackwell St, Parcel 322032000 From Industrial (IND) to Residential Two-family (RTF).
  - [f.](#) Ordinance 1908-2024 an Ordinance Rezoning Parcel 322031801 From Industrial (IND) to Residential Two-family (RTF).
9. Closed session.
  - a. 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. - Kaukauna Utilities.
  - b. Return to Open Session for possible action.
  - c. 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 or bargaining reasons require a closed session – Dreamville.
  - d. Return to Open Session for possible action.
  - e. 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 or bargaining reasons require a closed session – Inside the Park Place.
  - f. Return to Open Session for possible action.
  - g. 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 or bargaining reasons require a closed session – 1101 Evergreen Dr.
  - h. Return to Open Session for possible action.
  - i. 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 or bargaining reasons require a closed session – Commerce Crossing.
  - j. Return to Open Session for possible action.
  - k. \* 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 - Electric City Experience.
  - l. Return to Open Session for possible action.
10. Adjourn.

## NOTICES

**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.\*





## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – APRIL 16, 2024

Pursuant to adjournment on April 3, 2024 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, April 16, 2024.

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

Absent & Excused: Antoine

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planning and Community Dev. Dir. Kittel, Street Sup. Van Gompel, Fire Chief Carrel, Fin. Dir. Van Rossum, Police Chief Graff, Lib. Dir. Thiem-Menning (via Zoom), Com. Cord. Fencel (via Zoom), and interested citizens.

Motion by Coenen, seconded by Moore to 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 Schell to suspend the rules and waive the reading of the minutes of the Common Council meeting of April 3, 2024.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt the minutes of the Common Council meeting of April 3, 2024.

All Ald. present voted aye.

Motion carried.

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

#### Bills Payable

Motion by Moore, seconded by Coenen 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

Mayor Penterman congratulated Alder Antoine on her new granddaughter who was born today.

Mayor Penterman informed the Council of the Grand Opening for Patty and Pablo's, 143 E. 2<sup>nd</sup> Street which will take place this Saturday, April 20.

**Congratulations to Assistant Chief Brad Sanderfoot on 25 years - Kaukauna Police Department.**

Mayor Penterman congratulated Assistant Chief Sanderfoot on 25 years of service with the City of Kaukauna Police Department and presented him with a gift.

**Appointment of Tim Hufschmid to the Police and Fire Commission (5-year term).**

Motion by Moore, seconded by Eggleston to appoint Tim Hufschmid to the Police and Fire Commission (5-year term).

All Ald. Present voted aye.

Motion carried.

**Reappointment of Ken Schoenike to the City Plan Commission (3-year term).**

Motion by Thiele, seconded by Coenen to reappoint Ken Schoenike to the City Plan Commission (3-year term).

All Ald. present voted aye.

Motion carried.

**Proclamation for Arbor Day - April 26, 2024.**

Mayor Penterman read the Proclamation for Arbor Day – April 26, 2024.

Motion by Moore, seconded by Schell to receive and place on file the Proclamation for Arbor Day – April 26, 2024.

All Ald. present voted aye.

Motion carried.

**Tree City USA - 31 Years.**

Mayor Penterman stated the City has won recognition of a Tree City for the 31<sup>st</sup> year in a row. The criteria needed to receive this recognition is to have a Tree Board, a list of our tree inventory, and budget \$2 per resident towards this program. The City will be having a tree planting ceremony.

**Severe Weather Radios.**

In 2019 Outagamie County ordered municipalities take over the outdoor warning sirens. The City of Kaukauna has five outdoor warning sirens and were given fifteen severe weather radios per outdoor warning siren. These radios are available to elder and/or low-income residents without cell phones. Requests for a radio can be made to the mayor's office.

**REPORTS OF STANDING AND SPECIAL COMMITTEES**

**Board of Public Works Meeting Minutes of April 15, 2024.**

**BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, April 15, 2024 at 6:00 P.M.

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

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir, Van Rossum, HR Dir. Swaney (Via ZOOM), Fire Chief Carrel (via ZOOM), Street Sup. VanGompel, Com. Enrich. & Rec. Dir. Vosters, Com. Enrich Prog. Mgr. Mickelson, Lib. Dir. Thiem-Menning, and interested citizens.

Absent & Excused: Antoine.

Motion by Coenen, seconded by Moore to excuse the absent member.

All Ald. present voted aye.  
Motion carried.

**1. Correspondence – none.**

**2. Discussion Topics.**

**a. Capital Project Improvement Plan Review/Approval.**

The latest Capital Improvement Plan (CIP) for the City of Kaukauna was provided. Staff has met to review the projects within the plan and adjusted to the latest status of each project. Items from the Equipment Fund, Utility Funds, Street and Sidewalk Fund, and Building and Miscellaneous Funds were discussed. Discussion was held and questions answered.

Motion by DeCoster, seconded by Kilgas to have staff review the 2024-28 CIP list and give approval to move ahead with the projects listed in 2024 year of the plan and direct the Finance Director to come back at a future meeting for approval of the 2024 bonding needs. Motion carried.

**b. Authorization Resolution Inflation Reduction Act.**

The Urban Forestry Inflation Reduction Act (UF IRA) Grant program uses federal funds to support projects that positively impact trees and people within disadvantaged communities in Wisconsin. Grants range from \$1,000 to \$500,000 and require no match. Projects must take place in or benefit people living in disadvantaged communities. Opportunities for the City include Grignon Park, Strassburg Park, LaFollette Park, and 2024 Paving Project. Grant projects may cover a duration up to 3 years from the project start date. Federal grant dollars are subject to the Code of Federal Regulation (CFR). Discussion held and questions answered.

Motion by Eggleston, seconded by Schell to recommend approval of the Authorizing Resolution to Common Council and direct the Director of Public Works / City Engineer to apply for a 2024 Inflation Reduction Act Urban Forestry Grant.

All Ald. present voted aye.

Motion carried.

**c. 2024 Slow Mow Summer.**

In 2023, the City stopped promoting “No-Mow May” and began to promote different ways to help pollinators with a more holistic approach called “Slow-Mow Summer”. Ways to participate include decreasing the amount of times grass is cut, planting flowers and native plants; especially plants that flower early in the season, increasing mower height to highest setting, and reducing pesticide use. These actions not only help pollinators like bees and butterflies, but they are also important stormwater management practices. Slow-Mow Summer actions help create lawns that require less chemicals, promote more infiltration, require less watering, and help keep pollutants out of our rivers and lakes. We are again recommending the City encourages residents to participate in Slow-Mow Summer, promoting pollinator friendly actions that anyone can take part in to create pollinator friendly yards.

Motion by Coenen, seconded by Kilgas to direct staff to continue promoting the “Slow-Mow Summer” program and participate in City parks and open spaces.

All Ald. present voted aye.

Motion carried.

d. **Public Works Update.**

DPW/Eng. Neumeier stated the Fox-Wolf Watershed Alliance Cleanup is occurring on May 4. Kaukauna will have three sites: 1000 Islands, Konkapot Trail, and Grignon Park. There will also be a new 8K event on May 3 & 4. The Kaukauna Utilities will be hosting an Electronic Recycling Event on April 20 from 8 to 11 am at Kaukauna Utilities.

Street Superintendent Van Gompel stated crews collected 11.3 tons of tires during tire collection week. Today is the first day of large and irregular collection with the 5-item limit. Street Department Operators Josh Karl and Kyle Rich went to Park Community Charter School to show students large equipment. This went very well. Groundbreaking at LaFollette Park for the playground took place today. The Arbor Day planting is scheduled for April 26. Riverview Fifth Grade students will be taking part in the tree planting. Moore thanked staff for the Facebook post on the 5-item large irregular pickup limit. Questions were answered.

**3. Adjourn.**

Motion made by Moore, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:35 pm.

Sally Kenney  
Clerk

Motion by Thiele, seconded by Kilgas to adopt the Board of Public Works Meeting Minutes of April 15, 2024, as presented.

All Ald. present voted aye.

Motion carried.

**Finance and Personnel Committee Meeting Minutes of April 15, 2024.**

**FINANCE AND PERSONNEL COMMITTEE**

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, April 15, 2024 at 6:37 p.m.

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

Absent & Excused: Antoine.

Also present: Ald. Kilgas, Ald. DeCoster, Ald. Schell, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel (via Zoom), HR Dir. Swaney (via Zoom), Fin. Dir. Van Rossum, Com. Enrich. Service Dir. Vosters, Street Sup. Van Gompel, Com. Enrich. Prog. Mgr. Mickelson, Lib. Dir. Thiem-Menning, and interested citizens.

Motion by Coenen, seconded by Moore to excuse the absent member.

All Ald. present voted aye.

Motion carried.

**1. Correspondence - None.**

## 2. Discussion Topics.

### a. Compensation Plan Approval.

On March 18, 2024, and April 3, 2024, the proposed compensation plan was presented and discussed. This compensation system uses the data from our 2022 compensation and classification study as a framework and combines elements of performance to enhance the compensation program.

Motion by Thiele, seconded by Coenen to approve the 2025 compensation guide as presented.  
All members present voted aye.  
Motion carried.

Motion by Coenen, seconded by Moore to approve the 2025 non-represented pay scale as presented.  
All members present voted aye.  
Motion carried.

### b. Permission to fill Police Officer and Court Clerk positions.

Sergeant Mike Frank has turned in notice of his retirement. His last day will be June 14, 2024. Sergeant Frank has been with the Kaukauna Police Department for 26 years. Municipal Court Clerk Jean Semenuk has turned in notification of her resignation effective no later than June 26, 2024. Jean has been with the City for 1 year.

Motion by Eggleston, seconded by Moore to authorize staff to fill a Patrol Officer position due to the retirement of Sergeant Frank.  
All members present voted aye.  
Motion carried.

Motion by Thiele, seconded by Coenen to authorize staff to fill a Municipal Court Clerk position due to the resignation of Jean Semenuk.  
All members present voted aye.  
Motion carried.

## 3. Adjourn.

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

Meeting adjourned at 6:41 p.m.

Sally Kenney, Clerk

Motion by Eggleston, seconded by Moore to adopt the Finance and Personnel Meeting Minutes of April 15, 2024, as presented.  
All Ald. present voted aye.  
Motion carried.

**Health and Recreation Committee Meeting Minutes of April 15, 2024.**  
**HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, April 15, 2024 at 6:41 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman, Ald. Eggleston, Ald. Moore, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, Com. Enrich & Rec. Dir. Vosters, Community Enrichment Program Manager Mickelson, Street Sup. Van Gompel, Lib. Dir. Thiem-Menning, Fire Chief Carrel (via Zoom), HR Dir. Swaney (via Zoom), and interested citizens.

**1. Correspondence – None.**

**2. Discussion Topics.**

**a. Request from Cassidy Mickelson for the use of Grignon Mansion Grounds and Lower Grignon Park and amplified sound on May 4, 2024 from 9 am to 3 pm for the 2nd Wisconsin Civil War Reenactors practice drills.**

Motion by Coenen, seconded by Schell to approve the request from Cassidy Mickelson for the use of Grignon Mansion Grounds and Lower Grignon Park and amplified sound on May 4, 2024 from 9 am to 3 pm for the 2nd Wisconsin Civil War Reenactors practice drills.

All members voted aye.

Motion carried.

**b. Special Events Application and amplified sound to Chris Wachel, Riverside Rally on Saturday, May 11, 2024 from 8:00 am to 1 PM for Riverside Rally Car Show.**

Motion by Schell, seconded by DeCoster to approve the Special Events Application and amplified sound to Chris Wachel, Riverside Rally on Saturday, May 11, 2024 from 8:00 am to 1 PM for Riverside Rally Car Show.

All members voted aye.

Motion carried.

**c. Special Events Application and amplified sound to Officer Adam VanderHyden, Kaukauna Area School District on Friday, May 17, 2024 (Rain Date May 20, 2024) from 9:00 am to 12 PM for Breaking Boundaries Triathlon.**

Motion by Coenen, seconded by DeCoster to approve the Special Events Application and amplified sound to Officer Adam VanderHyden, Kaukauna Area School District on Friday, May 17, 2024 (Rain Date May 20, 2024) from 9:00 am to 12 PM for Breaking Boundaries Triathlon.

All members voted aye.

Motion carried.

**d. Request for amplified music to Merri Bowser on June 28, 2024 from 6 - 8:30 PM at Riverside Park.**

Motion by Schell, seconded by Coenen to approve the request for amplified music to Merri Bowser on June 28, 2024 from 6 - 8:30 PM at Riverside Park.

All members voted aye.

Motion carried.

**e. Special Events Application and amplified sound to Melanie Draheim, Fox Communities Credit Union on Saturday, August 3, 2024 from 7:30 am to 1 PM for Bike to the Beat.**

Motion by DeCoster, seconded by Schell to approve the Special Events Application and amplified sound to Melanie Draheim, Fox Communities Credit Union on Saturday, August 3, 2024 from 7:30 am to 1 PM for Bike to the Beat.

All members voted aye.

Motion carried.

- f. Special Events Application to Kristy Stumpf, Uptown Girl Beauty & Boutique on Saturday, September 21, 2024 from 6 AM to 6 PM in the city lot behind Uptown Girl for the Boutique Fall Festival.**

Community Enrichment and Recreation Director Vosters expressed concerns from both her department and the Public Works Department regarding this event. Another large event is scheduled on the same day and parking will likely be an issue. Vosters stated it was not feasible to have 2 events at the same time. Discussion was held and questions answered. The Special Event Application to Kristy Stumpf, Uptown Girl Beauty & Boutique on Saturday, September 21, 2024 from 6 AM to 6 PM in the city lot behind Uptown Girl for the Boutique Fall Festival was postponed until the next Health & Recreation Committee Meeting.
- g. Request for the use of Grignon Mansion Grounds and Lower Grignon Park, temporary allowance of horses, and overnight camping August 23-26, 2024 for the Civil War Living History Demonstration.**

Motion by Coenen, seconded by Schell to approve the request for the use of Grignon Mansion Grounds and Lower Grignon Park, temporary allowance of horses, and overnight camping August 23-26, 2024 for the Civil War Living History Demonstration contingent upon receiving background checks and proof of insurance.

All members voted aye.

Motion carried.
- h. Request for amplified noise August 24-25 for the Civil War Living History Demonstration.**

Motion by Coenen, seconded by DeCoster to approve the request for amplified noise August 24-25 for the Civil War Living History Demonstration.

All members voted aye.

Motion carried.
- i. Request for the use of Grignon Mansion Grounds and Lower Grignon Park, temporary allowance of horses August 11, 2024 for the Grignon Mansion Car Show.**

Motion by Coenen, seconded by Kilgas to approve the request for the use of Grignon Mansion Grounds and Lower Grignon Park, temporary allowance of horses August 11, 2024 for the Grignon Mansion Car Show.

All members voted aye.

Motion carried.
- j. Request for amplified music August 11, 2024 for the Grignon Mansion Car Show.**

Motion by Schell, seconded by DeCoster to approve the request for amplified music August 11, 2024 for the Grignon Mansion Car Show.

All members voted aye.

Motion carried.
- k. Request for amplified music May 18, 2024 for the Native American Dance Performance.**

Motion by Decoster seconded by Coenen to approve the request for amplified music May 18, 2024 for the Native American Dance Performance.

All members voted aye.



Motion carried.

**l. Request for amplified music June 12, 2024 for the Little Chute Community Band Concert.**

Motion by Schell, seconded by Coenen to approve the request for amplified music June 12, 2024 for the Little Chute Community Band Concert.

All members voted aye.

Motion carried.

**m. Request from St. Ignatius Catholic School for the allowance of a bounce house at Riverside Park on Wednesday, May 29, 2024 from 1-3 pm for Field Day Event.**

Motion by Coenen, seconded by Schell to approve the request from St. Ignatius Catholic School for the allowance of a bounce house at Riverside Park on Wednesday, May 29, 2024 from 1-3 pm for Field Day Event.

All members voted aye.

Motion carried.

**n. Special Event Application to Jason Lipsky, Electric City Experience at Hydro Park, Farm Market Lot, and adjacent areas on June 6, 7, and 8, 2024.**

Motion by DeCoster, seconded by Schell to approve the Special Event Application to Jason Lipsky, Electric City Experience at Hydro Park, Farm Market Lot, and adjacent areas on June 6, 7, and 8, 2024.

All members voted aye.

Motion carried.

**3. Adjourn.**

Motion made by DeCoster, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

The meeting adjourned at 7:08 P.M.

**Sally Kenney, Clerk**

Motion by Kilgas, seconded by Schell to adopt the Health and Recreation Committee Meeting Minutes of April 15, 2024.

All Ald. present voted aye.

Motion carried.

**Legislative Committee Meeting Minutes of April 15, 2024.**

**LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Coenen on Monday, April 15, 2024 at 7:10 P.M.

Members present: Coenen, Eggleston, Moore, and Schell.

Also present: Mayor Penterman, Ald. DeCoster, Ald. Kilgas, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, Fire Chief Carrel, Street Sup. Van Gompel, Lib. Dir. Thiem-Menning, Mickelson, Vosters, HR Dir. Swaney and interested citizens.

**1. Correspondence - None.**



## 2. Discussion Topics.

### a. Ordinance Repealing and Recreating Section 7.04 One-Way Traffic – Thilmany Road and E 10th Street.

The Engineering Department is recommending creating a one-way street for vehicles to exit from the alley or Spring Street westerly only onto 10th Street at this location. The improvements will create a safer driving lane, as well as allowing for a sidewalk installation to connect to the park. If the new traffic pattern is approved, a three-way stop at Metoxen and Tenth intersection will be recommended.

Motion by Eggleston, seconded by Schell to allow affected property owner to speak.

All members voted aye.

Motion carried.

Sarah Ochowicz, 920 Metoxen Avenue spoke with concerns about the one-way street. She read a letter from property owner, Keith Stern, regarding the change of road to a one-way and the placing of a sidewalk.

Motion by Moore, seconded by Schell to recommend approval to the Common Council the Ordinance 1906-2024 – Ordinance Repealing and Recreating Section 7.04 One-Way Traffic.

All members voted aye.

Motion carried.

## 3. Adjourn.

Motion by Moore, seconded by Eggleston to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:23 p.m.

Sally Kenney, Clerk

Motion by Coenen, seconded by Eggleston to adopt the Legislative Committee Meeting Minutes of April 15, 2024.

All Ald. present voted aye.

Motion carried.

### Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of March 12, 2024.

Motion by Moore, seconded by Kilgas to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of March 12, 2024.

All Ald. present voted aye.

Motion carried.

### Operator (Bartender) Licenses.

The following applicant has applied for an operator's license for the license year **2022-2024** and has been recommended for approval based on their record check by the police department:

Brehmer      Reyce      D.      1020 Oviatt St. Apt. 5      Kaukauna

Motion by Kilgas, seconded by Schell to approve the Operator (Bartender) License.

All Ald. present voted aye.  
Motion carried.

## REPORTS OF CITY OFFICERS

### Fire Report

Motion by Moore, seconded by Coenen to receive and place on file the March 2024 Fire Report.  
All Ald. present voted aye.  
Motion carried.

### Ambulance Report

Motion by Moore, seconded by Eggleston to receive and place on file the March 2024 Ambulance Report.  
All Ald. present voted aye.  
Motion carried.

### Police Report

Motion by Moore, seconded by Schell to receive and place on file the March 2024 Police Report.  
All Ald. present voted aye.  
Motion carried.

### Municipal Court Report

Motion by Moore, seconded by Kilgas to receive and place on file the March 2024 Municipal Court Report.  
All Ald. present voted aye.  
Motion carried.

### Clerk-Treasurer's Deposit Report

Motion by Moore, seconded by Coenen to receive and place on file the March 2024 Clerk-Treasurer's Deposit Report.  
All Ald. present voted aye.  
Motion carried.

### Building Inspection Report.

Motion by Moore, seconded by Schell to receive and place on file the March 2024 Building Inspection Report.  
All Ald. present voted aye.  
Motion carried.

### 2023 Fire Department Annual Report

Fire Chief provided an overview of the report information and answered questions from the Council.

Motion by Coenen, seconded by Moore to receive and place on file the Fire Department 2023 Annual Report.  
All Ald. present voted aye.  
Motion carried.

### 2023 Police Department Annual Report

Police Chief Graff acknowledged Administrative Assistant Inge Murphy and officers for the work they put into the annual report. Graff provided an overview of the report information and answered questions from the Council.

Motion by Moore, seconded by Schell to receive and place on file the Police Department 2023 Annual Report.  
All Ald. present voted aye.  
Motion carried.

## **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

### **Resolution 2024-5425 Resolution Approving CSM for Karen Mader.**

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5425.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Kilgas to adopt Resolution 2024-5425 as presented.

All Ald. present voted aye.

Motion carried.

### **Resolution 2024-5426 Resolution Approving a 2 Lot Certified Survey Map for Dercks DeWitt LLC.**

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5426.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2024-5426.

All Ald. present voted aye.

Motion carried.

### **Resolution 2024-5427 Authorizing Resolution for 2024 Inflation Reduction Act Urban Forestry Grant.**

Motion by Moore, seconded by Coenen to suspend the rules and waive the reading of Resolution 2024-5427.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Eggleston to adopt Resolution 2024-5427.

All Ald. present voted aye.

Motion carried.

### **Ordinance 1905-2024 Amending Section 3.14(7) Operating Permit.**

This Ordinance was pulled.

### **Ordinance 1906-2024 Ordinance Repealing and Recreating Section 7.04 One-Way Traffic – Thilmany Road and E 10th Street.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Ordinance 1906-2024.

All Ald. present voted aye.

Motion carried.

Motion by Moore, seconded by Coenen to adopt Ordinance 1906-2024.

All Ald. present voted aye.  
Motion carried.

### **CONSIDERATION OF MISCELLANEOUS BUSINESS**

#### **Swearing in of newly elected officials.**

Clerk Kenney swore in the newly elected officials.

### **ADJOURN SINE DIE**

Motion by Moore, seconded by Coenen to adjourn sine die.  
All Ald. present voted aye.  
Motion carried.

Meeting adjourned at 8:12 p.m.

Sally Kenney, Clerk



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – APRIL 16, 2024

Pursuant to Section 62.11 (2) of the Wisconsin Statutes, the meeting of the Common Council of the City of Kaukauna called to order by Mayor Penterman at 8:12 P.M. on Tuesday, April 16, 2024.

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

Absent & Excused: Antoine.

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planning and Community Dev. Dir. Kittel, Street Sup. Van Gompel, Fire Chief Carrel, Fin. Dir. Van Rossum, Police Chief Graff, Lib. Dir. Thiem-Menning (via Zoom), Com. Cord. Fencel (via Zoom) and interested citizens.

Motion by Coenen, seconded by Moore to 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 present.

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

None.

### PUBLIC APPEARANCES

None.

### BUSINESS PRESENTED BY THE MAYOR

#### **Retirement of Kevin Davidson 12 years - City Attorney.**

Mayor presented Kevin Davidson with a gift and thanked him for his 12 years of service as the City Attorney.

#### **Retirement of John Verkuilen 30 years - Police and Fire Commission.**

Mayor presented John Verkuilen with a gift and thanked him for his 30 years of service on the Police and Fire Commission.

#### **Election of Council President.**

Mayor Penterman opened up nominations for Council President.

Motion by Coenen moved to nominate Ald. John Moore as President of the Council.

No other nominations were made.

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

Motion carried.

### **Appointments to standing and special committees.**

The Mayor provided Council members with his recommended appointments for 2024-2025. Council members were asked to review the appointments and discuss any changes they may want with the Mayor before the next Committee meetings.

## **REPORTS OF STANDING AND SPECIAL COMMITTEES**

None.

## **REPORTS OF CITY OFFICERS**

None.

## **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

None.

## **CLOSED SESSION**

**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 or bargaining reasons require a closed session - Dreamville.**

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

All Ald. present voted aye.

Motion carried.

Adjourned to closed session at 8:27 p.m.

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

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

All Ald. present voted aye.

Motion carried.

Returned to Open Session at 9:12 p.m.

## **ADJOURN**

Motion by Moore, seconded by Schell to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 9:12 p.m.

Sally Kenney  
Clerk

## City - Bills Payable

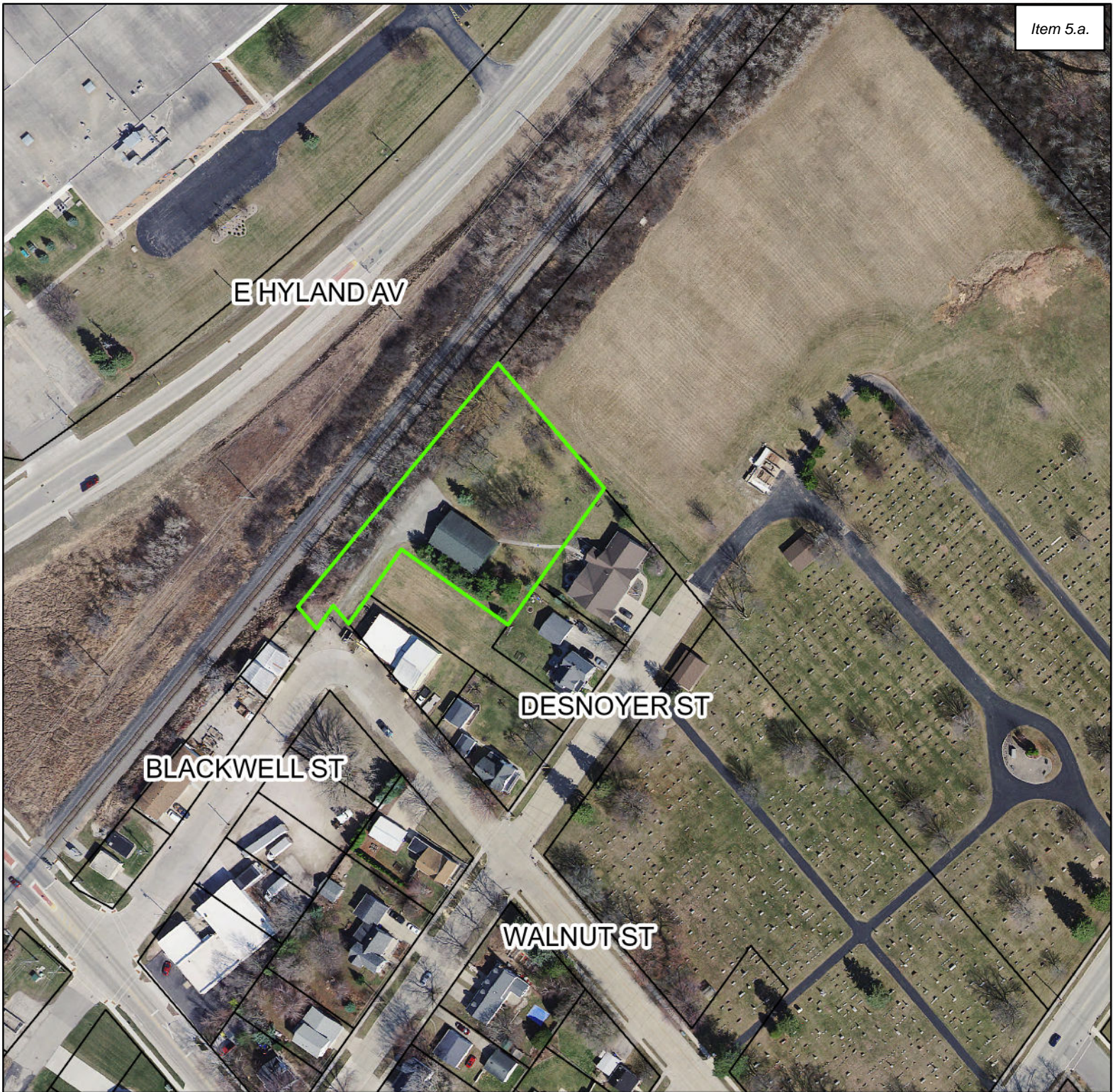
Check #	Date	Class	Addressee	Absolute Value of Amount
00000173/1	4/8/2024	Environmental Remediate TID - 450	Kaukauna Utilities	16.59
00000174/1	4/8/2024	Sanitary Sewer Utility - 602	Kaukauna Utilities	1,406.28
121686	4/5/2024	Public Protect & Safety Grant - 212	Rogue Fitness	1,641.14
121660	4/5/2024	Public Protect & Safety Grant - 212	Daniel Rabideau	292.50
00000175/1	4/8/2024	General Fund - 101	Kaukauna Utilities	24,832.87
121659	4/5/2024	American Rescue Plan Act Funds - 223	City Of Appleton	14,181.33
121650	4/5/2024	General Fund - 101	Amplitel Technologies LLC	12,273.20
121652	4/5/2024	General Fund - 101	Baycom Inc.	6,564.00
121653	4/5/2024	General Fund - 101	Bound Tree Medical, LLC.	121.16
121655	4/5/2024	General Fund - 101	Carstens Ace Hardware	155.57
121657	4/5/2024	General Fund - 101	Charlie Vosters	38.83
121663	4/5/2024	General Fund - 101	Digisage	250.00
121664	4/5/2024	General Fund - 101	Diversified Benefit Services, Inc.	709.33
121666	4/5/2024	General Fund - 101	Fox Specialty Company LLC	202.89
121668	4/5/2024	General Fund - 101	Frank's Radio	167.53
121669	4/5/2024	General Fund - 101	Ingram	1,665.90
121671	4/5/2024	General Fund - 101	James Imaging Systems, Inc.	128.57
121673	4/5/2024	General Fund - 101	K. R. West Company Inc	166.60
121675	4/5/2024	General Fund - 101	Klink Hydraulics, LLC	116.15
121677	4/5/2024	General Fund - 101	Marco	64.46
121679	4/5/2024	General Fund - 101	Megan Brouch	50.00
121680	4/5/2024	General Fund - 101	Morton Salt	21,018.76
121681	4/5/2024	General Fund - 101	Northcentral Utility of Wisconsin, LLC	449.49
121682	4/5/2024	General Fund - 101	Outagamie County Treasurer	1,471.31
121683	4/5/2024	General Fund - 101	Reinders Inc.	1,283.60
121687	4/5/2024	General Fund - 101	State of Wisconsin	5,626.12
121689	4/5/2024	General Fund - 101	Superior Chemical, LLC	260.46
121690	4/5/2024	General Fund - 101	Swinkles Trucking & Excavating Corp.	517.50
121691	4/5/2024	General Fund - 101	TECC Security Systems, Inc.	228.75
121692	4/5/2024	General Fund - 101	TransUnion Risk and Alternative Data Solutions Inc	75.00
121651	4/5/2024	General Fund - 101	Ascension WI Employer Solutions	71.00
121656	4/5/2024	General Fund - 101	CDW Government	1,999.88
121661	4/5/2024	General Fund - 101	DC Auto Repair, LLC	148.26
121667	4/5/2024	General Fund - 101	Fox Valley Humane Association	276.00
121684	4/5/2024	General Fund - 101	RG Inspections LLC	5,935.00
121670	4/5/2024	General Fund - 101	Jaime Brochtrup	210.00
121654	4/5/2024	General Fund - 101	Carol VanRossum	200.00
121649	4/5/2024	General Fund - 101	Amberlynn Wilz	25.00
121685	4/5/2024	Environmental Remediate TID - 450	Robert E Lee & Assoc. Inc	1,326.36
121676	4/5/2024	Storm Water Utility - 601	MacQueen Equip Group	2,574.41
121678	4/5/2024	Storm Water Utility - 601	McMahon Associates Inc	1,027.30
121662	4/5/2024	Park & Pool Capital - 422	Diamond Vogel Inc.	235.87
121665	4/5/2024	Park & Pool Capital - 422	Evergreen Power, LLC	236.87
121672	4/5/2024	Sanitary Sewer Utility - 602	K. R. West Company Inc	131.31
121674	4/5/2024	Sanitary Sewer Utility - 602	Klink Hydraulics, LLC	1,620.67
121688	4/5/2024	Sanitary Sewer Utility - 602	Superior Chemical, LLC	2,344.90
121693	4/5/2024	Sanitary Sewer Utility - 602	Truck Country Of Wisconsin	522.45

Check #	Date	Class	Addressee	Absolute Value of Amount
00000176/1	4/12/2024	General Fund - 101	Wisconsin Employee Trust Funds (ETF)	181,017.32
00000176/2	4/12/2024	General Fund - 101	MissionSquare Retirement	19,831.25
00000178/1	4/15/2024	General Fund - 101	Grand Kakalin LLC	20,676.00
00000178/2	4/15/2024	General Fund - 101	Diversified Benefit Services, Inc (DBS) (ACH)	9,285.90
00000178/3	4/15/2024	General Fund - 101	Fire Association Local 1594	637.80
00000178/4	4/15/2024	General Fund - 101	Police Association	696.00
00000178/5	4/15/2024	General Fund - 101	Pelion Benefits, Inc (SSA)	1,828.62
00000177/1	4/15/2024	Storm Water Utility - 601	Kaukauna Utilities	2,204.61
121701	4/12/2024	Storm Water Utility - 601	Automotive Supply Co	59.32
121710	4/12/2024	1000 Islands - 201	Community Foundation for Fox Valley Region	21,594.53
121739	4/12/2024	American Rescue Plan Act Funds - 223	Motorola Solutions, Inc.	15,599.46
121700	4/12/2024	Sanitary Sewer Utility - 602	Automotive Supply Co	147.46
121705	4/12/2024	Sanitary Sewer Utility - 602	Carstens Ace Hardware	40.40
121716	4/12/2024	Sanitary Sewer Utility - 602	Elmstar Electric Corp.	1,925.00
121720	4/12/2024	Sanitary Sewer Utility - 602	Heart of the Valley Metropolitan Sewerage District	149,518.11
121718	4/12/2024	Streets & Sidewalk Capital - 420	Finger Publishing, Inc.	88.18
121695	4/12/2024	General Fund - 101	Alberta Mess	165.00
121696	4/12/2024	General Fund - 101	Amy Stenz	120.00
121698	4/12/2024	General Fund - 101	Anthony Penterman	47.57
121699	4/12/2024	General Fund - 101	Automotive Supply Co	315.72
121702	4/12/2024	General Fund - 101	Bill Stenz	120.00
121703	4/12/2024	General Fund - 101	Carrie Prellwitz	270.00
121704	4/12/2024	General Fund - 101	Carstens Ace Hardware	373.88
121707	4/12/2024	General Fund - 101	Cheryl Smith	210.00
121711	4/12/2024	General Fund - 101	Dean Enterprises, LLC	137.50
121712	4/12/2024	General Fund - 101	Debbie Sonnleitner	105.00
121714	4/12/2024	General Fund - 101	Diamond Vogel Inc.	83.93
121715	4/12/2024	General Fund - 101	Donna Mauel	105.00
121717	4/12/2024	General Fund - 101	Eunice Plutz	150.00
121721	4/12/2024	General Fund - 101	Ingram	633.76
121722	4/12/2024	General Fund - 101	Janice Dunham	105.00
121723	4/12/2024	General Fund - 101	Jean Landreman	225.00
121724	4/12/2024	General Fund - 101	Jean Rebholz	210.00
121725	4/12/2024	General Fund - 101	Jim Carr	160.00
121726	4/12/2024	General Fund - 101	JX Enterprises, Inc.	5.68
121727	4/12/2024	General Fund - 101	Kaukauna High School	100.00
121729	4/12/2024	General Fund - 101	Kitty Verhagen	165.00
121730	4/12/2024	General Fund - 101	Linde Gas & Equipment Inc.	45.74
121731	4/12/2024	General Fund - 101	Make-A-Wish Foundation of Wisconsin	200.00
121732	4/12/2024	General Fund - 101	Marcia Weber	105.00
121733	4/12/2024	General Fund - 101	Marco	1,387.13
121735	4/12/2024	General Fund - 101	Mary Frank	105.00
121737	4/12/2024	General Fund - 101	MCC Inc.	76.31
121738	4/12/2024	General Fund - 101	McMahon Associates Inc	421.97
121740	4/12/2024	General Fund - 101	Nancy Zornow	105.00
121741	4/12/2024	General Fund - 101	Office Enterprises, Inc.	194.59
121742	4/12/2024	General Fund - 101	ORKIN Pest Control	54.71
121743	4/12/2024	General Fund - 101	Outagamie County Treasurer	19,488.11
121744	4/12/2024	General Fund - 101	Pam VanDera	130.00




Check #	Date	Class	Addressee	Absolute Value of Amount
121745	4/12/2024	General Fund - 101	Patricia Baerenwald	105.00
121747	4/12/2024	General Fund - 101	Richard Steffens	105.00
121748	4/12/2024	General Fund - 101	Robert Smith	210.00
121750	4/12/2024	General Fund - 101	Sally Kenney	79.34
121751	4/12/2024	General Fund - 101	Screening One, Inc.	65.70
121752	4/12/2024	General Fund - 101	Stoneridge Piggly Wiggly	328.51
121756	4/12/2024	General Fund - 101	Val Fischer	105.00
121758	4/12/2024	General Fund - 101	von Briesen & Roper S.C.	517.50
121759	4/12/2024	General Fund - 101	Walt's Petroleum Service	645.00
121760	4/12/2024	General Fund - 101	We Energies	3,856.35
121694	4/12/2024	General Fund - 101	Advanced Maintenance Solutions	3,965.25
121706	4/12/2024	General Fund - 101	CDW Government	4,176.22
121709	4/12/2024	General Fund - 101	Christine Gries	280.00
121755	4/12/2024	General Fund - 101	Teri Hietpas	280.00
121719	4/12/2024	General Fund - 101	Heart of the Valley Metropolitan - New Connections	16,665.00
121754	4/12/2024	General Fund - 101	T-Mobile	393.18
121746	4/12/2024	General Fund - 101	Penni Pautz	105.00
121761	4/12/2024	General Fund - 101	WI Department of Revenue - Agency Collections	843.00
121728	4/12/2024	General Fund - 101	Kevin Hietpas	88.59
121697	4/12/2024	General Fund - 101	Angela Barrington	25.00
121708	4/12/2024	General Fund - 101	Christina DiPiazza	135.00
121749	4/12/2024	General Fund - 101	Roger Holtz	240.00
121736	4/12/2024	General Fund - 101	Mary Kavanaugh	120.00
121753	4/12/2024	General Fund - 101	Sue Kiser	150.00
121734	4/12/2024	General Fund - 101	Mark Landreman	225.00
121757	4/12/2024	General Fund - 101	Virginia Schuller-Rach	115.00
121713	4/12/2024	General Fund - 101	Dena Wyngaard	200.00
121762	4/12/2024	General Fund - 101	Wis. Dept. of Natural Resources	900.84
<b>Total</b>				<b>601,057.21</b>



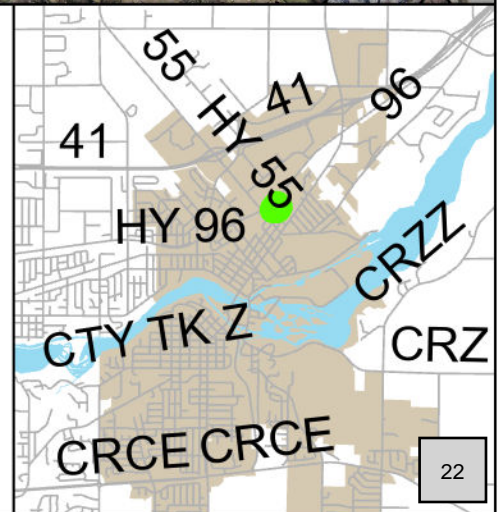


## Legend

 Parcel 322032000 - Blackwell Street



0 0.5 1 2 3 4 Miles







# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Common Council  
From: Dave Kittel, Director of Planning & Community Development  
Date: May 2, 2024  
Re: Rezoning Request – Parcels 322031801 & 322032000; Blackwell Street & Desnoyer Street

Scott and Cathy Hansen, residents of 1217 Desnoyer Street currently own 4 lots all adjacent to each other, between Blackwell Street and Desnoyer Street. Their primary residence is zoned Residential Two-Family (RTF), while their back yard and accessory building is zoned Industrial (IND). They would like to rezone the IND lot to RTF.

They own a rental house next door that is also zoned RTF and an additional vacant lot that is zoned IND. Again, they would like to rezone the IND lot to RTF.

The purpose of this rezone is to clean up the zoning of the properties they own, and to move forward with a Certified Survey Map to reconfigure some of the lot lines. They want to relocate the driveway and garage of the rental house, and make their primary residence one whole parcel. The surrounding/adjacent zoning is Residential Two Family.

Please see attachments for location reference and narrative from the applicant.

Plan Commission reviewed this rezoning request and recommended approval of the rezoning.

**Staff Recommendation:**

**Approve the Rezone of parcels 322031801 and 322032000 from Industrial (IND) to Residential Two-Family (RTF) and recommend the same to the Common Council.**

UPDATED 3.21.2022



## CITY OF KAUKAUNA PLAN COMMISSION

### APPLICATION FOR REVIEW

I am requesting a:

Zoning Change

Special Exception Permit

Certified Survey Map Review

Subdivision Plat Review

#### Petitioner Information:

Name: SCOTT & CATHERINE HANSEN

Address: 1217 DESNOYER STREET

Phone Number: 920-915-6809

Owner's Name (if not the petitioner): —

Owner's Address: —

Address of Parcel in Question: 1208 BLACKWELL ST. (LOT #1 ON CSM MAP #4680)

Property Dimensions (in either SF or Acres): 39,965 sq ft.

Explain your proposed plans and what you are requesting the Plan Commission approve.

Please also note if there are existing structures on this property:

(PLEASE SEE ATTACHED)

CITY OF KAUKAUNA

144 W 2nd Street  
Kaukauna, WI 54130

920.766.6300  
www.cityofkaukauna.com

**Additional Requirements:** For Certified Survey Map and Subdivision Plat Review, professionally drawn maps are required to be submitted. These maps must include all structures, lot lines and streets with distances to each. For Subdivision Plat Review, the proposed street system must be indicated on the face of the preliminary plat to indicate, within a 2,000 foot radius from the exterior border of the plat, how the proposed streets will tie into the existing street system. Maps should be drawn to a scale of not less than 1":1,000'. For Zoning Change requests that would result in split zoning (or two zoning classifications on one parcel), a professionally drawn map meeting the standards above is also required. Additional information may also be requested as may be appropriate per the proposal being made.

**Plan Commission Review Fee Schedule:**

Lot Division by Certified Survey Map (1-4 lots)	\$10/lot based on total lots
Subdivision Review (5+ lots)	\$200
Special Exception Permit	\$100
Rezoning/Zoning Change	\$100
Variance to Subdivision Ordinance	\$50
Planned Unit Subdivision Ordinance	\$200

**Please Note:** Changes to zoning ordinances, special exception permits and map/plat 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:**

*Scott Z. Haus* *Catherine Hansen*

**Signature of Owner (if not Petitioner):**

**Date Submitted to City of Kaukauna:**

*3/14/2024*

Please submit by email to [lpaul@kaukauna-wi.org](mailto:lpaul@kaukauna-wi.org) or by mail to City of Kaukauna, Attn: Plan Commission, P.O. Box 890, Kaukauna, WI 54130

HELLO,

Item 5.a.

MY WIFE CATHY & I HAVE NOW BEEN LIVING & OWNING THESE (4) PARCELS THAT HAVE BEEN IN CATHY'S FAMILY (TOM & DIANA DRIESSEN) - PARENTS & (QUINTEN & HELEN DRIESSEN) GRAND PARENTS FOR MANY YEARS.

WE WOULD LIKE TO TAKE THE 4 PARCELS AND CREATE INTO ONLY 2.

THIS PARCEL 1208 BLACKWELL, LOT 1 ON CSM MAP 4680C IS ZONED INDUSTRIAL AND WE WOULD LIKE TO CHANGE IT TO RESIDENTIAL THE SAME AS OUR HOME IS ON 1217 DESNOYER, LOT 2 ON CSM MAP 4680.

IF APPROVED WE WOULD THEN ADD THIS PARCEL TO OUR HOME COMBINING INTO 1 ZONED RESIDENTIAL.

WE HAVE ATTACHED A MAP/PHOTO SHOWING WHAT WE WOULD LIKE TO DO MAKING THIS A MORE LIVING FRIENDLY SITUATION WITH HAVING JUST 2 RESIDENTIAL FAMILY HOMES ON 2 LOTS.

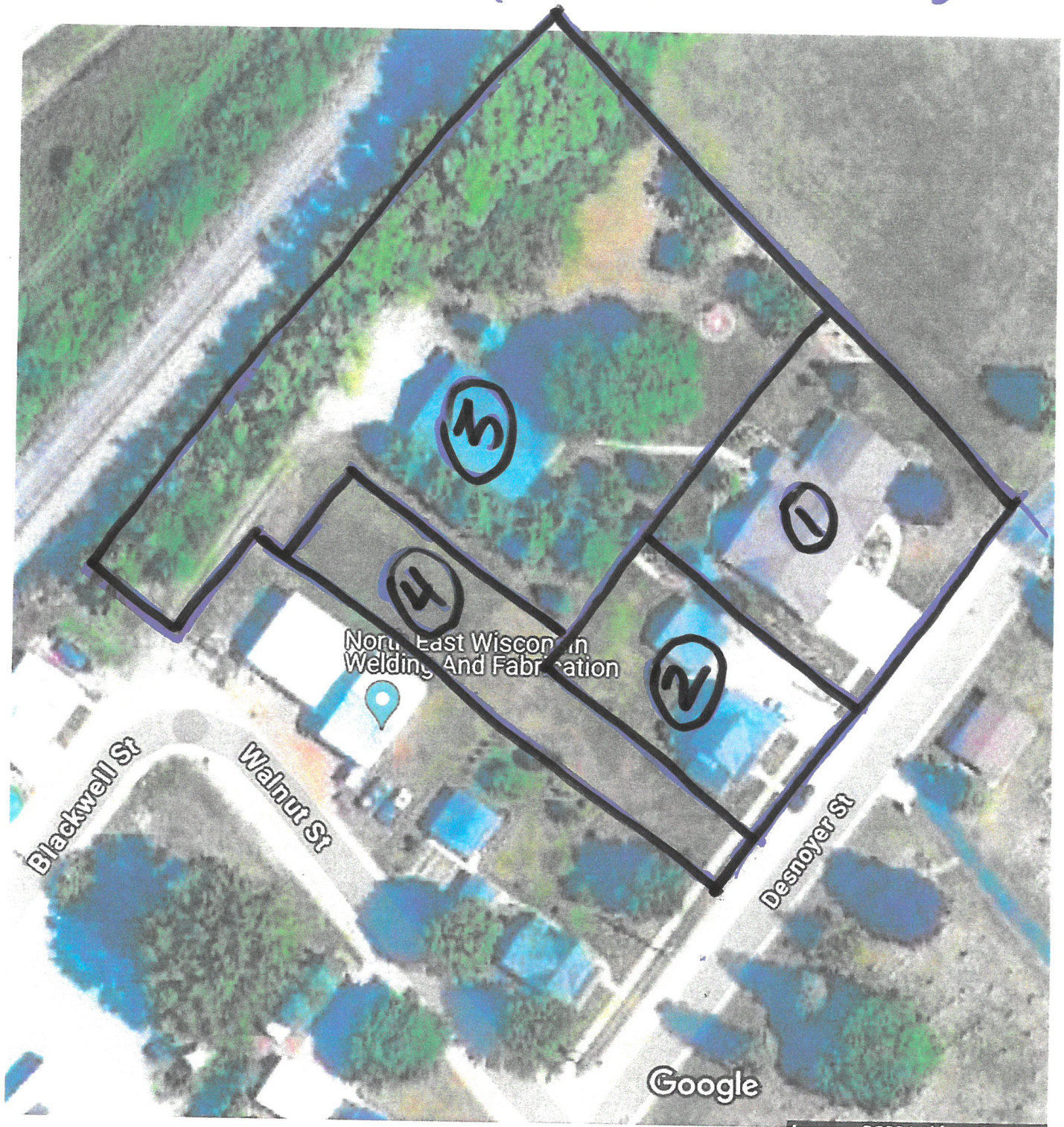
CATHY & I BOTH WANT TO THANK YOU FOR YOUR TIME AND REVIEW WANTING TO MAKE SURE THE REZONE REQUEST IS SUCCESSFUL BEFORE WORKING WITH THE SURVEYOR FOR ADJUSTING LOT LINES AND COMBINING PARCELS.

Sincerely - Scott & Cathy Hansen 3/13/2024



# CURRENT (4) PROPERTIES:

Item 5.a.

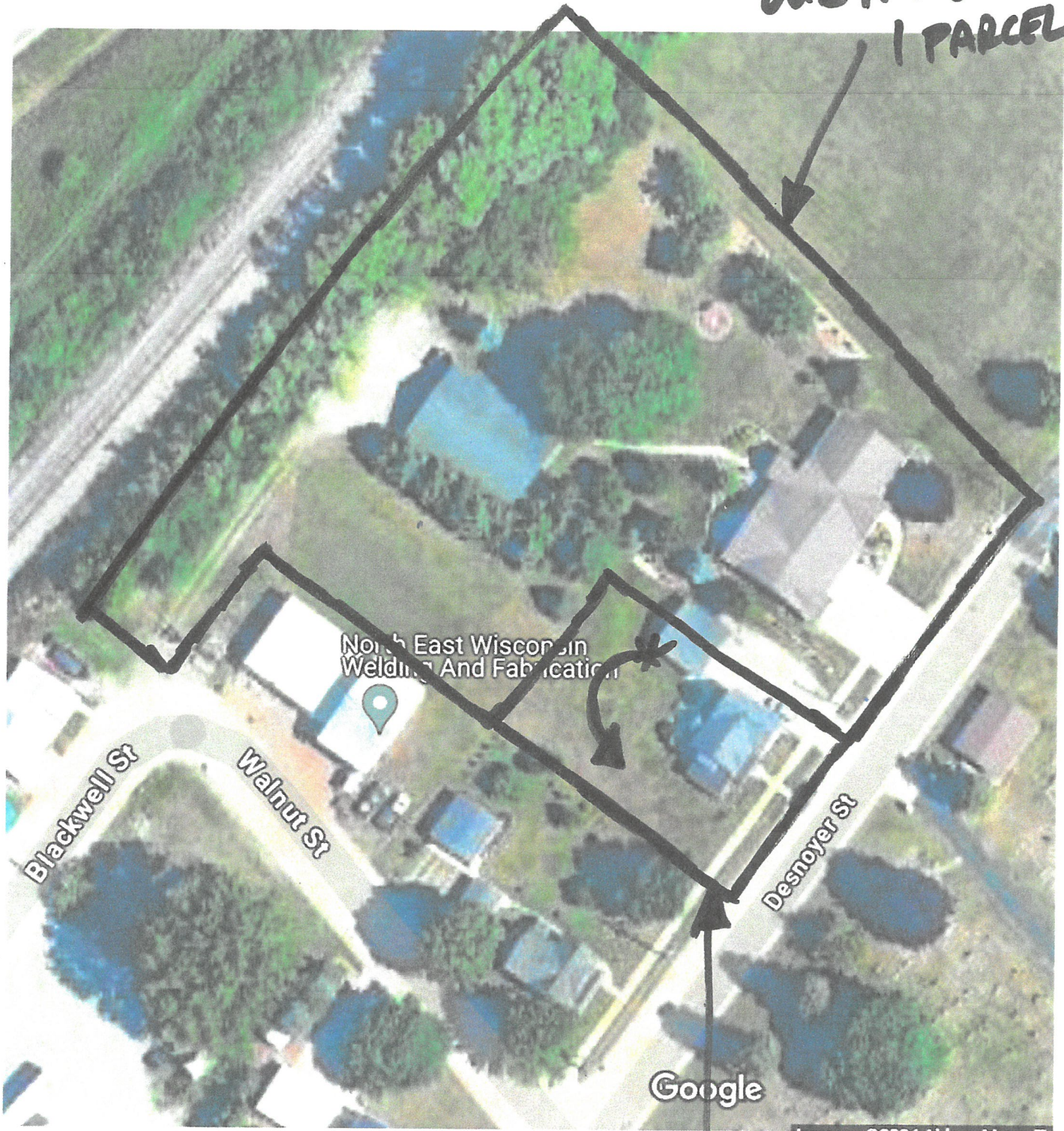




# PROPOSED (2) PROPERTIES:

Item 5.a.

OUR HOME  
1 PARCEL



2<sup>ND</sup> HOME  
1 PARCEL

\* MOVE GARAGE & DRIVEWAY  
TO OTHER SIDE OF HOUSE



Document Number **1581968** Filed this 14 day of October, 2003 at 11:59 a.m. in Volume 26 of Certified Survey Maps on page 4680 being Certified Survey Map Number 4680.

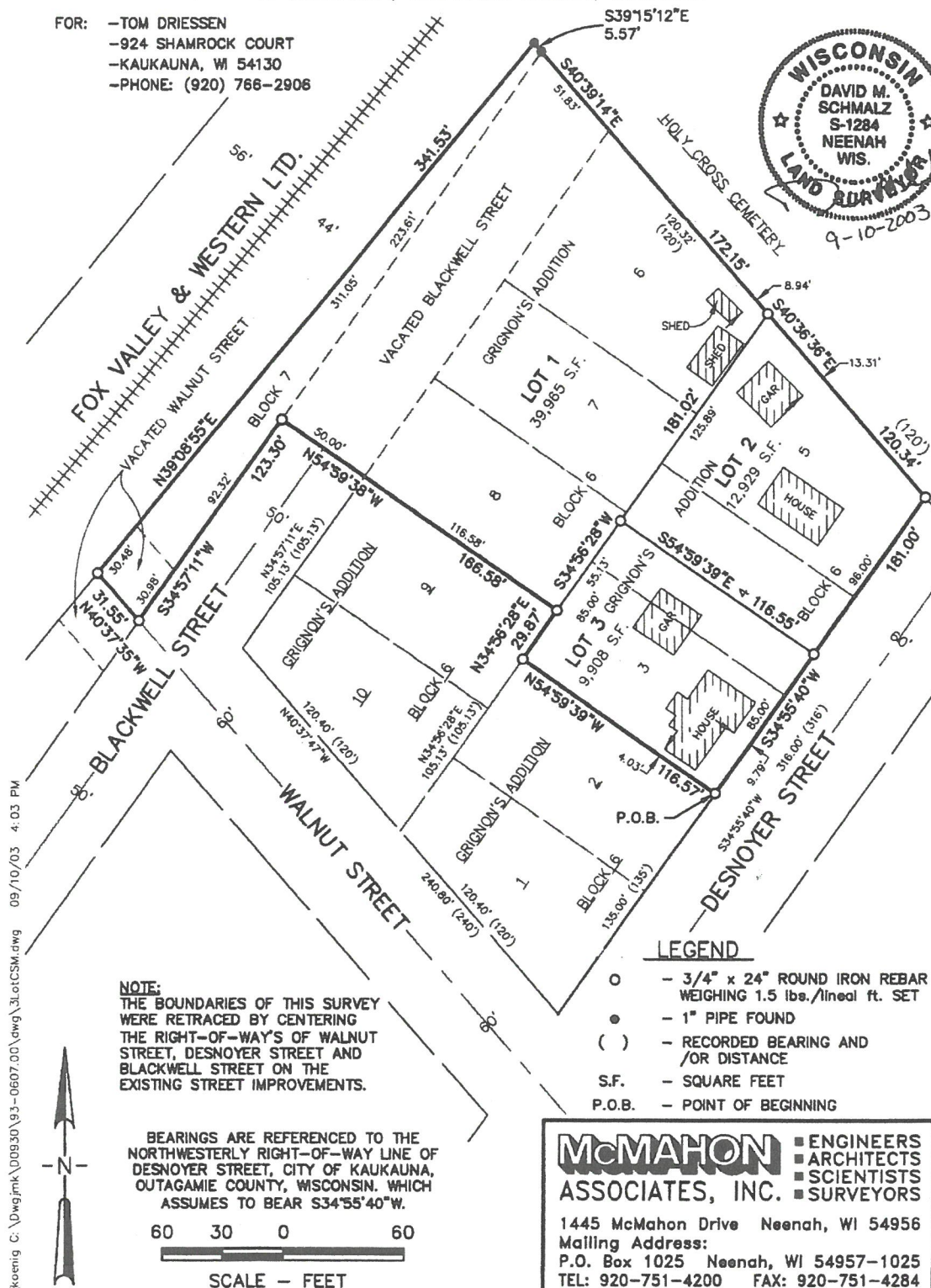
*Janice Flenz*  
Janice Flenz, Register of Deeds  
Page 4680 (Three Pages)

CERTIFIED SURVEY MAP NO. **4680**

PAGE 1 OF 3

ALL OF LOTS 3, 4, 5, 6, 7 & 8 BLOCK 6, AND ALL OF BLOCK 7 OF GRIGNON ADDITION, AND ALL OF VACATED BLACKWELL STREET, AND THE EASTERLY ½ OF VACATED WALNUT STREET, LOCATED IN PRIVATE CLAIMS NO. 34, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

FOR: -TOM DRIESSEN  
-924 SHAMROCK COURT  
-KAUKAUNA, WI 54130  
-PHONE: (920) 766-2906



2088808

**Recorded**

November 02, 2016 10:47 AM

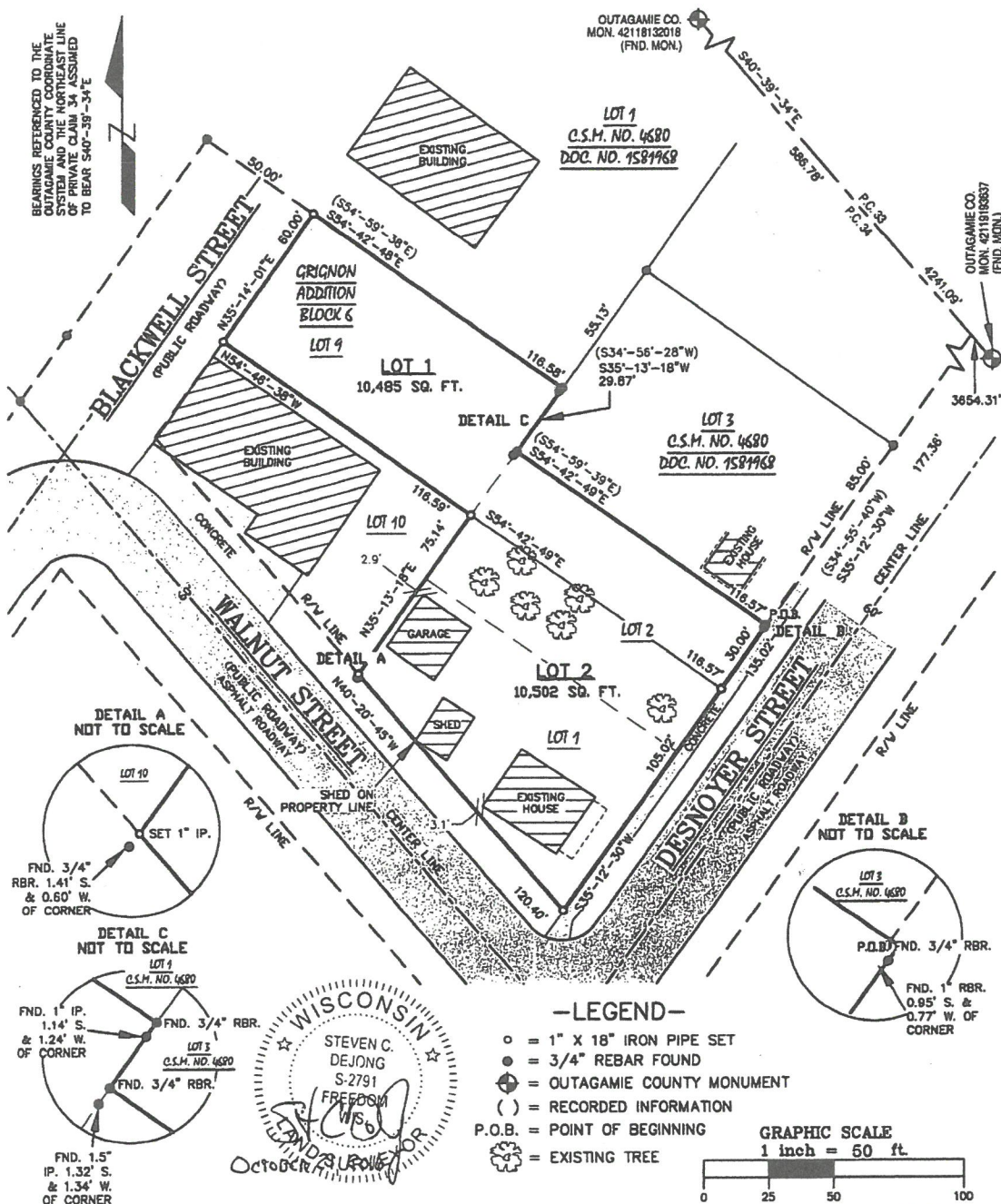
OUTAGAMIE COUNTY  
SARAH R VAN CAMP  
REGISTER OF DEEDS


Fee Amount: \$30.00  
Total Pages: 4

CERTIFIED SURVEY MAP NO. 7279

Vol 43 Page 7279

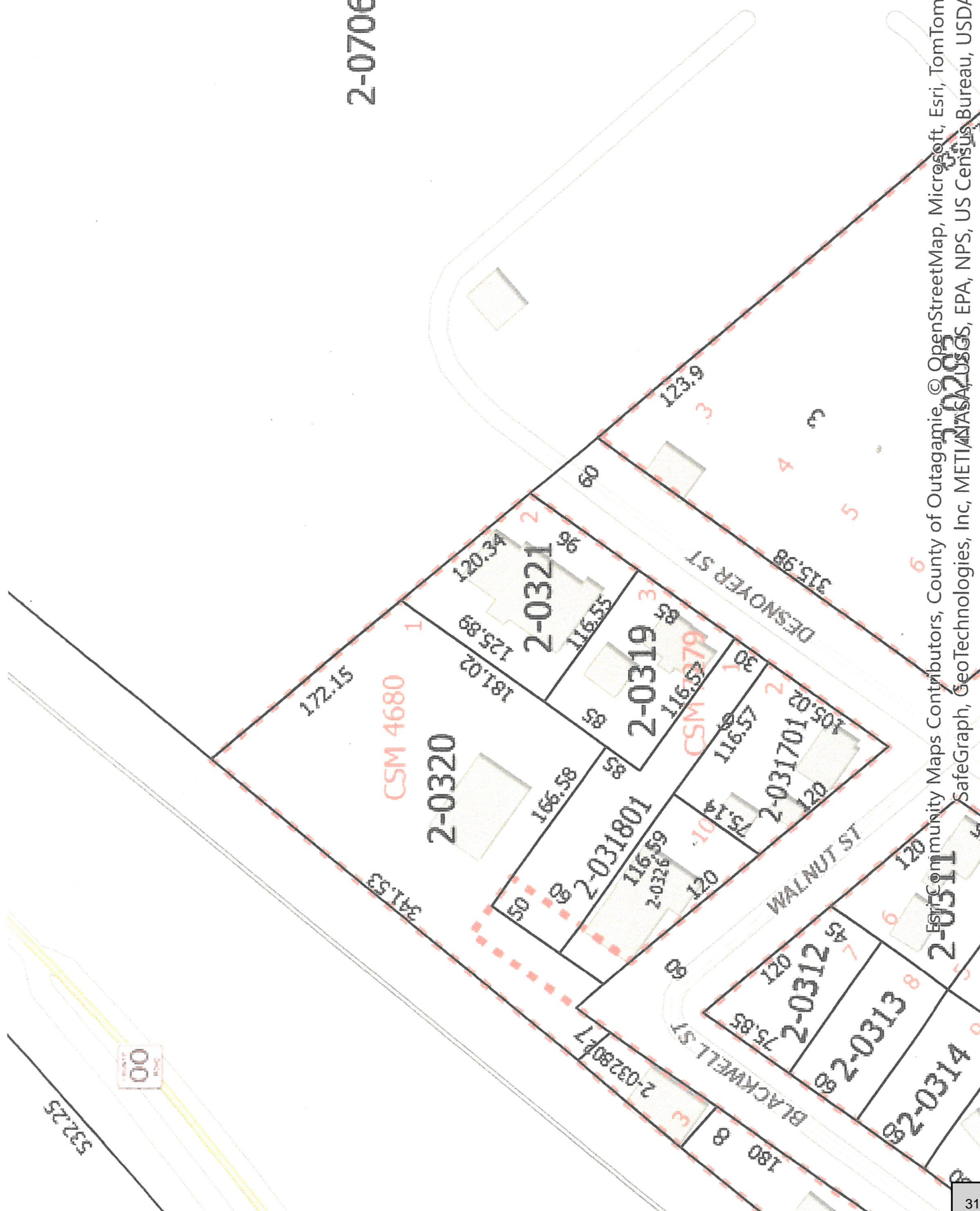
ALL OF LOTS 1, 2, & 9, BLOCK 6 OF GRIGNON ADDITION, LOCATED IN PRIVATE CLAIM 34, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN



	DRAWN BY: J.B.	FIELD WORK DATE: 10-17-16	SURVEYED FOR: JANET GALLERT N73W23866 CRAVEN DR. SUSSEX, WI 53089
	CHECKED BY: S.C.D.	FIELD BOOK: M-36, PG. 74	
N8774 Firelane 1 Menasha, WI 54952 Office: 920-993-0881 Fax: 920-273-6037	JOB NO.: 9133	SHEET 1 OF 4	



P.C.  
33





# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Common Council  
From: Dave Kittel, Director of Planning & Community Development  
Date: May 2, 2024  
Re: Rezoning Request – Parcels 322031801 & 322032000; Blackwell Street & Desnoyer Street

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They own a rental house next door that is also zoned RTF and an additional vacant lot that is zoned IND. Again, they would like to rezone the IND lot to RTF.

The purpose of this rezone is to clean up the zoning of the properties they own, and to move forward with a Certified Survey Map to reconfigure some of the lot lines. They want to relocate the driveway and garage of the rental house, and make their primary residence one whole parcel. The surrounding/adjacent zoning is Residential Two Family.

Please see attachments for location reference and narrative from the applicant.

Plan Commission reviewed this rezoning request and recommended approval of the rezoning.

**Staff Recommendation:**

**Approve the Rezone of parcels 322031801 and 322032000 from Industrial (IND) to Residential Two-Family (RTF) and recommend the same to the Common Council.**



**CITY OF KAUKAUNA PLAN COMMISSION**  
**APPLICATION FOR REVIEW**

I am requesting a:

Zoning Change

Special Exception Permit

Certified Survey Map Review

Subdivision Plat Review

**Petitioner Information:**

Name: SCOTT & CATHERINE HANSEN

Address: 1217 DESNOYER STREET

Phone Number: 920-915-6809

Owner's Name (if not the petitioner): —

Owner's Address: —

Address of Parcel in Question: VACANT LOT (LOT #1 ON CSM MAP # 17279)

Property Dimensions (in either SF or Acres): 10,485 SQ FT.

Explain your proposed plans and what you are requesting the Plan Commission approve.

Please also note if there are existing structures on this property:

(PLEASE SEE ATTACHED)

**Additional Requirements:** For Certified Survey Map and Subdivision Plat Review, professionally drawn maps are required to be submitted. These maps must include all structures, lot lines and streets with distances to each. For Subdivision Plat Review, the proposed street system must be indicated on the face of the preliminary plat to indicate, within a 2,000 foot radius from the exterior border of the plat, how the proposed streets will tie into the existing street system. Maps should be drawn to a scale of not less than 1":1,000'. For Zoning Change requests that would result in split zoning (or two zoning classifications on one parcel), a professionally drawn map meeting the standards above is also required. Additional information may also be requested as may be appropriate per the proposal being made.

**Plan Commission Review Fee Schedule:**

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Special Exception Permit	\$100
Rezoning/Zoning Change	\$100
Variance to Subdivision Ordinance	\$50
Planned Unit Subdivision Ordinance	\$200

**Please Note:** Changes to zoning ordinances, special exception permits and map/plat 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:

*Scott Z. Hansen* *Catherine Almon*

Signature of Owner (if not Petitioner):

Date Submitted to City of Kaukauna:

*3/14/2024*

Please submit by email to [lpaul@kaukauna-wi.org](mailto:lpaul@kaukauna-wi.org) or by mail to City of Kaukauna, Attn: Plan Commission, P.O. Box 890, Kaukauna, WI 54130



HELLO,

Item 5.b.

MY WIFE CATHY & I HAVE NOW BEEN LIVING & OWNING THESE (4) PARCELS THAT HAVE BEEN IN CATHY'S FAMILY (TOM & DIANA DRIESSEN) - PARENTS & (QUINTEN & HELEN DRIESSEN) GRANDPARENTS FOR MANY YEARS.

WE WOULD LIKE TO TAKE THE 4 PARCELS AND CREATE INTO ONLY 2.

THIS PARCEL VACANT LOT, LOT 1 ON CSM MAP 7279 IS ZONED INDUSTRIAL AND WE WOULD LIKE TO CHANGE IT TO RESIDENTIAL THE SAME AS OUR UPPER/LOWER TWO FAMILY HOME IS ON 1209-1209 1/2 DESNOYER, LOT 3 ON CSM MAP 4680.

IF APPROVED WE WOULD THEN SPLIT THIS LOT BY ADDING THE FRONT HALF TO THE 1209 HOME AND THE BACK HALF TO OUR HOME ON 1217.

DOING SO WOULD ALLOW US TO THEN MOVE THE GARAGE AND DRIVEWAY AT 1209 TO THE OTHER SIDE OF THIS HOME ALLOWING US TO ADJUST THE LOT LINE INCREASING OUR 1217 SIDE LOT OVER.

WE HAVE ATTACHED A MAP/PHOTO SHOWING WHAT WE WOULD LIKE TO DO MAKING THIS A MORE LIVING FRIENDLY SITUATION WITH HAVING JUST 2 RESIDENTIAL FAMILY HOMES ON 2 LOTS.

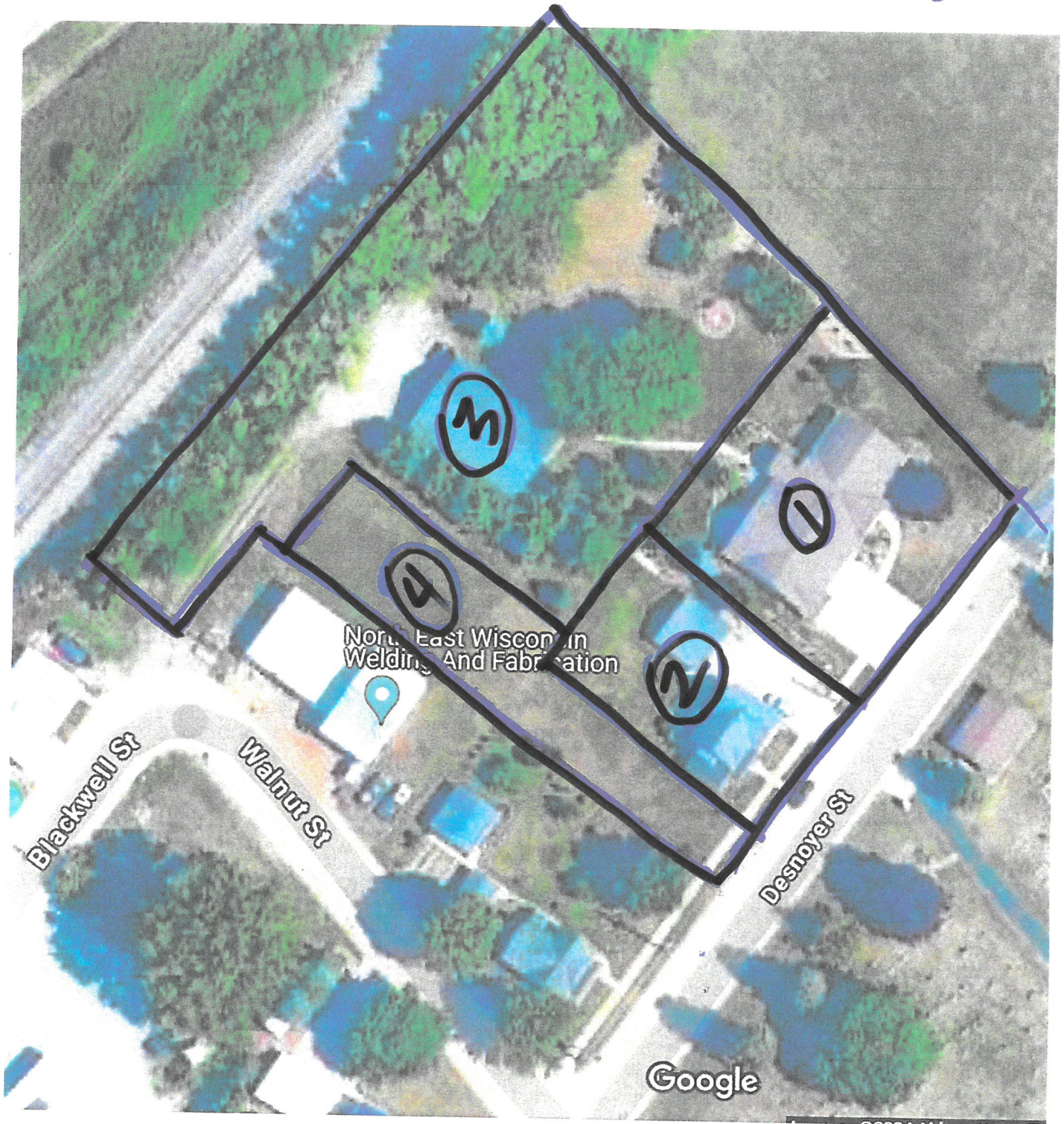
CATHY & I BOTH WANT TO THANK YOU FOR YOUR TIME AND REVIEW WANTING TO MAKE SURE THE REZONE REQUEST IS SUCCESSFUL BEFORE WORKING WITH THE SURVEYOR FOR ADJUSTING LOT LINES AND COMBINING PARCELS.

Sincerely - Scott & Cathy Hans 3/13/2024



# CURRENT (4) PROPERTIES:

Item 5.b.





# PROPOSED (2) PROPERTIES:

Item 5.b.

OUR HOME  
1 PARCEL



2ND HOME  
1 PARCEL

\* MOVE GARAGE & DRIVEWAY  
TO OTHER SIDE OF HOUSE



Document Number **1581968** Filed this 14 day of October, 2003 at 11:59 a.m. in Volume 26 of Certified Survey Maps on page 4680 being Certified Survey Map Number 4680.

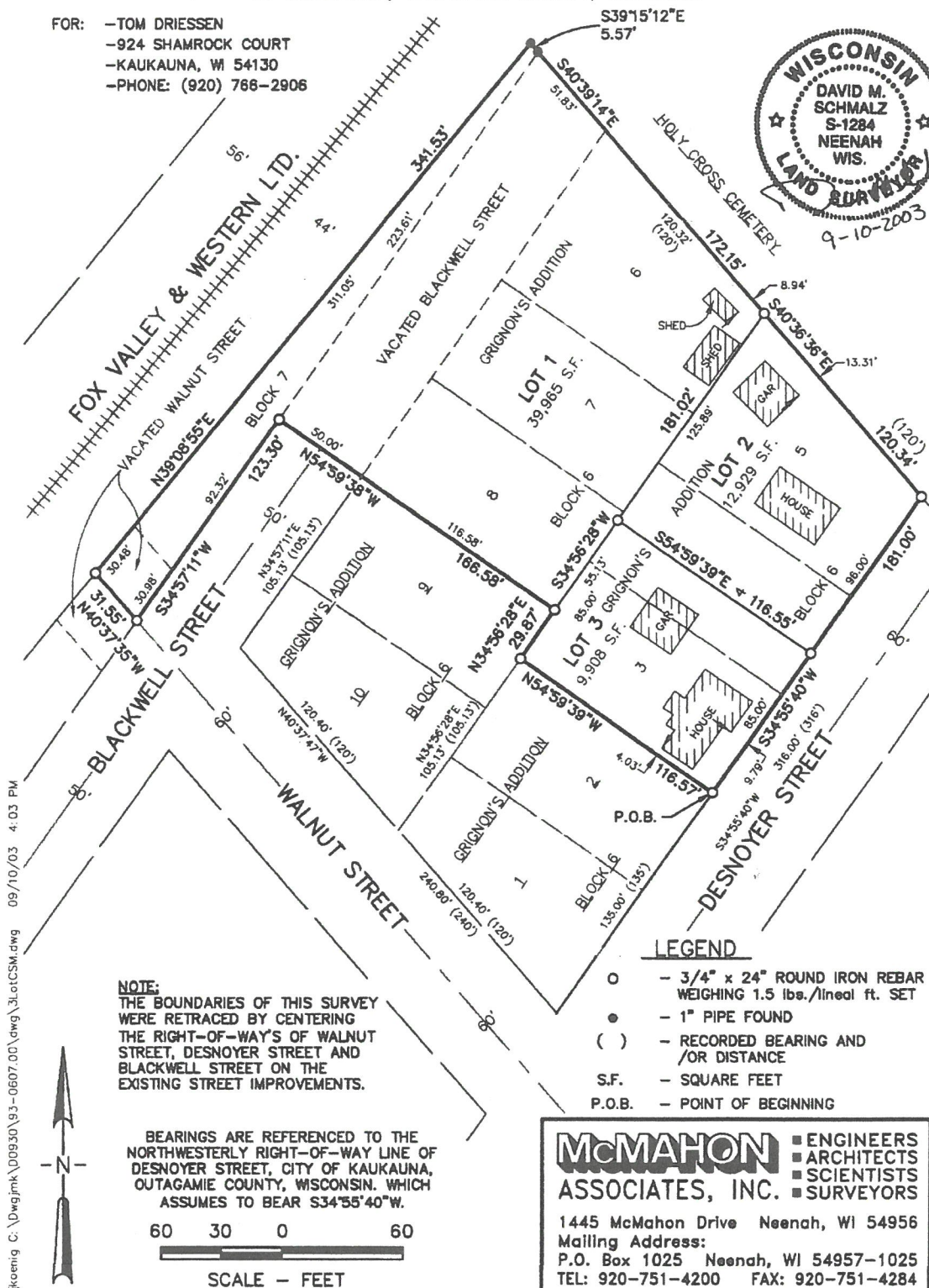
*Janice Flenz*  
Janice Flenz, Register of Deeds  
Page 4680 (Three Pages)

CERTIFIED SURVEY MAP NO. **4680**

PAGE 1 OF 3

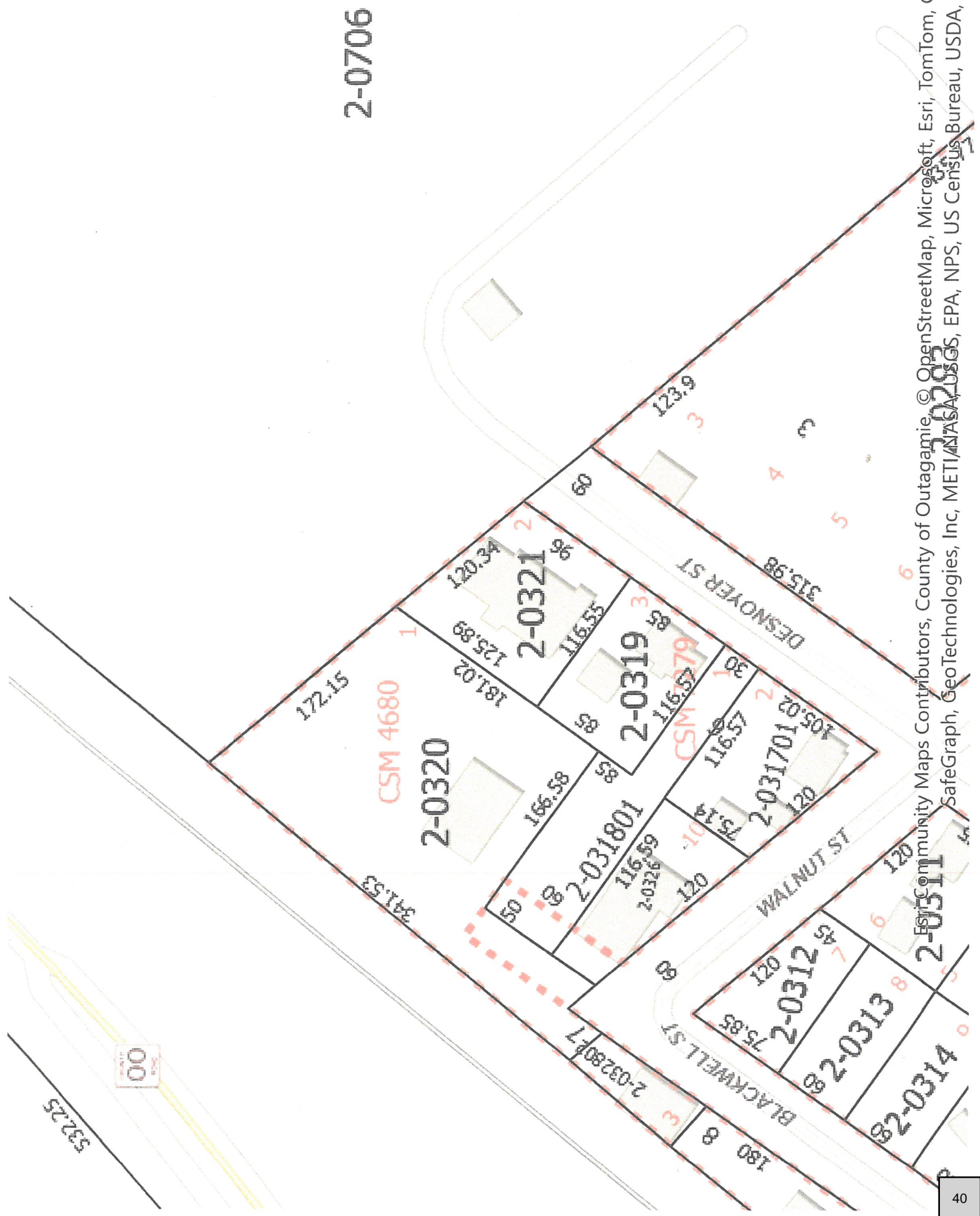
ALL OF LOTS 3, 4, 5, 6, 7 & 8 BLOCK 6, AND ALL OF BLOCK 7 OF GRIGNON ADDITION, AND ALL OF VACATED BLACKWELL STREET, AND THE EASTERLY  $\frac{1}{2}$  OF VACATED WALNUT STREET, LOCATED IN PRIVATE CLAIMS NO. 34, TOWNSHIP 21 NORTH, RANGE 18 EAST, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN

FOR: -TOM DRIESSEN  
-924 SHAMROCK COURT  
-KAUKAUNA, WI 54130  
-PHONE: (920) 766-2906





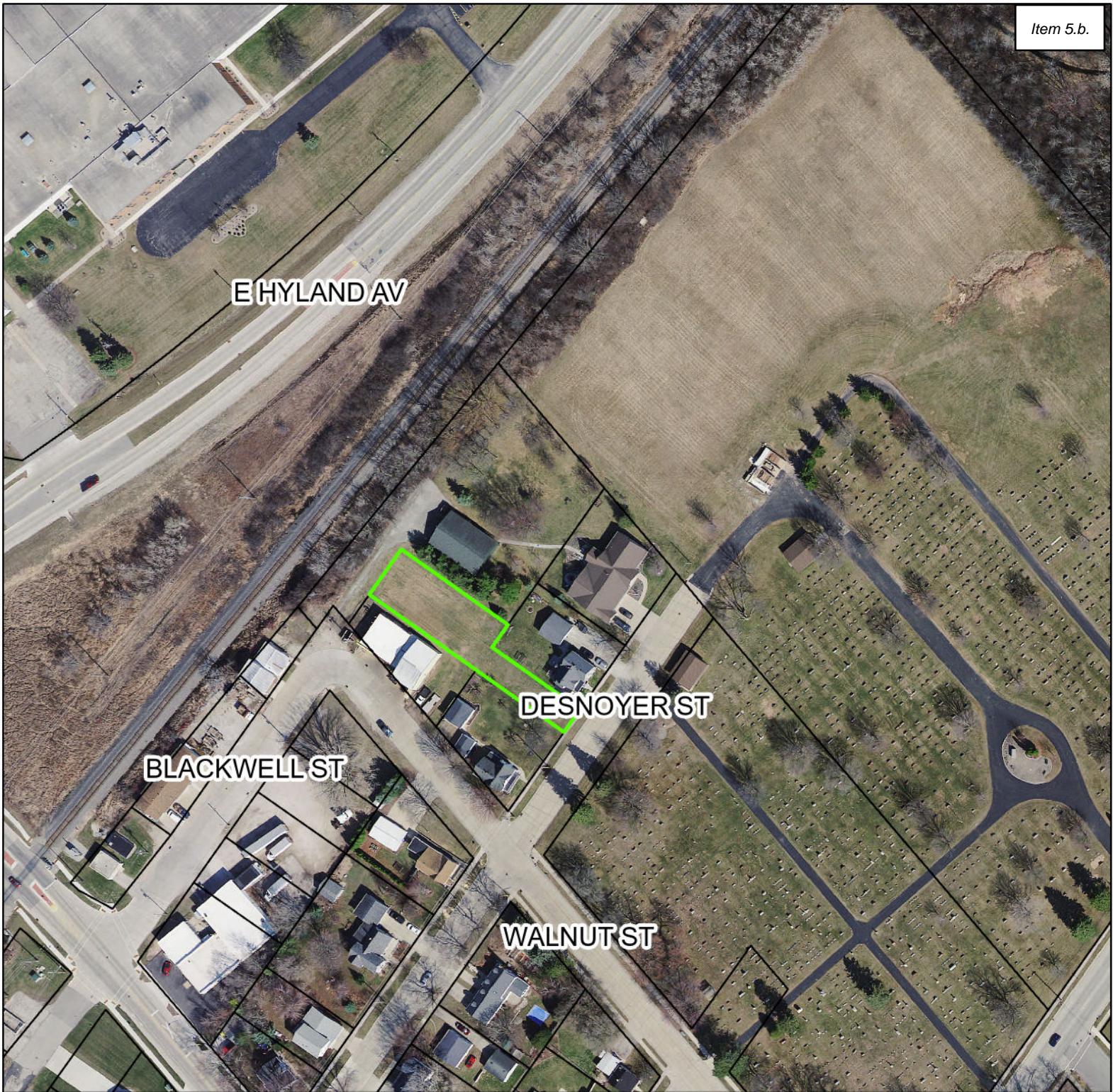





2-0706

Esri, Community Maps Contributors, County of Outagamie, © OpenStreetMap, Microsoft, Esri, TomTom, Google, METI/ANASCA/USGS, EPA, NPS, US Census Bureau, USDA, US



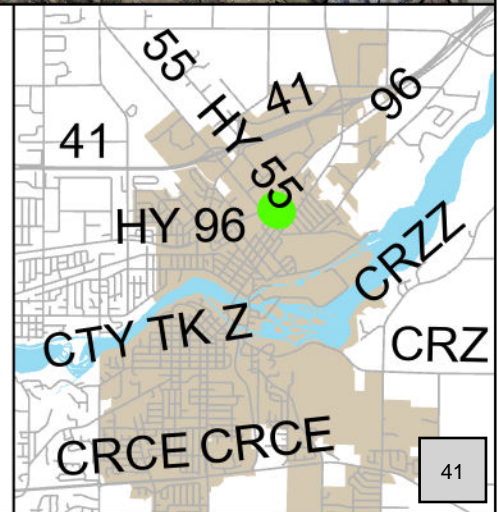



## Legend

 Parcel 322031801 - Desnoyer Street



0 0.5 1 2 3 4 Miles





# PROFESSIONAL MUNICIPAL CLERKS WEEK PROCLAMATION

May 5 through May 11, 2024

**WHEREAS**, the time honored role that professional municipal clerks play in local government and election administration is critical to the endurance and prosperity of our state; and

**WHEREAS**, our state's professional municipal clerks strive to always be impartial in handling their official duties, guided by the overarching goal of providing equal treatment to all Wisconsinites, regardless of political affiliation; and

**WHEREAS**, among numerous vital responsibilities, professional municipal clerks serve as the official record keepers of their respective municipalities and are tasked with ensuring transparency and communication between the governing bodies they represent and the folks they serve; and

**WHEREAS**, professional municipal clerks provide essential support in the administration of elections, often preparing ballots, training election officials, and tabulating and certifying election results; and

**WHEREAS**, even in the face of uncertainty and unprecedented challenges to election administration, our professional municipal clerks always display courage, flexibility, resilience, and dedication to the doctrine of free and fair elections; and

**WHEREAS**, this week, the state of Wisconsin joins all Wisconsinites in appreciating and thanking our professional municipal clerks for the important work they do;

**NOW, THEREFORE**, I, Mayor Anthony J. Penterman, do hereby recognize the week of May 5 through May 11, 2024, as Professional Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Sally Kenney; and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

Proclaimed this 7th day of May, 2024.

CITY OF KAUKAUNA

  
Anthony J. Penterman, Mayor





# PROCLAMATION

Honoring men and women of law enforcement.

**WHEREAS**, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

**WHEREAS**, the members of the law enforcement agency of Kaukauna play an essential role in safeguarding the rights and freedoms of everyone; and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and weak against oppression; and

**WHEREAS**, the men and women of the law enforcement agency of Kaukauna unceasingly provide a vital public service.

**NOW, THEREFORE**, I, Anthony J. Penterman, Mayor of the City of Kaukauna, Wisconsin, call upon all citizens of Kaukauna and upon all patriotic, civic, and educational organizations to observe the week of May 12-18, 2024, as

## POLICE WEEK

in which all our people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their communities, and in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

**IN WITNESS THEREOF**, I have hereunto set my hand this 7th day of May, 2024.

CITY OF KAUKAUNA

  
\_\_\_\_\_  
Anthony J. Penterman, Mayor



## NOTICE OF PUBLIC HEARING

CITY OF KAUKAUNA  
OUTAGAMIE COUNTY

### TO WHOM IT MAY CONCERN

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the Plan Commission of the City of Kaukauna, at the City Council Chambers, 144 W 2<sup>nd</sup> Street, Kaukauna, WI on **Thursday, April 18, 2024 at 4:00 p.m.** to consider the petition of Zurieth Ahmed, application, for a Special Exception of parcel 322073200 to allow the operation of a community living arrangement/group home, subject to Wis. Stats. § 62.23(7)(i) within the Residential Multi-Family District (RMF), pursuant to Section 17.19(3)(f) of the Municipal Code. The properties in consideration is at 154 and 194 Plank Road. The purpose of the public hearing is to accept public comments on the proposed amendment.

The proposed Special Exception site is described more fully as:

LOT 1 CSM 6518 LESS PARCEL 2 TPP NO: 4075-33-21-4.01 REC DOC #2119580  
CONVEYED IN DOC #2147659, EXCPTG ROW #2092494, CITY OF KAUKAUNA,  
OUTAGAMIE COUNTY, WISCONSIN.

Persons wishing to submit comments with regard to the special exception request are encouraged to join the meeting. Persons unable to attend the public hearing but who wish to comment may do so by contacting the City of Kaukauna Planning Department by mail at P.O. Box 890, Kaukauna, WI 54130 or by phone at 920.766.6315 or by email at [lpaul@kaukauna.gov](mailto:lpaul@kaukauna.gov) prior to the meeting.

Dated this 29<sup>th</sup> day of March, 2024

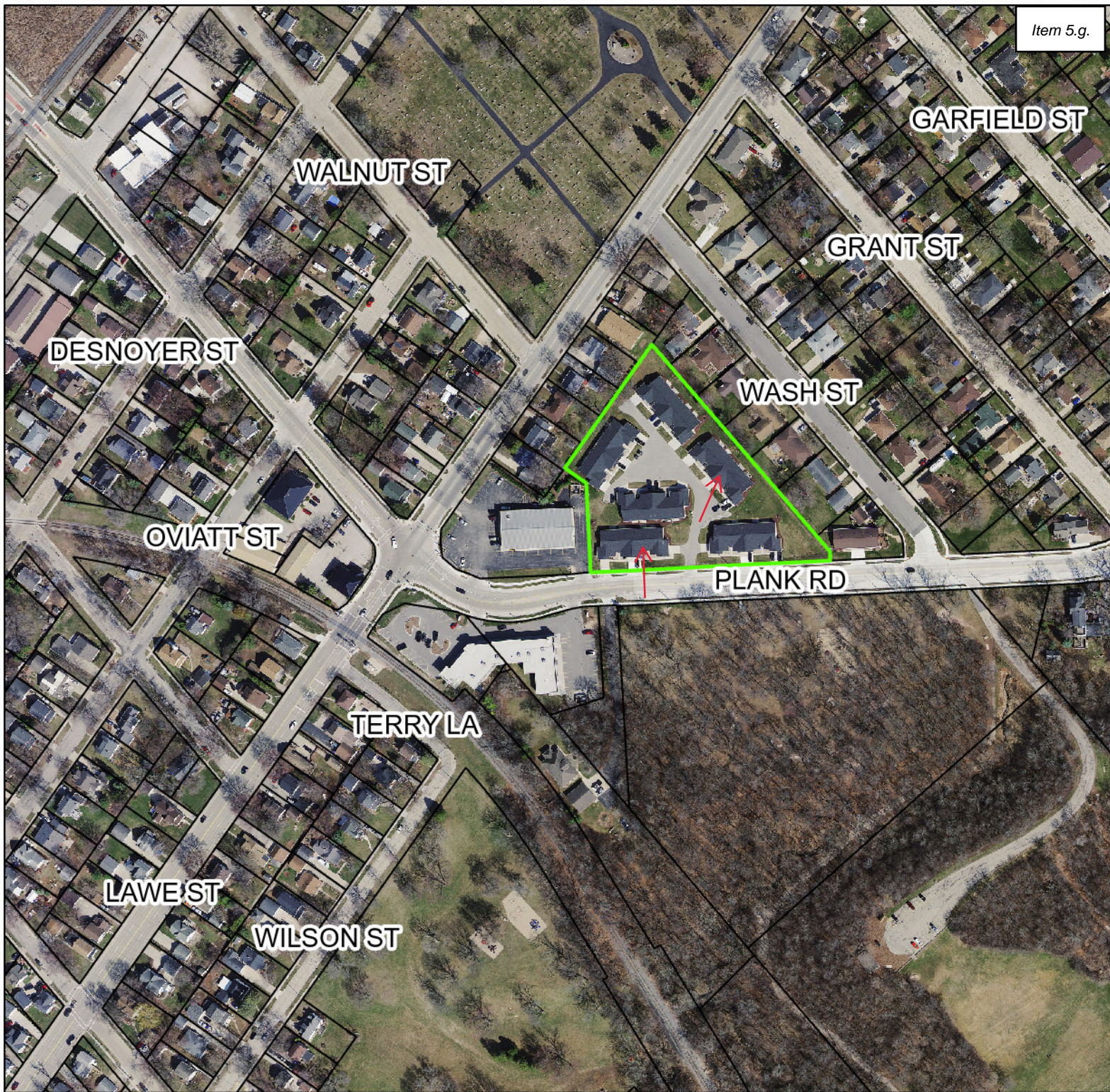
Class 2 Notice Publication Dates:

Wednesday April 3, 2024


Wednesday April 10, 2024

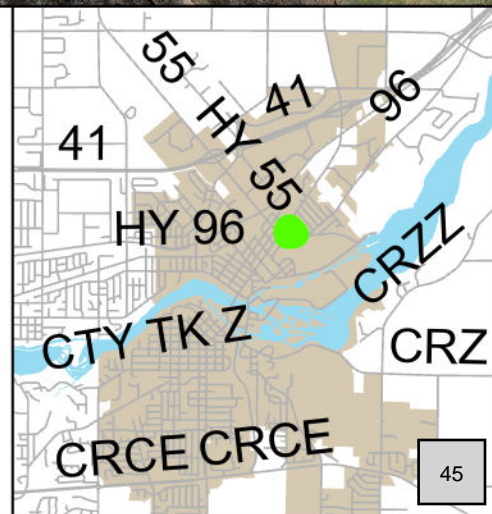
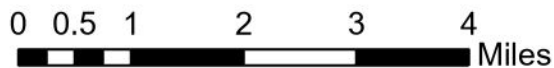
Lily Paul  
Associate Planner  
Planning and Community Development  
City of Kaukauna, Outagamie County





### Legend

-  154 & 194 Plank Road - Special Exception







# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Common Council

From: Dave Kittel Director of Planning and Community Development

Date: April 24, 2024

Re: Special Exception Request – 154 Plank Road

Zurieth Ahmed of Harmony Homes operates an adult assisted living service. She has submitted an application for a Special Exception for parcel 322073200 – address 154 Plank Road. The parcel is zoned Residential Multifamily (RMF), and the current use of the property is quad-plex style residential units. Staff has spoken with the applicant and the property owner to gather the following information:

- The unit in question is a 2 bedroom unit with one client in each room. The assisted care is 24 hours.
- The clients are disabled adults. The assisted living service provides transportation for the clients, they do not have their own vehicles. There is a one car driveway for the unit adequate for transferring the client. If there are visiting hours, it would be arranged and the driveway can be utilized accordingly.

The City of Kaukauna Code of Ordinances, [Section 17.19 \(3\)](#) “allows community living arrangements/group homes, subject to Wis. Stats. § 62.23(7)(i)” as a special exception.

The Plan Commission reviewed the special exception request for compliance under [Section 17.47 \(4\)](#), the criteria listed in this section is below:

Before any special exception shall be recommended for approval, the city plan commission shall make findings that the granting of a special exception will not adversely affect the public interest and certify that the specific requirements governing the individual special exception, if any, have been met by the applicant. No special exception shall be recommended for approval unless the plan commission shall find:

- a. That the establishment, maintenance, or operation of the special exception use or structure will not be detrimental or injurious to the use and enjoyment of adjacent properties or properties in the immediate vicinity.

- b. That the special exception is compatible with the adjacent existing uses and structures or uses and structures likely to develop which are permitted in the district.
- c. That adequate public facilities and services are available to the development.
- d. That adequate measures are taken to provide for drainage.
- e. That ingress and egress to the property is provided in such a manner as to minimize traffic hazards and congestion.
- f. That adequate parking and loading areas are provided.

A Public hearing was held at the Plan Commission on April 18, 2024. The property owner was in attendance and the applicant was available via phone. No comments were received during the hearing but, some comments did come in to staff after notices were mailed out. A summarization of comments received by phone are as follows: neighboring properties were initially concerned about the specific clientele that would be occupying the space. Staff then explained that the persons that would be living here are disabled adults and need 24-hour care. There was no concern then.

Some considerations based off the email correspondence are:

- 1. Bring the property up to the Code of Section 17.52 Landscaping Requirements. This would include a dumpster enclosure and a fence around the property.
- 2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.

The Fence around the property may not be feasible in some locations due to topography, drainage and utility easements.

The Plan Commission approved a motion to approve the special exception with the conditions of:

- 1. Bring the property up to the Code of Section 17.52 for a dumpster enclosure and fence around the property where feasible.
- 2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.

**Recommendation:**

Finding the special exception request to meet all the criteria set forth in [Section 17.47 \(4\)](#) of the City Municipal Code by the Plan Commission, Staff recommends to approve the Special Exception Use of Assisted Living within the Residential Multifamily District, at the property located at 154 Plank Rd, Kaukauna, WI with the following conditions:

- 1. Bring the property up to Code of Section 17.52 for a dumpster enclosure and fence around the property where feasible.

2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.





# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Common Council

From: Dave Kittel Director of Planning and Community Development

Date: April 24, 2024

Re: Special Exception Request – 194 Plank Road

Zurieth Ahmed of Harmony Homes operates an adult assisted living service. She has submitted an application for a Special Exception for parcel 322073200 – address 194 Plank Road. The parcel is zoned Residential Multifamily (RMF), and the current use of the property is quad-plex style residential units. Staff has spoken with the applicant and the property owner to gather the following information:

- The unit in question is a 2 bedroom unit with one client in each room. The assisted care is 24 hours.
- The clients are disabled adults. The assisted living service provides transportation for the clients, they do not have their own vehicles. There is a one car driveway for the unit adequate for transferring the client. If there are visiting hours, it would be arranged and the driveway can be utilized accordingly.

The City of Kaukauna Code of Ordinances, [Section 17.19 \(3\)](#) “allows community living arrangements/group homes, subject to Wis. Stats. § 62.23(7)(i)” as a special exception.

The Plan Commission reviewed the special exception request for compliance under [Section 17.47 \(4\)](#), the criteria listed in this section is below:

Before any special exception shall be recommended for approval, the city plan commission shall make findings that the granting of a special exception will not adversely affect the public interest and certify that the specific requirements governing the individual special exception, if any, have been met by the applicant. No special exception shall be recommended for approval unless the plan commission shall find:

- a. That the establishment, maintenance, or operation of the special exception use or structure will not be detrimental or injurious to the use and enjoyment of adjacent properties or properties in the immediate vicinity.

- b. That the special exception is compatible with the adjacent existing uses and structures or uses and structures likely to develop which are permitted in the district.
- c. That adequate public facilities and services are available to the development.
- d. That adequate measures are taken to provide for drainage.
- e. That ingress and egress to the property is provided in such a manner as to minimize traffic hazards and congestion.
- f. That adequate parking and loading areas are provided.

A Public hearing was held at the Plan Commission on April 18, 2024. The property owner was in attendance and the applicant was available via phone. No comments were received during the hearing but, some comments did come in to staff after notices were mailed out. A summarization of comments received by phone are as follows: neighboring properties were initially concerned about the specific clientele that would be occupying the space. Staff then explained that the persons that would be living here are disabled adults and need 24-hour care. There was no concern then.

Some considerations based off the email correspondence are:

- 1. Bring the property up to the Code of Section 17.52 Landscaping Requirements. This would include a dumpster enclosure and a fence around the property.
- 2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.

The Fence around the property may not be feasible in some locations due to topography, drainage and utility easements.

The Plan Commission approved a motion to approve the special exception with the conditions of:

- 1. Bring the property up to the Code of Section 17.52 for a dumpster enclosure and fence around the property where feasible.
- 2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.

**Recommendation:**

Finding the special exception request to meet all the criteria set forth in [Section 17.47 \(4\)](#) of the City Municipal Code by the Plan Commission, Staff recommends to approve the Special Exception Use of Assisted Living within the Residential Multifamily District, at the property located at 194 Plank Rd, Kaukauna, WI with the following conditions:

- 1. Bring the property up to Code of Section 17.52 for a dumpster enclosure and fence around the property where feasible.

2. Yearly inspection done by Community Development Department or other designee to ensure compliance This Special Exception is only for the specific unit, and the specific company. If the unit or ownership changes, the applicant/property owner needs to go through the process again.



## NOTICE OF PUBLIC HEARING

CITY OF KAUKAUNA  
OUTAGAMIE COUNTY

### TO WHOM IT MAY CONCERN

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the Plan Commission of the City of Kaukauna, at the City Council Chambers, 144 W 2<sup>nd</sup> Street, Kaukauna, WI on **Thursday, April 18, 2024 at 4:00 p.m.** to consider the petition of Zurieth Ahmed, application, for a Special Exception of parcel 322073200 to allow the operation of a community living arrangement/group home, subject to Wis. Stats. § 62.23(7)(i) within the Residential Multi-Family District (RMF), pursuant to Section 17.19(3)(f) of the Municipal Code. The properties in consideration is at 154 and 194 Plank Road. The purpose of the public hearing is to accept public comments on the proposed amendment.

The proposed Special Exception site is described more fully as:

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Persons wishing to submit comments with regard to the special exception request are encouraged to join the meeting. Persons unable to attend the public hearing but who wish to comment may do so by contacting the City of Kaukauna Planning Department by mail at P.O. Box 890, Kaukauna, WI 54130 or by phone at 920.766.6315 or by email at [lpaul@kaukauna.gov](mailto:lpaul@kaukauna.gov) prior to the meeting.

Dated this 29<sup>th</sup> day of March, 2024

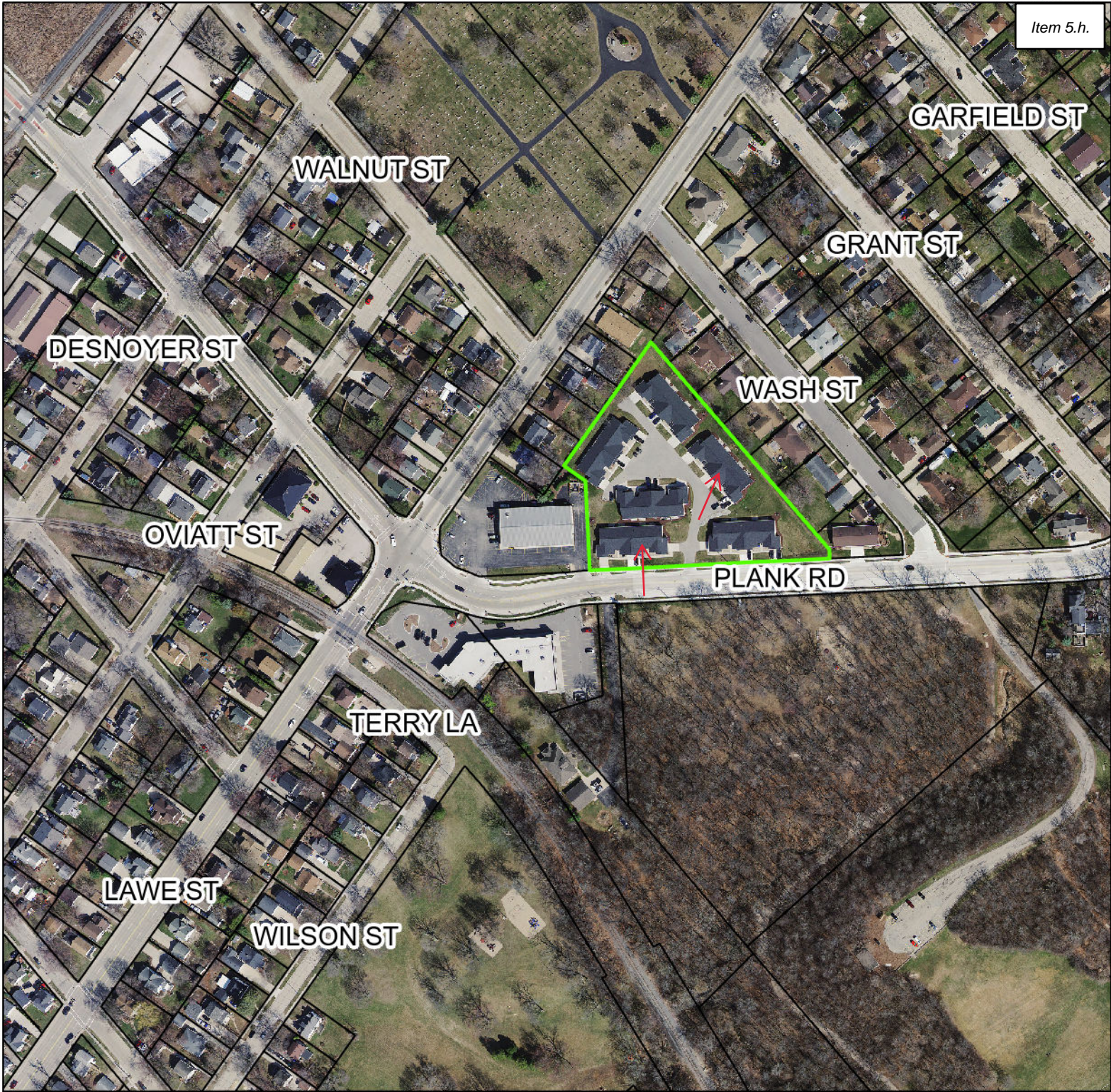
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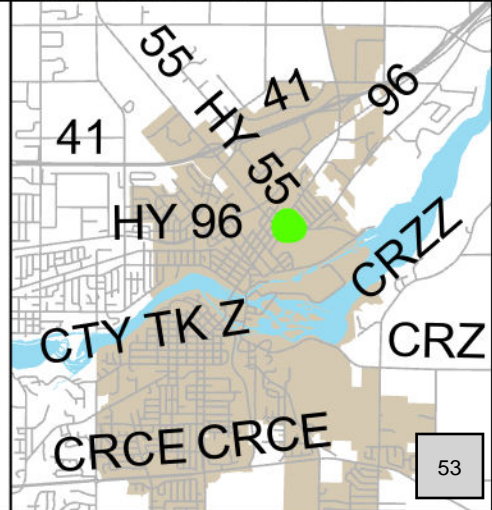
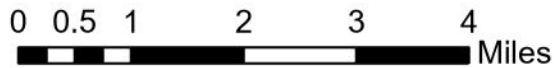
Lily Paul  
Associate Planner  
Planning and Community Development  
City of Kaukauna, Outagamie County





**Legend**

 154 & 194 Plank Road -  
Special Exception





## COMMITTEE OF THE WHOLE

A meeting of the Committee of the Whole was called to order by Chairman Penterman on Monday, May 6, 2024 at 5:00 P.M.

Members present: Antoine (via Zoom), Coenen, DeCoster, Eggleston, Kilgas, Moore, Schell, and Thiele.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Fin. Dir. Van Rossum, HR Dir. Swaney, Com. Cord. Fencel, Police Chief Graff, Fire Chief Carrel, Com. Enrich. & Rec. Dir. Vosters, Lib. Dir. Thiem-Menning, Plan. & Com. Dev. Dir. Kittel, Street Sup. Van Gompel, IT Dir. Taplin, Lib. Dir. Thiem-Menning, and interested citizens.

### 1. Correspondence – none.

### 2. Discussion Topics

#### a. Strategic Plan Quarterly Update and Discussion.

Mayor Penterman thanked everyone for coming to share the updates for the 2024 quarter one of the Strategic Plan. Alder Thiele asked to have council members included to receive the employee newsletter. Alder Moore suggested that wording be added to the special event application to include a section stating all staff has reviewed all forms. Alder Eggleston asked for clarification on the external communication plan and social media training. Communications Coordinator Fencel explained the process for these items. Alder Antoine commented that she appreciates the format and how everything links to the Strategic Plan.

#### b. Council/Department Head Communication Guidelines.

Communications Coordinator Fencel provided an outline of steps that City of Kaukauna Department Heads and City of Kaukauna Alders will take to communicate with one another for matters regarding committee meetings and Common Council Meetings. Discussion was held and questions answered.

### 3. Adjourn.

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

Meeting adjourned at 5:57 pm.

Sally Kenney, Clerk

## **BOARD OF PUBLIC WORKS**

A meeting of the Board of Public Works was called to order by Mayor Penterman on Monday, May 6, 2024 at 6:00 P.M.

Members present: Antoine (via Zoom), Coenen, DeCoster, Eggleston, Kilgas, Moore, Schell, and Thiele.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Com. Enrich. & Rec. Dir. Vosters, Fin. Dir. Van Rossum, Fire Chief Carrel, Police Chief Graff, Communications Coordinator Fencel, and interested citizens.

### **1. Correspondence – none.**

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

#### **a. Elect Chair.**

Motion by Moore that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Thiele as Chairperson of the Board of Public Works.

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

Motion carried.

#### **b. Elect Vice-Chair.**

Motion by Thiele that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Coenen as Vice-Chairman of the Board of Public Works.

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

Motion carried.

#### **c. Recommendation for award for Project 3-24, 2024 Alley Paving.**

DPW/Eng. Neumeier asked to pull this item.

#### **d. Authorization to seek bids for Project 7-24: MSB - Police Department Fence.**

The Police Department has encountered instances of people hiding in and around the PD parking area, people trying to enter the police garage, as well as people tampering with officer's personal vehicles. Staff would like to seek bids to install fencing and a gate to secure the area. Discussion was held and questions answered.

Motion by Thiele, seconded by Coenen to authorize the Engineering Department to seek bids for Project #7-24 – MSB – Police Department Fence.

All Ald. voted aye.

Motion carried.

#### **e. Authorization to seek bids for Project 9-24: 2024 Concrete Street Patch Program.**

The Engineering Department and Street Department have identified various areas in need of concrete street panel replacement for which we have budgeted funds in the 2024 CIP. The City would also contract with KU to add any winter water main break patches with our larger replacement project in an effort to save money, staff resources, and to simplify project



coordination.

Motion by Moore, seconded by Kilgas to authorize the Engineering Department to seek bids for Project #9-24 – 2024 Concrete Street Patch Program.

All Ald. voted aye.

Motion carried.

**f. Park Tree Planting Plans Update.**

DPW/Eng. Neumeier stated Several City parks have been negatively affected by emerald ash borer beetle damage and subsequent tree removal. Some of the worst areas include Grignon Park, White City Park, Strassburg Park, and 1000 Islands. City staff met and walked some of these areas earlier this year to get a feel for the extent of damage and to start developing a reforestation plan for each area. Associate Planner Lily Paul has created the plans/maps provided. A variety of trees and shrubs will be incorporated to provide resiliency, shade, habitat, screening, and bird and pollinator interest. Discussion was held and questions answered.

**g. County Road J Roundabout Sidewalk.**

DPW/Eng. Neumeier provided a map of the area. The DOT is installing new larger roundabouts to accommodate larger trucks and is proposing to install sidewalks at the CTH J on/off ramps. The City would need to sign a maintenance agreement but there would be no construction cost to the City for the sidewalk installation. This will accommodate future sidewalk/trail expansion to this area. Discussion was held and questions answered.

A maintenance agreement will be brought to a future Board of Public Works meeting for approval.

**h. Snow Removal Bill – 109 W. 4th Street.**

City crews were sent out on 1/24/24 to remove snow from private walks. This removal was done 10 days after the last accumulating precipitation. Mr. Purifoy's property at 109 W 4th St. was one of the 21 properties crews completed snow removal on. Pictures provided show Mr. Purifoy's property before and after removal. There are also two additional properties attached that show before and after photos of the removal completed by city staff. Mr. Purifoy is grieving the assessment claiming there was accumulation on 1/23/24 and that city crews didn't give him the approved timeframe in ordinance 8.13 of 48 hours to have the snow removed. Although there was freezing fog and flurries on the morning of 1/23/24, there was no accumulation that required any maintenance of paved surfaces. All pictures provided show no signs of accumulation from the night before. The snow that required removal from Mr. Purifoy's property needed to be removed to comply with ordinance 8.13 and there were 240 hours between the last accumulation and city staff removal, which in result, created a \$150.00 minimum assessed fee for the 44 feet of snow removal.

Motion by Coenen, seconded by Schell to allow the resident to speak.

All Ald. Voted aye.

Motion carried.

Nathan Purifoy, 109 W. 4th Street spoke stating that he did in fact clear the sidewalk from the storm that took place on the 13th. He feels this snow was from the night before and therefore he was not given enough time to clear the sidewalk.

Motion by Coenen, seconded by Kilgas to keep the current snow removal bill for 109 W. 4th Street as stands.

Motion carried.

**i. Public Works Update.**

On May 20th before the Board of Public Works meeting there will be a special informational

meeting for Project 1-24, Concrete Street Paving and on June 3<sup>rd</sup> there will be a special assessment public hearing. A public informational meeting will be held this Wednesday, May 8 on the Hwy 96 project. The DOT has changed the Hwy 96/Green Bay Road project to include a closure of a section between Kaukauna and Wrightstown. City sewer crews have had issues with Augustine lift station intake valves while preparing for the HOVMSD project. This is an issue because if these valves cannot operate, about 20-25% of the city sewerage cannot be pumped to the treatment plant. This emergency repair will be approximately \$30,000. Utility work has started in the alleys downtown. LaFollette Park playground is almost complete, city crews have done a great job with site work. The roof is on the Jonen Park pavilion. City crew is helping to complete several projects to save the City money. Street Superintendent VanGompel provided background on some additional projects the Street Department crew is performing, including a stone retaining wall, and producing decorative fence posts for the pool site; our crew is highly skilled. An Arbor Day presentation and tree planting with the River View fifth graders was held with Street Foreman Pete Nelson. Community Enrichment & Recreation Director Vosters gave an update on the pool renovations, donations, and timeline for tentative opening. Questions from the Board were answered.

### **3. Adjourn.**

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

Meeting adjourned at 6:50 p.m.

Sally Kenney  
Clerk

## FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chairman Penterman on Monday, May 6, 2024 at 6:51 pm.

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

Also present: Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Com. Enrich. & Rec. Dir. Vosters, Fin. Dir. Van Rossum, Fire Chief Carrel, Police Chief Graff, Communications Coordinator Fencel, and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. **Elect Vice-Chair.**

Motion by DeCoster that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Moore as Vice-Chairman of the Finance and Personnel Committee.

Roll call vote: Coenen-aye, DeCoster-aye, Kilgas-aye, Moore-aye, Penterman-aye, Schell-aye.

Motion carried.

b. **Elect Secretary.**

Motion by Coenen to nominate Ald. Schell as Secretary of the Finance and Personnel Committee.

Motion by Moore that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Schell as Secretary of the Finance and Personnel Committee.

Roll call vote: Coenen-aye, DeCoster-aye, Kilgas-aye, Moore-aye, Penterman-aye, Schell -aye.

Motion carried.

c. **Ordinance 1905-2024 Amending Section 3.14(7) Operating Permit.**

Finance Director Van Rossum believes that the fee should be an annual fee so that the operator complies with all aspects of the Room Tax Ordinance and State Statutes in order to operate in the City of Kaukauna and believes the fee should increase \$5. The Director of Finance or designee shall notify the City Clerk that all required documents and payments have been submitted prior to any permits being assigned.

Motion by Moore, seconded by Schell to recommend approval of amended Ordinance 1905-2025 and forward on to the Common Council.

All members voted aye.

Motion carried.

d. **2024 Capital Borrowing.**

The list of proposed projects that were approved at the April 15, 2024 Board of Public Works meeting was provided. Funding for these projects will require municipal bonding. Some projects will also receive funding from other sources such as special assessments, grants, or TIFs. These projects are expected to be completed over the next one to three years. City staff is currently preparing for the rating calls, document preparations, and reporting required for the debt issues. Pending approval, the City plans to issue the bonds by the end of June 2024.

Motion by Kilgas, seconded by Coenen to authorize the Finance Director to obtain the necessary funds, as indicated to fully execute the approved projects.

Motion carried.

e. **Financial Request Submission – 50 on the Fox.**

The request is for an existing event that has happened for the past few years. The City has partnered



with the Heart of the Valley Chamber on this event in the past. The event organizer has shared that the event will be like years past and has indicated the request is to help pay for expenses for the event to survive.

Motion by DeCoster, seconded by Schell to approve \$500 funding request for 50 on the Fox Challenge for 2024.

All members voted aye.

Motion carried.

f. **Supplemental Financial Request – Electric City Experience 2024.**

The event organizer has shared that the event fundraising has not gone as expected. With a few larger donors backing out, the funding for the event is estimated to be short up to \$10,000. The organizer is still trying to secure the short fall. The event organizer is looking for the city to commit to being the backstop for any short fall. The City has already pledged \$10,000 as an event sponsor. The original sponsorship has been budgeted for. This event supports the City's Strategic Plan initiative of Community Choice by getting people to the downtown. This funding request will be further discussed at the Common Council meeting.

g. **1000 Islands Assistant Naturalist & Site Manager Positions and other budget impacts.**

The Assistant Naturalist position has become vacant as of April 30, 2024. Staff met to discuss possible solutions moving forward to best meet the needs of 1000 Islands. With that there are a few personnel and budget changes being brought to attention.

Motion by DeCoster, seconded by Coenen to remove the Americorp position from the budget in 2024, temporarily move the Assistant Naturalist position from 20 hours to 29 hours for a period not to exceed 8/31/2024, temporarily remove the Site Manager position (20 hours per week), hire an additional street seasonal to assist the Assistant Naturalist with site duties, and reevaluate 1000 Islands staffing in July of 2024.

All members voted aye.

Motion carried.

3. **Adjourn.**

Motion by Moore, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:12 pm.

Sally Kenney, Clerk

## HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chairman Schell on Monday, May 6, 2024 at 7:12 P.M.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Com. Enrich. & Rec. Dir. Vosters, Fin. Dir. Van Rossum, Fire Chief Carrel, Police Chief Graff, Communications Coordinator Fencel, and interested citizens.

### 1. Correspondence – None.

### 2. Discussion Topics.

#### a. Elect Vice-Chairman.

Motion by Thiele that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Eggleston as Vice-Chairman of the Health and Recreation Committee.

Roll call vote: DeCoster-aye, Eggleston-aye, Schell-aye, Thiele -aye.

Motion carried.

#### b. Elect Secretary.

Motion by DeCoster that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Thiele as Secretary of the Health and Recreation Committee.

Roll call: DeCoster-aye, Eggleston-aye, Schell-aye, Thiele-aye.

Motion carried.

#### c. Special Event Application and Amplified Music Request to Marty DeCoster for the Wisconsin Avenue Fall Block Party on September 21, 2024 from 8 am to 11 pm.

Vosters stated the Special Event previously discussed on the same date was cancelled.

Motion by Thiele, seconded by Eggleston to grant the Special Event Application and Amplified Music Request to Marty DeCoster for the Wisconsin Avenue Fall Block Party on September 21, 2024 from 8 am to 11 pm.

Motion carried.

#### d. Amplified Music Request to Jodi Pentergast at Riverside Park on June 1, 2024 from 12 to 9 pm for a wedding reception.

Motion by Eggleston, seconded by DeCoster to approve the Amplified Music Request to Jodi Pentergast at Riverside Park on June 1, 2024 from 12 to 9 pm for a wedding reception.

All members voted aye.

Motion carried.

#### e. Special Event Application and Amplified Music Request to Friends of 1000 Islands at 1000 Islands Environmental Center on May 19, 2024 from 9 am to 3 pm for the Arts and Craft Fair.

Motion by Eggleston, seconded by Thiele to approve the Special Event Application and Amplified Music Request to Friends of 1000 Islands at 1000 Islands Environmental Center on May 19, 2024 from 9 am to 3 pm for the Arts and Craft Fair.

All members voted aye.

Motion carried.

### **3. Adjourn.**

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

Meeting adjourned at 7:19 P.M.

Sally Kenney  
Clerk

## LEGISLATIVE COMMITTEE

A meeting of the Legislative Committee was called to order by Chairman Antoine on Monday, May 6, 2024 at 7:22 P.M.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Com. Enrich. & Rec. Dir. Vosters, Fin. Dir. Van Rossum, Fire Chief Carrel, and interested citizens.

### 1. **Correspondence** - None.

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

#### a. **Elect Vice Chair.**

Motion by Thiele that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. DeCoster as Vice-Chairman of the Legislative Committee.

Roll call vote: Antoine-aye, Coenen-aye, DeCoster-aye, Thiele -aye.

Motion carried.

#### b. **Elect Secretary.**

Motion by Thiele that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Coenen as Secretary of the Legislative Committee.

Roll call vote: Antoine-aye, Coenen-aye, DeCoster-aye, Thiele-aye.

Motion carried.

### 3. **Adjourn.**

Motion by Coenen, seconded by DeCoster to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:24 p.m.

Sally Kenney, Clerk



## **PUBLIC PROTECTION AND SAFETY COMMITTEE**

A meeting of the Public Protection and Safety Committee was called to order by Chairman Eggleston on Monday, May 6, 2024 at 7:25 P.M.

Members present: Antoine, Eggleston, Kilgas and Moore.

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Street Sup. Van Gompel, HR Dir. Swaney, Com. Enrich. & Rec. Dir. Vosters, Fin. Dir. Van Rossum, Fire Chief Carrel, and interested citizens.

### **1. Correspondence - None.**

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

#### **a. Elect Vice Chair.**

Motion by Moore that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Kilgas as Vice-Chairperson of the Public Protection and Safety Committee.

Roll call vote: Antoine-aye, Eggleston-aye, Kilgas-aye, Moore-aye.

Motion carried.

#### **b. Elect Secretary.**

Motion by Moore that nominations be closed, rules be suspended, and a unanimous ballot be cast for Ald. Antoine as Secretary of the Public Protection and Safety Committee.

Roll call vote: Eggleston-aye, Kilgas-aye, Moore-aye, Antoine-aye.

Motion carried.

### **3. Adjourn.**

Motion by Moore, seconded by Kilgas to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 7:27 p.m.

Sally Kenney  
Clerk

## BOARD OF APPEALS

A Meeting of The Board of Appeals was called to order by Chair Kavanaugh at 4:00 P.M. on Wednesday, April 24, 2024.

Members present: Hennes, Kavanaugh, Nisler, and Vandeberg.

Absent & Excused: Brandt, Fallona and Werschem

Also Present: Planning/Eng. Tech. Holmes, Building Inspector Jensen, and applicants.

Motion by Vandeberg, seconded by Hennes to excuse the absent members.

All members present voted aye.

Motion carried.

Kenney read the official published ad relative to the appeal. Notice is hereby given that Akey Property Management LLC, 2485 Schultz Dr Neenah, Wisconsin has applied for a variance to the Zoning Board of Appeals for a decision of the City Building Inspector as follows:

ADDRESS OF AFFECTED PARCEL: 716 E 9<sup>th</sup> St, Kaukauna WI 54130

The applicant is requesting a variance to construct a single-family home. Section 17.16 (4) (a) 1. Single-family dwellings. c. Front yard setback: 25 feet minimum. The applicant wishes to construct a new home with a 11-foot front yard setback. Section 17.16 (4) (a) 1. Single-family dwellings. d. Side yard setback: 7 feet minimum. The applicant wishes to construct a home with a 5-foot setback.

Property owner Trisha with Akey Property Management LLC was sworn in. The affected parcel was noticed incorrectly as 719 and should have been 716.

Trisha gave background on the reasoning for the appeal request.

Planning/Eng. Tech. Holmes stated this property does have an unusual or unique characteristic which creates a hardship. The lot was platted below the required size in the current zoning code. The lot is also a corner lot having 2 front yards with greater setbacks than a typical lot with one side abutting a street. The hardship is not self-created. The applicant will not be able to construct the proposed home without granting of this variance. The variance that is being requested is a minimum amount needed to allow construction of the home. The granting of this variance will not have a negative effect on the neighboring properties. Most of the properties in the neighborhood have several encroachments into the required yards.

Motion by Hennes, seconded by Nisler to approve the variance to Akey Property Management LLC at 716 E. 9<sup>th</sup> Street, Kaukauna, WI 54130.

Upon roll call, Hennes – aye, Kavanaugh – aye, Nisler – aye, Vandeberg – aye.

Motion carried.

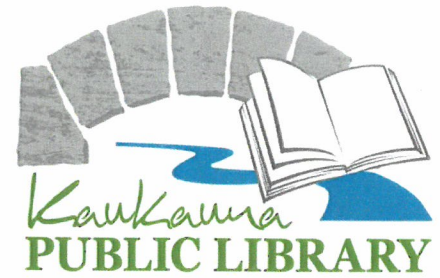
Motion by Vandeberg, seconded by Hennes to adjourn.

All members present voted aye.

Motion carried.

Meeting adjourned at 4:10 P.M.

Sally Kenney, Clerk



## LIBRARY BOARD MEETING MINUTES

City of Kaukauna

Kaukauna Public Library

207 Thilmany Rd STE 200, Kaukauna

Tuesday, March 26, 2024 at 5:30 PM

### Library Board Room In-Person & Zoom Teleconference Hybrid Meeting

1. Call meeting to order
  - a. The meeting was called to order at 5:31p.
2. Roll call of membership
  - a. Present: M.J. Kilgas, C. Van Boxtel, J. Lucas, A. Neumeier, K. Hietpas, C. Fallona, J. Van De Hey & J. Vondracek
  - b. Excused: A. Schneider
  - c. Also present: A. Thiem-Menning
3. Approval of minutes from previous meeting
  - a. Tuesday, February 27, 2024 meeting minutes
  - b. K. Hietpas made a motion to approve the Tuesday, February 27, 2024 meeting minutes, seconded by J. Lucas. Motion carries; all in favor.
4. Public Participation and Communications
  - a. None.
5. Action Items
  - a. Bill Register February 2024
  - b. C. Fallona made a motion to approve the Bill Register February 2023, seconded by C. Van Boxtel. Motion carries; all in favor.
6. Information Items
  - a. Directors Report
    - i. A. Thiem-Menning noted upcoming absences for attendance at the Public Library Association Conference in Ohio.
  - b. Adult Services Librarian Report
    - i. The Board noted the increased attendance at the new Sheepshead program.
  - c. Youth Services Librarian Report

- i. A. Thiem-Menning remarked how proud she is that S. Wroblewski has been doing so much outreach with high school teens.
- d. Local Historian Report
  - i. The Board was pleased to have the notes from the Irish Genealogy session the Local Historian attended.
- e. Trustee Topic 14
- f. Statistics
  - i. A. Thiem-Menning noted that the new restrictions set for Hoopla have made a large difference in the monthly expenditures.
- 7. Adjournment
  - a. The meeting adjourned at 6:23p.

Join Zoom Meeting

<https://us06web.zoom.us/j/88900740902>



## **Minutes for 1000 Islands Environmental Center Committee Meeting on Thursday, March 21, 2024**

**Members Present** Breitzman, Eggleston, Manion, Hietpas, Hintz, and White

**Not Present** Jakel, Van Berkel, Pautz, and West

**Also Present** Kevin Hietpas

White called the March Committee Meeting to order at 6:30 PM. A quorum is present.

### **February 15, 2024, Committee Meeting Minutes**

Manion made a motion to approve the February 15, 2024, Committee Meeting minutes. Seconded by Breitzman. Motion carried.

### **Financial Reports**

January Financial Report was reviewed by the Committee. Eggleston made a motion to approve the January Financial Report. Seconded by Breitzman. Motion carried.

February Financial Report was reviewed by the Committee. Breitzman made a motion to approve the February Financial Report. Seconded by Hietpas. Motion carried.

**Public Appearances** Kevin Hietpas, a volunteer, introduced himself to the Committee. He gave an overview of the electrical work he performed to upgrade the pavilion receptacles and light fixtures inside the Nature Center. The Committee thanked him.

### **Correspondence**

No report.

### **Friends of 1000 Islands Report**

Hietpas reported the Pancake & Porkie event was a success with over 300 people served; 100 more than last year. Profits this year were \$2,800; up \$800 from last year. The weather was good, and the event was well marketed. There was a shortage of plates and applesauce. Fresh maple syrup was provided for the meal. A maple syrup cooking demonstration was provided using water. There may not be a surplus of syrup next year due to the unseasonably warm weather which shortened the maple syrup season.

### **Naturalist's Report**

The Assistant Naturalist will be resigning in mid-April. The transition plan was discussed. In lieu of filling the Assistant Naturalist position and hiring an AmeriCorps position, the interim plan will increase the Site Manager's hours from 20 hours per week to 29 hours per week. This will allow the Site Manager to assist with education programs. The Street Department will provide a limited term position (20 hours per week) to assist with building and grounds work through 2025. Hietpas spoke in favor of a full-time buildings and grounds position to maintain the trails and green space. Eggleston stated a full-time building and grounds position could assist at other natural areas within the City. Manion indicated an organized volunteer day could accomplish

many projects.

Gravel has been placed on the trail going up the hill. Split rail fencing has been installed. Hietpas would like to repurpose the boardwalk materials to extend the trail beyond the blacktop trail.

The Street Department will be replacing the siding on the Nature Center. Funds are not available to replace the windows. The interim fix is to add insulation around the windows.

The Committee requested a status report for the planned updates to the Nature Center restrooms. Previous discussion involved updating the electrical/plumbing, countertop, and installing an ADA compliant sink.

The Committee weighed the pros and cons of purchasing either a new electric truck or a used, low mileage truck from the Street Department.

### **1<sup>st</sup> Quarter Usage Report**

White stated Pautz found the Park School program was reported twice. The overall total will be amended to reduce the total by 48. In addition to the reported usage, Blood led three Geology Hikes at River View.

### **Changing Authorized Signors for CDs**

1000 Islands CDs will need updated signing authority designations due to staffing changes. Two authorized signors are required to conduct transactions for the business account. Sally Kenney, City Clerk, is currently listed as an authorized signor. Another authorized signor will need to be designated. Manion made a motion to remove Deb Nowak and Maureen Feldt as authorized signors and to designate the City of Kaukauna Finance Director/Treasurer, William VanRossum, as an authorized signor for the CDs held at East Wisconsin Savings Bank. Seconded by Breitzman. Motion carried.

### **Admin and Finance Sub-Committee**

Eggleston raised a motion to approve the meeting minutes of November 29, 2023. Breitzman seconded. Motion carried.

### **Education Sub-Committee**

Blood reported February programs were well attended. Hietpas raised a motion to approve the meeting minutes of March 12, 2024. Breitzman seconded. Motion carried.

### **Building and Grounds Sub-Committee**

The boardwalk project will be completed in two phases. The first section of boardwalk to be replaced will be along the river, followed by replacing the boardwalk in the wooded areas. Hietpas raised a motion to approve the meeting minutes of November 29, 2023. Seconded by Hintz. Motion carried.

### **Old Business**

*Pancake & Porkie:* A meeting is planned to be held on Tuesday, March 26, 2024, at 4:00 p.m. at the Nature Center to discuss improvements and successes. Breitzman commended the National

Honor Society for serving the meal.

**New Business**

*Spring Art Fair:* The Friends of 1000 Islands Art Fair will be held Sunday, May 19, 2024. Friends of 1000 Islands is seeking volunteers and sponsors. The event will include a raffle, food stand, and bake sale. Music will be provided.

*Policy Binder Updates:* Committee members will review their policy binders and advise staff if updates are needed.

**Good of the Center**

Staff contacted a wildlife rehabber to assist with removing Jabber from his cage to attend his vet appointment. X-rays and labs were performed, and his prescription has been renewed. Jabber's medical condition is stable. He has an enlarged heart. Jabber's vet visits expenses are \$300 every 6 months. Eggleston commented that Jabber is staple at the Nature Center and would be great for marketing.

**Next Committee Meeting**

The next Committee Meeting will be on Thursday, April 18, 2024, at 6:30 PM in the Nature Center building.

**Adjournment**

There being no further business, Eggleston moved to adjourn the March 21, 2024, Committee Meeting at 7:32 PM. Seconded by Breitzman. Motion carried.

Cassie Kohls, Acting Secretary

The following applicants have applied for an operator's license for the license year **2024-2026** and have been recommended for approval based on their record check by the police department:

Biesterveld	Theresa	M.	321 W. 12 <sup>th</sup> St.	Kaukauna
Francis	Daniel	P.	120 W. 13 <sup>th</sup> St.	Kaukauna
Gloudemans	Amanda	M.	656 Fern St.	Kaukauna
Keddell	Emma	M.	2081 Hidden Creek Rd.	Neenah
Moore	John	P.	2381 Fairway Dr.	Kaukauna
Smith	Jessica	A.	400 E. 20 <sup>th</sup> St.	Kaukauna
Soto	Edith	M.	W4858 Spring Hill Dr.	Sherwood
St. John	Thomas	F.	1701 Biscayne Dr.	Little Chute
Vanden Boogaard	Jaren	J.	131 Morningside Dr.	Kaukauna
Vanover	Richard	H.	225 W. 12 <sup>th</sup> St. Apt. #7	Kaukauna
Wittman	David	J.	2400 Main Ave.	Kaukauna

The following applicants have applied for an operator's license for the license year **2024-2026, as well as a provisional license covering May & June of 2024**, and have been recommended for approval based on their record check by the police department:

Jayjack	Melanie	S.	124 Crestview Dr.	Appleton
Spencer	Alison	A.	N1705 River Forest Dr.	Kaukauna



**RESOLUTION NO. 2024-5428****WORLD MIGRATORY BIRD DAY**

WHEREAS, migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

WHEREAS, many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; and

WHEREAS, these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

WHEREAS, migratory birds and their habitats are declining throughout the Americas, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS, public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS, citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, since 1993 World Migratory Bird Day (formerly International Migratory Bird Day) has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in our communities and throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern U.S.; and

WHEREAS, hundreds of thousands of people will observe WMBD, gathering in town squares, community centers, schools, parks, nature centers, and wildlife refuges to learn about birds, take action to conserve them, and simply to have fun; and

WHEREAS, while WMBD officially is held each year on the second Saturday in May, its observance is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants; and

WHEREAS, WMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation, but also a call to action.

NOW THEREFORE, I, Anthony J. Penterman, as Mayor of the City of Kaukauna, do hereby proclaim May 11, 2024 as

**World Migratory Bird Day**

In the City of Kaukauna, and I urge all citizens to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Introduced and adopted this 7<sup>th</sup> day of May, 2024.

APPROVED: \_\_\_\_\_  
Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_  
Sally A. Kenney, Clerk

## RESOLUTION NO. 2024 - 5429

RESOLUTION AUTHORIZING THE ISSUANCE AND  
SALE OF UP TO \$1,957,280 WATERWORKS SYSTEM REVENUE BONDS, SERIES 2024,  
AND PROVIDING FOR OTHER DETAILS AND  
COVENANTS WITH RESPECT THERETO

WHEREAS, the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "Municipality") owns and operates a waterworks system (the "System") which is operated for a public purpose as a public utility by the Municipality; and

WHEREAS, pursuant to Resolution No. 3000 adopted by the Governing Body on December 16, 1997 (the "Bond Resolution") and Resolution No. 4101 adopted by the Governing Body on September 19, 2017 (the "2017 Resolution"), the Municipality has heretofore issued its Waterworks System Revenue Bonds, Series 2017A, dated October 3, 2017 (the "2017 Bonds"), which are payable from the income and revenues of the System; and

WHEREAS, pursuant to the Bond Resolution and Resolution No. 2020-5246 adopted by the Governing Body on November 17, 2020, as supplemented by a Certificate dated December 2, 2020 (collectively, the "2020 Resolution"), the Municipality has heretofore issued its Waterworks System Revenue Bonds, Series 2020, dated December 30, 2020 (the "2020 Bonds"), which are payable from the income and revenues of the System on a parity with the 2017 Bonds; and

WHEREAS, the 2017 Bonds and the 2020 Bonds shall collectively be referred to as the "Senior Bonds"; and

WHEREAS, the Bond Resolution, as supplemented by the 2017 Resolution and the 2020 Resolution (collectively, the "Supplementing Resolutions") shall collectively be referred to as the "Senior Resolutions"; and

WHEREAS, pursuant to Resolution No. 2023-5392 adopted by the Governing Body on June 20, 2023 (the "2023 Resolution"), the Municipality has heretofore issued its Waterworks System Revenue Bonds, Series 2023, dated July 12, 2023 (the "2023 Bonds"), which are payable from the income and revenues of the System on a basis junior and subordinate to the Senior Bonds; and

WHEREAS, certain improvements to the System are necessary to meet the needs of the Municipality and the residents thereof, consisting of the construction of a project (the "Project") assigned Safe Drinking Water Loan Program Project No. 5120-13 by the Department of Natural Resources, and as described in the Department of Natural Resources approval letters for the plans and specifications of the Project, or portions thereof, issued under Section 281.41, Wisconsin Statutes, assigned No. W-2023-0317 and dated April 12, 2023 and No. W-2023-0233 and dated March 21, 2023 by the DNR; and

WHEREAS, under the provisions of Chapter 66, Wisconsin Statutes any municipality may, by action of its governing body, provide for purchasing, acquiring, constructing, extending, adding to, improving, operating and managing a public utility from the proceeds of bonds, which bonds are to be payable only from the revenues received from any source by such utility, including all rentals and fees; and

WHEREAS, the 2023 Resolution permits the issuance of additional bonds on a parity with the 2023 Bonds upon certain conditions, and those conditions have been met; and

WHEREAS, the Municipality deems it to be necessary, desirable and in its best interest to authorize and sell waterworks system revenue bonds of the Municipality payable solely from the revenues of the System, pursuant to the provisions of Section 66.0621, Wisconsin Statutes, on a basis junior and subordinate to the Senior Bonds and on a parity with the 2023 Bonds, to pay the cost of the Project; and

WHEREAS, other than the Senior Bonds and the 2023 Bonds, no bonds or obligations payable from the revenues of the System are now outstanding.

NOW, THEREFORE, be it resolved by the Governing Body of the Municipality that:

Section 1. Definitions. The following terms shall have the following meanings in this Resolution unless the text expressly or by implication requires otherwise:

- (a) "Act" means Section 66.0621, Wisconsin Statutes;
- (b) "Bond Registrar" means the Municipal Treasurer which shall act as Paying Agent for the Bonds;
- (c) "Bond Resolution" means Resolution No. 3000 adopted by the Governing Body on December 16, 1997;
- (d) "Bonds" means the \$1,957,280 Waterworks System Revenue Bonds, Series 2024, of the Municipality dated their date of issuance, authorized to be issued by this Resolution;
- (e) "Bond Year" means the twelve-month period ending on each May 1;
- (f) "Current Expenses" means the reasonable and necessary costs of operating, maintaining, administering and repairing the System, including salaries, wages, costs of materials and supplies, insurance and audits, but shall exclude depreciation, debt service, tax equivalents, replacements and capital expenditures;
- (g) "Debt Service Fund" means the Waterworks System Junior Lien Special Redemption Fund of the Municipality, which shall be the "special redemption fund" as such term is defined in the Act;
- (h) "Financial Assistance Agreement" means the Financial Assistance Agreement by and between the State of Wisconsin by the Department of Natural Resources and the Department of Administration and the Municipality pursuant to which the Bonds are to be issued and sold to the State, substantially in the form attached hereto and incorporated herein by this reference;
- (i) "Fiscal Year" means the twelve-month period ending on each December 31;
- (j) "Governing Body" means the Common Council, or such other body as may hereafter be the chief legislative body of the Municipality;



(k) "Gross Earnings" means the gross earnings of the System, including earnings of the System derived from waterworks charges imposed by the Municipality, all payments to the Municipality under any service agreements between the Municipality and any contract users of the System, and any other monies received from any source including all rentals and fees, any tax incremental district revenues appropriated by the Governing Body or other revenues of the Municipality appropriated by the Governing Body pursuant to Section 9 to the System, and any special assessments levied and collected in connection with the Project;

(l) "Municipal Treasurer" means the Treasurer of the Municipality who shall act as Bond Registrar and Paying Agent;

(m) "Municipality" means the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin;

(n) "Net Revenues" means the Gross Earnings of the System after deduction of Current Expenses;

(o) "Parity Bonds" means bonds payable from the revenues of the System other than the Bonds but issued on a parity and equality with the Bonds pursuant to the restrictive provisions of Section 11(c) of this Resolution;

(p) "Project" means the Project described in the preamble to this Resolution. All elements of the Project are to be owned and operated by the Municipality as part of the System as described in the preamble hereto;

(q) "Record Date" means the close of business on the fifteenth day of the calendar month next preceding any principal or interest payment date;

(r) "Senior Bonds" means the 2017 Bonds and the 2020 Bonds, and any other bonds issued on a parity with such bonds in the future pursuant to the restrictive provisions of Section 11(a) hereof, collectively;

(s) "Senior Resolutions" means the Bond Resolution, as supplemented by the 2017 Resolution, the 2020 Resolution and any future resolution authorizing the issuance of additional Senior Bonds, collectively;

(t) "Supplementing Resolutions" means the 2017 Resolution and 2020 Resolution, collectively;

(u) "System" means the entire waterworks system of the Municipality specifically including that portion of the Project owned by the Municipality and including all property of every nature now or hereafter owned by the Municipality for the extraction, collection, treatment, storage and distribution of water, including all improvements and extensions thereto made by the Municipality while any of the Bonds and Parity Bonds remain outstanding, including all real and personal property of every nature comprising part of or used or useful in connection with such waterworks system and including all appurtenances, contracts, leases, franchises, and other intangibles;

(v) "2017 Bonds" means the Municipality's Waterworks System Revenue Bonds, Series 2017A, dated October 3, 2017;

(w) "2017 Resolution" means Resolution No. 4101 adopted by the Governing Body on September 19, 2017 authorizing the issuance of the 2017 Bonds;

(x) "2020 Bonds" means the Municipality's Waterworks System Revenue Bonds, Series 2020, dated December 30, 2020;

(y) "2020 Resolution" means Resolution No. 2020-5246 adopted by the Governing Body on November 17, 2020 authorizing the issuance of the 2020 Bonds;

(z) "2023 Bonds" means the Municipality's Waterworks System Revenue Bonds, Series 2023, dated July 12, 2023; and

(aa) "2023 Resolution" means Resolution No. 2023-5392 adopted by the Governing Body on June 20, 2023 authorizing the issuance of the 2023 Bonds.

Section 2. Authorization of the Bonds and the Financial Assistance Agreement. For the purpose of paying the cost of the Project (including legal, fiscal, engineering and other expenses), there shall be borrowed on the credit of the income and revenue of the System up to the sum of \$1,957,280; and fully registered revenue bonds of the Municipality are authorized to be issued in evidence thereof and sold to the State of Wisconsin Safe Drinking Water Loan Program in accordance with the terms and conditions of the Financial Assistance Agreement, which is incorporated herein by this reference and the Mayor and City Clerk of the Municipality are hereby authorized, by and on behalf of the Municipality, to execute the Financial Assistance Agreement.

Section 3. Terms of the Bonds. The Bonds shall be designated "Waterworks System Revenue Bonds, Series 2024" (the "Bonds"); shall be dated their date of issuance; shall be numbered one and upward; shall bear interest at the rate of 2.145% per annum; shall be issued in denominations of \$0.01 or any integral multiple thereof; and shall mature on the dates and in the amounts as set forth in Exhibit B of the Financial Assistance Agreement and in the Bond form attached hereto as Exhibit A as it is from time to time adjusted by the State of Wisconsin based upon the actual draws made by the Municipality. Interest on the Bonds shall be payable commencing on November 1, 2024 and semiannually thereafter on May 1 and November 1 of each year. The Bonds shall not be subject to redemption prior to maturity except as provided in the Financial Assistance Agreement.

The schedule of maturities of the Bonds is found to be such that the amount of annual debt service payments is reasonable in accordance with prudent municipal utility practices.

Section 4. Form, Execution, Registration and Payment of the Bonds. The Bonds shall be issued as registered obligations in substantially the form attached hereto as Exhibit A and incorporated herein by this reference.

The Bonds shall be executed in the name of the Municipality by the manual signatures of the Mayor and City Clerk, and shall be sealed with its official or corporate seal, if any.

The principal of, premium, if any, and interest on the Bonds shall be paid by the Municipal Treasurer, who is hereby appointed as the Municipality's Bond Registrar.

Both the principal of and interest on the Bonds shall be payable in lawful money of the United States of America by the Bond Registrar. Payment of principal of the final maturity on the Bond will be payable upon presentation and surrender of the Bond to the Bond Registrar. Payment of principal on the Bond and each installment of interest shall be made to the registered owner of each Bond who shall appear on the registration books of the Municipality, maintained by the Bond Registrar, on the Record Date and shall be paid by electronic transfer or by check or draft of the Municipality (as directed by the registered owner) and if by check or draft, mailed to such registered owner at his or its address as it appears on such registration books or at such other address may be furnished in writing by such registered owner to the Bond Registrar.

Section 5. Security for the Bonds. The Bonds, together with interest thereon, shall not constitute an indebtedness of the Municipality nor a charge against its general credit or taxing power. The Bonds, together with interest thereon, shall be payable only out of the Debt Service Fund hereinafter continued, and shall be a valid claim of the registered owner or owners thereof only against such Debt Service Fund and the revenues of the System pledged to such fund, junior and subordinate to the pledge granted to the holders of the Senior Bonds and on a parity with the pledge granted to the holders of the 2023 Bonds. Sufficient revenues are hereby pledged to said Debt Service Fund, and shall be used for no other purpose than to pay the principal of, premium, if any, and interest on the 2023 Bonds, the Bonds and any Parity Bonds as the same becomes due.

Section 6. Funds and Accounts. In accordance with the Act, for the purpose of the application and proper allocation of the revenues of the System, and to secure the payment of the principal of and interest on the Senior Bonds, the 2023 Bonds, the Bonds and Parity Bonds, certain funds of the System which were created and established pursuant to Section 6 of the Bond Resolution, as amended by the Supplementing Resolutions and this Resolution, which shall be used solely for the following respective purposes:

- (a) Waterworks System Revenue Fund (the "Revenue Fund"), into which shall be deposited as received the Gross Earnings of the System, which money shall then be divided among the Operation and Maintenance Fund, the Senior Lien Special Redemption Fund, the Debt Service Fund and the Surplus Fund in the amounts and in the manner set forth in Section 7 hereof and used for the purposes described below.
- (b) Waterworks System Operation and Maintenance Fund (the "Operation and Maintenance Fund"), which shall be used for the payment of Current Expenses.
- (c) Waterworks System Special Redemption Fund (the "Senior Lien Special Redemption Fund"), which shall be divided into two separate accounts to be known as the "Interest and Principal Account" and the "Reserve Account".

(i) There shall be deposited in the Interest and Principal Account in the manner specified in Section 7 of the Bond Resolution, as amended, an amount sufficient (after giving effect to available amounts in said account from accrued interest, any premium, investment earnings and any other source) to pay the principal of and interest on the Senior Bonds as the same becomes due. The Interest and Principal Account shall be used solely for the



purposes of paying principal of and interest on the Senior Bonds in accordance with the provisions of the Bond Resolution, as amended and supplemented by the Supplementing Resolutions.

(ii) The Reserve Account shall be used solely for the purpose of paying principal of or interest on the Senior Bonds at any time when there shall be insufficient money in the Interest and Principal Account. The Reserve Account shall be funded and replenished in the manner specified in the Bond Resolution, as amended and supplemented by the Supplementing Resolutions. The Reserve Account does not secure the Bonds or the 2023 Bonds and monies on deposit in the Reserve Account shall under no circumstances be used to pay principal of or interest on the Bonds or the 2023 Bonds.

- (d) Waterworks System Junior Lien Special Redemption Fund (the "Debt Service Fund"), which shall be used for the payment of the principal of, premium, if any, and interest on the Bonds, the 2023 Bonds and Parity Bonds, as the same becomes due, and which may contain a reserve account for future Parity Bonds.
- (e) Waterworks System Surplus Fund (the "Surplus Fund"), which shall first be used whenever necessary to pay principal of or interest on, first, the Senior Bonds, and, second, the 2023 Bonds, the Bonds and any Parity Bonds when the Senior Lien Special Redemption Fund or Debt Service Fund, as applicable, shall be insufficient for such purpose, and thereafter shall be disbursed as follows:

(i) at any time, to remedy any deficiency in any of the funds or accounts provided in Section 7 hereof; and,

(ii) money thereafter remaining in the Surplus Fund at the end of any Fiscal Year may be transferred to any of the funds or accounts created herein, or to reimburse the general fund of Municipality for advances made by the Municipality to the System.

Section 7. Application of Revenues. After the delivery of the Bonds, the Gross Earnings of the System shall be deposited as collected in the Revenue Fund and shall be transferred monthly to the funds listed below in the following order of priority and in the manner set forth below:

- (a) to the Operation and Maintenance Fund, in an amount equal to the estimated Current Expenses for such month and for the following month (after giving effect to available amounts in said Fund from prior deposits);
- (b) to the Senior Lien Special Redemption Fund, for monthly transfer to the Interest and Principal Account thereof, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Senior Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Senior Bonds coming due on the next succeeding principal payment date (after giving effect to available amounts in said Fund from accrued interest, any premium or any

other source), and for monthly transfer to the Reserve Account thereof, the amount required by the Senior Resolutions to fund the Reserve Account;

- (c) to the Debt Service Fund, an amount equal to one-sixth (1/6) of the next installment of interest coming due on the Bonds, the 2023 Bonds and any Parity Bonds then outstanding and an amount equal to one-twelfth (1/12) of the installment of principal of the Bonds, the 2023 Bonds and any Parity Bonds coming due on the next succeeding payment date (after giving effect to available amounts in said Fund from accrued interest, any premium or any other source), and any amount required by future resolutions authorizing the issuance of Parity Bonds to fund a reserve account established to secure such Parity Bonds; and
- (d) to the Surplus Fund, any amount remaining in the Revenue Fund after the monthly transfers required above have been completed.

Transfers from the Revenue Fund to the Operation and Maintenance Fund, the Senior Lien Special Redemption Fund, the Debt Service Fund and the Surplus Fund shall be made monthly not later than the tenth day of each month, and such transfer shall be applicable to monies on deposit in the Revenue Fund as of the last day of the month preceding. Any other transfers and deposits to any fund required or permitted by subsection (a) through (d) of this Section, except transfers or deposits which are required to be made immediately or annually, shall be made on or before the tenth day of the month. Any transfer or deposit required to be made at the end of any Fiscal Year shall be made within sixty (60) days after the close of such Fiscal Year. If the tenth day of any month shall fall on a day other than a business day, such transfer or deposit shall be made on the next succeeding business day.

It is the express intent and determination of the Governing Body that the amounts transferred from the Revenue Fund and deposited in the Debt Service Fund shall be sufficient in any event to pay the interest on the 2023 Bonds, the Bonds and any Parity Bonds as the same accrues and the principal thereof as the same matures, and to fund the Reserve Account for any future Parity Bonds secured thereby.

Section 8. Deposits and Investments. The Debt Service Fund shall be kept apart from monies in the other funds and accounts of the Municipality and the same shall be used for no purpose other than the prompt payment of principal of and interest on the 2023 Bonds, the Bonds and any Parity Bonds as the same becomes due and payable. All monies therein shall be deposited in special and segregated accounts in a public depository selected under Chapter 34, Wisconsin Statutes and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes. The other funds herein created (except the Waterworks System SDWLP Project Fund) may be combined in a single account in a public depository selected in the manner set forth above and may be temporarily invested until needed in legal investments subject to the provisions of Section 66.0603(1m), Wisconsin Statutes.

Section 9. Service to the Municipality. The reasonable cost and value of services rendered to the Municipality by the System by furnishing waterworks services for public purposes shall be charged against the Municipality and shall be paid in quarterly installments as the service accrues, out of the current revenues of the Municipality collected or in the process of collection, exclusive of the revenues derived from the System; that is to say, out of the tax levy of the Municipality made by it to raise money to meet its necessary current expenses. The reasonable cost and value

of such service to the Municipality in each year shall be equal to an amount which, together with other revenues of the System, will produce in each Fiscal Year Net Revenues equivalent to not less than the annual principal and interest requirements on the Senior Bonds, the 2023 Bonds, the Bonds, any Parity Bonds and any other obligations payable from the revenues of the System then outstanding, times the greater of (i) 110% or (ii) the highest debt service coverage ratio required with respect to any obligations payable from revenues of the System then outstanding. However, such payment out of the tax levy shall be subject to (a) approval of the Public Service Commission, or successors to its function, if applicable, (b) yearly appropriations therefor, and (c) applicable levy limitations, if any; and neither this Resolution nor such payment shall be construed as constituting an obligation of the Municipality to make any such appropriation over and above the reasonable cost and value of the services rendered to the Municipality and its inhabitants or to make any subsequent payment over and above such reasonable cost and value.

Section 10. Operation of System; Municipality Covenants. It is covenanted and agreed by the Municipality with the owner or owners of the Bonds, and each of them, that the Municipality will perform all of the obligations of the Municipality as set forth in the Financial Assistance Agreement.

Section 11. Additional Bonds. The Bonds are issued on a basis junior and subordinate to the Senior Bonds and on a parity with the 2023 Bonds as to the pledge of revenues of the System.

(a) Additional bonds may be issued on a basis senior to the Bonds provided that all the following conditions are met:

(1) Such additional bonds are issued on a parity with all then outstanding Senior Bonds pursuant to the restrictive provisions of the resolutions authorizing such then outstanding Senior Bonds;

(2) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all Senior Bonds then outstanding and any other bonds payable from revenues of the System then outstanding (including the Bonds and any Parity Bonds) and on the additional bonds then to be issued, times the greater of 1.10 or (ii) the highest debt service coverage ratio to be required with respect to any Senior Bonds, the additional bonds to be issued, or any other obligations payable from the revenues of the System then outstanding (including the Bonds or Parity Bonds). Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as a registered municipal advisor, an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may certify would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(3) The additional obligations are rated by a nationally recognized bond rating agency in the "A" category or higher, either on an unenhanced basis or as a result of the purchase of bond insurance.

(b) Additional obligations may be issued if the lien and pledge is junior and subordinate to that of the Bonds.

(c) Parity Bonds may be issued only under the following circumstances:

(1) Additional Parity Bonds may be issued for the purpose of completing the Project and for the purpose of financing costs of the Project which are ineligible for payment under the State of Wisconsin Safe Drinking Water Loan Program. However, such additional Parity Bonds shall be in an aggregate amount not to exceed 20% of the face amount of the Bonds; or

(2) Additional Parity Bonds may also be issued if all of the following conditions are met:

(i) The Net Revenues of the System for the Fiscal Year immediately preceding the issuance of such additional bonds must have been in an amount at least equal to the maximum annual interest and principal requirements on all bonds outstanding payable from the revenues of the System, and on the bonds then to be issued, times the greater of (i) 1.10 or (ii) the highest debt service coverage ratio to be required with respect to the Additional Parity Bonds to be issued or any other obligations payable from the revenues of the System then outstanding. Should an increase in permanent rates and charges, including those made to the Municipality, be properly ordered and made effective during the Fiscal Year immediately prior to the issuance of such additional bonds or during that part of the Fiscal Year of issuance prior to such issuance, then Net Revenues for purposes of such computation shall include such additional revenues as a registered municipal advisor, an independent certified public accountant, consulting professional engineer or the Wisconsin Public Service Commission may calculate would have accrued during the prior Fiscal Year had the new rates been in effect during that entire immediately prior Fiscal Year.

(ii) The payments required to be made into the funds enumerated in Section 6 of this Resolution must have been made in full.

(iii) The additional bonds must have principal maturing on May 1 of each year and interest falling due on May 1 and November 1 of each year.

(iv) The proceeds of the additional bonds must be used only for the purpose of providing extensions or improvements to the System, or to refund obligations issued for such purpose.



Section 12. Sale of Bonds. The sale of the Bonds to the State of Wisconsin Safe Drinking Water Loan Program for the purchase price of up to \$1,957,280 and at par, is ratified and confirmed; and the officers of the Municipality are authorized and directed to do any and all acts, including executing the Financial Assistance Agreement and the Bonds as hereinabove provided, necessary to conclude delivery of the Bonds to said purchaser, as soon after adoption of this Resolution as is convenient. The purchase price for the Bonds shall be paid upon requisition therefor as provided in the Financial Assistance Agreement, and the officers of the Municipality are authorized to prepare and submit to the State requisitions and disbursement requests in anticipation of the execution of the Financial Assistance Agreement and the issuance of the Bonds.

Section 13. Application of Bond Proceeds. The proceeds of the sale of the Bonds shall be deposited by the Municipality into a special fund designated as "Waterworks System SDWLP Project Fund." The Waterworks System SDWLP Project Fund shall be used solely for the purpose of paying the costs of the Project as more fully described in the preamble hereof and in the Financial Assistance Agreement. Moneys in the Waterworks System SDWLP Project Fund shall be disbursed within three (3) business days of their receipt from the State of Wisconsin and shall not be invested in any interest-bearing account.

Section 14. Amendment to Resolution. After the issuance of any of the Bonds, no change or alteration of any kind in the provisions of this Resolution may be made until all of the Bonds have been paid in full as to both principal and interest, or discharged as herein provided, except: (a) the Municipality may, from time to time, amend this Resolution without the consent of any of the owners of the Bonds, but only to cure any ambiguity, administrative conflict, formal defect, or omission or procedural inconsistency of this Resolution; and (b) this Resolution may be amended, in any respect, with a written consent of the owners of not less than two-thirds (2/3) of the principal amount of the Bonds then outstanding, exclusive of Bonds held by the Municipality; provided, however, that no amendment shall permit any change in the pledge of revenues derived from the System or the maturity of any Bond issued hereunder, or a reduction in the rate of interest on any Bond, or in the amount of the principal obligation thereof, or in the amount of the redemption premium payable in the case of redemption thereof, or change the terms upon which the Bonds may be redeemed or make any other modification in the terms of the payment of such principal or interest without the written consent of the owner of each such Bond to which the change is applicable.

Section 15. Defeasance. When all Bonds have been discharged, all pledges, covenants and other rights granted to the owners thereof by this Resolution shall cease. The Municipality may discharge all Bonds due on any date by irrevocably depositing in escrow with a suitable bank or trust company a sum of cash and/or bonds or securities issued or guaranteed as to principal and interest of the U.S. Government, or of a commission, board or other instrumentality of the U.S. Government, maturing on the dates and bearing interest at the rates required to provide funds sufficient to pay when due the interest to accrue on each of said Bonds to its maturity or, at the Municipality's option, if said Bond is prepayable to any prior date upon which it may be called for redemption, and to pay and redeem the principal amount of each such Bond at maturity, or at the Municipality's option, if said Bond is prepayable, at its earliest redemption date, with the premium required for such redemption, if any, provided that notice of the redemption of all prepayable Bonds on such date has been duly given or provided for.

Section 16. Rebate Fund. Unless the Bonds are exempt from the rebate requirements of the Internal Revenue Code of 1986, as amended (the "Code"), the Municipality shall establish and maintain, so long as the Bonds and any Parity Bonds are outstanding, a separate account to be known as the "Rebate Fund." The sole purpose of the Rebate Fund is to provide for the payment of any rebate liability with respect to the Bonds under the relevant provisions of the Code and the Treasury Regulations promulgated thereunder (the "Regulations"). The Rebate Fund shall be maintained by the Municipality until all required rebate payments with respect to the Bonds have been made in accordance with the relevant provisions of the Code and the Regulations.

The Municipality hereby covenants and agrees that it shall pay to the United States from the Rebate Fund, at the times and in the amounts and manner required by the Code and the Regulations, the portion of the "rebate amount" (as defined in Section 1.148-3(b) of the Regulations) that is due as of each "computation date" (within the meaning of Section 1.148-3(e) of the Regulations). As of the date of this Resolution, the provisions of the Regulations specifying the required amounts of rebate installment payments and the time and manner of such payments are contained in Sections 1.148-3(f) and (g) of the Regulations, respectively. Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds or any Parity Bonds and may only be used for the payment of any rebate liability with respect to the Bonds.

The Municipality may engage the services of accountants, attorneys or other consultants necessary to assist it in determining the rebate payments, if any, owed to the United States with respect to the Bonds. The Municipality shall maintain or cause to be maintained records of determinations of rebate liability with respect to the Bonds for each computation date until six (6) years after the retirement of the last of the Bonds. The Municipality shall make such records available to the State of Wisconsin upon reasonable request therefor.

Section 17. Resolution a Contract. The provisions of this Resolution shall constitute a contract between the Municipality and the owner or owners of the Bonds, and after issuance of any of the Bonds no change or alteration of any kind in the provisions of this Resolution may be made, except as provided in Section 14, until all of the Bonds have been paid in full as to both principal and interest. The owner or owners of any of the Bonds shall have the right in addition to all other rights, by mandamus or other suit or action in any court of competent jurisdiction, to enforce such owner's or owners' rights against the Municipality, the Governing Body thereof, and any and all officers and agents thereof including, but without limitation, the right to require the Municipality, its Governing Body and any other authorized body, to fix and collect rates and charges fully adequate to carry out all of the provisions and agreements contained in this Resolution.

Section 18. Continuing Disclosure. The officers of the Municipality are hereby authorized and directed, if requested by the State of Wisconsin, to provide to the State of Wisconsin Safe Drinking Water Loan Program and to such other persons or entities as directed by the State of Wisconsin such ongoing disclosure regarding the Municipality's financial condition and other matters, at such times and in such manner as the Safe Drinking Water Loan Program may require, in order that securities issued by the Municipality and the State of Wisconsin satisfy rules and regulations promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as amended and as it may be amended from time to time, imposed on brokers and dealers of municipal securities before the brokers and dealers may buy, sell, or recommend the purchase of such securities.

Section 19. Conflicting Resolutions. All ordinances, resolutions (other than the Senior Resolutions and the 2023 Resolution), or orders, or parts thereof heretofore enacted, adopted or entered, in conflict with the provisions of this Resolution, are hereby repealed and this Resolution shall be in effect from and after its passage. In case of any conflict between this Resolution and the Senior Resolutions or the 2023 Resolution, the Senior Resolutions and the 2023 Resolution shall control as long as any of the respective Senior Bonds or 2023 Bonds are outstanding.

Passed: May 7, 2024

Approved: May 7, 2024

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Anthony J. Penterman  
Mayor

Attest:

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Sally A. Kenney  
City Clerk

## EXHIBIT A

(Form of Municipal Obligation)

REGISTERED  
NO. \_\_\_\_\_UNITED STATES OF AMERICA  
STATE OF WISCONSIN  
OUTAGAMIE AND CALUMET COUNTIES  
CITY OF KAUKAUNAREGISTERED  
\$ \_\_\_\_\_WATERWORKS SYSTEM REVENUE BOND, SERIES 2024Final  
Maturity Date

May 1, 2044

Date of  
Original Issue

\_\_\_\_\_, 20\_\_

REGISTERED OWNER: STATE OF WISCONSIN SAFE DRINKING WATER LOAN  
PROGRAM

FOR VALUE RECEIVED the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "Municipality") hereby acknowledges itself to owe and promises to pay to the registered owner shown above, or registered assigns, solely from the fund hereinafter specified, the principal sum of an amount not to exceed \_\_\_\_\_ DOLLARS (\$\_\_\_\_\_) (but only so much as shall have been drawn hereunder, as provided below) on May 1 of each year commencing May 1, 2025 until the final maturity date written above, together with interest thereon (but only on amounts as shall have been drawn hereunder, as provided below) from the dates the amounts are drawn hereunder or the most recent payment date to which interest has been paid, at the rate of 2.145% per annum, calculated on the basis of a 360-day year made up of twelve 30-day months, such interest being payable on the first days of May and November of each year, with the first interest being payable on November 1, 2024.

The principal amount evidenced by this Bond may be drawn upon by the Municipality in accordance with the Financial Assistance Agreement entered by and between the Municipality and the State of Wisconsin by the Department of Natural Resources and the Department of Administration including capitalized interest transferred (if any). The principal amounts so drawn shall be repaid in installments on May 1 of each year commencing on May 1, 2025 in an amount equal to an amount which when amortized over the remaining term of this Bond plus current payments of interest (but only on amounts drawn hereunder) at Two and 145/1000ths percent (2.145%) per annum shall result in equal annual payments of the total of principal and the semiannual payments of interest. The State of Wisconsin Department of Administration shall record such draws and corresponding principal repayment schedule on a cumulative basis in the format shown on the attached Schedule A.



Both principal and interest hereon are hereby made payable to the registered owner in lawful money of the United States of America. On the final maturity date, principal of this Bond shall be payable only upon presentation and surrender of this Bond at the office of the Municipal Treasurer. Principal hereof and interest hereon shall be payable by electronic transfer or by check or draft dated on or before the applicable payment date (as directed by the registered owner) and if by check or draft, mailed from the office of the Municipal Treasurer to the person in whose name this Bond is registered at the close of business on the fifteenth day of the calendar month next preceding such interest payment date.

This Bond shall not be redeemable prior to its maturity, except with the consent of the registered owner.

This Bond is transferable only upon the books of the Municipality kept for that purpose at the office of the Municipal Treasurer, by the registered owner in person or its duly authorized attorney, upon surrender of this Bond, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Municipal Treasurer, duly executed by the registered owner or its duly authorized attorney. Thereupon a replacement Bond shall be issued to the transferee in exchange therefor. The Municipality may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or interest hereof and for all other purposes. This Bond is issuable solely as a negotiable, fully-registered bond, without coupons, and in denominations of \$0.01 or any integral multiple thereof.

This Bond is issued for the purpose of providing for the payment of the cost of constructing improvements to the Waterworks System of the Municipality, pursuant to Article XI, Section 3, of the Wisconsin Constitution, Section 66.0621, Wisconsin Statutes, and a resolution adopted May 7, 2024, and entitled: "Resolution Authorizing the Issuance and Sale of Up to \$1,957,280 Waterworks System Revenue Bonds, Series 2024, and Providing for Other Details and Covenants With Respect Thereto" and is payable only from the income and revenues of the Waterworks System of the Municipality (the "Utility"). The Bonds are issued on a basis junior and subordinate to the Municipality's Waterworks System Revenue Bonds, Series 2017A, dated October 3, 2017 and Waterworks System Revenue Bonds, Series 2020, dated December 30, 2020, and on a parity with the Municipality's Waterworks System Revenue Bonds, Series 2023, dated July 12, 2023, as to the pledge of income and revenues of the Utility. This Bond does not constitute an indebtedness of said Municipality within the meaning of any constitutional or statutory debt limitation or provision.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen, and be performed precedent to and in the issuance of this Bond have existed, have happened and have been performed in due time, form and manner as required by law; and that sufficient of the income and revenue to be received by said Municipality from the operation of its Utility has been pledged to and will be set aside into a special fund for the payment of the principal of and interest on this Bond.

IN WITNESS WHEREOF, the Municipality has caused this Bond to be signed by the signatures of its Mayor and City Clerk, and its corporate seal to be impressed hereon, all as of the date of original issue specified above.

CITY OF KAUKAUNA,  
WISCONSIN

(SEAL)

By: \_\_\_\_\_  
Anthony J. Penterman  
Mayor

By: \_\_\_\_\_  
Sally A. Kenney  
City Clerk

## (Form of Assignment)

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(Please print or typewrite name and address, including zip code, of Assignee)

Please insert Social Security or other identifying number of Assignee

\_\_\_\_\_

the within Bond and all rights thereunder, hereby irrevocably constituting and appointing

\_\_\_\_\_

Attorney to transfer said Bond on the books kept for the registration thereof with full power of substitution in the premises.

Dated: \_\_\_\_\_

NOTICE: The signature of this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

Signature(s) guaranteed by

\_\_\_\_\_

SCHEDULE A

\$1,957,280

CITY OF KAUKAUNA, WISCONSIN  
WATERWORKS SYSTEM REVENUE BONDS, SERIES 2024

Amount of Disburse- ment	Date of Disbursement	Series of Bonds	Principal Repaid	Principal Balance



## SCHEDULE A (continued)

## PRINCIPAL REPAYMENT SCHEDULE

<u>Date</u>	<u>Principal Amount</u>
May 1, 2025	\$79,398.66
May 1, 2026	81,101.76
May 1, 2027	82,841.39
May 1, 2028	84,618.34
May 1, 2029	86,433.40
May 1, 2030	88,287.40
May 1, 2031	90,181.16
May 1, 2032	92,115.55
May 1, 2033	94,091.42
May 1, 2034	96,109.69
May 1, 2035	98,171.24
May 1, 2036	100,277.01
May 1, 2037	102,427.95
May 1, 2038	104,625.03
May 1, 2039	106,869.24
May 1, 2040	109,161.59
May 1, 2041	111,503.10
May 1, 2042	113,894.84
May 1, 2043	116,337.89
May 1, 2044	118,833.34

## RESOLUTION 2024-5430

### CITY OF KAUKAUNA, OUTAGAMIE AND CALUMET COUNTIES, WISCONSIN, RESOLUTION REDISTRICTING WARD SPLITS BY LEGISLATIVE LINES AND CREATING SEVENTEEN WARDS

**WHEREAS**, the City of Kaukauna Common Council adopted Resolution 2021-5300 on October 5, 2021, Resolution Establishing City Wards, and Boundaries; and

**WHEREAS**, 2023 Wisconsin Act 94 was enacted on February 19, 2024, creating new legislature maps; and

**WHEREAS**, the newly created district lines split existing City wards by assembly district lines; and

**WHEREAS**, Wis. Stat. § 5.15(6)(a) dictates that “no ward line adjustment may cross the boundary of a congressional, assembly, or supervisory district.”

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kaukauna, Wisconsin, that the present election districts/wards of the City of Kaukauna be redistricted and renumbered per the act of redistricting legislative districts indicated in “Exhibit A”, Ward Map; and “Exhibit B”, Boundary Descriptions.

**BE IT FURTHER RESOLVED** by the Common Council of the City of Kaukauna that the wards shall vote at the following locations:

**Polling Location for February Spring Primary Elections**

City of Kaukauna Municipal Services Building,  
144 W. Second St.

**Serving Wards**

1-17 (all wards)

**Polling Locations for all other Elections**

City of Kaukauna Municipal Services Building,  
144 W. Second St.

**Serving Wards**

1-5 & 16 (Dist. 1&2)

City of Kaukauna Street/Parks and Recreation Building,  
207 Reaume Ave.

6-15 & 17 (Dist. 3&4)

Introduced and adopted this 7<sup>th</sup> day of May, 2024.

APPROVED: \_\_\_\_\_

Anthony J Penterman, Mayor

ATTEST: \_\_\_\_\_

Sally A. Kenney, Clerk

## Exhibit B

**WARD 1** – Commencing at the point where Lawe Street intersects with Delanglade Street; thence Southwesterly along Lawe Street to the center point of the Fox River; thence Westerly along the Fox River to the City Boundary; thence Northerly along the City Boundary to Hyland Avenue; thence Easterly along Highland Avenue to Delanglade Street; thence Southeasterly along Delanglade Street to the Point of Beginning.

**WARD 2** – Commencing at the point where Lawe Street intersects with Delanglade Street; thence Northwesterly along Delanglade Street to Hyland Avenue; thence Westerly along Hyland Avenue to the City Boundary; thence along the City Boundary to Lawe Street; thence along Lawe Street to the City Boundary; thence along the City Boundary to Lawe Street, Thence along Lawe Street to the Point of Beginning.

**WARD 3** – Commencing at the point where Lawe Street intersects with Kelso Road; thence along the City Boundary to Lawe Street; thence northerly along Lawe Street to the Point of Beginning. And

Commencing at the point where Lawe Street intersects with Farmland Drive; Thence Northerly along the City Boundary to the intersection of Lawe Street and Lamplighter Drive; Thence Northerly along the City Boundary to the Point of Beginning. And

Commencing at the point where Lawe Street intersects with Arthur Street; thence Northerly along Lawe Street to the City Boundary; thence along the City Boundary to Green Bay Road; thence along Green Bay Road to McKinley Street; thence along McKinley Street to the Point of Beginning. And

The parcel addressed as 2433 Lawe Street Kaukauna, Wisconsin

**WARD 4** – Commencing at the point where Lawe Street intersects with McKinley Street; thence along McKinley Street to Green Bay Road; thence Northerly along Green Bay Road to the City Boundary; thence along the City Boundary to Hillcrest Drive; thence Northerly along Hillcrest Drive to Cleveland Avenue; thence Northerly along Cleveland Avenue to Dodge Street; thence Westerly along Dodge Street to Crooks Avenue; thence Northerly along Crooks Avenue to the point of Street name change on the Lawe Street Bridge to Lawe Street; Thence Northerly along Lawe Street to the Point of Beginning.

**WARD 5** – Commencing at the point where Crooks Avenue intersects with Dodge Street; thence Southwesterly along Dodge Street to Cleveland Avenue; thence Southerly along Cleveland Avenue to Hillcrest Drive; thence Southerly along Hillcrest Drive to CTH CE; thence Westerly along CTH CE to the City Boundary; thence along the City Boundary to the Southeast corner of Lot D CSM 50; thence along the South line of Lot D CSM 50 to the Southeast corner of Lehrer's 3<sup>rd</sup> Subdivision; thence along the South line of Lehrer's 3<sup>rd</sup> Subdivision to Oakridge Avenue; thence Northerly along Oakridge Avenue to East 19<sup>th</sup> Street; Thence Westerly along East 19<sup>th</sup> Street to Lehrer Lane; thence Northerly along

Lehrer Lane to East 18<sup>th</sup> Street; thence Westerly along East 18<sup>th</sup> Street to Crooks Avenue; thence Northerly along Crooks Avenue to the Point of Beginning.

**WARD 6** – Commencing at the point where the Fox River intersects with Crooks Avenue; thence Southerly along Crooks Avenue to Henry Street; thence Westerly along Henry Street to Glenview Avenue; thence Northerly along Glenview Avenue to West 13<sup>th</sup> Street; thence Westerly along West 13<sup>th</sup> Street to Kenneth Avenue; thence Northerly along Kenneth Avenue to Park Street; thence Westerly along Park Street and the extension of to the centerline of the Fox River; thence along the Fox River to the Point of Beginning.

**WARD 7** – Commencing at the point where Park Street intersects with Kenneth Avenue; thence Southerly along Kenneth Avenue to West 13<sup>th</sup> Street; thence Westerly along West 13<sup>th</sup> Street to Thelen Avenue; thence Southerly along Thelen Avenue to Ferncliff Drive; thence Westerly along Ferncliff Drive to Country Lane; thence Southerly along Country Lane to Wildwood Drive; thence Westerly along Wildwood Drive to Paul Drive; thence Southerly along Paul Drive to Henry Street; thence Westerly along Henry Street to Fieldcrest Drive; Thence Southerly along Fieldcrest Drive to Ann Street; thence Westerly along Ann Street to the City Boundary; thence Northerly along the City Boundary to the centerline of the Fox River; thence along the Fox River to the Extension of Park Street; thence along the extension and Park Street to the Point of Beginning.

**WARD 8** – Commencing at the point where Henry Street and Crooks Avenue intersect; thence Southerly along Crooks Avenue to CTH CE; thence Westerly along CTH CE to Fieldcrest Drive; thence Northerly along Fieldcrest Drive to Ann Street; thence Easterly along Ann Street to Sullivan Avenue; thence Northerly along Sullivan Avenue to Henry Street; thence Easterly along Henry Street to the Point of Beginning.

**WARD 9** – Commencing at the point where Crooks Avenue intersects with East 18<sup>th</sup> Street; thence Easterly along East 18<sup>th</sup> Street to Lehrer Lane; thence Southerly along Lehrer Lane to East 19<sup>th</sup> Street; thence Easterly along East 19<sup>th</sup> Street to Oakridge Avenue; thence Southerly along Oakridge Avenue to the South line of Lehrer's 3<sup>rd</sup> Subdivision; thence Easterly along the South line of Lehrer's 3<sup>rd</sup> Subdivision to the Southwest corner of Lot D CSM 50; thence Easterly to the Southeast corner of Lot D CSM 50; thence along the City Boundary to Morningside Drive; thence Westerly along Morningside Drive to Parkwood Drive; thence along Southerly along Parkwood Drive to Green Haven Lane; thence Westerly along Green Haven Lane to the City Boundary; thence along the City Boundary to CTH HH; thence Northerly along CYH HH to Ann Street; thence Easterly along Ann Street to Fieldcrest Drive; thence Southerly along Fieldcrest Drive to CTH CE; thence Easterly along CTH CE to Crooks Avenue; thence Northerly along Crooks Avenue to the Point of Beginning.

**WARD 10** – Commencing at the point where Morningside Drive and STH 55 intersect; thence Southerly along the City Boundary to CTH KK; thence Westerly along CTH KK to the extension of the West lint of Lot 1 CSM 3674; thence Northerly to the Southeast corner of Lot 1 CSM 1555; thence Westerly along the South line of CSM 1555



to Fieldcrest Drive; thence Southerly along Fieldcrest Drive to CTH KK; thence Westerly along CTH KK to Debruin Road; thence Northerly along Debruin Road to the Northwest Corner of Lot 1 Haen Meadows Plat; thence along the City Boundary to Green Haven Lane; thence Easterly along Green Haven Lane to Parkwood Drive; thence Northerly along Parkwood Drive to Morningside Drive; thence Easterly along Morningside Drive to the Point of Beginning.

**WARD 11** – Commencing at the point where CTH CE and CTH Q intersect; thence Southerly along the City Boundary to the point where CTH CE and the Southwest corner of Lot 19 Manchester Estates Plat intersect; thence along CTH CE to the Northeast corner of lot 140 of the 4<sup>th</sup> Addition to Country Manor Estates Plat; thence along the City Boundary to CTH CE; thence Easterly along CTH CE to the Point of Beginning.

**WARD 12** – All of Lot 1 CSM#1026 as recorded in the Calumet County Resister of Deeds office.

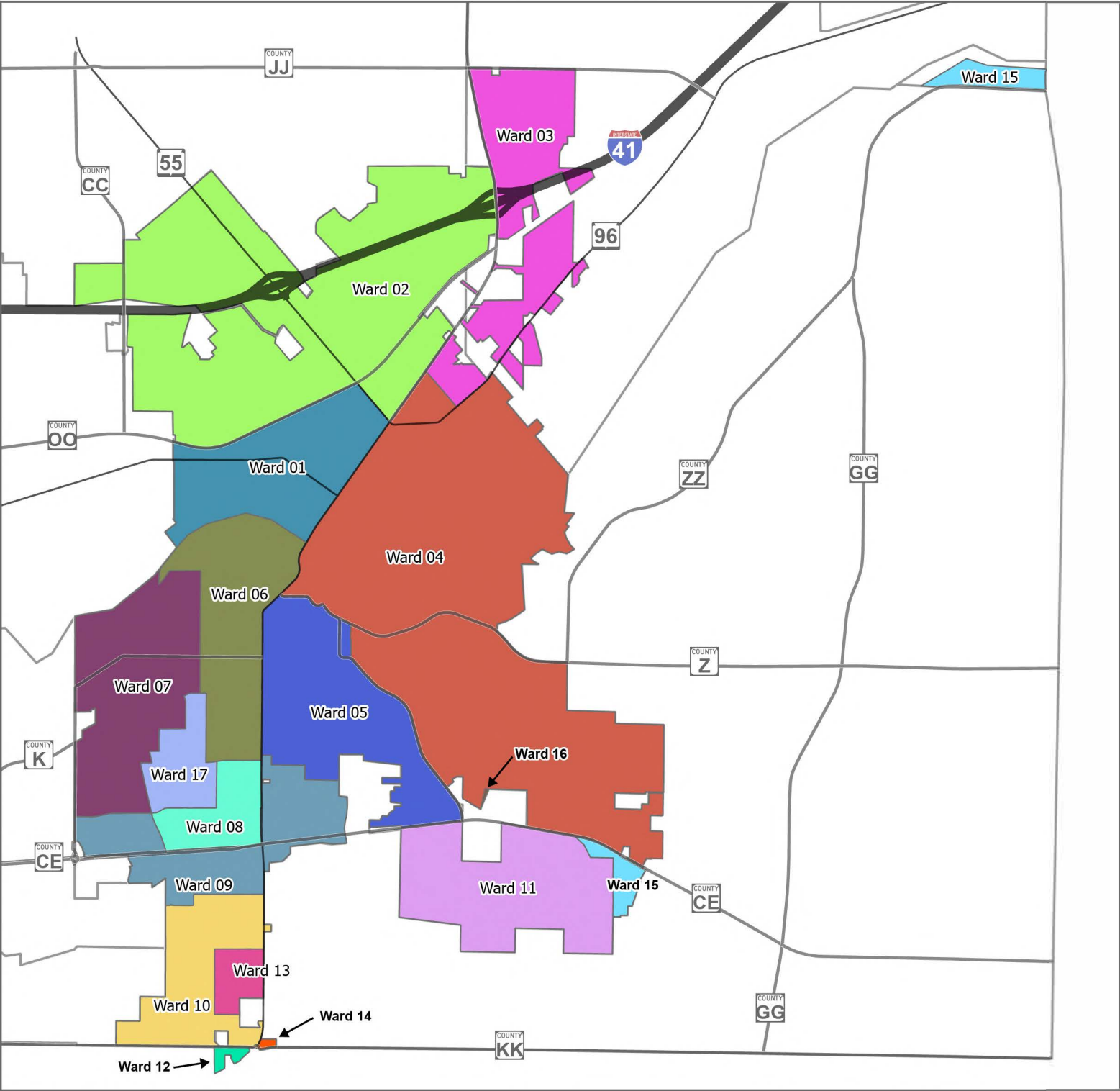
**WARD 13** – All of Inside the Park Place Plat and part of lot 2 CSM 4641 that was annexed to the City of Kaukauna.

**WARD 14** – The property addressed as 110,112 East County Road KK in the City of Kaukauna.

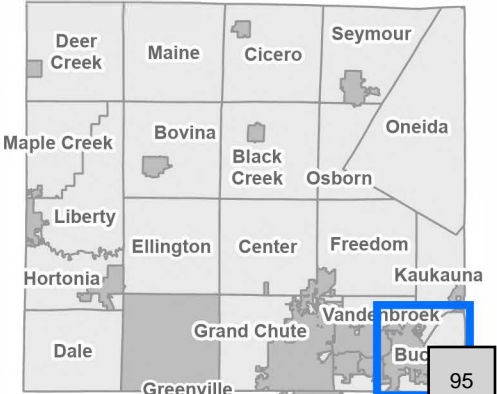
**WARD 15** – All of Country Sides Estates Plat.

**WARD 16** – Land Annexed per Document #2224753 2-23-2021 recorded in the Outagamie County Register of Deeds Office

**WARD 17** – Commencing at the intersection of Sullivan Avenue and Ann Street; thence westerly along Ann Street to Fieldcrest Drive; thence northerly along Fieldcrest Drive to Henry Street; thence easterly along Henry Street to Paul Drive; thence northerly along Paul Drive to Wildwood Drive; thence easterly along Wildwood Drive to Country Lane; thence northerly along Country Lane to Ferncliff Drive; thence easterly along Ferncliff Drive to Thelen Avenue; thence southerly along Thelen Avenue to Henry Street; thence easterly along Henry Street to Sullivan Avenue; thence southerly along Sullivan Avenue to the point of Beginning.



- Ward ID**
- Ward 01
  - Ward 02
  - Ward 03 \* Amended Ward
  - Ward 04 \* Amended Ward
  - Ward 05
  - Ward 06
  - Ward 07
  - Ward 08 \* Amended Ward
  - Ward 09
  - Ward 10
  - Ward 11
  - Ward 12
  - Ward 13
  - Ward 14
  - Ward 15
  - Ward 16
  - Ward 17 \* New Ward



**CITY OF KAUKAUNA  
ORDINANCE 1905-2024**

**ORDINANCE AMENDING SECTION 3.14(7) OPERATOR PERMIT**

**WHEREAS**, City Kaukauna Common Council believes that the fee should be an annual fee so that the operator has to comply with all aspects of the Room Tax Ordinance and State Statutes in order to operate in the City of Kaukauna; and

**WHEREAS**, the Operating Permit fee has been the same since the enactment of the Room Tax Ordinance in 2015. City of Kaukauna Common Council believes that the \$5.00 increase is minimal; and

**WHEREAS**, City of Kaukauna Common Council believes it is in the City's best interest to have the Director of Finance or designee thereof notify the City Clerk that all required documents and payments have been submitted prior to any permits being assigned;

**NOW THEREFORE**, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, as follows:

**SECTION 1:**            **AMENDMENT** “3.14 Room Tax” of the City of Kaukauna Municipal Code is hereby *amended* as follows:

**BEFORE AMENDMENT**

3.14 Room Tax

1. *Definitions.* In addition to those terms defined in this section, the terms used in this Ordinance shall have the definition, if any, ascribed to them in Wis. Stats. § 66.0615. *ARA* shall mean the redevelopment authority of the City of Appleton, Wisconsin, a Wisconsin body politic and corporate.  
*CVB* shall mean the Fox Cities Convention & Visitors Bureau, Inc., a Wisconsin corporation.  
*Exhibition center bonds* shall mean the Redevelopment Authority of the City of Appleton, Wisconsin Taxable Lease Revenue Bonds, Series 2018 (Fox Cities Exhibition Center Project), issued to finance or refinance the construction and related costs of the Fox Cities Exhibition Center, and any additional bonds issued to refinance said bonds.  
  
*Fiscal Agent* shall mean a financial institution acting in the capacity as an agent on behalf of the City for the receipt and allocation of the Room Taxes in accordance with this Ordinance.  
  
*Fiscal Agency Agreement* shall mean an agreement entered into by and among the

Municipalities, the Room Tax Commission, and the Fiscal Agent that sets forth the duties of the Fiscal Agent with respect to the Room Taxes as described in this Ordinance.

*Fox Cities Tourism Zone* shall mean that geographic area encompassing the City of Appleton, Wisconsin; the City of Kaukauna, Wisconsin; the City of Neenah, Wisconsin; the Village of Kimberly, Wisconsin; the Village of Little Chute, Wisconsin; the Town of Grand Chute, Wisconsin; the Town of Neenah, Wisconsin; the Village of Fox Crossing, Wisconsin; the City of Menasha, Wisconsin, the Village of Sherwood, Wisconsin, and that may in the future include any municipality that hereafter becomes a party to the Room Tax Commission Agreement.

*Operators* shall mean hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, which are located in the City and are obligated to pay Room Taxes under this Ordinance.

*Pledge Agreement* shall mean any pledge agreement entered into by the Municipalities and the Room Tax Commission, pursuant to which a portion of the Room Tax is pledged to pay a particular project or purpose in furtherance of the purposes of the Room Tax set forth in this Ordinance, which includes the Exhibition Center Bonds and any Tourism Facilities Bonds.

*Quarterly Payment Date* shall mean each January 31, April 30, July 31, and October 31, each of which is the last day of the month next succeeding the end of a calendar quarter.

*Room Tax* shall mean a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by the Operators, pursuant to the Room Tax Act.

*Room Tax Act* shall mean Wis. Stats. § 66.0615, as amended from time to time.

*Fox Cities Room Tax Commission* shall mean the Fox Cities Room Tax Commission created by the Municipalities within the Fox Cities Tourism Zone pursuant to the Room Tax Commission Agreement in order to coordinate tourism promotion and tourism development within the Fox Cities Tourism Zone.

*Room Tax Commission Agreement* shall mean the Amended and Restated Room Tax Commission Agreement, dated as of November 24, 2015 entered into by and among the Municipalities and the Room Tax Commission, as amended from time to time.

*Tourism Facilities Bonds* shall mean any one or more series of bonds issued to finance or refinance the construction and related costs of projects undertaken by or on behalf of the Municipalities in furtherance of the Tourism Facilities Room Tax, and any additional bonds issued to refinance said bonds.

*PAC bonds* shall mean those bonds issued by the ARA to partially fund construction of the Fox Cities Performing Arts Center.



2. *Imposition of room tax.* Pursuant to the Room Tax Act, there is hereby imposed a 10% Room Tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients, by the Operators. Operators shall remit all Room Taxes to (i) the City's Clerk/Treasurer or (ii) to a Fiscal Agent on behalf of the City pursuant to a Fiscal Agency Agreement in accordance with the requirements of this Ordinance and the Room Tax Act. Such 10% Room Tax shall be allocated as follows:
  - a. A 2.85% Room Tax shall be imposed and allocated toward the support of the CVB, to be used for the promotion of the Fox Cities Tourism Zone as a tourism destination (the "CVB Room Tax").
  - b. A 3% Room Tax shall be imposed (subject to sunset as provided in subsection (C) hereof) and allocated toward payment of debt service on the Exhibition Center Bonds in accordance with a Pledge Agreement (the "Exhibition Center Room Tax").
  - c. A 3% Room Tax shall be imposed and allocated toward the support of amateur sports facilities within the Fox Cities Tourism Zone and/or other facilities which are reasonably likely to generate paid overnight stays at more than one hotel, motel, or other lodging establishment within the Fox Cities Tourism Zone (the "Tourism Facilities Room Tax").
  - d. A 1.15% Room Tax shall be imposed and retained by the City to be used for general tourism support and development in the Fox Cities Tourism Zone in accordance with the requirements of the Room Tax Act (the "Municipal Room Tax").
  - e. The City or its Fiscal Agent shall forward the Room Taxes it has received, to be used as described above, to the following parties: (i) the CVB Room Tax to the CVB, (ii) the Exhibition Center Room Tax as required under the related Pledge Agreement, (iii) the Municipal Room Tax to the City, and (iv) the Tourism Facilities Room Tax to the Room Tax Commission or its designees on its behalf (including the CVB), or as otherwise required under a Pledge Agreement.
3. *Expiration of Exhibition Center Room Tax.* The Exhibition Center Room Tax shall sunset and expire upon payment in full of all outstanding Exhibition Center Bonds and any related outstanding fees or expenses therefor, at which time the Room Tax shall be reduced by 3% with such reduction being deemed to be the share of the Room Tax allocated to the Exhibition Center Room Tax. Notwithstanding the foregoing, Operators may not discontinue collection of the Exhibition Center Room Tax until the City provides notice that the Exhibition Center Room Tax has been terminated by operation of this Ordinance. After all outstanding Exhibition Center Bonds are paid in full, any excess Exhibition Center Room Tax revenues collected that are not needed to pay the Exhibition Center Bonds or any related outstanding fees or expenses shall be forwarded to the CVB and reallocated to the purposes of the Tourism Facilities Room Tax.
4. *Priority of payment.* In the event any Operator fails to remit the entire Room Tax amounts due on any Quarterly Payment Date under this Ordinance, the City directs that the amounts actually received by the City (or its Fiscal Agent) shall be applied in the following priority order:

- a. first, to the CVB Room Tax until paid in full;
  - b. second, to the Exhibition Center Room Tax, if any, until paid in full;
  - c. third, to the Tourism Facilities Room Tax until paid in full; and
  - d. fourth, to the Municipal Room Tax.
5. *Tourism entity.* The CVB shall act as the "tourism entity," as that term is defined in the Room Tax Act, for purposes of providing staff, support services and assistance to the Room Tax Commission in developing and implementing programs to promote the Fox Cities Tourism Zone to visitors, as more fully set forth in an agreement between the Room Tax Commission and the CVB. The CVB may also hold and administer the Tourism Facilities Room Tax on behalf of the Room Tax Commission in furtherance of the purpose of the Tourism Facilities Room Tax, except when a related Pledge Agreement is in effect.
6. *Collection and administration of room tax: Operator Reports.* This Ordinance shall be administered by the City's Clerk. The Room Tax imposed by this Ordinance shall be payable on each Quarterly Payment Date to the City (or to a Fiscal Agent on behalf of the City pursuant to a Fiscal Agency Agreement). A report shall be filed by each Operator with the City's Clerk/Treasurer (or with a Fiscal Agent) on or before each Quarterly Payment Date. Such report shall show the gross room receipts of the preceding calendar quarter from such retail furnishing of rooms or lodging, the amount of Room Tax imposed for such period, and such other information as the City deems necessary. Every Operator required to file such quarterly report shall, with its first report, elect to file an annual report based on either the calendar year or its fiscal year. Such annual report shall be filed within 90 days after the close of each such calendar or fiscal year. The annual report shall summarize the quarterly reports, shall reconcile and adjust for errors in the quarterly reports, and shall contain certain such additional information as the City requires. Such annual reports shall be signed by a representative of the Operator or its duly authorized agent, but need not be verified by oath. The City may, for good cause, extend the due date for filing any report, but in no event shall such extension be longer than one month after the due date.
7. *Operator Permit required.* Every Operator is required under this Ordinance to file with the City's Clerk an application for a permit for each place of business that is required to pay Room Tax hereunder. Every application for a permit shall be submitted to the City's Clerk using a form prescribed by the City and shall set forth the name under which the Operator transacts or intends to transact business, the location of its place of business, and such other information as the City requires. The application shall be signed by the owner of the Operator if a sole proprietor and, if not a sole proprietor, by an authorized representative of such Operator. Together with the permit application, each Operator shall pay the City an initial fee of \$20.00 for each permit. A permit issued hereunder is non-transferable.
8. *Penalty for violations.* In addition to the Schedule of Forfeiture described in subsection (J) hereof, any Operator in violation of the terms of this Ordinance by failing to obtain a permit shall be subject to a penalty not to exceed \$200.00 for each violation. Each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation. In addition, injunctive relief is

hereby authorized to discontinue any violation of this Ordinance. Any Operator deemed to have violated any of the provisions of this Ordinance shall be obligated to pay the costs of prosecution, in addition to actual attorney fees expended in the course of said enforcement. The City may revoke or suspend any permit issued hereunder for failure to comply with the provisions hereof.

9. *Liability for tax on sale or transfer of business.* If any Operator sells or transfers all or substantially all of its interest in its hotel, motel or other lodging accommodation, its successors or assigns shall withhold sufficient amounts from the purchase price to pay any amount of Room Tax liability due through the sale or transfer date until the Operator produces a receipt from the City's Treasurer that its liability has been paid in full or a certificate stating that no Room Tax amount is due. If a successor Operator fails to withhold such amount from the purchase price as required, such successor Operator shall become liable for payment of the Room Tax amount it is required to withhold.
10. *Schedule of forfeiture.* In addition to paying the Room Taxes due hereunder, any Operator that has failed to pay any Room Tax when due shall be required to pay a forfeiture in an amount equal to 25% of the Room Tax due from the Operator to the City for the previous year and unpaid, or \$5,000, whichever is less, for failure to pay the Room Tax due hereunder.
11. *Confidentiality of information.* To the extent permitted under the law, the information provided to the City under Section 66.0615 (2) of the Wisconsin Statutes shall remain confidential; provided, however, that the City or any employee thereof may use such information in the discharge of duties imposed by law or of the duties of their office or by order of a court. Persons violating the provisions of this subsection may be required to forfeit not less than \$100 nor more than \$500.
12. *Enforcement.* The city shall enforce this article in accordance with the Room Tax Act.

(Code 2011, § 3.14)

## AFTER AMENDMENT

### 3.14 Room Tax

1. *Definitions.* In addition to those terms defined in this section, the terms used in this Ordinance shall have the definition, if any, ascribed to them in Wis. Stats. § 66.0615.  
*ARA* shall mean the redevelopment authority of the City of Appleton, Wisconsin, a Wisconsin body politic and corporate.  
*CVB* shall mean the Fox Cities Convention & Visitors Bureau, Inc., a Wisconsin corporation.  
*Exhibition center bonds* shall mean the Redevelopment Authority of the City of Appleton, Wisconsin Taxable Lease Revenue Bonds, Series 2018 (Fox Cities Exhibition Center Project), issued to finance or refinance the construction and related costs of the Fox Cities Exhibition Center, and any additional bonds issued to refinance said bonds.

*Fiscal Agent* shall mean a financial institution acting in the capacity as an agent on

behalf of the City for the receipt and allocation of the Room Taxes in accordance with this Ordinance.

*Fiscal Agency Agreement* shall mean an agreement entered into by and among the Municipalities, the Room Tax Commission, and the Fiscal Agent that sets forth the duties of the Fiscal Agent with respect to the Room Taxes as described in this Ordinance.

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*Operators* shall mean hotelkeepers, motel operators, lodging marketplaces, owners of short-term rentals, and other persons furnishing accommodations that are available to the public, which are located in the City and are obligated to pay Room Taxes under this Ordinance.

*Pledge Agreement* shall mean any pledge agreement entered into by the Municipalities and the Room Tax Commission, pursuant to which a portion of the Room Tax is pledged to pay a particular project or purpose in furtherance of the purposes of the Room Tax set forth in this Ordinance, which includes the Exhibition Center Bonds and any Tourism Facilities Bonds.

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*Room Tax* shall mean a tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients by the Operators, pursuant to the Room Tax Act.

*Room Tax Act* shall mean Wis. Stats. § 66.0615, as amended from time to time.

*Fox Cities Room Tax Commission* shall mean the Fox Cities Room Tax Commission created by the Municipalities within the Fox Cities Tourism Zone pursuant to the Room Tax Commission Agreement in order to coordinate tourism promotion and tourism development within the Fox Cities Tourism Zone.

*Room Tax Commission Agreement* shall mean the Amended and Restated Room Tax Commission Agreement, dated as of November 24, 2015 entered into by and among the Municipalities and the Room Tax Commission, as amended from time to time.

*Tourism Facilities Bonds* shall mean any one or more series of bonds issued to finance or refinance the construction and related costs of projects undertaken by or on behalf of the Municipalities in furtherance of the Tourism Facilities Room Tax, and any



additional bonds issued to refinance said bonds.

*PAC bonds* shall mean those bonds issued by the ARA to partially fund construction of the Fox Cities Performing Arts Center.

2. *Imposition of room tax.* Pursuant to the Room Tax Act, there is hereby imposed a 10% Room Tax on the privilege of furnishing, at retail, except sales for resale, rooms or lodging to transients, by the Operators. Operators shall remit all Room Taxes to (i) the City's Clerk/Treasurer or (ii) to a Fiscal Agent on behalf of the City pursuant to a Fiscal Agency Agreement in accordance with the requirements of this Ordinance and the Room Tax Act. Such 10% Room Tax shall be allocated as follows:
  - a. A 2.85% Room Tax shall be imposed and allocated toward the support of the CYB, to be used for the promotion of the Fox Cities Tourism Zone as a tourism destination (the "CVB Room Tax").
  - b. A 3% Room Tax shall be imposed (subject to sunset as provided in subsection (C) hereof) and allocated toward payment of debt service on the Exhibition Center Bonds in accordance with a Pledge Agreement (the "Exhibition Center Room Tax").
  - c. A 3% Room Tax shall be imposed and allocated toward the support of amateur sports facilities within the Fox Cities Tourism Zone and/or other facilities which are reasonably likely to generate paid overnight stays at more than one hotel, motel, or other lodging establishment within the Fox Cities Tourism Zone (the "Tourism Facilities Room Tax").
  - d. A 1.15% Room Tax shall be imposed and retained by the City to be used for general tourism support and development in the Fox Cities Tourism Zone in accordance with the requirements of the Room Tax Act (the "Municipal Room Tax").
  - e. The City or its Fiscal Agent shall forward the Room Taxes it has received, to be used as described above, to the following parties: (i) the CVB Room Tax to the CVB, (ii) the Exhibition Center Room Tax as required under the related Pledge Agreement, (iii) the Municipal Room Tax to the City, and (iv) the Tourism Facilities Room Tax to the Room Tax Commission or its designees on its behalf (including the CVB), or as otherwise required under a Pledge Agreement.
3. *Expiration of Exhibition Center Room Tax.* The Exhibition Center Room Tax shall sunset and expire upon payment in full of all outstanding Exhibition Center Bonds and any related outstanding fees or expenses therefor, at which time the Room Tax shall be reduced by 3% with such reduction being deemed to be the share of the Room Tax allocated to the Exhibition Center Room Tax. Notwithstanding the foregoing, Operators may not discontinue collection of the Exhibition Center Room Tax until the City provides notice that the Exhibition Center Room Tax has been terminated by operation of this Ordinance. After all outstanding Exhibition Center Bonds are paid in full, any excess Exhibition Center Room Tax revenues collected that are not needed to pay the Exhibition Center Bonds or any related outstanding fees or expenses shall be forwarded to the CVB and reallocated to the purposes of the Tourism Facilities Room Tax.
4. *Priority of payment.* In the event any Operator fails to remit the entire Room Tax

amounts due on any Quarterly Payment Date under this Ordinance, the City directs that the amounts actually received by the City (or its Fiscal Agent) shall be applied in the following priority order:

- a. first, to the CVB Room Tax until paid in full;
  - b. second, to the Exhibition Center Room Tax, if any, until paid in full;
  - c. third, to the Tourism Facilities Room Tax until paid in full; and
  - d. fourth, to the Municipal Room Tax.
5. *Tourism entity.* The CVB shall act as the "tourism entity," as that term is defined in the Room Tax Act, for purposes of providing staff, support services and assistance to the Room Tax Commission in developing and implementing programs to promote the Fox Cities Tourism Zone to visitors, as more fully set forth in an agreement between the Room Tax Commission and the CVB. The CVB may also hold and administer the Tourism Facilities Room Tax on behalf of the Room Tax Commission in furtherance of the purpose of the Tourism Facilities Room Tax, except when a related Pledge Agreement is in effect.
  6. *Collection and administration of room tax: Operator Reports.* This Ordinance shall be administered by the City's Clerk. The Room Tax imposed by this Ordinance shall be payable on each Quarterly Payment Date to the City (or to a Fiscal Agent on behalf of the City pursuant to a Fiscal Agency Agreement). A report shall be filed by each Operator with the City's Clerk/Treasurer (or with a Fiscal Agent) on or before each Quarterly Payment Date. Such report shall show the gross room receipts of the preceding calendar quarter from such retail furnishing of rooms or lodging, the amount of Room Tax imposed for such period, and such other information as the City deems necessary. Every Operator required to file such quarterly report shall, with its first report, elect to file an annual report based on either the calendar year or its fiscal year. Such annual report shall be filed within 90 days after the close of each such calendar or fiscal year. The annual report shall summarize the quarterly reports, shall reconcile and adjust for errors in the quarterly reports, and shall contain certain such additional information as the City requires. Such annual reports shall be signed by a representative of the Operator or its duly authorized agent, but need not be verified by oath. The City may, for good cause, extend the due date for filing any report, but in no event shall such extension be longer than one month after the due date.
  7. *Operator Permit required.* Every Operator is required under this Ordinance to file with the City's Clerk an application for a permit for each place of business that is required to pay Room Tax hereunder. Every application for a permit shall be submitted to the City's Clerk using a form prescribed by the City and shall set forth the name under which the Operator transacts or intends to transact business, the location of its place of business, and such other information as the City requires. The application shall be signed by the owner of the Operator if a sole proprietor and, if not a sole proprietor, by an authorized representative of such Operator. Together with the permit application, each Operator shall pay the City an ~~initial~~ annual fee of \$205.00 for each permit. A permit issued hereunder is non-transferable. No license or permit shall be issued until the Director of Finance or designee thereof has notified the City Clerk in writing that all required payments have been made.
  8. *Penalty for violations.* In addition to the Schedule of Forfeiture described in subsection

(J) hereof, any Operator in violation of the terms of this Ordinance by failing to obtain a permit shall be subject to a penalty not to exceed \$200.00 for each violation. Each room or unit separately rented or offered for rent, and each day of such rental or offer for rental of such unit shall be a separate violation. In addition, injunctive relief is hereby authorized to discontinue any violation of this Ordinance. Any Operator deemed to have violated any of the provisions of this Ordinance shall be obligated to pay the costs of prosecution, in addition to actual attorney fees expended in the course of said enforcement. The City may revoke or suspend any permit issued hereunder for failure to comply with the provisions hereof.

9. *Liability for tax on sale or transfer of business.* If any Operator sells or transfers all or substantially all of its interest in its hotel, motel or other lodging accommodation, its successors or assigns shall withhold sufficient amounts from the purchase price to pay any amount of Room Tax liability due through the sale or transfer date until the Operator produces a receipt from the City's Treasurer that its liability has been paid in full or a certificate stating that no Room Tax amount is due. If a successor Operator fails to withhold such amount from the purchase price as required, such successor Operator shall become liable for payment of the Room Tax amount it is required to withhold.
10. *Schedule of forfeiture.* In addition to paying the Room Taxes due hereunder, any Operator that has failed to pay any Room Tax when due shall be required to pay a forfeiture in an amount equal to 25% of the Room Tax due from the Operator to the City for the previous year and unpaid, or \$5,000, whichever is less, for failure to pay the Room Tax due hereunder.
11. *Confidentiality of information.* To the extent permitted under the law, the information provided to the City under Section 66.0615 (2) of the Wisconsin Statutes shall remain confidential; provided, however, that the City or any employee thereof may use such information in the discharge of duties imposed by law or of the duties of their office or by order of a court. Persons violating the provisions of this subsection may be required to forfeit not less than \$100 nor more than \$500.
12. *Enforcement.* The city shall enforce this article in accordance with the Room Tax Act.

(Code 2011, § 3.14)

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

Presiding Officer

Attest

\_\_\_\_\_  
Anthony J. Penterman, Mayor, City of  
Kaukauna

\_\_\_\_\_  
Sally Kenney, Clerk, City of  
Kaukauna



## ORDINANCE NO. 1907-2024

### AN ORDINANCE REZONING 1208 BLACKWELL STREET, PARCEL 322032000 FROM INDUSTRIAL (IND) TO RESIDENTIAL TWO-FAMILY (RTF)

**WHEREAS**, the Common Council of the City of Kaukauna, having reviewed the recommendation of the City Plan Commission regarding the proposed change in zoning classification for the property described below and having scheduled a public hearing then to be decided by the Common Council; and

**WHEREAS**, a Class 2 Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on May 7, 2024, at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

**NOW, THEREFORE**, the Common Council of the City of Kaukauna, Wisconsin, do ordain as follows:

**SECTION 1:** That the following described property:

Lot 1 of Certified Survey Map No.: 4680, recorded on October 14, 2003 in Volume 26 of Certified Survey Maps on Page 4680 as Document No. 1581968, being in the City of Kaukauna, Outagamie County, Wisconsin.

Shall be and the same is hereby rezoned from the present zoning classification of Industrial to Residential Two-Family, as set forth in and regulated by the provisions of §17.18 of the Kaukauna Zoning Code, conditioned upon compliance with the approval conditions of the Plan Commission, if any, and the provisions of Chapter 17, Kaukauna Municipal Code.

**SECTION 2:** That the Clerk is directed to amend the City of Kaukauna Zoning Map in conformity with the provisions of this ordinance.

**SECTION 3:** That all other ordinances in conflict herewith are hereby repealed.

**SECTION 4:** That this ordinance shall take effect upon its passage and publication according to law.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 7<sup>th</sup> day of May 2024.

APPROVED: \_\_\_\_\_

Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_

Sally A. Kenney, City Clerk

## ORDINANCE NO. 1908-2024

### AN ORDINANCE REZONING PARCEL 322031801 FROM INDUSTRIAL (IND) TO RESIDENTIAL TWO-FAMILY (RTF)

**WHEREAS**, the Common Council of the City of Kaukauna, having reviewed the recommendation of the City Plan Commission regarding the proposed change in zoning classification for the property described below and having scheduled a public hearing then to be decided by the Common Council; and

**WHEREAS**, a Class 2 Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on May 7, 2024, at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

**NOW, THEREFORE**, the Common Council of the City of Kaukauna, Wisconsin, do ordain as follows:

**SECTION 1:** That the following described property:

Lot 1 of Certified Survey Map No.: 7279, recorded in Volume 43 Certified Survey Maps, page 7279, said lot being part of Lot 2 and all of Lot 9, Block 6, Grignon Addition, in the City of Kaukauna, Outagamie County, Wisconsin.

Shall be and the same is hereby rezoned from the present zoning classification of Industrial to Residential Two-Family, as set forth in and regulated by the provisions of §17.18 of the Kaukauna Zoning Code, conditioned upon compliance with the approval conditions of the Plan Commission, if any, and the provisions of Chapter 17, Kaukauna Municipal Code.

**SECTION 2:** That the Clerk is directed to amend the City of Kaukauna Zoning Map in conformity with the provisions of this ordinance.

**SECTION 3:** That all other ordinances in conflict herewith are hereby repealed.

**SECTION 4:** That this ordinance shall take effect upon its passage and publication according to law.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 7<sup>th</sup> day of May 2024.

APPROVED: \_\_\_\_\_  
Anthony J. Penterman, Mayor

ATTEST: \_\_\_\_\_  
Sally A. Kenney, City Clerk