

# COMMON COUNCIL

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



Tuesday, March 03, 2026 at 7:00 PM

## AGENDA

1. **In-Person and Remote Teleconference via ZOOM**
2. Call to Order.
3. Roll call, one minute of silent prayer, Pledge of Allegiance to the American Flag.
4. Presentation of letters, petitions, remonstrances, memorials, and accounts.
5. Public appearances.
6. Business presented by Mayor.
  - a. Retirement of Sergeant Momberg with the Kaukauna Police Department - 28 years.
  - b. Retirement of Sergeant Raether with the Kaukauna Police Department - 25 years.
7. Consent Agenda.
  - a. Approve the Board of Public Works Meeting Minutes of March 2, 2026.
  - b. Approve the Finance and Personnel Committee Meeting Minutes of March 2, 2026.
  - c. Approve the Health and Recreation Committee Meeting Minutes of March 2, 2026.
  - d. Approve the Legislative Committee Meeting Minutes of March 2, 2026.
  - e. Approve the Common Council Meeting Minutes of February 18, 2026.
  - f. Receive and place on file the Library Board Meeting Minutes of January 27, 2026.
  - g. Receive and place on file the Plan Commission Meeting Minutes of January 22, 2026.
  - h. Receive and place on file the 1000 Island Environmental Center Committee Meeting Minutes of January 15, 2026.
  - i. Bills Payable.
8. Reports of standing and special committees.
  - a. Operator (Bartender) Licenses.
9. Reports of City officers.
  - a. Request for Vacating Easement - 37 Ash Grove Place.
  - b. Wisconsin Department of Transportation – Right-of-way acquisition for Interstate 41.
  - c. Citywide Pay Practice for OBBBA Compliance.
10. Presentation of ordinances and resolutions.
  - a. Ordinance 1949-2026 Ordinance Amending Section 12.01(1) Fermented Malt Beverages.
  - b. Ordinance 1950-2026 Ordinance Amending Section 12.03(3) Classes of Licenses and Fees.
  - c. Ordinance 1951-2026 Ordinance Repealing and Replacing Section 1.30 Board of Public Works.

- [d.](#) Ordinance 1952-2026 Ordinance Repealing and Replacing Section 1.44 1000 Island Environmental Center Committee.
- [e.](#) Ordinance 1953-2026 Ordinance Repealing and Replacing Section 2.12 Rule 12: Standing Committees.
- [f.](#) Resolution 2026-5499 Resolution Vacating a Drainage Easement on Lot 1 of the Ash Grove Estates Subdivision, Parcel 323166403.
- [g.](#) Resolution 2026-5500 Resolution Authorizing Execution and Recording a Satisfaction and Release of the Development Agreement Recorded as Document No. 2051494.
- [h.](#) Resolution 2026-5501 Resolution Authorizing the sale of Real Estate to the Wisconsin Department of Transportation.

11. Alder requests for discussion at next Common Council meeting.

12. Closed session.

- a. Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) for deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive bargaining reasons require a closed session – Wayfinding Sign Project.
- b. Return to Open Session for possible action.

13. Adjourn.

#### 14. NOTICES

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

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

15.

16. **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 – FEBRUARY 18, 2026

Pursuant to adjournment on February 3, 2026, a meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:04 P.M. on Wednesday, February 18, 2026.

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

Also present: Mayor Penterman, Attorney Greenwood, DPW/Eng. Neumeier, Senior Accountant Roehl, Street Superintendent Van Gompel, Fire Chief Carrel, Police Chief Graff, Com. Enrich. and Rec. Dir. Vosters, Mark. and Com. Manager Fencil (Zoom), Associate Planner Nelson, and interested citizens.

One minute of silent prayer and the Pledge of Allegiance to the American Flag observed by the assembly.

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

#### PUBLIC APPEARANCES

#### BUSINESS PRESENTED BY THE MAYOR

##### **Public Hearing on the Rezoning of KASD.**

Prior to the Public Hearing, Mayor Penterman gave a brief overview of the Kaukauna Area School District (KASD) rezoning proposal. The KASD, in collaboration with Point of Beginning, has submitted an application to rezone Lot 1 of their proposed certified survey map from Residential Single-Family (RSF) to Institutional (IT). The purpose of this rezoning is to facilitate the construction of a new middle school. Although schools are a permitted use in the RSF District, the height of all permissible principal uses and structures are limited to 35' within that district. By rezoning to IT, the middle school can be constructed to the proposed height of 45' 6".

Mayor Penterman declared the public hearing open and asked if anyone in the Council Chambers or on Zoom wished to address the Council regarding the rezoning of KASD.

Don Vanderzanden, 108 Clare Ct., Kaukauna, brought up questions about what happens to the land if it does not get rezoned. Vanderzanden questioned why the land was not rezoned prior to purchase.

Tammy and Andy Lehrer, N9302 State Highway 55, Kaukauna, had questions about where sewer and water were going to come from. DPW/Eng. Neumeier stated these questions were not related to the public hearing, but what would be happy to have a conversation another time.

Pennie Thiele, 118 E Morningside Dr., Kaukauna, reiterated that the only parcel being rezoned is the parcel where the school will be built and said she had no issue with that parcel being rezoned.

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

**Retirement of Sergeant Jason Treichel.**

Mayor Penterman congratulated Jason Treichel on his time with the Kaukauna Police Department and presented him with a gift.

**Swearing in of Officer Matthew Bauman.**

Clerk Nessmann swore in Officer Matthew Bauman and his wife pinned on his badge.

**Uptown Site - 300 Lawe Street.**

Mayor Penterman stated that the city is talking with two different developers about the property and will be putting for-sale signs back on the property.

**Point in Time (PIT) Homeless Count January 28, 2026.**

Mayor Penterman took part in the Point in Time (PIT) homeless count on January 28, 2026, from 11PM-3AM. The PIT homeless count gives an accurate measure of unsheltered persons in the City of Kaukauna. That data will be gathered and is used to get government grants for housing, mental health, and substance use services. They checked 19 areas throughout the city and found no unsheltered people.

**Reappointment of George Burton to the Board of Review (5-year term).**

Motion by Moore, seconded by Antoine to reappoint George Burton to the Board of Review (5-year term).

All Ald. Voted aye.

Motion carried.

**Reappointment of Bruce Werschem to the Board of Appeals (3-year term).**

Motion by Kilgas, seconded by Thiele to reappoint Bruce Werschem to the Board of Appeals (3-year term).

All Ald. Voted aye.

Motion carried.

**Proclamation City of Kaukauna School Choice Week January 25-31, 2026.**

Mayor Penterman read the Proclamation Government Communicators Day February 20, 2026.

Motion by Moore, seconded by Schell to receive and place on file the Proclamation Government Communicators Day February 20, 2026.

All Ald. Voted aye.

Motion carried.

**CONSENT AGENDA**

Common Council took a recess at 7:28 PM to give alders a chance to read the committee meeting minutes of February 18, 2026.

Common Council reconvened from recess at 7:34 PM.

**Board of Public Works Meeting Minutes of February 18, 2026.****Finance & Personnel Committee Meeting Minutes of February 18, 2026.****Health and Recreation Committee Meeting Minutes of February 18, 2026.**

*Item removed by alder and taken up separately.*

**Legislative Committee Meeting Minutes of February 18, 2026.**

**Public Protection & Safety Meeting Minutes of February 18, 2026.**

**Committee of the Whole Meeting Minutes of February 17, 2026.**

**Common Council Meeting Minutes of February 3, 2026.**

**Heart of the Valley Metropolitan Sewerage District Meeting Minutes of January 13, 2026.**

**Redevelopment Authority Meeting Minutes of January 8, 2026.**

**Board of Appeals Meeting Minutes of December 3, 2025.**

**E-Bike Sub-Committee Meeting Minutes of November 18, 2025.**

**Ambulance Report for January 2026.**

**Police Report for January 2026.**

**Code Enforcement Report for January 2026.**

**Court Report for January 2026.**

**Clerk-Treasurer's Daily Deposit Report for January 2026.**

**Building Inspection Report for January 2026.**

**Bills Payable.**

Motion by Moore, seconded by Kilgas, to approve the remainder of the consent agenda.

All Ald. Voted aye.

Motion carried.

**Health and Recreation Committee Meeting Minutes of February 18, 2026.**

Motion by DeCoster, seconded by Schell, to make the changes of beer and liquor to beer and wine and to include Drake's Place.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt the Health and Recreation Committee Meeting Minutes of February 18, 2026, as amended.

All Ald. Voted aye.

Motion carried.

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

### **Operator (Bartender) Licenses.**

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:

Sestak	M	Dawn	Brillion
Decker	R	Drake	Kaukauna
King	L	Payton	Kaukauna

Motion by DeCoster, seconded by Eggleston, to approve the operator/bartender licenses as listed.  
 All Ald. Voted aye.  
 Motion carried.

**REPORTS OF CITY OFFICERS**

**CSM Resolution – KASD.**

The Kaukauna Area School District, in collaboration with Point of Beginning, has submitted a final Certified Survey Map (CSM) for review. This CSM would combine parcels 323246800, 323246700, 323246600, 323246500, and 323246400 into three large parcels. This request to combine five parcels into three parcels is for the development of a new middle school. The layout includes land dedication for a roadway connection to Highway 55, which is consistent with previous planning efforts for the future extension of Speedway Lane through the property.

This final CSM went before Plan Commission on January 5th, 2026, and was approved with the following conditions: that final approval of all necessary easements is received from City staff and Kaukauna Utilities, and that the necessary easements on parcel number 030064500, which will allow for a road connection between the middle school and high school, and water main looping, is recorded with Outagamie County. City staff and Kaukauna Utilities have approved the necessary easements and the required easements on parcel number 030064500 has been recorded with Outagamie County.

**Rezoning Request - KASD.**

The Kaukauna Area School District, in collaboration with Point of Beginning, has submitted an application to rezone Lot 1 of their proposed certified survey map from Residential Single-Family (RSF) to Institutional (IT). The purpose of this rezoning is to facilitate the construction of a new middle school. Although schools are a permitted use in the RSF District, the height of all permissible principal uses and structures are limited to 35’ within that district. By rezoning to IT, the middle school can be constructed to the proposed height of 45’ 6”.

**Wisconsin Department of Transportation – Right-of-way acquisition for Interstate 41.**

The Wisconsin Department of Transportation (WisDOT) is planning a roadway improvement project on IH-41 located in both Outagamie and Brown Counties which includes new right of way acquisition in multiple areas. DPW/Eng. Neumeier recommended this item be forwarded to the Plan Commission for review.

Motion by Thiele, seconded by Moore, to send Wisconsin Department of Transportation – Right-of-way acquisition for Interstate 41 to the Plan Commission for review.  
 All Ald. voted aye.  
 Motion carried.

**PRESENTATION OF ORDINANCES AND RESOLUTIONS**

**Resolution 2026-5495 Resolution Approving a Certified Survey Map to Combine Five Lots into Three Lots for Parcels 323246800, 323246700, 323246600, 323246500, and 323246400.**

Motion by Moore, seconded by Thiele to suspend the rules and waive the reading of Resolution 2026-5495 Resolution Approving a Certified Survey Map to Combine Five Lots into Three Lots for Parcels 323246800, 323246700, 323246600, 323246500, and 323246400.

All Ald. voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Resolution 2026-5495 Resolution Approving a Certified Survey Map to Combine Five Lots into Three Lots for Parcels 323246800, 323246700, 323246600, 323246500, and 323246400.

All Ald. Voted aye.

Motion carried.

**Resolution 2026-5496 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties along Dixon Street, East Seventh Street, East Eighth Street, West Fourth Street, West Fifth Street, West Thirteenth Street, and West Fourteenth Street.**

Motion by Moore, seconded by Schell to suspend the rules and waive the reading of Resolution 2026-5496 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties along Dixon Street, East Seventh Street, East Eighth Street, West Fourth Street, West Fifth Street, West Thirteenth Street, and West Fourteenth Street.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Schumacher to adopt Resolution 2026-5496 Preliminary Resolution Declaring Intent to Exercise Special Assessment Police Powers for Public Improvements to Alleys Abutting Properties along Dixon Street, East Seventh Street, East Eighth Street, West Fourth Street, West Fifth Street, West Thirteenth Street, and West Fourteenth Street.

All Ald. Voted aye.

Motion carried.

**Resolution 2026-5498 Resolution Authorizing the City of Kaukauna Fire Department to Enter into an Equipment Sharing Agreement with Nearby Fire Departments.**

Motion by Moore, seconded by Kilgas to suspend the rules and waive the reading of Resolution 2026-5498 Resolution Authorizing the City of Kaukauna Fire Department to Enter into an Equipment Sharing Agreement with Nearby Fire Departments.

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Thiele to adopt Resolution 2026-5498 Resolution Authorizing the City of Kaukauna Fire Department to Enter into an Equipment Sharing Agreement with Nearby Fire Departments.

All Ald. Voted aye.

Motion carried.

**Ordinance 1948-2026 Ordinance Rezoning Parcel xxxxxxxx, from Residential Single Family (RSF) to Institutional (IT).**

Motion by Moore, seconded by Schumacher to suspend the rules and waive the reading of Ordinance 1948-2026 Ordinance Rezoning Parcel xxxxxxxx, from Residential Single Family (RSF) to Institutional (IT).

All Ald. Voted aye.

Motion carried.

Motion by Moore, seconded by Antoine to adopt Ordinance 1948-2026 Ordinance Rezoning Parcel xxxxxxxx, from Residential SingleFamily (RSF) to Institutional (IT).

All Ald. Voted aye.

Motion carried.

**ALDER REQUESTS FOR DISCUSSION AT THE NEXT COMMON COUNCIL MEETING**

Alder Schell would like a discussion on muskrat trapping and general safety about the city retention ponds. Alder Antoine would like Bowmar to give a presentation on their assessment process and how they determine home values.

**ADJOURN**

Motion by Moore, seconded by Schumacher to adjourn.

All Ald. voted aye.

Motion carried.

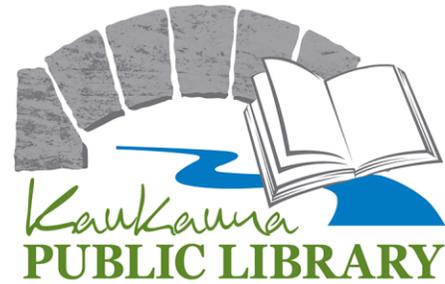
Meeting adjourned at 8:01 PM.

Kayla Nessmann, Clerk



**LIBRARY BOARD MEETING MINUTES****City of Kaukauna****Kaukauna Public Library**

207 Thilmany Rd STE 200, Kaukauna



Tuesday, January 27, 2026 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 by President Neumeier at 5:30p.
2. Roll call of membership
  - a. Present: A. Neumeier, J. Van De Hey, J. Vondracek, C. Fallona, M.J. Kilgas, C. Van Boxtel, J. Lucas, & P. Davis
  - b. Excused: D. Tatro
  - c. Also present: A. Thiem-Menning & J. Berven
3. Public Participation and Communications
4. Consent Agenda
  - a. Meeting minutes of Tuesday, November 25, 2025
  - b. Special meeting minutes of Monday, January 19, 2026
  - c. Closed session meeting minutes of Monday, January 19, 2026
  - d. Bill Register November 2025
  - e. Bill Register December 2025
    - i. M.J. Kilgas made a motion to approve the Consent Agenda, seconded by C. Fallona. Motion carried; all in favor.
5. Action Items
  - a. Update Study Room Policy
    - i. C. Van Boxtel made a motion to update the Study Room Policy, seconded by P. Davis. Motion carried: all in favor.
6. Information Items
  - a. Directors Report
  - b. Adult Services Librarian Report
    - i. The Board noted the 3% increase in circulation for the calendar year.
  - c. Youth Services Librarian Report
  - d. Local Historian Report
  - e. Trustee Topic: Chapter 4

- i. A. Thiem-Menning noted that DPI has not updated the Trustee Handbook, but when it is updated, the slides will change as they have been cycled through for new Board members since 2020.
  - f. Statistics
    - i. J. Vondracek made a motion to place the reports on file, seconded by J. Van De Hey. Motion carried: all in favor.
- 7. Adjournment
  - a. J. Van De Hey made a motion to adjourn at 6:50p, seconded by C. Fallona. Motion carried: all in favor.

Meeting Minutes prepared by: A. Thiem-Menning



**PLAN COMMISSION**

City of Kaukauna

**Council Chambers**

Municipal Services Building

144 W. Second Street, Kaukauna



Thursday, January 22 at 4:00 PM

**MINUTES****In-Person in Council Chambers**

Mayor Penterman called the meeting to order at 4:00 p.m.

## 1. Roll Call

Members Present: Brett Jensen, Giovanna Feller, John Neumeier, John Moore, Michael Avanzi, Ken Schoenike, Pennie Thiele, Mayor Tony Penterman

Others Present: Associate Planner Adrienne Nelson

## 2. Approval of Minutes

## a. Approval Minutes from January 8, 2026

Avanzi made a motion to approve the minutes from January 8, 2026. Seconded by Moore. The motion passed unanimously.

## 3. Old Business

## a. None

## 4. New Business

## a. Wellness 360 – Signage Request

Associate Planner Nelson presented the signage request submitted by Sydney Hummell, owner of Wellness 360, which is located at 500 Lawe Street. This property is zoned Commercial Core District. Per section 17.20 of the Municipal Code, properties that the lot dimensions meet the requirements of 17.22 may follow the sign requirements of that district by Plan Commission approval of the sign type, size, and location for each requested not to exceed 300 square feet in size per sign. The property located at 500 Lawe Street meets the minimum dimensional requirements and the signage would be allowed, pending Plan Commission approval. The signage application submitted is for a 204"x34" wall sign, or about 50 square feet. The drawing is attached

for reference. Staff is recommending approval of the signage request with the condition that the signage permit application is approved by staff.

Jensen asked for clarity on where this new sign will be located. Will it be going on the back side of the building? He also asked if the existing sign would be staying.

Nelson confirmed the location and that the existing sign would remain.

Neumeier asked if any of the existing landscaping would be affected. He recalled that there used to be some juniper bushes that screened the utilities located under the proposed new sign. There is only a tree there now, will that be going away to make sure the sign is visible? It's not a requirement, but he would like Wellness 360 to look into screening the utilities.

Jensen pointed out that it might be a good idea to set the shrubs and trees back to allow for accessibility to the utilities for maintenance purposes.

Nelson agreed to talk to Hummell about screening with the understanding that it is not a requirement for approval.

Avanzi made a motion to approve the signage request with the condition that the signage permit application is approved by staff. Seconded by Moore. The motion passed unanimously.

b. Rezoning Request – KASD

Associate Planner Nelson introduced the rezoning request submitted by the Kaukauna Area School District in collaboration with Point of Beginning. They submitted an application to rezone Lot 1 of their proposed certified map from Residential Single-Family to Institutional for the construction of a new middle school. Although schools are a permitted use in the Residential Single-Family District, the height of all permissible principal uses and structures are limited to 35' within that

district. By rezoning to Institutional, the middle school can be constructed to the proposed height of 45'6". Staff is recommending approval of the rezoning request to Common Council. A class two notice has already been sent out and, although it is not required by ordinance, staff usually sends out a notice to all residents located within 200' of a rezoning as a courtesy.

Moore asked if the notice goes to all landowners within 200', even those that don't have residents located on the property.

Nelson explained the process of how notices are mailed out to property owners. Letters are sent to whatever properties are located within 200' of the property line of the property being rezoned, whether residential or commercial.

Feller asked for further clarification. Would letters be sent to property owners within 200' of the school?

Nelson explained that letters would be sent out to property owners within 200' of the lot line of the property the school will be built on, not from the school itself.

Thiele commented that she spoke with Associate Planner Nelson and clarified what is being approved. She wants to make clear that what the Plan Commission is approving to rezone is only the parcel being presented, as shown in the map. The abutting lots will not be rezoned.

Nelson confirmed that only Parcel 1 on the map will be rezoned.

Neumeier made a motion to recommend approval of the rezoning request to Common Council and to direct staff to send out notices to property owners within 200' of the rezoning. Seconded by Thiele. The motion passed unanimously.

- c. Site Plan Correction – KASD

Associate Planner Nelson introduced the corrected site plan application submitted by the Kaukauna Area School District in collaboration with Point of Beginning. The original site plan application, which was reviewed by Plan Commission on December 18, 2025, listed the following parcel numbers: 325050100, 323246700, 323246700, 3232246600, 323246500, 323246400, and 323246300. In short, 323246700 was listed twice, there was confusion on the inclusion of 325050100 which is the site of the high school, and 323246300 was listed even though it is not owned by the school and not a part of this project. On January 8, 2026, Plan Commission amended their motion approving the site plan with conditions, to include an additional condition requiring the submission of a corrected site plan. The corrected site plan is attached to the memo and listed the following parcel numbers: 323246400, 323246500, 323246600, 323246700, and 323246800. It also listed 325050100, the site of the high school, because of the planned connection between the middle school and high school pending a finalized easement agreement. Staff is recommending approval of the corrected site plan application as presented.

Discussion was had on how best to make a motion to ensure proper recording of the corrected site plan.

Neumeier made a motion to approve the updated site plan application form as meeting one of the conditions of the December 18, 2025, and January 8, 2026, Plan Commission motions. Seconded by Thiele. The motion passed unanimously.

For clarity, Moore listed the previous motions associated with these meetings. On December 18, 2025, the site plan was approved with the following conditions: prior to issuance of building permits, Stormwater and Erosion Control permits must be obtained from the Engineering Department, the certified survey map (CSM) must be approved by Common Council, formal approval of site plans and access must be obtained from the Kaukauna Fire Department, and the site must be rezoned from RSF to IT. On January 8, 2026, these requirements were amended to the following: prior to issuance of building permits, all

parcel numbers are corrected on the application, Stormwater and Erosion Control permits must be obtained from the Engineering Department, the certified survey map (CSM) must be approved by the Common Council, formal approval of site plans and access must be obtained from the Kaukauna Fire Department, and the site must be rezoned from RSF to IT.

5. Other Business

a. None

6. Adjourn

Avanzi made a motion to adjourn the meeting. Seconded by Moore. Motion passed unanimously.

Meeting adjourned at 4:17 p.m.

Adrienne Nelson, Associate Planner





# 1000 ISLANDS ENVIRONMENTAL CENTER 1000 ISLANDS COMMITTEE

City of Kaukauna  
**Nature Center Building**  
1000 Beaulieu Court, Kaukauna

Thursday, January 15, 2026, at 6:30 PM

## MINUTES

**Members Present** West, White, Breitzman, Eggleston, Timmons, Hietpas, Manion, Jakel, and VanBerkel

**Not Present** Rumbuc

**Also Present** Brad Garrity and Cassie Kohls

Jakel called the meeting to order at 6:30 PM. A quorum was present.

**Public Appearances** None

Timmons was introduced and welcomed to the Committee.

### November 20, 2025, Committee Meeting Minutes

Manion motioned to approve, seconded by VanBerkel. Motion carried.

### November Financial Report

VanBerkel asked whether the interest check from the Community Foundation endowment would be reinvested back into the fund or if it could be used to purchase items that were not included in the budget. He also inquired about where the endowment’s interest earnings are recorded. Kohls explained that the City Clerk receives the annual interest payment from the Community Foundation and deposits it into the Interest Income Account 101-48100-4810, which is not a restricted account. Eggleston asked what percentage of interest the endowment fund will generate in 2026, and VanBerkel noted that this information is not yet available.

Garrity informed the Committee that Finance Director VanRossom has submitted his resignation.

VanBerkel moved to approve the November Financial Report, and West seconded. Motion carried.

**Correspondence** None

### Friends of 1000 Islands Report

Hietpas provided an overview of the Friends’ Annual Meeting. Carol VanBoxtel presented her new children’s history book, and 18 people were in attendance. No elections were held, so all current officers will remain in their roles. The Friends group will operate a food stand offering hot dogs, popcorn, and beverages at Eagle Days on January 31, 2026.

### **November-December Naturalist Report**

Garrity reported that a new credit card system has been implemented at the Nature Center. The annual volunteer appreciation event was held in December with approximately 25 attendees. Communications Manager Fencil integrated the 1000 Islands website into the City's website, and Kohls has been trained on managing the new site. Assistant Naturalist Berge was recently married at the Nelson Overlook and is now using the name Kat Benson. Rosy the tarantula has been moved to a new tank after her previous enclosure was tipped over and destroyed by a visitor; fortunately, Rosy was not injured.

The Jabber memorial fundraiser generated approximately \$400, which was divided between J & R Aquatics and Wildlife of Wisconsin. There are no plans to replace Jabber.

Staff also participated in the Electric City Christmas Parade and Gingerbread House contest.

The eagle camera project will have a soft launch at Eagle Days this year. Two camera locations are being proposed: one at the Kaukauna Utilities dam with zoom capability, and another at the eagle nest powered by solar with battery backup. Some donations have already been received, and Gonnering is conducting additional research.

The Silent Night Hike drew around 300 participants and was considered a great success, raising \$400 in donations.

Snowshoeing season is beginning, though rentals have not yet occurred; the Junior Naturalist program used the snowshoes during their session.

November was a busy month for field trips. Volunteers Pautz and Hayes assisted with a program for St. Paul Elder at 1000 Islands.

Outagamie County Land Conservation (OC-LCD) received a \$300,000 Great Lakes Commission GLSNRP grant to address severe erosion in the Conservancy Zone. The City's DPW has an additional \$100,000 allocated, bringing total project funding to \$400,000. Project components include gully repair, trail restoration, videography documentation, and installation of step pools— a first in Wisconsin. Survey work by OC-LCD will take place in 2026, with two public meetings planned: one for the general public and one for neighboring property owners. Construction work is expected to begin in 2027, and the grant may extend into 2029. West asked how many neighbors are involved; Garrity was unsure but confirmed neighboring properties within the easement will be included. Manion asked about the easement recording, and VanBerkel confirmed it is recorded. OC-LCD hopes to involve additional landowners to potentially extend the project beyond City property. A press release will be issued in the coming weeks. In response to Hietpas's question about total project cost, Garrity explained that the County will remain within existing funding. The City will contribute in-kind materials and labor when feasible, including fill material from other City projects. Step pools will be constructed on newer gullies, while older gullies will receive berms with trails routed across them. Street Department staff and community volunteers will assist, and trees will be repurposed for root wads and fill. The riparian buffer will be cleared and replanted with native vegetation to restore shoreline habitat.

Garrity also reported a roof leak. After contacting the Street Department and a roofing contractor, it was determined that a row of shingles had been improperly nailed, causing the nails to rust and create holes. The contractor recommended sealing the holes and applying sealant to screws near the solar panels. The inspected section of the roof appears to have an estimated remaining life of 5–10 years. Manion asked about staining on the roof sheeting; Garrity noted that snow has been blowing in through the ridge vent, but overall the sheeting is in good condition except for the area affected by nail failure.

Bidding for the Nature Center's front entryway renovation is underway, with construction scheduled to begin in late spring or summer. Jakel asked about the design, and Garrity shared that McMahan developed the plans, which include new doors, a leveled floor, key-fobbed and ADA-compliant entry doors, and relocation of the entry door toward the building's front corner. The interior door will also be widened. Hietpas asked whether the footprint would remain unchanged, and Garrity confirmed that it will, with existing window locations preserved and leftover siding from last year's replacement being reused. Garrity will present the design at the next Committee meeting.

Hietpas moved to receive and place the November–December Naturalist Report on file; Breitzman seconded. Motion carried.

**Usage Report:** VanBerkel noted that the totals in the bottom column were not calculated correctly. Annual usage totals will be presented in February. Garrity reported that Outagamie County was pleased with the strong participation from individuals residing outside the county. VanBerkel moved to place the 4th Quarter Usage Report on file, and White seconded. The motion carried.

**Sub-Committee Meetings:** Sub-Committee Chairs will convene meetings as needed. Membership was reviewed, and the following updates were made to the Sub-Committee Member list:

- Manion was removed from the Administration & Finance Sub-Committee.
- White was appointed Chair of the Education Sub-Committee.
- Timmons was added to the Education Sub-Committee and will not serve on the Administration & Finance Sub-Committee.

**Old Business** - None

**New Business** - None

### **Good for the Center**

Eagle Days will take place on January 31, 2026, from 7:00 AM to 5:00 PM. All viewing station volunteer positions are filled, with Bald Eagle Nest Watchers assisting this year. The National Eagle Center will attend, and the Kaukauna Public Library will give a Native American presentation. Garrity will present on the Bald Eagle Nest Watch program.

### **Next Committee Meeting**

The next Committee Meeting will be on Thursday, February 19, 2026, at 6:30 PM in the Nature Center building.

### **Adjournment**

There being no further business, Manion moved to adjourn the January 15, 2026, Committee Meeting at 7:29 PM. Seconded by White. Motion carried.

Cassie Kohls

### City - Bills Payable

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126473	51232263	2/2/2026		Refund for Parcel 321090800. Receipt #51232263	City of Kaukauna	1,499.61
00000487/1	012926	2/3/2026		01/29/26 Payroll, 01/29/26 Payroll	M i s s i o n S q u a r e Retirement	23,390.10
00000489/1	AH5PU4Y	2/3/2026		New PC for Tyler Ault	CDW Government	1,600.36
00000489/1	AH5U44R	2/3/2026		Dual Monitor Stands	CDW Government	465.24
00000489/1	AH5SV5U	2/3/2026		Docking Stations	CDW Government	400.90
00000489/1	AH5UQ4S	2/3/2026		Community Enrichment PC's, Community Enrichment PC's	CDW Government	6,401.44
00000489/10	FHF2026-01-29	2/3/2026		01/29/26 Payroll	Fire House Fund	352.00
00000489/11	PEL2026-01-29	2/3/2026		01/29/26 Payroll	Pelion Benefits, Inc (SSA)	1,446.00
00000489/12	504801	2/3/2026		WiLS Newspaper Archive 2026	WiLS	740.25
00000489/2	50463	2/3/2026		Office Supplies for SPaR Office	Complete Office of Wisconsin	7.92
00000489/2	50212	2/3/2026		Office Supplies for SPaR Office	Complete Office of Wisconsin	107.64
00000489/3	25720-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	25.12
00000489/3	10730-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	198.12
00000489/3	391515-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	439.86
00000489/3	31524-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	184.11
00000489/3	111340-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	101.43
00000489/3	10592-02 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	72.57
00000489/3	10579-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	69.76
00000489/3	504000-00 2026-01-12	2/3/2026		Progress Way Fountain	Kaukauna Utilities	45.24
00000489/3	10671-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	16.48
00000489/3	16015-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	32.58
00000489/3	10672-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	56.80
00000489/3	31522-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	60.77
00000489/3	100420-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	66.38
00000489/3	50821-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	76.33
00000489/3	10610-00 2026-01-12	2/3/2026		Dodge Street Lift Pump	Kaukauna Utilities	76.41
00000489/3	21846-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	83.89
00000489/3	10660-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	134.27
00000489/3	120560-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	164.99
00000489/3	92505-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	397.25
00000489/3	501803-00 2026-01-12	2/3/2026		Tower Drive Sewer Lift	Kaukauna Utilities	11.00
00000489/3	204444-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	16.84
00000489/3	12970-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	26.51
00000489/3	10279-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	48.50
00000489/3	10591-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	105.87
00000489/3	10595-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	113.84
00000489/3	12960-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	181.28
00000489/3	21995-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	45.71
00000489/3	801162-00 2026-01-12	2/3/2026		Com Xing Sign	Kaukauna Utilities	69.39
00000489/3	31641-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	104.31
00000489/3	12922-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	7,066.55
00000489/3	10600-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	39.81
00000489/3	282505-00 2026-01-12	2/3/2026		Boardwalk Lighting	Kaukauna Utilities	41.45

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
00000489/3	10615-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	238.49
00000489/3	15010-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	1,919.88
00000489/3	10635-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	16.48
00000489/3	10690-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	16.95
00000489/3	10593-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	173.85
00000489/3	10680-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	614.06
00000489/3	10650-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	1,099.98
00000489/3	10630-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	22.00
00000489/3	31521-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	40.26
00000489/3	10465-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	49.36
00000489/3	10590-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	67.49
00000489/3	26412-00 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	81.91
00000489/3	10581-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	667.13
00000489/3	12953-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	4,973.37
00000489/3	10620-00 2026-01-12	2/3/2026		Dodge Street Sewer Pump	Kaukauna Utilities	18.09
00000489/3	10580-01 2026-01-12	2/3/2026		Water, Sewer, & Electric	Kaukauna Utilities	25.76
00000489/4	15764	2/3/2026		General Liability, Auto, Crime, & Cyber, Workers Comp.	McClone	69,548.00
00000489/5	INV11964	2/3/2026		2026 Annual License - NetLoans	Netgain Solutions, Inc.	17,413.78
00000489/6	73655	2/3/2026		PD ProdataKey Annual Renewal	O & W Communications	1,932.00
00000489/6	73656	2/3/2026		MSB Prodatakey Annual Renewal	O & W Communications	4,752.00
00000489/7	DBS2026-01-29	2/3/2026		01/29/26 Payroll, 01/29/26 Payroll	Diversified Benefit Services, Inc (DBS) (ACH)	75,507.97
00000489/8	IAFF2026-01-29	2/3/2026		01/29/26 Payroll	Fire Association Local 1594	885.59
00000489/9	KPPA2026-01-29	2/3/2026		01/29/26 Payroll	Police Association	725.00
126474	01/23/26	2/5/2026		10-25 Street Patch	Al Dix Concrete Inc.	13,349.50
126475	26971	2/5/2026		Phones	Amplitel Technologies LLC	533.92
126475	26955	2/5/2026		Boardroom - HDMI Extender & Labor	Amplitel Technologies LLC	396.43
126475	26997	2/5/2026		Fire Copilot Licenses	Amplitel Technologies LLC	144.30
126476	854005	2/5/2026		Dreamville Kaukauna Matter	Amundsen Davis, LLC	7,812.50
126477	12/21/25	2/5/2026		Random/Reasonable Suspicion, Pre-Employment	Aurora Health Care, Inc.	1,033.50
126478	104004865	2/5/2026		Oil Filter Wrench for UTV	Auto Value Kaukauna	9.87
126478	104004755	2/5/2026		Car Wash	Auto Value Kaukauna	14.88
126478	104004895	2/5/2026		#2191 Batteries	Auto Value Kaukauna	282.10
126478	104004459	2/5/2026		Shop Supplies	Auto Value Kaukauna	7.02
126478	104004314	2/5/2026		#2171 & 2141 Battery & Transmission Fluid	Auto Value Kaukauna	360.55
126479	INUS414884	2/5/2026		Body Cam Contract	Axon Enterprise, Inc.	23,663.23
126479	INUS414515	2/5/2026		Body Cam Contract	Axon Enterprise, Inc.	1,078.03
126480	288719	2/5/2026		#2121 Battery 1 & Battery 2	Carstens Ace Hardware	478.00
126480	289111	2/5/2026		Surge Protector	Carstens Ace Hardware	26.09
126480	288504	2/5/2026		Custodial Supplies	Carstens Ace Hardware	24.67
126480	289038	2/5/2026		LP Gas Fill	Carstens Ace Hardware	11.55

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126481	1000 Islands Endowment Fund 012926	2/5/2026		1000 Islands Endowment Fund - Memorial Donation for Carol Biese	C o m m u n i t y Foundation for Fox Valley Region	25.00
126481	1000 Islands Endowment Fund 012826	2/5/2026		1000 Islands Endowment Fund - Memorial Donation for Shirley Margenau	C o m m u n i t y Foundation for Fox Valley Region	100.00
126482	4510	2/5/2026		PD Recruitment	Craig D. Childs, PhD, SC	1,050.00
126483	66990	2/5/2026		Refund - Security Deposit	Cub Scout Pack #3104	100.00
126484	55923	2/5/2026		Oil #84	DC Auto Repair, LLC	54.02
126484	55860	2/5/2026		Oil #88	DC Auto Repair, LLC	54.02
126485	364275	2/5/2026		Boys Little Dribbler Shirts	Eagle Graphics LLC	547.50
126486	15578 01	2/5/2026		Traffic Signal Repairs - Various	Elmstar Electric Corp.	3,380.33
126486	15567 01	2/5/2026		Project 12-23 -- Seawall - Lighting	Elmstar Electric Corp.	23,237.23
126487	S26-35	2/5/2026		Replacement of GFCI & Breaker	Enterprise Electric Inc	279.28
126488	29786	2/5/2026		Park Mower #123	Evergreen Power	125.86
126488	29787	2/5/2026		Gas/Oil	Evergreen Power	153.98
126489	BE320731	2/5/2026		Garbage Route Changes/Ad	Finger Publishing, Inc.	675.00
126490	2026DG-KAUKAUNA	2/5/2026		Fox Cities CBD Destination Guide	Fox Cities Convention & Visitors Bureau	1,200.00
126491	6402	2/5/2026		5 cats	Fox Valley Humane Association	460.00
126492	SPINV030092	2/5/2026		State Practical Exams	Fox Valley Technical College	80.00
126493	6	2/5/2026		Children's History Books	Friends of the Kaukauna Public Library	259.80
126494	033741531	2/5/2026		Badge #820	Galls, LLC	102.37
126495	020326	2/5/2026		Cell Phone Mailed to Reno/Inv.	Inge Murphy	27.70
126495	01/23/26	2/5/2026		Shipping Return on Holster	Inge Murphy	13.60
126496	90170993	2/5/2026		Harlan - Shop Supplies	Interstate Battery	14.95
126496	90170253a	2/5/2026		Refuse Truck #228 - Balance Due	Interstate Battery	15.00
126497	012726	2/5/2026		Restitution from H. Tatum - Citation 5M81C884JL	Irene Skarban	124.00
126498	Jabber Memorial	2/5/2026		Jabber Memorial Donations	J&R Aquatic Animal Rescue	200.00
126499	789714	2/5/2026		Sprinkler Inspection Agreement	J.F. Ahern Co.	570.00
126499	789713	2/5/2026		SPaR Quarterly Sprinkler Inspection	J.F. Ahern Co.	270.00
126500	96778273	2/5/2026		#2183 Oil Change Kit	Ken's Sports Inc	50.99
126501	012926	2/5/2026		Reimbursement for WI Fire Insp. Association	Kevin Kloehn	46.62
126502	114088	2/5/2026		Actuarial Report	Lauterbach & Amen, LLP	1,410.00
126503	k011520026	2/5/2026		Drone Video - Uptown Lot	L e d g e T o p Technologies LLC	400.00
126504	67041	2/5/2026		Refund - Security Deposit	Lisa Mader	200.00
126505	385054	2/5/2026		Chips/Maint. Roads & Walks	MCC Inc.	380.66
126506	243712	2/5/2026		Refuse Truck 224	MGD Industrial Corp	22.44
126507	5403986766	2/5/2026		Salt (\$87.74/Ton)	Morton Salt	10,030.44
126508	012325-03	2/5/2026		Safety Management Program - Annual Access for MSDS Online	Municipal Electric Utilities of Wisconsin	925.00
126509	01/31/26	2/5/2026		County Court Share - January 2026	Outagamie County Treasurer	450.01
126509	1022267	2/5/2026		2025 Bridge Inspections - Fall	Outagamie County Treasurer	117.28

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126510	6211758	2/5/2026		Pump Maintenance	Plymouth Lubricants	252.50
126511	304881	2/5/2026		Parks MSV #104	S.I. Metals and Supply	70.00
126512	676887320509SFL	2/5/2026		Project 12-23 -- Seawall Easement	Simplifile, LC	30.25
126512	676883003292SFL	2/5/2026		County Recording Fee for Lauer Annexation	Simplifile, LC	30.25
126513	01/31/26	2/5/2026		State Court Share - January 2026	State of Wisconsin	1,810.46
126514	012626	2/5/2026		Restitution from D. Hajenga	Tammy Potthoff	150.00
126515	205550-202512-1	2/5/2026		TLO - December (Less Tax - Tax Exempt)	TransUnion Risk and Alternative Data Solutions Inc	100.00
126516	469385	2/5/2026		Truck #209	Triumph Tires Inc	1,229.14
126517	X202873412:01	2/5/2026		Truck #214	Truck Country Of Wisconsin	189.19
126517	X202872788:01	2/5/2026		Light on #2121	Truck Country Of Wisconsin	21.15
126518	220748	2/5/2026		Calibration Gases	Ultimate Safety Concepts DBA: Clarey's Safety Equipment	874.96
126519	6160424991	2/5/2026		Coverall/Mat Service	VESTIS	95.07
00000490/1	020426	2/9/2026		Supplemental Select, Supplemental Select Plus	Delta Dental of Wisconsin	2,091.36
00000491/1	53052	2/9/2026		Office Supplies for SPaR Office	Complete Office of Wisconsin	16.02
00000491/10	INUS5908	2/9/2026		Usage Exceeding Monthly Limit	Fast Four USA Inc.	43.35
00000491/2	INV0012397	2/9/2026		Annual MID Fee - MSB	Gila, LLC	99.95
00000491/2	INV0012398	2/9/2026		Annual MID Fee - PD	Gila, LLC	99.95
00000491/2	INV0012396	2/9/2026		Annual MID Fee - 1000 Islands	Gila, LLC	99.95
00000491/3	0065503-IN	2/9/2026		Truck #9	Casper's Truck Equipment	212.85
00000491/4	WIKIM307949	2/9/2026		AA Batteries	Fastenal Company	15.55
00000491/5	500312-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	16.48
00000491/5	550060-01 2026-01-23	2/9/2026		Emergency Siren - Cty Rd J	Kaukauna Utilities	28.22
00000491/5	380721-002026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	64.50
00000491/5	6029	2/9/2026		2026 Retiree Insurance - HR Manager - KU agreed that we did not owe this, 2026 Retiree Insurance - HR Manager, 2026 Sewer Meter Costs	Kaukauna Utilities	275,000.00
00000491/5	332585-01 2026-01-23	2/9/2026		LaFollette Park Emergency Siren	Kaukauna Utilities	18.66
00000491/5	500341-01 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	168.13
00000491/5	421955-05 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	27.20
00000491/5	500340-01 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	30.68
00000491/5	390980-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	39.91
00000491/5	500249-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	46.54
00000491/5	490122-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	187.05
00000491/5	403062-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	508.86
00000491/5	403065-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	798.57
00000491/5	452204-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	35.82
00000491/5	391620-02 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	56.22
00000491/5	403061-01 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	93.70
00000491/5	331391-02 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	127.82
00000491/5	310903-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	20,203.39
00000491/5	460192-00 2026-01-23	2/9/2026		Water, Sewer, & Electric	Kaukauna Utilities	11.32



Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126526	27007	2/13/2026		New PC - Lucas Meyer	Amplitel Technologies LLC	300.00
126526	27026	2/13/2026		Monthly Managed Services	Amplitel Technologies LLC	14,040.00
126526	26885	2/13/2026		New PC Install for Tyler Ault	Amplitel Technologies LLC	300.00
126527	013126	2/13/2026		Mileage - January 2026	Anthony Penterman	93.53
126528	021226	2/13/2026		Refund for Tax Overpayment. Parcel #323224700-J. Starkey.	Associated Bank	795.76
126529	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325069700.	Austin or Jenna Weigman	189.51
126530	104004593	2/13/2026		Brakes #2133	Auto Value Kaukauna	154.27
126530	104005211	2/13/2026		Oil Change	Auto Value Kaukauna	136.99
126530	104004193	2/13/2026		Sanitary Sewer Equip Maint.	Auto Value Kaukauna	34.90
126530	104004519	2/13/2026		Parks MSV #104	Auto Value Kaukauna	22.10
126530	104004431	2/13/2026		Air Filter for #2122	Auto Value Kaukauna	137.11
126531	86068570	2/13/2026		Medical Supplies	Bound Tree Medical, LLC.	784.68
126532	250132	2/13/2026		Snow Plow	Brauer Supply & Equipment	6,470.00
126533	021226	2/13/2026		Refund for Tax Overpayment. Parcel #324054100	Brett or Tia Welborn	182.61
126534	2025 Levy Feb- Settlement-Calumet	2/13/2026		2025 Tax Levy February Tax Settlement - County	Calumet County Treasurer	126.00
126535	289506	2/13/2026		General Supplies	Carstens Ace Hardware	6.51
126535	289419	2/13/2026		Tools & Toolbox for #2121 & 2133	Carstens Ace Hardware	36.87
126535	288222	2/13/2026		Water Fountain Parts	Carstens Ace Hardware	6.44
126535	289196	2/13/2026		Die Cast Bolt Snap, Bumper Pad	Carstens Ace Hardware	40.36
126535	289295	2/13/2026		Storage Totes	Carstens Ace Hardware	79.12
126536	Q-490153-1	2/13/2026		Cellbrite Contract	Cellebrite, Inc.	8,820.00
126537	152855801020126	2/13/2026		SIP Block 02/04 - 03/03/26	C h a r t e r Communications	213.78
126537	152858701020126	2/13/2026		Ntl Fbr 02/04 - 03/03/26	C h a r t e r Communications	1,099.00
126537	152858601020126	2/13/2026		Internet & Phone 02/04 - 03/03/26	C h a r t e r Communications	134.75
126538	4257610865	2/13/2026		Mats	Cintas Corp.	33.45
126539	1000 Islands Endowment Fund 020426	2/13/2026		1000 Islands Endowment Fund - Memorial Donation for Donald N. Promer	C o m m u n i t y Foundation for Fox Valley Region	100.00
126540	0548031	2/13/2026		Helmet Shields	Conway Shield	87.25
126541	020626	2/13/2026		Breakfast for Alli, David, & Terri - WPRA	David Herrmann	28.05
126542	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325074300	David or Kathleen Micke	250.20
126543	021226	2/13/2026		Refund for Tax Overpayment. Parcel #323178701.	David or Linda Bongers	201.32
126544	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325058400	David or Sandi Kappus	165.98
126545	40050946	2/13/2026		Lift for HVAC Inspections - Credit being applied to remove tax.	Dawes Rigging & Crane Rental, Inc.	540.00
126546	55944	2/13/2026		#84 Brakes & Rotors	DC Auto Repair, LLC	1,081.00
126546	55929	2/13/2026		#81 Brake Issue	DC Auto Repair, LLC	197.02
126547	260 1 62001	2/13/2026		Locates - December/January	Diggers Hotline Inc.	310.15
126547	251 2 62001	2/13/2026		Locates - December	Diggers Hotline Inc.	238.45
126548	467968	2/13/2026		HRA - February	Diversified Benefit Services, Inc.	750.40

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126549	021226	2/13/2026		Refund for Tax Overpayment. Parcel #322091600 - WDJ LLC	DuCharme, McMillen & Associates, Inc.	4,105.49
126550	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325099201	Edward or Marie McNeese	568.89
126551	INV16413	2/13/2026		IamRepsonding Subscription	Emergency Services Marketing Corp.	1,158.20
126552	021226	2/13/2026		Refund for Tax Overpayment. Parcel #324017500 - Cheyrl A Baumgart Surv Trust	Fiduciary Partners Trust Co.	1,326.34
126553	BE326240	2/13/2026		Publication Fee for 1/5 Legislative Minutes	Finger Publishing, Inc.	99.33
126554	2025 Levy Feb - Settlement-Calumet	2/13/2026		2025 Tax Levy January Tax Settlement - FVTC - Calumet	Fox Valley Technical College	27.26
126554	2025 Levy Feb-Settlement	2/13/2026		2025 Tax Levy February Tax Settlement - FVTC	Fox Valley Technical College	298,587.21
126555	01/06/2026 04:21 PM	2/13/2026		#88 Broken Taillight - Less tax	Gracy's Auto Body & Little Chute Auto	1,612.00
126556	013126	2/13/2026		New Connections - January	Heart of the Valley Metropolitan - New Connections	3,264.00
126557	February 5, 2026	2/13/2026		Wastewater Treatment - January 2026	Heart of the Valley Metropolitan Sewerage District	147,562.49
126558	93947348	2/13/2026		Books	Ingram	166.16
126558	93862792	2/13/2026		Books	Ingram	179.87
126558	93947346	2/13/2026		Books	Ingram	5.87
126558	93879907	2/13/2026		Books	Ingram	12.79
126558	92373102	2/13/2026		Books	Ingram	13.19
126558	93947349	2/13/2026		Books	Ingram	14.04
126558	92373100	2/13/2026		Books	Ingram	17.63
126558	92373104	2/13/2026		Books	Ingram	18.22
126558	93947357	2/13/2026		Books	Ingram	24.49
126558	93862772	2/13/2026		Books	Ingram	25.52
126558	92373103	2/13/2026		Books	Ingram	28.69
126558	93862777	2/13/2026		Books	Ingram	32.26
126558	93947353	2/13/2026		Books	Ingram	47.16
126558	93862791	2/13/2026		Books	Ingram	89.89
126558	93862783	2/13/2026		Books	Ingram	109.26
126558	93862789	2/13/2026		Books	Ingram	134.97
126558	93862782	2/13/2026		Books	Ingram	159.81
126558	93879899	2/13/2026		Books	Ingram	5.86
126558	93947343	2/13/2026		Books	Ingram	8.14
126558	93879904	2/13/2026		Books	Ingram	12.63
126558	93879901	2/13/2026		Books	Ingram	13.22
126558	93862787	2/13/2026		Books	Ingram	165.77
126558	93947351	2/13/2026		Books	Ingram	170.15
126558	93862794	2/13/2026		Books	Ingram	446.26
126558	93879891	2/13/2026		Books	Ingram	17.38
126558	92373105	2/13/2026		Books	Ingram	18.48
126558	92161771	2/13/2026		Books	Ingram	27.96
126558	93947359	2/13/2026		Books	Ingram	63.71
126558	93879906	2/13/2026		Books	Ingram	63.75
126558	93862784	2/13/2026		Books	Ingram	94.57

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126558	93879894	2/13/2026		Books	Ingram	107.04
126558	93879898	2/13/2026		Books	Ingram	157.17
126558	93862774	2/13/2026		Books	Ingram	198.04
126558	93862793	2/13/2026		Books	Ingram	250.10
126558	93862780	2/13/2026		Books	Ingram	300.03
126558	93947350	2/13/2026		Books	Ingram	12.84
126558	93879908	2/13/2026		Books	Ingram	17.74
126558	93839066	2/13/2026		Books	Ingram	19.24
126558	93879895	2/13/2026		Books	Ingram	19.40
126558	92373099	2/13/2026		Books	Ingram	48.12
126558	93947352	2/13/2026		Books	Ingram	9.33
126558	93947345	2/13/2026		Books	Ingram	12.65
126558	93947344	2/13/2026		Books	Ingram	14.78
126558	93947347	2/13/2026		Books	Ingram	15.19
126558	93947355	2/13/2026		Books	Ingram	19.14
126558	93839063	2/13/2026		Books	Ingram	19.24
126558	93839065	2/13/2026		Books	Ingram	20.05
126558	93879900	2/13/2026		Books	Ingram	28.99
126558	92373101	2/13/2026		Books	Ingram	34.19
126558	93947360	2/13/2026		Books	Ingram	35.38
126558	93862778	2/13/2026		Books	Ingram	88.74
126558	93862779	2/13/2026		Books	Ingram	215.16
126558	93862768	2/13/2026		Books	Ingram	8.10
126558	93862769	2/13/2026		Books	Ingram	11.81
126558	93947342	2/13/2026		Books	Ingram	12.93
126558	93947354	2/13/2026		Books	Ingram	14.02
126558	93879902	2/13/2026		Books	Ingram	20.47
126558	93862788	2/13/2026		Books	Ingram	30.17
126558	93862775	2/13/2026		Books	Ingram	31.51
126558	93839064	2/13/2026		Books	Ingram	38.66
126558	93862790	2/13/2026		Books	Ingram	63.38
126558	93879905	2/13/2026		Books	Ingram	66.17
126558	93862776	2/13/2026		Books	Ingram	123.99
126558	93862773	2/13/2026		Books	Ingram	139.17
126558	93862781	2/13/2026		Books	Ingram	783.86
126558	93879903	2/13/2026		Books	Ingram	15.97
126558	93862770	2/13/2026		Books	Ingram	22.87
126558	93879892	2/13/2026		Books	Ingram	31.38
126558	93947356	2/13/2026		Books	Ingram	42.88
126558	93862771	2/13/2026		Books	Ingram	155.20
126558	93862766	2/13/2026		Books	Ingram	12.76
126558	93947358	2/13/2026		Books	Ingram	24.97
126558	93862767	2/13/2026		Books	Ingram	26.74
126558	93879896	2/13/2026		Books	Ingram	41.90
126558	93879893	2/13/2026		Books	Ingram	43.56
126558	93862786	2/13/2026		Books	Ingram	52.05
126558	93879897	2/13/2026		Books	Ingram	55.74
126558	93862785	2/13/2026		Books	Ingram	79.69

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126558	93862796	2/13/2026		Books	Ingram	88.29
126558	93862795	2/13/2026		Books	Ingram	119.43
126559	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325033500	Jason or Courtney Koschnik	548.74
126560	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325077400.	Jason Plutz	136.93
126561	021226	2/13/2026		Refund for Tax Overpayment. Parcel #323223000.	John Ploederl	10.00
126562	15177	2/13/2026		Portable/1,000 Islands	John's Johns	150.00
126563	2025 Levy Feb-Settlement-Calumet	2/13/2026		2025 Tax Levy January Tax Settlement - KASD - Calumet	Kaukauna Area School District	274.05
126563	2025 Levy Feb-Settlement	2/13/2026		2025 Tax Levy February Tax Settlement - KASD	Kaukauna Area School District	3,002,150.64
126564	020226	2/13/2026		Mileage - 01/05 - 01/30/26	Kayla Nessmann	33.93
126565	021226	2/13/2026		Refund for Tax Overpayment. Parcel #324050400	Kesler Maloney	434.23
126566	IN271128	2/13/2026		Ammo	Kiesler Police Supply	2,112.00
126566	IN274074	2/13/2026		Ammo	Kiesler Police Supply	613.80
126566	IN270219	2/13/2026		Ammo	Kiesler Police Supply	2,530.00
126567	020226	2/13/2026		Fuel	Kwik Trip, Inc.	234.67
126568	020926	2/13/2026		Overpayment on Parking Ticket #5M81LJRP7D	Linked Living Homes	10.00
126569	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325098300	Logan or Alex Mitchell	565.01
126570	41168067	2/13/2026		Library Copier	Marco	248.09
126571	43819a	2/13/2026		Refund Pool Rental - Weather Cancellation	Mary Kempf	400.00
126572	021226	2/13/2026		Refund for Tax Overpayment. Parcel #323218400.	Matthew Ruys	172.12
126573	385211	2/13/2026		Maint. Roads/Walks	MCC Inc.	495.88
126574	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325059200.	Megan Brouch	11.28
126575	5403983330	2/13/2026		Salt (\$87.74/Ton)	Morton Salt	38,221.30
126576	012026-03	2/13/2026		Annual Access Fee for MSDS Online	Municipal Electric Utilities of Wisconsin	950.00
126577	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325113100	Nathan or Jessica VanSchyndel	667.82
126578	CS9127	2/13/2026		Warrant for Karen J. Laabs	Outagamie County Sheriff's Office	200.00
126579	39905	2/13/2026		Refuse Disposal	Outagamie County Treasurer	2,770.80
126579	2025 Levy Feb-Settlement	2/13/2026		2025 Tax Levy February Tax Settlement - County	Outagamie County Treasurer	1,123,799.95
126579	1022359	2/13/2026		Salt/Brine	Outagamie County Treasurer	779.49
126580	M157984	2/13/2026		Medical Supplies	Penn Care, Inc.	396.83
126581	3321939758	2/13/2026		Folding Machine Agreement	Pitney Bowes Inc	367.17
126582	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325045800	Rachael Mueller	409.50
126583	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325118036	Robert Jaeger	69.53
126584	000155290	2/13/2026		Sensor - Coolant Level	Seagrave Fire Apparatus, LLC	254.83
126585	INV2318	2/13/2026		HR Software, HR Software	Skillecloud Consulting Group, LLC	525.00
126586	L2601300100	2/13/2026		Search Warrant/Phone Records	T-Mobile	50.00
126587	97793176310126	2/13/2026		SPaR Building Maint./Dance Studio	The Sherwin Williams Co.	203.70
126587	93826176310126	2/13/2026		MSB Building Maint.	The Sherwin Williams Co.	149.75
126588	CS9134	2/13/2026		2081 Antelope Trail Assessment Overpayment	The Title Exchange	25.10
126589	469429	2/13/2026		Refuse Truck #224	Triumph Tires Inc	1,240.00

Check #	Bills Paid	Date	Class	Line Description	Addressee	A m o u n t Paid
126589	469386	2/13/2026		Baseball Field Groomer #127	Triumph Tires Inc	99.90
126590	R202176760:01	2/13/2026		Tandem Dump Truck #214	Truck Country Of Wisconsin	1,372.63
126591	B8560	2/13/2026		New Squad	VandeHey Brantmeier Automotive Inc.	43,333.50
126592	6160427081	2/13/2026		Coverall/Mat Service	VESTIS	95.07
126593	7 1/29/2026	2/13/2026		1-24 Concrete Street Paving - Concrete Paving, 1-24 Concrete Street Paving - Storm Sewer	Vinton Construction Co.	87,761.58
126594	518126	2/13/2026		Legal Services	von Briesen & Roper S.C.	2,482.00
126595	5795551663	2/13/2026		Gas Service - January	We Energies	25.50
126595	5795435613	2/13/2026		Gas Service - January	We Energies	381.77
126595	5796577776	2/13/2026		Gas Service - January	We Energies	5,802.71
126595	5795570660	2/13/2026		Gas Service - January	We Energies	989.31
126595	5795459264	2/13/2026		Gas Service - January	We Energies	516.65
126595	5795400912	2/13/2026		Gas Service - January	We Energies	1,825.97
126595	5796047675	2/13/2026		Gas Service - January	We Energies	10.23
126595	5802353554	2/13/2026		Gas Service - January	We Energies	891.07
126596	01-252891	2/13/2026		Parks MSV #104	Weyers Equipment Inc	33.75
126597	021226	2/13/2026		Refund for Tax Overpayment. Parcel #325101200.	William Schaff	19.04
126598	021226	2/13/2026		Refund for Tax Overpayment. Parcel #321090900 - Brandon Marvin.	Wolf River Community Bank	100.93
<b>Total</b>						<b>5,547,116.63</b>

March 3, 2026

Item 8.a.

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:

Larsen	A	Melissa	Neenah
Turner	M	Kelli	Menasha
Starkey	P	Madisyn	Kaukauna
Schwalbach	M	Jason	Appleton
White	L	Cheryl	Kimberly



# MEMO

## PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council  
 From: Adrienne Nelson, Associate Planner  
 Date: February 24, 2026  
 Re: Request for Vacating Easement – 37 Ash Grove Place

Trevor and Mindi Hansmann are requesting that the City of Kaukauna vacate a 35' drainage easement located in the rear yard on their property at 37 Ash Grove Place.

The Hansmanns have been working with City staff and Davel Engineering on the removal of this drainage easement. To the west of 37 Ash Grove Place is the Union Cemetery property which has an offsite catch basin within the cemetery. Union Cemetery has agreed to allow use of this offsite catch basin with a formal storm sewer and drainage easement agreement.

If the 35' drainage easement were to be removed and the agreement with Union Cemetery signed, the impact would be negligible, and the subdivision would continue to exceed City ordinance for stormwater quantity control.

The updated drainage plan for the subdivision (see lot 1), formal documentation for the agreement with Union Cemetery, the written request from the homeowners, and the proposed resolution are attached to this memo.

**Recommendation:**

Approve the resolution vacating the 35' drainage easement located at 37 Ash Grove Place with the following condition:

- That the storm sewer and drainage agreement with Union Cemetery is signed and recorded with Outagamie County.

**RESOLUTION 2026-5499**

**RESOLUTION VACATING A DRAINAGE EASEMENT ON LOT 1 OF THE ASH GROVE ESTATES SUBDIVISION, PARCEL 323166403**

**WHEREAS**, the City of Kaukauna approved the Ash Grove Estates Subdivision as recorded in Document No. 2241223, Outagamie County Register of Deeds, 320 South Walnut Street, Appleton, Wisconsin 54911; and

**WHEREAS**, the recorded document included a 35' wide drainage easement along the west lot line of Lot 1, Ash Grove Estates; and

**WHEREAS**, the City of Kaukauna is the sole owner of said drainage easement; and

**WHEREAS**, the Department of Public Works does not require said easement to maintain the drainage or stormwater infrastructure for the subdivision; and

**WHEREAS**, the Plan Commission, at its meeting of February 19, 2026, made recommendation to vacate said 35' wide drainage easement upon aforementioned land;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kaukauna, Wisconsin that the 35' wide drainage easement along the west lot line of Lot 1 of Ash Grove Estates Subdivision in Outagamie County is hereby vacated.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 3<sup>rd</sup> day of March, 2026.

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

ATTEST: \_\_\_\_\_  
Kayla Nessmann, City Clerk

# STORM SEWER & DRAINAGE EASEMENT

Document Number

This EASEMENT, made between

Union Cemetery  
GRANTOR

and

Trevor & Mindi Hansmann  
City of Kaukauna  
GRANTEE(s)

GRANTOR conveys to GRANTEE(s), their heirs, successors and assigns, for good and valuable consideration, receipt of which is acknowledged, the following described STORM SEWER & DRAINAGE EASEMENT in Outagamie County, Wisconsin.

Said GRANTOR conveys to said GRANTEE(s) the following easements:

Storm Sewer Easement Description

Area Being Part of Government Lot 1 of Section 24 and part of Government Lot 8 of Section 23, all in Township 21 North, Range 18 East, City of Kaukauna, Outagamie County, Wisconsin, containing 519 Square Feet (0.0119 Acres) of land described as follows:

Commencing at the Outagamie County Government Corner No. 4 21 18 24 27 05S a point on the West line of Government Lot 1; thence along the West line of said Government Lot 1, N00°02'49"W, 570.31 feet; thence N56°34'40"E along the South right-of-way of State Street, 454.81 feet to the Point of Beginning of the area to be described; thence continuing along said right-of-way, N56°34'40"E, 6.05 feet; thence S26°03'31"E, 86.92 feet; thence S63°56'29"W, 6.00 feet; thence N26°03'31"W, 86.15 feet to the Point of Beginning. Described area subject to all easements and restrictions of record.

Drainage Easement Description

Area being part of Government Lot 8 of Section 23, all in Township 21 North, Range 18 East, City of Kaukauna, Outagamie County, Wisconsin, containing 1,306 Square Feet (0.0300 Acres) of land described as follows:

Commencing at the Outagamie County Government Corner No. 4 21 18 24 27 05S a point on the West line of Government Lot 1; thence along the West line of said Government Lot 1, N00°02'49"W, 570.31 feet; thence N56°34'40"E along the South right-of-way of State Street, 519.60 feet to the Northwest corner of Lot 2, Certified Survey Map No. 6824; thence S00°33'40"W, 100.00 feet to the Northwest corner of Lot 1 of Ash Grove Estates also the Point of Beginning of the area to be described; thence S00°33'40"W, along the West line of said Lot 1, 62.96 feet to the Northwest corner of Lot 2 of Ash Grove Estates; thence N63°19'20"W, 22.27 feet; thence N00°33'40"E, 45.24 feet; thence N18°54'59"W, 15.91 feet; thence N63°56'29"E, 6.00 feet; thence S63°19'20"E, 22.21 feet to the Point of Beginning. Described area subject to all easements and restrictions of record.

In the Presence of: Union Cemetery

By: \_\_\_\_\_  
Signature Print Name & Title Date

State of Wisconsin )  
)ss  
County of \_\_\_\_\_ )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,  
the above named to me known to be the same person(s) who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_ My commission expires: \_\_\_\_\_  
Notary Public, Wisconsin

*This space reserved for recording data*

Return to:  
Davel Engineering & Environmental, Inc.  
1164 Province Terrace  
Menasha, Wisconsin 54952

323166300

*Parcel Identification Number(s)*

# STORM SEWER & DRAINAGE EASEMENT

## Restrictions and Maintenance

### Union Cemetery Easement Restrictions:

The following uses and structures are prohibited within all "Easements" granted in this document; filling, grading, and excavating except for construction of drainage ways and drainage facilities; the cultivation of crops, fruits, or vegetables; the dumping or depositing of ashes, waste, compost or material of any kind; the storage of vehicles, equipment, materials or personal property of any kind and constructing, erecting or moving any building or structure, including fences, within the drainage easement.

### Union Cemetery Easement Maintenance:

Maintenance of all drainage ways and associated drainage structures within all "Easements" granted in this document are the responsibility of the grantor and grantee.

Upon failure of any property owner to perform maintenance, abide by restrictions, or allow for proper grading and drainage requirements of the drainage ways and associated drainage structures, the City of Kaukauna retains the right to have maintenance or corrective measures performed. The cost of said maintenance or corrective measures within all "Easements" granted in this document shall be a special charge to the non-complying lot.

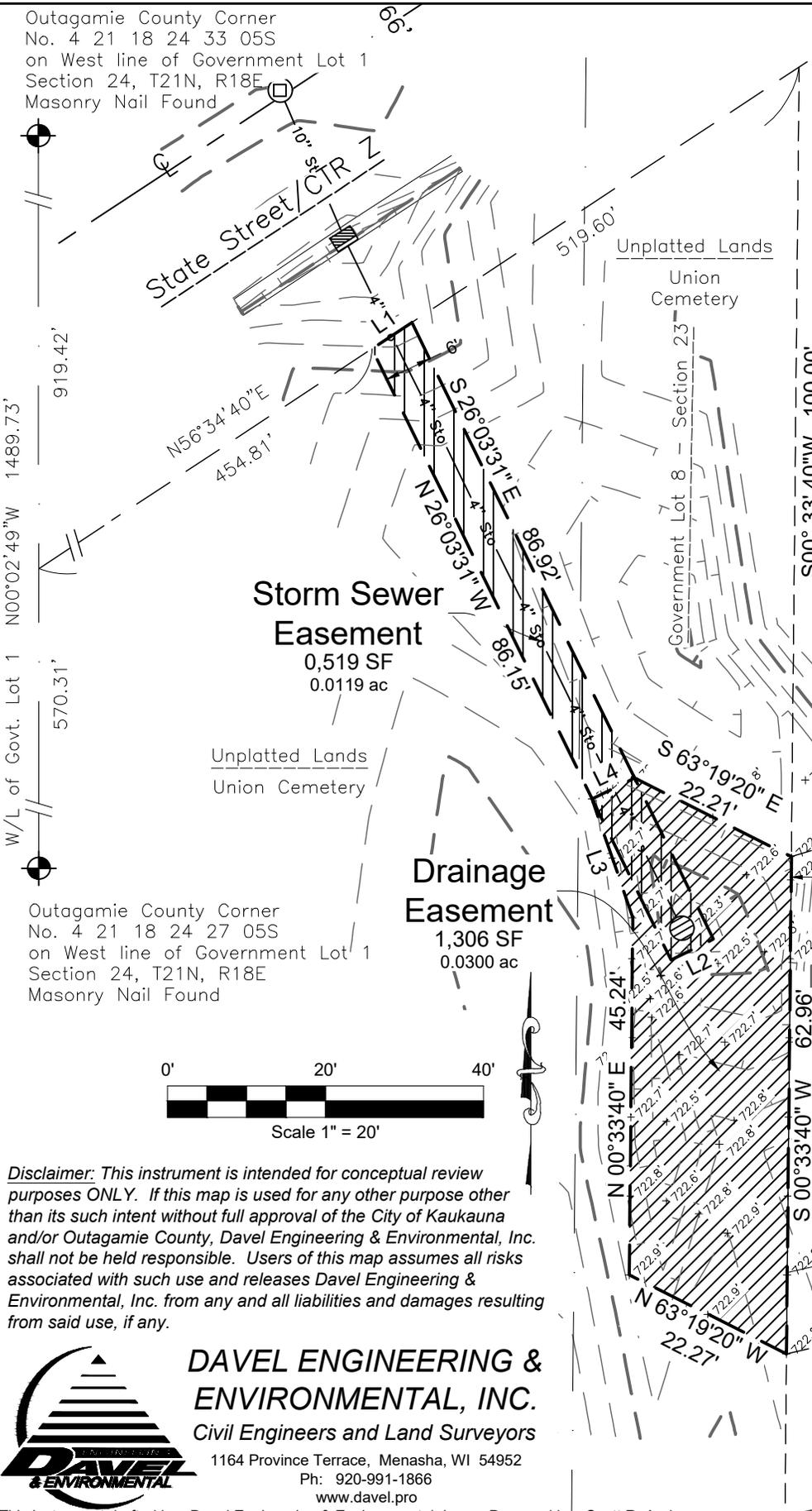
Maintenance by the City to include, but not limited to, the removal of silt and decomposed vegetation that gradually accumulates in the drainage way, and/or restricted flow within the pipe. Payment for city maintenance may be placed on the annual real estate tax bill from all contributing sources as a special assessment if not paid.

### Grading and Grades

All grading and final grades for the construction of any public or private improvements, shall allow for positive drainage to be contained within the "Easements" granted in this document.

# STORM SEWER & DRAINAGE EASEMENT EXHIBIT

Being Part of Government Lot 1 of Section 24 and part of Government Lot 8 of Section 23, all in Township 21 North, Range 18 East, City of Kaukauna, Outagamie County, Wisconsin.

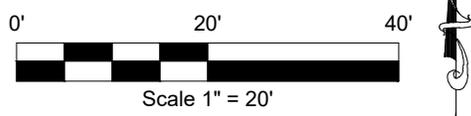


LINE TABLE		
Line	Bearing	Length
L1	N 56°34'40" E	6.05'
L2	S 63°56'29" W	6.00'
L3	N 18°54'59" W	15.91'
L4	N 63°56'29" E	6.00'

Outagamie County Corner  
No. 4 21 18 24 33 05S  
on West line of Government Lot 1  
Section 24, T21N, R18E  
Masonry Nail Found

W/L of Govt. Lot 1  
1489.73'  
919.42'  
570.31'

Outagamie County Corner  
No. 4 21 18 24 27 05S  
on West line of Government Lot 1  
Section 24, T21N, R18E  
Masonry Nail Found

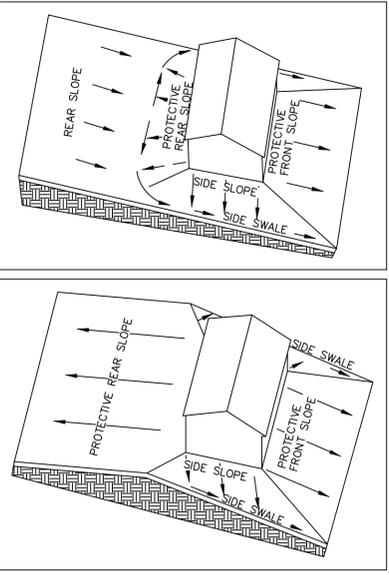
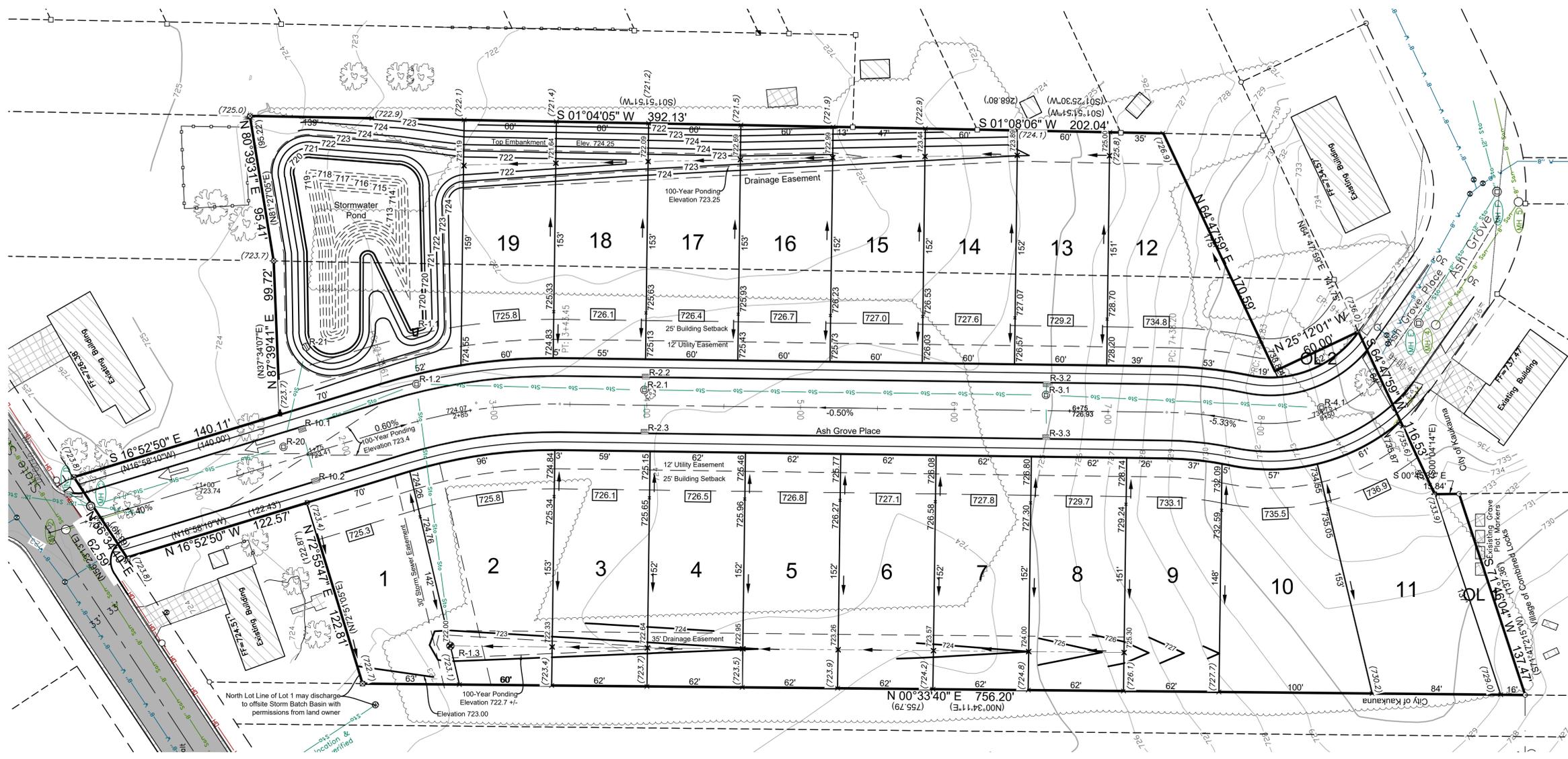


**Disclaimer:** This instrument is intended for conceptual review purposes ONLY. If this map is used for any other purpose other than its such intent without full approval of the City of Kaukauna and/or Outagamie County, Davel Engineering & Environmental, Inc. shall not be held responsible. Users of this map assumes all risks associated with such use and releases Davel Engineering & Environmental, Inc. from any and all liabilities and damages resulting from said use, if any.



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
Civil Engineers and Land Surveyors

1164 Province Terrace, Menasha, WI 54952  
Ph: 920-991-1866  
www.davel.pro



HOUSE ELEVATIONS:

The house elevations shall be set to provide positive drainage away from the building in all directions as shown in the above details. House elevations and driveway locations may need to vary depending on size, location, and architecture of the home. Changes to the grading plan or house elevations can be allowed only if an individual lot grading plan is prepared by a professional engineer.

City of Kaukauna Drainage Easement Restrictions:

The following uses and structures are prohibited within all drainage easements in the subdivision plat of Ash Grove Estates; filling, grading, and excavating except for construction of drainage ways and drainage facilities; the cultivation of crops, fruits, or vegetables; the dumping or depositing of ashes, waste, compost or materials of any kind; the storage of vehicles, equipment, materials or personal property of any kind and constructing, erecting or moving any building or structure, including fences, within the drainage easement.

City of Kaukauna Drainage Easement Maintenance:

Maintenance of all drainage ways and associated drainage structures within the subdivision of Ash Grove Estates are the sole responsibility of the property owners in the subdivision, unless otherwise noted on the drainage plan which has been prepared for this subdivision and which has been approved by and is on file with the City of Kaukauna.

Upon failure of any property owner to perform maintenance, abide by restrictions, or follow grading requirements of the drainage ways and associated drainage structures, the City of Kaukauna retains the right to have maintenance or corrective measures performed. The cost of said maintenance or corrective measures on any given lot shall be a special charge to the non-complying lot.

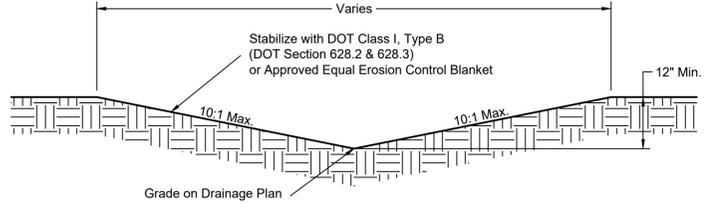
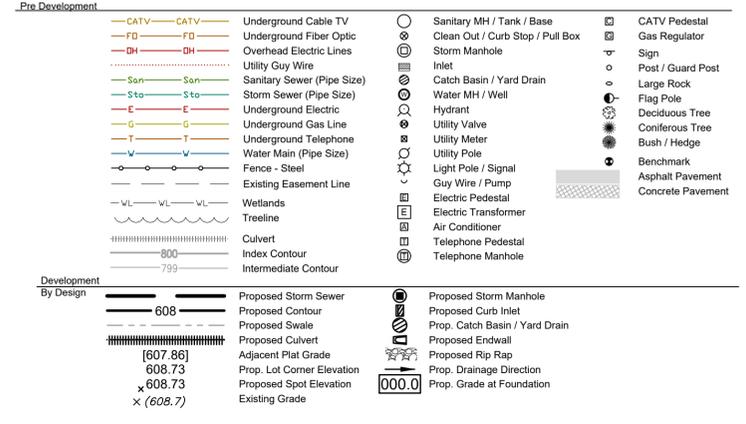
Maintenance by the city include, but is not limited to, the removal of silt and decomposed vegetation that gradually accumulates in the bottom of a pond, a detention area, and/or ditch. Payment for above maintenance items shall be placed on the annual real estate tax bill as a special assessment if not paid.

NOTES:

- 1. Existing utilities shown are indicated in accordance with available records and field measurements. The contractor shall be responsible for obtaining exact locations & elevations of all utilities, including sewer and water from the owners of the respective utilities. All utility owners shall be notified by the contractor 72 hours prior to excavation. Contact Digger's Hotline (1-800-242-8511) for exact utility locations.
2. The Contractor shall verify all staking and field layout against the plan and field conditions prior to constructing the work and immediately notify the Engineer of any discrepancies.
3. Vegetation beyond slopes shall remain, refer to sheet 1.3 for cleaning limits.
4. The contractor shall minimize the area disturbed by construction as the project is constructed. Disturbed areas shall be seeded as soon as final grade is established. Contractor shall replace topsoil and then seed, fertilize and mulch all lawn areas within 1 week of topsoil placement.
5. Contractor shall remove all excess materials from the site. Earthwork contractors shall verify topsoil depth.
6. All sediment and erosion control devices and methods shall be in accordance with the Wisconsin DNR Technical Standards.
7. No lot shall have lowest opening elevations lower elevation 724.50.

BENCHMARKS (NAVD88)

- BM 0 NGS Monument(DE7730) Intersection of City Rd "N" & City Rd "CE" Elev 707.89'
BM 1 Fire Hydrant, Tag Bolt NW Quad of State St. & Melrose Ct. Elev 725.30'
BM 2 Fire Hydrant, Arrow Bolt Ash Grove Place, Lot 4 & Lot 5 Elev 727.72'
BM 3 Fire Hydrant, Tag Bolt Northerly R/W of Ashgrove Place, Outlot 2 Elev 737.86'



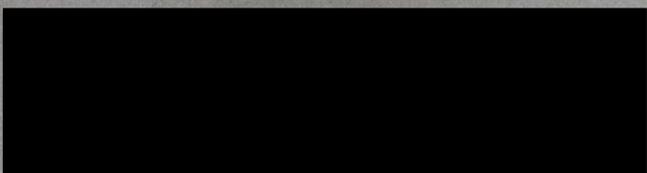
Note: Mat Should Extend to Top of Bank or 18" Vertically, Whichever is Less.

WEST SWALE SECTION Lots: 1-7

Trevor and Mindi Hansmann

37 Ash Grove Pl.

Kaukauna, WI 54130



1/22/2026

City of Kaukauna

144 W. 2<sup>nd</sup> St.

Kaukauna, WI 54130

Re: Request for Easement Change – 37 Ash Grove Pl. Kaukauna, WI 54130

To whom it may concern,

I am the owner of the property located at 37 Ash Grove Place. I am writing to formally request a review and approval of a proposed change to the existing drainage easement on this property.

The requested drainage easement change involves removing the easement located at the back end of our property. The purpose of this request is to allow our children to be able to play and enjoy our backyard. We would like to have them be able to play on a playset, play their sports, and be kids. We would also like to put up a fence for our dog and to allow a safe area for our children to play. None of this information was disclosed to us by anyone involved in the sale of our home. After we purchased the house, the more people that came out, the more we realized and were told that our property in the back was not laid out properly. We are doing everything we can, and are working with everyone we can, to just have the backyard that we assumed we would have at the time of sale.

Enclosed with this letter are the relevant supporting documents, including signed documents from the cemetery allowing us to use the drain located on their property, for your review. This proposed change is not intended to interfere with existing access or utility services and is submitted in good faith for consideration.

I appreciate your time and look forward to your guidance on the next steps in this process.

Sincerely,

Mindi Hansmann

Trevor Hansmann



# MEMO

## Engineering Department

To: Common Council

From: John Neumeier, Director of Public Works/City Engineer

Date: 3/2/2026

Re: Wisconsin Department of Transportation – Right-of-way acquisition for Interstate 41

### Background information:

Wisconsin Department of Transportation (WisDOT) has completed a Transportation Project Plat (TPP) for Project 1130-63-20, I-41, Outagamie & Brown Counties. The TPP identifies two small areas of land adjacent to the I-41 project currently owned by the City of Kaukauna that are necessary for DOT to acquire to complete said project. There is also a small area of Temporary Limited Easement (TLE) that will be needed at one location for temporary access and grading purposes. The cover letter and TPP is enclosed for your review.

Parcel 304 A is located on Parcel 322095603 in Commerce Crossing. The area of note is west of the large stormwater pond abutting the highway. Total Fee area is 860 sq ft.

Parcel 304 B is located on Parcel 322098200 in Kaukauna Industrial Park North; specifically on Outlot 1, also known as Kelso Park and Pond. Total Fee area is 315 sq ft and a TLE needed for 1,404 sf.

Staff has reviewed the requested areas and does not see any substantial impacts from the acquisitions or from proposed grading. Staff would recommend approval of the agreement and resolution to Common Council.

**Strategic Plan:** NA

**Budget:** NA

### Staff Recommended Action:

Recommend approval of the resolution authorizing the sale of real estate to the Wisconsin Department of Transportation.



January 8, 2026

CERTIFIED MAIL

City of Kaukauna  
 144 West Second Street  
 Kaukauna, WI 54130-2200

RE: Parcel No.: 304  
 Parcel Address: Evergreen Drive  
 2801 Progress Way  
 Kaukauna, WI 54130  
 Project ID: 1130-63-21, IH-41, Outagamie & Brown Counties  
 Appleton – De Pere (STH 96 – CTH F)

Dear City of Kaukauna:

The Wisconsin Department of Transportation (WisDOT) is planning a roadway improvement project on IH-41 located in both Outagamie and Brown Counties which includes new right of way acquisition in multiple areas. MSA Professional Services, Inc. has been hired to act as an agent for WisDOT to acquire the needed right of way for the improvement project. I will be your point of contact and will work closely with you through the real estate acquisition process. In compliance with Wisconsin statutes and federal regulations, you are receiving this letter to initiate negotiations for the acquisition of your property and/or property interests needed for the above referenced improvement project.

Enclosed are the following documents:

- Appraisal Report
- The Rights of Landowners Under Wisconsin Eminent Domain Law
- Appraisal Guidelines and Agreement
- Transportation Project Plat with Names of 10 Other Neighboring Landowners Affected by the Project, if Applicable
- Warranty Deed with Legal Description of the Land and/or Interest(s) Needed for the Project
- Statement to Construction Engineer
- New Supplier Form (DOA-6460)
- Internal Revenue Service Form W-9 Request for Taxpayer Identification

WisDOT's approved estimate of just compensation is \$2,100.00 and is based on the enclosed appraisal report. This amount does not consider any decrease or increase in the market value of the property caused by the anticipation of the project. The allocation of this amount is as follows:

Allocation	Description	Size	Unit	Per Unit	Value (\$) Rounded
Fee	Land (Tax Parcel 322095603) Larger Parcel 304A	860.00	Sq. Ft.	\$0.90	\$774.00
Fee	Land (Tax Parcel 322098200) Larger Parcel 304B	315.00	Sq. Ft.	\$1.30	\$409.00
Temporary Limited Easement (TLE)	TLE (Tax Parcel 322098200) Larger Parcel 304B	1,404.00	Sq. Ft.	\$0.60	\$846.00
Appraiser Rounding	Appraiser Rounding				\$71.00

Total Allocation \$2,100.00\*

\*General taxes shall be prorated at the time of closing based on the net general taxes for the preceding year.

If you agree with the value stated in the appraisal report and wish to enter into an agreement with WisDOT, please sign the following documents and return them to me in a timely manner for final review and approval. Also enclosed is a self-addressed (MSA), postage-paid envelope for your convenience. Upon receipt of these documents, we will submit a payment request.

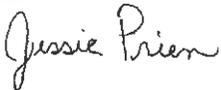
- A. **Warranty Deed:** All landowners whose names are listed or assigned to this parcel **must** sign and date this document. Each signature must be acknowledged **in the presence of a Notary Public.**
- B. **Statement to Construction Engineer:** This form requires the signature of only **one** landowner and is used to inform the construction engineer of any special commitments, if any, that were agreed to by you and WisDOT for construction purposes.
- C. **New Supplier Form (DOA-6460):** This form is to be **completed in full** for payment processing. Section 3 (Payment Direct Deposit/ACH Information) presents two options. You may receive payment by "Direct Deposit" to a checking or savings account **or** opt out of "Direct Deposit" and receive payment by mail. Should you choose "Direct Deposit" you must accompany this form with a current, voided check or include a bank letter on bank letterhead signed by a bank representative (as directed on the form).
- D. **Form W-9:** This form is required by the IRS for any transaction valued at \$600.00 or more. If more than one landowner, unless husband and wife at the time of the conveyance, each should submit a W-9. If exempt, please provide an exemption form.

If you are not satisfied with the above-stated conclusions of value for your property, you are eligible to obtain an additional appraisal from a qualified appraiser of your choice. If you elect to have an appraisal report prepared, you must take certain steps to qualify for reimbursement.

Your eligibility for appraisal cost reimbursement will expire 60 days from your receipt of the agency's appraisal, which is estimated to be on **March 12, 2026**. Receipt of the agency's appraisal is considered to have been accomplished either upon the date of personal delivery or date of postmark. See the enclosed Appraisal Guidelines and Agreement document for further explanation. If your appraisal report is submitted after the 60-day statutory date, the agency may consider it for negotiation purposes; however, it will not be eligible for reimbursement.

It is important to us that you are satisfied that your property and your rights have been fully considered. We will provide any additional information requested, if available, or further discuss any other concerns you may have. Should you have any questions or concerns, please feel free to contact me at the phone number or email addressed below.

Sincerely,  
MSA Professional Services, Inc.



Jessie Prien, MSA Real Estate Project Manager  
1835 North Stevens Street, Rhinelander, WI 54501  
(715) 304-0404  
[jprien@msa-ps.com](mailto:jprien@msa-ps.com)

Enclosures: As stated in letter.

cc: Sarah Reese, WisDOT Real Estate Leadworker – Northeast Region

**WARRANTY DEED**

Wisconsin Department of Transportation  
Exempt from fee [s. 77.25(2r) Wis. Stats.]  
RE1560 01/2023

THIS DEED, made by **City of Kaukauna, a Wisconsin municipal corporation**, GRANTOR, conveys and warrants the property described below to the **Wisconsin Department of Transportation**, GRANTEE, for the sum of **Two Thousand One Hundred and 00/100 Dollars (\$2,100.00)**.

Any person named in this deed may make an appeal from the amount of compensation within six months after the date of recording of this deed as set forth in s. 32.05(2a) Wisconsin Statutes. For the purpose of any such appeal, the amount of compensation stated on the deed shall be treated as the award, and the date the deed is recorded shall be treated as the date of taking and the date of evaluation.

Other persons having an interest of record in the property: **None**.

This is not homestead property.

LEGAL DESCRIPTION IS ATTACHED AND MADE A PART OF THIS DOCUMENT BY REFERENCE.

This space is reserved for recording data

Return to  
ATTN: Jessie Prien  
MSA Professional Services, Inc.  
1835 North Stevens Street  
Rhinelander, WI 54501

Parcel Identification Number/Tax Key Number  
322095603; 322098200

The undersigned certify that this instrument is being executed pursuant to a resolution of the board of directors (or shareholders, if authorized by law) of GRANTOR.

City of Kaukauna

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Print Name & Title

\_\_\_\_\_  
Date

State of \_\_\_\_\_ )  
County \_\_\_\_\_ ) ss.

On the above date, this instrument was acknowledged before me by the above-named person(s).

The signer was: \_\_\_ Physically in my presence. **OR**  
\_\_\_ In my presence involving the use of communication technology.

\_\_\_\_\_  
Signature, Notary Public, State of

\_\_\_\_\_  
Print Name, Notary Public, State of

\_\_\_\_\_  
Date Commission Expires

Project ID  
1130-63-21

This instrument was drafted by Jessie Prien,  
MSA Professional Services, Inc., on behalf of  
Wisconsin Department of Transportation

Parcel No.  
304

**LEGAL DESCRIPTION**

Parcel 304 of Transportation Project Plat 1130-63-21-4.31, recorded as Document 2291927, at the Register of Deeds office in Outagamie County, Wisconsin.

Property interests and rights of said Parcel 304 consist of:

**Fee simple.**

Also, Parcel 304 of Transportation Project Plat 1130-63-21-4.33 Amendment No. 1, recorded as Document 2348567, at the Register of Deeds office in Outagamie County, Wisconsin.

Property interests and rights of said Parcel 304 consist of:

**Fee simple.**

**Temporary limited easement.**

Any interests or rights not listed above for said parcel but shown as required on said Transportation Project Plat are hereby incorporated herein by reference.

# STATEMENT TO CONSTRUCTION ENGINEER

RE1528 10/2024 s. 84.09 Wis. Stats.

Wisconsin Department of Transportation

Copies to: project engineer and owner

Owner Name(s) City of Kaukauna	Property Address Evergreen Drive & 2801 Progress Way Kaukauna, WI 54130	Area code - phone Home: Cell: Work: Email:
	Mailing Address 144 West Second Street Kaukauna, WI 54130-2200	
Tenant, if any	Property Address Evergreen Drive & 2801 Progress Way Kaukauna, WI 54130	Area code - phone Home: Cell: Work: Email:
	Mailing Address	

- All commitments agreed upon between negotiator and property owner are listed below.
- All commitments are subject to approval of Wisconsin Department of Transportation.
- Basic concepts of construction project have been explained to owner.
- No other commitments, either verbal or implied, are valid.

Commitments made (fences, driveways, trees, drainage or other items):

Other matters of interest and owner concerns:

City of Kaukauna

Property Owner Signature & Title	Date	Negotiator Signature	Date
		Jessie Prien	
Property Owner Signature & Title	Date	Print Negotiator Name	

### Commitments Approved:

Approving Authority Signature and Title	Date
Print Approving Authority Name	

Project ID  
1130-63-21

County  
Outagamie

Parcel No.  
304



New Supplier Form

**Section 1: Identifying Information**

Tax Identification Number:

EIN  
 -OR-  
 SSN

Pursuant to Section 6109 of the Internal Revenue Service Code, we are required to obtain your Tax Identification Number (TIN) so properly report income to the IRS as required by law. Forms without a TIN will not be accepted

Name (as shown on your income tax return). Name is required on this line; do not leave this line blank:

Business Name/disregarded entity name, if different from above:

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 DUNS# \_\_\_\_\_ UEI# \_\_\_\_\_

**Section 2: Order Address (For Purchase Orders)**

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_  
 DUNS# \_\_\_\_\_ UEI# \_\_\_\_\_

**Section 3: Payment Direct Deposit/ACH Information**

Bank Name:	Account Type: Checking <input type="checkbox"/> Savings <input type="checkbox"/>
Account Number:	Routing Number: <input type="text"/>
Account number supplied must match attached bank verification	Routing number supplied must match attached bank verification
Email for Remit Info	To opt out of Direct Deposit, Check This Box <input type="checkbox"/>

Attach a copy of a current voided check or include a bank letter on bank letterhead, signed by a bank representative. Either option must include the individual/company name, routing and account numbers pre-printed by the financial institution

**Section 4: International ACH Transaction Information**

Will the entire amount of this electronic payment ultimately be deposited into a financial institution outside of the United States, and therefore fall under the regulation of IAT?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	------------------------------	-----------------------------

**Section 5: Contact Information**

Primary Contact Name:	
Title:	Email:
Phone:	Fax:
Secondary Contact Name:	
Title:	Email:
Phone:	Fax:

**Section 6: Read the Agreement, Sign & Date**

Wisconsin law provides that State agencies or authorities cannot purchase any materials, supplies, equipment, or contractual services from suppliers (vendors), if the supplier and its affiliates are not registered, collecting, and remitting Wisconsin sales or use tax on sales of tangible personal property and taxable services in Wisconsin to the Wisconsin Department of Revenue. If the supplier or its affiliates only make exempt sales in Wisconsin, an Affidavit of Exempt Sales can be signed in lieu of registering. Exempt sales do not include sales of tangible personal property or taxable services not taxed solely because the supplier or affiliate does not have activity in Wisconsin that requires them to collect and remit sales and use tax (Nexus). This law does not change the federal constitutional limitations on who must be licensed to conduct business in Wisconsin. Additionally, A foreign corporation (any corporation other than a Wisconsin corporation) which becomes a party to this Agreement is required to conform to all the requirements of Chapter 180, Wis. Stats., relating to a foreign corporation and must possess a certificate of authority from the Wisconsin Department of Financial Institutions, unless the corporation is transacting business in interstate commerce or is otherwise exempt from the requirement of obtaining a certificate of authority.

The State will establish authentication information requirements for communications between the Supplier and the State, through online systems or paper forms. If the State receives a Communication containing proper authentication information, it shall be entitled to act on the Communication, and shall not be obligated to verify the content of such Communication, establish the identity of the person providing it, or await any confirmation thereof, and the State shall not be liable for acting on any Communication sent in the name of the Supplier. The Supplier shall be solely responsible for the safekeeping of the authentication information (i.e. passwords, Taxpayer Identification Numbers, bank account numbers, etc.) and assumes all risk of accidental disclosure or inadvertent use of such authentication information by any party whatsoever, whether such disclosure or use is on account of the Supplier's negligence or deliberate acts or otherwise. The State shall not be liable for any loss or damage resulting from fraudulent, unauthorized or otherwise improper use of any authentication information by the Supplier. **Only Authorized individuals may complete and submit this form. By completing this form, you are certifying that you are a duly authorized representative of your organization and are lawfully able to initiate changes to banking information. Fraudulent conveyances are punishable offenses.** The entity listed hereby authorizes the State of Wisconsin to initiate credit entries to its bank account at the financial institution identified above. Additionally, this form provides the State of Wisconsin the authority to reverse (withdraw) any erroneous credits (deposits) to the account. The authority shall remain in effect until the State of Wisconsin receives written notification of revocation and has a reasonable opportunity to act on it.

Print Name:	Date:
Signature:	Phone:

# DOA-6460 – New Supplier Form

## REQUIRED Information

### Section 1. Identifying Information

- Tax Identification Number – must match either the Social Security Number or the Employer Identification number from completed W-9; check corresponding EIN or SSN box.

Name – must match first line on W-9

Business Name – if applicable, must match W-9 if listed on W-9

Address/City/State/Zip – Must match W-9

DUNS#/EUI# - if available

Section 2. Only complete if Purchase Orders are to be sent to different address

State of Wisconsin  
Wisconsin Department of Administration  
Division of Executive Budget & Finance  
DOA-6460 (R01/2022)



### New Supplier Form

#### Section 1: Identifying Information

Tax Identification Number:

EIN --   
SSN

Pursuant to Section 6109 of the Internal Revenue Service Code, we are required to obtain your Tax Identification Number (TIN) to properly report income to the IRS as required by law. Forms without a TIN will not be accepted.

Name (as shown on your income tax return). Name is required on this line; do not leave this line blank:

Business Name/disregarded entity name, if different from above:

Address:

City:  State:  ZIP:

DUNS#  UEI#

#### Section 2: Order Address (For Purchase Orders)

Address:

City:  State:  ZIP:

DUNS#  UEI#

# DOA-6460 – New Supplier Form

## REQUIRED Information

### Section 3. Payment Direct Deposit/ACH Information

- Only complete if you want to be paid via ACH (Electronic money transfer).
- **If you want a paper check, check the box and go to Section 5.**
- For ACH Payment, provide:
  - Bank Name
  - Account Number (provide entire account number)
  - Routing Number
  - Email for Remit Info (used for notification of payment)

Account Type: check appropriate box

Attach a copy of current voided check **OR** include a bank letter on bank letterhead, signed by a bank representative. The information **MUST** include the individual/company name, routing and account numbers pre-printed by the financial institution and must match the information provided above, under ACH Payment.

### Section 4. International ACH Transaction Information

- Checking "Yes" indicate the entire amount of ACH will be deposited into a financial institution outside the US.
- Checking "No" indicate the ACH payment will be deposited into a financial institution located in the US.

Section 3. Payment Direct Deposit/ACH Information	
Bank Name:	Account Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings
Account Number:	Routing Number:
Account number supplied must match attached bank verification	Routing number supplied must match attached bank verification
<b>To opt out of Direct Deposit, Check This Box</b>	
Attach a copy of a current voided check or include a bank letter on bank letterhead, signed by a bank representative. Either option must include the individual/company name, routing and account numbers pre-printed by the financial institution	
Section 4. International ACH Transaction Information	
Will the entire amount of this electronic payment ultimately be deposited into a financial institution outside of the United States, and therefore fall under the regulation of FAT?	
	Yes <input type="checkbox"/> No <input type="checkbox"/>

# DOA-6460 – New Supplier Form

## REQUIRED Information

### Section 5. Contact Information

At least one contact information is needed.

For individuals, Name and Phone are sufficient.

For business:

- Provide Primary Contact Name, Title, Email, and Phone.
- Provide Secondary Contact Name, Title, Email, and Phone, if you wish.

Section 5: Contact Information	
Primary Contact Name:	
Title:	Email:
Phone:	Fax:
Secondary Contact Name:	
Title:	Email:
Phone:	Fax:
Section 6: Read the Agreement, Sign & Date	
<p>Wisconsin also provides that State agencies or authorities cannot purchase any materials, supplies, equipment, or contractual services from suppliers (vendors), if the supplier and its affiliates are not registered, collecting, and remitting Wisconsin sales or use tax on sales of tangible personal property and taxable services in Wisconsin to the Wisconsin Department of Revenue. If the supplier or its affiliates only make exempt sales in Wisconsin, an Affidavit of Exempt Sales can be signed in lieu of registering. Exempt sales do not include sales of tangible personal property or taxable services not taxed solely because the supplier or affiliate does not have activity in Wisconsin that requires them to collect and remit sales and use tax (Métrol). This law does not change the federal constitutional limitations on who must be licensed to conduct business in Wisconsin. Additionally, A foreign corporation (any corporation other than a Wisconsin corporation) which becomes a party to this agreement is required to conform to all the requirements of Chapter 380, Wis. Stats., relating to a foreign corporation and must possess a certificate of authority from the Wisconsin Department of Financial Institutions, unless the corporation is transacting business in interstate commerce if it is otherwise exempt from the requirement of obtaining a certificate of authority.</p> <p>The State will establish authentication requirements for communications between the Supplier and the State, through online systems or paper forms. If the State receives a communication containing proper authentication information, it shall be entitled to act on the communication, and shall not be obligated to verify the content of such communication, establish the identity of the person providing it, or await any confirmation thereof, and the State shall not be liable for acting on any communication sent in the name of the Supplier. The Supplier shall be solely responsible for the safekeeping of the authentication information (i.e., passwords, Taxpayer Identification Numbers, bank account numbers, etc.) and assumes all risk of accidental disclosure or inadvertent use of such authentication information by any party whatsoever, whether such disclosure or use is an account of the Supplier's negligence or deliberate acts or otherwise. The State shall not be liable for any loss or damage resulting from fraudulent, unauthorized or otherwise improper use of any authentication information by the Supplier. <del>Only Authorized individuals may complete and submit this form. By completing this form, you are certifying that you are a duly authorized representative of your organization and are lawfully able to initiate changes to banking information. Fraudulent employees are prohibited officers.</del> The entity listed hereby authorizes the State of Wisconsin to initiate credit entries to its bank account at the financial institution identified above. Additionally, this form provides the State of Wisconsin the authority to reverse (withdraw) any erroneous credits (deposits) to the account. The authority shall remain in effect until the State of Wisconsin receives written notification of revocation and has a reasonable opportunity to act on it.</p>	
Print Name:	Date:
Signature:	Phone:



# W-9 Request for Taxpayer ID and Certification

## REQUIRED Information for W-9

### 1. NAME as shown on income tax return:

- Business/Entity – name of business (EIN)
- Individual – name of individual (SSN)

### 2. Business Name-Doing Business As, if different from #1.

### 3a. Check appropriate box for federal tax classification.

- Only one box can be checked
- LLC – Enter the tax classification of LLC

### 3b. Check box if Partnership, Trust/Estate, LLC-Partnership if you have any foreign partners, owners or beneficiaries.

<p><b>Form W-9</b> (Rev. March 2024) Department of the Treasury Internal Revenue Service</p>	<p><b>Request for Taxpayer Identification Number and Certification</b></p> <p>Go to <a href="http://www.irs.gov/FormW9">www.irs.gov/FormW9</a> for instructions and the latest information.</p>	<p>Give form to the requester. Do not send to the IRS.</p>
<p><b>Before you begin.</b> For guidance related to the purpose of Form W-9, see <i>Purpose of Form</i>, below.</p>		
<p><b>1</b> Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)</p>		
<p><b>2</b> Business name/disregarded entity name, if different from above.</p>		
<p><b>3a</b> Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes.</p> <p> <input type="checkbox"/> Individual/sole proprietor    <input type="checkbox"/> C corporation    <input type="checkbox"/> S corporation    <input type="checkbox"/> Partnership    <input type="checkbox"/> Trust/estate  <input type="checkbox"/> LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership)  <small>Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner.</small>  <input type="checkbox"/> Other (see instructions)         </p>		
<p><b>3b</b> If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions. <input type="checkbox"/></p>		
<p><b>4</b> Exemptions (codes apply only to certain entities; not individuals; see instructions on page 3):</p> <p>Exempt payee code (if any) _____</p> <p>Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____</p> <p><small>(Applies to accounts maintained outside the United States.)</small></p>		

Print or type.  
Specific instructions on page 3.

# W-9 Request for Taxpayer ID and Certification

## REQUIRED Information for W-9 (continued)

- 5. Provide Address (for mailing of 1099s).
- 6. City, State and ZIP Code.

The screenshot shows the following sections of the W-9 form:

- Section 5:** Address (number, street, and apt. or suite no.). See instructions. (Optional)
- Section 6:** City, state, and ZIP code
- Section 7:** List account number(s) here (optional)
- Part I - Taxpayer Identification Number (TIN):** Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.
- Section 8:** Social security number (Optional)
- Section 9:** Employer identification number (Optional)

**Note:** If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

### PART I – Taxpayer Identification Number (TIN)

Provide either:

- Social Security number - for Individual
- Employer identification number – for Business

# W-9 Request for Taxpayer ID and Certification

## REQUIRED Information for W-9 (continued)

### PART II – Certification

Signature of Individual or Business Representative.

Date (Current Date)

#### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification Instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person

Date

# STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION TRANSPORTATION PROJECT PLAT TITLE SHEET 1130-63-21 APPLETON - DE PERE

STH 96 - CTH F

## IH-41 OUTAGAMIE & BROWN COUNTIES



### CONVENTIONAL SYMBOLS

SECTION LINE		SECTION CORNER SYMBOL		R/W MONUMENT (TO BE SET)	
QUARTER LINE		SECTION CORNER MONUMENT		NON-MONUMENTED R/W POINT	
SIXTEENTH LINE		GEODETIC SURVEY MONUMENT		FOUND IRON PIN (3/4-INCH UNLESS NOTED)	
NEW REFERENCE LINE		SIXTEENTH CORNER MONUMENT		OFF-PREMISE SIGN	
NEW R/W LINE		SIGN		NON-COMPENSABLE	
EXISTING R/W OR HE LINE		COMPENSABLE		NON-COMPENSABLE	
PROPERTY LINE		TELEPHONE POLE		PEDESTAL (LABEL TYPE) (TV, TEL, ELEC, ETC.)	
LOT, TIE & OTHER MINOR LINES		ACCESS RESTRICTED BY ACQUISITION		NO ACCESS (BY STATUTORY AUTHORITY)	
SLOPE INTERCEPT		NO ACCESS (BY PREVIOUS PROJECT OR CONTROL)		NO ACCESS (NEW HIGHWAY)	
CORPORATE LIMITS		PARCEL NUMBER		UTILITY NUMBER	
UNDERGROUND FACILITY (COMMUNICATIONS, ELECTRIC, ETC)		BRIDGE		CULVERT	
NEW R/W (FEE OR HE) (HATCHING VARIES BY OWNER)		PARALLEL OFFSETS			
TEMPORARY LIMITED EASEMENT AREA					
EASEMENT AREA (PERMANENT LIMITED OR RESTRICTED DEVELOPMENT)					
TRANSMISSION STRUCTURES					
BUILDING TO BE REMOVED					

### CONVENTIONAL ABBREVIATIONS

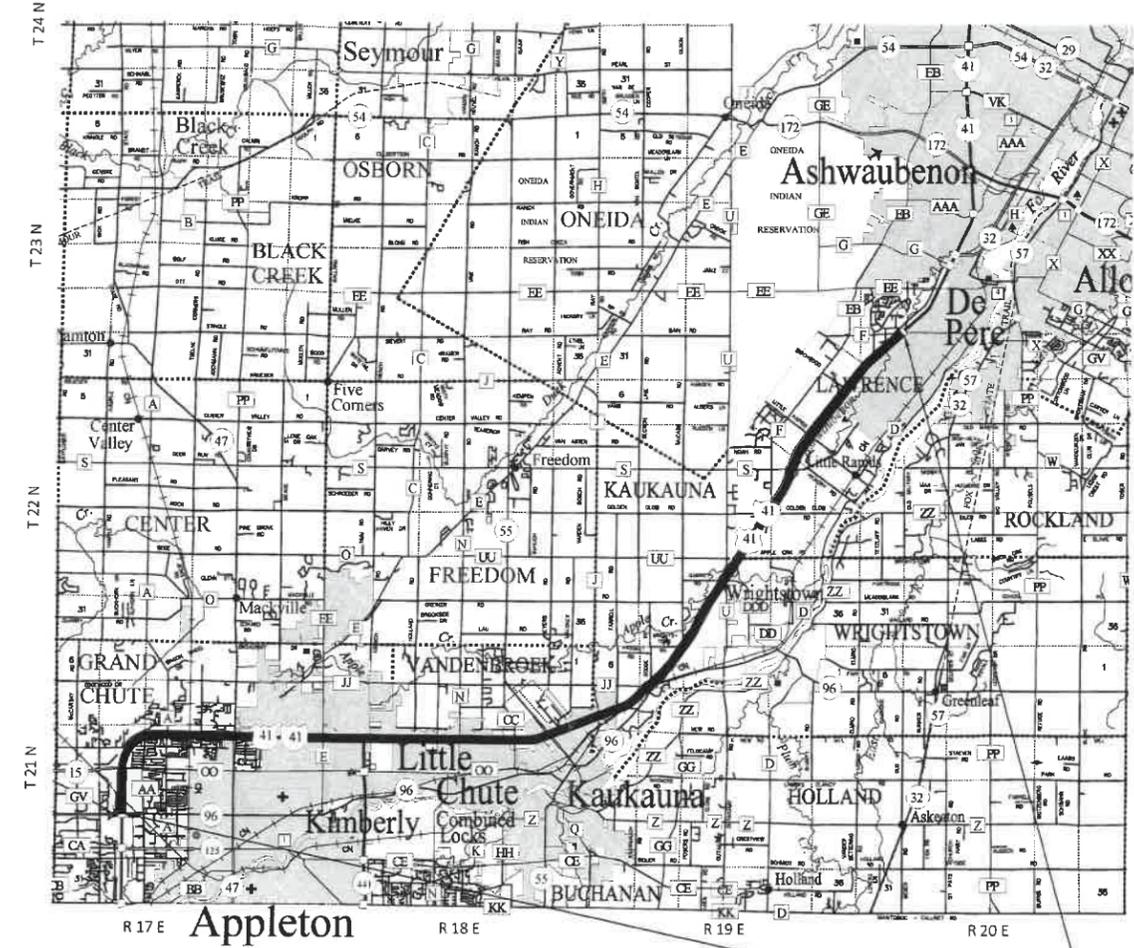
ACCESS RIGHTS	AR	POINT OF COMPOUND CURVE	PCC
ACRES	AC	POINT OF INTERSECTION	PI
AHEAD	AH	PROPERTY LINE	PL
ALUMINUM	ALUM	RECORDED AS (100')	
AND OTHERS	ET AL	REEL / IMAGE	R/I
BACK	BK	REFERENCE LINE	R/L
BLOCK	BLK	REMAINING	REM
CENTERLINE	C/L	RESTRICTIVE DEVELOPMENT	RDE
CERTIFIED SURVEY MAP	CSM	EASEMENT	
CONCRETE	CONC	RIGHT	RT
COUNTY	CO	RIGHT OF WAY	R/W
COUNTY TRUNK HIGHWAY	CTH	SECTION	SEC
DISTANCE	DIST	SEPTIC VENT	SEPV
CORNER	COR	SQUARE FEET	SF
DOCUMENT NUMBER	DOC	STATE TRUNK HIGHWAY	STH
EASEMENT	EASE	STATION	STA
EXISTING	EX	TELEPHONE PEDESTAL	TP
GAS VALVE	GV	TEMPORARY LIMITED EASEMENT	TLE
GRID NORTH	GN		
HIGHWAY EASEMENT IDENTIFICATION	HE	TRANSPORTATION PROJECT PLAT	TPP
LAND CONTRACT	LC	UNITED STATES HIGHWAY	USH
LEFT	LT	VOLUME	V
MONUMENT	MON		
NATIONAL GEODETIC SURVEY NUMBER	NGS		
OUTLOT	OL		
PAGE	P		
POINT OF TANGENCY	PT		
PERMANENT LIMITED EASEMENT	PLE		
POINT OF BEGINNING	POB		
POINT OF CURVATURE	PC		

### CURVE DATA ABBREVIATIONS

LONG CHORD	LCH
LONG CHORD BEARING	LCB
RADIUS	R
DEGREE OF CURVE	D
CENTRAL ANGLE	Δ / DELTA
LENGTH OF CURVE	L
TANGENT	T
DIRECTION AHEAD	DA
DIRECTION BACK	DB

### CONVENTIONAL UTILITY SYMBOLS

WATER	
GAS	
TELEPHONE	
OVERHEAD TRANSMISSION LINES	
ELECTRIC	
CABLE TELEVISION	
FIBER OPTIC	
SANITARY SEWER	
STORM SEWER	
ELECTRIC TOWER	



THE NOTES, CONVENTIONAL SIGNS, AND ABBREVIATIONS ARE ASSOCIATED WITH EACH TRANSPORTATION PROJECT PLAT FOR PROJECT 1130-63-21

**NOTES:**  
POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), OUTAGAMIE COUNTY, NAD83(2011), IN U.S. SURVEY FEET. VALUES ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 1" X 24" IRON PIPES), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

ALL RIGHT-OF-WAY LINES DEPICTED IN THE NON-ACQUISITION AREAS ARE INTENDED TO RE-ESTABLISH EXISTING RIGHT-OF-WAY LINES AS DETERMINED FROM PREVIOUS PROJECTS, OTHER RECORDED DOCUMENTS, CENTERLINE OF EXISTING PAVEMENTS, AND/OR EXISTING OCCUPATIONAL LINES.

RIGHT-OF-WAY BOUNDARIES ARE DEFINED WITH COURSES OF THE PERIMETER OF THE HIGHWAY LANDS REFERENCED TO THE U.S. PUBLIC LAND SURVEY SYSTEM OR OTHER "SURVEYS" OF PUBLIC RECORD.

DIMENSIONING FOR THE NEW RIGHT-OF-WAY IS MEASURED ALONG AND PERPENDICULAR TO THE NEW REFERENCE LINES.

A TEMPORARY LIMITED EASEMENT (TLE) IS A RIGHT FOR CONSTRUCTION PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON, THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE. ALL (TLEs) ON THIS PLAT EXPIRE AT THE COMPLETION OF THE CONSTRUCTION PROJECT FOR WHICH THIS INSTRUMENT IS GIVEN.

A PERMANENT LIMITED EASEMENT (PLE) IS A RIGHT FOR CONSTRUCTION AND MAINTENANCE PURPOSES, AS DEFINED HEREIN, INCLUDING THE RIGHT TO OPERATE NECESSARY EQUIPMENT THEREON AND THE RIGHT OF INGRESS AND EGRESS, AS LONG AS REQUIRED FOR SUCH PUBLIC PURPOSE, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE, BUT WITHOUT PREJUDICE TO THE OWNER'S RIGHTS TO MAKE OR CONSTRUCT IMPROVEMENTS ON SAID LANDS OR TO FLATTEN THE SLOPES, PROVIDING SAID ACTIVITIES WILL NOT IMPAIR OR OTHERWISE ADVERSELY AFFECT THE HIGHWAY FACILITIES.

AN EASEMENT FOR HIGHWAY PURPOSES (HE), AS LONG AS SO USED, INCLUDING THE RIGHT TO PRESERVE, PROTECT, REMOVE, OR PLANT THEREON ANY VEGETATION THAT THE HIGHWAY AUTHORITIES MAY DEEM DESIRABLE.

PROPERTY LINES SHOWN ON THIS PLAT FOR PROPERTIES BEING IMPACTED ARE DRAWN FROM DATA DERIVED FROM FILED/RECORDED MAPS AND DOCUMENTS OF PUBLIC RECORD. THIS PLAT MAY NOT BE A TRUE REPRESENTATION OF EXISTING PROPERTY LINES, EXCLUDING RIGHT-OF-WAY, AND SHOULD NOT BE USED AS A SUBSTITUTE FOR AN ACCURATE FIELD SURVEY.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION OFFICE IN GREEN BAY.

PARCEL AND UTILITY IDENTIFICATION NUMBERS MAY NOT POINT TO ALL AREAS OF ACQUISITION, AS NOTED ON THE TPP DETAIL PAGES.

INFORMATION FOR THE BASIS OF EXISTING HIGHWAY RIGHT-OF-WAY POINTS OF REFERENCE AND ACCESS CONTROL ARE LISTED ON THE TPP DETAIL PAGES.

PROJECT NUMBER 1130-63-21 -4.04  
SHEET 2 OF 2  
AMENDMENT NO:

# TRANSPORTATION PROJECT PLAT NO: 1130-63-21 - 4.31

THAT PART OF LOT 3 OF CSM 7631, AND PART OF LOT 15 OF THE ASSESSOR'S PLAT OF PRIVATE CLAIM 35, LOCATED IN AND ALSO INCLUDING PART OF PRIVATE CLAIM 35, PART OF LOT 1 OF CSM 1281, AND PART OF LOT 1 OF CSM 2769, LOCATED IN AND ALSO INCLUDING PART OF PRIVATE CLAIM 34, CITY OF KAUKAUNA, PART OF LOT 14 OF 1858 SUBDIVISION OF PRIVATE CLAIM 35, LOCATED IN PRIVATE CLAIM 35, AND PART OF CSM 85, LOCATED IN AND ALSO INCLUDING PART OF PRIVATE CLAIM 34, TOWN OF VANDENBROEK, OUTAGAMIE COUNTY, WISCONSIN.

RELOCATION ORDER IH-41 APPLETON-DE PERE STH 96 - CTH F OUTAGAMIE & BROWN COUNTIES

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 84.02 (3), 84.09, AND 84.30, WISCONSIN STATUTES, THE DEPARTMENT OF TRANSPORTATION HEREBY ORDERS THAT:  
 1. THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.  
 2. THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE DEPARTMENT FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE STATE OF WISCONSIN, PURSUANT TO THE PROVISIONS OF SECTION 84.09 (1) OR (2), WISCONSIN STATUTES.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), OUTAGAMIE COUNTY, NAD83 (2011) IN US SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 1" X 24" IRON PIPES), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

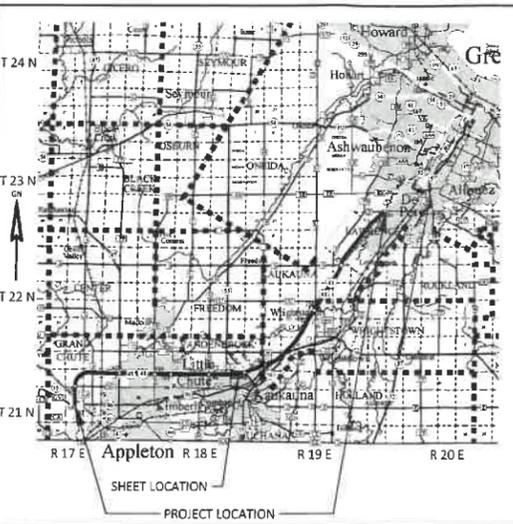
EXISTING ACCESS CONTROL FOR IH-41 ESTABLISHED FROM PREVIOUS PROJECT T03-2(28), 4650-08-21 - 4.04 AMEND. 3, 4650-08-21 - 4.07 AMEND. 2.  
 EXISTING ACCESS CONTROL FOR STH 55/DELANGLADE ROAD ESTABLISHED FROM PREVIOUS PROJECT T03-2(28), 4650-08-21 - 4.04 AMEND. 3, 4650-08-21 - 4.07 AMEND. 2.

EXISTING RIGHT-OF-WAY FOR IH-41 ESTABLISHED FROM PREVIOUS PROJECTS T03-2(28), 1130-42-00, 4650-08-21 - 4.04 AMEND. 3, 4650-08-21 - 4.05 AMEND. 1, 4650-08-21 - 4.08 AMEND. 2, 4650-08-21 - 4.10 AMEND. 1, 4650-08-21 - 4.11 AMEND. 1.  
 EXISTING RIGHT-OF-WAY FOR STH 55/DELANGLADE STREET ESTABLISHED FROM PREVIOUS PROJECTS T03-2(28), 1130-42-00, 4650-08-21 - 4.04 AMEND. 3, 4650-08-21 - 4.05 AMEND. 1, 4650-08-21 - 4.07 AMEND. 2.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION OFFICE IN GREEN BAY.

USH 41 IN OUTAGAMIE/BROWN COUNTIES WAS DESIGNATED AS A FREEWAY UNDER SECTION 84.295 OF WISCONSIN STATUTES BY THE HIGHWAY COMMISSION ON 6/8/1972.

SECTION CORNERS AND EXISTING MONUMENTATION WERE PROVIDED BY THE DEPARTMENT AND JT ENGINEERING, INC. FINAL R/W MONUMENTATION TO BE PROVIDED BY JT ENGINEERING, INC.



UTILITY NUMBER	UTILITY OWNER(S)	INTERESTS REQUIRED
519	CITY OF KAUKAUNA - SANITARY	RELEASE OF RIGHTS

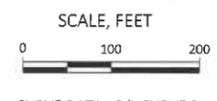
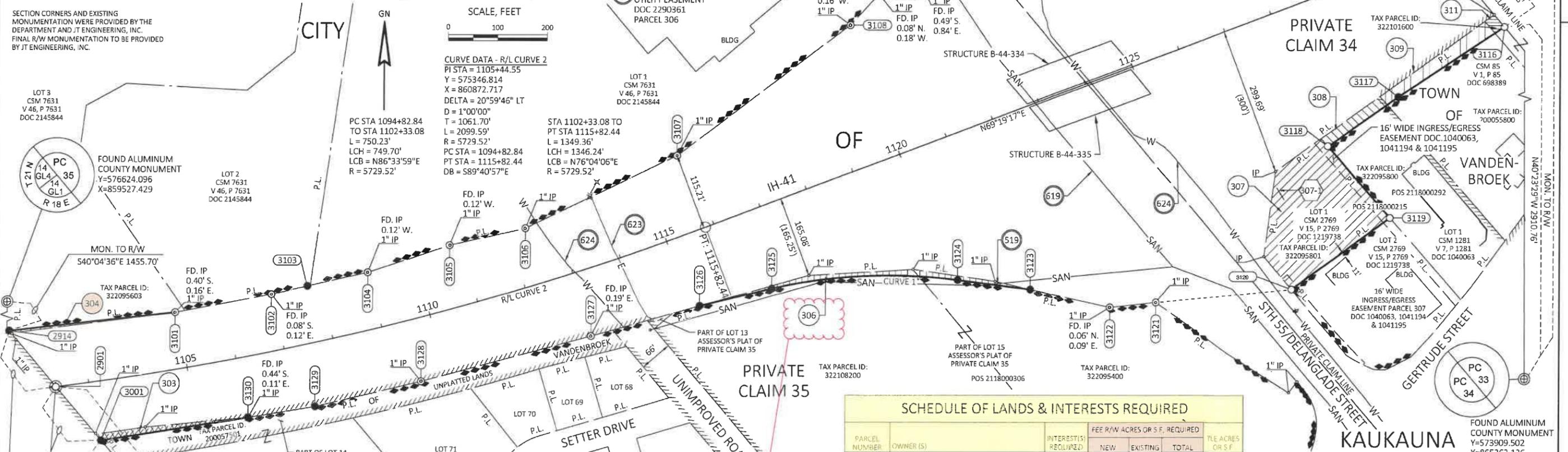
FOUND ALUMINUM COUNTY MONUMENT  
 Y=581243.845  
 X=859122.033

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN OUTAGAMIE COUNTY AS SHEET 2 OF 2 OF DOCUMENT #2288266.

Document #: 2291927  
 Date: 05-04-2023 Time: 1:12 PM  
 Pages: 2 Fee: \$25.00  
 County: OUTAGAMIE COUNTY State: WI

RESERVED FOR REGISTER OF DEEDS  
 PROJECT NUMBER: 1130-63-21 - 4.31  
 SHEET 1 OF 2  
 AMENDMENT NO.

SEE SHEET 2 OF 2 FOR COURSE TABLE, STATION OFFSET TABLES, CURVE AND UTILITY AGREEMENT WISCONSIN STATUTES TABLE



CURVE DATA - R/L CURVE 2  
 PI STA = 1105+44.55  
 Y = 575346.814  
 X = 860872.717  
 DELTA = 20°59'46" LT  
 D = 1°00'00"  
 T = 1061.70'  
 L = 2099.59'  
 R = 5729.52'  
 PC STA = 1094+82.84  
 LCB = N86°33'59" E  
 R = 5729.52'

LOT 3 CSM 7631 V 46, P 7631 DOC 2145844  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=576624.096  
 X=859527.429

LOT 2 CSM 7631 V 46, P 7631 DOC 2145844  
 FOUND BERNSTEN MONUMENT  
 Y=574989.878  
 X=860905.046

LOT 1 CSM 7631 V 46, P 7631 DOC 2145844  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=581243.845  
 X=859122.033

LOT 1 CSM 2769 V 15, P 2769 DOC 1219738  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095603  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095800  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

TAX PARCEL ID: 322095801  
 FOUND ALUMINUM COUNTY MONUMENT  
 Y=573909.502  
 X=865362.126

PARCEL NUMBER	OWNER (S)	INTERESTS REQUIRED	FEE R/W ACRES OR S.F. REQUIRED			TLE ACRES OR S.F.
			NEW	EXISTING	TOTAL	
303	HURKMAN HEIGHTS DEVELOPMENT, LLC / LAMAR CENTRAL OUTDOOR, LLC	FEE	2625	0	2625	0
304	CITY OF KAUKAUNA	FEE	860	0	860	0
306	KT REAL ESTATE HOLDINGS LLC / KWIK TRIP INC	FEE	4745	0	4745	0
307	RAYMOND A. VAN DYN HOVEN AND MARGARET A. VAN DYN HOVEN TRUST, ET AL. / KAUKAUNA SHELL, LLC	FEE	43343	0	43343	0
308	RUSHAB LLC	FEE	3119	0	3119	0
309	DAVID W MEYER	FEE	6769	0	6769	0
311	TAMMY R JEWSON	FEE	726	0	726	0
313	GUSTMAN FAMILY LIMITED PARTNERSHIP	FEE	17030	0	17030	0

SIGN NUMBER	SIGN OWNER(S)	OASIS NUMBER
303-1	LAMAR CENTRAL OUTDOOR, LLC / HURKMAN HEIGHTS DEVELOPMENT, LLC	4033
307-1	KAUKAUNA SHELL, LLC / RAYMOND AND MARGARET VANDYHOVEN TRUST, ET AL.	17881

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT.  
 ALL AREAS SHOWN IN SQUARE FEET UNLESS OTHERWISE NOTED. THE PURPOSE FOR ALL TLE'S IS GRADING UNLESS OTHERWISE NOTED.

**KL Engineering**  
 (A) Better Experience

I, TIMOTHY M. HELD, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION OF DEPARTMENT OF TRANSPORTATION, I HAVE MAPPED THIS TRANSPORTATION PROJECT PLAT 1130-63-21 - 4.31 AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.

SIGNATURE: *T. M. Held* DATE: 5/4/2023  
 PRINT NAME: TIMOTHY M. HELD  
 REGISTRATION NUMBER: S-2591

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE WISCONSIN DEPARTMENT OF TRANSPORTATION

SIGNATURE: *Alan Rommel* DATE: 05/04/2023  
 PRINT NAME: ALAN ROMMEL

# TRANSPORTATION PROJECT PLAT NO: 1130-63-21 - 4.33 AMENDMENT NO. 1

AMENDS PARCEL 304 OF TRANSPORTATION PROJECT PLAT 1130-63-21 - 4.33 RECORDED AS DOCUMENT 2291899.  
THAT PART OF LOTS 7, 8 AND 9, KAUKAUNA INDUSTRIAL PARK NORTH PHASE I, LOCATED IN PRIVATE CLAIM 3, PART OF LOTS 4, 5, 6 AND 7 AND OUTLOT 1, KAUKAUNA INDUSTRIAL PARK NORTH PHASE I, PART OF VACATED TOWER DRIVE LOCATED IN GOVERNMENT LOT 1 AND PART OF LOT 3 AND OUTLOT 1, KAUKAUNA INDUSTRIAL PARK NORTH PHASE I, LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 12, T21N, R18E, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN.

RELOCATION ORDER IH-41 APPLETON-DE PERE STH 96 - CTH F OUTAGAMIE & BROWN COUNTIES

TO PROPERLY ESTABLISH, LAY OUT, WIDEN, ENLARGE, EXTEND, CONSTRUCT, RECONSTRUCT, IMPROVE, OR MAINTAIN A PORTION OF THE HIGHWAY DESIGNATED ABOVE, THE STATE OF WISCONSIN DEPARTMENT OF TRANSPORTATION DEEMS IT NECESSARY TO RELOCATE OR CHANGE SAID HIGHWAY AND ACQUIRE CERTAIN LANDS AND INTERESTS OR RIGHTS IN LANDS FOR THE ABOVE PROJECT.

TO EFFECT THIS CHANGE, PURSUANT TO AUTHORITY GRANTED UNDER SECTION 84.02 (3), 84.09, AND 84.30, WISCONSIN STATUTES, THE DEPARTMENT OF TRANSPORTATION HEREBY ORDERS THAT:

- THAT PORTION OF SAID HIGHWAY AS SHOWN ON THIS PLAT IS LAID OUT AND ESTABLISHED TO THE LINES AND WIDTHS AS SO SHOWN FOR THE ABOVE PROJECT.
- THE LANDS OR INTERESTS OR RIGHTS IN LANDS AS SHOWN ON THIS PLAT ARE REQUIRED BY THE DEPARTMENT FOR THE ABOVE PROJECT AND SHALL BE ACQUIRED IN THE NAME OF THE STATE OF WISCONSIN, PURSUANT TO THE PROVISIONS OF SECTION 84.09 (1) OR (2), WISCONSIN STATUTES.

POSITIONS SHOWN ON THIS PLAT ARE WISCONSIN COORDINATE REFERENCE SYSTEM COORDINATES (WISCRS), OUTAGAMIE COUNTY, NAD83 (2011) IN US SURVEY FEET. VALUES SHOWN ARE GRID COORDINATES, GRID BEARINGS, AND GRID DISTANCES. GRID DISTANCES MAY BE USED AS GROUND DISTANCES.

ALL NEW RIGHT-OF-WAY MONUMENTS WILL BE TYPE 2 (TYPICALLY 1" X 24" IRON PIPES), UNLESS OTHERWISE NOTED, AND WILL BE PLACED PRIOR TO THE COMPLETION OF THE PROJECT.

EXISTING ACCESS CONTROL FOR IH-41 ESTABLISHED FROM PREVIOUS PROJECT T03-2(28).

EXISTING RIGHT-OF-WAY FOR IH-41 ESTABLISHED FROM PREVIOUS PROJECTS T03-2(28), 1130-42-00, CITY OF KAUKAUNA INDUSTRIAL PARK NO. 1, KAUKAUNA INDUSTRIAL PARK NORTH PHASE I.

EXISTING RIGHT-OF-WAY FOR TOWER DRIVE ESTABLISHED FROM CITY OF KAUKAUNA INDUSTRIAL PARK NO. 1, CSM 3313, CSM 5202, CSM 7081.

FOR THE CURRENT ACCESS/DRIVEWAY INFORMATION, CONTACT THE PLANNING UNIT OF THE WISCONSIN DEPARTMENT OF TRANSPORTATION OFFICE IN GREEN BAY.

USH 41 IN OUTAGAMIE/BROWN COUNTIES WAS DESIGNATED AS A FREEWAY UNDER SECTION 84.295 OF WISCONSIN STATUTES BY THE HIGHWAY COMMISSION ON 6/8/1972.

## SCHEDULE OF LANDS & INTERESTS REQUIRED

PARCEL NUMBER	OWNER(S)	INTEREST(S) REQUIRED	FEE R/W ACRES OR S.F. REQUIRED			TLE ACRES OR S.F.
			NEW	EXISTING	TOTAL	
304	CITY OF KAUKAUNA	FEE, TLE	315	0	315	1404
321	LAKELAND INVESTORS, INC.	FEE	147	0	147	0
322	K R ASSOCIATES OF KAUKAUNA, LLC	FEE	6985	0	6985	0
323	MELCHERT PROPERTIES, LLC	FEE	4705	0	4705	0
324	UNITED INVESTMENTS, INC.	FEE	5464	0	5464	0
326	WAUSAU LIMITED PARTNERSHIP	FEE, TLE	8279	0	8279	438
327	EAST LINE INDUSTRIAL LLC	TLE	0	0	0	3393
330	D & S LEASING OF KAUKAUNA, LLC	FEE	215	0	215	0

## UTILITY INTERESTS REQUIRED

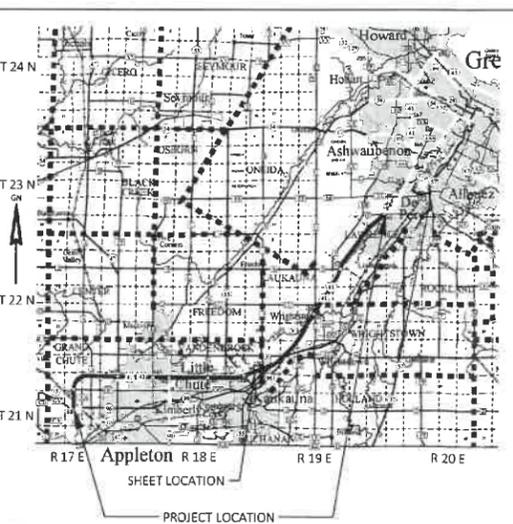
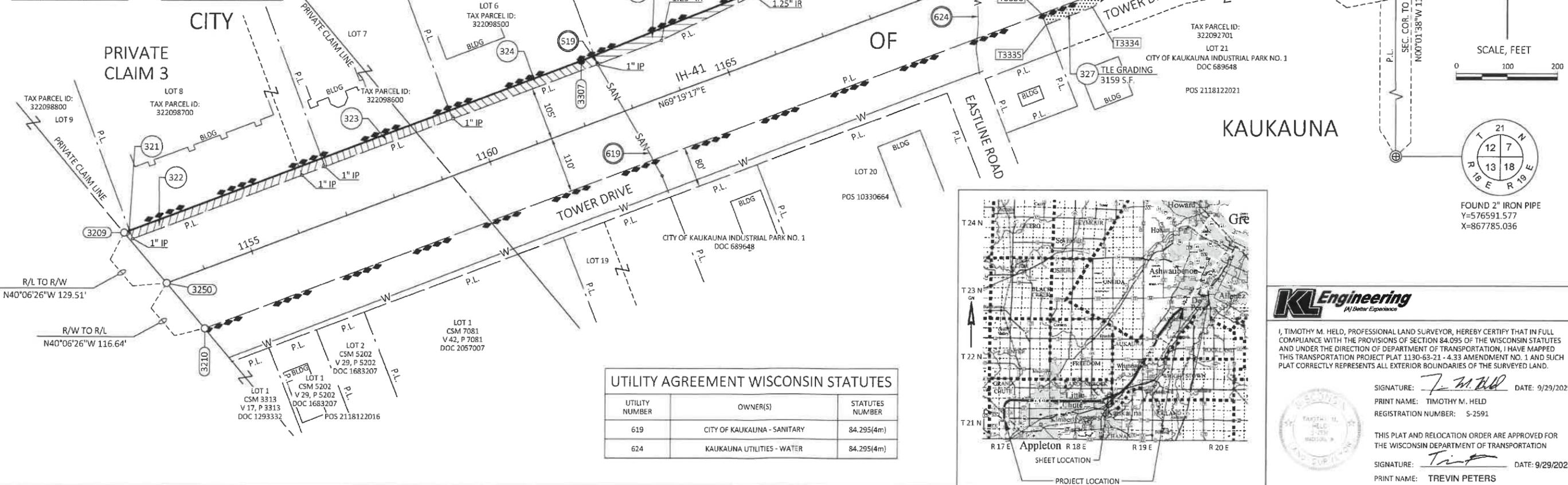
UTILITY NUMBER	UTILITY OWNER(S)	INTERESTS REQUIRED
502	AT&T WISCONSIN	RELEASE OF RIGHTS
503	SECTRUM	RELEASE OF RIGHTS
509	WE ENERGIES - GAS/PETROLEUM	RELEASE OF RIGHTS
519	CITY OF KAUKAUNA - SANITARY	RELEASE OF RIGHTS
523	KAUKAUNA UTILITIES - ELECTRIC	RELEASE OF RIGHTS
524	KAUKAUNA UTILITIES - WATER	RELEASE OF RIGHTS

OWNER'S NAMES ARE SHOWN FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PRIOR TO THE TRANSFER OF LAND INTERESTS TO THE DEPARTMENT.

ALL AREAS SHOWN IN SQUARE FEET UNLESS OTHERWISE NOTED. THE PURPOSE FOR ALL TLE'S IS GRADING UNLESS OTHERWISE NOTED.

SECTION CORNERS AND EXISTING MONUMENTATION WERE PROVIDED BY THE DEPARTMENT AND JT ENGINEERING, INC. FINAL R/W MONUMENTATION TO BE PROVIDED BY JT ENGINEERING, INC.

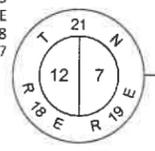
TLE STATION & OFFSET TABLE			R/W STATION OFFSET TABLE			COURSE TABLE		
POINT	STATION	OFFSET	POINT	STATION	OFFSET	COURSE	BEARING	DISTANCE
T3330	1178+33.96	197.32' RT	3209	1152+78.30	122.14' LT	3301-3302	S79° 18' 10"W	445.10'
T3331	1178+18.35	194.59' RT	3210	1153+60.18	110.00' RT	3302-3210	S69° 19' 17"W	2039.26'
T3332	1178+10.46	182.34' RT	3301	1178+37.80	187.15' RT	3210-3209	N40° 06' 26"W	246.15'
T3333	1172+97.06	110.00' RT	3302	1173+99.43	110.00' RT	3209-3307	N69° 16' 12"E	958.76'
T3334	1172+17.08	133.00' RT	3307	1162+37.06	123.00' LT	3307-3308	N67° 53' 22"E	400.12'
T3335	1171+19.92	133.00' RT	3308	1166+37.06	133.00' LT	3308-3309	N70° 00' 57"E	660.05'
T3336	1171+19.57	110.00' RT	3309	1172+97.06	125.00' LT	3309-3311	N69° 19' 17"E	502.37'
T3337	1168+47.06	130.45' LT	3311	1177+99.43	125.00' LT	3311-3312	N60° 49' 05"E	83.80'
T3338	1174+07.33	127.00' LT	3312	1178+82.31	137.39' LT	3312-3313	N57° 10' 16"E	86.61'
T3339	1174+52.06	125.00' LT	3313	1179+66.99	155.62' LT			
T3340	1172+37.33	132.23' LT	3250	1153+21.38	0.00'			
T3341	1173+17.33	127.00' LT	3350	1179+08.33	0.00'			



## UTILITY AGREEMENT WISCONSIN STATUTES

UTILITY NUMBER	OWNER(S)	STATUTES NUMBER
619	CITY OF KAUKAUNA - SANITARY	84.295(4m)
624	KAUKAUNA UTILITIES - WATER	84.295(4m)

FOUND RAILROAD SPIKE  
Y=579251.158  
X=867783.767



Document #: 2348567  
Date: 10-03-2025 Time: 1:21 PM  
Pages: 1 Fee: \$25.00  
County: OUTAGAMIE COUNTY State: WI  
*Frank A. Van Camp*  
SARAH R VAN CAMP, REGISTER OF DEEDS  
This document has been electronically recorded  
Return to:  
WisDOT - NE Region - Green Bay - PO#39500-00002

RESERVED FOR REGISTER OF DEEDS  
PROJECT NUMBER: 1130-63-21 - 4.33  
AMENDMENT NO. 1

FOR ADDITIONAL INFORMATION REFER TO THE TITLE SHEET, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN OUTAGAMIE COUNTY AS SHEET 2 OF 2 OF DOCUMENT #2288266.

1.25" IR  
FD. IP  
0.73" N.  
0.19" W.  
R/W TO R/L  
500'01'38"E 166.31'

1/16TH LINE TO R/W  
500'01'38"E 200.00'

1.25" IR  
FD. IP  
0.63" N.  
0.23" W.

16 S.F.

1404 S.F.

299 S.F.

234 S.F.

3159 S.F.

110.00' TO R/W

SCALE, FEET  
0 100 200



FOUND 2" IRON PIPE  
Y=576591.577  
X=867785.036



I, TIMOTHY M. HELD, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF SECTION 84.095 OF THE WISCONSIN STATUTES AND UNDER THE DIRECTION OF DEPARTMENT OF TRANSPORTATION, I HAVE MAPPED THIS TRANSPORTATION PROJECT PLAT 1130-63-21 - 4.33 AMENDMENT NO. 1 AND SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES OF THE SURVEYED LAND.

SIGNATURE: *T. M. Held* DATE: 9/29/2025  
PRINT NAME: TIMOTHY M. HELD  
REGISTRATION NUMBER: S-2591

THIS PLAT AND RELOCATION ORDER ARE APPROVED FOR THE WISCONSIN DEPARTMENT OF TRANSPORTATION  
SIGNATURE: *Trevin Peters* DATE: 9/29/2025  
PRINT NAME: TREVIN PETERS

RESOLUTION NO. 2026-\_\_\_\_\_

RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE TO THE WISCONSIN DEPARTMENT OF TRANSPORTATION

WHEREAS, The Wisconsin Department of Transportation (WisDOT) has completed plans for roadway project 1130-63-21, Interstate 41, Outagamie and Brown Counties Appleton to DePere; and

WHEREAS, WisDOT has completed and recorded a Transportation Project Plat (TPP) showing parcels needed for said project to be acquired via FEE or Temporary Limited Easement (TLE), including Parcel 304(A) on TPP 1130-63-21-4.31, part of City owned Parcel 322095603 and 304(B) on TPP 1130-63-21-4.33 Amendment No. 1, part of City owned Parcel 322098200; and

WHEREAS, The City Plan Commission has reviewed the TPP and recommended approval of the FEE acquisitions and TLE by the WisDOT for the city owned parcels 304a and 304b;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, as follows:

- 1. That the Mayor is hereby authorized to:

Execute a deed on behalf of the City of Kaukauna, deeding and selling 860.00 square feet of Parcel 322095603 and 315.00 square feet of Parcel 322098200 along with Temporary Limited Easement rights, more specifically described as:

Parcel 304 of Transportation Project Plat 1130-63-21-4.31, recorded as Document 2291927, at the Register of Deeds office in Outagamie County, Wisconsin; and

Parcel 304 of Transportation Project Plat 1130-63-21-4.33 Amendment No. 1, recorded as Document 2348567, at the Register of Deeds office in Outagamie County, Wisconsin; and

- 2. Sale of land and temporary limited easement interests to be in the amount of \$2,100.00
- 3. A deed and other necessary documents will be signed and issued for recording upon payment at closing.

Introduced and adopted this 3<sup>rd</sup> day of March, 2026

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

Anthony J. Penterman, Mayor

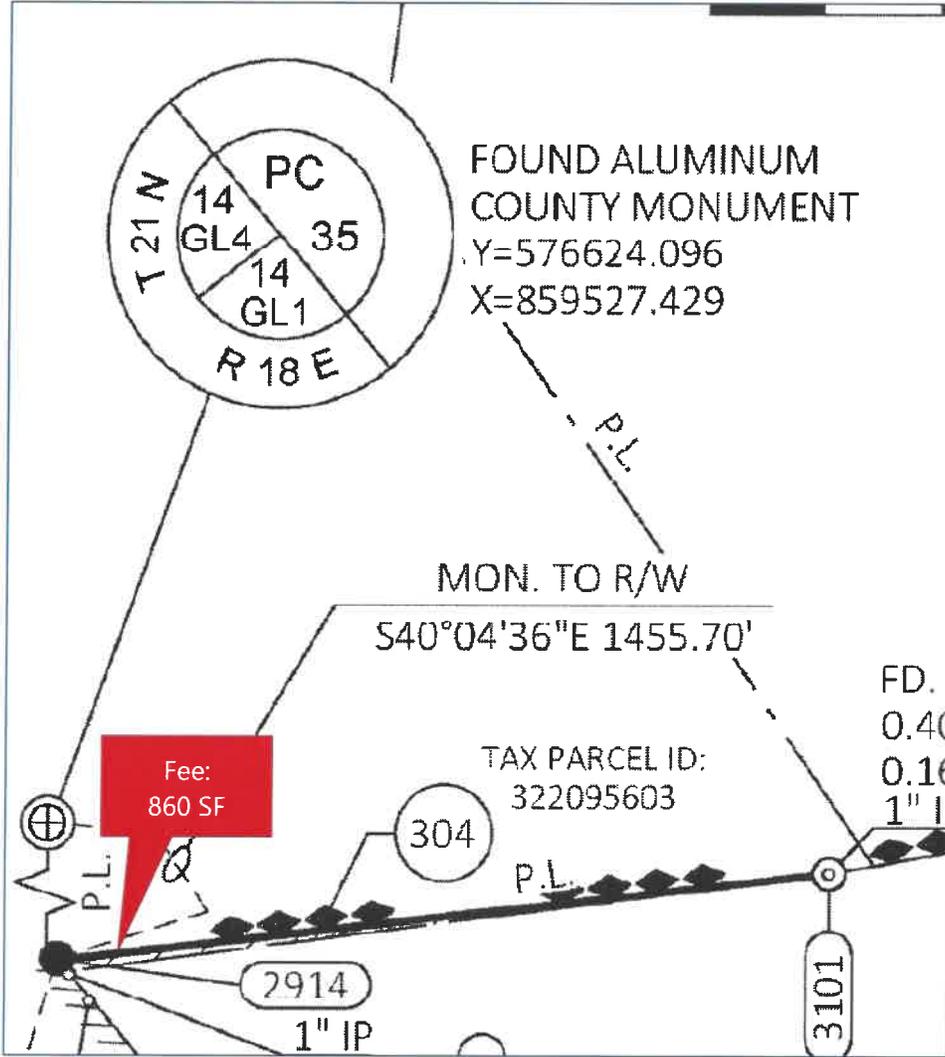
ATTEST: \_\_\_\_\_

Kayla Nessmann, Clerk

DRAFT

**Exhibits**

**WISDOT PROJECT ID 1130-63-21 PLAT PAGE #4.31**  
**RECORDED MAY 4, 2023**  
**DOCUMENT #2291927**  
**PARCEL 304A**



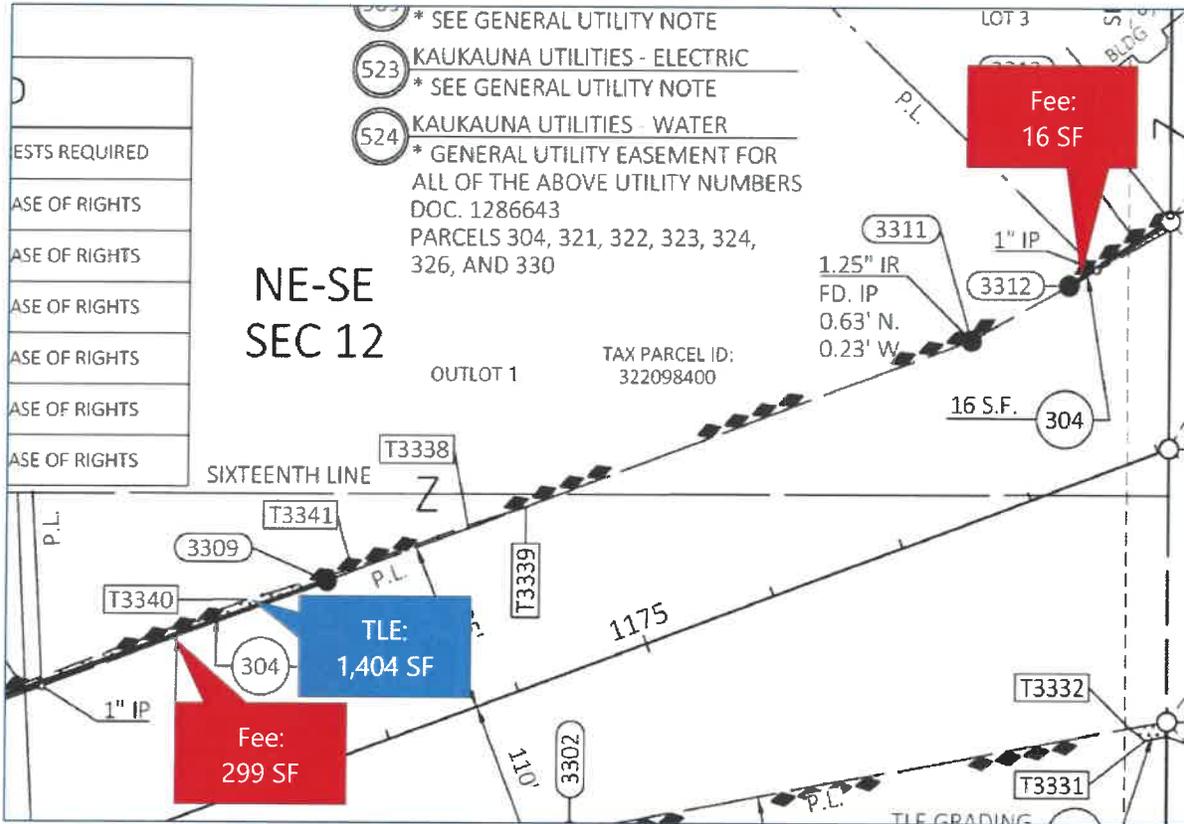
**SCHEDULE OF LANDS & INTERESTS REQUIRED**

PARCEL NUMBER	OWNER (S)	INTEREST(S) REQUIRED	FEE R/W ACRES OR S.F. REQUIRED			TLE ACRES OR S.F.
			NEW	EXISTING	TOTAL	
303	HURKMAN HEIGHTS DEVELOPMENT, LLC / LAMAR CENTRAL OUTDOOR, LLC	FEE	2625	0	2625	0
304	CITY OF KAUKAUNA	FEE	860	0	860	0

**PARCEL 304A APPRAISER DRAWING**



**WISDOT PROJECT ID 1130-63-21 PLAT PAGE #4.33 AMENDMENT NO. 1  
RECORDED OCTOBER 2, 2025  
DOCUMENT #2348567  
PARCEL 304B**



SCHEDULE OF LANDS & INTERESTS REQUIRED						
PARCEL NUMBER	OWNER (S)	INTEREST(S) REQUIRED	FEE R/W ACRES OR S.F., REQUIRED			TLE ACRES OR S.F.
			NEW	EXISTING	TOTAL	
304	CITY OF KAUKAUNA	FEE, TLE	315	0	315	1404

**PARCEL 304B APPRAISER DRAWING**



**SUBJECT PHOTOS**

**Larger Parcel 304A**



**Subject – View South**



**Subject – View South**



**Fee Area – View South**



**Subject – View South**

**Larger Parcel 304B**



**Subject – View South**



**Subject – View South**



**Subject – View South**



**Pedestrian Bridge – Not Impacted**



**Subject – View Northeast**



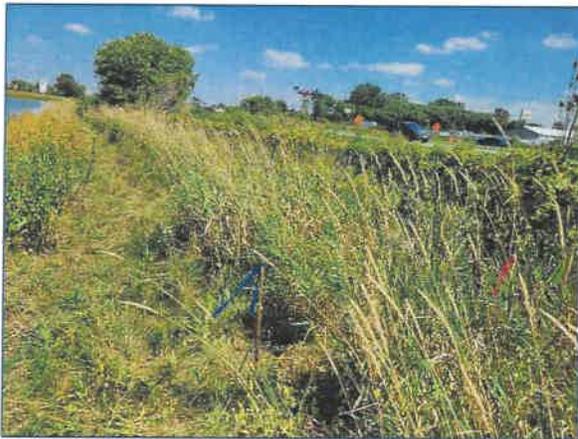
**Pedestrian Bridge – Not Impacted**



**TLE Area – View East**



**Fee & TLE Areas – View West**



**Fee & TLE Areas – View East**



**TLE Area – View East**



**Fee & TLE Areas – View East**



**Fee & TLE Areas – View East**



**Fee & TLE Areas – View West**



**Pedestrian Bridge – Not Impacted**



**TLE Area – View East**



**TLE Area – View West, No Impact to Bridge**



**Fee Area – View East**



**TLE Area – View West**



**Fee & TLE Areas – View East**



**Fee & TLE Areas – No Impact to Retention Pond**



# MEMO

## Department

To: Finance and Personnel

From: HR Director Hodge, on behalf of previous Finance Director Van Rossum

Date: 03/03/2026

Re: Citywide Pay Practice Update for OBBBA Compliance

### Background information:

Recent federal legislation, the One Big Beautiful Bill Act (OBBBA), requires employers to identify, track, and report the exempt portion of true Fair Labor Standards Act (FLSA) overtime for all employees. This requirement applies citywide and must be reflected accurately in payroll records and annual W-2 reporting.

Over the past several months, staff have reviewed the City’s existing pay practices, evaluated payroll system capabilities, consulted with payroll professionals, met with affected departments (including the Street Department), and consulted with the City’s outside labor counsel from Von Briesen, Attorney Patrick Leigl, to ensure the proposed approach is legally compliant and defensible. This work identified inconsistencies in how overtime is treated across departments, particularly when overtime is paid on non-worked hours such as holidays, vacation, or sick leave.

Fire and Police operations already follow FLSA standards by calculating overtime only on hours actually worked. The proposal brings the remainder of the City into alignment with this same standard to ensure compliance, equity, consistency, and efficiency, while recognizing that the Street Department has unique operational overtime needs that require a tailored solution, with examples shown in the memo provided to this group of employees.

A key consideration is the City’s obligation to accurately report OBBBA-exempt overtime on employees’ W-2s. Manual tracking is technically possible, but it is inefficient, error-prone, and not scalable with roughly 150 employees who qualify for overtime. Reliance on manual processes increases the risk of W-2 reporting errors, amended filings, employee tax corrections, professional service costs, and potential audit or penalty exposure. The proposed approach allows the payroll system to accurately calculate and report the exempt portion of true FLSA overtime, significantly reducing compliance risk. As part of this update, the city will also implement a blended overtime calculation consistent with FLSA. Under this method, the overtime premium is based on the employee’s average regular rate of pay for the workweek, including applicable premiums earned during hours worked. The payroll

system will separately identify the base overtime and the overtime premium portion, allowing for accurate OBBBA reporting while minimizing manual intervention.

**Street Department – Overtime and Premium Changes**

The Street Department has unique operational demands related to emergency response, weather events, and unplanned overtime. To remain compliant while maintaining operational effectiveness, the following changes are proposed:

- Overtime will be calculated only on hours actually worked, consistent with FLSA standards.
- Double-time on holiday and Sunday classifications will be eliminated.
- Employees working weekends or City-assigned holidays will receive a flat premium of \$37.00 per hour in addition to their regular rate of pay.
- The \$37.00 premium was intentionally selected to keep employees whole to the greatest extent possible. It reflects the middle-grade, top-step rate, balancing equity across classifications and fiscal responsibility. It also acknowledges that the premium is consistent for all DPW staff coming in on unscheduled time
- Saturday premium pay is new, providing additional compensation where none previously existed and helping offset changes to overtime treatment.
- Premium pay will be tracked separately from overtime, allowing the payroll system to accurately identify and report the exempt portion of true FLSA overtime and reducing the risk of W-2 errors.

Staff has modeled multiple scenarios. On average, employees most impacted by the change are expected to be held whole through the premium structure, recognizing that individual outcomes may vary due to the unplanned nature of overtime events.

**Remaining Non-Exempt Staff**

For remaining non-exempt, non-union employees outside of the Street Department, the proposed change is limited and straightforward. Overtime will be calculated only on hours actually worked, consistent with FLSA standards and existing Fire and Police practices. Non-worked hours such as holidays, vacation, and sick leave will no longer count toward the overtime threshold.

No changes are proposed to base pay rates, schedules, or existing premium structures for these employees outside of what was explained above. This update ensures consistency across departments, supports accurate OBBA reporting, and allows the payroll system to correctly identify and track exempt overtime without manual intervention.

**Timing Considerations**

Staff’s original goal was to have the updated pay practices in place by January 1. Additional analysis, departmental discussions, and consultation with legal counsel were necessary to ensure the City selected the most compliant and sustainable approach, placing implementation slightly behind that target.

The longer implementation is delayed, the more payroll periods will require manual review and correction to ensure 2026 W-2 accuracy. Additional time can be taken if desired; however, if changes are not implemented before the City's peak seasonal staffing period, the volume of overtime transactions will increase significantly, resulting in exponentially more manual work, higher error risk, and greater administrative burden.

**Strategic Plan:**

The proposed action supports the City's Strategic Plan goals related to good governance, operational excellence, fiscal responsibility, and organizational sustainability by promoting consistent employment practices, reducing compliance risk, and relying on efficient system-based controls rather than manual processes.

**Budget:**

The proposed changes can be implemented within existing payroll systems and departmental payroll budgets. Absent these changes, the City would incur additional administrative costs related to manual tracking, corrective payroll processing, amended W-2 filings, and potential professional services. The proposal mitigates those risks and avoids long-term pressure to add staffing solely to manage compliance.

**Staff Recommended Action:**

The Council supports the proposed citywide pay practice updates outlined in the Background section, to ensure OBBBA compliance through the automation available through the HR/Payroll software, and to ensure consistent application of FLSA standards.

**Previous Meeting Information:**

[02/02/2026 – Finance and Personnel Committee proposal brought by Finance Director Van Rossum with supporting documentation.](#)

[02/02/2026 - Finance and Personnel Committee minutes](#)

[02/17/2026 – Committee of the Whole continuation of 02/02/2026 discussion, questions, and answers, along with supporting documentation.](#)

[02/17/2026 – Committee of the Whole minutes](#)



# MEMO

## Department

To: Legislative Committee; Finance Committee; Health and Recreation Committee

From: Tim Greenwood, City Attorney

Date: February 18, 2026

Re: Amendment to KMC §§ 12.01(1) and 12.03(3) – Transition of Operator’s Licenses to One-Year Terms

### Background information:

Section 12.01(1) establishes license and permit fees, including operator license fees.

Section 12.03(3) currently provides that operator licenses are valid for two years and expire on June 30 of the second year.

### Strategic Plan:

This change would be an administrative alignment for the 2026 licensing year that adjust internal timelines to avoid overlap with election administration, and realigns the operator license renewal to non-election years (odd numbered years). This will help maintain staff workload balance during election years.

**Budget:** N/A

### Staff Recommended Action:

Recommend approval of the Ordinances amending Chapter 12, Section 12.0(1) and Section 12.03(3) to the Common Council as presented.

**CITY OF KAUKAUNA**

**ORDINANCE 1949-2026**

**ORDINANCE AMENDING SECTION 12.01(1) FERMENTED MALT BEVERAGES**

**WHEREAS**, the City of Kaukauna has established in Section 12.01(1) of the Municipal Code a schedule of licensing and permitting requirements, including the applicable fees for operator's licenses as part of the City's overall licensing framework;

**WHEREAS**, the Common Council has determined that aligning operator's licenses to a one-year licensing cycle is beneficial for administrative consistency with other annually-issued municipal licenses, improves monitoring and compliance oversight, and better supports efficient processing by the Clerk's office;

**WHEREAS**, the Common Council further finds it appropriate to amend Section 12.01(1), to reflect the fee structure associated with the new annual operator license term;

**WHEREAS**, the Common Council believes these amendments promote the public health, safety, and welfare of the community through clearer, more consistent license administration;

**NOW THEREFORE**, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, that Section 12.01(1) of the City of Kaukauna Municipal Code is hereby amended as follows:

AMENDMENT

12.01 Licenses Required

A license or permit shall be required for the sale of each of the following or the conduct of the business or activity, and the indicated license or permit application fee shall be paid to the city clerk. The license or permit application fees shall be for one year unless otherwise specified in this chapter.

1. *Fermented malt beverages.*
  - a. Class A. \$150.00.
  - b. Class B. \$100.00.
  - c. Picnic. \$10.00.
  - d. Wholesalers. \$25.00.
  - e. Operators. \$25.00.
  - f. Outdoor beverage area permit. \$200.00.

**EFFECTIVE DATE** This Ordinance shall be in full force and effect from the date of passing and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

March 3<sup>rd</sup>, 2026.

Presiding Officer

Attest

---

Anthony J. Penterman, Mayor,  
City of Kaukauna

---

Kayla Nessmann, Clerk,  
City of Kaukauna

**CITY OF KAUKAUNA**

**ORDINANCE 1950- 2026**

**ORDINANCE AMENDING SECTION 12.03(3)  
CLASSES OF LICENSES AND FEES**

**WHEREAS**, the City of Kaukauna has established in Chapter 12.03(3) of the Municipal Code, which includes how Operator’s licenses may be granted and their term of validity; and

**WHEREAS**, the administration and issuance procedures for operator’s licenses are further set forth in Section 12.03 of the Municipal Code, including the current provision under Section 12.03(3) stating that operator’s licenses are valid for two years and expire on June 30 of the second year;

**WHEREAS**, the Common Council has determined that adjusting Operator’s Licenses to a one-year licensing cycle is beneficial for administrative consistency with other annually-issued municipal licenses, improves monitoring and compliance oversight, and better supports efficient processing by the Clerk’s office;

**WHEREAS**, the Common Council further finds it appropriate to amend Section 12.03(3), to update the duration and expiration requirements accordingly;

**WHEREAS**, the Common Council believes these amendments promote the public health, safety, and welfare of the community through clearer, more consistent license administration;

**NOW THEREFORE**, be it ordained by the Common Council of the City of Kaukauna, in the State of Wisconsin, that Section 12.03(3) of the City of Kaukauna Municipal Code is hereby amended as follows:

AMENDMENT

3. *Classes of licenses and fees.* The following classes and denominations of licenses may be issued by the city clerk under the authority of the city council after payment of the application fee specified in section 12.01 of this chapter, which, when so issued, shall permit the holder to sell, deal, or traffic in alcohol beverages as provided in Wis. Stats. §§ 125.17, 125.25, 125.26, 125.28, and 125.51. Except as otherwise provided in this section, the full license fee shall be charged for the whole or fraction of any year.
  - a. *Class A fermented malt beverage retailer's license.* See Wis. Stats. § 125.25.
  - b. *Class B fermented malt beverage retailer's license.* See Wis. Stats. § 125.26.
    - (1) *Six months.* A license may be issued at any time for six months in any calendar year, for which three-fourths of the applicable license application fee shall be paid; but such license shall not be renewable

during the calendar year in which issued.

- c. *Class C wine license.* A Class C license authorizes the retail sale of wine by the glass or in opened original container for consumption on the premises where sold.
- d. *Wholesalers fermented malt beverage license.* See Wis. Stats. § 125.28.
- e. *Retail Class A liquor license.* See Wis. Stats. § 125.51(2).
- f. *Retail Class B liquor license.* A retail Class B liquor license shall permit its holder to sell intoxicating liquor to be consumed by glass only on the premises where sold and also authorizes the sale of intoxicating liquor in the original package or container in multiples not to exceed four liters at any one time and to be consumed off the premises where sold. Wine may be sold for consumption off the premises in the original package or otherwise in any quantity. See Wis. Stats. § 125.51(3)(b).
  - (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
  - (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.
- g. *Retail Class B winery license.* A retail Class B winery license shall permit its holder to sell wine to be consumed by the glass or in opened containers on the premises where sold or off the premises if the licensee seals the container of wine with a tamper-evident seal before the wine is removed from the premises. The “Class B” license also authorizes the sale of wine in the original package or container to be consumed off the premises where sold, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine.. See Wis. Stats. § 125.51(3)(am).
  - (1) A license may be issued after July 1 in any license year. The license shall expire on the following June 30. The application fee for the license shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
  - (2) Licenses valid for six months may be issued at any time. The fee for the license shall be 50 percent of the annual license application fee, as stated in section 12.01 of this chapter. The license may not be renewed during the calendar year in which issued.
- h. *Reserve retail Class B liquor license.* A reserve retail Class B liquor license means a license that is not granted or issued on or before December 1, 1997, and is counted under Wis. Stats. § 125.51(4)(br), which authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass to be consumed on the licensed premises or in the original package or

container in multiples not to exceed four liters at any one time and to be consumed off the licensed premises, except that wine may be sold in the original container or otherwise in any quantity to be consumed off the premises.

- i. *Outdoor beverage area permit.* An outdoor beverage area permit shall permit its holder to sell intoxicating liquor beverages in outdoor areas as described in subsection (11) "Permit Required for Outdoor Alcoholic Beverage Area."
  - (1) A permit may be issued after July 1 in any license year. The permit shall expire on the following June 30. The application fee for the permit shall be prorated according to the number of months or fractions thereof remaining until the following June 30.
  - (2) Permits valid for six months may be issued at any time. The fee for the permit shall be 50 percent of the annual permit application fee, as stated in section 12.01 of this chapter. The permit may not be renewed during the calendar year in which issued.
- j. *Operators.* See Wis. Stats. § 125.17.
  - (1) Operator licenses may be granted to individuals by the city council for the purposes of complying with Wis. Stats. §§ 125.32(2) and 125.68(2).
  - (2) Operator licenses may be issued only upon submission of a written application on forms provided by the city clerk. A color photograph of the applicant shall be submitted with the written application.
  - (3) Operator licenses shall be valid for one year and shall expire on the following June 30.
- k. *Provisional operator's license.* The city clerk may issue a provisional operator's license to a person who has applied for an operator's license and provides proof of enrollment in a responsible beverage server training course required under Wis. Stats. § 125.17(6)(a), subject to the following:
  - (1) A provisional license may not be issued to any person who has been denied an operator's license, or whose operator's license has been revoked or suspended within the preceding 12 months.
  - (2) A provisional license may be issued only to persons eligible for operator's licenses under all of the provisions of this chapter, upon completion of a satisfactory background check by the Kaukauna Police Department, and under the requirements of Wis. Stats. § 125.04.
  - (3) Any provisional license granted under this subparagraph shall expire 60 days after its issuance or when an operator's license is issued to the holder, whichever is sooner.
  - (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material misleading omission on the application.
  - (5) The city clerk shall revoke the provisional license if the applicant fails

successfully to complete the responsible beverage server training course in which the applicant enrolls.

- (6) No more than one provisional license may be issued to an applicant during any 12-month period.
- (7) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional operator's license.

1. *Provisional retail license.* The city clerk may issue a provisional retail license to a person who has applied for a Class A, Class B, Class A, Class B, or Class C retail license and who provides proof of enrollment in, or the appointed agent of the entity applying provides proof of enrollment in, a responsible beverage server training course required under Wis. Stats. § 125.04(5)(a)5., or any future amendment, revision, or modification of such statute.

- (1) A provisional license shall not be issued to any person who has been denied a retail license by the common council, whose operator's license has been revoked or suspended within the preceding 12 months, or who already holds a provisional license of the type applied for.
- (2) A provisional license may be issued only to persons eligible for a retail license under all of the provisions of this chapter and under the requirements of Wis. Stats. §§ 125.04 and 125.185, and only for the activities that the retail license applied for would authorize.
- (3) Any provisional license granted under this section shall expire 60 days after its issuance, or when a retail license is issued to the holder, whichever is sooner.
- (4) The city clerk shall revoke the provisional license if the holder makes any false or misleading statement or any material or misleading omission on the application.
- (5) The city clerk shall revoke the provisional license if the applicant or its appointed agent fails successfully to complete the responsible beverage server training course in which he or she enrolls.
- (6) The city clerk shall not issue a provisional Class B license if doing so would exceed the municipal quota under Wis. Stats. § 125.51(4).
- (7) No more than one provisional license may be issued to an applicant during any 12-month period.
- (8) A \$15.00 non-refundable fee shall be charged by the city clerk for the issuance of a provisional retail license.

**EFFECTIVE DATE** This Ordinance shall be in full force and effect from the date of passing and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

March 3<sup>rd</sup>, 2026.

Presiding Officer

Attest

---

Anthony J. Penterman, Mayor,  
City of Kaukauna

---

Kayla Nessmann, Clerk,  
City of Kaukauna

**CITY OF KAUKAUNA  
ORDINANCE 1951-2026**

**ORDINANCE REPEALING AND REPLACING SECTION 1.30  
BOARD OF PUBLIC WORKS**

**WHEREAS**, Section 1.30 of the Kaukauna Municipal Code currently establishes the composition and duties of the Board of Public Works; and

**WHEREAS**, the City desires to clarify the role of ex-officio members of the Board of Public Works to ensure consistency and transparency in governance; and

**WHEREAS**, it is the intent of the Common Council to specify that ex-officio members of the Board of Public Works shall serve in a non-voting capacity; and

**WHEREAS**, the Common Council finds it necessary and appropriate to repeal and replace Section 1.30 of the Kaukauna Municipal Code to reflect this clarification.

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Kaukauna, State of Wisconsin, that Section 1.30, *Board of Public Works*, of the City of Kaukauna Municipal Code is hereby repealed and replaced as follows:

1.30 Board Of Public Works

The Board of Public Works for the City shall consist of eight council members. The City Clerk, City Engineer, City Attorney, and Mayor shall also serve as non-voting, ex-officio members of the board. The members of the board shall choose a chairperson. The City Clerk shall be clerk of the board.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL

March 3rd, 2026.

Presiding Officer

Attest

-----  
Anthony J. Penterman, Mayor,  
City of Kaukauna

-----  
Kayla Nessmann, Clerk,  
City of Kaukauna

**CITY OF KAUKAUNA  
ORDINANCE 1952-2026**

**ORDINANCE REPEALING AND REPLACING SECTION 1.44  
1000 ISLAND ENVIRONMENTAL CENTER COMMITTEE**

**WHEREAS**, Section 1.44 of the Kaukauna Municipal Code currently establishes the composition and duties of the 1000 Island Environmental Center Committee; and

**WHEREAS**, the City desires to clarify the role of ex-officio members of the 1000 Island Environmental Center Committee to ensure consistency and transparency in governance; and

**WHEREAS**, it is the intent of the Common Council to specify that ex-officio members shall serve in a non-voting capacity; and

**WHEREAS**, the City desires to align the Committee's authority with what has been practiced and that these changes to Committee authority have been approved by the 1000 Island Environmental Center Committee at its meeting on August 21, 2025; and

**WHEREAS**, the Common Council finds it necessary and appropriate to repeal and replace Section 1.44 of the Kaukauna Municipal Code to reflect this clarification;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Kaukauna, State of Wisconsin, that Section 1.44, *1000 Islands Environmental Center Committee*, of the City of Kaukauna Municipal Code is hereby repealed and replaced as follows:

1.44 1000 Islands Environmental Center Committee

1. Mission. The 1000 Islands Environmental Center Committee is charged with providing the citizens of Kaukauna the knowledge and skills needed to build a sustainable balance among the environment, economy, and community through education, conservation, and recreation.
2. Composition. The 1000 Islands Environmental Center Committee shall consist of eleven (11) members. The President of Friends of the 1000 Islands, or designee, an alderperson, a school board representative, and eight (8) citizen members shall constitute the eleven (11) members of the 1000 Islands Environmental Center Committee.
3. Appointments.
  - a. The President of Friends of the 1000 Islands, or designee, shall be a voting, ex-officio member.
  - b. The citizen members shall be appointed by the Mayor of Kaukauna,

subject to confirmation by the Kaukauna Common Council for a three-year term. These terms shall be staggered so that no more than three (3) citizen members' terms shall expire each year.

- c. The school board representative and alderperson shall be appointed by their respective governing bodies to a one (1) year term.
  - d. Members shall be people of recognized experience and qualifications.
  - e. Members do not need to be City of Kaukauna residents.
4. Organization. The members of the committee shall meet annually to elect a Chair and a Vice-Chair, who shall serve a one (1) year term. All members shall serve without compensation.
5. Powers and Duties.
- a. The Committee may advise the Kaukauna Common Council on policies, programs, and regulations governing the 1000 Islands Environmental Center, and the surrounding 1000 Islands Conservancy Zone.
  - b. The Committee may recommend budgetary priorities or needs to the City department overseeing the 1000 Islands Environmental Center, which may be considered in the department's budget proposal to the Kaukauna Common Council.
  - c. The Committee may make recommendations on policy, regulations, ordinances, and other measures concerning sustainability, conservation, or other environmental issues that may affect the 1000 Islands Environmental Center, the 1000 Islands Conservancy Zone, or the City of Kaukauna as a whole.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL  
March 3rd, 2026.

Presiding Officer

Attest

-----  
Anthony J. Penterman, Mayor,  
City of Kaukauna

-----  
Kayla Nessmann, Clerk,  
City of Kaukauna

**CITY OF KAUKAUNA  
ORDINANCE 1953-2026**

**ORDINANCE REPEALING AND REPLACING SECTION 2.12  
RULE 12: STANDING COMMITTEES**

**WHEREAS**, Section 2.12 of the Kaukauna Municipal Code currently establishes the composition and duties of the Standing Committees; and

**WHEREAS**, the City desires to clarify the role of ex-officio members of the Standing Committees to ensure consistency and transparency in governance; and

**WHEREAS**, it is the intent of the Common Council to specify that ex-officio members shall serve in a non-voting capacity; and

**WHEREAS**, the Common Council finds it necessary and appropriate to repeal and replace Section 2.12 of the Kaukauna Municipal Code to reflect this clarification;

**NOW, THEREFORE, BE IT ORDAINED** by the Common Council of the City of Kaukauna, State of Wisconsin, that Section 2.12, *Rule 12: Standing Committees*, of the City of Kaukauna Municipal Code is hereby repealed and replaced as follows:

2.12 Rule 12: Standing Committees

1. *Enumerated*. The Standing Committees shall be appointed by the Mayor and confirmed by the Common Council, as follows:

a. *Finance and Personnel Committee*.

(1) *Composition*. The Finance and Personnel Committee shall consist of five councilmembers and the Mayor. The Mayor shall serve as a non-voting, ex-officio member and be the chairperson.

(2) *Duties*. The duties of the Finance and Personnel Committee shall be to:

(A) Provide policy and legislative direction relative to all financial, personnel, employee benefit, and employer insurance matters.

(B) Review all sales and purchase contracts of city property which are not under the jurisdiction of the industrial and commercial commission and make appropriate recommendations to the Common Council.

- (C) Recommend appropriate fee and license structure for all services under the jurisdiction of the committee.

b. *Health and Recreation Committee.*

- (1) *Composition.* The Health and Recreation Committee shall consist of four council members and the Mayor. The Mayor shall serve as a non-voting, ex-officio member.
- (2) *Duties.* The duties of the Health and Recreation Committee shall be to:
  - (A) Provide policy and legislative direction relative to all recreational facilities.
  - (B) Consider all health programs, act on any problems involving health and ensure that health standards are maintained in the city.
  - (C) Receive and make recommendations on all applications for beer and liquor licenses. License applications shall be investigated to determine their compliance with local and state laws.
  - (D) Review beer and liquor license holders' performance on a quarterly basis and recommend appropriate Common Council action.
  - (E) Recommend appropriate fee and license structure for all services under the jurisdiction of the committee.

c. *Public Protection and Safety Committee.*

- (1) *Composition.* The Public Protection and Safety Committee shall consist of four council members and the Mayor. The Mayor shall serve as a non-voting, ex-officio member.
- (2) *Duties.* The duties of the Public Protection and Safety Committee shall be to:
  - (A) Provide policy and legislative direction to the police and fire departments for all matters which are not under the jurisdiction of the police and fire commission. The matters which are under the jurisdiction of this committee shall include, but not be limited to, parking lot operations, traffic patterns, traffic control, rescue squad operations, fire department operations, and police department operations.

- (B) Recommend appropriate fee and license structure for all services under the jurisdiction of the committee.

d. *Legislative Committee.*

- (1) *Composition.* The Legislative Committee shall consist of four councilmembers and the Mayor. The Mayor shall serve as a non-voting, ex-officio member.
- (2) *Duties.* The duties of the Legislative Committee shall be to:
  - (A) Supervise the introduction of all ordinances, resolutions, and other written rules for adoption by the Common Council.
  - (B) Supervise all elections to ensure they are conducted in an orderly manner.
  - (C) Work with other committees in preparing ordinances and resolutions, study existing ordinances, and make suggestions and recommendations to the Common Council relative to changing or adding ordinances to increase efficiency in the operations of the city.

e. *Board of Public Works.*

- (1) *Composition.* The Board of Public Works shall consist of eight councilmembers, the City Attorney, who shall act as legal advisor, the City Clerk, who shall be the recording secretary, the Mayor, and the City Engineer. The City Attorney, City Clerk, Mayor, and City Engineer shall be non-voting, ex-officio members of the Board of Public Works. The Board of Public Works shall elect a chairperson who shall also serve as the Common Council representative on the utility commission. Five councilmembers shall constitute a quorum.
- (2) *Duties.* The duties of the Board of Public Works shall be to:
  - (A) Provide policy and legislative direction relative to garbage collection and disposal, bridges, streets, sidewalks, storm, and sanitary sewers, curb and gutter, and park facilities.
  - (B) Approve and monitor all new construction, or reconstruction of, bridges, streets, sidewalks, storm and sanitary sewers, curb and gutter, and park facilities.

- (C) Perform all such duties so prescribed by state law and any other duties delegated by the Common Council.
- (D) Recommend appropriate fee and license structure for all services under the jurisdiction of the board.

PASSED AND ADOPTED BY THE CITY OF KAUKAUNA COMMON COUNCIL  
March 3rd, 2026.

Presiding Officer

Attest

-----  
Anthony J. Penterman, Mayor,  
City of Kaukauna

-----  
Kayla Nessmann, Clerk,  
City of Kaukauna

**RESOLUTION 2026-5499**

**RESOLUTION VACATING A DRAINAGE EASEMENT ON LOT 1 OF THE ASH GROVE ESTATES SUBDIVISION, PARCEL 323166403**

**WHEREAS**, the City of Kaukauna approved the Ash Grove Estates Subdivision as recorded in Document No. 2241223, Outagamie County Register of Deeds, 320 South Walnut Street, Appleton, Wisconsin 54911; and

**WHEREAS**, the recorded document included a 35' wide drainage easement along the west lot line of Lot 1, Ash Grove Estates; and

**WHEREAS**, the City of Kaukauna is the sole owner of said drainage easement; and

**WHEREAS**, the Department of Public Works does not require said easement to maintain the drainage or stormwater infrastructure for the subdivision; and

**WHEREAS**, the Plan Commission, at its meeting of February 19, 2026, made recommendation to vacate said 35' wide drainage easement upon aforementioned land;

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kaukauna, Wisconsin that the 35' wide drainage easement along the west lot line of Lot 1 of Ash Grove Estates Subdivision in Outagamie County is hereby vacated.

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 3<sup>rd</sup> day of March, 2026.

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

ATTEST: \_\_\_\_\_  
Kayla Nessmann, City Clerk



# MEMO

## Department

To: Legislative Committee; Common Council  
From: Tim Greenwood, City Attorney  
Date: March 3, 2026  
Re: Satisfaction and Release of Development Agreement with Grand Kakalin, LLC

### Background information:

In the afternoon on Friday, February 20, 2026, the City learned that the building the municipal library rents from is being sold. There should be no issues with our lease continuing, but we were contacted by the title company because there is still a Development Agreement that was recorded on August 12, 2015. This Agreement is still part of the record of the property and the title company is requesting a Satisfaction and Release to clear the title.

Upon review of the parcel's history and prior correspondence it appears the former City Finance Director, City Attorney, and the Mayor concluded in 2022 in a letter that obligations within the Development Agreement were met and a Satisfaction and Release could be issued.

**Budget:** N/A

### Staff Recommended Action:

Legislative Committee: Recommend approval of the Resolution to Common Council.

Common Council: Recommend approval of the Resolution Authorizing Satisfaction and Release of the Development Agreement.

## RESOLUTION NO. 2026-5500

RESOLUTION AUTHORIZING EXECUTION AND RECORDING  
A SATISFACTION AND RELEASE OF THE DEVELOPMENT  
AGREEMENT RECORDED AS DOCUMENT NO. 2051494

WHEREAS, the City of Kaukauna ("City") and Grand Kakalin, LLC ("Developer") entered into a Development Agreement dated November 18, 2014, and was recorded with the Outagamie County Register of Deeds as Document No. 2051494 ("Development Agreement");

WHEREAS, this Development Agreement involves the redevelopment of Lt 1 of CSM No. 6657 and related dedications and easements; this parcel was later updated via CSM No. 7001 ("Property");

WHEREAS, the Common Council has reviewed the Development Agreement, including the public dedications and easements shown on CSM No. 6657 and CSM No. 7001, the City's performance and funding actions under the Development Agreement, and the Developer's minimum construction investment obligations and related guarantees and finds all these obligations were completed;

WHEREAS, the Council finds all terms, conditions, and obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this action have been fully satisfied, and that it is in the City's interest to release the Development Agreement of record on the Property; and

WHEREAS, the Common Council hereby finds that all terms, conditions, and obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this action have been fully satisfied and that it is in the City's interest to release the Development Agreement of record as to the Property.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, that:

1. The Council hereby determines that all obligations of the Development Agreement applicable to the Property and intended to be performed prior to the date of this Resolution have been completed and satisfied, including City and Developer undertakings.
2. The Mayor and City Clerk are authorized and directed to execute, and the City Attorney to approve as to form, a "Satisfaction and Release of Development Agreement" in substantially the form presented in this meeting and releasing Document No. 2051494 insofar as it affects the Property, and to take all actions necessary to effectuate the release.

3. The City Clerk is authorized and directed to cause the executed Release to be recorded with the Outagamie County Register of Deeds, and to distribute copies to appropriate parties.
4. This action does not release, modify, or affect any other agreement, easement, dedication, plat, certified survey map, or other instrument of record not expressly identified in the Release.

Introduced and adopted this 3<sup>rd</sup> day of March 2026

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

ATTEST: \_\_\_\_\_  
Kayla Nessmann, Clerk

## SATISFACTION AND RELEASE OF DEVELOPMENT AGREEMENT

This Satisfaction and Release of Development Agreement (“Release”) is executed effective as of the \_\_\_ day of March, 2026, by the City of Kaukauna, Wisconsin (“City”).

### Recitals

- A. The City and Grand Kakalin, LLC, a Wisconsin limited liability company (“Kakalin”), entered into a Development Agreement dated November 18, 2014, which was recorded in the Outagamie County Register of Deeds as Document No. 2051494 (see Exhibit A), encumbering Lot 1 of CSM #6657, and more fully described in Exhibit B.
- B. Lot 1 of CSM #6657 was later updated on May 29, 2015, in Document No. 2044587, as Lot 1 of CSM #7001, and more fully described in Exhibit C (“Property”).
- C. The City has determined that all terms, conditions, and obligations of the Development Agreement applicable to the Property have been fully satisfied, and that the Agreement should be released of record as to the Property.
- D. The Common Council of the City of Kaukauna authorized this Satisfaction and Release by resolution on the 3<sup>rd</sup> day of March, 2026.

### Release

- A. The City hereby releases, terminates, and discharges the Development Agreement from and against the Property from any and all obligations owing to the City under the Development Agreement with respect to the Property. This Release is intended to be recorded and to operate as a full satisfaction and release of Document No. 2051494 insofar as it affects the Property.
- B. This Release does not affect any other agreement or instrument of record not expressly identified herein.
- C. The undersigned municipal officers represent and warrant they are duly authorized to execute this Release on behalf of the City.

CITY OF KAUKAUNA, WISCONSIN

By: \_\_\_\_\_

Name: Tony Penterman

Title: Mayor

Date: \_\_\_\_\_



DOCUMENT NO.

**DEVELOPMENT AGREEMENT**

Document #: **2051494**

Date: **08-12-2015** Time: **01:40 PM**

Pages: **17** Fee: **\$30.00**

County: **OUTAGAMIE COUNTY** State: **WI**

**This AGREEMENT** entered into as of the date stated below is by and between The City of Kaukauna, a municipal corporation and political subdivision of the State of Wisconsin (the "City") and Grand Kakalin, LLC, an Wisconsin limited liability company (the "Developer").

**SARAH R VAN CAMP , REGISTER OF DEEDS**

\*\*\*The above recording information verifies this document has been electronically recorded and returned to the submitter\*\*\*

**WITNESSETH**

**WHEREAS**, Developer wishes to develop land described as:

**Lot 1 of CSM #6657, and more fully described on Exhibit 1, Attached**

**All in the City of Kaukauna, Outagamie County, Wisconsin (collectively, the "Development Area")**

in accordance with the City's Subdivision and Zoning Codes of the City; and,

Return to:

Kevin Davidson, Kaukauna City Attorney

PO Box 890, Kaukauna, WI 54130-0890

**PIN: 322064200**

**WHEREAS**, the City and Developer have agreed to specific plans for the renovation of the historic paper mill building as a commercial building located in the Development Area consisting of 82,500 square feet of space which shall consist of a combination of commercial offices and the Kaukauna Public Library together with surface parking for approximately 200 vehicles (the "Development"); and,

**WHEREAS**, the City and Developer have agreed to the scope and type of improvements and have agreed to the respective obligations of each for the Development; and,

**WHEREAS**, Developer intends to acquire the parcel of real property located in the City and described above and within Exhibit 1, attached hereto (the "Property"). The Property is comprised of a former paper mill site that requires significant renovation and infrastructure improvements; and,

**WHEREAS**, The City has or will create a Tax Increment District #8 (the "District") pursuant to Section 66.1105, Wis. Stat. (the "Tax Increment Law"), and shall approve a plan for the redevelopment of the District (the "District Plan"); and,

**WHEREAS**, Subject to obtaining the financial assistance set forth herein, Developer intends to undertake a mixed use development of the Property (the "Development Project") that will increase its value and provide other tangible benefits to the surrounding neighborhoods and to the City as a whole. The Development Project is consistent with the District Plan for the TIF District; and,

**WHEREAS**, The City desires to encourage economic development including the elimination of slum and blight, expand its tax base, and create new jobs within the City, the District and the Property. The City finds that the development of the Property and the fulfillment, generally, of the terms and conditions of this Agreement are in the vital and best interest of the City and its residents and serve a public purpose in accordance with state and local law; and,

**WHEREAS**, The Development Project would not occur without the use of Tax Incremental Financing; and,

**WHEREAS**, The City, pursuant to Common Council Action dated September 29, 2014, has approved this Agreement and authorized the execution of the Agreement by the proper City officers on the City's behalf; and,

**WHEREAS**, The Developer has approved this Agreement and authorized Randall Stadtmueller to execute this Agreement on the Developer's behalf; and,

**WHEREAS**, All terms that are in upper case but not defined in this Agreement and that are defined under the Tax Increment Law shall have the definitions assigned to such terms by the Tax Increment Law,

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 2 of 17*

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the City and the Developer hereby agree as follows:

### **1.0 Purposes & Definition**

- 1.01. **Purpose of Agreement.** The parties have agreed upon a plan for a commercial building to include the space for the Kaukauna Public Library in the Development Area. The purpose of this Agreement is to formalize and record the understandings and undertakings of the parties and to provide a framework within which the redevelopment of the land within Development Area will take place.
- 1.02. The terms listed below shall be defined for the purposes of this agreement as follows:
- A. **City:** means the City of Kaukauna, a Wisconsin Municipal Corporation. The City may also be referred to as the City of Kaukauna.
  - B. **Closing:** means the satisfactory completion, on the part of all parties, of all undertakings as specified in Sections 3.01, 3.02, and 3.03 as relate to the different Phases of the Development. The parties intend that the Closing shall occur to be consistent with the timetable set forth in Exhibit B attached to this Agreement.
  - C. **Development:** means the overall construction of the improvements and uses anticipated by the Development Plan and this Agreement for the Development Area.
  - D. **Development Area:** means the sum of all property described in Exhibit 1, and constitutes the total boundaries of the project for which this Agreement is provided.
  - E. **Development Plan:** means the Development as shown on Exhibit A as improved by the site improvements outlined in Exhibit A and as further described by this Agreement.
  - F. **Developer:** means Grand Kakalin, LLC, Horizon Development Group, Inc. and Randall Stadtmueller.
  - G. **Developer Costs:** means costs directly incurred by the Developer where such costs qualify for disbursement and reimbursement through the use of tax incremental financing pursuant to Section 66.1105 of the Wisconsin Statutes.
  - H. **Private Utilities:** means natural gas, telephone, cable television and any other services within or serving the Development Area and not owned by the City of Kaukauna and/or its Electric and Water Utility.
  - I. **Public Improvements:** means all Public Utilities and easements associated with said utilities, any other services within or serving the Development Area owned by the City of Kaukauna and/or its Electric and Water Utility, street right-of-way including the curb, gutter, pavement and street lights, and associated access easements, future sidewalks, and storm water facilities related to the Development Area.
  - J. **Public Utilities:** means the sanitary sewer, storm sewer, water main, lift stations, booster pumps and street lighting systems within or serving the Development Area and owned by the City of Kaukauna and/or its Electric and Water Utility.
  - K. **Site Plan:** means the specific physical layout of the Development Area as shown on the Development Plan.
  - L. **Tax Increment:** means the Value Increment multiplied by the incremental tax rate for TIF District 8.
  - M. **Value Increment:** means the equalized value of the Development Area less the Base Value of the Development Area.
  - N. **Incremental Base:** means the property value established by the Wisconsin Department of Revenue at the time TIF District 8 is created.
  - O. **Zoning Code:** means Chapter 17 of the Code of Ordinances of the City of Kaukauna. The Zoning Code may also be referred to as the "Code".

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 3 of 17*

## **2.0 Description of Development**

2.01. **Development Area.** The Development includes the land area described in full in Exhibit 1 as previously defined in this Agreement as the Development Area. The Development Area will be redeveloped and improved with a commercial building of 82,500 square feet, with site improvements as described and depicted in the attached Exhibit A, on a timetable and with construction costs as described in the attached Exhibit B. The Development shall also include the construction of approximately 200 public parking spaces, which shall be conveyed to the City of Kaukauna through an easement.

## **3.0 Undertakings of the Parties**

3.01. **Undertakings of Developer.** The Developer agrees that it shall:

- A. Prepare site plans, specifications, development timetables, closing timetables and budgets for redevelopment and construction work to be undertaken in the Development Area;
- B. Develop plans for the renovation and lease of historic mill building within the Development;
- C. Grant the necessary easement for public parking and public ingress and egress in Development Area, including the dedication to the City of Outlot #1 of CSM#6657 for the purpose of public street;
- D. Secure equity and bank financing in amounts necessary to complete the appropriate phases of the Development as follows:
  - 1) \$6.1million construction financing on or after October 1, 2014, but not later six months from the Closing of Developer's acquisition of the Development Area.
  - 2) Secure Historic Tax Credit bridge financing upon closing of construction financing.
- E. Cooperate with the City to facilitate the City's performance under Section 3.02
- F. Notwithstanding any public easements, cross-use easements and/or leases of lands or portions thereof to the City, Developer agrees to provide required maintenance including snow removal for the parking and private roadways within the Development Area.

3.02. **Undertakings of the City.** The City agrees that it shall:

- A. Create Tax Increment District No. 8 to include the Property within in an approved plan for the redevelopment of the District.
- B. Borrow and appropriate sufficient funds for the performance of its obligations under this Agreement as described in this section;
- C. The City will provide the following development incentives during the course of project construction:
  - 1) Provide a \$1,000,000 Tax Increment District (TID) assistance package, and \$500,000 in Wisconsin Economic Development Corporation (WEDC) funding to support the project at the Development Area based on the following schedule:
  - 2) \$1,000,000 as a redevelopment assistance grant, to the developer be paid as follows:
    - i. Subject to City's review and approval of title documentation , \$300,000.00 to be paid at Closing of Developer's acquisition of the Development Area, provided the Developer shall receive the property free and clear of all liens and encumbrances excepting prorated 2014 property taxes and subject to normal and customary encumbrances, covenants, easements and restrictions of record, and City shall obtain a superior security position by a mortgage document satisfactory to the City Attorney and recorded with the Office of the Register of Deeds for Outagamie County, Wisconsin.

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 4 of 17*

City shall have the right, but not the obligation, to foreclose on the property in the event that Developer does not meet the Developer's obligations set forth in section 3.01(D)(1).

ii. City shall extend to Developer credit in an amount up to \$200,000.00 for the purpose of conducting specific site improvements for roof repairs to the former Eagle Mill building, and for site preparation as required for parking lot and/or future public street within the Development.

iii. \$500,000.00 in WEDC funding subject to the terms and conditions of contract #CDI FY14-22374 between the City of Kaukauna and WEDC, together with any amount of the \$200,000.00 described under 3.02.C.ii. not previously provided to Developer, to be paid at Closing of Developer's construction financing for Development, in accordance with the Developer's obligations under 3.01(D).

3) \$500,000.00 to be paid to Developer within ten days of receipt of certificate of occupancy of the first tenant. No payment shall be distributed until the property taxes have been paid on the property.

No payment shall be distributed if Developer is not in full compliance with all provisions of this Agreement.

- D. Within 180 days of the Closing of Developer's construction financing for the Development, secure lease of land from Fox River Navigational System Authority for land required for relocated Thilmany Road north of the Development Area ("FRNA Lease"), and obtain final approval of FRNA Lease from the Wisconsin Department of Administration. The leased land shall be dedicated as a public roadway and public parking spaces as shown on Exhibit C.
- E. Construct improvements to include public roadway and public parking spaces along a portion of the north boundary of the Development Area on the former Stribley Road, as designed by the City Engineering Department.
- F. Construct improvements to include a north/south running public roadway along a portion of the east boundary of the Development Area, as designed by the City Engineering Department.
- G. Construct improvements to include public roadway, pedestrian walkway and shoreline improvements along a portion of the south boundary of the Development Area on the former Thilmany Street, as designed by the City Engineering Department.
- H. Issue all required permits and other project approvals in a timely manner, provided all applications for permits and project approvals are in compliance with the City's ordinances, rules and regulations; and
- I. Cooperate with the Developer to facilitate the Developer's performance under Section 3.01.

3.03. **Performance Subject to Required Government Approvals.** The City and the Developer acknowledge that various of the specific undertakings of the parties, as described in Sections 3.01 and 3.02 require approvals from the City's Common Council and/or Plan Commission as well as from governmental bodies external to the City, some of which approvals may require public hearings and other legal procedures as conditions precedent thereto. The parties' agreements under Section 3.01 and 3.02 are conditioned upon the obtaining of all such approvals in the manner required by law. The parties to the Agreement cannot assure that all such approvals will be obtained; however, they agree to use their best good faith efforts to obtain them on a timely basis. If any of the parties is unable to obtain such approvals, all parties will, at their option, be entitled to cancel the Agreement, provided that the City has obligated no funds nor begun any work required for this Development.

#### **4.0 Development Area Construction And Redevelopment**

4.01. **Agreement to Complete Redevelopment and Site Improvements.** Subject to the satisfaction of the Undertakings of the City in Section 3.02, the Developer shall cause the necessary redevelopment and construction

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 5 of 17*

of site improvements on the Development Parcel. All Development Area construction and redevelopment work shall proceed with due diligence for completion on a timetable described in Exhibit B.

**4.02. Agreement to Provide Minimum Construction Expenditures.**

**A. Minimum Construction Costs:**

- 1) It is the intent of the Developer and the City that the Developer will expend in hard construction costs in the Development Area a minimum amount for benefit of Tax Increment District No. 8. In consideration of the City fulfilling its financial requirements contained in Section 3.02 (B) and 3.02(C), the Developer agrees to provide a minimum construction cost expenditure guarantee at the dates and in the amounts specified in Section 4.02 (B). If the actual construction cost expenditure guarantee is less than the specified minimum amount on the respective dates in Section 4.02 (B), the Developer agrees to pay the City a liquidated damages payment, without reduction or offset (the "Construction Shortfall Payment"). The Construction Shortfall Payment shall be calculated by taking the difference between the corresponding construction expenditure requirement set forth above and the actual amount of construction expenditures made and evidenced, and multiplying by a factor of \$23.74 per thousand. The Construction Shortfall Payment shall be due on the March 31 following the corresponding December 31 Testing Date set forth below. Provided that the construction expenditures incurred by the Developer are at least the amount shown in the table below on any testing date, no payment shall be due under this paragraph. (EXAMPLE: IF THE DEVELOPER EXPENDED HARD CONSTRUCTION COSTS IN THE DEVELOPMENT AREA OF \$1,700,000, AND THE MINIMUM CONSTRUCTION COST GUARANTEE WAS \$1,900,000, THE MINIMUM CONSTRUCTION SHORTFALL PAYMENT FOR THAT YEAR WOULD BE \$4,748.00, OR \$23.74 TIMES 200.)
- 2) The Developer shall evidence the amount of construction expenditures incurred on any Testing Date by providing the City with a copy of a signed statement from the general contractor, countersigned by the Developer or other entity making the expenditures, as to the amount and date of expenditures made, specifying with reasonable particularity the items for which such expenditures were made and the property on which the expenditures were made, and stating that such expenditures have not been included in any previous statement submitted to the City under this Agreement. The City shall have the right, upon request, to view the contracts, invoices and other supporting documentation upon which the statement is based. Once the Developer has provided evidence that the construction expenditure requirement has been met, further reports shall be waived and the Developer's obligation under this paragraph shall be deemed to have been met in subsequent years. In the event that the construction costs invested in the Development Area is less than the minimums outlined §4.02(B) & (C), then the City's Finance Department shall issue an invoice for the Construction Shortfall Payment consistent with the terms of §4.02(A)(1). Developer shall pay the deficiency invoice on or before March 31 of the year in which the invoice is issued.
- 3) In the event that the Developer fails to pay the deficiency invoice as provided in this Section, the amount of the invoice shall become a lien against the Development Parcel. Unpaid amounts under this Section shall bear interest at the rate of 1% per month or partial month until paid in full.

- B.** In consideration of the City fulfilling its financial requirements contained in Section 3.02 (B) and 3.02(C), beginning on January 1, 2016 and on each successive January 1, thereafter, the Developer guarantees that the aggregate, cumulative minimum construction cost of the Development incurred by the Developer or Developer's tenants on the Development Parcel on each Testing Date set forth in the table below will be at least equal to the corresponding amount set forth in the table under the heading "Required Amount of Aggregate Project Expenditures (Aggregate)".

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 6 of 17*

<u>Test Date</u>	<u>Required Amount of Aggregate Project Expenditure</u>
January 1, 2016	\$3,000,000.00
January 1, 2017	\$3,000,000.00
January 1, 2018	\$4,000,000.00
January 1, 2019	\$4,500,000.00
January 1, 2020	\$5,000,000.00
January 1, 2021	\$5,500,000.00
January 1, 2022	\$6,000,000.00
January 1, 2023	\$6,000,000.00
January 1, 2024	\$6,500,000.00
January 1, 2025	\$6,500,000.00
January 1, 2026	\$6,500,000.00
January 1, 2027	\$6,500,000.00
January 1, 2028	\$6,500,000.00
January 1, 2029	\$6,500,000.00
January 1, 2030	\$6,500,000.00
January 1, 2031	\$6,500,000.00
January 1, 2032	\$6,500,000.00
January 1, 2033	\$6,500,000.00
January 1, 2034	\$6,500,000.00
January 1, 2035	\$6,500,000.00
January 1, 2036	\$6,500,000.00
January 1, 2037	\$6,500,000.00
January 1, 2038	\$6,500,000.00
January 1, 2039	\$6,500,000.00
January 1, 2040	\$6,500,000.00
January 1, 2041	\$6,500,000.00

- C. The Developer's obligations under this Section shall continue until the earlier of the following:
- 1) The dissolution and closure of the Tax Increment District.
  - 2) The expiration of the maximum allowable term of Tax Increment District 8 (December 31, 2041).
  - 3) The date at which the Developer has verified that the Development has met the obligation of the \$5.8 million aggregate cumulative minimum construction expenditures.

4.03. **Additional Guarantees.** In order to provide further assurances for the performance of the valuation guarantee under §4.02, the Developer shall provide the following guarantees

- A. Randall Stadtmueller as the person comprising the initial ownership of Developer, along with any other current owners of Developer agree(s) to jointly and severally guarantee the minimum construction deficiency payments, if any, required of the Developer per Section 4.02. The personal guarantee of Developer will be provided to the City in this regard in a form prescribed by the City. In the event that Developer does not meet Developer's obligations set forth in section 3.01(D)(1), this section 4.03(A) shall not apply;
- B. On or before January 1, 2016, the Developer shall be required to post a bank letter of credit ("LOC") in the amount of \$50,000.00 or deposit funds in the amount of \$50,000.00 in a dedicated bank account ("Account") if the minimum project costs are less than \$3,000,000.00 as of December 31, 2015. The City shall be permitted to draw on either the LOC or Account without further approvals of the Developer, provided the conditions of this subsection are not met. In the event that the Developer is unable to pay the Construction Shortfall Payment, the City may draw on the letter of credit or dedicated bank account to fund the Construction Shortfall Payment described in §4.02 in the event that the Developer fails to make

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 7 of 17*

the required payment within 15 days of the due date established in §4.02. In the event that any amount is drawn on the letter of credit, the Developer shall restore the face amount of the letter of credit or the amount on deposit in the Account to the lesser of \$50,000 or such amount which is the then net present value of the Shortfall Payments determined under Section 4.02 A(1) and based on the Developer's current level of Construction Costs Expended and "topping up" shall be done within 90 days of any drawn down by the City. Upon the Developer having satisfied the conditions under Section 4.02 C, such LOC or Account shall no longer be required.

- 4.04. **Financial Reports.** The Developer agrees to maintain records such that actual project expenditures in the Development Area may be ascertained. From time to time, upon reasonable notice from the City, authorized representatives of the City shall be entitled to examine such records at the Developer's office to verify that City funds were properly applied to project costs, and to verify other project costs during and after construction.

## **5.0 MISCELLANEOUS**

- 5.01. **Covenants Appurtenant.** The covenants contained in this Agreement shall bind and run with the lands and parcels comprising the Development Area.
- 5.02. **Tax Status.** As long as the District is in existence, the Development Project including the land and all buildings and improvements thereon shall be owned and taxable for real estate tax, special assessment purposes and personal property taxes. The City may waive the above restriction upon execution of a payment in lieu of taxes (PILOT) agreement, on a form acceptable to the City, made between the City and the owner or lessee of an exempt Development Project.
- 5.03. **No Partnership or Joint Venture.** Developer and its contractors or subcontractors shall be solely responsible for the completion of the Project. Nothing contained in this Agreement shall create or effect any partnership, venture or relationship between the City and Developer or any contractor or subcontractor employed by Developer in the construction of the Project.
- 5.04. **Restrictions on Sale of the Development Area.** Without the express written consent of the City, prior to the Developer having satisfied the conditions under Section 4.02 D, any lands or parcels comprising the Development Area may not be sold, transferred or conveyed in any manner which would under law in effect on the date of this Agreement render any portion of the Development Area exempt from property taxation; provided, however, that the City's consent shall not be required in connection with the granting of any mortgage to finance or refinance lands or parcels comprising the Development Area or in connection with or following any foreclosure (or acceptance of deed in lieu of foreclosure) of such mortgage. The covenants contained in this section shall bind and run with the lands and parcels comprising the Development Area.
- 5.04.01 **Repayment Upon Sale.** Funding provided by the City as set forth under 3.02 c. 2. shall be secured by a lien on the property in a position behind conventional financing, such sums to be repaid under the following schedule if, and only if, the property is sold by the Developer to an entity other than the Developer without the consent of the City:
- If sold before August 1, 2019 - \$1,000,000.00
  - If sold between August 2, 2019, and August, 2020 - \$800,000.00
  - If sold between August 2, 2020, and August, 2021 - \$600,000.00
  - If sold between August 2, 2021, and August, 2022 - \$400,000.00
  - If sold between August 2, 2022, and August, 2023 - \$200,000.00
  - If sold after August 2, 2023 - \$0.00

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 8 of 17*

Such proceeds of any sale shall reimburse the TID account. In the event the property is sold on or before August 1, 2023, this section 5.04.01 shall not apply if the Value Increment of the Development Project has reached or exceeds the corresponding value set forth in section 3.02(C)(3) for the year in which such sale closes.

No amount will need to be repaid to the City under this provision if the property is sold if the bank providing financing imposes such sale.

- 5.05. **Indemnity Provisions.** The Developer agrees to indemnify the City with respect to any of the following costs which arise or result from the City's execution of this Agreement or the carrying out of its obligations under this Agreement: all costs incurred by the City for pollution removal, abatement or injury (including defense costs) relating to the Development arising from private or governmental proceedings against the City.
- 5.06. **Assignment of Rights Under this Agreement.** No party may assign its rights under this Agreement without the written consent of the other parties, except as otherwise provided in Section 5.01. Such approval shall not be unreasonably withheld.
- 5.07. **Nondiscrimination.** Each party agrees that neither the Development Area nor any portion thereof, shall be sold to, leased or used by any party in a manner to permit discrimination or restriction on the basis of race, creed, ethnic origin or identity, color, gender, religion, marital status, age, handicap or national origin, and that the construction, redevelopment, improvement and operation of the Development shall be in compliance with all effective laws, ordinances and regulations relating to discrimination or any of the foregoing grounds.
- 5.08. **Approximations.** It is understood and agreed by the parties that all dimensions and quantities of square feet set forth herein in the Exhibits hereto are preliminary, and each party reserves the right to make minor adjustments in the dimensions, quantities and locations to best accommodate and facilitate the design, renovation, and operation of the Development, upon written notice to, but without the need for consent from, the other party.
- 5.09. **Force Majeure.** No party shall be responsible to any other party for any resulting losses if the fulfillment of any of the terms of this Agreement is delayed or prevented by revolutions or other civil disorders, wars, acts of enemies, strikes, fires, floods, acts of God, or by any other cause not within the control of the party whose performance was interfered with, and which by the exercise of reasonable diligence, such party is unable to prevent, whether of the class of causes hereinabove enumerated or not, and the time for performance shall be extended by the period of delay occasioned by any such cause.
- 5.10. **Forbearance.** Forbearance by the City to exercise its rights under this Development Agreement in the event of any breach of any term of this Development Agreement by the Developer shall not be deemed or construed to be a waiver by the City of such term or of any subsequent breach of the same or any other term of this Development Agreement or of any of the City's rights under this Development Agreement. No delay or omission by the City in the exercise of any right or remedy upon any breach by the Developer shall impair such right or remedy or be construed as a waiver.
- 5.11. **Parties and Interests; Survival of Agreements.** Except as otherwise expressly provided herein, this Agreement is made solely for the benefit of the parties hereto and no other person, partnership, association or corporation shall acquire or have any rights hereunder or by virtue hereof.

Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 9 of 17

5.12. **Notices.** All notices, demands, certificates or other communications under this Agreement shall be sufficiently given and shall be deemed given when hand delivered or when mailed by first-class mail, postage prepaid, with proper address as indicated below:

To the City:  
City of Kaukauna, Wisconsin  
City Hall Building  
201 W. Second Street  
Kaukauna, WI 54130-0890  
Attn: Mayor

To the Developer:  
Grand Kakalin, LLC  
P.O Box 544  
Neenah, WI 54957  
Attn: Randall Stadtmueller

Any party may, by written notice to the other party, designate a change of address for the purposes aforesaid.

5.13. **Amendment.** No modification, alteration or amendment to this Agreement shall be binding upon any party hereto until such modification, alteration or amendment is reduced to writing and executed by both parties hereto.

5.14. **Governing Law.** The laws of the State of Wisconsin shall govern this Agreement.

5.15. **Captions.** The captions or headings in this Agreement are for convenience only and in no way define, limit or describe the scope or intent of any of the provisions of this Agreement.

5.16. **Severability.** If any provisions of this Agreement shall be held or deemed to be or shall, in fact, be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any other provision or provisions hereof or any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance, or of rendering any other provisions or provisions herein contained invalid, inoperative or unenforceable to any extent whatever.

5.17. **City Authorization.** The execution of this Agreement by the City was authorized by the City's Common Council on September 29, 2014.

5.18. **Counterparts.** This Development Agreement may be executed in counterparts, all of which shall constitute the same Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of November 18, 2014.

GRAND KAKALIN, LLC

By: \_\_\_\_\_

Attest: \_\_\_\_\_

CITY OF KAUKAUNA, WISCONSIN

By: \_\_\_\_\_

Mayor

Attest: \_\_\_\_\_

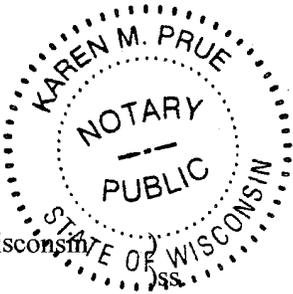
Clerk

Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 10 of 17

  
\_\_\_\_\_  
Stephen D. Giebel, Finance Director

Approved as to form:

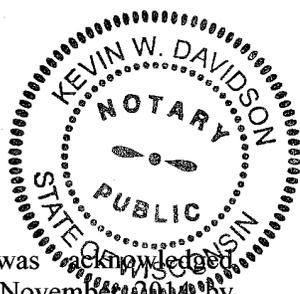
  
\_\_\_\_\_  
Kevin Davidson, City Attorney



State of Wisconsin )  
County of Outagamie )

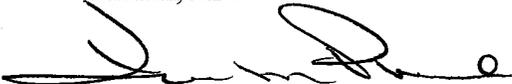
NOTARY CERTIFICATES

State of Wisconsin )  
County of Outagamie )

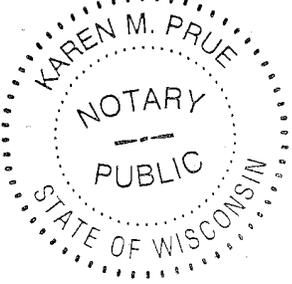


This instrument was acknowledged before me on this 18<sup>th</sup> day in November, 2014, by Randall L. Stadtmueller as owner of Grand Kakalin, LLC

This instrument was acknowledged before me on this 18<sup>th</sup> day in November, 2014, by Eugene J. Rosin as Mayor and Susan J. Duda, City Clerk/Treasurer, of the City of Kaukauna.

  
\_\_\_\_\_  
(Signature of Notary)  
Expiration of Commission 11-27-2016

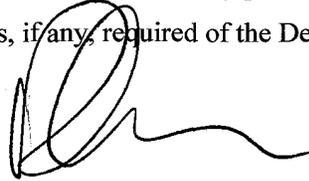
  
\_\_\_\_\_  
(Signature of Notary)  
Expiration of Commission Permanent



*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 11 of 17*

**PERSONAL GUARANTEE**

Pursuant to the terms of Section 4.03.A., Randall Stadtmueller does hereby personally guarantee the payment of the minimum construction deficiency payments, if any, required of the Developer per Section 4.02.



---

Randall Stadtmueller

This Agreement Drafted by: Kevin Davidson

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 12 of 17*

## **LEGAL DESCRIPTION**

### **EXHIBIT 1**

Lots One (1) and Outlot One (1), Certified Survey Map No. 6657 filed in the Office of the Register of Deeds for Outagamie County, Wisconsin on July 2, 2013, in Volume 39 on Page 6657, as Document No. 1990210, and corrected as Document No. 1996795 being part of Lots 1 thru 13 of Block Fifty-five (55), Assessor's Plat of the City of Kaukauna, all being part of Private Claim 1, City of Kaukauna, Outagamie County, Wisconsin.

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 13 of 17*

**EXHIBIT A**

**Project Site Improvements**

**SEE ATTACHED SITE PLAN**

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 14 of 17*

**EXHIBIT B**

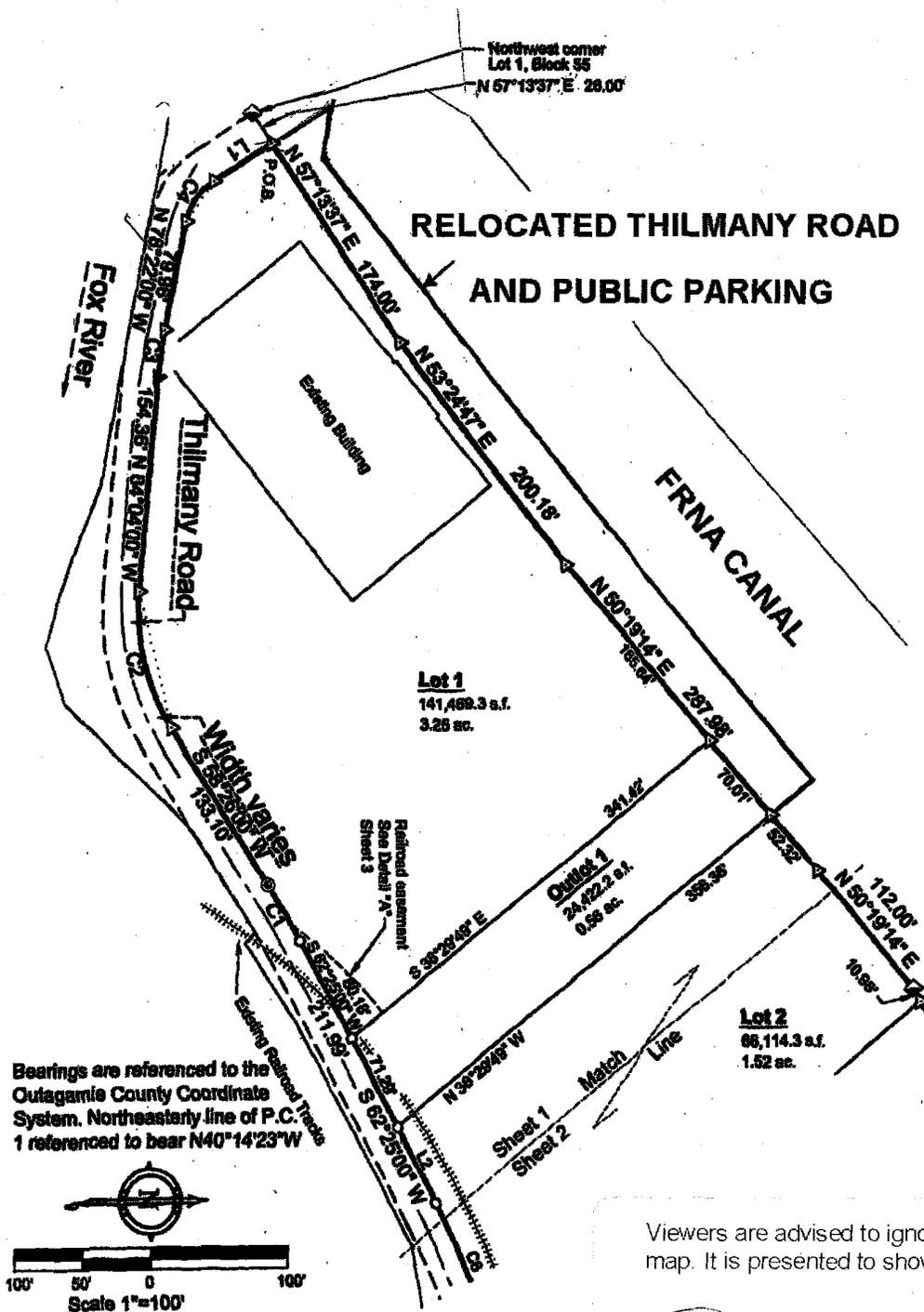
**Proposed Development Project Timetable**

<u>Development Area Acquisition</u>	<u>November 18, 2014</u>
<u>Site Improvements Begin</u>	<u>November 24, 2014</u>
<u>Grading</u>	
<u>Storm water facilities</u>	
<u>Curb and Gutter</u>	
<u>Paving</u>	
<u>Interior Demolition Begins</u>	<u>November 24, 2014</u>
<u>Exterior Improvements Begin</u>	<u>November 24, 2014</u>
<u>Roof</u>	
<u>Windows</u>	
<u>Tuck pointing</u>	
<u>New entrance</u>	
<u>Utility Improvements Begin</u>	<u>January 12, 2015</u>
<u>Electrical</u>	
<u>Sanitary</u>	
<u>Library Improvements Begin</u>	<u>January 12, 2015</u>
<u>Common Area Improvements Begin</u>	<u>January 12, 2015</u>
<u>Library Occupancy</u>	<u>May, 31, 2015</u>

Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 15 of 17

**EXHIBIT C**

**Public Parking Easement Description and Site Plan  
Sheet 1 of 3**



Bearings are referenced to the  
Outagamie County Coordinate  
System. Northeastary line of P.C.  
1 referenced to bear  $N 40^{\circ}14'23'' W$

Viewers are advised to ignore the illegible text on this  
map. It is presented to show spatial relationships only

*Rachael Survecker*  
Rachael Survecker Agent

*Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 16 of 17*

**EXHIBIT C – Sheet 2 of 3**

**DESCRIPTION OF RELOCATED THILMANY ROAD**

A parcel of land being a part of Lot "H" of the South half of Private Claim 35, part of Lots 1 through 13 of Block 55 in Private Claim 1, and part of State of Wisconsin lands South of and adjacent to the Navigation Canal, City of Kaukauna, Outagamie County, Wisconsin, described as follows:

Beginning at the Northwest corner of Lot 1, said Block 55; thence N 57° 13' 37" E, along the Fox River Navigation Authority (State of Wisconsin) property line lying Southerly of the FRNA Canal 26.0 feet to the point of beginning of parcel to be relocated Thilmany Road;

All that land to be dedicated for street purposes formerly Stribley Road lying Northerly and Easterly of below described line, said parcel being of various width; thence continued along a line N 57° 13' 37" E, 174.0 feet; thence N 53° 24' 47" E, 200.18 feet; thence N 50° 19' 14" E, 235.65 feet.

Development Agreement Between  
The City of Kaukauna, and Grand Kakalin, LLC.  
November 18, 2014.  
Page 17 of 17

Exhibit C - Sheet 3 of 3

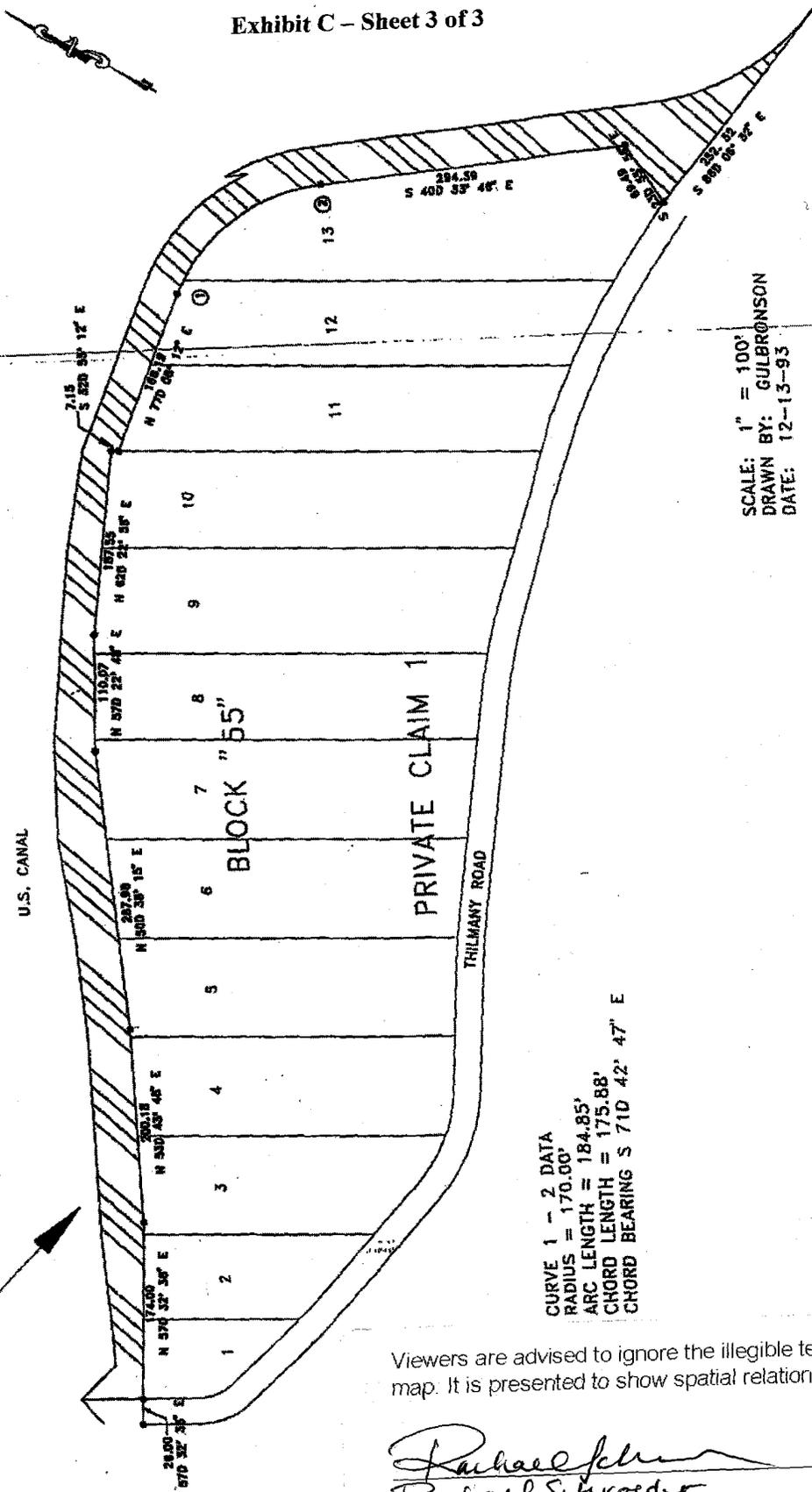
STRIBBLEY ROAD VACATION

U.S. CANAL

THILMANY ROAD

BLOCK "55"

PRIVATE CLAIM 1



SCALE: 1" = 100'  
DRAWN BY: GULBRONSON  
DATE: 12-13-93

CURVE 1 - 2 DATA  
RADIUS = 170.00'  
ARC LENGTH = 184.85'  
CHORD LENGTH = 175.88'  
CHORD BEARING S 71D 42' 47" E

Viewers are advised to ignore the illegible text on this map. It is presented to show spatial relationships only

*Rachael Schroeder*  
Rachael Schroeder

Document Number 1990210 filed this 2nd day of July, 2013 at 11:29 AM in Volume 39 of Certified Survey Maps on page 6657 being Certified Survey Map No. 6657 \$30.00

Sarah R. Van Camp, Register of Deeds (5)

Drawing:12-1381-CSM	Sheet: 1 of 5
Project:12-1381-Se	Date: 06/14/13

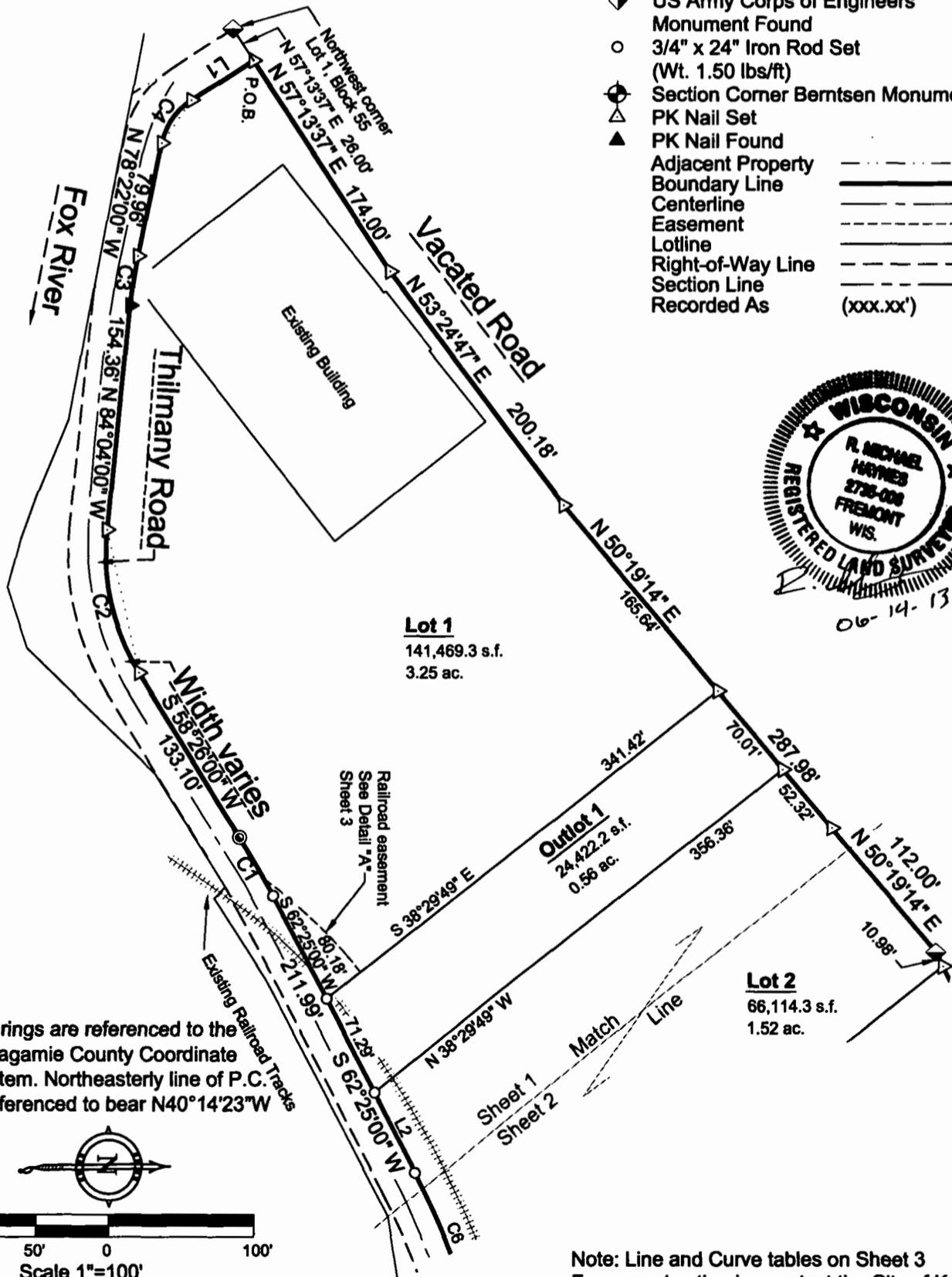


Outagamie County Certified Survey Map # 6657

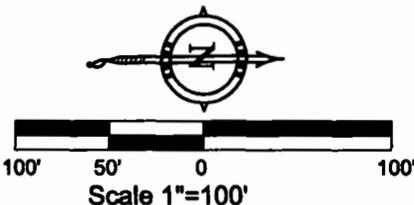
Located in all of Lots 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Block 55 of the Assessor's Plat of the City of Kaukauna all being part of Private Claim 1, City of Kaukauna, Outagamie County, Wisconsin.

Boundary Legend

- ⊙ 1" Iron Pipe Found
- ◊ US Army Corps of Engineers Monument Found
- 3/4" x 24" Iron Rod Set (Wt. 1.50 lbs/ft)
- ⊕ Section Corner Berntsen Monument
- △ PK Nail Set
- ▲ PK Nail Found
- Adjacent Property Boundary Line
- Centerline
- Easement
- Lotline
- Right-of-Way Line
- Section Line
- Recorded As (xxx.xx')



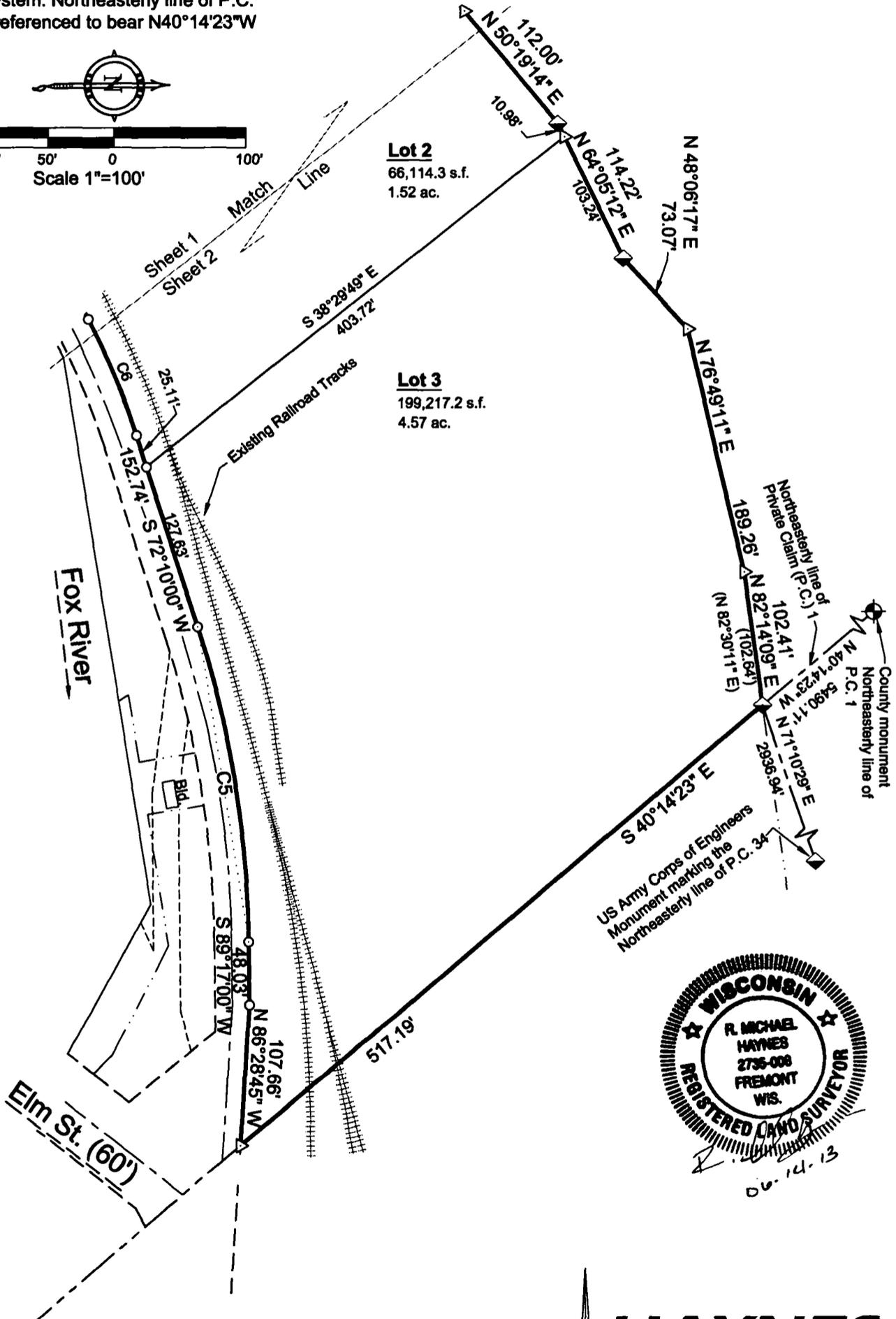
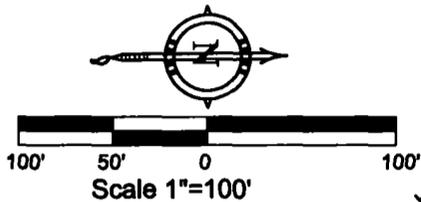
Bearings are referenced to the Outagamie County Coordinate System. Northeasterly line of P.C. 1 referenced to bear N40°14'23"W



Note: Line and Curve tables on Sheet 3 For current setbacks, contact the City of Kaukauna

# Outagamie County Certified Survey Map No. 6657

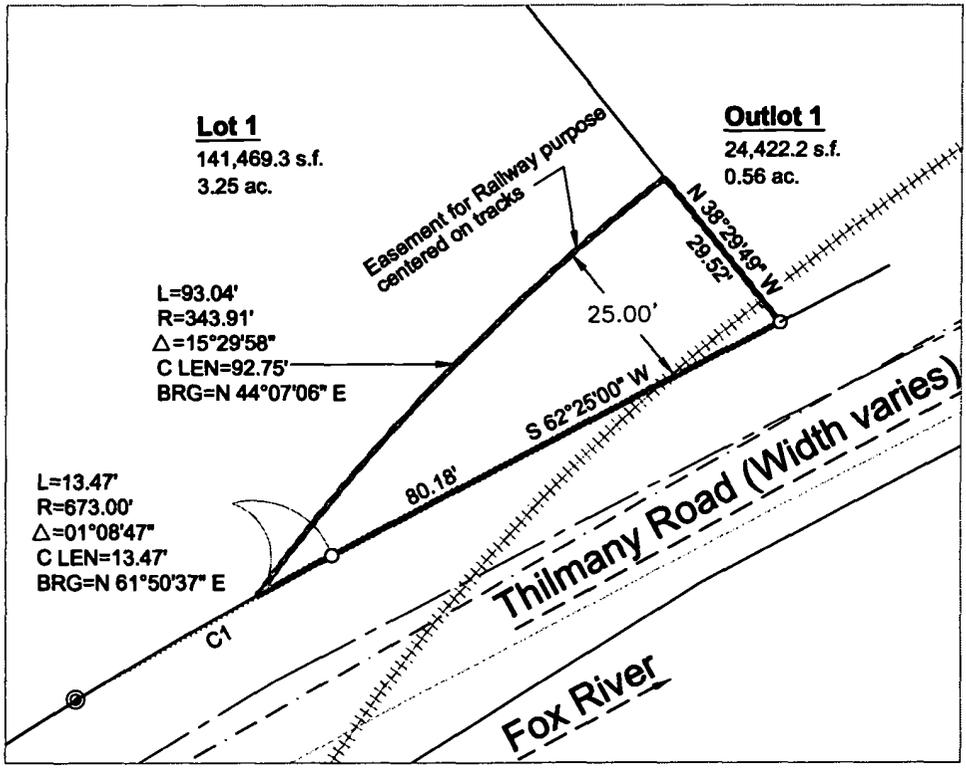
Bearings are referenced to the Outagamie County Coordinate System. Northeastery line of P.C. 1 referenced to bear N40°14'23"W



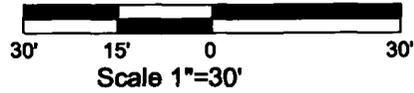
**HAYNES**  
Surveying & Mapping  
204 E. Bridge Ct. Fremont, WI. 54940  
920-470-4997 ph. 920-446-2492 fax.

Drawing: 12-1381-CSM	Sheet: 2 of 5
Project: 12-1381-Se	Date: 06/14/13

Outagamie County Certified Survey Map No. 6657



Detail "A"



Curve Table

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	673.00'	46.79'	46.78'	S 60°25'30\" W	03°59'00\"
C2	157.00'	102.75'	100.93'	S 77°11'00\" W	37°29'57\"
C3	347.00'	34.52'	34.51'	N 81°13'00\" W	05°42'02\"
C4	47.00'	37.20'	36.24'	N 55°41'23\" W	45°21'13\"
C5	813.00'	242.88'	241.98'	N 80°43'30\" E	17°07'01\"
C6	563.00'	95.81'	95.69'	S 67°17'30\" W	09°45'00\"

Line Table

LINE	BEARING	DISTANCE
L1	N 33°00'45\" W	50.62'
L2	S 62°25'00\" W	60.52'

**HAYNES**  
Surveying & Mapping  
204 E. Bridge Ct. Fremont, WI. 54940  
920-470-4997 ph. 920-446-2492 fax.

Drawing: 12-1381-CSM	Sheet: 3 of 5
Project: 12-1381-Se	Date: 06/14/13

# Outagamie County Certified Survey Map No. 6657

**Surveyor's Certificate:**

I, R. Michael Haynes, Registered Land Surveyor hereby certify that I have surveyed and mapped this Certified Survey Map Located in all of Lots 5, 6, 7, 8, 9, 10, 11, 12 and 13 in Block 55 of the Assessor's Plat of the City of Kaukauna all being part of Private Claim 1, City of Kaukauna, Outagamie County, Wisconsin and is bounded by a line described as follows:

Commencing at the Northwest corner of Lot 1, Block 55 of the Assessor's Plat of the City of Kaukauna thence N57°13'37"E a distance of 26.00 feet to the Point of Beginning (P.O.B.) of the following described parcel; thence N57°13'37"E a distance of 174.00 feet; thence N53°24'47"E a distance of 200.18 feet; thence N50°19'14"E a distance of 287.98 feet; thence N50°19'14"E a distance of 112.00 feet; thence N64°05'12"E a distance of 114.22 feet; thence N48°06'17"E a distance of 73.07 feet; thence N76°49'11"E a distance of 189.26 feet; thence N82°14'09"E a distance of 102.41 feet to a point on the northeasterly line of Private Claim 1; thence S40°14'23"E along said Northeasterly line, distance of 517.19 feet to the northerly Right-of-Way of Thilmany Road; thence along said northerly Right-of-Way, N86°28'45"W a distance of 107.66 feet; thence continuing along said northerly Right-of-Way S89°17'00"W, a distance of 48.03 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the left and having a radius of 813.00 feet (the chord of which bears S80°43'30"W, with a distance of 241.98 feet) and a distance of 242.88 feet; thence continuing along said northerly Right-of-Way S72°10'00"W a distance of 152.74 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the left and having a radius of 563.00 feet (the chord of which bears S67°17'30"W, with a distance of 95.69 feet) and a distance of 95.81 feet; thence continuing along said northerly Right-of-Way S62°25'00"W a distance of 211.99 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the left and having a radius of 673.00 feet (the chord of which bears S60°25'30"W, with a distance of 46.78 feet) and a distance of 46.79 feet; thence continuing along said northerly Right-of-Way S58°26'00"W, a distance of 133.10 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the right and having a radius of 157.00 feet (the chord of which bears S77°11'00"W, with a distance of 100.93 feet) and a distance of 102.75 feet; thence continuing along said northerly Right-of-Way N84°04'00"W, a distance of 154.36 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the right and having a radius of 347.00 feet (the chord of which bears N81°13'00"W, with a distance of 34.51 feet) and a distance of 34.52 feet; thence continuing along said northerly Right-of-Way N78°22'00"W, a distance of 79.96 feet; thence continuing along said northerly Right-of-Way, along the arc of a curve turning to the right and having a radius of 47.00 feet (the chord of which bears N55°41'23"W, with a distance of 36.24 feet) and a distance of 37.20 feet; thence continuing along said northerly Right-of-Way N33°00'45"W, a distance of 50.62 feet; to the point of beginning.

Said parcel contains 431,223.1 s.f. (9.90 Acres) of land, more or less and is subject to all easements and rights-of-way of record. That I have complied with Chapter 236.34, Wisconsin Statutes and the City of Kaukauna Minor Subdivision Ordinance. That this survey was done under the direction of Thilmany, LLC owner(s) of said lands and that this map is a correct representation of the exterior boundaries of land surveyed and the division made thereof;

Given under my hand this 14th day of June, 2013.

  
R. Michael Haynes, Registered Land Surveyor #2735



Drawing: 12-1381-CSM	Sheet: 4 of 5
Project: 12-1381-Se	Date: 06/14/13

# Outagamie County Certified Survey Map No. 6657

### Corporate Owner's Certificate of Dedication

Thilmany, LLC., a Limited Liability Company, duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this Certified Survey Map to be surveyed, divided, mapped, and dedicated as represented on this map. Thilmany, LLC., does further certify that this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection: City of Kaukauna.

IN WITNESS WHEREOF, the said Thilmany, LLC. has caused these presents to be signed by Russell Wanke, its president, and countersigned by David G. Brown Jr., its secretary (cashier), at Kaukauna, Wisconsin, and its corporate seal to be hereunto affixed on this 18th, day of June, 2013.

In the presence of:

Thilmany LLC (Corporate Seal) Russell Wanke President

Countersigned: David G. Brown Jr.  
Secretary or Cashier

### STATE OF WISCONSIN)

OUTAGAMIE COUNTY) SS

Personally came before me this 18 day of JUNE, 2013, RUSSELL WANKE, President, and DAVID G. BROWN JR Secretary (cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary (cashier) of said corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

TERRY J HELF Notary Public, Terry J Helf  
Wisconsin  
My commission expires 8-4-2013.

### City of Kaukauna Approval Certificate

Resolved, that this Certified Survey Map in the City of Kaukauna, Thilmany, LLC., owner, is hereby approved by the City of Kaukauna, Common Council dated this 4th day of June, 2013.

Ernest J. Brown  
Mayor, City of Kaukauna

I hereby certify that the foregoing is a copy of a resolution adopted by the City of Kaukauna Common Council.

Jessica J. Ruda  
Clerk, City of Kaukauna



### Railroad Easement Provisions:

An easement for railroad purpose is hereby granted by Thilmany, LLC. Grantor, to Thilmany, LLC, A Wisconsin Limited Liability Company, Grantee, their respective successors and assigns, to operate, repair, maintain and replace from time to time, facilities used in connection with a railway and for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the the Certified Survey Map designated as "Railroad Easement" and the property designated on the Certified Survey Mapped the property designated on the Certified Survey Map for Streets and alleys, whether public or private, together with the right to trim or cut down trees, brush and roots as may be responsible required incident to the rights herein given, and the right to enter upon the subdivided property of all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonable possible, to the condition existing prior to such entry by the Grantees or their agents. Building shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Railroad Easement" without the prior written consent of the Grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.



Drawing: 12-1381-CSM	Sheet: 5 of 5
Project: 12-1381-Se	Date: 06/14/13

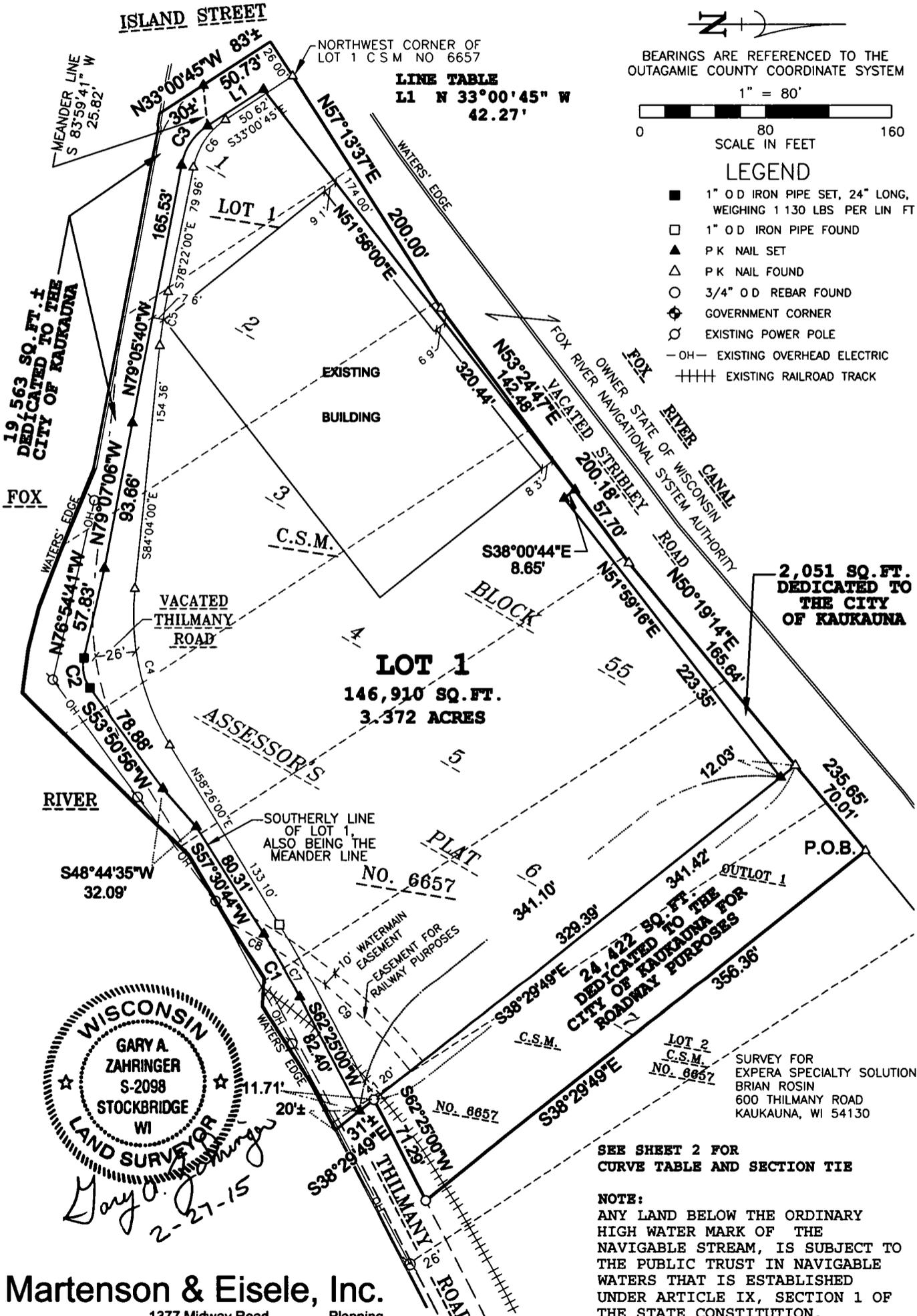
Document # 2044587

Received for filing this 29th day of May A.D. 2015 at 12:43 o'clock P.M. and filed in volume 42 of Certified Survey Maps on page 7001, as number 7001.

Natalie Strohmeyer, deputy \$30.00 paid Page 7001 (5 pages) Outagamie County Register of Deeds

CERTIFIED SURVEY MAP NO. 7001

ALL OF LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6657 AND PART OF LOTS 1 THROUGH 7, BLOCK 55 OF THE ASSESSOR'S MAP OF THE CITY OF KAUKAUNA AND VACATED THILMANY ROAD, ALL BEING PART OF PRIVATE CLAIM 1, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN.



LINE TABLE

L1 N 33°00'45" W 42.27'

BEARINGS ARE REFERENCED TO THE OUTAGAMIE COUNTY COORDINATE SYSTEM 1" = 80'

- LEGEND**
- 1" O D IRON PIPE SET, 24" LONG, WEIGHING 1130 LBS PER LIN FT
  - 1" O D IRON PIPE FOUND
  - ▲ P K NAIL SET
  - △ P K NAIL FOUND
  - 3/4" O D REBAR FOUND
  - ⊙ GOVERNMENT CORNER
  - ⊙ EXISTING POWER POLE
  - OH- EXISTING OVERHEAD ELECTRIC
  - ++++ EXISTING RAILROAD TRACK

WISCONSIN  
 GARY A. ZHRINGER  
 S-2098  
 STOCKBRIDGE  
 WI  
 LAND SURVEYOR

*Gary A. Zhringer*  
 2-27-15

**Martenson & Eisele, Inc.**  
 1377 Midway Road  
 Menasha, WI 54952  
 www.martenson-eisele.com  
 info@martenson-eisele.com  
 920.731.0381 1.800.236.0381

Planning  
 Environmental  
 Surveying  
 Engineering  
 Architecture

SEE SHEET 2 FOR CURVE TABLE AND SECTION TIE

**NOTE:**  
 ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF THE NAVIGABLE STREAM, IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.

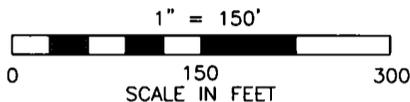
PROJECT NO. 1-0573-001  
 FILE 1-0573-001csm SHEET 1 OF 5  
 THIS INSTRUMENT WAS DRAFTED BY A.Sedlar

CERTIFIED SURVEY MAP NO. 7001

SECTION CORNER TIES



BEARINGS ARE REFERENCED TO THE  
OUTAGAMIE COUNTY COORDINATE SYSTEM



COUNTY MONUMENT ON  
NORTHEASTERLY LINE  
OF PRIVATE CLAIM 1  
BERTSEN MONUMENT

NORTHEASTERLY LINE OF PRIVATE CLAIM 1  
S 40°14'23" E  
5327.48'  
5490.11'  
162°63'

COUNTY MONUMENT ON  
NORTHEASTERLY LINE  
OF PRIVATE CLAIM 1  
BRASS CAP STAMPED  
"TP&P CO"

2,051 SQ. FT.  
DEDICATED TO  
THE CITY  
OF KAUKAUNA

P.O.B.

24,422 SQ. FT. DEDICATED  
TO THE CITY OF KAUKAUNA  
FOR ROADWAY PURPOSES

FOX RIVER CANAL

**LOT 1**  
146,910 SQ. FT.  
3.372 ACRES

THILMANY ROAD

RIVER

FOX  
19,563 SQ. FT. ±  
DEDICATED TO THE  
CITY OF KAUKAUNA

**CURVE TABLE**

CURVE	RADIUS	DELTA	LENGTH	CHORD BEARING	CHORD
1	661.50'	003°59'00"	45.99'	S 60°25'30" W	45.98'
2	23.00'	049°14'22"	19.77'	S 78°28'07" W	19.16'
3	38.00'	046°04'54"	30.56'	N 56°03'12" W	29.75'
4	157.00'	037°29'57"	102.75'	N 77°11'00" E	100.93'
5	347.00'	005°42'02"	34.52'	S 81°13'00" E	34.51'
6	47.00'	045°21'13"	37.20'	S 55°41'23" E	36.24'
7	661.50'	003°08'39"	36.30'	S 60°50'40" W	36.30'
8	343.91'	005°22'19"	32.24' ±	S 29°19'20" W	32.23' ±
9	343.91'	019°49'50"	119.03'	N 41°55'25" E	118.44'



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

OWNERS OF RECORD:  
EXPERA SPECIALTY SOLUTIONS, LLC

RECORDING INFORMATION:  
DOCUMENT NO. 1728442

PARCEL NUMBER:  
322 0642 00 AND  
322 0642 04  
PROJECT NO. 1-0573-001  
SHEET 2 OF 5

CERTIFIED SURVEY MAP NO. 7001

**SURVEYOR'S CERTIFICATE**

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

THAT I HAVE SURVEYED, MAPPED, DIVIDED AND DEDICATED AT THE DIRECTION OF EXPERA SPECIALTY SOLUTIONS, LLC, ALL OF LOT 1 AND OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6657 AND PART OF LOTS 1 THROUGH 7, BLOCK 55 OF THE ASSESSOR'S MAP OF THE CITY OF KAUKAUNA AND VACATED THILMANY ROAD, ALL BEING PART OF PRIVATE CLAIM 1, CITY OF KAUKAUNA, OUTAGAMIE COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT A GOVERNMENT CORNER ON THE NORTHEASTERLY LINE OF PRIVATE CLAIM 1; THENCE THENCE NORTH 40 DEGREES 14 MINUTES 23 SECONDS WEST, ALONG NORTHEASTERLY LINE OF SAID PRIVATE CLAIM 1, A DISTANCE OF 162.63 FEET; THENCE SOUTH 50 DEGREES 19 MINUTES 14 SECONDS WEST, A DISTANCE OF 602.98 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 38 DEGREES 29 MINUTES 49 SECONDS EAST, ALONG THE NORTHEASTERLY LINE OF SAID OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 6657, A DISTANCE OF 356.36 FEET; THENCE SOUTH 62 DEGREES 25 MINUTES 00 SECONDS WEST, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF THILMANY ROAD, A DISTANCE OF 71.29 FEET; THENCE SOUTH 38 DEGREES 29 MINUTES 49 SECONDS EAST, DISTANCE OF 11.71 FEET TO A MEANDER CORNER, SAID CORNER BEING NORTH 38 DEGREES 29 MINUTES 49 SECONDS WEST 20 FEET MORE OR LESS FROM THE WATERS' EDGE OF THE FOX RIVER; THENCE THE FOLLOWING ELEVEN (11) CALLS ARE ALONG A MEANDER LINE:

THENCE SOUTH 62 DEGREES 25 MINUTES 00 SECONDS WEST, 82.40 FEET;  
THENCE 45.99 FEET ALONG AN ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 661.50 FEET AND A CHORD THAT BEARS SOUTH 60 DEGREES 25 MINUTES 30 SECONDS WEST 45.98 FEET;  
THENCE SOUTH 57 DEGREES 30 MINUTES 44 SECONDS WEST, 80.31 FEET;  
THENCE SOUTH 48 DEGREES 44 MINUTES 35 SECONDS WEST, 32.09 FEET;  
THENCE SOUTH 53 DEGREES 50 MINUTES 56 SECONDS WEST, 78.88 FEET;  
THENCE 19.77 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 23.00 FEET AND A CHORD THAT BEARS SOUTH 78 DEGREES 28 MINUTES 07 SECONDS WEST, 19.16 FEET;  
THENCE NORTH 76 DEGREES 54 MINUTES 42 SECONDS WEST, 57.83 FEET;  
THENCE NORTH 79 DEGREES 07 MINUTES 06 SECONDS WEST, 93.66 FEET;  
THENCE NORTH 79 DEGREES 05 MINUTES 39 SECONDS WEST, 165.53 FEET;  
THENCE 30.56 FEET ALONG AN ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 38.00 FEET AND A CHORD THAT BEARS NORTH 56 DEGREES 03 MINUTES 12 SECONDS WEST, 29.75 FEET;  
THENCE SOUTH 83 DEGREES 59 MINUTES 41 SECONDS WEST, 25.82 FEET TO A MEANDER CORNER, SAID CORNER BEING NORTH 33 DEGREES 00 MINUTES 45 SECONDS WEST, 30 FEET MORE OR LESS FROM THE WATERS' EDGE OF THE FOX RIVER;

THENCE NORTH 33 DEGREES 00 MINUTES 45 SECONDS WEST, ALONG THE WESTERLY LINE OF SAID LOT 1, BLOCK 55, ASSESSOR'S MAP, A DISTANCE OF 50.73 FEET; THENCE NORTH 57 DEGREES 13 MINUTES 37 SECONDS EAST, ALONG THE NORTHWESTERLY LINE OF SAID OF CERTIFIED SURVEY MAP NO. 6657, AND ITS' NORTHWESTERLY EXTENSION, A DISTANCE OF 200.00 FEET; THENCE NORTH 53 DEGREES 24 MINUTES 47 SECONDS EAST, CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID OF CERTIFIED SURVEY MAP NO. 6657, A DISTANCE OF 200.18 FEET; THENCE NORTH 50 DEGREES 19 MINUTES 14 SECONDS EAST, CONTINUING ALONG THE NORTHWESTERLY LINE OF SAID OF CERTIFIED SURVEY MAP NO. 6657, A DISTANCE OF 235.65 FEET; TO THE POINT OF BEGINNING. CONTAINING 192,946 SQUARE FEET MORE OR LESS [4.429 ACRES ±], INCLUDING ALL LANDS LYING BETWEEN MEANDER LINE AND THE ORDINARY HIGH WATER MARK OF THE FOX RIVER. SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

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

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

GIVEN UNDER MY HAND THIS 27TH DAY OF FEBRUARY, 2015.

*Gary A. Zhringer*  
GARY A. ZHRINGER PROFESSIONAL LAND SURVEYOR S-2098



CERTIFIED SURVEY MAP NO. 7001

**CORPORATE OWNER'S CERTIFICATE:**

EXPERA SPECIALTY SOLUTIONS, LLC, DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF DELAWARE, HEREBY CERTIFY THAT WE CAUSED THE LAND ABOVE DESCRIBED TO BE SURVEYED AND MAPPED AS SHOWN AND REPRESENTED ON THIS MAP.

DATED THIS 27<sup>th</sup> DAY OF March, 2015.

Russell Wanke CEO Expera  
PRINT NAME AND TITLE

Russell Wanke  
SIGNATURE

STATE OF WISCONSIN )  
OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME ON THE 27 DAY OF March, 2015, THE ABOVE NAMED TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

Tammy Maus Berkley Tammy Maus-Berkley  
NOTARY PUBLIC  
STATE OF Wisconsin  
MY COMMISSION (IS PERMANENT)  
(EXPIRES: April 22, 2018)

**CITY OF KAUKAUNA COMMON COUNCIL APPROVAL:**

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

DATED THIS 17<sup>th</sup> DAY OF March, 2015.

Eugene J. Roszn  
EUGENE J. ROSZN, MAYOR

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

DATED THIS 17<sup>th</sup> DAY OF March, 2015.

Susan J. Duda 5/26/15  
SUSAN J. DUDA, CITY CLERK/TREASURER

**TREASURER'S CERTIFICATE:**

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

Susan J. Duda  
SUSAN J. DUDA, CITY CLERK/TREASURER



CERTIFIED SURVEY MAP NO. 7001

**RAILROAD EASEMENT PROVISIONS:**

AN EASEMENT FOR RAILROAD PURPOSES IS HEREBY GRANTED BY EXPERA SPECIALTY SOLUTIONS, LLC AND THE CITY OF KAUKAUNA (GRANTORS), TO THE OWNER(S) OF THE RAILROAD AS SHOWN ON THIS CERTIFIED SURVEY MAP (GRANTEES),

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH A RAILWAY ANDS FOR SUCH PURPOSES AS THE SAME IN NOR OR MAY HEREAFTER BE USED, ALL IN, OVER UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE CERTIFIED SURVEY MAP DESIGNATED AS "RAILROAD EASEMENT" AND THE PROPERTY DESIGNATED ON THE CERTIFIED SURVEY MAP THE PROPERTY DESIGNATED ON THE CERTIFIED SURVEY MAP FOR STREET AND ALLEYS, WITHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE RESPONSIBLE REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY OF ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLE POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. BUILDINGS SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "RAILROAD EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF THE GRANTEES.

THE GRANT OF THIS EASEMENT SHALL BE BINDING UPON AN INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PROPERTIES HERETO.

**EXPERA SPECIALTY SOLUTIONS, LLC GRANTORS:**

IN WITNESS WHEREOF, SAID GRANTORS HAVE CAUSED THESE PRESENTS TO BE SIGNED

THIS THE 27<sup>th</sup> DAY OF March, 2015.

Russell Wanke  
SIGNATURE

Russell Wanke CEO  
PRINT NAME AND TITLE

STATE OF WISCONSIN )  
  )SS  
OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME ON THE 27 DAY OF March, 2015, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

Tammy Maus Berkley  
NOTARY PUBLIC STATE OF WISCONSIN  
MY COMMISSION (IS PERMANENT)  
(EXPIRES: April 22, 2018)

Tammy Maus Berkley

**CITY OF KAUKAUNA, GRANTORS:**

IN WITNESS WHEREOF, SAID GRANTORS HAVE CAUSED THESE PRESENTS TO BE SIGNED

THIS THE 26<sup>th</sup> DAY OF May, 2015.

Eugene J. Rosin  
EUGENE J. ROSIN, MAYOR

STATE OF WISCONSIN )  
  )SS  
OUTAGAMIE COUNTY )

PERSONALLY CAME BEFORE ME ON THE 26<sup>th</sup> DAY OF May, 2015, THE ABOVE OWNER(S) TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGE THE SAME.

Julianne Schneider  
NOTARY PUBLIC, STATE OF WISCONSIN  
MY COMMISSION (IS PERMANENT)  
(EXPIRES: July 13, 2018)



Gary A. Zahringer  
2-27-15

## RESOLUTION NO. 2026-5501

RESOLUTION AUTHORIZING THE SALE OF REAL ESTATE TO THE  
WISCONSIN DEPARTMENT OF TRANSPORTATION

WHEREAS, The Wisconsin Department of Transportation (WisDOT) has completed plans for roadway project 1130-63-21, Interstate 41, Outagamie and Brown Counties Appleton to DePere; and

WHEREAS, WisDOT has completed and recorded a Transportation Project Plat (TPP) showing parcels needed for said project to be acquired via FEE or Temporary Limited Easement (TLE), including Parcel 304(A) on TPP 1130-63-21-4.31, part of City owned Parcel 322095603 and 304(B) on TPP 1130-63-21-4.33 Amendment No. 1, part of City owned Parcel 322098200; and

WHEREAS, The City Plan Commission has reviewed the TPP and recommended approval of the FEE acquisitions and TLE by the WisDOT for the city owned parcels 304a and 304b;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kaukauna, Wisconsin, as follows:

1. That the Mayor is hereby authorized to:

Execute a deed on behalf of the City of Kaukauna, deeding and selling 860.00 square feet of Parcel 322095603 and 315.00 square feet of Parcel 322098200 along with Temporary Limited Easement rights, more specifically described as:

Parcel 304 of Transportation Project Plat 1130-63-21-4.31, recorded as Document 2291927, at the Register of Deeds office in Outagamie County, Wisconsin; and

Parcel 304 of Transportation Project Plat 1130-63-21-4.33 Amendment No. 1, recorded as Document 2348567, at the Register of Deeds office in Outagamie County, Wisconsin; and

2. Sale of land and temporary limited easement interests to be in the amount of \$2,100.00

3. A deed and other necessary documents will be signed and issued for recording upon payment at closing.

Introduced and adopted this 3<sup>rd</sup> day of March, 2026

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

Anthony J. Penterman, Mayor

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

Kayla Nessmann, Clerk