

# \*AMENDED COMMON COUNCIL

City of Kaukauna

**Council Chambers**

Municipal Services Building

144 W. Second Street, Kaukauna



Tuesday, October 03, 2023 at 7:00 PM

## AGENDA

### In-Person

1. Roll call, one minute of silent prayer, Pledge of Allegiance to the American Flag.
2. Reading and approval of minutes.
  - [a.](#) Common Council Meeting Minutes of September 19, 2023.
3. Presentation of letters, petitions, remonstrances, memorials, and accounts.
  - [a.](#) Bills Payable.
4. Public appearances.
5. Business presented by Mayor.
  - a. Public Hearing for the Annexation of 142.61 Acres of land from the Town of Vandebroek to the City of Kaukauna.
  - [b.](#) Public Hearing to Rezone 1011 Delanglade Street, Parcel 322075102, from Institutional District (IT) to Industrial District (IND).
  - c. Retirement of Larry Novak for 21 years with the Street Department.
  - d. Appointment of Ella Cronin to the KATODA Board as a student representative.
  - e. Reappointment of Eric Hietpas to the 1000 Islands Environmental Center Committee.
  - [f.](#) Proclamation for Public Power Week October 1-7.
  - [g.](#) Proclamation for National Walk to School Day October 4.
  - [h.](#) Proclamation for White Cane Safety Day October 15.
  - i. Fox Firecracker 5k Recap and Donation.
  - j. Presentation by Jeff Belongia, from HSE, of the 2023B&C Kaukauna General Obligation Note Anticipation Notes Bonding Results and Ratings.
  - k. Strategic Plan Reminder.
6. Reports of standing and special committees.
  - [a.](#) Finance & Personnel Meeting Minutes of October 2, 2023.
  - [b.](#) Health & Recreation Committee Meeting Minutes of October 2, 2023.
  - [c.](#) 1000 Islands Environmental Center Committee Meeting Minutes of August 17, 2023.
  - [d.](#) Library Board Meeting Minutes of August 22, 2023.
  - [e.](#) Operator (Bartender) Licenses.
7. Reports of City officers.
  - [a.](#) Planning Development Update.
  - [b.](#) Presentation of the preliminary 2024 Budget - Non Personnel details and estimated tax rate.

8. Presentation of ordinances and resolutions.
  - a. Resolution 2023-5406 Resolution Authorizing the Issuance of \$5,520,000 General Obligation Promissory Notes and the Issuance and Sale of \$5,520,000 Note Anticipation Notes, Series 2023B in Anticipation Thereof.
  - b. Resolution 2023-5407 Resolution Authorizing the Issuance of \$5,475,000 General Obligation Promissory Notes and the Issuance and Sale of \$5,475,000 Taxable Note Anticipation Notes, Series 2023C in Anticipation Thereof.
  - c. Ordinance 1888-2023 An Ordinance Annexing 142.61 Acres of land from the Town of Vandenbroek to the City of Kaukauna.
  - d. Ordinance 1889-2023 An Ordinance Rezoning 1011 Delanglade Street, Parcel 322075102, from Institutional District (IT) to Industrial District (IND).
9. Closed Session.
  - a. **\* Adjourn to Closed Session Pursuant to 19.85(1)(g) to confer with legal counsel with regard to litigation in which it is or is likely to become involved.**
  - b. **\* Return to Open Session for possible action.**
  - c. **\* Adjourn to Closed Session Pursuant to 19.85(1)(c) to discuss employment, promotion, compensation or performance evaluation data of any public employee.**
  - d. **\* Return to Open Session for possible action.**
10. Adjourn.

## NOTICES

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



## COUNCIL PROCEEDINGS - COUNCIL CHAMBERS – KAUKAUNA, WISCONSIN – SEPTEMBER 19, 2023

Pursuant to adjournment on September 5, 2023 meeting of the Common Council of the City of Kaukauna was called to order by Mayor Penterman at 7:00 P.M. on Tuesday, September 19, 2023.

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

Absent & Excused: Moore and Thiele.

Also present: Attorney Davidson, DPW/Eng. Neumeier, Planner Stephenson, Fire Chief Carrel (via ZOOM), Fin. Dir. Van Rossum, Dir./Naturalist Nowak, Street Sup. Van Gompel, Lib. Dir. Thiem-Menning, and interested citizens.

Motion by Coenen, seconded by Schell to excuse the absent members.

All Ald. present voted aye.

Motion carried.

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

Motion by Coenen, seconded by Antoine to adopt the minutes of the Common Council meeting of September 5, 2023.

All Ald. present voted aye.

Motion carried.

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

#### **Bills Payable**

Motion by Coenen, seconded by Kilgas to pay bills out of the proper accounts.

All Ald. present voted aye.

Motion carried.

#### **PUBLIC APPEARANCES**

None.

#### **BUSINESS PRESENTED BY THE MAYOR**

##### **Reappointment of Lee Meyerhofer to the Utilities Commission.**

Motion by Eggleston, seconded by Kilgas to reappoint Lee Meyerhofer to the Utilities Commission.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by Schell to move out of order and come back to item 5b.

All Ald. present voted aye.

Motion carried.

## REPORTS OF STANDING AND SPECIAL COMMITTEES

### Board of Public Works Meeting Minutes of September 18, 2023.

#### BOARD OF PUBLIC WORKS

A meeting of the Board of Public Works was called to order by Chair Thiele on Monday, September 18, 2023 at 6:00 P.M.

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

Absent & Excused: Moore

Also present: Mayor Penterman, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Street Sup. Van Gompel, Street Foreman Nelson, Com. Enrich. & Rec. Dir. Vosters, Rec. Prog. Mgr. Zimmer, Police Chief Graff, and interested citizens.

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

All Ald. present voted aye.

Motion carried.

#### 1. Correspondence – none.

#### 2. Discussion Topics.

##### a. Comments/Update on Waste Ordinance Public Information Meeting.

DPW/Eng. Neumeier provided information on the public meeting on the Waste Ordinance which was held prior to this meeting. After the public meeting, he felt no changes needed to be made to the proposed ordinance. DPW/Eng. Neumeier recommends having staff give regular updates after the ordinance goes into effect. Discussion was held and questions answered.

##### b. Recommendation for award of Project 11-22R Jonen Park Pavilion Re-Bid.

DPW/Eng. Neumeier stated after reviewing the bids and the deductive alternate bids received from the five contractors, the bids from Milbach and Blue Sky are comparable and competitive. It is the opinion that the project cost will not be significantly reduced in the near future, so if the City desires to have a quality facility at Jonen Park, we should complete the project under this contract with City staff participating where possible to reduce project cost. Discussion was held and questions answered.

Motion by Schell, seconded by Coenen to award Project 11-22R Jonen Park Pavilion Re-bid to Milbach Construction Services, Kaukauna, including the base bid price of \$654,697.00, with deductive Alternate Bid Units #1- 5 for a total deduct of -\$35,298.00; a total contract award price of \$619,399.00.

All Ald. present voted aye.

Motion carried.

##### c. Request to install groundwater monitoring well – CTH CE at old Weiler Road.

The University of Wisconsin-Green Bay (UWGB) along with the Wisconsin Geological and Natural History Survey (WGNHS) have reached out to the City and Kaukauna Utilities to drill a test/research well for a project focused on groundwater arsenic and the cones of depression in Green Bay and the Fox Cities areas. UWGB and WGNHS are requesting to install a well at a location near the old Weiler Road on CTH CE. This request has been reviewed and recommended for approval by Plan Commission. The City has requested that an easement agreement be in



place, like the agreement for a well in LaFollette Park from 2021. The City has requested that UWGB provide the easement legal description and exhibit. City Attorney has been working with UW legal counsel to develop the agreement.

Motion by Kilgas, seconded by Eggleston to recommend to Common Council the approval of a resolution authorizing the Mayor and Clerk to enter into a Groundwater Monitoring Station Easement agreement with UWGB and WGNHS.

All Ald. present voted aye.

Motion carried.

**d. 2024 Urban Forestry Grant Application.**

Regular urban forestry grants support projects that improve a community's capacity to manage its trees. Cities, villages, towns, counties, tribes and 501(c)(3) nonprofit organizations in or conducting their project in Wisconsin may apply for a regular urban forestry grant. The project sponsor must initially fund 100% of project costs with cash, in-kind contributions and/or donations. Upon completion, the project sponsor requests reimbursement for 50% of eligible costs. Projects must relate to community tree management, maintenance or education within Wisconsin cities, villages, or other areas of concentrated development. City staff would like to apply for up to \$25,000 in a 2024 DNR Urban Forestry Grant to be matched with City funds for the removal of ash trees and reforestation of the same areas. Work areas would mostly include City parks. A resolution authorizing the Director of Public Works/City Engineer to apply for and administer a 2024 Urban Forestry Grant on behalf of the City is on the Common Council agenda for tomorrow night.

Motion by Antoine, seconded by DeCoster to recommend to Common Council the approval of a resolution authorizing the Director of Public Works/City Engineer to apply for and administer a 2024 Urban Forestry Grant on behalf of the City.

All Ald. present vote aye.

Motion carried.

**e. Public Works Update.**

DPW/Eng. Neumeier provided an update on City projects. The paving projects are starting to wrap up. The second half of the neighborhood in the Quinney/Metoxen area will be paved this week. The new construct areas just need some landscaping to be completed. The alley project is going to start soon. There will be a pre-construction meeting for that project along with Blue Stem Meadows and Hurkman Heights 4 subdivisions, which will be starting soon. Focus on the Fox is this Saturday September 23, 10am-3pm at 1000 Islands. It is a great chance to help clean up and learn about the Fox River. Quiet Zone Permitting update: The railroad put out their crossing Inventory so the City can now continue our application for the quiet zone permit.

Community Enrichment Service and Recreation Program Director Vosters provided the Board with an update on the Pool Renovation Project. Miron Construction is actively working on the project. They finished the locating utilities, have applied for storm water permits, and started site mobilization. The contents of the building have been emptied. Tree removal on-site started today. Temporary fencing followed by demolition of the old building will start later this week or early next week. Discussion was held and questions answered.

**3. Adjourn.**

Motion made by Coenen, seconded by Eggleston to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:22 pm.

Sally Kenney  
Clerk

Motion by Coenen, seconded by Eggleston to adopt the Board of Public Works Meeting Minutes of September 18, 2023.  
All Ald. present voted aye.  
Motion carried.

### **Health and Recreation Committee Meeting Minutes of September 18, 2023.**

#### **HEALTH AND RECREATION COMMITTEE**

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, September 18, 2023 at 6:22 P.M.

Members present: Coenen, DeCoster, Kilgas and Schell.

Also present: Mayor Penterman, Ald. Antoine, Ald. Eggleston, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Police Chief Graff, Com. Enrich. Serv. Dir. Vosters, Rec. Prog. Mgr. Zimmer, Street Sup. Van Gompel and interested citizens.

#### **1. Correspondence – None.**

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

##### **a. Amplified Music request to Adam Vander Hyden, Kaukauna Area School District, on October 4, 2023, from 5:45 pm to 6:45 pm at Upper Riverside Park/Wisconsin Ave./Lawe Street for the Homecoming Parade.**

Motion by Schell, seconded by DeCoster to approve the Amplified Music request to Adam Vander Hyden, Kaukauna Area School District, on October 4, 2023, from 5:45 pm to 6:45 pm at Upper Riverside Park/Wisconsin Ave./Lawe Street for the Homecoming Parade.

All members voted aye.

Motion carried.

##### **b. Amplified music request and use of City parking lot to Kristy Stumpf, Uptown Girl Beauty & Boutique on October 14, 2023, from 9 am to 5 pm for Fall Boutique Blowout Tent Sale.**

Motion by Coenen, seconded by Schell to approve the amplified music request and use of City parking lot to Kristy Stumpf, Uptown Girl Beauty & Boutique on October 14, 2023, from 9 am to 5 pm for Fall Boutique Blowout Tent Sale. The businesses adjacent will be made aware of event.

All members voted aye.

Motion carried.

##### **c. Class B Beer and Liquor license for Prime Steer Supper Club LLC, Gary L. Natrop Agent, 704 E. Hyland Ave., Kaukauna.**

Motion by Coenen, seconded by DeCoster to approve the Class B Beer and Liquor license to Prime Steer Supper Club LLC, Gary L. Natrop Agent, 704 E. Hyland Ave., Kaukauna.

All members voted aye.

Motion carried.

##### **d. Permission to allow St. Ignatius to sell Christmas trees in Farmer's Market Lot.**

Motion by DeCoster, seconded by Schell to grant permission to allow St. Ignatius to sell Christmas trees in Farmer's Market Lot.

All members voted aye.

Motion carried.

**e. Introduction of Carly Zimmer, Recreation Program Manager.**

Community Enrichment Services Director Vosters introduced newly hired Recreation Program Manager Carly Zimmer. Carly has experience in aquatics, athletics, event planning, budgeting and has a degree in HR. She has successfully started nine programs in the last eight days. She has reached out to almost every recreation club and organization and is already making positive connections.

**f. Request from Brittany Simonson, Kaukauna Utilities for the use of Hydro Park/KU Parking Lot on October 5, 2023, from 4-6 PM for the Customer and Community Appreciation Event.**

Motion by Schell, seconded by Coenen to approve the request from Brittany Simonson, Kaukauna Utilities for the use of Hydro Park/KU Parking Lot on October 5, 2023, from 4-6 PM for the Customer and Community Appreciation event.

All members voted aye.

Motion carried.

**3. Adjourn.**

Motion made by DeCoster, seconded by Coenen to adjourn.

All members voted aye.

Motion carried.

The meeting adjourned at 6:29 P.M.

Sally Kenney

Clerk

Motion by Kilgas, seconded by Antoine to adopt the Health and Recreation Committee Meeting Minutes of September 18, 2023.

All Ald. present voted aye.

Motion carried.

**Legislative Committee Meeting Minutes of September 18, 2023.**

**LEGISLATIVE COMMITTEE**

A meeting of the Legislative Committee was called to order by Chair Coenen on Monday, September 18, 2023, at 6:30 P.M.

Members present: Coenen, Eggleston, and Schell.

Absent & Excused: Moore.

Also present: Mayor Penterman, Ald. DeCoster, Kilgas, Antoine, Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Police Chief Graff, Street Sup. Van Gompel, Com. Enrich. Serv. & Rec. Dir. Vosters, Rec. Prog. Mgr. Zimmer and interested citizens.

Motion by Eggleston, seconded by Schell to excuse the absent member.

All members present voted aye.  
Motion carried.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. Waste Ordinance 11.11.

A public information meeting was held earlier today. This ordinance is being considered at the Common Council meeting tomorrow.

3. **Adjourn.**

Motion by Eggleston, seconded by Schell to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:34 p.m.

Sally Kenney, Clerk

Motion by Coenen, seconded by Schell to adopt the Legislative Committee Meeting Minutes of September 18, 2023.

All Ald. present voted aye.

Motion carried.

**Board of Appeals Meeting Minutes of September 6, 2023.**

Motion by Coenen, seconded by Kilgas to receive and place on file the Board of Appeals Meeting Minutes of September 6, 2023.

All Ald. present voted aye.

Motion carried.

**Plan Commission Meeting Minutes of August 17, 2023.**

Motion by Coenen, seconded by Eggleston to receive and place on file the Plan Commission Meeting Minutes of August 17, 2023.

All Ald. present voted aye.

Motion carried.

**Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of August 8, 2023.**

Motion by Coenen, seconded by Antoine to receive and place on file the Heart of the Valley Metropolitan Sewerage District Regular Meeting Minutes of August 8, 2023.

All Ald. present voted aye.

Motion carried.

**Operator (Bartender) Licenses.**

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

Barlow	Amanda	F.	1215 E. Wisconsin Ave.	Little Chute
Helms	Tanner	F.	160 Garfield St.	Kaukauna
Manders	Shari	J.	124 Morningside Dr.	Kaukauna
Nagan	Kimberly	A.	409 Turner St.	Wrightstown
Schink	Noah	C.	128 E. Tobacnoir St.	Kaukauna
Waldrop	Michelle	L.	204 Lawson St.	Menasha

Williams	Lisa	G.	338 S. Birch St.	Kimberly
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Motion by Kilgas, seconded by Schell to approve the Operator (Bartender) Licenses.  
All Ald. present voted aye.  
Motion carried.

## REPORTS OF CITY OFFICERS

### Fire Report

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

### Ambulance Report

Motion by Coenen, seconded by Eggleston to receive and place on file the August 2023 Ambulance Report.  
All Ald. present voted aye.  
Motion carried.

### Police Report

Motion by Coenen, seconded by Kilgas to receive and place on file the August 2023 Police Report.  
All Ald. present voted aye.  
Motion carried.

### Municipal Court Report

Motion by Coenen, seconded by Schell to receive and place on file the August 2023 Municipal Court Report.  
All Ald. present voted aye.  
Motion carried.

### Clerk-Treasurer's Deposit Report

Motion by Coenen, seconded by Kilgas to receive and place on file the August 2023 Clerk-Treasurer's Deposit Report.  
All Ald. present voted aye.  
Motion carried.

### Building Inspection Report.

Motion by Coenen, seconded by Antoine to receive and place on file the August 2023 Building Inspection Report.  
All Ald. present voted aye.  
Motion carried.

### Presentation of the Capital Improvement Plan (CIP) for the 2024 Budget.

Finance Director Van Rossum provided a list of Capital Projects for 2024-2028 for review. Items on the list were discussed and questions answered. Council members were asked to review the Capital Improvement Plan.

### **Community Development Block Grant Funds.**

Planning and Community Development Director Stephenson stated the Community Development Block Grant (CDBG) is an allocation of money given to the City of Kaukauna to administer a series of loans for eligible low-income residents to fix their homes. Loans are given to the resident and upon the sale of their home the loan is paid back in full. While the program has a direct benefit to many of our residents the staff time to administer the loan and fill out the needed paperwork for the state and federal government is time intensive. Brown County's housing division has started administering the CDBG money on behalf of the state for the entire Outagamie/Brown County Region, but they will not fund projects in communities that still have CDBG funds. If the City of Kaukauna were to give their funds back to the state, Brown County Housing would administer the same program we have now but also allow for downpayment assistance as an increased service to low-income residents. The City currently holds \$229,931.44 in CDBG funds. Staff is looking for guidance on whether or not we should continue to administer this program ourselves or give the money back to the state and let Brown County administer it for us. Discussion was held and questions answered.

This item will be brought back to the Council at a future meeting.

### **Approval of First Amendment to the Memorandum of Understanding between the City of Appleton Fire Department and the Participating Partner Agencies for the Fiscal Year 2021 Assistance to Firefighters Grant Program.**

This Firefighters Grant Program is to replace portable radios. The Fire Department will no longer be able to purchase batteries for portable radios. These radios are fourteen years old and are used to communicate outside of the fire station or a vehicle. Additional funding sources were sought to cover the cost of replacing these radios. In January of 2022, the City of Kaukauna Fire Department entered into a grant with seventeen other Outagamie County fire departments. The funding match for this grant was originally five percent but has changed to ten percent. The amendment to this memorandum of understanding is to reflect this change in the percentage of grant match.

Motion by Antoine, seconded by DeCoster to approve the First Amendment to the Memorandum of Understanding between the City of Appleton Fire Department and the Participating Partner Agencies for the Fiscal Year 2021 Assistance to Firefighters Grant Program.

All Ald. present voted aye.

Motion carried.

## **PRESENTATION OF ORDINANCES AND RESOLUTIONS**

### **Resolution 2023-5403 Authorizing Resolution for 2024 Urban Forestry Grant.**

Motion by Coenen, seconded by Kilgas to suspend the rules and waive the reading of Resolution 2023-5403.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by Kilgas to adopt Resolution 2023-5403.

All Ald. present voted aye.

Motion carried.

**Resolution 2023-5404 Resolution Authorizing Mayor Anthony Penterman and Clerk Sally Kenney to enter into a Groundwater Monitoring Station Agreement with the University of Wisconsin-Green Bay and the Wisconsin Geological and Natural History Survey.**

Motion by Coenen, seconded by Eggleston to suspend the rules and waive the reading of Resolution 2023-5404.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by DeCoster to adopt Resolution 2023-5404.

All Ald. present voted aye.

Motion carried.

**Resolution 2023-5405 Resolution Accepting Plan Commission Approval of a Special Exception for Parcel 322095700 and 322095705.**

Motion by Coenen, seconded by Antoine to suspend the rules and waive the reading of Resolution 2023-5405.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by Antoine to adopt Resolution 2023-5405.

All Ald. present voted aye.

Motion carried.

**Ordinance 1887-2023 - Ordinance Repealing and Recreating Section 11.11 Waste Material.**

Motion by Coenen, seconded by Schell to suspend the rules and waive the reading of Ordinance 1887-2023.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by Schell to adopt Ordinance 1887-2023.

All Ald. present voted aye.

Motion carried.

Motion by Coenen, seconded by Eggleston to go back into order and take up item 5b 2023 Electric City Experience Recap.

All Ald. present voted aye.

Motion carried.

**2023 Electric City Experience Recap.**

Event Coordinators Jason Lipsky, 2000 Ashland Street, Oshkosh, and Jim Collar, 812 N. Clark Street, Appleton, provided a recap of the event. It was another successful year with the help and willingness from the City. The event is giving back \$15,000 back to the community. Discussion was held and questions were answered.

**CLOSED SESSION**

**Adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Parcel 325021200.**

Motion by Coenen, seconded by Antoine to adjourn to Closed Session Pursuant to State Statute 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. Parcel 325021200.

All Ald. present voted aye.



Motion carried.

Adjourned to closed session at 8:12 p.m.

**Return to Open Session for possible action.**

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

All Ald. present voted aye.

Motion carried.

Returned to open session at 8:19 p.m.

Motion by Antoine, seconded by Kilgas to direct staff to purchase parcel 325021200 from Outagamie County.

All Ald. present voted aye.

Motion carried.

**ADJOURN**

Motion by Coenen, seconded by Kilgas to adjourn.

All Ald. present voted aye.

Motion carried.

Meeting adjourned at 8:20 p.m.

Sally Kenney, Clerk





## City - Bills Payable

Check #	Date	Fund	Addressee	Absolute Value of Amount
00000048/1	9/1/2023	General Fund - 101	MissionSquare Retirement	20,359.86
119938	9/1/2023	Environmental Remediate TID - 450	Robert E Lee & Assoc. Inc	12,124.04
119939	9/1/2023	Equipment Capital - 421	John Fabick Tractor Company	123,800.00
119940	9/1/2023	Park & Pool Capital - 422	Insta Prints Plus, Inc.	286.00
119941	9/1/2023	Park & Pool Capital - 422	McMahon Associates Inc	4,611.20
119942	9/1/2023	Park & Pool Capital - 422	Schmalz Custom Landscaping	159.99
119943	9/1/2023	Sanitary Sewer Utility - 602	AT&T	97.00
119944	9/1/2023	Sanitary Sewer Utility - 602	BoardmanClark	7,341.50
119945	9/1/2023	Sanitary Sewer Utility - 602	Carl Bowers & Sons Construction Co, Inc	191,074.26
119946	9/1/2023	Sanitary Sewer Utility - 602	Carstens Ace Hardware	23.23
119947	9/1/2023	Sanitary Sewer Utility - 602	Heart of the Valley Metropolitan Sewerage District	117,458.67
119948	9/1/2023	Storm Water Utility - 601	Automotive Supply Co	97.86
119949	9/1/2023	Storm Water Utility - 601	Carl Bowers & Sons Construction Co, Inc	130,904.30
119950	9/1/2023	Storm Water Utility - 601	Ferguson Waterworks #1476	1,741.75
119951	9/1/2023	Storm Water Utility - 601	AT&T Mobility	43.58
119952	9/1/2023	Storm Water Utility - 601	Edward J Esselman Jr.	5,000.00
119953	9/1/2023	Streets & Sidewalk Capital - 420	Short Elliott Hendrickson, Inc	2,765.50
119954	9/1/2023	Streets & Sidewalk Capital - 420	Vinton Construction Co.	46,786.02
119955	9/1/2023	General Fund - 101	Aramark Uniform	504.69
119956	9/1/2023	General Fund - 101	Automotive Supply Co	817.32
119957	9/1/2023	General Fund - 101	Batteries Plus, LLC.	48.00
119958	9/1/2023	General Fund - 101	Bob & Dave's Lawn & Landscaping	500.00
119959	9/1/2023	General Fund - 101	Bowmar Appraisal Inc.	7,775.00
119960	9/1/2023	General Fund - 101	Carstens Ace Hardware	149.37
119961	9/1/2023	General Fund - 101	Cellcom	1,521.87
119962	9/1/2023	General Fund - 101	Cintas Corp.	1,518.24
119963	9/1/2023	General Fund - 101	City Of Appleton	780.50
119964	9/1/2023	General Fund - 101	Conway Shield	72.50
119965	9/1/2023	General Fund - 101	Dean Enterprises, LLC	295.00
119966	9/1/2023	General Fund - 101	Elmstar Electric Corp.	193.90
119967	9/1/2023	General Fund - 101	Evergreen Power, LLC	176.89
119968	9/1/2023	General Fund - 101	Faith Technologies, Inc.	1,604.36
119969	9/1/2023	General Fund - 101	Gustman Chevrolet Buick GMC	133.81
119970	9/1/2023	General Fund - 101	Ingram	19.02
119971	9/1/2023	General Fund - 101	Insta Prints Plus, Inc.	417.68
119972	9/1/2023	General Fund - 101	KidStage	880.00
119973	9/1/2023	General Fund - 101	Klink Hydraulics, LLC	106.48
119974	9/1/2023	General Fund - 101	Marco	64.46
119975	9/1/2023	General Fund - 101	Marco Technologies LLC	1,169.23
119976	9/1/2023	General Fund - 101	MCC Inc.	5,758.75
119977	9/1/2023	General Fund - 101	Monroe Truck Equip - Green Bay	32.83
119978	9/1/2023	General Fund - 101	Pleshek Outdoor Power	46.00
119979	9/1/2023	General Fund - 101	Quality Truck Care Center	1,430.56
119980	9/1/2023	General Fund - 101	RecTrac, LLC	900.00
119981	9/1/2023	General Fund - 101	Riesterer & Schnell Inc	4,200.00
119982	9/1/2023	General Fund - 101	Triumph Tires Inc	2,161.00
119983	9/1/2023	General Fund - 101	Truck Country Of Wisconsin	881.51

Check #	Date	Fund	Addressee	Absolute Value of Amount
119984	9/1/2023	General Fund - 101	VOE Power & Systems LLC	190.00
119985	9/1/2023	General Fund - 101	von Briesen & Roper S.C.	2,449.74
119986	9/1/2023	General Fund - 101	Waste Management of WI	568.90
119987	9/1/2023	General Fund - 101	CDW Government	117.68
119988	9/1/2023	General Fund - 101	DC Auto Repair, LLC	1,182.65
119989	9/1/2023	General Fund - 101	AT&T Mobility	137.08
119990	9/1/2023	General Fund - 101	Roger Russove	13.98
119991	9/1/2023	General Fund - 101	Haenco LLC	606.70
119992	9/1/2023	General Fund - 101	Lilia Villar	300.00
119993	9/1/2023	General Fund - 101	Ultimate Training Munitions	1,368.80
119994	9/1/2023	General Fund - 101	Jenny Woelfel	20.00
119995	9/1/2023	General Fund - 101	Michelle Utecht	25.00
119996	9/1/2023	General Fund - 101	Lisa Woods	30.00
119997	9/1/2023	General Fund - 101	Janelle Vanderlinden	50.00
119998	9/1/2023	General Fund - 101	Amy Schuh	50.00
119999	9/1/2023	General Fund - 101	Kathy Lamers	50.00
120000	9/1/2023	General Fund - 101	Wendy Bartman	50.00
120001	9/1/2023	General Fund - 101	Nicole VandeVoort	50.00
120002	9/1/2023	General Fund - 101	Orthopedic Spine Therapy	50.00
120003	9/1/2023	General Fund - 101	Mike Veltus	50.00
120004	9/1/2023	General Fund - 101	Casey Thomas	10.00
120005	9/1/2023	General Fund - 101	Hannah Greuel	50.00
120006	9/1/2023	General Fund - 101	Becky Duel	95.00
120007	9/1/2023	General Fund - 101	Dana VanCamp	25.00
120008	9/1/2023	General Fund - 101	Tracy Uitenbroek	50.00
120009	9/1/2023	General Fund - 101	Rachaele Petersen	115.00
120010	9/1/2023	General Fund - 101	Tamara A Shortess	200.00
120011	9/1/2023	General Fund - 101	Jeff Malloy	3,759.28
120012	9/1/2023	General Fund - 101	Irrigation Services	493.80
120013	9/1/2023	General Fund - 101	Tayler Lentz	18.45
120014	9/5/2023	TID #5 Construction Fund - 465	The Legacy Creekside Apartments LLC	66,000.00
120018	9/8/2023	Sanitary Sewer Utility - 602	AT&T	86.27
120019	9/8/2023	Sanitary Sewer Utility - 602	Capital One Commercial	22.99
120020	9/8/2023	Sanitary Sewer Utility - 602	Heart of the Valley Metropolitan Sewerage District	140,483.12
00000051/1	9/7/2023	General Fund - 101	Grand Kakalin LLC	20,813.00
00000051/2	9/7/2023	General Fund - 101	Kaukauna Utilities	25,335.04
120015	9/8/2023	1000 Islands - 201	Guide Studio	1,500.00
00000050/1	9/8/2023	Sanitary Sewer Utility - 602	Kaukauna Utilities	1,525.25
120016	9/8/2023	Municipal Service Buildings - 404	Associated Trust Company, N.A.	612.00
120017	9/8/2023	Park & Pool Capital - 422	Robert E Lee & Assoc. Inc	135.00
120021	9/8/2023	General Fund - 101	Amplitel Technologies LLC	11,500.00
120022	9/8/2023	General Fund - 101	Aramark Uniform	82.91
120023	9/8/2023	General Fund - 101	Badger Laboratories & Engineering Co., Inc.	409.00
120024	9/8/2023	General Fund - 101	Batteries Plus, LLC.	51.00
120025	9/8/2023	General Fund - 101	Capital One Commercial	537.16
120026	9/8/2023	General Fund - 101	Carstens Ace Hardware	38.63
120027	9/8/2023	General Fund - 101	Cintas Corp.	247.84
120028	9/8/2023	General Fund - 101	Dean Enterprises, LLC	245.00
120029	9/8/2023	General Fund - 101	Debra Johnson	336.00

Check #	Date	Fund	Addressee	Absolute Value of Amount
120030	9/8/2023	General Fund - 101	Energy Control & Design, Inc.	2,045.50
120031	9/8/2023	General Fund - 101	Farrell Equipment & Supply Co., Inc.	139.99
120032	9/8/2023	General Fund - 101	Fox Valley Safety LLC	2,481.00
120033	9/8/2023	General Fund - 101	General Beer Dist-NE	3,025.21
120034	9/8/2023	General Fund - 101	Ingram	1,332.67
120035	9/8/2023	General Fund - 101	James Imaging Systems, Inc.	128.57
120036	9/8/2023	General Fund - 101	Klink Hydraulics, LLC	659.09
120037	9/8/2023	General Fund - 101	Mead & Hunt	324.00
120038	9/8/2023	General Fund - 101	Northcentral Utility of Wisconsin, LLC	9.26
120039	9/8/2023	General Fund - 101	Oracle NetSuite	1,633.50
120040	9/8/2023	General Fund - 101	Outagamie County Treasurer	1,231.40
120041	9/8/2023	General Fund - 101	S.I. Metals and Supply	75.00
120042	9/8/2023	General Fund - 101	State of Wisconsin	3,619.14
120043	9/8/2023	General Fund - 101	TransUnion Risk and Alternative Data Solutions Inc	75.00
120044	9/8/2023	General Fund - 101	Tri City Glass & Door	187.50
120045	9/8/2023	General Fund - 101	Truck Country Of Wisconsin	1,091.38
120046	9/8/2023	General Fund - 101	von Briesen & Roper S.C.	2,362.50
120047	9/8/2023	General Fund - 101	We Energies	1,112.99
120048	9/8/2023	General Fund - 101	Winnebago County Treasurer	75.00
120049	9/8/2023	General Fund - 101	Complete Office of Wisconsin	319.86
120050	9/8/2023	General Fund - 101	Fox Valley Humane Association	240.00
120051	9/8/2023	General Fund - 101	Heart of the Valley Metropolitan - New Connections	17,172.00
120052	9/8/2023	General Fund - 101	T-Mobile	353.25
120054	9/8/2023	General Fund - 101	Kimberly Service LLC	1,150.00
120055	9/8/2023	General Fund - 101	Cassandra Phillips	43.44
120056	9/8/2023	General Fund - 101	David Choronz	280.00
120057	9/8/2023	General Fund - 101	Taylor Fraiser	36.00
120058	9/8/2023	General Fund - 101	Kurt Wondra	125.00
120059	9/8/2023	General Fund - 101	Lisa VanDeLeygraaf	50.00
120060	9/8/2023	General Fund - 101	Leah M Enns	50.00
120061	9/8/2023	General Fund - 101	Fast Four USA Inc.	11,040.00
120062	9/8/2023	General Fund - 101	Gila, LLC	399.80
00000052/1	9/15/2023	General Fund - 101	Wisconsin Employee Trust Funds (ETF)	354,471.78
00000052/2	9/15/2023	General Fund - 101	MissionSquare Retirement	20,390.37
00000053/1	9/15/2023	General Fund - 101	Securian Financial Group, Inc.	2,980.98
00000054/1	9/15/2023	Storm Water Utility - 601	Kaukauna Utilities	2,649.02
120064	9/15/2023	American Rescue Plan Act Funds - 223	Ayres Associates Inc	4,950.00
120065	9/15/2023	Library Special Use - 255	Cardmember Service	561.51
120067	9/15/2023	Storm Water Utility - 601	McMahon Associates Inc	1,151.40
120066	9/15/2023	Special Assessment Fund - 215	John Verkuilen	20.00
120068	9/15/2023	Streets & Sidewalk Capital - 420	Lunda Construction Co.	14,660.00
120069	9/15/2023	Streets & Sidewalk Capital - 420	Westwood Professional Services, Inc.	635.19
120070	9/15/2023	General Fund - 101	Amplitel Technologies LLC	17,542.53
120071	9/15/2023	General Fund - 101	Automotive Supply Co	15.13
120072	9/15/2023	General Fund - 101	Bound Tree Medical, LLC.	1,096.24
120073	9/15/2023	General Fund - 101	Cardmember Service	3,159.71
120074	9/15/2023	General Fund - 101	Center for Internet Security, Inc.	6,000.00
120075	9/15/2023	General Fund - 101	Charter Communications	198.64
120076	9/15/2023	General Fund - 101	Diversified Benefit Services, Inc.	684.52

Check #	Date	Fund	Addressee	Absolute Value of Amount
120077	9/15/2023	General Fund - 101	Emergency Medical Products	198.06
120078	9/15/2023	General Fund - 101	Fox Specialty Company LLC	101.17
120079	9/15/2023	General Fund - 101	Ingram	1,393.22
120080	9/15/2023	General Fund - 101	Jefferson Fire & Safety, Inc.	558.77
120081	9/15/2023	General Fund - 101	Linde Gas & Equipment Inc.	43.01
120082	9/15/2023	General Fund - 101	Marco	248.09
120083	9/15/2023	General Fund - 101	Outagamie County Treasurer	29,334.44
120084	9/15/2023	General Fund - 101	Quadient Leasing USA, Inc.	500.91
120085	9/15/2023	General Fund - 101	Stoneridge Piggly Wiggly	228.71
120086	9/15/2023	General Fund - 101	Advanced Maintenance Solutions	3,853.21
120087	9/15/2023	General Fund - 101	DC Auto Repair, LLC	1,035.23
120088	9/15/2023	General Fund - 101	Nelson Tactical	2,536.97
120089	9/15/2023	General Fund - 101	Cynthia Huss	50.00
120090	9/15/2023	General Fund - 101	Emily R Lindsley	50.00
120091	9/15/2023	General Fund - 101	Guy School	50.00
120092	9/15/2023	General Fund - 101	Penny Butts	50.00
120093	9/15/2023	General Fund - 101	Brad Waters	50.00
120094	9/15/2023	General Fund - 101	Hailee Pfefferle	50.00
120095	9/15/2023	General Fund - 101	Ray VanderVelden	50.00
120096	9/15/2023	General Fund - 101	Kay Scott	50.00
120097	9/15/2023	General Fund - 101	Rosella Bevers	50.00
120098	9/15/2023	General Fund - 101	Dana P Fuhrmann	50.00
120099	9/15/2023	General Fund - 101	Rebecca McMorro	50.00
120100	9/15/2023	General Fund - 101	Jaime Brochtrup	105.00
120101	9/15/2023	General Fund - 101	Fox Cities Party Rental	250.00
<b>Total</b>				<b>1,505,942.86</b>



# MEMO

## PLANNING & COMMUNITY DEVELOPMENT

To: Plan Commission  
From: Joe Stephenson Director of Planning and  
Date: Community Development  
Re: October 3rd, 2023  
Rezoning Request – 1011 Delanglade Street

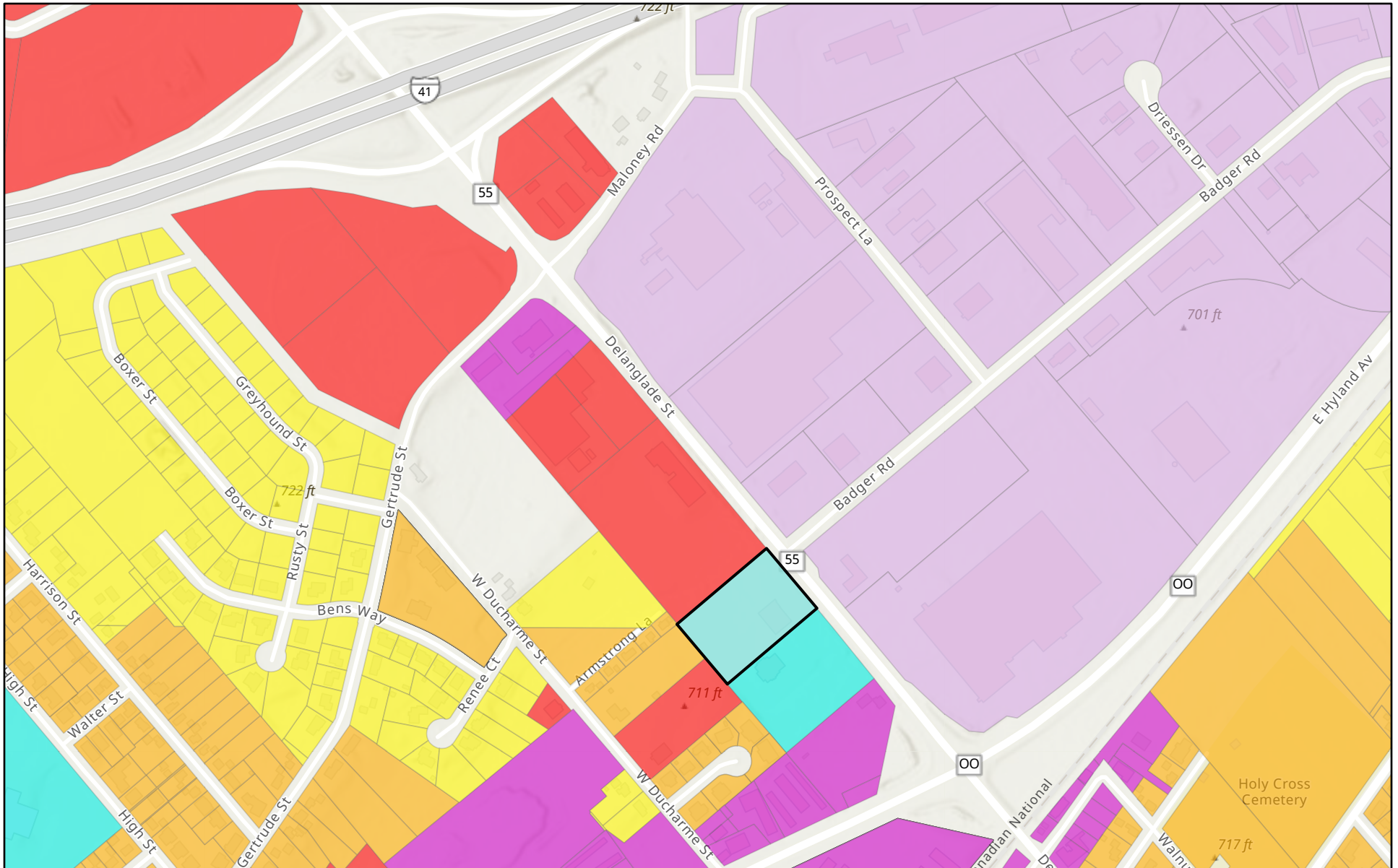
Eric Van Handel, owner, Midwest Carriers, is requesting to rezone parcel 322075102 from Institutional District (IT) to Industrial District (IND). This parcel is located at 1011 Delanglade Street and is a part of the industrial corridor. The property currently has an industrial building on the 3.19 acres and has been used as such for the last 15 years. The purpose of this rezone is to make the zoning of the property match the use which will help with the future sale of said property.

Please see map on next page for surrounding zoning and location reference.

Plan Commission recommended approval of the rezoning of parcel 322075102, located at 1011 Delanglade Street, from Institutional District (IT) to Industrial District (IND) and recommend the same to council.







# ArcGIS Web Map

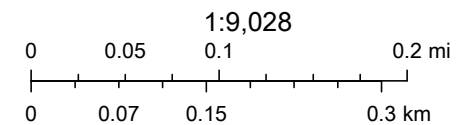
Item 5.b.



9/3/2023, 10:10:47 PM

Zoning Districts

- |  |   |
|--|---|
|  Commercial Highway (CHD)       |  Industrial (IND)      |
|  Residential Single Family (RSF) |  Institutional (IT)      |
|  Residential Two Family (RTF)    |  Industrial Park (IPD) |



Esri, NASA, NGA, USGS, FEMA, Esri Community Maps Contributors, County of Outagamie, © OpenStreetMap, Microsoft, Esri, HERE, Garmin,

ArcGIS Web AppBuilder

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, County of Outagamie, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA



**PROCLAMATION RECOGNIZING  
PUBLIC POWER WEEK, OCT. 1-7:**

**A Week-Long Celebration of Kaukauna Utilities' Year-Round Service**

**WHEREAS**, Kaukauna Utilities, a community-owned, not-for-profit electric and water utility, strives to set the benchmark in customer service and value to our community by providing homes, businesses, schools, and social service and local government agencies with reliable, efficient, and safe electricity and water, while employing sound business practices designed to ensure the best possible service at not-for-profit rates;

**WHEREAS**, Kaukauna Utilities is a valuable community asset that contributes to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness;


**WHEREAS**, Kaukauna Utilities is a dependable and trustworthy institution whose local operation provides many consumer protections and continues to make our community a better place to live and work, and contributes to protecting the global environment;

**NOW, THEREFORE BE IT RESOLVED:** that Kaukauna Utilities will continue to work to bring low-cost, safe, reliable electricity to community homes and businesses just as it has since 1912, the year when the utility was created; and

**BE IT FURTHER RESOLVED:** that the week of Oct. 1-7 be designated Public Power Week to recognize Kaukauna Utilities for its contributions to the community and to educate customer-owners, policy makers, and employees on the benefits of public power;

**BE IT FURTHER RESOLVED:** that our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power, which put our residents, businesses, and the community before profits.

Dated this 3rd day of October, 2023.

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





**PROCLAMATION RECOGNIZING  
WALK TO SCHOOL DAY**

October 4, 2023

**WHEREAS**, hundreds of children could be saved each year if communities take steps to make pedestrian safety a priority, and

**WHEREAS**, a lack of physical activity plays a leading role in rising rates of obesity, diabetes and other health problems among children and being able to walk or bicycle to school offers an opportunity to build activity into daily routine, and

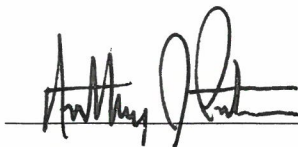
**WHEREAS**, driving students to school by private vehicle contributes to traffic congestion and air pollution, and

**WHEREAS**, an important role for parents and caregivers is to teach children about pedestrian safety and become aware of the difficulties and dangers that children face on their trip to school each day and the health and environmental risks related to physical inactivity and air pollution, and

**WHEREAS**, children, parents and caregivers, and community leaders across North America are joining together to walk to school in an effort to learn healthful and safe pedestrian habits and to evaluate pedestrian safety in their communities,

**NOW THEREFORE, BE IT RESOLVED** that I, Anthony J. Penterman, Mayor of the City of Kaukauna, proclaim October 4th as "Walk to School Day" in Kaukauna, Wisconsin and encourage everyone to consider the safety and health of children this month and throughout the year.

Dated this 3rd day of October, 2023.



Anthony J. Penterman, Mayor





**PROCLAMATION RECOGNIZING  
WHITE CANE SAFETY DAY**

**WHEREAS**, blindness and severe visual impairment affect approximately 100,000 Wisconsin residents; and

**WHEREAS**, the majority of these persons use travel aids, such as a white cane or a service animal to get around public streets and sidewalks and places of public accommodation; and

**WHEREAS**, these travel aids are universally recognized as symbols representing vision loss; and

**WHEREAS**, Wisconsin's White Cane Law requires that motorists come to a full stop before approaching closer than 10 feet to a pedestrian who is using a white cane or service animal; and

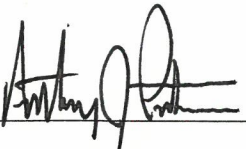
**WHEREAS**, Careful driving and fully stopping when pedestrians are in the crosswalk is beneficial to all residents, including children, elders and people with disabilities.

**NOW, THEREFORE BE IT RESOLVED** that, I, Mayor Anthony J. Penterman, on behalf of the residents of the City of Kaukauna, do hereby proclaim Sunday, October 15, 2023 as

**WHITE CANE SAFETY DAY**

in the City of Kaukauna and also acknowledge the importance of pedestrian safety year-round.

Signed and sealed this 3rd day of October, 2023.

  
\_\_\_\_\_

Anthony J. Penterman, Mayor



## FINANCE AND PERSONNEL COMMITTEE

A meeting of the Finance and Personnel Committee was called to order by Chair Penterman on Monday, October 2, 2023, at 6:00 p.m.

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

Also present: Ald. Schell, Ald. Kilgas, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, HR Dir. Swaney, Com. Enrich. Service Dir. Vosters and interested citizens.

1. **Correspondence** - None.

2. **Discussion Topics.**

a. **2024 Employee Handbook.**

HR Director Swaney provided a list of changes recommended to the 2024 Employee Handbook. Discussion was held and questions answered.

Motion by Thiele, seconded by Moore to approve the 2024 Employee Handbook with recommended changes starting January 1, 2024.

All members voted aye.

Motion carried.

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

Motion by Antoine, seconded by Moore to Adjourn to Closed Session Pursuant to State Statute 19.85 (1)(c) to discuss employment, promotion, compensation or performance evaluation data of any public employee.

All members voted aye.

Motion carried.

Moved to closed session at 6:14 p.m.

c. **Return to Open Session for possible action.**

Motion by Moore, seconded by Coenen to return to Open Session.

All members voted aye.

Motion carried.

Returned to Open Session at 6:54 p.m.

Motion by Moore, seconded by Thiele to approve the retention letter to HR Director Shanon Swaney and move DPW/Eng. Neumeier to Grade 25 - Step 5 and forward these recommendations to the Common Council.

3. **Adjourn.**

Motion by Antoine, seconded by Coenen to adjourn.

All members voted aye.

Motion carried.

Meeting adjourned at 6:56 p.m.

Sally Kenney, Clerk

## HEALTH AND RECREATION COMMITTEE

A meeting of the Health and Recreation Committee was called to order by Chair Kilgas on Monday, October 2, 2023 at 6:56 P.M.

Members present: Coenen, Kilgas and Schell.

Absent & Excused: DeCoster.

Also present: Mayor Penterman, Ald. Antoine, Ald. Eggleston, Ald. Moore, Ald. Thiele, Attorney Davidson, DPW/Eng. Neumeier, Fire Chief Carrel, Com. Enrich. Serv. Dir. Vosters, Fin. Dir. Van Rossum and interested citizens.

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

All members present voted aye.

Motion carried.

### 1. Correspondence – None.

### 2. Discussion Topics.

#### a. **Special Event Application to Kristy Stumpf, Uptown Girl Beauty & Boutique, Fall Boutique Blowout Tent Sale in parking lot behind Uptown Girl Beauty & Boutique on October 14, 2023 from 9 am to 5 pm.**

Motion by Schell, seconded by Coenen to approve the Special Event Application to Kristy Stumpf, Uptown Girl Beauty & Boutique, Fall Boutique Blowout Tent Sale in parking lot behind Uptown Girl Beauty & Boutique on October 14, 2023 from 9 am to 5 pm.

All members present voted aye.

Motion carried.

#### b. **Temporary Class B License to Holy Cross Parish, 309 Desnoyer Street, gym and cafeteria area below gym for the Octoberfest on October 15, 2023.**

Motion by Coenen, seconded by Schell to approve Temporary Class B License to Holy Cross Parish, 309 Desnoyer Street, gym, and cafeteria area below gym for the Octoberfest on October 15, 2023.

All members present voted aye.

Motion carried.

#### c. **Special Event Application to Emily Getchius, St. Ignatius Catholic School, 220 Doty Street, Kaukauna on October 20, 2023 from 4-7 PM for Trunk n' Treat.**

Motion by Schell, seconded by Coenen to approve Special Event Application to Emily Getchius, St. Ignatius Catholic School, 220 Doty Street, Kaukauna on October 20, 2023 from 4-7 PM for Trunk n' Treat.

All members present voted aye.

Motion carried.

#### d. **Special Event Application to Tracy Dollevoet, Immanuel United Church of Christ, 510 Sullivan Avenue, Kaukauna on October 28, 2023 from 12-4 PM for Trunk or Treat.**

Motion by Schell, seconded by Coenen to approve the Special Event Application to Tracy Dollevoet, Immanuel United Church of Christ, 510 Sullivan Avenue, Kaukauna on October 28, 2023 from 12-4 PM for Trunk or Treat.

All members present voted aye.

Motion carried.

**e. Special Event Application to Dawn Gasparick, Kaukauna Dog Park Friends for a Halloween Party at the Kaukauna Dog Park on October 29, 2023 from 12 - 3 pm.**

Motion by Coenen, seconded by Schell to approve the Special Event Application to Dawn Gasparick, Kaukauna Dog Park Friends for a Halloween Party at the Kaukauna Dog Park on October 29, 2023 from 12 - 3 pm.

All members present voted aye.

Motion carried.

**f. Special Event Application to Michael Weaver, VFW Post #3319 at Memorial Park Ring of Honor and Community Room on November 11, 2023.**

Motion by Coenen, seconded by Schell to approve the Special Event Application to Michael Weaver, VFW Post #3319 at Memorial Park Ring of Honor and Community Room on November 11, 2023.

All members present voted aye.

Motion carried.

**3. Adjourn.**

Motion made by Coenen, seconded by Schell to adjourn.

All members present voted aye.

Motion carried.

The meeting adjourned at 7:01 P.M.

Sally Kenney

Clerk

## **Minutes for 1000 Islands Environmental Center Committee Meeting on Thursday, August 17, 2023**

**Members Present:** Brietzman, Carlson, Eggleston, Gertz, Jakel, Manion, Pautz, and Van Berkel and White

**Not Present:** Hietpas

**Also Present:** Debra Nowak and Maureen Feldt

Chair, Pautz called the August Committee Meeting to order at 6:33 PM. A quorum is present.

### **July 20, 2023 Committee Meeting Minutes**

Manion made a motion to waive the reading of the minutes and approve the July 20 2023, Committee Meeting minutes. Seconded by Gertz. Motion carried.

**Public Appearances:** None

### **July Financial Report**

Gertz made a motion to approve the July Financial Report. Seconded by Carlson. Motion carried.

### **Correspondence**

Two company groups (Ahlstrom and PepsiCo/Frito-Lay) volunteered at 1000 Islands. We received Outagamie County's second installment, and we received several memorial donations in memory of Nancy Green.

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

The monthly meeting is rescheduled for Monday, August 28 due to the Fairy Walk. They are looking for a Treasurer for their Board.

### **Naturalist's Report**

An estimate from Milbach Construction was received for the boardwalk replacement work. We will continue to look for Grants to help cover this expense.

Focus on the Fox: Planning continues for this event, and we are hoping Kobussen Buses will donate a shuttle bus and driver to transport people to Lock 3 and back. Guide Studio is finalizing the design of the "Focus on the Fox" logo as well.

Van Berkel made a motion to accept the July Naturalist's Report and place it on file. Seconded by Jakel. Motion carried.

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

Van Berkel made a motion to accept and place on file the Admin and Finance Sub-Committee Meeting Minutes of July 6, 2023. Seconded by Gertz. Motion carried.

Endowment Fund: Continued discussion regarding the Endowment Fund and ways to improve the return. Van Berkel noted that we do need the City Council's approval to

create a 1000 Islands Endowment through the Community Foundation and for the Fund to solely benefit 1000 Islands Environmental Center. Van Berkel made a motion to pursue the creation of a designated fund within the Community Foundation for the Fox Valley Region with the support of the City of Kaukauna Common Council. Seconded by Carlson. Motion carried.

Interest Income Account: Currently the Interest Income account is part of the General Fund of 101, but should really be a 201 Restricted Account. Nowak to review the current policy and will work with the City's Finance Department to change this.

Non-Personnel 2024 Budget: Nowak has been working on the 2024 non-Personnel budget and shared it with the Admin and Finance Sub-Committee earlier today. Discussion and clarifications on several accounts were covered. Van Berkel made a motion to approve the proposed 2024 non-Personnel budget as discussed. Seconded by Manion. Motion carried.

2024 Capital Improvement Plan (CIP): Several items have been requested for the 2024 CIP budget including a new truck, siding for the building and boardwalk replacement. Other more expensive items that need to be addressed are trail and building signage, bathroom remodeling—especially the sinks and counters, and updating the main entry way to make it easier for wheelchairs and strollers to get in and out of the building. Program and event registration software start-up cost of \$4,600 is also needed.

Personnel for 2024: Nowak is requesting an additional full-time Naturalist be added to the 1000 Islands staff. She is also working with AmeriCorps for a potential full-time person to work October 2024 – August 2025 through their organization. Our cost would be \$20,000 for this person. Nowak will work with the City's Finance Dept. to get this in the 2024 budget as well.

### **Education Sub-Committee**

Nothing to report.

### **Buildings and Grounds Sub-Committee**

Nothing to report.

### **Old Business**

Nothing to report.

### **New Business**

We will have a property tour prior to next month's Committee meeting on Thursday, September 21. We will tour Island 3 and it will start at 5:00 PM.

### **Good for the Center**

"A Very Jabber Thank You" event went well and the ice cream from Culvers was a hit. Many thanks to all who helped with this event. We raised an additional \$162 for Jabber's medical expenses.

Four people came and volunteered on the August 12<sup>th</sup> Service Saturday. All help is greatly appreciated.

**Next Committee Meeting**

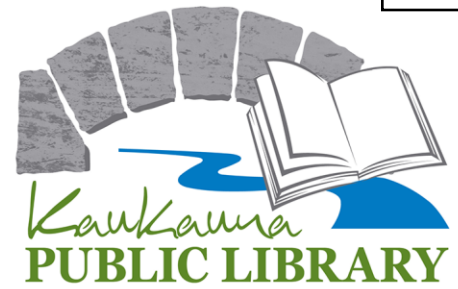
The next Committee Meeting will be on Thursday, September 21, 2023, at 6:30 PM in the Nature Center building.

**Adjournment**

There being no further business, Breitzman moved to adjourn the August 17<sup>th</sup> Committee Meeting at 7:34 PM. Seconded by Carlson. Motion carried.

Maureen Feldt,  
Acting Secretary





## LIBRARY BOARD MEETING MINUTES

City of Kaukauna

Kaukauna Public Library

207 Thilmany Rd STE 200, Kaukauna

Tuesday, August 22, 2023 at 5:30 PM

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

1. Call meeting to order
  - a. The meeting was called to order at 5:32p by Vice President C. Fallona.
2. Roll call of membership
  - a. Present: C. Fallona, C. Van Boxtel, J. Vondracek, J. Lucas, A. Neumeier, A. Schneider & K. Hieptas
  - b. Excused: M.J. Kilgas, J. Van De Hey
  - c. Also Present: A. Thiem-Menning
3. Approval of minutes from previous meeting
  - a. Tuesday, August 22, 2023 Meeting Minutes
    - i. A. Neumeier made a motion to approve the Tuesday, August 22, 2023 Meeting Minutes, seconded by C. Van Boxtel; motion carries, all in favor.
4. Public Participation and Communications
  - a. Bradley Shipps, Director of the Outagamie Waupaca Library System presented to the Board about county allocations.
5. Action Items
  - a. Bill Register June 2023
    - i. J. Vondracek made a motion to approve the Bill Register June, seconded by A. Schneider. Motion carries, all in favor.
  - b. Bill Register July 2023
    - i. K. Hieptas made a motion to approve the Bill Register July 2023, seconded by A. Neumeier. Motion carries, all in favor.
  - c. Adopt Library Faxing Policy
    - i. A. Neumeier made a motion to adopt the Faxing Policy, seconded by C. Van Boxtel. Motion carries, all in favor.
  - c. Approve 2024 Closures
    - i. A. Schenider made a motion to approve the 2024 Closures, seconded by A. Neumeier. Motion carries; all in favor.
6. Information Items
  - a. Directors Report
    - i. Thiem-Menning noted the change in the financials from the transition from Springbrook to NetSuites.
    - ii. An On-Call is likely to be hired from the Hispanic Outreach Coordinator pool of applicants.
  - b. Adult Services Librarian Report
    - i. C. Fallona noted what a wonderful speaker Dr. Alphonso Simpson was.
  - c. Youth Services Librarian Report
    - i. The Board noted the success of the outdoor movie night.
  - d. Technology Coordinator Report
    - i. S. Hiese's report noted the change in google analytics and how it will change some of the stats we are reporting to make them more accurate.



- e. Communications Coordinator Report
  - i. A. Thiem-Menning brought examples of the amount of FB engagement we are getting since the Monday Barbie meme post. This has resulted in donations being made to the library and a viral presence online.
- f. Trustee Topic 8
  - i. The topic this month was on the library budget.
- g. Statistics
  - i. A. Thiem-Menning noted that we do like the negative numbers in the borrowed line as that is showing that we are improving our loan-borrower rate, which we must do to stay in compliance with OWLS.
  - ii. J. Vondracek made a motion to place reports on file, seconded by K. Hietpas. Motion carries; all in favor.
- 7. Adjournment
  - a. The meeting adjourned at 7:18p.



October 3, 2023

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

Carstens	Lisa	A.	303 E. 9 <sup>th</sup> St.	Kaukauna
Dodd	Chloe	N.	180 Lamp Lighter Dr. #3	Kaukauna
Micke	Kelly	A.	117 Raught St.	Kaukauna
VerVoort	Amber	G.	W1843 Van Asten Rd.	Kaukauna



# MEMO

## PLANNING AND COMMUNITY DEVELOPMENT

To: Common Council  
From: Joe Stephenson – Director of Planning and Community Development  
Date: September 27<sup>th</sup>, 2023  
Re: Development Update

1. Uhaul Project at Commerce Crossing – Continues construction and they plans to build through the winter.
2. Legacy Creekside Apartments – 5 apartments at Commerce Crossing – continue to build and has started on the western larger apartment unit. Two floors have been framed.
3. Dreamville – Has gotten their construction trailer set up and started site preparation work. An easement has been secured for the neighboring corner property, allowing them to use this site throughout construction. Earth work will begin mid-October with foundations following after. This project will build through the winter and Consolidated Construction is prepared for winter construction. In addition, the project has opted for traditional financing and will not be using the bond provided by the federal government. This does not change the project for the City but means there are no income restrictions on the units.
4. The Reserve – Medical Residential, Senior Living Facility at Commerce Crossing. Has gained special exception approval from Plan Commission and the Common Council. They are working on architecture and engineering. They plan to close December 4<sup>th</sup>, on the property.
5. Tann Corporation – Manufacturing Facility at New Prosperity Center –Tann broke ground Monday September 25<sup>th</sup>, 2023.

6. Bassett Mechanical – Industrial Manufacturer in the South Industrial Park – Is nearly complete with their office addition. This project will likely have occupancy before the end of the year.
7. Straightline – Manufacturer in New Prosperity Industrial Park –Will be breaking ground early October, staff is in the process of planning a ground breaking ceremony.
8. City Property Zoning Clean Up – The City currently owns a number of properties that are zoned incorrectly. Likely many of these parcels were purchased for various projects and kept their initial zoning district. Planning staff will be coming forward with a rezoning to have City owned and operated parcels zoned properly.
9. Community Development Investment Grant Update – The State has updated their processes for the CDI grant, a grant for small cities to help with redevelopment and historic preservation. The State will now allow the developer to apply for this grant with City support, instead of the City applying on behalf of the developer. This will reduce staff administration and allow for a more streamline process during historic redevelopments.

If any other developments or planning process are of interest, feel free to contact me or direct staff to give an update at a council meeting.



## 2024 Non-Personnel Budget Item Preview



# Budget Calendar

October '23						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November '23						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

- October 3<sup>th</sup> – Present Non-Personnel Items to Finance/Personnel Committee for feedback
- October 17<sup>th</sup> – Present Personnel items to Finance/Personnel committee for feedback
- *Week of October 23<sup>rd</sup> – Print Budget Books and Distribute*
- November 1 – Proposed Budget Presentation to Council at 6:30pm
- November 21 – Public Hear and Budget Adoption

# Check in on the Limits

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- Department of Revenue (DOR) places limits on municipalities on what the levy amount can increase over last year as well as what the overall expenses can increase over the previous year
  
- With current make up of the 2024 budget
  - Levy - \$832 under the levy limit
  - Expenditure restraint - \$2,813 under the allowable expense increase

# Tax Rate Projection

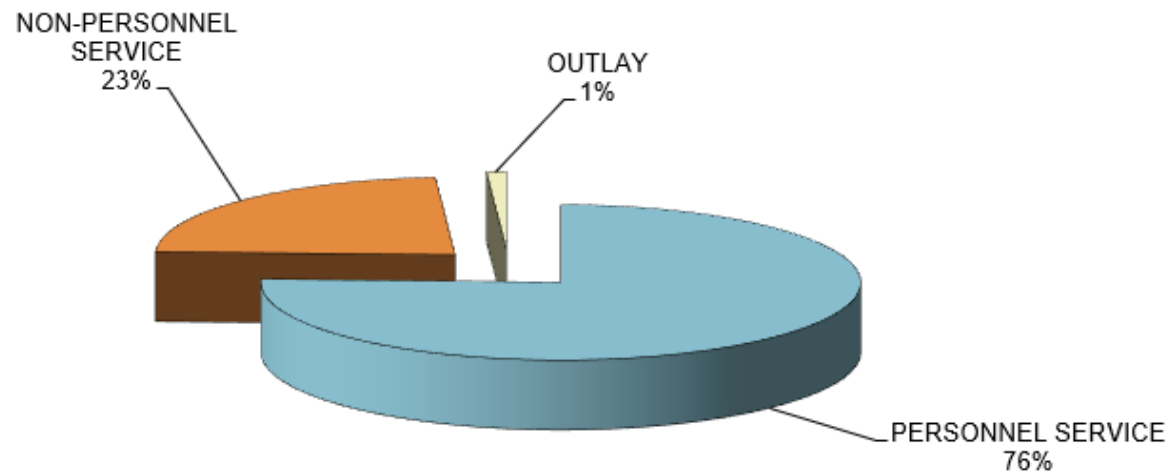
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- Based on the current budget composition, it is anticipated that the tax rate for the City of Kaukauna will increase 3.9% over 2023.
- This is with an estimated assessment values increasing 3%.
  - For every change in basis point in assessed value the tax rate will fluctuate by the same
- With all other jurisdiction remaining flat the overall Tax bill rate will increase 0.81%



# 2024 Budgeted General Fund Expenditures by Type

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# What are Non-Personnel Items

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- |                                      |                                 |
|--------------------------------------|---------------------------------|
| 1. Contractual Services              | 14. Cybersecurity               |
| 2. Utilities                         | 15. IT Data Center and Supplies |
| 3. Maintenance - Building            | 16. Seminar Expense             |
| 4. General Insurance                 | 17. Education & Memberships     |
| 5. Automotive Maintenance & Supplies | 18. Communications              |
| 6. Lease - Building                  | 19. Medical & Lab Supplies      |
| 7. Maintenance - Roads & Walks       | 20. Office Supplies             |
| 8. General Supplies                  | 21. Advertising                 |
| 9. Library Material                  | 22. Postage                     |
| 10. Clothing Expense                 | 23. Recycling Costs             |
| 11. Service Contracts                | 24. Travel - City Business      |
| 12. Hydro Live Expenses              | 25. Printing Expense            |
| 13. Maintenance - Other Equipment    |                                 |

*The top 25 Categories by Spend across the City*

# Non-Personnel 2024 Budget Preview

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<b>2023</b>	<b>2024</b>	<b>\$ Diff</b>	<b>% Diff</b>
<b>BUDGET</b>	<b>BUDGET</b>		
3,712,200	3,785,532	\$73,332	2.0%

# Larger Variances

- The table to the right is showing any large variances +/- from 2023 to 2024 budget by category

Expense Category	2023	2024	\$ Diff	% Diff
	BUDGET	BUDGET		
Contractual Services	1,168,864	1,118,194	-\$50,670	-4.3%
Cybersecurity	43,100	26,000	-\$17,100	-39.7%
Clothing Expense	57,950	46,750	-\$11,200	-19.3%
Bank & Credit Card Fees	22,000	11,980	-\$10,020	-45.5%
Recreation	22,350	15,000	-\$7,350	-32.9%
Girls Softball	6,000	0	-\$6,000	-100.0%
General Supplies	90,450	85,450	-\$5,000	-5.5%
Advertising	23,520	28,850	\$5,330	22.7%
Computing	10,000	19,000	\$9,000	90.0%
General Insurance	194,009	205,817	\$11,808	6.1%
Service Contracts	51,871	64,106	\$12,235	23.6%
Communications	34,830	48,928	\$14,098	40.5%
Data Center	25,000	40,000	\$15,000	60.0%
Library Material	77,552	92,552	\$15,000	19.3%
Maintenance - Building	233,000	248,200	\$15,200	6.5%
Maintenance - Roads & Walks	112,000	129,000	\$17,000	15.2%
Concession Product	21,700	41,700	\$20,000	92.2%
Water, Sewer & Electric	450,800	479,400	\$28,600	6.3%

# Contractual Services – Detailed Changes

- Building Inspections – Changed HVAC/Electric Commercial inspector Reduced cost by (\$40k)
- Environmental Center – \$21k hiring an Wiscorp worker, someone 40 hours a week for 40-50 weeks
- Police Department – Flock cameras (\$18K)
- Police Department – Moved (\$12k) of expenses for squad communications devices to Communications budget line
- Building Inspection – Removed (\$10k) for implementing inspection software in 2023
- Planning – Master Park Plan \$15k
- Website Redesign (\$28k)
- Discontinue sharing Communication Coordinator Position with Kaukauna Utilities. Moved this position to the personnel (-\$50k)

# Noteworthy Items

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- **Property and Liability Premium Coverage** - Estimated to increase 3%-10% across all the categories (\$11k)
- **Street Lighting** - Increase due to actual costs and additional subdivisions (\$30k)
- **Road Salt Cost increase** (\$16k)
- **Girls Softball** – No Longer having program (-\$6k)
- **Bank & Credit Card fees** – Card fees are now being covered by consumer (\$-10k)
- **Concession Product** – Will be offering more menu items at pool. (Revenue offsets this cost) (\$20k)
- **Water, Sewer, Electric** – Expecting a 30%+ increase in water and electrical rates (\$28.5k)
- **Library Material** – Working on getting back to material budget line from 5 years ago (\$15k)
- **Upgrading Camera Server** (\$30k)

# Capital Outlay

- Capital outlay include items that aren't capitalized and borrowed for. Examples of these items are ones that don't last more than 3 years or are less than \$10,000.
- These Items are typically a one-time expense

<b>2023</b>	<b>2024</b>	<b>\$ Diff</b>	<b>% Diff</b>
<b>BUDGET</b>	<b>BUDGET</b>		
193,524	192,130	-\$1,394	-0.7%

# Larger Variances

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Expense Category	2023	2024	\$ Diff	% Diff
	BUDGET	BUDGET		
Machinery, Tools & Instruments	55,546	67,969	\$12,423	22.4%
Automotive	85,628	81,561	-\$4,067	-4.7%
Land & Buildings	10,000	8,000	-\$2,000	-20.0%
Infrastructure	12,000	5,000	-\$7,000	-58.3%



# Noteworthy Capital Outlay Items

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- **Fire Department** – Looking to add a laundry room upstairs so that sheets, clothes, etc. doesn't need to be washed with stuff that has blood, vomit etc. (\$10k)
- **Parks** - Underground Utilities to Lafollette Park was in budget last year. There is \$5k in the budget this year to bring power to Jonen Pavilion(-\$7k)
- **Police** – Automotive line estimated less (-\$4k)

# Non-Personnel By Area Handout

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Next Page contains expense type by area

## CITY OF KAUKAUN

2024 BUDGET  
GENERAL FUND

## SUMMARY OF EXPENDITURES BY TYPE - NON-COVERED SERVICES

DESCRIPTION	NON-PERSONNEL SERVICES	OUTLAY
<b>GENERAL GOVERNMENT</b>		
Assessment	47,500	-
Auditing Services	27,500	-
City Attorney	6,250	-
City Clerk	52,230	-
Common Council	9,375	-
Community Enrichment	52,600	-
Elections	16,350	-
Finance	85,785	-
Human Resources	41,909	-
Information Technology	275,176	-
Mayor	10,300	-
Municipal Service Building	109,500	5,000
Municipal Judge	13,650	1,500
Mailroom & Supplies	19,800	-
Planning/Community Development	34,580	2,500
SPAR Building Maintenance	70,100	-
<b>TOTAL GENERAL GOVERNMENT</b>	<b>872,605</b>	<b>9,000</b>
<b>PUBLIC SAFETY</b>		
Ambulance	87,475	4,000
Building Inspection	87,950	-
Fire	166,125	30,000
Fire Safety	6,600	-
Police	244,649	104,430
School Patrol	1,250	-
<b>TOTAL PUBLIC SAFETY</b>	<b>594,049</b>	<b>138,430</b>
<b>HEALTH &amp; SOCIAL SERVICES</b>		
Alcohol & Other Drug Awareness	2,500	-
<b>TOTAL HEALTH &amp; SOCIAL SERVICES</b>	<b>2,500</b>	<b>-</b>
<b>TRANSPORTATION</b>		
Bridge Maintenance	13,200	-
Bus Subsidies	44,000	-
Engineering	10,350	5,100
Equip Maintenance & Replacement	92,200	-
Forestry	16,500	-
Snow & Ice Removal	141,500	-
Street Department Administration	7,300	-
Street Lighting	241,000	-
Street Maintenance	118,000	1,000
Street Signs & Markers	27,250	-
Traffic Controls	15,000	8,000
Weed Control	3,800	-
<b>TOTAL TRANSPORTATION</b>	<b>730,100</b>	<b>14,100</b>

## CITY OF KAUKAUN

2024 BUDGET  
GENERAL FUND

## SUMMARY OF EXPENDITURES BY TYPE - NON-COVERED SERVICES

DESCRIPTION	NON-PERSONNEL SERVICES	OUTLAY
<b>COMMUNITY ENRICHMENT</b>		
Adult Sports	16,160	-
Athletic Field	56,000	3,000
Civic Promotions	15,000	-
Community Center	3,000	-
Dance Classes	20,500	-
Grignon Mansion	8,770	-
Library	631,793	9,800
Swimming Pool	136,300	-
Youth Sports	45,000	-
<b>TOTAL COMMUNITY ENRICHMENT</b>	<b>932,523</b>	<b>12,800</b>
<b>CONSERVATION &amp; DEVELOPMENT OF NATURAL RESOURCES</b>		
Parks	132,500	15,500
1000 Islands Environmental Center	82,900	2,300
<b>TOTAL CONSERVATION</b>	<b>215,400</b>	<b>17,800</b>
<b>OTHER</b>		
Property & Liability Insurance	197,555	-
<b>TOTAL OTHER</b>	<b>197,555</b>	<b>-</b>
<b>SANITATION</b>		
Refuse Collection	101,800	-
Refuse Disposal	139,000	-
<b>TOTAL SANITATION</b>	<b>240,800</b>	<b>-</b>
<b>TOTAL EXPENDITURES</b>	<b>3,785,532</b>	<b>192,130</b>

## RESOLUTION NO. 2023-5406

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$5,520,000 GENERAL OBLIGATION PROMISSORY NOTES  
AND THE ISSUANCE AND SALE OF \$5,520,000 NOTE ANTICIPATION NOTES,  
SERIES 2023B IN ANTICIPATION THEREOF

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of pool reconstruction projects (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and covenant to issue general obligation promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, cities are authorized by the provisions of Section 67.12(1)(b), Wisconsin Statutes, to issue note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the Securities;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance and sale of note anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes (the "Notes"), in anticipation of receiving the proceeds from the issuance and sale of the Securities, to provide interim financing to pay the cost of the Project; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the Notes to Huntington Securities, Inc. dba Huntington Capital Markets (the "Purchaser"), pursuant to the terms and conditions of its note purchase agreement attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

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

Section 1. Authorization and Issuance of Securities. The City hereby authorizes the issuance of and declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67, Wisconsin Statutes, in an amount sufficient to retire any outstanding note anticipation notes issued for the purpose of paying the cost of the Project.

Section 2. Authorization and Sale of the Notes. In anticipation of the sale of the Securities, for the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of FIVE MILLION FIVE HUNDRED TWENTY THOUSAND DOLLARS (\$5,520,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Notes aggregating the principal amount of FIVE MILLION FIVE HUNDRED TWENTY THOUSAND DOLLARS (\$5,520,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Note Anticipation Notes, Series 2023B"; shall be issued in the aggregate principal amount of \$5,520,000; shall be dated their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate per annum and mature on June 1, 2028 as set forth on the schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 4. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on June 1, 2026 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Security. The Notes shall in no event be a general obligation of the City and do not constitute an indebtedness of the City nor a charge against its general credit or taxing power. No lien is created upon the Project or any other property of the City as a result of the issuance of the Notes. The Notes shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund, hereby created and established, to be held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid. The City hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and any applicable levy or revenue limits; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the City to make any such appropriation or any further payments.

## Section 7. Segregated Debt Service Fund Account.

1. Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for Note Anticipation Notes, Series 2023B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any proceeds of the Notes representing capitalized interest on the Notes or other funds appropriated by the City for payment of interest on the Notes, as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities (or other obligations of the City issued to pay principal of or interest on the Notes); (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the Common Council for that purpose; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

2. Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided that such monies may be invested in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until the Notes are fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable Treasury Regulations (the "Regulations").
3. Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 8. Covenants of the City. The City hereby covenants with the owners of the Notes as follows:

1. It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Notes;
2. It shall segregate the proceeds derived from the sale of the Securities into the special trust fund herein created and established and shall permit such special trust fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid. After the payment of principal of and interest on the Notes in full, said trust fund may be used for such other purposes as the Common Council may direct in accordance with law; and,
3. It shall maintain a debt limit capacity such that its combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness and the \$5,520,000 authorized for the issuance of the Securities to provide for the payment of the Notes shall at no time exceed its constitutional debt limit.

Section 9. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 10. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 11. Compliance with Federal Tax Laws.

1. The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit



the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

2. The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 12. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 13. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 14. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 15. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in

accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded October 3, 2023.

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Anthony J. Penterman  
Mayor

ATTEST:

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Sally A. Kenney  
City Clerk

(SEAL)

EXHIBIT A

Proposal

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Debt Service Schedule

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

## EXHIBIT C

(Form of Note)

REGISTERED	UNITED STATES OF AMERICA	DOLLARS
	STATE OF WISCONSIN	
	OUTAGAMIE AND CALUMET COUNTIES	
NO. R-____	CITY OF KAUKAUNA	\$_____
	NOTE ANTICIPATION NOTE, SERIES 2023B	

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
June 1, 2028	October 18, 2023	____%	_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE &amp; CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
 (\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

This Note is one of an issue of Notes aggregating the principal amount of \$5,520,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(1)(b), Wisconsin Statutes, in anticipation of the sale of general obligation promissory notes (the "Securities"), to provide interim financing for public purposes, including paying the cost of pool reconstruction projects (the "Project"), as authorized by a resolution adopted on October 3, 2023. Said resolution is recorded in the official minutes of the Common Council for said date.

This Note shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds have been declared to constitute a special trust fund to be

held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid.

The City has authorized the issuance of the Securities and has covenanted to issue the Securities in an amount sufficient to repay the Notes pursuant to said resolution. **THE NOTES ARE NOT A GENERAL OBLIGATION OF THE CITY AND DO NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OR PROVISION NOR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. NO LIEN IS CREATED UPON THE PROJECT OR ANY OTHER PROPERTY OF THE CITY AS A RESULT OF THE ISSUANCE OF THE NOTES.**

The Notes are subject to redemption prior to maturity, at the option of the City, on June 1, 2026 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation and date of the Notes called for redemption, CUSIP number, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time. The City has authorized and covenanted to issue and sell the Securities, the sale of which this Note anticipates, as soon as practicable and to set aside the proceeds of the Securities into a special trust fund for the payment of the principal of and interest on this Note.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax,



fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF KAUKAUNA  
OUTAGAMIE AND CALUMET COUNTIES,  
WISCONSIN

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

(SEAL)

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

Date of Authentication: \_\_\_\_\_, \_\_\_\_\_

### CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolution of the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin.

ASSOCIATED TRUST COMPANY,  
NATIONAL ASSOCIATION,  
GREEN BAY, WISCONSIN

By \_\_\_\_\_  
Authorized Signatory

COPY

ASSIGNMENT

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

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

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

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

## RESOLUTION NO. 2023-5407

RESOLUTION AUTHORIZING THE ISSUANCE OF  
\$5,475,000 GENERAL OBLIGATION PROMISSORY NOTES AND THE  
ISSUANCE AND SALE OF \$5,475,000 TAXABLE NOTE ANTICIPATION NOTES,  
SERIES 2023C IN ANTICIPATION THEREOF

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "City") to raise funds for public purposes, including payment of development incentives in tax incremental districts (the "Project");

WHEREAS, the Common Council hereby finds and determines that the Project is within the City's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b), Wisconsin Statutes;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance of and covenant to issue general obligation promissory notes (the "Securities") to provide permanent financing for the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, cities are authorized by the provisions of Section 67.12(1)(b), Wisconsin Statutes, to issue note anticipation notes in anticipation of receiving the proceeds from the issuance and sale of the Securities;

WHEREAS, due to certain provisions contained in the Internal Revenue Code of 1986, as amended, it is necessary to issue the note anticipation notes on a taxable rather than tax-exempt basis;

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to authorize the issuance and sale of taxable note anticipation notes pursuant to Section 67.12(1)(b), Wisconsin Statutes (the "Notes"), in anticipation of receiving the proceeds from the issuance and sale of the Securities, to provide interim financing to pay the cost of the Project; and

WHEREAS, it is the finding of the Common Council that it is necessary, desirable and in the best interest of the City to sell the Notes to Huntington Securities, Inc. dba Huntington Capital Markets (the "Purchaser"), pursuant to the terms and conditions of its note purchase agreement attached hereto as Exhibit A and incorporated herein by this reference (the "Proposal").

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

Section 1. Authorization and Issuance of Securities. The City hereby authorizes the issuance of and declares its intention and covenants to issue the Securities pursuant to the provisions of Chapter 67, Wisconsin Statutes, in an amount sufficient to retire any outstanding note anticipation notes issued for the purpose of paying the cost of the Project.

Section 2. Authorization and Sale of the Notes. In anticipation of the sale of the Securities, for the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b), Wisconsin Statutes, the principal sum of FIVE MILLION FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$5,475,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal is hereby accepted and the Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. To evidence the obligation of the City, the Mayor and City Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the City, the Notes aggregating the principal amount of FIVE MILLION FOUR HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$5,475,000) for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 3. Terms of the Notes. The Notes shall be designated "Taxable Note Anticipation Notes, Series 2023C"; shall be issued in the aggregate principal amount of \$5,475,000; shall be dated their date of issuance; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rate per annum and mature on June 1, 2026 as set forth on the schedule attached hereto as Exhibit B and incorporated herein by this reference (the "Schedule"). Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board.

Section 4. Redemption Provisions. The Notes shall be subject to redemption prior to maturity, at the option of the City, on June 1, 2025 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 5. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit C and incorporated herein by this reference.

Section 6. Security. The Notes shall in no event be a general obligation of the City and do not constitute an indebtedness of the City nor a charge against its general credit or taxing power. No lien is created upon the Project or any other property of the City as a result of the issuance of the Notes. The Notes shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a special trust fund, hereby created and established, to be held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid. The City hereby agrees that, in the event such monies are not sufficient to pay the principal of and

interest on the Notes when due, if necessary, the City will pay such deficiency out of its annual general tax levy or other available funds of the City; provided, however, that such payment shall be subject to annual budgetary appropriations therefor and any applicable levy or revenue limits; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the City to make any such appropriation or any further payments.

#### Section 7. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for Taxable Note Anticipation Notes, Series 2023C" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any proceeds of the Notes representing capitalized interest on the Notes or other funds appropriated by the City for payment of interest on the Notes, as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities (or other obligations of the City issued to pay principal of or interest on the Notes); (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the Common Council for that purpose; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided that such monies may be invested in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Said account shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until the Notes are fully paid or otherwise extinguished.

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 8. Covenants of the City. The City hereby covenants with the owners of the Notes as follows:

(A) It shall issue and sell the Securities as soon as practicable, as necessary to provide for payment of the Notes;

(B) It shall segregate the proceeds derived from the sale of the Securities into the special trust fund herein created and established and shall permit such special trust fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid. After the payment of principal of and interest on the Notes in full, said trust fund may be used for such other purposes as the Common Council may direct in accordance with law; and,

(C) It shall maintain a debt limit capacity such that its combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness and the \$5,475,000 authorized for the issuance of the Securities to provide for the payment of the Notes shall at no time exceed its constitutional debt limit.

Section 9. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services.



Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Associated Trust Company, National Association, Green Bay, Wisconsin, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and

Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Adopted, approved and recorded October 3, 2023.

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Anthony J. Penterman  
Mayor

ATTEST:

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Sally A. Kenney  
City Clerk

(SEAL)

EXHIBIT A

Proposal

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Debt Service Schedule

To be provided by the Purchaser and incorporated into the Resolution.

(See Attached)

## EXHIBIT C

(Form of Note)

REGISTERED UNITED STATES OF AMERICA  
 STATE OF WISCONSIN DOLLARS  
 OUTAGAMIE AND CALUMET COUNTIES  
 NO. R-\_\_\_\_ CITY OF KAUKAUNA \$\_\_\_\_\_  
 TAXABLE NOTE ANTICIPATION NOTE, SERIES 2023C

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:  
 June 1, 2026 October 18, 2023 \_\_\_\_\_% \_\_\_\_\_

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: \_\_\_\_\_ THOUSAND DOLLARS  
 (\$\_\_\_\_\_)

FOR VALUE RECEIVED, the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Associated Trust Company, National Association, Green Bay, Wisconsin (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

This Note is one of an issue of Notes aggregating the principal amount of \$5,475,000, all of which are of like tenor, except as to denomination, issued by the City pursuant to the provisions of Section 67.12(1)(b), Wisconsin Statutes, in anticipation of the sale of general obligation promissory notes (the "Securities"), to provide interim financing for public purposes, including payment of development incentives in tax incremental districts (the "Project"), as authorized by a resolution adopted on October 3, 2023. Said resolution is recorded in the official minutes of the Common Council for said date.

This Note shall be payable only from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds have been declared to constitute a special trust fund to be

held by the City Clerk or City Treasurer and expended solely for the payment of the principal of and interest on the Notes until paid.

The City has authorized the issuance of the Securities and has covenanted to issue the Securities in an amount sufficient to repay the Notes pursuant to said resolution. **THE NOTES ARE NOT A GENERAL OBLIGATION OF THE CITY AND DO NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY LIMITATION OR PROVISION NOR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. NO LIEN IS CREATED UPON THE PROJECT OR ANY OTHER PROPERTY OF THE CITY AS A RESULT OF THE ISSUANCE OF THE NOTES.**

The Notes are subject to redemption prior to maturity, at the option of the City, on June 1, 2025 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation and date of the Notes called for redemption, CUSIP number, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time. The City has authorized and covenanted to issue and sell the Securities, the sale of which this Note anticipates, as soon as practicable and to set aside the proceeds of the Securities into a special trust fund for the payment of the principal of and interest on this Note.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax,

fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF KAUKAUNA  
OUTAGAMIE AND CALUMET COUNTIES,  
WISCONSIN

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

(SEAL)

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



Date of Authentication: \_\_\_\_\_, \_\_\_\_\_

### CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolution of the City of Kaukauna, Outagamie and Calumet Counties, Wisconsin.

ASSOCIATED TRUST COMPANY,  
NATIONAL ASSOCIATION,  
GREEN BAY, WISCONSIN

By \_\_\_\_\_  
Authorized Signatory

COPY

ASSIGNMENT

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

\_\_\_\_\_  
(Name and Address of Assignee)

\_\_\_\_\_  
(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints \_\_\_\_\_, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

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

Signature Guaranteed:

\_\_\_\_\_  
(e.g. Bank, Trust Company  
or Securities Firm)

\_\_\_\_\_  
(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

\_\_\_\_\_  
(Authorized Officer)

## ORDINANCE NO. 1888-2023

### AN ORDINANCE REZONING 1011 DELANGLADE STREET, PARCEL 322075102, FROM INSTITUTIONAL DISTRICT (IT) TO INDUSTRIAL DISTRICT (IND)

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

**WHEREAS**, a Class 2 Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on the **3<sup>rd</sup> of October, 2023** at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

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

SECTION 1: That the following described property:

*Lot one (1) of Certified Survey Map No. 3994, filed in the Office of the Register of Deeds for Outagamie County on March 2, 2001 in Volume 21 of Certified Survey Maps on Page 3994, as Document No. 1396904, being part of Lot A, Private Claim 35, Township Twenty-One (21), North Range Eighteen (18) East, City of Kaukauna, Outagamie County, Wisconsin.*

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

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

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

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

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 3<sup>rd</sup> day of October, 2023.

APPROVED:

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

ATTEST:

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



TONY EVERS

GOVERNOR

KATHY BLUMENFELD

SECRETARY

**Municipal Boundary Review**

PO Box 1645, Madison WI 53701

Voice (608) 264-6102 Fax (608) 264-6104

Email: [wimunicipalboundaryreview@wi.gov](mailto:wimunicipalboundaryreview@wi.gov)Web: <http://doa.wi.gov/municipalboundaryreview>

September 14, 2023

PETITION FILE NO. 14615

SALLY KENNEY, CLERK  
CITY OF KAUKAUNA  
PO BOX 890  
KAUKAUNA, WI 54130-0890

CORY SWEDBERG, CLERK  
TOWN OF VANDENBROEK  
W2030 COUNTY ROAD JJ  
KAUKAUNA, WI 54130-9419

Subject: KAUKAUNA PROPERTIES LLC ET AL ANNEXATION

The proposed annexation submitted to our office on August 16, 2023, has been reviewed and found to be in the public interest. In determining whether an annexation is in the public interest, s. 66.0217 (6), Wis. Stats. requires the Department to examine "[t]he shape of the proposed annexation and the homogeneity of the territory with the annexing village or city..." so as, to ensure the resulting boundaries are rational and compact. The statute also requires the Department to consider whether the annexing city or village can provide needed municipal services to the territory. The subject petition is for territory that is reasonably shaped and contiguous to the City of Kaukauna, which is able to provide needed municipal services.

Notes: 1) The bearing (S 84deg 27min 36sec W?) should be shown for the 186.36' course of the south line of Lot 1 CSM 779 on the scale map. 2) From reference maps it appears this annexation may create an isolated area of town island territory contrary to s. 66.0221, Wis. Stats.

The Department reminds clerks of annexing municipalities of the requirements of s. 66.0217 (9)(a), Wis. Stats., which states:

"The clerk of a city or village which has annexed shall file immediately with the secretary of administration a certified copy of the ordinance, certificate and plat, and shall send one copy to each company that provides any utility service in the area that is annexed. The clerk shall record the ordinance with the register of deeds and file a signed copy of the ordinance with the clerk of any affected school district..."

State and federal aids based on population and equalized value may be significantly affected through failure to file with the Department of Administration. Please file a copy of your annexing ordinance, including a statement certifying the population of the annexed territory. **Please include your MBR number 14615 with your ordinance.** Ordinance filing checklist available at <http://mds.wi.gov/>, click on "Help on How to Submit Municipal Records". Email scanned copy of required materials (color scan maps with color) to [mds@wi.gov](mailto:mds@wi.gov) or mail to: Wisconsin Department of Administration, Municipal Boundary Review, PO Box 1645, Madison WI 53701-1645.

The petition file is available for viewing at: <http://mds.wi.gov/View/Petition?ID=2689>

Please call me at (608) 264-6102, should you have any questions concerning this annexation review.

Sincerely,

Erich Schmidtke, Municipal Boundary Review

cc: petitioner

## PETITION FOR DIRECT ANNEXATION BY ONE-HALF APPROVAL OF TERRITORY TO CITY OF KAUKAUNA

The undersigned are the owners of the following referenced lands located in the Town of Vandebroek, Outagamie County, Wisconsin, lying contiguous to the City of Kaukauna. The undersigned owners petition the Mayor and Common Council of said city for direct annexation by one-half approval of the territory described below and shown upon the attached map, as permitted by Chapter 66 of the Wisconsin Statutes, to the City of Kaukauna, Outagamie County, Wisconsin.

The territory proposed for annexation from the Town of Vandebroek to the City of Kaukauna is shown on the scale map attached as Exhibit A (the Territory) and more particularly described on Exhibit B. Exhibit C is a graphical illustration of the owners of the lands within the territory. There are zero (0) electors residing in the territory.

Petitioners have caused to be published in the Subject Territory as a Class I notice under Wis. Stat. ch. 985 a Notice of Intent to Circulate Petition for Annexation of Territory to the City of Kaukauna ("Notice") not less than ten (10) and not more than twenty (20) days before the circulation of this Petition to Petitioner, pursuant to the provisions of Wis. Stat. §§ 66.0217(3)(a), 66.0217(4) and 66.0217(5).

Petitioners have caused a copy of the Notice to be served upon each of the City Clerk of the City of Kaukauna, Outagamie County, Wisconsin, the Town Clerk of the Town of Vandebroek, Outagamie County, Wisconsin, the Superintendent of the Kaukauna Area School District, Outagamie County, Wisconsin, each owner of land within the Subject Territory, and the State of Wisconsin, Department of Administration, within five (5) days after the date of the publication of the Notice, in accordance with the provisions of Wis. Stat. §§ 66.0217(4) and 66.0217(6).

Petitioners will cause this Petition, the legal description of the Subject Territory, and the Scale Map to be filed with the City of Kaukauna, Outagamie County, Wisconsin, the Town Clerk of the Town of Vandebroek, Outagamie County, Wisconsin, and the State of Wisconsin, Department of Administration, in accordance with the provisions of Wis. Stat. §§ 66.0217(3) and 66.0217(6).

Dated this 29 day of August, 2023.

KAUKAUNA PROPERTIES LLC and TRC BROTHERS PROPERTIES LLC owners of parcels 200056900, 200056800, 200055703, 200055704, and 200055705 constituting 61.22 acres totaling 42.92-percent of the territory and a 2023 assessed value of \$24,100 totaling 22.25-percent of the territory area assessed value.

Authentisign

Randy Calmes

08/29/23

KAUKAUNA PROPERTIES LLC  
RANDY CALMES, Authorized Member  
N1851 STATE RD 55  
KAUKAUNA, WI 54130

Authentisign

Randy Calmes

08/29/23

TRC BROTHERS PROPERTIES LLC  
RANDY CALMES, Authorized Member  
N1851 STATE RD 55  
KAUKAUNA, WI 54130

PETITION FOR DIRECT ANNEXATION BY ONE-HALF  
APPROVAL OF TERRITORY TO CITY OF KAUKAUNA

Dated this 28<sup>th</sup> day of Aug, 2023.

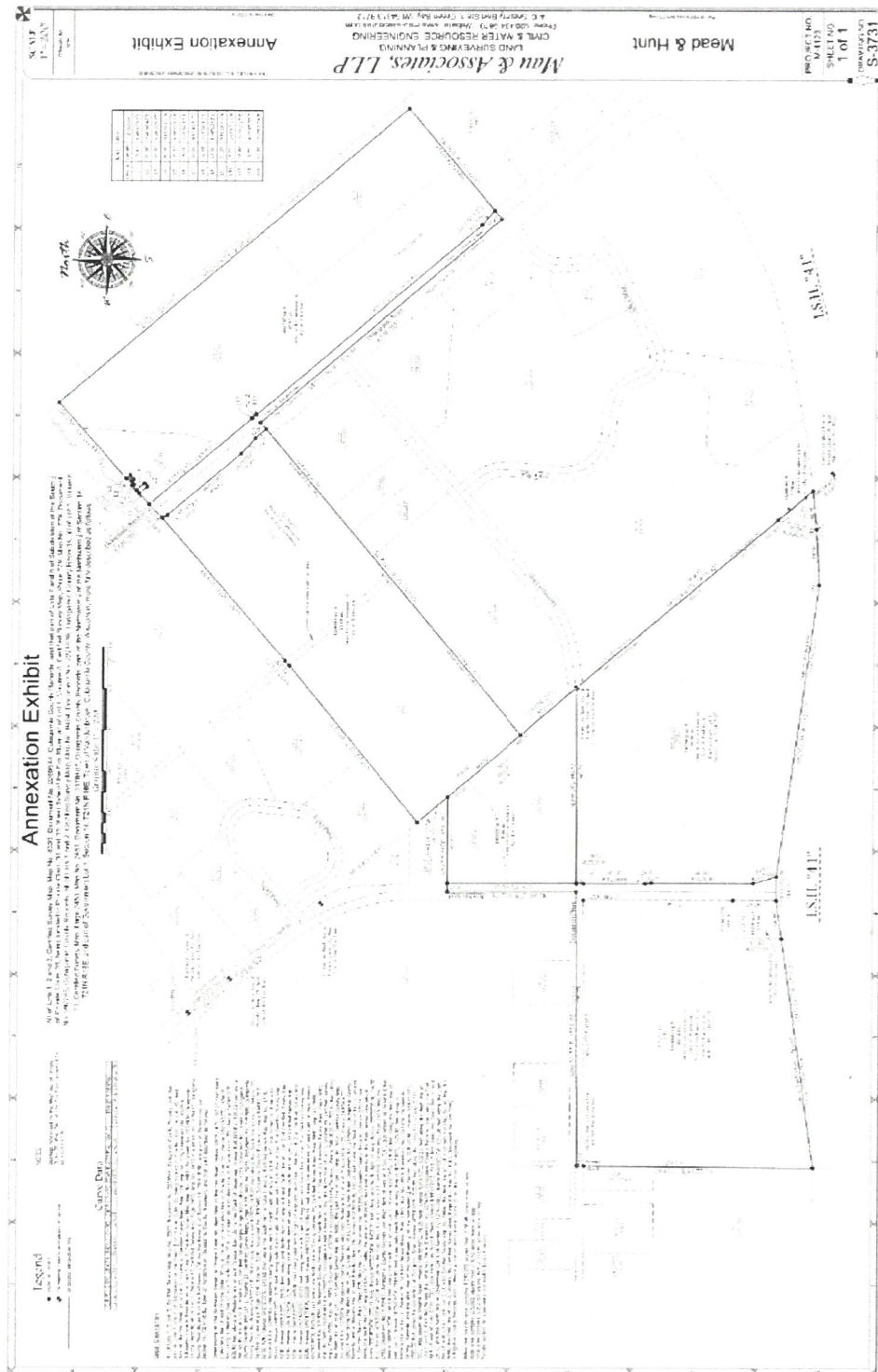
VZ SIGNS LLC owner of parcel 200027001 constituting 0.47 acres totaling .033-percent of the territory and a 2023 assessed value of \$63,800 totaling 58.91-percent of the territory area assessed value.

Kelly Goetsch  
VZ SIGNS LLC

KELLY GOETSCH, Authorized Member  
PO BOX 144  
LITTLE CHUTE, WI 54140

PETITION FOR DIRECT ANNEXATION BY ONE-HALF  
APPROVAL OF TERRITORY TO CITY OF KAUKAUNA

APPENDIX A: ANNEXATION MAP





**PETITION FOR DIRECT ANNEXATION BY ONE-HALF  
APPROVAL OF TERRITORY TO CITY OF KAUKAUNA**

**APPENDIX B: LEGAL DESCRIPTION**

All of Lots 1, 2 and 3, Certified Survey Map, Map No. 8330, Document No. 2269544, Outagamie County Records, and that part of Lots 7 and 8 of Subdivision of the South of Private Claim 35, being located in Private Claim 34 and 35, West 12 of Private Claim 35, being located in Private Claim 34 and 35, West Side of the Fox River, all of Lot 1, Volume 4, Certified Survey Map, Page 779, Map No. 779, Document No. 992295, Outagamie County Records, all of Lots 1 and 2, Certified Survey Map, Map No. 8404, Document No. 2279936, Outagamie County Records, all of Lot 1, Volume 13, Certified Survey Map, Page 2453, Map No. 2453, Document No. 1178487, Outagamie County Records, part of the Northwest of the Northwest of Section 14, T21N-R18E, and part of Government Lot 1, 14 of the Northwest of Section 14, T21N-R18E, and part of Government Lot 1, 14 of Section 14, T21N-R18E, and part of Government Lot 1, Section 14, T21N-R18E, Town of Vandebroek, Outagamie County, Wisconsin, and that part described as follows: Commencing at the Northwest Corner of Private Claim 35, West Side of the Fox River; thence S39°52'01"E, 197.27 feet along a Westerly line of said Private Claim 35 to a Corner on said West line of Private Claim 35; thence S39°55'23"E, 1954.06 feet along a Westerly line of said Private Claim 35 to a Corner on said West line of Private Claim 35; thence S40°06'21"E, 608.40 feet along a Westerly line of said Private Claim 35 to the Point of Beginning; thence N50°29'08"E, 981.23 feet along the South line of Lot 4, Volume 23, Certified Survey Maps, Page 4237, Map No. 4237, Document No. 1449112, Outagamie County Records and Lot 2, Volume 23, Certified Survey Maps, Page 4245, Map No. 4245, Document No. 1451586, Outagamie County Records; thence N48°57'47"E, 32.89 feet; thence N49°10'55"E, 905.97 feet along the South line of Lot 1, Volume 37, Certified Survey Maps, Page 6316, Map No. 6316, Document No. 1918466, Outagamie County Records; thence N46°02'39"E, thence N46°02'39"E, 92.56 feet; thence S40°12'27"E, 643.62 feet along the South line of Lots 1 and 2, Certified Survey Map, Map No. 8330, Document No. 2269544, Outagamie County Records, and the North right of way of S.T.H. "55", also known as Delanglade Street; thence N49°47'33"E, 3.75 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S40°12'27"E, 28.00 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S49°47'33"W, 3.75 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S40°12'27"E, 1416.81 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S47°36'52"E, 92.77 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S49°47'51"W, 53.29 feet; thence N40°12'38"W, 1518.49 feet along the centerline of said right of way; thence S49°50'02"W, 1972.08 feet along the North line of Lot 1, Volume 33, Certified Survey Maps, Page 5680, Map No. 5680, Document No. 1768284, Outagamie County Records, the North line of Lot 1, Volume 33, Certified Survey Maps, Page 5681, Map No. 5681, Document No. 1768571, Outagamie County Records, and the North line of Lot 1, Volume 41, Certified Survey Maps, Page 6882, Map No. 6882, Document No. 2025289, Outagamie County Records; thence S40°06'21"E, 357.19 feet along the West line of said Lot 1 of Certified Survey Map No. 5680, the East line of Lot 1, Map No. 8404, Certified Survey Map, Document No. 2279936, Outagamie County Records, and said Westerly line of said Private Claim 35; thence S40°04'47"E, 1260.14 feet along the West line of Lot 3, Map No. 7631, Certified Survey Maps, Document No. 2145844, Outagamie County Records, and a Westerly line of said Private Claim 35; thence S13°39'16"W, 190.33 feet along the West line of Lot 1, Volume 4, Certified Survey Maps, Page 779, Map No. 779, Document No. 992295, Outagamie County Records; thence 270.14 feet along the North right of way of I.S.H. "41" being the arc



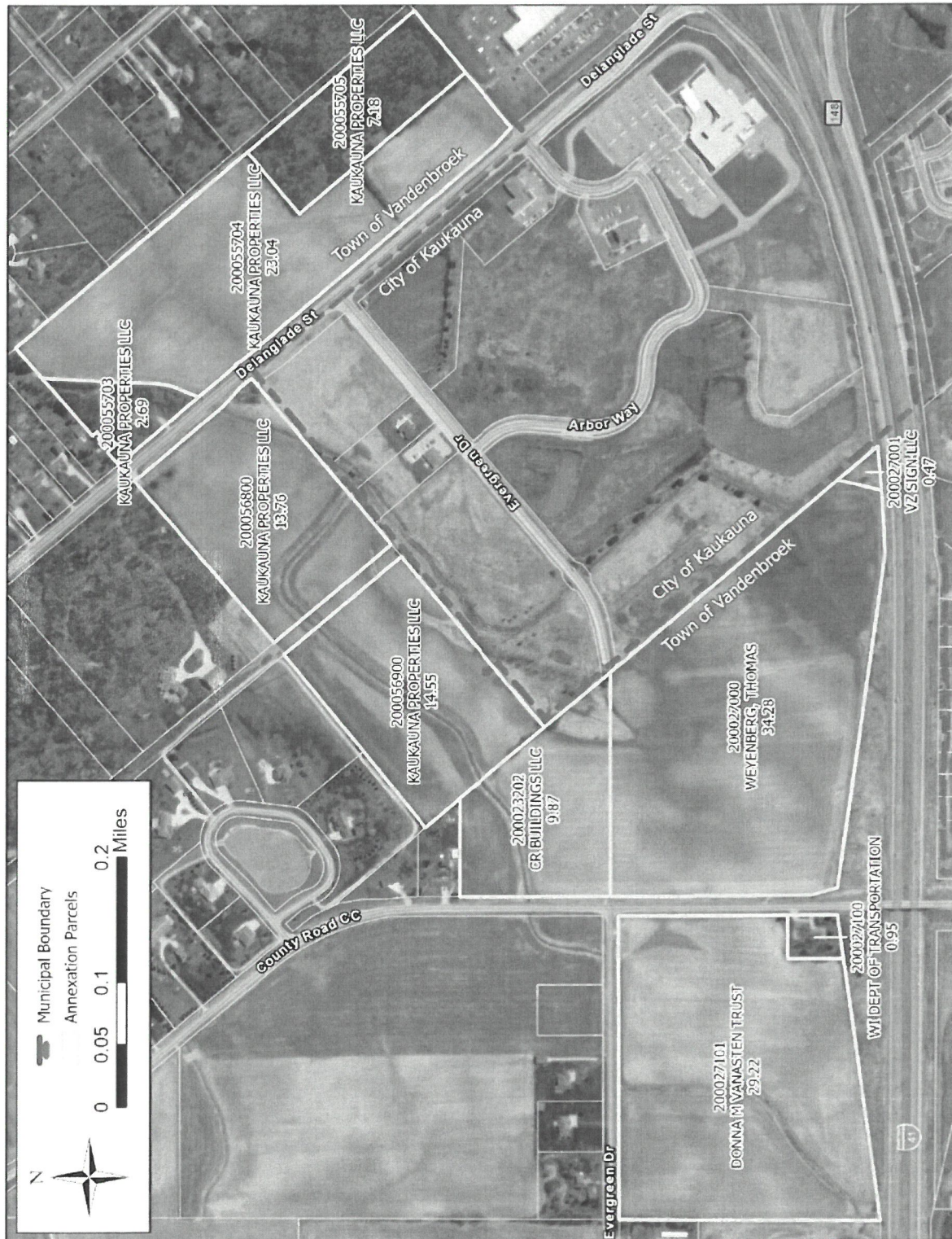
**PETITION FOR DIRECT ANNEXATION BY ONE-HALF  
APPROVAL OF TERRITORY TO CITY OF KAUKAUNA**

of a 5624.65 foot radius curve to the Right whose long chord bears S86°48'54"W, 270.11 feet; thence N82°02'34"W, 1422.91 feet along said North right of way; thence S89°56'00"W, 114.32 feet; thence N0°03'25"W, 210.00 feet along the East line of Lot 1, Volume 13, Certified Survey Map, Page 2453, Map No. 2453, Document No. 1178487, Outagamie County Records and West right of way of C.T.H. "CC", also known as Rosehill Drive; thence S89°56'35"W, 185.00 feet along the North line of said Lot 1; thence S0°03'25"E, 236.16 feet along the West line of said Lot 1; thence S81°53'42"W, 1119.68 feet along said North right of way; thence N0°22'05"E, 1135.62 feet along a Easterly line of Lot 2, Volume 16, Certified Survey Maps, Page 2995, Map No. 2995, Document No. 1244454, Outagamie County Records, and the West line of the Northwest of the Northwest of Section 14, T21N-R18E; thence N89°33'30"E, 14 of the Northwest of Section 14, T21N-R18E; thence N89°33'30"E, 14 of Section 14, T21N-R18E; thence N89°33'30"E, 1326.02 feet along the centerline of Evergreen Drive; thence N0°04'10"W, 632.78 feet along the centerline of said C.T.H. "CC", also known as Rosehill Road; thence N89°55'50"E, 41.25 feet; thence S0°04'10"E, 632.23 feet along the West line of Lots 1 and 2, Certified Survey Map, Map No. 8404, Document No. 2279936, Outagamie County Records, also being the East right of way of said C.T.H. "CC", also known as Rosehill Road; thence N89°45'24"E, 945.79 feet along the South line of said Lot 1, and the North line of Government Lot 1 of Section 14, T21N-R18E; thence N40°06'21"W, 1013.38 feet along the East line of said Lots 1 and Lot 2 of said Certified Survey Map No. 8404, the West line of Lot 1 of said Certified Survey Map No. 5680, the East line of Lot 2, Volume 36, Certified Survey Maps, Page 6163, Map No. 6163, Document No. 1877286, Outagamie County Records, and a Westerly line of said Private Claim 35 to the Point of Beginning.

Metes and bounds area of the territory contains 4,290,253 square feet / 98.49 acres more or less. Platted area of the territory contains 1,646,132 square feet / 37.79 acres more or less. Road area contains 275,882 square feet / 6.33 acres more or less. Total area contains 6,212,128 square feet / 142.61 acres more or less.

# PETITION FOR DIRECT ANNEXATION BY ONE-HALF APPROVAL OF TERRITORY TO CITY OF KAUKAUNA

## APPENDIX C: MAP OF PROPERTY OWNERS IN TERRITORY





# Annexation Exhibit

## Legend

- point of record
- Outagamie County monument of record
- proposed annexation line

## NOTES

Bearings referenced to the West line of Private Claim 35, West Side of the Fox River, assumed to be N40°04'47"W.

## Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	270.14'	5624.65'	270.11'	S86°48'54"W	2°45'06"	S88°11'27"W & S85°26'21"W

## Legal Description

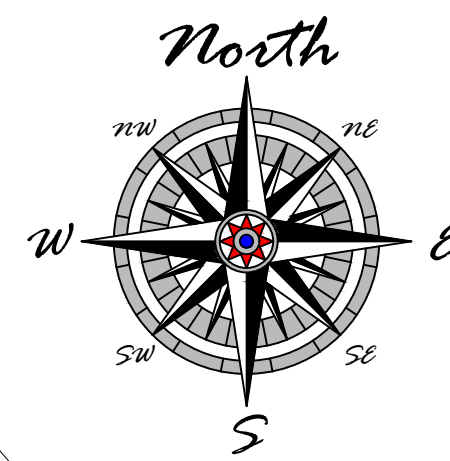
All of Lots 1, 2 and 3, Certified Survey Map, Map No. 8330, Document No. 2269544, Outagamie County Records, and that part of Lots 7 and 8 of Subdivision of the South  $\frac{1}{2}$  of Private Claim 35, being located in Private Claim 34 and 35, West Side of the Fox River, all of Lot 1, Volume 4, Certified Survey Map, Page 779, Map No. 779, Document No. 992295, Outagamie County Records, all of Lots 1 and 2, Certified Survey Map, Map No. 8404, Document No. 2279936, Outagamie County Records, all of Lot 1, Volume 13, Certified Survey Map, Page 2453, Map No. 2453, Document No. 1178487, Outagamie County Records, part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 14, T21N-R18E, and part of Government Lot 1, Section 14, T21N-R18E, Town of Vandebrook, Outagamie County, Wisconsin, and that part described as follows:

Commencing at the Northwest Corner of Private Claim 35, West Side of the Fox River; thence S39°52'01"E, 197.27 feet along a Westerly line of said Private Claim 35 to a Corner on said West line of Private Claim 35; thence S39°55'23"E, 1954.06 feet along a Westerly line of said Private Claim 35 to a Corner on said West line of Private Claim 35; thence S40°06'21"E, 608.40 feet along a Westerly line of said Private Claim 35 to the Point of Beginning; thence N50°29'08"E, 981.23 feet along the South line of Lot 4, Volume 23, Certified Survey Maps, Page 4237, Map No. 4237, Document No. 144912, Outagamie County Records and Lot 2, Volume 23, Certified Survey Maps, Page 4245, Map No. 4245, Document No. 1451586, Outagamie County Records; thence N48°57'47"E, 32.89 feet; thence N49°10'55"E, 905.97 feet along the South line of Lot 1, Volume 37, Certified Survey Maps, Page 6316, Map No. 6316, Document No. 1918466, Outagamie County Records; thence N46°02'39"E, 92.56 feet; thence S40°12'27"E, 643.62 feet along the South line of Lots 1 and 2, Certified Survey Map, Map No. 8330, Document No. 2269544, Outagamie County Records, and the North right of way of S.T.H. "55", also known as Delanglade Street; thence N49°47'33"E, 3.75 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S40°12'27"E, 28.00 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S49°47'33"W, 3.75 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S40°12'27"E, 1416.81 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S47°36'52"E, 92.77 feet along said North right of way and said South line of Lot 2 of Certified Survey Map 8330; thence S49°47'51"W, 53.29 feet; thence N40°12'38"W, 1518.49 feet along the centerline of said right of way; thence S49°50'02"W, 1972.08 feet along the North line of Lot 1, Volume 33, Certified Survey Maps, Page 5680, Map No. 5680, Document No. 1768284, Outagamie County Records, the North line of Lot 1, Volume 33, Certified Survey Maps, Page 5681, Map No. 5681, Document No. 1768571, Outagamie County Records, and the North line of Lot 1, Volume 41, Certified Survey Maps, Page 6882, Map No. 6882, Document No. 2025289, Outagamie County Records; thence S40°06'21"E, 357.19 feet along the West line of said Lot 1 of Certified Survey Map No. 5680, the East line of Lot 1, Map No. 8404, Certified Survey Map, Document No. 2279936, Outagamie County Records, and said Westerly line of said Private Claim 35; thence S40°04'47"E, 1260.14 feet along the West line of Lot 3, Map No. 7631, Certified Survey Maps, Document No. 2145844, Outagamie County Records, and a Westerly line of said Private Claim 35; thence S13°39'16"W, 190.33 feet along the West line of Lot 1, Volume 4, Certified Survey Maps, Page 779, Map No. 779, Document No. 992295, Outagamie County Records; thence 270.14 feet along the North right of way of I.S.H. "41" being the arc of a 5624.65 foot radius curve to the Right whose long chord bears S86°48'54"W, 270.11 feet; thence N82°02'34"W, 1422.91 feet along said North right of way; thence S89°56'00"W, 114.32 feet; thence N0°03'25"W, 210.00 feet along the East line of Lot 1, Volume 13, Certified Survey Map, Page 2453, Map No. 2453, Document No. 1178487, Outagamie County Records and West right of way of C.T.H. "CC", also known as Rosehill Drive; thence S89°56'35"W, 185.00 feet along the North line of said Lot 1; thence S0°03'25"E, 236.16 feet along the West line of said Lot 1; thence S81°53'42"W, 1119.68 feet along said North right of way; thence N0°22'05"E, 1135.62 feet along a Easterly line of Lot 2, Volume 16, Certified Survey Maps, Page 2995, Map No. 2995, Document No. 1244454, Outagamie County Records, and the West line of the Northwest  $\frac{1}{4}$  of Section 14, T21N-R18E; thence N89°33'30"E, 1326.02 feet along the centerline of Evergreen Drive; thence N0°04'10"W, 632.78 feet along the centerline of said C.T.H. "CC", also known as Rosehill Road; thence N89°55'50"E, 41.25 feet; thence S0°04'10"E, 632.23 feet along the West line of Lots 1 and 2, Certified Survey Map, Map No. 8404, Document No. 2279936, Outagamie County Records, also being the East right of way of said C.T.H. "CC", also known as Rosehill Road; thence N89°45'24"E, 945.79 feet along the South line of said Lot 1, and the North line of Government Lot 1 of Section 14, T21N-R18E; thence N40°06'21"W, 1013.38 feet along the East line of said Lots 1 and 2 of said Certified Survey Map No. 8404, the West line of Lot 1 of said Certified Survey Map No. 5680, the East line of Lot 2, Volume 36, Certified Survey Maps, Page 6163, Map No. 6163, Document No. 1877286, Outagamie County Records, and a Westerly line of said Private Claim 35 to the Point of Beginning.

Metes and bounds area contains 4,290,253 square feet / 98.49 acres more or less.  
Road area contains 275,882 square feet / 6.33 acres more or less.  
Total area contains 6,212,128 square feet / 142.61 acres more or less.  
Parcels subject to easements and restrictions of record.

All of Lots 1, 2 and 3, Certified Survey Map, Map No. 8330, Document No. 2269544, Outagamie County Records, and that part of Lots 7 and 8 of Subdivision of the South  $\frac{1}{2}$  of Private Claim 35, being located in Private Claim 34 and 35, West Side of the Fox River, all of Lot 1, Volume 4, Certified Survey Map, Page 779, Map No. 779, Document No. 992295, Outagamie County Records, all of Lots 1 and 2, Certified Survey Map, Map No. 8404, Document No. 2279936, Outagamie County Records, all of Lot 1, Volume 13, Certified Survey Map, Page 2453, Map No. 2453, Document No. 1178487, Outagamie County Records, part of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 14, T21N-R18E, and part of Government Lot 1, Section 14, T21N-R18E, Town of Vandebrook, Outagamie County, Wisconsin, more fully described as follows:

Graphic Scale: 1" = 200'



Line #	Length	Direction
L1	71.01	N48°23'13"E
L2	50.00	S41°36'47"E
L3	20.00	N48°23'13"E
L4	50.00	N41°36'47"W
L5	28.83	N48°23'13"E
L6	8.71	S41°36'47"E
L7	20.09	N53°49'52"E
L8	14.68	S41°36'47"E
L9	24.50	N48°23'13"E
L10	25.29	N41°36'47"W
L11	3.75	S49°47'33"W
L12	28.00	S40°12'27"E
L13	3.75	N49°47'33"E
L14	67.99	S40°12'38"E

TAX PARCEL NO. 200027000, 200058900, 200056800

## Annexation Exhibit

**Mau & Associates, LLP**  
LAND SURVEYING & PLANNING  
CIVIL & WATER RESOURCE ENGINEERING  
Phone: 920-434-9670 Website: [www.mau-associates.com](http://www.mau-associates.com)  
400 Security Blvd Ste 1, Green Bay, WI 54313-9712

## Mead & Hunt

PROJECT NO.  
M-4123  
SHEET NO.  
1 of 1  
DRAWING NO.  
S-3731

File: M-4123Annex 04-1123.dwg

# ORDINANCE NO. 1889-2023

## AN ORDINANCE REZONING 1011 DELANGLADE STREET, PARCEL 322075102, FROM INSTITUTIONAL DISTRICT (IT) TO INDUTRIAL DISTRICT (IND)

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

**WHEREAS**, a Class 2 Notice of Public Hearing regarding such proposed zoning change and, pursuant thereto, a public hearing having been held on the **3<sup>rd</sup> of October, 2023** at 7:00 p.m., and the Common Council having heard all interested parties or their agents and attorneys;

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

SECTION 1: That the following described property:

*Lot one (1) of Certified Survey Map No. 3994, filed in the Office of the Register of Deeds for Outagamie County on March 2, 2001 in Volume 21 of Certified Survey Maps on Page 3994, as Document No. 1396904, being part of Lot A, Private Claim 35, Township Twenty-One (21), North Range Eighteen (18) East, City of Kaukauna, Outagamie County, Wisconsin.*

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

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

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

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

Adopted by the Common Council of the City of Kaukauna, Wisconsin, on this 3<sup>rd</sup> day of October, 2023.

APPROVED:

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

ATTEST:

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