



Common Council

Regular Meeting

335 South Broadway
De Pere, WI 54115
<http://www.de-pere.org>

Minutes

Tuesday, September 18, 2018

7:30 PM

De Pere City Hall Council Chambers

1. Call to Order: The meeting was called to order at 7:30 PM by Mayor Walsh.

Attendee Name	Title	Status
Michael J. Walsh	Mayor	Present
James Boyd	Aldersperson	Present
Dan Carpenter	Aldersperson	Present
Scott Crevier	Aldersperson	Present
Jonathon Hansen	Aldersperson	Present
Ryan Jennings	Aldersperson	Present
Larry Lueck	Aldersperson	Present
Casey Nelson	Aldersperson	Present
Dean Raasch	Aldersperson	Present

2. Pledge of Allegiance to the Flag.
3. Approval of the Minutes of the September 4, 2018 Common Council Meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Lueck, Aldersperson
SECONDER:	Dean Raasch, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

4. Public Hearing on the Rezoning of Parcels ED-R27-1 and ED-R27-2

- a. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on September 4 and 11, 2018.

- b. Recommendation from the Plan Commission.

Development Services Director Kim Flom explained that the rezoning request is for the new Pine Trail Subdivision, a property that was recently annexed into the City. She explained that most of the site will remain zoned at R1 but some lots will be rezoned to R2 and another to R3. The Plan Commission approved the rezoning unanimously. Mayor Walsh declared the public hearing open. Craig Oestreich, 2730 Ryan Road, came forward and asked about the assessment notices he has received for water, sewer and sidewalk. He also asked about the existing mound that they have an easement for. Mayor Walsh declared the public hearing closed and entertained a motion.

- c. Ordinance #18-19 Rezoning Certain Property (Parcels ED-R27-1 & ED-R27-2).

Aldersperson Raasch moved, seconded by Aldersperson Crevier to approve the ordinance to rezone. Public Works Director Scott Thoresen addressed the property owner's questions about the assessment estimates he received. He explained that those assessments are for the water and sewer hookup and installation of sidewalks and that those services are being put in because the property was annexed into the City of De Pere. The assessment can be deferred

if the City determines that the mound system and well are in good condition. Scott Thoresen explained that the public hearings for the special assessments will occur at a later date and the property owner can address questions and concerns at that time. Discussion followed. Alderperson Carpenter asked if there were any complaints about the duplex on lot 22. Alderperson Carpenter moved, seconded by Alderperson Hansen to open the meeting. Upon vote, motion carried unanimously. Steve Beida with Mau and Associates came forward and explained that Lot 22 was selected for a duplex because it is a larger parcel. Discussion followed regarding other lot options for the duplex. Craig Oestreich spoke again and asked about his well, the \$17,500 sewer and water hook up assessment, and his mound easement. Scott Thoresen explained that the City will review his well and could potentially delay the assessment for hook up. City Administrator Larry Delo explained that the Council can determine not to charge interest until the property is hooked up to water and sewer. Steve Beida explained that the developer is aware of the mound easement. Discussion followed. Alderperson Raasch moved, seconded by Alderperson Jennings to close the meeting. Upon vote, motion carried unanimously. Alderperson Hansen moved, seconded by Alderperson Jennings to change the zoning of Lot 22 from R2 to R1. Alderperson Carpenter moved, seconded by Alderperson Nelson to open the meeting. Upon vote, motion carried unanimously. Steve Beida identified lots 53, 47 and 35 as other options for a duplex. Alderperson Crevier moved, seconded by Alderperson Raasch to close the meeting. Upon vote, motion carried unanimously. Alderperson Hansen moved, seconded by Alderperson Jennings, to amend his earlier motion to include rezoning Lot 53 from R1 to R2. Discussion followed. The amendment failed with Alderpersons Crevier, Lueck, Nelson, Raasch and Mayor Walsh voting nay. Alderperson Hansen moved to change the zoning of Lot 22 from R2 to R1; the motion failed for lack of a second. Upon vote on the original motion to approve the rezoning, motion carried 8-0.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

5. Public Hearing on the Rezoning of Parcel ED-1128-E-1-3

a. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on September 4 and 11, 2018.

b. Recommendation from the Plan Commission.

Development Services Director Kim Flom explained that the rezone request is to accommodate redevelopment of the west end of the Dairy Queen property; Plan Commission recommended the rezoning 5-0. Mayor Walsh declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.

c. Ordinance #18-20 Rezoning Certain Property (Parcel ED-1128-E-1-3)

Development Services Director Kim Flom explained B3 zoning. She explained that the site plan has not been submitted yet for review; this ordinance only changes the zoning of the parcel to allow for the developer to submit a site plan.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

6. Public Hearing on a Conditional Use Permit for Parcel ED-1128-E-1-3 to allow a second floor residential dwelling and drive through window in the B-2 General Business District.

- a. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on September 4 and 11, 2018.

- b. Recommendation from the Plan Commission.

Development Services Director Kim Flom stated the Plan Commission approved the Conditional Use Permit on a vote of 5-0. She explained that the zoning change will require a Conditional Use Permit for the drive-through at Dairy Queen and for the residential proposed for the upper floor. Mayor Walsh declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.

- c. Resolution #18-86 Authorizing and Approving a Conditional Use Permit (Part of Parcel ED-1128-E-1-3; 1081 North Broadway Street).

Alderperson Hansen asked if it is common to have residential units on the second floor of this zoning. Development Services Director Kim Flom explained that it is more common in downtown areas, but that there is an interest in it due to the high demand for residential in De Pere.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

7. Public comment upon matters not on the agenda and other announcements.

Alderperson Jennings announced that Definitely De Pere Soup Walk tickets are on sale; the Soup Walk is scheduled for October 6 and the Definitely De Pere website has more details. He also congratulated Alderperson Nelson on their first mental health outreach session; 42 people attended. Alderperson Nelson announced that the next mental health outreach session will focus on depression and is on Wednesday, September 26 at 6:30 p.m. at the Community Center in the Oak Room. Alderperson Hansen reminded residents of the tree planting program. The City Forestry Department will plan trees in terrace areas for residents for around \$130 a tree and that the deadline to request a tree for fall is September 28.

8. Recommendation from Finance/Personnel Committee to approve the 2019 Benefit Renewal and Plan Design Changes

Alderson Carpenter asked for an explanation of the appeal process. City Human Resources Director Shannon Metzler introduced Cindy Van Asten, the City's benefit broker, who explained that the 10 people affected will be notified 90 days in advance of the change, that the appeal process happens with the member and their medical provider and that the appeal will be made through CVS Caremark. Shannon explained that the appeal process typically happens automatically. Alderson Hansen asked about the alternative medications; how different are they from the current medications being administered? Cindy Van Asten explained that the active ingredient in the prescription will be a match and no one will be declined a medication. Alderson Hansen requested clarification of the change in coverage for a colonoscopy. Shannon Metzler explained that the change will encourage employees to get their colonoscopy; anything that is discovered in the preventative colonoscopy will be covered. Discussion followed regarding the change to medications and the appeal process.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderson
SECONDER:	Larry Lueck, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

9. Recommendation from the Finance and Personnel Committee to approve a contract amendment with AECOM for environmental remediation work on the O'Keefe property

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Scott Crevier, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

10. Recommendation of the Board of Public Works to Award the Contract for Project 18-14 Pine Trail Crossing Street & Utility Construction to Kruczek Construction Inc. in the Amount of \$1,755,000.00.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Casey Nelson, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

11. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage and "Class C" Wine License for Aunt Ethel's LLC (DBA Aunt Ethel's), 377 Main Av. Submitted by Aunt Ethel's LLC, Agent: Timothy Jelinski, De Pere, WI.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderson
SECONDER:	Casey Nelson, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

12. Recommendation from the License Committee on an Application for a Class "A" Fermented Malt Beverage/"Class A" Intoxicating Liquor License for Aldi Inc. Wisconsin (DBA Aldi #53), 1100 Main Av. Submitted by Aldi Inc. Wisconsin, Agent: Bradley Schmidt, De Pere, WI.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

13. Resolution #18-87 Making Updated Facade Improvement Grant Eligibility Requirements and Guidelines Retroactive for Previously Approved 2018 Grants.

Development Services Director Kim Flom reviewed the timeline of the changes made to the Facade Improvement guidelines. She explained that these applicants went forward with projects during the time that the guidelines were being reviewed and that the Redevelopment Authority. Discussion followed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

1. Resolution #18-88 Authorizing Disbursement of Revised Grant (353 Main Avenue - Parcel WD-917).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

2. Resolution #18-89 Authorizing Disbursement of Revised Grant (363 Main Avenue - Parcel WD-919).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

3. Resolution #18-90 Authorizing Disbursement of Revised Grant (330 Main Avenue - Parcel WD-371).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Lueck, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

14. Resolution #18-91 Approving Facade Improvement Project and Authorizing Disbursement of Grant (100-102 South Broadway Street - Parcel ED-783).

RESULT:	ADOPTED [7 TO 0]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Lueck, Nelson, Raasch
ABSTAIN:	Ryan Jennings

15. Resolution #18-92, Establishing the Boundaries of and Approving the Project Plan for Tax Incremental Financing District Number 14, City of De Pere, Wisconsin.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

16. Resolution #18-93 Authorizing Submission of Wisconsin Department of Natural Resources Cost-Share Grant for Urban and Community Forestry Projects or Urban Forestry Catastrophic Storm Projects.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

17. Resolution #18-94 Approving Revised Classification and Compensation Plan Grade Order List.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Lueck, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

18. Resolution #18-95 Adopting Update to the City of De Pere Investment Policy.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

19. Resolution #18-97 Authorizing Agreement for Consulting Services Between the City of De Pere and Elmstar Electric Corporation (Street Lighting Inventory and Condition Assessment).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

20. Resolution #18-96 Authorizing Land Use Agreement Between the City of De Pere and Wisconsin Department of Natural Resources.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

21. Resolution #18-98 Urging the State Legislature to Agree Upon a Sustainable Resolution for Transportation Aids.

RESULT:	ADOPTED [5 TO 3]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Hansen, Jennings, Nelson
NAYS:	Scott Crevier, Larry Lueck, Dean Raasch

22. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Operator License Applications #1-13 and 15. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to table Operator License Application #14. Upon vote, motion carried unanimously.

23. Voucher Approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

24. Future Agenda Items.

Alderperson Jennings asked for an update on the effect of the new traffic officer on staff in relation to traffic complaints in the Friday Memo. He also asked for a status report on the RFP for the 123 N Broadway property, the parking lot next to Proof, which will go to the Finance/Personnel Committee.

25. Consider Fire Department Staffing Considerations.

Mayor Walsh read the closed session language. Alderperson Crevier moved, seconded by Alderperson Jennings to close the meeting at 8:44 p.m. Upon roll call vote, motion carried unanimously. Alderperson Carpenter moved, seconded by Alderperson Jennings to open the meeting at 9:42 p.m. Upon roll call vote, motion carried unanimously.

26. Adjournment. Alderperson Jennings moved, seconded by Alderperson Nelson to adjourn the meeting at 9:42 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer