



Common Council

Regular Meeting

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

Minutes

Tuesday, September 4, 2018

7:30 PM

De Pere City Hall Council Chambers

I. Call to Order

The meeting was called to order at 7:30 PM by

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

2. Pledge of Allegiance to the Flag.

3. Approval of the Minutes of the August 21, 2018 Common Council Meeting.

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

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

Richard Denis communicated his concerns regarding a national scandal to the Common Council.

5. Presentation by De Pere Beautification Committee.

Rose Smits, Chair of the Beautification Committee, reviewed the Committee's accomplishments for the year. She thanked all of the volunteers that help to keep the City looking beautiful year round. Mayor Walsh presented Laverne Mancosky's family with a memorial plaque and Stephanie Stoehr with Volunteer of the Year award. Rose Smits thanked the De Pere Beautification Committee, the City of De Pere, specifically Don Melichar and Marty Kosobucky, and Tina Quigley of Definitely De Pere. The Mayor thanked Rose and the Beautification Committee and their volunteers for their efforts in beautifying the City.

6. Recommendation from the Plan Commission to approve a Proposed Two Lot Certified Survey Map at 825 East River Drive (Parcel ED-1128-E-1-3). Submitted by Michael D. Vande Hei, PLS, authorized representative for CP Legacy LLC & Harold Macco Trust #2, property owner.

Alderman Hansen asked when Allouez votes on this item and what the outcome will be if Allouez does not approve it. City Administrator Larry Delo explained that the developer would likely come back with a different approach.

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

7. Recommendation from the Board of Park Commissioners to Approve \$500 Donation from Pink Flamingos for Tables & Furniture at Community Center.

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

8. Recommendation from the Board of Park Commissioners to Approve \$250 Donation from Pink Flamingos to Recreation Scholarship Fund.

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

9. Recommendation from the Board of Park Commissioners to Approve \$250 Donation from the Bugsy to the Recreation Scholarship Fund.

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

10. Recommendation from the Board of Park Commissioners to Approve \$300 Donation from De Pere Area Men's Club for Senior Citizens Picnic.

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

11. Recommendation from the Board of Park Commissioners to Approve \$300 from De Pere Area Men's Club for Summer Carnival.

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

12. Recommendation from the Board of Park Commissioners to Approve \$250 Donation from Cotter Funeral Home Inc. for Tables & Furniture at the Community Center.

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

13. Recommendation from the Board of Park Commissioners to Accept Donation from DGSA to Install Batting Cages at Optimist Park.

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

14. Recommendation from the Board of Park Commissioners to Approve Donation from De Pere Baseball to Improve Baseball Fields at Kelly Danen Park.

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

15. Ordinance #18-18 Creating Section 7-10(d) De Pere Municipal Code Regarding Online Ordering and Curbside Pick-up of Alcohol Beverages.

Alderperson Crevier asked if the employee has to check the purchaser's ID for every purchase; City Attorney Judy Schmidt-Lehman confirmed this. Alderperson Crevier asked if the purchaser is there but not driving the car, why does the driver of the car have to be 21 years of age? City Attorney Judy Schmidt-Lehman explained this is to prevent the purchaser from easily giving the underage driver the alcohol. Alderperson Crevier asked if a traditional vehicle is required for these sales or if someone could make this purchase on a bicycle? City Attorney Judy Schmidt-Lehman said that there is no requirement that the purchase be made in a motorized vehicle. Discussion followed regarding the term "Click and collect" and publication requirements of the ordinance in order for this to go into effect.

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

16. Resolution #18-83 Authorizing Eighth Amendment Between the City of De Pere and Humana Insurance Company.

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

17. Resolution #18-84 Authorizing Second Amendment to Agreement Between The City of De Pere and Stephen L. Seidl (James Street Parkway Boat Docks and Wharf).

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

18. Resolution #18-85 Authorizing Agreement for Contractor Services Between the City of De Pere and Eric R. Erdman of Calewatts, Duffy & Erdman, Associated Attorneys.

Alderperson Hansen thanked Kate Zuidmulder for her service to the City and asked City Attorney Judy Schmidt-Lehman if the position will be funded in the 2019 budget. City

Attorney Judy Schmidt-Lehman said that the position is in the budget and that the agreement with Attorney Erdman requires a 60 day notice to terminate.

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

19. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for McLanes Bowl LLC (DBA The Fox y Moo), 132 S. Broadway. Submitted by McLanes Bowl LLC, Agent: Bryan J. Kaster, Green Bay, WI.

Alderperson Jennings asked about differentiating between the two licenses, as they will be licensed to the same entity with the same address. City Attorney Judy Schmidt-Lehman explained that the two licenses will have different premises descriptions to differentiate between the two licenses.

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

20. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for McLanes Bowl LLC (DBA The Fox y Moo), 132 S. Broadway. Submitted by McLanes Bowl LLC, Agent: Bryan J. Kaster, Green Bay, WI.

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

21. Recommendation from the License Committee on an Application for a Temporary Premise Description Change for St. Norbert College.

Alderperson Crevier stated he will abstain from voting on this item.

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

22. Recommendation from the License Committee on an Application for a Premise Description Change for Wal-Mart Stores East, LP.

Alderperson Jennings moved, seconded by Alderperson Carpenter to open the meeting. Upon vote, motion carried unanimously. Jeff Binnell explained the set up of the parking stalls designated for pick up. Alderperson Carpenter explained that the License Committee will review this premises change in 6 months. Alderperson Crevier asked if the employees working the pick up area have Operator's Licenses; Jeff Binnell said that most are licensed already. Alderperson Raasch moved, seconded by Alderperson Jennings to close the meeting. Upon vote, motion carried unanimously. Alderperson

Jennings asked how the City will verify that the stalls selling alcohol are within 150 feet of the store entrance; City Attorney Judy Schmidt-Lehman said that the Police Department will enforce this.

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

23. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Hansen to deny the Previously Tabled Applicant based upon her conviction for underage alcohol consumption. Because the applicant did not appear before the License Committee, it was not able to ask her questions regarding her conviction and the License Committee finds the conviction substantially relates to the licensed activity and recommends denial of the application. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Operator License Applications #1-14. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

24. Voucher Approval.

Alderperson Carpenter asked if the City delayed funding to the contractor for the delay in completion of the roundabout. City Administrator Larry Delo explained that the City typically withholds funds until the entire project is complete.

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

25. Future Agenda Items.

Alderperson Carpenter asked if staff can review wake enforcement and other boating rules on the Fox River; City Administrator Larry Delo said that staff will look into this and report back to the Council.

Alderperson Hansen requested that the Parking and Traffic Committee recommend putting a yield sign at S. Michigan and Bomier as it is currently an uncontrolled intersection.

26. Adjournment. Alderperson Crevier moved, seconded by Alderperson Boyd to adjourn the meeting at 8:19 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer