

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – August 21, 2012**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Wednesday, August 21, 2012.

Mayor Walsh called the meeting to order at 7:32 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson & Kathy Van Vonderen. Excused: Scott Crevier. The Council said the Pledge of Allegiance to the Flag.

Aldersperson Robinson moved, seconded by Aldersperson Lueck, to approve the minutes of the August 7, 2012 meeting. Upon vote, the minutes were approved unanimously.

PUBLIC HEARING

4A. Public Hearing to act on a Precise Implementation Plan Amendment request for a 98,101 square foot office building for Foth at 2121 Innovation Court; Part of Parcels WD-D0037 and WD-D0033. Deputy Clerk Scray announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on August 2 & August 9, 2012.

4B. City Planner Ken Pabich presented a summary and stated the Plan Commission recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak and there was no one present who wished to speak so the public hearing was closed.

4C. After the hearing was held, Ordinance #12-20, Amending Precise Implementation Plan Commercial Horizons – Foth (Part of Parcels WD-D0037 and WD-D0033) was presented. Aldersperson Boyd moved, seconded by Aldersperson Donovan, to enact the ordinance. Upon vote, motion carried unanimously. Discussion followed.

5. Public Comment or other Announcements. Mayor Walsh expressed condolences to Aldersperson Crevier and family regarding the passing of his mother. Mayor Walsh asked if there was anyone present who wished to speak during public comment. Mr. John Lavalley, 1134 Stevens St. of St. John's Lutheran Church Boy Scout Troop 1009 introduced his son Alex who is working on his Communication Badge and his son Brandon who is working on his Citizenship in the Community Badge which both require attendance at a City Council or public meeting. Mr. Lavalley requested the council give an example of discussion throughout the meeting for his sons to observe. Mayor Walsh closed public comment.

RECOMMENDATION FROM THE PLAN COMMISSION

6A. Aldersperson Boyd moved, seconded by Aldersperson Lueck, to approve the Extraterritorial 2 lot CMS in the Town of Rockland. Upon vote, motion carried unanimously.

RECOMMENDATION FROM THE BOARD OF PUBLIC WORKS

7. Aldersperson Bauer moved, seconded by Aldersperson Kneiszel, to approve awarding Project E12-02, Radio System Narrow Band Upgrade for Portables, Mobile and Repeater to Nielson's Communications, Inc. Upon roll call vote, motion carried unanimously.

RECOMMENDATION FROM THE FINANCE/PERSONNEL COMMITTEE

8A-B. Aldersperson Van Vonderen moved, seconded by Aldersperson Robinson to accept a \$300 donation from the De Pere Men's Club to be used toward the senior picnic and to accept a \$500 Green Bay Community Grant from the Shopko Foundation to be used toward a technology upgrade in the Police Department. Upon vote, motion carried unanimously.

8C. Aldersperson Van Vonderen moved, seconded by Aldersperson Donovan to approve Utilizing Ice Center Funds for maintenance and remodeling of concession stands. Upon roll call vote, motion carried unanimously.

9. RECOMMENDATIONS FROM THE LICENSE COMMITTEE:

A. Alderperson Bauer moved, seconded by Alderperson Boyd to approve a premise description change for Nicky's Lionhead Tavern and Grill, 331 Main Ave., De Pere, WI. Upon vote, motion carried unanimously.

B. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve a temporary premise description change for the Drift Inn, 1535 N. Ashland Ave., De Pere, WI. Upon vote, motion carried unanimously.

C. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve a premise description change for The Day Spa, 600 N. 10th St., De Pere, WI. Upon vote, motion carried unanimously.

D. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve an application for a Class "A" Beer Fermented Malt Beverage License for The Day Spa Ltd., 600 N. 10th St., De Pere, WI. Upon discussion and vote, motion carried unanimously.

E. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve an application for a Class "A" Beer Fermented Malt Beverage License for CVS/Pharmacy #2214, 800 Main Ave., De Pere, WI. Upon discussion and vote, motion carried unanimously.

F. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve an application for a Class "A" Beer Fermented Malt Beverage License for De Pere Minimart, 821 George St., De Pere, WI. Upon vote, motion carried unanimously.

G. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve an application for a Special Permit Allowing Consumption of Alcohol Beverages on Public Ways. Submitted by the De Pere Area Chamber of Commerce Foundation, Inc. for the Fall Fest De Pere 2012 on Saturday, Sept. 8th from 12:00 p.m. – 6:00 p.m. Upon vote, motion carried unanimously.

H. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve an application for a Temporary Class "B"/ "Class B" Retailer's License for De Pere Area Chamber of Commerce Foundation, for Fall Fest on September 8, 2012 at George Street Landing, De Pere, WI. (Previously tabled). Upon vote, motion carried unanimously.

10. Resolution #12-94, Authorizing and Providing for the Sale and Issuance of \$2,980,000 General Obligation Corporate Purpose Bonds, Series 2012A, and All Related Details was presented. A presentation was given by Joe Murray, Springsted, Inc. on Series 2012A and Series 2012B. Alderperson Donovan moved, seconded by Alderperson Robinson, to approve the resolution. Upon roll call vote, motion carried unanimously.

11. Resolution #12-95, Authorizing and Providing for the Sale and Issuance of \$2,850,000 Taxable General Obligation Community Development Bonds, Series 2012B, and All Related Details was presented. Alderperson Lueck moved, seconded by Alderperson Boyd, to approve the resolution. Upon roll call vote, motion carried unanimously.

12. Resolution #12-96, Authorizing Agreement Waiving Notice and Agreeing to Payment of Stormwater Improvement Costs (Parcels ED-F0094-3, ED-F0094, D-29-1 and part of ED-F0096) was presented. Alderperson Kneiszel moved, seconded by Alderperson Lueck, to approve the resolution. Upon vote, motion carried unanimously.

13. Resolution #12-97, Accepting Sanitary Sewer Line Easement from The State Of Wisconsin Department Of Natural Resources (Parcel ED-80-3). Alderperson Robinson moved, seconded by Alderperson Donovan, to approve the resolution. Upon vote, motion carried unanimously.

14. Resolution #12-98, Revising Sewer Service Rates (August 2012) was presented. Alderperson Lueck moved, seconded by Alderperson Boyd, to approve the resolution. Discussion followed. Mayor Walsh entertained a motion to open the meeting. Alderperson Robinson moved, seconded by Alderperson Donovan to open the meeting. Upon vote, motion carried unanimously. The following attendee's spoke in support of a study on the revision of sewer service rates and requested equality in spreading the cost of any increases:

Lee Hammen, Mill Manager, Thilmany Papers-Nicolet Mill, 200 Main St., De Pere
 Greg Archambault, President, Fox River Fiber, 1751 W. Matthew Dr., De Pere
 Mark Velicer, Plant Manager, U.S. Paper Mill, 824 Fort Howard Ave., De Pere

Mayor Walsh entertained a motion to return to regular order of business. Alderperson Donovan moved, seconded by Alderperson Bauer to return to regular order of business. Upon vote, motion carried unanimously. Discussion followed. Mayor Walsh entertained a motion to open the meeting. Alderperson Robinson moved, seconded by Alderperson Bauer to open the meeting. Upon vote, motion carried unanimously. The following attendees spoke collectively emphasizing the effect of a sewer service rate increase on the whole community:

Lee Hammen, Mill Manager, Thilmany Papers-Nicolet Mill, 200 Main St., De Pere
 Greg Archambault, President, Fox River Fiber, 1751 W. Matthew Dr., De Pere
 Mark Velicer, Plant Manager, U.S. Paper Mill, 824 Fort Howard Ave., De Pere

Alderperson Donovan moved, seconded by Alderperson Robinson to return to regular order of business. Upon vote, motion carried unanimously. Upon vote to approve Resolution #12-98, Revising Sewer Service Rates (August 2012), motion carried 6-1 with Alderperson Lueck voting Nay. Alderperson Robinson moved, seconded by Alderperson Bauer to approve moving forward to solicit proposals for a rate study. Upon vote, motion carried unanimously.

15. Resolution #12-99, Authorizing Sidewalk Café Permit for Nicky’s, Inc. was presented. Alderperson Donovan moved, seconded by Alderperson Boyd to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution #12-100, Authorizing Renewal of SCADA Maintenance Agreement with P.J Kortens and Company, Inc. was presented. Alderperson Lueck moved, seconded by Alderperson Kneiszel to approve the resolution. Upon vote, motion carried unanimously. Discussion followed.

17. Resolution #12-101, Amending Municipal Court Bond Schedule was presented. Alderperson Boyd moved, seconded by Alderperson Lueck to approve the resolution. Discussion followed. Alderperson Robinson requested to make the following correction: The Subsequent Offense cash deposit of \$2,000 will be corrected from \$1,000 to \$2,000 throughout the Resolution. Upon vote, motion carried unanimously.

18. Resolution #12-102, Ratifying Submission Letter of Commitment for School & Government Energy Efficiency Program through Wisconsin Public Service and Focus on Energy was presented. Alderperson Van Vonderen moved, seconded by Alderperson Robinson to approve the resolution. Upon vote, motion carried unanimously.

19. Presentation of City of De Pere “How to Run for Elected Office” Guide was given by Intern Alex Yurk.

20. Alderperson Van Vonderen moved, seconded by Alderperson Bauer, to approve the vouchers. Upon vote, motion carried unanimously.

21. Applications for Operator’s Licenses were presented:

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ITEM#	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License for the 2010-2012 Licensing Period					
1	DENNY, RENEE L.	2754 VESTCO CT.	DE PERE	WI	54115
2	LESPERANCE, NICOLE M.	2817 VIKING DR.	DE PERE	WI	54115
3	MARLOW, SHARON M.	1118 S. 9TH ST.	GREEN BAY	WI	54302
4	TESCH, JEREMIAH S.	1120 FORT HOWARD AVENUE	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					

1	AULIK, ISAAC J.	3035 BIG CREEK RD.	GREEN BAY	WI	54311
2	BORREMANS, DEBORAH G.	1565 APACHE AVE.	GREEN BAY	WI	54313
3	DUFEK, VIOLETTA L.	2848 CASTLE HILL LN.	GREEN BAY	WI	54302
4	GREGOIRE, JEFFREY T.	1107 CORAL ST., #2	DE PERE	WI	54115
5	HELGREN, MACKENZIE A.	771 FREDRICK CT., #3	GREEN BAY	WI	54313
6	KASTER, CHERYL A.	2508 BEAUMONT ST.	GREEN BAY	WI	54301
7	KLAVER, CARLY J.	1290 CROWN CT., APT. 7	DE PERE	WI	54115
8	KOSTROSKI, RYAN C.	372 WAGON WHEEL CT.	GREEN BAY	WI	54302
9	LAMERS, GREGORY	1023 HARWOOD AVE.	GREEN BAY	WI	54313
10	LAWRENCE, LORI A.	1403 CHICAGO ST.	DE PERE	WI	54115
11	MILLER, KEYONNA L.	225 FT. HOWARD AVE., APT. C	DE PERE	WI	54115
12	OATES, ASHLEY M.	1525 BEAUCHAMP ST.	GREEN BAY	WI	54304
13	PAGEL, TIARRA M.	1893 A RIVERSIDE DR.	GREEN BAY	WI	54313
14	ROBERTS, JUSTIN J.	665 DANISH WAY	DENMARK	WI	54208
15	SCULLIUFFO, CURT P.	502 N. TENTH ST., #76	DE PERE	WI	54115
16	SHEPHERD, MICHAEL C.	1448 EMILIE ST.	GREEN BAY	WI	54301
17	TESCH, KERRI J.	424 KENNEY ST.	GREEN BAY	WI	54301
18	TRUDELL, SAMUEL J.	2282 RED TAIL GLEN	DE PERE	WI	54115

Alderson Bauer moved, seconded by Alderson Keniszel to approve previously tabled operator license applications #1, 3 & 4 and to deny previously tabled operator license application #2. Upon vote, motion carried unanimously.

Alderson Bauer moved, seconded by Alderson Kneiszel to approve operator license applications #1-3, 7-12, 14-18, table operator license applications #5, 6 & 13 and deny operator license application #4. Upon vote, motion carried unanimously.

22. Future Agenda Items. None.

23. City Administrator Performance Evaluation

Alderson Bauer moved, seconded by Alderson Kneiszel to go into closed session. Upon roll call vote, motion carried unanimously. Closed session discussion followed. Alderson Boyd moved, seconded by Alderson Van Vonderen to return to reconvene in open session. Upon vote, motion carried unanimously. No further action taken.

Upon motion by Alderson Van Vonderen, seconded by Alderson Boyd, the Common Council adjourned at 9:51 p.m.

Respectfully submitted,

Vicki Scray
Deputy Clerk