

**COMMON COUNCIL MEETING  
CITY OF DE PERE, WISCONSIN – August 20, 2013**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, August 20, 2013.

Mayor Mike Walsh called the meeting to order at 7:30 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Scott Crevier, Michael Donovan, Robert Heuvelmans, Jim Kneiszel, Larry Lueck, and Lisa Rafferty. The Council said the Pledge of Allegiance to the Flag.

3. Alderperson Donovan moved, seconded by Alderperson Crevier, to approve the minutes of the August 6, 2013 Regular Meeting of the Common Council. Upon vote, the minutes were approved unanimously.

4. Public Hearing to act on creating a Conditional Use Permit approval for temporary overnight shelter facilities was presented. Clerk Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal, on August 1<sup>st</sup> and August 8<sup>th</sup>, 2013.

City Planner Ken Pabich stated that the Plan Commission recommended approval and gave an overview of the proposed ordinance.

Mayor Walsh declared the public hearing open for anyone wishing to speak at 7:35 p.m.

The following people spoke on the ordinance:

Tony Pickler spoke in favor of the ordinance; encouraged elimination of the 45-day maximum stay.

Karena O'Malley spoke in favor of the ordinance; stated that the 45-day limit hinders homeless individuals; shared that 1308 students in Brown County are homeless.

Clelia O'Malley spoke in favor of the ordinance; stated the length of stay should be at the discretion of shelter employees.

Father Al McBride spoke in favor of the ordinance.

Father Jay Fostner spoke in favor of the ordinance.

Father Ken DeGroot spoke in favor of the ordinance.

Robert Pine spoke in favor of the ordinance and supported elimination of the 45-day limitation.

Dan Robinson spoke in favor of the ordinance; mentioned implications of a 45-day limitation and of implementing a day-time responsibility for the shelter.

Father Brendan McKeough spoke in favor of the ordinance.

The public hearing was declared closed at 8:07 p.m. Ordinance 13-15, Creating Conditional Use Permit Approval For Overnight Shelter Facilities was presented. Alderperson Donovan moved, seconded by Alderperson Bauer to approve the ordinance. Discussion followed. Upon roll call vote, the motion to approve the ordinance failed 5-3 with Alderpersons Crevier, Kneiszel and Rafferty voting ay. Alderperson Bauer moved, seconded by Alderperson Heuvelmans, to strike the 45/60 day restriction from the ordinance. Upon vote, motion carried 7-1 with Alderperson Donovan voting nay. Discussion followed. Alderperson Bauer moved, seconded by Alderperson Boyd to strike the word "temporary" from the ordinance. Upon vote, motion carried unanimously. Alderperson Lueck moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Dan Robinson spoke on the conflict of the City of Green Bay and St. John's Homeless Shelter. Alderperson Crevier moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Alderperson Crevier moved, seconded by Alderperson Donovan to remove "single-night" from text of section 14-03, definition 176. Discussion followed. Upon vote, motion carried unanimously. Alderperson Donovan moved, seconded by Alderperson Bauer, to approve the ordinance as amended. Upon vote, motion carried unanimously.

5. Public comment upon matters not on the agenda or other announcements.

Donna Gilson read a statement regarding donated lunches for employees.

County Supervisor Dan Robinson invited De Pere residents to attend the following County Strategic Planning Public Listening Sessions:

- Wednesday, September 4th from 6-7:30 p.m. in the City of Green Bay Council Chambers
- Thursday, September 12th from 6-7:30 p.m. at Wrightstown High School.

## 6. ITEMS

a. Recommendation of the Board of Public Works to approve request of Azure Contemporary Fashion & Accessories request to donate City traffic control services for Fashion Night Out event to be held on September 5, 2013 was presented. Alderperson Heuvelmans moved, seconded by Alderperson Bauer to approve the recommendation. Upon roll call vote, motion carried unanimously.

b. Recommendation from the Personnel & Finance Committee to approve a request to change the staffing schedules and rate of pay for paid on call firefighters to increase the overall response effectiveness of the Fire Department was presented. Alderperson Crevier moved, seconded by Alderperson Rafferty to approve the recommendation. Upon roll call vote, motion carried unanimously.

c. Recommendation from the Finance/Personnel Committee to increase retiree premium rates as identified in Exhibit A over a 3 year period; also to change our health plan to pay as if Medicare eligible retirees have Medicare Part D was presented. Alderperson Lueck moved, seconded by Alderperson Kneiszel to approve the recommendation. Discussion followed. Alderperson Donovan moved, seconded by Alderperson Rafferty to open the meeting. Upon vote, motion carried unanimously.

The following people spoke out against the recommendation:

Judy DeCleene  
Paul Minten  
Dan Carpenter  
Victor Van Gemert

Alderperson Heuvelmans moved, seconded by Alderperson Rafferty to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote on the recommendation, motion failed unanimously. Alderperson Lueck moved, seconded by Alderperson Boyd to change the plan to pay as if Medicare eligible retirees have Medicare Part D. Upon vote, motion carried unanimously. Discussion followed.

d. Recommendation from Finance/Personnel Committee to replace roof using funding from Ice Arena Fund was presented. Alderperson Crevier moved, seconded by Alderperson Rafferty to approve the recommendation. Upon roll call vote, motion carried unanimously.

e. Ordinance 13-16, Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations was presented. Alderperson Crevier moved, seconded by Alderperson Kneiszel to approve the ordinance. Discussion followed. Upon vote, motion carried unanimously.

f. Ordinance 13-17, Making Various Corrections throughout the De Pere Municipal Code was presented. Alderperson Rafferty moved, seconded by Alderperson Crevier to approve the ordinance. Upon vote, motion carried unanimously.

g. Ordinance 13-18, Amending §8-1, De Pere Municipal Code Relating to State Statutes Adopted by Reference was presented. Alderperson Crevier moved, seconded by Alderperson Rafferty to approve the ordinance. Upon vote, motion carried unanimously.

h. Resolution 13-104, Amending Municipal Court Bond Schedule was presented. Alderperson Crevier moved, seconded by Alderperson Boyd to approve the resolution. Upon vote, motion carried unanimously.

- i. Resolution 13-105, Setting Various Fees was presented. Alderperson Crevier moved, seconded by Alderperson Boyd to approve the resolution. Upon vote, motion carried unanimously.
- j. Resolution 13-106, Authorizing Sidewalk Cafe Permit for Paintin' Pottery II or Bead It, LLC was presented. Alderperson Rafferty moved, seconded by Alderperson Kneiszel to approve the resolution. Upon vote, motion carried unanimously.
- k. Resolution 13-107, Approving Agreement for Consulting Services Between the City of De Pere and Beacon Electric LLC (Pedestrian Signal Installation) was presented. Alderperson Crevier moved, seconded by Alderperson Bauer to approve the resolution. Upon roll call vote, motion carried unanimously.
- l. Resolution 13-108, Authorizing Agreement With CGI Communications, Inc. Regarding Community Video Tour was presented. Alderperson Boyd moved, seconded by Alderperson Rafferty to approve the resolution. Upon vote, motion carried unanimously.
- m. Resolution 13-109, Authorizing Software Purchase Agreement Between The City Of De Pere And Civic Systems, LLC (Water Billing Software) was presented. City Attorney Judy Schmidt Lehman requested that Council remove the word "technical" from the resolution. Alderperson Crevier moved, seconded by Alderperson Kneiszel to remove the language. Upon roll call vote, motion carried unanimously. Alderperson Crevier moved, seconded by Alderperson Kneiszel to approve the resolution. Upon roll call vote, motion carried unanimously.
- n. Resolution 13-110, Authorizing Agreement With Green Bay Metropolitan Sewerage District Regarding Wastewater Sampling. Water/GBMSD Sampling Agreement was presented. Alderperson Heuvelmans moved, seconded by Alderperson Lueck to approve the resolution. Upon roll call vote, motion carried unanimously.
- o. Resolution 13-111, Authorizing Emergency Medical Service Medical Director Agreement Between The City Of De Pere, Baycare Aurora, LLC D/B/A Aurora Baycare Medical Center And Baycare Clinic, L.L.P. was presented. Alderperson Crevier moved, seconded by Alderperson Rafferty to approve the resolution. Upon vote, motion carried 7-0 with Alderperson Kneiszel abstaining.
- p. Resolution 13-112, Authorizing Agreement For Professional Services Between The City Of De Pere And EMS Medical Billing Associates, LLC (Emergency Medical Service User Fee Billing Services) was presented. Alderperson Donovan moved, seconded by Alderperson Lueck to approve the resolution. Fire Chief Jeffrey Roemer answered the Council's questions. Discussion followed. Upon roll call vote, motion carried unanimously.
- q. Resolution 13-113, Authorizing Amendment To Intergovernmental Agreement Between The City Of De Pere And Town Of Ledgeview Regarding Crossing Guard Service was presented. Alderperson Lueck moved, seconded by Alderperson Heuvelmans to approve the resolution. Upon vote, motion carried unanimously.
- r. The vouchers were presented. Alderperson Rafferty moved, seconded by Alderperson Crevier to approve the vouchers. Upon vote, motion carried unanimously.
- s. Applications for Operator's Licenses were presented.

| CITY OF DE PERE - August 20, 2013                                       |                      |                          |           |    |       |
|-------------------------------------------------------------------------|----------------------|--------------------------|-----------|----|-------|
| ITEM#                                                                   | NAME                 | ADDRESS                  | CITY      | ST | ZIP   |
| <b>TEMPORARY OPERATOR LICENSE APPLICATIONS</b>                          |                      |                          |           |    |       |
| 1                                                                       | OSHEFSKY, NECOLE L.  | 2053 SHADY LN.           | GREEN BAY | WI | 54313 |
| <b>PREVIOUSLY TABLED OPERATOR LICENSE APPLICATIONS</b>                  |                      |                          |           |    |       |
| 1                                                                       | MONTANYE, TIFFANY M. | 226 E. ALLOUEZ AVE.      | GREEN BAY | WI | 54301 |
| 2                                                                       | WILLEMS, NATHAN L.   | 602 MORRIS AVE.          | GREEN BAY | WI | 54304 |
| 3                                                                       | WILLIAMS, MATTHEW D. | 901 CLINTON ST., APT. #1 | GREEN BAY | WI | 54302 |
| <b>OPERATOR LICENSE APPLICATIONS FOR THE 2012-2014 LICENSING PERIOD</b> |                      |                          |           |    |       |
| 1                                                                       | ELWELL, ALEXANDRA G. | 610 N. 9TH ST.           | DE PERE   | WI | 54115 |
| 2                                                                       | FLAUGER, IAN J.      | 1343 CAMELOT             | ONEIDA    | WI | 54155 |
| 3                                                                       | SPEJCHER, JOHN V.    | 218 S. BUCHANAN ST.      | GREEN BAY | WI | 54303 |
| 4                                                                       | SWEENEY, HEATHER L.  | 6770 DEUSTER RD.         | GREENLEAF | WI | 54126 |
| 5                                                                       | THORNTON, BRENDAN A. | 1223 ROBIN ST.           | DE PERE   | WI | 54115 |
| 6                                                                       | THORPE, KARL A.      | 1725 WESTERN AVE. #4     | GREEN BAY | WI | 54303 |
| 7                                                                       | WENDTLAND, ADAM J.   | 2883 MADRID DR.          | GREEN BAY | WI | 54311 |
| 8                                                                       | WILLIAMS, BRENDA L.  | 127 S. WISCONSIN ST.     | DE PERE   | WI | 54115 |

Alderson Bauer moved, seconded by Alderson Boyd to approve Temporary Operator License Application #1. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Heuvelmans to approve Previously Tabled Operator Licenses #1 - 3. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Boyd to table Operator License #1 and to approve Operator Licenses #2-8. Upon vote, motion carried unanimously.

8. Future Agenda Items (moved prior to entering closed session). Alderson Bauer requested that staff address a new ordinance establishing an ordinance for permanent homeless shelters. Alderson Heuvelmans requested that staff address donated lunches to employees.

7. Alderson Rafferty moved, seconded by Alderson Kneiszel to enter into closed session at 10:26 p.m. Upon roll call vote, motion carried unanimously. The Council addressed the annual performance evaluation of City Administrator. Alderson Bauer moved, seconded by Alderson Crevier to reconvene in open session. Upon roll call vote, motion carried unanimously. No action was taken in closed session.

Alderson Boyd moved, seconded by Alderson Crevier to adjourn. Upon vote, motion carried unanimously. The Common Council adjourned at 11:20 p.m.

Respectfully submitted,

Shana Defnet  
Clerk-Treasurer