Common Council

Regular Meeting

Minutes

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

Tuesday, December 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	Alderperson	Present
Dan Carpenter	Alderperson	Present
Scott Crevier	Alderperson	Present
Jonathon Hansen	Alderperson	Present
Ryan Jennings	Alderperson	Present
Larry Lueck	Alderperson	Present
Casey Nelson	Alderperson	Present
Dean Raasch	Alderperson	Present

2. Pledge of Allegiance to the Flag.

3. Approval of the Minutes of the December 4, 2018 Common Council Meeting.

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

4. Public Hearing to levy special assessments for sanitary sewer, water main, storm sewer, and storm water management pond on Ryan Road from 430 feet south of Diversity Drive to Diversity Drive and on the west side of Ryan Road 800 feet north of Diversity Drive.

   a. Notice of Public Hearing.

   Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on December 7, 2018.

   b. Recommendation from the Board of Public Works.

   City Engineer Eric Rakers stated the Board of Public Works recommended approval.

   c. Resolution #18-124 Final Resolution Authorizing Sanitary Sewer, Water System and Storm Water Management System Improvements and Levying Special Assessments Against Benefitted Property (Ryan Road from 800 Feet North of Diversity Drive to 430 Feet South of Diversity Drive).

   Mayor Walsh declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.

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

5. Public Hearing on the Rezoning of Parcels WD-L482, WD-L483 and WD-L484.

   a. Notice of Public Hearing.

   Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on December 3 and 10, 2018.

   b. Recommendation from the Plan Commission.

   Development Services Director Kim Flom stated that the Plan Commission unanimously recommended approval of the rezoning. She then reviewed the rezoning and explained that most concerns were with the R3 zoning.

   c. Ordinance #18-28 Rezoning Certain Property (Parts of Parcels WD-L482, WD-L483 and WD-L484).

      Mayor Walsh declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.

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

6. Public Hearing on a Conditional Use Permit for Parcels WD-D0208, WD-D0210 and part of the Renkens Court ROW at 1218 Grant Street and 1216 Renkens Court to allow a combination motor vehicle service station and grocery store on the property.

   a. Notice of Public Hearing.

   Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on December 3 and 10, 2018.

   b. Recommendation from the Plan Commission.

   Development Services Director Kim Flom stated that the Plan Commission unanimously recommended approval of the Conditional Use Permit. She explained that the site plan and landscaping involve more detail on the resolution before the Council.

   c. Resolution #18-125 Authorizing a Conditional Use Permit (Parcels WD-D0208 and WD-D0209).

      Mayor Walsh declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.
      Alderperson Hansen moved, seconded by Alderperson Jennings to approve the resolution with the revised staff recommendations. Discussion followed. Upon vote, motion carried unanimously.

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

Mayor Walsh wished everyone a Merry Christmas and a Happy New Year to the Council, City employees, and citizens and wished safe travels to everyone. Alderperson Nelson announced the next Mental Health Outreach session on January 30, 6:30 p.m. at the Community Center. He explained that the new series will focus on addiction with the first month featuring alcohol addiction.
Alderperson Carpenter thanked the donors for the donations received by the City over the year; those donations totaled over $130,000.

8. Recommendation from the License Committee on an Application for a Premises Description Change for El Maya Mexican Restaurant Inc.

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

9. Recommendation from the Plan Commission to approve a Proposed Two Lot & One Outlot 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.

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

10. Recommendation from the Board of Public Works to Approve the Definitely De Pere Streetscape Projects

Mayor Walsh explained that this is a City project, but Definitely De Pere took the lead on the planning. Alderperson Raasch moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Tina Quigley, Director of Definitely De Pere, came forward to explain the goals of the project and reviewed some of the costs with the Council. Discussion followed regarding the public art initiative. Alderperson Raasch moved, seconded by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously. Alderperson Boyd requested that the presentation from the Board of Public Works meeting on this item be available on the homepage of the City website.

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

11. Consider Community Service Grant Application.

Mayor Walsh announced that there is only $460 available because we gave two grants in June for $740. The grant was approved for $460. Alderperson Jennings thanked the Master Gardeners for their work on this project.

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

12. Ordinance #18-29 Repealing and Recreating Section 30-2 De Pere Municipal Code Regarding Park Regulations.

    Alderperson Hansen moved to amend the ordinance in section i(2) to add the Celebrate De Pere event. The motion failed with lack of a second. Discussion followed regarding current regulations on alcohol in the parks and the RFP process for private contractors. Alderperson Carpenter explained that he is not in favor of this as he feels it contradicts other efforts to minimize alcohol consumption in the City.

RESULT:	**SECOND READING REQUIRED [7 TO 1]**
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch
NAYS:	Dan Carpenter

13. Resolution #18-126 Regarding the Vacation of a Public Thoroughfare (Renkens Court Adjacent to Parcels WD-D0207, WD-D0208, WD-D0209 and WD-D0210). (Refer to public hearing).

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

14. Resolution #18-127 Authorizing Agreement Between the City of De Pere and Irwin School Development, LLC for the Redevelopment of the Former Irwin School Property (428 North Superior Street; Parcel ED-477).

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

15. Resolution #18-128 Authorizing Second Amendment to Agreement Between the City of De Pere and GRAEF-USA, Inc. (James Street Streetscape Design Services).

    City Administrator Larry Delo explained that City staff could not add this project to its workload and due to the project being delayed already, they are working with Graef to get it finished.

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

16. Resolution #18-129 Revising Sewer Service Rates (December 2018).

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

17. Resolution #18-130 Authorizing Release of Storm Sewer-Drainage Easement (Parcels ED-2309 and ED-2310; Millennium Court)

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

18. Resolution #18-131 Authorizing Issuance of a Promissory Note for Temporary Borrowing of $570,000 for Public Purposes.

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

19. Resolution #18-132 Amending Resolution #18-111 (Adoption of Tax Levy for City Purposes to Support the 2019 City Budget by Re-apportioning $900,000 Budgeted for Improving and Transforming the City Pools to the Debt Service Fund Rather than the Capital Projects Fund.

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

20. Voucher Approval.

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

21. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Hansen to deny Previously Tabled Operator License Application #1 due to the circumstances of the applicant's 2016 OWI conviction that is substantially related to the licensed activity and that the applicant has not appeared at the License Committee Meetings despite two requests. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to table Previously Tabled Operator License Application #2. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Hansen to table Operator License Applications #9 and 10. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Operator License Applications #1-8 and 11. Upon vote, motion carried unanimously.

22. Future Agenda Items.

    Alderperson Boyd requested that the staff arrange a meeting with area legislators to discuss the tax bill shift experienced by residential property owners due to the dark store loophole.

23. Adjournment.

    Alderperson Lueck moved, seconded by Alderperson Hansen to adjourn the meeting at 8:26 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer