

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – JULY 17, 2012**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, July 17, 2012.

Mayor Walsh called the meeting to order at 7:37 p.m.

Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Scott Crevier, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson & Kathy Van Vonderen. The Council said the Pledge of Allegiance to the Flag.

Aldersperson Crevier moved, seconded by Aldersperson Boyd to approve the minutes of the July 3, 2012 regular meeting of the Common Council. Discussion followed. Upon vote, the minutes were approved unanimously.

PUBLIC HEARING

4A. A Public Hearing on a street vacation for the westerly five feet of right-of-way of Fifth Street adjacent to WD-389-2 and WD-389-2-1 is scheduled for 7:35 p.m. Clerk Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on June 14, June 21, and June 28, 2012.

4B. City Planner Ken Pabich stated the Plan Commission recommended approval of this resolution.

4C. Mayor Walsh declared the public hearing open. No one wished to speak. Mayor Walsh declared the public hearing closed. Mayor Walsh entertained a motion to approve Resolution #12-62, Regarding the Vacation of a Portion of a Public Thoroughfare (Part of Fifth Street Adjacent to WD-389-2 and WD-389-2-1). Aldersperson Crevier moved, seconded by Aldersperson Van Vonderen to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

5A. A Public Hearing on a conditional use application to allow for apartments on the second and third floor of 500 Main Avenue is scheduled for 7:35 p.m. Clerk Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on July 5, 2012.

5B. City Planner Ken Pabich stated the Plan Commission recommended approval of this resolution.

5C. Resolution #12-84, Authorizing and Approving a Conditional Use Permit (Parcels WD-389-2; WD-389-2-1; WD-389-3) was presented for consideration. Discussion followed. Upon vote, motion carried unanimously.

6. Public Comment or other Announcements. Mayor Walsh was asked by Mary Dorn, Director of the Health Department, to make an announcement regarding the extreme temperatures and the importance of keeping an eye on friends, family, and neighbors without air conditioning, and also suggested the use of public cooling shelters in the area. Aldersperson Bauer reminded everyone of the burn ban put into effect by Fire Chief Kiser.

7. A presentation on changes to the Claude-Allouez Bridge Roundabout was presented by Scott Thoresen. Discussion followed.

RECOMMENDATION FROM THE BOARD OF PUBLIC WORKS

8A. Aldersperson Bauer moved, seconded by Aldersperson Kneiszel to award Project 12-08, Manhole Rehabilitation to National Power Rodding Corporation. Upon roll call vote, motion carried unanimously.

8B. Alderperson Crevier moved, seconded by Alderperson Kneiszel to award Project 12-09, Pond and Drainage System Construction to Peters Concrete Company. Upon roll call vote, motion carried unanimously.

8C. Alderperson Crevier moved, seconded by Alderperson Kneiszel to award Project 12-16, Utility and Street Construction-Southbridge Development to Jossart Brothers, Inc. Upon roll call vote, motion carried unanimously.

RECOMMENDATION FROM THE FINANCE COMMITTEE

9A. Alderperson Van Vonderen moved, seconded by Alderperson Lueck to approve a request to apply for a Federal Government Fire Act Grant. Discussion followed. Upon vote, motion carried unanimously.

RECOMMENDATIONS FROM THE LICENSE COMMITTEE

10A. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve the Application for a Class "B" Beer & "Class B" Liquor License for Fox Trax Saloon, LLC, back half of 132 S. Broadway St. (previously the River Loft). Upon vote, motion carried unanimously.

11. Ordinance 12-14, Amending Chapter 86 De Pere Municipal Code and Allowing the Keeping of Chickens within the City (second reading) was presented. Alderperson Robinson moved, seconded by Alderperson Crevier to approve the ordinance. Discussion followed. Alderperson Robinson moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously.

The following attendees spoke against the above ordinance:

Terry Keehan, 842 Fribourg Street, De Pere WI

The following attendees spoke in favor of the above ordinance:

Cal Konshak, 324 St. Mary Street, De Pere WI

Troy Heuvelmans, 952 Suburban Dr, De Pere WI

Henry Kneiszel, 215 Lorrie Way, De Pere WI

Rick Allcox, 221 S. Huron Street, De Pere WI

Alderperson Donovan moved, seconded by Alderperson Robinson, to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote, motion carried 5-3 with Alderpersons Boyd, Donovan, and Lueck voting nay.

12. Ordinance 12-15, Amending Chapter 14 De Pere Municipal Code to Include Rummage Sale Regulations (second reading) was presented. Alderperson Lueck moved, seconded by Alderperson Boyd to approve the ordinance. Discussion followed. Alderperson Crevier moved, seconded by Alderperson Robinson, to amend the motion by amending the ordinance by replacing "maximum duration of 72 hours per sale" in Section 1 with "maximum duration of three (3) consecutive days". Motion to amend the main motion carried unanimously. Upon further discussion, motion to approve the ordinance as amended carried 7-1 with Alderperson Bauer voting nay.

13. Ordinance 12-16, Amending Chapter 146 De Pere Municipal Code Regarding Noise Ordinance Exemptions was presented. Alderperson Boyd moved, seconded by Alderperson Crevier to approve the ordinance. Upon vote, motion carried 7-1 with Alderperson Bauer voting nay. A second reading is required.

14. Ordinance 12-17, Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations was presented. Alderperson Boyd moved, seconded by Alderperson Robinson to approve the ordinance. Upon vote, motion carried unanimously.

15. Resolution 12-72, Setting Fee for Chicken Permit (previously tabled) was presented. Alderperson Van Vonderen moved, seconded by Alderperson Crevier to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution 12-85, Authorizing Development Agreement between the City of De Pere, South Bridge Properties, LLC and Innovation Properties One, LLC Regarding the Southbridge Road Project was presented (Followed Item 8C). Alderperson Boyd moved, seconded by Alderperson Kneiszel to approve the resolution. Discussion followed. Upon roll call vote, motion carried unanimously. Mayor Walsh thanked Tim Weyenberg, CEO of Foth, Howard Bornstein, CFO of Foth and Bob Weyers of Commercial Horizons for attending the meeting and for locating to the City of De Pere.

17. Resolution 12-86, Authorizing Revocable Occupancy Permit (Silver Fox GB, LLC) was presented. Alderperson Crevier moved, seconded by Alderperson Van Vonderen to approve the resolution. Upon vote, motion carried unanimously.

18. Resolution 12-87, Authorizing Revocable Occupancy Permit (Michael R. and Gail B. Cashman) was presented. Alderperson Crevier moved, seconded by Alderperson Boyd to approve the resolution. Upon vote, motion carried unanimously.

19. Resolution 12-88, Authorizing Temporary Limited Ingress/Egress Easement on City Property (Part of Parcel ED-48) was presented. Alderperson Lueck moved, seconded by Alderperson Crevier to approve the resolution. Upon vote, motion carried unanimously.

20. Alderperson Donovan moved, seconded by Alderperson Van Vonderen to approve the 2011 Audit Report. Upon vote, motion carried unanimously.

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

22. Applications for Operator's Licenses.

ITEM#		NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License for the 2010-2012 Licensing Period						
1	276	ACKER, TERESE A.	1220 S. 6TH ST.	DE PERE	WI	54115
2	274	BOULANGER, BROOKE D.	2767 HUMBOLDT RD.	GREEN BAY	WI	54311
3	275	DANFORTH, JASON M.	755 FLORIST DR.	DE PERE	WI	54115
4	T	ELWELL, ALEXANDRA G.	17926 HEROLD RD.	DENMARK	WI	54208
5	T	PHILLIPS, SHEILA R.	508 S. JACKSON ST.	GREEN BAY	WI	54301
Operator Licenses for the 2012-2014 Licensing Period						
1	277	AUSTEN, PATRICK J.	221 N. SUPERIOR ST.	DE PERE	WI	54115
2	278	BAETEN SHAWN	3101 S. CLAY ST.	GREEN BAY	WI	54301
3	T	BARTMANN, SCOT M.	2191 TRAILSIDE LN.	DE PERE	WI	54115
4	279	BENN, RACHEL L.	1400 SILVERSTONE TRL., #5	DE PERE	WI	54115
5	280	BINSFELD, ROGER L.	1211 S. 6TH ST.	DE PERE	WI	54115
6	T	BRAYTON, DANNY J.	1215 S. 7TH ST.	DE PERE	WI	54115
7	281	BREY, JAMES P.	512 S. 10TH ST., #42	DE PERE	WI	54115
8	282	COOPER, COURTNEY P.	831 GREENE AVE.	GREEN BAY	WI	54301
9	283	EAGEN, FRANK A.	1652 SAND ACRES DR.	DE PERE	WI	54115
10	T	ELSNER NAVARRO, SUSAN M.	1593 FRANZ AVE.	GREEN BAY	WI	54302
11	284	GEURTS, ALYSSA S.	510 COMMERCIAL ST., #13	SEYMOUR	WI	54165
12	285	GIESE, TASHA M.	W1418 TOWN HALL DR.	PULASKI	WI	54162
13	286	GRASSMAN, SONDI K.	3048 HOLLAND R.	GREEN BAY	WI	54313

14	287	HOLZHAUSER, JOSHUA R.	330 COLLEGE AVE.	DE PERE	WI	54115
15	288	JAMROSZ, TERRY A.	164 ROSE LN.	GREEN BAY	WI	54302
16	289	JOHNSON, ROBB	1615 SWAN RD., #10	DE PERE	WI	54115
17	T	LESPERANCE, NICOLE M.	2817 VIKING DR.	GREEN BAY	WI	54304
18	290	LO CASCIO, BRANDON L.	1766 LENWOOD AVE.	GREEN BAY	WI	54303
19	291	LUNDY, DAVID A.	300 FT. HOWARD AVE.	DE PERE	WI	54115
20	T	MALONE, STEPHANIE L.	304 MAIN AVE., #6	DE PERE	WI	54115
21	292	MCINERNEY-FITZGERALD, LAURA B.	2127 JEN RAE RD.	GREEN BAY	WI	54311
22	293	MUNOZ, JOSEPH J.	468 DUTTON AVE.	GREEN BAY	WI	54304
23	294	MURRAY, MARGARET L.	2769 PRAIRIE GARDEN. TR.	GREEN BAY	WI	54313
24	295	MURRAY, MATTHEW M.	2769 PRAIRIE GARDEN TR.	GREEN BAY	WI	54313
25	296	NAPIER JR., ROGER A.	1011 S. 6TH ST.	DE PERE	WI	54115
26	297	POLEY, BENJAMIN P.	220 FT. HOWARD AVE.	DE PERE	WI	54115
27	298	ROBERTS, BENJAMIN D.	1326 BROADWAY ST.	GREEN BAY	WI	54304
28	299	ROSNER, COREY W.	1748 NANCY AVE.	GREEN BAY	WI	54303
29	300	SANDERS, STEPHEN A.	2745 WOODRUFF CT.	GREEN BAY	WI	54115
30	301	SCHEFFEL, TRACY J.	819 ABRAMS ST.	GREEN BAY	WI	54302
31	302	SMITS, JASON J.	1008 RAYMOND ST.	GREEN BAY	WI	54304
32	303	STEEBER, ELISABETH C.	614 REID ST.	DE PERE	WI	54115
33	304	STEENO, DEBORAH M.	480 N. GOOD HOPE RD.	DE PERE	WI	54115
34	305	THORSEN, RICKY R.	2606 RIVER LN.	GREEN BAY	WI	54301
35	306	VANDERLOOP, ANTHONY R.	2466 GEMINI RD.	GREEN BAY	WI	54311
36	307	VANDERSTEEN, BARBARA D.	2466 BASSWOOD ST.	GREEN BAY	WI	54313
37	308	VERRILL, TONY J.	1430 ELEANOR AVE.	ST. PAUL	MN	55116
38	309	VOUGHT, ROBERT O.	2214A NICOLET DR., APT. 3	GREEN BAY	WI	54311
39	310	WERNER, COLLEEN A.	3182 WISCONSIN ST.	DE PERE	WI	54115
40	311	ZEITLER, MATTHEW J.	2364 BLUESTONE PL.	GREEN BAY	WI	54311
41	312	ZEITLER, SARA J.	2364 BLUESTONE PL.	GREEN BAY	WI	54311
42	313	ZWIEFELHOFER, SASHA M.	420 COLLEGE AVE.	DE PERE	WI	54115

Alderson Bauer moved, seconded by Alderson Kneisel to approve previously tabled licenses #1-3 and to table previously tabled licenses 4 & 5. Upon vote, motion carried unanimously. Alderson Bauer moved, seconded by Alderson Boyd, to approve Applications #1, 2, 4, 5, 7-9, 11-16, 18, 19, 21-42 and to table Applications 3, 6, 10, 17, & 20. Upon vote, motion carried unanimously.

23. Future Agenda Items. Alderson Bauer recommended bringing forward a resolution to approve and pass onto the state to move forward with the Southbridge Project. Alderson Lueck suggested bringing back the owners of the Southbridge apartment complex. Administrator Delo wants to discuss this with staff and then return to Council with a recommendation.

24. City Administrator Performance Evaluation. Alderson Crevier moved, seconded by Alderson Robinson to enter closed session. Upon roll call vote, motion carried unanimously. Closed session discussion followed. Alderson Robinson moved, seconded by Alderson Crevier, to reconvene in open session. Upon roll call vote, motion carried unanimously. No further action taken.

Upon motion by Alderperson Van Vonderen, seconded by Alderperson Bauer, the Common Council adjourned at 9:23 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet
City Clerk-Treasurer