



Common Council

Regular Meeting

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

Minutes

Tuesday, December 17, 2019

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 Michael J. Walsh.

Attendee Name	Title	Status	Arrived
Michael J. Walsh	Mayor	Present	
James Boyd	Aldersperson	Present	
Dan Carpenter	Aldersperson	Present	
Scott Crevier	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Ryan Jennings	Aldersperson	Present	
Amy Chandik Kundinger	Aldersperson	Present	
Casey Nelson	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	

2. Pledge of Allegiance to the Flag.
3. Approval of the minutes of the December 3, 2019 Common Council meeting.

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

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

Mayor Walsh wished a Merry Christmas and Happy New Year to Council members, City employees, and citizens.

5. Recommendation from Board of Public Works to approve award of Contract 19-14 Ashwaubenon Creek Interceptor Abandonment to Dorner, Inc. in the amount of \$293,785.00

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

6. Recommendation from Plan Commission to approve a Proposed 2 Lot and 2 Outlot Certified Survey Map at the 2100 BLK Innovation Court (Parcels WD-D0035-1-1, WD-D0036).

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

7. Recommendation from Plan Commission to approve a 40 Lot and 1 Outlot extraterritorial final plat of Lawrence Parkway (phase 1) at 2400 BLK French Road in the Town of Lawrence (Parcels L-453 & L-455-2).

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

8. Ordinance #19-26 Amending § 46-4 De Pere Municipal Code Regarding General Requirements and Design Standards (Platting and Division of Land - Street Width Requirements).

Alderperson Carpenter inquired whether the reduction in distance from curb to curb would hinder Fire Department response to calls. Public Works Director Scott Thoresen stated that parking would be either limited to one side or prohibited, so he does not believe it would be an issue.

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

9. Ordinance #19-27 Amending Section 150-23, Schedule G (PARKING) (Handicap Parking).

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

10. Ordinance #19-28 Repealing Sections 8-11 (Panhandling and Aggressive Panhandling) and 8-23 (Social Host Alcohol Regulations) De Pere Municipal Code.

City Attorney Judy Schmidt-Lehman explained that behavior such as following people that was described under aggressive panhandling could be potentially be addressed with a disorderly conduct citation or another statute that is already on the books. She also confirmed that social host alcohol regulations are now covered under state law.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

11. Ordinance #19-29 Amending §150-4 De Pere Municipal Code Regarding Disorderly Conduct with a Motor Vehicle and Creating §150-132 Compression Braking Prohibited.

Alderperson Raasch asked if compression braking can be used in the case of a safety issue. City Attorney Judy Schmidt-Lehman confirmed that there is an emergency exception. Alderperson Hansen noted that fines are being reduced for the new section

prohibiting compression braking, and asked if the Police Department feels that this does not justify a higher fine. Attorney Schmidt-Lehman confirmed this as well.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

12. Ordinance #19-30 Creating Section 8-26 De Pere Municipal Code Sexting by Minors Prohibited.

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

13. Ordinance #19-31 Amending Section 106-6 De Pere Municipal Code Regarding Revocable Occupancy Permits and Redevelopment Authority of the City of De Pere.

Alderperson Crevier asked if there was discussion on this amendment by committee. City Attorney Judy Schmidt-Lehman explained that this will go to the Redevelopment Authority for ratification the next time they meet, but due to timing with a pending application, the process needed to be started.

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

14. Resolution #19-131 Authorizing Assignment and Consent to Assignment Between the City of De Pere, Amerilux Holdings, LLC and LTF Investments, L.L.C. (Parcel ED-2077-1).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

15. Resolution #19-132 Authorizing Issuance of a Promissory Note for Temporary Borrowing of \$400,000 for Public Purposes.

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

16. Resolution #19-133 Revising Sewer Service Rates (December 2019).

Finance Director-Treasurer Joe Zegers provided a revised resolution to Council members, which has been attached to these minutes as Exhibit A. He explained that the original version indicated that the new rate structure would begin for general sewer billings due on April 20th. Because the City is splitting the grouping of its water bill customers quarterly (City split in 3 sections), there will be some bills due on February 20th, March 20th, and April 20th. The revised resolution reflects these dates.

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

17. Resolution #19-134 Authorizing Charles Street Interceptor Upgrade Agreement 2020.

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

18. Consider Community Service Grant applications from the Master Gardeners of Brown County and the De Pere Lions Club.

Alderperson Kunding moved, seconded by Alderperson Boyd to approve a \$300 grant to each applicant. Discussion followed on the ownership of the property where the Master Gardeners project is located. City Attorney Judy Schmidt-Lehman stated that the Corps of Engineers and the Navigational Authority have given their permission for the work to be done.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

19. Appointment of election officials for 2020-2021 elections.

City Clerk Carey Danen provided a revised appointment list to Council members, which has been attached to these minutes as Exhibit B. Alderperson Jennings moved, seconded by Alderperson Carpenter to approve the revised list. Alderperson Crevier confirmed that an appointee cannot work an election if they are a candidate on the ballot. Discussion followed about the appointment process and party balance at the polls.

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

20. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Carpenter to deny Previously Tabled Applications #1 and 3 for failure to appear before the License Committee when requested to discuss prior convictions. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Hansen to table Previously Tabled Application #2. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Previously Tabled Application #4. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Hansen to approve New Operator Applications #1-3. Upon vote, motion carried unanimously.

21. Voucher approval.

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

22. Future agenda items.

None.

23. Adjournment.

Alderperson Nelson moved, seconded by Alderperson Boyd to adjourn the meeting at 7:55 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk