



Common Council

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

Regular Meeting

Minutes

Tuesday, December 16, 2014

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on December 16, 2014 at 7:30 PM, De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

Attendee Name	Title	Status	Arrived
Michael J. Walsh	Mayor	Present	
Kevin Bauer	Alderman	Excused	
James Boyd	Alderman	Present	
Scott Crevier	Alderman	Present	
Michael Donovan	Alderman	Present	
Jim Kneiszel	Alderman	Present	
Larry Lueck	Alderman	Present	
Dean Raasch	Alderman	Excused	
Lisa Rafferty	Alderman	Present	

2. Pledge of allegiance to the Flag.
3. Approval of the Minutes of the December 2, 2014 Common Council Meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderman
SECONDER:	Michael Donovan, Alderman
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

4. A Public Hearing to act on a rezoning request for Parcels WD-52, WD-59 and part of WD-60 from General Industrial District to Residence District with a Planned Development Overlay.

At this time, Mayor Walsh wished everyone a very Merry Christmas and a Happy New Year.

A. Notice of Public Hearing.

Clerk-Treasurer Shana Defnet announced that the public hearing was published in the Green Bay Press Gazette on November 26 and December 3, 2014.

B. Recommendation from the Plan Commission.

City Planner Ken Pabich stated that Plan Commission recommended approval of the rezoning. He explained that this is a two stage process; if the rezoning is approved, a precise implementation plan will have to be approved by the Plan Commission and the Common Council. He reviewed the general plan for the proposed multi-family development.

Mayor Walsh declared the public hearing open. Bryan Vander Bloomen came forward to speak. He stated that he is the owner of Replay Sports Bar and Grill and is against the rezoning of this area for residential use. He uses the outdoor area for live music and the rezoning to residential will hinder his business; the outdoor music will exceed the allowable noise level. Mayor Walsh declared the public hearing closed.

- C. Ordinance #14-18, Rezoning Certain Property (Parcels WD-52, WD-59 and Part of WD-60).

Aldersperson Crevier requested clarification on the noise ordinance and how it will affect the rezone. Discussion followed regarding the location of the bar to the new apartments and the decibel limits. Aldersperson Rafferty moved, seconded by Aldersperson Crevier to open the meeting. Upon vote, motion carried unanimously. Bryan Vander Bloomen came forward to answer questions from the Council. Aldersperson Rafferty moved, seconded by Aldersperson Crevier to close the meeting. Upon vote, motion carried unanimously. Discussion followed regarding a noise permitting process and the project itself. Aldersperson Lueck moved, seconded by Aldersperson Boyd to open the meeting. Upon vote, motion carried unanimously. Kevin McDonell, Vice President of CommonWealth, explained to the Council that zoning needed to be in place by the end of January for the project to move forward. Bryan Vander Bloomen stated that if a permitting process is put into place he will be satisfied. Aldersperson Crevier moved, seconded by Aldersperson Boyd to close the meeting. Upon vote, motion carried unanimously. Aldersperson Kneiszel moved, seconded by Aldersperson Donovan to table the Ordinance. Upon vote, motion carried unanimously.

RESULT:	TABLED [UNANIMOUS]
MOVER:	James Boyd, Aldersperson
SECONDER:	Larry Lueck, Aldersperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

5. A Public Hearing to act on a Conditional Use to allow 405 Grant Street to be used by Saint Norbert College for Campus Department use on the first two floors and student housing on the third floor.

- A. Notice of Public Hearing.

Clerk-Treasurer Shana Defnet announced that the public hearing was published in the Green Bay Press Gazette on November 26, 2014.

- B. Recommendation from the Plan Commission.

City Planner Ken Pabich stated that Plan Commission recommended approval of the conditional use permit. Mayor Walsh declared the public hearing open; no one wished to speak and the public hearing was closed.

- C. Resolution #14-128, Authorizing and Approving a Conditional Use Permit (Parcel WD-646).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Aldersperson
SECONDER:	Lisa Rafferty, Aldersperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

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

Mayor Walsh announced that there was no quorum for the December 16, 2014 7:00 p.m. License Committee Meeting and the items on that agenda will be placed on the January 6, 2015 License Committee Agenda.

7. Introduction of Fire Chief, Dennis Rubin.

Fire Chief Dennis Rubin introduced himself to the Council. Mayor Walsh introduced Germantown Fire Chief Gary Weiss, who came to show his support for Chief Rubin.

8. Recognition of placement on National Register of Historic Places for 622 George Street and 106 S Broadway.

Jerry Turba and Kathryn Royle came forward to receive their plaques from Mayor Walsh.

9. Recommendation from the Finance/Personnel Committee to approve donation from Culver's.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Lisa Rafferty, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

10. Recommendation from Finance/Personnel Committee to approve the 2015 Pay Recommendations for Part-Time & Seasonal Employees.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

11. Ordinance #14-19, Repealing and Recreating Chapter 106 De Pere Municipal Code Regarding Licenses and Permits and Related Ordinance Revisions.

Alderperson Kneiszel stated that he opposes this ordinance due to certain approvals being removed from committee control and performed by City Staff instead. Alderperson Crevier agreed, but stated that there are still guidelines in place that staff has to follow and for that he will vote in favor of the ordinance. Upon vote, motion carried with Alderperson Kneiszel voting nay and a second reading of the ordinance will be required at the January 6th Council Meeting.

RESULT:	ADOPTED [5 TO 1] Second Reading Required
MOVER:	Scott Crevier, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Crevier, Donovan, Lueck, Rafferty
NAYS:	Jim Kneiszel
EXCUSED:	Kevin Bauer, Dean Raasch

12. Ordinance #14-20, Regarding Penalties for Violations of Various Municipal Code Provisions and Regarding License/Permit Fees.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

13. Resolution #14-129, Authorizing Facade Improvement Grants to 365 Main Avenue and 123 South Broadway Street.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

14. Resolution #14-130, Authorizing Agreement for Consultant Services Between the City of De Pere and Robert E. Lee & Associates, Inc. (Phase I and Geotechnical Services - 102 N Broadway).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

15. Resolution #14-131, Authorizing Agreement for Services Between the City of De Pere and RailWorks Track Systems, Inc.

Alderperson Donovan stated that he would like to see this discussed before extending beyond the one year contract.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

16. Resolution #14-132, Authorizing Second Amendment to Lease Agreement (Brown County Ice Management, Inc.).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

17. Resolution #14-133, Authorizing License Agreement and System Support Agreement Between Titan Public Safety Solutions, L.L.C. and the City of De Pere.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

18. Resolution #14-134, Revising Sewer Service Rates (December 2014).

RESULT:	ADOPTED [5 TO 1]
MOVER:	Larry Lueck, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck
NAYS:	Lisa Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

19. Resolution #14-135, Authorizing Commercial Plumbing Inspector Employment Agreement with Allen G. Farvour.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

20. Resolution #14-136, Ratifying and Accepting Wisconsin Internet Crimes Against Children Task Force Grant.

Chief Derek Beiderwieden explained the software the Police Department will be purchasing with it. The software captures data from computers, smartphones, and other devices when investigating crimes against children. The Police Department currently uses the City of Green Bay or Brown County software to capture this data.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Larry Lueck, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

21. Resolution # 14-137, Amending Addendum D of the City of De Pere Employee Policy Manual (Seasonal Hiring).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

22. Resolution #14-138, Establishing New Municipal Court Bond Schedule.

City Attorney Judy Schmidt Lehman reviewed two corrections to the resolution.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

23. Resolution #14-139, Authorizing Certain Fees for Health Department Services.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Jim Kneiszel, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

24. Resolution #14-140, Regarding De Pere Parks, Recreation and Forestry Recreation Programs, Swimming Pool and Community Center Fees 2015.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

25. Resolution #14-141, Regarding Certain Fees.

The Council discussed certain fee increases with Building Inspector Dave Hongisto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

26. Voucher Approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Rafferty
EXCUSED:	Kevin Bauer, Dean Raasch

27. Operator License Applications. No action taken.

28. Future agenda items. None.

29. Adjournment. Alderperson Rafferty moved, seconded by Alderperson Kneiszel to adjourn the meeting at 8:45 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet, Clerk-Treasurer