



Common Council

Regular Meeting

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

Minutes

Tuesday, June 16, 2020

7:30 PM

1. Call to Order. The meeting was called to order at 7:30 PM by Mayor James Boyd.

Attendee Name	Title	Status	Arrived
Dan Carpenter	Alderman	Present	
Mike Eserkaln	Alderman	Present	
Jonathon Hansen	Alderman	Present	
Amy Chandik Kunding	Alderman	Present	
Shana Defnet Ledvina	Alderman	Present	
Casey Nelson	Alderman	Present	
Dean Raasch	Alderman	Present	
Kelly Ruh	Alderman	Present	
James Boyd	Mayor	Present	

2. Approval of the minutes of the June 2, 2020 Common Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderman
SECONDER:	Dean Raasch, Alderman
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

3. Public Hearing to amend the City of De Pere Code of Ordinances Sections 14-47 and 14-51 (Zoning - Industrial Park District & Industrial-Business-1 District) to add "pet grooming, kennels, and pet day care facilities" as permitted uses in said zoning districts.

A. Notice of Public Hearing.

City Clerk Carey Danen announced that the notice of public hearing was published in the Green Bay Press-Gazette on June 1 and June 8, 2020.

B. Recommendation from the Plan Commission.

C. Ordinance #20-06 Amending Sections 14-47 and 14-51 of the Municipal Code to Provide for Additional Permitted Uses in Industrial Park and Industrial-Business-1 Zoning Districts.

Mayor Boyd declared the public hearing open; no one wished to speak so he then declared the public hearing closed.

Alderman Hansen asked about areas outside of the industrial park such as Lawrence Drive, where this type of business has been allowed in the past. City Administrator Larry Delo explained that they received a conditional use permit.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

4. Public Hearing on a request to extend the conditional use permit issued for Parcels WD-905 and WD-934, at the northeast corner of Reid St and Third St.

A. Notice of Public Hearing.

City Clerk Carey Danen announced that the notice of public hearing was published in the Green Bay Press-Gazette on June 1 and June 8, 2020.

B. Recommendation from the Plan Commission.

Development Services Director Dan Lindstrom explained that this is a request to extend previous approvals which were granted in 2014 and 2018. Details such as hours of operation and number of beds have not changed. The Plan Commission voted to recommend approval as there was no opposition to the request.

C. Resolution #20-60 Authorizing and Approving a Conditional Use Permit (Overnight Shelter Facility at 290 Reid Street; St. Norbert College Pennings Building)

Mayor Boyd declared the public hearing open. No one wished to speak, and Mayor Boyd declared the public hearing closed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

5. Recommendation from Finance & Personnel Committee to accept a donation of \$300 from D & B Klika, Inc. to the Fire Department.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

6. Recommendation from Finance & Personnel Committee to accept a \$500 donation from Cabinet Connection, LLC to the Fire Department.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

7. Recommendation from Finance & Personnel Committee to accept the donation of bath tissue and paper towel (estimated value \$300) from Bedford Paper to the Fire Department.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Kelly Ruh, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

8. Recommendation from Finance & Personnel Committee to accept a \$1,000 Donation to Police Department from Country Financial

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

9. Recommendation from the Finance-Personnel Committee to approve the request of the City Administrator to suspend the collection of medical insurance premiums for one month.

City Administrator Larry Delo provided an update to the information included in the agenda packet. The \$204,000 reduction in the medical insurance fund balance was based upon 24 equal deductions; however the City has 26 pay periods and the intent is to suspend only two payroll premiums in July. This brings the fund balance deduction down to \$188,000. Discussion followed regarding stop loss insurance and fund reserves. Larry said that staff will look at whether the City would do another one month suspension later in the year. He anticipates that we most likely will do a reduction to premium rates in 2021.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

10. Recommendation from the Board of Public Works to approve award of Contract 20-07 Curb Repair and Street Resurfacing to MCC, Inc. in the amount of \$1,360,837.83

Alderperson Hansen stated for the record that while he has no objection to award the contract to MCC, Inc., he will vote nay because he is uncomfortable with delaying some other projects.

RESULT:	APPROVED [7 TO 1]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Kundinger, Ledvina, Nelson, Raasch, Ruh
NAYS:	Jonathon Hansen

11. Recommendation from the License Committee on an Application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Cory Filler Enterprises of WI, LLC, (DBA Cory's Corner Bar & Grill), 617 Birch St. Submitted by Cory Filler Enterprises of WI. Agent: Cory Filler, De Pere, WI.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

12. Recommendation from the License Committee on an application for Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Crystal Judith Marie Jenss (DBA On the Rocks), 413 Main Ave. Submitted by Crystal Judith Marie Jenss, Green Bay, WI.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

13. Recommendation from the License Committee on the approval of the Liquor License renewal applications for the licensing period of July 1, 2020 to June 30, 2021.

A. Class "A" Fermented Malt Beverage License

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

B. Class "A" Fermented Malt Beverage & "Class A" Intoxicating Liquor License

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

C. Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor Licenses

Green Room Theatre, LLC

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh
ABSTAIN:	Eserkaln

Keep Em Rollin, LLC

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

Re-Serve Capacity and Supply, LLC

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Mike Eserkaln, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

Reptile Rail Entertainment

RESULT:	DENIED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

This request was denied because agenda item #12 was approved for the same premises.

14. Ordinance #20-07 Amending Section 150-23, Schedule G (Parking), De Pere Municipal Code.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

15. Ordinance #20-08 Amending § 106-4 De Pere Municipal Code.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

16. Resolution #20-61 Ratifying Mayoral Proclamations from May 30, 2020 Through June 12, 2020.

Proclamation #13

RESULT:	ADOPTED [6 TO 2]
MOVER:	Shana Defnet Ledvina, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson
NAYS:	Raasch, Ruh

Alderperson Raasch stated that he will vote against this proclamation because he feels we should not differentiate between which styles of business are allowed to operate.

Proclamation #14

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

Alderperson Hansen asked the mayor to elaborate on the decision making process for invoking the curfew. Mayor Boyd explained that he originally intended not to, but as Friday turned into Saturday most municipalities had implemented a curfew. A local news story stated that people should go to De Pere to protest after 9 PM on Saturday. Alderperson Nelson asked if any citations were issued; there were none.

Proclamation #15

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

17. Resolution #20-62 Authorizing Contract to Administer the Retail Food and Recreation Programs for the Wisconsin Department of Agriculture, Trade and Consumer Protection.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

18. Resolution #20-63 Authorizing Emergency Medical Service Medical Director Agreement Between the City of De Pere and BayCare Aurora LLC, d/b/a Aurora BayCare Medical Center Regarding Emergency Medical Director Services.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

19. Resolution #20-64 Authorizing Agreement for Consulting Services Between City of De Pere and Kimley-Horn and Associates, Inc. (Downtown Wayfinding Master Plan and Pedestrian Node Conceptual Plan Development).

Alderperson Hansen asked about the connection between Kimley-Horn and the City's branding initiative. City Administrator Larry Delo explained that two of the main consultants used to work for Sparc, the consultant on the branding project.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

20. Resolution #20-65 Approving Compliance Maintenance Annual Report for Wastewater Collection System.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

21. Resolution #20-66 Authorizing State/Municipal Project Agreement with Wisconsin Department of Transportation for Lawrence Drive Reconstruction.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

22. Resolution #20-67 Authorizing Submission of Wisconsin Department of Natural Resources Urban Nonpoint and Storm Water Management Application for Runoff Management Grant.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

23. Resolution #20-68 Authorizing Farm Lease (New Horizons Dairy, LLC).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

24. Resolution #20-69 Authorizing Farm Lease (Triple Z Farm LLC).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

25. Resolution #20-70 Approving Facade Improvement Project and Authorizing Disbursement of Grant (101 South Broadway - Parcel ED-833).

Alderperson Hansen asked if there are any updates on the applicant's efforts to work with the owner of the neighboring building at 107 S Broadway to renovate that facade as well. Development Services Director Dan Lindstrom reported that it is their wish, but nothing has been secured at this time. Alderperson Kunding thanked the property owner for bringing the building back to its original facade.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderperson
SECONDER:	Kelly Ruh, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

26. Operator License applications.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to approve Renewal applications #1-43. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to table Renewal applications #44 and 45. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to table Previously Tabled application #1. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to approve Previously Tabled applications #2-4. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to approve New Operator applications #1-7. Upon vote, motion carried unanimously.

Alderperson Carpenter moved, seconded by Alderperson Ledvina to table New Operator application #8. Upon vote, motion carried unanimously.

27. Voucher approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

28. Future agenda items.

Alderperson Carpenter requested that Council members consider the designation of minimum and maximum amounts in the City's medical insurance fund. This request will go to the Finance-Personnel Committee.

Alderperson Kunding asked for an update on the demolition of the buildings on Front Street. City Administrator Larry Delo will include this information in his Friday Memo.

Alderperson Raasch asked for a discussion on the City's Phase 2 reopening plan, or on ending the state of emergency declaration. Larry stated that staff is currently reviewing Phase 2 concepts, and he anticipates bringing the draft to a July Council meeting.

Alderperson Hansen requested a review of the use of George Street Plaza on week nights, which was identified in the City's Cultural District Master Plan.

29. Resolution #20-71 Authorizing Purchase of Parcel WD-377 from PEDS, LLC.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Defnet Ledvina, Nelson, Raasch, Ruh

Alderperson Raasch moved, seconded by Alderperson Nelson to close the meeting at 8:26 PM. Upon roll call vote, motion carried unanimously.

Alderperson Raasch moved, seconded by Alderperson Ledvina to open at the meeting at 8:32 PM. Upon roll call vote, motion carried unanimously.

30. Adjournment.

Alderperson Carpenter moved, seconded by Alderperson Kunding to adjourn the meeting at 8:34 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk