



Common Council

335 South Broadway

De Pere, WI 54115

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

Regular Meeting

Minutes

Tuesday, June 16, 2015

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on June 16, 2015 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	Aldersperson	Present	
James Boyd	Aldersperson	Present	
Scott Crevier	Aldersperson	Present	
Michael Donovan	Aldersperson	Present	
Jim Kneiszel	Aldersperson	Present	
Larry Lueck	Aldersperson	Present	
Dean Raasch	Aldersperson	Late	8:23 PM
Lisa Rafferty	Aldersperson	Present	

2. Pledge of Allegiance to the Flag.
3. Approval of the Minutes of the June 2, 2015 Common Council Meeting.

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

4. Public Hearing to rezone 428 N. Superior Street from General Business with a Plan Development District Overlay to Single-Two Family Residence with a Plan Development District Overlay.

A. Notice of Public Hearing.

City Clerk-Treasurer Shana Defnet announced that the public hearing was published in the Green Bay Press Gazette on May 28th and June 2nd, 2015.

B. Recommendation from the Plan Commission.

City Planner Ken Pabich stated that the Plan Commission recommended approval of the rezoning request and the general development plan. This is a two phase process: the Council is asked to approve the request to rezone the property for the general development plan. He provided a quick overview of the project, the site known as the former Irwin School on N. Superior. He explained that the proposed project is to take down the school and replace it with a condo-like development. The Plan Commission requested that the home design match the surrounding neighborhood. The Historic Preservation Commission requested that the timing of the project not allow for the lot to be empty for an extended amount of time and also requested that they are given adequate amount of time to work with the developer to inventory and salvage historic items from the school.

C. Ordinance #15-18, Rezoning Certain Property (Parcel ED-477).

The Mayor declared the public hearing open. Amy Ritter expressed her concern for the number of homes going into the space and is concerned about it being too crowded. Ann Mattern asked for an independent assessment of the school and letters of intent to purchase before the project starts. George Lucia expressed his concern about the lack of green space on the development and asked if the property was to be purchased by the City and if new sewer and water is required for the project.

Mayor Walsh declared the public hearing closed and entertained a motion. Alderperson Bauer moved, seconded by Alderperson Crevier to approve the ordinance. Discussion followed. City Planner Ken Pabich explained that the width of the lots is similar to other lots in the neighborhood and that the proposed development is planned to match the design and character of the neighborhood. The lots lack driveways; there will be one main alleyway that runs behind the properties with access to the garages. He explained that the second part of this two-phase process is the approval of the precise implementation plan and that at this point the City Council and the Plan Commission can set restrictions on the project. He explained that the overall consensus is that there should be a specific time frame of the project and that the developer is purchasing the site and paying for the water and sewer improvements. He explained that garbage pick-up and plowing will be paid for by the residents with condo association fees. He explained that the assessed value of the school is \$660,000 and that the completed project should be assessed around 2.5 million dollars.

Alderperson Kneiszel moved, seconded by Alderperson Boyd to open the meeting. Upon vote, motion carried unanimously. Jason Tadych, the developer, came forward and answered questions for the Council. He explained that there is a high demand in today's marketplace for this type of development. He explained that the development will require a 50% commitment to purchase to finance the project. He explained why they decided not to salvage the building and build condos. Discussion followed regarding the green space of the project. George Lucia came forward and asked about the lack of back yard green space. Rob Cleek came forward and stated that the project doesn't feel like De Pere. Ann Mattern came forward and voiced her concern about people using the alleyway as a shortcut to the next street. City Planner Ken Pabich stated that he does not see cutting through the alley as an issue. Alderperson Kneiszel moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote, motion carried 6-2 with Alderpersons Kneiszel and Rafferty voting nay. A second reading of the ordinance is required.

RESULT:	SECOND READING REQUIRED [6 TO 2]
MOVER:	Kevin Bauer, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Bauer, Boyd, Crevier, Donovan, Lueck, Raasch
NAYS:	Jim Kneiszel, Lisa Rafferty

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

Rob Cleek asked that the City look at allowing urban bee keeping.

6. Recommendation from the License Committee on an application for a Class "A" Beer & "Class A" Liquor License for DU Convenience, 1605 Fort Howard Ave., submitted by DU Convenience, Agent: Sharada Adhikari, 4024 E. Braeburn Dr., Appleton, WI 54913.

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

7. Recommendation from the License Committee on Renewal Applications for Class "A" Fermented Malt Beverage Licenses, Class "B" Fermented Malt Beverage Licenses, "Class B" Intoxicating Liquor Licenses for the licensing period of July 1, 2015 to June 30, 2016.

Alderperson Bauer moved, seconded by Alderperson Boyd to approve all renewal applications. Upon vote, motion carried unanimously.

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

8. Recommendation from the Board of Public Works to Award Project 15-07 Asphalt, Curb, and Sewer Repair to MCC, Inc. in the Amount of \$1,017,238.49.

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

9. Recommendation from the Board of Public Works to Award of Project 15-06 Lawrence Drive Sidewalk to Sommers Construction Company, Inc. In the Amount of \$676,961.40

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

10. Recommendation from Finance Committee to Encumber Police Squad Vehicle Trade-in Money for Future Squad/body Cameras.

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

11. Recommendation from the Historic Preservation Commission to approve the Front Street mural project.

City Planner Ken Pabich explained that the existing mural will be cleaned, restored, and sealed. The two panels on the far north will be an updated version of the last 25 years in the City of De Pere and will be approved by the Mayor.

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

12. Recommendation from the Finance/Personnel Committee to appropriate \$825 from the Unassigned Reserve Account for furniture for the Mayor's office.

RESULT:	ADOPTED [7 TO 1]
MOVER:	Scott Crevier, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
NAYS:	Kevin Bauer

13. Resolution #15-61, Disallowance of Claim (Joyce Baierl).

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

14. Resolution #15-62, Authorizing Agreement Regarding the Sale and Purchase of Real Property Between the City of De Pere, Nicolet Real Estate and Investment Corporation, and Frigo Enterprises, LLC.

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

A. Recommendation from the Plan Commission to approve the CSM Application which divides WD-1377 into two and combines them with neighboring parcels on American Boulevard. Surveyor: Mau & Associates.

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

15. Resolution #15-63, Authorizing Lease Agreement with the Unified School District of De Pere.

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

16. Resolution #15-64, Authorizing Agreement Among the Town of Ledgeview, City of De Pere and the Unified School District of De Pere Regarding the Maintenance of Pedestrian Walkways and Associated Drainage Facilities.

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

17. Resolution #15-65, Authorizing Agreement for Consulting Services Between the City of De Pere and Robert E. Lee & Associates, Inc. (Oak Street Right-of-Way Width).

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

18. Resolution #15-66, Authorizing Revised State/Municipal Agreements for Various Street Improvement Projects.

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

19. Resolution #15-67, Authorizing Agreement Extending Option to Purchase Between the City of De Pere and Washworld of De Pere LLC.

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

20. Resolution #15-68, Authorizing Submission of Community Oriented Policing Services Grant Application.

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

21. Resolution #15-69, Authorizing Interim Contractor Agreement Between the City of De Pere and Green Bay Water Utility (Water Billing Process Training and Interim Billing Services).

City Administrator Larry Delo explained that this item is an interim approval to see if we want to move forward with this for a permanent position. Discussion followed.

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

22. Resolution #15-70, An Initial Resolution Authorizing the Sale and Issuance of General Obligation Promissory Notes; and Certain Related Details.

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

23. Resolution #15-71, An Initial Resolution Authorizing the Sale and Issuance of Taxable General Obligation Promissory Notes; and Certain Related Details.

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

24. Resolution #15-72, Authorizing Agreement for Noxious Weed/Long Grass Cutting Services Between the City of De Pere and Lizer of Wisconsin, Inc.

Alderperson Rafferty asked why the City entered into a three-year contract if we didn't receive any other responses.

Park Superintendent Don Melichar explained that we used to enter into a one-year contract for this service and that the City now enters into a two-year contract with the third year as an option. He stated that the rate offered is a competitive rate for the service provided.

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

25. Consider Community Service Grant Application.

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

26. Consider repairs to Legion Park Baby Pool.

Alderperson Crevier asked what the Council would be approving if they vote in favor of this consideration. Parks Director Marty Kosobucki explained that the pool needs to be fixed and that the preliminary estimate on the cost is \$30,000. Discussion followed on whether or not to cap the cost of repair. Discussion followed. Alderperson Rafferty moved, seconded by Alderperson Kneiszel to cap repairs at \$30,000. Motion failed 3-5 with Alderpersons Crevier, Kneiszel and Rafferty voting ay. Upon motion to approve repairs without a cap, motion carried unanimously.

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

27. Voucher Approval.

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

28. Operator License Applications.

CITY OF DE PERE -June 16, 2015					
ITEM	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License Applications					
1	CRUZ, DAVID J.	1615 W. MASON ST.	GREEN BAY	WI	54303
2	DULL, NEVA M.	1021 EDGEWOOD DR.	GREEN BAY	WI	54311
3	MOORE, MELEEK, N.	2109 RYAN RD.	DE PERE	WI	54115
4	MOORE, PATRICK J.	450 S. WALL ST. LOT 56	DENMARK	WI	54208
5	VAN HANDEL, TAMARA M.	1009 CORAL ST., #2	DE PERE	WI	54115
Temporary Operator License Applications					
1	MASON, PAUL T.	1875 CHARLES ST.	DE PERE	WI	54115
New Operator License Applications for the 2014-2016 Licensing Period					
1	DIETZLER, NICHOLAS A.	985 N. BROADWAY, #35	DE PERE	WI	54115
2	HELLER, BRITTNEY L.	241 TWILIGHT DR.	DE PERE	WI	54115
3	HOST, SYDNEY N.	1417 MORRIS AVE.	GREEN BAY	WI	54313
4	JACOBSON, DOUGLAS L.	415 GEORGE ST., #2	DE PERE	WI	54115
5	KRAFT, TIFFANY I.	320 HILLTOP DR.	GREEN BAY	WI	54301
6	KUKLINSKI, JAMIE R.	1603 JAY LN.	GREEN BAY	WI	54304
7	MCMORROW, MICHAEL A.	1545 WILD ROSE DR.	DE PERE	WI	54115
8	ROSKOSKI, NICHOLAS M.	1015 MORaine WAY	GREEN BAY	WI	54302
9	SABIN, DYLAN J.	1581 ORIOLE ST.	GREEN BAY	WI	54311
10	TOONEN, CHRISTOPHER J.	1439 VIEW LN.	GREEN BAY	WI	54313

Alderperson Bauer moved, seconded by Alderperson Raasch to approve Previously Tabled Operator Licenses #4 and 5, to table Previously Tabled Operator License Applications # 1and 2, and to deny Previously Tabled Operator License Application #3. Upon vote, motion carried unanimously.

Alderperson Bauer moved, seconded by Alderperson Boyd to approve Temporary Operator License Application #1. Upon vote, motion carried unanimously.

Alderperson Bauer moved, seconded by Alderperson Raasch to approve Operator License Applications #1-3, 5-7, and 9-10 and to table Operator License Applications #4 and 8. Upon vote, motion carried unanimously.

29. Future Agenda Items.

Alderperson Bauer reminded Staff of the beekeeping ordinance request; Alderperson Raasch requested that staff look at a food truck ordinance. Alderperson Crevier asked if Legion Park Pool will be open during the baby pool repairs; Parks Director Marty Kosobucki said that the pool is completely separate from the baby pool and will remain open.

31. Consider recommendation from Redevelopment Authority for 102 N. Broadway and authorize staff draft development agreement.
(Item #31 was moved forward and discussed at this point in the meeting.)

City Planner Ken Pabich stated that the Redevelopment Authority reviewed the two project proposals for Crevier Commons and recommended going with the Tadych proposal. Alderperson Bauer moved, seconded by Alderperson Lueck to approve the recommendation. Upon vote, motion carried unanimously.

30. Consideration of purchase of property for industrial purposes.

At 9:15 p.m., Alderperson Raasch moved, seconded by Alderperson Crevier to go into closed session. Upon vote, motion carried unanimously.

Alderperson Donovan moved, seconded by Alderperson Boyd to go back into open session at 9:53 p.m.

32. Adjournment. Alderperson Donovan moved, seconded by Alderperson Rafferty to adjourn at 9:54 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet, Clerk-Treasurer