



Common Council

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Minutes

Tuesday, May 18, 2021

7:30 PM

Council Chambers and Virtual

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	Aldersperson	Present	
Mike Eserkaln	Aldersperson	Remote	
Jonathon Hansen	Aldersperson	Present	
Amy Chandik Kundinger	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Present	
John Quigley	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	
Kelly Ruh	Aldersperson	Present	
James Boyd	Mayor	Present	

2. Pledge of Allegiance to the Flag.

3. Approval of the minutes of the May 4, 2021 Common Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Aldersperson
SECONDER:	Jonathon Hansen, Aldersperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

4. Public comment upon matters not on the agenda.

None.

5. COVID-19 update from the Health Department.

Health Director Debbie Armbruster reported that they are now conducting all clinics on a walk-in basis; they are also planning several pop up clinics at events such as the farmers market and the beer gardens. The Pfizer vaccine was recently approved for children ages 12 and over, so the Health Department is partnering with both school districts and Syble Hopp to provide vaccinations to this age group. Debbie reported that Moderna is expected to apply for use with adolescents soon, and Pfizer will be applying in the fall for use with ages two and up. The Health Department has conducted 45 clinics to date, for a total of 2,822 doses administered.

6. Presentation from Police Department on Voyageur Park Nuisance Enforcement.

Police Chief Derek Beiderwieden reviewed the problems that have been occurring at Voyageur Park since the beginning of the year, and reported on the efforts his department has undertaken to combat the issue. They have started a special operation with directed patrols and extra checks of the park when staff is available. They also distributed literature to neighbors in the vicinity of the park urging them to report problems. The park ejection ordinance has been used several times since it was passed by Council in April. Chief Beiderwieden feels it is too early to say how effective the ordinance has been, but that it seems to be helping. The Chief then fielded questions from Council members regarding the consequences of being ejected from the park, how offenders are identified if they come back, and whether the parents of minors involved in these issues are notified. He emphasized that citizens should call the Police Department immediately to report problems, rather than reaching out to their alderpersons first, so that officers can respond effectively. City Administrator Larry Delo reported that staff is evaluating a plan to expand security camera installation to various areas in the City that are having issues, such as Voyageur, Main Av, and Optimist Park. It is estimated that each camera would cost \$4-5,000.

Alderson Raasch moved, seconded by Alderson Carpenter to open the meeting. Upon vote, motion carried unanimously. De Pere resident Brenda Busch explained that she lives right next to Voyageur Park, and has experienced all of the problems the Police Chief described in his presentation. She reported that there were already several trucks at the park tonight when she left home to come to the meeting, with a group of at least 15 people congregating around them. Alderson Raasch moved, seconded by Alderson Carpenter to close the meeting. Upon vote, motion carried unanimously.

7. Recommendation from Finance and Personnel Committee to Accept \$1,200 Donation from the Hutchins Family to Police Use for Body Cameras.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderson
SECONDER:	John Quigley, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

8. Recommendation from the Finance/Personnel Committee to Accept a Donation from Konrad and Jesse Jossart (Operators of Jossart Brothers, Inc.) in the amount of \$10,000 for the James Street Project.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderson
SECONDER:	Dean Raasch, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

9. Recommendation from the Finance-Personnel Committee to Approve Cyber Insurance Coverage through HDI Global Insurance Company for 2021-2022.

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

10. Recommendation from Finance/Personnel Committee to approve Utilizing a Recruiting Company for the Police Chief Recruitment.

Alderperson Ledvina asked about the role of the Police and Fire Commission in hiring for this position. City Administrator Larry Delo stated that they are the hiring body that goes through the interview process with candidates. Alderperson Hansen asked if the consultant would also participate in the interviews; Larry responded that they typically would, to the extent that the Police and Fire Commission is comfortable.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Quigley, Alderperson
SECONDER:	Amy Chandik Kundinger, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

11. Recommendation from Finance/Personnel Committee to Deny Additional Emergency Leave Time to City Employees for COVID-19 Related Absences (Request of Ald. Hansen).

Alderperson Hansen stated that he is more comfortable about emergency leave time potentially going away after conversations with Human Resources Director Shannon Metzler. She shared with him that the City's sick leave policy is generous and that hours do roll over from year to year. He would still like to see a smaller amount of leave time stay in place because if an employee has a child that needs to quarantine, they could use up to 80 hours for that alone. Alderperson Ledvina pointed out that the reason for the robust sick leave policy is because the City does not provide short term disability. Shannon confirmed this, but stated that the City does have a vacation hours donation program that can be used if an employee runs out of sick time. Alderperson Ledvina stated that she is against removing the emergency leave time, because it would unfairly impact families with young children who aren't eligible for the vaccine yet. She would like to see the program extended at least through next fall.

RESULT:	REQUEST DENIED [6 TO 2]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Kundinger, Quigley, Raasch, Ruh
NAYS:	Jonathon Hansen, Shana Defnet Ledvina

12. Recommendation from the Board of Public Works to Approve Future City Budgeting of Flag Replacement on Webster Avenue (Request of Ald. Hansen).

RESULT:	APPROVED [7 TO 0]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	John Quigley, Alderperson
AYES:	Carpenter, Eserkaln, Kundinger, Ledvina, Quigley, Raasch, Ruh
ABSTAIN:	Jonathon Hansen

13. Recommendation from the Board of Public Works to Award Public Works Contract 21-07, Curb Repair and Street Resurfacing, to MCC, Inc. in the amount of \$815,956.00.

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

14. Recommendation from the Board of Public Works to deny the installation of Rapid Rectangular Flashing Beacons at the following locations:

Alderperson Raasch moved, seconded by Alderperson Ruh to suspend the meeting rules in order to consider items A, B, and C together. Upon vote, motion carried 7-1 with Alderperson Hansen voting nay.

Alderperson Hansen stated that he would still like to see an RRFB at Crestview and O'Hearn. While motorists seem to be doing a good job yielding to pedestrians, and high school students are savvier about crossing, he noted that younger children attending summer programs at the high school would benefit from this safety feature. Alderperson Kundinger asked if monitoring has been done for other RRFBs in the City to evaluate if they have encouraged additional pedestrian use. Public Works Director Scott Thoresen stated that staff has not conducted a count after installation. Alderpersons Carpenter and Raasch explained the rationale of the Board of Public Works to recommend denial: that Chicago Street is divided and has a safety island in the middle; that installation of RRFBs should be limited so that drivers will pay attention; and that in general, drivers are more cautious around schools.

A. Chicago Street at O'Hearn Lane

B. Chicago Street at Crestview Lane

C. Main Avenue at Seventh Street

RESULT:	REQUEST DENIED [6 TO 2]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Shana Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Ledvina, Quigley, Raasch, Ruh
NAYS:	Jonathon Hansen, Amy Kundinger

15. Recommendation from the License Committee regarding the application for a Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for ReDesign & Consign, LLC (DBA ReDesign & Consign, LLC) 662A George St. Submitted by ReDesign and Consign LLC; Agent: Lisa Van Remortel.

Alderson Carpenter moved, seconded by Alderson Raasch to open the meeting. Upon vote, motion carried unanimously. Applicant Lisa VanRemortel addressed the Council and answered questions from members. Alderson Raasch moved, seconded by Alderson Ledvina to close the meeting. Upon vote, motion carried unanimously.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Kelly Ruh, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Defnet Ledvina, Quigley, Raasch, Ruh

16. Recommendation from the License Committee regarding the renewal applications for the licensing period of July 1, 2021 to June 30, 2022.

City Clerk Carey Danen noted that the application for Walgreens, 901 Main Av, was inadvertently placed in the wrong section of the agenda packet, and has been moved to section A as a Class "A" beer only application.

A. Class "A" Fermented Malt Beverage License

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Kelly Ruh, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Kelly Ruh, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

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

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderson
SECONDER:	Kelly Ruh, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

D. Class "B" Fermented Malt Beverage & Reserve "Class B" Intoxicating Liquor Licenses

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Kelly Ruh, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

17. Ordinance #21-12 Amending § 106-6(a) De Pere Municipal Code Regarding Cancellation of Special Event Permits (Request of Ald. Hansen).

Alderperson Raasch asked if other communities allow their City Administrator to cancel special events, or whether it would be better to have this authority designated to the Fire Department battalion chief only. City Attorney Judy Schmidt-Lehman confirmed that other communities such as Oshkosh designate their city manager for this purpose.

Alderperson Carpenter asked about refunding expenses if an event is cancelled. Judy confirmed that the City would refund any expenses directly prepaid to us for services, but would not reimburse any other expenses incurred by the event.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Amy Chandik Kundinger, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

18. Resolution #21-56 Approving Grant Agreement Modification to Division of Public Health DPH Contract No. 47645-1.

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

19. Resolution #21-57 Approving the Ninth Amendment to Central Brown County Water Authority Water Purchase and Sale Contract.

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

20. Resolution #21-58 Authorizing Installment Payment of Sidewalk Repair or Replacement Expenses in Excess of \$1,000 Ordered Under Wis. Stats. §66.0907.

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

21. Resolution #21-59 Authorizing Agreement for Consulting Services with Short-Elliott-Hendrickson, Incorporated for Design Services for Municipal Service Center Expansion.

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

22. Resolution #21-60 Authorizing Agreement for Consulting Services Between City of De Pere and SmithGroup, Inc. (Comprehensive Plan Update, West Downtown Vision Plan and Downtown Parking Study).

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

23. Resolution #21-61 Authorizing Agreement for the Conveyance of Real Property By and Between the City Of De Pere and Scannell Development Company III, Inc.

RESULT:	REFERRED BACK TO STAFF [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Shana Defnet Ledvina, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Quigley, Raasch, Ruh

24. Voucher approval.

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

25. Future agenda items.
None.

26. Consideration on Possible Acquisition of Property for Public Purposes
Alderperson Ledvina moved, seconded by Alderperson Hansen to enter closed session at 8:52 PM. Upon vote, motion carried unanimously.

27. Discussion and Possible Action on Award of Official Newspaper Contract.
Alderperson Raasch moved, seconded by Alderperson Carpenter to re-open the meeting at 9:21 PM. Upon vote, motion carried unanimously.

Aldersperson Ledvina moved, seconded by Aldersperson Raasch to reject both bids as ineffective and to direct the City Clerk to re-advertise for bids. Upon vote, motion carried unanimously.

28. Resolution #21-62 Award of Official Newspaper (to be acted upon if the Council selects the official newspaper).

RESULT: NO ACTION

29. Adjournment.

Aldersperson Ledvina moved, seconded by Aldersperson Kunding to adjourn the meeting at 9:23 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk