



# Common Council

## Regular Meeting

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

### Minutes

Tuesday, May 17, 2022

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         | Alderman | Present |         |
| Pamela Gantz          | Alderman | Present |         |
| Jonathon Hansen       | Alderman | Present |         |
| Amy Chandik Kundinger | Alderman | Remote  |         |
| Shana Defnet Ledvina  | Alderman | Present |         |
| Devin Perock          | Alderman | Present |         |
| John Quigley          | Alderman | Present |         |
| Dean Raasch           | Alderman | Present |         |
| James Boyd            | Mayor    | Present |         |

2. Pledge of Allegiance to the Flag.

3. Approval of the minutes of the May 3, 2022 Common Council meeting.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dean Raasch, Alderman                                                 |
| <b>SECONDER:</b> | John Quigley, Alderman                                                |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

4. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Common Council. §6-3(f) DPMC

None.

5. Proclamation for National Police Week May 15-21, 2022.

Police Chief Muraski, Officer Renon, K-9 Kurt, and his handler Officer Giese were on hand to accept the proclamation from Mayor Boyd.

6. Proclamation for National Public Works Week May 15-21, 2022.

Public Works Director Scott Thoresen received the proclamation from Mayor Boyd.

7. Recommendation from Finance & Personnel Committee to accept \$5,000 donation from Kay Distributing and Definitely De Pere to purchase ballistic plates for Fire Department.

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|------------------|---------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Amy Chandik Kunding, Alderperson                                    |
| <b>SECONDER:</b> | Shana Defnet Ledvina, Alderperson                                   |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

8. Recommendation from Finance & Personnel Committee to accept \$5,000 donation from Kay Distributing to Police for use with the K-9 Unit.

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| <b>RESULT:</b>   | <b>ACCEPTED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                            |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                           |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

9. Recommendation of the Finance/Personnel Committee to Designate Allocation of the American Rescue Plan Act (ARPA) Funds as a Separate Process Following the Annual Budget Process.

Alderperson Raasch asked if the intention for designating a separate process is to earmark ARPA funds for items that don't get included in the regular budget; City Administrator Larry Delo confirmed this. Alderperson Raasch also asked for and received confirmation from staff that ARPA funds will be used for one-time expenses such as equipment, versus ongoing expenses like personnel.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                        |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                           |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

10. Recommendation from Board of Public Works Regarding Broadway and Cook Street Intersection Upgrades Including Painting Left Turn Lines, Exchanging Street Light Bulbs for LED, and Requesting Installation of Reduced Speed Sign from Wisconsin Department of Transportation on Northbound STH 32/57.

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|------------------|---------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                        |
| <b>SECONDER:</b> | Dan Carpenter, Alderperson                                          |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

11. Recommendation from the Board of Public Works to fund completion of Project 22-10 Ridgeway Boulevard Water Main Work From the 2023 Water Utility Budget.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                            |
| <b>SECONDER:</b> | Shana Defnet Ledvina, Alderperson                                   |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

12. Recommendation from the Board of Public Works on award of Contract 22-22 Downtown Sidewalk and Street Lighting to Vinton Construction Company in the Amount of \$239,752.90.

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| <b>RESULT:</b>   | <b>APPROVED BY ROLL CALL VOTE [UNANIMOUS]</b>                         |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | John Quigley, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

13. Recommendation from the License Committee on an application for a Special Permit allowing consumption of alcohol beverages on public ways. Submitted by Definitely De Pere for the Farmers Market on Thursdays, June 9 - August 25 from 3:00 p.m. - 8:00 p.m.; and Thursdays, September 1 - September 22 from 3:00 p.m. - 7:00 p.m.

Alderperson Carpenter reported that he asked Definitely De Pere during the License Committee meeting to send notification letters in advance of the scheduled meeting, so that neighboring businesses have a chance to attend the meeting if they wish.

Alderperson Hansen stated that he has voted against this request in the past due to constituent complaints, but will vote in favor tonight because it's the third year and it is clear that the Council approves of holding the Farmers Market in this location.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                              |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

14. Recommendation from the License Committee on an application for a Special Permit allowing consumption of alcohol beverages on public ways. Submitted by Definitely De Pere for the Food Truck Rally on Sunday, June 12, July 10, and August 14 from 4:00 p.m. - 8:00 p.m.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Shana Defnet Ledvina, Alderperson                                     |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

15. Recommendation from the License Committee on an application for a Special Permit allowing consumption of alcohol beverages on public ways. Submitted by Definitely De Pere for Downtown De Pere Music Nights on Friday, June 24, July 22, and August 26 from 5:00 p.m. - 9:00 p.m.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                              |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

16. Recommendation from the License Committee on the renewal applications for the licensing period of July 1, 2022 to June 30, 2023.

## A. Class "A" Fermented Malt Beverage Licenses

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|------------------|-----------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Devin Perock, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

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

Alderperson Carpenter moved, seconded by Alderperson Raasch approve applications #1-5, and to approve #6 with the corrected premises description provided by the Clerk.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                              |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Devin Perock, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

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

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                           |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

## 17. Discussion and Possible Action on City's Request for Proposals to Hire Noise Consultant.

Assistant City Attorney Kristen Johnson reported that this request was presented to the Finance/Personnel Committee in March as an option to address ongoing noise complaints in the City. She noted that two of the quotes were similarly priced, but that Avant's also included a site visit and survey. She also pointed out that no funding source has been identified in this year's budget. Alderperson Raasch asked where issues are being reported in the City. They are primarily located in the mixed use areas in the downtown, and in the industrial parks. Kristen explained that the current ordinance is outdated, and there is new technology being used to measure noise that should be incorporated into the ordinance. Discussion followed regarding steps the City has taken in the past to address noise complaints. Alderperson Quigley spoke in favor of hiring a noise consultant now, so that the ordinance is more consistent and enforceable. Alderperson Hansen asked how the site visits in Avant's proposal would be determined; Kristen replied that the consultant would work with staff to identify areas where measurements are most needed. Development Services Director Dan Lindstrom explained that there are vast differences

in how noise frequencies impact decibel levels, and that updated ordinances are going in that direction. Discussion followed regarding potential funding sources for the noise consultant. Alderperson Carpenter moved, seconded by Alderperson Ledvina to amend the original motion to add that funding will come from unassigned reserves. Upon vote, the motion to amend passed 7-1 with Alderperson Raasch voting nay.

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| <b>RESULT:</b>   | <b>APPROVED AS AMENDED BY ROLL CALL VOTE [7 TO 1]</b>         |
| <b>MOVER:</b>    | John Quigley, Alderperson                                     |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                                  |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley |
| <b>NAYS:</b>     | Dean Raasch                                                   |

18. Ordinance #22-05 Amending § 58-4 De Pere Municipal Code Regarding Bureau of Fire Prevention and Investigation.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | Shana Defnet Ledvina, Alderperson                                     |
| <b>SECONDER:</b> | Jonathon Hansen, Alderperson                                          |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

19. Resolution #22-39 Approving the Compliance Engine Agreement Between the City of De Pere and Brycer, LLC (Fire Inspection Compliance Reporting).

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                          |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

20. Resolution #22-40 Ratifying Grant Application of the Fire and Health Departments to Wisconsin Department of Health Services (Mobile Integrated Health for COVID and Stroke).

Alderperson Hansen asked if the grant application will need Board of Health approval as well. Assistant City Attorney Kristen Johnson said that the Fire Department is taking the lead on this, and grant funds will be disbursed to the Fire Department. Fire Chief Al Matzke provided an overview of the City's Stay At Home assistance program. He explained that falls are the number one reason for ambulance calls in De Pere, and that this program is a great thing to be able to offer the community. The grant will create a collaboration between health providers and EMS, who are better equipped to do this kind of outreach. De Pere's partner for this grant is Aurora Bay Care Medical Center; our staff will follow patients discharged from that facility. Chief Matzke also answered questions from alderpersons regarding resource referrals for residents who need it, as well as patient follow up.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                          |
| <b>SECONDER:</b> | Dan Carpenter, Alderperson                                            |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

21. Resolution #22-41 Authorizing Police Department Participation in Brown County Speed Task Force (2022).

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|------------------|-----------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL VOTE [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                              |
| <b>SECONDER:</b> | Shana Defnet Ledvina, Alderperson                                     |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

22. Resolution #22-42 Approving Renewal of Planned Service Agreement Between the City of De Pere and Johnson Controls Fire Protection LP (Community Center Access Control System).

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|------------------|-----------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL VOTE [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                              |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

23. Resolution #22-43 Authorizing State/Municipal Project Agreement for Local Roads Improvement Program for 2022-2023 (Acreview Drive, Barbara Lane, Lorrie Way, Nob Hill Lane and Scout Way).

Alderperson Hansen asked what formula the state uses to determine the amount the City is eligible to receive. Public Works Director Scott Thoresen said that the state has a pot of money to distribute, but he doesn't know the exact amount. He explained that the state follows a cycle, and the City can apply for the funding every few years. City Administrator Larry Delo said he believes the state uses a scoring system to determine funding amounts.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | Dan Carpenter, Alderperson                                            |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                              |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

24. Resolution #22-44 Authorizing Installment Payments of Sidewalk Repair or Replacement Expenses in Excess of \$1,000 Ordered Under Wis. Stats. §66.0907.

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| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | John Quigley, Alderperson                                             |
| <b>SECONDER:</b> | Dan Carpenter, Alderperson                                            |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

25. Resolution #22-45 Ordering Installation of Sidewalks at Various Locations for 2022 and 2023.

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|------------------|-----------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                            |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                              |
| <b>SECONDER:</b> | Pamela Gantz, Alderperson                                             |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

26. Resolution #22-46 Approving City Funding for Southbridge Corridor Local Funding Cost-Share with Brown County (Southbridge Corridor Sections #2 and #3 Design Costs).

Alderperson Hansen asked if staff has received confirmation from the County that the contributed funds will cover the costs. Public Works Director Scott Thoresen reported that they are still waiting for information. He also confirmed that the split was the same for the Section #1 design.

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| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL VOTE [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Jonathon Hansen, Alderperson                                          |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                              |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

27. Resolution #22-47 Approving Letter of Engagement for Professional Services Between the City of De Pere and Town Counsel Law & Litigation, LLC (Interim Municipal Prosecution Services).

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| <b>RESULT:</b>   | <b>ADOPTED BY ROLL CALL VOTE [UNANIMOUS]</b>                          |
| <b>MOVER:</b>    | Shana Defnet Ledvina, Alderperson                                     |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                              |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |

28. Resolution #22-48 Authorizing Third Amendment to the Supplemental Intergovernmental Agreement Between the City of De Pere and the Town of Lawrence Regarding the Planning and Implementation of Water Distribution and Sanitary Sewer Projects (Mystic Creek Subdivision).

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| <b>RESULT:</b>   | <b>ADOPTED [7 TO 0]</b>                                    |
| <b>MOVER:</b>    | Shana Defnet Ledvina, Alderperson                          |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                   |
| <b>AYES:</b>     | Gantz, Hansen, Kundinger, Ledvina, Perock, Quigley, Raasch |
| <b>ABSTAIN:</b>  | Dan Carpenter                                              |

29. Voucher approval.

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| <b>RESULT:</b>   | <b>APPROVED [UNANIMOUS]</b>                                         |
| <b>MOVER:</b>    | Shana Defnet Ledvina, Alderperson                                   |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                            |
| <b>AYES:</b>     | Carpenter, Gantz, Hansen, Kunding, Ledvina, Perock, Quigley, Raasch |

30. Future agenda items.

Alderperson Kunding reported that after a brief respite, complaints about disturbances in Voyageur Park have increased again. She requested an update from the Police Department on police interactions in the park, as well as a discussion on potential next steps.

31. Adjournment.

Alderperson Perock moved, seconded by Alderperson Gantz to adjourn the meeting at 8:28 PM. Upon vote, motion carried unanimously.

Respectfully submitted,  
Carey Danen, City Clerk