

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – MAY 15, 2012**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, May 15, 2012.

Mayor Walsh called the meeting to order at 7:32 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, Scott Crevier, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson and Kathy VanVonderen. The Council said the Pledge of Allegiance to the Flag.

Alderman Lueck moved, seconded by Alderman Crevier to approve the minutes of the May 1, 2012 meeting. Upon vote, the minutes were approved unanimously.

PUBLIC HEARING

4A. A Public Hearing on a street vacation for a part of Glenwood Avenue was scheduled for 7:35 p.m. Deputy Clerk Vicki Scray announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on April 19, April 26, and May 3, 2012.

4B. City Planner Ken Pabich presented the above street vacation stating the Plan Commission recommended approval of both the street vacation and CSM.

4C-D. Mayor Walsh declared the public hearing open. No one wished to speak. Mayor Walsh declared the public hearing closed. Mayor Walsh entertained a motion to table the street vacation/CSM dedication right-of-way because additional time was needed to acquire signatures. Alderman Lueck moved, seconded by Alderman Robinson to table the street vacation. Upon vote, motion carried unanimously.

5. Public Comment or other Announcements. Alderman Robinson was asked by a resident to invite everyone to attend "Embracing Our Cultures" a program sponsored by the Migration Advocacy Network of N.E.W to celebrate and learn more about four Central American countries: El Salvador, Guatemala, Honduras and Nicaragua scheduled from 6:30-8:30 p.m. on June 11, 2012 at the YWCA.

6. Ordinance #12-08, Rezoning Certain Property (Parcel WD-L183-5) (previously tabled) was presented. Alderman Lueck moved to enact the ordinance, seconded by Alderman Robinson in order to allow discussion. Discussion followed. Mayor Walsh entertained a motion to open the meeting. Alderman Van Vonderen moved, Alderman Crevier seconded to open the meeting. Upon vote, motion carried unanimously.

Dennis Collins, 1743 Bridgeport Lane, De Pere, WI thanked the City for the extension to allow time to get the petition notarized and submitted said petition to the Deputy Clerk. Mr. Collins asked the Council to listen to their De Pere taxpayers.

The following attendees spoke in opposition to the above rezoning request:

Robert Terhar, 1849 Lemon Ln., De Pere, WI
Stan Kroll, 2218 Samantha St., De Pere, WI
Steve Wilkins, 2137 Lawrence Dr., De Pere, WI

Alderman Van Vonderen moved, Alderman Robinson seconded, to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote, motion to approve Ordinance #12-08 was defeated 6-1 with Alderman Lueck voting aye.

RECOMMENDATIONS FROM THE FINANCE/PERSONNEL COMMITTEE

7A. Alderman Van Vonderen moved, seconded by Alderman Lueck, to approve the \$500 donation from De Pere Christian Outreach to be used for Police Department K-9 Unit. Upon vote, motion carried unanimously.

7B. Alderperson Donovan moved, seconded by Alderperson Van Vonderen, to approve the \$500 donation from Margueritte Gardner to the Police Department for gasoline expenses for the honor guard to attend ceremonies in Washington, D.C. Upon vote, motion carried unanimously.

7C. Alderperson Lueck moved, seconded by Alderperson Robinson, to approve the purchase of one electro-mechanical outdoor emergency notification siren from American Signal Corporation. Upon roll call vote, motion carried unanimously.

7D. Alderperson Van Vonderen moved, seconded by Alderperson Lueck, to approve the purchase of Advance Airway Management Trainer utilizing Act 102 funds. Upon roll call vote, motion carried unanimously.

7E. Alderperson Crevier moved, seconded by Alderperson Bauer, to approve installation of water utilities and fountain at the Dog Park. Upon roll call vote, motion carried unanimously.

7F. Alderperson Van Vonderen moved, seconded by Alderperson Robinson, to approve the 2012-2013 Insurance Liability Policy Renewals. Upon roll call vote, motion carried unanimously.

RECOMMENDATIONS FROM THE BOARD OF PUBLIC WORKS

8A. Alderperson Kneiszel moved, seconded by Alderperson Crevier, to approve awarding Project 12-05 Sidewalk, Curb and Concrete Pavement Repair to Sam Sommers Concrete Construction, Inc. Upon discussion and roll call vote, motion carried unanimously.

8B. Alderperson Bauer moved, seconded by Alderperson Kneiszel, to approve awarding Project 12-03 Pipe Lining – CIPP to Insituform Technologies USA, Inc. Upon roll call vote, motion carried unanimously.

8C. Alderperson Crevier moved, seconded by Alderperson Kneiszel, to approve awarding Project 12-01B Sanitary Sewer Relay – Glenwood, Lawton, and Easement to Feaker & Sons Construction Company, Inc. Upon roll call vote, motion carried unanimously.

RECOMMENDATIONS FROM THE LICENSE COMMITTEE

9A. Alderperson Kneiszel moved, seconded by Alderperson Bauer, to approve the Application for a Premise Description Change for Skylark Enterprizes, LLC for The Black Boot. Upon discussion and vote, motion carried unanimously.

9B. Alderperson Bauer moved, seconded by Alderperson Kneiszel, to approve the Application for a Class “B” Beer & “Class B” Liquor License for De Cleene Zellner, LLC for 101. Upon vote, motion carried unanimously.

9C. Alderperson Kneiszel moved, seconded by Alderperson Bauer, to approve the Application for a Class “B” Beer & “Class B” Liquor License for Harp and Eagle, LTD for Chateau De Pere. Upon vote, motion carried unanimously.

9D. Alderperson Bauer moved, seconded by Alderperson Kneiszel, to approve Renewal applications for Class “A” Fermented Malt Beverage Licenses, “Class A” Intoxicating Liquor Licenses, Class “B” Fermented Malt Beverage License, “Class B” Intoxicating Liquor Licenses, and “Class C” Wine Licenses for the licensing period July 1, 2012 to June 30, 2013. Upon discussion and vote, motion carried 5-0 with Alderpersons Robinson and Crevier abstaining.

10. Ordinance 12-11, Amending §22-8 De Pere Municipal Code Regarding Renewal of Sidewalk Café Permits was presented. Alderperson Lueck moved, seconded by Alderperson Kneiszel, to enact the ordinance. Upon vote, motion carried unanimously.

11. Resolution 12-50, Authorizing Creation of TID #10 and Related Activities was presented. Alderperson Donovan moved, seconded by Alderperson Lueck to approve the resolution. Upon vote, motion carried unanimously.

12. Resolution 12-51, Authorizing Agreement for Consultant Services with Springsted Incorporated (TID#10 Creation and Project Plan) was presented. Alderperson Robinson moved, seconded by Alderperson Lueck to approve the resolution. Upon roll call vote, motion carried unanimously.

13. Resolution 12-52, Authorizing Sidewalk Café Permit for Skylark Enterprizes, LLC for the Black Boot was presented. Alderperson Kneiszel moved, seconded by Alderperson Lueck to approve the resolution. Alderperson Donovan moved, Alderperson Robinson seconded to open the meeting. Upon vote, motion carried unanimously. Pat Tiedemann, owner of the Black Boot Restaurant & Music Venue, 100 S. Broadway St., Suite 50 stated she had attended the meeting to be available for questions. No one had questions. Alderperson Donovan moved, Alderperson Bauer seconded, to close the meeting. Upon vote, motion carried unanimously.

14. Resolution 12-53, Accepting Utility Easement from Crow's Nest, LLC (Parcel ED-134-1) was presented. Alderperson Crevier moved, seconded by Alderperson Lueck, to approve the resolution. Upon roll call vote, motion carried unanimously.

15. Resolution 12-54, Accepting Highway Easement from the Premonstratensian Fathers (Parcel ED-1128-2-1) was presented. Alderperson Crevier moved, seconded by Alderperson Lueck, to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution 12-55, Authorizing Agreement for Consulting Services with Rettler Corporation (Comprehensive Park and Outdoor Recreation Plan Update) was presented. Alderperson Crevier moved, seconded by Alderperson Lueck to approve the resolution. Upon discussion and roll call vote, motion carried unanimously.

17. Resolution 12-56, Authorizing Agreement with New Cell, Inc. was presented. Alderperson Crevier moved, seconded by Alderperson Robinson to approve the resolution. Upon discussion and roll call vote, motion carried 6-0 with Alderperson Lueck abstaining.

18. Resolution 12-57, Expressing the City of De Pere's Support for Locating the Medical College of Wisconsin in the Green Bay Area was presented. Alderperson Robinson moved, Alderperson Kneiszel seconded to approve the resolution. Upon discussion and vote, motion carried unanimously.

19. Resolution 12-58, Awarding Official City Newspaper Contract to the De Pere Journal was presented. Alderperson Donovan moved, Alderperson Lueck seconded to approve the resolution. Upon vote, motion carried 6-1 with Alderperson Bauer voting nay.

20. Vouchers were presented. Alderperson Van Vonderen moved, Alderperson Lueck seconded to approve the vouchers. Upon vote, motion carried unanimously.

21. Operator License Applications were presented.

ITEM#	NAME	ADDRESS	CITY	ST	ZIP
Temporary Operator License for the 2010-2012 Licensing Period					
1	KEEHAN, AMY S.	1925 CHARLES STREET	DE PERE	WI	54115
2	SUMMERSIDE, MARGARET E.	614 RANDALL AVENUE	DE PERE	WI	54115
3	SUMMERSIDE, PAUL R.	614 RANDALL AVENUE	DE PERE	WI	54115
4	VANDENLANGENBERG, JEAN A.	2213 BRICK DRIVE	GREEN BAY	WI	54303
5	ZULLNER, SANDRA L.	211 NOB HILL LANE	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					
1	ALBERTS, BONITA A.	2054 CHARLES STREET	DE PERE	WI	54115
2	ALBERTS, JOSEPH N.	3499 TRESTLE	GREEN BAY	WI	54311
3	AUGUST, AARON J.	426 N. CHESTNUT	GREEN BAY	WI	54303
4	BALDWIN, CLARKE D.	130 N. MAPLE AVENUE	GREEN BAY	WI	54303
5	BELEKEVICH, HEIDI N.	236 CORNELLIUS MARTIN COURT	DE PERE	WI	54115
6	BINS, BOBBI L.	633 N. MICHIGAN STREET	DE PERE	WI	54151

7	BORSKI, JOHN R.	2474 GARDEN HEIGHTS COURT	GREEN BAY	WI	54311
8	BOS, RENEE R.	1314 SCHEURING ROAD #3	DE PERE	WI	54115
9	BOS, TINA G.	806 WILLIAM CHARLES COURT APT C	GREEN BAY	WI	54304
10	BRADY, LAURA F.	2222 NICOLET DRIVE #4	GREEN BAY	WI	54311
11	BROOKS, SUZANNE R.	1509 BRIQUELET STREET	GREEN BAY	WI	54304
12	DANFIELD, LINDA L.	430C NANCY LANE #245	PULASKI	WI	54162
13	DENUSZEK, LORNA K.	140E 2ND STREET B	KAUKAUNA	WI	54130
14	EGILSSON, LAURA E.	2970 MOSSY OAK CIRCLE #95	GREEN BAY	WI	54311
15	ENGELS, JULIE J.	2635 VAN VIEW	GREEN BAY	WI	54311
16	FINENDALE, DEBRA J.	3174 CARNOUSTIE WAY	NEW FRANKEN	WI	54229
17	FORTNEY, SCOTT L.	2155 GLOUCESTER DRIVE	GREEN BAY	WI	54304
18	GINGRICH, ELYSE C.	1404 RIDGECREST TRAIL	ASHWAUBENON	WI	54313
19	JOHNSON, AMANDA K.	816 VOELKER STREET	DE PERE	WI	54115
20	KARAS, PHILIP C.	3108 SUNRAY LANE	GREEN BAY	WI	54113
21	KETTNER, BRUCE T.	1754 O'HEARN LANE	DE PERE	WI	54115
22	KIELBICKI, DEBRA M.	537 MORRIS AVENUE	GREEN BAY	WI	54304
23	KLEIBER, BETH A.	327 LEE STREET	DENMARK	WI	54208
24	KLEINSCHMIDT, TRACEY A.	4778 OVERLAND ROAD	ONEIDA	WI	54155
25	KOLTZ, DENNIS J.	905 GEORGE STREET	DE PERE	WI	54115
26	KUROWSKI-BELLEAU, THEODORE M.	W1472 TALL FEATHER WAY	SEYMOUR	WI	54165
27	LABUMBARD, THOMAS G.	335 LAVERNE DRIVE	GREEN BAY	WI	54311
28	LASEE, BONNIE A.	1535 N. ASHLAND AVENUE	DE PERE	WI	54115
29	LISON, ANTHONY W.	1247 LAWE STREET	GREEN BAY	WI	54301
30	LIVINGOOD, BENJAMIN T.	2685 HUMBOLDT ROAD	GREEN BAY	WI	54311
31	MARTINEZ, ZETA M.	817 MARSHALL AVENUE	GREEN BAY	WI	54303
32	MATZ, BRENDA J.	3415 HILLTOP WAY	GREEN BAY	WI	54301
33	MILLER, JACOB J.	911 THIRD STREET	DE PERE	WI	54115
34	MLEZIVA, LISA M.	2941 THUNDERBYRD TRAIL	GREEN BAY	WI	54313
35	MUELLER, TRACIE A.	N9275 COUNTY ROAD Y	SEYMOUR	WI	54165
36	MULLEN, ASHLEY M.	764 FERNANDO DRIVE	DE PERE	WI	54115
37	MYERS, JUDITH A.	1334 WAUBE LANE	GREEN BAY	WI	54304
38	OLEYNICZAK, ANN M.	108 N. WINNEBAGO STREET	DE PERE	WI	54115
39	ORSTED, MARY KAY	1215 DOUSMAN	GREEN BAY	WI	54303
40	OTT, KATHRYN L.	508 N. ONTARIO STREET	DE PERE	WI	54115
41	OTTEN, AMANDA L.	1952 TERRY LANE	DE PERE	WI	54115
42	PATSKE, TAMMIE A.	1305 HILLCREST DRIVE	KAUKAUNA	WI	54130
43	PEDERSEN, HOLLIE A.	1114 ALDRIN STREET	DE PERE	WI	54115
44	PIPER, BRADY D.	W368 COUNTY ROAD E	OCONTO FALLS	WI	54154
45	PORIOR, DORI L.	732 PARK STREET	DE PERE	WI	54115
46	PUTT, DESIRAE J.	1973 SCHEURING ROAD	DE PERE	WI	54115
47	RASMUSSEN, JAMES R.	1308 WIRTZ AVENUE	GREEN BAY	WI	54304
48	SCHMIT, AMY J	N4233 BIRCH TRAIL	FREEDOM	WI	54130
49	SEROOGY, ROBERT C.	2140 S. PINE TREE ROAD	DE PERE	WI	54115
50	SMITS, AMANDA M.	1114 N. HAWTHORNE DRIVE	APPLETON	WI	54915
51	SOQUET, BRUCE R.	2044 MUIRFIELD WAY	NEW FRANKEN	WI	54229
52	STEPHANI, MARY JO	1151 S. ONEIDA STREET	GREEN BAY	WI	54304

53	TORRES, CRYSTAL M.	1947 MINTEN WAY	DE PERE	WI	54115
54	UECKER, JEREMY M.	421 TURNER STREET	WRIGHTSTOWN	WI	54180
55	VAN DE HEI, JAMIE M.	1601 SAND ACRES DRIVE	DE PERE	WI	54115
56	VANDEKREEKE, KENNETH J.	1118 SCHAUER LANE	GREEN BAY	WI	54304
57	VETTER, JEREMY A.	3602 N. MARCOS LANE	APPLETON	WI	54911
58	WAECHLI, SUSAN R.	793 BROOKWOOD CIRCLE	ONEIDA	WI	54155
59	WOOD, WAYNE A.	2283 LAWRENCE DRIVE	DE PERE	WI	54115

Alderson Bauer moved, seconded by Alderson Kneisel to approve Temporary Operator License Applications #1-5. Upon vote, motion carried unanimously.

Alderson Bauer moved, seconded by Alderson Kneisel to table Operator License Applications #16, 24, 35 and approve Operator License Applications #1-15, 17-23, 25-34 and 36-59. Upon vote, motion carried unanimously.

22. Future agenda items. None.

23. Consideration of appeal of denial of variance on number of dogs allowed. A hearing was held on the denial of a variance requested by the Board of Health with Mary Dorn, Director of Health giving a summary of the facts. Aldersons Donovan and Robinson, members of the Board of Health did not participate as to follow the Due Process Rule. Chelsea Gruszynski and Justin Carrothers, 444 N. Ontario, De Pere, WI were present to speak in defense of their actions.

Deliberation of appeal. Alderson Crevier moved, seconded by Alderson Kneisel to convene in closed session at 8:35 p.m. pursuant to Wis. Stats. §19.85(1)(e) for deliberation of appeal. Upon roll call vote, motion carried unanimously. Alderson Lueck moved, seconded by Alderson Crevier to reconvene in open session at 8:48 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Alderson Kneisel moved, seconded by Alderson Bauer to deny the request for an appeal of denial of variance on number of dogs allowed. Upon vote, motion to deny carried 3-2 with Aldersons Lueck and Van Vonderen voting nay.

24. Discuss request for conflict waiver – von Briesen & Roper Law Firm consent to representation. Alderson Donovan moved, Alderson Kneisel seconded to convene in closed session at 8:50 p.m. pursuant to Wis. Stats. §19.85(1)(e) for discussion. Upon roll call vote, motion carried unanimously. Alderson Donovan moved, Alderson Kneisel seconded to reconvene in open session at 8:55 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Alderson Donovan moved, seconded by Alderson Bauer to deny request for waiver. Upon vote, motion carried unanimously.

25. Upon motion by Alderson Van Vonderen, seconded by Alderson Crevier, the Common Council adjourned at 8:56 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Vicki L. Scray
Deputy Clerk