



Common Council

Regular Meeting

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

Minutes

Tuesday, May 5, 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	Aldersperson	Present	
Mike Eserkaln	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Amy Chandik Kunding	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Present	
Casey Nelson	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	
Kelly Ruh	Aldersperson	Present	
James Boyd	Mayor	Present	

2. Approval of the minutes of the April 21, 2020 Common Council meeting.

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

3. Recommendation from the Board of Park Commissioners to Accept Donation from De Pere Girls Softball Association.

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

4. Recommendation from the Board of Park Commissioners to Accept Donation from Tundra Apparel & Promotions for Beer Garden Valued at \$500.

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

5. Recommendation from the Board of Park Commissioners to Accept \$2500 Donation from Kay Distributing for Beer Gardens.

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

6. Recommendation to the Board of Park Commissioners to Accept Donation from Betty Lou Lewis in the Amount of \$250 for Inflatable's Purchase.

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

7. Recommendation from the Board of Park Commissioners to Accept a \$10,000 Donation from the Dickhut Family Charitable Endowment Fund for the Community Center Remodeling Project.

Alderperson Hansen asked about the budget amendment that was done to cover the project shortfall through bonding. Parks Director Marty Kosobucki explained that the bonding will remain very similar, because this donation will be for furniture on the upper level; the original budget amendment was for the flooring.

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

8. Recommendation from Plan Commission to approve a proposed 32 lot final plat of Honeysuckle Acres Fourth Addition at 1500 BLK Red Maple Rd (Parcels WD-L183-4 & WD-L183-4-1).

Alderperson Nelson asked for an explanation on staff recommendation #4 in the agenda packet - that the covenant must require that all exposed walls with windows shall be approved by the City prior to constructing. City Attorney Judy Schmidt-Lehman explained that the City has had trouble in the past with people putting exposed basement windows adjacent to or within storm sewer easement areas.

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

9. Resolution #20-39 Authorizing Agreement for Consulting Services with Lee Recreation, LLC (Modular Playground Equipment Design and Installation - Patriot Park).

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

10. Resolution #20-40 Authorizing Agreement for Feasibility Study with Village of Allouez for Regional Residential Yard Waste Site.

Alderperson Raasch asked if the City is funding the entire cost of the study. City Administrator Larry Delo explained that the City of De Pere is requesting the combined site in order to accommodate the YMCA, which will hopefully move to the location of the current compost site in the near future. Because the proposal was initiated by De Pere, we will fund the study initially; the City plans to ask the town of Ledgeview to reimburse part of the cost on a proportional basis at some time in the future.

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

11. Resolution #20-41 Authorizing Donation to De Pere Area Chamber of Commerce for COVID-19 De Pere Business Relief Grant Fund.

Development Services Director Dan Lindstrom explained that this request is very similar to the one made by Definitely De Pere at the last meeting. Staff has had discussions about fundraising difficulties with both entities since this item was submitted. The Greater Green Bay Area Chamber of Commerce has also rolled out a program which will be pulling from the same fundraising pool; this has created competition for fundraising dollars.

Alderperson Ledvina moved, seconded by Alderperson Nelson to open the meeting. Upon vote, motion carried unanimously.

Amber Thiel, president of the De Pere Chamber of Commerce, reported that they have raised \$2,500 so far. They have encountered denials because businesses want to spread the wealth to other communities. She stated that they are worried they will be unable to meet their \$50,000 goal, and that they would like to amend their request to be a \$50,000 donation rather than a matching grant.

Tina Quigley of Definitely De Pere reported that they are currently just shy of \$20,000 in their fundraising efforts, and echoed Amber's statement that it is a difficult environment for fundraising. Definitely De Pere's grant application period closed last Thursday; they have received 54 applications with a total request amount of \$129,000.

Alderperson Raasch asked Tina how they plan to allocate the funds they have available. Mayor Boyd noted that the Council should not be discussing Definitely De Pere's plan, because the item on tonight's agenda is the De Pere Chamber of Commerce request. Alderperson Raasch questioned why Definitely De Pere was allowed to speak on behalf

of the Chamber if this is the case. City Attorney Judy Schmidt-Lehman explained that Definitely De Pere was describing fundraising efforts which are common to both, but specifics about the Definitely De Pere program are not on the agenda. She stated that if Definitely De Pere submits a revised request, it will have to come back as a separate agenda item.

Alderman Carpenter asked if a business can apply for a grant from both programs. Dan Lindstrom explained that the boundaries set by Main Street program separate the two.

Alderman Nelson asked if City staff have a sense of what kind of return on investment we can expect from this program, noting that the cost of losing half or even a third of small businesses in the City would be significant. Dan Lindstrom reported that an analysis has not been done because there are so many variables. City Administrator Larry Delo pointed out that there is no guarantee that they will stay in business even if they receive the grant, which makes it very difficult to analyze the return.

Alderman Carpenter moved, seconded by Alderman Kunding to close the meeting. Upon vote, motion carried unanimously.

Discussion followed regarding various alternatives with the proposed matching fund requests versus a general donation.

Alderman Raasch moved, seconded by Alderman Ruh to table the item so that the requests from both Definitely De Pere and the De Pere Chamber of Commerce can be discussed together at the next Council meeting.

RESULT:	TABLED [5 TO 2]
MOVER:	Dean Raasch, Alderman
SECONDER:	Kelly Ruh, Alderman
AYES:	Carpenter, Eserkaln, Hansen, Raasch, Ruh
NAYS:	Shana Defnet Ledvina, Casey Nelson
ABSTAIN:	Amy Chandik Kunding

12. Resolution #20-42 Authorizing Partial Release of Storm Sewer-Drainage Easement (Parcels WD-115-6-2, WD-115-7, WD-115-8-1, and WD-864; 665 Grant Street).

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

13. Resolution #20-43 Authorizing Grant of Storm Sewer Easement (Parcels WD-115, WD-115-2, WD-115-3, WD-115-3-1, WD-115-4, WD-115-5, WD-115-6, WD-115-8, WD-115-8-1, WD-115-9 and WD-864; 665 Grant Street).

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

14. Resolution #20-44 Authorizing Partial Release of Sanitary Sewer Easement (Parcels WD-2029, WD-2030, WD-2031, WD-2032, WD-2033, WD-2034, WD-2035 and WD-2036; 1881 Southbridge Road).

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

15. Resolution #20-45 Ratifying Mayoral Proclamations Issued from April 4, 2020 Through April 30, 2020.

Alderperson Raasch stated that while he understands the spirit of the proclamation, he can't support it in good conscience. The Safer at Home order is now being challenged in the state Supreme Court, and he does not believe that government officials had the authority to extend it.

RESULT:	ADOPTED [6 TO 2]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Defnet Ledvina, Nelson
NAYS:	Dean Raasch, Kelly Ruh

16. Resolution #20-46 Regarding Operator's License Renewal Fees.

City Attorney Judy Schmidt-Lehman explained that at License Committee, the question was raised whether renewal fees that have already been paid in excess of the proposed \$15 will be refunded. She noted that while not specifically stated in the resolution, but the intent is to refund any excess fees paid. Judy stated that the intent was the same for the resolution reducing Class B liquor license fees.

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

17. Consideration of a request by Alderperson Raasch to establish a policy to limit citizen comments to no longer than three minutes during public comment and public hearings at City Council meetings.

Alderperson Raasch reported that he has researched other municipalities, and most have a five minute limit during public comment period and public hearings. The point of the policy would be to allow as many people to speak as possible. Alderperson Kunding asked if the City could give the public a basic framework to aid them if they plan to speak at a meeting. City Administrator Larry Delo agreed that staff could put together a short instructional piece with advice on how to present at a meeting. Alderperson Hansen recalled that during some recent high-profile agenda items, the mayor asked that citizens

limit their comments. He feels this method works and doesn't think a blanket policy needs to be instituted.

Aldersperson Raasch agreed that's good for agenda items, but this noted that this request is specifically for public hearings and public comment.

Aldersperson Raasch moved, seconded by Aldersperson Carpenter to refer the request back to staff so that an ordinance can be drafted to institute a five minute limit to public comment during public hearings and Council meeting public comment periods.

RESULT:	REFERRED BACK TO STAFF [7 TO 1]
	Next: 5/19/2020 7:30 PM
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Dan Carpenter, Aldersperson
AYES:	Carpenter, Eserkaln, Kundinger, Defnet Ledvina, Nelson, Raasch, Ruh
NAYS:	Jonathon Hansen

18. Appointment and Reappointments by Mayor Boyd.

Aldersperson Hansen thanked Ryan Jennings for serving on the Board of Park Commissioners in a citizen role.

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

19. Operator license applications.

Aldersperson Carpenter moved, seconded by Aldersperson Ledvina to approve Renewal Operator applications #1-26. Upon vote, motion carried unanimously.

Aldersperson Carpenter moved, seconded by Aldersperson Hansen to table Renewal Operator applications #27 and 28. Upon vote, motion carried unanimously.

Aldersperson Carpenter moved, seconded by Aldersperson Ledvina to approve New Operator applications #1 and 2. Upon vote, motion carried unanimously.

20. Voucher approval.

Aldersperson Carpenter requested confirmation that the payment to Ford Motor Credit is part of the Police Department vehicle budget. City Administrator Larry Delo said he will confirm with the Finance Director-Treasurer.

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

21. Future agenda items.

Aldersperson Hansen requested an update from staff on whether any Parks projects have been identified for the funds raised by the beer gardens. Mayor Boyd stated that this will go to a future Park Board meeting.

Aldersperson Kunding requested an update on the Mulva Cultural Center project and the Notre Dame School and St. Francis church sites.

Aldersperson Nelson asked for an update on the amount in the former revolving loan fund and in undesignated reserves. This information will be included in the next staff memo.

Aldersperson Raasch requested a discussion of resuming physical meetings; City Administrator Larry Delo said that staff is already developing plans for reopening of City facilities.

22. Adjournment.

Aldersperson Kunding moved, seconded by Aldersperson Raasch to adjourn the meeting at 8:37 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk