



Common Council

Regular Meeting

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

Minutes

Tuesday, April 20, 2021

7:30 PM

Council Chambers and Virtual

THERE WILL BE A BRIEF SWEARING IN CEREMONY FOR ELECTED OFFICIALS PRIOR TO COMMENCEMENT OF THE COUNCIL MEETING.

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

2. Pledge of Allegiance to the Flag.

3. Approval of the minutes of the April 7, 2021 Common Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Raasch, Alderman
SECONDER:	Jonathon Hansen, Alderman
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.

Interim Health Officer Sarah Lornson reported that they have conducted 36 vaccine clinics to date. The biggest change since the last meeting is that the Johnson and Johnson vaccine has been put on hold, as officials investigate several reports of blood clots in individuals who received that vaccine. They anticipate that new recommendations will be issued after the investigation is completed. The Health Department has a sufficient supply of the other vaccine brands so they have not had to cancel clinics. Their only concern has been whether it will cause an increase in vaccine hesitancy. They are not aware of any problems with J&J doses administered at the De Pere clinics.

The Health Department put out a social media post explaining what happened and encouraging people to contact their health provider if they have concerns. Sarah reported that they are currently scheduling clinics into early May, and that vaccine supply has been stable.

6. Presentation on the status of the Mulva Cultural Center.

Mike Van Asten, CEO of the Mulva Cultural Center spoke about the project. He acknowledged the generosity and vision of the Mulvas, as well as the vision and cooperation of City government. Jim and Miriam Mulva addressed the board, thanking the Mayor and Council for their approval of the project. This is the largest single project their family has ever undertaken; they feel strongly about De Pere and this project is a gift back to the community. The project has grown in size and complexity, now at least five times larger than they initially expected. They feel the length of planning time has been worth it, because it has made the project so much better. The plan is to start construction in the next few months, with a target opening in late spring of 2023. Project leaders Rick Bilotto from Premier Resources Group and Rob Myers from Mortenson Construction then provided an overview of the construction plan. They will begin pulling building permits next month, with a planned mobilization date of August 2nd. They are currently looking at ways to minimize construction truck traffic. A tower crane is being considered for the site, which would go up in November or December and stay up for five months. The construction office and parking will be located north of the church, and they will be drilling 100 wells for a geothermal field at the old middle school site.

7. Recommendation from Plan Commission to approve a proposed 7 lot and 1 outlot preliminary and final plat of East Side Industrial Park Fourth Addition at 600 BLK Rockland RD (Parcels ED-F0080, ED-D69-2, ED-344-102-6, ED-2381, ED-2382, ED-F0083, ED-F0082, ED-F0085, ED-D43-1).

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

8. Recommendation from the Board of Public Works on award of Contract 21-01 Sewer and Water Relay and Street Resurfacing to Dorner, Inc. in the amount of \$1,411,405.70

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

9. Recommendation from the Board of Public Works on award of Contract 21-02 Erie Street Reconstruction and Utility Relay to Jossart Brothers, Inc. in the amount of \$1,417,716.50

Aldersperson Quigley noted that the contract award is more than \$100,000 over the budgeted amount; he acknowledged the difficulties presented by the pandemic in the past year and its effect on the supply chain and pricing. He asked if anything can be done differently with the budget process going forward. City Administrator Larry Delo agreed that this year was an anomaly, noting that budget estimates were completed before cost impacts hit the marketplace. Budget estimates are typically based on previous projects that have been completed. Larry noted that staff will monitor the market as they are putting together this year's budget estimates, getting feedback from vendors and contractors.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Shana Defnet Ledvina, Aldersperson
SECONDER:	John Quigley, Aldersperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

10. Recommendation from the Board of Public Works on award of Contract 21-13 Crackfilling and Seal Coating to Asphalt Seal & Repair, Inc. in the amount of \$135,755.00

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

11. Recommendation from the License Committee regarding the application for a premises description change submitted by Caliente, Inc., DBA Caliente, 623 George Street.

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

12. Recommendation from the License Committee for the application for a premises description change submitted by Nostracremona, LLC, DBA Strada Pizzeria, 109 N. Broadway.

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

13. Ordinance #21-06 Amending Section 74-13 De Pere Municipal Code Requiring Face Coverings by Setting a Repeal Date Therefore (Request of Ald. Raasch) - Second Reading.

Council members discussed the repeal date, the number of residents getting vaccinated, the length of time that older residents have been eligible, and the importance of getting the word out that there are vaccine appointments available.

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

14. Ordinance #21-07 Repealing and Recreating Section 6-11 De Pere Municipal Code Regarding Telephonic Meeting Attendance (Request of Ald. Raasch) - Tabled at the April 7, 2021 Common Council meeting.

Alderperson Kunding asked if the public can still attend meetings telephonically; she feels that it is a smart way to encourage public engagement. City Attorney Judy Schmidt-Lehman confirmed that the ordinance allows the public to attend virtually whether Council members are in Chambers or also attending virtually. City Administrator Larry Delo's recommendation is to use a hybrid version permanently. If the Council decides at some point they don't want the virtual option, they could choose to amend the ordinance.

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

15. Resolution #21-40 Extending Small Business Pandemic Response Loan Program (Request of Ald. Raasch) - Tabled at the April 7, 2021 Common Council meeting.

Alderperson Raasch asked how much money is left in the program fund. Development Services Director Dan Lindstrom reported that a total of 55 applications have been submitted to date, with the most recent one being received last fall. There is roughly \$200,000 left in the fund, which will be available until the Council deems the program closed. He noted that three loans have been paid back already, with repayment beginning now on the others. Once the funds are repaid, it will be up to Council to decide what to do with the program. Staff will present options to Council at that time.

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

16. Resolution #21-43 Regarding the Vacation of a Portion of a Public Thoroughfare (Right-of-Way at the 2000 Block of Profit Place Adjacent to Parcels ED-2381, ED-2382 and ED-F0083) -Refer to Public Hearing.

RESULT:	ADOPTED [UNANIMOUS] – REFER TO PUBLIC HEARING
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

17. Resolution #21-44 Regarding the Vacation of a Portion of a Public Thoroughfare (Right-of-Way at the 1800 Block of Commerce Drive Adjacent to Parcels ED-D69-2 and ED-344-102-6) - Refer to Public Hearing.

RESULT:	ADOPTED [UNANIMOUS] – REFER TO PUBLIC HEARING
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Quigley, Raasch, Ruh

18. Resolution #21-45 Authorizing Enterprise Software License Agreement with ArchiveSocial, Inc. (Social Media and Website Archiving).

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

19. Resolution #21-46 Amending Section 2.2 of the City of De Pere Policy Manual Regarding Work Schedule and Creating Alternative Work Arrangement Policy.

Alderperson Ledvina asked if employees were polled regarding the change in office hours. Human Resources Director Shannon Metzler said they were not formally polled; instead staff put together a team to try to get a cross reference of different groups. They recognized that some employees might not be in favor of the proposal, but pointed out that most departments wanted to continue summer hours after Labor Day last fall. She acknowledged that this was easier at the time because most City buildings were still closed to the public. Staff recommended what they felt was best collectively by building. Shannon said the policy will be flexible in order to give employees something different if they don't want those hours; she recognizes however that might not be attainable for everyone due to coverage requirements. Alderperson Raasch asked if staff has concerns about the change in hours causing less access for the public as far as providing services. City Administrator Larry Delo reported that staff did a preliminary review of call logs and found that phone calls drop off on Friday afternoons. He wants the City's hours to mirror other communities. Out of ten communities plus Brown County that staff surveyed, six currently have summer hours; two of those six close early on Fridays all year long. Allouez is also considering a change to close early on Fridays year round. Larry explained that this proposal is a way to make sure the needs of the community are met, noting that he has heard from residents that want the City to be open longer hours. Staff is also trying to meet the needs of the organization; he stated that lots of employees have asked for this, and that it is also a good recruitment tool. Alderperson Hansen asked about deadlines that sometimes occur on Friday afternoons, such as candidates filing nomination papers. Larry acknowledged that office hours will need to be adjusted for those types of deadlines. Alderperson Kunding asked how this will be communicated to the public. Larry confirmed that outreach will be done so the public is aware of changed hours. He noted that the City is also transitioning to software which provides online applications and payments, which will reduce in-person foot traffic.

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

20. Resolution #21-47 Establishing Non-Lapsing Funds as of December 31, 2021.

Alderperson Hansen asked for and received confirmation that the \$50,000 Forestry item is for the contract that was recently approved for tree trimming. Alderperson Quigley noted that some of the items go back to 2017, and asked if there is a limit to the number of years items can be carried over. Finance Director-Treasurer Joe Zegers explained that as long as the intent and the need for the project is still there, it can be carried over. Alderperson Hansen asked for an update on the electronic poll books. City Clerk Carey Danen explained that the original plan was to purchase the electronic poll books after the February 2020 primary election, but then the Wisconsin Elections Commission decided not to conduct training before the April election. Once the pandemic hit, the Clerk's office shifted focus to finding replacement poll workers and the additional resources required to conduct elections in that environment. Since that time, the WEC has decided to pause purchasing while they gather data from current users and evaluate whether an update is needed. Staff will share information via the Friday Memo when a new purchase window is identified.

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

21. Resolution #21-48 Approving Standard Uniform Rental Service Agreement with Cintas (Uniform and Towel Service for Municipal Service Center).

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

22. Resolution #21-49 Authorizing Agreement for Contractor Services Between the City of De Pere and Badger Concrete Lifting, LLC (Mudjacking- Curb & Gutter and Sidewalk).

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

23. Resolution #21-50 Authorizing Agreement for Contractor Services between City of De Pere and Universal Concrete Grinding, LLC (Concrete Grinding Sidewalk-Variou Locations)

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

24. Resolution #21-51 Authorizing Agreement for Consulting Services Between City of De Pere and William/Reid Ltd, a Division of Gasvoda & Associates, Inc. (9th Street and Scheuring Road Reservoir Mixer Installation).

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

25. Resolution #21-52 Authorizing Agreement for Consulting Services Between City of De Pere and Ferguson Enterprises, LLC d/b/a Davies Water/Ferguson Waterworks (2021 Leak Detection Survey).

Alderperson Quigley asked if homeowners are notified if a leak is determined to be on the homeowner side; Public Works Director Scott Thoresen confirmed that they do.

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

26. Proposed revision to the City Facilities Reopening Plan to implement Phase Two of the plan on May 10, 2021 instead of when Brown County is identified as a Low Risk County by State metrics.

City Administrator Larry Delo explained that staff chose the date of May 10th because it is six weeks after the date that employees were first eligible to receive the vaccine.

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

27. Appointments and Re-Appointments to Committees, Boards and Commissions by Mayor Boyd.

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

28. Elections by the Common Council.

A. Alderperson members of the Plan Commission.

Mayor Boyd asked for nominations. Alderperson Carpenter nominated Alderperson Raasch. Alderperson Raasch then nominated Alderperson Carpenter. Mayor Boyd closed the nominations. Upon vote, both alderpersons were elected unanimously to the Plan Commission.

B. President of the Common Council.

Mayor Boyd asked for nominations. Alderperson Ledvina nominated Alderperson Hansen. Alderperson Ruh nominated Alderperson Raasch. Mayor Boyd closed the nominations, and asked for a vote by show of hands. Alderperson Hansen received five (5) votes, and Alderperson Raasch received three (3) votes.

29. Voucher approval.

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

30. Future agenda items.

None.

31. Adjournment.

Alderperson Ledvina moved, seconded by Alderperson Kunding to adjourn the meeting at 8:54 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk