

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – MARCH 19, 2013**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, March 19, 2013.

Mayor Mike Walsh called the meeting to order at 7:34 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, Scott Crevier, Mike Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson, & Kathy Van Vonderen. Alderperson James Boyd arrived at 8:37 p.m. The Council said the Pledge of Allegiance to the Flag.

3. Alderperson Donovan moved, seconded by Alderperson Bauer, to approve the minutes of the March 5, 2013 meeting. Upon vote, the minutes were approved unanimously.

4. Public Comment or other Announcements. None.

RECOMMENDATION FROM THE LICENSE COMMITTEE

5A. Application for a Class “B” Beer & “Class B” Liquor License for Willi’s Bar & Grill, 1605 Fort Howard Ave., Ste. C (previously tabled at the 2/20/13 Council Meeting) was presented. The application was withdrawn by the applicant and no action was taken.

RECOMMENDATION FROM THE FINANCE/PERSONNEL COMMITTEE

6A. Wisconsin Public Service power to tornado siren on Scheuring Road was presented. Alderperson Van Vonderen moved, seconded by Alderperson Donovan to approve the recommendation. Upon roll call vote, motion carried unanimously.

RECOMMENDATION FROM THE BOARD OF PUBLIC WORKS

7A. Project 13-01, Sewer and Water Relay and Street Resurfacing to Kruczek Construction, Inc was presented. Alderperson Crevier moved, seconded by Alderperson Kneiszel to approve the project. Upon roll call vote, motion carried unanimously.

7B. Project 13-13, Crackfilling to Asphalt Seal and Repair, Inc. was presented. Alderperson Bauer moved, seconded by Alderperson Crevier to approve the project. Upon roll call vote, motion carried unanimously.

7C. Project 13-15, Televising to Speedy Clean Drain & Sewer was presented. Alderperson Kneiszel moved, seconded by Alderperson Crevier to approve the project. Upon roll call vote, motion carried unanimously.

RECOMMENDATION FROM THE BOARD OF HEALTH

8A. Appointment of the interim Health Officer/Director was presented. Alderperson Robinson moved, seconded by Alderperson Donovan to approve the appointment. Discussion followed. Upon roll call vote, motion carried unanimously.

8B. Resolution 13-28, Authorizing Memorandum Of Understanding Between The City Of De Pere And Brown County Health Department For Interim Sanitarian Services was presented. Discussion followed. Alderperson Robinson moved, seconded by Alderperson Bauer to approve the resolution. Upon roll call vote, motion carried unanimously.

RECOMMENDATION FROM THE PLAN COMMISSION

9A. Consideration of rezoning request and General Development Plan for a proposed Walgreen’s located on the northeast corner of South Broadway and Wisconsin Streets (referred back to staff after January 15, 2013 public hearing) was presented. City Planner Ken Pabich explained the changes that were made by the developers after the item was referred back to staff at the January 15, 2013 public hearing. Alderperson Donovan moved, seconded by Alderperson Van Vonderen to open the meeting. Upon vote, motion carried unanimously.

The following individuals spoke about the proposed Walgreen’s development:

- 1.) Mark Lake, Steven Gartman, and Steve Rolfe, the developers of Walgreens, spoke about the location of the proposed development and the benefits that will come with their development in that location. They stated that

they made an effort to speak with neighboring businesses regarding parking, deliveries and access. They also stated that they received an estimate of \$600,000 to restore the Carol Shier building to standard and that no developer would be able to get back their investment with that building.

- 2.) Todd Parczick, 121 S. Winnebago, De Pere, stated that he is in favor of the development as it will enhance what De Pere already has.
- 3.) Marlin Huppert, 873 W. St. Francis Road, De Pere, stated that he is concerned with the alleyway and the entrance to the building.
- 4.) Susan Zurawski, 113 S. Broadway, De Pere, stated that she is opposed to the development. She circulated a petition with nearly 40 local business owners signing to petition the De Pere City Council to reject the proposal.
- 5.) Scott Hemauer, 113 S. Broadway, De Pere, stated that the businesses adjacent to the existing parking lot were assessed for the improvements and should be reimbursed for what they paid if this development is approved. He also stated that the developers of Walgreens estimate to restore the Carol Shier building was done by a business that shares an address with Walgreens; a 3rd party assessor should have been brought in to determine the cost of restoration.
- 6.) Jim Polack, 1726 Limestone Trail, De Pere, spoke on behalf of the owners of Ken and Sylvia Butz, the owners of the Butz Building, both of whom are in favor of the new development.
- 7.) Maureen Vanden Hogen, 405 Franklin Street, De Pere stated that she was concerned with safety issues that will arise with the new development.
- 8.) Gene Hackbarth, 933 Oakdale, De Pere, provided the Council with a handout titled "Better Models for Commercial Development", and mentioned the "Corporate Good Neighbor Initiative" which works with chains, franchises, and big-box stores to protect historic places and advance preservation-based community revitalization.
- 9.) Tom Bartel, 901 S. Jackson, Green Bay, owns the Bartel Building and is in favor of the development.
- 10.) Jennifer Johnson, 601 N. Superior Street, De Pere, spoke in opposition of the development.
- 11.) Allyson Watson, incoming Executive Director for Definitely De Pere, spoke in favor of the development.
- 12.) Jean Knitter, 100 Front Street, De Pere, spoke of her concerns about the Walgreen's being open 24 hours.
- 13.) Mary Alexis Pfutzenreuter, 345 Main Ave, De Pere, spoke in opposition of the Walgreen's project for safety reasons.
- 14.) Mary Jane Herber, 849 N. Clay, De Pere, spoke in opposition of the development for safety/traffic reasons.

Aldersperson Crevier moved, seconded by Aldersperson Lueck, to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Aldersperson Crevier moved, seconded by Aldersperson Donovan, to open the meeting. Upon vote, motion carried unanimously.

Mary Jane Herber spoke regarding the existing buildings and why the Butz Building and the Bartel Building are not eligible to be considered historic buildings.

Allyson Watson spoke and stated that the façade of the Shier Building is not contributing to the Historic District.

Lois Wetzels, 1526 Fox Ridge Court, De Pere, spoke of other buildings that should be torn down if people are basing the destruction of historic buildings on aesthetics.

Aldersperson Crevier moved, seconded by Aldersperson Boyd to close the meeting. Upon vote, motion carried unanimously.

9B. Report on action of Board of Public Works regarding driveway onto North Broadway Street was presented. Public Works Director Scott Thoresen stated that the Board of Public Works voted to approve the driveway.

9C. Ordinance 13-04, Rezoning Certain Property (Parcels ED-814, ED-821, ED-821-1, ED-823, ED-825, ED 833-1 and a portion of ED-818) was presented. Aldersperson Bauer moved, seconded by Aldersperson Boyd, to approve the ordinance. Discussion followed. Upon vote, motion carried 5-3 with Alderspersons Kneiszel, Robinson and Van Vonderen voting nay. A second reading of the ordinance is required.

9D. Resolution 13-04, Introduction Of Resolution Regarding The Vacation Of A Portion Of Charles Street Right-Of-Way And Alleyway Adjacent Thereto (Between Broadway and Wisconsin Streets) (refer to public hearing) was presented.

Aldersperson Lueck moved, seconded by Aldersperson Boyd to approve the resolution. Upon vote, motion carried 7-1 with Aldersperson Kneiszel voting nay.

A 10 minute recess was taking at this time.

10. Ordinance 13-06, Repealing Sexual Offender Residency Restrictions (previously tabled at the 2/20/13 Council Meeting – second reading) was presented. Aldersperson Robinson moved, seconded by Aldersperson Crevier to approve the ordinance. Police Chief Derek Beiderwieden and Department of Corrections Supervisor Jed Neuman were present and discussed a handout provided for Council by the Department of Corrections. Because the data is generated by zip code, there wasn't a clear distinction between what is technically within the De Pere City limits. The Council decided to stop reviewing the handout as it wasn't answering the questions that they had asked at a previous meeting. Discussion followed. Upon a roll call vote requested by Aldersperson Donovan, motion carried 5-3 to repeal the ordinance with Alderspersons Donovan, Lueck and Van Vonderen voting nay.

11. Ordinance 13-09, Amending Ordinance 13-05 Revising Effective Date For Electrical Code Licensing Revisions was presented. Aldersperson Robinson moved, seconded by Aldersperson Boyd to approve the ordinance. Upon vote, motion carried unanimously.

12. Resolution 13-29, Disallowance Of Claim (Vernon Kussow) was presented. Aldersperson Kneiszel moved, seconded by Aldersperson Boyd to approve the resolution. Upon vote, motion carried unanimously.

13. Resolution 13-30, Approving Agreement For Engineering Services Between The City Of De Pere And McMahon Associates, Inc. (Storm Water Modeling) was presented. Aldersperson Bauer moved, seconded by Aldersperson Kneiszel to approve the resolution. Discussion followed with Public Works Director Scott Thoresen. Upon roll call vote, motion carried unanimously.

14. Resolution 13-31, Approving Agreement For Consulting Services Between The City Of De Pere And Timothy F. Heggland (Historic Register Nominations) was presented. Aldersperson Van Vonderen moved, seconded by Aldersperson Donovan to approve the resolution. Aldersperson Van Vonderen moved, seconded by Aldersperson Donovan to open the meeting. Upon vote, motion carried unanimously. Mary Jane Herber explained the benefit of this agreement to the Council. Gene Hackbarth spoke to the integrity of Timothy Heggland, the historic preservation consultant. Aldersperson Donovan moved, seconded by Aldersperson Robinson to close the meeting. Upon vote, motion carried unanimously. Upon roll call vote to approve the resolution, motion carried unanimously.

15. Resolution 13-32, Approving Annual Report Under Municipal Separate Storm Sewer System (MS4) Permit And Its Submission To The Department Of Natural Resources (DNR) was presented. Aldersperson Bauer moved, seconded by Aldersperson Robinson to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution 13-33, Intergovernmental Agreement Between The City of De Pere, The Town Of Ledgeview And The Ledgeview Sanitary District #2 Regarding City Connection To Ledgeview Sewer On Viking Lane And County Highway PP was presented. Aldersperson Boyd moved, seconded by Aldersperson Bauer to approve the resolution. Upon vote, motion carried unanimously.

17. Resolution 13-34, Authorizing Contract With Orde Advertising For Riverwalk And Wildlife Viewing Pier Signage was presented. Aldersperson Donovan moved, seconded by Aldersperson Crevier to approve the resolution. Upon roll call vote, motion carried unanimously.

18. Consider Change Order #3 regarding Riverwalk Construction Project was presented. Aldersperson Lueck moved, seconded by Aldersperson Boyd to approve Change Order #3. Upon roll call vote, motion carried unanimously.

19. Discussion regarding the status of the De Pere Riverwalk phase two funding was presented. Aldersperson Boyd stated that a \$10,000 donation from Aurora was pledged to the Riverwalk.

20. Appointments of Kathy Kane and Jim Wiza by Mayor Walsh to the Commission on Aging was presented. Alderperson Robinson moved, seconded by Alderperson Kneiszel to approve the appointments. Upon vote, motion carried unanimously.

21. The vouchers were presented. Alderperson Van Vonderen moved, seconded by Alderperson Boyd to approve the vouchers. Upon vote, motion carried unanimously.

22. Applications for Operator's Licenses were presented.

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ITEM#	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator Licenses for the 2012-2014 Licensing Period					
1	KITSON, MICHAEL J.	1680 W. MAIN CIRCLE, APT. 97	DE PERE	WI	54115
Temporary Operator Licenses for the 2012-2014 Licensing Period					
1	KISSEL, KEVIN M.	905 GRANT STREET	DE PERE	WI	54115
2	PASTERSKI, DEBRA A.	905 GRANT STREET	DE PERE	WI	54115
3	ZULLNER, SANDRA L.	211 NOB HILL LANE	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					
1	GILLIGAN, JOCELYN S.	2698 WEST POINT ROAD	GREEN BAY	WI	54304
2	HAMILTON, BRENNAN N.	215 S. MICHIGAN STREET	DE PERE	WI	54115
3	HOGENSON, KAREN M.	1439 CROOKS STREET	GREEN BAY	WI	54301
4	KISSNER, MEAGAN V.	426 S. WEBSTER AVE., APT. 3	GREEN BAY	WI	54301
5	MATTSON, CHRISTINA M.	1106 PILGRIM WAY, APT. A	GREEN BAY	WI	54304

Alderperson Bauer moved, seconded by Alderperson Kneiszel to table Previously Tabled Operator License Application #1. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve Temporary Operator License Applications #1-3. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Kneiszel to table Operator License Applications #1 and 2 and to approve Operator License Applications #3-5. Upon vote, motion carried unanimously.

23. Future Agenda Items. Alderperson Crevier requested that the City draft a resolution that requires the Department of Corrections to provide statewide sex offender residency compliance data and reports to the municipalities of Wisconsin. Alderperson Lueck requested an update from the DOT on the former bridge landing.

Alderperson Van Vonderen moved, seconded by Alderperson Robinson to adjourn. Upon vote, motion carried unanimously. The Common Council adjourned at 12:01 a.m.

Respectfully submitted,

Shana Defnet
Clerk-Treasurer