



# Common Council

335 South Broadway

De Pere, WI 54115

<http://www.de-pere.org>

## Regular Meeting

### Minutes

Tuesday, March 3, 2015

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on March 3, 2015 at 7:30 PM, De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

| Attendee Name    | Title        | Status  | Arrived |
|------------------|--------------|---------|---------|
| Michael J. Walsh | Mayor        | Present |         |
| Kevin Bauer      | Aldersperson | Present |         |
| James Boyd       | Aldersperson | Present |         |
| Scott Crevier    | Aldersperson | Present |         |
| Michael Donovan  | Aldersperson | Present |         |
| Jim Kneiszel     | Aldersperson | Present |         |
| Larry Lueck      | Aldersperson | Present |         |
| Dean Raasch      | Aldersperson | Present |         |
| Lisa Rafferty    | Aldersperson | Present |         |

2. Pledge of allegiance to the Flag. Mayor Walsh introduced Mark and Alex of Boy Scout Troop 1043 and asked them to lead the Common Council in saying the Pledge of Allegiance.

3. Approval of the Minutes of the February 17, 2015 Common Council Meeting.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Lisa Rafferty, Aldersperson                                      |
| <b>SECONDER:</b> | Scott Crevier, Aldersperson                                      |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

4. Approval of the Minutes of the February 19, 2015 Special Meeting of the Common Council.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Jim Kneiszel, Aldersperson                                       |
| <b>SECONDER:</b> | Scott Crevier, Aldersperson                                      |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

5. Public comment upon matters not on the agenda or other announcements. None.

6. Recommendation from the Board of Park Commissioners is requesting approval for the donation from Cellcom for Summer Day Camp.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Michael Donovan, Aldersperson                                    |
| <b>SECONDER:</b> | Lisa Rafferty, Aldersperson                                      |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

7. Recommendation from the Board of Park Commissioners to approve the donation from De Pere Optimist Club for Easter Egg Hunt.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Kevin Bauer, Alderperson                                         |
| <b>SECONDER:</b> | James Boyd, Alderperson                                          |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

8. Recommendation from the Board of Park Commissioners to approve donation from De Pere Optimist Club for the Summer Day Camp.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Michael Donovan, Alderperson                                     |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

9. Recommendation from the Board of Park Commissioners to approve the Donation for Fence Addition at Legion Park.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Kevin Bauer, Alderperson                                         |
| <b>SECONDER:</b> | Lisa Rafferty, Alderperson                                       |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

10. Recommendation from the Board of Park Commissioners to approve the Donation for Big Rig Gig Event in May.

City Parks Director Marty Kosobucki explained the Big Rig Gig event to the Council.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Michael Donovan, Alderperson                                     |
| <b>SECONDER:</b> | Jim Kneiszel, Alderperson                                        |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

11. Recommendation from the Board of Park Commissioners to approve the Little Free Library donations by De Pere School District to Optimist & Legion Parks.

City Parks Director Marty Kosobucki explained the location of the Little Free Library.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Jim Kneiszel, Alderperson                                        |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

12. Recommendation from the Plan Commission for an extraterritorial CSM for 2 lot CSM in the Town of Lawrence. Surveyor: Vande Hei.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | James Boyd, Alderperson                                          |
| <b>SECONDER:</b> | Larry Lueck, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

13. Recommendation from the Plan Commission to approve the CSM Application for an extraterritorial CSM for 2 lot CSM in the Town of Ledgeview. Surveyor: Mau.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | James Boyd, Alderperson                                          |
| <b>SECONDER:</b> | Larry Lueck, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

14. Recommendation from the Plan Commission to approve the CSM Application for an extraterritorial CSM for 2 lot CSM in the Town of Rockland. Surveyor: Zeitler.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Larry Lueck, Alderperson                                         |
| <b>SECONDER:</b> | Kevin Bauer, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

15. Ordinance #15-11, Amending Chapter 106 De Pere Municipal Code Regarding Special Events and Penalties (tabled at February 17, 2015 Common Council Meeting).

Chief Derek Beiderwieden came forward and shared background on the ordinance with the Council. He had invited local event organizers to a meeting held on February 27<sup>th</sup> to solicit feedback from them on the proposed ordinance and fee schedule. He stated there was strong support for the ordinance itself and some support for the proposed fees and that there was also strong non-support for the highest fee of \$250. He also stated that some of the small event organizers thought that though they fell into the high hazard category, they shouldn't have to pay the high hazard fee. He referenced a memo from himself and City Attorney Judy Schmidt-Lehman with some alternative suggestions. Discussion on the ordinance regarding non-profits followed. Alderperson Bauer moved, seconded by Alderperson Boyd to amend the ordinance to remove the "3" from reference to 501(c)(3) designations in the ordinance. Discussion followed regarding the different classifications of non-profit organizations and the different fees for the different designations of hazard level. Upon vote on the amendment, motion carried 5-3 with Alderpersons Crevier, Lueck and Raasch voting nay.

Alderperson Bauer moved, seconded by Alderperson Boyd to amend the ordinance to move runs/walks of less than 10 kilometers in distance from the high risk category to the medium risk category. Discussion followed regarding administrative fees, the difference between different types of events, and the application and permit process. Upon vote on the amendment, motion failed 2-6 with Alderperson Bauer and Boyd voting ay.

Upon vote on the ordinance as amended, motion carried 7-1 with Alderperson Lueck voting nay. A second reading of the ordinance is required.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>SECOND READING REQUIRED [7 TO 1]</b>                   |
| <b>MOVER:</b>    | Kevin Bauer, Alderperson                                  |
| <b>SECONDER:</b> | Michael Donovan, Alderperson                              |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Raasch, Rafferty |
| <b>NAYS:</b>     | Larry Lueck                                               |

16. Resolution #15-20, Setting Fee for Special Event Permit (tabled at February 17, 2015 Common Council Meeting).

The Common Council discussed the list of options provided from the meeting with Chief Derek Beiderwieden. Alderperson Raasch moved, seconded by Alderperson Boyd to amend the resolution to reflect option #4, a \$25 permit fee for low hazard events, and a \$50 permit fee for the medium and high categories with a 10% administrative fee for any/all services billed with a maximum cap of \$250 in fees. Discussion on this option

followed. Upon vote on the amendment, motion carried 6-2 with Alderpersons Kneiszel and Lueck voting nay. Discussion followed. Upon vote on the resolution as amended, motion carried 7-1 with Alderperson Lueck voting nay.

|                  |                                                           |
|------------------|-----------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [7 TO 1]</b>                                   |
| <b>MOVER:</b>    | Kevin Bauer, Alderperson                                  |
| <b>SECONDER:</b> | Lisa Rafferty, Alderperson                                |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Raasch, Rafferty |
| <b>NAYS:</b>     | Larry Lueck                                               |

17. Introduction of Resolution #15-25, Regarding the Vacation of a Portion of a Public Thoroughfare (Northerly 1,708 square feet of George Street adjacent to ED-844) (refer to public hearing).

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Kevin Bauer, Alderperson                                         |
| <b>SECONDER:</b> | Dean Raasch, Alderperson                                         |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

18. Voucher Approval.

|                  |                                                                  |
|------------------|------------------------------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>                                       |
| <b>MOVER:</b>    | Dean Raasch, Alderperson                                         |
| <b>SECONDER:</b> | Lisa Rafferty, Alderperson                                       |
| <b>AYES:</b>     | Bauer, Boyd, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty |

19. Operator License Applications.

| CITY OF DE PERE - FEBRUARY 3, 2015                                          |                     |                          |           |    |       |
|-----------------------------------------------------------------------------|---------------------|--------------------------|-----------|----|-------|
| ITEM                                                                        | NAME                | ADDRESS                  | CITY      | ST | ZIP   |
| <b>Previously Tabled Operator License Applications</b>                      |                     |                          |           |    |       |
| 1                                                                           | ANDERSON, KRISTA A. | 1269 VANDERBRAAK ST.     | GREEN BAY | WI | 54302 |
| 2                                                                           | HORNE, TRACY L.     | 1365 MESA DR., #12       | GREEN BAY | WI | 54304 |
| 3                                                                           | PAHL, KAMI A.       | 605 JAMES ST.            | DE PERE   | WI | 54115 |
| 4                                                                           | SHEEHAN, DANIEL J.  | 1571 SILVERSTONE TR., #6 | DE PERE   | WI | 54115 |
| <b>Temporary Operator License Applications</b>                              |                     |                          |           |    |       |
| 1                                                                           | ACHTEN, JAY G.      | 1190 DREWS DR.           | DE PERE   | WI | 54115 |
| 2                                                                           | DAY, DENNIS R.      | 1720 SUNNYSIDE LN.       | DE PERE   | WI | 54115 |
| <b>New Operator License Applications for the 2014-2016 Licensing Period</b> |                     |                          |           |    |       |
| 1                                                                           | ADHIKARI, SHARADA   | 4024 E. BRAEBURN DR.     | APPLETON  | WI | 54913 |
| 2                                                                           | FRYE, TYLER R.      | 625 REID ST.             | DE PERE   | WI | 54115 |
| 3                                                                           | JACOBS, TIMOTHY L.  | 6724 HILLSIDE RD.        | PICKETT   | WI | 54964 |
| 4                                                                           | KRAMER, JANE A.     | 1487 NAVIGATOR WAY, #39  | DE PERE   | WI | 54115 |
| 5                                                                           | NEUAONE, JOSE M.    | 509 VROMAN               | GREEN BAY | WI | 54303 |
| 6                                                                           | PANSIER, NICOLE A.  | 416 LANDE ST.            | DE PERE   | WI | 54115 |
| 7                                                                           | RIEBE, II DAVID J.  | 250 BRYAN ST.            | GREEN BAY | WI | 54301 |
| 8                                                                           | WATTS, TONY N.      | 1011 S. SIXTH ST.        | DE PERE   | WI | 54115 |

Alderperson Bauer moved, seconded by Alderperson Rasch to approve Previously Tabled Operator License Applications #3 and 4 and to table Previously Tabled Operator License Applications #1 and 2. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Boyd to approve Temporary Operator License Applications #1 and 2. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Raasch to approve Operator

License Applications #1-8. Upon vote, motion carried unanimously.

20. Future Agenda Items.

Aldersperson Crevier requested consideration of removal of Municipal Code Chapter 8-2, Exemption A - For use in the hunting of migratory birds and waterfowl in that portion of the Fox River contiguous to unincorporated areas which allow hunting, and in accordance with state regulations.

21. Adjournment. Aldersperson Bauer moved, seconded by Aldersperson Crevier to adjourn the meeting at 8:55 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet, Clerk - Treasurer