



Common Council

Regular Meeting

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

Minutes

Wednesday, February 21, 2018

7:30 PM

De Pere City Hall Council Chambers

1. Call to Order: The meeting was called to order at 7:30 PM by Mayor Walsh.

Attendee Name	Title	Status
Michael J. Walsh	Mayor	Present
James Boyd	Aldersperson	Present
Dan Carpenter	Aldersperson	Present
Scott Crevier	Aldersperson	Present
Jonathon Hansen	Aldersperson	Present
Ryan Jennings	Aldersperson	Present
Larry Lueck	Aldersperson	Present
Casey Nelson	Aldersperson	Present
Dean Raasch	Aldersperson	Present

2. Pledge of Allegiance to the Flag.
3. Approval of the Minutes of the February 6, 2018 Common Council Meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Aldersperson
SECONDER:	James Boyd, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

4. Public comment upon matters not on the agenda and other announcements.

Aldersperson Hansen thanked staff and poll workers for their work on the February Primary Election. Definitely De Pere submitted a call for mural proposals for the 8 buildings in Downtown De Pere that were selected; the deadline for submittals is April 10.

Mayor Walsh thanked police and fire departments for their response to the fire on 9th Street on Saturday night; with their quick thinking they removed 3 people safely and he commended them for their efforts.

Mayor Walsh requested to consider agenda items #20 and 21 before agenda item #5.

5. Recommendation from the Board of Park Commissioners to Consider Locating the Band shell at a Different Park. (Item Tabled at the February 6, 2018 Common Council Meeting).

Aldersperson Hansen moved, seconded by Aldersperson Jennings to deny the request to consider locating the band shell in a different park. Discussion followed with Park and Recreation Director Marty Kosobucki regarding the location options in Voyageur Park, locations outside of Voyageur Park, the user group preferences for location, and the cost allotted for the band shell. The De Pere Chamber of Commerce has volunteered to research the project more thoroughly; City staff will be meeting with the Chamber in early March to discuss. Discussion followed. Aldersperson Boyd moved, seconded by Aldersperson Crevier to open the meeting. Upon vote, motion carried unanimously. Maureen Vandenhogen explained that she doesn't agree with reallocating the funds designated for other projects; she likes the idea of a band shell near the water with a shuttle service to and from the parking lot. Joe Seroogy expressed that he believes the

band shell should be at Voyageur Park. Alderperson Crevier moved, seconded by Alderperson Carpenter to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote on the motion to deny moving the band shell from Voyageur Park, motion carried unanimously. Parks Director Marty Kosobucki explained that they will have the meeting with the De Pere Chamber of Commerce and will go to the Board of Park Commissioners with the results.

6. Recommendation from the Finance/Personnel Committee to approve Fire Department's Operational Change.

Fire Chief Al Matzke explained how the operational change will work and why there is no cost increase to the department.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

7. Recommendation from the Board of Park Commissioners to Replace the Bleachers at the Ice Arena.

Alderperson Raasch moved, seconded by Alderperson Hansen to approve the replacement of the Ice Arena bleachers. Mayor Walsh explained the funding options presented: unassigned reserves, the ice arena fund, and stadium tax funds designated for either the splash pad or the band shell. Discussion followed regarding funding options. Park and Recreation Director Marty Kosobucki explained that they will ask the user groups to help fund the bleachers, but that the City should fund up front the entire project; if we wait to see what they can contribute the bleachers won't be replaced in time. Discussion followed regarding the proposed bleachers. Alderperson Raasch moved, seconded by Alderperson Hansen to amend the motion to include using funds from the arena fund and from unassigned reserves. Discussion followed. Upon vote on the amendment, motion carried unanimously. Upon vote on the original motion to replace the bleachers, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

8. Recommendation of the Board of Public Works to Award the Contract for Project 18-15 Sewer Cleaning and Televising to Green Bay Pipe and TV, LLC in the Amount of \$46,662.00.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

9. Recommendation of the Board of Public Works to Award the Contract for Project 18-03 Pipe Lining- CIPP to Visu-Sewer in the Amount of \$257,919.75.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

10. Ordinance #18-05, Creating Section 13-4.1 De Pere Municipal Code Notifying the State of Wisconsin to Distribute Payments for State Property Tax Credits Directly to the City of De Pere.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ryan Jennings, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

11. Ordinance #18-06, Amending Section 9-1 De Pere Municipal Code (Non-Discrimination in Housing, Public Accommodation and Employment) by Incorporating Statutory Language Pertaining to Public Accommodations

Alderperson Nelson moved, seconded by Alderperson Boyd to approve the ordinance. City Attorney Judy Schmidt-Lehman explained that the purpose of this ordinance amendment is to include reference to state statutes within our ordinance. Discussion followed. City Attorney Judy Schmidt-Lehman explained that Stacie Christian of UWGB will be holding a public outreach meeting on Tuesday, February 27 to help introduce the ordinance to the public. Discussion followed. Upon vote on the ordinance, motion carried 5-4 with Alderpersons Boyd, Hansen, Jennings, Nelson and Mayor Walsh voting ay. The ordinance will required a second reading at the March 6, 2018 Common Council Meeting.

RESULT:	ADOPTED [5-4]
MOVER:	Casey Nelson, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Hansen, Jennings, Nelson, Mayor Walsh
NAYS:	Carpenter, Crevier, Lueck, Raasch

12. Ordinance #18-07, Creating Section 13-15 De Pere Municipal Code Enacting a Motor Vehicle Registration Fee.

Alderperson Nelson moved, seconded by Alderperson Hansen (for purpose of discussion) to approve the ordinance. Alderperson Raasch moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Jim Riedi, Kevin Bauer, and Jim Kuehni spoke against the proposed wheel tax. Alderperson Lueck moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Alderperson Hansen moved, seconded by Alderperson Nelson to amend the ordinance to impose a \$10 fee and have all proceeds go towards permanently increasing the annual budget for road resurfacing. Discussion followed. Alderperson Hansen expressed that he is not opposed to having those proceeds go towards reducing borrowing for street reconstruction. Vote on the amendment to the ordinance failed 1-7 with Alderperson Hansen voting aye. Alderperson Hansen moved, seconded by Alderperson Nelson to amend the ordinance to impose a \$10 fee and have all proceeds go towards permanently decreasing bonding for street reconstruction projects. Upon vote on the amendment, motion failed 2-6 with Alderpersons Nelson and Hansen voting aye. Mayor Walsh expressed his opinion on the

wheel tax. Motion on the original motion to approve the ordinance failed 1-7 with Alderperson Nelson voting aye.

RESULT:	DEFEATED [1 TO 7]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Casey Nelson
NAYS:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Raasch

13. Resolution #18-10, Authorizing Agreement for Cleaning Services (Fox Cities Janitorial).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

14. Resolution #18-11, Authorizing Agreement for Contractor Services Between the City of De Pere and ECS Midwest, LLC (2018 Construction Materials Testing and Soil Boring).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

15. Resolution #18-12, Authorizing Agreement for Services Between the City of De Pere and Tweet-Garot Mechanical, Inc. (MSC Boiler Replacement Design & Construction Management).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

16. Resolution #18-13 Ratifying Submission of Assistance to Firefighters Grant Application.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

17. Resolution #18-14, Authorizing Renewal of Agreement for Consulting Services Between the City of De Pere and Key Benefit Concepts, LLC (Other Post Employment Benefit Liability Study)

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

18. Resolution #18-15, Opposing 2017 Assembly Bill 748 and 2017 Senate Bill 634 Preempting Local Governments from Regulating Various Employment Matters.

Alderpersons discussed their opinions on the resolution. Upon vote on the resolution, motion carried 5-4 with Alderpersons Boyd, Hansen, Jennings, Nelson and Mayor Walsh voting ay.

RESULT:	ADOPTED [5-4]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Hansen, Jennings, Nelson, Mayor Walsh
NAYS:	Carpenter, Crevier, Lueck, Raasch

19. Recommendation from the Finance and Personnel Committee to fund Closed Captioning for Channel 4 Programming

Alderperson Nelson moved, seconded by Alderperson Hansen to approve the funding for closed captioning. City Attorney Judy Schmidt-Lehman explained the proposal from the League of Wisconsin Municipalities to assist municipalities in providing guidance on obtaining ADA compliance. She explained that if the City chooses to participate in the venture with the League, we are allowed to continue providing services while pursuing compliance. Discussion followed. Alderperson Crevier moved, seconded by Alderperson Boyd to amend the motion to recommend using the League of Wisconsin Municipalities proposal for \$1,000. Upon vote on the amendment, motion carried unanimously. Upon vote on the original motion, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

20. Recommendation from the Finance and Personnel Committee to postpone any development consideration for Parcels ED-796, ED-794, ED-793, ED-788-1 (also known as Perrot Square) until the Cultural District Master Plan is complete.

Development Services Director Kim Flom explained that the Finance/Personnel Committee recommended postponement of the development until the Cultural District Master Plan is approved. Alderperson Raasch moved, seconded by Alderperson Lueck to open the meeting. Upon vote, motion carried unanimously. Frank Kaster presented the George Street Station plan to the Council. Discussion followed regarding river views and parking. Alderperson Hansen moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously.

Alderperson Jennings moved, seconded by Alderperson Nelson to approve the recommendation to postpone development until the Cultural District Master Plan is approved. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Ryan Jennings, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

21. Recommendation from the Finance and Personnel Committee to issue a Request for Proposals (RFP) for the development of Parcel ED-769 (also known as the 123 N Broadway Lot).

Development Services Director Kim Flom explained that the property being discussed is a small parking lot on North Broadway.

Alderperson Crevier moved, seconded by Alderperson Nelson to open the meeting. Upon vote, motion carried unanimously. Kyle Johnson and Karen Classon described the building design being proposed for that location. Alderperson Nelson moved, seconded

by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously.
Discussion followed.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

22. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage License for Heritage Rd, LLC (DBA One Under Golf Center), 801 Heritage Rd, Unit C. Submitted by Heritage Rd, LLC, Agent: Matthew Wood, Green Bay, WI.

Alderperson Carpenter moved, seconded by Alderperson Hansen to deny the application. Upon vote, motion carried unanimously.

23. Operator License Applications.

CITY OF DE PERE	
License Committee - February 21, 2018	
New Operator License Applications for the 2016-2018 Licensing Period	
1	CARTER, PAMELA S.
2	CARTER, TRISHA L.
3	COFFEY, HEATHER M.
4	EGEBRECHT, DEBORAH A.
5	HARING, BRANDON M.
6	HEINZ, DANIEL J.
7	LEACH, JOSHUA A.
8	RENARD, CHERYL A.
9	VIEAU, JACOB P.
10	ZELM, GAVIN M.

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Operator License Applications #2-7 and 9-10. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to table Operator License Applications #1 and 8. Upon vote, motion carried unanimously.

24. Voucher Approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

25. Future agenda items.

Alderperson Nelson requested a resolution for state legislature supporting more restrictive gun laws in light of recent school shootings.

26. Consideration of the purchase of property for public purposes (amendment).
Aldersperson Raasch moved, seconded by Aldersperson Crevier to close the meeting at 10:20 p.m. Upon vote, motion carried unanimously. Aldersperson Carpenter moved, seconded by Aldersperson Nelson to open the meeting at 10:34 p.m. Upon vote, motion carried unanimously.
27. Adjournment.
- Aldersperson Nelson moved, seconded by Aldersperson Jennings to adjourn the meeting at 10:36 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer