

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – FEBRUARY 20, 2013**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, February 20, 2013.

Mayor Mike Walsh called the meeting to order at 7:30 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Scott Crevier, Mike Donovan, Jim Kneiszel, Larry Lueck, & Kathy Van Vonderen. Alderperson Robinson was excused. The Council said the Pledge of Allegiance to the Flag.

3. Alderperson Lueck moved, seconded by Alderperson Crevier, to approve the minutes of the February 5, 2013 meeting. Upon vote, the minutes were approved unanimously.

PUBLIC HEARING

4A. A Public Hearing on a Conditional Use Application for an auto repair/restoration center at 519 George Street was presented. Clerk-Treasurer Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on February 7, 2013.

4B. City Planner Ken Pabich stated the Plan Commission recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak; there was no one present who wished to speak so the public hearing was closed.

4C. Resolution 13-15, Authorizing And Approving A Conditional Use Permit (Parcel ED-897) was presented for consideration. Alderperson Donovan moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

5A. A Public Hearing on a Conditional Use Application for a Tail Waggers Day Care (kennel) at 1225 Lawrence Drive was presented. Clerk-Treasurer Shana Defnet announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on February 7, 2013.

5B. City Planner Ken Pabich stated the Plan Commission recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak; there was no one present who wished to speak so the public hearing was closed.

5C. Resolution 13-16, Authorizing And Approving A Conditional Use Permit (Parcel WD-D0014) was presented for consideration. Alderperson Crevier moved, seconded by Alderperson Lueck, to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

6. Public Comment or other Announcements. None.

RECOMMENDATION FROM THE FINANCE/PERSONNEL COMMITTEE

7A. A \$600 donation from Sharon Danen to be used to purchase personal protective gear for the Fire Department was presented. Alderperson Van Vonderen moved, seconded by Alderperson Crevier to approve the donation. Upon vote, motion carried unanimously.

RECOMMENDATION FROM THE BOARD OF PUBLIC WORKS

8A. Installation of Preserve America Signage was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kneiszel to approve the recommendation. Upon vote, motion carried unanimously.

RECOMMENDATIONS FROM THE LICENSE COMMITTEE

9A. Recommendation from the License Committee to schedule an evidentiary hearing before the Common Council to consider the suspension or revocation of the Class B Retail License for the sale of fermented malt beverages and

intoxicating liquors issued to Willi's Bar & Grill, 1605 Fort Howard Ave., Ste. C was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel that a hearing before the Common Council be scheduled. Upon vote, motion carried unanimously.

9B. Recommendation from the License Committee to schedule an evidentiary hearing before the Common Council to consider the suspension or revocation of the Class A Retail License for the sale of fermented malt beverages issued to De Pere Y-Mart, 1017 Fourth Street was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel that a hearing before the Common Council be scheduled. Upon vote, motion carried unanimously.

9C. Recommendation from the License Committee to schedule an evidentiary hearing before the Common Council to consider the suspension or revocation of the Class A Retail License for the sale of fermented malt beverages issued to DJ Convenience, 1605 Fort Howard Ave., Ste. A was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel that the City issue a warning letter to the agent. Upon vote, motion carried unanimously.

9D. Application for a Premise Description Change for St. Norbert College, De Pere, WI, submitted by Terrie DuBois was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve the application. Upon vote, motion carried unanimously.

9E. Application for a Class "B" Beer & "Class B" Liquor License for Pubhaus at 600 George Street was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve the application. Upon vote, motion carried unanimously.

9F. Application for a Class "B" Beer & "Class B" Liquor License for Willi's Bar & Grill, 1605 Fort Howard Ave., Ste. C was presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel to table the application until the March 19, 2013 License Committee meeting. Upon vote, motion carried unanimously.

10. Ordinance 13-06, Repealing Sexual Offender Residency Restrictions (second reading) was presented. Alderperson Crevier moved, seconded by Alderperson Boyd to approve the ordinance. Alderperson Lueck explained that he believes the Council needs more information from the Department of Corrections before they make a decision. Alderperson Crevier moved, seconded by Alderperson Van Vonderen to open the meeting. Upon vote, motion carried unanimously. Donald Sliwka, 510 Acreview Drive, De Pere, spoke and stated that he owns rental property in De Pere and was surprised when the Department of Corrections contacted him about renting one of his properties near a school to a registered sex offender. Alderperson Crevier moved, seconded by Alderperson Lueck to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Alderperson Lueck moved, seconded by Alderperson Van Vonderen, to table the ordinance until the March 19th meeting. Upon vote, motion carried 4-3 with Alderpersons Bauer, Crevier, and Kneiszel voting nay.

11. Ordinance 13-07, Amending §22-15 De Pere Municipal Code Regarding Driveway Apron Approaches was presented. Alderperson Bauer moved, seconded by Alderperson Lueck to approve the ordinance. Upon vote, motion carried unanimously.

12. Resolution 13-17, Ordering Installation Of Sidewalks At Various Locations was presented. Alderperson Kneiszel moved, seconded by Alderperson Crevier to approve the resolution. Upon vote, motion carried unanimously.

13. Resolution 13-18, Authorizing Payment Of Claim (Donald Sliwka) was presented. Alderperson Donovan moved, seconded by Alderperson Lueck to approve the resolution. Upon roll call vote, motion carried unanimously.

14. Resolution 13-19, Authorizing Revocable Occupancy Permit (Eric R. and Michelle L. Nelson) was presented. Alderperson Boyd moved, seconded by Alderperson Lueck to approve the resolution. Upon vote, motion carried 6-1 with Alderperson Bauer voting nay.

15. Resolution 13-20, Approving Agreements Between The City Of De Pere And Dixon Engineering, Inc. (Sprint Wireless Antenna Upgrade) was presented. Alderperson Crevier moved, seconded by Alderperson Boyd to approve the resolution. Upon roll call vote, motion carried unanimously.

16. Resolution 13-21, Approving Agreement For Consulting Services Between The City Of De Pere And Dixon Engineering, Inc. (Antenna Installation Review) was presented. Alderperson Crevier moved, seconded by Alderperson Lueck to approve the resolution. Upon roll call vote, motion carried unanimously.

17. Resolution 13-22, Authorizing Healthcare Student Placement Agreement With Northeast Wisconsin Technical College (NWTC) was presented. Alderperson Van Vonderen moved, seconded by Alderperson Boyd to approve the resolution. Upon vote, motion carried unanimously.

18. Resolution 13-23, Approving Agreement For Consulting Services Between The City of De Pere and Midwest Engineering Services, Inc. (2013 Construction Materials Testing and Soil Borings) was presented. Alderperson Bauer moved, seconded by Alderperson Crevier to approve the resolution. Upon roll call vote, motion carried unanimously.

19. Discussion regarding the status of the De Pere Riverwalk phase two construction was presented. The barges were removed and landscaping will be done in spring.

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

21. 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	BRANTLEY, JAMEN R.	3107 RIVERSIDE DR.	GREEN BAY	WI	54301
2	ELLSWORTH, CHARITY A.	533 BADER ST.	GREEN BAY	WI	54302
3	FAWCETT, RYAN T.	3233 PIONEER DR.	GREEN BAY	WI	54313
4	ROBINSON, CLAUDE J.	1437 S. CHESTNUT AVENUE	GREEN BAY	WI	54304
5	SULENTIC, SARAH E.	703 FREDRICK ST., APT. 1	GREEN BAY	WI	54313
TEMPORARY OPERATOR LICENSE APPLICATIONS					
1	ACHTEN, JAY G.	1190 DREWS DR.	DE PERE	WI	54115
2	BUSSIÈRE, ANDY W.	745 SIMONET CT.	GREEN BAY	WI	54301
3	GIBSON, GARRON G.	1857 BRIARWOOD CT.	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					
1	ADDIE, CHELSEY L.	435 S. ST. BERNARD DR.	DE PERE	WI	54115
2	HEATH, MICHELE L.	527 COTTAGE GROVE	GREEN BAY	WI	54304
3	HOFFMAN, PATRICK R.	1565 RED MAPLE RD.	DE PERE	WI	54115
4	JOHNSTON, CAITLYNN B.	6778 DUESTER ST., APT. B	GREENLEAF	WI	54126
5	JOSEPHS, LAURA L.	1721 S. NORWOOD AVE.	GREEN BAY	WI	54304
6	KOHLWEY, JULIE E.	621 SHADY RIDGE CT.	GRAFTON	WI	53024
7	LUECKE, LINDA S.	421 S. ONTARIO ST.	DE PERE	WI	54115
8	MENACHER, KARISSA M.	719 S. OAKLAND AVE.	GREEN BAY	WI	54304
9	OLSON, HEIDI A.	707 KNOLL TER.	DE PERE	WI	54115

Alderperson Bauer moved, seconded by Alderperson Kneiszel to table Previously Tabled Operator License #2 and to approve Previously Tabled Operator Licenses #1, 3, 4, and 5. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve Temporary Operator Licenses #1-3. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve Operator Licenses #1-9. Upon vote, motion carried unanimously.

22. Future Agenda Items. None.

23. Discuss filling of Fire Chief position vacancy was presented. Alderperson Van Vonderen moved, seconded by Alderperson Crevier to convene in closed session at 8:23 p.m. Upon roll call vote, motion carried unanimously. (Alderperson Robinson arrived at 8:38 p.m.)

24. Discuss City's unpaid ambulance bill lien involved in mortgage foreclosure action Bank of America v. Wishart et al, Brown County Case 13 CV 86 was presented in closed session.

Alderperson Van Vonderen moved, seconded by Alderperson Crevier, to reconvene in open session. Upon roll call vote, motion carried unanimously.

Alderperson Donovan moved, seconded by Alderperson Boyd to direct City Administration to negotiate with an outside consulting firm for appointment by Police and Fire Commission as interim Fire Chief. Upon vote, motion carried unanimously.

Alderperson Van Vonderen moved, seconded by Alderperson Lueck to write off the remainder of the City's unpaid ambulance bill. Upon vote, motion carried unanimously.

Upon motion by Alderperson Van Vonderen, seconded by Alderperson Crevier, the Common Council adjourned at 9:24 p.m.

Respectfully submitted,

Shana Defnet
Clerk-Treasurer