Common Council

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

Regular Meeting

Minutes

Tuesday, January 16, 2018 | **7:30 PM** | **De Pere City Hall Council Chambers**

1. Call to order. The Common Council Meeting was called to order on January 16, 2018 at 7:30 PM, De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

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

2. Pledge of allegiance to the Flag.

3. Approval of the Minutes of the January 2, 2018 Common Council Meeting.

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

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

City Attorney Judy Schmidt Lehman explained that if anyone is present to speak on items 15 and/or 16, they are able to do so during public comment. The aquatic center was already approved and the Rules of Order do not allow for items 15 and 16 to be on the agenda as they are worded. She explained that the Council cannot take action on comments made during the public comment period.

David Hunnicut, Mike Fleck, Lydia Skarivoda and Renee Gasch came forward and spoke in favor of keeping Legion Park Pool open.
Joe Henrigillis spoke in favor of repairing both Legion Park and VFW Park Pools instead of building an aquatic center.
Alderperson Jennings explained that the City is still looking for people to take the City Survey for the vision and branding project and that the survey can be found on the City of De Pere's homepage.
Alderperson Hansen thanked those who attended the meeting to speak about Legion Park Pool and apologized that the Council is unable to take action tonight.
Alderperson Carpenter thanked Dave Hongisto for his 34 years of service to the City.

5. Recommendation from Plan Commission to approve the proposed 15 Lot Preliminary Plat of “Southbridge Estates First Addition” at 1700 BLK Bridge Port Lane (Parcel WD-L183-5). Submitted by Jim Boyea, Best Built INC.

City Economic Development and Planning Director Kim Flom explained that this was originally proposed for multi-family but that the rezoning was not approved; this plan before the Council is for single family lots.

RESULT:	**ADOPTED [7 TO 1]**
MOVER:	Dean Raasch, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Hansen, Jennings, Lueck, Nelson, Raasch
NAYS:	Scott Crevier

6. Recommendation from Plan Commission to approve a Proposed Three Lot Certified Survey Map at 1030 Main Avenue (Parcels WD-VA450, WD-VA450-1, WD-454 and WD-455-1). Submitted by Garritt Bader, GB 1100 Main LLC.

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

7. Recommendation from the Board of Park Commissioners to Accept the Lease Option for Mower Replacement.

   Parks Director Marty Kosobucki explained that the City is looking to do a lease to purchase option on the mower; the department wants to try it out before purchasing it.

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

8. Recommendation from Finance Committee to Approve Donation from Kwik Trip to Police Department

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

9. Recommendation from Finance Committee to Approve Donations from Barbara Demoulin and Christian Outreach to Police Department

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

10. Ordinance #18-02, Annexing Territory to the City of De Pere, Wisconsin (Parcel R-27-1).

    City Economic Development and Planning Director Kim Flom provided a quick summary on the annexation. This is for a 25-acre parcel, located directly across from Altmeyer School. The parcel is within the 10-year growth area of the City's Comprehensive Plan.

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

11. Ordinance #18-03, Amending Chapter 106 - Licenses and Permits Regarding Agent Status for Environmental Services.

    City Attorney Judy Schmidt-Lehman explained that the amended ordinance before the Council contained a last minute change by the Wisconsin Department of Agriculture. Alderperson Nelson moved, seconded by Alderperson Carpenter to approve the ordinance. Discussion followed with City Health Director Deborah Armbruster regarding the relationship with the City of Menasha and the situation with our sanitarian.

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

12. Resolution #18-03, Adopting City of De Pere Comprehensive Outdoor Recreation Plan, 2018-2023.

    Alderperson Crevier requested to make a few changes to the plan, specifically page 12 of the report. Alderperson Crevier moved to strike "throughout the community" from the water-based recreation line of page 12 and to strike "promote and maintain the existing outdoor pools" and replace with "promote and maintain outdoor aquatic facilities". City Administrator Larry Delo explained the meaning of "throughout the community" and that its intent is not to encourage residents to engage in water-based activity in areas of the City without water, but rather to promote engagement in water-based activities throughout the community. Alderperson Crevier altered his motion to include only the second part of his original motion. Alderperson Raasch seconded the motion. Upon vote on the amendment, motion carried with Alderperson Nelson voting nay. Further discussion on the motion as amended followed with Parks Director Marty Kosobucki regarding service boundaries, park land projections, the Kelly Danen Park plan, service radius for swimming pools standard, and the public land acquisition fund. Upon vote on the motion as amended, motion carried 8-0.

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

13. Resolution #18-04 Authorizing Street Name Changes (Whistler Court and Bridge Port Court to Bridge Port Circle).

    City Economic Development and Planning Director Kim Flom explained that the western half of the street will remain Bridge Port Lane.

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

14. Resolution #18-05, Authorizing Revised Software Service Agreement with IQM2

Alderperson Crevier expressed his hope that we can start working towards having a more mobile device friendly program for accessing the meeting portal.

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

15. Consider a smaller Aquatic Center at VFW Park (Ald. Hansen).

City Attorney Judy Schmidt-Lehman explained that she and Alderperson Hansen discussed referring items 15 and 16 back to staff. Alderperson Hansen moved, seconded by Alderperson Nelson to refer the item back to staff. Upon vote, motion failed 4-4 with Alderpersons Carpenter, Raasch, Crevier and Lueck voting nay. There was no other motion on the agenda item and the item failed for lack of a motion.

16. Consider creation of a formal fundraising committee to raise funds for both a renovated Legion Park Pool and a new Aquatic Center at VFW Park (Ald. Hansen).

Alderperson Boyd asked for a motion on the item; the item failed for lack of a motion.

17. Voucher Approval.

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

18. Operator License Applications.

CITY OF DE PERE

License Committee - January 16, 2018

Previously Tabled Operator License Applications	
1	BYERS, THOMAS D.
2	COMYNE, JORDAN M.
3	ROBINSON, TYLER B.

New Operator License Applications	
1	ENWIYA, ADAM H.
2	MACCO, MARY C.

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Previously Tabled Operator License Applications #1 and 2 and to deny Previously Tabled Operator License Application #3. Upon vote, motion carried unanimously.
Alderperson Boyd moved, seconded by Alderperson Hansen to approve Operator License Applications #1 and 2. Upon vote, motion carried unanimously.

19. Future Agenda Items.

Alderperson Hansen requested an agenda item to rescind the action by the Common Council taken on November 15 to replace the existing pools with one aquatic center; he

also requested two agenda items contingent upon approval of this future agenda item: request for a scaled-back Aquatic Center and request for the creation of a fundraising committee for both a Legion Park Pool and a scaled-back VFW Aquatic Center. City Attorney Judy Schmidt-Lehman will work with Alderperson Hansen on getting these items on the agenda.
Alderperson Crevier requested to change the maximum number of signs allowed on a building in Municipal Code Section 98-15. City Attorney Judy Schmidt-Lehman will work with Alderperson Crevier on the amendments and this item will go to Plan Commission for approval.

20. Consider Approval of Settlement Agreement Regarding Shopko Operating Stores Co. LLC v. City of De Pere Case #s 2016 CV 1507 and 2017 CV 1029

Alderperson Raasch moved, seconded by Alderperson Carpenter to close the meeting at 8:39 p.m. Upon roll call vote, motion carried unanimously.
Alderperson Boyd moved, seconded by Alderperson Carpenter to open the meeting at 8:53 p.m. Upon roll call vote, motion carried unanimously.
Alderperson Raasch moved, seconded by Alderperson Carpenter to approve the proposed settlement agreement. Upon roll call vote, motion carried unanimously.

21. Adjournment.

Alderperson Boyd moved, seconded by Alderperson Nelson to adjourn the meeting at 8:54 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer