

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – JANUARY 15, 2013**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, January 15, 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 James Boyd, Scott Crevier, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson & Kathy Van Vonderen. Alderperson Kevin Bauer arrived at 7:34 p.m. The Council said the Pledge of Allegiance to the Flag.

3. Alderperson Donovan moved, seconded by Alderperson Boyd, to approve the minutes of the January 2, 2013 meeting. Upon vote, the minutes were approved 7-0. Alderperson Bauer arrived after the minutes were approved.

PUBLIC HEARING

4A. Public Hearing on a rezoning request and General Development Plan for a proposed Walgreens located on the northeast corner of S. Broadway and Wisconsin Street was presented. Deputy Clerk Vicki Scray announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on December 27, 2012 and January 3, 2013.

4B. City Planner Ken Pabich gave a project overview and stated the Plan Commission recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak. The following individuals came forward to speak on the rezoning request and General Development Plan for a proposed Walgreens located on the northeast corner of S. Broadway and Wisconsin Street:

Mike Fleck, 1402 Charles St., member of the Historical Preservation Commission, spoke in opposition stating the Commission had voted 5-1 against the General Development Plan. Mr. Fleck professionally and personally emphasized the word preservation in the Historical Preservation Commission name. He also has concerns regarding the traffic potentially caused by this project and asked for a traffic-safety study.

Gene Hackbarth, 933 Oakdale Ave., spoke in opposition providing historical information regarding potential destruction of 129 S. Broadway St. Mr. Hackbarth asked if it must be destroyed that sustainability and the recycling of materials be taken into consideration.

Brian Ritter, 144 Crestview Ln., spoke in support of Economic Development.

Marc Brummel, Brummel Architectural Group, 107 N. Broadway St., spoke in opposition stating it was a poor development plan and that the elevation illustrations do not give a good picture of the project.

Mary Jane Herber, Historic Preservation Commission Chair, spoke in opposition stating the Commission has voted 5-1 declining to approve the General Development Plan. Ms. Herber explained the purpose of a Historic Preservation Commission and their responsibilities.

Kathy Hackbarth, 933 Oakdale Ave., spoke in opposition stating there was really an oxymoron tonight regarding discussion on the utilization of former Claude-Allouez Bridge approach and the potential destruction of 129 S. Broadway St.

Lois Wessel, 1526 Fox Ridge Ct., spoke in opposition giving an example of Grafton vs. Cedarburg. She has had contact with people from Grafton who wish now that they had not destroyed some of their historical buildings whereas Cedarburg has kept their historical buildings.

Mike Weiss, 521 N. Wisconsin St., spoke in opposition of the General Development Plan and questioned how many types of pharmacies can our community support?

Mayor Walsh closed the public hearing.

4C. After the hearing was held, 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. Alderperson Boyd moved, seconded by Alderperson Donovan, to approve the General Develop Plan and the Rezoning. Discussion followed.

Alderperson Boyd stated he moved for approval to allow for discussion. Alderperson Boyd asked for clarification as to what they are really voting on tonight. Ken Pabich, City Planner explained voting would be on approving the overlay district and the General Development Plan. Approving these items would be considered intent to approve a precise implementation plan in the future. Discussion followed.

Alderperson Robinson moved, seconded by Alderperson Crevier to open the meeting to the public. Upon vote, motion carried unanimously.

Mark Lake and Steven Rolfe of Midland Commercial Development Corporation provided information on the proposed Walgreens answering questions from the Common Council.

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

Alderperson Donovan moved, seconded by Alderperson Van Vonderen to open the meeting. Upon vote, motion carried unanimously. Mary Jane Herber spoke for a second time in opposition of the project explaining the Historic Preservation Commission's role. Alderperson Crevier moved, seconded by Alderperson Robinson to close the meeting. Upon vote, motion carried unanimously.

Alderperson Boyd and Alderperson Donovan rescinded their previous motion to approve the General Development Plan and the rezoning. Alderperson Robinson moved, seconded by Alderperson Donovan to refer back to staff. Upon vote, motion carried unanimously. Discussion followed.

PUBLIC HEARING

5A. Public Hearing to amend Revolving Loan Fund Manual was presented. Deputy Clerk Vicki Scray announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on January 3, 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. After the hearing was held, Resolution #13-03, Approving Revised City Of De Pere Revolving Loan Fund Manual was presented. Alderperson Robinson moved, seconded by Alderperson Lueck, to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

6. Public Comment or other Announcements. None.

Mayor Walsh moved Items 18 and 17 as follows:

*18. Discussion regarding possible referendum to determine utilization of former Claude-Allouez Bridge approach was requested to be brought forward by Alderperson Kathy Van Vonderen. Alderperson Van Vonderen stated it is important for the City of De Pere residents to voice their opinion on the use of the

former Claude-Allouez Bridge approach and the way to do that is through a referendum. Discussion followed. Alderperson Van Vonderen moved, seconded by Alderperson Kneiszel to open the meeting. Upon vote, motion carried unanimously. The following individuals spoke as follows:

Marlin Huppert, 873 W. St. Francis Rd., stated the City would be making a big mistake by not purchasing the former Claude-Allouez Bridge approach and making it available for public use.

Maureen Vanden Hogen, 405 Franklin St., has previously spoke to the City about acquiring the property and asked again that the City please acquire the property in order to have control of the property.

Marc Brummel, Brummel Architectural Group, 107 N. Broadway St., said he is willing to show options in 3-dimensional diagrams to the new alderpeople as shown to previous alderpeople. His belief is a street terminated at a river should never be met by a building as indicated in examples he has provided in the past. Mr. Brummel supports it being used as public space.

David Duquette, 720 N. Broadway St., is in support of a simple referendum.

Joe Seroogy, Seroogy's, 144 N. Wisconsin St. is in support of a simple referendum to take ownership and leave it sit for a while if we need to until a good decision can be made.

Steven Lepak, 915 N. Broadway St., spoke in support of acquiring the property most importantly maintaining the vista.

Alderperson Bauer moved, seconded by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously.

Mayor Walsh stated this was on the agenda for discussion and there was no motion.

*17. Report on sex offender ordinance impact was presented by Police Chief Beiderwieden and Jed Neuman, Supervisor of the Wisconsin Department of Corrections Sex Offender Unit.

Chief Beiderwieden's report included statistics and an explanation of the address checking process. Discussion followed.

Jed Neuman, Supervisor of the Wisconsin Department of Corrections Sex Offender Unit explained why a sex offender ordinance can make it more difficult to keep track of the registered sex offender's location. Mr. Neuman stated the ordinances compromise what agents can do and actually have a counter effect. Discussion followed.

Alderperson Crevier requested the ordinance be placed on a future agenda to rescind.

Mayor Walsh called a short recess at 10:37 p.m. Resumed at 10:45 p.m.

7. Recommendations from the Board of Public Works were presented. Alderperson Bauer moved, seconded by Alderperson Kneiszel to approve Item 7A. Shared sanitary lateral to 311 Grant Street and 306 Third Street. Upon vote, motion carried unanimously.

Alderperson Bauer moved, seconded by Alderperson Crevier to approve Item 7B. Award Project 12-15A Sewer Cleaning and Televising. Upon roll call vote, motion carried unanimously.

8. Ordinance #13-05, Amending Chapter 62 De Pere Municipal Code (Electrical Code) was presented. Alderperson Kneiszel moved, seconded by Alderperson Crevier to approve the ordinance. Upon vote, motion carried unanimously.

9. Resolution #13-04, Introduction Of Resolution Regarding The Vacation Of Charles Street Right-Of-Way And Alleyway Adjacent Thereto (between Broadway and Wisconsin Streets) (refer to public hearing) was presented. Alderperson Donovan moved, seconded by Alderperson Bauer to refer back to staff. Upon vote, motion carried unanimously.

10. Resolution #13-05, Authorizing Façade Improvement Grant To Lawrence Fisette (705 George Street). was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kneiszel to approve the resolution. Discussion followed. Upon roll call vote, motion carried unanimously.

11. Resolution #13-06, Authorizing Revocable Occupancy Permit (Schleis Properties, LLC) was presented. Alderperson Boyd moved, seconded by Alderperson Robinson to approve the resolution. Upon vote, motion carried unanimously.

12. Resolution #13-07, Approving Agreement For Engineering Services Between The City Of De Pere And Robert E. Lee & Associates, Inc. (Hemlock Creek Pedestrian Crossing) was presented. Alderperson Crevier moved, seconded by Alderperson Kneiszel to approve the resolution. Upon roll call vote, motion carried unanimously.

13. Resolution #13-08, Approving Agreement For Engineering Services Between The City Of De Pere And Robert E. Lee & Associates, Inc. (Water Tower Reconditioning and Inspection) was presented. Alderperson Kneiszel moved, seconded by Alderperson Crevier to approve the resolution. Upon roll call vote, motion carried unanimously.

14. Resolution #13-09, Authorizing Amendment To Software Service Agreement With IQM2 was presented. Alderperson Donovan moved, seconded by Alderperson Robinson to approve the resolution. Discussion followed. Pete Smith, IT Administrator answered the Council's questions. Upon roll call vote, motion carried unanimously.

15. Resolution #13-10, Authorizing Division Of Public Health Contract Agreement DPH Contract #22026 was presented. Alderperson Robinson moved, seconded by Alderperson Donovan to approve the resolution. Discussion followed. Upon vote, motion carried unanimously.

16. Resolution #13-11, Authorizing Second Amendment To Agreement For Auditing Services Between The City Of De Pere And Schenck, S.C. was presented. Alderperson Donovan moved, seconded by Alderperson Boyd to approve the resolution. Discussion followed. Upon roll call vote, motion carried 7-1 with Alderperson Robinson voting nay.

(Item #17 & 18 were moved to follow Item # 6 – note order of #6, 18, 17, 7...)

19. City Administrator Larry Delo provided an update on the De Pere Riverwalk phase two construction. Discussion followed.

20. Appointment of Connie O'Brien to the Housing Authority by the Mayor. Alderperson Crevier moved, seconded by Alderperson Robinson to approve the appointment. Upon vote, motion carried unanimously.

21. Alderperson Van Vonderen moved, seconded by Alderperson Crevier 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	JANSE-VREELING, AMANDA M.	463 N. CREST STREET	HORTONVILLE	WI	54944
2	JONES, BRENDEN J.	1354 S. NINTH STREET	DE PERE	WI	54115
Operator Licenses for the 2012-2014 Licensing Period					
1	ADHIKAR, SHARADA	1305 LUCERNE DRIVE, #1	MENASHA	WI	54952
2	ANDERSON, RACHEL M.	630 HELENA STREET	DE PERE	WI	54115
3	BRUINOOG, LAURIE L.	212 BELLEVUE STREET	GREEN BAY	WI	54302
4	HILDRETH, KENDRA IRENE	418 LILAC LANE	DE PERE	WI	54115
5	NICKLAS, PEGGY S.	701 OAK STREET	DE PERE	WI	54115
6	NEUGENT, REBECCA L.	1929 BUNKER HILL COURT	DE PERE	WI	54115
7	ROBINSON, CLAUDE J.	1437 S. CHESTNUT AVENUE	GREEN BAY	WI	54304
8	SCHULTZ, KAY L.	3506 LAYDEN DRIVE, APT 8	DE PERE	WI	54115

Aldersperson Kneiszel moved, seconded by Aldersperson Boyd to approve previously tabled operator license applications #1 and 2. Upon vote, motion carried unanimously. Aldersperson Kneiszel moved, seconded by Aldersperson Boyd to approve regular operator license applications #1-6 and 8, and to table #7. Upon vote, motion carried unanimously.

23. Future Agenda Items. None.

Upon motion by Aldersperson Van Vonderen, seconded by Aldersperson Bauer, the Common Council adjourned at 10:55 p.m.

Respectfully submitted,
Vicki L. Scray, Deputy Clerk