Common Council

Regular Meeting

335 South Broadway

De Pere, WI 54115

http://www.de-pere.org

Minutes

Tuesday, January 6, 2015 **7:30 PM** **De Pere City Hall Council Chambers**

1. Call to order. The Common Council Meeting was called to order on January 6, 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	Alderperson	Present	
James Boyd	Alderperson	Excused	
Scott Crevier	Alderperson	Present	
Michael Donovan	Alderperson	Present	
Jim Kneiszel	Alderperson	Present	
Larry Lueck	Alderperson	Present	
Dean Raasch	Alderperson	Present	
Lisa Rafferty	Alderperson	Present	

2. Pledge of allegiance to the Flag. At this time, the Mayor announced Boy Scouts Nick Demoulin and Jake Dorsch and asked them to lead the Pledge of Allegiance.

3. Approval of the Minutes of the December 16, 2014 Common Council Meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

4. Public comment upon matters not on the agenda or other announcements. At this time, Chrystal Woller, the City Health Department Director, came forward to introduce our new City Sanitarian Dale Schmidt.

5. Recommendation from the Board of Park Commissioners to consider the Old Bridge Approach location to become part of the De Pere Park System.

   Alderperson Crevier moved, seconded by Alderperson Raasch to open the meeting. Upon vote, motion carried unanimously. Jennifer Johnson came forward and spoke in support of the recommendation. Ruth Ann Reynen came forward and spoke in support of the recommendation. Alderperson Crevier moved, seconded by Alderperson Raasch to close the meeting. Upon vote, motion carried unanimously.

   Discussion followed regarding the designation of the location to the park system. City Attorney Judy Schmidt-Lehman explained that a resolution will come forward at the next Council meeting to designate the property as part of the De Pere Park System.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

6. Recommendation from the Board of Park Commissioners to accept a $260 donation from De Pere Area Men's Club to Recreation Scholarship Program.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

7. Recommendation from the License Committee to Approve an Application for Change of Agent for the Landing Bar & Grill, LLC.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Kevin Bauer, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

8. Recommendation from the Plan Commission to approve the CSM Application for a single lot and single outlot CSM in the City of De Pere on Heritage Road. Applicant: City of De Pere.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

A. Resolution #15-02, Authorizing Transfer of Property to Flex, LLC.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

9. Ordinance #15-01 (Formerly Ordinance #14-19), Repealing and Recreating Chapter 106 De Pere Municipal Code Regarding Licenses and Permits and Related Ordinance Revisions (Second Reading).

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Bauer, Crevier, Donovan, Lueck, Raasch, Rafferty
NAYS:	Jim Kneiszel
EXCUSED:	James Boyd

10. Ordinance #15-02, Amending §106-6(a)(2)B De Pere Municipal Code Regarding Sidewalk Cafe Permits.

    The Council discussed the ordinance with Health Director Chrystal Woller. She explained that the ordinance prohibits smoking in outdoor cafes unless the business owner establishes a part of the outdoor cafe as a smoking area. Discussion followed.

RESULT:	**DEFEATED [3 TO 4]**
MOVER:	Jim Kneiszel, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Michael Donovan, Jim Kneiszel, Larry Lueck
NAYS:	Kevin Bauer, Scott Crevier, Dean Raasch, Lisa Rafferty
EXCUSED:	James Boyd

11. Ordinance #15-03 (Formerly Ordinance #14-18), Rezoning Certain Property (Parcels WD-52, WD-59 and Part of WD-60) (Tabled at 12-16-14 Council meeting).

    Alderperson Donovan moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Bryan Vander Bloomen addressed the Council and asked if the City would be willing to work with him on addressing the noise from bands. Discussion followed. Kevin McDonell, Vice President of CommonWealth, discussed the building plans with the Council. Alderperson Raasch moved, seconded by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Upon vote on the ordinance, motion carried 6-1 with Alderperson Bauer voting nay. A second reading of the ordinance is required.

RESULT:	**SECOND READING REQUIRED [6 TO 1]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
NAYS:	Kevin Bauer
EXCUSED:	James Boyd

12. Ordinance #15-04, Amending §146-8 De Pere Municipal Code Regarding Lot Line Noise Regulation. (The Mayor moved items 12, 13, and 14 before item 11 on the agenda.)

    City Sanitarian Dale Schmit addressed questions from the Council regarding outdoor noise and decibel levels. Discussion followed. Upon vote on the ordinance, motion carried 6-1 with Alderperson Bauer voting nay. A second reading of the ordinance is required.

RESULT:	**SECOND READING REQUIRED [6 TO 1]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
NAYS:	Kevin Bauer
EXCUSED:	James Boyd

13. Ordinance #15-05, Amending §106-6 De Pere Municipal Code Regarding Special Variance Permit for Noise Ordinance Exceedance.

    Upon vote on the ordinance, motion carried 5-2 with Alderpersons Bauer and Raasch voting nay. A second reading of the ordinance is required.

RESULT:	**SECOND READING REQUIRED [5 TO 2]**
MOVER:	Dean Raasch, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Crevier, Donovan, Kneiszel, Lueck, Rafferty
NAYS:	Kevin Bauer, Dean Raasch
EXCUSED:	James Boyd

14. Resolution #15-01, Setting Fee for Special Variance Permit for Noise Ordinance Exceedance.

RESULT:	**ADOPTED [6 TO 1]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Jim Kneiszel, Alderperson
AYES:	Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
NAYS:	Kevin Bauer
EXCUSED:	James Boyd

15. Resolution #15-03, Authorizing Mutual Release Agreement Between the City of De Pere and the West De Pere School District (Southwest Park Six Acre Parcel).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Crevier, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

16. Resolution #15-04, Authorizing Agreement for Consultant Services Between the City of De Pere and Ayres Associates Inc (Dog Park Wetland Permit).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Kevin Bauer, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

17. Resolution #15-05, Authorizing Street Name Change (Renkins Court to Renkens Court).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

18. Voucher Approval.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dean Raasch, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Bauer, Crevier, Donovan, Kneiszel, Lueck, Raasch, Rafferty
EXCUSED:	James Boyd

19. Operator License Applications.

CITY OF DE PERE - JANUARY 6, 2015

ITEM	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License Applications					
1	ARTERBURN, KATIE E.	4220 OAKDALE	SUAMICO	WI	54313
2	JACOBSON, DOUGLAS L.	1358 LAWE ST.	GREEN BAY	WI	54302
3	LARSON, BRIANNA C.	1427 RUSK ST.	DE PERE	WI	54115
4	PUES, SAMANTHA J.	W7051 WILLOW RD.	SHIOCTON	WI	54170
Referred Back to License Committee by Common Council					
1	WETTEMANN, COURTNEY	1171 GRANT ST.	DE PERE	WI	54115
New Operator License Applications for the 2014-2016 Licensing Period					
1	BAETEN, AMY J.	862 SUBURBAN DR.	DE PERE	WI	54115
2	BENZ, BROOKE E.	330 14TH AVE.	GREEN BAY	WI	54303
3	DONHAM, BOBBI JO	1626 WINDSOR DR., APT. 3	GREEN BAY	WI	54302
4	FALKNER, JACKLYN M.	1371 PONDERESA AVE.	GREEN BAY	WI	54313
5	GAUTHIER, EMILY K.	2245 SWANSTONE CIR.	DE PERE	WI	54115
6	JACKSON, JILLAINE N.	810 4TH ST.	DE PERE	WI	54115
7	LEE, ANNTONIA R.	1945 TERRY LN.	DE PERE	WI	54115
8	LICHTTENEGGER, DEREK A.	2074 EAST VISTA CIR.	DE PERE	WI	54115
9	LIBERTY, WILLIAM F.	642 1/2 GRANT ST.	DE PERE	WI	54115
10	MALY, SANDRA L.	5412 CHURCH ST.	NEW FRANKEN	WI	54229
11	MICHELL, VICTORIA L.	2761 HUMBOLDT RD.	GREEN BAY	WI	54311
12	REINCE, CLARISSA M.	2681 HUMBOLDT RD.	GREEN BAY	WI	54311
13	SHAW, CHRISTIE L.	233 N. BROADWAY ST.	DE PERE	WI	54115

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

Alderperson Bauer moved, seconded by Alderperson Raasch to approve Operator License Application for Courtney Wettemann. Upon vote, motion carried unanimously.

Alderperson Bauer moved, seconded by Alderperson Raasch to table Operator License Applications #1, 3, and 4 and to approve Operator License Applications #2 and 5-13. Upon vote, motion carried unanimously.

20. Future agenda items. None.

21. Adjournment. Alderperson Crevier moved, seconded by Alderperson Rafferty to close the meeting at 9:12 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Defnet, Clerk-Treasurer