



Common Council

Regular Meeting

335 South Broadway
De Pere, WI 54115
www.deperewi.gov

Agenda

Wednesday, April 2, 2025

7:30 PM

Council Chambers and Virtual

Pursuant to Wisconsin Statute 19.84, Notice is hereby given to the public that a meeting of the **Common Council** of the City of De Pere will be held on **April 2, 2025** at **7:30 PM** in the **COUNCIL CHAMBERS, 2ND FLOOR CITY HALL, 335 S. BROADWAY STREET. DE PERE.**

The Public or Members of the Common Council, which may count toward an official quorum, may attend the meeting either in person in the Council Chambers or telephonically or electronically via video conferencing or other appropriate technological means. Telephonic or electronic access to the meeting is provided below:

Computer/smart phone accessing <https://www.gotomeet.me/DePere>

OR

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3117](tel:+13127573117)

Access Code: 154-883-285

This meeting may also be rebroadcast on TV throughout the week and available on demand at <https://deperewi.portal.civicclerk.com/>.

I. Call to Order

1. Roll Call
2. Pledge of Allegiance to the Flag.
3. Approval of the minutes of the March 18, 2025 Common Council meeting.
4. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Common Council. §6-3(f) DPMC
5. Welcome City Manager, Kim Flom.
6. Recommendation from the Board of Park Commissioners to Accept a \$2,500 Donation from Greta Johnson for Replacement of Chairs in Upper- Level Meeting Rooms at Community Center.

7. Recommendation from the Board of Park Commissioners to Accept a \$2,500 Donation from Greta Johnson for Recreation Scholarship Fund.
8. Recommendation from the Board of Park Commissioners to Accept Durr Systems Inc.'s Donation of \$1,500 for Individual Sponsorship of June 17 & July 22, 2025 Beer Garden Events.
9. Recommendation from the Board of Park Commissioners to Accept Hockers Home Services' Donation of \$1,500 as an Individual Sponsor for July 8 & 29, 2025 Beer Garden Events.
10. Recommendation from the Board of Park Commissioners to Approve ATC Performing Transmission Line Work in Voyageur Park and Approve Signature of Permits Required for the Work.
11. Recommendation from the Historic Preservation Commission to Approve Changing the Local Historic Designation Status from "Historic Site" to "Historic Structure" at 403 N Broadway ST (Parcel ED-752).
12. Recommendation from Plan Commission to Approve a 10-Lot Extraterritorial Preliminary Plat of Grande Ridge Estates Second Addition at 3400 BLK Heritage RD in Ledgeview (Part of Parcels D-450-1, D-450-2).
13. Recommendation from Plan Commission to Approve a 2-Lot CSM at 2257 American BL (Parcel WD-1371).
14. Resolution #25-37 Approving Termination and Mutual Release of Development Agreement with F.B.S. Investment Group L.L.C. and Authorizing Option to Purchase with Right of First Refusal at 2257 American BL (Parcel WD-1371).

II. Future Agenda Items

III. Adjournment

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk's office at 339-4050 by Noon, the previous day so that arrangements can be made.

Agenda Sent To:

Alderspersons
City Manager
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce



City of De Pere, Wisconsin

I.3

Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT:
FROM:
SUBJECT: Approval of the minutes of the March 18, 2025 Common Council meeting.
RECOMMENDED ACTION:

ATTACHMENTS:
3-18-25 Common Council minutes_draft



Common Council

Regular Meeting

Draft Minutes

335 South Broadway
De Pere, WI 54115
www.deperewi.gov

Tuesday, March 18, 2025

7:30 PM

Council Chambers/Virtual

I Call to Order

1. Roll Call

Present: Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Amy Kunding, Shana Ledvina, Devin Perock, John Quigley, James Boyd

2. Pledge of Allegiance to the Flag.

3. Approval of the minutes of the March 4, 2025 Common Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	Devin Perock
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

4. Public Hearing to act on a request for a Zoning Map Amendment from PI-1 PDD (Neighborhood Public & Institutional District with a Planned Development District Overlay) to GX1 (Office-Residential Mix District) at 420-436 College AV, and from PI-1 PDD (Neighborhood Public & Institutional District with a Planned Development District Overlay) to PI-1 (Public & Institutional District) at 405-410 Grant ST, 419 Grant ST, and 400 BLK Grant ST (Parcels WD-657, WD-646, WD-646-1, WD-649-1).

A. Notice of Public Hearing.

The notice was published in the Press Times on February 28 and March 7, 2025.

B. Recommendation from Plan Commission.

Mayor Boyd declared the public hearing open but no one wished to speak, so he declared the hearing closed.

- C. Ordinance #25-02 Approving Zoning Map Amendments (420-436 College Avenue, 405-410 Grant Street, 419 Grant Street and 400 Block Grant Street).

RESULT:	ADOPTED BY ROLL CALL VOTE [8 - 0]
MOVER:	James Boyd
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd
ABSTAIN:	Amy Kunderinger

5. Public Hearing to act on a request to approve a Zoning Map Amendment from PI-1 PDD (Neighborhood Public & Institutional District with a Planned Development District Overlay) to PI-1 (Public & Institutional District) at 409 N Broadway ST (Parcel ED-751).

- A. Notice of Public Hearing.

The notice was published in the Press Times on February 28 and March 7, 2025.

- B. Recommendation from Plan Commission.

Mayor Boyd declared the public hearing open; no one wished to speak so he declared the hearing closed.

- C. Ordinance #25-03 Approving Zoning Map Amendment for 409 North Broadway Street.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Jonathon Hansen
SECONDER:	Shana Ledvina
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunderinger

6. Public comment upon matters not on the agenda. Comments made during the public comment period shall pertain only to matters under the jurisdiction of the Common Council. §6-3(f) DPMC

None.

7. Municipal Commendation in Appreciation and Gratitude to Larry Delo for 22 Years of Service as City Administrator/Manager of De Pere.

8. Recommendation from the Board of Park Commissioners to Approve Kay Distributing as Beer Distributor for 2025 Beer Gardens.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	James Boyd
SECONDER:	Dan Carpenter
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

9. Recommendation from the Board of Park Commissioners to Approve Adding Voyageur Park as a Summer Meal Program Location on the East Side.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devin Perock
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

10. Recommendation from the Board of Park Commissioners to Approve the Park Naming and Re-Naming Policy.

Parks Director Marty Kosobucki answered questions about the possibility of allowing large donors to name a park.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Quigley
SECONDER:	Shana Ledvina
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

11. Recommendation from the Board of Park Commissioners to Approve Waiving the Fees for the Celebrate De Pere Committee for the Use of the Nelson Family Pavilion for Celebrate De Pere.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	James Boyd
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

12. Recommendation from the Finance/Personnel Committee on the Current Balance of Excess Stadium Tax Funds.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Jonathon Hansen
SECONDER:	Devin Perock
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

13. Recommendation from the Finance/Personnel Committee to Discontinue the Ash Tree Replacement Program Due to the NEW Tree Grant Being Put on Hold.

Parks Director Marty Kosobucki explained that he would be uneasy asking residents to pay the full amount while the program is paused while hoping for reimbursement at a future time. Staff will inform residents that they can still purchase a tree at the discounted price, and will provide a copy of the letter to council members in case they get questions from residents.

RESULT:	DISCONTINUANCE APPROVED [UNANIMOUS]
MOVER:	James Boyd
SECONDER:	Devin Perock
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

14. Recommendation from the Finance/Personnel Committee to Allow Tactical Emergency Medical Services (TEMS) Medics to Utilize Firearms When Deployed on SWAT Team.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Devin Perock
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

15. Recommendation from the Finance/Personnel Committee to Award Project 24-21 for Fire Station Storage Shed to RJM Construction LLC in the amount of \$197,900.00 and Increase Bonding for the Project by an Additional \$68,000.00.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Devin Perock
SECONDER:	Shana Ledvina
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

16. Recommendation from the Board of Public Works on Policy for Installation of New Utility Service Lines to Vacant Lots.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	Shana Ledvina
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

17. Recommendation from the Board of Public Works on Award of Contract 25-01 Sewer and Water Relay and Street Resurfacing to Jossart Brothers, Inc in the Amount of \$1,798,868.90.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
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MOVER:	Jonathon Hansen
SECONDER:	John Quigley
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

18. Recommendation from the Board of Public Works on Award of Contract 25-03 Sewer Lining to Visu-Sewer, LLC in the Amount of \$530,264.00.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	James Boyd
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

19. Recommendation from the Board of Public Works on Award of Contract 25-15 Sewer Televising to Speedy Clean, Inc in the Amount of \$57,280.00.

RESULT:	APPROVED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Devin Perock
SECONDER:	Dan Carpenter
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

20. Recommendation from the Sustainability Commission to Approve Operating 2025 Farmers Market Sustainability Booth.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Pamela Gantz
SECONDER:	John Quigley
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

21. Recommendation from the License Committee on an application for a Class "B" Fermented Malt Beverage and "Class B" Intoxicating Liquor License for Dina Duarte-Reyes LLC (DBA El Bistro Taco), 400 Reid St Suite M. Agent: Dina Duarte-Reyes, Green Bay, WI.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

22. Resolution #25-29 Supporting the Continuation of the Warren Knowles-Gaylord Nelson Stewardship Program.

Parks Director Marty Kosobucki explained that this request came from the state Park & Rec Association (WPRA). Signed copies of the resolution will be sent to local legislators and to the WPRA.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Jonathon Hansen
SECONDER:	Shana Ledvina
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

23. Resolution #25-30 Rescinding Resolution #25-19 and Authorizing Agreement with Suamico Trap, LLC (2025 Pond Trapping Services).

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	James Boyd
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

24. Resolution #25-31 Approving Annual Report Under Municipal Separate Storm Sewer System (MS4) Permit and its Submission to the Wisconsin Department of Natural Resources (DNR).

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	Devin Perock
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

25. Resolution #25-32 Authorizing Storm Water Line and Sanitary Sewer Easements (Fox River State Trail; ED-80-3).

Public Works Director Scott Thoresen reported that the county plans to resurface the trail this summer.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Shana Ledvina
SECONDER:	Devin Perock
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

26. Resolution #25-33 Rescinding Property Tax (Parcel ED-715-1).

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Dan Carpenter
SECONDER:	James Boyd

AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding
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27. Resolution #25-34 Establishing Non-Lapsing Funds as of December 31, 2024.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	James Boyd
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

28. Resolution #25-35 Approving Reclassification of Part-time Accountant Position to Assistant Finance Director Position Using Unassigned Reserves.

Aldersperson Ledvina pointed out a discrepancy in the staff memo as to why the part-time position was initially created. The memo states that a full-time position was requested several years ago, but that due to budget constraints it was only approved as an 18-hour per week position. In reality, the reason for the part-time position was to fill the gap created by the previous Clerk-Treasurer's request to reduce her hours to 80%. Human Resources Director Shannon Metzler concurred, but stated that the City's auditors had recommended through the years that the City should also have an assistant finance director position. Aldersperson Carpenter asked why this wasn't added to previous budgets if the auditors had recommended it. City Manager Larry Delo explained that the impetus for this request was the recent resignation of the part-time employee. He stated that the auditors recommended hiring a second accountant in order to create more checks and balances within the organization; he also noted that there has been a workload issue in general in the department due to City growth. Finance Director-Treasurer Pam Manley reported that the funding for the position is designed to be split as follows: 50% General Fund/25% Water Utility/25% Sewer Utility. The request for funding from unassigned reserves would cover the General Fund portion of the salary.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Amy Kunding
SECONDER:	John Quigley
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

29. Resolution #25-36 Authorizing Transfer of \$25,279.79 From Unassigned Reserves for Over-Hire of One Firefighter for 2024.

RESULT:	ADOPTED BY ROLL CALL VOTE [UNANIMOUS]
MOVER:	Devin Perock
SECONDER:	Pamela Gantz
AYES:	Dan Carpenter, Mike Eserkaln, Pamela Gantz, Jonathon Hansen, Shana Ledvina, Devin Perock, John Quigley, James Boyd, Amy Kunding

II Future Agenda Items

Aldersperson Hansen requested consideration of an additional security camera at Fox Point Boat Launch due to incidents of vandalism and graffiti. He also asked for a discussion on the City's food truck license fees. Both requests will go to a future Finance-Personnel Committee meeting.

III Adjournment

Mayor Boyd moved, seconded by Aldersperson Ledvina to adjourn the meeting at 8:18PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Administration
FROM: James Boyd, Mayor
SUBJECT: Welcome City Manager, Kim Flom.
RECOMMENDED ACTION:

The City of De Pere is pleased to announce that Kimberly Flom became its new City Manager on March 24, 2025. With 20 years of experience in local government and proven leadership, Flom is now officially at the helm, guiding our city on a path of continued growth and success. Flom succeeds Larry Delo, who retired after 22 years of dedicated service to the community.

Prior to joining De Pere, Flom served as the Assistant City Manager for the City of McKinney, Texas, since January 2020. In that role, she was responsible for 231 employees across several departments, including Development Services (Engineering, Planning, Code & Building), Housing and Community Development, and the Library System. She managed a combined annual operating budget of \$26.4 million, a housing and transit budget of \$3 million, and a capital budget of \$849 million. Additionally, she provided analytical support to the City Manager and Council, served as Acting City Manager when assigned, and engaged with various community stakeholders.

Flom is no stranger to De Pere. She previously served as the Development Services Director from 2015 to 2019, where she worked closely with the City Administrator and Common Council on policy development and implementation. During her tenure, she led the De Pere Visioning and Branding initiative, managed business park property sales, and negotiated TIF agreements that resulted in over \$25 million in private investment.

Her experience also includes roles as the Planning & Community Development Director for the City of Green Bay from 2014 to 2015 and the Development Services Assistant Director for the Village of Orland Park, Illinois, from 2011 to 2014.

The City of De Pere is confident that Flom's strong leadership skills, strategic vision, and deep understanding of the community's values will contribute to the city's continued growth and vitality.

ATTACHMENTS:
None



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Parks, Recreation & Forestry
FROM: Marty Kosobucki, Parks, Recreation and Forestry Director
SUBJECT: Recommendation from the Board of Park Commissioners to Accept a \$2,500 Donation from Greta Johnson for Replacement of Chairs in Upper- Level Meeting Rooms at Community Center.
RECOMMENDED ACTION: Staff recommends accepting the donation

The Board of Park Commissioners, at the March 27, 2025 meeting, approved accepting a \$2,500 donation from Greta Johnson for replacement chairs in the upper level meeting rooms at the Community Center. The motion was approved unanimously with a 6-0 vote.

ATTACHMENTS:
Greta Johnson Donation - Replacement of Chairs 3.25

CITY OF DE PERE

Community Center

600 Grant Street, De Pere, WI 54115 | 920-339-4097 | www.de-pere.org



TO: Board of Park Commissioners
FROM: Paula Rahn, Recreation Superintendent
DATE: March 18, 2025
RE: Consideration & Possible Action to Approve \$1,000 from Greta Johnson towards chairs/tables for Community Center meeting rooms and foyer

Staff is requesting the Board of Park Commissioner's approval to accept a generous donation of \$2,500 from Greta Johnson towards the replacement of chairs in our upper-level meeting rooms at the Community Center. Ms. Johnson has already donated \$1,000 in November 2024 towards this project which we are extremely grateful. We are genuinely appreciative of all the support that Ms. Johnson has given to our department for various projects and towards the Recreation Scholarship Fund over the years and are truly thankful for this additional contribution.

Thank you for your time and consideration.

Donation Information:

From: Greta Johnson

1301 Franklin St.

De Pere, WI 54115

To: De Pere Community Center

For: Replacement of Chairs in Meeting Rms. at Community Center

Amount: \$2,500



City of De Pere, Wisconsin

I.7

Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Parks, Recreation & Forestry
FROM: Marty Kosobucki, Parks, Recreation and Forestry Director
SUBJECT: Recommendation from the Board of Park Commissioners to Accept a \$2,500 Donation from Greta Johnson for Recreation Scholarship Fund.
RECOMMENDED ACTION: Staff recommends accepting the donation

The Board of Park Commissioners, at the March 27, 2025 meeting, approved accepting a \$2,500 donation from Greta Johnson for the Recreation Scholarship Fund. The motion was approved unanimously by a 6-0 vote.

ATTACHMENTS:
Rec Scholarship 2025 - Greta Johnson

CITY OF DE PERE

Community Center

600 Grant Street, De Pere, WI 54115 | 920-339-4097 | www.de-pere.org



TO: Board of Park Commissioners
FROM: Paula Rahn, Recreation Superintendent
DATE: March 18, 2025
RE: Consideration & Possible Action to Approve \$2,500 from Greta Johnson to the Recreation Scholarship Fund

Staff is requesting the Board of Park Commissioner's approval to accept a generous donation of \$2,500 from Greta Johnson to the Recreation Scholarship Fund. Ms. Johnson has graciously donated the same amount for the past six years. We are truly appreciative of her continued support.

Through 2024, the Recreation Scholarship Fund awarded 553 scholarships to families in need. Our current balance in the account is \$51,502.14.

Thank you for your time and consideration.

Donation Information:

From: Greta Johnson

1301 Franklin St.

De Pere, WI 54115

To: De Pere Parks & Recreation Department

For: Recreation Scholarship Fund

Amount: \$2,500



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Parks, Recreation & Forestry
FROM: Marty Kosobucki, Parks, Recreation and Forestry Director
SUBJECT: Recommendation from the Board of Park Commissioners to Accept Durr Systems Inc.'s Donation of \$1,500 for Individual Sponsorship of June 17 & July 22, 2025 Beer Garden Events.
RECOMMENDED ACTION: Staff recommends accepting the donation for the two individual beer garden event sponsorships

The Board of Park Commissioners, at the March 27, 2025 meeting, approved accepting Durr System Inc's donation of \$1,500 for individual sponsorship of the June 17 and July 22, 2025 beer garden events. The motion was approved unanimously with a 6-0 vote.

ATTACHMENTS:

Beer Gardens Durr Systems Inc 6.17.25-7.22.25

CITY OF DE PERE

Community Center

600 Grant Street, De Pere, WI 54115 | 920-339-4097 | www.de-pere.org



TO: Board of Park Commissioners
FROM: Paula Rahn, Recreation Superintendent
DATE: February 24, 2025
RE: Consideration to accept a \$1500 donation from Dürr Systems Inc. for the June 17th & July 22nd Individual Sponsorship of the De Pere Beer Gardens

Staff is requesting the Board of Park Commissioner's approval to accept a \$1,500 donation from Dürr Systems Inc. for an individual sponsorship of two dates of our Beer Garden events at the Nelson Pavilion in Voyageur Park – June 17 & July 22, 2025. An individual sponsor would be listed in all social media posts and other electronic marketing specific to that event along with signage at the event.

Dürr Systems Inc. has been a wonderful partner over the years and has been an individual sponsor of the Beer Gardens since 2022. They are extremely easy and fun to work with! Dürr Systems Inc. provides additional volunteers (in festive shirts) to work the beer tent as well as provide swag to beer garden patrons. They also do a fabulous and do a great job at promoting the events at their business while encouraging workers to attend the events. We are extremely pleased to have Dürr Systems Inc. return as one of our individual sponsors again this year and look forward to their partnership in helping make the Beer Gardens a tremendous success!

Thank you for your time and consideration.

Donation Information:

From: Dürr Systems, Inc.
c/o Rodney Schwartz, Vicky Brittnacher
830 Prosper Street
De Pere, WI 54115

To: De Pere Parks & Recreation Department
For: Individual Sponsorship for June 17 & July 22 Beer Garden Events
Amount: \$1,500 (2 dates @ \$750 ea.)



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Parks, Recreation & Forestry
FROM: Marty Kosobucki, Parks, Recreation and Forestry Director
SUBJECT: Recommendation from the Board of Park Commissioners to Accept Hockers Home Services' Donation of \$1,500 as an Individual Sponsor for July 8 & 29, 2025 Beer Garden Events.
RECOMMENDED ACTION: Staff recommends accepting the donation from Hockers Home Services

The Board of Park Commissioners, at the March 27, 2025 meeting, approved accepting Hockers Home Services/ donation of \$1,500 for individual event sponsorship for the July 8 and July 29, 2025 beer garden events. The motion was approved unanimously with a 6-0 vote.

ATTACHMENTS:

Beer Gardens Hockers Home Services Sponsorship 7.8.25-7.29.25

CITY OF DE PERE

Community Center

600 Grant Street, De Pere, WI 54115 | 920-339-4097 | www.de-pere.org



TO: Board of Park Commissioners

FROM: Paula Rahn, Recreation Superintendent

DATE: March 13, 2025

RE: Consideration to accept a \$1500 donation from Hockers Home Services for the Individual Sponsor of De Pere Beer Gardens on July 8th & July 29th

Staff is requesting the Board of Park Commissioner's approval to accept a \$1500 donation from Hockers Home Services to be an individual sponsor of our July 8 and July 29, 2025 Beer Garden events at the Nelson Family Pavilion in Voyageur Park. An individual sponsor would be listed in all social media posts and other electronic marketing specific to that event along with signage at the event.

We are excited to have Hockers Home Services as a first-time sponsor for this great community event and look forward to their partnership in helping make the Beer Gardens a tremendous success!

Donation Information:

From: Hockers Home Services
c/o Tanya Young, Community Engagement Manager
2045 Profit Place
De Pere, WI 54115

To: De Pere Parks & Recreation Department

For: Individual Sponsorship for July 8 & 29, 2025 Beer Garden Events

Amount: \$1500



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Parks, Recreation & Forestry
FROM: Marty Kosobucki, Parks, Recreation and Forestry Director
SUBJECT: Recommendation from the Board of Park Commissioners to Approve
ATC Performing Transmission Line Work in Voyageur Park and
Approve Signature of Permits Required for the Work.
RECOMMENDED ACTION: Staff recommends approval of the permits for ATC

The Board of Park Commissioners, at the March 27, 2025 meeting, approved ATC performing work at Voyageur Park and the required permits to perform the work. The motion passed unanimously with a 6-0 vote.

ATTACHMENTS:

Cover memo.ATC Landfill permit, ATC Permit for Development at Historic Fill Site or Licensed, State of Wisconsin

CITY OF DE PERE MEMO



To: Board of Park Commissioners
From: Marty Kosobucki
Director of Parks, Recreation and Forestry
Date: March 20, 2025

RE: Consideration and Possible Action to Approve ATC to Perform Work in Voyageur Park and
Approve Signature of Permits Required for the Work.

ATC is requesting to work on their transmission lines in Voyageur Park this spring. Some of their lines fall within the scope of the registered landfill area in Voyageur Park. As part of their work, they are required to complete a permit with the WDNR that allows them to perform the work within the landfill. As owners of the site, the permit is seeking signatures from the City. Our legal team has reviewed the documents and does not have any concern with signing the permits.

Staff Recommendation: Approve ATC work within Voyageur Park for transmission lines and recommend signatures to WDNR permit for working within the landfill for ATC.

Development at Historic Fill Site or Licensed
Landfill Exemption Application

Form 4400-226 (R 05/16)

Page 2 of 6

III. Site Ownership History

Previous Owner - Last Name	First	MI	Telephone Number	
City of De Pere			(920) 339-4050	
Street Address	City	State	ZIP Code	
333 South Broadway	De Pere	WI	54115	
Responsible Municipal / Private Operator - Last Name (if applicable)	First	MI	Telephone Number	
Kosobucki	Marty			
Street Address	City	State	ZIP Code	
333 South Broadway	De Pere	WI	54115	

IV. Evaluation of Existing and Potential Impacts. See Development at Historic Fill Sites and Licensed Landfill: Guidance for Investigation and Development at Historic Fill Sites and Licensed Landfill: Potential Problems and Considerations.

- A. Analytical data for the following media have been collected and/or examined before completing this application:
1. Groundwater: ☒ Yes ☐ No
 2. Soil: ☒ Yes ☐ No
 3. Surface water / sediment: ☐ Yes ☐ No
 4. Air: ☐ Yes ☐ No
 5. Methane or other explosive gases: ☐ Yes ☐ No
- B. Based on known or suspected sources and wastes, their physical characteristics, containment and geologic environment, do you suspect a release of pollutants to the environment?
- ☐ Yes: ☐ Groundwater ☐ Soil ☐ Surface Water / Sediment ☐ Methane or Other Explosive Gases
- ☒ No
- C. If there is NOT a likelihood of a release of pollutants or evidence of a release, would the impact of the proposed development be likely to cause a release to the environment?
- ☐ Yes: If yes, be sure to summarize actions to be taken to prevent adverse environmental impacts in V. Part C below.
- ☒ No

V. Summary of Existing and Potential Impacts. See Development at Historic Fill Sites and Licensed Landfill: Guidance for Investigation and Development at Historic Fill Sites and Licensed Landfill: Potential Problems and Considerations.

Describe the following in an attached narrative under the signature of a qualified professional. Organize, label and package as listed below.

- A. Existing Site Conditions
1. existing site conditions including waste types,
 2. potential for impacts, and
 3. evaluation of existing impacts.
- B. Proposed Development Summary. Include explanation for overall site decision.
- C. Summary of actions to be taken and engineering controls that will prevent or minimize adverse environmental impacts and potential threats to human health and welfare, including worker safety.

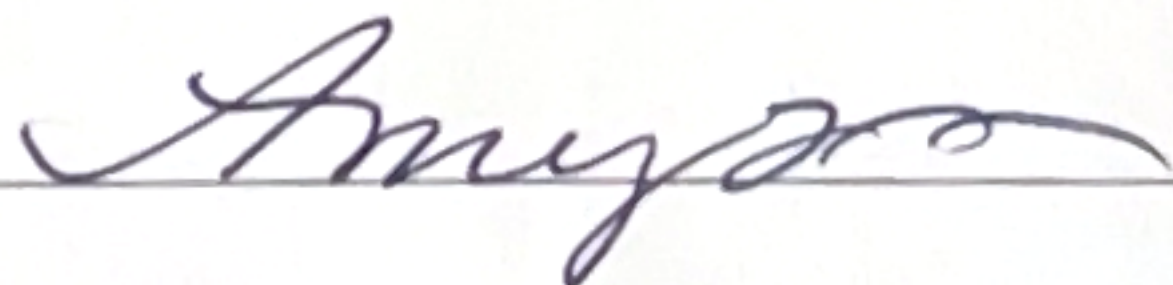
VI. Certification of Application Information

I certify that information in this application and all its attachments is true and correct and in conformity with applicable Wis. statutes.

Print / Type Name of Applicant

ATC - Amy Lee / Principal Environmental & Regulatory Advisor

Applicant Signature



Date Signed

3/17/25

**Development at Historic Fill Site or Licensed Landfill
Expedited Exemption Application**
Form 4400-226A (R 05/21)

Notice: This form and Form 4400-226 are required to apply for an expedited exemption to develop at a historic fill site or licensed landfill pursuant to ss. NR 506.085 and NR 500.08(4), Wis. Adm. Code. This form may only be used for landfill sites with no environmental impact. The Department will not consider your application unless you provide complete information requested. Personally identifiable information collected will be used to process your application and will also be accessible by request under Wisconsin's Public Records law [ss. 19.31 - 19.39, Wis. Stats.]

Environmental Professional Evaluation

Professional Engineer or Geologist - Last Name	First	MI	Telephone Number (incl. area code)	
Address		City	State	ZIP Code

I am a professional engineer or professional geologist or hydrologist registered to practice in Wisconsin and am qualified by training and experience to evaluate the potential for soil and groundwater contamination and the migration and concentration of explosive or toxic gases to occur from the disposal of solid waste.

I have evaluated the proposal described in this document for development on a property where solid waste has been disposed and it is my professional opinion that it is unlikely that "environmental pollution" exists or that there has been a significant "discharge" of a "hazardous substance" at the property (as these terms are defined in s. 292.01, Wis. Stats.). It is also my professional opinion that the development of the property as described in this document will not cause or exacerbate an exceedance of any applicable soil or groundwater standard and will not cause a significant increase in risk due to the migration or concentration of explosive or toxic gasses or cause any other significant risk to public health, safety or welfare or the environment.

My professional opinion is given to a reasonable degree of professional certainty, and is based upon my evaluation of reasonable and sufficient information and generally accepted engineering and scientific practices.

Signature	Date Signed	Wisconsin Registration Number
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Site Owner and Developer Certification

Property Owner - Last Name	First	MI	Telephone Number (incl. area code)	
City of De Pere			(920) 339-4050	
Address		City	State	ZIP Code
335 South Broadway		De Pere	WI	54115
Developer - Last Name	First	MI	Telephone Number (incl. area code)	
ATC			(608) 877-3670	
Address		City	State	ZIP Code
2489 Rinden Road		Cottage Grove	WI	53527

I certify that I have read the DNR publication, *Development at Historic Fill Sites and Licensed Landfills: Considerations and Potential Problems* (PUB-RR-685), and understand the potential environmental, health and safety risks if the development of the property is not compatible with the waste disposed at the site.

I also understand that future decisions regarding the use of the property must consider whether those changes will create an adverse environmental impact and that activities causing a significant threat to public health, safety, or welfare are prohibited under s. 289.46(2), Wis. Stats. This exemption application and any exemption related to this document that is issued by the Department transfers to any future purchaser of this property.

Owner Signature _____ Date Signed _____

Developer Signature Amy 2022 Date Signed 3/17/25



City of De Pere, Wisconsin

I.11

Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Development Services
FROM: Peter Schleinz, City Planner/Zoning Administrator
SUBJECT: Recommendation from the Historic Preservation Commission to Approve Changing the Local Historic Designation Status from “Historic Site” to “Historic Structure” at 403 N Broadway ST (Parcel ED-752).
RECOMMENDED ACTION: On March 24, 2025, the Historic Preservation Commission recommended approval by a vote of 4-0 with 2 members abstaining due to being De Pere Historical Society Board members.

ATTACHMENTS:
Memo to CC

CITY OF DE PERE MEMO



To: James Boyd, Mayor
Common Council Members

From: Peter Schleinz, Senior Planner | Zoning Administrator

Date: April 2, 2025

RE: **Recommendation from the Historic Preservation Commission to approve changing the local historic designation status from “historic site” to “historic structure” at 403 N Broadway ST (Parcel ED-752).**

Summary

On November 17, 2014, the entire property at 403 N Broadway ST, known as White Pillars, was locally designated as a “historic site” by the Historic Preservation Commission. The historic site is located within the North Broadway Street Historic District. The De Pere Historical Society submitted the following individual requests to the City of De Pere and Brown County:

- On November 14, 2025, a *Parcel Combination* was submitted for Brown County review to combine two parcels at 403-409 N Broadway ST.
- On January 6, 2025, a *Site Plan* was submitted for staff review to construct a new parking lot and a new building that encloses the remaining portion of the White Pillars building at 403-409 N Broadway ST.
- On January 31, 2025, a *Zoning Map Amendment* was submitted for Plan Commission and Common Council Review to remove an outdated Planned Development District overlay at 409 N Broadway ST.
- On February 12, 2025, a *Certificate of Appropriateness* was submitted for Historic Preservation Commission Review to permanently remove the west end of the White Pillars building, and to relocate the remaining east end.
- On February 20, 2025, **a change for a local historic designation** was submitted for Historic Preservation Commission and Common Council review to change the local historic status from ‘historic site’ to historic structure’ for the remaining, relocated White Pillars building.

If all of the above items are approved, the local historic site boundary for the original site of 403 N Broadway would change to identify the remaining, relocated White Pillars building at 403 N Broadway ST. If approved, future requests for certificates of appropriateness will be required only for the remaining portion of the historic building; a certificate of appropriateness will not be required for the proposed new additions to the property that can be found in the site plan.

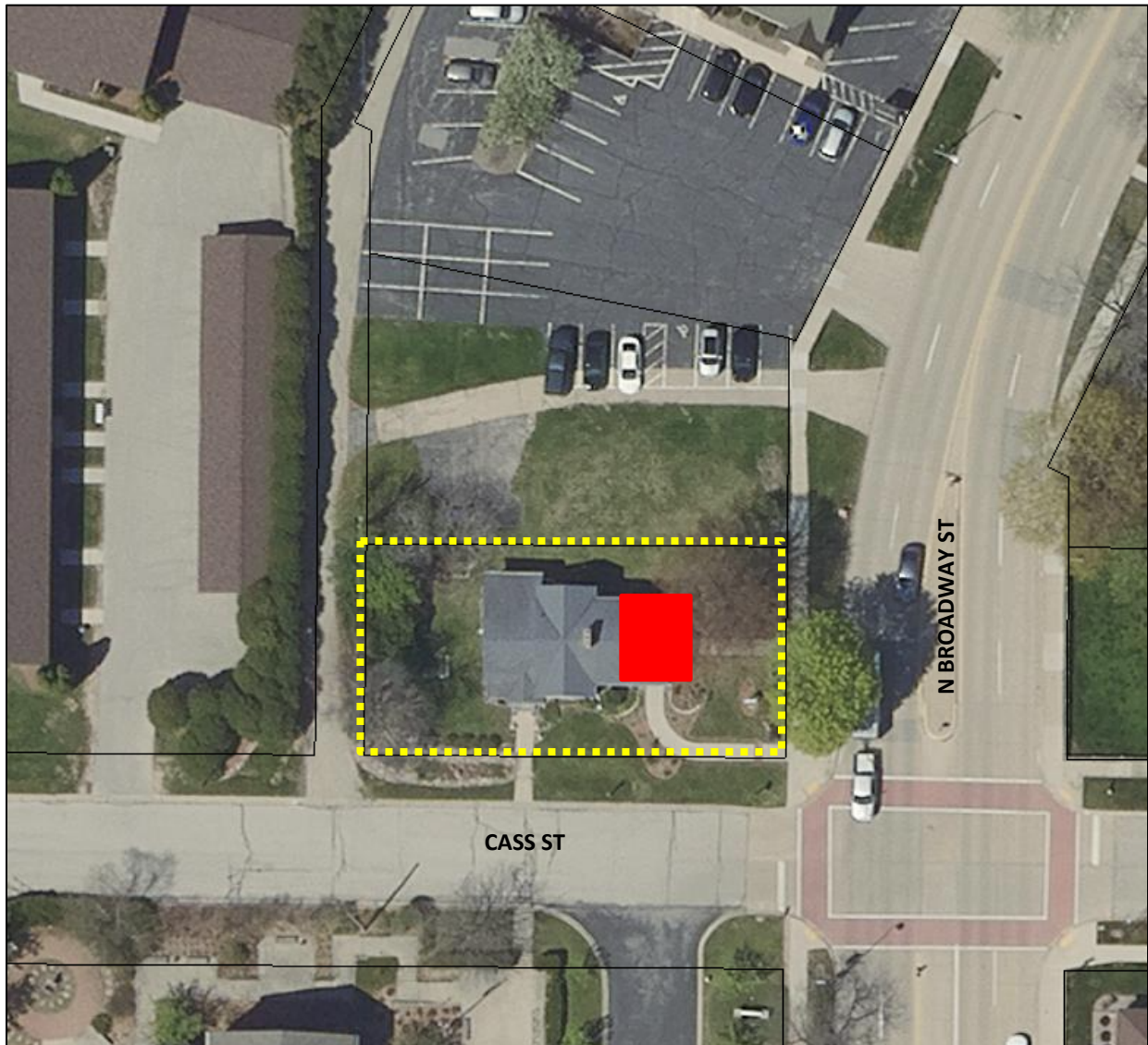
Local Historic Destination Steps

To prepare for the Historic Preservation Commission review, staff published a Class 1 (10 day) public hearing notice, notices for the property owner and property owners within 100-feet, and notices for Department of Public Works, Redevelopment Authority (Chair), Parks Department, Fire Department, Police Department, Health Department, Development Services (Inspection Division), and Plan Commission (Chair). The Historic Preservation Commission held the public hearing on March 24, 2025.

Historic Preservation Commission Recommendation

On March 24, 2025, the Historic Preservation Commission recommended approval by a vote of 4-0 with 2 members abstaining due to being De Pere Historical Society Board members.

Proposed Change in Historic Status
from
Locally Designated Historic Site (yellow outline)
to
Locally Designated Historic Structure (red polygon)





Request for Common Council Action

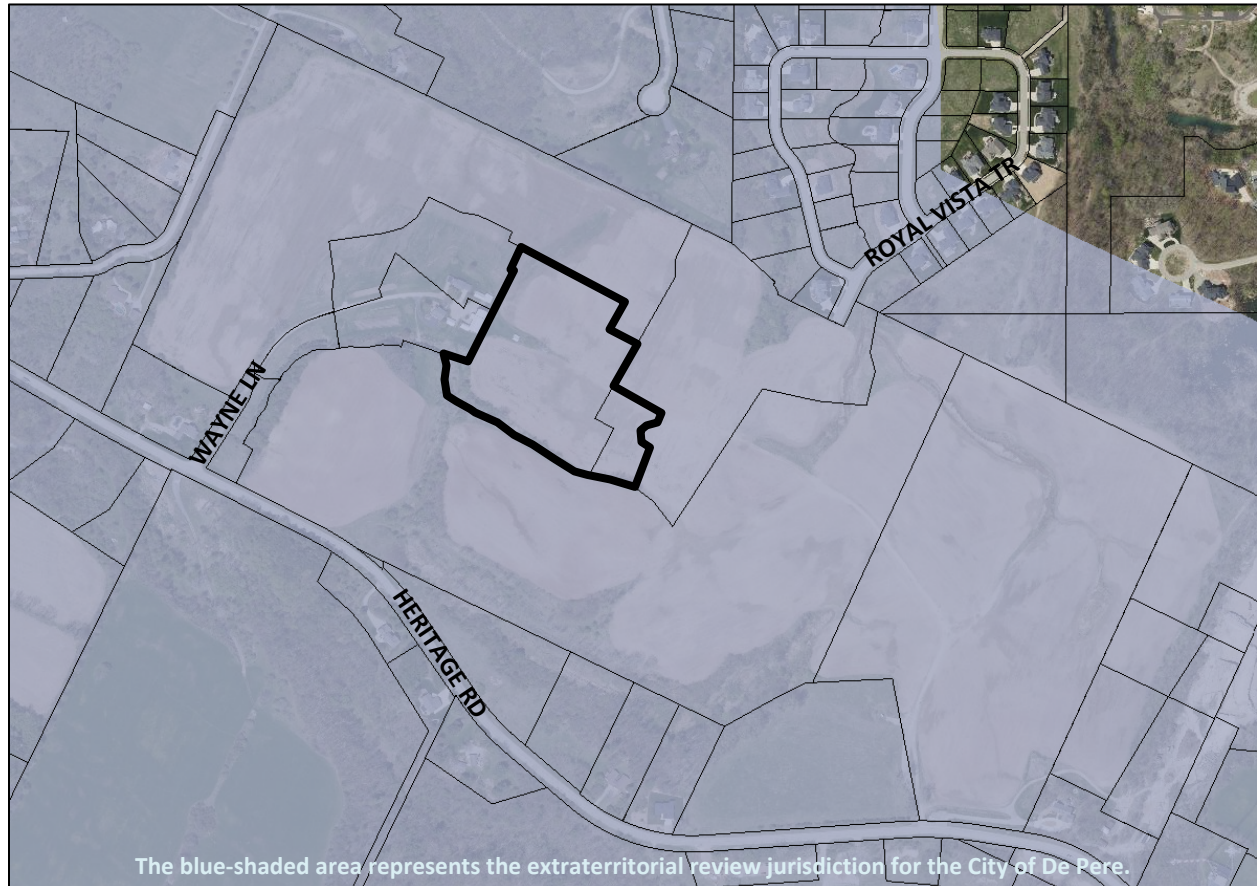
MEETING DATE: April 2, 2025
DEPARTMENT: Development Services
FROM: Peter Schlein, City Planner/Zoning Administrator
SUBJECT: Recommendation from Plan Commission to Approve a 10-Lot Extraterritorial Preliminary Plat of Grande Ridge Estates Second Addition at 3400 BLK Heritage RD in Ledgeview (Part of Parcels D-450-1, D-450-2).
RECOMMENDED ACTION: On March 24, 2025, Plan Commission unanimously recommended approval with conditions by a vote of 6-0.

On March 27, 2025, the applicant resolved one of the Plan Commission conditions of approval. If the plat is approved by Common Council, the following condition should be included: "Meeting all other state and local regulations, including City of De Pere, Town of Ledgeview, and Brown County Planning Commission."

ATTACHMENTS:
PC Report, Application and Preliminary Plat - 12 Mar 2025

ITEM 5: Consideration and possible action on a 10-lot extraterritorial preliminary plat of Grande Ridge Estates Second Addition of Little Rapids Subdivision at 3400 BLK Heritage RD in Ledgeview (Part of Parcels D-450-1, D-450-2).*

SITE MAP



REQUESTED ACTION:	Preliminary Extraterritorial Plat Approval (File EPP 25-01).	
COMMON DESCRIPTION:	3400 BLK Heritage RD, located 1602 Torchwood TR, located northeast of the Heritage RD and Wayne LN intersection.	
ZONING:	R-1 (Residential) in Ledgeview.	
SURROUNDING LAND USES:	Developing residential to the north, east and west. Agricultural to the south.	
COMPREHENSIVE PLAN:	Planned Neighborhood in Ledgeview.	
APPLICANT/OWNER:	<u>Authorized Representative</u> Steven M Bieda, PLS Vierbicher Associates INC 400 Security BL Green Bay, WI 54313	<u>Property Owner</u> J&A Lakeside Properties LLC 500 American DR Francis Creek, WI 54214

LAND USE HISTORY: The property remained undeveloped since air photos of 1938.

STAFF REVIEW: When reviewing a plat, staff considers State Statutes 236 Sections 46-3 through 46-7 of the De Pere Platting and Division of Land Code, the future land use recommendation of the Comprehensive Plan, surrounding land uses, and desired development patterns.

- The proposed plat is 7,300 feet (1.4 miles) east of the De Pere city limits.
- The proposed plat will create 10 residential lots.
- The site is located inside the Ledgeview sewer service area.
- Environmentally sensitive areas are reviewed by Brown County.
- The De Pere minimum acreage and frontage are 0.2 acres and 75 feet; the Town's minimum is 0.3 acres and 90 feet. All lots meet the minimum acreage and frontage criteria for De Pere and Ledgeview.

The plat meets the criteria of State Statutes 236 and Sections 46-3 through 46-7 of the De Pere Platting and Division of Land Code. The proposed land division does not impact the Comprehensive Plan negatively. The proposed lot size, frontage, and setbacks meet acceptable City requirements.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the preliminary extraterritorial plat and forwarding the plat to the Common Council for approval, subject to:

1. Meeting all other state and local regulations, including the City of De Pere, Town of Ledgeview, and Brown County Planning Commission.
2. The entire plat is landlocked because Grande Ridge Estates First Addition is not recorded with right-of-way connections to Heritage RD and Royal Vista TR. Provide a PDF copy of the recorded Grande Ridge Estates First Addition prior to submitting any final plat of Grande Ridge Estates Second Addition to the City for review.



Planning/Zoning Application

Planning & Zoning Department

Submitted On:

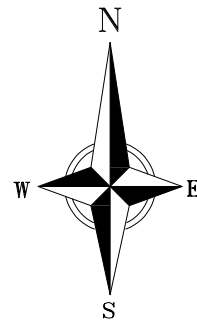
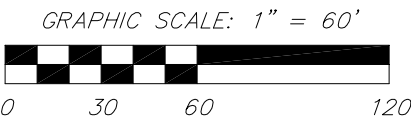
Mar 6, 2025, 03:08PM EST

Parcel Number: (Include ALL parcels)	D-450-1
Nearest property address to the project site:	Street Address: 0 Heritage Heights City: De Pere State: W Zip: 54115
Check each project type that is being applied for:	Plat, Preliminary
Number of lots in the Preliminary Plat: (PLEASE USE NUMERALS ONLY.)	8
Number of outlots in the Preliminary Plat: (PLEASE USE NUMERALS ONLY.)	0
Current De Pere Zoning Districts:	Not in De Pere
Extrateritorial Zoning Districts:	R-1 Residential
Existing Site Land Uses:	Undeveloped/Vacant/Agricultural
Proposed Site Land Uses:	Residential
Does the project comply with the Comprehensive Plan?	Yes
Has City Staff been contacted for a preapplication meeting?	Yes
Property Owner:	First Name: Ryan Last Name: Radue
Is the property owner's address the same as the nearest property address?	No
Property Owner's Address:	Street Address: 500 American Drive City: Francis Creek State: W Zip: 54214
Property Owner's Phone Number:	920-367-2030
Property Owner's Email Address:	ryan@raduehomes.com
Is someone processing the	

project for the property owner as their authorized representative?		Yes
Authorized Representative's Name:		First Name: Steven Last Name: Bieda
Authorized Representative's Business Name:		Vierbicher
Authorized Representative's Phone Number:		(920)434-9670
Authorized Representative's Email Address:		sbie@vierbicher.com
Please attach a PDF copy of the Preliminary Plat.		P-2641.pdf
Please attach a CAD copy of the Preliminary Plat.		V-16410PrePlat 2nd Addition.dwg
How do you plan on paying for your application?		Mail a check
Total Due:		\$844.00
Signature Data	First Name: Steven Last Name: Bieda Email Address: sbie@vierbicher.com	
		
		Signed at: March 6, 2025 2:51pm America/New_York
User's Session Information		IP Address: 74.87.124.242 Referrer URL:

BEARING REFERENCE TO THE SOUTH LINE OF
GOVERNMENT LOT 1 OF SECTION 36, T23N-R21E,
ASSUMED TO BE S64°11'48"E

THE COUNTY MONUMENTS USED IN THIS SURVEY
ARE SHOWN AND THEIR TIES HAVE BEEN FOUND
AND VERIFIED AND/OR BROWN COUNTY PLANNING
AND LAND SERVICES HAS BEEN NOTIFIED OF ANY
DISCREPANCIES.



- A Preliminary Plat - Grande Ridge Estates Second Addition

ALL OF LOTS 64, 65 AND 71 OF RECORD PLAT "GRANDE RIDGE FIRST ESTATES ADDITION", (PLATS, DOCUMENT NUMBER 2712221, BROWN COUNTY RECORDS), BEING LOCATED IN PART OF PRIVATE CLAIM 38, EAST SIDE OF THE FOX RIVER, TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN.



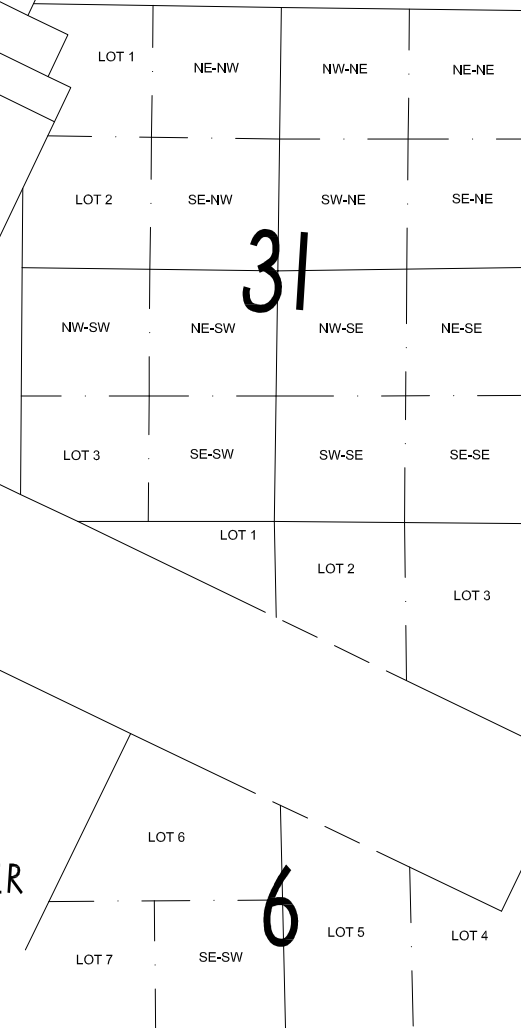
There are no objections to this plat with respect to
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____

Department of Administration



LOCATION MAP



PRIVATE CLAIM 38
EAST SIDE OF THE FOX RIVER
TOWN OF LEDGEVIEW
BROWN COUNTY
WISCONSIN

Curve Table							
Curve #	Length	Radius	Delta	Chord Length	Chord Dir.	Tangent Bearing	Tangent Bearing
C1	48.84'	65.00'	43°02'57"	47.70'	S05°00'24"W	S26°31'53"W	S16°31'04"E
C2	301.88'	65.00'	266°05'53"	95.00'	S63°28'07"E	S69°34'49"W	N16°31'04"W
C3	66.65'	65.00'	58°44'56"	63.77'	S12°51'24"W	S16°31'04"E	S42°13'52"W
C4	93.15'	65.00'	82°06'32"	85.38'	S83°17'08"W	S42°13'52"W	N55°39'36"W
C5	93.81'	65.00'	82°41'18"	85.88'	N14°18'57"W	N55°39'36"W	N27°01'42"E
C6	48.27'	65.00'	42°33'08"	47.17'	N48°18'16"E	N27°01'42"E	N69°34'49"E
C7	48.84'	65.00'	43°02'57"	47.70'	N48°03'21"E	N69°34'49"E	N26°31'53"E
C8	48.84'	65.00'	43°02'57"	47.70'	S54°43'51"W	S76°15'19"W	S33°12'22"W
C9	159.09'	65.00'	140°14'11"	122.25'	S06°08'13"W	S63°58'52"E	S76°15'19"W
C10	87.04'	65.00'	76°43'20"	80.68'	S37°53'39"W	S00°28'01"E	S76°15'19"W
C11	72.05'	65.00'	63°30'52"	68.42'	S32°13'26"E	S63°58'52"E	S00°28'01"E

SURVEY LEGEND

- PUBLIC LAND CORNER AS NOTED
- FOUND 1" Ø IRON PIPE
- FOUND 2" Ø IRON PIPE
- 2.38" (O.D.) X 18" IRON PIPE
WEIGHING 3.65 LBS/LIN. FOOT SET
- ALL OTHER LOT CORNERS MARKED
WITH A 1.32" (O.D.) X 18" IRON
PIPE WEIGHING 1.68 LBS/LIN. FOOT.
- ALL LINEAR MEASUREMENTS HAVE
BEEN MADE TO THE NEAREST
HUNDREDTH OF A FOOT.
- ALL DISTANCES ON CURVES ARE ARC LENGTHS.

- 30' BUILDING SETBACK (UNLESS NOTED)
- 12' UTILITY EASEMENT (UNLESS NOTED)



STEEP SLOPES "UNSUITABLE FOR BUILDING"

APPROVING / OBJECTING AGENCIES

TOWN OF LEDGEVIEW
CITY OF DE PERE
BROWN COUNTY PLANNING COMMISSION
STATE OF WISCONSIN DOA

DEVELOPER

J&A LAKESIDE PROPERTIES, LLC
500 AMERICAN DRIVE
FRANCIS CREEK, WI 54214

vierbicher
planners | engineers | advisors

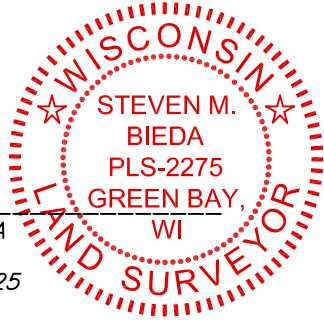


Drafted by: NDK
Checked by: MRA
Job #: V-16410
Drawing No.: P-2641
Rev: MM/DD/YYYY
Rev: MM/DD/YYYY
Rev: MM/DD/YYYY

SURVEYED FOR:
J&A LAKESIDE
PROPERTIES LLC

SURVEYED BY:
Vierbicher Associates, Inc.
400 Security Blvd, Ste 1
Green Bay, WI 54313
(920) 434-9670

**SHEET
1 OF 2**



STEVEN M. BIEDA
PLS-2275
MARCH 7TH, 2025

- A Preliminary Plat -
Grande Ridge Estates Second Addition

ALL OF LOTS 64, 65 AND 71 OF RECORD PLAT "GRANDE RIDGE FIRST ESTATES ADDITION", (PLATS, DOCUMENT NUMBER 2712221, BROWN COUNTY RECORDS), BEING LOCATED IN PART OF PRIVATE CLAIM 38, EAST SIDE OF THE FOX RIVER, TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN.

There are no objections to this plat with respect to
Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2),
Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



Department of Administration

SURVEYOR'S CERTIFICATE

I, STEVEN M. BIEDA, PROFESSIONAL LAND SURVEYOR, PLS-2275, HEREBY CERTIFY:

THAT IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236, WISCONSIN STATUTES, AND THE SUBDIVISION REGULATIONS OF THE TOWN OF LEDEVUE, OF THE CITY OF DE PERE AND THE BROWN COUNTY PLANNING COMMISSION AND UNDER THE DIRECTION OF THE OWNERS LISTED HEREON, I HAVE SURVEYED, DIVIDED AND MAPPED GRANDE RIDGE ESTATES SECOND ADDITION; AND THAT SUCH PLAT CORRECTLY REPRESENTS ALL EXTERIOR BOUNDARIES AND THE SUBDIVISION OF THE LAND SURVEYED; AND IS ALL OF LOTS 64, 65 AND 71 OF RECORD PLAT "GRANDE RIDGE FIRST ESTATES ADDITION", (PLATS, DOCUMENT NUMBER XXXXXX, BROWN COUNTY RECORDS), BEING LOCATED IN PART OF PRIVATE CLAIM 38, EAST SIDE OF THE FOX RIVER, TOWN OF LEDGEVIEW, BROWN COUNTY, WISCONSIN.

PARCEL CONTAINS 471,949 SQUARE FEET / 10.83 ACRES, MORE OR LESS.
RIGHT OF WAY DEDICATED TO THE PUBLIC CONTAINS 31,845 SQUARE FEET / 0.72 ACRES, MORE OR LESS.
PARCEL IS SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

NOTES

LOTS 135, 136 AND 137 CONTAINS STEEP SLOPES THAT ARE UNSUITABLE FOR BUILDING. NO DEVELOPMENT SHALL OCCUR IN AREAS LABELED 'STEEP SLOPE--LANDS UNSUITABLE FOR BUILDING' UNLESS A GEOTECHNICAL STUDY IS SUBMITTED TO AND APPROVED BY BROWN COUNTY PLANNING COMMISSION.

THE PROPERTY OWNERS, AT THE TIME OF CONSTRUCTION, SHALL IMPLEMENT THE APPROPRIATE SOIL EROSION CONTROL METHODS OUTLINED IN THE WISCONSIN CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL TECHNICAL STANDARDS (AVAILABLE FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES) TO PREVENT SOIL EROSION. HOWEVER, IF AT THE TIME OF CONSTRUCTION THE TOWN OF LEDGEVIEW HAS ADOPTED A SOIL EROSION CONTROL ORDINANCE, IT SHALL GOVERN OVER THIS REQUIREMENT. THIS PROVISION APPLIES TO ANY GRADING, CONSTRUCTION, OR INSTALLATION-RELATED ACTIVITIES.

DEVELOPMENT ON LOT 131-140 REQUIRES PUBLIC SEWER AND WATER BE AVAILABLE OR ACQUISITION OF ALL STATE, COUNTY, AND/OR MUNICIPAL PERMITS CONCERNING ONSITE SEWAGE DISPOSAL SYSTEMS FOR SANITARY WASTE DISPOSAL.

LOTS 135, 136, 137, 139 AND 140 INCLUDE WETLAND AREAS THAT MAY REQUIRE PERMITS FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, ARMY CORPS OF ENGINEERS, BROWN COUNTY PLANNING COMMISSION, OR THE VILLAGE OF HOWARD ZONING ADMINISTRATORS OFFICE PRIOR TO ANY DEVELOPMENT ACTIVITY.

THE OWNERS OF LOTS 131 THROUGH 140 ARE JOINT OWNERS OF THE SPECIFIED CLUSTER BOX UNIT (CBU) STRUCTURE AND ITS FOUNDATION, WHO ARE RESPONSIBLE FOR THE LONG-TERM MAINTENANCE AND REPLACEMENT. IF THE PROPERTY OWNERS DO NOT KEEP THE CBU IN A GOOD-LOOKING FUNCTIONAL STATE, THE MUNICIPALITY MAY ASSESS/CHARGE THE LOT OWNERS FOR THE SHARED COST OF REPAIRS OR REPLACEMENT.

RESTRICTIVE COVENANTS

THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE LOT OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.

EACH LOT OWNER SHALL GRADE THE PROPERTY TO CONFORM TO THE ADOPTED SIDEWALK GRADE ELEVATION AND MAINTAIN SAID ELEVATION FOR FUTURE SIDEWALKS.

UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR ELECTRIC, NATURAL GAS, AND COMMUNICATIONS SERVICE IS HEREBY GRANTED BY

J&A LAKESIDE PROPERTIES, LLC, GRANTOR, TO

WISCONSIN PUBLIC SERVICE CORPORATION, A WISCONSIN CORPORATION, GRANTEE,

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO CONSTRUCT, INSTALL, OPERATE, REPAIR, MAINTAIN AND REPLACE FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH OVERHEAD AND UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND ELECTRIC ENERGY, NATURAL GAS, TELEPHONE AND CABLE TV FACILITIES FOR SUCH PURPOSES AS THE SAME IS NOW OR MAY HEREAFTER BE USED, ALL IN, OVER, UNDER, ACROSS, ALONG AND UPON THE PROPERTY SHOWN WITHIN THOSE AREAS ON THE PLAT DESIGNATED AS "UTILITY EASEMENT" AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL SERVICE CONNECTIONS UPON, ACROSS, WITHIN AND BENEATH THE SURFACE OF EACH LOT TO SERVE IMPROVEMENTS, THEREON, OR ON ADJACENT LOTS; ALSO THE RIGHT TO TRIM OR CUT DOWN TREES, BRUSH AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES. THE GRANTEES AGREE TO RESTORE OR CAUSE TO HAVE RESTORED, THE PROPERTY, AS NEARLY AS IS REASONABLY POSSIBLE, TO THE CONDITION EXISTING PRIOR TO SUCH ENTRY BY THE GRANTEES OR THEIR AGENTS. THIS RESTORATION, HOWEVER, DOES NOT APPLY TO THE INITIAL INSTALLATION OF SAID UNDERGROUND AND/OR ABOVE GROUND ELECTRIC FACILITIES, NATURAL GAS FACILITIES, OR TELEPHONE AND CABLE TV FACILITIES OR TO ANY TREES, BRUSH OR ROOTS WHICH MAY BE REMOVED AT ANY TIME PURSUANT TO THE RIGHTS HEREIN GRANTED. STRUCTURES SHALL NOT BE PLACED OVER GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE LINES MARKED "UTILITY EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED BY MORE THAN SIX INCHES WITHOUT WRITTEN CONSENT OF GRANTEES. THIS UTILITY EASEMENT PROVISION DOES NOT PREVENT OR PROHIBIT OTHERS FROM UTILIZING OR CROSSING THE UTILITY EASEMENT AS THE UTILITY EASEMENT(S) ARE NON-EXCLUSIVE.

THE GRANT OF EASEMENT SHALL BE BINDING UPON AND INURE TO THE BENEFIT OF THE HEIRS, SUCCESSORS AND ASSIGNS OF ALL PARTIES HERETO.

LIMITED LIABILITY COMPANY OWNER'S CERTIFICATE

J&A LAKESIDE PROPERTIES LLC, A LIMITED LIABILITY COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, DOES HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON GRANDE RIDGE ESTATES SECOND ADDITION TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED HEREON. J&A LAKESIDE PROPERTIES LLC ALSO CERTIFIES THAT THIS PLAT IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION:

TOWN OF LEDGEVIEW
CITY OF DE PERE
BROWN COUNTY PLANNING COMMISSION
DEPT. OF ADMINISTRATION

IN WITNESS WHEREOF, THE SAID J&A LAKESIDE PROPERTIES LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____, ITS MEMBER, ON THIS ____ DAY OF _____, 20____.

MEMBER

PERSONALLY CAME BEFORE ME THIS ____ DAY OF _____, 20____, THE ABOVE NAMED MEMBER OF SAID LIMITED LIABILITY COMPANY AND ACKNOWLEDGED THAT HE EXECUTED THE FOREGOING INSTRUMENT AS SUCH MEMBER AS THE DEED OF SAID LIMITED LIABILITY COMPANY, BY ITS AUTHORITY.

NOTARY PUBLIC
BROWN COUNTY, WISCONSIN

MY COMMISSION EXPIRES _____

STATE OF WISCONSIN]
J SS
COUNTY OF BROWN]

CERTIFICATE OF THE BROWN COUNTY PLANNING COMMISSION

APPROVED FOR THE BROWN COUNTY PLANNING COMMISSION THIS ____ DAY OF _____, 20____.

DEVIN YODER/COLE RUNGE
SENIOR PLANNER

CERTIFICATE OF THE BROWN COUNTY TREASURER

AS DULY ELECTED BROWN COUNTY TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAXES AND NO UNPAID OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS PLAT AS OF THE DATES LISTED BELOW.

RAY SUENNEN DATE
BROWN COUNTY TREASURER

CERTIFICATE OF THE TOWN OF LEDGEVIEW

APPROVED FOR THE TOWN OF LEDGEVIEW THIS ____ DAY OF _____, 20____.

JENNIFER BROICH
TOWN CLERK

CERTIFICATE OF THE TOWN OF LEDGEVIEW TREASURER

AS DULY ELECTED TOWN OF LEDGEVIEW TREASURER, I HEREBY CERTIFY THAT THE RECORDS IN OUR OFFICE SHOW NO UNREDEEMED TAXES AND NO UNPAID OR SPECIAL ASSESSMENTS AFFECTING ANY OF THE LANDS INCLUDED IN THIS PLAT AS OF THE DATES LISTED BELOW.

RENAE PETERS DATE
TOWN OF LEDGEVIEW TREASURER

CERTIFICATE OF THE CITY OF DE PERE

APPROVED BY THE CITY OF DE PERE PLAN COMMISSION ON THE ____ DAY OF _____, 20____.

CAREY E. DANEN DATE
CITY CLERK

vierbicher
planners | engineers | advisors



Drafted by: NDK
Checked by: MRA
Job #: V-16410
Drawing No.: P-2641
Rev:
Rev:
Rev:

SURVEYED FOR:
J&A LAKESIDE
PROPERTIES LLC

SURVEYED BY:
Vierbicher Associates, Inc.
400 Security Blvd, Ste 1
Green Bay, WI 54313
(920) 434-9670

**SHEET
2 OF 2**



City of De Pere, Wisconsin

I.13

Request for Common Council Action

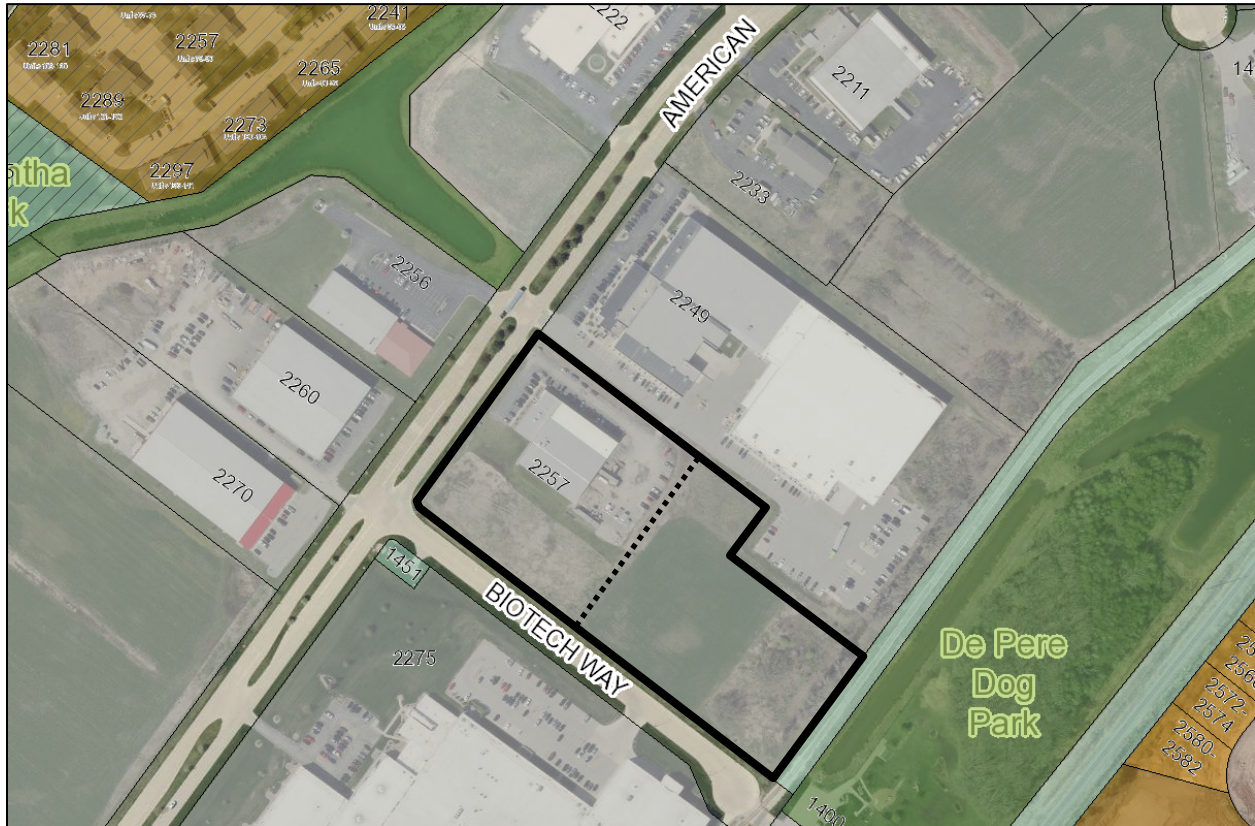
MEETING DATE:	April 2, 2025
DEPARTMENT:	Development Services
FROM:	Peter Schleinz, City Planner/Zoning Administrator
SUBJECT:	Recommendation from Plan Commission to Approve a 2-Lot CSM at 2257 American BL (Parcel WD-1371).
RECOMMENDED ACTION:	On March 24, 2025, Plan Commission unanimously recommended approval with conditions by a vote of 6-0.

ATTACHMENTS:

PC Report, Application and Preliminary CSM - 14 Mar 2025

Item 4: Consideration and possible action for a 2-lot CSM at 2257 American BL (Parcel WD-1371).*

SITE MAP



REQUESTED ACTION:	Certified Survey Map Approval (File CSM 25-02).	
COMMON DESCRIPTION:	2257 American BL, located northeast of the American BL and Biotech WY intersection.	
ZONING:	BP-2 (Business Park 2 District).	
SURROUNDING LAND USES:	Business Park (BP-2) to the north, south and west. Rail Line(PI-1) and City-owned Dog Park (CON) to the east.	
COMPREHENSIVE PLAN:	Business Park.	
APPLICANT / OWNERS:	<u>Authorized Representative</u> Troy E Hewitt, PLS Robert E Lee & Associates INC 1250 Centennial Centre BL Hobart, WI 54155	<u>Property Owner</u> FBS Investment Group LLC 2257 American BL De Pere, WI 54115-8490
LAND USE HISTORY:	After a review of air photographs, the site was first developed in the late 2000's.	

STAFF REVIEW:

When reviewing a Certified Survey Map, staff considers State Statutes 236, Section 46-8 of the De Pere Platting and Division of Land Code, the future land use recommendation of the Comprehensive Plan, surrounding land uses, and desired development patterns.

- Lots 1 and 2 are proposed to develop with business park uses.

All conditions of approval are listed at the end of the report. The conditions are technical and can be overseen by staff.

The Certified Survey Map meets the criteria of State Statutes 236 and Section 46-8 of the De Pere Platting and Division of Land Code. The proposed land division provides development opportunities and does not impact the Comprehensive Plan negatively. The proposed lot sizes, street frontages, and setbacks meet City requirements.

This request is being made in conjunction with the Law Department and Development Services Department working with the current owner to complete the necessary steps to obtain an SBA loan approval. The City will purchase the parcel at no cost and then prepare a new development agreement with the current property owner to repurchase from City after the loan approval later in 2025/2026.

STAFF RECOMMENDATION: Staff recommends APPROVAL of the certified survey map, subject to:

1. Meeting all other state and local regulations, including the City of De Pere and Brown County Planning Commission.
2. Add the following note: "The City is providing storm water management for both of these lots via a regional storm water management pond designed to treat to current WDNR standards for storm water quality. City storm sewers are designed for five year rainfall intensity events. Private storm sewers connecting to City storm sewers shall be designed for a five year rainfall event to match the City allocated flow. On-site, private, detention facilities may be required for higher flow volumes."
3. Change the City of De Pere Approval Certificate to read, "...Common Council..." instead of "...Plan Commission..."

Note: This includes land that is part of a development agreement, etc., with the City of De Pere. Because of that the CSM will be reviewed by both Plan Commission and Common Council.



Planning/Zoning Application

Planning & Zoning Department

Submitted On:

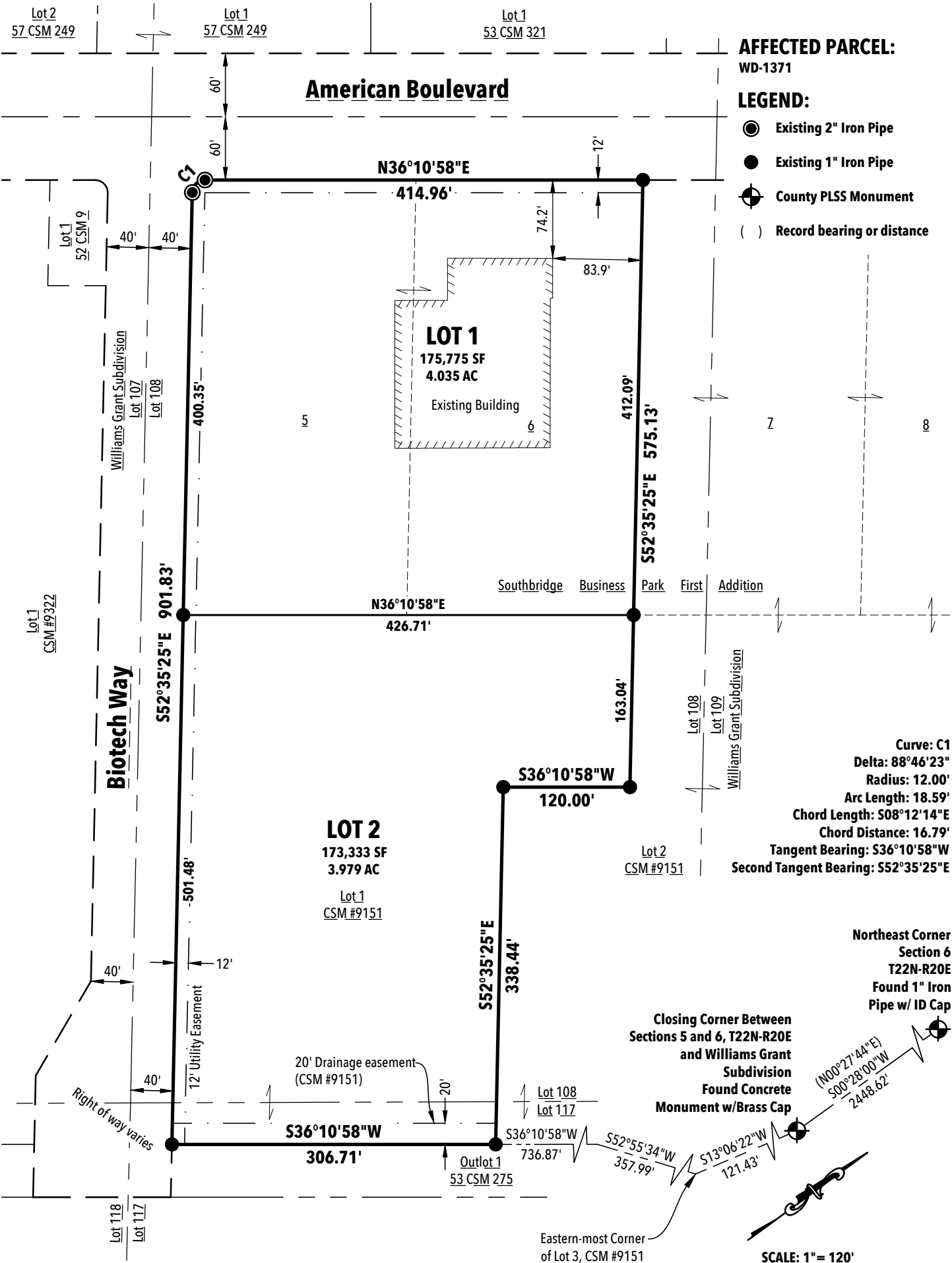
Mar 12, 2025, 04:02PM EDT

Parcel Number: (Include ALL parcels)	WD-1371
Nearest property address to the project site:	Street Address: 2257 AMERICAN BOULEVARD City: DE PERE State: W Zip: 54115
Check each project type that is being applied for:	CSM
Number of lots in the CSM:	2
Number of outlots in the CSM:	0
Current De Pere Zoning Districts:	BP-2
Existing Site Land Uses:	Business Park/Industrial
Proposed Site Land Uses:	Business Park/Industrial
Does the project comply with the Comprehensive Plan?	Yes
Has City Staff been contacted for a preapplication meeting?	Yes
Property Owner:	First Name: ROB Last Name: SALESKY
Is the property owner's address the same as the nearest property address?	Yes
Property Owner's Phone Number:	920-632-2621
Property Owner's Email Address:	ROB@BAYSIDEMACHINE.NET
Is someone processing the project for the property owner as their authorized representative?	Yes
Authorized Representative's Name:	First Name: TROY Last Name: HEWTT
Authorized Representative's Business Name:	Robert E. Lee & Associates, Inc.
Authorized Representative's	920-544-4436

Phone Number:		
Authorized Representative's Email Address:		thewitt@releeinc.com
Please attach 1 PDF copy of the CSM.		Preliminary CSM_3-12-25.pdf
How do you plan on paying for your application?		Online with a credit card
Total Due:		\$375.00
Signature Data	First Name: TROY Last Name: HEWTT Email Address: thewitt@releeinc.com	
		
		Signed at: March 12, 2025 4:01pm America/New_York
User's Session Information		IP Address: 24.106.22.82 Referrer URL:

CERTIFIED SURVEY MAP

ALL OF LOTS 5 AND 6, SOUTHBRIDGE BUSINESS PARK FIRST ADDITION, VOLUME 21 OF PLATS, PAGE 294, DOCUMENT NUMBER 1928208 AND ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 9151, DOCUMENT NUMBER 2891153, LOCATED IN LOTS 108 AND 117, WILLIAMS GRANT SUBDIVISION, CITY OF DE PERE, BROWN COUNTY, WISCONSIN



REL Robert E. Lee
& Associates, Inc.

1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releinc.com

SHEET 1 OF 4

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Bearings are referenced to the Brown County
Coordinate System. The north right of way of
Biotech Way recorded to bear N52°35'25"E.

CERTIFIED SURVEY MAP

ALL OF LOTS 5 AND 6, SOUTHBRIDGE BUSINESS PARK FIRST ADDITION, VOLUME 21 OF PLATS, PAGE 294, DOCUMENT NUMBER 1928208 AND ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 9151, DOCUMENT NUMBER 2891153, LOCATED IN LOTS 108 AND 117, WILLIAMS GRANT SUBDIVISION, CITY OF DE PERE, BROWN COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE:

I, Troy E. Hewitt, Professional Land Surveyor, do hereby certify that by the order and under the direction of the owners listed hereon, I have surveyed, mapped and divided all of Lots 5 and 6, Southbridge Business Park First Addition, Volume 21 of Plats, Page 294, Document Number 1928208 and all of Lot 1, Certified Survey Map Number 9151, Document Number 2891153, located in Lots 108 and 117, Williams Grant Subdivision, City of De Pere, Brown County, Wisconsin.

Said parcel contains 349,108 Square Feet (8.014 Acres) of land more or less. Subject to any and all easements and restrictions of record.

That the within map is a true and correct representation of the exterior boundaries of the land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the City of De Pere in the surveying, mapping and dividing of the same.

Dated this _____ day of _____, 2025.

Troy E. Hewitt PLS #2831
ROBERT E. LEE & ASSOCIATES, INC.
Original: 3/11/2025

RESTRICTIVE COVENANTS:

1. The land on all side and rear lot lines of all lots not included in the drainage easement shall be graded by the lot owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
2. Each lot owner shall grade the property abutting a street to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
3. No poles, pedestals or buried cable are to be placed so as to disturb any survey stake or obstruct vision along any lot lines or street lines, a disturbance of survey stake by anyone is a violation of Section 236.32 of the Wisconsin statutes.

EROSION CONTROL NOTE:

The property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in the Wisconsin Construction Site Erosion and Sediment Control Technical Standards (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the City has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.

UTILITY EASEMENT PROVISIONS:

A non-exclusive easement granted to public utilities including but not limited to electric, natural gas, communications, water distribution, sewer collection, drainage, etc., is hereby granted by

FBS Investment Group, LLC, Grantors, to

Wisconsin Public Service Corp., a Wisconsin Corporation, City of De Pere and other Public Utilities, Grantee(s),

their respective successors and assigns, to construct, install, operate, repair, maintain, and replace from time to time, facilities used in connection with underground public utilities for such purposes as the same is now or may hereafter be used, all in, under, across, along, and upon the property shown within those areas designated on the plat or CSM, together with the right to install service connections upon, across, within, and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush, and/or roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. Structures shall not be placed over Grantee's facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of the Grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors, and assigns of all parties hereto.

CERTIFIED SURVEY MAP

ALL OF LOTS 5 AND 6, SOUTHBIDGE BUSINESS PARK FIRST ADDITION, VOLUME 21 OF PLATS, PAGE 294, DOCUMENT NUMBER 1928208 AND ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 9151, DOCUMENT NUMBER 2891153, LOCATED IN LOTS 108 AND 117, WILLIAMS GRANT SUBDIVISION, CITY OF DE PERE, BROWN COUNTY, WISCONSIN

OWNER'S CERTIFICATE:

As owners, we do hereby certify that we caused the land described on this Certified Survey Map to be surveyed, mapped, and divided as represented on this map. We also do further certify that this Certified Survey Map is required by s-236.34 to be submitted to the following for approval or objection: CITY OF DE PERE

FBS Investment Group, LLC	Date
----------------------------------	-------------

Print name and title

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2025, the above named to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

(print name)_____

My commission expires: _____



CERTIFIED SURVEY MAP

ALL OF LOTS 5 AND 6, SOUTHBRIDGE BUSINESS PARK FIRST ADDITION, VOLUME 21 OF PLATS, PAGE 294, DOCUMENT NUMBER 1928208 AND ALL OF LOT 1, CERTIFIED SURVEY MAP NUMBER 9151, DOCUMENT NUMBER 2891153, LOCATED IN LOTS 108 AND 117, WILLIAMS GRANT SUBDIVISION, CITY OF DE PERE, BROWN COUNTY, WISCONSIN

CITY OF DE PERE APPROVAL CERTIFICATE

Approved by the City of De Pere Plan Commission on this _____ day of _____, 2025.

Carey E. Danen, City of Clerk

Date _____

BROWN COUNTY TREASURER'S CERTIFICATE:

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

Raymond Suennen

Date _____

Brown County Treasurer

CITY OF DE PERE TREASURER'S CERTIFICATE:

As duly appointed City of De Pere Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

Pamela R. Manley

Date _____

City of De Pere Finance Director/Treasurer



1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releeinc.com

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SHEET 4 OF 4



Request for Common Council Action

MEETING DATE: April 2, 2025
DEPARTMENT: Development Services
FROM: Eric Erdman, Assistant City Attorney
SUBJECT: Resolution #25-37 Approving Termination and Mutual Release of Development Agreement with F.B.S. Investment Group L.L.C. and Authorizing Option to Purchase with Right of First Refusal at 2257 American BL (Parcel WD-1371).
RECOMMENDED ACTION: Motion to Approve.

ATTACHMENTS:

Memo - D.A. termination and option to purchase (4-2-25), Reso25-37, Termination of Development Agreement (3-25), Option to Purchase and Right of First Refusal Agreement (clean 3-26-25)

CITY OF DE PERE MEMO



To: Mayor James Boyd
Common Council Members
Kim Flom, City Manager
From: Eric Erdman, Assistant City Attorney
Date: April 2, 2025

RE: F.B.S. Investment Group L.L.C. Termination of Development Agreement and Option to Purchase
and Right of First Refusal Agreement – Parcel WD-1371

F.B.S. Investment Group has an existing facility located on Parcel WD-1371. In April of 2020, the City and F.B.S. executed an agreement regarding an undeveloped neighboring parcel with respect to a possible expansion of F.B.S.'s existing facility. As part of the 2020 agreement, the undeveloped parcel was combined with its neighboring parcel to create current Parcel WD-1371.

Recently, during the process of obtaining financing for a separate business transaction, F.B.S.'s proposed lender informed F.B.S. that the 2020 agreement would prohibit its financing of the separate transaction and negatively impact its financing options for future development at the existing facility site. Therefore, F.B.S. and staff worked on a path where the City could agree to terminate the 2020 agreement in exchange for splitting existing parcel WD-1371 into two parcels - one parcel containing F.B.S.'s existing facility and one undeveloped parcel, along with transferring the undeveloped property back to the City. In connection with that route, the City and F.B.S. would execute an option and right of first refusal agreement where F.B.S. would have the option to re-purchase the undeveloped parcel with an initial term expiring January 1, 2026. The termination and option agreements regarding this proposed transaction are included for review and approval.

RESOLUTION #25-37

APPROVING TERMINATION AND MUTUAL RELEASE OF DEVELOPMENT
AGREEMENT WITH F.B.S. INVESTMENT GROUP L.L.C. AND AUTHORIZING OPTION
TO PURCHASE AND RIGHT OF FIRST REFUSAL

WHEREAS, City and F.B.S. Investment Group L.L.C. (F.B.S.) are parties to an Agreement Regarding the Sale and Purchase of Business Park Property, dated April 10, 2020, and recorded with the Brown County Register of Deeds as Document No. 2898576, regarding the purchase of a 3.979 acre parcel for the expansion of the existing Bayside Machine facility at 2257 American Boulevard (the "Agreement"); and

WHEREAS, to support F.B.S.'s ability to finance a separate business transaction, in addition to the future development planned at the site of its existing facility, the parties desire to terminate the former Development Agreement, releasing each other from any and all claims that may arise under or in connection with said Agreement, in exchange for F.B.S. transferring the property back to the City, pursuant to the terms and conditions of the Agreement attached hereto; and

WHEREAS, as a result of the Termination, the parties would then execute an Option and Right of First Refusal, with an initial term expiring January 1, 2026, as is also attached hereto, pursuant to the terms and conditions contained therein, to support F.B.S.'s contemplated future development.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The City Manager and City Clerk are authorized and directed to execute the attached Termination and Mutual Release of Development Agreement Between the City of De Pere and F.B.S. Investment Group LLC.

BE IT FURTHER RESOLVED THAT:

The City Manager and City Clerk are authorized and directed to execute the attached Option to Purchase and Right of First Refusal Agreement.

BE IT FURTHER RESOLVED THAT:

All City officials, officers, and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 2nd day of April,
2025.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

**TERMINATION AND MUTUAL RELEASE OF DEVELOPMENT
AGREEMENT BETWEEN THE CITY OF DE PERE AND F.B.S. INVESTMENT GROUP L.L.C.**

THIS TERMINATION AGREEMENT made and entered into this _____ day of _____, 2025, by and between the City of De Pere, a Wisconsin municipal corporation (“City”), and F.B.S. Investment Group L.L.C., a Wisconsin limited liability company (“Developer”), individually and collectively referred to as “Party” or “Parties.”

RECITALS

WHEREAS, City and Developer are parties to a Development Agreement dated April 10, 2020, regarding certain property located at 2257 American Boulevard (formerly Parcel WD-1138-4 and now part of Parcel WD-1371 [INSERT PARCEL NUMBER/LEGAL DESCRIPTION], referred to as “the Agreement”; and

WHEREAS, the Parties wish to terminate the Agreement and release each other from any and all claims that may arise under or in connection with said Agreement.

NOW, THEREFORE, in consideration of the foregoing and mutual covenants and promises contained herein and other good and valuable consideration, the receipt of which is acknowledged, the undersigned hereby agree as follows:

I. TERMINATION. The Parties hereby agree to terminate the Agreement effective as of the date entered above.

II. MUTUAL RELEASE. The Parties hereby mutually release each other and each of their respective representatives, successors and assigns of their right, title and interest in and to the Agreement, as well as from any and all claims by reason of or in connection with said Agreement.

III. CONVEYANCE OF PROPERTY TO THE CITY. Developer shall, upon execution of this Termination Agreement, convey the property subject to the Agreement (the "Property") to City by Warranty Deed, free and clean of all liens and encumbrances, specifically excepting: municipal and zoning ordinances, any recorded easements for public utilities serving the Property, and recorded building and use restrictions and covenants. Developer shall complete and execute all documents necessary to record the conveyance.

IV. LAW GOVERNING. This Termination Agreement shall be construed in accordance with the laws of the State of Wisconsin and shall be binding upon and inure to the benefit of the Parties, and their respective representatives, successors and assigns.

V. ENTIRE AGREEMENT. This Termination Agreement contains agreements, terms, covenants, conditions, warranties, and representations made or entered into by and between the Parties and supersedes all prior discussions and agreements, whether written or oral, between the Parties.

IN WITNESS WHEREOF, the parties hereto have caused this Termination Agreement to be executed as of the date and year first written above.

F.B.S. INVESTMENT GROUP L.L.C.

By:

Robert J. Salesky, Managing Member

CITY OF DE PERE

By:

Kimberly T. Flom, City Manager

Carey E. Danen, City Clerk

OPTION TO PURCHASE AND RIGHT OF FIRST REFUSAL AGREEMENT

This Option to Purchase and Right of First Refusal Agreement (“Agreement”) with respect to certain real property located in the City of De Pere’s West Industrial Park is entered into this ____ day of _____, 2025, by and between the City of De Pere, a Wisconsin municipal corporation (“City”) and F.B.S. Investment Group L.L.C., a Wisconsin limited liability company (“Developer”).

RECITALS

WHEREAS, City is the owner of Parcel _____ in the City of De Pere (the “Property”), shown on Exhibit A, attached hereto and incorporated herein, legally described as:

[INSERT LEGAL DESCRIPTION]

and located in Tax Incremental Financing District No. 12 (TID #12) for the City of De Pere; and

WHEREAS, Developer owns an approximately 4.03 acre parcel immediately adjacent to the Property (the “Adjacent Property”), shown on Exhibit A and legally described as:

[INSERT PARCEL NUMBER/LEGAL DESCRIPTION]; and

WHEREAS, Developer desires to enter into this Agreement with respect to the Property to facilitate an expansion of its existing facility at the Adjacent Property; and

WHEREAS, City is interested in seeing the Property developed as an expansion and wishes to grant an option to purchase (“Option”) to Developer as a means leading to a possible, eventual sale and development of the Property; and

WHEREAS, Developer also desires to secure a right of first refusal (“ROFR”) with respect to the Property to reserve room to expand and to encourage the continued expansion of Developer’s facilities; and

WHEREAS, City acknowledges Developer’s wishes to expand Developer’s facilities and desires to grant Developer a ROFR to the Property.

NOW, THEREFORE, for good and valuable consideration, of which receipt is acknowledged, the Parties agree as follows:

- 1) The Recitals set forth above are an integral part of this Agreement and are therefore incorporated herein by reference as if set forth herein as agreements of the parties.

- 2) City hereby grants to Developer an exclusive Option and ROFR for an initial term expiring January 1, 2026 (the “Initial Term”). Developer shall exercise the Option by providing written notice (the “Notice”) of such exercise to the City on or prior to the expiration of the Initial Term. If Developer exercises its Option, the purchase price for the Property shall be One Hundred Thirty-nine Thousand Two Hundred Sixty-five and 00/100 Dollars (\$139,265.00) and shall be payable by Developer to City via wire, cashier’s check or other certified funds at closing. The closing shall occur within twenty (20) days after the date of the Notice unless an alternative date is mutually agreed upon by the parties. City shall, upon payment of the purchase price by Developer, convey the Property to Developer by Warranty Deed, free and clear of all liens and encumbrances, specifically excepting: municipal and zoning ordinances, any recorded easements for public utilities serving the Property, recorded building and use restrictions and covenants, recorded easements and any liens and encumbrances arising at any time as a result of the acts or omissions of Developer, and general taxes levied in the year of closing. The foregoing condition of title shall be deemed marketable title and City shall complete and execute all documents necessary to record the conveyance.
- 3) If during the Initial Term, City receives a bona fide written offer to purchase the Property or any portion thereof from an unrelated third party, City shall require a provision be included in such offer that such offer is subject to Developer’s rights under this Agreement. Upon receipt of such written offer, City shall promptly provide Developer with a copy thereof and Developer shall have twenty-eight (28) days from date of receipt of the copy of such offer to deliver City a written statement that it wishes to exercise its ROFR. Failure of Developer to deliver the written statement to City expressing its desire to exercise its ROFR within such twenty-eight (28) days period shall constitute a waiver of the ROFR and City shall have no further responsibilities to Developer under this Agreement. Regardless of the nature of any offer to purchase, it is specifically understood that if Developer exercises the ROFR granted thereunder, Developer must purchase the entire Property unless otherwise specifically agreed by the parties in writing. During the Initial Term, City shall not aggressively solicit offers to purchase the Property. If Developer exercises its ROFR, the purchase price for the Property shall be One Hundred Thirty-nine Thousand Two Hundred Sixty-five and 00/100 Dollars (\$139,265.00) and shall be payable by Developer to City via wire, cashier’s check or other certified funds at closing. The closing shall occur within twenty (20) days after the date of Developer’s exercise of its ROFR unless an alternative date is mutually agreed upon by the parties. City shall, upon payment of the purchase price by Developer, convey the Property to Developer by Warranty Deed, free and clear of all liens and encumbrances, specifically excepting: municipal and zoning ordinances, any recorded easements for public utilities serving the Property, recorded building and use restrictions and covenants, recorded easements and any liens and encumbrances arising at any time as a result of the acts or omissions of Developer, and general taxes levied in the year of closing. The foregoing condition of title shall be deemed marketable title and City shall complete and execute all documents necessary to record the conveyance.

- 4) Developer may obtain a commitment for the issuance of an ALTA owner's title insurance policy, with extended coverage, insuring title to the Property to be good and marketable fee simple (the "Title Commitment") from the title company designated by Developer, together with legible copies of all recorded documents constituting exceptions under the Title Commitment (collectively, the "Exception Documents"). City will reimburse Developer for the cost of the Title Commitment and resulting title policy at closing on the Property.
- 5) Prior to closing, Developer may obtain a current certified survey map of the Property (the "Survey") prepared by a registered professional land surveyor designated by Developer, in conformance with ALTA Standard's and Developer's then current survey requirements, which Survey shall combine the Property with the Adjacent Property. The City shall cooperate with Developer, at Developer's sole expense, in a prompt manner in connection with the approval of such certified survey map.
- 6) Subject to paragraph 3) above, City, during the Initial Term, shall not convey, sell, lease or transfer any indicia of ownership to any other legal entity and hereby grants to Developer exclusive rights to purchase the Property unless Developer notifies City in writing that it is terminating the Option and ROFR and will not purchase the Property.
- 7) City acknowledges that in connection with Developer's inspection and feasibility studies with regard to Developer's intended development of the Property, Developer may be required to submit certain applications, permit requests, or other documents. Accordingly, City shall cooperate with Developer, at Developer's sole expense, in a prompt manner in connection with information or authorization forms related to the Property needed for any applications, permit requests, or the like.
- 8) In the event Developer determines the potential development is not feasible during the Initial Term, Developer shall notify the City in writing of its determination and this Agreement shall immediately terminate.
- 9) In the event Developer desires to request reimbursement of certain survey and other costs from the City and/or request TIF financing in the form of paygo payments or otherwise, Developer may request to negotiate a Development Agreement with the City, and any such Development Agreement shall be presented to the City's Finance/Personnel Committee for review, with final approval of a negotiated Development Agreement by the City's Common Council, by a date no later than January 1, 2026.
- 10) City and Developer shall each pay all of their own legal fees as well as any third-party fees related to this Agreement.
- 11) Any notice required or permitted hereunder shall be in writing and sent by first class mail, postage prepaid, to the parties at the following addresses:

To City:

City of De Pere
335 S. Broadway Street
De Pere, WI 54115
Attn: City Manager

To Developer:

F.B.S. Investment Group L.L.C.
2257 American Boulevard
De Pere, WI 54115
Attn: Rob Salesky

or at such other address as the respective parties may from time to time give written notice thereof. Notice shall be effective when received, refused or returned by the Postal Service as undeliverable.

- 12) This Agreement may be assigned only upon written consent thereto by the other Party.
- 13) This Agreement may be amended only by written amendment thereto executed by the Parties or, if assigned hereunder, that Party's successor in interest.
- 14) If any provision, covenant, agreement or portion of this Agreement or its application to any person, entity or property is held invalid, such invalidity shall not affect the application or validity of any other provision, covenant or portion of this Agreement, and to that end, all provisions, covenants, agreements and portions of this Agreement are declared to be severable.
- 15) Either Party may record this Agreement or a Memorandum thereof with the Register of Deeds for Brown County. If the Developer terminates this Agreement, Developer shall cooperate with the City in executing any cancellation agreement or other related document to ensure the release of the recording of this Agreement.
- 16) This Agreement may be executed in counterpart, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. Signatures delivered by facsimile, or electronic transmission (i.e., email, in pdf. format or DocuSign) or similar electronic methods shall be deemed to be original signatures for all purposes.
- 17) If the terms of this Agreement provide for performance of any act or the expiration of any time period on a Saturday, Sunday or federal holiday, the due date or expiration date shall take place on the next date that is not a Saturday, Sunday or federal holiday.
- 18) All of the covenants, terms and conditions in this Agreement, including the benefits and burdens, shall run with the Property and shall be binding upon,

inure to the benefit of, and be enforceable by the parties hereto and their respective successors and assigns.

- 19) This Agreement shall be construed and enforced in accordance with the laws of the State of Wisconsin, and any legal proceeding initiated in connection with this Agreement shall be filed in the Circuit Court for Brown County, Wisconsin.

[signatures on following pages]

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on their behalf, as of the _____ day of _____, 2025.

CITY OF DE PERE

By:

Kimberly T. Flom, City Manager

Carey E. Danen, City Clerk

ACKNOWLEDGMENT

STATE OF WISCONSIN)
)
BROWN COUNTY)

Personally came before me this ____ day of _____, 2025, the above named Kimberly T. Flom and Carey E. Danen, known as the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin

My Commission Expires:

(SEAL)

F.B.S. INVESTMENT GROUP L.L.C.

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) SS.
COUNTY OF _____)

 This instrument was acknowledged before me on this _____ day of _____,
2025, by _____, as _____ of **F.B.S. Investment Group**
L.L.C., a Wisconsin limited liability company.

Notary Public, State of Wisconsin

My Commission Expires:

(SEAL)

EXHIBIT A

PROPERTY/ADJACENT PROPERTY