



Common Council

Regular Meeting

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

Minutes

Tuesday, November 21, 2017

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on November 21, 2017 at 7:49 p.m. at De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

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

2. Pledge of allegiance to the Flag.
3. Approval of the Minutes of the November 7, 2017 Common Council Meeting.

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

4. Public Hearing on the proposed Budget for calendar year 2018.

A. Presentation of 2018 Budget.

Mayor Michael Walsh presented the proposed 2018 Budget for the City of De Pere and stated that this budget is balanced, and provides for the City's service needs in a cost efficient manner.

The budget maintains a highly efficient and effective utility and transportation infrastructure through replacement of old and damaged facilities; it provides appropriate levels of financial incentives to promote development opportunities throughout the community; it minimizes the property tax mill rates as much as possible while continuing to provide municipal services in a manner that meets the needs of the community, and it provides the resources necessary to maintain an innovative, effective and efficient workforce. With this budget the City is able to continue the level of services residents are used to.

As part of the 2018 Budget Proposal, all City departments were asked to submit minimal increases in expenditures, excluding capital equipment and projects, to identify options to decrease operating expenditures and to increase revenues by an additional 5%.

Throughout 2017 the City has experienced a lot of interest in development in our business parks and in our downtown. We continue to experience that interest in developing a number of infills, or open areas, such as parking lots in the downtown, that are conducive for new development. Our fantastic business parks continue to generate development for locating new businesses and expanding existing businesses.

The State continues to impose restrictions on all municipalities to raise revenues for services and infrastructures by maintaining levy limits. We also continue to receive State unfunded mandates, which require us to reduce City services, increase service fees, or create alternative revenue sources, in order to balance the budget. Over the years we have had to do some of all three alternatives.

We are trying to be creative to make it easier for the City to meet our budget needs and still offer our current services. The City will continue to work with the State restraints that we have, and do the best we can to at least maintain the status quo, and do whatever is needed to meet our future needs. In effect, the State is taking away our opportunities to help ourselves. Even though they have said they have given us the "tools" to help ourselves - they have not, because they keep restricting them. One such method is dark store legislation that is in the State Legislature. It has to do with assessing retail stores as if they were empty stores rather than thriving, full service stores. The effect of this is that the stores would receive a lower tax rate, but the difference in what they would have paid and what they will pay with a lower assessment will increase the taxes on all other property owners in the City. Needless to say the City is against this and has been lobbying our legislators to get it changed.

In order to keep up with all of this, we continually explore the way we do business. In the past and into the future, we look at opportunities to work better, smarter, and more efficiently by buying better equipment and combining services. We may have to explore public and private partnerships in order to perform some services. As a City we constantly evaluate how we do business whenever there is a change in a department.

After all of the department heads submitted their budgets, we had a deficit of \$477,595. By doing some cutting and other creative things we were able to reverse that deficit with no fee increases. We also cut over \$2 million in capital projects and equipment.

We have finally had some good news that did help with this budget. For many years we have lost shared revenues but for 2018, they are expected to increase \$35,614. We had an increase of \$85,546 in transportation aids from the State and after losing \$194,000 last year from the Expenditure Restraint Program we will qualify again in 2018 to the tune of \$218,534. We won't have the wastewater rate from NEW Water until December but it is projected to remain roughly stable for 2018. If this comes to fruition it represents a big change from the past years when we've had 8-10% increases every year to help pay for the construction upgrades to their plant. But the water rates will go up 5-10% depending on what the Public Service Commission allows for.

As one of the creative ways to help us in the future the 2018 Budget includes a Local Vehicle Registration Fee, commonly known as a Wheel Tax of \$20 per vehicle, modeled after the State's Registration fee. This fee will provide funding for maintenance of two parts of the City's infrastructure, the repair and replacement of sidewalks throughout the community, and street repair. This will eliminate the special assessments incurred by property owners to repair and replace their sidewalks and will lower borrowing for road repairs.

Some significant numbers and expenditures include:

- \$4,970,000 for total principal scheduled for payment in 2018;
- \$1,187,000 for Charles Street reconstruction;
- \$419,500 to maintain street lights;
- \$291,400 for building inspection services;
- \$288,437 to operate two outdoor pools;
- \$260,000 for Brown County landfill fees;
- \$245,000 for snow and ice removal;
- \$25,000 to fund 1st year of police body cameras;

\$4,682 winter snow removal of the Fox River Trail
\$87 ERU rate after \$5 increase for each residential property for the storm sewer utility.

It will fund mandates from the DNR and the EPA, which will require significant expenditures in the near future. The City of De Pere may need to increase the fee again in 2019, and subsequent years, to pay for those unfunded mandates.

This year we have allowed for some increases in personnel. This is due to increased workload in some departments. There are four full time positions in this budget - an Engineering Technician, a Human Resources Office Assistant, a Firefighter/Paramedic and a Mechanic. There are also increases in hours for 4 part-time positions. There are an additional 10 Paid on Call Firefighters to bring them up to the limit of 20, where they have not been for many years.

Some miscellaneous items included in the 2018 Budget: fuel is projected at \$2.30 per gallon for regular and \$2.30 per gallon for diesel; there will be no increase for natural gas or electricity and the cost of health insurance will remain the same.

The entire General Fund budget increases 1.81% in operating expenditures, as compared to a 1.19% increase in 2017. The budget proposes a .39% increase in the property tax levy, which translates into a tax rate for 2018 of \$6.72 or \$.02 lower than 2017, and it is a .34% decrease. It doesn't seem like much, but after the past number of years of increases, this is a welcome sight.

The Mayor thanked everyone for the work that they did on the budget and stated that the City has a reputation for being a very desirable community in which to live. It has always been his goal as Mayor to maintain De Pere as an exceptional community and to enhance what we have here. With all of us: City Council, City employees, businesses and residents all making a concerted effort, we will continue to make the City a great place to live, work and play.

City Administrator Larry Delo reviewed charts showing shared revenues, general fund revenue and expenditure trends, general fund expenditures by city department, property tax levy, general obligation debt trends, debt per capita and property valuation.

Discussion followed.

B. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the budget notice was published in the Green Bay Press Gazette on November 4, 2017.

C. Approval of proposed 2018 Budget.

Mayor Walsh declared the public hearing open at 8:19 p.m. The following individuals spoke in favor of the City funding \$15,000 for a lighted tennis court at East De Pere High School: Jerry Gillespie, Tom Vandenberg, Janna Gnof, Renee Butnym, Zara Sharif, Bonnie Sharif, and Dave Reinardy. Edwin Fontaine asked about the proposed wheel tax and why it is needed for sidewalks. The Mayor declared the public hearing closed and entertained a motion at 8:38 p.m. Alderperson Boyd moved, seconded by Alderperson Nelson to approve the budget. Alderperson Hansen proposed some options to eliminate money from the budget to put towards the tennis courts. Discussion followed. Public Works Director Scott Thoresen explained that removing the CNG engine on the budgeted dump truck and replacing it with a diesel engine will save the City \$50,000 and that he supported the change. Alderperson Hansen moved, seconded by Alderperson Crevier to amend the budget to replace the new dump truck with a diesel engine in an effort to

reallocate the funds as follows: \$15,000 towards the lighted tennis courts and \$35,000 to reduce bonding. Upon vote, motion carried unanimously.

Aldersperson Lueck discussed the proposed Wheel Tax and expressed his frustration that more people were not made aware of the proposal in the budget until this week.

Discussion followed. Public Works Director Scott Thoresen explained that if this is approved in the budget, the ordinance still has to go to the Board of Public Works and the Common Council for final approval. Upon vote on the 2018 Budget, the vote carried 6-2 with Alderspersons Lueck and Raasch voting nay.

- D. Resolution #17-85, Adoption of Tax Levy for City Purposes to Support the 2018 City Budget.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Aldersperson
SECONDER:	James Boyd, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

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

Aldersperson Jennings invited everyone to shop in the City of De Pere for Black Friday and Shop Small Saturday. Aldersperson Hansen announced the Kurt the K9 fundraiser; for \$15 you can purchase a plush Kurt the K9 and all proceeds go to the K9 Program. Aldersperson Lueck announced that Fox 11 did a great investigative story on the Southern Bridge project and asked staff to share it for residents to view. Public Works Director Scott Thoresen announced that residents have until 6:30 a.m. Monday morning to put their leaves at the curb for final pick up. Andre Jacque provided a legislative update.

6. Recommendation from the License Committee on an Application for Change of Agent submitted by Dolgencorp, LLC.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Aldersperson
SECONDER:	Dan Carpenter, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

7. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Baffidilucio, LLC, 109-113 N. Broadway. Submitted by Baffidilucio, LLC, Agent: Andrew T. Krans, De Pere, WI.

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

8. Recommendation from the License Committee on an Application for a Change in Corporate Entity from Virgola, LLC to Jonny Olives, LLC.

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

9. Ordinance #17-20, Creating Chapter 9 De Pere Municipal Code Regarding Non-Discrimination in Housing, Public Accommodation and Employment (second reading).

The Common Council took a 5 minute recess at 9:52 p.m. Alderperson Hansen moved, seconded by Alderperson Jennings to open the meeting. Upon vote, motion carried with Alderperson Raasch voting nay. Mayor Walsh asked that all speakers limit their comment to under 3 minutes.

The following people expressed concerns with the proposed ordinance and/or were against the proposed ordinance: Mike LeMay, Brad Voltmer, Ken Brennan, Matthew Cuene, Andre Jacque, Jeff Linear, John Benecke and Chris Johnson. The following people expressed support for the proposed ordinance: Olivia Mazzariello, Serena Truong, Owen Lebrun, Maureen VandenHogan, Mira Luther, Melanie Shefchik, Taku Ronsman, John Wirsch, Mark Swiecichowski, Hannah Bauer, Savannah Johnson, Ruth Wellens, Brenda McCutchin, John Mazzariello, John Grunseth, and Karen Wirsch.

Alderperson Boyd moved, seconded by Alderperson Jennings to close the meeting at 11:01 p.m. Upon vote, motion carried unanimously.

Discussion followed. Alderperson Raasch moved, seconded by Alderperson Carpenter to table the ordinance and rewrite it. Upon vote, motion failed with Alderpersons Carpenter, Crevier, Lueck and Raasch voting ay and Alderpersons Boyd, Jennings, Hansen and Nelson voting nay and Mayor Walsh voting nay to break the tie. Alderperson Hansen moved, seconded by Alderperson Lueck to strike "regardless of intent" from section B of the ordinance and to insert "intentional" before the word "act" in the same section. Upon vote, motion carried 6-2 with Alderpersons Nelson and Boyd voting nay. Upon vote on the ordinance as amended, motion carried 5-4 with Alderpersons Boyd, Jennings, Nelson and Hansen voting ay and Alderpersons Carpenter, Crevier, Lueck and Raasch voting nay and Mayor Walsh voting ay to break the tie. The ordinance will take effect on March 1, 2018.

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

10. Ordinance #17-21, Amending Chapter 134 - Room Tax - Hotel and Motel.

The Council took a recess at 11:28 p.m. and resumed at 11:32 p.m.

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

11. Resolution #17-86, Authorizing Intergovernmental Agreement Between the City of De Pere and the City of Menasha Creating the Bridges of Fox River Consortium For Provision of Environmental.

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

12. Resolution #17-87, Authorizing Amendment to Agreement Regarding Option to Purchase Certain Property Between And Beyond, LLC and the City of De Pere (Part of Parcel WD-1138-1).

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

13. Resolution #17-88, Authorizing Amendment to Agreement for Revaluation and Statutory Assessor Services (January 1, 2016 - December 31, 2018).

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

14. Resolution #17-89, Authorizing On-Site Services Agreement Between the City of De Pere and Bellin Memorial Hospital, Inc., d/b/a Occupational Health Solutions ("Bellin") (Worksite Health Services for City Employees and Spouses).

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

15. Resolution #17-90, Authorizing Agreement with Schenck, S.C. (Sewer Utility Rate Study).

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

16. Resolution 17-91, Initial Resolution Regarding Industrial Development Revenue Bond Financing For Midland Plastics, Inc. Project. Information with respect to the job impact of the project will be available at the time of consideration of the Initial Resolution.

This item was voted on after agenda item #10.

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

17. Approve funding for repairs to Riverwalk.

City Administrator Larry Delo explained that the new conduit will be low enough in the water and will be full marine conduit to avoid future damages from occurring.

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

18. Voucher Approval.

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

19. Operator License Applications.

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

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Operator License Applications #1-3. Upon vote, motion carried unanimously.

RESULT:	NO ACTION
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20. Future Agenda Items.

Alderperson Hansen requested an update on the eminent domain provision in the state budget.

21. Adjournment.

Alderperson Nelson moved, seconded by Alderperson Jennings to adjourn the meeting at 11:43 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer