

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN – NOVEMBER 20, 2012**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, November 20, 2012.

Mayor Mike Walsh called the meeting to order at 7:30 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Scott Crevier, Michael Donovan, Jim Kneiszel, Larry Lueck, Dan Robinson & Kathy Van Vonderen. The Council said the Pledge of Allegiance to the Flag.

3. Alderperson Donovan moved, seconded by Alderperson Crevier, to approve the minutes of the November 7, 2012 meeting. Upon vote, the minutes were approved unanimously.

4A. Mayor Mike Walsh presented the proposed 2013 Budget for the City of De Pere stating that this budget is balanced and provides to the City's service needs in a cost efficient matter. He stated that there were a few options for the City to get through this; the only options he was not willing to consider were the options that would create an ongoing structural deficit in revenues that need to be received for ongoing operating expenditures. 2013 is the final year that the City will operate under collective bargaining agreements approved prior to state changes; all non-union employees will continue to pay 50% of their retirement benefits in 2013, just as they did in 2011 and 2012. All union employees under contract will continue to have all or most of their retirement benefits paid by the City, but will no longer be furloughed to offset revenue shortfalls in 2013. It is anticipated that these employees will be required to contribute 50% in 2014.

For 2013, the state continued its downward trend by reducing shared revenue by over \$13,000; the City also lost \$6,900 in recycling grants, and over \$69,000 in general transportation aids. The City did recover over \$17,000 more in expenditure restraint funds. The 2013 budget included an overall .02% decrease in general fund operating expenses, 4.7% decrease in general government, a .10% increase in public safety, a .33% in public works, and a 4.53% increase in culture, education and recreation expenditures. A few years ago to reduce future debt for equipment replacement, the City added \$100,000 each year to reach that end, and continued to do that this year. The General fund budget is \$15,578,688; down .02% from last year. The 2013 Budget proposes a 1.98% increase in the property tax levy from \$10,884,764 in 2012 to \$11,100,454 in 2013. The tax rate for 2013 is \$6.21, 11 cents higher than 2012 and is a 1.87% increase.

Some significant expenditures to consider include:

- \$526,000 to provide programming and facilities at the Community Center;
- \$478,000 for Green Bay Transit Bus Service;
- \$300,000 for an automated water meter reading system;
- \$278,000 to operate two pools;
- \$239,500 for snow and ice removal;
- \$160,342 from the unassigned fund balance to offset the decrease in shared revenues by the property tax levy limit impacts (the use of these reserve funds as a one-time revenue source will be offset with additional employee retirement contributions in subsequent years);
- \$160,000 for Brown County landfill fees;
- \$131,500 to complete phase one of an additional parking lot and storm water pond at Southwest Park;
- \$9000 for a decrease in youth league contributions;
- \$62 for ERU (equivalent runoff units) – the rate after a \$5 increase for each residential property for the storm water utility; and
- A 3% increase in union wages; 2% increase in non-union wages.

Mayor Walsh stated that De Pere 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 the City has to offer. With everyone; the city council, city employees, businesses and residents making a concerted effort, we will continue to make the City of De Pere a great place to live, work and play.

City Administrator Larry Delo presented detail on the Budget Model for the 2013 proposed Executive Budget forecasting revenue and expenditures for a ten-year period. The tax rate went from \$6.09 last year to a proposed \$6.21 for 2013. The

state equalized tax rate is at \$6.40, a 3.73% increase from 2012. The surplus fund balance has gone from 5.37 million to 5.21 million, due to the Council's decision to use some of that money at this time instead of applying additional fees elsewhere. He shared two charts showing the proportion of property taxes used by each of the taxing jurisdictions within the City, separated by school district; the City's portion is 26%, the schools are 46% (Unified School District) and 47% (West De Pere School District), county 20% (Unified School District) and 19% (West De Pere School District), technical college 7%, and state 1%. He reviewed charts showing shared revenues, general fund revenue and expenditure trends, general fund expenditures by city department, projected tax levy with comparisons of other similar sized municipalities, general obligation debt trends, property valuation, and property tax levy chart with breakdowns by department.

4B. Clerk-Treasurer Shana Defnet announced the Notice of Public Hearing on Authorizing Resolution #12-128, Adoption of Tax Levy for City purposes to support the 2013 City Budget was published in the City's Official Newspaper, the De Pere Journal on November 1 and November 8, 2012. Mayor Walsh opened the meeting to the public.

Mike Fleck, 1402 Charles St. De Pere, WI 54115, stated that he is the Vice President of the De Pere Historical Society and requested that the Council consider restoring the \$2000 cut to their budget. He explained the many programs that they hold for the public and that the programs they hold for the public are done at no charge.

There was no one else present who wished to speak and Mayor Walsh closed public comment at 8:10 p.m.

4C. Alderperson Boyd moved, seconded by Alderperson Lueck to approve the proposed 2013 Budget. Discussion followed.

Amendment #1: Alderperson Donovan moved, seconded by Alderperson Van Vonderen, to reinstate the \$2000 from the De Pere Historical Society Budget from the General Fund Balance. Discussion followed. Upon vote, motion carried unanimously.

Amendment #2: Alderperson Bauer moved, seconded by Alderperson Robinson to amend the Police Department Budget to add \$7,500 for overtime to complete compliance checks for licensed establishments, removed from their Operating Supplies. Police Chief Derek Beiderwieden came forward and advised against the removal of money from Operating Supplies; that money is reserved for protective vests. He stated that the Department could accommodate for the compliance checks without the addition of funds to overtime; discussion followed. Alderperson Bauer moved to withdraw his motion.

Amendment #3: Alderperson Van Vonderen moved, seconded by Alderperson Crevier, to amend the purchase of a new ambulance from the existing contingency fund and instead purchase it from money in the general fund. Discussion followed. Upon vote, motion carried unanimously.

Upon roll call vote, motion carried unanimously.

4D. Resolution 12-128, Adoption Of Tax Levy For City Purposes To Support The 2013 City Budget, was presented for consideration. Alderperson Donovan moved, seconded by Alderperson Boyd to approve the resolution. Upon roll call vote, motion carried unanimously.

5. Public Comment or other Announcements. Clerk Treasurer Shana Defnet announced that voter turnout for the November 6th 2012 Presidential Election was 77.7%, an increase over the 2008 Presidential Election, which had 68.7% voter turnout. 41% of all voters in the 2012 election voted absentee. Mayor Walsh wished everyone a Happy Thanksgiving. Alderperson Robinson invited citizens to attend a program at the Kress Family Library titled "Energy Audits and Winterizing Your Home" on Tuesday, November 27th, at 6:30 p.m.

8. Resolution #12-124, Disallowance of Claim (John and Lynn Gaus) was presented out of order. Alderperson Donovan moved, seconded by Alderperson Robinson to reconsider the disallowance of the claim. Upon vote, motion carried unanimously. Alderperson Bauer moved, seconded by Alderperson Crevier to disallow the claim. Alderperson Boyd moved, seconded by Alderperson Lueck, to open the meeting. Upon vote, motion carried unanimously.

Lynn Gaus of 448 N. Good Hope Road, De Pere WI, was present and explained the claim that she filed with the City regarding the malfunction of a water pipe on their property. She stated that the pipe was taken up by the lawnmower and ruined their lawnmower, resulting in \$400 to replace it. The City's insurance company denied the claim; Lynn Gaus requested of the Council to reimburse them for the damage caused to their mower. Discussion followed. Alderperson Donovan moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. City Attorney Judy Schmidt-Lehman stated that because the city did not have knowledge of the curb stop box being raised, and they could not have fixed it because they were not made aware that there was a problem. In these circumstances the city does not have a legal obligation to pay for the damage. Discussion followed. Alderperson Robinson moved, seconded by Alderperson Boyd to open the meeting. Upon vote, motion carried unanimously. Lynn Gaus stated that they never knew there was an issue with the water pipe until the damage occurred. Alderperson Crevier moved, seconded by Alderperson Van Vonderen to close the meeting. Upon vote, motion carried unanimously.

RECONSIDER RECOMMENDATION FROM THE PLAN COMMISSION/RDA

6A. Allow property formerly known as the Old Claude Allouez Bridge site to be sold or offered at bid (requested by Alderperson Scott Crevier). Alderperson Crevier moved, seconded by Alderperson Van Vonderen to reconsider the recommendation from the Plan Commission/RDA to allow property formerly known as the Old Claude Allouez Bridge site to be sold or offered at bid. Upon vote, motion carried 7-1 with Alderperson Bauer voting nay. Alderperson Crevier asked that this be brought up again to determine how much time the Council has to make the decision as to what to do with this property. City Planner Ken Pabich came forward and explained that after the last meeting, the DOT project was reassigned to a local office and the original decision date of November 30th has since been extended and the new project manager is willing to discuss other options with the City. He stated that the Council will have the opportunity to hear from the DOT at a future council meeting. Alderperson Crevier moved, seconded by Alderperson Van Vonderen, to open the meeting. The following citizens spoke in favor of reconsidering the recommendation to allow the site to be sold or offered at bid:

1. Jerry Turba, 100/102//106 S. Broadway, De Pere.
2. Joe Seroogy, 806 N. Broadway, De Pere
3. Maureen Vanden Hogen, 405 Franklin St, De Pere.
4. Mark Steuer, 1730 Nancy Ave, Green Bay.
5. McKim Boyd, 102 S. Clay St, De Pere.
6. RuthAnn Reynen, 950 Oakdale Ave, De Pere.
7. Mary Jane Herber, 849 N. Clay St, De Pere.
8. Ryan Jennings, 326 S. Michigan St, De Pere.
9. David Duquette, 720 N. Broadway, De Pere.
10. Steven LePak, 915 N. Broadway, De Pere.
11. John Bourguignon, 420 Ridgeway Blvd, De Pere.
12. Mary Schall, 708 N. Michigan St, De Pere.

Alderperson Donovan moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously. Alderperson Lueck moved, seconded by Alderperson Robinson to rescind action taken at the November 7th meeting and table indefinitely. Upon vote, motion carried 6-2 with Alderpersons Donovan and Bauer voting nay. Discussion followed as to how to move forward and gather public input. Alderperson Donovan expressed that because the item was tabled, we should not be discussing the item. He stated that he didn't have an opportunity to tell constituents why the council voted as they voted at the last meeting on the item. Alderperson Robinson moved, seconded by Alderperson Lueck to remove the reconsideration from the table. Upon vote, motion carried unanimously. Alderperson Lueck stated that the Council's previous vote on the recommendation was the right decision at that time due to the time constraint of the DOT, however, after being informed of the changes presented by Planning Director Ken Pabich, the Council's decision to table indefinitely is the right decision to make at this time, allowing for public input on the decision. Requests were made by the Council of staff to come back with more information on the original estimate of the value of the property, as well as information on the restrictions presented and how other communities have utilized similar space. Discussion followed. Alderperson Donovan moved, seconded by Alderperson Bauer to table the reconsideration indefinitely. Upon vote, motion carried unanimously.

RECOMMENDATION FROM THE FINANCE COMMITTEE

7A. \$500 donation from De Pere Christian Outreach Corporation to be used toward the Police Department canine program was presented. Alderperson Van Vonderen moved, seconded by Alderperson Lueck to approve the donation. Upon vote, motion carried unanimously.

7B. 2013 health insurance funding recommendation was presented. Alderperson Robinson moved, seconded by Alderperson Van Vonderen to approve the recommendation. Upon roll call vote, motion carried unanimously.

7C. \$2,980 from the Contingency Fund for repairs made in October to the Municipal Service Center boiler was presented. Alderperson Crevier moved, seconded by Alderperson Lueck to approve the use of contingency funds. Upon roll call vote, motion carried unanimously.

7D. \$1,800 from the Sustainability Fund for the purchase of recycling/garbage containers was presented. Alderperson Boyd moved, seconded by Alderperson Van Vonderen to approve the purchase. Upon roll call vote, motion carried unanimously.

9. Resolution 12-129, Authorizing Façade Improvement Grant To Tilkens Family Limited Partnership (327 Main Avenue) was presented. Alderperson Donovan moved, seconded by Alderperson Van Vonderen to approve the resolution. Upon roll call vote, motion carried unanimously.

10. Resolution 12-130, Authorizing Fifth Agreement Extending Option To Purchase Between The City Of De Pere And Frigo Enterprises, LLC was presented. Alderperson Robinson moved, seconded by Alderperson Donovan to approve the resolution. Upon vote, motion carried unanimously.

11. Resolution 12-131, Authorizing State/Municipal Agreement For State Highway 32 Reconstruction Project was presented. Alderperson Bauer moved, seconded by Alderperson Crevier to approve the resolution. Upon roll call vote, motion carried unanimously.

12. Discussion regarding General Fund balance. Finance Director Joe Zegers provided the Council with an analysis of the general fund balance for the past 20 years, a comparison of the City of De Pere with the 20 municipalities closest in size and their fund balance policies, and information on bond ratings. He discussed setting a range with the Council; other municipalities at our size use a range as their policy. Alderperson Robinson moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Dan Gatz, of 404 Moon Glow Drive, De Pere, wished to speak and stated that setting a percentage range of 20-25% is more than sufficient to cover the City's needs. Keeping it within that range utilizes taxpayer's dollars the best for the taxpayers. Alderperson Robinson moved, seconded by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously. Discussion followed. Alderperson Crevier moved, seconded by Alderperson Bauer to open the meeting. Upon vote, motion carried unanimously. Dan Gatz came forward and stated that you can set this money aside with a return on the investment, or you can also save on interest by not bonding or borrowing if you use that money instead of setting it aside. Alderperson Crevier moved, seconded by Alderperson Donovan to close the meeting. Upon vote, motion carried unanimously.

13. Discussion regarding the status of the De Pere Riverwalk Phase Two construction. Parks Director Marty Kosobucki informed the Council that the girders are up and that the deck will be poured the first week of December. The contractor believes the viewing pier will be done by the end of the year.

14. Alderperson Van Vonderen moved, seconded by Alderperson Crevier, to approve the vouchers. Upon vote, motion carried unanimously.

15. Applications for Operator's Licenses were presented.

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ITEM#	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator License for the 2012-2014 Licensing Period					
1	BOURSAW, NATASHA	1117 S. BROADWAY ST.	GREEN BAY	WI	54304
2	LAYDEN, MATT J.	814 S. ROOSEVELT ST.	GREEN BAY	WI	54301
3	MULHERN, SCOTT P.	665 A. FOXVIEW AVE.	DE PERE	WI	54115
4	VIGO, AMANDA L.	1129 MORRIS AVE.	GREEN BAY	WI	54304
5	WOLFGRAM, SANDRA	1098 BLUE RIDGE DR.	GREEN BAY	WI	54304
Operator Licenses for the 2012-2014 Licensing Period					
1	ARAGON, NATASHA M.	3170 TOBERMORY DR.	GREEN BAY	WI	54311
2	CEILLEY, BRIDGET J.	100 GRANT ST., STE. 322	DE PERE	WI	54115
3	COUSNEAU, KYLE T.	1700 ARNOLD DR.	GREEN BAY	WI	54304
4	GARGULAK, HANNAH D.	2713 HUMBOLDT RD., APT. 1	GREEN BAY	WI	54311
5	GIBSON, JENNIFER M.	521 S. 6TH ST., #40	DE PERE	WI	54115
6	HAUK, MELISSA M.	3197 MILL RD.	GREENLEAF	WI	54126
7	JOHNSTON, TAMMY L.	627 CLOVER LN.	GREEN BAY	WI	54301
8	KOHRELL, AVERY R.	190 REID ST.	DE PERE	WI	54115
9	O'LEARY, VIKTORIA K.	231 E. CARRINGTON LN.	APPLETON	WI	54913
10	RIEMER, ASHLIE N.	W2432 CROSSTOWN RD.	HILBERT	WI	54129
11	SNETHEN, ANDREW J.	925 MATHER ST.	GREEN BAY	WI	54303
12	SOLWAY, MICHAEL L.	1276 KELLOGG ST.	GREEN BAY	WI	54303
13	WEISMANN, EMILY R.	100 GRANT ST., STE. 2320	DE PERE	WI	54115
14	YAHN, SEAN C.	212 BELLEVUE ST.	GREEN BAY	WI	54302

Alderson Bauer moved, seconded by Alderson Kneiszel to approve Previously Tabled Applications #2 and 4 and to table Previously Tabled Application #1, 3, and 5. Upon vote, motion carried unanimously.

Alderson Bauer moved, seconded by Alderson Kneiszel to approve Operator's Licenses #1-14. Upon vote, motion carried unanimously.

16. Future Agenda Items. Alderson Van Vonderen requested that a discussion of the General Fund Reserve Balance, the Capital Project Funds, and a report on discussion with the DOT about the property formerly known as the Old Claude Allouez Bridge be on the agenda at the next meeting.

Upon motion by Alderson Van Vonderen, seconded by Alderson Crevier, the Common Council adjourned at 10:17 p.m.

Respectfully submitted,

Shana Defnet
Clerk-Treasurer