



Common Council

Regular Meeting

335 South Broadway
De Pere, WI 54115
<https://www.deperewi.gov/>

Minutes

Tuesday, November 17, 2020

7:30 PM

1. Call to Order. The meeting was called to order at 7:30 PM by Mayor James Boyd.

Attendee Name	Title	Status	Arrived
Dan Carpenter	Aldersperson	Present	
Mike Eserkaln	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Amy Chandik Kundinger	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Excused	
Casey Nelson	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	
Kelly Ruh	Aldersperson	Present	
James Boyd	Mayor	Present	

2. Approval of the Minutes of the November 4, 2020 Common Council Meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jonathon Hansen, Aldersperson
SECONDER:	Kelly Ruh, Aldersperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

3. Public Hearing on the proposed Budget for calendar year 2021.

A. Presentation of 2021 Budget.

Mayor James Boyd presented the proposed 2021 Budget for the City of De Pere, stating that this budget is balanced and provides for the City's service needs in a cost-efficient manner. As part of the 2021 Budget proposal, all City departments were asked to do the following: 1) submit minimal increases in expenditures, excluding capital projects and equipment; 2) identify options to decrease operating expenditures; and 3) increase revenues by an additional 3%. The State continues to impose restrictions on all municipalities to raise revenue by maintaining levy limits. We also continue to receive State unfunded mandates, which require us to either reduce City services, increase service fees, or create alternative revenue sources in order to balance the budget. Over the years we've had to do some of all three alternatives. We try to be creative to make it easier for the City to meet our budget needs, and still offer our current level of services. We will continue to work with the State restraints that we have, and do the best we can, to at least maintain the status quo. We realize that in these challenging times of the COVID-19 pandemic, difficult decisions will have to be made at the State and City levels; rest assured that we will also do whatever is needed to meet our future needs.

The 2021 budget provides funding to promote a better understanding of our individuality and differences as citizens in our community, and promote opportunities for residents to discuss our differences in a manner that promotes dignity and respect for everyone. As part of this effort, funding has been included to initiate the implementation of the Dignity and Respect Program in our community to foster understanding, tolerance, and sense of community. The budget also has some initiatives to enhance the efficiency of municipal service. It includes funding for an additional \$20,000 to continue our ongoing City branding implementation. It provides financial incentives to promote economic opportunities throughout the community. In addition, it reinforces our emphasis on public safety by including another \$420,000, in addition to the \$420,000 budgeted last year, to fund one third of a new ladder truck scheduled to be replaced in 2022.

For many years, the City lost shared revenues. This year, shared revenue stayed the same as the 2020 budget. Last year, we qualified for the Expenditure Restraint program to the tune of \$269,341. This year we qualify again with \$239,735 – a decrease of \$29,606 due to more communities qualifying for the program. The entire General Fund budget increases 1.9% in operation expenditures as compared to a 2.56% increase in 2020. The 2021 budget includes a 1.89% increase in the property tax levy and a 2.52% decrease in the property tax rate. That property tax rate decrease goes from \$6.76/thousand in 2020, to \$6.59/thousand in 2021 -- \$.17 lower than the 2020 rate. We approach the budget, as we do with any type of change within the organization, as an opportunity to get better. By doing this we can compare our service levels with the community's needs, and the ability to pay for them.

Mayor Boyd 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 alderperson, and now as Mayor, to maintain De Pere as an exceptional community, and to enhance what we have here. With all of us – the City Council, City employees, businesses, and our 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 then reviewed the City's budget model which displays projections in the following areas: shared revenues, general fund revenue/expenditure trends, general fund expenditures by City department, property tax levy, general obligation debt trends, debt per capita, and property valuation.

B. Notice of Public Hearing.

City Clerk Carey Danen announced that the notice of public hearing was published in the Green Bay Press-Gazette on November 2nd, 2020. Mayor Boyd declared the public hearing open; no one wished to speak and he declared the public hearing closed and entertained a motion.

C. Approval of proposed 2021 Budget.

Aldersperson Hansen moved, seconded by Aldersperson Kunding to approve the proposed budget.

Aldersperson Raasch proposed a budget amendment to address recent vandalism incidents in City parks, noting that Parks Director Marty Kosobucki has suggested adding park patrol staff in the past. Aldersperson Raasch moved, seconded by Aldersperson Ruh to

amend the budget by redirecting \$20,000 from the Mayor's budget for the Dignity and Respect program to the Parks budget in order to fund two part time park patrol positions to provide additional security and support.

Discussion followed regarding the vandalism, the plan to install security cameras around the City and how these would be funded, as well as an alternative plan to use existing Community Service Officers to aid in park patrol. Council members also discussed state levy limits, expenditure restraints, and budget amendments.

In response to Alderperson Hansen's request, City Administrator Larry Delo provided details on the national Dignity and Respect program for the benefit of listeners.

Upon vote, the motion to amend the budget failed with Alderpersons Raasch and Ruh voting aye.

RESULT:	APPROVED [5 TO 2]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson
NAYS:	Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

D. Resolution #20-117 Adoption of Tax Levy for City Purposes to Support the 2021 City Budget.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

4. Public Hearing on the vacation of a public thoroughfare (200 block South Wisconsin Street adjacent to Parcels ED-812 and ED-920).

A. Notice of Public Hearing.

City Clerk Carey Danen announced that the notice of public hearing was published in the Green Bay Press-Gazette on October 28th, 2020. Mayor Boyd declared the public hearing open. No one wished to speak, so he then declared the public hearing closed.

B. Recommendation from the Plan Commission.

Development Services Director Dan Lindstrom explained that the original request to vacate portions of Wisconsin and Charles Streets has been split into two separate requests. This resolution is the final step in the Wisconsin Street vacation; the introductory step for the Charles Street vacation is being considered later in tonight's agenda.

C. Resolution #20-105 Regarding the Vacation of a Public Thoroughfare (200 Block South Wisconsin Street Adjacent to Parcels ED-812 and ED-920).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

5. Proclamation in Appreciation and Gratitude to Poll Workers and Staff for Service During the November General Election.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

6. Recommendation from Finance/Personnel Committee to accept donation of two ice dispensing machines from Humana for the Fire Dept.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

7. Recommendation from the License Committee on a request by Dylan Doxtater-Gillis to appear before the License Committee regarding denial of his Operator License Application.

Alderperson Raasch moved, seconded by Alderperson Carpenter to open the meeting. Upon vote, motion carried unanimously. The applicant then addressed the Council. Alderperson Raasch moved, seconded by Alderperson Carpenter to close the meeting. Upon vote, motion carried unanimously.

Discussion followed. Assistant City Attorney Kristen Johnson confirmed that the City is prohibited from placing restrictions on where an applicant can work.

RESULT:	DENIED [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

8. Recommendation from the License Committee on a request by the Chief of Police to conduct a pre-hearing on the Class B Combination Liquor License issued to Crystal Jenss (DBA On The Rocks Bar) 413 Main Ave. based upon allegations of liquor license regulation violations.

RESULT:	APPROVED – SCHEDULE EVIDENTIARY HEARING [UNANIMOUS]
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Jonathon Hansen, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

9. Ordinance #20-20 Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations (Schedule G. Parking and Schedule C. Yield Right-of-Way Intersections). Second Reading.

Alderperson Carpenter moved, seconded by Alderperson Hansen to approve items 1-3 and 5-6, and to take item #4 separately.

City Attorney Judy Schmidt-Lehman explained that the ordinance only pertains to parking restrictions and a yield intersection, and that Alderperson Carpenter might be referring to items in the staff report which are not part of the ordinance being considered. She noted that the motion to take items separately is not in order, but suggested that Alderperson Carpenter could instead make a motion to amend the ordinance.

Alderperson Hansen moved, seconded by Alderperson Raasch to approve the ordinance.

Alderperson Carpenter moved, seconded by Alderperson Raasch to amend the ordinance by removing section 2 (which would add a yield sign on Nicolet Av and White Pine).

Discussion followed regarding staff recommendations and resident concerns.

Upon vote, the motion to amend failed with Alderpersons Raasch and Carpenter voting aye.

RESULT:	SECOND READING REQUIRED [5 TO 2]
	Next: 12/1/2020 7:30 PM
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Eserkaln, Hansen, Kunding, Nelson, Ruh
NAYS:	Carpenter, Raasch
EXCUSED:	Shana Defnet Ledvina

10. Ordinance #20-21 Creating Chapter 23 De Pere Municipal Code Regulating the Application and Sale of Coal Tar and Other High-PAH Sealant Products.

Alderperson Raasch explained that this item was reviewed by the Board of Public Works a couple of months ago, but they waited to forward it to Council in order to give contractors time to use up their existing inventory before the ordinance takes effect.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

11. Res #20-118 Preliminary Resolution Declaring Intention to Exercise Special Assessment Powers Under Section 66.0703, Wis. Stats., Sanitary Sewer and Water Main, Storm Sewer and Storm Water Management (Garroman Drive).

City Attorney Judy Schmidt-Lehman asked for clarification because the resolution as put forward by Public Works does not indicate payment details. Public Works Director Scott Thoresen and Alderperson Carpenter confirmed that the intent is for repayment after two years.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

12. Resolution #20-119 Establishing Pandemic Response - Downtown Business Aid Program

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Amy Chandik Kundinger, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

13. Resolution #20-120 Granting Two Planning Options to Purchase to Howard Immel, Inc. (Venture Avenue and Profit Place).

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

14. Resolution #20-121 Regarding the Vacation of a Public Thoroughfare (500 Block of Charles Street; adjacent to Parcels ED-914 and ED-920) - Refer to Public Hearing.

RESULT:	ADOPTED – REFER TO PUBLIC HEARING [UNANIMOUS]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

15. Voucher approval.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Kelly Ruh, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Nelson, Raasch, Ruh
EXCUSED:	Shana Defnet Ledvina

16. COVID-19 update from the Health Department.

Health Director Debbie Armbruster reported that the Health Department has applied for vaccinator status. The department conducted a drive-through flu shot clinic last weekend at Fire Station 2, which went very well and was good preparation for future COVID-19 vaccine clinics. Discussion followed regarding the two school districts' and St. Norbert College's plans for holiday breaks.

17. Future agenda items.

Alderperson Carpenter requested that staff evaluate the sidewalk ordinance to determine if there are any areas in the City where sidewalks are supposed to be established. This request will go to the Board of Public Works.

Alderperson Hansen requested that the Board of Public Works consider outreach efforts regarding the coal tar sealant ban.

18. Adjournment.

Alderperson Raasch moved, seconded by Alderperson Carpenter to adjourn the meeting at 9:32 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk