Common Council

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

Regular Meeting

Minutes

Tuesday, November 15, 2016 | 7:30 PM | De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting called to order on November 15, 2016 at 7:30 PM De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

Attendee Name	Title	Status
Michael J. Walsh	Mayor	Present
James Boyd	Alderperson	Present
Dan Carpenter	Alderperson	Present
Scott Crevier	Alderperson	Present
Michael Donovan	Alderperson	Present
Ryan Jennings	Alderperson	Present
Larry Lueck	Alderperson	Present
Dean Raasch	Alderperson	Present
Lisa Rafferty	Alderperson	Present

2. Pledge of allegiance to the Flag.

3. Approval of the Minutes of the November 1, 2016 Common Council Meeting.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

4. Public Hearing on the proposed Budget for calendar year 2017.

A. Presentation of 2017 Budget.

Mayor Michael Walsh presented the proposed 2017 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.
The2017 budget accomplishes the following 4 goals:
1. Maintain a highly efficient and effective utility and transportation infrastructure through replacement of old and damaged facilities.
2. Provide appropriate levels of financial incentives to promote development opportunities throughout the community.
3. Minimize property tax mill rates as much as possible while continuing to provide municipal services in a manner that meets the needs of the community.
4. Provide the resources necessary to maintain an innovative, effective, and efficient workforce.
The budget keeps the City in a favorable financial state, and also positioned for the future. We are able to continue the level of services the City is used to. As part of the 2017 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 2016 the City has experienced a lot of interest in development in our business parks and in our downtown. Currently, there is a business/apartment building

being built on the corner of Broadway and George Street. It is a five story building worth $3 million, with 29 apartments, and offices/retail on the first floor. There has also been interest in other areas of our downtown for new development. We also have a number of infills, or open areas in the downtown, that are conducive for possible development. Our fantastic business parks continue to provide interest for locating and building new businesses. We have also had expansions to our current businesses, most notably a 30,000 square foot corporate headquarter expansion for Belmark in the East Business Park worth about $12.5 million dollars.

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 either 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 reaching a point where service reductions could become significant, the service fees increases could become unreasonable, and if we can't find any alternative revenue sources, that could cause a reduction of the services the City offers.

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. 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 almost $417,000. By doing some cutting and other creative things, we were able to get it down to $155,000 and then offset that with fee increases. For many years we have lost shared revenues, but in 2016 we actually had an increase of $2,500. In 2017 they are projected to remain unchanged. We also had an increase of $12,796 in transportation aids from the State. The water rates will go up 3%, wastewater rates are expected to increase tentatively 10% (with two years left for us to pay the large increase to fund the construction at New Water), and we lost $194,000 from the expenditure restraint program, in decreasing to zero. We expect to qualify for it again in 2018.

Some significant numbers and expenditures include:

* $4,746,292 for total principal scheduled for payment in 2017;
* $914,728 for total interest and service fees for payment in 2017;
* $540,000 for Recreation Programs;
* $282,500 for snow and ice removal;
* $281,600 for operating two outdoor pools;
* $250,000 to refurbish a fire engine which will give it another ten years of life instead of paying about $700,000 for a brand new truck;
* $250,000 for Brown County Landfill fees;
* $204,500 for Forestry Program;
* $100,000 for Nicolet Square design services to enhance the parking lot into a combination parking lot and pedestrian plaza business destination.
* $82 is the rate after $5 increase/ERU (equivalent residential units) 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 may need to increase the fee again in 2018, 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 is a need for an additional police officer who will be dedicated to traffic violations and special projects. This is the only full time position that is being requested, and should be somewhat offset by the citations being issued. The next is a part time staff attorney which would be offset by decreased consulting fees with outside law firms. One part time park seasonal worker to help out with summer maintenance, and a part time Weed Commissioner from May until October to free up the City Forester so he can concentrate on his regular duties which have increased, as has the amount of time being spent on dealing with weeds and un-mowed lawns. It will also provide better supervision to the seasonal staff.

Some miscellaneous items included in the 2017 Budget are: fuel is projected at $2.40 per gallon for regular and $2.50 per gallon for diesel; there will be no increase for natural gas or electricity; and for the first time in a long time, there is a 5% decrease in health insurance. We also cut $133,000 in capital projects and equipment.

The entire General Fund budget increases 1.19% in operating expenditures, as compared to a 3.05% increase in 2016. The budget proposes a 4.34% increase in the property tax levy, which translates into a tax rate for 2017 of $6.74 or $.07 higher than 2016, and a 1% increase.

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.

Finance Director Joe Zegers had one amendment to make requiring a reclassification of a $19,000 grant for Historic Preservation. There were no other changes.

B. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on October 31st, 2016.

C. Approval of proposed 2017 Budget.

The Mayor declared the public hearing open, no one wished to speak and he declared the public hearing closed and entertained a motion. Alderperson Lueck moved, seconded by Alderperson Boyd to approve the budget. Upon vote, motion carried unanimously.

D. Resolution 16-111, Adoption of Tax Levy for City Purposes to Support the 2017 City Budget.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

5. Public Hearing on the Rezoning of Parcel WD-445 (726 Main AV) from R-2 (Single and Two-Family Residence District) to B-3 (Motor Vehicle Dependent Business District).

A. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on October 31st and November 7th, 2016.

B. Recommendation from the Plan Commission.

Economic Development and Planning Director Kim Flom stated that the Plan Commission approved the rezoning unanimously.

C. Ordinance #16-25 Rezoning Certain Property (Parcel WD-445)

The Mayor declared the public hearing open, no one wished to speak and he declared the public hearing closed and entertained a motion. Economic Development and Planning Director Kim Flom confirmed that property owners within 300 feet received notice of the rezoning.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Michael Donovan, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

6. Public Hearing on the right-of-way vacation for a part of a railroad spur near Fortune Avenue.

A. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on October 24th, 31st, and November 7th, 2016.

B. Recommendation from the Plan Commission.

Economic Development and Planning Director Kim Flom stated that the Plan Commission approved the rezoning unanimously. Staff has received no comment on this.

C. Resolution #16-104, Regarding the Vacation of a Portion of a Public Thoroughfare (Railroad Spur 500 Block of Fortune Avenue).

The Mayor declared the public hearing open, no one wished to speak and he declared the public hearing closed and entertained a motion.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

7. Public Hearing on the right-of-way vacation for a part of Richco Road.

A. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on October 24th, 31st, and November 7th, 2016.

B. Recommendation from the Plan Commission.

Economic Development and Planning Director Kim Flom stated that the Plan Commission approved the vacation unanimously.

C. Resolution #16-105, Regarding the Vacation of a Portion of a Public Thoroughfare (2100 Block of Richco Road).

The Mayor declared the public hearing open, no one wished to speak and he declared the public hearing closed and entertained a motion.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Crevier, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

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

Alderperson Crevier commended the clerk’s office and the poll workers on a well-run polling place. Alderperson Jennings shared that Definitely De Pere would like the community to shop local on small business Saturday, November 26. He also shared the upcoming event Winter Wonderland, on December 3 in downtown De Pere. There will be horse-drawn carriage rides from 1-4 p.m., Santa & Mrs. Claus at White Pillars from 2-7 p.m., and many other activities. Alderperson Donovan commended the City’s leaf collection efforts and stated that they have done an excellent job.
Peter Blashka came forward to speak about his street and where he can park cars outdoors. City Attorney Judy Schmidt-Lehman asked him to call her to discuss City ordinance that prohibits parking in public right-of-way

9. Recommendation from the License Committee on an Application for a "Class A" Cider License for Voyageur Shell, LLC (DBA GCS Landing), 1063 N. Broadway St. Submitted by Voyageur Shell, LLC, Agent: Jacob Peter Anderson, 1570 Waterford Ct., Green Bay, WI.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dean Raasch, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

10. Recommendation from the License Committee on an Application for a "Class A" Cider License for De Pere Shell, Inc. (DBA De Pere Shell), 841 Main Av. Submitted by De Pere Shell, Inc., Agent: Michael Schilawski, 2789 W. Kenlar Ci, Green Bay, WI.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

11. Recommendation from the Board of Park Commissioners to request Brown County maintain the Fox River Trail for 12 months including snow removal.

Parks Director Marty Kosobucki explained that approving this item will express our interest to the county that they clear the Fox River Trail in winter. Discussion followed regarding additional work for the City if Brown County agrees to clear, user fees collected by Brown County, liability concerns the City would have with clearing the trail, and the possibility of Friends of the Fox River Trail clearing the trail. Alderperson Jennings shared that the Brown County Education and Recreation Committee is meeting on Thursday, November 17, 2016, at 5:30 p.m. in the Neville Museum and will be addressing the issue. Discussion followed.
Alderperson Raasch moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously. Jen Vandenelzen, Executive Director of Live54218, came forward and shared the history of this request and asked that the City Council make a request to Brown County to provide snow removal for the trail. John Jende added his support for clearing the trail in winter. Heather Gentry, member of the Green Bay Bicycle Collective, added her support in favor of De Pere clearing the trail in winter.
Alderperson Donovan moved, seconded by Alderperson Crevier to close the meeting. Upon vote, motion carried unanimously.
Discussion followed. Motion to accept the recommendation from the Board of Park Commissioners to request Brown County maintain the Fox River Trail for 12 months to include snow removal adopted 7-1 with Alderperson Crevier voting nay.
Alderperson Lueck moved, seconded by Alderperson Donovan that City staff communicate with Brown County and the Friends of the Fox River Trail the City’s request that they remove the snow from the trail in winter and to send someone from the City to the Brown County Ed and Rec Committee Meeting at the Neville Public Museum on Thursday, November 17, at 5:30 p.m. Discussion followed regarding liability concerns. Upon vote, motion carried 7-1 with Alderperson Crevier voting nay.

RESULT:	**ADOPTED [7 TO 1]**
MOVER:	James Boyd, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Donovan, Jennings, Lueck, Raasch, Rafferty
NAYS:	Scott Crevier

12. Recommendation from the Board of Park Commissioners to approve Pink Flamingo Donation of $1,000 for concrete dugouts.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Lisa Rafferty, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

13. Recommendation from the Board of Park Commissioners to consider replacing the two existing pools with one aquatic center with the location to be determined at a future time.

    Parks Director Marty Kosobucki presented the same presentation on the Aquatic Center that went to the Board of Park Commissioners. The Board of Park Commissioners is recommending pursuing one aquatic center and eliminating both pools. The discussion on the agenda is whether or not to accept their recommendation and does not involve the location of the aquatic center, which will be discussed at a later meeting. Discussion followed regarding the Board of Park Commissioner's recommendation and the different options presented. Alderperson Donovan moved, seconded by Alderperson Jennings to open the meeting. Upon vote, motion carried unanimously. Peter Blashka came forward and spoke in support of a single aquatic center. Paul Baeten came forward and spoke in support of two separate pools. Alderperson Donovan moved, seconded by Alderperson Raasch to close the meeting. Upon vote, motion carried unanimously. Discussion followed regarding funding for the pool.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

14. Recommendation from the Board of Park Commissioners to approve request for fundraising efforts to improve Southwest Park Playground.

    Alderperson Jennings expressed that this is an incredible opportunity for the City driven by a resident who wants to see a beautiful facility at that park.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Ryan Jennings, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

15. Recommendation from the Board of Public Works to Not Repair the City Fountain located at Broadway and James Streets.

    Alderperson Crevier asked how old the City Fountain is; Mayor Walsh thought it was put in sometime in the early 1980's. City Administrator Larry Delo explained that the Planning Department is working with other groups to come up with a plan for that area.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

16. Ordinance #16-26 Amending Sec. 8-22 De Pere Municipal Code Regarding Snow Removal

Discussion followed regarding complaints from citizens. Public Works Director Scott Thoresen explained that staff wanted to change the code to make the process better for citizens and the City.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

17. Ordinance #16-27 Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations

Public Works Director Scott Thoresen said this would take a couple of weeks to have signs up to date.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	James Boyd, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

18. Resolution #16-112, Authorizing Termination of 2016 & 2017 Agreement With Aging & Disability Resource Center of Brown County, Inc. and Approving 2017 Agreement (Nutrition Program).

Parks Director Marty Kosobucki explained that the ADRC used to pay the City which funded a full-time position at the Community Center; that person will still be on site and connected with seniors but will be funded by the City only.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

19. Resolution #16-113, Authorizing Seventh Amendment to Lease Agreement Between the City of De Pere and Humana Insurance Company.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

20. Resolution #16-114, Authorizing Amendment to Boat Launch Fees.

Parks Director Marty Kosobucki explained that the daily pass fee cannot go up without the other communities agreeing to raise it.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

21. Resolution #16-115, Authorizing Street Name Change (Innovation Court to Innovation Drive).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Crevier, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

22. Resolution #16-116, Authorizing Partial Release of Utility Easement (East Matthew Drive).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dan Carpenter, Alderperson
SECONDER:	Ryan Jennings, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

23. Resolution #16-117, Authorizing First Amendment to Lease Agreement with T-Mobile Central LLC (Merrill Street Tower).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

24. Resolution #16-118, Authorizing Agreement with Schenck, S.C. (Sewer Utility Rate Study).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Dean Raasch, Alderperson
SECONDER:	Scott Crevier, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

25. Recommendation of Bi-weekly Stipend for Interim Fire Chief

City Administrator Larry Delo explained that the recruitment process for a position like this can take anywhere from 4-6 months.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

26. Approve expense of $3,150 for asbestos removal at Fairgrounds House.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Michael Donovan, Alderperson
SECONDER:	Lisa Rafferty, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

27. Re-Appointment to the Redevelopment Authority by Mayor Walsh.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Scott Crevier, Alderperson
SECONDER:	Larry Lueck, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

28. Voucher Approval.

Alderperson Carpenter asked about the Carlson-Dettman consulting payment; City Administrator Larry Delo explained that we have an agreement to pay a set fee whenever we ask the firm to make changes to our study.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Larry Lueck, Alderperson
SECONDER:	Dean Raasch, Alderperson
AYES:	Boyd, Carpenter, Crevier, Donovan, Jennings, Lueck, Raasch, Rafferty

29. Operator License Applications.

Alderperson Raasch moved, seconded by Alderperson Carpenter to approve Previously Tabled Operator License Applications #1, 2 and 5, to table #3, and to deny #4. Upon vote, motion carried unanimously.
Alderperson Raasch moved, seconded by Alderperson Boyd to approve Operator License Applications #1-3 and 5 and to deny #4. Upon vote, motion carried unanimously.

30. Future agenda items.

Alderperson Crevier requested that Council receive an annual report of all donations received by the City in the previous year.

31. Adjournment.

Alderperson Crevier moved, seconded by Alderperson Boyd to adjourn the meeting at 10:18 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer