



Common Council

Regular Meeting

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

Minutes

Tuesday, November 7, 2017

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on November 7, 2017 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	Aldersperson	Present
Dan Carpenter	Aldersperson	Present
Scott Crevier	Aldersperson	Present
Jonathon Hansen	Aldersperson	Present
Ryan Jennings	Aldersperson	Present
Larry Lueck	Aldersperson	Present
Casey Nelson	Aldersperson	Present
Dean Raasch	Aldersperson	Present

2. Pledge of allegiance to the Flag.
3. Approval of the Minutes of the October 17, 2017 Common Council Meeting.

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

4. Public comment upon matters not on the agenda or other announcements. None.
5. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage License for De Pere Deacons Hockey Team, Inc. (DBA De Pere Deacons Hockey Team), 1450 Fort Howard Av. Submitted by De Pere Deacons Hockey Team, Inc., Agent: David E. Lepp, De Pere, WI.

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

6. Recommendation from the BID Board regarding the 2018 De Pere Business Improvement District Operating Plan.

RESULT:	ADOPTED [7 TO 0]
MOVER:	Larry Lueck, Aldersperson
SECONDER:	Dean Raasch, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Lueck, Nelson, Raasch
ABSTAIN:	Ryan Jennings

7. Ordinance #17-20, Creating Chapter 9 De Pere Municipal Code Regarding Non-Discrimination in Housing, Public Accommodation and Employment. (Tabled at October 17, 2017 Common Council Meeting)

Aldersperson Raasch moved, seconded by Aldersperson Crevier to open the meeting at 7:32 p.m. Upon vote, motion carried unanimously.

Patricia Finder-Stone urged the Council to keep an open mind when listening to the discussion. The following people expressed concerns with the proposed ordinance and/or were against the proposed ordinance: Mike LeMay, Sheldon Miles, Matt Kadlec, John Benecke, Stan Sukowaty, Chris Brehm, Jack Guerra, Bill Schroeder, William Van Kirk, Jeff Zepnick, Tom Barrett, Matt Rohloff, Graham Hunt, Jill Quinlan, Trevor Fayas, Ed Foral, Brad Foltmer, Kevin Bauer, Lisa Rafferty, Calvin Hunt, Eric Cunningham, Pat Boyer, and Curt Gerbers. The following people expressed support for the proposed ordinance: Annette Grunseth, John Grunseth, Stacie Christian, Paige Vanden Busch, Natalie Buhl, Noah Reif, Lisa Hefty, Anna Grunseth, Jamie Gonzalez, Miranda Bonde, Kayla Johnson, Roberta Lovell, Andrew Albright, Aaron Linssen, Amanda Kim, Megan Porer, Lane Moran, Lauren March, Jane Feldhausen, and Oscar English. Concerns expressed included safety for women and children, reverse discrimination issues, religious freedom, locker room and bathroom issues, freedom of conscience for business owners and municipal overreach. Aldersperson Raasch moved, seconded by Aldersperson Boyd to close the meeting at 9:48 p.m. The Council took a short recess and resumed at 9:55 p.m. City Attorney Judy Schmidt-Lehman addressed the questions asked during the open session. She explained that the ordinance is an attempt to protect a class that is not protected under federal or state laws. She explained that religious organizations should not be subject to discrimination claims and are protected under the first amendment. She explained that this ordinance does not identify a certain way for anyone to use the bathroom. The ordinance is designed so that any complaints are directed to the City Administrator, who then attempts to come to a resolution with the parties involved. If they cannot come to an agreement, the City Administrator brings the complaint to the City Attorney, who then decides upon a citation. That citation could be challenged before the Municipal Judge. Discussion with the City Council followed. Aldersperson Hansen moved, seconded by Aldersperson Boyd to strike "regardless of intent" from Section B of the ordinance and to insert "intentional" before the word act in the same section. Discussion followed. Upon vote, motion failed 5-3 with Alderspersons Boyd, Hansen and Jennings voting ay. Discussion followed. Upon vote on the ordinance, motion carried 5-4 with Alderspersons Boyd, Jennings, Hansen, and Nelson voting ay and Alderspersons Crevier, Raasch, Lueck, and Carpenter voting nay. Mayor Walsh voted ay to break the tie. The ordinance requires a second reading.

RESULT:	ADOPTED [5 TO 4]
MOVER:	Casey Nelson, Aldersperson
SECONDER:	Ryan Jennings, Aldersperson
AYES:	James Boyd, Jonathon Hansen, Ryan Jennings, Casey Nelson, Mayor Walsh
NAYS:	Dan Carpenter, Scott Crevier, Larry Lueck, Dean Raasch

8. Resolution #17-84, Urging Continuation of Federal Historic Tax Credits for Commercial Properties.

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

9. Voucher Approval.

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

10. Operator License Applications.

CITY OF DE PERE	
License Committee - November 7, 2017	
Previously Tabled Operator License Applications	
1	BIELSKI, ASHLEY M.
New Operator License Applications	
1	BAKKEN, ALICIA B.
2	BAKKEN, ANA L.
3	BAKKEN, PAUL
4	BROOKS, SARA L.
5	DEMSKE, ANITA S.
6	GUNDRUM, CATHERINE H.
7	HEEZEN, MELISSA A.
8	JORDAN, AMY M.
9	LUEDTKE, MATHEW K.
10	MC ARDLE, MICHELLE L.
11	RECKELBERG, AUSTIN A.
12	UPTHEGROVE, DONNA L.

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

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Operator License Applications #1-11. Upon vote, motion carried unanimously.

Alderperson Boyd moved, seconded by Alderperson Hansen to table Operator License Application #12. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Lueck, Nelson, Raasch

11. Future Agenda Items. None.

12. Discussion of status of Shopko Stores Operating Co., LLC v. City of De Pere Cases

Alderperson Raasch moved, seconded by Alderperson Nelson to close the meeting at 10:53 p.m. Upon vote, motion carried unanimously.

Alderperson Jennings moved, seconded by Alderperson Carpenter to open the meeting at 11:04 p.m. Upon vote, motion carried unanimously.

13. Adjournment.

Alderperson Raasch moved, seconded by Alderperson Crevier to adjourn the meeting at 11:05 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer