



Common Council

Regular Meeting

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

Minutes

Tuesday, October 15, 2019

7:30 PM

De Pere City Hall Council Chambers

1. Call to Order. The meeting was called to order at 7:30 PM by Mayor Michael J. Walsh.

Attendee Name	Title	Status	Arrived
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	
Amy Chandik Kundinger	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 1, 2019 Common Council meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Casey Nelson, Aldersperson
SECONDER:	Amy Chandik Kundinger, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

4. Public Hearing on a request to rezone the following properties by removing the Planned Development District overlay therefrom: Parcel WD-D0036 (2100 BLK Innovation Court) and Parcel WD-D0035-1-1 (2100 BLK Innovation Court).

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 September 30 and October 7, 2019.

B. Recommendation from the Plan Commission.

C. Ordinance #19-20 Rezoning Certain Property from C-EO PDD Corporate-Executive Office District with Planned Development District Overlay to C-EO Corporate-Executive Office District (Parcels WD-D0035-1-1 and WD-D0036).

Mayor Walsh declared the public hearing open. No one wished to speak and the Mayor declared the public hearing closed.

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

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

Aldersperson Boyd announced that the De Pere Historical Society is celebrating its 50th anniversary on Wednesday, October 30th at the Swan Club. Members of the public can purchase tickets for the dinner at deperehistory.org.

Aldersperson Kunding reminded viewers that the State of De Pere luncheon is on Tuesday, November 12th from 11:30 AM - 1:00 PM and features an address by Mayor Walsh. Those interested in attending can register at deperechamber.org.

Aldersperson Hansen announced that the City of De Pere Health Department is hosting two more flu vaccine clinics: Thursday, October 17th and Tuesday, October 29th. They are offering free child vaccines, and also have limited adult vaccines. Call 339-4054 to make an appointment.

Aldersperson Hansen also congratulated Jessica Diederich of the Greater Green Bay Convention and Visitors Bureau on her new role as the president of Freedom House.

Aldersperson Jennings reported that downtown businesses are holding a Trick or Treat event on Saturday, October 26th from 11:00 AM - 2:00 PM.

6. Recommendation from Finance/Personnel Committee to approve Recommended Changes to 2020 Seasonal Wage Schedule

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Aldersperson
SECONDER:	Casey Nelson, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

7. Recommendation from Finance/Personnel Committee to approve 2020 Benefit Renewal and Plan Design Changes.

Aldersperson Nelson moved, seconded by Aldersperson Kunding to deny the changes to medical plan language regarding abortion coverage and home health care visit maximums, and to approve the remaining changes to the medical plan language as outlined in the staff memo.

Aldersperson Crevier moved, seconded by Aldersperson Raasch to amend the original motion by keeping the first condition in the abortion coverage language that refers to cases where the mother's life is in danger, and by removing the second and third conditions in the abortion coverage language: namely, for cases of rape/incest and a fetal diagnosis of a lethal or otherwise significant abnormality.

Human Resources Director Shannon Metzler explained that the industry standard is to provide coverage for the first two conditions. After the Finance/Personnel Committee meeting, she asked the City's third party administrator UMR for details on the definition of the third condition. UMR replied that the language in this section does not include official medical terminology, and therefore does not have a definition for coding purposes. As a result, the City's current plan covers all types of abortion. Shannon asked if there was alternative plan language that could be used instead, but UMR was unable to provide any because all of their other plans follow the industry standard.

Aldersperson Raasch asked if infertility treatment is covered under the City's plan. Shannon was able to determine that items such as tests, surgical reversal of sterilization, hormone therapy, IVF, gamete freezing, and genetic testing are not covered under the plan. Discussion followed on plan funding and Council's past involvement in reviewing plan language.

Upon vote, the motion to amend failed by a vote of 2-6 with Alderpersons Raasch and Crevier voting aye.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to amend the original motion by reinstating the language in the home health care provision that caps visits at 60 per calendar year. Discussion followed regarding the cost of home health visits and the inclusion of dependents in this coverage. Upon vote, the motion to amend failed by a vote of 2-6 with Alderpersons Raasch and Crevier voting aye.

Aldersperson Raasch moved, seconded by Aldersperson Crevier to amend the original motion by removing the third condition in the plan language that covers abortions in cases where the fetus is diagnosed with a lethal or otherwise significant abnormality; thereby conforming to the staff proposal to match industry standard for abortion coverage. Discussion followed. Upon vote, the motion to amend carried by a vote of 6-2 with Alderpersons Kunding and Nelson voting nay.

Discussion followed about the proposed change to the newborn deductible. M3 Insurance representative Jason Shanda explained that this deductible only applies if the newborn would require additional care after the birth.

Mayor Walsh called for a vote on the original motion as amended - to accept the proposed changes recommended by staff on all items except for the home health care visit maximum, which would retain the current plan language. Upon vote, motion carried by a vote of 7-1 with Aldersperson Crevier voting nay.

8. Recommendation from Board of Public Works to deny request from Ald. Hansen Requiring Sod Instead of Seed for All Restoration in Street Right of Way or Easements

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

9. Recommendation from Board of Public Works to approve request from Ald. Hansen to donate and install Flags in Street Right of Way on Webster Avenue

Aldersperson Hansen explained that the recommendation from the Board of Public Works is to install two City of De Pere flags and one State of Wisconsin flag. Aldersperson Crevier thanked Aldersperson Hansen for his donation.

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

10. Recommendation from the License Committee on an application for a Class "B" Fermented Malt Beverage License for the De Pere Deacons Hockey Team, Inc. (DBA De Pere Deacons Hockey), 1450 Ft. Howard Ave. Submitted by the De Pere Deacons Hockey Team, Inc., Agent: David Lepp De Pere, WI.

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

11. Ordinance #19-21 Amending Chapter 82 De Pere Municipal Code Regarding Solid Waste/Curbside Recyclable Collection.

Alderperson Crevier asked for clarification on the new section regarding rubbish drop off. Public Works Director Scott Thoresen explained that the intent is to mirror the language that prohibits commercial operators from dropping off at the compost site.

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

12. Ordinance #19-22 Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations.

Mayor Walsh moved agenda item #16 forward before this item.

Public Works Director Scott Thoresen answered Council members' questions on the signage at Samantha Park and the midblock crossings which were mentioned in the staff memo. He explained that these were recommendations to the Board of Public Works, but are not part of the ordinance amendment being considered tonight.

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

13. Resolution #19-113 Authorizing Agreement for Contractor Services Between the City of De Pere and Kent Hutchinson (Nicolet Square Infinity Planters).

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

14. Resolution #19-114 Authorizing Agreement for Consulting Services Between the City of De Pere and JT Engineering, Inc. (Main Avenue and Eighth Street Traffic Signal Upgrades).

Alderperson Crevier asked how these signal upgrades coincide with the eventual plan to upgrade the intersection. Public Works Director Scott Thoresen stated that the existing signals are being replaced in kind; a turn signal at this intersection will not be implemented until the lane configurations are changed, in order to prevent backups.

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

15. Resolution #19-115 Authorizing Agreement for Consulting Services Between the City of De Pere and Ruekert & Mielke, Inc. (2019 Inflow and Infiltration Study and Clear Water Mitigation Plan).

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

16. Resolution #19-116 Authorizing Funding for Southern Bridge Corridor [Tier I Environmental Impact Study (EIS) and Draft Interstate Access Justification Report (IAJR)].

Mayor Walsh moved this item forward after agenda item #11. A letter from WI DOT Secretary-designee Craig Thompson was distributed to Council members at the meeting and has been attached to these minutes.

Alderperson Carpenter moved, seconded by Alderperson Crevier to open the meeting. Upon vote, motion carried unanimously.

Cole Runge, Principal Planner for Brown County, explained that this project has been hampered by a lack of engagement and prioritization from the state and the federal highway administration. The County is now being presented with a new opportunity; an offer to construct a new interchange at Highway 41 for the future southern bridge corridor if the County can complete a tier 1 Environmental Impact Study by October of 2020. It would be nearly impossible for County staff to do this alone, so they are proposing to split the costs to hire a team of consultants in order to meet the deadline. The County is asking the Council tonight to contribute to the costs for completing the study.

Brown County Executive Troy Streckenbach stated that until this point, the County and surrounding communities would have had to fund the construction of the interchange. By taking advantage of this offer this cost will be wrapped into the Highway 41 expansion project.

Cole explained that the County will pay 50% of the cost of the environmental study, with the other 50% being provided by the affected municipalities. They used a funding formula based on land frontage; the City of De Pere has roughly 68% of the frontage on the future southern bridge corridor. He reported that the town of Ledgeview voted to approve the request, contingent on the approval of the other municipalities. The town of Lawrence postponed a vote at their most recent meeting because two board members were absent.

Mayor Walsh thanked Cole, Troy, and Jayme Sellen from the Green Bay Chamber of Commerce for their ongoing efforts to make this project a reality. He urged the Council to vote in favor of this request.

Aldersperson Crevier moved, seconded by Aldersperson Raasch to close the meeting. Upon vote, motion carried unanimously. Discussion followed regarding the City's plan to fund the request.

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

17. Resolution #19-117 Accepting Brown County Crime Prevention Funding Board Grant.

Aldersperson Hansen inquired if there are other types of equipment which could qualify for this grant. Police Chief Derek Beiderwieden explained that there is no limit to the number of applications the department can submit, but that each request would need to be related to crime prevention efforts.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Amy Chandik Kunding, Aldersperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

18. Operator license applications.

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

Aldersperson Boyd moved, seconded by Aldersperson Hansen to approve Previously Tabled Application #2. Upon vote, motion carried unanimously.

Aldersperson Boyd moved, seconded by Aldersperson Carpenter, to approve New Operator Applications #1-8. Upon vote, motion carried unanimously.

Aldersperson Boyd moved, seconded by Aldersperson Hansen, to table New Operator Application #9. Upon vote, motion carried unanimously.

19. Voucher approval.

Aldersperson Carpenter asked if the \$15,868 payment to Green Bay Water Utility is a monthly fee. City Attorney Judy Schmidt-Lehman reported that it is a quarterly payment.

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

20. Future agenda items.

Aldersperson Hansen requested that staff put together a recommendation on a policy for park warning signage, in order to create consistency in City parks. This request will go to Board of Public Works.

21. Discussion and Possible Action on Participation in Opioid Litigation.

Aldersperson Nelson moved, seconded by Aldersperson Boyd to remain in the negotiation settlement class.

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

22. Adjournment.

Alderperson Nelson moved, seconded by Alderperson Carpenter to adjourn the meeting at 9:07 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk