



Common Council

Regular Meeting

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

Agenda

Tuesday, October 6, 2020

7:30 PM

Pursuant to Wisconsin Statutes 19.84, Notice is hereby given to the public that a meeting of the **Common Council** of the City of De Pere will be held on **October 6, 2020** at **7:30 PM**.

Due to the current public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either:

Computer/smart phone accessing <https://www.gotomeet.me/DePere>

OR

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3117](tel:+13127573117)

Access Code: 154-883-285

THIS MEETING WILL NOT BE HELD IN PERSON.

This meeting may also be rebroadcast on TV throughout the week and available on demand at www.depere.tv.

I. Call to Order

1. Roll Call
2. Approval of the minutes of the September 15, 2020 Common Council meeting.
3. Public Hearing on a request to amend the 2010 City of De Pere Comprehensive Plan Update for the following property: part of Parcel ED-649-H-3-2 at 347 Libal Street to change the Future Land Use from 'Institutional/Governmental Facilities' to 'Commercial'.
 - A. Notice of Public Hearing.
 - B. Recommendation from the Plan Commission.
 - C. Ordinance #20-15 Adopting Amendment #1 to the 2010 Update of the City of De Pere Comprehensive Plan.
4. Recommendation from Plan Commission to approve a proposed extraterritorial 2 lot certified survey map, with right-of-way dedication, at the 2800 BLK Lawrence DR in the Town of Lawrence (Parcels L-472, L-473).
5. Recommendation from the Board of Park Commissioners to Accept a \$250 Donation from the Pink Flamingos to the Recreation Scholarship Fund.
6. Recommendation from the Board of Park Commissioners to Approve Proposed Membership Rates for De Pere Pool Facilities in 2021.
7. Request from Parks Director to accept donation from De Pere Baseball in the amount of \$12,700 toward Gandrud Field at Southwest Park.

8. Recommendation from the License Committee for the application for Class "A" Fermented Malt Beverage License and "Class A" Intoxicating Liquor License for M & H Mart LLC (DBA De Pere Mini Mart), 821 George St. Submitted by M & H Mart, LLC; Agent Min Bahadur Bogati Green Bay, WI.
9. Ordinance #20-16 Amending Chapter 46 of the De Pere Municipal Code Related to Applicability to Condominiums.
10. Ordinance #20-17 Amending Sections 7-2(e)(3), 7-2(e)(5), and 7-13(I) De Pere Municipal Code Authorizing the City Clerk to Grant Operator's Licenses.
11. Resolution #20-104 Ratifying Mayoral Proclamations from August 15, 2020 through October 2, 2020.
12. Resolution #20-105 Regarding the Vacation of a Public Thoroughfare (200 Block South Wisconsin Street Adjacent to Parcels ED-812 and ED-920).
13. Resolution #20-106 Acceptance of Grant in the amount of \$1,780 from Unisom Credit Union to the Police Department for Training Equipment.
14. Operator License Applications.
15. Voucher approval.
16. COVID-19 update from Health Department.
17. Future agenda items.
18. Adjournment.

Carey Danen
City Clerk

Any person wishing to attend this meeting who, because of disability, requires special accommodations should contact the Clerk's office at 339-4050 by Noon, the previous day so that arrangements can be made.

Agenda Sent To:

Alderspersons
City Administrator
Mayor
Department Heads
TV, Newspapers & Radio Stations
Kress Family Library
De Pere Chamber of Commerce
Douglas Woelz, McMahon Associates
Patrick Wetzel, Town of Lawrence
Maria Grishina, SimonCRE JC Arnold V, LLC
BMG Development LLC
TJK American Family Agency
Housten John B & Joann Revocable Trust of 1996
Blooming Real Estate LLC
De Pere Bake Shoppe LLC
Thomas K & B Enterprises LLP
Autolavaggio LLC

Express Property LLC
Austin Stores Inc
Unified School District of De Pere
Aurora Medical Group Inc
Nicholas P Wahl
Craig A Kosbab
Michael J Wagner
Trevor L Morrison
Thomas J Hendricks
Tiger Dynasty Trust
Daniel R Heiser
Ronald J Sedovic
Richard A Byers
Douglas J Meidl
Jared C Swanson
Jason Gile
Joseph A Gressick
Denis Roznowski
Jeffry D Steinfert
Eric Miller, Senior Warden, St. Anne's Episcopal Church
Patrick A. Kelly
Judith Purdie-Elliott
Sara & Raymond Dodge
Beth Wagner
John Thoele
Holly Arnold
Min Bogati



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Approval of the minutes of the September 15, 2020 Common Council meeting.

ATTACHMENTS:

- 9-15-20 Common Council Minutes_Draft (PDF)



Common Council

Regular Meeting

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

Draft Minutes

Tuesday, September 15, 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 Kunding	Aldersperson	Present	
Shana Defnet Ledvina	Aldersperson	Present	
Casey Nelson	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	
Kelly Ruh	Aldersperson	Present	
James Boyd	Mayor	Present	

2. Approval of the minutes of the September 1, 2020 Common Council meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Casey Nelson, Aldersperson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

3. Public Hearing on a request to rezone Parcels WD-57, WD-67 and WD-70-1 at Fort Howard Avenue, located directly east and northeast of the Fort Howard Avenue and Parkview Dr intersection, from I-3 PDD (General Industrial District with a Planned Development Overlay) to a revised I-3 PDD.

A. Notice of Public Hearing.

City Clerk Carey Danen reported that the notice of public hearing was published in the Green Bay Press-Gazette on September 1 and September 8, 2020.

B. Recommendation from the Plan Commission.

Development Services Director Dan Lindstrom reviewed the items in the revised Planned Development District and the conditions requested by staff. He explained that Brown County is revising their master plan, and that these items will come back for a future Precise Implementation Plan review by the Plan Commission and Council.

C. Ordinance #20-13 Rezoning Certain Property I-3 PDD General Industrial District with a Planned Development District overlay to Revised I-3 PDD (Parcels WD-57, WD-67 and WD-70-1; 1500 Fort Howard Avenue).

Mayor Boyd declared the public hearing open. No one wished to speak and he then declared the hearing closed. Aldersperson Raasch moved, seconded by Aldersperson

Carpenter to adopt the ordinance based on the recommendation of the Plan Commission, with the amendment that the gravel drive areas must be hard surface.

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

4. Consideration and Possible Approval of \$1,450 Donation from Baycare Clinic Foundation to Police for Bleeding Control Kits.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Casey Nelson, Alderperson
SECONDER:	Mike Eserkaln, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

5. Recommendation from Finance/Personnel Committee to Increase 2020 wage rates for Chief Election Inspector & Election Inspector.

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

6. Consideration and acceptance of fish sculpture donation from Definitely De Pere (approximate value of \$8,000).

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

7. Recommendation from the Board of Public Works to approve Definitely De Pere's Request for Permanent Fish Sculpture Location at the corner of George Street and Wisconsin Street

RESULT:	APPROVED [7 TO 1]
MOVER:	Dean Raasch, Alderperson
SECONDER:	Casey Nelson, Alderperson
AYES:	Carpenter, Eserkaln, Kundinger, Ledvina, Nelson, Raasch, Ruh
NAYS:	Jonathon Hansen

8. Recommendation from the Board of Public Works to approve award of Contract 20-20 Commerce Drive Utility Extension to Peters Concrete Co. in the amount of \$168,557.15

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jonathon Hansen, Alderperson
SECONDER:	Dan Carpenter, Alderperson
AYES:	Carpenter, Eserkaln, Hansen, Kundinger, Ledvina, Nelson, Raasch, Ruh

9. Recommendation from the License Committee on the application for a Class "B" Fermented Malt Beverage License for De Pere Deacons Hockey Team, Inc. (DBA De Pere Deacons Hockey), 450 Ft. Howard Av. Submitted by De Pere Deacons Hockey Team, Inc: Agent David Lepp De Pere, WI.

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

10. Resolution #20-98 Authorizing Redevelopment Agreement Between Cobblestone Hotel Development, LLC and the City of De Pere (Main Avenue and North 5th Street).

Alderperson Carpenter stated that when Council approved the feasibility study, he thought they were told the City would be reimbursed for the cost of the study. City Administrator Larry Delo said that Cobblestone required the City to do a generic study that would be applicable to any hotel group; he noted that the City has provided that study to other interested hotels.

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

11. Resolution #20-99 A Resolution Authorizing and Providing for the Sale and Issuance of \$8,340,000 General Obligation Promissory Notes, Series 2020A, and All Related Details.

Finance Director-Treasurer Joe Zegers reviewed the items included in the 2020 borrowing program. Justin Fisher from Baird reported that the City received an AA2 rating from Moody's, noting that the City has a strong fund balance and is in a strong financial position. The final interest rate for the tax exempt financing is 0.97%, and for the taxable side is 1.24%.

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

12. Resolution #20-100 A Resolution Authorizing and Providing for the Sale and Issuance of \$2,657,000 Taxable General Obligation Promissory Notes, Series 2020B, and All Related Details.

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

13. Resolution #20-101 Authorizing Amendment to Boat Launch Fees.

Parks Director Marty Kosobucki fielded questions from Council members and reported that daily fees average \$45-55,000 per year; the City's portion of season pass fees averages \$15-20,000 annually. Alderperson Carpenter asked if the City should be getting more than 5% for having three of the launches covered by the pass. Marty explained that the proportion of the cut was calculated from the results of a head count conducted at each launch. Alderperson Hansen asked if staff would recommend trying to renegotiate the percentage; Marty stated that the results of the head count were favorable to the City.

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

14. Resolution #20-102 Authorizing Amendment to Division of Public Health DPH Contract #43561-3.

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

15. COVID-19 update from Health Department.

Health Director Deborah Armbruster reviewed the most recent COVID-19 statistics and answered Council members' questions. She reported that the Legal Department had researched Alderperson Carpenter's question about reporting businesses with positive COVID cases; both the County and the state Department of Health Services stated that they do not publicize businesses with positive cases. The City of La Crosse does publish that information, which was included in the agenda packet.

Debbie stated that the City's health department conducts a thorough investigation of all businesses with a positive case to ensure compliance. She would only consider publishing if they did not comply.

Alderperson Raasch asked if the City or private businesses have to report positive cases to OSHA; City Attorney Judy Schmidt-Lehman replied that the Legal Department can look into that question.

Alderperson Carpenter requested that the Health Department include school district numbers in the daily reports. Debbie replied that she can do the school numbers on a weekly basis, because gathering those figures is a little more burdensome.

16. Operator License Applications.

Alderson Carpenter moved, seconded by Alderson Eserkaln to approve New Operator applications #1-6. Upon vote, motion carried unanimously.

17. Voucher approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Raasch, Alderson
SECONDER:	Shana Defnet Ledvina, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

18. Future agenda items.

Alderson Raasch requested information on the costs incurred by the two protests that went through the City of De Pere recently, and potential fines that could have been imposed by failing to obtain a special event permit. City Attorney Judy Schmidt-Lehman said that the Legal Department has been preparing information for the Police Department on that topic, which can be shared with Council members once completed.

19. Resolution #20-103 Ratifying Contract with the De Pere Professional Firefighter's Association – IAFF Local #141.

Alderson Kunding moved, seconded by Alderson Nelson to close the meeting at 8:45 PM. Upon roll call vote, motion carried unanimously.

Alderson Raasch moved, seconded by Alderson Carpenter to open the meeting at 8:50 PM. Upon roll call vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Amy Chandik Kunding, Alderson
SECONDER:	Dan Carpenter, Alderson
AYES:	Carpenter, Eserkaln, Hansen, Kunding, Ledvina, Nelson, Raasch, Ruh

20. Adjournment.

Alderson Raasch moved, seconded by Alderson Carpenter to adjourn the meeting at 8:52 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen, City Clerk



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Plan Commission

FROM: Peter Schleinz

SUBJECT: C. Ordinance #20-15 Adopting Amendment #1 to the 2010 Update of the City of De Pere Comprehensive Plan.

On September 28, 2020 Plan Commission unanimously recommended approval by a vote of 5-1.

ATTACHMENTS:

- CP Public Hearing-LiberalChicago - DL JSL - FINAL (DOCX)
- Ord20-15 (DOC)
- ResoPC 20-04(DOC)
- 09-28-20 PC Report - Comp Plan Amendment - Version in MinuteTraq (DOCX)
- Email Application (DOCX)
- Property Boundary Map from Petitioner - De Pere WI (PDF)
- Adjacent Owner Letter & Public Hearing Notice (PDF)
- Petition - Objection (PDF)
- Map - ED-649-H-3-2_withSignaturesperParcel (PDF)
- Email Comments Received as of 29 Sep 2020 (PDF)
- Email & attachment from resident - sent to Council on 01 Oct 2020 (PDF)

Mail to: Town of Lawrence
 Town of Ledgeview
 Town of Rockland
 Village of Allouez
 Village of Ashwaubenon
 Village of Bellevue
 De Pere School District
 West De Pere School District

Publish: September 5, 2020 in the Green Bay Press-Gazette (Class 1 Notice – 30 Day)

NOTICE OF PUBLIC HEARING

Notice is hereby given, that on **Tuesday, October 6, 2020** at 7:35 PM or as soon thereafter as can be heard by the Common Council of the City of De Pere, a public hearing will be held to act on a request to amend the 2010 City of De Pere Comprehensive Plan Update for the following property:

Part of Parcel ED-649-H-3-2 at 347 Libal Street, located approximately 475' east of the Libal Street and Chicago Street intersection.

The request was made by SIMONCRE JC Arnold V LLC, with consent of property owner Saint Annes Protestant Episcopal Church, to change the Future Land Use (Figure 2-6) from 'Institutional/Governmental Facilities' to 'Commercial'. The proposed amendment would allow for a future rezoning for a proposed future automobile parts store.

Due to the public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either: Computer/smart phone accessing <https://www.gotomeet.me/DePere> OR dial by phone: United States (Toll Free): 1-866 899-4679 United States: +1 (312) 757-3117 Access Code: 154-883-285.

Public comments will be invited at the public hearing. Written comments can also be submitted to City of De Pere Development Services Department, Attn: Peter Schleinz, 335 S Broadway Street, De Pere WI 54115. A detailed image depicting the proposed amendment area is available in the City of De Pere Development Services Department. For the map or additional information, contact Peter Schleinz at (920) 339-4043 or pschleinz@deperewi.gov.

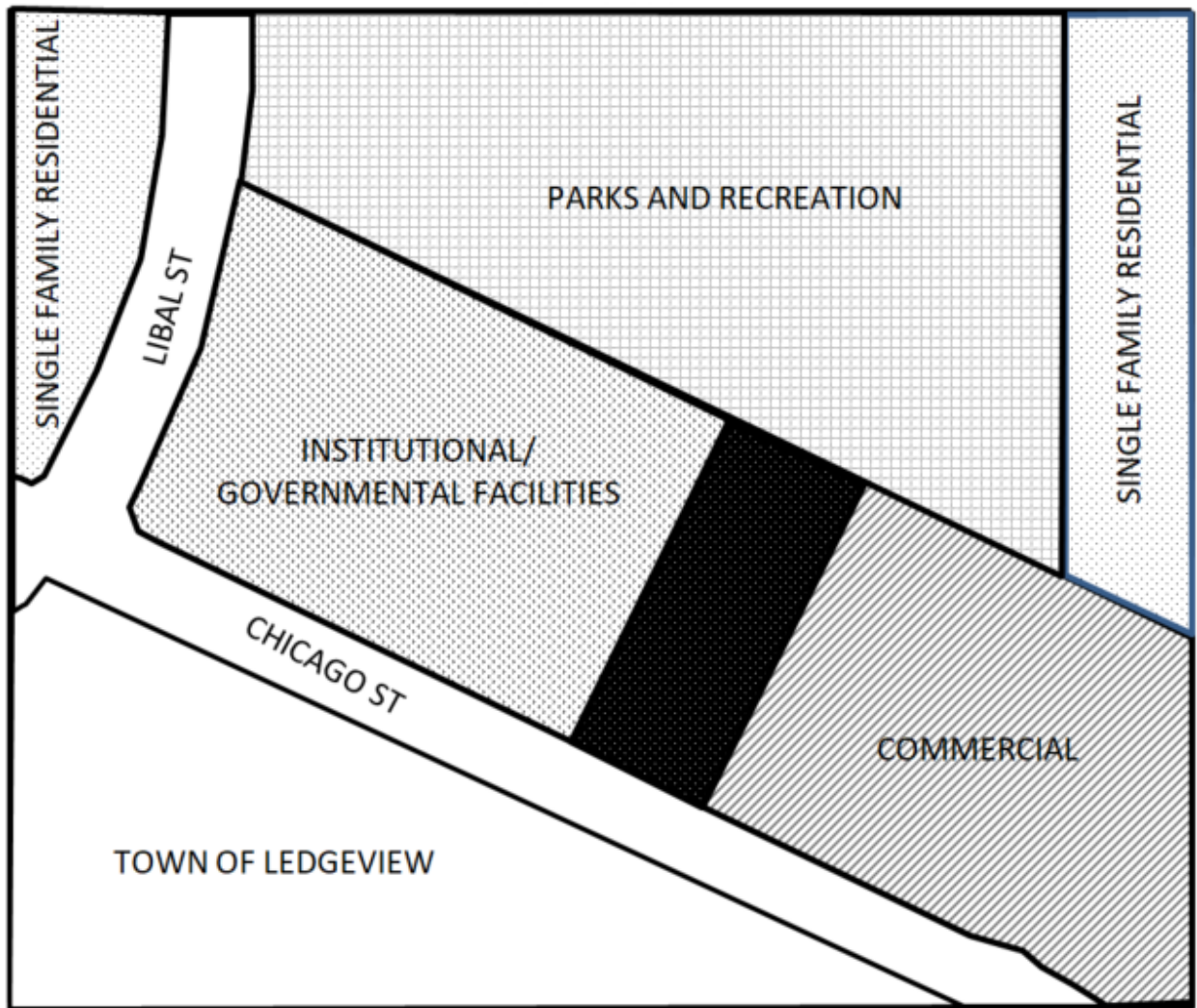
Dated this 5th day of September, 2020.

BY ORDER OF THE COMMON COUNCIL

James G. Boyd
 Mayor

Carey E. Danen
 City Clerk

Comprehensive Plan Future Land Uses
Proposed change shown in SOLID BLACK from Institutional/Governmental Facilities to
Commercial.



ORDINANCE #20-15

ADOPTING AMENDMENT #1 TO THE 2010 UPDATE OF THE
CITY OF DE PERE COMPREHENSIVE PLAN

WHEREAS, the City of De Pere is authorized to amend its comprehensive plan under the procedures set forth in Wis. Stats. § 66.1001(4); and

WHEREAS, the City Plan Commission adopted Resolution PC #20-04 (attached and incorporated as Exhibit A) recommending amendment of the 2010 Update of the City Comprehensive Plan to change the Future Land Use (Figure 2-6) of the easterly portion of Parcel ED-649-H-3-2 (347 Libal Street) from “Institutional/Governmental Facilities” to “Commercial”; and

WHEREAS, the Common Council, having scheduled a public hearing thereon to be decided by the Common Council; and

WHEREAS, the City Clerk, having published a Class 1 Notice of Public Hearing regarding such proposed comprehensive plan amendment, a public hearing having been held on the 6th day of October, 2020 at 7:35 p.m. and the Common Council having heard all interested parties or their agents and attorneys.

NOW, THEREFORE, the Common Council of the City of De Pere, Wisconsin do ordain as follows:

Section 1. Upon the recommendation of the City Plan Commission and its findings as established in Exhibit A, the 2010 Comprehensive Plan Update is hereby amended by revising

Ordinance #20-15

Page 2 of 2

the Future Land Use (Figure 2-6) of the easterly portion of Parcel ED-649-H-3-2 (347 Libal Street) from “Institutional/Governmental Facilities” to “Commercial”.

Section 2. All other references in the 2010 Comprehensive Plan Update to Future Land Uses pertaining to said property or to Figure 2-6 are likewise amended as provided herein.

Section 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4. This ordinance shall take effect upon and after passage by a majority vote of the members of the Common Council and upon publication required by law.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of October, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

Committee Meeting: 9/28/2020

Date of publication: _____

PLAN COMMISSION
RESOLUTION #PC 20-04

RECOMMENDING AMENDMENT #1 OF THE 2010 CITY OF DE PERE COMPREHENSIVE
PLAN UPDATE

WHEREAS, the City Plan Commission and Common Council approved the 2010 Comprehensive Plan Update in June/July 2010;

WHEREAS, Wis. Stats. §66.1001(4) establishes procedures by which a Comprehensive Plan may be amended; and

WHEREAS, the City has received a request (petition) to amend the *Land-Use element* of the 2010 Comprehensive Plan Update by changing the Future Land Use (Figure 2-6) of the easterly portion of Parcel ED-649-H-3-2 (347 Libal Street) from “Institutional/Governmental Facilities” to “Commercial”; and

WHEREAS, an electronic meeting for the public on the request sponsored by the applicant was held on September 8, 2020 to obtain input from the public and for the applicant to answer questions concerning the request; and

WHEREAS, the Plan Commission, having heard from the applicant, city planning staff and the public, wishes to recommend approval of the request to amend the 2010 Comprehensive Plan Update.

NOW THEREFORE, BE IT RESOLVED THAT:

The City Plan Commission finds and determines that the requested amendment to the 2010 Comprehensive Plan Update is consistent with existing land uses to the east and to the south of the easterly portion of ED-649-H-3-2 and therefore the requested amendment is consistent with the *Land-use element* of the 2010 Comprehensive Plan Update.

BE IT FURTHER RESOLVED THAT:

The Plan Commission therefore recommends to the De Pere Common Council that the 2010 Comprehensive Plan Update *Land-use element* be amended by changing the Future Land Use (Figure 2-6) of the easterly portion of Parcel ED-649-H-3-2 (347 Libal Street) from “Institutional/Governmental Facilities” to “Commercial”;; updated July, 2010.

Adopted by the Plan Commission of the City of De Pere, Wisconsin, this 28th day of September, 2020.

APPROVED:

James G. Boyd, Mayor
Chair, Plan Commission

Ayes: _____

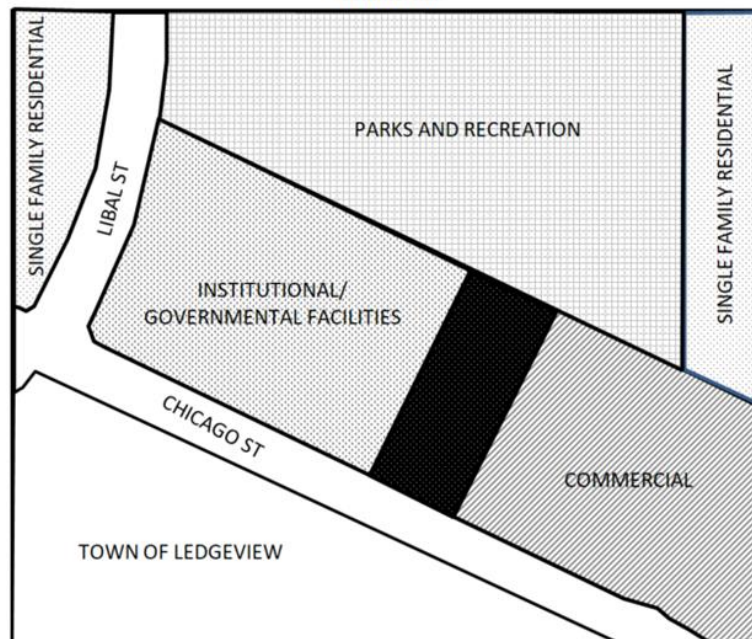
Nays: _____

- Item 3: Discussion and possible action on a request to amend the 2010 City of De Pere Comprehensive Plan Update to change the Future Land Use (Figure 2-6) from 'Institutional/Governmental Facilities' to 'Commercial' at the east end of a parcel addressed at 347 Libal ST (ED-649-H-3-2), but generally located along Chicago Street.*

SITE MAP



Comprehensive Plan Future Land Uses
Proposed change shown in SOLID BLACK from Institutional/Governmental Facilities to Commercial.



REQUESTED ACTION:	Amendment to the 2010 City of De Pere Comprehensive Plan Update.	
	<i>The requested action is to change the Future Land Use designation on Figure 2-6 to 'Commercial.' If approved the applicant intends to submit requests for a land division, rezoning to B-2 (General Business District), and site plan to develop an auto parts store.</i>	
COMMON DESCRIPTION:	Part of 347 Libal ST, located north from the Chicago Street and Redbird CI "T" intersection.	
PARCEL NUMBER(S):	ED-649-H-3-2	
EXISTING ZONING:	R-1 (Single-Family Residential District)	
	<i>Businesses are not permitted in the R-1 District.</i>	
SURROUNDING LAND USES:	North – Public park (R-1) South (across Chicago ST) – Town of Ledgeview businesses East – Clinic (B-2 PDD) West – Church and residential (R-1)	
COMPREHENSIVE PLAN:	Institutional/Governmental Facilities	
APPLICANT / OWNER:	Maria Grishina, Project Manager Authorized representative SimonCRE LLC 6900 E 2 nd ST Scottsdale, AZ 85251	Saint Annes Protestant Episcopal Church Property Owner 347 Libal ST De Pere, WI 54115
SITE HISTORY:	The parcel was used for agricultural purposes until a church was developed in 1984 and expanded in 1988. At that time the church parcel extended between Libal ST and Brule RD, however, the two streets did not exist until the 1990's. In 1996 the parcel was divided into two parcels. The church retained the westernmost parcel and sold the easternmost parcel for the development of a clinic via a Planned Development District (PDD) and Precise Implementation Plan (PIP) in 1996. <i>NOTE: The 2020 proposed amendment area is part of the church parcel to the west, not the clinic parcel to the east.</i> In 2013 a building was added at the north end of the church property. The lawn area to the east of the church driveway remains undeveloped. Also in 2013, an amendment to the PDD/PIP occurred for the adjacent clinic property. The amendment included a 5,105 SF building addition and a ~42 stall parking lot addition. On July 22, 2020 a developer under contract for the site proposed an amendment to the Comprehensive Plan to change the Future Land Use (Figure 2-6) for part of Parcel ED-649-H-3-2 from 'Institutional/Governmental Facilities' to 'Commercial.' The request was made with future intentions of land dividing, rezoning, and site planning for an auto parts store if the amendment is approved.	

STAFF REVIEW:

The City Development Services Department staff does not make recommendations for petitioner requests to amend the Comprehensive Plan as the Plan was a document prepared with public input and approved by the Plan Commission and Common Council. Rather, the staff review includes a summary of information submitted by the petitioner regarding the request, research regarding past actions on or near the property, and information and reactions provided by the public. It is also the intent of the Development Services Department to identify recommendations and directives found in various Plans and the Municipal Code. The Plan Commission and Common Council can then determine if it is in the best interest of the public to change the Comprehensive Plan or to continue to follow the existing recommendations.

Reason for the petitioner's request.

The request was made in order for the petitioner to request the following petitions:

- Land divide the church property into two lots.
- Rezone the new lot at the east end to B-2 (General Business District) which allows a variety of business-related uses.
- Submit a site plan for an auto parts store.

Information found in the Comprehensive Plan.

The Land Use chapter of the Comprehensive Plan has two maps. The 2009 Land Uses Map (Figure 2-2) identifies existing land uses with the subject area being 'Institutional/Governmental.' The Future Land Uses Map (Figure 2-6) also identifies future land uses with the subject area being 'Institutional/Governmental Facilities.'

- The Comprehensive Plan includes references to varied neighborhoods with parks, churches or schools, and neighborhood commercial. Although there are existing street fronted sidewalks, initial sketch designs may not identify references to pedestrian comfort and interest (e.g. there is no designated walkway to the door without walking through automobile drive lanes and parking lot).
- The site is not a designated mixed-use neighborhood commercial note, but if it was it should have minimal signage and limited traffic with pedestrian walkability.
- General land use recommendations that may support the request include:
 - Develop small, mixed-use neighborhood centers to serve the surrounding neighborhood.
 - Emphasize connectivity for pedestrians, bicyclists, and vehicles.

Petitioner's actions to inform the public about an amendment.

Development Services staff suggested the petitioner hold a neighborhood meeting to hear thoughts and opinions about a change to the Comprehensive Plan. The petitioner held a virtual meeting on September 8, 2020. Development Services staff asked for a recording of the meeting so that the meeting could be shared with interested elected officials, but was not able to be provided.

The petitioner, using their own mailing list, mailed out a letter dated August 26,

2020. A copy of the letter is included in this report. Eight people/households attended the hosted meeting: Three represented the petitioner, two were Development Services staff, and three were public attendees.

Resident questions and reactions during the virtual neighborhood meeting.

The following is a summary of the questions that were asked during the petitioner facilitated neighborhood meeting, along with the responses provided during the meeting:

- A resident asked how many letters were sent out for the neighborhood meeting, noting a concern that addresses may have been missed.
 - The petitioner stated that approximately 20 letters were sent using a list from the City for a 500' radius. Note: City staff clarified during the meeting that the petitioner's distribution list was not generated by the City.
- A resident asked about the construction timeline.
 - The petitioner noted that if approved they have a spring 2021 target to start construction.
- A resident asked why the property was wanted by the petitioner, instead of another location.
 - The petitioner stated they conducted a market study to find sites and identified the property in question as a targeted location.
- A resident (stating they had the lot closest to the rear of the subject site) had concerns about the visual look, noise, trees, etc.
 - The petitioner noted that the landscaping features for a site plan will have landscaping that meets minimum City standards.
 - Note: A sketch plan was shown during the meeting, however, no formal site plan has been submitted for City review related to landscaping.
- A resident asked about signage.
 - The petitioner stated there will be a pylon sign.
 - Note: No formal site plan was submitted for City review related to signage.
- A resident asked about lighting.
 - The petitioner stated there would be 2-3 poles that surround the property with no light spill. They had a photometric sample but could not show during the meeting.
 - Note: No formal site plan was submitted for City review related to exterior lighting.
- A resident asked about traffic increases.
 - The petitioner stated that a traffic memo (study) will be part of the site plan.
 - The property operates only from 8:00a-9:00p.
 - The petitioner confirmed verbally that there will be no apparent

traffic increase.

- A resident stated that past accommodations for a clinic included their understanding that the area would remain a parking lot with no additional buildings.
 - The petitioner was unable to respond to the statement. After the neighbor meeting, research from City staff concluded that past City meetings included a significant amount of neighbor conversation and objections related to the adjacent clinic parcel when the adjacent site was reviewed as a PDD and PIP in 1996. However, the 1996 PDD and PIP reviews did not include the land adjacent to the clinic parcel.
- A resident stated not being in favor of the project, and would be reaching out to alderpersons.
- A resident stated a desire for the site to remain the way it is.

The City's actions to inform the public about an amendment.

Following appropriate steps from Municipal Code and State Statutes regarding amendments to the Comprehensive Plan, staff notified the public in the following ways:

- A Class 1 (30 day) public hearing notice, with map, was published on September 5, 2020 in the Green Bay Press Gazette, which provided regional notification about a potential public hearing before Common Council on October 6, 2020.
- A copy of the public hearing notice was mailed to clerks from Town of Lawrence, Town of Ledgeview, Town of Rockland, Village of Allouez, Village of Ashwaubenon, and Village of Bellevue because the communities are adjacent to the City.
- A copy of the public hearing notice was mailed to administrators from De Pere School District and West De Pere School District, being the two school districts in the City.
- A nearby property owner letter with a copy of the Comprehensive Plan Future Land Use Map, and public hearing notice and map, was mailed to 28 property owners located within 300' of the subject parcel on September 10, 2020.

Follow-up concerns from the public and elected officials.

Two alderpersons reached out to staff noting that two members of the public expressed their concerns. Some residents questioned why the City uses a 300' notification area for amendment petitions when a larger area was used for a 1996 PDD and PIP project related to the adjacent clinic.

City staff researched historic notification areas related to the adjacent clinic PDD

and PIP. In 1996 the notification area was smaller at 100'. A second PDD and PIP, from 2013, which allowed for an expansion to the clinic and parking lot had a notification area of 300'. The notification area for amendments remains 300'. Neighbors in a larger area were likely notified in the past due to communicating with each other. For example, in 1996 for the adjacent clinic project, a petition was circulated by the neighbors.

City staff received a petition for Plan Commission from the public, that objects to the amendment request. The petition had 52 names from 34 addresses. Also, three emails were received; one of the emails was an address on the petition. The petition and emails are included with the staff report.

REVIEW PROCESS:

As stated above, staff does not provide a recommendation for a Comprehensive Plan. The Plan Commission reviews the petition and listens to the public and determines if it is in the interest of the public to continue to follow the Comprehensive Plan or to recommend an amendment to the Common Council. Both an approval recommendation by the Plan Commission and an approval decision by Common Council is needed in order for an amendment to occur. If Plan Commission recommends approval, the approval is done with a draft resolution that is included with the report. If recommended for approval by the Plan Commission, the amendment may not take effect until the Common Council enacts an ordinance adopting the proposed amendment.

The proposed amendment required a class 1 (30 day) public hearing notice that was published in the Green Bay Press Gazette on September 5, 2020, announcing a potential public hearing before Common Council on October 6, 2020.

**STAFF SUGGESTED CRITERIA
TO CONSIDER WHEN
REVIEWING AMENDMENTS
TO THE COMPREHENSIVE
PLAN:**

The most common type of plan amendment involves changes to land use designations or specific actions. Many of the criteria below relate to minor types of amendments. The following criteria are offered by staff to provide direction for the Plan Commission when determining if an amendment to the Comprehensive Plan should be considered:

1. The change is consistent with the overall goals and objectives of the Comprehensive Plan.
 - a. Staff observation: See report, above.
2. The change does not create an adverse impact on public facilities and services that cannot be mitigated.
 - a. Staff observation: The proposed amendment should have no impact on public facilities and services.
3. Development resulting from the change does not create an undue impact on surrounding properties. Such development should be consistent with the physical character of the surrounding neighborhood or would upgrade and improve its viability.

- a. Staff observation: The uses across the street are similar, the uses at the rear lot line are park and residential.
4. The change allows a more viable transition to the planned uses on adjacent properties than the current land use.
 - a. Staff observation: The proposed amendment (does/does not) provide a more compatible transition as the current uses is less intense than currently recommended; however, the appropriate screening and land use could act as a larger buffer from the more heavily traveled Chicago Street.
5. The change does not have a significant adverse impact on the natural environment including trees, slopes and groundwater, or the impact could be mitigated by improvements on the site or in the same vicinity.
 - a. Staff observation: There are no known environmental impacts.
6. The change does not have a significant adverse impact on the built infrastructure (sewers, water mains, roadways) or the impact could be mitigated by improvements on the site or in the same vicinity.
 - a. Staff observation: If approved, staff does not anticipate adverse impacts to infrastructure.
7. The change does not have a significant adverse impact on the vehicular and multi-modal traffic of adjacent roadways or the impact could be mitigated by improvements on the site or in the same vicinity.
 - a. Staff observation: The petitioner noted submitting a traffic study with any future site plans.
8. There is a change in City actions or neighborhood characteristics that would justify a change.
 - a. Staff observation: None/not applicable.
9. The change corrects an error made in the original plan.
 - a. Staff observation: None/not applicable.
10. There is a community or regional need identified in the comprehensive plan for the proposed land use or service.
 - a. Staff observation: None/not applicable.
11. The change helps the City meet its life-cycle and affordable housing goals.
 - a. Staff observation: None/not applicable.
12. The change does not adversely impact any landmarks or other historically significant structures or properties unless mitigated through relocation,

commemoration or dedication.

- a. Staff observation: None/not applicable.

From: Andrew Veatch [mailto:andrew.veatch@simoncre.com]
Sent: Wednesday, July 22, 2020 11:12 AM
To: Peter Schleinz
Cc: Peter Krahenbuhl; Jeff Carpenter
Subject: Comprehensive Plan Amendment Request - Chicago St. De Pere, WI - Parcel #: Portion of ED-649-H-3-2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Peter,

Thanks again for the call today. Per our discussion, please see the below information pertaining to our Comprehensive Plan Amendment request.

Section 1: Applicant Info

Applicant Name: SimonCRE JC Arnold V, LLC
 Authorized Representative: Andrew Veatch
 Title: Manager
 Email Address: andrew.veatch@simoncre.com
 Phone Number: (480) 204-3739

Section 2: Landowner Info

Landowner Name: St. Anne's Episcopal Church
 Mailing Address: 347 S. Libal St. De Pere, WI 54115

Section 3: Project/Site Location

Project Address: Please note, that the referenced address and lot do not exist and the area has not been assigned a legal address. The adjacent address to the east is 347 S Libal St De Pere, WI 54115.

Parcel Number(s): A portion of parcel #: ED-649-H-3-2,

Section 4: Proposed Comprehensive Plan Amendment

SimonCRE JC Arnold V, LLC is requesting a revision to Figure 2-6 "Future Land Use Map" on page 41-42 within the Comprehensive Plan. Our request is to amend the map so that the eastern portion of parcel ED-649-H-3-2 future land use is revised from Institutional/Government Facilities use to a Commerical use designation.

The reason for this request is to allow for the future construction of retail development on the property that borders the Aurora Health Clinic Parking Lot.

Lastly, I've attached a general plan (not our detailed site plan) that highlights our proposed property lines, landscape barriers, and buffers along the north property line.

As always, please let me know if there is any additional information needed from our team.

Thank you!

--

Andrew Veatch

Acquisitions and Leasing Manager



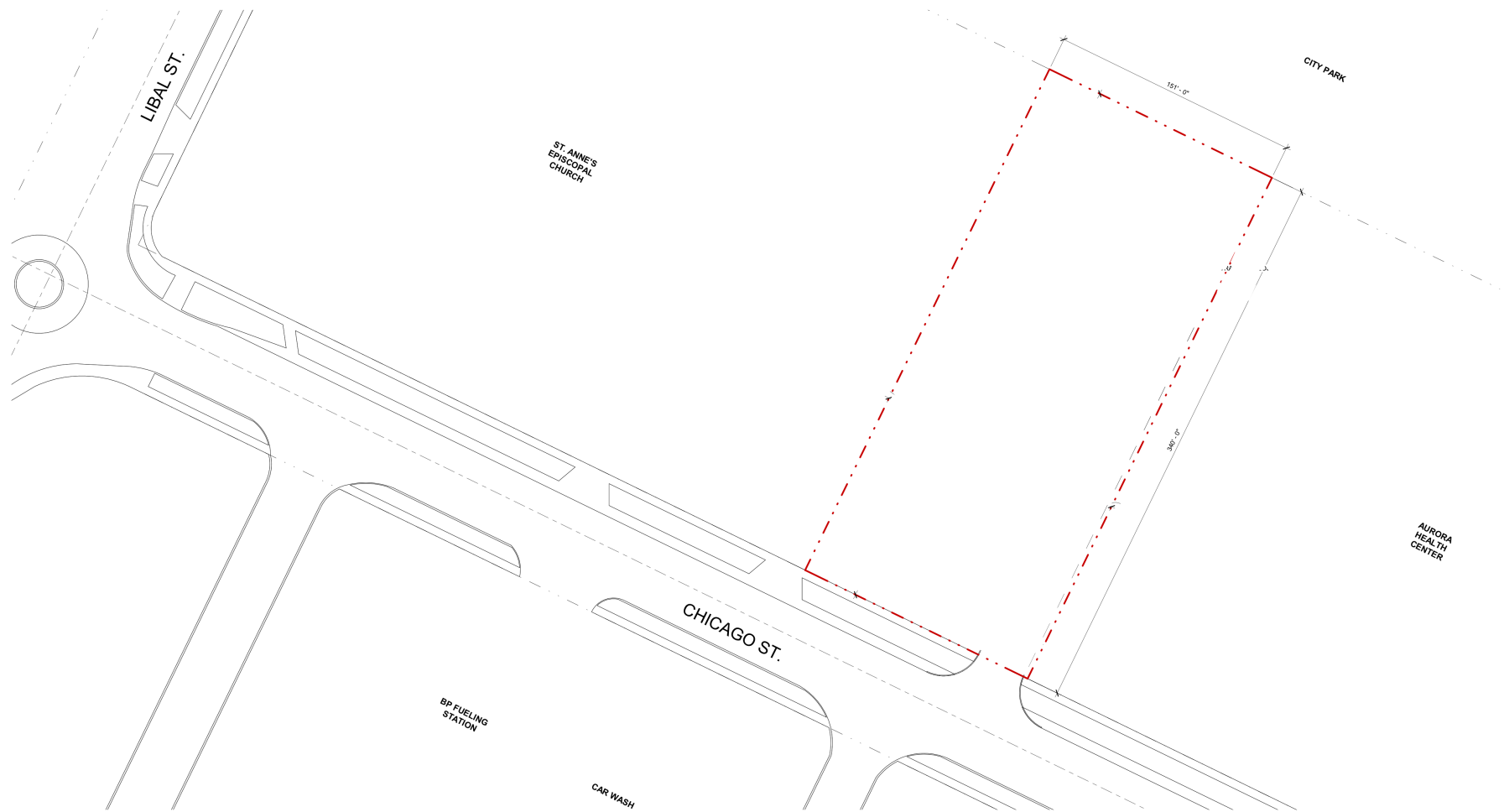
6900 E. 2nd Street
Scottsdale, AZ 85251

D: 480.745.2477 | **M:** 480.204.3739

O: 480.745.1956 | **F:** 480.588.4150

[Website](#) | [Email](#) | [LinkedIn](#)

[The Latest News & Views from SimonCRE Insights](#)



CITY OF DE PERE

335 South Broadway, De Pere, WI 54115 | www.de-pere.org



September 10, 2020

RE: Proposed Amendment to the 2010 City of De Pere Comprehensive Plan Update for land near the northeast corner of Libal Street and Chicago Street
347 Libal ST
Part of Parcel ED-649-H-3-2

Dear Property Owner:

We are sending this letter as notification of a proposed amendment to the 2010 City of De Pere Comprehensive Plan Update in your neighborhood. SIMCORE JC Arnold V LLC, with consent of property owner Saint Anne's Protestant Episcopal Church, submitted an application to change the Future Land Use (Figure 2-6) from 'Institutional/Governmental Facilities' to 'Commercial' at 347 Libal ST. The proposed amendment would allow for a future rezoning for a proposed future automobile parts store. A copy of the published public hearing notice and map are attached to this letter.

The project is scheduled for the following meetings:

- **Amendment to the 2010 City of De Pere Comprehensive Plan Update.**
 - Plan Commission Meeting: September 28, 2020 – Virtual (online) meeting at 7:00PM.
 - Common Council Public Hearing & Meeting: October 6, 2020 – Virtual (online) public hearing and meeting at 7:30PM.
- **Rezoning from R-1 (Single Family Residence District) to B-2 (General Business District).**
 - Rezoning meetings and a public hearing are not scheduled yet. A Comprehensive Plan amendment and land division approval are required first.

All meetings are open to the public and will be accessible virtually via either telephone or online. Instructions for calling/logging in to the virtual meeting will be posted on the published meeting agenda. Copies of the meeting agenda will be available on the City of De Pere webpage at <https://www.deperewi.gov/> a few days before the meetings. Please contact me at (920) 339-4043x2 or pschleinz@deperewi.gov with any questions or comments.

Sincerely,

Peter Schleinz
Senior Planner | Zoning Administrator

cc: Maria Grishina, SIMCORE JC Arnold V LLC, Authorized Representative for project property owner



Mail to: Town of Lawrence
 Town of Ledgeview
 Town of Rockland
 Village of Allouez
 Village of Ashwaubenon
 Village of Bellevue
 De Pere School District
 West De Pere School District

Publish: September 5, 2020 in the Green Bay Press-Gazette (Class 1 Notice – 30 Day)

NOTICE OF PUBLIC HEARING

Notice is hereby given, that on **Tuesday, October 6, 2020** at 7:35 PM or as soon thereafter as can be heard by the Common Council of the City of De Pere, a public hearing will be held to act on a request to amend the 2010 City of De Pere Comprehensive Plan Update for the following property:

Part of Parcel ED-649-H-3-2 at 347 Libal Street, located approximately 475' east of the Libal Street and Chicago Street intersection.

The request was made by SIMONCRE JC Arnold V LLC, with consent of property owner Saint Annes Protestant Episcopal Church, to change the Future Land Use (Figure 2-6) from 'Institutional/Governmental Facilities' to 'Commercial'. The proposed amendment would allow for a future rezoning for a proposed future automobile parts store.

Due to the public health emergency, the meeting will be held electronically and the public may attend this meeting electronically or telephonically by accessing either: Computer/smart phone accessing <https://www.gotomeet.me/DePere> OR dial by phone: United States (Toll Free): 1-866 899-4679 United States: +1 (312) 757-3117 Access Code: 154-883-285.

Public comments will be invited at the public hearing. Written comments can also be submitted to City of De Pere Development Services Department, Attn: Peter Schleinz, 335 S Broadway Street, De Pere WI 54115. A detailed image depicting the proposed amendment area is available in the City of De Pere Development Services Department. For the map or additional information, contact Peter Schleinz at (920) 339-4043 or pschleinz@deperewi.gov.

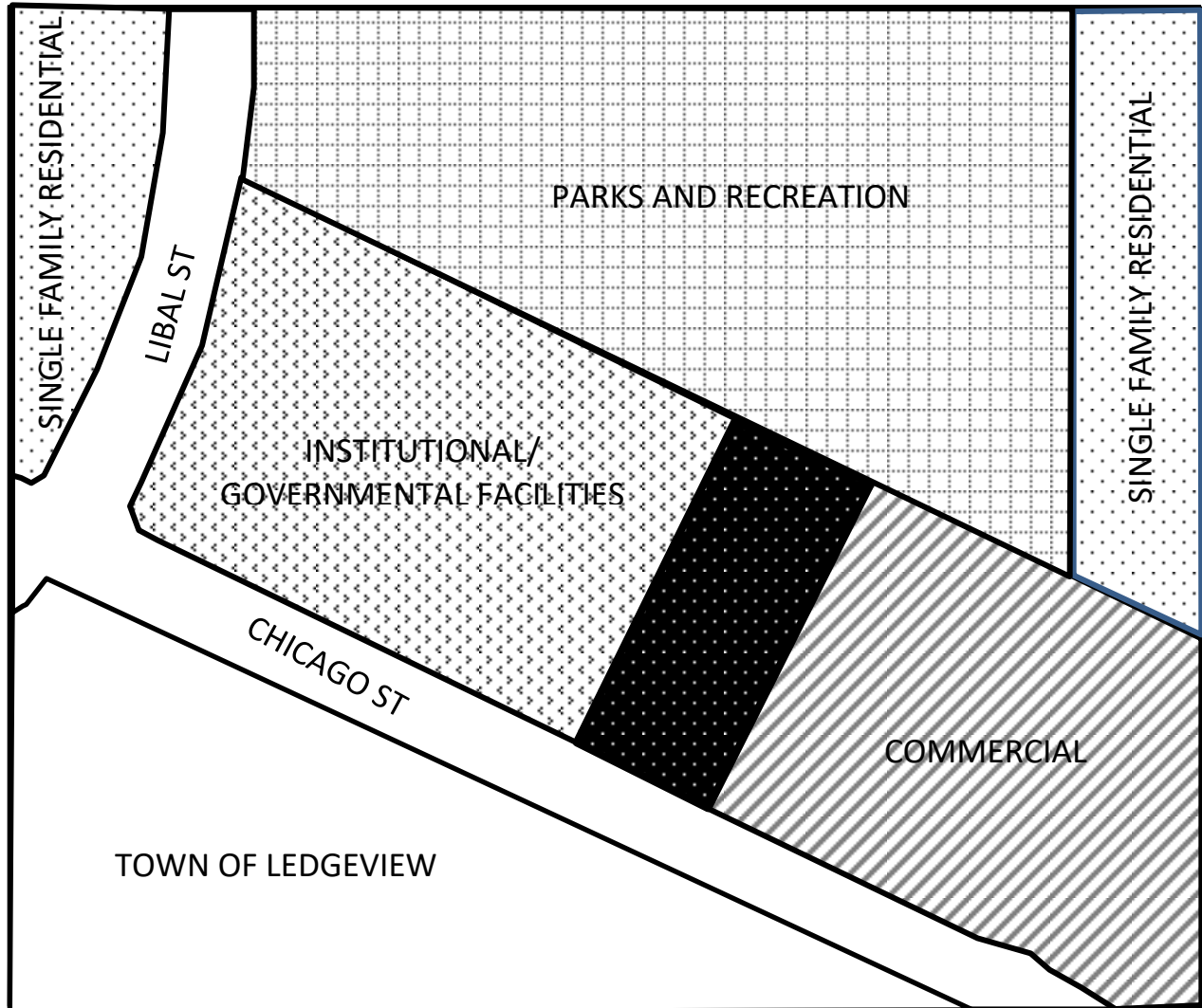
Dated this 5th day of September, 2020.

BY ORDER OF THE COMMON COUNCIL

James G. Boyd
 Mayor

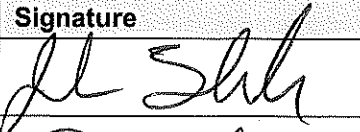
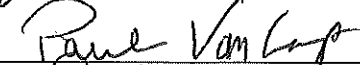
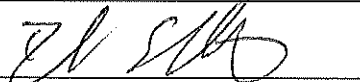
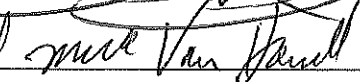
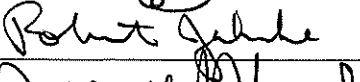
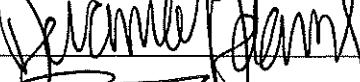
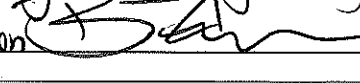
Carey E. Danen
 City Clerk

Comprehensive Plan Future Land Uses
Proposed change shown in SOLID BLACK from Institutional/Governmental Facilities to
Commercial.



Petition to [action]

Petition summary and background	Proposed Amendment to the 2010 City of DePere Comprehensive Plan rezoning of Parcel ED-649-H-3-2 at 347 Libal Street Future Land Use from "Institutional/Governmental Facilities" to "Commercial" for proposed future auto parts store.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the Amendment to the 2010 City of De Pere Comprehensive Plan rezoning Parcel ED-649-H-3-2 347 Libal Street to "commercial" for future auto parts store.

Printed Name	Signature	Address	Comment	Date
John Thoele		160 Shelley Lane		9/22/20
PAUL VAN CAMP		136 SHELLEY LANE		9/22/20
Linda Van Camp		136 Shelley lane		9/22/20
KERIN JURY		117 SHELLEY LN		9/22/20
Shelly Holten		1925 Horseshoe Ln D.P.		9/22/20
MUD HOLTER		1925 HORSESHOE LN		9/22/20
Tim Tansse		1876 Horseshoe Ln		9/22/20
Mike Van Handel		1476 Chicago Street		9-22-20
Amy J. Hoffmann		247 Libal St		9/22/20
Robert Jahnke		239 Libal St		
Devanne Adams		256 Shelley Ln.		9-22-20
Barbara Fulkerson		256 Shelley Ln		9/22-20

Petition to [action]

Petition summary and background	Proposed Amendment to the 2010 City of DePere Comprehensive Plan rezoning of Parcel ED-649-H-3-2 at 347 Libal Street Future Land Use from "Institutional/Governmental Facilities" to "Commercial" for proposed future auto parts store.
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Printed Name	Signature	Address	Comment	Date
Holly Jones	Holly Jones	1745 Martinwood		9/18/20
Rod Jones	Rod Jones	1745 Martinwood		9/18/20
DAN KEISER	Dan Keiser	1765 MARTINWOOD CT.		9/19/20
Esther & Theresa Esthel Keiser	Esthel Keiser	1765 Martinwood Ct.		9/19/20
Theresa Chaparro	Theresa Chaparro	1765 Martinwood Ct		9/19/20
CHRIS QUIGLEY	Chris Quigley	1762 MARTINWOOD CT		9-19-20
Kristin Sedovic	Kris Sedovic	308 Libal St.		9-19-20
RONALD SEDOVIC	Ron Sedovic	308 LIBAL ST.		9-19-20
TERRY HENDRICKS	Terry Hendricks	1762 Martinwood Ct.		9-23-20
THOMAS HENDRICKS	Thomas Hendricks	1762 Martinwood Ct		9-23-20
GLEN STREBEL	Glen Strebel	1748 MARTINWOOD CT		9-23-20
DEREK WICKET	Derek Wicket	1746 MARTINWOOD CT		9-23-20

Petition to [action]

Petition summary and background	Proposed Amendment to the 2010 City of DePere Comprehensive Plan rezoning of Parcel ED-649-H-3-2 at 347 Libal Street Future Land Use from "Institutional/Governmental Facilities" to "Commercial" for proposed future auto parts store.
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Printed Name	Signature	Address	Comment	Date
Candace Rabas	Candace Rabas	172 Shelley Ln DePere, WI 54115		9/22/20
Brian Rabas	Brian Rabas	172 Shelley Ln DePere, WI		9/22/20
FRANKS DIMMER	Frank Dimmer	200 SHELLEY LN, DEPERE, WI		9/22/20
Alissa Drewieske	Alissa Drewieske	200 Shelley Lane DePere WI 54115		9/22/20
Cindy Dimmer	Cindy Dimmer	200 Shelley Lane DePere, WI 54115		9/22/20
DAVID ROZNOWSKI	David Roznowski	232 SHELLEY LANE DEPERE WI 54115		9/22/20
Patty Roznowski	Patty Roznowski	232 Shelley Ln DePere 54115		9/22/2020
Chris Roberts	Chris Roberts	248 Shelley Ln DP 54115		9/22/20
Cheryl Roarty	Cheryl Roarty	184 Shelley Ln DP 54115		9/22/2020
Mike Roarty	Mike Roarty	184 Shelley Ln DP 54115		9/22/2020
MARY THOLE	Mary Thole	160 Shelley Ln DP 54115		9/22/20
Jen Fitzman	Jen Fitzman	1826 Charles St		9/22/20

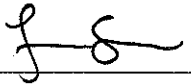
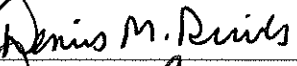
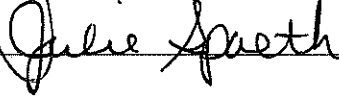
Petition to [action]

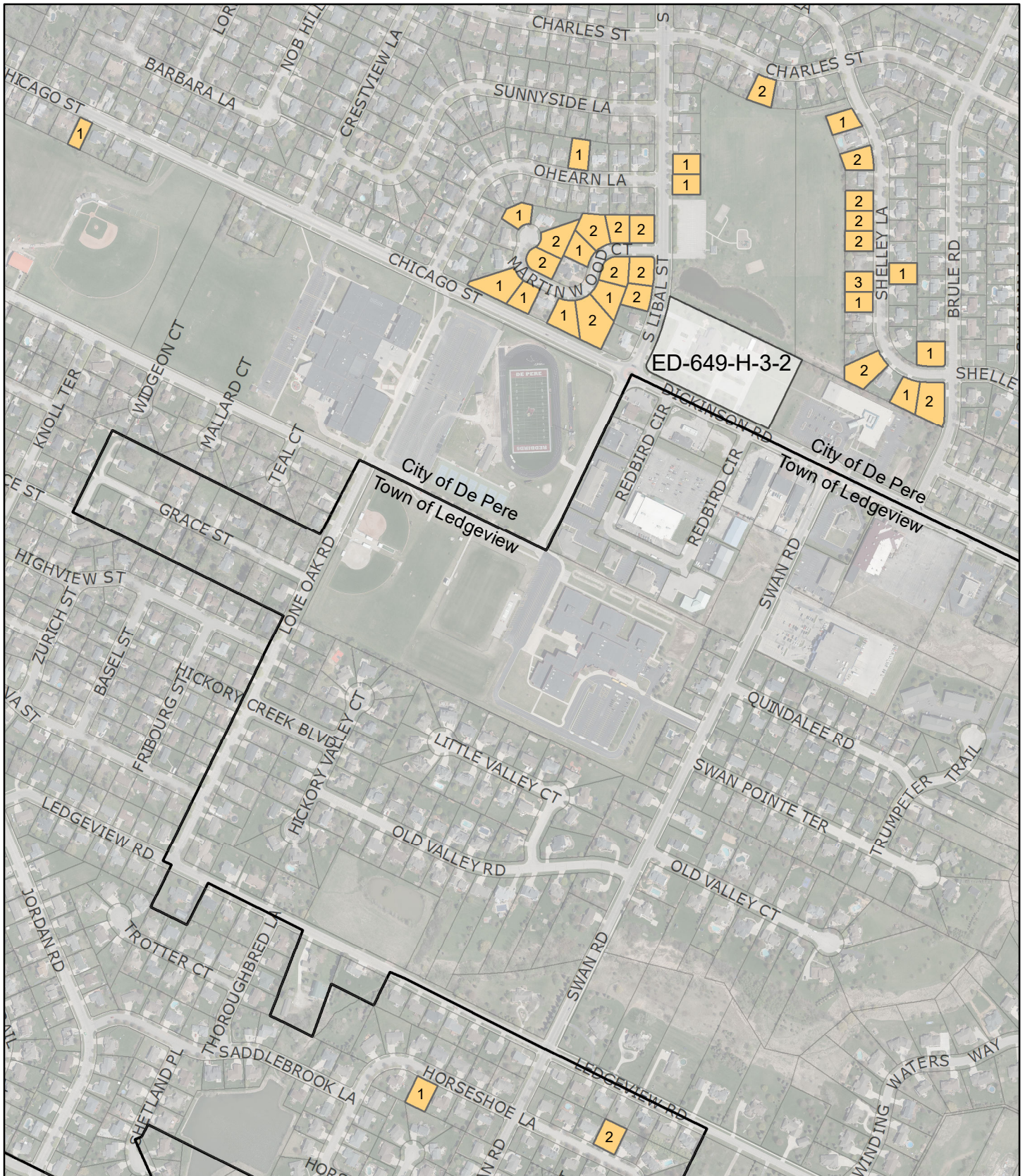
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Printed Name	Signature	Address	Comment	Date
Robelle Selinas	[Signature]	1757 Martinwood		9/18/2020
CRAIG A. KOSBAK	Craig A. Kosbak	1752 MARTINWOOD CT.		9/18/20
Shelley Stensloff	Shelley Stensloff	1736 Martinwood Ct.		9/18/20
Trevor Morrison	[Signature]	1756 Martinwood Ct		9/18/20
Jane WAHL	[Signature]	1769 Martinwood		
NIC WAHL	[Signature]	" "		
DREEN ZEHREN	[Signature]	1761 Martinwood Ct		9/18/20
Phil Zehren	[Signature]	1761 Martinwood Ct		9/18/20
SCOTT FOX	[Signature]	1749 MARTINWOOD CT		9/18/2020
JODY FOX	[Signature]	1749 MARTINWOOD CT		9/18/2020
MIKE WAGNER	[Signature]	1754 MARTINWOOD CT.		9/18/2020
BETH WAGNER	[Signature]	1754 MARTINWOOD CT		9/18/20

Petition to [action]

Petition summary and background	Proposed Amendment to the 2010 City of DePere Comprehensive Plan rezoning of Parcel ED-649-H-3-2 at 347 Libal Street Future Land Use from "Institutional/Governmental Facilities" to "Commercial" for proposed future auto parts store.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to oppose the Amendment to the 2010 City of De Pere Comprehensive Plan rezoning Parcel ED-649-H-3-2 347 Libal Street to "commercial" for future auto parts store.

Printed Name	Signature	Address	Comment	Date
Jessica Swanson		208 Shelley Ln DePere		9/23/20
Dennis Derricks		201 Shelley Ln DePere		9/28/20
Judith Purdie Elliott		250 Bruce Rd DePere		9/23/20
Julie Spaeth		1751 OHEARN LN DePere		9/23/20



ED-649-H-3-2 Amendment

 Parcels with Signature in Opposition
(displaying signatures per parcel)



1 inch = 600 feet



This map was produced utilizing a variety of sources the City of De Pere reasonably believes are reliable, including GIS data, some of which was under development at the time this map was produced. The City of De Pere makes no warranty, either expressed or implied, including no warranty as to fitness for a particular use, of the information contained in or comprising, this map. KLV 9/24/2020 \Planning\GIS Planning Projects

Peter Schleinz

From: Judith Purdie-Elliott <jpurdieelliott@gmail.com>
Sent: Wednesday, September 23, 2020 10:38 AM
To: Peter Schleinz
Subject: Change of land use Parcel ED-649-H-3-2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

>
> Good Morning Mr. Schlesinger,
>
> I would like to express my disapproval of a change to the land use (resining) for part of the Parcel ED-649-H-3-2.
> I am not in favor of this change in land use. I believe this change will not benefit the neighborhood.
>
> Sincerely,
>
> Judith Purdie-Elliott
> 250 Brule Road
> De Pere, WI 54115
>
>
> Judie Purdie-Elliott
> Sent from my iPhone

Peter Schleinz

From: Holly Arnold <harnold1ha@gmail.com>
Sent: Thursday, September 24, 2020 10:54 AM
To: Peter Schleinz
Subject: OPPOSE REZONING AMENDMENT at 347 Libal Street

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Peter,

I wanted to let you know that I oppose the rezoning of 347 Libal Street in conjunction with O'Reilly Auto Parts.

There is already significant traffic on Chicago Street and this location is also near a very busy round-about which will add to backing up traffic further and will in my opinion create more work for De Pere Police/Fire/EMS and Public Works. De Pere High School has numerous students who also walk through this area daily and more safety measures will need to be taken.

I also perceive that the proposed location will infringe on the well-being of residential homes and families living in the immediate area.

There will be vehicles coming in and out of the O'Reilly Auto Parts location which adds to the problem of more traffic and more safety measures to take.

I feel that St. Anne's Church should be a 'better neighbor' so to speak, and seek out a better suited buyer for this land that would offer more enhancement to the families and residences in this area.

Thank you.
Sincerely,

--

HOLLY ARNOLD
1709 Chicago Street
De Pere, WI 54115
harnold1ha@gmail.com

Peter Schleinz

From: Ray Dodge <rdodge@new.rr.com>
Sent: Thursday, September 24, 2020 12:44 PM
To: Peter Schleinz
Cc: Shana Defnet Ledvina
Subject: Proposed O'Reilly Auto Parts

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Mr. Schleinz

It has come to my attention that there is a proposal for an O'Reilly Auto Parts on vacant land between St. Anne's Episcopal Church, Aurora Medical Clinic and Jim Martin Park.

As a Retail Designer for over 40 years this location is not a good fit for the auto store or for any retail on that side of the road. Retail business should be placed next to other retail units not between churches and medical buildings, it will look out of place. Also the receiving area will collect boxes and pallets and is easily unkempt space, which will face Jim Martin Park. As a home owner in this neighborhood for over 20 year this would not be a desirable look.

An office space would be a better choice for this property.

Or even better, is a parking lot expansion for Jim Martin Park, so Libal Street its self is not full of cars in the evenings and Saturday morning during sports seasons. If there issue of connecting the park and 2nd parking lot, a foot bridge could easily connect and make the pond look better.

Please do not go through this rezoning. Thank you.

Sincerely,
Raymond Dodge
1757 Sunnyside Lane
De Pere WI 54115
rdodge@new.rr.com

Peter Schleinz

From: Ray Dodge <rdodge@new.rr.com>
Sent: Friday, September 25, 2020 7:30 AM
To: Peter Schleinz
Cc: Shana Defnet Ledvina
Subject: Proposed O'Reilly Auto Parts

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Peter,

I rec'd the flyer about the rezoning proposal for a O'Reilly Auto Parts store to be allowed to build on Chicago St. between St. Anne's Church and Aurora Medical Center.

I am definitely opposed to this proposal.

I have lived in the area for over 20 years now and I walk the sidewalks of our neighborhood often. Delivery trucks will be frequently arriving and unloading product at all times and Chicago Street is getting busy enough with traffic. Students walk to and from school at all times of the day because of classes, extracurricular events and sports. To place a retail shop between a church and a medical office makes no sense. I can think of many other places that O'Reilly could consider in DePere besides in the middle of a neighborhood.

Please use your good judgement and professional planning education and expertise and do not let this rezoning be allowed.

Just take a couple walks up and down Chicago street before your meeting and you will see what I mean. I am sure I speak for many homeowners also.

Thank you

Sara Dodge
1757 Sunnyside Lane
De Pere WI 54115
920-983-8422

Peter Schleinz

From: Eric Miller <ericmiller@uwalumni.com>
Sent: Sunday, September 27, 2020 10:21 AM
To: Peter Schleinz
Subject: Support for Rezoning of lot near St. Anne's De Pere

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr. Schleinz,

My name is Eric Miller and I am the Senior Warden of St. Anne's Episcopal Church of 347 S. Libal St. in De Pere.

I write because of a scheduled Planning Commission meeting to discuss rezoning a lot attached to St. Anne's (1861 Chicago St.) for the purpose of a proposed O'Reilly's auto parts store.

Background and Context:

Recently, it has been brought to my attention that there is a small movement among some neighbors in the area of this proposed development, who are against the rezoning. I am here to write in favor of the rezoning.

St. Anne's was approached in early December of 2019 with an inquiry into possibly selling our remaining empty lot portion. Having not considered this an option (for over 20 years), we took time and careful consideration to do our due diligence as to the impact and potential of a sale of land, specifically for the purpose of an auto parts store. We immediately reached out to Aurora to inform them of this possibility and offer them a first chance of refusal. They were, especially as the pandemic hit, unable to coordinate an offer, nor move on possible land purchase; they had also recently reorganized at a corporate level, merging with a Chicago based health provider. Therefore, we proceed with the offer from Simon CRE on behalf of O'Reilly's auto parts.

As Senior Warden, I led discussion with church leadership, Diocesan leadership, and the entire St. Anne's parish family. Additionally, the Vestry took action to carefully weigh all of our options, reviewing possibilities for a few months. After firm approval from the Diocese, a unanimous vote of the Vestry, guidance and formal sale contracts created with Al Strei and Jim O'Rourke of Mark D. Olenjiczak realty, and the blessing of the St. Anne's parish, we decided to sell our remaining portion of land, with Simon CRE as the agent on behalf of O'Reilly's. The closing date is no later than December 31, 2020.

This decision was not made lightly, but was made with a goal of future benefit for St. Anne's and the broader De Pere community.

Reasons to Approve a Rezoning:

As the land has sat idle since the original building of St. Anne's in the mid 1980s, it makes sense to allow development and progress to proceed. Having an O'Reilly's Auto Parts store build responsibly on this 1.1 acres of land, will allow financial improvements for De Pere (an increased tax base) and St. Anne's.

St. Anne's financial gain benefits the broader De Pere community as well. With the proceeds of the sale of land for development of an O'Reilly's, St. Anne's can invest in removing and replacing our dying Ash trees which ring the perimeter of our property. Furthermore, we can put 1/3 of our proceeds to our mission and outreach, providing more services to the broader community.

Furthermore, allowing a rezoning, and thus the creation of an O'Reilly's Auto Parts store, facilitates opportunities for thrifty individuals to procure particular parts needed for personal auto repair. O'Reilly's will provide a quick and accessible location in De Pere for community members to get the parts they need, and the service they want, in a reliable, safe, and cost effective manner. Providing community members this option, especially with the loss of ShopKo stores, is a smart move in these economically uncertain times.

Additionally, O'Reilly's store plans take into consideration careful environmental stewardship and community well being. They have been incredibly gracious working with St. Anne's to ensure a aesthetically pleasing green barrier will divide our lots, that the buildings orientation will be pleasing and low impact to current aesthetics of Chicago street and the surrounding neighborhoods, and that stringent upkeep of the property is a priority. From looking at the plans, it is apparent that O'Reilly's is also making clear effort to ensure no harm to the existing valuable green space of Jim Martin park.

Building plans provide a substantial buffer between the proposed O'Reilly's store, the north edge of the lot, and the green space beyond found at the edge of Jim Martin park. Therefore, houses on Shelley Lane should experience little to no change in the vistas they enjoy currently, and will continue to have a large buffer of space between their yards and this new development. Most of that space is currently taken up by Aurora's campus.

I find, and St. Anne's finds, the possibility of new employment opportunities in De Pere to be a boon. We hope as well that bringing in community members to this location will boost St. Anne's profile, an awareness of Aurora's convenience, and the tasty benefits of Uncle Mikes. We are happy to welcome a new business neighbor to the community.

If rezoning is not passed, and O'Reilly's cannot develop, all that is left is an often soggy, little used, empty lot.

For the above reasons and considerations, I strongly urge the Planning Commission to approve the proposed amendment for a rezoning of this parcel of land from its current status, to that of Commercial/Business, allowing the development of an O'Reilly's Auto Parts store.

Thank you for your time and consideration.

Stay Safe,
Eric Miller
Senior Warden
St. Anne's Episcopal Church
De Pere, WI

"...if we apply our minds directly and competently to the needs of the earth, then we will have begun to make fundamental and necessary changes in our minds....We will see that beauty and utility are alike dependent upon the health of the world." -Wendell Berry

Peter Schleinz

From: Patrick A Kelly <kingpk1015@sbcglobal.net>
Sent: Sunday, September 27, 2020 6:40 PM
To: Peter Schleinz; Mary Kay Kelly
Subject: O'Reilly

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Peter,
My wife Mary and I, both disagree with changing the current zoning to allow a proposed O'Reilly Auto Parts store at the location listed.
We OPPOSE any rezoning of 347 Libal Street.

Patrick A Kelly

Sent from my iPad

Peter Schleinz

From: Shana Defnet Ledvina
Sent: Monday, September 28, 2020 12:41 PM
To: Peter Schleinz
Subject: FW: Proposed change of land use for Parcel ED-649-H-3-2

another email for tonight.

Thanks,
Shana

From: Judith Purdie-Elliott [jpurdieelliott@gmail.com]
Sent: Wednesday, September 23, 2020 10:31 AM
To: Shana Defnet Ledvina
Subject: Proposed change of land use for Parcel ED-649-H-3-2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ms. Defnet Ledvina,

I would like to express my disapproval of the proposed change to the land use for the Parcel ED-649-H-3-2. I do not agree with changing the land use from Institutional/Government to Commercial in order to allow commercial use. I do not believe this change will benefit the neighborhood.

Sincerely,

Judith Purdie-Elliott
250 Brule Road
De Pere, WI 54115

Judie Purdie-Elliott
Sent from my iPhone

Peter Schleinz

From: Beth Wagner <bwagner@owlogisticsinc.com>
Sent: Tuesday, September 29, 2020 9:48 AM
To: Peter Schleinz
Subject: Potential Rezoning ED-649-H-3-2

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Schleinz,

I am writing to request that the City of DePere deny the request to re-zone parcel ED-649-H-3-2 at 1861 Chicago Street for the proposed auto parts store. While there are other retail locations in the vicinity, the current gas station is the only retail establishment on Chicago Street that operates 7 days per week from early morning to late in the evening. There are 3 schools nearby, with the De Pere Middle School and De Pere High School only a few blocks away. There is significant pedestrian traffic for children going to and from school, along with other pedestrian traffic in the evenings and on weekends. An auto parts store would generate significant traffic 7 days/week, into the evening hours. Except for Chicago Street itself and a small portion of Swan Road, the surrounding area is residential. The addition of an auto parts store would negatively impact the quality of life and the value of homes in the area for the residents of De Pere. For these reasons, I ask that you deny the request to re-zone this parcel.

Sincerely,

Beth Wagner
1754 Martinwood Court
De Pere, WI 54115

Peter Schleinz

From: John Thoele <john.thoelewi@gmail.com>
Sent: Thursday, October 1, 2020 7:46 AM
To: James Boyd; Amy Chandik Kunding; Shana Defnet Ledvina; Jonathon Hansen; Kelly Ruh; Dean Raasch; Mike Eserkaln; Casey Nelson; Dan Carpenter; Peter Schleinz
Subject: Please Review for the Oct 6 Meeting RE: Proposed Rezoning on Chicago Street
Attachments: Rezoning Info for 10-6 Council Meeting.pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please review for the Oct 6 meeting regarding: Proposed Rezoning on Chicago Street.

Thank you,

John Thoele
160 Shelley Ln, De Pere, WI 54115

INFORMATION FOR 10/16 COMMON COUNCIL MEETING RE:

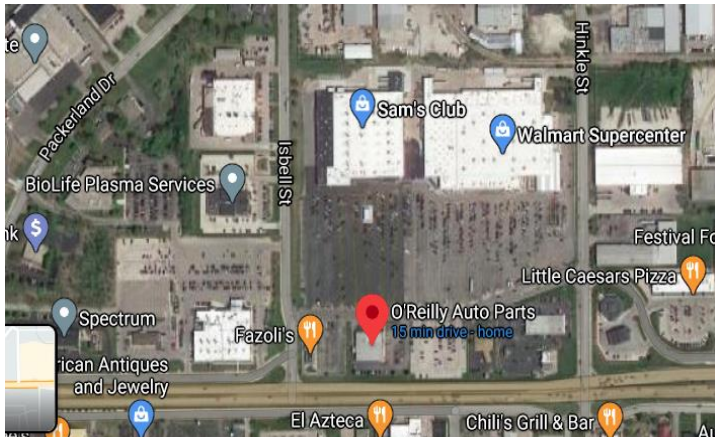
Rezoning the lot between Aurora Clinic and St. Anne's Episcopal Church (1861 Chicago St./ Parcel ED-649-H-3-2) to allow the national retail chain, O'Reilly Auto Parts, to build on that site.

Please consider the following before making a decision.

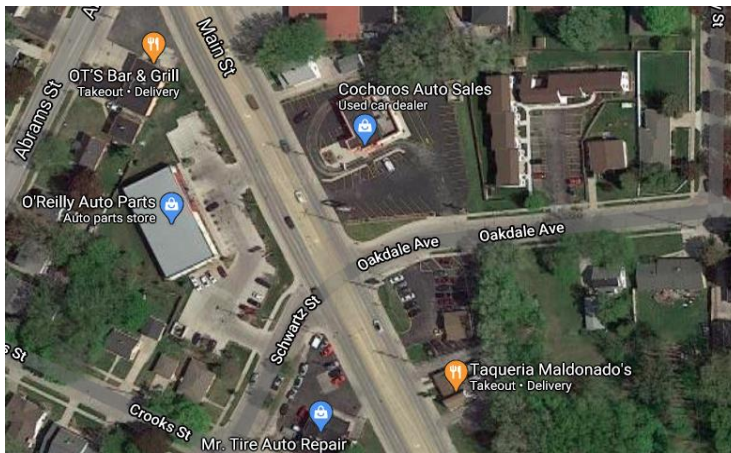
Below are Google Maps that show O'Reilly Auto Parts store locations in the GB area.

(Is De Pere's long-term plan to turn Chicago St. into a Mason St. or Cormier Rd?)

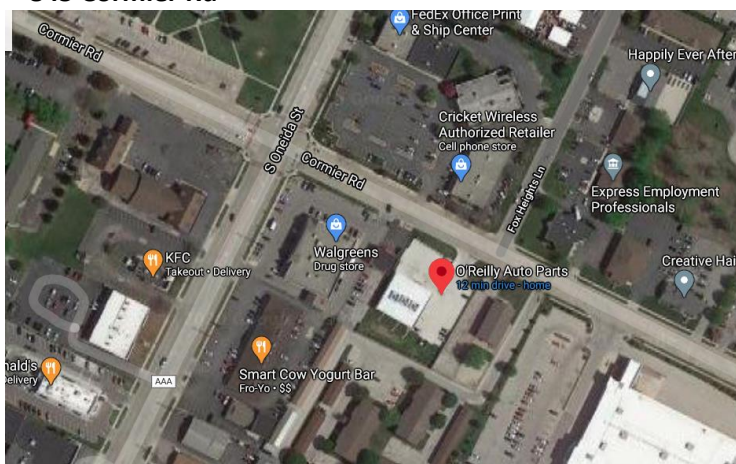
- **2438 W. Mason St.**



- **1722 Main St.**



- **845 Cormier Rd**



ADDITIONAL DATA & CONSIDERATIONS RE: REZONING

1. **During the Plan Commission meeting on Sept. 28, it was noted that other commercial businesses are already located along Chicago St. However, it was not fully noted that:**
 - Most of these businesses are located along the *Ledgeview* perimeter.
 - The businesses on Chicago St. are *not* large retail chains; they are mainly professional offices (e.g., dental office; clinic) or locally-owned small businesses (e.g., flower shop).
2. **The following points are listed in De Pere's "Guiding Investments" document (on deperewi.gov). It would stand to reason that they be taken into consideration in this case as well** in order to retain the character of De Pere (as a whole) *and* retain currently strong property values of existing homes in the Chicago St. area:
 - Site Recommendations: *The character of a neighborhood can be assessed by the types of uses within it, then evaluating the architectural qualities of the buildings within each use type.*
 - Site Development Patterns: *Relationships between buildings and between buildings and blocks can define neighborhood character.*
 - Possible non-residential expansions through rezoning or other use changes *can make homeowners uncertain about the future nature of the neighborhood, consequently discouraging reinvestment.*

Please also consider the following potential:

- **Additional traffic issues that may be created in an already congested area that includes school crossings and a local park.** SOURCE: [O'Reilly Auto Parts 2019 Annual Report](#): *"We believe that our stores are 'destination stores' generating their own traffic rather than relying on traffic created by the presence of other stores in the immediate vicinity."*
- **Environmental/Safety issues (or does the following not apply to the proposed store?).** SOURCE: [O'Reilly Auto Parts 2019 Annual Report](#): *"As part of our operations, we handle hazardous materials in the ordinary course of business and our customers may bring hazardous materials onto our property ...*

"In general, our agreements with such suppliers contain provisions that are designed to limit our potential liability under applicable environmental regulations for any damage or contamination, which may be caused by the batteries and lubricants to off-site properties (including as a result of waste disposal) and to our properties, when caused by the supplier."

In the case of any rezoning, we respectfully ask that appropriate guidelines be put into place before any structure is built on Parcel ED-649-H-3-2 to ensure the integrity of the residential neighborhood is retained and to reflect the true character of our community.

Thank you for your time and consideration.



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Plan Commission

FROM: Peter Schleinz

SUBJECT: Recommendation from Plan Commission to approve a proposed extraterritorial 2 lot certified survey map, with right-of-way dedication, at the 2800 BLK Lawrence DR in the Town of Lawrence (Parcels L-472, L-473).

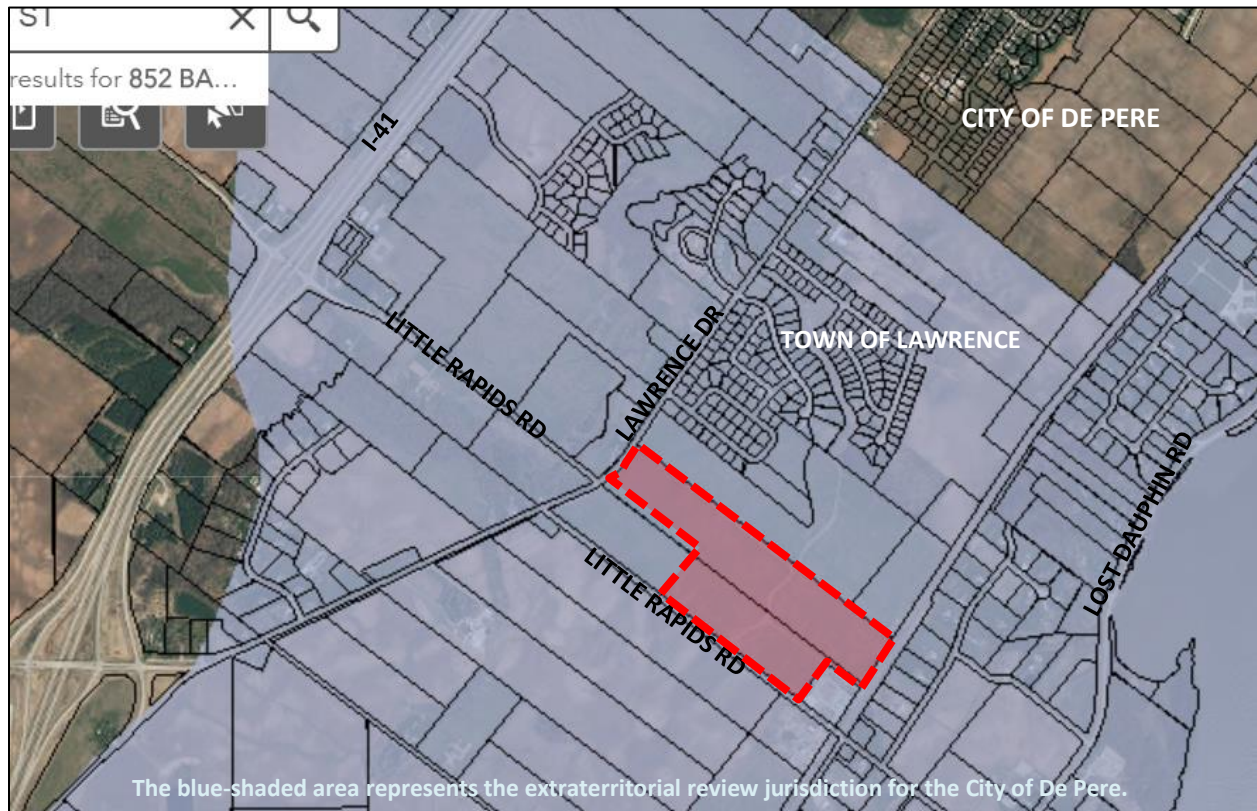
On September 28, 2020 Plan Commission unanimously recommended approval with conditions by a vote of 6-0.

ATTACHMENTS:

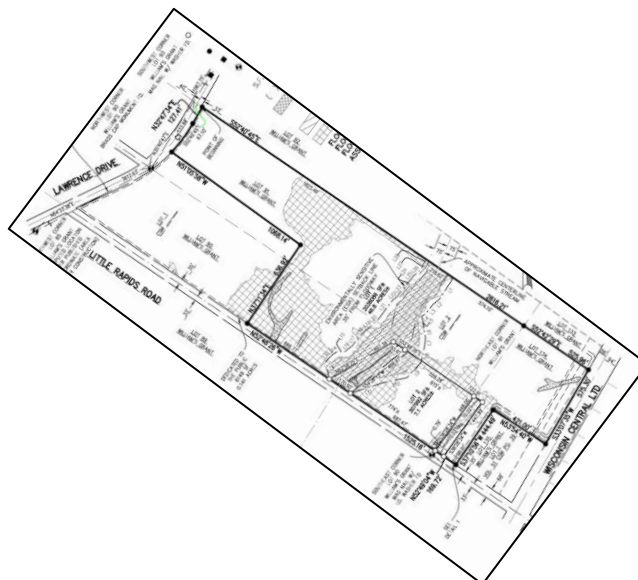
- 09-28-20 PC Report - CSM on Lawrence DR (DOCX)
- Application Form (PDF)
- Preliminary CSM (PDF)

- ITEM 3:** Staff recommendation and possible action regarding a proposed extraterritorial 2 lot certified survey map, with right-of-way dedication, at the 2800 BLK Lawrence DR in the Town of Lawrence (Parcels L-472, L-473).*

SITE MAP



PROPOSED CERTIFIED SURVEY MAP AREA



REQUESTED ACTION:	Extraterritorial Certified Survey Map Review	
COMMON DESCRIPTION:	2800 BLK Lawrence DR, located northeast from the Lawrence DR and Little Rapids RD intersection.	
PARCEL NUMBER(S):	L-472, L-473	
EXISTING ZONING:	A-1 (agricultural) in Lawrence. Proposed to be rezoned to LI (Limited Industrial) in Lawrence.	
SURROUNDING LAND USES:	Agricultural in all directions with business/industry adjacent to the southeast and railroad adjacent to the east.	
COMPREHENSIVE PLAN:	Residential, Parks and Recreation, Rail Related (for Town of Lawrence).	
APPLICANT/OWNER NAME:	Douglas Woelz, PLS Authorized Representative McMahon Associates 1445 McMahon DR Neenah, WI 54956	Town of Lawrence Property Owner ATTN: Patrick Wetzel 2400 Shady CT De Pere, WI 54115
SITE HISTORY:	After a review of air photographs, the site has had an agricultural use, with a residence in the southeast corner, since 1938. In July and August, 2020 Plan Commission and Common Council approved Lot 2 of a CSM that encompassed the entire subject area that is identified in red on the Site Map. Parcel lines appear within the identified area because the approved CSM was not recorded at the time this report was written. In August, 2020 a new 2 lot CSM was submitted, with right-of-way (ROW) dedication for the southern end of American BLVD, for lands in the Town of Lawrence. The land division intended to reconfigure the shape of the two lots for commercial and industrial uses.	
STAFF REVIEW:	When reviewing a Certified Survey Map, staff considers State Statutes 236, Section 46-8 of the De Pere Platting and Division of Land Code, the future land use recommendation of the Comprehensive Plan, surrounding land uses and desired development patterns. • The proposed CSM is located in Lawrence, approximately 0.7 miles from the De Pere City limits. • Plan Commission review covers the entire CSM area highlighted blue on the 'Site Map' as that is the City's extraterritorial review jurisdiction area. • The proposed land division will create two new lots with proposed commercial and industrial uses. • Part of a ROW will also be dedicated for a new street intersection. The entire ROW should be dedicated or shown as future ROW.	

- The City's minimum acreage and frontage is 0.2 acres and 75'; the Town's minimum is 1.5 acres and 200' for the proposed LI District. Both lots meet the acreage and frontage requirements.
 - Lot 1 is 46.8 acres with over 1,818' of frontage.
 - Lot 2 is 7.1 acres with over 2,800' of frontage.
- The site is located inside of the sewer service district.
- There are three staff recommended conditions of approval that are listed at the end of the report.

The Certified Survey Map meets the criteria of State Statutes 236 and Section 46-8 of the De Pere Platting and Division of Land Code. The proposed land division provides development opportunities and does not impact the Comprehensive Plan negatively. The proposed lot sizes, street frontages, and setbacks meet City requirements.

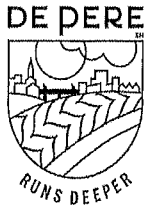
REVIEW PROCESS:

For extraterritorial certified survey map petitions the Plan Commission provides either an approval, rejection with reason, or approval with conditions decision. The Common Council also reviews and provides a final decision of approval or rejection. Common Council is expected to take action on October 6, 2020.

**STAFF
RECOMMENDATION:**

Staff recommends APPROVAL of the certified survey map, subject to:

1. Meeting all other state and local regulations, including Brown County Planning Commission and Town of Lawrence.
2. Add the name "Carey E. Danen, City Clerk" under the signature line in the City of De Pere certificate.
3. To prevent development in a location that will block future street developments, the dedicated American BL right-of-way should either be shown as a dedicated right-of-way all the way to the north border of proposed Lot 1 (creating a third lot), or the area should be shown as a 'future street' all the way to the north border of proposed Lot 1.

	CITY OF DE PERE APPLICATION FOR CSM REVIEW	Fee: \$ 368.00
		Receipt #:
		Date:

Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) McMahon Associates	Authorized Representative Douglas Woelz	Title Senior Land Surveyor	
Mailing Address 1445 McMahon Dr.	City Neenah	State WI	ZIP Code 54956
Email Address dwoelz@mcmgrp.com	Phone Number (incl. area code) (920) 751-4200	Fax Number (incl. area code) (920) 751-4284	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) Town of Lawrence	Contact Person Patrick Wetzel	Title Town Administrator	
Mailing Address 2400 Shady Ct.	City De Pere	State WI	ZIP Code 54115
Email Address patrickw@townoflawrence.org	Phone Number (incl. area code) (920) 347-3710	Fax Number (incl. area code)	

SECTION 3: Project or Site Location

Project Address/Description Little Rapids Rd. & Lawrence Dr.	Parcel No. L-472, L-473
---	----------------------------

SECTION 4: CSM Information

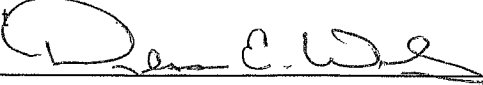
Existing Zoning:	A-1 Agriculture
Present Use of Parcel:	Agriculture
Proposed Use of Lots:	Commercial/Industrial

Please submit 1 hard copy and 1 PDF copy of the CSM if the property is located within the City
or if the property is located within the extraterritorial jurisdiction.

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative of the owner of the property which is the subject of this Permit Application. I certify that the information contained in this form and attachments is true and accurate. I certify that the project will be in compliance with all permit conditions. I understand that failure to comply with any or all of the provisions of the permit may result in permit revocation and a fine and/or forfeiture under the provisions of applicable laws.

Permission: I hereby give the City permission to enter and inspect the property at reasonable times, to evaluate this notice and application, and to determine compliance with any resulting permit coverage.

Name of Owner/Authorized Representative (please print) Douglas Woelz	Title Senior Land Surveyor	Phone Number (920) 751-4200
Signature of Applicant 		Date Signed 8-20-2020

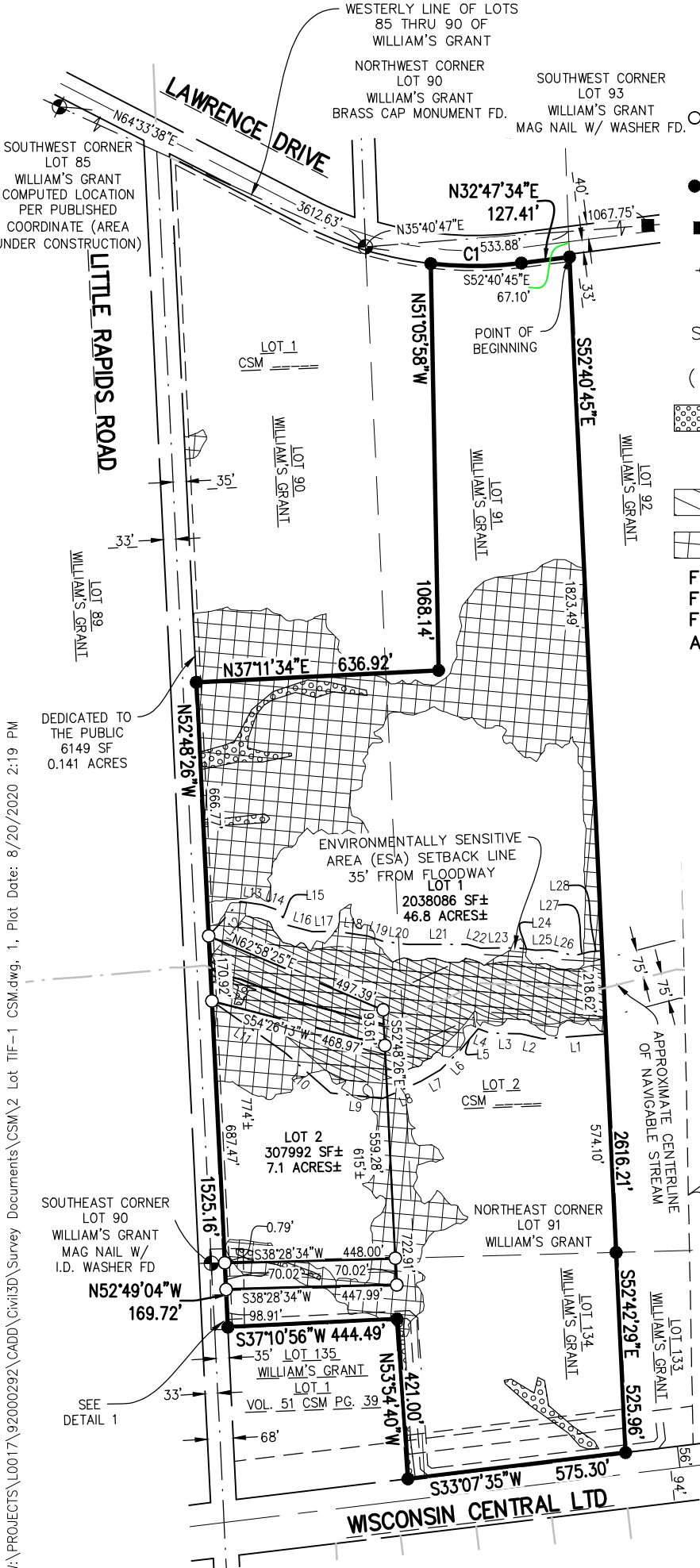
TO BE COMPLETED BY CITY STAFF

CSM Review authorized by the De Pere Municipal Code, Chapter 46.

CERTIFIED SURVEY MAP NO. _____

SHEET 1 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____,
RECORDED AS DOCUMENT No _____, LOCATED IN LOTS
90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE
SUBDIVISION OF THE WILLIAM'S GRANT, TOWN OF LAWRENCE,
BROWN COUNTY, WISCONSIN



LEGEND

- - 1.315" O.D. X 24" IRON PIPE WEIGHING 1.68 Lbs./Lineal Ft. SET WITH CAP
- - 1.315" O.D. IRON PIPE FOUND
- - MAG NAIL FOUND
- ⊕ - CERTIFIED LAND CORNER BROWN COUNTY
- S.F. - SQUARE FEET
- () - RECORDED BEARING AND/OR DISTANCE
- [Pattern] - WETLANDS DELINEATED BY STACEY CAPLAN MCMAHON ASSOCIATES DATED OCTOBER 19, 2017
- [Pattern] - FLOODWAY
- [Pattern] - FLOODFRINGE

FLOODWAY/FLOODPLAIN PROVIDED BY
FLOODPLAIN ANALYSIS CARPENTER SOUTH
FLOOD STUDY. PREPARED BY MCMAHON
ASSOCIATES, INC. DATED 04/25/2019

ANY LAND BELOW THE ORDINARY HIGH WATER
MARK OF A LAKE OR A NAVIGABLE STREAM IS
SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE
WATERS THAT IS ESTABLISHED UNDER ARTICLE IX,
SECTION 1, OF THE STATE CONSTITUTION

FOR:
TOWN OF LAWRENCE
-2400 SHADY COURT
-DE PERE, WI 54115
-PHONE #920-336-9131
-ATTN: PATRICK WETZEL

BEARINGS ARE REFERENCED TO THE
WESTERLY LINE OF LOTS 85 THRU 90
OF WILLIAM'S GRANT, WHICH BEARS
N64°33'38"E PER THE PUBLISH BROWN
COUNTY COORDINATE SYSTEM.



SCALE - FEET
1" = 400'

McMAHON
ENGINEERS ARCHITECTS

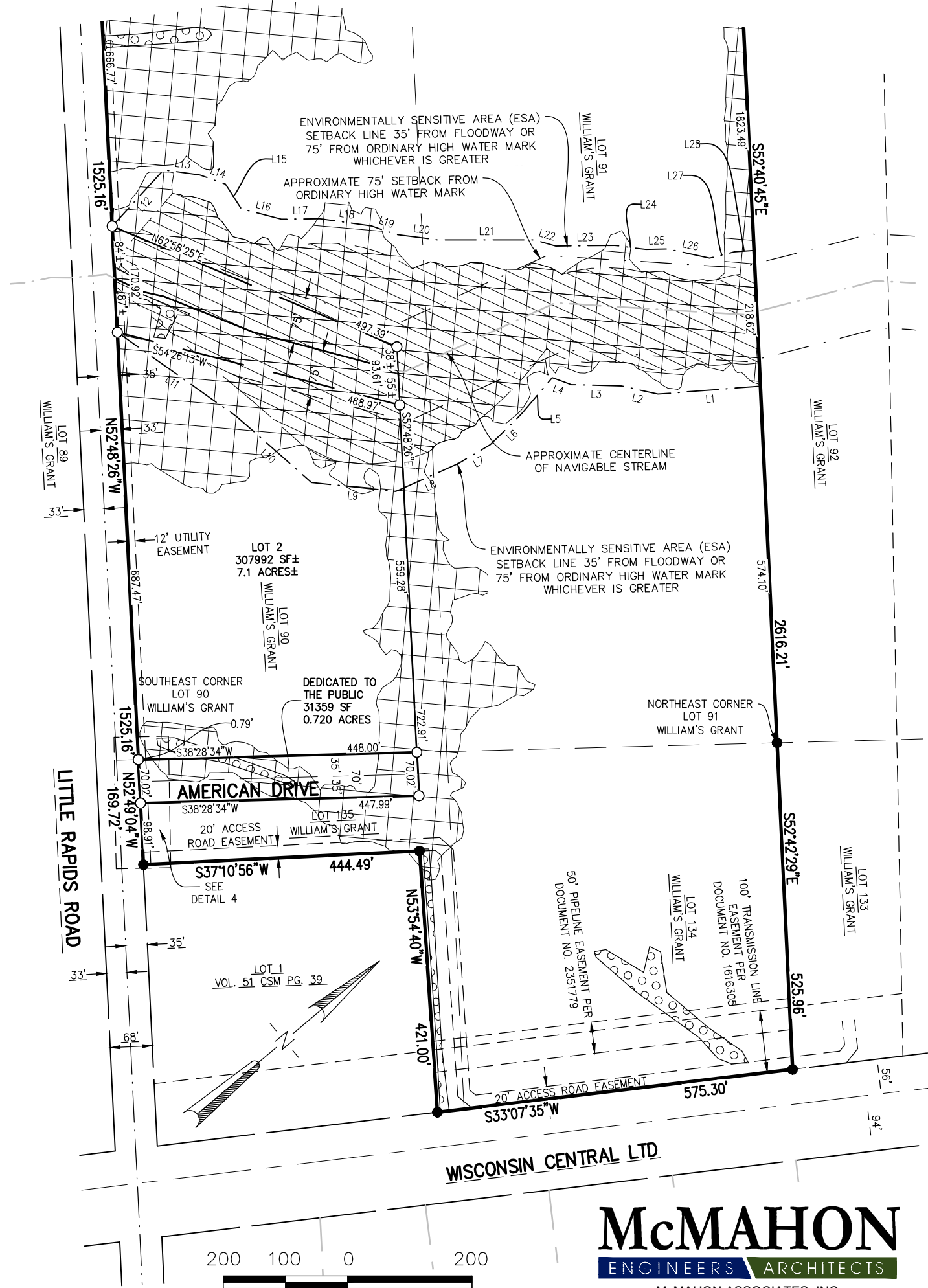
McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O.BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

DRAFTED BY: MARTY J. ABING

CERTIFIED SURVEY MAP NO. _____

SHEET 2 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____, RECORDED AS DOCUMENT No _____,
LOCATED IN LOTS 90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE SUBDIVISION OF THE
WILLIAM'S GRANT, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN

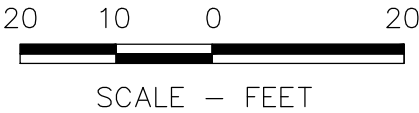
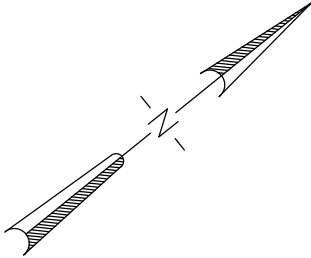
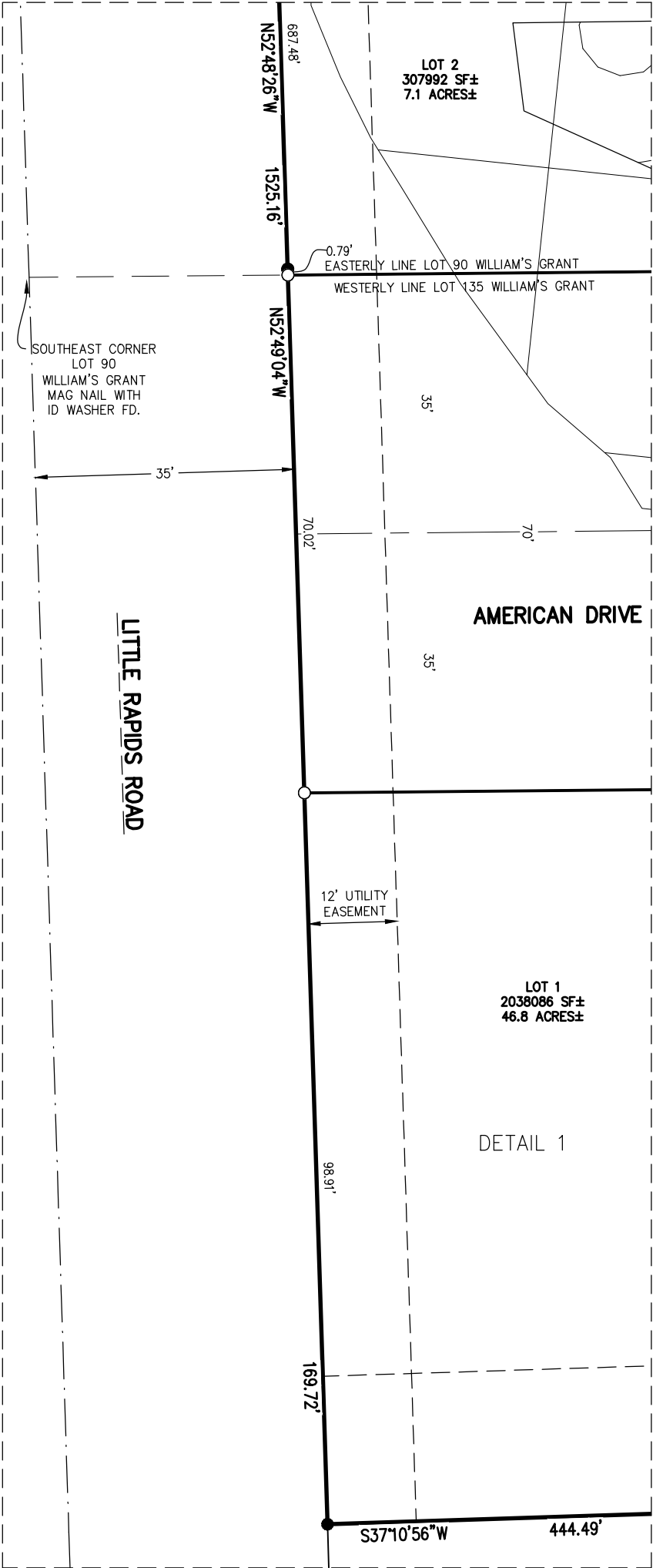


McMAHON
ENGINEERS ARCHITECTS

McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

CERTIFIED SURVEY MAP NO. _____ SHEET 3 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____ ,
RECORDED AS DOCUMENT No _____ , LOCATED IN LOTS
90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE
SUBDIVISION OF THE WILLIAM'S GRANT, TOWN OF LAWRENCE,
BROWN COUNTY, WISCONSIN



McMAHON
ENGINEERS ARCHITECTS
McMAHON ASSOCIATES, INC.
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O.BOX 1025 NEENAH, WI 54957-1025
PH 920.751.4200 FX 920.751.4284 MCMGRP.COM

CERTIFIED SURVEY MAP NO. _____ SHEET 4 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____, RECORDED AS DOCUMENT No _____,
LOCATED IN LOTS 90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE SUBDIVISION OF THE
WILLIAM’S GRANT, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN

SURVEYOR’S CERTIFICATE

I, Douglas E. Woelz, Wisconsin Professional Land Surveyor S–2327, certify that I have surveyed, divided and mapped all of Lot 2 of Certified Survey Map No. _____, recorded as Document No _____, located in Lots 90, 91, 134 and 135 of the recorded plat of the Subdivision of the William’s Grant, Town of Lawrence, Brown County, Wisconsin containing 2,377,437 square feet (54.578 acres) more or less of land.

That I have made this survey by the direction of the Town of Lawrence being the Owner of said lands.

I further certify that this map is a correct representation of the exterior boundary lines of the land surveyed and the division of that land, and that I have complied with section 236.34 of the Wisconsin Statutes, Town of Lawrence and Brown County Subdivision Ordinance in surveying, dividing and mapping the same.

Given under my hand and seal this _____ day of _____, 20____.

Douglas E. Woelz, WI Professional Land Surveyor S–2327

NOTES

THIS CSM IS ALL OF PARCEL I.D. No. L–472 and L–473.

THE PROPERTY OWNER OF RECORD IS THE TOWN OF LAWRENCE.

THIS PROPERTY IS CONTAINED WHOLLY WITHIN LANDS DESCRIBED IN DOCUMENT No. 2809353.

CERTIFIED SURVEY MAP NO. _____ SHEET 5 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____, RECORDED AS DOCUMENT No _____,
LOCATED IN LOTS 90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE SUBDIVISION OF THE
WILLIAM’S GRANT, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN

OWNER CERTIFICATE

Town of Lawrence, as Owners, We hereby certify that we caused the land described on this
Certified Survey Map to be surveyed, divided, mapped and dedicated together with the granting of
a 12 foot utility easement as represented on this Certified Survey Map. We also certify that this
Certified Survey Map is required to be submitted to the following for approval.

Town of Lawrence
City of De Pere
Brown County

Dated this _____ day of _____, 20____.

Dr. Lanny J. Tibaldo,
Town Chairperson

Cindy Kocken
Town Clerk

State of Wisconsin)
_____)ss
_____ County)

Personally appeared before me on the _____ day of _____, 20__, the above
named persons to me known to be the persons who executed the foregoing instrument, and
acknowledged the same.

Notary Public

_____ County, _____

My commission expires _____

TOWN OF LAWRENCE APPROVAL

Approved by the Town Board of the Town of Lawrence on this _____ day of
_____, 20____.

Dr. Lanny J. Tibaldo, Town Chairperson

Date

Cindy Kocken, Town Clerk

Date

BROWN COUNTY PLANNING COMMISSION APPROVAL

Approved by the Brown County Planning Commission this _____
day of _____, 20____.

Dan Teaters, Senior Planner, Brown County Planning Commission

SHEET 6 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____, RECORDED AS DOCUMENT No _____,
LOCATED IN LOTS 90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE SUBDIVISION OF THE
WILLIAM'S GRANT, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN

CERTIFICATE OF TREASURER

As duly elected Brown County Treasurer, I hereby certify that the records in our office show no unredeemed taxes and no unpaid or special assessments affecting any of the lands included in this Certified Survey Map as of the date listed below.

County Treasurer	Date
Paul D. Zeller	

EXTRATERRITORIAL REVIEW
CITY OF DE PERE

Pursuant to the City of De Pere, all requirements for approval have been fulfilled. This Certified Survey Map was approved this _____ day of _____, 20____.

Authorized Signature _____ Date _____

Printed Name, Title

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by Town of Lawrence to,

WISCONSIN PUBLIC SERVICE CORPORATION, a Wisconsin Corporation, WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation, and TIME WARNER ENTERTAINMENT COMPANY, LP, Grantees,

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement" together with the right to install service connections upon, across, within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incidental to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than six inches without written consent of grantees. This Utility Easement Provision does not prevent or prohibit others from utilizing or crossing the Utility Easement as the Utility easement(s) are non-exclusive.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

CERTIFIED SURVEY MAP NO. _____

SHEET 7 OF 7

ALL OF LOT 2 OF CERTIFIED SURVEY MAP No. _____, RECORDED AS DOCUMENT No _____,
 LOCATED IN LOTS 90, 91, 134 AND 135 OF THE RECORDED PLAT OF THE SUBDIVISION OF THE _____,
 WILLIAM'S GRANT, TOWN OF LAWRENCE, BROWN COUNTY, WISCONSIN

NOTES

THE PROPERTY OWNERS, AT THE TIME OF CONSTRUCTION, SHALL IMPLEMENT THE APPROPRIATE SOIL EROSION CONTROL METHODS OUTLINED IN THE WISCONSIN CONSTRUCTION SITE EROSION AND SEDIMENT CONTROL TECHNICAL STANDARDS (AVAILABLE FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES) TO PREVENT SOIL EROSION. HOWEVER, IF AT THE TIME OF CONSTRUCTION THE TOWN HAS AN ADOPTED SOIL EROSION CONTROL ORDINANCE, IT SHALL GOVERN OVER THIS REQUIREMENT. THIS PROVISION APPLIES TO ANY GRADING, CONSTRUCTION, OR INSTALLATION-RELATED ACTIVITIES."

A SHORELAND PERMIT FROM THE BROWN COUNTY ZONING ADMINISTRATOR'S OFFICE IS REQUIRED FOR LOT 2 PRIOR TO CONSTRUCTION, FILL, EXCAVATION, OR GRADING ACTIVITY WITHIN 300 FEET OF A THE ORDINARY HIGH WATER MARK (OHWM) OF NAVIGABLE RIVERS OR STREAMS, OR TO THE LANDWARD SIDE OF THE FLOODPLAIN, WHICHEVER IS GREATER, AND/OR 1000' OF THE OHWM OF NAVIGABLE LAKES, PONDS, OR FLOWAGES.

THE LOCATION OF THE APPROXIMATE ORDINARY HIGH WATER MARK SHALL BE THE POINT ON THE BANK OF THE NAVIGABLE STREAM UP TO WHICH THE PRESENCE AND ACTION OF SURFACE WATER IS SO CONTINUOUS AS TO LEAVE A DISTINCTIVE MARK BY EROSION, DESTRUCTION OF TERRESTRIAL VEGETATION, OR OTHER RECOGNIZED CHARACTERISTICS.

LOTS 1 AND 2 INCLUDE WETLAND AREAS THAT MAY REQUIRE PERMITS FROM THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, ARMY CORP OF ENGINEERS, BROWN COUNTY PLANNING COMMISSION, OR THE BROWN COUNTY ZONING ADMINISTRATOR'S OFFICE PRIOR TO ANY DEVELOPMENT ACTIVITY.

ESA RESTRICTIVE COVENANT:

LOTS 1 & 2 CONTAIN AN ENVIRONMENTALLY SENSITIVE AREA (ESA) AS DEFINED IN THE BROWN COUNTY SEWAGE PLAN. THE ESA INCLUDES WETLANDS, ALL LAND WITHIN 35 FEET OF WETLANDS 2 ACRES OR GREATER, FLOODWAY, ALL LAND WITHIN 35 FEET OF THE FLOODWAY OR 75 FEET BEYOND THE ORDINARY HIGH WATER MARK - WHICHEVER IS GREATER, AND NAVIGABLE WATERWAYS, ALL LAND WITHIN 75 FEET OF THE ORDINARY HIGH WATER MARK OF NAVIGABLE WATERWAYS. DEVELOPMENT AND LAND DISTURBING ACTIVITIES ARE RESTRICTED IN THE ESA UNLESS AMENDMENTS ARE APPROVED BY THE BROWN COUNTY PLANNING COMMISSION AND THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES

PER US ARMY REGULATORY GUIDANCE LETTER NO. 05-02, DATED JUNE 14, 2005: ALL APPROVED WETLAND DETERMINATIONS COMPLETED AND/OR VERIFIED BY THE US ARMY CORPS OF ENGINEERS MUST BE IN WRITING AND WILL REMAIN VALID FOR A PERIOD OF FIVE YEARS, UNLESS NEW INFORMATION WARRANTS REVISION OF THE DETERMINATION BEFORE THE EXPIRATION DATE, OR A DISTRICT ENGINEER IDENTIFIES SPECIFIC GEOGRAPHIC AREAS WITH RAPIDLY CHANGING ENVIRONMENTAL CONDITIONS THAT MERIT RE-VERIFICATION ON A MORE FREQUENT BASIS.

DRAINAGE RESTRICTIVE COVENANT:

THE LAND ON ALL SIDE AND REAR LOT LINES OF ALL LOTS SHALL BE GRADED BY THE LOT OWNER AND MAINTAINED BY THE ABUTTING PROPERTY OWNERS TO PROVIDE FOR ADEQUATE DRAINAGE OF SURFACE WATER.

WDNR NOTES:

THE PARCEL HAS MAPPED WETLANDS AND/OR WETLAND INDICATOR SOILS PRESENT. IF THE CURRENT OR FUTURE LANDOWNER HAS PLANS FOR LAND DISTURBANCE, CONSTRUCTION WORK, GRADING/FILLING, ETC. THE FIRST STEP IS FOR THE LANDOWNER TO HIRE A WETLAND PROFESSIONAL TO REVIEW THE AREA FOR THE PRESENCE OF WETLANDS. A PROJECT THAT RESULTS IN FILLING OF WETLANDS (THROUGH LAND DISTURBING ACTIVITIES) WILL NEED TO COMPLY WITH WETLAND REGULATIONS. FOR MORE INFORMATION ON WETLANDS, PLEASE VISIT [HTTP://DNR.WI.GOV/TOPIC/WATERWAYS/CONSTRUCTION/WETLANDS.HTML](http://DNR.WI.GOV/TOPIC/WATERWAYS/CONSTRUCTION/WETLANDS.HTML).

ALSO, THERE IS POTENTIAL THAT A PUBLIC (NAVIGABLE) WATERWAY MAY BE PRESENT ON THE EASTERN PORTION OF THE PROPERTY. SINCE MOST DNR STAFF ARE NOT YET APPROVED FOR CONDUCTING FIELD WORK AND IN-PERSON MEETINGS, MY REVIEWS FOR NAVIGABILITY ARE BEING COMPLETED REMOTELY. WHILE THIS WATERWAY APPEARS TO HAVE A DEFINED BED AND BANKS, IT'S HARD TO DETERMINE IF THERE IS ENOUGH WATER ON A REOCCURRING BASIS TO FLOAT A SMALL WATERCRAFT TO MEET THE STATE'S DEFINITION OF "NAVIGABLE". A FORMAL NAVIGABILITY DETERMINATION FIELD REVIEW IS NEEDED IF THERE IS PLANNED DEVELOPMENT OR CONSTRUCTION IN/AROUND THE WATERWAY. THE TIMING OF A FIELD REVIEW IS DEPENDENT UPON HAVING APPROVAL TO CONDUCT FIELD WORK.

GENERALLY SPEAKING, STATE PERMITS MAY BE REQUIRED FOR PROPOSED PROJECTS IN/AROUND A PUBLIC WATERWAY. FOR MORE INFORMATION ON WATERWAY ACTIVITIES, PLEASE VISIT THE DEPARTMENT'S HOMEPAGE ON WETLAND/WATERWAY ACTIVITIES AT [HTTP://DNR.WI.GOV/TOPIC/WATERWAYS/](http://DNR.WI.GOV/TOPIC/WATERWAYS/).

FOR PLANNED LAND DISTURBANCES OVER 1 ACRE, PLEASE VISIT [HTTP://DNR.WI.GOV/TOPIC/STORMWATER/](http://DNR.WI.GOV/TOPIC/STORMWATER/) TO LEARN IF YOU NEED A STORM WATER CONSTRUCTION SITE PERMIT.

FOR FEDERAL WETLAND REGULATIONS, PLEASE CONTACT THE ARMY CORPS OF ENGINEERS AT 920-448-2824 TO LEARN IF A FEDERAL WETLAND APPROVAL IS REQUIRED FOR SITE DEVELOPMENT.



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Parks, Recreation & Forestry

FROM: Marty Kosobucki

SUBJECT: Recommendation from the Board of Park Commissioners to Accept a \$250 Donation from the Pink Flamingos to the Recreation Scholarship Fund.

The Board of Park Commissioners, at the September 17, 2020 meeting, approved accepting a \$250 donation from the Pink Flamingos to the Recreational Scholarship Fund. The motion was approved unanimously with a 7-0 vote.



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Parks, Recreation & Forestry

FROM: Marty Kosobucki

SUBJECT: Recommendation from the Board of Park Commissioners to Approve Proposed Membership Rates for De Pere Pool Facilities in 2021.

The Board of Park Commissioners, at the September 17, 2020 meeting, approved accepting the proposed membership rates for the pool facilities in 2021. The motion passed unanimously, with a 7-0 vote. Although the new aquatic facility will not open until June 2021, we need to consider and recommend the membership rates for our pool facilities as we will be opening a new Aquatic Facility. Staff conducted research and surveyed many facilities throughout Wisconsin, which were presented to the Board of Park Commissioners during their review.

The recommended membership rates are included in the attachments.

ATTACHMENTS:

- Day Pass (XLSX)
- Pool Fee Comparison (XLSX)
- PB recommended Membership Fee (DOCX)

Day Pass Comparison

	Infant Free	Under 2 Free	Under 3 Free	Resident Youth Up to 17	NR Youth Up to 17	Resident Adult	NR Adult	Resident Senior	NR Senior
Manitowoc	No	Yes	No	\$4.50	\$6.00	\$5.00	\$6.50	\$4.50	\$6.00
Appleton	No	No	Yes	\$3.50	\$3.50	\$4.50	\$4.50	\$3.50	
Neenah	Yes	No	No	\$3.25	\$3.25	\$4.25	\$4.25	\$3.25	
Green Bay	No	Yes	No	\$3.50	\$3.50	\$3.50	\$3.50	\$3.00	
Omro	No	No	Yes	\$3.00	\$3.00	\$4.00	\$4.00		
Kaukauna	No	No	No	\$1.00	\$1.00	\$1.50	\$1.50		
De Pere	No	No	No	\$4.00	\$7.00	\$4.00	\$7.00	\$3.00	\$7.00
Ashwabenon	No	Yes	No	\$3.00	\$4.00	\$4.00	\$5.00	Free	\$4.00
Clintonville	No	No	No	\$3.00	\$4.00	\$3.00	\$4.00		
Marshfield	No	Yes	No	\$2.00	\$3.00	\$2.50	\$3.75		
Burlington	No	Yes	No	\$8.00	\$10.00	\$8.00	\$10.00	\$7.00	\$9.00
Sparta	No	No	No	\$3.00	\$3.00	\$5.00	\$5.00		
				\$3.48	\$4.27	\$4.10	\$4.92	\$3.46	

Pool Comparison

	Indiv. Resident	Indiv. NR	Family Resident	Family NR	Senior Resident	Senior NR
Manitowoc	\$100	\$100	\$225	\$225		
Appleton	\$55	\$80	\$135	\$185	\$55	\$80
Neenah	\$42	\$67	\$127	\$152	\$42	\$67
Green Bay	\$45	\$76	\$110	\$174	\$45	\$87
Omro	\$40	\$55	\$100	\$120	\$40	\$55
Kaukauna	\$25	\$50	\$100	\$200	Free	
De Pere	\$50	\$70	\$75	\$95	\$40	
Ashwaubenon	\$35	\$50	\$70	\$85		
Clintonville	\$25	\$39	\$60	\$97		
Marshfield	\$22	\$33	\$70	\$115.50		
Burlington	\$85	\$110	\$145	\$195	\$75	\$100
Sparta	\$60	\$105	\$120	\$210		
Avg Fee	\$48.67	\$69.58	\$111	\$154.46	\$42.43	\$77.80

Option recommended by Board of Park Commissioners

Separate membership fee for Legion Only and Both Pools, and different daily admission charge for Legion and VFW. (Membership fees for NR are double the cost of Resident.)

Membership Fees

	Individual Resident	Individual NR	Family Resident	Family NR	Senior Resident	Senior NR
Legion Only	45	90	80	160	35	NA
Both Pools	55	110	110	220	45	NA

Daily Admission (Legion)

	Resident	NR
Tot (0-2 years old)	1.5	3
Single (3-59 years old)	4	7
Senior (60+ years old)	3	NA

Daily Admission (VFW)

	Resident	NR
Tot (0-2 years old)	2	4
Single (3-59 years old)	5	8
Senior (60+ years old)	3	NA



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Parks, Recreation & Forestry

FROM: Marty Kosobucki

SUBJECT: Request from Parks Director to accept donation from De Pere Baseball in the amount of \$12,700 toward Gandrud Field at Southwest Park.

We recently received a request from De Pere Baseball to donate maintenance at Southwest Park valued at \$12,700. The maintenance will be on Gandrud Field and is described in the attachment.

The item is being forwarded directly to the City Council for consideration due to timing considerations. We just received the request on September 30, and if we were to follow the property channels the item would not be approved until November 4 which is possibly too late to complete the work. If approved, we will place on the Park Board Agenda as a staff update. De Pere Baseball recently went through some changes in leadership and were unaware of the process of approval through the City for donations.

ATTACHMENTS:

- De Pere Baseball prop 08242020 (PDF)

323 WILLIAM ST., P.O. Box 76
WATERTOWN, WI 53094



"Your Field is Our Passion"

TEL: 1.920.378.0650

Proposal: De Pere Baseball

Proposal Submitted to:
Jon Susek: 920-784-3846

Date: 08/24/2020

Work to be performed at:
Southwest Park, Kelly Daanen Park, Ledgeview Park
De Pere, WI

Ledgeview Park Maintenance:

Edge all grass edges of skinned infield.
Pick as many rocks as possible from the surface.
Fill low areas of the infield with infield mix.
Install clay in the batters boxes.
Apply 24 tons of Quick Pitch Topdressing
Compact with a dual drum roller.

Price: \$5,250

Kelly Daanen Park Maintenance:

Edge all the grass edges to remove lips.
Add 1 load of Quick Pitch and laser grade.
Compact with dual drum roller.
Install Clay in mound and batter's boxes.

Price: \$5,600 per field

Southwest Park Infield:

Edge all the grass edges to remove lips.
Add 3 loads of Quick Pitch and laser grade.
Compact with dual drum roller.
Install Clay in mound and batter's boxes.

Price: \$7,900

Southwest Park Outfield Warning Track:

Edge the grass edge of the warning track to remove lips.
Add 2 loads of quick pitch and laser grade.
Compact with a dual drum roller.

Price: \$4,800

Note: The customer must provide a place on site to dispose of waste material. Hauling off site will incur in additional costs.

Proposal may be withdrawn if not accepted in 30 Days. Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and may become an extra charge over and above the Proposed Price. All agreements contingent upon strikes, accidents, or delays beyond our control.

Proposed Price: See Above

With Payments to be made as follows:

Down Payment:

Balance due upon completion:

Authorized Signature:



Acceptance of Proposal:

The above prices, specifications, and conditions are satisfactory and are hereby accepted. We authorized Midwest Athletic Fields, to do the work as specified. Payment will be made as outlined above.

Signature: _____ **Date:** _____



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Recommendation from the License Committee for the application for Class "A" Fermented Malt Beverage License and "Class A" Intoxicating Liquor License for M & H Mart LLC (DBA De Pere Mini Mart), 821 George St. Submitted by M & H Mart, LLC; Agent Min Bahadur Bogati Green Bay, WI.

ATTACHMENTS:

- M&H Mart LLC_ Class A Beer & Class A Alcohol Application 10.6.20 (PDF)

Original Alcohol Beverage Retail License Application

(Submit to municipal clerk.)

For the license period beginning: _____ ending: 6/30/2021
(mm dd yyyy) (mm dd yyyy)To the Governing Body of the: ☐ Town of } De Pere
☐ Village of }
☒ City of }County of Brown Aldermanic Dist. No. _____
(if required by ordinance)Check one: ☐ Individual ☒ Limited Liability Company
☐ Partnership ☐ Corporation/Nonprofit Organization

Applicant's Wisconsin Seller's Permit Number <u>Recently Applied</u>	
FEIN Number <u>85-2998653</u>	
TYPE OF LICENSE REQUESTED	FEE
☒ Class A beer	\$
☐ Class B beer	\$
☐ Class C wine	\$
☒ Class A liquor	\$
☐ Class A liquor (cider only)	\$ N/A
☐ Class B liquor	\$
☐ Reserve Class B liquor	\$
☐ Class B (wine only) winery	\$
Publication fee	\$ <u>30.00</u>
TOTAL FEE	\$ <u>9.15</u>

Name (individual / partners give last name, first, middle; corporations / limited liability companies give registered name)

M & H Mart LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the full name and place of residence of each person.

President / Member Last Name <u>Sharma</u>	(First) <u>Hem</u>	(Middle Name) <u>R</u>	Home Address (Street, City or Post Office, & Zip Code)
Vice President / Member Last Name <u>Bogati</u>	(First) <u>Min</u>	(Middle Name) <u>B</u>	Home Address (Street, City or Post Office, & Zip Code)
Secretary / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Treasurer / Member Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Agent Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)
Directors / Managers Last Name	(First)	(Middle Name)	Home Address (Street, City or Post Office, & Zip Code)

1. Trade Name De pere Mini mart Business Phone Number 920 336 1519
2. Address of Premises 821 Georgest Post Office & Zip Code De pere 54115

3. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

In the cooler, liquor cabinet.
Inside the store.

4. Legal description (omit if street address is given above): _____

5. (a) Was this premises licensed for the sale of liquor or beer during the past license year? ☒ Yes ☐ No(b) If yes, under what name was license issued? De pere Mini Mart LLC

6. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? If yes, explain ☒ Yes ☒ No

we have the training.

7. Is the applicant an employee or agent of, or acting on behalf of anyone except the named applicant? ☐ Yes ☒ No
If yes, explain.

8. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? If yes, explain ☐ Yes ☒ No

9. (a) Corporate/limited liability company applicants only: Insert state WI and date 9/10/2020
of registration.

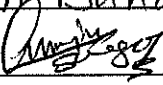
- (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? If yes, explain ☐ Yes ☒ No

- (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? ☒ Yes ☐ No
If yes, explain.

Badimaalika LLC 1465 University Ave. Green Bay, WI 54302
Everest Mart Inc 1501 S Webster Ave. Green Bay, WI 54301
B&H Mart Inc, 2333 W Washington St, West Bend, WI 53095

10. Does the applicant understand they must register as a Retail Beverage Alcohol Dealer with the federal government, Alcohol and Tobacco Tax and Trade Bureau (TTB) by filing (TTB form 5630.5d) before beginning business? [phone 1-877-882-3277] ☒ Yes ☐ No
11. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776] ☒ Yes ☐ No
12. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? ☒ Yes ☐ No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signer. Any person who knowingly provides materially false information on this application may be required to forfeit not more than \$1,000. Signer agrees to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants, or one member of a partnership applicant must sign; one corporate officer, one member/manager of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

Contact Person's Name (Last, First, M.I.) <u>Mim Bahadur Bogati</u>	Title/Member <u>member</u>	Date <u>9/15/2020</u>
Signature 	Phone Number <u>4142418809</u>	Email Address <u>bogatimim49@gmail.com</u>

TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk	Date reported to council / board	Date provisional license issued	Signature of Clerk / Deputy Clerk
Date license granted	Date license issued	License number issued	

SURRENDER OF LICENSE

Part I

Legal/Real Name of Current Licensee: De pere Mini Mart LLC
 Premises Address: 821 George St. De Pere WI 54115
 Trade Name: De Pere Min Mart

This is to advise that the undersigned is surrendering the following license(s)

Combination "Class B" Beer & Liquor

Class "B" Beer

Class "A" Beer and/or "Class A" Liquor

(circle which apply)

Wholesale Beer

"Class C" Wine

to: M & H Mart LLC
Insert Legal/Real name of Proposed Licensee and Trade Name)

And understand that said license(s) will be cancelled upon the Common Council's granting of a license to the applicant named herein.

New Applicant

Hem Raj Sharma
 President, Member, Partner, Individual
Min Bahadur Bogati
 Secretary, Member, Partner

Current Licensee

Bishnu Prasad Adhikari
 President, Member, Partner, Individual
Secretary, Member, Partner

State of Wisconsin)
) ss.
 County of Brown

On the 15th day of September, 2020, personally came before me
Bishnu Prasad Adhikari, known to me to be the person(s) who
 executed the foregoing Surrender of License, and known to me to be the **Current Licensee** and
 acknowledged that s/he executed the foregoing document.

[Signature]
 Notary Public

Brown County, Wisconsin

My Commission expires: 6/13/2022

State of Wisconsin)
) ss.
 County of Brown

On the 15th day of September, 2020, personally came before me
Hem Raj Sharma and Min B Bogati, known to me to be the person(s) who
 executed the foregoing Surrender of License, and known to me to be the **Proposed New Applicant** and
 acknowledged that s/he executed the foregoing document.

[Signature]
 Notary Public
 Brown County, Wisconsin

My Commission expires: 6/13/2022



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Plan Commission

FROM: Peter Schleinz

SUBJECT: Ordinance #20-16 Amending Chapter 46 of the De Pere Municipal Code Related to Applicability to Condominiums.

On September 28, 2020 Plan Commission unanimously recommended approval by a vote of 6-0.

If approved, condominium plat application review fees in 2020 will be \$278 + \$68 per lot equivalent/unit, which is similar to existing plat application review fees.

ATTACHMENTS:

- Ord20-16 (DOCX)
- Memo to PC - Add Condo Plat Review to Code Chapter 46 (Land Division) (DOCX)
- Chapter 46 Redlined (PDF)

ORDINANCE #20-16

AMENDING CHAPTER 46 OF THE DE PERE MUNICIPAL CODE RELATED TO APPLICABILITY TO CONDOMINIUMS

The Common Council of the City of De Pere do hereby ordain as follows:

1. SECTION ONE. De Pere Municipal Code Section 46-2. – Definitions – is hereby amended to add the following definition to the existing definitions set forth therein:

“Condominium Development means a real estate development in which the condominium form of ownership pursuant to Wis. Stats. Chap. 703 is utilized.”

2. SECTION TWO. De Pere Municipal Code Section 46-4.(a)(8) Applicability to Condominiums is hereby created to read:

“Applicability to Condominiums. This Chapter is expressly applicable to condominium developments within the City’s territorial or extraterritorial jurisdiction, pursuant to Wis. Stats.

§703.27(1). For purposes of this Chapter, a condominium unit and any associated limited common elements shall be deemed to be equivalent to a lot or parcel created by the act of Subdivision.”

3. SECTION THREE. De Pere Municipal Code Section 46-45 – Condominium Developments is hereby created to read:

“46-45 Condominium Developments.

(a) *Purpose.*

- (1) The Common Council hereby finds that certain issues arise in condominium developments that require limited applicability of this Chapter to condominium developments. The state legislature has recognized that subdivision ordinances may apply to condominiums but that subdivision ordinances may not impose burdens upon condominiums that are different from those imposed on other property of a similar character not subject to a declaration of condominium.
- (2) The factor that makes this Chapter applicable to condominium development is the creation of multiple, distinct property entities at or near the ground surface, subject to property taxation and separate tax parcels, with each property entity having different ownership and management. The City determines that this factor makes a condominium development dissimilar, both physically and in ownership, from developments in which the land and improvements are under unitary ownership, management and control.
- (3) Thus, the Common Council hereby finds that new condominium developments can place impacts upon community resources in the same manner as other new

developments that are characterized by division of land into lots. These impacts include:

- a. Additional population density.
 - b. Possibility of use of particular land in a manner unsuitable to the land's characteristics.
 - c. Additional demands upon City parks, recreation areas, utility facilities and schools.
 - d. Additional traffic and street use.
- (b) *Portions of Chapter Applicable to Condominium Developments.* The following sections of this Chapter shall apply to condominium developments:
- (1) Section 46-4(b) through (g) relating to design standards for improvements.
 - (2) Section 46-5 of this Chapter relating to public sights and open spaces.
 - (3) Section 46-6 of this Chapter relating to required improvements.
 - (4) Sections 46-7(a) and (b) relating to preliminary consultation and preliminary plat approval. This stage of approval shall be the only approval required.
 - (5) Section 46-11 of this Chapter relating to fees for review.
- (c) This section shall not apply to any condominium plat recorded prior to the effective date of the ordinance from which this Chapter is derived."

4. SECTION FOUR. De Pere Municipal Code Section 46-5(b)(1) – Public Open Spaces is hereby amended to read:

"(1) *Purpose.* It is the purpose of this section that adequate open spaces may be properly located and preserved as the community develops, and that the cost of providing sites for parks, recreational areas, and all their uses related to the operation of the City government necessary to serve the additional population brought into the community by subdivision or condominium development may be most equitably apportioned on the basis of the additional need created by the individual subdivision or condominium."

5. SECTION FIVE. De Pere Municipal Code Section 46-5(b)(3)e. – Unknown Number of Dwelling Units – is hereby created to read:

"e. Where the plat, certified survey or condominium does not specify the number of dwelling units to be constructed, the land dedication or payment in lieu of dedication shall be based upon the maximum number of dwelling units permitted by the City zoning code and this Chapter."

6. SECTION SIX. De Pere Municipal Code Section 46-12 – Penalties and Remedies – is hereby repealed and recreated to read:

“(a) *Violations*. It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Chapter or the Wisconsin statutes, and no person, firm or corporation shall be issued a building permit by the City authorizing the building on, or improvement of, any subdivision, certified survey map, condominium or replat within the jurisdiction of this Chapter not of record as of the effective date of this Ordinance from which this Chapter is derived until the provisions of this Chapter have been fully met. The City may institute appropriate actions or proceedings to enjoin violations of this Chapter or the applicable Wisconsin statutes.

(b) Any person who fails to comply with the provisions of this Chapter shall, upon conviction, be subject to such forfeiture as determined by resolution of the Common Council. Each day a violation exists or continues shall constitute a separate offense. In addition, the remedies provided by Wis. Stats. Chapter 236 shall be available to the City.

(c) This Chapter shall be in full force and effect after a public hearing is held thereon pursuant to Wis. Stats. §236.45(4) and its subsequent passage and publication.”

7. SECTION SEVEN. This Ordinance shall take effect on and after its passage and publication as provided by law.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of October, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

Committee Meeting: 9/28/2020

Date of publication: _____

CITY OF DE PERE MEMO



To: Plan Commission
From: Peter Schleinz, Senior Planner | Zoning Administrator
Date: September 28, 2020

RE: Staff recommendation and possible action regarding an ordinance to amend Municipal Code Chapter 46 (Platting and Division of Land), related to applicability to condominiums.*

Summary

The City does not have review authority when a new condominium plat is proposed in the City nor in areas within the extraterritorial plat approval jurisdiction of the City. A new condominium plat does not always create a new parcel(s), which is a typical trigger for City land division review. Thus, proposed condominium plat reviews are performed by Brown County.

The DRAFT ordinance proposes amendments to the 'Platting and Division of Land' chapter of the Municipal Code that will allow the City to review proposed condominium developments in the City and in areas within the extraterritorial plat approval jurisdiction of the City. The review authority will be in addition to the existing Brown County review.

The proposed ordinance includes the following summarized changes that will give review authority to the City:

- A definition is added to Municipal Code Section 46-2 for a definition to 'Condominium Development.'
- New Municipal Code Section 46-4(a)(8) is added to include 'Applicability to Condominiums.'
- New Municipal Code Section 46-4(a)(8) is added for 'Condominium Developments.'
 - This section includes a purpose and applicability references.
- Municipal Code Section 46-5(b)(1) is amended to add condominium developments to 'Public Open Spaces.'
- New Municipal Code Section 46-5(b)(3)e is added to establish a land dedication or payment in lieu of dedication when the number of dwelling units is unknown.
- Municipal Code Section 46-12 is repealed and recreated to update 'Penalties and Remedies.'

For convenience, a copy of the DRAFT ordinance, and a redlined copy of Municipal Code 46 are included with this memo.

Staff Recommendation

Staff recommends that Plan Commission approve the DRAFT ordinance to amend Municipal Code Chapter 46, and forward the DRAFT ordinance to Common Council for final approval.

(Proposed revision marked with **red text**: Removed text crossed out and new text underlined.)

Chapter 46 - PLATTING AND DIVISION OF LAND^[1]

Footnotes:

--- (1) ---

Cross reference— The zoning ordinance of the city and all amendments supplementary thereto, including the establishment of residential, commercial and industrial zones or districts saved from repeal, § 1-8(11); streets, alleys and sidewalks, ch. 22; parks and recreation, ch. 30; historic preservation, ch. 38; construction site erosion control, ch. 42; building code, ch. 54; sewer system regulations, ch. 70; mobile home parks, ch. 90; zoning, app. A.

Sec. 46-1. - Applicability of chapter provisions.

The regulations contained in this chapter shall apply to the following:

- (1) *Subdivision*. Any division of land within the city or its extraterritorial plat approval jurisdiction which results in a subdivision as defined in this chapter shall be, and any other division may be, surveyed and a plat thereof approved and recorded as required by this chapter and Wis. Stats. ch. 236.
- (2) *Other than subdivision*. Any division of land other than a subdivision within the city, or its extraterritorial plat approval jurisdiction, of which plat has not been approved and recorded, shall be surveyed and a certified survey map of such division approved and recorded in accordance with the provisions of section 46-8 and Wis. Stats. ch. 236.
- (3) *Exception*. The provisions of this chapter shall not apply to:
 - a. Transfers of interest in land by will or pursuant to court order;
 - b. Leases for a term not to exceed ten years, mortgages or easements;
 - c. The sale or exchange of parcels of land between owners of adjoining property if additional lots are not thereby created and the lots resulting are not reduced below the minimum sizes required by this chapter or other applicable laws or ordinances;
 - d. Condominium conversion of existing structures where no additional dwelling units, building sites or lot equivalents are being created;
 - e. A division of original lots having a maximum size of 1½ acres within an approved and recorded subdivision plat.

(Code 1974, § 13.01; Ord. No. 15-31, § 1, 12-1-2015)

Sec. 46-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Condominium Development means a real estate development in which the condominium form of ownership pursuant to Wis. Stats. Chap. 703 is utilized.

Extraterritorial plat approval jurisdiction means the area within three miles of the corporate limits of the city and is delineated on a map filed in the office of the director of economic development and planning.

Street means a way for vehicular traffic and further described as follows:

- (1) Highways and thoroughfares: state and federal routes and their connecting links.
- (2) Major streets and highways: those with high traffic densities serving relatively large areas.
- (3) Collector streets: those which carry traffic from minor streets to the system of highways, thoroughfares and major streets and including the principal entrance streets of a residential development and streets for circulation within such a development.
- (4) Minor streets: those which are used primarily for access to the abutting properties.
- (5) Connector street: any street which intersects at least two other streets, one of which shall be a collector street.
- (6) Cul-de-sac: a minor street which is accessible to motor vehicle traffic at only one point.
- (7) Loop street: a minor street which is accessible to motor vehicle traffic from only one other street (which has to be either a collector or connector) at two points.

Subdivisions means a division of a lot, parcel or tract of land by the owner thereof or his or her agent for the purpose of sale or of building development, where:

- (1) The act of division creates six or more building sites of 1½ acres or less in area; or
- (2) Five or more parcels or building sites of 1½ acres each or less in area are created by successive divisions within a period of five years.

Urban reserve area of extraterritorial review jurisdiction means that area designated as urban reserve in the latest update to the city's comprehensive plan.

(Code 1974, § 13.02; Ord. No. 13-17, § 15, 8-20-2013; Ord. No. 15-31, § 2, 12-1-2015; Ord. No. 16-18, § 1, 9-6-2016)

Cross reference— Definitions, § 1-3.

Sec. 46-3. - Procedure.

(a) Preliminary matters.

- (1) If the time limits, deadlines, notice requirements or other provisions in this chapter are more restrictive than time limits, deadlines, notice requirements or other provisions that provide protections for a subdivider contained in Wis. Stats. ch. 236, the time limits, deadlines, notice requirements or other provisions that provide protections for a subdivider contained in chapter 236 shall apply.
- (2) Plat submissions shall comply with all ordinances in effect as of the date the preliminary plat is submitted.
- (3) Previous to filing a preliminary plat, the subdivider may consult the plan commission and its staff for advice and assistance.

(b) Preliminary plat.

- (1) Before submitting a final plat for approval, the subdivider shall submit to the director of planning and economic development 14 copies of a preliminary plat not less than ten days preceding the meeting of the plan commission for preliminary approval. One additional copy shall be submitted if the plat is adjacent to a state highway. The subdivider shall submit two copies if the plat is in the extraterritorial platting jurisdiction of the city.
- (2) After review of the preliminary plat and negotiations with the subdivider on changes deemed advisable and the kind and extent of public improvements which will be required, the plan commission shall, within 90 days of its submission, approve, approve conditionally or reject the

plat. The subdivider shall be notified, in writing, of any conditions or approval or the reasons for rejection.

- (3) Approval of the preliminary plat shall entitle the subdivider to final approval of the layout shown by such plat if the final plat conforms substantially to the preliminary plat and conditions of approval have been met.

(c) *Final plat.*

- (1) The final plat and nine copies for plats located within the city limits, or two copies for plats located in the extraterritorial platting jurisdiction shall be submitted to the director of planning and economic development within 36 months after the last required approval of the preliminary plat. The plan commission may extend the time for submission of the final plat.
- (2) The plan commission shall refer the final plat with its recommendation to the common council. The council shall approve or reject the final plat within 60 days of its submission to the plan commission unless the time is extended by agreement with the subdivider. Conclusions and recommendations of the city director of planning or designee as to whether the final plat conforms substantially to the preliminary plat and the director of planning recommendation on approval of the final plat shall be made a part of the record either verbally or in writing of the council proceeding. Reasons for rejection shall be stated in the minutes of the council meeting and a copy thereof or a written statement of such reasons shall be supplied the subdivider.
- (3) If the original of the final plat has been filed with another approving authority, the subdivider may file a true copy of such plat in lieu of the original. However, before the approval of the council will be inscribed on the original of the final plat, the surveyor or the subdivider shall certify the respects in which the original of the final plat differs from the true copy and all modifications must first be approved.
- (4) After recording the final plat at the county register of deeds' office, the subdivider shall submit to the city eight true copies of the final plat if the plat is located in the city, and two true copies if the plat is located within the extraterritorial platting jurisdiction of the city. The subdivider shall submit one additional copy of the recorded plat if it is located within the city adjacent to a state highway.

(Code 1974, § 13.03; Ord. No. 10-28, § 1, 12-7-2010)

Sec. 46-4. - General requirements and design standards.

(a) *General.* The proposed subdivision shall conform to:

- (1) The provisions of Wis. Stats. ch. 236.
- (2) All applicable ordinances of the city.
- (3) The master plan, or functional segments thereof, as they may be completed.
- (4) The official map.
- (5) The rules of the state board of health relating to lot size and lot elevation if the subdivision is not served by a public sewer and provision for such service has not been made.
- (6) The rules of the state highway commission relating to safety of access and the preservation of the public interest and investment in the streets if the subdivision of any lot contained therein abuts on a state trunk highway or connecting street.
- (7) The preliminary plat shall be drawn at the scale not more than 100 feet to an inch. The required copies of the preliminary plat shall be made from a black ink line drawing.
- (8) Applicability to Condominiums. This Chapter is expressly applicable to condominium developments within the City's territorial or extraterritorial jurisdiction, pursuant to Wis.

Stats. §703.27(1). For purposes of this Chapter, a condominium unit and any associated limited common elements shall be deemed to be equivalent to a lot or parcel created by the act of Subdivision.

(b) *Streets.*

- (1) *General considerations.* The streets shall be designed and located in relation to existing and planned streets, to topographical conditions and natural terrain features such as streams and existing tree growth, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets. The preliminary plat shall show topography or be accompanied by a map of the same scale showing topography using contour intervals not greater than five feet.
- (2) *Conform to official map.* The arrangement, width and location of all streets shall conform to the official map.
- (3) *Arrangement.*
 - a. Major streets shall be properly integrated with the existing and proposed system of major streets, highways, and thoroughfares.
 - b. Collector streets shall be properly related to the mass transit system, to special traffic generating from facilities such as schools, churches and shopping centers, to population densities, and to the arterial streets into which they feed.
 - c. Minor streets shall be laid out to conform as much as possible to topography, to discourage use by through traffic, to permit efficient drainage and sewer systems, and to require the minimum amount of street necessary to provide convenient, safe access to property. The reasonable and intelligent use of curvilinear and cul-de-sac streets is encouraged.
- (4) *Railroad right-of-way or limited access highway.* Where a residential subdivision borders on or contains a railroad right-of-way or limited access highway right-of-way, the plan commission may require a street approximately parallel to and on each side of such right-of-way at a distance suitable for park or residential purposes.
- (5) *Highways and thoroughfares.* Where a subdivision borders on or contains an existing or proposed highway or thoroughfare, the plan commission may require that the backs of lots abut the highway or thoroughfare and be provided with screen planting contained in a nonaccess reservation along the rear property line, that deep lots with rear service alleys be provided, or that other provisions be made for the adequate protection of properties and the separation of through and local traffic.
- (6) *Width.* All streets shall be of the width specified on the official map or, if no width is specified there, they shall be not less than the width specified as follows:
 - a. Highways: 80 feet plus eight-foot tree planting easement on both sides of right-of-way.
 - b. Collector streets: 80 feet.
 - c. Minor streets: 70 feet.
 - d. Minor streets designed with parking on one side: 60 feet plus eight-foot tree planting easement on both sides of right-of-way.
- (7) *Alignment and visibility.* Clear visibility, measured along the centerline, shall be provided for at least 400 feet on major streets, 350 feet on collector streets, and 250 feet on minor streets.
- (8) *Minimum radii or curvature on the centerline.*
 - a. Major streets: 300 feet.
 - b. Collector streets: 200 feet.
 - c. Minor streets: 100 feet.

- (9) *Tangents.* A tangent at least 100 feet long shall be introduced between reverse curves on major and collector streets.
- (10) *Street names.* Any street which is the reasonable continuation of an existing street shall bear the same name. If the topography or other features of a permanent nature are such as to render the continuation of the actual roadway impossible, and where such nomenclature is apt to produce confusion, the street shall not carry the same name as the street to which it may be geometrically aligned.

Type	Dead-end	Curving	Straight
Short Streets	Places or Courts	Crescent, Way, Circle or Lane	Terrace, Row, Lane
Long Streets		Road or Drive	Street or Avenue

The term "boulevard" shall be reserved for such streets which, because of their breadth or monumental character, are to be especially designated.

(c) *Intersections.*

- (1) Streets shall intersect as nearly as possible at right angles and the intersection of more than two streets at one point is discouraged. The number of streets converging at one intersection shall be reduced to the minimum possible.
- (2) Property lines at street intersections shall be rounded with a radius of 12 feet or a greater radius where the plan commission considers it necessary. Cutoffs or chords may be permitted in place of rounded corners.
- (3) Street jogs with centerline offsets of less than 125 feet shall be avoided. Where streets intersect highways, thoroughfares and major streets, their alignment shall be continuous.

(d) *Alleys.*

- (1) Alleys shall be provided in all commercial and industrial districts, except that the plan commission may waive this requirement if definite and assured provision is made for service access such as off-street loading and parking consistent with, and adequate for, the uses proposed.
- (2) Alleys shall not be approved in residential areas unless necessary because of topography or other exceptional circumstances.
- (3) The width of alleys shall be not less than 20 feet.
- (4) Dead-end alleys are prohibited except under very unusual circumstances, and crooked and "T" alleys shall be discouraged. Where dead-end alleys are unavoidable, they shall be provided with adequate turnaround facilities at the dead end.

(e) *Easements and restrictive covenants.*

- (1) Easements across lots or centered on rear or side lot lines shall be provided for utilities where required by the plan commission, and shall be at least ten feet wide.
- (2) A drainage easement in favor of the city, centered on rear lot lines, shall be provided on all subdivisions of land. Such easement shall, at a minimum, contain the following restrictions:
 - a. Any obstruction to the flow of water, by any means, shall be prohibited.

- b. No structure, earthen berm, dam, erection of other improvement, tree, or landscaping shall be permitted.
 - c. The erection of a fence or annual plantings may be allowed provided that same do not obstruct the flow of water.
 - d. Grantor (property owner) is prohibited from changing the grade elevation of the drainage easement from that established by grantee.
 - e. Grantee shall have full rights of ingress and egress to carry on and all work in connection with the maintenance and operation in, over, under and across the lands of grantor.
 - f. The property covered by said easement shall not be used in any way or manner that will impair the rights of grantee.
 - g. The easement shall run with the land, and shall be binding upon the grantees, lessees, successors, heirs and assigns of grantor and grantee.
 - h. The easement shall be assignable.
- (3) A stormwater covenant shall be provided on the face of each subdivision as follows:
- The land on the side of the lots within the area shall be graded by the subdivider and maintained by the abutting property owner to provide for the adequate drainage of surface water.
- (4) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way of sufficient width conforming substantially with the lines of such watercourse. Grading or construction adequate for the purpose may be required. Wherever possible, the drainage shall be maintained by an open channel with landscaped banks and adequate width for maximum potential volume of flow as determined by the plan commission. Such improvement shall be installed prior to council approval of the final plat.
- (5) A stormwater covenant shall be provided on each plat as follows: The land on the rear of all lots and on the side of lots (specified) within the area shall be graded by the subdivider and maintained by the abutting property owner to provide for the adequate drainage of surface water.
- (6) An eight-foot tree planting easement shall be provided on the front or side of each lot fronting or siding a major street and streets with a width less than 70 feet, and no portion of the street shall be used for tree planting. Such easement shall be contained in a restrictive covenant written on the face of the plat.
- (7) Residential lots including corner lots in a subdivision shall have a minimum setback of not less than 25 feet.
- (f) *Blocks.*
- (1) The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed 1,500 feet between street lines.
- (2) Pedestrian crosswalks, not less than ten feet wide, may be required by the plan commission through the center of blocks more than 900 feet long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
- (g) *Lots.*
- (1) *In general.* The size, shape and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated.

- (1.5) Lots within the city's extraterritorial plat approval jurisdiction. Every lot within the city's extraterritorial plat approval jurisdiction that is identified in the city's current comprehensive plan as a growth area or an urban reserve area, shall be a minimum of ten acres in area.
- (2) *Lot dimensions.* Lot dimensions shall conform to the requirements of the zoning ordinance, and in residential districts shall be not less than 75 feet in frontage nor less than 8,000 square feet in area. Residential lots to be served by private sewage disposal facilities shall comply with the rules of the state board of health in addition to the regulations contained in this section. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated. Residential lots fronting or backing on major streets, highways, and thoroughfares should be platted with extra depth to permit generous distance between the buildings and such traffic ways. Excessive depth in relation to width shall otherwise be avoided.
- (2.5) *Lot dimensions within urban reserve area of extraterritorial review jurisdiction.* Every lot within the urban reserve area of the extraterritorial review jurisdiction shall have a minimum lot width and frontage of not less than 300 feet.
- (3) *Corner lots.* Corner lots for residential use shall have extra width to permit full building setback of at least 25 feet from both streets.
- (4) *Access to public street.* Every lot shall front on or abut a public street.
- (5) *Lots at right angles.* Lots at right angles to each other should be avoided wherever possible, especially in residential areas.
- (6) *Lot lines.* Side lot lines shall be substantially at right angles or radial to street lines.
- (7) *Large lots.* In case a tract is subdivided into parcels contained one or more acres, such parcels shall be arranged to allow the resubdivision of any parcels into normal lots in accordance with the provisions of this chapter.
- (8) *Municipal boundaries.* Lots shall follow municipal boundary lines whenever practicable rather than cross them.

(Code 1974, § 13.04; Ord. No. 03-23, § 1, 10-7-2003; Ord. No. 07-20, §§ 1—3, 8-7-2007; Ord. No. 15-31, § 3, 12-1-2015; Ord. No. 16-18, § 2, 9-6-2016; Ord. No. 19-26, § 1, 12-17-2019)

46-45 Condominium Developments.

- (a) Purpose.
 - (1) The Common Council hereby finds that certain issues arise in condominium developments that require limited applicability of this Chapter to condominium developments. The state legislature has recognized that subdivision ordinances may apply to condominiums but that subdivision ordinances may not impose burdens upon condominiums that are different from those imposed on other property of a similar character not subject to a declaration of condominium.
 - (2) The factor that makes this Chapter applicable to condominium development is the creation of multiple, distinct property entities at or near the ground surface, subject to property taxation and separate tax parcels, with each property entity having different ownership and management. The City determines that this factor makes a condominium development dissimilar, both physically and in ownership, from developments in which the land and improvements are under unitary ownership, management and control.

- (3) Thus, the Common Council hereby finds that new condominium developments can place impacts upon community resources in the same manner as other new developments that are characterized by division of land into lots. These impact include:
- a. Additional population density.
 - b. Possibility of use of particular land in a manner unsuitable to the land's characteristics.
 - c. Additional demands upon City parks, recreation areas, utility facilities and schools.
 - d. Additional traffic and street use.
- (b) Portions of Chapter Applicable to Condominium Developments. The following sections of this Chapter shall apply to condominium developments.
- (1) Section 46-4(b) through (g) relating to design standards for improvements.
 - (2) Section 46-5 of this Chapter relating to public sights and open spaces.
 - (3) Section 46-6 of this Chapter relating to required improvements.
 - (4) Sections 46-7(a) and (b) relating to preliminary consultation and preliminary plat approval. This stage of approval shall be the only approval required.
 - (5) Section 46-11 of this Chapter relating to fees for review.
- (c) This section shall not apply to any condominium plat recorded prior to the effective date of the ordinance from which this Chapter is derived.

Sec. 46-5. - Public sites and open spaces.

- (a) *Dedication of property unsuitable for development.* Whenever a plat is filed of a subdivision containing submarginal land or containing or adjoining an open stream or watercourse, such land shall be dedicated to the city or other appropriate municipality for drainage purposes. Such dedication or reservation shall be made for the purpose of preventing the erection of structures on unsuitable property and to secure the public health and safety and to facilitate adequate provision for drainage.
- (b) *Public open spaces.*
- (1) *Purpose.* It is the purpose of this section that adequate open spaces may be properly located and preserved as the community develops, and that the cost of providing sites for parks, recreational areas, and all other uses related to the operation of the city government necessary to serve the additional population brought into the community by subdivision or condominium development may be most equitably apportioned on the basis of the additional need created by the individual subdivision or condominium.
 - (2) *Dedication of sites.*
 - a. The subdivider shall provide, and dedicate to the public, land compatible with the comprehensive plan for the development of the community, provided that such development shall not exceed in area that provided in subsection (b)(2)b of this section.

- b. The amount of land to be provided and dedicated in R-1, R-2, R-3, and R-4 residential districts shall be 4.4 percent of the total nonpublic residential property developed. If dedicated land is set aside in the plat, it shall be done with the approval and in coordination with the city plan commission and the park board.

(3) *Payment in lieu of dedication.*

- a. Where the plan commission determines that such dedication is not compatible with the comprehensive plan, the subdivider shall, in lieu thereof, pay to the city a fee as determined by resolution of the common council.
- b. Such fees shall be used only for open space acquisition or the preparation of park and open space plans, including a master plan of development.
- c. Payment shall be made at the time the building permit is issued.
- d. No payment shall be required for a parcel on which a permanent residential structure exists prior to the date of the division. However, a residence that is intentionally razed and a new structure built of additional dwellings would come under the provisions of this chapter and be subject to the fees in accordance with subsection (b)(3)a of this section.

e. Where the plat, certified survey or condominium does not specify the number of dwelling units to be constructed, the land dedication or payment in lieu of dedication shall be based upon the maximum number of dwelling units permitted by the City zoning code and this Chapter.

(Code 1974, § 13.05; Ord. No. 14-20, § 2, 12-16-2014)

Sec. 46-6. - Required improvements.

- (a) The subdivision shall be monumented, as required by Wis. Stats. § 236.15, which is hereby adopted by reference and incorporated in this section as though fully set out.
- (b) Before the final plat or subdivision located within the corporate limits is approved, the subdivider may provide the following facilities:
 - (1) Water and sanitary sewer mains and laterals to the lot line where connection to existing systems can be reasonably provided.
 - (2) Streets graded to full width and roadway graveled.
 - (3) Adequate facilities to provide surface water drainage.
 - (4) Curb and gutter and gravel when so ordered by the city council.
 - (5) Street trees or such variety, size, number and location as designated by the park board and forester.
 - (6) Adequate facilities for interior lot improvement to provide surface water drainage. Surface water shall be drained over easements to public facilities where possible.

Where necessary due to ground elevations and topography, storm sewer construction, including installation of catchbasins, shall be required at the expense of the subdivider.
 - (7) The land surface within the proposed subdivision, including the street right-of-way to be dedicated, shall be graded to the proposed contours as approved on the preliminary plat. Any land surface so graded shall be appropriately and adequately protected to maintain the grade and protect the same from erosion.

As an alternative to the foregoing, the city shall design, construct and install such improvements after approval of the final plat at a time and under such conditions as the city shall determine in its discretion. If the city constructs such improvements, the cost shall be assessed pursuant to chapter 13 of this Code.

(c) All facilities shall be installed according to standard plans and specifications as adopted by the city.

(Code 1974, § 13.06)

Sec. 46-7. - Plats and data.

(a) *Preliminary consultation data.* The following information shall be provided at the time of the preliminary consultation or upon filing the preliminary plat if no preliminary consultation is held:

- (1) Data on existing covenants, land characteristics and available community facilities and utilities, description of the subdivision proposal, such as number of residential lots, typical lot width and depth, business areas, playgrounds, park areas, other public areas, proposed protective covenants and proposed utilities and street improvements.
- (2) A location map showing the relationship of the proposed subdivision to existing community facilities which serve or influence it, including development name and location, main traffic arteries, public transportation lines, shopping centers, elementary and high schools, parks and playgrounds, and other community features such as hospitals and churches. The map shall also include title, scale, north arrow and date.
- (3) A sketch plan showing in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free hand pencil sketch made directly on a print of the topographic survey.

(b) *Preliminary plat.*

- (1) The preliminary plat shall be drawn with waterproof nonfading black ink or legibly drawn with pencil on tracing cloth, or tracing paper of good quality on a scale of not more than 100 feet to an inch and shall show correctly on its face:
 - a. Date, scale and north point.
 - b. The proposed subdivision name, which shall not duplicate the name of any plat previously recorded in the county.
 - c. The name and address of the owner, the subdivider and a surveyor registered in the state preparing the plat.
 - d. Location of the subdivision by government lot, quarter, quarter section, section, township, range and county.
 - e. A small scale drawing of the section of government subdivision of the section in which the subdivision lies with the location of the subdivision indicated thereon.
 - f. The exact length and bearing of the exterior boundaries of the subdivision.
 - g. Location and names of adjacent subdivisions and the owners of adjoining parcels or unsubdivided land.
 - h. Zoning on the adjacent land to the subdivision for subdivisions outside the city.
 - i. Location, widths and names of all existing platted or dedicated streets, alleys or other public ways and easements, railroad, and utility rights-of-way, parks, cemeteries, watercourses, drainage ditches, permanent buildings, bridges and other pertinent data, as determined by the city plan commission.
 - j. The water elevations of adjoining lakes or streams at the date of survey and the approximate high and low water elevations of such lakes or streams. All elevations shall be referred to the U.S. Coast and Geodetic Survey or established city datum.
 - k. If the subdivision borders a lake or stream, the distances and bearings of a meander line established not less than 20 feet back from the ordinary high water mark of the lake or stream.

- l. Layout and width of all new streets and rights-of-way, such as alleys, highways, easements for sewers, water mains and other public utilities.
 - m. Direction and distance to nearest water and sewer mains.
 - n. Approximate dimensions of and areas of lots.
 - o. Proposed building lines.
 - p. Approximate radii of all curves and length of tangents.
 - q. Approximate location and area of property proposed to be dedicated for public use or to be reserved by deed covenant for use of all property owners in the subdivision with the conditions, if any, of such dedication or reservation.
- (2) *Supplementary information.* The subdivider shall furnish the following information along with his or her preliminary plat:
- a. A brief description of the improvements such as grading, paving, tree planting, installation of utilities which the subdivider proposes to make and the time when he or she proposes to make them.
 - b. A brief description of the deed restrictions, if any, which will be put on the plat.
 - c. A topographic plan illustrating the existing and proposed contours of the land surface within the proposed subdivision, including the proposed contours within and adjacent to the street right-of-way using contour intervals not greater than two feet within the city and five feet elsewhere at the same scale as the preliminary plat.
- (c) *Final plat.*
- (1) A final plat of subdivided land shall comply with the requirements of Wis. Stats. § 236.20, which is hereby adopted by reference and incorporated in this section as though fully set out.
 - (2) The affidavits and certificates required by Wis. Stats. ch. 236, shall be lettered or printed legibly with black, durable ink or typed with black ribbon on the final plat.
 - (3) Prior to approval of the final plat, the subdivider shall submit the grade or elevation of all streets located within the plat to the director of public works. The grades submitted shall be at the centerline of each street. Such grade or elevation shall be consistent with the topographic plan previously approved by the plan commission in accordance with subsection (b)(2)c of this section and shall assume as a base the "Datum Plane of Reference" filed in accordance with section 22-4 of this Code, in the office of the director of public works.

(Code 1974, § 13.07; Ord. No. 13-17, §§ 13, 15, 8-20-2013)

Sec. 46-8. - Land divisions other than subdivisions.

- (a) *Procedure.* The divider shall file a certified survey map with the plan commission. The plan commission shall, within 40 days, approve, approve conditionally or reject the map. The divider shall be notified, in writing, of any conditions of approval or the reason for rejection. The divider shall submit to the city 13 copies of a preliminary certified survey map if the property is located within the city and two copies of the preliminary certified survey map if the property is located within the extraterritorial platting jurisdiction of the city.
- (b) *Requirements.*
 - (1) To the extent reasonably practicable, the division shall comply with the provisions of this chapter relating to general requirements, design standards, required improvements, and public sites and open spaces.
 - (2) The survey shall be performed and the map prepared by a surveyor registered in the state.

- (3) All corners shall be monumented in accordance with Wis. Stats. § 236.15(1)(c) and (d).
- (4) The map shall be prepared in accordance in Wis. Stats. § 236.20(2)(2)(b), (c), (e), (f), (g), (h), (j), (k) and (l), on durable white paper 8½ inches wide by 14 inches long. All lines shall be made with nonfading black ink on a scale of not more than 200 feet to an inch.

(c) *Certificates and affidavits.*

- (1) The map shall include the affidavit of the surveyor who surveyed and mapped the parcel, typed, lettered or reproduced legibly with nonfading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the U.S. Public Land Survey or some corner providing reference to a corner marked and established in the U.S. Public Land Survey. Such affidavit shall include the certificate of the surveyor to the effect that he or she has fully complied with the requirements of this section.
- (2) The certificate of approval of the plan commission shall be typed, lettered or reproduced legibly with nonfading black ink on the face of the map.
- (d) *Map.* The map shall be filed by the divider for record with the county register of deeds, and two copies shall be filed with the city director of planning if the property is located within the city. Two copies shall be filed with the director of planning if the property is located within the extraterritorial platting jurisdiction of the city.

(Code 1974, § 13.08; Ord. No. 13-17, § 13, 8-20-2013)

Sec. 46-9. - Subdivisions created by successive divisions.

- (a) Where it is not practical to require that a final plat of a subdivision created by successive division be filed in accordance with this chapter, the common council may, in lieu thereof, order an assessor's plat to be made under Wis. Stats. § 70.27 and may assess the cost (as provided in such section) to the subdivider.
- (b) Regardless of the type of plat filed, any such subdivision shall comply with all provisions of this chapter to the extent that they may reasonably be applied.

(Code 1974, § 13.09)

Sec. 46-10. - Variances.

- (a) *Plan commission authority to grant.* In circumstances where the plan commission is the final approval authority for a subdivision and where, owing to special conditions, a literal enforcement of the provisions of this chapter or of chapter 50 of this Code, would result in practical difficulty or unnecessary hardship so that the spirit of this chapter and the zoning code shall be observed, public safety and welfare served, and substantial justice done, the plan commission may approve a certified survey map or plat which includes, in whole or in part, parcels of land which do not meet one or more of the following: minimum lot area, minimum lot width, minimum open space, minimum setback, minimum side or minimum rear yard required in the district where such land is located.
- (b) *Authority of common council.* Where the common council has final approval authority over a subdivision, it may, upon its own motion or upon recommendation of the plan commission, grant such final approval of a certified survey map or plat which includes, in whole or in part, parcels of land which do not meet one or more of the following: Minimum lot area, minimum lot width, minimum open space, minimum setback, minimum side or minimum rear yard required in the district where such land is located, where, owing to special conditions, a literal enforcement of the provisions of this chapter or chapter 50 of this Code, would result in practical difficulty or unnecessary hardship so that the spirit of this chapter shall be observed, public safety and welfare served, and substantial justice done.

- (c) *Limitation.* Neither the plan commission nor common council shall waive the requirement of recording a plat or certified survey map.
- (d) *Recording.* Any modification or variance granted shall be entered in the minutes of the city plan commission and/or common council, setting forth the reasons which, in the opinion of the commission and/or council, justify the variance.

(Code 1974, § 13.10)

Sec. 46-11. - Fees.

Any person who shall plat or otherwise divide land subject to review and approval by the city pursuant to this chapter shall pay to the city such fees as determined by resolution of the common council, such fees may include late fees, penalties and expediting fees. All fees shall be non-returnable and shall be paid to the clerk.

(Code 1974, § 13.11; Ord. No. 01-08, § 1, 7-2-2001; Ord. No. 06-33, § 4, 11-8-2006)

Sec. 46-12. - Penalties and remedies.

- ~~(a) Any person who fails to comply with the provisions of this chapter shall, upon conviction, be subject to such forfeiture as determined by resolution of the common council. Each day a violation exists or continues shall constitute a separate offense. In addition, the remedies provided by Wis. Stats. ch. 236 shall be available to the city.~~
- ~~(b) This chapter shall be in full force and effect after a public hearing is held thereon pursuant to Wis. Stats. § 236.45(4), and its subsequent passage and publication.~~
- (a) *Violations.* It shall be unlawful to build upon, divide, convey, record or monument any land in violation of this Chapter or the Wisconsin statutes, and no person, firm or corporation shall be issued a building permit by the City authorizing the building on, or improvement of, any subdivision, certified survey map, condominium or replat within the jurisdiction of this Chapter not of record as of the effective date of this Ordinance from which this Chapter is derived until the provisions of this Chapter have been fully met. The City may institute appropriate actions or proceedings to enjoin violations of this Chapter or the applicable Wisconsin statutes.
- (b) Any person who fails to comply with the provisions of this Chapter shall, upon conviction, be subject to such forfeiture as determined by resolution of the Common Council. Each day a violation exists or continues shall constitute a separate offense. In addition, the remedies provided by Wis. Stats. Chap. 236 shall be available to the City.
- (c) This Chapter shall be in full force and effect after a public hearing is held thereon pursuant to Wis. Stats. §236.45(4) and its subsequent passage and publication."

(Code 1974, § 13.12; Ord. No. 14-20, § 1, 12-16-2014)



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Ordinance #20-17 Amending Sections 7-2(e)(3), 7-2(e)(5), and 7-13(I)
De Pere Municipal Code Authorizing the City Clerk to Grant
Operator's Licenses.

The License Committee voted 3-0 on September 15, 2020 to recommend approval of this ordinance delegating authority to the City Clerk and Deputy Clerk to issue operator's licenses.

ATTACHMENTS:

- Ord20-17 (DOCX)
- License Committee Clerk's Authority to Issue Operator's Licenses (PDF)
- Redlined-Authorizing Clerk to Grant Operator's Licenses (DOCX)

ORDINANCE #20-17

AMENDING SECTIONS 7-2(e)(3), 7-2(e)(5), and 7-13(i)
DE PERE MUNICIPAL CODE
AUTHORIZING THE CITY CLERK TO GRANT OPERATOR'S LICENSES

THE COMMON COUNCIL OF THE CITY OF DE PERE, WISCONSIN, DO ORDAIN AS
FOLLOWS:

SECTION 1. Section 7-2(e)(3), *Temporary operator's licenses.*, is hereby amended by adding the following sentence to the beginning of the section: Pursuant to Wis. Stats. § 125.17, the city clerk and deputy city clerk are hereby delegated the authority to grant temporary operator's licenses.

SECTION 2. Section 7-2(e)(5), *Two-year operator's licenses.*, is hereby amended by adding the following sentence to the beginning of the section: Pursuant to Wis. Stats. § 125.17, the city clerk and deputy city clerk are hereby delegated the authority to grant operator's licenses.

SECTION 3. Section 7-13(i), *Decision to grant licenses.*, is hereby repealed and recreated as follows:

7-13(i) Decision to grant licenses.

- (1) The city clerk and deputy city clerk are delegated the authority to grant the following licenses:
 - a. Temporary Class "B" licenses
 - b. Temporary operator's licenses
 - c. Provisional operator's licenses
 - d. Two-year operator's licenses
 - e. Provisional retail licenses

A determination of the city clerk or deputy city clerk to not issue a license under this section may be reviewed by the license committee. If the review is under Wis. Stats. Sec. 111.335(4) to allow the applicant to show evidence of rehabilitation and fitness to

engage in the licensed activity, the license committee shall follow the process outlined in Sec. 111.335(4). The committee shall notify the applicant of its decision in writing and state the reasons for the decision as set forth in Wis. Stats. Sec. 125.12(3m). The decision of the license committee shall be final.

- (2) The common council shall have the authority to grant any liquor license not listed in section (1) above. Nothing in this section shall prohibit or alter the authority of the license committee to consider initial applications for liquor licenses and make recommendations thereon to the common council. Upon any such application, the license committee shall place the matter on the agenda and shall decide whether to recommend granting the license upon considering the effect of the proposed establishment on the public health, safety, repose or any other public interest rationally related to the issuance of the particular license. If the license committee determines to deny the granting of the license, it shall so recommend to the common council. If the common council approves of such recommendation, a formal notice will be sent to the licensee informing him or her of the decision not to issue the license and the reasons therefor.
- (3) The Alcohol Beverage Licenses Enforcement Policy Guidelines shall be considered when issuing any alcohol beverage license, including retail licenses and operator's licenses.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. This ordinance shall take effect on and after its passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of October, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

Committee Approval: 9/28/2020

Publication Date: _____

MEMORANDUM

TO: Alderperson Dan Carpenter, Chair
License Committee Members

FROM: Kristen Johnson, Assistant City Attorney

DATE: September 15, 2020

RE: Ordinance Revisions Delegating Authority to City Clerk to Issue Certain Licenses

The purpose of this memo is to provide the License Committee with information regarding the proposed ordinance revisions granting authority to the city clerk and deputy city clerk to issue certain liquor licenses.

Wis. Stats. § 125.26(6) and 125.185(1) allow a municipality to designate a municipal official authority to issue temporary retail class “B” licenses and provisional retail licenses. Our ordinances currently grant the city clerk and deputy city clerk authority to issue temporary class “B” licenses, provisional operator’s licenses, and provisional retail licenses. Recently, 2019 Wisconsin Act 166 amended sections of Wis. Stats. Ch. 125 to allow a municipality to delegate authority to a municipal official for the issuance of operator’s licenses, temporary operator’s licenses, and provisional operator’s licenses. The License Committee requested the Law Department draft ordinance revisions to allow the City Clerk and Deputy City Clerk the authority to issue these licenses. To accomplish this, DPMC Sections 7-2(e)(3), 7-2(e)(5), and 7-13(i) need amending.

The recommended revisions include a process to allow the determination of the city clerk or deputy city clerk to be reviewed by the License Committee. The draft ordinance also instructs provides that the Alcohol Beverage Licenses Enforcement Policy Guidelines shall be considered when granting any alcohol beverage license. Therefore, the clerk’s office would utilize the same guidelines as the License Committee and Council when making a determination on an application.

If you have any questions before the meeting, please do not hesitate to contact me directly.

KKJ

7-2(e)(3) *Temporary operator's licenses.* Pursuant to Wis. Stats. § 125.17, the city clerk and deputy city clerk are hereby delegated the authority to grant temporary operator's licenses. No temporary operator's license shall be issued to any person who does not possess all requirements specified for an operator's license at Wis. Stats. § 125.17.

7-2(e)(5) *Two-year operator's licenses.* Pursuant to Wis. Stats. § 125.17, the city clerk and deputy city clerk are hereby delegated the authority to grant operator's licenses. Operator's licenses shall be issued for two-year terms commencing July 1 of any even-numbered year and terminating June 30 of the next even-numbered year. The fee for such license shall be as determined by resolution of the common council. Licenses issued on or after July 1 of the second year of such licensing period shall also be issued for such fee as determined by common council.

7-13(i) *Decision to grant licenses.*

- (1) The city clerk and deputy city clerk are delegated the authority to grant the following licenses:
 - a. Temporary Class "B" licenses
 - b. Temporary operator's licenses
 - c. Provisional operator's licenses
 - d. Two-year operator's licenses
 - e. Provisional retail licenses

A determination of the city clerk or deputy city clerk to not issue a license under this section may be reviewed by the license committee. If the review is under Wis. Stats. Sec. 111.335(4) to allow the applicant to show evidence of rehabilitation and fitness to engage in the licensed activity, the license committee shall follow the process outlined in Sec. 111.335(4). The committee shall notify the applicant of its decision in writing and state the reasons for the decision as set forth in Wis. Stats. Sec. 125.12(3m). The decision of the license committee shall be final.

- (2) The common council shall have the authority to grant any liquor license not listed in section (1) above. Nothing in this section shall prohibit or alter the authority of the license committee to consider initial applications for liquor licenses and make recommendations thereon to the common council. Upon any such application, the license committee shall place the matter on the agenda and shall decide whether to recommend granting the license upon considering the effect of the proposed establishment on the public health, safety, repose or any other public interest rationally related to the issuance of the particular license. If the license committee determines to deny the granting of the license, it shall so recommend to the common council. If the common council approves of such recommendation, a formal notice will be sent to the licensee informing him or her of the decision not to issue the license and the reasons therefor.
- (3) The Alcohol Beverage Licenses Enforcement Policy Guidelines shall be considered when issuing any alcohol beverage license, including retail licenses and operator's licenses.



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Attorney

FROM: Kristen Johnson

SUBJECT: Resolution #20-104 Ratifying Mayoral Proclamations from August 15, 2020 through October 2, 2020.

ATTACHMENTS:

- Reso20-104 (DOCX)
- 18th Mayoral Proclamation (PDF)

RESOLUTION #20-104
RATIFYING MAYORAL PROCLAMATIONS ISSUED
FROM AUGUST 15, 2020 THROUGH OCTOBER 2, 2020

WHEREAS, on March 12, 2020, Governor Evers declared a health emergency in the State of Wisconsin in response to the COVID-19 Coronavirus (“COVID-19”); and

WHEREAS, on March 17, 2020, the Common Council of the City of De Pere adopted Resolution #20-34 declaring a state of emergency in the City of De Pere; and

WHEREAS, the emergency power granted to the governing body by Wis. Stat. §323.14(4)(a) includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency; and

WHEREAS, if, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, Resolution #20-34 and Wis. Stat. §323.14(4)(b) grants the Mayor, or in the absence of the Mayor, the Council President, the authority to act by proclamation under Wis. Stats. §323.11 and §323.14(4)(a); and

WHEREAS, any proclamation of the Mayor issued under the authority of Resolution #20-34 and Wis. Stat. §323.14(4)(b) shall be subject to ratification, alteration, modification, or repeal by the Common Council as soon as the Common Council can meet; and

WHEREAS, on April 8, 2020, the Common Council of the City of De Pere ratified eight (8) Mayoral Proclamations issued between March 18, 2020 and April 3, 2020; and

WHEREAS, on May 5, 2020 the Common Council ratified the Ninth Mayoral Proclamation issued on April 28, 2020; and

Resolution #20-104
Page 2 of 3

WHEREAS, on May 19, 2020, the Common Council of the City of De Pere ratified two (2) Mayoral Proclamations issued between May 1, 2020 and May 15, 2020; and

WHEREAS, on June 2, 2020, the Common Council of the City of De Pere ratified the Twelfth Mayoral Proclamation issued on May 22, 2020; and

WHEREAS, on June 16, 2020, the Common Council of the City of De Pere ratified three (3) Mayoral proclamations issued between May 30, 2020 and June 12, 2020; and

WHEREAS, on July 7, 2020, the Common Council of the City of De Pere ratified the Sixteenth Mayoral Proclamation issued on June 18, 2020; and

WHEREAS, on August 18, the Common Council of the City of De Pere ratified the Seventeenth Mayor Proclamation issued on August 7, 2020; and

WHEREAS, the Eighteenth Mayoral Proclamation was issued on September 28, 2020.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Eighteenth Mayoral Proclamation dated September 28, 2020, Amending De Pere Municipal Code Section 7-14 regarding Temporary Expansion of Licensed Premises, a copy of which is attached and incorporated herein by reference, is hereby confirmed and ratified by the Common Council of the City of De Pere.

Resolution #20-104
Page 3 of 3

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of
October, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

CITY OF DE PERE
EIGHTEENTH MAYORAL PROCLAMATION
SEPTEMBER 28, 2020

WHEREAS, on March 17, 2020, the Common Council of the City of De Pere adopted Resolution #20-34 declaring a state of emergency in the City of De Pere as a result of COVID-19; and

WHEREAS, the emergency power granted to the governing body by Wis. Stat. §323.14(4)(a) includes the general authority to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency; and

WHEREAS, if, because of the emergency conditions, the governing body of the local unit of government is unable to meet promptly, Resolution #20-34 and Wis. Stat. §323.14(4)(b) grants the Mayor, or in the absence of the Mayor, the Council President, the authority to act under Wis. Stats. §323.11 and §323.14(4)(a); and

WHEREAS, any proclamation issued under Wis. Stat. § 323.14(4)(b) is subject to ratification, alteration, modification, or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the prior validity of the proclamation; and

WHEREAS, on May 22, 2020, the Twelfth Mayoral Proclamation was issued, creating Section 7-14. – Temporary expansion of licensed premises, of the De Pere Municipal Code; and

WHEREAS, on June 2, 2020, Resolution #20-59 ratifying Mayoral Proclamations issued from May 16, 2020, through May 29, 2020, was approved by the Common Council; and

WHEREAS, pursuant to the Twelfth Mayoral Proclamation, DPMC Sec. 7-14 shall be repealed no later than October 1, 2020; and

WHEREAS, the declaration of emergency in the City remains in effect; and

WHEREAS, public health authorities are continuing to recommend physical distancing in order to prevent exposure to and spread of COVID-19; and

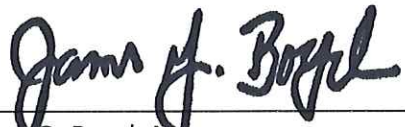
WHEREAS, the Common Council wishes to allow restaurants, bars, and taverns to continue utilizing available outdoor space in order to maintain physical distancing; and

WHEREAS, extending Sec. 7-14 to December 1, 2020, will allow establishments that wish to permanently expand their outdoor premises to submit an application and obtain approval from City Council.

NOW, THEREFORE, THE MAYOR DOES HEREBY PROCLAIM THAT:

1. Ordinance #20-14 amending Section 7-14 of the Municipal Code relating to temporary expansion of licensed premises is hereby adopted as attached and shall be repealed no later than December 1, 2020.
2. Any ordinance, resolution, or City policy in conflict with the above proclamation shall be superseded by this proclamation.
3. The above proclamations shall remain in effect until the Declaration of Emergency is no longer in effect, or until ratified, altered, modified, or repealed by the Common Council at the next meeting.

PROCLAIMED this 28th day of September, 2020.



James G. Boyd, Mayor

ORDINANCE #20-14

AMENDING SECTION 7-14 DE PERE MUNICIPAL
CODE REGARDING TEMPORARY EXPANSION OF LICENSED PREMISES

THE COMMON COUNCIL OF THE CITY OF DE PERE, WISCONSIN, DO ORDAIN AS

FOLLOWS:

SECTION 1. Section 7-14, *Temporary expansion of licensed premises*, is hereby amended by replacing subsection (c) with "*Return to original premises description*. Any premises description expanded under this section shall be removed no later than December 1, 2020."

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect on and after its passage and publication.

SECTION 4. This ordinance shall be repealed no later than December 1, 2020.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 28th day of September, 2020.

APPROVED:



James G. Boyd, Mayor

ATTEST:



Carey E. Daneh, City Clerk

Ayes: _____

Nays: _____

Publication Date: _____



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: Plan Commission

FROM: Peter Schleinz

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

On March 23, 2020 Plan Commission unanimously recommended approval by a vote of 7-0.

On October 6, 2020 Common Council will be considering the discontinuance of Wisconsin ST. The original request that was reviewed by Plan Commission also included Charles ST, which will be reviewed separately by Common Council at a future meeting.

ATTACHMENTS:

- Reso20-105 (DOCX)
- Exhibit A-Reso 20-105 200 BLK S Wisconsin Vacation (PDF)
- Exhibit B-Reso 20-105 200 BLK S Wisconsin Street Vacation (PDF)
- Mayor-CC-200 BLK South Wisconsin Street (PDF)
- Memo to CC - Wisconsin-Charles Discontinuance Split to Two Requests - 06 Oct 2020 (DOCX)
- ROW Vacation - S Wisconsin ST & Charles ST - Plan Commission Report (DOCX)
- Application Form (PDF)
- Discontinuance Exhibit - Wisconsin ST - L-11240 (PDF)

RESOLUTION #20-105

REGARDING THE VACATION OF A PUBLIC THOROUGHFARE
(200 Block South Wisconsin Street Adjacent to Parcels ED-812 and ED-920)

WHEREAS, the Common Council of the City of De Pere has initiated the vacation and discontinuance of a public thoroughfare in accordance with the requirements of Wis. Stats. §66.1003(4)(a); and

WHEREAS, the public interest may require the vacation of such rights-of-way; and

WHEREAS, the Plan Commission has reviewed and recommended approval of such vacation and discontinuance, with a public hearing on said vacation to be held in accordance with Wis. Stats. §66.1003(4)(b), on _____, 2020 at 7:35 p.m.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. 200 Block South Wisconsin Street, located north from Lewis Street to Charles Street, East Side of Fox River, City of De Pere, Brown County, Wisconsin more fully described on Exhibit A, attached hereto and incorporated by reference herein, be and the same is hereby wholly vacated and discontinued as a public thoroughfare. All utility easements shall be released upon relocation of the utilities. Said public right-of-way to be vacated is shown on the scale map attached hereto and incorporated by reference herein as Exhibit B.

Section 2. The City Clerk-Treasurer is hereby authorized and directed to file and record this resolution, with the legal description and map attached, in the Office of the Register of Deeds for Brown County and to amend the Official Map of the City in conformity with this Resolution.

Resolution #20-105

Page 2 of 2

Introduced to the Common Council of the City of De Pere at its regular meeting held on the 6th day of October, 2020.

Adopted by the Common Council of the City of De Pere, Wisconsin, this _____ day of _____, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

LEGAL DESCRIPTION OF ROAD TO BE VACATED – S Wisconsin Street

Part of S Wisconsin Street being located in part of Private Claims 32 and 33, East Side of the Fox River, City of DePere, Brown County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of Lot 1, Volume 54, Certified Survey Maps, Page 312, Map No. 7902, Document No. 2415438, Brown County Records; thence $N0^{\circ}38'17''E$, 128.47 feet along the East line of said Lot 1; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears $N21^{\circ}17'46.5''W$, 7.47 feet; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears $N21^{\circ}17'46.5''W$, 24.65 feet; thence $N0^{\circ}38'17''E$, 121.56 feet along said East line; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears $N22^{\circ}34'21.5''E$, 24.65 feet; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears $N22^{\circ}34'21.5''E$, 7.47 feet; thence $N0^{\circ}38'17''E$, 12.27 feet along said East line; thence 6.19 feet along said East line being the arc of a 2.50 foot radius curve to the left whose long chord bears $N70^{\circ}17'54.5''W$, 4.73 feet; thence 44.45 feet along the arc of a 304.50 foot radius curve to the left whose long chord bears $N34^{\circ}35'01''E$, 44.41 feet; thence $S89^{\circ}21'02''E$, 53.68 feet; thence $S0^{\circ}38'17''W$, 106.50 feet along the East right of way of S Wisconsin Street; thence $S89^{\circ}21'43''E$, 3.00 feet along said East right of way; thence $S1^{\circ}02'40''W$, 253.77 feet along said East right of way; thence $N89^{\circ}21'26''W$, 75.20 feet along the North right of way of Lewis Street to the point of beginning.

Road Vacation area contains 28,764 square feet / 0.66 acres more or less.



Road Vacation Exhibit

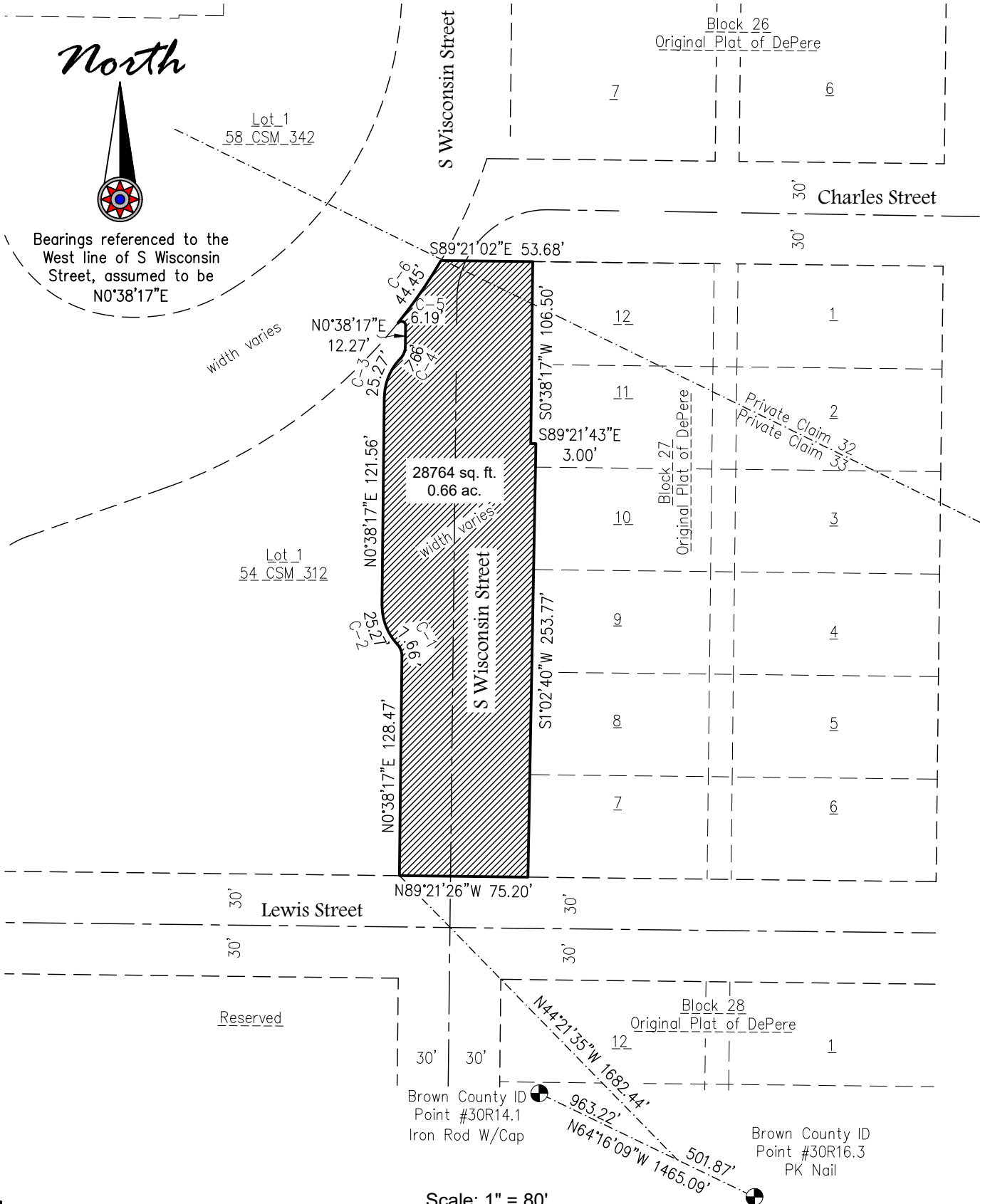
Part of S Wisconsin Street being located in part of Private Claims 32 and 33, East Side of the Fox River, City of DePere, Brown County, Wisconsin



North



Bearings referenced to the West line of S Wisconsin Street, assumed to be N0°38'17"E



Scale: 1" = 80'

Client: City of De Pere

Tax Parcel:

Drafted By: MRA

File: P-7516Road Vacation S Wiscon.dwg

Mau & Associates

LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Project No.: P-7516

Drawing No.: L-11240

CITY OF DE PERE

MEMO

To: James G. Boyd, Mayor
Members of the Common Council
From: Judith Schmidt-Lehman, City Attorney
RE: Resolution #20-105
Vacating a Portion of a Public Thoroughfare (200 Block Wisconsin Street
Adjacent to Parcels ED-812 and ED-920)
Date: October 6, 2020 (meeting date)

The statutory process for the City to initiate a public way vacation is a bit out of the ordinary. Since the City Council does not vacate a public way often, I thought I would send along this memo to explain the process.

Under Wis. Stats. §66.1003, the City may initiate vacating a public way. This is done by the Council introducing the vacation resolution at a Council meeting. The matter is then set for public hearing, with the same resolution coming back before the Council for action at that public hearing.

Therefore, the action to be taken at the October 6, 2020 meeting as to the above Resolution is merely to refer the Resolution forward for a public hearing. It will then be placed on the Council agenda at the time of public hearing, at which time the merits of the vacation can be debated and acted upon.

If you have any questions regarding this process, please let me know.

JSL

J:\Law\Memos\2020\Mayor-CC 200 BLK South Wisconsin Street Vacation10-5-20.docx

CITY OF DE PERE MEMO



To: Mayor Boyd and Common Council
 From: Peter Schleinz, Senior Planner | Zoning Administrator
 Date: October 6, 2020
 RE: Street Discontinuance for Wisconsin ST without Charles ST.

Summary

To prepare for the future development of the Mulva Cultural Center near the 200 BLK S. Broadway ST, a proposal was made for the discontinuance (street vacation) of both the 200 BLK S. Wisconsin ST and part of the 500 BLK Charles ST. Plan Commission reviewed the discontinuance of both streets on March 23, 2020 as one project. Shortly after, the proposal was placed on hold to in order to resolve concerns regarding utilities and easements.

The discontinuance for Wisconsin ST is now ready for Common Council review but the discontinuance for Charles ST is not. Thus, the original project has been split into two and Common Council is being asked to consider the discontinuance of Wisconsin ST on October 6, 2020. The discontinuance of Charles ST will occur at a future meeting.

Original March 2020 proposal with both streets:



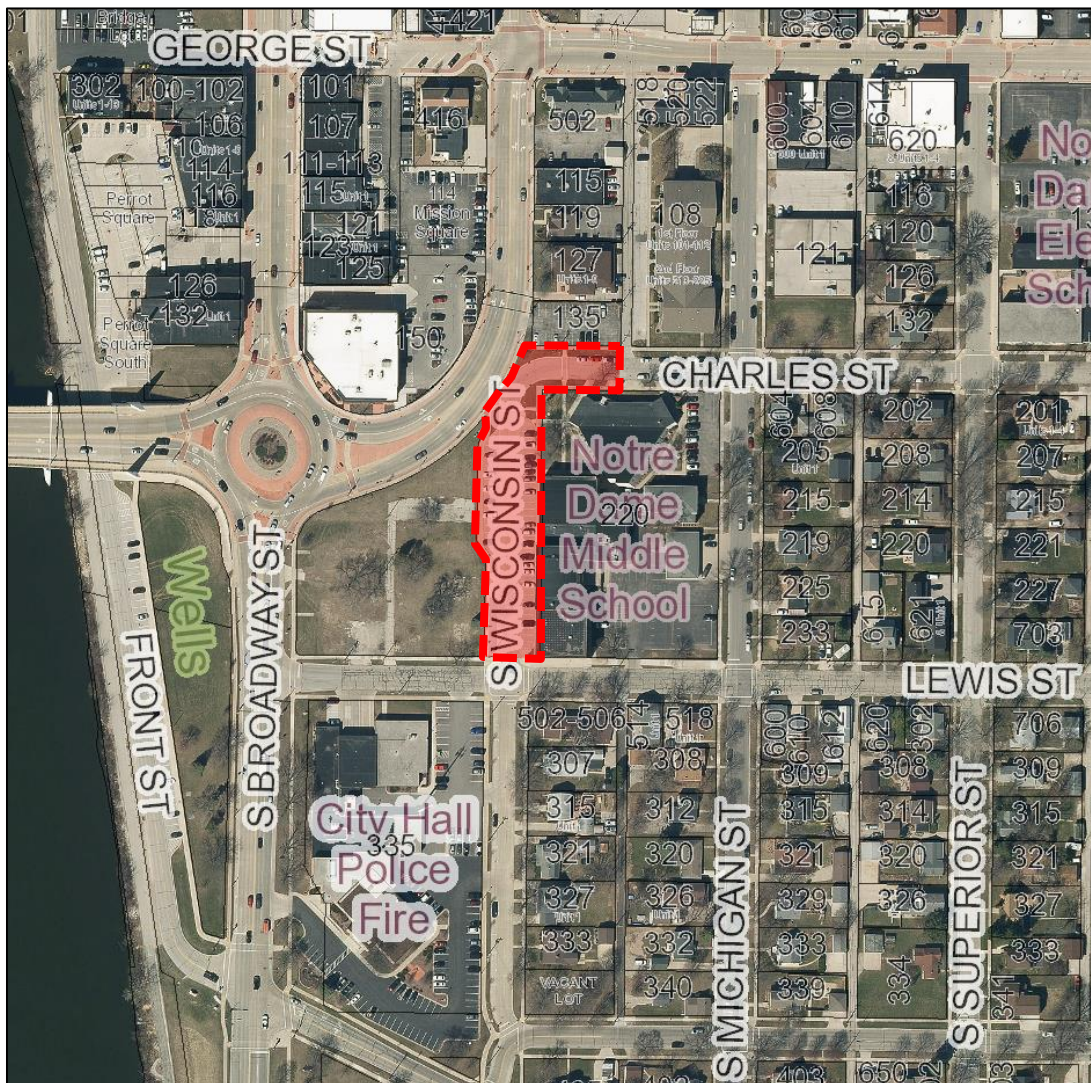
Tonight's proposal with Wisconsin ST only:



- ITEM 10: Staff recommendation and possible action regarding a proposed right-of-way vacation/discontinuance for the 200 BLK of S Wisconsin ST and the west portion of the 500 BLK Charles ST (Adjacent to Parcels ED-812, ED-914, ED-920).

*

PROPOSED RIGHT-OF-WAY VACATION/DISCONTINUANCE



REQUESTED ACTION: Public Right-Of-Way Vacation/Discontinuance Approval.

Right-Of-Way Vacation/Discontinuance for two unnecessary street segments should the Mulva Cultural Center be developed.

COMMON DESCRIPTION: The 200 BLK of S Wisconsin ST and part of the 500 BLK of Charles ST, located north from the Wisconsin ST/Lewis ST intersection and west from the alley and the Charles ST/S Michigan ST intersection.

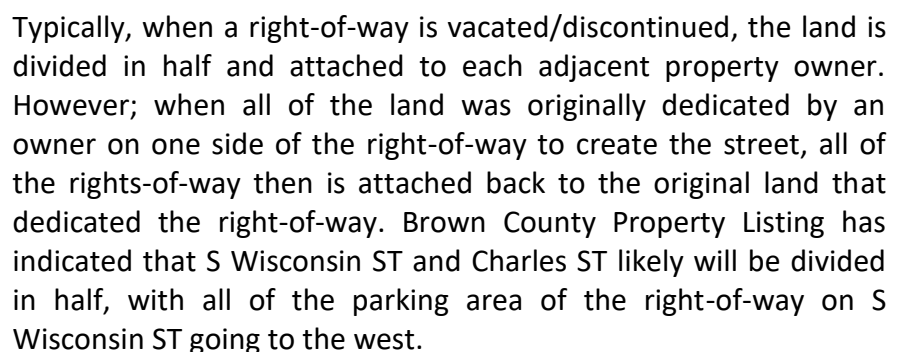
PARCEL NUMBER(S):	Adjacent to Parcels ED-812, ED-914, ED-920	
EXISTING ZONING:	None as the area is existing Right-Of-Way.	
PROPOSED ZONING:	If the vacation is approved by Common Council, and a proposed rezoning for the subject parcels occurs in the near future the vacated right-of-way will take on an R-4 zoning with a PDD overlay.	
SURROUNDING LAND USES:	Uses surrounding the proposed development, not the right-of-way: North (across Wisconsin & Charles) B-1, R-3, R-4 – business, multi-family South (across Lewis) R-2 – Government, single & two-family East (across Michigan) R-2 – single & two-family West (Across Broadway) B-1 – parkland & Fox River	
COMPREHENSIVE PLAN:	Commercial & Institutional/Governmental Facilities	
APPLICANT/OWNER NAME:	Rick Bilotto Authorized Representative De Pere Cultural Foundation INC 231 S Adams ST Green Bay, WI 54301	City of De Pere Public Right-of-way Owner 335 S Broadway ST De Pere, WI 54115
SITE HISTORY:	The proposed site includes parts of two City streets, created from the “Original Plat of De Pere,” that have been in existence since air photos of 1938. The City block to the west of S Wisconsin ST is vacant, and the block to the east has a church, middle school, and parking lot. In the first week of May 2019, the Mulva family announced plans to build an approximate \$50 million cultural center on the site called the “Mulva Cultural Center.” One week later, plans were announced to remove the middle school and the nearby Notre Dame Elementary School, and build a new \$27 million middle/elementary school on the existing elementary school property. Construction of the new off-site school is in progress. In November 2019, St. Francis Xavier Church proposed a land division and site plan for Parcel ED-920 that included the removal of buildings, retaining and expanding the church building, and separating the parking lot. The purpose of the separation of the parking lot was to create a shared parking area with the future cultural center. On January 27, 2020, the De Pere Redevelopment Authority initiated the drafting of agreements to transfer ownership of Parcel ED-812 to the De Pere Cultural Foundation INC for the construction of the Mulva Cultural Center. In February and March 2020, the Mulva Cultural Center Foundation initiated a rezoning and a right-of-way vacation/discontinuance of lands to prepare the area for the Mulva Cultural Center building. This report reflects the vacation/discontinuance only; the rezoning and plan	

development creation will be reviewed by Plan Commission in the coming months.

STAFF REVIEW:

When reviewing a right-of-way vacation/discontinuance, staff utilizes the vacation process identified in Wisconsin State Statutes 66.103 and 66.105. The role of the Plan Commission in the process is to determine if such a vacation/discontinuance is necessary and if so, recommend to the Common Council that the right-of-way be vacated/discontinued. The following are factors for consideration:

- The right-of-way area is adjacent to three parcels of land. The primary use for the streets is access and parking for a middle school that is proposed to be demolished upon the completion of the new school and for parking for a nearby church. Parking accommodations for the church are proposed to be accommodated with a new Church/cultural center.
- The adjacent parcels are proposed for the redevelopment of the vacant sites into the Mulva Cultural Center. The east side of the proposed new building, and parking area, would land within the right-of-way if the right-of-way is not vacated/discontinued.
- The vacation/discontinuance has been reviewed by Development Services and Engineering staff. Conditions of approval were reviewed by Legal staff. If the right-of-way is vacated, the proposed conditions should apply.
 - Create/retain a utility easement for all of Charles Street, but the utilities and easement can be removed for Wisconsin Street.
 - Create an 8-foot snow storage easement at the east end of the vacating Charles Street at the alley.
 - Create a 20-foot walkway easement over the sidewalk on the north side.
 - Relocate the Charles Street sanitary sewer and storm sewer lateral to St Francis Xavier Church. If this property is not going back to St Francis Xavier, they will need rights for their laterals in these areas.
 - If the right-of-way is vacated/discontinued the land should legally be attached to Parcels ED-812, ED-914 and ED-920.



All immediately adjacent property owners have been notified of the right-of-way vacation/discontinuance petition. No comments have been received as of March 17, 2020.

If an adjacent property owner did object to a proposed vacation, then the need for a simple majority vote of approval from the Common Council changes to the need for a 2/3 vote (6 out of 8 Council members must vote in favor, not just 2/3 of Council members in attendance when voting).

Any property owner comments received after March 17, 2020, will be provided to the Plan Commission at the meeting on March 23, 2020.

REVIEW PROCESS:

The Common Council will review the Plan Commission recommendation twice, first as a resolution on April 8, 2020 and then with a public hearing and resolution potentially on May 19, 2020.

Immediately adjacent property owners were notified of all proposed meetings. The review process follows State Statute requirements and there is not a 300-foot nearby neighbor notification requirement.

STAFF RECOMMENDATION:

Staff recommends APPROVAL and forwarding the right-of-way vacation to the Common Council for final approval with the following conditions:

1. Create/retain A utility easement over all of Charles Street from the alley to Wisconsin Street. No permanent structures will be allowed in this area.
2. Any utilities within Wisconsin Street are properly relocated to allow easements within the right-of-way to be released.
3. Create an 8-foot snow storage easement at the east end of the vacating Charles Street at the alley.
4. Create a 20-foot walkway easement over the sidewalk on the north side.
5. Relocate the Charles Street sanitary sewer and storm sewer lateral to St Francis Xavier Church. If this property is not going back to St Francis Xavier, they will need rights for their laterals in these areas.

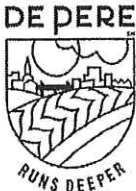
LEGAL DESCRIPTION

Part of S Wisconsin Street and part of Charles Street being located in part of Private Claims 32 and 33, East Side of the Fox River, City of De Pere, Brown County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of Lot 1, Volume 54, Certified Survey Maps, Page 312, Map No. 7902, Document No. 2415438, Brown County Records; thence N0°38'17"E, 128.47 feet along the East line of said Lot 1; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears N211°46.5"W, 7.47 feet; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears N21°17'46.5"W, 24.65 feet; thence

N0'38'17"W, 121.56 feet along said East line; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears N22'34'21.5"E, 24.65 feet; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears N22'34'21.5"E, 7.47 feet; thence NO'38'17"W, 12.27 feet along said East line; thence 6.19 feet along said East line being the arc of a 2.50 foot radius curve to the left whose long chord bears N70'17'54.5"W, 4.73 feet; thence 110.03 feet along the arc of a 304.50 foot radius curve to the left whose long chord bears N28'24'48"E, 109.43 feet; thence S89'21'02"E, 133.55 feet along the North right of way and it's extension of Charles Street; thence SO*38'58"W, 60.00 feet to the South right of way of said Charles Street; thence N89'21'02"W, 106.06 feet along said South right of way; thence S0'38'17"W, 106.50 feet along the East right of way of S Wisconsin Street; thence S89'21'43"E, 3.00 feet along said East right of way; thence S1'02'40"W, 253.77 feet along said East right of way, thence N89'21'26"W, 75.20 feet along the North right of way of Lewis Street to the point of beginning.

Road Vacation area contains 37,484 square feet / 0.86 acres more or less.

	CITY OF DE PERE APPLICATION FOR ROW VACATION	Fee: \$ 305.00 Receipt #: _____ Date: _____
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Read all instructions provided before completing. If additional space is needed, attach additional pages. Type or use black ink.

SECTION 1: Applicant / Permittee Information

Applicant Name (Ind., Org. or Entity) De Pere Cultural Foundation, Inc.	Authorized Representative Rick Bilotto	Title Owner's Representative	
Mailing Address 231 S. Adams Street	City Green Bay	State WI	ZIP Code 54301
Email Address rick@theprgteam.com	Phone Number (incl. area code) 920-366-3783	Fax Number (incl. area code)	

SECTION 2: Landowner Information (complete these fields when project site owner is different than applicant)

Name (Ind. Org. or Entity) City of De Pere	Contact Person Peter Schleinz	Title Senior Planner	
Mailing Address 335 S. Broadway	City De Pere	State WI	ZIP Code 54115
Email Address pschleinz@mail.de-pere.org	Phone Number (incl. area code) 920-339-4043	Fax Number (incl. area code)	

SECTION 3: Right of Way Requested to be Vacated

Name of ROW: Legal Description to be Vacated: (Please attach map)	Right of way vacation of sections of Wisconsin St and Charles St
--	--

SECTION 4: Reason of Vacation

Reason for Requesting Vacation of ROW:	For use for the Mulva Cultural Center development
--	---

SECTION 5: Certification and Permission

Certification: I hereby certify that I am the owner or authorized representative for this Application. I certify that the information contained in this form and attachments is true and accurate.

Name of Owner/Authorized Representative (please print) Rick Bilotto	Title Owner's Representative	Phone Number 920-366-3783
Signature of Applicant <i>Rick Bilotto</i>		Date Signed March 6, 2020



Road Vacation Exhibit

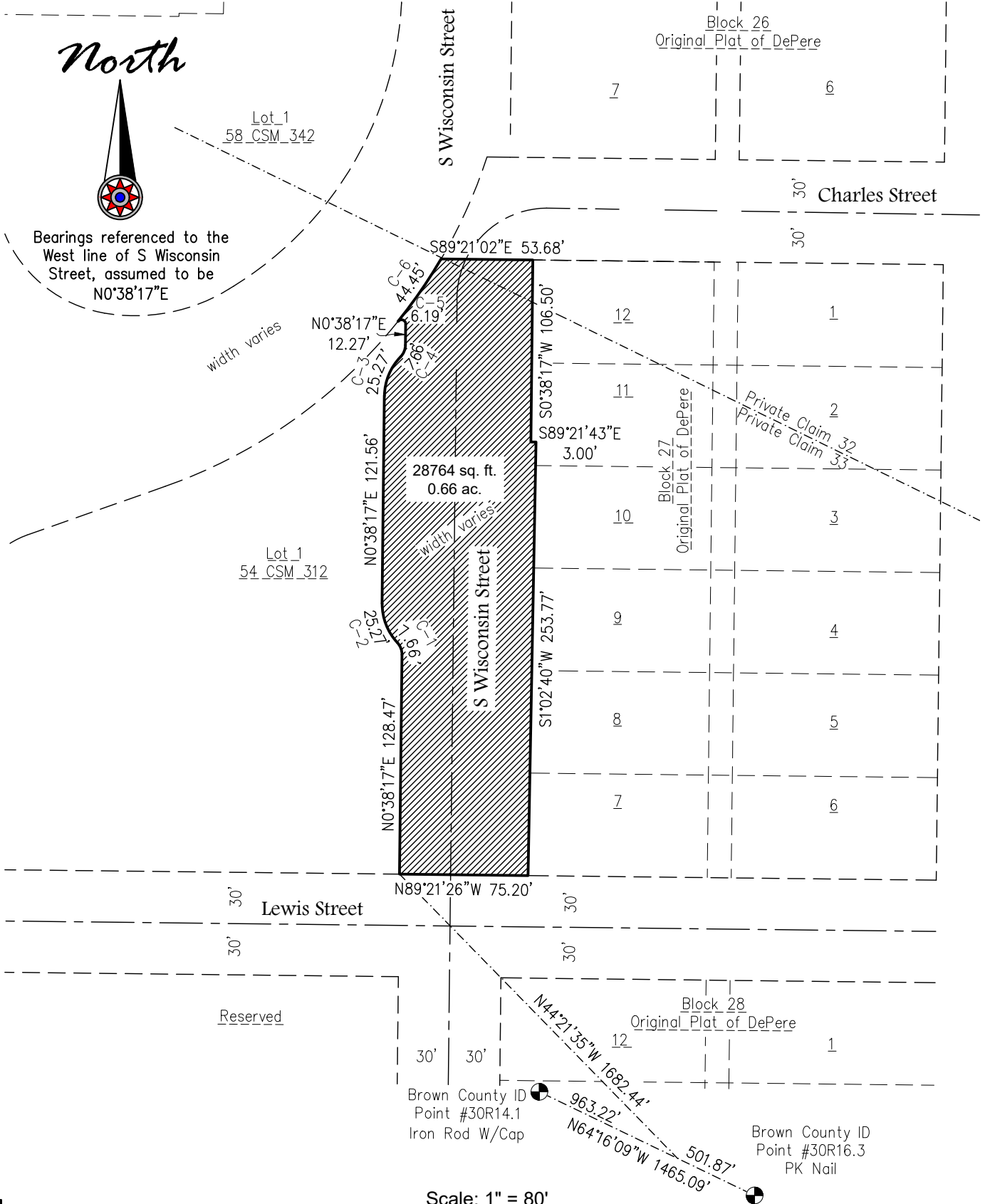
Part of S Wisconsin Street being located in part of Private Claims 32 and 33, East Side of the Fox River, City of DePere, Brown County, Wisconsin



North



Bearings referenced to the West line of S Wisconsin Street, assumed to be N0°38'17"E



Scale: 1" = 80'

Client: City of De Pere

Tax Parcel:

Drafted By: MRA

File: P-7516Road Vacation S Wiscon.dwg

Mau & Associates

LAND SURVEYING & PLANNING
CIVIL & WATER RESOURCE ENGINEERING
Phone: 920-434-9670 Fax: 920-434-9672

Sheet One of Two

Project No.: P-7516

Drawing No.: L-11240



LEGAL DESCRIPTION OF ROAD TO BE VACATED

Part of S Wisconsin Street being located in part of Private Claims 32 and 33, East Side of the Fox River, City of DePere, Brown County, Wisconsin, more fully described as follows:

Beginning at the Southeast corner of of Lot 1, Volume 54, Certified Survey Maps, Page 312, Map No. 7902, Document No. 2415438, Brown County Records; thence N0°38'17"E, 128.47 feet along the East line of said Lot 1; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears N21°17'46.5"W, 7.47 feet; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears N21°17'46.5"W, 24.65 feet; thence N0°38'17"E, 121.56 feet along said East line; thence 25.27 feet along said East line being the arc of a 33.00 foot radius curve to the right whose long chord bears N22°34'21.5"E, 24.65 feet; thence 7.66 feet along said East line being the arc of a 10.00 foot radius curve to the left whose long chord bears N22°34'21.5"E, 7.47 feet; thence N0°38'17"E, 12.27 feet along said East line; thence 6.19 feet along said East line being the arc of a 2.50 foot radius curve to the left whose long chord bears N70°17'54.5"W, 4.73 feet; thence 44.45 feet along the arc of a 304.50 foot radius curve to the left whose long chord bears N34°35'01"E, 44.41 feet; thence S89°21'02"E, 53.68 feet; thence S0°38'17"W, 106.50 feet along the East right of way of S Wisconsin Street; thence S89°21'43"E, 3.00 feet along said East right of way; thence S1°02'40"W, 253.77 feet along said East right of way; thence N89°21'26"W, 75.20 feet along the North right of way of Lewis Street to the point of beginning.

Road Vacation area contains 28,764 square feet / 0.66 acres more or less.

Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
C-1	7.66	10.00	7.47	N21°17'46.5"W	43°52'07"	S43°13'50"E
C-2	25.27	33.00	24.65	N21°17'46.5"W	43°52'07"	S43°13'50"E
C-3	25.27	33.00	24.65	N22°34'21.5"E	43°52'07"	N44°30'25"E
C-4	7.66	10.00	7.47	N22°34'21.5"E	43°52'07"	N44°30'25"E
C-5	6.19	2.50	4.73	N70°17'54.5"W	141°52'23"	S38°45'54"W
C-6	44.45	304.50	44.41	N34°35'01"E	8°21'49"	S38°45'55.5"W



**City of De Pere, Wisconsin****Request For Common Council Action**

MEETING DATE: October 6, 2020

DEPARTMENT: Police

FROM: Derek Beiderwieden

SUBJECT: Resolution #20-106 Acceptance of Grant in the amount of \$1,780 from Unisom Credit Union to the Police Department for Training Equipment.

The police department has been granted \$1,780 from Unisom Credit Union to purchase specific impact reduction suits for department instructors of defense and tactics classes.

At the May 12, 2020 Finance and Personnel Meeting, permission was granted to the police department to apply for two grants to purchase additional defense and arrest tactics training suits. The first grant that arrived and was accepted was from Walmart. This grant from Unisom CU is the second of the two grants.

I am seeking approval and acceptance of this grant from Unisom CU.

Please contact me if you have any questions about this grant or the impact reduction suits.

ATTACHMENTS:

- Reso20-106 (DOCX)

RESOLUTION #20-106

ACCEPTANCE OF GRANT IN THE AMOUNT OF \$1,780 FROM UNISOM CREDIT UNION
TO THE POLICE DEPARTMENT FOR TRAINING EQUIPMENT

WHEREAS, Unisom Credit Union ("Unisom") offers a community grant program supporting local education, youth and the general health and wellbeing of community members; and

WHEREAS, the Police Department submitted an application for funding in the amount of \$1,780 for the purchase of impact reduction suits for defense and arrest tactics training instructors; and

WHEREAS, Unisom has approved the application and awarded the Police Department a grant for the full amount requested, recognizing the need to provide law enforcement with this essential training equipment for its instructors; and

WHEREAS, the Finance/Personnel Committee has reviewed this matter and recommends approval and acceptance of this generous grant.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

The Common Council hereby accepts the grant of \$1,780 from Unisom Credit Union and thanks them for their very generous support.

BE IT FURTHER RESOLVED THAT:

All City officials, officers and employees are authorized and directed to take such steps as are lawful and necessary in furtherance thereof.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 6th day of October, 2020.

APPROVED:

James G. Boyd, Mayor

ATTEST:

Carey E. Danen, City Clerk

Ayes: _____

Nays: _____

Committee Approval: 5/12/2020



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Ann Ledvina

SUBJECT: Operator License Applications.

ATTACHMENTS:

- Operator List_10-6-20 (PDF)

CITY OF DE PERE
License Committee - October 6, 2020

New Operator License Applications	
1	AMBROSIUS, KYLE T.
2	BERKEN, BEVERLY J.
3	HARRELL, STEVEN T.
4	KIEFER, MEG C.
5	KROPP, SIDNEY E.
6	LACOSSE, DAWN M.
7	LANHAM, CHRISTINE G.
8	MOOREN, KAREN P.
9	SPRANGERS, OLIVIA A.
10	VAN VONDEREN, KAITLIN J.
11	BLACK, RACHELLE, A
12	KEENAN, JESSICA L.
13	PARKER, CODY M



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Voucher approval.

ATTACHMENTS:

- 10-6-2020 VOUCHERS (PDF)

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A / P CHECK REGISTER

PAGE: 1

PACKET: 06395 OCT 2020 COUNCIL 1 10-6-20

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7583	ADVANCE AUTO PARTS I-6339-291201	ADVANCE AUTO PARTS	R	10/06/2020		41.99CR	093486	41.99
6802	ADVANCED DISPOSAL I-B80000719142	ADVANCED DISPOSAL	R	10/06/2020		581.46CR	093487	581.46
0302	AIRGAS USA LLC I-9973086520 I-9973086521 I-9973086570	AIRGAS USA LLC AIRGAS USA LLC AIRGAS USA LLC AIRGAS USA LLC	R R R R	10/06/2020 10/06/2020 10/06/2020 10/06/2020		605.00CR 252.24CR 206.16CR	093488 093488 093488	1,063.40
7873	AMERICAN CONSERVATION & BILLING SOLUTIONS I-11506 I-11624	AMERICAN CONSERVATION & BILLIN AMERICAN CONSERVATION & BILLIN	R R	10/06/2020 10/06/2020		1,042.00CR 1,042.00CR	093489 093489	2,084.00
5604	AURORA BAYCARE MED CTR LLC I-KY516	AURORA BAYCARE MED CTR LLC	R	10/06/2020		56.62CR	093490	56.62
0442	BADGER LABORATORIES INC I-20-50022531	BADGER LABORATORIES INC	R	10/06/2020		700.00CR	093491	700.00
0020	BADGERLAND PRINTING INC I-35540 I-35553 I-35556	BADGERLAND PRINTING INC BADGERLAND PRINTING INC BADGERLAND PRINTING INC	R R R	10/06/2020 10/06/2020 10/06/2020		640.00CR 193.00CR 882.00CR	093492 093492 093492	1,715.00
0023	BATTERIES PLUS LLC I-P27821146 I-P28088214 I-P30837053 I-P30866861	BATTERIES PLUS LLC BATTERIES PLUS LLC BATTERIES PLUS LLC BATTERIES PLUS LLC	R R R R	10/06/2020 10/06/2020 10/06/2020 10/06/2020		36.95CR 21.95CR 21.95CR 2.58CR	093493 093493 093493 093493	83.43
6404	BAY AREA TESTING & CONSULTING LLC I-4271 I-4272 I-4273 I-4274 I-4275	BAY AREA TESTING & CONSULTING BAY AREA TESTING & CONSULTING BAY AREA TESTING & CONSULTING BAY AREA TESTING & CONSULTING BAY AREA TESTING & CONSULTING	R R R R R	10/06/2020 10/06/2020 10/06/2020 10/06/2020 10/06/2020		420.75CR 955.00CR 1,959.75CR 1,154.75CR 1,440.25CR	093494 093494 093494 093494 093494	5,930.50
1303	BAY TITLE & ABSTRACT I-1087301-IN	BAY TITLE & ABSTRACT	R	10/06/2020		788.00CR	093495	788.00

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PAGE: 2

PACKET: 06395 OCT 2020 COUNCIL 1 10-6-20

VENDOR SET: 01

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	I-4027429	BAY TOWEL INC	R	10/06/2020		112.04CR	093496	
	I-4029781	BAY TOWEL INC	R	10/06/2020		183.75CR	093496	
	I-4029782	BAY TOWEL INC	R	10/06/2020		91.04CR	093496	498.87
6473	BEAVER OF WISCONSIN INC							
	I-103654	BEAVER OF WISCONSIN INC	R	10/06/2020		581.75CR	093497	581.75
2614	BEST BUILT INC							
	I-13395	BEST BUILT INC	R	10/06/2020		3,066.60CR	093498	3,066.60
1532	BOBCAT PLUS INC							
	I-EG06765	BOBCAT PLUS INC	R	10/06/2020		1,000.00CR	093499	1,000.00
3008	BOUND TREE MEDICAL LLC							
	I-83773431	BOUND TREE MEDICAL LLC	R	10/06/2020		429.48CR	093500	429.48
0038	BROADWAY AUTOMOTIVE INC							
	I-1008655	BROADWAY AUTOMOTIVE INC	R	10/06/2020		459.12CR	093501	459.12
0044	BROWN COUNTY REGISTER OF DEEDS							
	I-202009291062	BROWN COUNTY REGISTER OF DEEDS	R	10/06/2020		120.00CR	093502	120.00
2984	BROWN COUNTY TREASURER							
	I-2020-00000076	BROWN COUNTY TREASURER	R	10/06/2020		1,137.71CR	093503	1,137.71
0536	CDW GOVERNMENT INC							
	I-1118205	CDW GOVERNMENT INC	R	10/06/2020		93.48CR	093504	
	I-1218178	CDW GOVERNMENT INC	R	10/06/2020		25.73CR	093504	
	I-1248179	CDW GOVERNMENT INC	R	10/06/2020		130.99CR	093504	
	I-1271809	CDW GOVERNMENT INC	R	10/06/2020		363.80CR	093504	
	I-1385319	CDW GOVERNMENT INC	R	10/06/2020		3,613.49CR	093504	
	I-1394330	CDW GOVERNMENT INC	R	10/06/2020		102.08CR	093504	
	I-1418216	CDW GOVERNMENT INC	R	10/06/2020		3,395.55CR	093504	
	I-1438546	CDW GOVERNMENT INC	R	10/06/2020		146.46CR	093504	
	I-1562000	CDW GOVERNMENT INC	R	10/06/2020		88.70CR	093504	
	I-1630736	CDW GOVERNMENT INC	R	10/06/2020		1,279.45CR	093504	
	I-1631140	CDW GOVERNMENT INC	R	10/06/2020		434.70CR	093504	
	I-1640290	CDW GOVERNMENT INC	R	10/06/2020		91.20CR	093504	
	I-1704958	CDW GOVERNMENT INC	R	10/06/2020		365.60CR	093504	
	I-1847862	CDW GOVERNMENT INC	R	10/06/2020		699.36CR	093504	
	I-ZWP7583	CDW GOVERNMENT INC	R	10/06/2020		467.40CR	093504	
	I-ZXN4209	CDW GOVERNMENT INC	R	10/06/2020		867.37CR	093504	
	I-ZZG0795	CDW GOVERNMENT INC	R	10/06/2020		38.00CR	093504	
	I-ZZN5743	CDW GOVERNMENT INC	R	10/06/2020		8,049.00CR	093504	
	I-ZZN9948	CDW GOVERNMENT INC	R	10/06/2020		83.50CR	093504	
	I-ZZP1407	CDW GOVERNMENT INC	R	10/06/2020		399.12CR	093504	
	I-ZZS3906	CDW GOVERNMENT INC	R	10/06/2020		14.92CR	093504	
	I-ZZW1948	CDW GOVERNMENT INC	R	10/06/2020		437.75CR	093504	
	I-ZZW3561	CDW GOVERNMENT INC	R	10/06/2020		2,693.19CR	093504	

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PAGE: 3

PACKET: 06395 OCT 2020 COUNCIL 1 10-6-20

VENDOR SET: 01

**** CHECK LISTING ****

BANK : AP ASSOCIATED

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VOID	VOID CHECK		V	10/06/2020			093505	**VOID**
2708	CLEANING SOLUTION SERVICES INC							
	I-20819	CLEANING SOLUTION SERVICES INC	R	10/06/2020		474.35CR	093506	
	I-20822	CLEANING SOLUTION SERVICES INC	R	10/06/2020		595.30CR	093506	
	I-20823	CLEANING SOLUTION SERVICES INC	R	10/06/2020		315.03CR	093506	1,384.68
7997	COMPLETE OFFICE							
	I-AR21083	COMPLETE OFFICE	R	10/06/2020		89.31CR	093507	
	I-AR21084	COMPLETE OFFICE	R	10/06/2020		32.01CR	093507	
	I-AR21085	COMPLETE OFFICE	R	10/06/2020		38.54CR	093507	159.86
8026	COTTINGHAM & BUTLER INS SERV INC - CDC							
	I-191370	COTTINGHAM & BUTLER INS SERV I	R	10/06/2020		250.00CR	093508	250.00
0217	COUNTRY VISIONS COOPERATIVE							
	I-202009291063	COUNTRY VISIONS COOPERATIVE	R	10/06/2020		110.00CR	093509	
	I-202009291064	COUNTRY VISIONS COOPERATIVE	R	10/06/2020		8.96CR	093509	118.96
0541	CRANE ENGINEERING SALES INC							
	I-390697-00	CRANE ENGINEERING SALES INC	R	10/06/2020		1,929.03CR	093510	1,929.03
6700	DARLEY CO							
	I-17407663	DARLEY CO	R	10/06/2020		2,248.83CR	093511	2,248.83
3332	DE PERE AUTO CENTER INC							
	I-122356	DE PERE AUTO CENTER INC	R	10/06/2020		1,065.05CR	093512	1,065.05
2077	DE PERE EXHAUST							
	I-58630	DE PERE EXHAUST	R	10/06/2020		230.03CR	093513	230.03
0276	DE PERE HARDWARE							
	I-215465	DE PERE HARDWARE	R	10/06/2020		15.91CR	093514	15.91
0917	RICK W DE WEERT							
	I-202009291065	RICK W DE WEERT	R	10/06/2020		24.99CR	093515	24.99
0075	DIGGERS HOTLINE INC							
	I-200 8 36401	DIGGERS HOTLINE INC	R	10/06/2020		1,289.34CR	093516	1,289.34
6030	DISCOUNT SCHOOL SUPPLY							
	I-P39765460001	DISCOUNT SCHOOL SUPPLY	R	10/06/2020		28.64CR	093517	28.64

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
3212	DIXON ENGINEERING INC							
	I-20-6946	DIXON ENGINEERING INC	R	10/06/2020		1,050.00CR	093518	
	I-20-7105	DIXON ENGINEERING INC	R	10/06/2020		1,450.00CR	093518	2,500.00
2543	DLT SOLUTIONS LLC							
	I-SI491901	DLT SOLUTIONS LLC	R	10/06/2020		6,871.91CR	093519	6,871.91
0078	DORNER INC							
	I-19-11 (7) FINAL	DORNER INC	R	10/06/2020		115,906.97CR	093520	115,906.97
7933	ELEVATE97							
	I-106374	ELEVATE97	R	10/06/2020		666.50CR	093521	666.50
0085	EMERGENCY MEDICAL PRODUCTS INC							
	I-2196823	EMERGENCY MEDICAL PRODUCTS INC	R	10/06/2020		184.82CR	093522	
	I-2200289	EMERGENCY MEDICAL PRODUCTS INC	R	10/06/2020		1,529.97CR	093522	1,714.79
7422	EXCEL UNDERGROUND LLC							
	I-8238	EXCEL UNDERGROUND LLC	R	10/06/2020		12,313.53CR	093523	12,313.53
0092	FEAKER & SONS CO INC							
	I-20-04 (1)	FEAKER & SONS CO INC	R	10/06/2020		243,506.48CR	093524	243,506.48
0096	FIRE APPARATUS & EQUIPMENT INC							
	I-21389	FIRE APPARATUS & EQUIPMENT INC	R	10/06/2020		35.00CR	093525	
	I-21452	FIRE APPARATUS & EQUIPMENT INC	R	10/06/2020		36.49CR	093525	71.49
7265	FIRE CATT LLC							
	I-8775	FIRE CATT LLC	R	10/06/2020		4,884.80CR	093526	4,884.80
0200	FIRST SUPPLY LLC							
	I-12366439-00	FIRST SUPPLY LLC	R	10/06/2020		382.82CR	093527	382.82
0105	FOX SPECIALITY COMPANY							
	I-44677	FOX SPECIALITY COMPANY	R	10/06/2020		75.36CR	093528	75.36
0107	FOX VALLEY TECHNICAL COLLEGE							
	I-TPB0000599824	FOX VALLEY TECHNICAL COLLEGE	R	10/06/2020		525.00CR	093529	525.00
1068	FOX VALLEY TRUCK & BODY INC							
	I-53790	FOX VALLEY TRUCK & BODY INC	R	10/06/2020		3,824.26CR	093530	3,824.26

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
0562	GALLS LLC I-16430839	GALLS LLC	R	10/06/2020		64.30CR	093531	64.30
2495	GLAXOSMITHKLINE I-8253274558	GLAXOSMITHKLINE	R	10/06/2020		824.24CR	093532	824.24
2544	GLOBAL RECOGNITION INC I-200998	GLOBAL RECOGNITION INC	R	10/06/2020		2,130.25CR	093533	2,130.25
6923	GORDON FLESCH COMPANY INC. I-IN13053415	GORDON FLESCH COMPANY INC.	R	10/06/2020		173.00CR	093534	173.00
0116	GRAINGER INC I-9647286955 I-9652891566 I-9652891574 I-9653747486	GRAINGER INC GRAINGER INC GRAINGER INC GRAINGER INC	R R R R	10/06/2020 10/06/2020 10/06/2020 10/06/2020		18.23CR 252.46CR 131.12CR 147.02CR	093535 093535 093535 093535	548.83
0117	GRAYBAR ELECTRIC COMPANY INC I-9317658988	GRAYBAR ELECTRIC COMPANY INC	R	10/06/2020		47.13CR	093536	47.13
0124	GREEN BAY CITY TREASURER I-135913	GREEN BAY CITY TREASURER	R	10/06/2020		203.12CR	093537	203.12
0351	HACH COMPANY I-12102688	HACH COMPANY	R	10/06/2020		210.87CR	093538	210.87
6589	HSHS EWD I-435312	HSHS EWD	R	10/06/2020		93.00CR	093539	93.00
1252	HURCKMAN MECHANICAL INDUSTRIES INC I-W33126 I-W33139	HURCKMAN MECHANICAL INDUSTRIES HURCKMAN MECHANICAL INDUSTRIES	R R	10/06/2020 10/06/2020		1,178.47CR 461.12CR	093540 093540	1,639.59
7810	IDEMIA IDENTITY & SECURITY USA LLC I-131457	IDEMIA IDENTITY & SECURITY USA	R	10/06/2020		203.00CR	093541	203.00
6932	IMAGETREND INC. I-123835	IMAGETREND INC.	R	10/06/2020		9,178.91CR	093542	9,178.91
1399	INDOFF INC I-3389735 I-3400969 I-3402501 I-3402808 I-3403172 I-3404907 I-3405930 I-3407577	INDOFF INC INDOFF INC INDOFF INC INDOFF INC INDOFF INC INDOFF INC INDOFF INC INDOFF INC	R R R R R R R R	10/06/2020 10/06/2020 10/06/2020 10/06/2020 10/06/2020 10/06/2020 10/06/2020 10/06/2020		9.12CR 57.14CR 103.50CR 14.45CR 47.85CR 74.85CR 189.13CR 2.22CR	093543 093543 093543 093543 093543 093543 093543 093543	498.26

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
5167	BRETT JANSEN I-202009291066	BRETT JANSEN	R	10/06/2020		63.30CR	093544	63.30
2602	JOSSART BROTHERS INC I-1822 I-20-01B (5)	JOSSART BROTHERS INC JOSSART BROTHERS INC	R	10/06/2020		3,247.71CR	093545	
			R	10/06/2020		224,020.54CR	093545	227,268.25
1276	JX ENTERPRISES INC I-14140221P I-14140547P I-14141309P	JX ENTERPRISES INC JX ENTERPRISES INC	R	10/06/2020		231.42CR	093546	
			R	10/06/2020		43.01CR	093546	
			R	10/06/2020		20.59CR	093546	295.02
8242	KIMLEY-HORN AND ASSOC INC I-17026938	KIMLEY-HORN AND ASSOC INC	R	10/06/2020		5,170.00CR	093547	5,170.00
3140	KUNDINGER FLUID POWER INC I-50606714	KUNDINGER FLUID POWER INC	R	10/06/2020		478.75CR	093548	478.75
0153	LAFORCE INC I-1141694	LAFORCE INC	R	10/06/2020		13.31CR	093549	13.31
6577	LAKELAND LAWN CARE I-924219 I-94218 I-94220	LAKELAND LAWN CARE LAKELAND LAWN CARE	R	10/06/2020		75.00CR	093550	
			R	10/06/2020		150.00CR	093550	
			R	10/06/2020		75.00CR	093550	300.00
4617	LANGUAGE LINE SERVICES I-4879205	LANGUAGE LINE SERVICES	R	10/06/2020		67.22CR	093551	67.22
8243	LAW ENFORCEMENT SEMINARS LLC I-201034	LAW ENFORCEMENT SEMINARS LLC	R	10/06/2020		385.00CR	093552	385.00
7082	LEE RECREATION LLC I-12995-20	LEE RECREATION LLC	R	10/06/2020		63,000.00CR	093553	63,000.00
0160	LIZER LAWN CARE & IRRIGATION I-108406AD	LIZER LAWN CARE & IRRIGATION	R	10/06/2020		150.00CR	093554	150.00
0163	MCC INC I-20-07 (1)	MCC INC	R	10/06/2020		250,470.89CR	093555	250,470.89
0173	MENARDS INC I-71609 I-71655 I-71856 I-71879 I-71881 I-71889 I-71931 I-71965 I-71989 I-72099	MENARDS INC MENARDS INC	R	10/06/2020		16.82CR	093556	
			R	10/06/2020		21.57CR	093556	
			R	10/06/2020		41.98CR	093556	
			R	10/06/2020		200.44CR	093556	
			R	10/06/2020		271.94CR	093556	
			R	10/06/2020		15.97CR	093556	
			R	10/06/2020		14.55CR	093556	
			R	10/06/2020		19.94CR	093556	
			R	10/06/2020		69.80CR	093556	
			R	10/06/2020		13.46CR	093556	

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
	I-72425	MENARDS INC	R	10/06/2020		8.48CR	093556	
	I-72435	MENARDS INC	R	10/06/2020		22.40CR	093556	
	I-72437	MENARDS INC	R	10/06/2020		33.90CR	093556	
	I-72469	MENARDS INC	R	10/06/2020		30.89CR	093556	
	I-72491	MENARDS INC	R	10/06/2020		8.95CR	093556	
	I-72657	MENARDS INC	R	10/06/2020		43.27CR	093556	834.36
VOID	VOID CHECK		V	10/06/2020			093557	**VOID**
5381	METAL SUPERMARKETS GREEN BAY INC							
	I-1032125	METAL SUPERMARKETS GREEN BAY I	R	10/06/2020		13.17CR	093558	13.17
6555	NES ECOLOGICAL SERVICES							
	I-78235	NES ECOLOGICAL SERVICES	R	10/06/2020		1,246.46CR	093559	
	I-78236	NES ECOLOGICAL SERVICES	R	10/06/2020		2,220.40CR	093559	3,466.86
7252	NEWCOMERS							
	I-5606	NEWCOMERS	R	10/06/2020		100.00CR	093560	100.00
0531	NORTHEAST AUTO PARTS INC							
	C-351104	NORTHEAST AUTO PARTS INC	R	10/06/2020		15.28	093561	
	I-350536	NORTHEAST AUTO PARTS INC	R	10/06/2020		75.96CR	093561	
	I-350667	NORTHEAST AUTO PARTS INC	R	10/06/2020		211.49CR	093561	
	I-350796	NORTHEAST AUTO PARTS INC	R	10/06/2020		82.99CR	093561	
	I-350805	NORTHEAST AUTO PARTS INC	R	10/06/2020		124.40CR	093561	
	I-350849	NORTHEAST AUTO PARTS INC	R	10/06/2020		130.86CR	093561	
	I-350931	NORTHEAST AUTO PARTS INC	R	10/06/2020		13.38CR	093561	
	I-350951	NORTHEAST AUTO PARTS INC	R	10/06/2020		57.98CR	093561	
	I-350955	NORTHEAST AUTO PARTS INC	R	10/06/2020		28.99CR	093561	
	I-350978	NORTHEAST AUTO PARTS INC	R	10/06/2020		19.98CR	093561	
	I-351028	NORTHEAST AUTO PARTS INC	R	10/06/2020		79.82CR	093561	
	I-351064	NORTHEAST AUTO PARTS INC	R	10/06/2020		48.60CR	093561	
	I-351081	NORTHEAST AUTO PARTS INC	R	10/06/2020		27.57CR	093561	
	I-351097	NORTHEAST AUTO PARTS INC	R	10/06/2020		31.20CR	093561	
	I-351127	NORTHEAST AUTO PARTS INC	R	10/06/2020		28.92CR	093561	946.86
VOID	VOID CHECK		V	10/06/2020			093562	**VOID**
8019	OFFICE ENTERPRISES INC							
	I-471574	OFFICE ENTERPRISES INC	R	10/06/2020		380.39CR	093563	380.39
0197	PACKER CITY INTL TRUCKS INC							
	I-R101039122:01	PACKER CITY INTL TRUCKS INC	R	10/06/2020		110.24CR	093564	
	I-X101130692:01	PACKER CITY INTL TRUCKS INC	R	10/06/2020		139.90CR	093564	250.14

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VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
1	PITTMAN, JEFF							
	I-202009291067	MAILBOX	R	10/06/2020		26.99CR	093565	26.99
0208	POMP'S TIRE SERVICE INC							
	I-90066857	POMP'S TIRE SERVICE INC	R	10/06/2020		115.00CR	093566	
	I-90066927	POMP'S TIRE SERVICE INC	R	10/06/2020		3,114.96CR	093566	
	I-90066990	POMP'S TIRE SERVICE INC	R	10/06/2020		99.90CR	093566	3,329.86
8244	PRINTED PRODUCTS INC							
	I-8199	PRINTED PRODUCTS INC	R	10/06/2020		410.84CR	093567	410.84
0395	PRO ONE JANITORIAL INC							
	I-163878	PRO ONE JANITORIAL INC	R	10/06/2020		1,425.00CR	093568	1,425.00
0218	PROMOTIONAL DESIGNS INC							
	I-38408-1	PROMOTIONAL DESIGNS INC	R	10/06/2020		84.00CR	093569	84.00
5973	RAE-COR DISTRIBUTING INC							
	I-24747	RAE-COR DISTRIBUTING INC	R	10/06/2020		380.78CR	093570	
	I-24747A	RAE-COR DISTRIBUTING INC	R	10/06/2020		133.86CR	093570	514.64
6948	RAY'S TIRE							
	I-1014503	RAY'S TIRE	R	10/06/2020		1,381.86CR	093571	
	I-1014674	RAY'S TIRE	R	10/06/2020		1,158.75CR	093571	2,540.61
2637	RENEW CLEANING							
	I-5664	RENEW CLEANING	R	10/06/2020		100.00CR	093572	100.00
0228	RENT A FLASH OF WISCONSIN INC							
	I-72610	RENT A FLASH OF WISCONSIN INC	R	10/06/2020		89.90CR	093573	89.90
2604	RIESTERER & SCHNELL INC							
	I-1845391	RIESTERER & SCHNELL INC	R	10/06/2020		861.00CR	093574	861.00
0235	SAINT VINCENT HOSPITAL							
	I-51910	SAINT VINCENT HOSPITAL	R	10/06/2020		62.09CR	093575	62.09
8202	SHERWIN WILLIAMS CO							
	I-5443-5	SHERWIN WILLIAMS CO	R	10/06/2020		410.40CR	093576	410.40
8158	SHIRLEY FEED MILL							
	I-64485	SHIRLEY FEED MILL	R	10/06/2020		199.90CR	093577	
	I-64545	SHIRLEY FEED MILL	R	10/06/2020		21.97CR	093577	221.87

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
8022	SOLARWINDS I-IN496724	SOLARWINDS	R	10/06/2020		328.00CR	093578	328.00
1092	SOMERVILLE ARCHITECTS ENGINEERS I-36546	SOMERVILLE ARCHITECTS ENGINEER	R	10/06/2020		1,875.00CR	093579	1,875.00
0752	SYSTEMS FURNITURE LLC I-35792	SYSTEMS FURNITURE LLC	R	10/06/2020		7,507.00CR	093580	7,507.00
8245	TELEFLEX LLC I-9503078405	TELEFLEX LLC	R	10/06/2020		852.82CR	093581	852.82
0267	TRAFFIC & PARKING CONTROL INC I-I678626	TRAFFIC & PARKING CONTROL INC	R	10/06/2020		342.00CR	093582	342.00
0268	TRUCK EQUIPMENT INC I-918516-00 I-919523-00	TRUCK EQUIPMENT INC TRUCK EQUIPMENT INC	R R	10/06/2020 10/06/2020		185.29CR 4.47CR	093583 093583	 189.76
5663	TYLER TECHNOLOGIES INC I-045-314907	TYLER TECHNOLOGIES INC	R	10/06/2020		250.00CR	093584	250.00
8246	ULTIMATE SAFETY CONCEPTS INC I-190815	ULTIMATE SAFETY CONCEPTS INC	R	10/06/2020		3,175.90CR	093585	3,175.90
0272	UNIFORM SHOPPE INC I-302069 I-302381	UNIFORM SHOPPE INC UNIFORM SHOPPE INC	R R	10/06/2020 10/06/2020		131.90CR 15.00CR	093586 093586	 146.90
1229	UTILITY SALES AND SERVICE INC I-70864-IN	UTILITY SALES AND SERVICE INC	R	10/06/2020		633.55CR	093587	633.55
0277	VAN'S FIRE & SAFETY INC I-4139456 I-4139665	VAN'S FIRE & SAFETY INC VAN'S FIRE & SAFETY INC	R R	10/06/2020 10/06/2020		35.00CR 138.71CR	093588 093588	 173.71
7210	VANDEN PLAS PORTABLE SOLUTIONS LLC I-2949	VANDEN PLAS PORTABLE SOLUTIONS	R	10/06/2020		133.00CR	093589	133.00
3707	VIKING ELECTRIC SUPPLY I-S003954679.001 I-S003978609.001	VIKING ELECTRIC SUPPLY VIKING ELECTRIC SUPPLY	R R	10/06/2020 10/06/2020		101.82CR 108.40CR	093590 093590	 210.22

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VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
8043	WASTEBUILT ENVIRON SOLUTIONS							
	I-I20-806098	WASTEBUILT ENVIRON SOLUTIONS	R	10/06/2020		95.64CR	093591	95.64
2645	WI DEPT OF JUSTICE							
	I-202009291068	WI DEPT OF JUSTICE	R	10/06/2020		7.00CR	093592	7.00
2522	WI DEPT OF NATURAL RESOURCES							
	I-202009291069	WI DEPT OF NATURAL RESOURCES	R	10/06/2020		770.00CR	093593	770.00
1210	WIL KIL PEST CONTROL							
	I-3994281	WIL KIL PEST CONTROL	R	10/06/2020		113.00CR	093594	
	I-4001421	WIL KIL PEST CONTROL	R	10/06/2020		115.50CR	093594	228.50

* * T O T A L S * *	NO#	DISCOUNTS	CHECK AMT	TOTAL APPLIED
REGULAR CHECKS:	106	0.00	1,042,672.22	1,042,672.22
HANDWRITTEN CHECKS:	0	0.00	0.00	0.00
PRE-WRITE CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
VOID CHECKS:	3	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
CORRECTIONS:	0	0.00	0.00	0.00
REGISTER TOTALS:	109	0.00	1,042,672.22	1,042,672.22

TOTAL ERRORS: 0

TOTAL WARNINGS: 0

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BANK : AP ASSOCIATED

VENDOR	NAME / I.D.	DESC	CHECK TYPE	CHECK DATE	DISCOUNT	AMOUNT	CHECK NO#	CHECK AMOUNT
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** POSTING PERIOD RECAP **

FUND	PERIOD	AMOUNT
100	10/2020	85,788.87CR
201	10/2020	10,400.59CR
208	10/2020	133.62CR
235	10/2020	666.50CR
260	10/2020	2,585.00CR
285	10/2020	2,585.00CR
290	10/2020	3,466.86CR
291	10/2020	90.00CR
405	10/2020	840,484.50CR
415	10/2020	64,221.87CR
460	10/2020	788.00CR
601	10/2020	20,185.07CR
650	10/2020	11,276.34CR
=====		
ALL		1,042,672.22CR



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: COVID-19 update from Health Department.



City of De Pere, Wisconsin

Request For Common Council Action

MEETING DATE: October 6, 2020

DEPARTMENT: City Clerk

FROM: Carey Danen

SUBJECT: Future agenda items.
