



Common Council

Regular Meeting

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

Draft Minutes

Tuesday, October 4, 2016

7:30 PM

De Pere City Hall Council Chambers

1. Call to order. The Common Council Meeting was called to order on October 4, 2016 at 7:30 PM De Pere City Hall Council Chambers, 335 S. Broadway Street, De Pere, WI.

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

2. Pledge of allegiance to the Flag. Boyscout Collin Fayer led the Council in the Pledge of Allegiance.
3. Approval of the Minutes of the September 20, 2016 Common Council Meeting.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dean Raasch, Aldersperson
SECONDER:	Lisa Rafferty, Aldersperson
AYES:	Boyd, Carpenter, Donovan, Jennings, Raasch, Rafferty
EXCUSED:	Scott Crevier, Larry Lueck

4. A Public Hearing to act on the repeal and recreation of Chapter 28, De Pere Municipal Code regarding Stormwater Management Zoning (Post Construction) regulation under Wis. Stats. §62.234.

A. Notice of Public Hearing.

Clerk-Treasurer Shana Ledvina announced that the public hearing was published in the Green Bay Press Gazette on September 20 and 27, 2016.

B. Recommendation from the Board of Public Works.

Economic Development and Planning Director Kim Flom stated that the Plan Commission voted unanimously to approve this ordinance. City Attorney Judy Schmidt-Lehman stated that the ordinance also went to the Board of Public Works and they also recommended approval.

C. Ordinance #16-22, Repealing and Recreating Chapter 28-Stormwater Management Zoning (Post Construction).

Mayor Walsh declared the public hearing open; no one wished to speak, and the mayor declared the public hearing closed and entertained a motion.

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

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

Maureen Vanden Hogen, 405 Franklin Street, De Pere asked the Council to consider restricting the height of buildings in downtown De Pere.

6. Recommendation from the License Committee on an Application for a Temporary Premise Description Change for St. Norbert College.

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

7. Recommendation from the License Committee on an Application for Change of Agent submitted by Walgreen Co.

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

8. Recommendation from the Board of Park Commissioners to accept the Pink Flamingo Donation for the Recreation Scholarship.

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

9. Recommendation from the Board of Park Commissioners to accept a Project Proposal for a Decorative Planter at the Dog Park Entrance for the De Pere Dog Park.

Alderperson Raasch moved, seconded by Alderperson Jennings to open the meeting. Upon vote, motion carried unanimously. Collin Fayes came forward and described his project to the Council. Alderperson Donovan moved, seconded by Alderperson Raasch to close the meeting. Upon vote, motion carried unanimously.

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

10. Recommendation from Plan Commission to Approve a Proposed Extraterritorial Two-Lot Certified Survey Map at 3975 Creamery Road in Ledgeview (Parcel D-486-2). Submitted by Richard A. Huxford, PLS.

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

11. Recommendation from Plan Commission to Approve a Proposed Four-Lot Certified Survey Map at 2100 BLK Richco Road in De Pere (Parcels WD-L178-1-1, WD-L179, WD-L179-3, WD-L179-4). Submitted by City of De Pere.

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

12. Consideration of Ordinance Changes to Historic Preservation Ordinance.

Alderperson Donovan moved, seconded by Alderperson Jennings to open the meeting. Upon vote, motion carried unanimously.

Joe De Rose from the Wisconsin Historical Society was present and answered questions about ACT 176. He explained that the changes require the City to hold a public hearing on any proposed historical designations and that any involved property owners must be notified. Any property owner that is not in agreement with the designation has the right to appeal the designation to the Common Council. He explained that the Certified Local Government Program is a federal program that is administered by the Wisconsin Historical Society. The City of De Pere has received over \$60,000 in federal funding since becoming a CLGP member in 2002. Discussion followed regarding federal tax credits, property owner rights, local control and the notification process.

Mary Baeten, a property owner in the Historic Randall District, came forward to express her concern about individual property owner rights.

Maureen Vanden Hogen came forward to explain that there are home owners who value being part of a historic registry. She asked if changes are made to the exterior of a historic home, do they have to be approved only if applying for a tax credit?

City Attorney Judy Schmidt-Lehman explained that if a home has a federal/state historic designation there is no one telling you to do your repairs a certain way, but if the home/site is designated historic locally then the Historic Preservation Commission does have a say in any exterior improvements/repairs made to the site. She also explained that there are no locally designated historic districts in the City of De Pere.

City Economic Development and Planning Director Kim Flom explained that any work on the exterior of a home that requires a permit will trigger the HPC to review the permit,

but this only applies to locally designated historic homes/sites. A certificate of appropriateness must be approved before receiving the work permit. Gene Hackbarth and Mike Fleck of the De Pere Historic Preservation Commission discussed the benefits of remaining a member of the Certified Local Government Program with the Council. Gene explained that the only two properties with a local historic designation are White Pillars and the service station at Voyageur Park. He explained that the intent of the HPC is to work only with homeowners who are interested in having their home be a designated historic site. Gene expressed that without these ordinance approvals, the HPC loses the ability to receive grant funding from the state. Discussion followed. Alderperson Donovan moved, seconded by Alderperson Boyd to close the meeting. Upon vote, motion carried unanimously.

A. Ordinance #16-23A, Amending Various Provisions of Chapter 38 De Pere Municipal Code Regarding Historic Preservation in Compliance with 2015 Wisconsin Act 176.

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve the ordinance. City Attorney Judy Schmidt-Lehman requested to amend the ordinance in Section 2, paragraph 1 by adding the phrase "by first class mail". Motion to approve carries 5-1 with Alderperson Raasch voting nay. A second reading of the ordinance is required.

B. Ordinance #16-23B, Amending Various Provisions of Chapter 38 De Pere Municipal Code Regarding Historic Preservation for Continued Certified Local Government Status.

Alderperson Jennings moved, seconded by Alderperson Boyd to approve the Ordinance. Motion carried 4-3 with Alderperson Donovan, Raasch and Rafferty voting nay and Mayor Walsh voting aye to break the tie. A second reading of the ordinance is required.

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

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

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

Discussion followed with Council and staff regarding the location.

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

15. Resolution #16-106, Disallowance of Claim (Beverly Wojkiewicz).

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

16. Resolution #16-107, Authorizing Agreement Regarding the Sale/Purchase and Right of First Refusal of Certain Property Between the City of De Pere and Green Bay Packaging, Inc.

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

A. Plan Commission recommendation for or a two lot CSM on the south end of American Boulevard parcel WD-L492-B. Surveyor: Mau & Associates.

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

17. Resolution #16-108, Authorizing Contract to Administer the Retail Food and Recreational Programs for the Wisconsin Department of Agriculture Trade and Consumer Protection.

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

18. Confirmation of Appointment To Position of Health Officer/Director

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

19. Voucher Approval.

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

20. Operator License Applications.

CITY OF DE PERE - October 4, 2016					
ITEM	NAME	ADDRESS	CITY	ST	ZIP
Previously Tabled Operator Licenses					
1	HENDRICKS, RICHARD L.	617 BIRCH ST	DE PERE	WI	54115
2	PHILLIPS, JOSEPH K.	3201 GLENDALE AV	GREEN BAY	WI	54313
3	STREGE, STEFANIE S.	159 KENNEY ST	GREEN BAY	WI	54301
4	TOWLE, KATHERINE A.	536 N. HENRY	GREEN BAY	WI	54302
New Operator License Applications for the 2016-2018 Licensing Period					
1	BOROWSKI, AMY L.	1410 PORLIER ST	GREEN BAY	WI	54301
2	BURROWS, MELISSA S.	2281 SAMANTHA ST #118	DE PERE	WI	54115
3	CAYO, CRAIG S.	1619 E. GLENDALE	APPLETON	WI	54911
4	DE CLEENE, STEVEN L.	1334 SCHEURING RD #1	DE PERE	WI	54115
5	DINY, EMILY C.	1879 PARTRIDGE RD	DE PERE	WI	54115
6	DUSHA, RENEE C.	2435 SYCAMORE DR #5	GREEN BAY	WI	54311
7	EARNEY, REGAN J.	948 GREEN RIDGE DR	DE PERE	WI	54115
8	FIRKUS, REBECCA A.	100 GRANT ST #558	DE PERE	WI	54115
9	FOX, YOLANDA M.	1337 S. NORWOOD	GREEN BAY	WI	54304
10	FRYE, TYLER R.	625 REID ST	DE PERE	WI	54115
11	JANSSEN, ELLEN A.	255 N. 10TH ST #215	DE PERE	WI	54115
12	JOHNSON, PAUL A.	2031 ZEISE AV	GREEN BAY	WI	54302
13	KAFKA, MOLLY C.	1120 ORLANDO DR	DE PERE	WI	54115
14	KITSON, MAKAYLA S.M.	1368 WEISE ST	GREEN BAY	WI	54302
15	KNAPP, KATIE M.	1581 CYPRESS RD #3	DE PERE	WI	54115
16	MC NULTY-KRAMER, KIM M.	2467 KIMBERLY ST	GREEN BAY	WI	54313
17	MULHERN, SCOTT P.	665 A FOXVIEW AV	DE PERE	WI	54115
18	PERROTTE, ZACHARY E.	1004 HENNES CT	KAUKAUNA	WI	54130
19	PHILLIPS, BRYANT J.	605 DORELLE ST	KEWAUNEE	WI	54216
20	POLEY, BENJAMIN P.	220 FORT HOWARD AV	DE PERE	WI	54115
21	RADANT, TYLER R.	850 SWAN RD	DE PERE	WI	54115
22	RHODE, ANGELA L.	1736 KEEHAN LN	GREEN BAY	WI	54311
23	ROSNER, COREY W.	2680 HE NIS RA LN	GREEN BAY	WI	54304
24	RYDER, MARISSA J.	1268 SCHEURING RD #9	DE PERE	WI	54115
25	STIEGLITZ-VAN VONDEREN, SADIE B.	525 S. HURON RD	GREEN BAY	WI	54311
26	THOMPSON, CASSIE J.	707 PINE ST	DE PERE	WI	54115
27	TINGLE, JENNIFER L.	240 1/2 FRANK ST	OCONTO	WI	54153
28	TRAINOR, PATRICK D.	2564 STONE MEADOW TR #12	GREEN BAY	WI	54313
29	VANDER LOOP, ANTHONY R.	1221 KLAUS ST	GREEN BAY	WI	54302
30	WATTS, ELIZABETH M.	904 CLEMENT #3	GREEN BAY	WI	54302
31	WEBER, KATRINA S.	413 N LINCOLN ST	ELKHORN	WI	53121
32	ZEAMER, TINA M.	3384 SCHOOL RD	DE PERE	WI	54115

Alderson Raasch moved, seconded by Alderson Boyd to approve Previously Tabled Operator License Applications #1-4. Upon vote, motion carried unanimously.

Alderson Raasch moved, seconded by Alderson Carpenter to approve Operator License Applications #1-3, 5-6, 8-9, 11-19, 21-24, 26, and 28-32. Upon vote, motion carried unanimously.

Alderson Raasch moved, seconded by Alderson Boyd to table Operator License Applications #4, 7, 10, 20, 25 and 27. Upon vote, motion carried unanimously.

21. Future agenda items.

22. Adjournment.

Alderson Raasch moved, seconded by Alderson Jennings to adjourn the meeting at 9:26 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer