



Common Council

Regular Meeting

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

Minutes

Tuesday, January 15, 2019

7:30 PM

De Pere City Hall Council Chambers

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

Attendee Name	Title	Status
Michael J. Walsh	Mayor	Present
James Boyd	Aldersperson	Present
Dan Carpenter	Aldersperson	Present
Scott Crevier	Aldersperson	Present
Jonathon Hansen	Aldersperson	Present
Ryan Jennings	Aldersperson	Present
Larry Lueck	Aldersperson	Excused
Casey Nelson	Aldersperson	Excused
Dean Raasch	Aldersperson	Present

2. Pledge of Allegiance to the Flag.

3. Approval of the Minutes of the January 2, 2019 Common Council Meeting.

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

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

Aldersperson Hansen commended the 5 businesses in the east industrial park that participated in the pantry food challenge. Aldersperson Raasch asked drivers to be considerate of tow truck drivers on the highway assisting vehicles.

Resident Jim Anderson asked that the City review their recent changes to the hours at the rubbish drop off site; he presented the Council with a handout detailing the hours and pick up times offered by surrounding communities. The Board of Public Works will review the request.

5. Recommendation from the Board of Public Works to Award Contract 19-09 Pond and Drainage System Construction. to Jossart Brothers, Inc. in the amount of \$460,647.50.

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

6. Recommendation from Board of Park Commissioners to Approve Bid for Aerial Lift Truck from Utility Sales in the amount of \$231,461.

Council and staff discussed the trade-in value vs. the option of selling the vehicle on the open market.

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

7. Recommendation from the Board of Park Commissioners to Approve the Request for City Council and/or Mayor Contact Local Municipalities for Collaborative Funding of the Two New Aquatic Facilities.

Mayor Walsh identified reaching out to Lawrence, Ledgeview and Allouez to garner interest in collaborative funding agreements; Council indicated approval of the Mayor working with staff on this request.

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

8. Recommendation from Development Services Staff to approve a proposed extraterritorial one lot certified survey map at 2300 BLK Little Rapids Road in the Town of Lawrence (part of Parcels L-456 and L-458). Submitted by David M. Schmalz, PLS, McMahon Associates, authorized representative for MS Real Estate Holdings LLC, property owner.

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

9. Recommendation from Finance/Personnel Committee to Accept Donation from De Pere Christian Outreach to the Police Department in the amount of \$3,000.

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

10. Recommendation from the Finance/Personnel Committee to accept the donation from De Pere Christian Outreach to the Fire Department in the amount of \$300.

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

11. Recommendation from the License Committee on an Application for a Class "A" Fermented Malt Beverage & "Class A" Intoxicating Liquor License for Poppy Avenue Boutique LLC (DBA Poppy Avenue Boutique), 117 N Broadway, De Pere. Submitted by Poppy Avenue Boutique LLC, Agent: Audra Balof, De Pere, WI.

Alderson Crevier asked what a GNO class is. Alderson Crevier moved, seconded by Alderson Carpenter to open the meeting. Upon vote, motion carried unanimously. Audra Balof and Christian Brewer came forward and explained that "GNO" stands for "Girls Night Out". Alderson Carpenter moved, seconded by Alderson Raasch to close the meeting. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	James Boyd, Alderson
SECONDER:	Jonathon Hansen, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Raasch
EXCUSED:	Larry Lueck, Casey Nelson

12. Recommendation from the License Committee on an Application for a Class "B" Fermented Malt Beverage & "Class B" Intoxicating Liquor License for Poppy Avenue Clean Beauty Bar (DBA Poppy Avenue Clean Beauty Bar), 115 N Broadway, De Pere. Submitted by Poppy Avenue Clean Beauty Bar, Agent: Audra Balof, De Pere, WI.

RESULT:	TABLED [UNANIMOUS]
MOVER:	James Boyd, Alderson
SECONDER:	Dan Carpenter, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Raasch
EXCUSED:	Larry Lueck, Casey Nelson

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

RESULT:	ADOPTED [5 TO 0]
MOVER:	James Boyd, Alderson
SECONDER:	Dean Raasch, Alderson
AYES:	Boyd, Carpenter, Hansen, Jennings, Raasch
ABSTAIN:	Scott Crevier
EXCUSED:	Larry Lueck, Casey Nelson

14. Consideration and action on the purchase of a garbage & recycling truck.

Alderson Hansen moved, seconded by Alderson Jennings to approve the staff recommendation of re-allocating \$39,422 to purchase the CNG garbage & recycle truck. Discussion followed regarding the justification of spending more on the CNG truck, the cost of diesel fuel and natural gas, the projected time frame to break even on the CNG truck, the benefit of clean energy, and the support of Council to support sustainable practices. Upon vote on the motion, Aldersons Boyd, Hansen and Jennings voted aye, Aldersons Carpenter, Crevier and Raasch voted nay, and Mayor Walsh voted aye to break the tie.

RESULT:	ADOPTED [3 TO 3]
MOVER:	Jonathon Hansen, Alderson
SECONDER:	Ryan Jennings, Alderson
AYES:	James Boyd, Jonathon Hansen, Ryan Jennings
NAYS:	Dan Carpenter, Scott Crevier, Dean Raasch
EXCUSED:	Larry Lueck, Casey Nelson

15. Ordinance #19-02 Amending §30-2 De Pere Municipal Code Regarding Park Regulations (Prohibiting Fishing from Riverwalk).

Parks Director Marty Kosobucki explained that this is an ordinance for the City to use to enforce the "no fishing" areas of the Riverwalk. Mayor Walsh reminded the Council that the intent of the Riverwalk was to have an area where people could walk and enjoy the view, and that there is a pier off the Riverwalk to use specifically for fishing.

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

16. Ordinance #19-03 Amending Chapter 150 De Pere Municipal Code Regarding Various Traffic Regulations.

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

17. Ordinance #19-04 Repealing and Recreating Section 13-10 De Pere Municipal Code Regarding Special Assessment Deferment for Hardship.

Alderperson Hansen stated that though following federal poverty guidelines will be a consideration, nothing prohibits the Finance Committee from granting the deferral and he asked that they give all hardships consideration when considering these requests.

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

18. Resolution #19-02 Authorizing Software as a Service Agreement with Tyler Technologies, Inc.

Police Chief Derek Beiderwieden explained that there will be around a \$5,000 maintenance fee annually for use of this software.

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

19. Resolution #19-03 Authorizing Agreement for Consulting Services Between the City of De Pere and GRAEF-USA, Inc. (Bidding and Construction Management for Bomier Boat Launch Renovation and Expansion).

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

20. Resolution #19-04 Authorizing Agreement for Contractor Services Between the City of De Pere and Ostrenga Excavating, Inc. (VFW Pool, Buildings and Related Infrastructure Demolition and Back Fill).

Parks Director Marty Kosobucki said they hope this project will be done before summer; pending approval of this agreement they will look into whether asbestos is present in the buildings.

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

21. Resolution #19-05 Authorizing Amendment to Agreement for Services Between the City of De Pere and GRAEF-USA, Inc. (Aquatic Facility Design at VFW Park and Legion Park).

Council and staff discussed the timeline provided by Graef in the agreement. Parks Director Marty Kosobucki said the goal is for two VFW pool designs to be presented at the February Park Board Meeting. Discussion followed regarding the Park Board's ability to approve the design without Council approval, the surveys completed by residents, and that the idea is that both pools complement each other in design. The survey yielded 324 online responses, 4 handwritten responses, and around 20 provided opinions at the public input session; those will be reviewed by the Board of Park Commissioners at their meeting on January 17.

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

22. Resolution #19-06 Regarding De Pere Parks, Recreation and Forestry Parks and Facilities Rental Fees 2019.

Parks Director Marty Kosobucki said the fees outlined are almost the same as Ashwaubenon. He explained that the changes to the non-resident fees for use of fields was to keep the fields in use and that our community groups will receive priority over the non-resident groups.

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

23. Resolution #19-07 Authorizing Drainage System Easements (Parcel WD-1046 and Parcel WD-D0034).

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

24. Resolution #19-08 Authorizing Amendment to Agreement Between the City of De Pere and Robert E. Lee & Associates, Inc. (2018 Lift Station Design and Storm Water Pond Review and Design)

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

25. Resolution #19-09 Authorizing Agreement for Consulting Services Between the City of De Pere and ECS Midwest, LLC (2019 Soil Boring).

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

26. Resolution #19-10 Authorizing Agreement for Consulting Services Between the City of De Pere and Bay Area Testing & Consulting, LLC (2019 Construction Materials Testing).

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

27. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Hansen to approve Previously Tabled Operator License Application for Chelsie G. Brakke. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to deny Previously Tabled Operator License #2 for Bobbie M. Sharkey for not filling out the application correctly and not appearing before the License Committee when requested. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to deny Previously Tabled Operator License #3 for Alicia M. Stiles

as a habitual law offender and therefore does not meet the qualifications of the statute to hold a license and for not appearing before the License Committee when requested. Upon vote, motion carried unanimously.

28. Voucher Approval.

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

29. City Administrator Annual Performance Appraisal.

Alderperson Boyd moved, seconded by Alderperson Raasch to close the meeting at 8:52 p.m. Upon vote, motion carried unanimously. Alderperson Jennings moved, seconded by Alderperson Raasch to open the meeting at 10:31 p.m. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Crevier to approve a \$5,000 increase to the City Administrator salary. Upon vote, motion carried unanimously.

30. Future Agenda Items.

This item was addressed prior to closed session. Alderperson Hansen asked for an update on the timeline of the web design improvements; City Administrator Larry Delo will have the IT Director provide an update for the Friday Memo.

31. Adjournment.

Alderperson Raasch moved, seconded by Alderperson Carpenter to adjourn the meeting at 10:32 p.m. Upon vote, motion carried unanimously.

Respectfully submitted,

Shana Ledvina, Clerk-Treasurer