



Common Council

Regular Meeting

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

Minutes

Tuesday, June 18, 2019

7:30 PM

De Pere City Hall Council Chambers

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

Attendee Name	Title	Status	Arrived
Michael J. Walsh	Mayor	Present	
James Boyd	Aldersperson	Present	
Dan Carpenter	Aldersperson	Present	
Scott Crevier	Aldersperson	Present	
Jonathon Hansen	Aldersperson	Present	
Ryan Jennings	Aldersperson	Present	
Amy Chandik Kundinger	Aldersperson	Present	
Casey Nelson	Aldersperson	Present	
Dean Raasch	Aldersperson	Present	

2. Pledge of Allegiance to the Flag.

Mayor Walsh invited Andrew Rohm with Boy Scout Troop 1043 - De Pere Middle School to lead the pledge of allegiance.

3. Approval of the minutes of the June 4, 2019 Common Council meeting.

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

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

Aldersperson Jennings stated that we currently have two artists from Amal Sweden working on our Sister City mural. They are looking for community involvement tomorrow, June 19th starting at Noon. The mural is located close to Alpha Delights in the Marquette Square parking lot.

Aldersperson Hansen acknowledged the passing of Patricia Finder-Stone. She was a leading advocate for public health, a Korean War veteran, and a member of the City's Board of Health and Sustainability Commissions. He also offered congratulations to Henry Lepak, a 2018 community service grant recipient, on achieving the rank of Eagle Scout.

5. Consider Community Service Grant Application.

Aldersperson Carpenter moved, seconded by Aldersperson Crevier to approve the grant in the amount of \$600.00. Aldersperson Raasch moved, seconded by Aldersperson Crevier to open the meeting. Upon vote, motion carried unanimously. Andrew Rohm with Boy Scout Troop 1043 provided an overview of his proposal to build three little libraries in the Dickinson Elementary outdoor learning space. Mayor Walsh thanked him for his efforts and wished him luck with the project. Aldersperson Raasch moved, seconded by Aldersperson Crevier to close the meeting. Upon vote, motion carried unanimously.

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

6. Staff Update on De Pere CDBG-CLOSE & Revolving Loan Fund - No Action Required.

Development Services Director Kim Flom provided a status update and answered questions. Earlier this year, the Department of Housing and Urban Development formally approved the CDBG-CLOSE program for the state of Wisconsin, which essentially ends the City's revolving loan fund program. The City's account balance of almost \$1.4 million in cash and outstanding loans has been effectively defederalized. Staff met earlier this year to identify potential projects which meet the economic development objectives that the original loan program was designed to achieve. They expect to present these ideas to the Finance/Personnel Committee next month.

7. Recommendation from Plan Commission to approve a proposed extraterritorial Two Lot Certified Survey Map at 5813 Blake Road in the Town of Rockland (Parcel R-376). Submitted by Aaron P. Schroeder, PLS, CQM INC, authorized representative for Timothy J. & Lynn A. Jonet, property owners.

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

8. Recommendation from the Finance/Personnel Committee regarding a request for \$1000 from TIDs 7 and 9 (\$500 from each) to fund a pilot Geofencing Visitor Data and Impact Analysis.

Alderperson Raasch asked how the technology works and how the City intends to use this data. Development Services Director Kim Flom explained that the data comes from cell towers, which provides empirical numbers pertaining to who might be gathering downtown. For example, it could be determined whether event attendees are City residents or coming from surrounding areas. The other benefit is that staff will have the ability to look at other communities' data, because De Pere is one of several using this beta program. Alderperson Crevier reported that the data includes the age of the cell phone holder as well as the originating zip code. Cell phone provider contracts include a privacy policy which gives users a choice to opt out.

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

9. Recommendation from the Finance/Personnel Committee to Waive Department of Public Works Fees for Downtown Events Including: Farmers Market, Art Walk, Food Truck Rally, Doggie Block Party, and De Pere Holly Day at the Request of Definitely De Pere.

RESULT:	ADOPTED [7 TO 0]
MOVER:	Scott Crevier, Alderperson
SECONDER:	Amy Chandik Kunding, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Kunding, Nelson, Raasch
ABSTAIN:	Ryan Jennings

10. Recommendation from the Board of Public Works to Approve Award of Contract 19-05 Sidewalk, Curb and Concrete Pavement Repair to Martell Construction, Inc. in the amount of \$584,300.00.

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

11. Recommendation from the Board of Public Works to approve award of Contract 19-06A Lawrence Drive Sidewalk Grant Street to Main Avenue and Contract 19-06B Lawrence Drive Sidewalk Scheuring Road to Grant Street to Sommers Construction Company, Inc. in the amounts of \$171,084.80 and \$459,793.25 respectively.

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

12. Recommendation from the Board of Public Works to approve award of Contract 19-11 Garrity's Glen South Subdivision Construction to Dorner, Inc. in the amount of \$2,059,620.30.

Alderperson Carpenter asked staff to check in the field to make sure no main roads are being affected during the project. Alderperson Kunding noted that there is a wide range in the cost of the bids received and asked if there is a difference in what contractors are offering. Public Works Director Scott Thoresen reported that it is not unusual to see a wide range in the numbers; the higher bidders may have a fuller work schedule.

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

13. Recommendation from the License Committee on an application for a premises description change for Green Room Theatre, LLC.

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

14. Recommendation from the License Committee on an application for a revised Special Permit allowing consumption of alcohol beverages on public ways. Submitted by Definitely De Pere for the Farmers Market on Thursdays, June 20 - August 29 from 3:00 p.m. - 8:00 p.m.; and Thursdays, September 5 - September 26 from 3:00 p.m. - 7:00 p.m.

Alderson Hansen shared comments for the record from local business DJW Consulting, who expressed concerned about the location of the Farmers Market, parking, and music and drinking happening right outside their business. Hansen reported that Definitely De Pere is aware of the concerns and will do their best to mitigate any disruptions to neighboring businesses. He asked staff to ensure easy access for these businesses. Discussion followed on the status of the fire cleanup at 100 S. Broadway and the possibility of Farmers Market returning to that location.

Alderson Raasch moved, seconded by Alderson Carpenter to open the meeting. Upon vote, motion carried unanimously. Bruce Gajewski, property owner at 416 George St, stated that he does want to work with the City, and just wants to make sure that concerns about safety, event attendees being on his property, and his tenants' businesses not being disrupted are addressed.

Alderson Crevier moved, seconded by Alderson Boyd to close the meeting. Upon vote, motion carried unanimously. Discussion followed

Alderson Boyd moved, seconded by Alderson Carpenter to open the meeting. Upon vote, motion carried unanimously.

Mr. Gajewski also requested that event planners make sure there are enough restrooms for the public to use.

Alderson Nelson moved, seconded by Alderson Raasch to close the meeting. Upon vote, motion carried unanimously.

RESULT:	ADOPTED [7 TO 0]
MOVER:	Amy Chandik Kunding, Alderson
SECONDER:	James Boyd, Alderson
AYES:	Boyd, Carpenter, Crevier, Hansen, Kunding, Nelson, Raasch
ABSTAIN:	Ryan Jennings

15. Recommendation from the License Committee on renewal applications for the licensing period of July 1, 2019 to June 30, 2020.

A. Class "A" Fermented Malt Beverage/"Class A" Intoxicating Liquor Licenses.

Alderson Boyd moved, seconded by Alderson Hansen to approve application #1 contingent upon approval from the Chief of Police. Upon vote, motion carried unanimously. Alderson Boyd moved, seconded by Alderson Carpenter to approve applications #2 and 3. Upon vote, motion carried unanimously.

B. Class "B" Fermented Malt Beverage/"Class B" Intoxicating Liquor Licenses.

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

C. Class "B" Fermented Malt Beverage/"Class B" Reserve Intoxicating Liquor License.

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

16. Ordinance #19-16 Amending Section 150-23, Schedule G, Regarding Traffic Regulations.

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

17. Resolution #19-62 Preliminary Resolution Declaring Intention to Exercise Special Assessment Powers Under Section 66.0703, Wis. Stats. Sidewalk on the East Side of Lawrence Drive from Scheuring Road to Main Avenue.

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

18. Resolution #19-63 Authorizing Agreement Regarding Payment for Public Property Acquisition and Providing for Special Assessments for Public Improvements (Garrity's Glen South Subdivision).

Alderperson Hansen asked if the City made similar commitments for the Pine Trail subdivision. City Attorney Judy Schmidt-Lehman confirmed that both projects have the repayment for infrastructure is being handled through the sale of the lots, although the repayment schedules are different.

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

19. Resolution #19-64 Authorizing Installment Payment of Expenses for Sidewalk Repair and Replacement Ordered Under Wis. Stats. §66.0907.

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

20. Resolution #19-65 Approving Intermunicipal Agreement for Reciprocal Aid Including Sharing of Equipment and Services.

Alderperson Kunding noted that this agreement only refers to existing equipment, and asked if staff has any concerns about the purchase of new equipment. Public Works Director Scott Thoresen responded that the intent of this agreement is only for existing equipment, and any future purchases would be handled with either a joint purchase or additional agreements at that time.

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

21. Resolution #19-66 Approving Compliance Maintenance Annual Report for Wastewater Collection System.

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

22. Resolution #19-67 Authorizing Master Agreement with Wisconsin Public Service (License Agreement for Pole Use).

RESULT:	REFERRED BACK TO STAFF [UNANIMOUS]
	Next: 7/2/2019 7:30 PM
MOVER:	Dean Raasch, Alderperson
SECONDER:	James Boyd, Alderperson
AYES:	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

23. Resolution #19-68 Approving Participation in the Green Tier Legacy Community Program.

Public Works Director Scott Thoresen answered questions about the practical benefits of participating in the program. Discussion followed about retention ponds. Alderperson Nelson noted that the program is completely voluntary, and there are no binding standards that the City has to meet. Alderperson Crevier added that De Pere can also be a resource for other municipalities.

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

24. Resolution #19-69 Authorizing Agreement for Consulting Services Between the City of De Pere and Tweet-Garot Mechanical, Inc. (Fire Department Station 1 Boiler Replacement Design and Construction Management).

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

25. Resolution #19-70 Authorizing Amendment to 2019 City Budget for Additional Facade Improvement Grant Funding.

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

26. Resolution #19-71 Authorizing Memorandum of Agreement Between the Wisconsin Historical Society and the City of De Pere for the Completion of State and National Historic Designation Nominations (Mansion Street WWII Defense and Daviswood Ranch Historic Districts).

Development Services Director Kim Flom explained the benefits of attaining the historic designation. Alderperson Boyd asked if residents of these districts have been notified; staff reported that this would occur during the application process.

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

27. Resolution #19-72 Authorizing Renewal of Agricultural Farm Lease and Grass Cutting Agreement Between the City of De Pere and Larry Binsfeld.

City Attorney Judy Schmidt-Lehman clarified that if a developer were to approach the City with an offer to purchase the land, it is possible to terminate the agreement with proper notice. The farm lease has a provision that the City must pay for lost crops if the sale would happen too quickly to complete the harvest.

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

28. Resolution #19-73 Authorizing Assignment and Consent to Assignment Between the City of De Pere, Brian Nooyen and Clint Bodart (Grass Cutting Agreement).

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

29. Resolution #19-74 Authorizing Agreement with Forward Move, LLC (Mass Notification Alert System).

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

30. Operator license applications.

Alderperson Boyd moved, seconded by Alderperson Carpenter to deny Previously Tabled Application #2 based on non-appearance before the Committee when requested to attend. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to approve Previously Tabled Applications #1 & #3. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to table New Operator Application #13. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Carpenter to approve New Operator Applications #1-12 and #14-17. Upon vote, motion carried unanimously.

31. Voucher approval.

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

32. Future Agenda Items.

Aldersperson Hansen asked staff to research the possibility of expanding the City's Community Service Officer program, which currently enforces parking regulations. Hansen suggested that this could be expanded to include the enforcement of building codes and garbage enclosure requirements. City Administrator Larry Delo stated that this option is being looked at for inclusion in the 2020 budget.

33. Adjournment.

Aldersperson Crevier moved, seconded by Aldersperson Raasch to adjourn the meeting at 8:42 PM. Upon vote, motion carried unanimously.

Respectfully submitted,
Carey Danen