



# Common Council

## Regular Meeting

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

### Minutes

Tuesday, April 16, 2019

7:30 PM

De Pere City Hall Council Chambers

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

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

2. Pledge of Allegiance to the Flag.
3. Approval of the minutes of the April 3, 2019 Common Council meeting.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Dean Raasch, Aldersperson
<b>SECONDER:</b>	Casey Nelson, Aldersperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

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

Mayor Walsh welcomed new Council member Amy Chandik Kundinger, and congratulated Alderspersons Hansen, Raasch, and Nelson on their re-election. The Mayor said he looks forward to working together to move the City forward. Aldersperson Nelson reported that the City's next mental health outreach session will be held on April 24th at 6:30 PM in the Oak Room at the De Pere Community Center. The topic will be autism spectrum disorder and its impact on families and in schools. Aldersperson Raasch announced that the West De Pere High School "League of Legends" team won the Wisconsin High School Association E-Sports Championship last weekend.

5. Presentation by Sister City student representative Brooke Goehring.

High school student Brooke Goehring shared a presentation on her experience spending her junior year as an exchange student in Amal, Sweden. Brooke graduated from Southwest High School in January of this year. She explained the reasons she chose Sweden, and her connection to the Sister Cities program which led to her placement in Amal. Brooke stated that she is very glad she chose Amal because it provided a very authentic Swedish experience. Brooke shared details about her host family (her host sister studied in De Pere), her school experiences, and extracurricular activities. While in Amal she represented our community by conducting presentations with elementary students, as well as at her own school. She also presented to local politicians, and was featured in a local magazine article about exchange students. Brooke's school sponsored a trip to Brussels to visit the European Union headquarters; while there she was able to

interview the foreign minister. She shared a video presentation of her Amal experience that she created as a school project. Brooke concluded her presentation by expressing her thanks to the Sister Cities community.

Mayor Walsh stated that Brooke is a very determined, articulate and talented young lady, and that De Pere is proud to have her as our first representative for the Sister Cities program.

6. Recommendation of the Finance/Personnel Committee to Approve Request of Police Chief for the Transfer of \$5,000 from Undesignated Reserves to Purchase Security Measures Required by Updated Criminal Justice Information System Security Guidelines.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott Crevier, Alderperson
<b>SECONDER:</b>	Dan Carpenter, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

7. Recommendation from the License Committee on an application for a Class "A" Fermented Malt Beverage/"Class A" Intoxicating Liquor License for Kwik Trip, Inc. (DBA Kwik Trip #1060), 1620 Lawrence Dr. Submitted by Kwik Trip, Inc., Agent: Daniel J. Schmidt, Wrightstown, WI.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	James Boyd, Alderperson
<b>SECONDER:</b>	Jonathon Hansen, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

8. Recommendation from the Board of Public Works to Approve Wisconsin Public Service's Proposal to Relocate the Overhead Electric Utility Line on Ryan Road in the amount of \$40,000 as Part of Project 19-02.

Public Works director Scott Thoresen provided an updated memo to Council members with revised figures for the project; the City's cost is now \$49,327.66.

Alderperson Carpenter expressed concern about spending money on this project when there are others in the City that need funding. He stated in his opinion this appears to benefit Wisconsin Public Service more than the City.

Discussion followed regarding the relative benefits and costs of burying the utility lines versus leaving them above ground. City Administrator Larry Delo stated that it is the City's goal to continue to get them buried because it gives the community a more secure power source during storms.

Discussion followed about the potential for the City to negotiate a different cost ratio with WPS.

Alderperson Carpenter moved, seconded by Alderperson Nelson to amend the motion to propose that the City should pay \$20,000 for the project.

The Mayor stated that he thinks it would be a mistake to set a specific dollar amount, and suggested it would be better to authorize staff to negotiate in general terms. Alderperson Carpenter moved, seconded by Alderperson Nelson to withdraw the proposed amendment.

Alderperson Nelson moved to amend the original motion, to go back to WPS and negotiate a different cost share for the project. The motion failed for lack of a second.

Upon vote, the original motion to approve the recommendation passed 6-2 with Alderpersons Carpenter and Nelson voting nay.

<b>RESULT:</b>	<b>ADOPTED [6 TO 2]</b>
<b>MOVER:</b>	Dean Raasch, Alderperson
<b>SECONDER:</b>	Ryan Jennings, Alderperson
<b>AYES:</b>	Boyd, Crevier, Hansen, Jennings, Kunding, Raasch
<b>NAYS:</b>	Dan Carpenter, Casey Nelson

9. Recommendation from the Board of Public Works to Award Contract 19-18 Prosper Street and Enterprise Drive Reconstruction and Utility Relay to Vinton Construction Company in the amount of \$1,399,517.27.

Alderperson Hansen thanked staff for their efforts in soliciting bids for this project, which includes street lighting. He noted that the lights on those roads are over 40 years old, and the City will get better quality LED lights and energy savings.

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

10. Ordinance #19-09 Amending § 150-15 De Pere Municipal Code Regarding Heavy Truck Route.

Council members discussed the motivation for the amendment, with several expressing the opinion that it was unnecessary to specify an exemption for City vehicles. Public Works Director Scott Thoresen reported that staff is now installing additional signs. He stated that the Police Department has eased off a little on enforcement until the new signs are up. City Administrator Larry Delo provided clarification for the Police Department's concerns and stated that it is standard practice throughout the state and country for municipal vehicles to be exempt.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Ryan Jennings, Alderperson
<b>SECONDER:</b>	Casey Nelson, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

11. Ordinance #19-10 Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations.

Public Works Director Scott Thoresen responded to questions about the two proposed changes, and explained the decision of the Board of Public Works to deny the yield sign at Reid Street.

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

12. Resolution #19-30 Preliminary Resolution Declaring Intention to Exercise Special Assessment Powers Under Section 66.0703, Wis. Stats., Sanitary Sewer System on Parkview Road from Ashwaubenon Creek to Ashland Avenue.

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

13. Resolution #19-31 Authorizing Agreement for Consulting Services Between the City of De Pere and JT Engineering, Inc. (2019 Traffic Signal Study).

Public Works Director Scott Thoresen answered questions about the scope of this study; the intent is to look at the traffic signals on Main and Reid in order to change signal timings in these corridors. He informed Council members that the West De Pere School District has been asked to conduct a traffic impact analysis in light of plans for future expansion.

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

14. Resolution #19-32 Authorizing Agreement for Contractor Services Between the City of De Pere and Water Tower Clean and Coat, Inc. (Matthew Tower Cleaning & Coating Repair).

Alderperson Carpenter complimented staff on their work to obtain competitive prices on these bids.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jonathon Hansen, Alderperson
<b>SECONDER:</b>	Ryan Jennings, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

15. Resolution #19-33 Authorizing Agreement for Contractor Services Between the City of De Pere and Water Tower Clean and Coat, Inc. (9th Street Reservoir Inspection).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Amy Chandik Kunding, Alderperson
<b>SECONDER:</b>	James Boyd, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

16. Resolution #19-34 Authorizing Agreement for Contractor Services Between the City of De Pere and Water Tower Clean and Coat, Inc. (Merrill and Matthew Tower Inspections).

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

17. Resolution #19-35 Authorizing Agreement for Contractor Services Between the City of De Pere and Utility Service Associates, LLC (2019 Leak Detection Survey).

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

18. Resolution #19-36 Authorizing Operation and Maintenance Assistance Agreement with Carrico Aquatics Resources, Inc. (2019 Water Management Assistance Program).

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

19. Resolution #19-37 Authorizing Lease Agreement with Badger Office City (Photocopier Equipment - City Hall-2nd floor, Fire Department, Municipal Service Center and Community Center).

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott Crevier, Alderperson
<b>SECONDER:</b>	Amy Chandik Kunding, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

20. Resolution #19-38 Authorizing Tax Collection Agreement between Brown County Treasurer and the City of De Pere (December 2019-February 2020).

City Attorney Judy Schmidt-Lehman reported that the agreement reviewed by the Finance-Personnel Committee has since been supplemented by another from Brown County. The updated agreement includes a December deposit as requested by the City and other communities. Due to this change, there is no need for Council approval because the resolution passed in 2018 allowed for future renewals as long as they are substantively similar.

<b>RESULT:</b>	<b>REFERRED BACK TO STAFF [UNANIMOUS]</b>
<b>MOVER:</b>	Dean Raasch, Alderperson
<b>SECONDER:</b>	Scott Crevier, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kunding, Nelson, Raasch

21. Resolution #19-40 Authorizing Amendment 1 to the Software Services Agreement with OpenGov, Inc.

Alderperson Hansen inquired if payments commenced last March, and whether the City has seen any deliverables so far. Finance Director Joe Zegers reported that since the initial payment, OpenGov has delivered 2013-2017 financials. In his opinion the integration piece should make things a lot easier moving forward. With this amendment the City can get daily and weekly updates instead of just on a monthly basis, and can review transactions in the most up-to-date fashion. He reported that they are looking at scheduling the first integration meeting and transfer of data this week.

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

22. Appointments and Re-appointments to Boards and Commissions by Mayor Walsh.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jonathon Hansen, Alderperson
<b>SECONDER:</b>	Casey Nelson, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

23. Elections by the Common Council.

A. Alderperson Members of the Plan Commission.

Alderperson Boyd nominated Alderperson Raasch; Alderperson Raasch nominated Alderperson Boyd. Alderperson Hansen nominated Alderperson Crevier. Alderperson Raasch moved, seconded by Alderperson Nelson to close the nominations. Upon vote, motion carried unanimously. Mayor Walsh called for a vote by show of hands. Alderperson Raasch received six votes, Alderperson Boyd received seven, and Alderperson Crevier received two. The Mayor then announced that the Plan Commission appointments will be Alderpersons Boyd and Raasch.

B. President of the Common Council.

Alderperson Raasch moved, seconded by Alderperson Hansen to open the nominations. Upon vote, motion carried unanimously. Alderperson Raasch moved, seconded by Alderperson Crevier to nominate Alderperson Boyd as president of the Common Council. Alderperson Raasch moved, seconded by Alderperson Crevier to close the nominations. Upon vote, motion carried unanimously. Upon vote to elect Alderperson Boyd as President of the Common Council, motion carried unanimously.

24. Voucher Approval.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Scott Crevier, Alderperson
<b>SECONDER:</b>	Casey Nelson, Alderperson
<b>AYES:</b>	Boyd, Carpenter, Crevier, Hansen, Jennings, Kundinger, Nelson, Raasch

25. Operator License Applications.

Alderperson Boyd moved, seconded by Alderperson Carpenter to approve Previously Tabled Operator License Application #1. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to approve Temporary Operator Applications #1-6. Upon vote, motion carried unanimously. Alderperson Boyd, seconded by Alderperson Carpenter to approve New Operator Applications #1-3 and #5-11. Upon vote, motion carried unanimously. Alderperson Boyd moved, seconded by Alderperson Hansen to table New Operator Application #4. Upon vote, motion carried unanimously.

26. Future Agenda Items.

Alderperson Hansen stated he feels that Council has a responsibility to develop a budget for VFW and Legion pools given that the Council has sole authority over budget related decisions. He requested an agenda item for the next meeting to develop a budget for both

pools, and try to establish a rough goal for fundraising so that can be factored into the total budget so that the Parks board can develop designs that fit within the budget. Alderperson Nelson asked for updates on the southern bridge and the Mulva Center. Alderperson Carpenter requested an analysis of uncontrolled intersections in the City in order to develop a consistent policy for installation of traffic signs. The Mayor indicated that this item will be brought to the Board of Public Works.

27. Review and Possible Action on Claims for Personal Property Tax Refund Submitted by Festival Foods for 1001 Main Avenue and 1724 Lawrence Drive.

Alderperson Raasch moved, seconded by Alderperson Crevier to close the meeting at 9:09 PM. Upon vote, motion carried unanimously.

Alderperson Raasch moved, seconded by Alderperson Nelson to open the meeting at 9:54 PM. Upon vote, motion carried unanimously.

Resolution #19-39 Authorizing Personal Property Tax Refunds (Festival Foods-1001 Main Avenue and 1724 Lawrence Drive).

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

28. Review of and Possible Action on Order Granting Plaintiff's Motion for Summary Judgment in Hope Lutheran Church et.al. v.City of De Pere
29. Adjournment. Alderperson Raasch moved, seconded by Alderperson Boyd to adjourn the meeting at 9:55 PM. Upon vote, motion carried unanimously.

Respectfully submitted,

Carey Danen, City Clerk