

**COMMON COUNCIL MEETING
CITY OF DE PERE, WISCONSIN - May 6, 2008**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall, on Tuesday, May 6, 2008.

Mayor Walsh called the meeting to order at 7:36 pm. Roll call was taken and the following members were present: Alderpersons James Boyd, Carl Castelic, Michael Donovan, Bob Heuvelmans, Paul Kegel, Dan Robinson, and Kathy Van Vonderen. Alderperson Bob Wilmet was excused. The Opening Prayer was given by Alderperson Robinson and followed by the Pledge of Allegiance to the Flag.

Alderperson Kegel moved, seconded by Alderperson Robinson, to approve the minutes of the April 15, 2008 Council meeting. Upon vote, motion carried unanimously.

PUBLIC HEARING

4. A Public Hearing to act on a Precise Implementation Plan Amendment request on Parcel WD-646 (former St. Boniface Facility) located at 405 Grant Street, petitioner - Ron Van Den Heuvel is scheduled for 7:35 p.m. The Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on April 17 & 24, 2008. Planning Director Ken Pabich stated the Plan Commission recommended approval of the vacation subject to listed conditions.

Mayor Walsh declared the public hearing open for anyone wishing to speak.

Kevin Kay, 2447 Clear Brook, Village of Howard, stated they are excited this is happening in De Pere and wish they had something like that.

Addison Kay, 2447 Clear Brook, Village of Howard, asked that this plan be approved. She stated this will be a great school from kindergarten through 8th grade and she will be able to go to school with her little brother.

Barbara Tenny, 1365 Fox River Dr, stated she is on the Board for the Wisconsin International School. They will be meeting with St. Norbert College tomorrow and is sure the parking and alley will be on the agenda. They are looking forward to being in De Pere and they have a lot of families excited about the school.

There was no one else present who wished to speak and the public hearing was closed.

Ordinance #08-09 Amending Precise Implementation Plan (WD-646 for Wisconsin International School) was presented. Alderperson Heuvelmans moved, seconded by Alderperson Kegel, to enact the ordinance.

Alderperson Kegel moved, seconded by Alderperson Van Vonderen, to open the meeting. Upon vote, motion carried unanimously.

Ron Van Den Heuvel, 2303 Lost Dauphin Rd, responded to Alderperson Kegel's questions on the boilers at the facility. The boilers are older and one was replaced. He noted there is a new heating system in the gym. The boiler capacity will eventually need to be increased when the second floor is used. A complete air conditioning system and fire and sprinkler system were put in three years ago. Both boilers are pressure tested and in pretty good shape and he has no concerns.

Alderperson Robinson moved, seconded by Alderperson Castelic, to close the meeting. Upon vote, motion carried unanimously.

Upon discussion and vote, Ordinance was enacted on a unanimous vote.

5. A Public Hearing to act on the Precise Implementation Plan Amendment request and site plan approval on Parcel ED-2738 located at CTH "PP", petitioner - Keith Garrot is scheduled for 7:35 p.m. The Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on April 17 & 24, 2008. Planning Director Ken Pabich stated the Plan Commission recommended approval to Amend the General Development Plan subject to listed conditions.

Mayor Walsh declared the public hearing open for anyone wishing to speak.

Steve Rieda, Mau & Associates Land Surveying Company, pointed out the developer had six years ago set up a business use with no interest in it over the years. It was determined that multi-family was the only other use for this property.

There was no one else present who wished to speak and the public hearing was closed.

Ordinance #08-10 Amending General Development Plan (Parcel ED-2738 located on CTH PP) was presented. Alderperson Robinson moved, seconded by Alderperson Boyd, to enact the ordinance. Upon discussion and vote, motion carried unanimously.

Alderperson Donovan moved, seconded by Alderperson Boyd, to approve the Precise Implementation Plan for an apartment complex on Parcel ED-2738 located at CTH "PP", petitioner - Keith Garot. Upon discussion and vote, motion carried with 6 ayes and 1 nay. Alderperson Van Vonderen voted nay; all others voted aye.

6. Public Comment or other Announcements: Mayor Walsh asked if there was anyone present who wished to speak during public comment at 8:15 p.m.

Gene Hackbarth, 933 Oakdale Ave, stated the De Pere Historic Preservation Commission needs assistance to restore and reuse the De Pere Lockkeeper's House located on Government Island. They are working on two grant applications and a successful Preserve America Grant Application requires Common Council support in the form of a resolution and provided a sample resolution for consideration at the May 20th meeting.

There was no one else present who wished to speak and Mayor Walsh closed public comment at 7:43 pm.

Alderperson Van Vonderen thanked all the third grade students at Our Lady of Lourdes for taking an interest in learning more about government.

Alderperson Castelic announced the Historic Preservation District Walks is May 24 with one walking tour at 11:00 am and a second one at 1:00 pm leaving from the White Pillars Museum. Also, on May 24-26, Celebrate De Pere will be taking place at Voyageur Park and invited everyone to attend. The gates are open from 11:00 am to 11:00 pm.

7. Sue Smullen, 706 N. Winnebago, reported on the Beautification Committee's activities. They have been in existence for over six years and have made it part of their program to add to the landscaping in different areas of the City. They do so by fundraising with the "Grow with the City of De Pere Campaign". She thanked those who gave to the campaign and the opportunity exists to do so again this year. She thanked the City for giving them funds this year, which made it possible for them to undertake the "Adopt a Pot" with eight sites in the downtown high traffic areas. They are looking at adding a water source at Bicentennial Park to aid them in watering plantings. The other project this year is for City Hall and they are working on redoing the plans. There will be a planting going into the new Clock Tower bed and noted they are planning a poinsettia sale in November for the businesses.

15. The Council discussed amending Section 85-5 De Pere Municipal Code to allow the use of “shock collar” control over an animal (dog) at large. Alderperson Kegel asked to have a discussion on the shock collar matter in response to a constituent’s request.

Alderperson Kegel moved, seconded by Alderperson Van Vonderen, to open the meeting. Upon vote, motion carried unanimously.

Gary Brice, 143 Desplaine Rd, asked the Council to consider a shock collar as an acceptable restraint in place of the leash. He stated the shock collar works great and he has had his dog for five years with no problem. He didn’t know there was an ordinance requiring dogs on a leash until the police had stopped him. Discussion followed.

Alderperson Castelic moved, seconded by Alderperson Robinson, to close the meeting. Upon vote, motion carried unanimously.

Alderperson Kegel moved, seconded by Alderperson Donovan, to send this matter to the Health Department for review and obtain additional information. Upon vote, motion carried with 6 ayes and 1 nay. Alderperson Castelic voted nay; all others voted aye.

16. The Council discussed the status of Eco Fiber’s utility bill delinquency. Administrator Delo provided background information on the outstanding balance and the ongoing process of the sale of the facility and noted with the sale it would require a clear title. There is a total of \$509,414.49 due the City not on the tax roll.

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

Ron Van Den Heuvel, 2303 Lost Dauphin, reported they are about \$75 million short on their project. He has owned the facility since 1997 and the project is very close to a commitment letter. He believes this is very beneficial to the city and community. He is not giving up and he will get the utilities paid. He also stated he plans to be current with the taxes and city utilities by August 29th. He also answered alderpersons’ questions.

Alderperson Donovan moved, seconded by Alderperson Castelic, to close the meeting. Discussion followed.

Alderperson Donovan moved, seconded by Alderperson Castelic, to approve the payment plan for Eco-Fibre. Upon discussion and vote, motion carried unanimously.

RECOMMENDATIONS FROM THE LICENSE COMMITTEE

8A. Alderperson Castelic moved, seconded by Alderperson Heuvelmans, to approve a Class “B” Beer & “Class B” Liquor License for Jersey’s Sports Bar & Italian Grill, 614 George Street for July 1, 2008 - June 30, 2009. Submitted by Kimberly Karen Tarnowski. Upon vote, motion carried unanimously.

8B. Alderperson Heuvelmans moved, seconded by Alderperson Castelic, to approve a Premise Description Change for Montague’s Wine Bar Café, 100 S. Broadway Street, Suite 50. Submitted by Montague’s, LLC. Upon discussion and vote, motion carried unanimously.

9. Ordinance #08-07 Repealing and Recreating Sections 58-3 through 58-11 De Pere Municipal Code Regarding Fire Prevention was presented. Alderperson Van Vonderen moved, seconded by

Alderson Robinson, to enact the ordinance. Upon vote, motion carried unanimously.

10. Resolution #08-47 Authorizing Consent to Assignment of Revocable Occupancy Permit was presented. Alderson Van Vonderen moved, seconded by Alderson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

11. Resolution #08-48 Authorizing Agreement Regarding the Sale and Purchase of Certain Property Between the City of De Pere and Machine Technologies, LLC was presented. Alderson Kegel moved, seconded by Alderson Boyd, to approve the resolution. Upon vote, motion carried unanimously.

12. Resolution #08-49 Authorizing Lease with Fox River Navigational System Authority (FRNSA for the Riverwalk and Wildlife Viewing Pier Project) was presented. Alderson Kegel moved, seconded by Alderson Van Vonderen, to approve the resolution. Upon roll call vote, motion carried unanimously.

13. Alderson Robinson moved, seconded by Alderson Castelic, to approve traffic study proposal submitted by Ayres Associates for the West Side Business Park. Upon discussion and vote, motion carried unanimously.

14. Alderson Van Vonderen moved, seconded by Alderson Boyd, to refer to the Plan Commission five applications for rezoning as follows: A) WD-104 and WD-100-4, petitioner LFT Investment, LLC - Larry Fissette; B) ED-808, ED-809 and ED-810, petitioner Matt Greely; C) ED-811 and ED-812, petitioner Matt Greely; D) ED-806 and ED-807, petitioner City of De Pere; and E) ED-804, petitioner City of De Pere. Upon vote, motion carried unanimously.

Item #15 & #16 were moved to follow Item #7 on the agenda.

17. Alderson Castelic moved, seconded by Alderson Robinson, to approve the vouchers. Upon vote, motion carried unanimously.

18. Applications for Operator Licenses #1- 7 that were tabled previously and #1-22, 24-41 were presented:

PREVIOUSLY TABLED AT THE APRIL 15, 2008 MTG.						
CURRENT LICENSING PERIOD: Thru June 30, 2008						
	LIC. #	NAME	STREET ADDRESS	CITY	STATE	ZIP CODE
1	644	FAGER, DARREN R.	E854 HILL RD.	LUXEMBURG	WI	54327
2	645	HANSON, ANNA R.	1500 FT. HOWARD AVE.	DE PERE	WI	54115
3	646	WALSH, KERRI L.	109 N. ONTARIO ST.	DE PERE	WI	54115
LICENSING PERIOD: July 1, 2008 thru June 30, 2010						
4	8	CRAMER, LORRI A.	2682 GREEN ISLE CT.	GREEN BAY	WI	54301
5	9	MOTT, DIANE D.	3295 WESTWAY DR.	GREEN BAY	WI	54313
6	10	VAN VEGHEL, PATRICIA R.	108 S. MICHIGAN ST., #216	DE PERE	WI	54115
7	11	WIESE, AMY J.	N4211 CTY RD. E.	KAUKAUNA	WI	54130
CURRENT LICENSING PERIOD: Thru June 30, 2008						
1	647	ANSELL, HEATHER M.	207 LIBAL ST.	DE PERE	WI	54115
2	648	BOS, TINA G.	1737 CORMIER RD.	GREEN BAY	WI	54113

3	649	DIEDERICH, SARA A.	N320 ALPINE DR.	DE PERE	WI	54115
4	650	EKBERG, D. ROBERT	1131 LOST DAUPHIN RD.	DE PERE	WI	54115
5	651	HALLETT, ALICE W.	2997 ST. ANTHONY DR.	GREEN BAY	WI	54311
6	652	KEYSER, CASEY J.	3567 OLD MILITARY RD.	DE PERE	WI	54115
7	653	KIELBICKI, CRYSTAL J.	1416 STERLING HGTS., #12	GREEN BAY	WI	54313
8	654	KIELBICKI, DEBRA M.	537 MORRIS AVE.	GREEN BAY	WI	54304
9	655	KOSBAB, TANYA R.	1041 S. 7TH ST.	DE PERE	WI	54115
10	656	MCCORMICK, ROSS J.	1701 SPRING HILLS L	DE PERE	WI	54115
11	657	PEDERSEN, HOLLIE A.	1030 LEE AVE.	DE PERE	WI	54115
12	658	PEREZ, CAMELIA G.	2648 SHERRY LN.	GREEN BAY	WI	54302
13	659	ROCHELEAU, DIONNE C.	1659 LENWOOD AVE., #15	GREEN BAY	WI	54303
14	660	TEDDER, ALICIA .	2347 UTAH AVE.	GREEN BAY	WI	54302
15	661	WAUPOOSE, BENJAMIN A.	2021 DECKNER AVE., #9016	GREEN BAY	WI	54302
LICENSING PERIOD: July 1, 2008 thru June 30, 2010						
16	12	BOS, TINA G.	1737 CORMIER RD.	GREEN BAY	WI	54113
17	13	ECKBERG, D. ROBERT	1131 LOST DAUPHIN RD.	DE PERE	WI	54115
18	14	GOETZ, ROXANNE J.	802 SPRUCE ST.	DE PERE	WI	54115
19	15	HALLAM, DALE R.	W162 PEARL ST.	ONEIDA	WI	54155
20	16	HARTIG, STEVEN J.	1433 TRAEGER ST.	GREEN BAY	WI	54304
21	17	KANE, BRIDGET M.	1230 PERSHING RD., #50	DE PERE	WI	54115
22	18	KEYSER, CASEY T.	3567 OLD MILITARY RD.	DE PERE	WI	54115
23	tabled	KIELBICKI, CRYSTAL J.	1416 STERLING HGTS, #12	GREEN BAY	WI	54313
24	19	KIELBICKI, DEBRA M.	537 MORRIS AVE.	GREEN BAY	WI	54304
LICENSING PERIOD: July 1, 2008 thru June 30, 2010						
25	20	KOEHLE, JO-ANN	1791 GRANT ST., #6	DE PERE	WI	54115
26	21	KOSBAB, TANYA R.	1041 S. 7TH ST.	DE PERE	WI	54115
27	22	MCCORMICK, ROSS J.	1701 SPRING HILLS LN.	DE PERE	WI	54115
28	23	MILLER, LORRAINE E.	2106 CRARY ST.	GREEN BAY	WI	54304
29	24	MOORE, SHIRLEY J.	570 S. 9TH ST., #6	DE PERE	WI	54115
30	25	MOSHER, JAMES R.	437 S. ERIE ST.	DE PERE	WI	54115
31	26	MULLINS, SUSAN M.	324 S. NINTH ST.	DE PERE	WI	54115
32	27	PEDERSEN, HOLLIE A.	1030 LEE AVE.	DE PERE	WI	54115
33	28	PEREZ, CAMELIA G.	2648 SHERRY LN.	GREEN BAY	WI	54302
34	29	PHILLIPS, KAREN F.	2309 SANTA BARBARA DR.	GREEN BAY	WI	54313
35	30	ROCHELEAU, DIONNE	1659 LENWOOD AVE., #15	GREEN BAY	WI	54303
36	31	SCHOENWALDER, TODD A.	1405 CAREFREE CT.	GREEN BAY	WI	54313
37	32	SHIELDS, PATTI E.	2907 HOLLAND RD.	GREEN BAY	WI	54313
38	33	STURZ, KELLEN T.	233 W. LAKELAWN PL.	MADISON	WI	53703
39	34	TOEBE, TERRY L.	2128 S. BROADWAY ST.	GREEN BAY	WI	54304
40	35	WAUPOOSE BENJAMIN A.	2021 DECKNER AVE., #916	GREEN BAY	WI	54302
41	36	WYMAN, JESSE M.	1108 PATRICK HENRY AVE.	DE PERE	WI	54115

Aldersperson Castelic moved, seconded by Aldersperson Heuvelmans, to approve Operator License Applications #1-7 that were previously tabled and #1-22 and 24-41 listed above. Upon vote, motion carried unanimously.

Aldersperson Castelic moved, seconded by Aldersperson Heuvelmans, to table Operator License Application #23 listed above until court case has been settled. Upon vote, motion carried

unanimously.

Applications for Temporary Operator Licenses #1- 5 were presented:

TEMPORARY OPERATOR LICENSE APPLICATIONS						
1	661-T	HULTMAN, DAWN L.	2152 CRARY ST.	GREEN BAY	WI	54304
2	662-T	KETTNER, BRUCE T.	1754 O'HEARN LN.	DE PERE	WI	54115
3	663-T	MCVEY, MICHAEL R.	928 MANSION ST.	DE PERE	WI	54115
4	664-T	SCHMIDT, DAWN M.	3386 CREEKVIEW RD.	DE PERE	WI	54115
5	665-T	SCHMIDT, WAYNE R.	3386 CREEKVIEW RD.	DE PERE	WI	54115

Aldersperson Castelic moved, seconded by Aldersperson Heuvelmans, to approve the Temporary Operator License Applications #1-5 listed above. Upon vote, motion carried unanimously.

19. Future Agenda Items: None.

20. Aldersperson Van Vonderen moved, seconded by Aldersperson Kegel, to convene in closed session at 9:31 p.m. pursuant to Wis. Stats. §19.85(1)(e) for the purpose of discussing public land acquisition. Upon roll call vote, motion carried unanimously.

Aldersperson Van Vonderen moved, seconded by Aldersperson Kegel, to reconvene in open session at 9:47 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Upon motion by Aldersperson Van Vonderen, seconded by Aldersperson Heuvelmans, the Common Council unanimously adjourned at 9:48 p.m.

Respectfully submitted,

Charlene M. Peterson
City Clerk-Treasurer