

**COMMON COUNCIL MEETING  
CITY OF DE PERE, WISCONSIN - February 20, 2008**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall, on Wednesday, February 20, 2008.

Mayor Walsh called the meeting to order at 7:32 p.m. Roll call was taken and the following members were present: Alderpersons Holly Arnold, Carl Castelic, Jerome Daanen, Michael Donovan, Sam Dunlop, Paul Kegel, Dan Robinson and Kathy Van Vonderen. The Opening Prayer was given by Alderperson Arnold and followed by the Pledge of Allegiance to the Flag.

Alderperson Kegel moved, seconded by Alderperson Dunlop, to approve the minutes of the February 5, 2008 meeting. Upon vote, motion carried unanimously.

4. Public Comment or other Announcements: Mayor Walsh asked if there was anyone present who wished to speak during public comment at 7:34 p.m.

Ryan Schaefer, 1419 Mayfair St, addressed the Council regarding Municipal Code 142.11 where restaurant and taverns are not allowed to have music between 1 AM - 8 AM. He has an establishment that has been singled out and been told to stop music and there are others not targeted and asked to abide by the same rules. He asked what steps can be taken to correct this. He noted he will speak with the Police Chief but wanted to introduce himself.

Richard Denis, 702 Voelker St, asked the City Council to consider a new ordinance regarding convicted adult sexual assault offenders. He referred to articles in Green Bay on sex offenders and asked elected officials to research, investigate, propose, and pass legislation to have adequate protection for the residents in De Pere.

There was no one else present who wished to speak and Mayor Walsh closed public comment at 7:41 pm.

Alderperson Robinson reminded everyone about the meeting on sustainability February 27 at 7:00 pm at St. Norbert College.

5. Christopher Phelps, 901 University Ave, Green Bay, reported on the Green Bay Transit Program summarizing their budget and future endeavors they are currently working on. They face continued challenges with demands and limited resources. They operate Monday thru Saturday and have maintained a consistent ridership level over the past five years. They are funded by federal and state operating grants, local shares paid by municipalities, operating revenue paid by passengers, and advertising. Their costs have increased and they struggle to maintain revenues. Their main office is on the corner of University and Webster. They have started a route review addressing what works and doesn't, where are they going and are they meeting the needs and desires by the people and businesses. They are looking at implementing revised routes between August and October. He noted, following the 2010 Census, their Federal Transit Authority (FTA) Grant of 2.5 million might be eliminated because it is based upon population and they may no longer be eligible for federal operating assistance. He spoke on pending legislation called the Transit System Flexibility Protection Act of 2007, which would allow additional transit systems greater flexibility with certain public transportation

projects. The proposed legislation would exempt transit properties with fewer than 100 peak hour buses from the 200,000-population rule, which would include the Green Bay Metro. They are recommending the Green Bay Transit Commission, Metro staff, city of Green Bay, and Brown County Planning Commission staff begin working on looking at partnering with Valley Transit and the Fox Cities Regional Transit Authority (RTA) Study Committee to move the development and approval of RTA enabling legislation forward; and to develop a strategy for the creation of a Regional Transit Authority in the Green Bay area. He also answered alderpersons' questions.

#### RECOMMENDATIONS FROM THE FINANCE/PERSONNEL COMMITTEE

6A. Alderperson Kegel moved, seconded by Alderperson Castelic, to approve a request from the Celebrate Committee, Inc for municipal financial support covering 50% of the De Pere Police invoice for the 2008 Celebrate De Pere event. Upon discussion and roll call vote, motion carried unanimously.

6B. Alderperson Arnold moved, seconded by Alderperson Robinson, to approve a request to purchase a bed slide and mounting equipment for the Fire Chief's pick-up truck with donation funds not to exceed \$1,400. Upon roll call vote, motion carried unanimously.

6C. Alderperson Dunlop moved, seconded by Alderperson Castelic, to approve the proposal to conduct a community telephone survey not to exceed 15 minutes for \$17,000. Upon discussion and roll call vote, motion carried unanimously.

6D. Alderperson Van Vonderen moved, seconded by Alderperson Daanen, to deny request for the Water Tower Lease Agreement modifications. Upon discussion and vote, motion carried unanimously.

#### RECOMMENDATIONS FROM THE BOARD OF PUBLIC WORKS

7A. Alderperson Robinson moved, seconded by Alderperson Dunlop, to award bid to Classic Protective Coatings of Menominee, Wisconsin for repainting the Mathew Drive water tower in the amount of \$341,735. Upon discussion and roll call vote, motion carried with 6 ayes and 2 nays. Alderpersons Arnold and Kegel voted nay; all others voted aye.

7B. Alderperson Kegel moved, seconded by Alderperson Daanen, to award bid to Tweet Garot for Air Handling Unit in the Police Department in the amount of \$58,655. Upon discussion and roll call vote, motion carried unanimously.

7C. Alderperson Robinson moved, seconded by Alderperson Daanen, to award bid to Broadway Automotive Chevrolet for Project E08-05, ½ ton pickup truck for the Engineering Department, Toys for Trucks for a truck cap and to Ewald Automotive for Project E08-06 for a four-door sedan for the Engineering Department. Upon discussion and roll call vote, motion carried unanimously.

#### RECOMMENDATION FROM THE PLAN COMMISSION

8A. Alderperson Van Vonderen moved, seconded by Alderperson Dunlop, to approve a three-lot CSM application in the City of De Pere off of Biotech Way. Petitioner: City of De Pere. Upon vote, motion carried unanimously.

9. Ordinance #08-02 Amending Section 150-10 De Pere Municipal Code Regarding Traffic Emergencies was removed from the agenda.

10. Ordinance #08-03 Amending Chapter 150 De Pere Municipal Code Regarding Traffic Regulations was presented. Alderperson Van Vonderen moved, seconded by Alderperson Robinson, to enact the

ordinance. Upon discussion and vote, motion carried with 6 ayes and 2 nays. Alderperson Donovan and Van Vonderen voted nay; all others voted aye. (This requires a second reading.)

11. Resolution #08-07 Authorizing the Negotiation of an Economic Development Loan with Fox View Properties, LLC was presented. Alderperson Castelic moved, seconded by Alderperson Donovan, to approve the resolution. Upon discussion and vote, motion carried unanimously.

12. Resolution #08-08 To Add Policy Regarding Allowing Public Use of City Equipment to City Rules & Regulations was presented. Alderperson Kegel moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

13. Resolution #08-09 Authorizing Submission of Grant Requests for Street Sweeper Funding was presented. Alderperson Dunlop moved, seconded by Alderperson Castelic, to approve the resolution. Upon discussion and roll call vote, motion carried unanimously.

14. Resolution #08-10 Authorizing and Approving a Revocable Occupancy Permit with De Pere Citizens Academy Alumni Association was presented. Alderperson Donovan moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

15. Resolution #08-11 Authorizing Sewer Easement to Green Bay Metropolitan Sewerage District was presented. Alderperson Daanen moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution #08-12 Accepting Donation from the Wal-Mart Foundation was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

17. Resolution #08-13 Accepting Donation from Mr. & Mrs. Ed Thomson was presented. Alderperson Dunlop moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

18. Resolution #08-14 Accepting Federal Grant for Forensic Technologies was presented. Alderperson Arnold moved, seconded by Alderperson Kegel, to approve the resolution. Upon discussion and vote, motion carried unanimously.

19. Resolution #08-15 Authorizing Economic Grant to SDG Enterprises, LLC was presented. Alderperson Daanen moved, seconded by Alderperson Arnold, to approve the resolution. Upon vote, motion carried unanimously.

20. Resolution #08-16 Authorizing Mutual Aid Box Alarm System Agreement was presented. Alderperson Kegel moved, seconded by Alderperson Dunlop, to approve the resolution. Upon vote, motion carried unanimously.

21. Resolution #08-17 Authorizing Agreement for Cleaning Services was presented. Alderperson Daanen moved, seconded by Alderperson Donovan, to approve the resolution. Upon discussion and roll call vote, motion carried unanimously.

22. Alderperson Kegel moved, seconded by Alderperson Robinson, to approve awarding two Community Service Grants to De Pere High School Ecology Club & the De Pere Citizens Academy Alumni Association. Upon discussion and roll call vote, motion failed with 3 ayes and 5 nays. Alderpersons Kegel, Robinson, and Van Vonderen voted aye; all others voted nay.

Alderson Dunlop moved, seconded by Alderson Van Vonderen, to approve awarding two Community Service Grants to De Pere High School Ecology Club & the De Pere Citizens Academy Alumni Association and award one additional grant taking \$300 out of the Contingency Fund to approve the third application for the De Pere Beautification Committee. Upon discussion and roll call vote, motion carried unanimously.

23. Alderson Dunlop moved, seconded by Alderson Kegel, to approve accepting additional designs developed by Associate Professor Brian Pirman with St. Norbert College for the City logo at no cost with the understanding the City will also continue with the Signs and Such Contract. It was noted designs submitted by both would be considered. Upon discussion and vote, motion carried unanimously.

24. Alderson Van Vonderen moved, seconded by Alderson Daanen, to refer to the Plan Commission A.) a rezoning application from I-B-1 (Industrial Business) to CON (Conservancy) for part of Parcel WD-1138 off of Biotech Way, Petitioner: City of De Pere; and B) a rezoning application for ED-1005 from R-2 (Single-Two Family Residence) to B-3 (Highway Business), Petitioner: Fissette. Upon vote, motion carried unanimously.

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

26. Alderson Arnold moved, seconded by Alderson Robinson, to approve Operator License Applications #1-3 listed below. Upon vote, motion carried unanimously.

OPERATOR LICENSE APPLICATIONS FOR FEBRUARY 20, 2008					
	NAME	STREET ADDRESS	CITY	STATE	ZIP CODE
1	HILL, ASHLEY M	555 ROTHE STREET, APT 8	GREEN BAY	WI	54302
2	ROEHRIG, TYLOR J	1894 VERLIN ROAD	GREEN BAY	WI	54302
3	VANBEEK, PETER T	3996 MILL ROAD	GREENLEAF	WI	54126

27. Future Agenda Items: None.

28/29. Alderson Van Vonderen moved, seconded by Alderson Dunlop, to convene in closed session at 9:05 p.m. pursuant to Wis. Stats. §19.85(1)(e) regarding collective bargaining issues covering the Municipal Employee Association & public land acquisition. Upon roll call vote, motion carried unanimously.

Alderson Robinson moved, seconded by Alderson Castelic, to reconvene in open session at 9:44 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Upon motion by Alderson Robinson, seconded by Alderson Arnold, the Common Council unanimously adjourned at 9:45 p.m.

Respectfully submitted,

Charlene M. Peterson

City Clerk-Treasurer