

COMMON COUNCIL MEETING CITY OF DE PERE, WISCONSIN - March 18, 2008

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall, on Tuesday, March 18, 2008.

Mayor Walsh called the meeting to order at 7:34 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 Van Vonderen and followed by the Pledge of Allegiance to the Flag.

Alderperson Kegel moved, seconded by Alderperson Dunlop to approve the minutes of the March 4, 2008 meeting. Upon vote, motion carried unanimously.

PUBLIC HEARINGS

4A. A Public Hearing to act on a street vacation for part of College Avenue is scheduled for 7:30 p.m. The Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on February 21, 28 and March 6, 2008. Planning Director Ken Pabich provided an overview on the entire project and stated the Plan Commission recommended approval of the street vacation.

Mayor Walsh declared the public hearing open for anyone wishing to speak at 7:44 p.m. There was no one present who wished to speak and the public hearing was closed.

Resolution #08-06 Regarding the Vacation of Public Right-of-Way (Part of College Avenue) was presented. Alderperson Kegel moved, seconded by Alderperson Donovan, to approve the resolution. Upon discussion and vote, motion carried unanimously.

4B. A Public Hearing to act on a street vacation for part of Jacobs Court is scheduled for 7:30 p.m. The Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on February 21, 28 and March 6, 2008. Planning Director Ken Pabich stated the Plan Commission recommended approval of the street vacation.

Mayor Walsh declared the public hearing open for anyone wishing to speak at 7:46 p.m. There was no one present who wished to speak and the public hearing was closed.

Resolution #08-05 Regarding the Vacation of Public Right-of-Way (Part of Jacobs Court) was presented. Alderperson Dunlop moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

4C. A Public Hearing to act on a conditional use request for a library at St. Norbert College located at the southwest corner of College and Third Street 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 February 28, 2008. Planning Director Ken Pabich stated the Plan Commission recommended approval of the conditional use request contingent upon compliance with all requirements and conditions set forth in the resolution.

Mayor Walsh declared the public hearing open for anyone wishing to speak at 7:48 p.m. There was no one present who wished to speak and the public hearing was closed.

Resolution #08-21 Authorizing and Approving a Conditional Use Permit (Parcels WD-760 and WD-759) was presented. Alderperson Dunlop moved, seconded by Alderperson Castelic, to approve the resolution. Upon

discussion and vote, motion carried unanimously.

4D. Alderperson Kegel moved, seconded by Alderperson Dunlop, to approve a Certified Survey Map (CSM) at 402-406 Third Street, Petitioner: St. Norbert College. Upon vote, motion carried unanimously.

4E. Resolution #08-22 Authorizing Revocable Occupancy Permit (Saint Norbert College, Inc.) was presented. Alderperson Dunlop moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

4F. Resolution #08-23 Accepting Deed from St. Norbert College, Inc. (College Avenue Cul-de-sac) was presented. Alderperson Daanen moved, seconded by Alderperson Dunlop, to approve the resolution. Upon vote, motion carried unanimously.

5A. Resolution #08-24 Authorizing Mobile Home Park Special Permit (The Celebrate Committee) was presented. Alderperson Castelic moved, seconded by Alderperson Dunlop, to approve the resolution.

Alderperson Donovan moved, seconded by Alderperson Dunlop, to open the meeting at 7:51 p.m..

Gerard Ambrosius and Jake Fink from the Celebrate De Pere Committee addressed the Council stating the camping trailers have always been used in past years and are utilized by the workers. They are unable to put them on the fairgrounds because the Hmong Festival is using it. They are exploring other options for the future.

Alderperson Donovan moved, seconded by Alderperson Robinson, to close the meeting at 7:54 p.m.

Upon discussion and vote, motion carried with 7 ayes and 1 nay. Alderperson Donovan voted nay; all others voted aye.

5B. Alderperson Van Vonderen moved, seconded by Alderperson Robinson, to approve the Celebrate De Pere Committee's request for assistance with setting up for their event donating the Public Works Street Department's services. Upon vote, motion carried unanimously.

6. Mayor Walsh presented the City of De Pere Life Saving Award to Jerrold Olmsted, who performed the Heimlich maneuver on a citizen choking in a restaurant in De Pere.

7. Public Comment or other Announcements: Mayor Walsh asked if there was anyone present who wished to speak during public comment at 8:00 p.m.

Richard Denis, 702 Voelker, stated he is concerned the City has a serious drug and crime problem and felt the reported crimes should be made known to the public. He has been affected directly on two occasions and is concerned for the citizens. He also thanked the elected officials for their public service.

Susan Gallagher-Lepak, 628 Emily St, Green Bay, asked the Council to place a review of the conditional use permit for the Bed & Breakfast at 903 N. Broadway on the next agenda. She stated her family is planning on purchasing property at 915 N. Broadway and has concerns on the notification procedures, impact on property values, shared driveway between 903 and 915, as well as the signage.

Joe Seroogy, 806 N. Broadway, spoke on the Bed & Breakfast matter asking questions about the shared

driveway, fire escape, and granting the change in zoning. It's a commercial business in a residential historic area. He urged the Council to reconsider this matter.

Tom Murphy, 823 N. Broadway, stated he lives next door to the proposed Bed & Breakfast. He was surprised by the vote and feels a commercial venture will negatively impact the property values. He is concerned this is a trend for the future and the historic downtown will be lost. He hopes this matter can be reviewed and rejected.

Katie Wagner, 414 Randall Ave, addressed the Council stating she lives across the street from the Bed & Breakfast and is disappointed in the proposal. They purchased their property 1 ½ years ago and never thought of a commercial business being across the street. They have two children and they want to feel safe there.

Pat Cochran, 1249 Driftwood Dr, stated she lived and worked in the White Pillars Museum at 403 N. Broadway and has seen historic homes become commercial businesses around the museum. She is concerned the lovely entrance to the city will be lost and felt the area by the museum was eroding and worries the north end of Broadway will now be eroded by commercial business.

There was no one else present who wished to speak and Mayor Walsh closed public comment at 8:21 pm.

Aldersperson Van Vonderen announced the Sister Cities International Board met on Feb. 22 and Feb. 28. They met with a family from Sweden whose son Tobias will be attending school in De Pere in the fall. The family brought along the City's crystal bowl. She noted the Board received approval on their 501 (c) (3) application and their next meeting will be on April 17.

Aldersperson Dunlop announced there would be a Candidate Debate for Aldermanic District 4 on Thursday, March 27 at 6:30 at St. Norbert College and encouraged everyone to attend.

RECOMMENDATIONS FROM THE BOARD OF PUBLIC WORKS

8A. Aldersperson Daanen moved, seconded by Aldersperson Robinson, to approve Project 08-01 Watermain Relay to PTS Contractors, Inc. Upon roll call vote, motion carried unanimously.

8B. Aldersperson Donovan moved, seconded by Aldersperson Dunlop, to approve Project E 08-09 for the purchase of 7,700 automated collection refuse containers to Toter, Inc. Upon discussion, Alderspersons' Donovan and Dunlop amended their motion to approve Option #2, which covers the actual cart costs. Upon roll call vote, motion carried unanimously.

RECOMMENDATIONS FROM THE FINANCE/PERSONNEL COMMITTEE

9A. Aldersperson Castelic moved, seconded by Aldersperson Donovan, to approve the appropriation of funds from the Cable Access Fund to accommodate a pay grade change for the Information Technology Administrator position. Upon discussion and roll call vote, motion carried with 7 ayes and 1 nay. Aldersperson Dunlop voted nay; all others voted aye.

9B. Aldersperson VanVonderen moved, seconded by Aldersperson Castelic, authorizing to complete a two lot Certified Survey Map (CSM) on Parcel WD-1137. Upon roll call vote, motion carried unanimously.

9C. Aldersperson Van Vonderen moved, seconded by Aldersperson Daanen, to approve a Certified Survey Map (CSM) proposal for city property adjacent to the roundabout. Upon discussion and roll call vote, motion carried unanimously.

9D. Alderperson Van Vonderen moved, seconded by Alderperson Arnold, to approve contracting with Brown County to conduct boat launch surveys. Upon discussion and roll call vote, motion carried unanimously.

10. Resolution #08-25 Authorizing Pandemic Influenza and Community Containment Plan was presented. Alderperson Kegel moved, seconded by Alderperson Dunlop, to approve the resolution. Upon vote, motion carried unanimously.

11. Resolution #08-26 Authorizing Police Department Grant Application was presented. Alderperson Arnold moved, seconded by Alderperson Daanen, to approve the resolution. Upon vote, motion carried unanimously.

12. Resolution #08-27 Authorizing Hold Harmless Agreement (Binsfeld - Grass Cuttings) was presented. Alderperson Donovan moved, seconded by Alderperson Castelic, to approve the resolution. Upon vote, motion carried unanimously.

13. Resolution #08-28 Authorizing Option Extension (Tess & Tess Holding, LLC) was presented. Alderperson Van Vonderen moved, seconded by Alderperson Daanen, to approve the resolution. Upon vote, motion carried unanimously.

14. Resolution #08-29 Authorizing Memorandum of Understanding Between the City of De Pere and the Brown County Health Department was presented. Alderperson Arnold moved, seconded by Alderperson Kegel, to approve the resolution. Upon discussion and vote, motion carried unanimously.

15. Resolution #08-30 Accepting \$100 Donation from the De Pere Area Men's Club was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

16. Resolution #08-31 Accepting \$700 Donation from De Pere Optimist Club for Easter Egg Hunt was presented. Alderperson Arnold moved, seconded by Alderperson Castelic, to approve the resolution. Upon vote, motion carried unanimously.

17. Resolution #08-32 Community Service Grant Program 2008 was presented. Alderperson Kegel moved, seconded by Alderperson Dunlop, to approve the resolution. Upon discussion and vote, motion carried unanimously.

18. The Council discussed the draft copy of the community survey questions in detail. Administrator Delo stated the goal was to have the final version completed by April 2nd with the survey being completed by mid May or early June. This survey is similar to one conducted in 2004 with some changes. It will take approximately 15 minutes interviewing about 400 applicants. Suggestions were made to modify, eliminate, and/or add questions such as removing question 9, shuffling all of the items on question 3 so it is random, and modifying question 7. The changes will be discussed with the Survey Center.

19. Alderperson Dunlop moved, seconded by Alderperson Donovan, to approve the vouchers. Upon vote, motion carried unanimously.

20. Alderperson Arnold moved, seconded by Alderperson Castelic, to approve Operator License Applications #1-3 & 6. Upon vote, motion carried unanimously.

Aldersperson Arnold moved, seconded by Aldersperson Castelic, to deny #4. Upon vote, motion carried unanimously.

Aldersperson Arnold moved, seconded by Aldersperson Castelic, to table #5. Upon vote, motion carried unanimously.

OPERATOR LICENSE APPLICATIONS FOR MARCH 18, 2008					
	NAME	STREET ADDRESS	CITY	STATE	ZIP CODE
1	GIBSON, GARRON G.	1857 BRIARWOOD CT.	DE PERE	WI	54115
2	GREEN, ZACH, E.	642 GRANT ST.	DE PERE	WI	54115
3	HUJET, CHERYL L.	5472 GLENMORE	DENMARK	WI	54208
4	LANDRY, ADAM M.	3166 IDLEWILD RD.	GREEN BAY	WI	54173
5	RYAN, CARISSA L.	719 LEWIS ST.	DE PERE	WI	54115
6	WALKER, DANIELLE R.	1248 APACHE AVE.	GREEN BAY	WI	54313

21. Future Agenda Items: Aldersperson Castelic requested research on what other municipalities do in regard to hiding the recycling and garbage bins and it was referred to Public Works.

22. Aldersperson Van Vonderen moved, seconded by Aldersperson Dunlop, to convene in closed session at 9:38 p.m. pursuant to Wis. Stats. §19.85(1)(g) to review the 2007 Fox River Fiber Co., LLC valuations and an update on the Fox River Clean-up issue; Wis. Stats. §19.85(1)(c) & (f) to review report on employee investigation. Upon roll call vote, motion carried unanimously.

Aldersperson Donovan moved, seconded by Aldersperson Dunlop, to reconvene in open session at 10:59 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Upon motion by Aldersperson Donovan, seconded by Aldersperson Dunlop, the Common Council unanimously adjourned at 11:00 p.m.

Respectfully submitted,

Charlene M. Peterson
City Clerk-Treasurer