

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

Mayor Walsh called the meeting to order at 7:31 pm. Roll call was taken and the following members were present: Alderpersons James Boyd, Carl Castelic, Michael Donovan, Bob Heuvelmans, Paul Kegel, Dan Robinson, Kathy Van Vonderen and Bob Wilmet. 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 Boyd, to approve the minutes of the May 6, 2008 Council 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. and there was no one present who wished to speak.

Public Works Director Scott Thoresen announced single stream recycling would begin on June 2.

Alderperson Castelic reminded everyone about Celebrate De Pere taking place this weekend at Voyageur Park from 11:00 am to 11:00 pm and the Historic Preservation District is sponsoring two Walks on May 24 with one walking tour at 11:00 am and a second one at 1:00 pm leaving from the White Pillars Museum and noted there is no charge for the walk.

**PUBLIC HEARING**

5. A Public Hearing to levy special assessments against benefited property pursuant to Section 66.0703, Wis. Stats. for improvements to include storm sewer and incidentals (Lawrence Drive from Scheuring Road to Main Avenue) 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 May 1, 2008. Public Works Director Scott Thoresen stated the Board of Public Works recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak at 7:37 pm.

Krista Heath, Mau & Associates, and Stuart Frankenthal, Jass Realty Co. LLC, addressed the Council regarding the Lawrence Street assessment indicating the assessment is higher than typical cost for similar projects. The cost for this project is \$115/lineal foot; City of Green Bay is \$40/lineal foot and Village of Howard charges \$46/lineal foot. Also, two sides of the road normally share assessments and there is no one on the other side to share the cost. It's over a 50% increase. They would like to be considered over assessed. It also appears five properties were not assessed and requested that be looked into. Mr. Frankenthal stated he purchased this property on 2/15/08 and received the assessment bill on 4/15/08 for \$100,000 and they are trying to ascertain how the cost for storm sewer fits in. He feels the owner across the road, which is the state, should pay their fair share and asked for reconsideration.

Pat Byrne, representing Mike Byrne, 426 S. Huron, spoke on behalf of Renkens Court. They have no access to Lawrence Drive and they do not have any commercial business on the property and asked if they are being penalized. They spoke in opposition to the assessment and asked for it to be looked at further.

There was no one else present who wished to speak and the public hearing was closed at 7:45 pm.

Resolution #08-50 Authorizing Street Improvements and Levying Special Assessments Against Benefited Property (Lawrence Drive from Scheuring Road to Main Avenue) was presented. Alderperson Robinson moved, seconded by Alderperson Donovan, to approve the resolution. Discussion followed. It was noted

the property owned by the state is held for right-of-way purposes; therefore, it is not subject to special assessments.

Aldersperson Van Vonderen moved, seconded by Aldersperson Kegel, to take the amount of footage assessed for the state property and have the City absorb that cost with bonding. Discussion ensued. Aldersperson Robinson moved, seconded by Aldersperson Boyd, to table the resolution until June 3rd to gather more information. Upon vote, motion carried unanimously. It was also noted the affected property owners would be sent a letter with a copy of the tabled resolution notifying them that action on the resolution had been tabled and would be on the June 3<sup>rd</sup> Agenda.

6. Donna Gilson, 723 Azalea Trail, stated the National Citizens Police Academy Association is an organization whose members consist of law enforcement officers responsible for conducting their local citizens academy classes and starting up alumni associations to further peoples education and become a volunteer group for the police department. Membership spans internationally. The conference this year was held in April in Baton Rouge, LA. At the awards banquet, Officer Dennis Gladwell was named the Citizens Police Academy Coordinator of the Year and as a board member, she presented him with the award.

#### RECOMMENDATIONS FROM THE BOARD OF PUBLIC WORKS

7A. Aldersperson Donovan moved, seconded by Aldersperson Heuvelmans, to approve awarding Project 08-05 Sidewalk and Concrete Repairs to Fischer & Ulman Construction of Appleton, WI in the amount of \$149,976.50. Upon discussion and roll call vote, motion carried unanimously.

7B. Aldersperson Wilmet moved, seconded by Aldersperson Castelic, to approve awarding Project 08-17 Sewer Repairs to De Groot, Inc of Green Bay, WI in the amount of \$65,683.88. Upon roll call vote, motion carried unanimously.

7C. Aldersperson Heuvelmans moved, seconded by Aldersperson Boyd, to approve awarding Project E08-10 2008 current production year ½ ton 4 x 2 pickup to Broadway Automotive in the amount of \$21,537. Upon discussion and roll call vote, motion carried unanimously.

#### RECOMMENDATION FROM THE FINANCE/PERSONNEL COMMITTEE

8A. Aldersperson Kegel moved, seconded by Aldersperson Robinson, to approve a proposal for the Fire Department roof repairs to be funded by the Contingency Account. Discussion followed. Aldersperson Van Vonderen moved, seconded by Aldersperson Donovan, to amend the motion to take the money from the Capital Works Fund. Upon discussion and vote, motion carried unanimously. Upon discussion and roll call vote on the main motion as amended, motion carried unanimously.

#### RECOMMENDATIONS FROM THE LICENSE COMMITTEE

9A. Aldersperson Castelic moved, seconded by Aldersperson Heuvelmans, to approve an Application for a Class "B" Beer & "Class B" Liquor License for The Lucky Bull, 363 Main St., De Pere, submitted by Adam Tyrone Singleton, 1438 Cty J, Little Suamico, WI 54141. Upon vote, motion carried unanimously.

9B. Aldersperson Heuvelmans moved, seconded by Aldersperson Kegel, to approve an Application for a Dance and Entertainment License for The Lucky Bull, 363 Main St., De Pere, submitted by Adam Tyrone Singleton, 1438 Cty J, Little Suamico, WI 54141. Upon vote, motion carried unanimously.

9C. Aldersperson Castelic moved, seconded by Aldersperson Wilmet, to approve Renewal and Original Applications submitted for Class "A" Fermented Malt Beverage licenses, "Class A" Intoxicating Liquor licenses, Class "B" Fermented Malt Beverage licenses, "Class B" Intoxicating Liquor licenses, Wholesale Fermented Malt Beverage licenses, "Class C" Wine licenses and Dance & Entertainment licenses for the licensing period July 1, 2008 to June 30, 2009 EXCLUDING #36 for Sidekick's Bar & Grill Class "B" Beer & "Class B" Liquor License. (List on file in the Clerk-Treasurer's Office.) Upon vote, motion carried

unanimously. Alderperson Castelic moved, seconded by Alderperson Heuvelmans, to table #36 Sidekick's Bar & Grill Class "B" Beer & "Class B" Liquor License, to obtain clarification on the premise description. Upon vote, motion carried unanimously.

10. Ordinance #08-11 Amending §70-9 De Pere Municipal Code Regarding Late Payment of Sewer Service Charges for Metered Users was presented. Alderperson Van Vonderen moved, seconded by Alderperson Boyd, to enact the ordinance. Upon vote, motion carried unanimously.

11. Ordinance #08-12 Amending Chapter 82 De Pere Municipal Code Regarding Recycling was presented. Alderperson Donovan moved, seconded by Alderperson Castelic, to enact the ordinance. Upon discussion and vote, motion carried unanimously.

12. Resolution #08-51 Authorizing Purchase Agreement Between the City of De Pere and Donald Cleven was presented. Alderperson Kegel moved, seconded by Alderperson Boyd, to approve the resolution.

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

Theresa Cleven, 435 N. Winnebago St., spoke on behalf of the Cleven family indicating the property that is being sold to the City has been in their family for 40 years. They learned many things including growing gardens, raising cattle, and playing on the land. Their sincere hope is the land will be used, as it is intended in its natural state, ideally as a learning place for other kids. They truly hope this is the best decision for the Town of Rockland and the City of De Pere.

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

Mayor Walsh thanked the Clevens for allowing the City to purchase this land and noted the Park Land Acquisition Fund money being used to purchase this property can only be used for park purposes.

Upon discussion and roll call vote, the resolution was approved on a unanimous vote.

13. Resolution #08-52 Authorizing Application for Preserve America Grant was presented. Alderperson Kegel moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

14. Resolution #08-53 Authorizing Agreement with the State of Wisconsin Department of Transportation and Computerized Vehicle Registration (CVS) was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

15. Resolution #08-54 Authorizing Amendment to Agreement for Consulting Services Between the City of De Pere and Springsted. Alderperson Wilmet moved, seconded by Alderperson Robinson, to approve the resolution. Upon roll call vote, motion carried unanimously.

16. Resolution #08-55 Authorizing Sale of Surplus Property was presented. Alderperson Heuvelmans moved, seconded by Alderperson Boyd, to approve the resolution. Upon vote, motion carried unanimously.

17. Resolution #08-56 Authorizing City of De Pere & West De Pere School District Pilot Cooperative Agreement was presented. Alderperson Van Vonderen moved, seconded by Alderperson Donovan, to

approve the resolution. Upon discussion and vote, motion carried unanimously.

18. Resolution #08-57 Authorizing Submission of Highway Safety Project Grant Agreement (Pedestrian Road Show/Walking Workshop) was presented. Alderperson Robinson moved, seconded by Alderperson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

19. Resolution #08-58 Adopting Reid Street Banner Policy was presented. Alderperson Boyd moved, seconded by Alderperson Castelic, to approve the resolution. Upon discussion and vote, motion carried unanimously.

20. Resolution #08-59 Authorizing Gas Pipeline Easements was presented. Alderperson Castelic moved, seconded by Alderperson Van Vonderen, to approve the resolution. Upon vote, motion carried unanimously.

21. Resolution #08-60 Establishing Non-Lapsing Funds as of December 31, 2007 was presented. Alderperson Van Vonderen moved, seconded by Alderperson Kegel, to approve the resolution. Upon vote, motion carried unanimously.

22. The Council discussed the results of the community survey. Administrator Delo asked for any concerns to be identified and read the nine key findings. He noted the results will be available on the website and in the Clerk's office for the public to view. The survey will be used to identify trends, strengths and weaknesses in municipal services and provide guidance regarding municipal service levels and funding decisions.

23. Alderperson Castelic moved, seconded by Alderperson Van Vonderen, to approve the vouchers. Upon vote, motion carried unanimously.

24. Applications for Operator Licenses #1- 31 and Temporary Operator Licenses #1-3 were presented:

OPERATOR LICENSE APPLICATIONS FOR MAY 20, 2008					
CURRENT LICENSING PERIOD: Thru June 30, 2008					
	NAME	ADDRESS	CITY	ST	ZIP
1	BAHE, SARAH L.	2805 VIKING DR., #204	GREEN BAY	WI	54304
2	DIEERICH, MATTHEW J.	1820 S. OVERLAND RD.	DE PERE	WI	54115
3	HOGAN, CRYSTAL D.	3352 N. NEW FRANKEN RD.	NEW FRANKEN	WI	54229
4	HUNK, CINDY C.	816 OAK ST.	DE PERE	WI	54115
5	HUSEN, MIKE R.	675 ST. JAMES CR.	GREEN BAY	WI	54311
6	KIRT, NATALIE M.	228 BADER ST.	GREEN BAY	WI	54302
7	KRUISE, BRITTANY L.	1322 SCHEURING RD., #8	DE PERE	WI	54115
8	LEE, SAMANTHA L.	2720 HUMBOLDT RD., #15	GREEN BAY	WI	54311
9	OLESEWSKI, ANTHONY L.	1402 CHICAGO ST.	DE PERE	WI	54115
10	PAYNE, CAROL L.	2826 VIKING DR., 1D	GREEN BAY	WI	54304
11	SCHMIDT, PAMELA J.	640 REID ST.	DE PERE	WI	54115
12	VANDENACK, DENNIS A.	1684 BENTWOOD DR.	GREEN BAY	WI	54303

LICENSING PERIOD: July 1, 2008 thru June 30, 2010					
13	ACHTEN, JAY G.	1190 DREWS DR.	DE PERE	WI	54115

14	BAHE, SARAH, L.	2805 VIKING DR., #204	GREEN BAY	WI	54304
15	BALDWIN, CLARKE D.	368 1/2 MAIN AVE.	DE PERE	WI	54115
16	BASCHE, JOHN F.	760 ABRAMS ST., #10	GREEN BAY	WI	54302
17	DAMRO, DEBRA M.	848 LANGLADE AVE.	GREEN BAY	WI	54304
18	DIEDERICH, MATTHEW J.	1820 S. OVERLAND RD.	DE PERE	WI	54115
19	HOGAN, CRYSTAL D.	3352 N. NEW FRANKEN RD.	NEW FRANKEN	WI	54229
20	KIRT, NATALIE M.	228 BADER ST.	GREEN BAY	WI	54302
21	LANDWEHR, DAVID P.	550 MONARCH DR.	DE PERE	WI	54115
22	LASEE, BONNIE A.	1535 N. ASHLAND	DE PERE	WI	54115
23	LEE, SAMANTHA L.	2720 HUMBOLDT RD., #15	GREEN BAY	WI	54311
24	MCARDLE, MELISSA J.	1752 FRANK ST.	GREEN BAY	WI	54304
25	OLESEWSKI, ANTHONY L.	1402 CHICAGO ST.	DE PERE	WI	54115
26	PAYNE, CAROL L.	2826 VIKING DR., 1D	GREEN BAY	WI	54304
27	SCHMIDT, JEFFREY A.	1214 SOUTH ONEIDA ST.	GREEN BAY	WI	54304
28	SCHMIDT, PAMELA J.	640 REID ST.	DE PERE	WI	54115
29	VANDENACK, DENNIS A.	1684 BENTWOOD DR.	GREEN BAY	WI	54303
30	VANDENACK, JANICE A.	1684 BENTWOOD DR.	GREEN BAY	WI	54303
31	WITTE, AMY S.	1269 APRIL LN.	GREEN BAY	WI	54304
<b>TEMPORARY OPERATOR LICENSE APPLICATIONS</b>					
1	GAU, DEBRA D.	2612 LIBAL ST.	GREEN BAY	WI	54301
2	VANOSS, JESSICA L.	5578 MORRISON RD.	DE PERE	WI	54115
3	ZULLNER, SANDRA L.	211 NOB HILL LN	DE PERE	WI	54115

Aldersperson Wilmet moved, seconded by Aldersperson Robinson, to approve Operator License Applications #1-31 and Temporary Operator License Applications #1-3 listed above. Upon vote, motion carried unanimously.

25. Future Agenda Items: Aldersperson Wilmet requested a discussion on a sex offender ordinance.

20. Aldersperson Van Vonderen moved, seconded by Aldersperson Castelic, to convene in closed session at 9:24 pm. pursuant to Wis. Stats. §19.85(1)(g) to discuss the Fox River Cleanup - termination of Tolling and Standstill Agreement by Appleton Papers, Inc./NCR corporation and discussion on the James Street Dam litigation. Upon roll call vote, motion carried unanimously.

Aldersperson Van Vonderen moved, seconded by Aldersperson Robinson, to reconvene in open session at 10:00 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Upon motion by Aldersperson Wilmet, seconded by Aldersperson Kegel, the Common Council unanimously adjourned at 10:01 pm.

Respectfully submitted,

Charlene M. Peterson  
City Clerk-Treasurer