

PUBLIC NOTICE OF MEETING

Pursuant to Wisconsin Statutes Section 19.84, notice is hereby given to the public that a regular meeting of the **Common Council** of the City of De Pere will be held at **7:30 p.m., Tuesday, August 18, 2009** in the **City Hall Council Chambers, Second Floor of De Pere City Hall, 335 South Broadway, De Pere, WI 54115.**

This meeting can be viewed LIVE on Time Warner Cable Channel 4. This meeting is also rebroadcast on Time Warner Cable Channel 4 throughout the week.

Due to construction at the De Pere City Hall from July 13, 2009 until approximately mid-August, parking at City Hall is limited. Handicapped parking will remain at City Hall with public parking located on Front Street, directly across from the City Hall.

AGENDA FOR SAID MEETING: Called to order at 7:30 p.m.

1. Roll call. **Mayor Walsh, Eight Alderpersons: Boyd, Castelic, Donovan, Heuvelmans, Kegel, Robinson, Van Vonderen and Wilmet.**
2. Opening Prayer by Alderperson Donovan, Pledge of Allegiance to the Flag.
3. Approval of the minutes of the August 4, 2009 regular meeting of the Common Council.
APPROVED: 8-0
4. Public Hearing to act on a conditional use request for a new athletic facility on Lost Dauphin Road and Scheuring Road: Parcels WD-194-1, WD-D0007, WD-202 and WD-201.
 - A. Notice of Public Hearing.
 - B. Recommendation from the Plan Commission.
 - C. After the hearing is held, Resolution #09-98, Authorizing And Approving A Conditional Use Permit (Parcels WD-194-1, WD-D0007, WD-202, WD-201) is presented for consideration. **APPROVED: 6-0 (Kegel and Robinson abstained)**
5. Public comment upon matters not on agenda or other announcements.
6. Presentation by the DOT for the upcoming US 41 TMP Highway work at Scheuring Road.
7. Recommendation from the License Committee:
 - A. Application for a Class "B" Beer & "Class B" Liquor License for The Cellar on the Fox, submitted by RR Restaurant, LLC, dba The Cellar on the Fox. Agent: Alice A. Blood.
APPROVED: 8-0
 - B. Applications for a Temporary Premise Description Change for Fall Fest 2009 on September 19th, 2009:

- a) A's Dockside, 112 N. Broadway Street
- b) Archie's Pub, 600 George Street
- c) Bilotti's Pizza Garden, 111-113 N. Broadway Street
- d) Caliente La Fiesta Mexicana, 623 George Street
- e) Mugshots, 415 George Street
- f) The Cellar on the Fox, 116 S. Broadway Street
- g) The Vault, 127 N. Broadway Street

APPROVED a thru g: 8-0

8. Recommendations from the Board of Public Works to approve:
 - A. Bid for Project 09-13 Crack Filling to Asphalt Seal and Repair, Inc.
APPROVED: 8-0
 - B. Purchase of snow pusher plows from Bobcat Plus in exchange for skid-steer attachments. **APPROVED: 8-0**
9. Ordinance #09-16, Amending Sections 142-1 And 142-2 De Pere Municipal Code Relating To Firearms And Other Weapons (second reading). **APPROVED: 5-4 with Mayor Walsh breaking the tie. Alderpersons Castelic, Heuvelmans, Kegel, and Robinson voted nay; all others voted aye.**
10. Ordinance #09-19, Amending Chapter 142 De Pere Municipal Code Relating To Offenses Against State Law Subject To Forfeiture. **APPROVED: 8-0**
11. Ordinance #09-20, Amending Chapter 150 De Pere Municipal Code Regarding Community Service Officer Authority As Traffic Officer. **APPROVED: 8-0**
12. Ordinance #09-21, Amending Section 118 De Pere Municipal Code Relating To Taxicab Licensing. **APPROVED: 7-0, Alderperson Robinson voted nay; all others voted aye. (requires 2nd reading)**
13. Resolution #09-99, Authorizing The Negotiation Of An Economic Development Loan With HZ Properties, LLC. **APPROVED: 8-0**
14. Resolution #09-100, Resolution Supporting The Formation Of The Greater Green Bay Regional Transit Authority. **APPROVED: 8-0**
15. Resolution #09-101, Authorizing Pickup Of Animals Agreement Between The City Of De Pere And The Green Bay Police Department. **APPROVED: 8-0**
16. Resolution #09-102, Authorizing Environmental Protection Easement And Declaration Of Restrictive Covenants. **APPROVED: 8-0**
17. Resolution #09-103, Authorizing Agreement For Engineering Services With Traffic Analysis & Design, Inc. **APPROVED: 8-0**

18. Voucher approval. **APPROVED: 8-0**
19. Applications for Operator's Licenses. **APPROVED: 8-0**
20. Future agenda items.
21. Discussion of decision in Town of Rockland v. GBMSD (case # 07-CV-2608). **APPROVED going into closed session at 9:10 p.m.: 8-0**

PLEASE TAKE NOTICE, that pursuant to Section 19.85(1)(g), Wis. Stats., the Council may convene in closed session for the purpose of conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

22. Discussion of Police Department personnel issues raised by police union.

PLEASE TAKE NOTICE, that pursuant to Section 19.85(1)(f), the Council may convene in closed session for the purpose of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where para. (b) applies, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

23. Update on Fox River Clean-up Litigation.

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The Council may then reconvene in open session to take action on any matter discussed in closed session or for such other purposes as are allowed by law.

APPROVED re-convening in open session at 10:55 p.m.: 8-0

APPROVED 8-0; Authorization of Mayor and Clerk-Treasurer to Execute Consent Decree USA et al. v. George A. Whiting Paper Co., et al. and Authorize All City Employees and Agents to Take All Steps Lawful and Necessary in Furtherance Thereof.

24. Adjournment at 10:58.

Lawrence Delo
City Administrator

Any person wishing to attend this meeting who, because of disability, requires special accommodation should contact the Clerk-Treasurer's office at 339-4050 by Noon, Monday, August 17, 2009 so that arrangements can be made.

AGENDA SENT TO:

Mayor
Alderspersons
Department Heads
TV & Radio Stations
Brown County Library, De Pere Branch
De Pere Journal
De Pere Chamber of Commerce
Green Bay Press-Gazette

Public Hearing:

BANK OF AMERICA NA	475 CROSSPOINT PKWY	GETZVILLE NY 14068-9000
BRAD D BOVEE & TRICIA M DELANEY	250 FOX RIDGE CT	DE PERE WI 54115-1906
BRANDON J & CARRIE R QUINN	1525 LOST DAUPHIN RD	DE PERE WI 54115-1917
BRIAN LA COUNT	1301 S SEVENTH ST	DE PERE WI 54115-1806
BROWN COUNTY	PO BOX 23600	GREEN BAY WI 54305-3600
BRUCE M & HOLLY M BERGNER	1427 S SEVENTH ST	DE PERE WI 54115-1824
CHRISTIAN M & COLLEEN M STEIER	1605 LOST DAUPHIN RD	DE PERE WI 54115-1919
CLARENCE A VAN DE HEI	1337 S SEVENTH ST	DE PERE WI 54115-1806
COLT JAMES ZAHN	1401 LOST DAUPHIN RD	DE PERE WI 54115-1915
DAVID & MARY CALAWAY	1345 S SEVENTH ST	DE PERE WI 54115-1806
DAVID HEDSTROM	1131 ST AGNES DR	GREEN BAY WI 54304-2257
DEAN T & LORI A PHILIPSEN	1413 LOST DAUPHIN RD	DE PERE WI 54115-1915
DENISE A TOMLINSON	139 SULLIVAN LN	DE PERE WI 54115-3771
DENNIS & CONNIE GUSICK	1531 LOST DAUPHIN RD	DE PERE WI 54115-1917
DIANE M YAKEL	1261 S SEVENTH ST	DE PERE WI 54115-1838
EDWIN P & SUSAN L SHERMAN	1419 S SEVENTH ST	DE PERE WI 54115-1824
FREDERICK L & TERESA L SCHMIDT	1514 FOX RIDGE CT	DE PERE WI 54115-1908
GARY P VOGELS	1602 LOST DAUPHIN RD	DE PERE WI 54115-1920
GERALD T & SHIRLEY A WILLEMS	1281 S SEVENTH ST	DE PERE WI 54115-1838
GINA M STAEVEN	PO BOX 5792	DE PERE WI 54115-5792
GLEN & SUSAN VAN GHEEM	1556 FOX RIDGE CT	DE PERE WI 54115-1962
GREGORY A & JILL I HILL	1403 S SEVENTH ST	DE PERE WI 54115-1824
JASON D DOEREN	680 SCHEURING RD	DE PERE WI 54115-1749
JEFF A & CHARITY A HARTJES	1532 FOX RIDGE CT	DE PERE WI 54115-1908
JOHN F & KAREN M ERICKSON	197 SHELLEY LN	DE PERE WI 54115-3753
JOHN J & CYNTHIA A MANDERS	1008 SCHEURING RD	DE PERE WI 54115-1802
JOHN M & CAROL J LAWSON	1520 FOX RIDGE CT	DE PERE WI 54115-1908
KIP M & BETHANY L COUNARD	1321 S SEVENTH ST	DE PERE WI 54115-1806
KNOWLEDGE LEARNING CORP	C/O TAX DEPT PO BOX 6760	PORTLAND OR 97228-6760
KURT R & LISA V KOEHLER	1562 FOX RIDGE CT	DE PERE WI 54115-1962
LONNIE D & CYNTHIA E WANIE	1411 S SEVENTH ST	DE PERE WI 54115-1824

MARK L & SUE L MILQUET	1271 S SEVENTH ST	DE PERE WI 54115-1838
MARTIN J & LISA M HERMANS	1207 FRANKLIN ST	DE PERE WI 54115-3517
MICHAEL & MARCELLA O'MALLEY	1636 LOST DAUPHIN RD	DE PERE WI 54115-1920
MICHAEL & SABRINA ZIEGEWEID	1315 S SEVENTH ST	DE PERE WI 54115-1806
MIDWEST COMMUNICATIONS	904 GRAND AV	WAUSAU WI 54403-6420
MURRAY D & JANE M JOHNSON	1295 S SEVENTH ST	DE PERE WI 54115-1838
NELL ANN GRANT	1508 FOX RIDGE CT	DE PERE WI 54115-1908
PAMELA C QUIGGLE	1519 LOST DAUPHIN RD	DE PERE WI 54115-1917
PATRICK R MORAN & MARY A HUGHSON	1509 S SEVENTH ST	DE PERE WI 54115-1826
PAUL J & NICOLE M SCHNEIDER	1625 LOST DAUPHIN RD	DE PERE WI 54115-1919
RICHARD & JOYCE COLLETTE	1501 S SEVENTH ST	DE PERE WI 54115-1826
RICHARD L & PENNY A KARBON	1507 LOST DAUPHIN RD	DE PERE WI 54115-1917
RICHARD R & NANCY M CHARRON	1289 S SEVENTH ST	DE PERE WI 54115-1838
RICK R & ERIN N ANANIA	1615 LOST DAUPHIN RD	DE PERE WI 54115-1919
ROBB A DEGREEF	1405 LOST DAUPHIN RD	DE PERE WI 54115-1915
ROBIN C TOLLEFSON & LINDA J HALE	1538 FOX RIDGE CT	DE PERE WI 54115-1908
RUSSELL J & CHARITY R OLSON	1007 COUNTRYSIDE DR	DE PERE WI 54115-1834
RUSSELL L & SUSAN A SCHROEDER	1329 S SEVENTH ST	DE PERE WI 54115-1806
SAINT JOHN LUTHERAN CHURCH	1700 LOST DAUPHIN RD	DE PERE WI 54115-1700
SAINT NORBERT COLLEGE INC	100 GRANT ST	DE PERE WI 54115-2002
SCANNELL FAMILY TRUST	1001 COUNTRYSIDE DR	DE PERE WI 54115-1834
TIMOTHY J & BARBARA A DAVIS	1526 FOX RIDGE CT	DE PERE WI 54115-1908
TIMOTHY J & JUDITH A HOWALD	1631 LOST DAUPHIN RD	DE PERE WI 54115-1919
WADE W KEMPKA	1417 LOST DAUPHIN RD	DE PERE WI 54115
WILLIAM G & LYNN M MUELLER	1517 S SEVENTH ST	DE PERE WI 54115-1826
WILLIAM J & ELIZABETH M BIEBEL	1550 FOX RIDGE CT	DE PERE WI 54115-1962
WILLIAM K & JUDY L HALBROOK	1005 COUNTRYSIDE DR	DE PERE WI 54115-1834
WILLIAM P & JANET E RUYS	1513 LOST DAUPHIN RD	DE PERE WI 54115-1917
WISCONSIN CENTRAL LTD	1 ADMINISTRATION RD	CONCORD ON L4K 4G9
WISCONSIN PUBLIC SERVICE REAL ESTATE	PO BOX 19001	GREEN BAY WI 54307-9001

John Barnes, Saint Norbert College, 100 Grant Street, De Pere, WI 54115-2002

Doug Page, PERFORMA, 124 N. BROADWAY, DE PERE, WI 54115

Rick Zahn, RETTLER CORPORATION, 3317 BUSINESS PARK DRIVE, STEVENS POINT, WI 54482

Jerry K. Shadewald, PE, Transportation Planning Engineer, HNTB Corporation, 10 W. Mifflin Street, Suite 300, Madison, WI 53703

Chad DeGrave, WisDOT, 944 Vanderperren Way, Green Bay, WI 54304

Scott Hemauer, HZ Properties, LLC, 2364 Meadow Ledge Court, De Pere, WI 54115

Sergeant Ryan Glime, Acting President/Vice President – De Pere Police Benevolent Association (via interoffice mail)

Ordinance #09-16:

Paul Martin, 410 Rockland Road, De Pere, WI, 54115

Asphalt Seal & Repair, Inc., 2077 Enterprise Dr, De Pere, WI 54115

Brian Weber, Bobcat Plus, Inc., 1372 Mid Valley Road, De Pere, WI 54115

Green Bay Police Department, 307 South Adams Street, Green Bay, WI

Traffic Analysis & Design, Inc., N36 W7505 Buchanan Court, Cedarburg, WI 53012

A's Dockside, 112 N. Broadway Street, De Pere

Archie's Pub, 600 George Street, De Pere

Bilotti's Pizza Garden, 111-113 N. Broadway Street, De Pere
Caliente La Fiesta Mexicana, 623 George Street, De Pere
Mugshots, 415 George Street, De Pere
The Cellar on the Fox, 116 S. Broadway Street, De Pere
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