

**COMMON COUNCIL MEETING  
CITY OF DE PERE, WISCONSIN – DECEMBER 20, 2011**

The Common Council of the City of De Pere, Wisconsin, met in regular session at the Council Chambers in City Hall on Tuesday, December 20, 2011.

Mayor Walsh called the meeting to order at 7:30 p.m. Roll call was taken and the following members were present: Alderpersons Kevin Bauer, James Boyd, Michael Donovan, Bob Heuvelmans, Larry Lueck Dan Robinson, Kathy VanVonderen & Bob Wilmet. The Council said the Pledge of Allegiance to the Flag.

Alderson Donovan moved, seconded by Alderson Lueck, to approve the minutes of the December 6, 2011 meeting. Upon vote, the minutes were approved unanimously.

**PUBLIC HEARING**

4A. A Public Hearing to act on an Ordinance Amending §201 Aldermanic Districts of the Municipal Code of the City of De Pere was scheduled for 7:35 p.m. Clerk-Treasurer Char Peterson announced the Notice of Public Hearing was published in the City's Official Newspaper, the De Pere Journal on November 24 and December 1, 2011.

4B. City Planner Ken Pabich stated the Plan Commission recommended approval.

Mayor Walsh declared the public hearing open for anyone wishing to speak and there was no one present who wished to speak so the public hearing was closed.

4C. Ordinance 11-19 Amending Chapter 2 De Pere Municipal Code by Altering Aldermanic Districts was presented. Alderson Wilmet moved, seconded by Alderson Boyd, to enact the ordinance. Discussion followed. Alderson Donovan requested a letter be sent to the state asking them to pay for the cost of changing the wards and district lines. Upon vote, motion carried with 7 ayes and 1 nay. Alderson Donovan voted nay; all others voted aye. This requires a second reading. NOTE: See bottom of Pg. 3 containing a motion to reconsider this item. It was reconsidered and approved unanimously. Therefore, a second reading is not required.

5. Public Comment or other Announcements. Mayor Walsh announced on Thursday at noon there will be a ground breaking ceremony at Voyageur Park for the De Pere Riverwalk and invited everyone to attend.

Items 18 & 19 were moved here. Also, Item 16 was moved to go with Item 25.

18. Alderson Robinson moved, seconded by Alderson Wilmet, to approve the Community Service Grant Application for Boy Scout Troop 1040. Discussion followed. Alderson Robinson moved, seconded by Alderson Boyd, to open the meeting. Upon vote, motion carried unanimously. George Lepak, representing Boy Scout Troop 1040, provided the Council with a short presentation on his project to build a native/prairie garden at the Kress Library. Alderson Donovan moved, seconded by Alderson Van Vonderen, to close the meeting. Upon vote, motion carried unanimously. Upon roll call vote, the Community Service Grant was approved unanimously.

19. Alderson Wilmet moved, seconded by Alderson Lueck, to refer to the Plan Commission the rezoning request for WD-L183-5 located at the end of Whistler and Bridge Port Courts from Single Family Residential (R-1) to Single Family Residential (R-1) and General Residential (R-3) with Plan Development District (PDD) overlay.

Aldersperson Donovan moved, seconded by Aldersperson Robinson, to open the meeting. Upon vote, motion carried unanimously. Dennis Collins, 1743 Bridgeport Lane, spoke in opposition to the request for rezoning this property to add more apartments and felt it should be kept single family residential.

Aldersperson Donovan moved, seconded by Aldersperson Robinson, to close the meeting. Upon vote, motion carried unanimously. Upon vote, the referral was approved on a unanimous vote.

6. Aldersperson Lueck moved, seconded by Aldersperson Boyd, to award Project 11-18 Southwest Park Pony Diamond Lights to Bodart Electric at the bid price of \$103,267. It was noted this project would be fully paid by a donation from Dan & Pat Mangless. Upon discussion and roll call vote, motion carried unanimously.

7. Ordinance 11-20 Repealing and Recreating Chapter 126 De Pere Municipal Code Regarding Private Alarm Systems was presented. Aldersperson Boyd moved, seconded by Aldersperson Lueck, to enact the ordinance. Upon vote, motion carried unanimously.

8. Ordinance 11-21 Repealing and Recreating Section 150-22(3) De Pere Municipal Code Relating to Long Term Parking was presented. Aldersperson Lueck moved, seconded by Aldersperson Robinson, to enact the ordinance. Upon vote, motion carried unanimously.

9. Resolution 11-115 Regarding Fees for False Alarms was presented. Aldersperson Lueck moved, seconded by Aldersperson Heuvelmans, to approve the resolution. Upon vote, motion carried unanimously.

10. Resolution 11-116 Imposing Fee for Long Term Parking Permit was presented. Aldersperson Wilmet moved, seconded by Aldersperson Robinson, to approve the resolution. Upon vote, motion carried unanimously.

11. Resolution 11-117 Approving Amendment to Information Technology was presented. Aldersperson Bauer moved, seconded by Aldersperson Boyd, to approve the resolution. Upon vote, motion carried with 7 ayes and 1 abstention. Aldersperson Lueck abstained; all others voted aye.

12. Resolution 11-118 Authorizing Agreement for Legal Blood Alcohol Collection with St. Vincent Hospital and St. Mary's Hospital was presented. Aldersperson Van Vonderen moved, seconded by Aldersperson Lueck, to approve the resolution. Upon roll call vote, motion carried unanimously.

13. Resolution 11-119 Authorizing Amendment to State/Municipal Agreement for US Highway 41 Improvement Project was presented. Aldersperson Bauer moved, seconded by Aldersperson Wilmet, to approve the resolution. Upon discussion and roll call vote, motion carried unanimously.

14. Resolution 11-120 Authorizing Amendment to Revocable Occupancy Permit (Green Bay Metro Transit Bus Shelters) was presented. Aldersperson Donovan moved, seconded by Aldersperson Heuvelmans, to approve the resolution. Upon discussion and vote, motion carried with 7 ayes and 1 nay. Aldersperson Bauer voted nay; all others voted aye.

15. Resolution 11-121 Authorizing Extension of Cost Share Agreements for Police School Liaison Program with the Unified School District of De Pere and the West De Pere School District was presented. Aldersperson Heuvelmans moved, seconded by Aldersperson Van Vonderen, to approve the resolution. Upon roll call vote, motion carried unanimously.

Item 16 was moved to go with Item 25.

17. Resolution 11-123 Authorizing Division of Public Health Contract Agreement DPH Contract #20219 was presented. Aldersperson Donovan moved, seconded by Aldersperson Lueck, to approve the resolution.

Upon roll call vote, motion carried with 7 ayes and 1 nay. Alderperson Van Vonderen voted nay; all others voted aye.

Items 18 & 19 were moved to follow Item 5 above.

20. Mayor Walsh recommended the appointment of Rose Smits to the Designated Offender Appeal Board; the re-appointment of Mary Jane Van Remortel to the De Pere Housing Authority; and the appointment of Carolyn Jahns to the Police & Fire Commission. Alderperson Wilmet moved, seconded by Alderperson Robinson, to approve the appointments. Upon vote, motion carried unanimously.

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

22. Applications for Operator's Licenses were presented:

ITEM#	NAME	ADDRESS	CITY	ST	ZIP
<b>Previously Tabled Operator License for the 2010-2012 Licensing Period</b>					
1	Ceilley, Bridget J.	100 Grant St., Suite 322	De Pere	WI	54115
2	Kissner, Meagan V.	1770 Burgoyne Ct.	De Pere	WI	54115
3	Neuber, Nicki A.	3415 Hilltop Way, #72	Green Bay	WI	54301
<b>Operator Licenses for the 2010-2012 Licensing Period</b>					
1	Baur, Ashley A.	1613 Swan Rd. #9	De Pere	WI	54115
2	Brey, James P.	512 N10th St., #42	De Pere	WI	54115
3	Hecker, Heather L.	1006 Michaline Dr.	Green Bay	WI	54304
4	Kielbicki, Joshua A.	805 William Charles Ct.	Green Bay	WI	54304
5	Neuman, Daniel J.	1242 Franco Ct.	De Pere	WI	54115
6	Niederfeld, Sara J.	2420 Sycamore Dr., #D63	Green Bay	WI	54311
7	Rovinski, Myranda L.	2286 Mt. Olive Dr.	Green Bay	WI	54313
8	Russell, Deborah L.	1602 Delores St.	Green Bay	WI	54304
9	Wolford, Ashley N.	505 Third St., #109	De Pere	WI	54115

Alderperson Wilmet moved, seconded by Alderperson Bauer, to approve Previously Tabled Operator License Applications #2 & 3 and table Previously Tabled Operator License Application #1 listed above. Upon vote, motion carried unanimously.

Alderperson Wilmet moved, seconded by Alderperson Bauer, to approve tabling Operator License Application #1 and approve Operator License Applications #2-9 listed above. Upon vote, motion carried unanimously.

23. Future agenda items. None.

Alderperson Donovan requested Council to reconsider Item 4. Ordinance 11-19 on the agenda so it can move forward and not require a second reading. Alderperson Robinson moved, seconded by Alderperson Bauer, to reconsider Ordinance 11-19 Amending Chapter 2 De Pere Municipal Code by Altering Aldermanic Districts. Upon vote, motion to reconsider was approved unanimously.

Alderperson Bauer moved, seconded by Alderperson Boyd, to enact Ordinance 11-19 Amending Chapter 2 De Pere Municipal Code by Altering Aldermanic Districts. Upon vote, the ordinance was enacted unanimously.

24/25/26. Alderperson Van Vonderen moved, seconded by Alderperson Donovan, to convene in closed

session at 8:12 p.m. pursuant to Wis. Stats. §19.85(1) (g) to consider settlement on Fox River Fiber Tax Appeals; Wis. Stats. §19.85(1) (e) to consider lay-off of paid-on-call employees to comply with Wis. Stats. §62.13 for firefighter reduction in work force; and discuss MEA/Engineer Union Contract issues. Upon roll call vote, motion carried unanimously.

Aldersperson Wilmet moved, seconded by Aldersperson Donovan, to reconvene in open session at 9:17 p.m. pursuant to Wis. Stats. §19.83 and 19.85(2). Upon roll call vote, motion carried unanimously.

Aldersperson Boyd moved, seconded by Aldersperson Van Vonderen, to approve settlement on Fox River Fiber Tax Appeals contingent from Fox River Fiber precluded from challenging set value. Upon vote, motion carried unanimously.

Aldersperson Van Vonderen moved, seconded by Aldersperson Lueck, to lay-off paid-on-call employees to comply with Wis. Stats. §62.13 for firefighter reduction in work force.

Aldersperson Donovan moved, seconded by Aldersperson Boyd, to open the meeting. Upon vote, motion carried unanimously.

Tim Sinkler, stated he was presently living with his parents outside the City and he has the position that is being eliminated in the Fire Department. He would love to have a job come the new year and introduced his wife expecting their first child and stated they are in the process of building a new home.

Jim Reedy, 915 Robin, referred to a fire on the news that evening and how fast fires go this time of the year. He feels instead of cutting a position in the Fire Department, they should wait until a retirement occurs.

Aldersperson Robinson moved, seconded by Aldersperson Bauer, to close the meeting. Upon vote, motion carried unanimously. Discussion followed.

Aldersperson Robinson moved, seconded by Aldersperson Boyd, to open the meeting. Upon vote, motion carried unanimously.

Jim Reedy, 915 Robin, stated someone will retire at the Fire Department in a few months and asked the City to wait for the retirement and let this position stay in.

Tom Nelson, 734 S. Melcorn, spoke as the head of the Union Firefighters stating in October they tried to bring concessions to the City to keep the position with 1 ½% contribution in WRS for this year and suggested the \$10,000 put aside for the consultant for consolidation with the metro group could be used since the City is the only one in the metro group who put it aside; the proposal with Ashwaubenon is coming with a projected revenue of \$40,000 and there is \$400,000 equipment in the operating budget and asked if \$50,000 could be borrowed from this account and put toward the position. Their issue with furloughs is safety of the membership and feels the money is there to keep the position until at least July.

Aldersperson Lueck moved, seconded by Aldersperson Van Vonderen, to close the meeting. Upon vote, motion carried unanimously. Discussion followed.

Upon vote, the motion to lay-off paid-on-call employees was approved with 4 ayes, 4 nays and Mayor Walsh broke the tie by voting aye.

16. Resolution 11-122 Amending Apportionment of 2012 City Budget was presented. Aldersperson Bauer moved, seconded by Aldersperson Robinson, to approve the resolution. It was noted a two-thirds majority was needed for passage of the resolution. Discussion followed. Aldersperson Robinson moved, to take \$28,000 from the paid-on-call and \$10,000 from the fire study to use for the firefighter position.

The motion failed for lack of a second. Upon further discussion and roll call vote, the resolution failed with 1 aye and 7 nays. Alderperson Bauer voted aye; all others voted nay.

Upon motion by Alderperson Van Vonderen, seconded by Alderperson Lueck, the Common Council adjourned at 9:47 p.m.

Respectfully submitted,

Charlene M. Peterson  
Clerk-Treasurer