



AGENDA OF THE COMMON COUNCIL

**TUESDAY, OCTOBER 16, 2018, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

- A. Roll Call.**
- B. Pledge of Allegiance.**
- C. Invocation.**
- D. Approval of Minutes.**

I. Approval of the minutes of the October 2, 2018 meeting.

- E. Approval of the Agenda.**
- F. Report by the Mayor.**
- G. Announcements.**
- H. Recognitions and Awards.**

I. **Mayor's Extra Mile Award**

Jim Belongia

For supporting veterans and founding the City Stadium Run

Aaron Popkey

For creating lasting partnerships

John Roake

For volunteering in numerous community activities

Uncle Mike's Bake Shoppe

For the coolest thing made in Wisconsin-Sea Salt Caramel Pecan Kringle

2. Carnegie Medal

James Williams

For helping rescue Jaikeem Hillard from a dog attack.

I. Public Hearings.

1. Zoning Ordinance No. 15-18

An ordinance amending Zoning Ordinance 11-13 zoning certain land located on the east side of North Broadway (400 through 600 Block) as a Planned Unit Development District.

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 15-18

An ordinance amending Zoning Ordinance 11-13 zoning certain land located on the east side of North Broadway (400 through 600 Block) as a Planned Unit Development District.

2. General Ordinance 24-18

An ordinance amending Section 8.15(2), Green Bay Municipal Code, relating to smoking regulations.

3. General Ordinance No. 26-18

An ordinance amending section 29.208, Green Bay Municipal Code, relating to parking regulations.

K. Report of the Redevelopment Authority (October 9, 2018).

- 1. To adopt amendments to documents assumed by 304 North Adams Green Bay (NAGB) under the Hotel Northland receivership in order to reflect change of ownership and change in circumstances since original adoption, subject to minor legal and technical revisions.**

The Authority may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Authority may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

- 2. To direct staff to negotiate, draft, and execute a Professional Services Agreement with Stantec Consulting Services Inc., not to exceed eight hundred thousand dollars (\$800,000.00), for the professional services to prepare a Project Plan for the Shipyard.**

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L. Report of the Improvement & Services Committee (October 9, 2018).

- 1. To refer to staff the request by Ald. Nicholson to create a plan to help relieve water issues at Main and East Mason Streets and East Mason and Schwartz Streets.**
- 2. To hold until the next Improvement and Services Committee meeting the request by Ald. Wery to review how sidewalk replacements are funded.**

3. To approve the 2019 Department of Public Works Stormwater Utility, Sanitary Sewerage District, and Parking System Division non-levy equipment acquisition plans.
4. To receive and place on file the report of contract RAZING BUILDINGS FOR WEBSTER AVE. RECONSTRUCTION - Group #1 to the low, responsive bidder, Badgerland Demolition & Earthwork, Inc., in the amount of \$74,258.
5. To hold until the next Improvement and Services Committee meeting the review and award of the contract PARKS PROJECT 3-18 (BAY BEACH GIANT WHEEL PROJECT).
6. To approve payment for the following easement:

W. Walnut Street at S. Ashland Avenue – Traffic Signal Equipment

Parcel 3-73, Bonnie Nykvist, \$300

7. To approve applications for Concrete Sidewalk Builder's Licenses by the following:
 - A. Green Bay Concrete
 - B. Wood Sewer & Excavating, Inc.
8. To approve Relocation Claims for the Webster Avenue project and authorize payments.

M. Report of the Protection & Policy Committee (October 8, 2018).

1. To approve the change of agent for Kwik Trip, Inc. at 515 W. Walnut St.
2. To approve an application for a "Class A" Liquor License by Dousman Fuel, Inc. at 606 Dousman St., with the approval of the proper authorities and subject to 2/3rds vote from Council (Currently has a Class "A" Beverage License).
3. To hold until next meeting General Ordinance No. 28-18, an ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code relating to special events, for staff to obtain additional input from local organizations.
4. To refer back to staff to draft an amendment to General Ordinance 27-18 as follows:
 - A. Amending Section 27.902(2), Green Bay Municipal Code, relating to penalties for marijuana possession, previously discussed at the Sept. 24 Protection & Policy meeting, to increase the amount from 25 grams to 28 grams. (3-1)
 - B. Amending Section 27.902(2), Green Bay Municipal Code, relating to penalties for marijuana possession, previously discussed at the Sept. 24 Protection & Policy meeting, to add community service in lieu of or in conjunction with the fine penalty. (3-1)
 - C. Amending Section 27.902(2), Green Bay Municipal Code, relating to penalties for marijuana possession, previously discussed at the Sept. 24 Protection & Policy meeting, including looking into and bringing back suggestions for changing the fines for possession of THC in privately owned residences vs. public places, to distinguish between marijuana pipes and other types of pipes, and to obtain input from Municipal Court and the Police Department. (3-1)
5. To receive and place on file the Liquor Violation Report from the Police Department for October 8, 2018.

N. Report of the Protection & Policy Committee Granting Operator Licenses.

- I. Report of the Protection & Policy Committee granting Operator Licenses.

O. Report of the Plan Commission (October 8, 2018).

- I. To authorize a Conditional Use Permit (CUP) to permit the redevelopment of a motor freight operation in a Business Park (BP) District at 1634-1710 Cofrin Drive, subject to the following conditions:
 - a. Compliance with all regulations of the Green Bay Municipal Code.
 - b. Consolidate two separate parcel into a single lot.
 - c. Vegetation within the southern buffer area be primarily evergreen.
2. To authorize a Conditional Use Permit (CUP) for the height of a detached accessory garage in a Low Density Residential (RI) District at 2574 West Point Road, subject to the following conditions:
 - a. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.
 - b. Continuance of similar style of architecture, exterior construction material, and color of the structure.

3. To authorize a Conditional Use Permit (CUP) to extend the emergency shelter use at 411 St. John Street, submitted by Alexia Wood, St. John the Evangelist Homeless Shelter subject to the following conditions:
 - a. A maximum 84-bed temporary emergency homeless shelter located in the former St. John's School, 411 St. John Street (Tax Parcel No. 13-106) to November 1, 2021. The facility is to be operated for a typical season from November 1 to April 30 with a scaled back summer program from April 30 to November 1. Any modification of the use will require Plan Commission and Common Council approval.
 - b. If the temporary emergency facility use at 411 St. John Street is discontinued, the operation is dissolved, or if the Green Bay Catholic Diocese of Green Bay no longer manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
 - c. At the discretion of the Common Council, Plan Commission, or the Planning Director a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the temporary emergency homeless shelter including but not limited to: Police calls and other documented safety concerns. Inadequate facilities.
 - d. The St. John the Evangelist Homeless Shelter staff shall provide reports to the Protection & Welfare Committee detailing those served by the facility as requested by the Committee.
 - e. The St. John the Evangelist Homeless Shelter staff shall meet as necessary with the Navarino Neighborhood Association, the Astor Neighborhood Association and the Downtown Neighborhood Association to address any concerns of neighbors.
 - f. Sex offenders required to register under §301.45, Wis. Stats., are prohibited from any stay at the facility.
 - g. A mandatory background check for all shelter residents is required. A list of residents and their home community and/or County shall be provided upon request of the City of Green Bay.
 - h. St. John the Evangelist Homeless Shelter staff shall maintain a history of residents for the previous three years who have stayed at the shelter.
 - i. An operational plan shall be approved by the Community Police and Case Management of the Brown County Human Services Department and implemented by the St. John Homeless Shelter staff for the opening of the temporary emergency homeless shelter facility located at 411 St. John Street.
 - j. Conformance with the submitted operating plan for the St. John the Evangelist Homeless Shelter.

P. Report of the Finance Committee (October 9, 2018).

1. To refer to staff to continue working on requested amendments to Claims administration Procedure ordinance (GBMC 7.01 et seq).
2. To have staff follow the direction that was given in closed session on Notice of Decision from the US Dept of the Interior regarding the intent to take land into trust – Cornelius, Kestell, and Debenedetto parcels.

The Council may convene in closed session pursuant to Section 19.85(1) (g), Wis. Stats., 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 thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

Q. Report of the Tax Incremental Districts Joint Review Committee (October 4, 2018).

1. To approve the adoption of a Territory Amendment to the Project Plan for Tax Incremental District Twelve (TID 12): I-43 Industrial Park.
2. To approve the creation of rehabilitation and conservation Tax Incremental District Twenty (TID 20): Whitney Park, and adopt the Project Plan.
3. To approve the creation of blight elimination Tax Incremental District Twenty-One (TID 21): Green Bay Packaging, and adopt the Project Plan.

R. Receive & Place on File.

1. Building Permit Report for September 2018.
2. Municipal Court Report for September 2018.

S. Resolutions.

1. Resolution accepting Relocation Claims for N. Webster Avenue.
2. Resolution authorizing Conditional-Use approval at 1634-1710 Cofrin Drive.
3. Resolution authorizing Conditional-Use approval at 2574 West Point Road.
4. Resolution authorizing Conditional-Use approval at 411 St. John Street.
5. Resolution approving traffic signal equipment easement for W. Walnut Street.
6. Resolution to amend and correct scrivener's error in initial resolution vacating a portion of Donald Driver Way.

T. Referral of Petitions & Communications.

U. Committee of the Whole.

1. Consideration with possible action on Consent to Contract Assignment to Arlington Computer Products, LLC for Lot "MM" Parking Lease Agreement, Camera Corner Connecting Point.
2. Consideration with possible action on Development Agreement 18-06 with Breakthrough Fuel, LLC for development project at the Shipyard, 239 Arndt St., 101 Bridge St., and 119 Bridge St. (Tax Parcels 3-551, 3-554-A, 3-556).

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V. Adjournment.

- 1) **SUPPLEMENTAL INFORMATION:** The Video of this meeting, Agenda, Agenda Packet, and Minutes are available online at www.greenbaywi.gov/Meetings.
- 2) **ACCESSIBILITY:** Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) **QUORUM:** Please take notice that a majority or quorum of the Common Council will attend this committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) **REPRESENTATION:** The party requesting the communication, or their representative, should be present at this meeting.