



AGENDA OF THE COMMON COUNCIL

**MONDAY, NOVEMBER 5, 2018, 4:30 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. Roll Call.

B. Pledge of Allegiance.

C. Invocation.

D. Approval of Minutes.

1. Approval of the minutes of the October 16, 2018 meeting.
2. Approval of the minutes of the October 22, 2018 special meeting.

E. Approval of the Agenda.

F. Report by the Mayor.

G. Announcements.

H. Public Hearings.

1. Zoning Ordinance No. 16-18
An ordinance rezoning property located at 2405 West Mason Street (Frontage Road) from Business Park (BP) District to General Commercial (CI) District.
2. Planning Ordinance No. 4-18
An Ordinance amending the Official Map of the City of Green Bay by closing the unimproved portion of Kellogg Street.
3. Public Hearing of the 2019 Proposed City of Green Bay Budget.

I. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 16-18
An ordinance rezoning property located at 2405 West Mason Street (Frontage Road) from Business Park (BP) District to General Commercial (CI) District.

2. Planning Ordinance No. 4-18
An Ordinance amending the Official Map of the City of Green Bay by closing the unimproved portion of Kellogg Street.

J. Report of the Improvement & Services Committee (October 29, 2018).

1. To hold until the November 14, 2018 Improvement and Services Committee meeting the request by Pete's Annex, LLC to enter into an agreement for Parking Division to manage and enforce parking in the BMO-Harris Bank Building parking lot located in the block surrounded by Broadway, West Walnut, Hubbard, and Pearl Streets (Lot BW).
2. To approve the request by Capital Credit Union to have the City of Green Bay accept dedication of the infrastructure and storm water management pond associated with the Mahon Creek 1st Addition subdivision.
3. To approve as amended the request by 304 North Adams Green Bay LLC for a change of agent and enter into a parking agreement at the Pine Street Ramp for Hotel Northland, subject to possible modifications by 304 N. Adams Green Bay LLC.
4. To refer to staff the request by Ald. Wery to review how sidewalk replacements are funded, with staff reporting back to Improvement and Services Committee how the ten largest communities in Wisconsin handle repairing damage caused by any means to sidewalk.
5. To approve the request by Department of Public Works to approve Amendment No. 5 for Professional Service Agreement between City and Ayres Associates for North Webster Avenue design in the amount of \$18,940.
6. To approve the request by Department of Public Works to extend 5-year option for parking on Lot "MM" with Arlington Computer Products LLC.
7. To approve the request by Parks Department to install access to west side trail with associated sidewalk on the east end of San Jose Place.
8. To approve the award of the contract PINE ST. PARKING RAMP OFFICE HVAC REPLACEMENT to the low, responsive bidder, AMA Inc., in the amount of \$76,964.
9. To approve the request by Wisconsin Public Service Corporation for an Easement across the following City owned parcels:
 - A. 2880 St. Anthony Drive – Tax Parcel #21-275-10-B.
 - B. 629 Mt. Mary Drive – Tax Parcel #21-324-1-1.
10. To approve the application for Concrete Sidewalk Builder's License by Milis Flatwork pending an acceptable reference verification.
11. To approve the application for Tree & Brush Trimmer License by Basic Tree Service pending an acceptable reference verification.

12. To receive and place on file the actions taken by Department of Public Works

A. Award of contracts

1. To approve to award contract PARKS PROJECT 3-18 (BAY BEACH GIANT WHEEL PROJECT) to the low, responsive bidder, Lunda Construction, in the amount of \$1,445,451.50 (held over from the October 9, 2018 Improvement and Services Committee meeting).

2. To approve to award contract RAZING BUILDINGS FOR WEBSTER AVE. RECONSTRUCTION - Group #2 to the low, responsive bidder, Badgerland Demolition & Earthwork, Inc., in the amount of \$60,558.

B. Enter into a State/Municipal Agreement with the Wisconsin Department of Transportation for Traffic Signal Upgrades along West Mason Street from Military Avenue to 12th Street.

C. Enter into a State/Municipal Agreement with the Wisconsin Department of Transportation for LED Bulb Replacement at various locations across City of Green Bay.

K. Report of the Protection & Policy Committee (October 22, 2018).

1. To refer to staff General Ordinance 28-18, an ordinance to repeal and recreate Section 6.15 relating to special events to make the proposed changes as presented by staff.
2. To approve the change of agent for Krist Oil Company at 1180 E. Mason St.
3. To approve an application for a retail license transfer- premises to premises by Carnitas El Bajio to transfer his Class "B" Beer license from 1742 E. Mason St. to 1698 E. Mason St., with the approval of the proper authorities.
4. To refer to staff to bring back the Click and Collect Ordinance for discussion and possible action and to hold a request by Skogen's Foodliner, Inc. at 2430 University Ave. to amend their liquor license description from "One story cement building SEP W&S Storage and checkouts" to "one story cement building, approximately 80,110 sq. ft., with separate wine and spirits storage and checkout, including designated stalls in parking lot for online grocery pickup Click and Collect Ordinance until the ordinance is approved.
5. To approve an application for an available "Class B" Combination License for Everardo Curiel at 1657 Main St., with the approval of the proper authorities (previously licensed in the 2016-2017 license year as Nic's Bar).
6. To approve an application for a "Class B" Combination license for Titledown Tobacco LLC at 159 N. Broadway (currently Prohibition Spirits LLC), with the approval of the proper authorities.
7. To approve an application for an available "Class B" Combination license for Amphora Wine Bar, LLC at 131 N. Broadway with a licensed description as "bar area, seating area, back bar area, and storage in the basement on 131 N. Broadway, with the approval of the proper authorities.

8. To approve an appeal by Evelyn Buford to the denial of her Operator's License.
9. To approve General Ordinance 27-18 amending Section 27.902(2), Green Bay Municipal Code, relating to penalties for marijuana possession, previously discussed at the October 8 Protection & Policy meeting (3-1).
10. To refer to staff a request by Ald. Scannell that the Advisory Committee items be placed on the Protection and Policy committee agendas.
11. To receive and place on file the Liquor Violation Report from the Police Department for October 22, 2018.

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

1. Report of the Protection & Policy Committee granting Operator Licenses.

M. Report of the Plan Commission (October 22, 2018).

1. To approve the 2019 Business Improvement District Operating Plan for Downtown Green Bay, Inc.
2. To approve the 2019 Business Improvement District Operating Plan for Olde Main Street, Inc.
3. To approve the 2019 Business Improvement District Operating Plan for On Broadway, Inc.
4. To approve the 2019 Business Improvement District Operating Plan for Military Avenue Business Association.

N. Report of the Joint Finance/Personnel Committee (October 30, 2018).

With regard to each of the items contained in this section D, the Committee may convene in closed session pursuant to Sections 19.85(1)(c) and (e), Wis. Stats., to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercise responsibility and for purposes of deliberating or negotiating the sale of public properties, investing of public funds as necessary for competitive or bargaining reasons. The Committee 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.

1. To approve the request to fill the replacement position of Civil Engineer in Public Works and all subsequent vacancies resulting from internal transfers.
2. To approve the request to transfer \$14,714.00 from Contingency to Police and Fire Commission to cover recruitment costs in 2018.
3. To approve action on a new FireWorks contract replacing current ImageTrend.
4. To approve the Transit Capital Equipment, Operating, and Revenues 2019 Budget (pages 177, 218).

5. Common Council (page 14).

To add \$15,883.00 back into the budget to reinstate health and dental insurance for alderpersons.

To adopt the 2019 City Common Council budget as amended.

6. To approve the Mayor and Police & Fire Commission 2019 Budget (page 18).
7. To approve the Administrative Services including Finance, Clerk, Assessor, Purchasing, Election, Board of Review, Information Technology, Document Center, and Public Safety/Gov. Equipment Replacement 2019 Budget (page 24).
8. To approve the Law 2019 Budget (page 49).
9. To approve the Municipal Court 2019 Budget (page 57).
10. To approve the Human Resources 2019 Budget (page 63).
11. To approve the Community & Economic Dev. & Equipment Replacement 2019 Budget (page 70).
12. To approve the Police, Humane Officer, and Equipment Replacement 2019 Budget (page 83).
13. To approve the Fire and Equipment Replacement 2019 Budget (page 97).
14. To approve the Public Works including Engineering, Operations, Traffic, and Equipment Replacement 2019 Budget (page 107).
15. Parks, Rec & Forestry including Admin., City Hall, Triangle Hill, Parks, Recreation, Pools, Forestry, Wildlife Sanctuary, and Equipment Replacement (page 128).

To add \$19,868.00 into the budget to cover health and dental insurance for 2 Naturalists and 2 Teachers starting Fall of 2019.

To approve the Parks, Rec & Forestry 2019 Budget as amended.

16. To remove \$20,000.00 from line item #59007 (Historic Preservation) in the Miscellaneous Budget (page 155) as it is also in the Economic Development Contractual Services.

To amend the Budget as stated.

To adopt the 2019 Miscellaneous Budget as amended.

17. To approve the Sanitary Sewer 2019 Budget (page 165).
18. To approve the Parking Utility 2019 Budget (page 169).
19. To approve the Storm Sewer 2019 Budget (page 173).

20. To approve the Bay Beach / Bay Beach Capital 2019 Budget (page 187).
21. To approve the Debt Service 2019 Budget (page 192).
22. To approve the Neighborhood Enhancement 2019 Budget (page 195).
23. To approve the Workers Compensation 2019 Budget (page 199).
24. To approve the General Liability 2019 Budget (page 200).
25. To approve the Health Insurance Escrow 2019 Budget (page 201).
26. To approve the Revenue - General Fund 2019 Budget (page 203).
27. To approve the Revenue - Sanitary Sewer 2019 Budget (page 213).
28. To approve the Revenue - Parking Utility 2019 Budget (page 214).
29. To approve the Revenue - DPW Equipment Replacement 2019 Budget (page 215).
30. To approve the Revenue - Storm Sewer 2019 Budget (page 217).
31. To approve the Revenue - Bay Beach 2019 Budget (page 220).
32. To approve the Revenue - Debt Service 2019 Budget (page 221).
33. To approve the Revenue - Equipment Replacement Funds 2019 Budget (page 223).
34. To approve the Revenue - Neighborhood Enhancement 2019 Budget (page 228).
35. To approve the Revenue - Workers Compensation 2019 Budget (page 229).
36. To approve the Revenue - General Liability 2019 Budget (page 230).
37. To approve the Revenue - Health Insurance Escrow 2019 Budget (page 231).
To add \$2,076.00 to Contingency.
To approve the Mayor's 2019 recommended Budget as amended.

O. Report of the Park Committee (October 29, 2018).

1. To approve the request by the Kennedy Park Neighborhood Association to install a neighborhood sign in Kennedy Park.
2. To approve the request by Wisconsin Public Service for a 12' wide utility easement in Colburn Park contingent upon the review and approval by the Law Department.

P. Report of the Public Arts Commission (October 24, 2018).

1. To approve the new logo design for the Green Bay Public Arts Commission.
2. To deny the Annual Grant Program application from CP.
3. To approve the Annual Grant Program application from Alex Zacarias for \$600.00.

Q. Report of the Traffic, Bicycle, and Pedestrian Commission (October 22, 2018).

1. To receive and place on file the report by the Police Department of the 2018 3rd quarter serious injury and fatality crashes.
2. To approve the request by the Traffic Engineer to modify the heavy traffic route system by removing Erie Road, removing Finger Road, and adding East Mason Street from Erie Road to the east City limits.
3. To receive and place on file the request to relocate the Hartung Street bike trail crossing of East Mason Street to Goodell Street due to safety concerns.
4. To refer to staff to investigate federal and/or state funding for an alternative crossing option such as a pedestrian bridge over East Mason Street connecting the East River Trail.

5. To approve the request by the Traffic Engineer to update the Index of Traffic Regulations as referenced in Sec. 29.307, Index of Traffic Regulations, relative to regulatory traffic conditions on public streets that are no longer needed due to roadway modifications or were missing by:

A. Remove the following NO LEFT TURN restrictions:

1. Cherry Street at Jefferson Street, eastbound, daily.
2. Driveway (Cub Foods) at Military Avenue, eastbound, daily.
3. Driveway (Days Inn) at Main Street, northbound, daily.
4. Laura Street at Main Street, northbound, daily.
5. University Avenue at Fred Street, westbound, daily.
6. Velp Avenue at Atkinson Drive, eastbound, daily.
7. Walnut Street at Madison Street, westbound, daily.
8. Walnut Street at Jefferson Street, eastbound, daily.
9. Walnut Street at Museum Place, eastbound, daily.

B. Adding the following NO LEFT TURN restriction:

1. Clay Street at Mason Street, southbound, daily.
2. Leo Street at Military Avenue, northbound and southbound, daily.
3. Lyndon Street at Velp Avenue, southbound, daily.
4. Mason Street at a point 500 ft west of East Town Way (Fire Station #5), eastbound, daily.
5. Shea Avenue at Velp Avenue, southbound, daily.

C. Remove the following NO RIGHT TURN restrictions:

1. Ashland Avenue at Mason Street Exit, northbound, daily.
2. Ashland Avenue at Mason Street Exit, southbound, daily.
3. Cherry Street at Madison Street, eastbound, daily.
4. Forest Street at Cedar Street, southbound, daily.
5. Gregby Way at Main Street, southbound, daily.
6. Jefferson Street at Walnut Street, westbound, daily.
7. Madison Street at Walnut Street, eastbound, daily.
8. Main Street at Oak Grove Avenue, northbound, daily.
9. Pine Street at Madison Street, northbound, daily.
10. University Avenue at Fred Street, northbound, daily.

D. Remove the following NO U-TURN restrictions:

1. Main Street at Morrow Street, eastbound, daily.
2. Mason Street at Superior Road, eastbound, daily.
3. Military Avenue at railroad crossing between Western Avenue and Leo Street, northbound and southbound, daily.
4. Military Avenue at a point 450 ft north of Mason Street, northbound, daily.
5. Monroe Avenue at island between Mason Street and Chicago Street, northbound, daily.
6. Oak Grove Avenue at Deckner Avenue, northbound, daily.
7. Walnut Street at alleyway 100 ft west of Washington Street, westbound, daily.

E. Remove the following NO TURN ON RED restrictions:

1. Ashland Avenue at Ninth Street, southbound, daily.

R. Report of the Sustainability Commission (October 4, 2018)

1. To approve creating a work plan with the attached template and information, using the goals approved at the last meeting.
2. To approve scheduling a strategic planning session with identified stakeholders.

S. Report of the Redevelopment Authority (November 1, 2018)

1. To approve as amended the Development Agreement Amendment Number Two (2) with GBES Owner I, LLC for East Town Mall Redevelopment at 2350 E. Mason St. (Tax Parcel 21-126-7) and 2350-2390 E. Mason St. (Tax Parcel 21-126-3), 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 continue negotiations on sale of real property at Washington St. (Tax Parcel 15-168).

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.

T. Receive & Place on File.

1. Building Permit Report for October 2018.

U. Resolutions.

1. Resolution adopting the 2019 Operating Plan for Downtown Green Bay, Inc. Business Improvement District.
2. Resolution adopting the 2019 Operating Plan for Olde Main Street, Inc. Business Improvement District.
3. Resolution adopting the 2019 Operating Plan for On Broadway, Inc. Business Improvement District.
4. Resolution adopting the 2019 Operating Plan for the Military Avenue Business Association Business Improvement District.
5. Resolution approving easement across City owned parcels.
6. Resolution approving the dedication of City owned lands for street purposes for the reconstruction of Erie Road from East Mason Street to Padi Wood Lane.
7. Resolution cancelling pending special assessments for pavement construction, water main, and water services.
8. Resolution authorizing the transfer of \$14,714.00 from the Contingency Account to Police and Fire Commission.
9. Resolution adopting 2019 budget and tax levy.

V. Referral of Petitions & Communications.

W. Ordinances - First Reading.

1. General Ordinance 27-18
An ordinance amending Section 27.902(2), Green Bay Municipal Code, relating to penalties for marijuana possession.
2. General Ordinance No. 30-18
An ordinance amending Section 29.307, Green Bay Municipal Code, relating to traffic regulations.

X. 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.