



AGENDA OF THE COMMON COUNCIL

**TUESDAY, JANUARY 15, 2019, 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 December 4, 2018 meeting.
- E. Approval of the Agenda.**
- F. Report by the Mayor.**
- G. Announcements.**
- H. Appointments.**

I. RE-APPOINTMENTS:

Green Bay Plan Commission

Lisa Hanson, 708 Kellogg Street, Green Bay, WI 54303

Term to expire: February 1, 2022

On Broadway Business Improvement District

Chad VanHandel, 1739 14th Ave., Green Bay, WI 54304

Term to expire: December 31, 2021

Adam Funk, 944 Elmore St., Green Bay, WI 54303

Term to expire: December 31, 2021

Downtown Business Improvement District

Rick Chernick, 1276 Quail Ridge Dr., Oneida, WI 54155

Term to expire: December 31, 2021

Olde Main Business Improvement District

Jim Wochinske, 1123 Cedar St., Green Bay, WI 54302

Term to expire: January 5, 2022

Military Avenue Business Improvement District

Sharon Hack, North Shore Bank, 1483 W. Mason St., Green Bay, WI 54303

Term to expire: December 31, 2021

I. Public Hearings.

1. Resolution vacating an unimproved portion of (private) right-of-way north of Deckner Avenue.

J. Ordinances - Second Reading for Adoption.

1. General Ordinance No. 29-18
An ordinance creating Section 33.08(7)(I), Green Bay Municipal Code, relating to online ordering and curbside pickup of alcohol beverages.
2. General Ordinance No. 31-18
An ordinance amending section 29.208, Green Bay Municipal Code, relating to parking regulations.

K. Report of the Protection & Policy Committee (January 7, 2019).

1. To approve General Ordinance No. 1-19, an ordinance creating section 29.513, Green Bay Municipal Code, relating to leaving keys in a vehicle.
2. To approve the change of agent at PH Hospitality Group, LLC at 859 Lombardi Ave.

3. To approve a request by St. Brendan's Inn, 234 S. Washington St., to temporarily extend their licensed premise to hold outdoor events in their parking lot on March 10 (12 p.m. to 4 p.m.), March 16 (10 a.m. to 3 p.m.), and March 17 (9 a.m. to 10 p.m.)
4. To approve an application for a "Class B" Combination license by Karen's Pub, LLC at 324 N. Roosevelt with a licensed premise description as "basement, 1st floor," with the approval of the proper authorities (Previously licensed as an individual ownership of Karen Goethe).
5. To approve an available "Class B" Combination license for Carnitas El Bajio LLC at 1698 E. Mason St. with a licensed premise description as "Behind bar, and kitchen, dining area," with the approval of the proper authorities (Currently has a Class "B" Beverage License and application filed in Clerk's Office on 11/19/2018).
6. To waive the Broadway Moratorium Resolution and approve the application for an available "Class B" Combination License by Rockabilly's LLC at 709 S. Broadway, subject to the approval of the proper authorities, and to recommend that Council waive the ordinance requirements for an outdoor licensed premise and to approve the proposed outdoor premise as presented.
7. To approve an application for an available "Class B" Combination license by Zach's Action Pit Billiards Arena LLC at 1730 S. Ashland Ave. with a licensed premise description as "1st only-bar restaurant area, kitchen and back storage room," with the condition that the licensee remain in compliance with the qualifications required under Fort Howard Moratorium Ordinance and operate with its principal business being that of restaurant and with the approval of the proper authorities.
8. To approve an appeal by Jordan Stordock to the denial of his operator's license.
9. To grant the appeal by Scott Brooks and reduce the re-inspection fees at 1499 7th St. to \$300.
10. To approve an appeal by Shoua Lee to the denial of his operator's license.
11. To refer to staff a request by Ald. Wery stating "review with possible action on ordinance 27.203 regulation of noise for the purpose of amending with weekend hours (New daytime :09:00-20:00) to gather input from the Director of Public Works to present at the next committee meeting.
12. To receive and place on file the Liquor Violation Report from the Police Department for January 7, 2019.
13. To receive and place on file the Report from the Water Utility Department regarding the lead pipe removal project.

L. Report of the Improvement & Services Committee (January 9, 2019).

1. To approve the request by Dorwin Tevebaugh to rescind the special collection charge of \$70.00 at 1370 Harvey Street.

2. To receive and place on file the report and have the Director work with the Chairman to draft a standing agenda item to report back progress on implementing the recommendations of the report by Department of Public Works documenting areas of localized ponding, measures already undertaken to address ponding, and future implementation steps needed to alleviate ponding. This item addresses issues previously brought forward under the following communications:

A. To receive and place on file the request by Ald. Johnson to identify top areas of concern within the City that experience frequent and/or severe flooding and report Department of Public Works plan to rectify such concerns with short and long-term solutions.

B. To receive and place on file 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.

3. To approve the 2019 Department of Public Works service rates.
4. To approve the 2018-2019 Early Mini-Storm Sewer Program.
5. To approve the request by Department of Public Works to modify Section 6.35 GBMC relating to Underground Sprinkler Systems.
6. To approve the request by Department of Public Works to modify Section 9.20 GBMC relating to Tree and Brush Trimmer License Required.
7. To approve the request by Department of Public Works to modify Section 9.21 GBMC relating to Right-of-Way Excavation and Occupancy.
8. To approve the request by Department of Public Works to modify Section 9.24 GBMC relating to Construction and Repair of Streets and Sidewalks.
9. To approve the request by Department of Public Works to modify Section 9.25 GBMC relating to License for Sidewalk Builders.
10. To approve the report of the Purchasing Manager to award the purchase of traffic signal equipment to TAPCO for \$40,330.
11. To receive and place on file the review and award of the contract RAY NITSCHKE MEMORIAL BRIDGE HYDRAULIC REPAIRS.
12. To approve the request by KS Energy Services to renew the annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

M. Report of the Redevelopment Authority (December 11, 2018 and January 8, 2019).

- I. To approve The Shipyard Investment Strategy Plan. (December 11, 2018)

2. To approve Development Agreement 19-01 with TWG Development, LLC, and DDL Holdings, LLC, for Broadway Lofts @ the Rail Yard at 420 N. Broadway (Parcel 5-1756), subject to minor legal and technical revisions. (January 8, 2019)

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.

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

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

O. Report of the Plan Commission (January 7, 2019).

1. To vacate a public service way and deny the vacation of the alleyway located near the corner of N. Adams Street and Pine Street, subject to the following conditions:
 - A. Easements are retained for utilities and pedestrian way from Pine Street Ramp to Adams Street across the entire Public Service Way area.
 - B. Wisconsin Public Service shall be granted an easement for their existing utilities, OR the applicant can work with WPS to have said utilities moved at the owner's expense.
2. To deny an easement discontinuance located near the corner of N. Adams Street and Pine Street.
3. To approve an easement discontinuance at 321 Moon Valley Drive, subject to the following conditions:
 - A. The Owners are notified that the City does not have any records if there are private sewer laterals within the requested area that may be affected by this Discontinuance Request.
 - B. Wisconsin Public Service has facilities in this area; an easement may be required for their facilities. Said easement will be determined at time of land division.
4. To declare City property surplus at 1416 Velp Avenue, subject to the following conditions:
 - A. Sale of the subject parcel shall be to the applicant, as negotiated by the City's Purchasing Office and the applicant.
 - B. Any proceeds from the sale of this property return to the Department of Public Works R/W Acquisition account.
5. No changes to the ordinance with the Zoning Administrator monitoring the number of requests related to non-residential driveways.
6. To approve a Plat of Right-of-Way and amend the Official Map for Erie Road.

P. Report of the Finance Committee (January 8, 2019).

- I. Report of the Purchasing Manager.
 - IA. To approve the purchase 46 Panasonic Toughbook computers for the Police Department from Baycom Inc for \$205,252.
 - IB. To award a 5 year contract for Cell Phones & Data for Police & Fire to AT&T FirstNet for \$645,000 (\$129,000 per year).
 - IC. To award a 3 year contract for Cell Phones & Data for all City Departments except Police and Fire to Cellcom for \$302,187 (\$100,729 per year), plus two 1-year renewal options.
 - ID. To receive and place on file informational report that the City has entered into a 3 year agreement with Tradition Energy to facilitate contract pricing for natural gas to achieve a projected savings of \$33,500 per year.
2. To hold action on requested amendments to Claims Administration Procedure Ordinance (GBMC 7.01 et seq) until the January 29th Finance meeting.
3. To approve an ordinance relating to the establishment of a Relief Fund and associated funding sources.
4. To approve the staff's recommendation on the Report of the Claims Committee.

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.

5. To approve the staff's recommendations regarding the litigation in Dustin Krueger-Dunow v. City of Green Bay.

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Q. Report of the Park Committee (January 9, 2019).

1. To receive and place on file the report on the status of the site plans, site location, fundraising efforts and construction schedule for the 4-K building project at the Wildlife Sanctuary.
2. To direct staff to work with Ald. Brunette and user group to find an appropriate location for a fat tire/winter bike trail within the park system.

3. To accept a \$75,000 grant from the Fund for Lake Michigan for the construction of the shoreline improvement project at Bay Beach Amusement Park contingent upon staff providing the grant contract for City Council review.
4. To accept a \$50,000 Wisconsin Coastal Management Program Grant for the East River Trail engineering from Baird Street to Irwin Avenue contingent upon the State's final approval of the grant funding and with the understanding that no matching City funds are required.
5. To refer to staff to develop a policy for utilizing the City website to help promote fundraising for City park projects.

R. Report of the Personnel Committee (January 8, 2019).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers. (January 8, 2019)
 - a. Legal Assistant - Law
 - b. Public Works Superintendent (Parking) - Public Works
 - c. Parking Maintenance Technician - Public Works
 - d. Human Resources Generalist - Human Resources
2. To approve the request by Ald. Johnson to eliminate the requirement for prior authorization for budgeted or cost neutral out-of-state travel. (January 8, 2019)
3. To approve the following wage agreements with a 2% general salary increase effective in which October 1, of the respective year occurs. (January 8, 2019)
 - a. Parks & Forestry Labor Association 2018
 - b. Parks & Forestry Labor Association 2019
 - c. Public Works Labor Association 2018
 - d. Public Works Labor Association 2019
 - e. Public Works Labor Association - Electrical Division 2018

The Committee may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Committee may thereafter reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

4. Update and discussion on Bus Operator labor negotiations. (January 8, 2019)

The Committee may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Committee may thereafter reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

5. Informational Only: Received and placed on file initiated recruitment for Park Facilities Supervisor (Food & Beverage) that was approved as part of 2019 budget. (January 8, 2019)

S. Report of the Sustainability Commission (December 12, 2018).

1. To refer to staff the "Urban Nonpoint Source and Storm Water Management Grant Program" by the deadline (April 2019).

2. To receive and place on file the assessment of the City of Green Bay's storm water infrastructure, grant request for baseline analysis, green infrastructure pilot projects, and long-term strategy for green infrastructure and storm water management.

T. Receive and Place on File.

1. Municipal Court Report for November 2018.
2. Building Permit Report for November 2018.
3. Municipal Court Report for December 2018.
4. Building Permit Report for December 2018.

U. Resolutions.

1. Resolution accepting streets for concrete pavement, asphalt pavement or asphalt resurfacing - PAVEMENT 1-18, PAVEMENT 3-18, WisDOT PAVEMENT 2018 (MATHER STREET), RESURFACING 1-18.
2. Resolution accepting streets for sanitary sewers and storm sewers - PAVEMENT 1-18.
3. Resolution accepting streets for water main and services - PAVEMENT 1-18.
4. Resolution Authorizing Relocation of Polling Places for Wards 10 and 26.
5. Resolution authorizing 2018 transfer of \$15,079.90 from contingency for expenses related to referendum questions from the last election.
6. Resolution vacating an unimproved portion of (private) right-of-way north of Deckner Avenue.
7. Resolution regarding vacation of a public service way located near North Adams Street and Northland Avenue.
8. Resolution authorizing release of utility easement for 321 Moon Valley Drive.
9. Resolution declaring City property surplus at 1416 Velp Avenue.
10. Resolution drawing final orders to contractors for January 15, 2019.

V. Referral of Petitions & Communications.

W. Ordinances - First Reading.

1. General Ordinance No. 1-19
An ordinance creating section 29.513, Green Bay Municipal Code, relating to leaving keys in a vehicle.
2. Planning Ordinance No. 1-19
An ordinance amending the Official Map of the the City of Green Bay to approve a Plat of right-of-way for the Erie Road.

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.