



AGENDA OF THE COMMON COUNCIL

**TUESDAY, MARCH 5, 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 February 18, 2019 meeting.

E. Approval of the Agenda.

F. Report by the Mayor.

G. Announcements.

H. Public Hearings.

- I. Resolution vacating a public service way located near North Adams Street and Northland Avenue.
2. General Ordinance No. 11-19
An ordinance amending Green Bay Municipal Code Sections 13-215, 13-1503(1)(a), 13-1507(1)(b)(7)(a), 13-1507(1)(b)(7)(b) and 13-1514 related to the Landmarks Commission.
3. Zoning Ordinance No. 1-19
An ordinance amending and superseding Zoning Ordinance 12-18: Planned Unit Development Located in the 200 Block of North Van Buren Street.

I. Ordinances - Second Reading for Adoption.

- I. General Ordinance No. 3-19
An ordinance amending Section 2.06(9), Green Bay Municipal Code, relating to reference to committees.

2. General Ordinance No. 8-19
An ordinance amending Section 9.21, Green Bay Municipal Code, relating to right-of-way excavation and occupancy.
3. General Ordinance No. 10-19
An ordinance amending Section 9.25, Green Bay Municipal Code, relating to license for sidewalk builders.
4. General Ordinance No. 7-19
An ordinance amending Section 9.20, Green Bay Municipal Code, relating to Tree and Brush Trimmer License required.
5. General Ordinance No. 9-19
An ordinance amending Section 9.24, Green Bay Municipal Code, relating to construction and repair of streets and sidewalks.
6. General Ordinance No. 6-19
An ordinance amending Section 6.35, Green Bay Municipal Code, relating to underground sprinkler systems.
7. General Ordinance No. 20-18
An ordinance amending Chapter 7, Green Bay Municipal Code, relating to claims administration.
8. General Ordinance No. 11-19
An ordinance amending Green Bay Municipal Code Sections 13-215, 13-1503(1)(a), 13-1507(1)(b)(7)(a), 13-1507(1)(b)(7)(b) and 13-1514 related to the Landmarks Commission.
9. Zoning Ordinance No. 1-19
An ordinance amending and superseding Zoning Ordinance 12-18: Planned Unit Development Located in the 200 Block of North Van Buren Street.
10. General Ordinance No. 4-19
An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.
11. General Ordinance No. 5-19
An ordinance amending Section 29.503, Green Bay Municipal Code, relating to obstruction of crossing by trains.

J. Resolutions.

1. Resolution drawing final orders to contractors for March 5, 2019.
2. Resolution authorizing transfer of 2019 budgeted revenues and expenses between accounts.
3. Resolution vacating a public service way located near North Adams Street and Northland Avenue.
4. Resolution cancelling certain property taxes.

5. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of concrete pavement.
6. Resolution vacating a portion of unimproved right-of-way located north of Deckner Avenue.

K. Report of the Protection & Policy Committee (February 25, 2019).

1. To grant an available "Class B" Combination license to Zach's Action Pit Billiards Arena LLC at 1730 S. Ashland Ave. with a licensed premise description as "1st floor only-bar restaurant area, kitchen and back storage room," with the approval of the proper authorities. (Previously discussed at the January 7 Protection & Policy meeting & filed with the Clerk's Office on 12/12/2018).
2. To refer to staff the request by Ald. VanderLeest stating: "Any vehicle stolen in City of Green Bay, Wisc. that the Green Bay Police Department recovers, the person owning the car or truck pays towing fee related to the vehicle. Fee paid to the City of Green Bay Police Dept. I do not recommend any fine imposed on the person who vehicle was stolen."
3. To receive and place on file the Liquor Violation Report from the Police Department for February 25, 2019.

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

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

M. Report of the Improvement & Services Committee (February 27, 2019).

1. To receive and place on file request by Ald. Steuer on the review of parking policies near the Brown County Courthouse, and have staff make an offer to Brown County for parking alternatives.
2. To approve the motion by Ald. Wery to direct staff to contact WisDOT regarding future repairs/upgrades to Shawano Avenue from Ashland to Oneida to add this section of roadway to the WisDOT 6-year program.
3. To receive and place on file request by Ald. Wery that the City take ownership and/or maintenance of the drainage pond serving Hannah Street.
4. To hold the Department of Public Works Capital Improvement Program for 2019.
5. To forward to Common Council with no recommendation on the review and award of the contract ELEVATOR MODERNIZATION GREEN BAY CITY HALL - REBID.
6. To approve application for Tree & Brush Trimmer License by Best Stump Grinding.

N. Report of the Redevelopment Authority (February 26, 2019).

- I. **INFORMATIONAL:** To proceed as directed in closed session regarding purchase of property at 227 N. Quincy St., 221 N. Quincy St., 624-626 Pine St., 618 Pine St., 616 Pine St., and 605 Cherry St. (Tax Parcels 11-156, 11-157, 11-158, 11-159, 11-160, and 11-191).

The Council 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 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.

O. Report of the Plan Commission (February 25, 2019).

- I. To authorize a Conditional Use Permit (CUP) for a shelter facility in an Office/Residential (OR) District located at 430 South Clay Street, subject to the following conditions:
 - a. A maximum capacity of 46 individual residents within the shelter facility. Any increase in residents will require Plan Commission and Common Council approval.
 - b. If the shelter facility use at 430 South Clay Street is discontinued, the operation is dissolved, or if the Transformation House no longer operates/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 Development 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 shelter facility, but not limited to:
 1. Police calls and other documented safety concerns.
 2. Inadequate facilities.
 - d. A mandatory background check for all residents is required. Sex offenders required to register under §301.45, Wis. Stats., are prohibited from any stay at the facility.
 - e. Conformance with the operating plan submitted by the applicant.
 - f. Compliance with all other regulations of the Green Bay Municipal Code.
 - g. A site plan be reviewed and approved by the Community Development Review Team (CDRT).
 - h. Tax Parcels 14-882 and 14-876 be combined into one parcel.
 - i. The facility may conduct activities to serve residents and may occasionally conduct neighborhood outreach events on site but, shall not conduct an ongoing soup kitchen.
 - j. The applicant shall submit a safety and security plan that includes exterior recording cameras, landscaping and lighting approved by the Green Bay Police Department.
 - k. The Chief Building Official shall inspect the subject property for compliance with applicable building codes.

P. Report of the Finance Committee (February 26, 2019).

- I. To approve a resolution authorizing transfer of 2019 budgeted revenues and expenses between accounts.
2. To approve the request from Chief David Litton for an Intergovernmental Agreement between The City of Green Bay Metro Fire Department and the Bellevue Fire Department.
3. To approve the request to move forward with the City Hall elevator modernization and to bond for an additional \$570,000.00 in 2019 to pay for the remaining balance of the bid.

4. To have staff proceed as directed in closed session on COGB v. Acting Midwest Regional Director, BIA, Docket Nos. IBIA 19-003, IBIA 19-013, and IBIA 19-014.

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 Park Committee (February 27, 2019).

1. To approve the purchase of a Walk-in Freezer including installation for the Wildlife Sanctuary from John's Refrigeration for \$25,656.
2. To approve hiring Stantec to provide engineering services for the East River Trail/Main Street Plaza and Saint George Street canoe/kayak launch for a total cost of \$83,400.
3. To approve a donation from the Redevelopment Authority of Parcel 5-1150 (236 Gray Street) to the City of Green Bay for the expansion of Fisk Park.
4. To receive and place on file the staff update on the fundraising efforts for the 9-11 Memorial.

R. Report of the Personnel Committee (February 26, 2019).

1. To approve request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Electrician - Public Works
 - b. Park Maintenance Worker - Parks, Recreation & Forestry
2. Approve the amendment of City of Green Bay Personnel Policy Chapter 9, Hours of Work and Fringe Benefits, Section 9.12, Holidays, to clarify that an employee must be on an authorized paid leave to be eligible for the holiday pay if unable to work the scheduled day preceding and the day immediately following the holiday.
3. Approve request to adopt the 2019 - 2021 labor agreement between the City of Green Bay and Amalgamated Transit Union, Local Division 857, Bus Operators.

The Council 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 Council 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.

S. Report of the Public Arts Commission (February 27, 2019).

1. To approve the Green Bay Public Arts Commission funding strategy and continue to operate as normal.
2. To approve \$300 in Annual Grant funds to the Boys and Girls Club for the 2019 Dragon Boat Races.
3. To approve \$300 of Annual Grant funding to UntitledTown.
4. To approve the "Call for Artists" for the Military Avenue Business District extension of the pilot utility box art program.
5. To approve the creation and establishment of a pilot program entitled "Sidewalk Poetry".

T. Report of the Sustainability Commission (February 13, 2019).

- I. To amend as discussed the Sustainability Commission's Renewable Energy Work Plan.

U. Referral of Petitions & Communications.

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.