



AGENDA OF THE COMMON COUNCIL

**MONDAY, APRIL 1, 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 March 19, 2019 meeting.

E. Approval of the Agenda.

F. Report by the Mayor.

G. Announcements.

H. Recognitions and Awards.

I. **Proclamation Presentation**

Laura Schley and members of the Public Arts Commission
National Poetry Month

I. Public Hearings.

I. Resolution vacating a public walkway located at 626 Pinehurst Avenue.

J. Resolutions.

I. Resolution vacating a public walkway located at 626 Pinehurst Avenue.

2. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes.

3. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
4. Resolution authorizing release of utility easement for 1262 Velp Avenue.

K. Report of the Improvement & Services Committee (March 27, 2019).

1. To approve staff to review the policy for over plows and review historical records for sidewalk plowing agreements. (held over from the March 13, 2019 Improvement and Services Committee meeting).
2. To approve the request by Ald. Nicholson to include Main Street and Mason Street in the 2020 Capital Improvement Program.
3. To approve removing sidewalk cake numbers 7 and 18 from the sidewalk replacement bill as appealed by Andrew Malecki, 1131 S. Fisk Street.
4. To refer to staff to review the street and make an analysis on whether or not Hickory Hill from 12th Avenue to Oneida Street should be added to the 2020 street improvement project list.
5. To approve the request by the Redevelopment Authority of the City of Green Bay to authorize the Department of Public Works to award a contract for mass grading at The Shipyard/Breakthrough Fuels project sites at a staff level and report the award at the next regularly scheduled meeting of the Improvement and Services Committee to keep the Breakthrough Fuels project on schedule.
6. To approve the agreement and authorize the Director to execute the agreement by the Department of Public Works to execute the Bridge Operation Agreement for Fiscal 2020 with the Wisconsin Department of Transportation.
7. To approve the following:
 - A. Awarding Fire Station No. 6 Kitchen Remodeling Work to Millbach Construction Services, Co. in the amount of \$49,286.00.
 - B. Awarding Sidewalks 2019 to Fischer-Ulman Construction, Inc. in the amount of \$287,185.00.
8. To approve the applications for Concrete Sidewalk Builder Licenses by the following:
 - A. IEI General Contractors Inc.
 - B. In The Countryside Concrete LLC
 - C. J.C. Santy Construction LLC
 - D. KPC Concrete Contractors
9. To approve the Final Resolution authorizing asphalt pavement improvements and levying special assessments against property for concrete pavement on Webster Avenue N. - East River to Radisson Street.

L. Report of the Protection & Policy Committee (March 25, 2019).

1. To approve an ordinance amending and creating sections of Chapter 24, Green Bay Municipal code, relating to fire prevention code.
2. To approve an ordinance creating section 27.405, Green Bay Municipal Code, relating to possession of tobacco and vapor products by minors prohibited.
3. To hold a request by Ald. Brunette, which reads: "For the City to develop a resolution, or policy and procedure to notify property owners near parcels of land with a pending or approved application to be transferred from fee to trust status. My overarching concern is for the City and the Oneida Nation-in goodwill- to notify affected property owners of the new governing jurisdiction, code enforcement, and zoning authority of the parcel recently transferred or applied to be transferred, and to provide an official forum for public input and comment."
4. To hold a request by Ald. Dorff, which reads: "I believe that steps must be taken to ensure that infra structure projects, including but not limited to those that the wheel tax will fund, must be chosen very carefully and be placed into a capital improvement plan. I am requesting that P and P develop policy with the help of DPW, legal and other appropriate staff. This policy must be developed so that the special interests and requests of individual alders do not subvert the process of choosing the projects that have been carefully researched by city staff as being appropriate for placement in a five year plan. Parameters for choosing streets to be repaired, reconstructed or resurfaced as well as other infra structure improvements should be clearly identified within this policy."
5. To receive and place on file the Liquor Violation Report from the Police Department for March 25, 2019.

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

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

N. Report of the Plan Commission (March 25, 2019).

1. To approve an easement discontinuance located within vacated Lark Street at 1262 Velp Avenue, subject to the following condition:
 - a. A new 12 ft. easement shall be created along Velp Avenue and Tomlin Avenue to accommodate Wisconsin Public Service, as detailed in an e-mail to the applicant on February 25, 2019.
2. To declare City property surplus, located on Highland Park Avenue, subject to the following:
 - a. This surplus property shall be attached to parcel 21-1229 at time of deed.
 - b. This shall be conveyed to the property owner of 21-1229 at no cost.

3. (Held from the March 5, 2019 Council Meeting)
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 forty-six (46) individual residents within the shelter facility. Any increase in residents shall 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. Process to be approved by the Police Department.
 - 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 shall be reviewed and approved by the Community Development Review Team (CDRT).
 - h. Tax Parcels 14-882 and 14-876 shall 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. All references to soup kitchen shall be removed from the operating plan.
 - j. The applicant shall submit a safety and security plan that includes exterior recording cameras, landscaping and lighting approved by the Police Department.
 - k. The Chief Building Official shall inspect the subject property for compliance with applicable building codes.
 - l. The applicant shall submit an onsite parking plan that shows adequate parking for the proposed use.
 - m. All conditions shall be met before the conditional use permit is issued by Common Council.
 - n. The applicant shall submit a quarterly report on police calls to the Common Council.

O. Report of the Park Committee (March 27, 2019).

1. To receive and place on file the request by the Colburn Neighborhood Association to install a new Colburn Park sign on Ernst Drive.
2. To direct staff at the completion of the Colburn Pool project to review the total project budget with the Park Committee to determine if there is adequate funding to improve the pool signage at the main entrance.
3. To approve the deaccession of the 9-11 Monument.

4. To approve the request by Compassionate Home Health Care to sell concessions and allow the sale of alcohol (beer and malt beverages only) on CityDeck for the Rock the Docks Green Bay event on July 13, 2019.
5. To approve the request by DePere Dodgers Baseball to sell concessions and merchandise, collect admissions and allow the sale of alcohol (beer and malt beverages only) at Joannes Stadium during their 2019 scheduled games.
6. To approve the request by the Baird Creek Preservation Foundation to complete a prairie burn in the Baird Creek Greenway near McKenzie Lane.
7. To approve the 2019 Community Development Block Grant park proposals and forward the request to the Redevelopment Authority for approval.
8. To approve the Design, Construction & Dedication Agreement with Ducks Unlimited, Inc. for the Ken Euers waterfowl habitat and northern spawning restoration project.

P. Report of the Public Arts Commission (March 27, 2019).

1. To approve David Windey's Rotating Art Program application.
2. To approve \$300 in Annual Grant Program funding to Allison Hellenbrand and Kent Hutchison - The Farmory *Rooted* sculpture.
3. To refer to staff to research for options to utilize Community Development Block Grant (CDBG) Beautification funds.

Q. Report of the Sustainability Commission (March 13, 2019).

1. To approve the Sustainability Commission's request to have the authority to pursue grants, with the city departments or outside organizations, which further the goals of the Commission.

R. Ordinances - First Reading.

1. General Ordinance 12-19
An ordinance amending and creating sections of Chapter 24, Green Bay Municipal code, relating to fire prevention code.
2. General Ordinance 13-19
An ordinance creating section 27.405, Green Bay Municipal Code, relating to possession of tobacco and vapor products by minors prohibited.

S. Committee of the Whole

- I. Update and discussion on potential relocation of C. Reiss Coal Company terminal operations.

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.

T. Referral of Petitions & Communications.

U. 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.