



MINUTES OF THE COMMON COUNCIL

**MONDAY, APRIL 1, 2019, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. ROLL CALL.

Present: Craig Stevens, Randy Scannell, Veronica Corpus-Dax, Bill Galvin, Kathy Lefebvre, John VanderLeest, Jesse Brunette, Mark Steuer, Brian Johnson, Chris Wery, Barbara Dorff
Excused: Andy Nicholson, however, he did arrive at 6:19 p.m.

B. PLEDGE OF ALLEGIANCE.

C. INVOCATION.

D. APPROVAL OF MINUTES.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve. Motion carried.

I. Approval of the minutes of the March 19, 2019 meeting.

E. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried.

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.

No one appeared to speak on the resolution.

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

J. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to suspend the rules to adopt Resolutions I through 4. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adopt Resolutions I through 4.
Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

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).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of Item 2. Motion carried.

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.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve Item 2.

Moved by Ald. Barb Dorff, seconded by Ald. Randy Scannell to amend to consider the request by Ald. Nicholson to include Main Street and Mason Street in the 2020 Capital Improvement Program by making an analysis on whether or not this street should be added to the 2020 street improvement project list.

Moved by Ald. Mark Steuer, seconded by Ald. John VanderLeest to hold Item 2 until Ald. Andy Nicholson arrives. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to take up Item 2 (this was after R. Ordinances – First Reading). Motion carried.

Moved by Ald. Andy Nicholson, seconded by Ald. Barb Dorff to amend to consider the request by Ald. Nicholson to include Main Street and Mason Street in the 2020 Capital Improvement Program. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to approve as amended. Motion carried.

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).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve. Motion carried.

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.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve. Motion carried.

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

N. REPORT OF THE PLAN COMMISSION (MARCH 25, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve. Motion carried.

I. 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).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of Item 8. Motion carried.

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.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to approve Item 8. Motion carried.

P. REPORT OF THE PUBLIC ARTS COMMISSION (MARCH 27, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to approve. Motion carried.

I. 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).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve. Motion carried.

I. 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.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to suspend the rules to advance ordinances 1 and 2 to a second reading. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to advance ordinances 1 and 2. Motion carried.

I. 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.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve Item I.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to go into closed session at 6:31 p.m. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, No- Andy Nicholson

Ald. Randy Scannell read the closed session language.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to return to regular order of business at 7:08 p.m.

Staff will continue to move forward with the plan discussed in closed session.

T. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to refer the petitions and communications to the appropriate Committee or Commission. Motion carried.

A request by Ald. Kathy Lefebvre to the Protection & Policy Committee which reads: "I request that we look at street assessments for nonprofits-example Paul's Pantry N. Webster. Their assessment is \$17,000 and I feel this will take away from the vital services they provide. I do believe they should pay something-maybe half."

A request by Ald. Veronica Corpus-Dax to the Improvement and Services Committee for consideration for possible action to consider Alpine Dr. for future road improvement project.

U. ADJOURNMENT.

Moved by Ald. Andy Nicholson, seconded by Ald. Randy Scannell to adjourn at 7:15 p.m. Motion carried.

Kris A. Teske

Green Bay City Clerk

These minutes in their entirety, are available in the City Clerk's Office and on the City website at greenbaywi.gov

VERBATIM MINUTES

- [Council Member] I'm not sure if he's gonna be here right away.
 - Yeah, he's gonna be late.
 - [Council Member] Oh, he is, good.
 - Ready?
 - [Council Member] I mean, not good, but I didn't get the message.
 - We're gonna start. We're gonna start.
 - Good evening, I want to call to order. I got a lot in me. I got a lot in me. Want to call to order the meeting of the Common Council for Monday, April 1st. Are we gonna clerk?
 - [Clerk] Eleven are present, your honor, and Alderman Nicholson will be late.
 - Terrific, with that, we obviously have a quorum, we'll proceed. If you'd all please rise, for the Pledge of Allegiance, and remain standing for the invocation. I pledge allegiance to the flag of the United States of America, and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. Heavenly father, we're blessed here in Green Bay, with the many gifts you've given us, including our wonderful environment, the caring community and many people who give of their best to lift the lives of those who call Green Bay home. As we work tonight to make the best decisions for all your people, please be with us and grant us patience, understanding, and wisdom. Help us to understand the different points of view, knowing that, while you made all of us different and unique, we have a common goal, to do your work and to help our fellow man. Bless all those running for public office tomorrow, knowing that it takes a faith in you and a faith in each other, which will make this community great. Let us as leaders be an example that when we turn to you and work together in a respectful manner, all things are possible. Please continue to watch over all our protective services, our personnel, and the military families, especially those serving on the U.S.S. Green Bay.
- Minutes of the Common Council

We ask this in your name, Amen. All right, with that, I'll entertain a motion to approve the minutes of the April, all right, so there's the motion by Alderman Scannell, seconded by Alderman Galvin, to approve the minutes of the March 19th meeting. Any things you wish to discuss here? Seeing no lights, all in favor of that motion, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay. The ayes have it. And those minutes have been approved. I'll now entertain a motion to approve the agenda.

- [Scanlan] Move to approve the agenda.

- Alderman Scanlan, seconded by Alderperson Dorff. Any lights here? Seeing no lights, all in favor of the agenda, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay. The ayes have it. The agenda as presented before you is approved.

- [Clerk] Report by the mayor.

- I really want to time, I don't have much to talk about. We're gonna meet again on the 15th, two weeks from tonight, as you know, the, we'll get out there and vote tomorrow. I'll send you by email, when the mayor's gonna be sworn in, I've reached out to both candidates and we'll have a very smooth and efficient transition, so just check your emails for dates and times for upcoming events regarding that. All right?

- [Clerk] We're on to announcements.

- Alderman Scannell?

- Thank you, your honor. Just two quick announcements. The big book sale, Brown County Central Library is selling more than 100,000 books, DVDs, CDs, audiobooks, and more, on April 9th through 13th, that's more than 100,000. The sale will take place in the lower level of the Brown County Central Library. Also, Strike a Chord at Backstage, Friday, April 6th, from 6 pm on. Strike a Chord is bringing four bands to Backstage. Enjoy live music by Beach Patrol, Elastic Waist Band, Sons of Kong, as well as Holly and the Nice Lions. And I ain't lyin'. Come on down and support the nonprofit Strike a Chord foundation that helps veterans through music. Thank you.

- [Mayor] Thank you Alderman. Alderman Steuer.

- Thank you, your honor. Alderman Scannell stole all my thunder. Anyway, I belong to Strike a Chord, and as we've said, as he stated, we are having our first event on Friday. At 6 o'clock, \$10 at the door, and it's for music appreciation and connectivity with other groups and bands and such throughout the community, and we're looking to be a player in the city of Green Bay, so thank you.

- I don't see any lights, Chris.

- Now I have a light, Alderman Wery.

- Thank you, Mr. Mayor. I wanted to congratulate City Council President Mark Steuer on an award you've been receiving. It's the Wisconsin Association of Historic Commissions, 2019 Historic Preservation Excellence awards. The category is Advocacy. The award recognizes advocacy work that had a real and beneficial impact on the local community, and Alderman Steuer, as we all know, has been a steadfast advocate of historic preservation, relentlessly working in our community on issues from bolstering our historic preservation commission and ordinances, to promoting and writing historic articles about the Hotel Northland. He is most certainly deserving of this reward, and congratulations Alderman Steuer.

- [Mayor] Congratulations Alderman.

- All right, Chris, do you have any announcements?

- [Chris] No, I do not.

- All right, very good, let's continue.

- [Clerk] We're on to recognitions and awards, proclamation presentation. Laura Schley and members of the public arts commission national poetry month.

- Laura, are you here, anyone from the, there you are. Anyone from the commission? All right, so. Right, right. So we have a proclamation, come on up here, Laura. You can speak from this mic if you'd like to say something, when we're done. Do we have a city, a great city that's known a lot for sports, and yet, we really are evolving in the arts, I mean, if you look at Untitledtown, all they've done, and we're now participating quite heavily in national poetry month, and for those of you with kids who are in the arts and starving poetry writers, their heart is filled. They love what they do, and they do good work, and they're very talented people, and we want them to feel very welcome here in the city of Green Bay, and part of that goes by just recognizing their industry, and recognizing how much we appreciate the arts, the visual arts, the written arts, performing arts, and we do that pretty well here. And I just want to applaud you for your efforts with the public arts commission, I know we're just getting our sea legs, but that's going to be a very strong commission. And we as a city, city council, want to share this proclamation with you, so if I could just share this with you, and if you'd like to make a few comments. It reads, Whereas the Academy of American Poets established the month of April as national poetry month, and this was back in 96, 1996, and whereas the national month seeks to highlight the extraordinary legacy and ongoing achievement of American poets, and whereas national poetry month, under the leadership and direction of the National Academy of American Poets is now the largest literary celebration in the world, and whereas poetry enhances and enriches the lives of all Americans, and whereas poetry is an essential part of the arts and humanities, affects every aspect of life here in America, including education, the economy, community pride and development, and whereas poetry has produced some of the nation's leading creative artists, has inspired other artists in fields such as music, theater, film, dance, and the visual arts, and now therefore I, James J. Schmitt, the mayor of the city of Green Bay do hereby proclaim April 1st through April 30th as national poetry month in the city of Green Bay, and I call upon our public officials, educators, librarians, and all citizens to observe this month, to celebrate the cultural riches our community has to offer, and to recognize the importance and the role of poetry in creating and sustaining this great nation with appropriate ceremonies, activities, and programs. Thanks for what you do, and congratulations.

- So, I'm gonna give a little plug here to celebrate national poetry month, the Green Bay public arts commission is actually opening up our very first sidewalk poetry contest. It'll be going out live tonight. Basically, we are inviting community members of all ages to submit their original poems. From there, they'll be selected down to the final few, and then they'll actually be imprinted into various sidewalks that are already scheduled for replacement and need repair, so it's a great way to showcase the creativity of our community members in our utilitarian sidewalks and spaces.

- [Mayor] Thank you for doing that. Go ahead.

- [Clerk] We're on to public hearings. Resolution vacating a public walkway located at 626 Pinehurst Avenue.

- The floor is now open to hear from anyone interested in commenting on a resolution vacating the walkway located at 626 Pinehurst Avenue. Anyone tonight want to speak to that specific resolution, 626 Pinehurst, anyone wishing to speak, any motion to be heard? All right, we'll let the record show no one came forward.

- [Clerk] We're on to resolutions, you may under suspension of the rules, adopt resolutions one through four together with one roll call vote.

- All right, there's a motion from Alderman Scannell. Seconded by Alderman Stevens to suspend the rules for that purpose. All those in favor of suspension, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay.

- The ayes have it, the rules are suspended. Motion by adopted by someone, by Alderman Scannell, seconded by Alderman Steuer. This is J, under your report, items one, two, three, and four, and if you'd please use the board. All right, and those pass on a unanimous vote, thank you.

- [Clerk] Report of the Improvements Service committee, March 27, 2019.

- All right, there's a motion by Alderman Scannell. Seconded by Alderperson Dorff to approve the report of the Improvements Service committee, that was for the meeting held on March 27. Any items on this report you wish to handle separately?

- [Female Voice] Number two.

- Item two. OK, hearing no others, all in favor of the remainder of that report, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay, the ayes have it. All items in the report K have been approved, with the exception of item two. What are your wishes regarding item two? Motion to approve by Alderman Scannell. Seconded by Alderperson Corpus-Dax. Alderperson Dorff, item two.

- Thank you. I do think that I would like Main street and Mason Street to be considered in the 2020 capital improvement program. I like the wording on item number four. So had Alderman Nicholson been here, I wanted to catch him before the meeting to ask him if we could just amend that, but since he is not here, I would like to amend this, to approve the request by Alderman Nicholson to consider including Main Street and Mason Street in the 2020 capital improvement program.

- [Mayor] Two, so the amendment now is just to insert the word "consider", that.

- Yeah, if you want to make it longer, I'll look at number four, and to make an analysis on whether or not it should be added to the 2020 street improvement project list.

- [Mayor] Do you have that written out?

- Well yeah, it's kind of like, right here under number four, but let's try this. To approve the request by Alderman Nicholson to consider including Main Street and Mason Street in the 2020 capital improvement program by making an analysis on whether or not the streets should be added to the 2020 street improvement project list.

- [Mayor] OK, so that is the amendment being offered on item two. So that's what we're discussing. So this is a discussion, do you have anything else you want to add to that?

- It's just so that again, we're doing this appropriately, and we're letting staff look at what should be done, and it's not the Alderman individually deciding, we're looking at a whole analysis of what should be included in the 2020 project, so that's why I'd like it to be rephrased in that manner. Not that I'm against the project, it's probably a great project.

- [Mayor] OK. Alderman Wery, on the amendment.

- Thank you, Mr. Mayor. I'm not sure that the way it's written here in the report, it counts as exactly the way we came out of our committee. First, it's really not just Mason and Main Street, it's kind of the entire corridor, I think it was called the Ellis Creek watershed area, something like that. So that's really what we were discussing is actually a study being done on that right now, which will be done by fall. And, the agreement from staff was that this is gonna be included, they just weren't sure if it's gonna be ready quite for next year or the following year, but they were fine with it being included in next year and then if they weren't quite ready, we'll just change it to the following year. The committee and Alderman Nicholson were feeling that this is such a big item on the east side, that we wanted to keep attention on it, and this was the way to do it, so it was worded kind clumsily here, it was really had to do more with that Ellis Creek watershed area, and not just the streets themselves, because really it's much more than that.

- [Dorff] Should I amend my amendment?

- No. Not right now, maybe anybody else on the committee, I know we had a hodgepodge committee that I picked, but perhaps President Steuer, you were there that night, if you wanted to speak to it as well.

- [Mayor] Alderman Steuer on the amendment.

- Thank you, your honor. I can see Alderperson Dorff where you coming from on this, but for, to say to approve the request by Alderman Nicholson to consider, I'm not sure that's exactly how he would take that, I wish he was here, but he couldn't talk to that, that's why I almost feel like until he gets here, I'd almost feel more comfortable dealing with it at that time.

- [Mayor] Then make a motion to hold this.

- I'll make a motion to hold until he shows.

- [Mayor] All right, seconded by Alderman Vander Lee. Any discussion on holding this item? All right, seeing no lights, the motion seconded to hold, all in favor, please signify by saying aye.

- [Many] Aye.

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- Those opposed, nay, the ayes have it. Item two has been, is gonna be held until later in the evening. OK, Chris.

- [Clerk] A report of the protection and policy committee, March 25, 2019.

- A motion by Alderman Scannell, seconded by Alderman Stevens to approve item L, which is a report of the protection and policy committee for March 25. Any items in this report you wish to handle separately? Hearing none, all in favor of that report, please signify by saying aye.

- [Many] Aye.

- Those opposed, nay, ayes have it, and that report has been approved.

- [Clerk] Report of the protection and policy committee, granting operator licenses.

- [Alderman] Motion to approve.

- Motion by Alderman Scannell, seconded by Alderperson Dorff to approve report item M, which is a report granting the operating licenses. Any names in here you wish to abstain from or pull separately? Hearing none, all in favor of that report, please signify by saying aye.

- [Many] Aye.

- And those opposed nay, the ayes have it, report of protection and policy committee granting operating licenses has been approved.

- [Clerk] Report of the planning commission, March 25, 2019.

- Motion to approve by Alderman Scannell, seconded by Alderperson Corpus-Dax to approve the report of the planning commission for the meeting held March 25. Any items in this report you wish to handle separately? Hearing none, all in favor of that report, signify by saying aye.

- [Many] Aye.

- All opposed, nay, the ayes have it, that report's been approved.

- [Clerk] Report of the park committee, March 27, 2019.

- Motion by Alderman Scannell, seconded by Alderperson Dorff, to approve the report of the park committee that was for their meeting on March 27. Any items in this report you wish to handle separately? Right. Hearing no others, all in favor of the remainder of that report, please signify by saying aye.

- [Many] Aye.

- Those opposed, nay, the ayes have it, the report of the park committee, items one through seven have been approved. What are your wishes regarding item eight? There's a motion by Alderman Scannell, seconded by Alderman Nicholson to approve item eight. Who pulled that?

- [Alderman] I did. All right, Alderman Johnson.

- Thank you, Mr. Mayor. I tried to pull up the video to watch the meeting, but I don't think they were published yet, so director Ditscheit, if you could just, you're back there. If you could just answer me, I know that this project was going to be gifted to the city, and in that agreement, it indicated that the city would be responsible for the maintenance once it's received. Could you just please explain to us what type of maintenance would be entailed with this project and the potential costs associated with that?

- Sure, we are anticipating that it will take about 40 to 80 hours of maintenance per year for this waterfall habitat nesting area, and what the maintenance would be is we would go out there in the spring months when

it's time for nesting and when that area needs to be flooded, we would bring a generator out there and we would pump water from the bay into the wetland area. Then we would allow it to sit for a while, after that time period has expired, then we would go in and we would drain it then, and for draining, all we would have to do is lift a flap out of the culvert that's there, and then it would drain back into the bay, and then on an occasional basis maybe once or twice a year, we would mow the slopes of that wetland area, because we're going to be regrading the inland slopes of the dyke that's out there.

- [Johnson] OK, and do you feel comfortable that you'll be able to perform that maintenance simply by absorbing that responsibility into your existing budget?

- Yes, I do.

- [Johnson] OK, thank you.

- [Mayor] Anything else, Alderman?

- No.

- All right, so we have a motion, seconded, to approve item eight on the report of the park committee, seeing no other lights, all in favor of that motion, please signify by saying aye.

- [Many] Aye.

- And those opposed nay, the ayes have it, item eight has been approved.

- [Clerk] Report of the public arts commission, March 27, 2019.

- All right, there's a motion by Alderman Scannell, seconded by Alderman Nicholson, to approve report P, which is the report of public arts commission, for their meeting held on March 27. Any items in this report you wish to handle separately? Seeing no lights, all in favor of that report, please signify by saying aye.

- [Many] Aye.

- Those opposed, nay, the ayes have it, that report's been approved.

- [Clerk] Report of the sustainability commission, March 13, 2019.

- Motioned by Alderman Scannell, seconded by Alderman Stevens, any discussion here? Seeing no lghts, all in favor of report Q, please signify by saying aye.

- [Many] Aye.

- Those opposed, nay, the ayes have it, that report's been approved.

- [Clerk] Ordinances, first reading. You may under suspension of the rules advance ordinances one and two to a second reading.

- So we have a motion by Alderman Scannell seconded by Alderman Nicholson to approve item R, or suspend, all right, all in favor of suspension, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay, the ayes have it, the rules are suspended, to advance. Alderman Scannell? Second by Alderman Wery, motion seconded to advance these first readings to the third reading. Do that on a voice vote, all those in favor, please signify by saying aye.

- [Many] Aye.

- And those opposed, nay, the ayes have it. Before we go to committees of the whole, Alderman Nicholson, we are going to revisit item, report K, which is the report of the improvement and service committee. We held item two. So, if you can find that, OK. Nope, hang on one second. Let me get that back on the table. So, why don't I entertain a motion second to take up item two on the report. By Alderman Scannell, seconded by Alderman Johnson. All in favor, please signify by saying aye.

- [Many] Aye.

- Those opposed, nay. So, where we left that was, there was an amended motion on the table, and the amendment that was being discussed and is being held, was to amend item two to read, "to consider approving the request by Alderman Nicholson "to include Main Street and Mason Street "in the 2020 capital improvement program "by making an analysis on whether or not these items "should be added to the 2020 street improvement project list." So, I wasn't at the meeting, and then it started to go off into even a larger area, so do you, it was more than just Main and Mason.

- [Nicholson] No, that's all.

- OK, I wasn't there, Alderman. I just want to tell you that it started to sway a little bit, so somebody said let's hold it, which was a good idea. So, I'll give you the floor. You understand what's on the floor right now is an amendment.

- Please just correct me. But basically, I'm just looking at Main and Mason. I believe, I'm trying to remember his name, Jim the engineer was talking about Ellis Creek. I'm not. I'm talking about just Main and Mason, that area right there. And everybody knows that area, correct? With the heavy flooding, so my recommendation to the council is basically, if we could have it on 2020, and if staff isn't ready, and I did say that, stated that to Jim, the engineer that was representing Steve Grenier, if it's not ready, move it to 2021. That was the, that's all I'm looking for, I just don't want it to die and get buried somewhere, like that was said the last time I put this through, years ago. So, I just want it on the radar, so it might, if we get closer to 2020, maybe staff isn't ready, OK, then let's move it to 2021 then. Am I?

- [Mayor] You are, but I think what the minutes reflected and what the amendment is simmering between there is what we're looking for. I don't know that, you saw the minutes, to approve the request to include this in the 2020 capital improvement program.

- Right.

- [Mayor] Now you're saying, well, look, it doesn't have to be included, it just needs to be on the radar and under consideration.

- Right. For 2020, but if staff isn't ready with the plan and ready to move, I mean, there's a lot of moving factors here, we gotta talk to East, not East, the mall people, because Steve stated that we should be talking to that group, so there's a lot moving parts, I just want, if it isn't ready, then we do 2021.

- [Mayor] Here's what I'm looking for.

- Go ahead.

- [Mayor] There's gonna be some changes in the city, right?

- Right.

- [Mayor] Main, could be changes in other places. I think what we reflect here needs to give that flexibility, so it's not, what Alderperson Dorff is saying and I don't know if you're OK with that, is to consider your request to include Main and Mason after a thorough analysis is completed.

- Yeah, that's basically the same thing, because if staff isn't ready, we just postpone it until we're ready with a plan and basically, if we, you know, how much it's gonna cost, I mean, there are a lot of moving factors. This is very preliminary. That's all.

- [Mayor] OK.

- There's not even a dollar amount to this.

- [Mayor] Well, this needs a lot of work, but you're indicating, the way it was written, you gotta admit, it looks like it's gonna be in the 2020 capital plan, and now you're saying there's some flexibility, a lot of work to do.

- Well, OK, I did state that to Jim, if it isn't ready, then we just postpone it to the next year, that's all.

- [Mayor] So let me just revisit the amendment. It's to amend item three to say, "consider a request by Alderman Nicholson "to include the Main Street and Mason Street in the 2020."

- [Dorff] It's to, it's not to consider his request, well it is, sort of, I didn't say it very well, it's to consider including Main and Mason Street in the 2020 capital improvement program.

- That would work.

- [Dorff] That's all I meant it to say.

- That's fine.

- [Dorff] Instead of saying, to for sure include them, to just like number four is written, to refer the staff to review and make an analysis, maybe I should just say that way, to refer to staff.

- [Mayor] Alderman Nicholson, are you OK with the language that reads, "to consider including Main and Mason Street "in the 2020 capital improvement program?"

- Sounds good to me. Basically, I just don't want it to disappear, Mayor.

- [Mayor] And it won't.

- That's all I'm looking for.

- [Mayor] OK. So we have a motion, second, to approve the amendment, so all in favor of the amendment please signify by saying aye.

- [Many] Aye.

- And those opposed, nays, and then I'll entertain a motion to adopt as amended. By Alderman Scannell seconded by Alderman Nicholson, all in favor of that motion please signify by saying aye.

- [Many] Aye.

- Those opposed nay, the ayes have it. Welcome. So here, just, this is a little bit on your request. Really, we're pretty much done here, in fact we are done, except with the last item, and that's committee as a whole. As I said, we're gonna have one more meeting. Alderman Scannell asked me at the last meeting, where are we at with the Searise project, and all these interviews I had, how did you like your 16 years, what didn't you get done, this can happen, but I'm not gonna be here, and I want you to know where we're at. That's important to me as the mayor, that the city council knows where we're at, so I'm the one who put this on, and if you're interested in knowing where we're at, from my perspective, I'm happy to update the city council tonight in closed session on where we're at, with the Searise Company. If not, that's up to you, but that's why that closed session language is on there.

- [Alderman] Motion to go to into closed session.

- You want to read why we're doing that?

- [Male Voice] The council may convene in closed session pursuant to Section 19.85 subsection 1 subsection e, Wisconsin Statutes, for purposes of deliberating or negotiating sale of public properties, divesting 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 subsection 2, Wisconsin Statutes to report the results of the closed session and consider the balance of the agenda.

- Do you want to comment on that? OK, if you'd use the board on this, this is moving to closed session. You guys can all leave. Kevin, you need to stay. Maybe Diana, you should stay too. All right, so on the vote 11-1 we'll move into closed session, we'll be out shortly. He's blaming me for getting chatty. All right, I'll entertain a motion to return to regular session. By Alderman Scannell, second by Alderman Steuer, all in favor please signify by saying aye.

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- [Many] Aye.

- Those opposed, nay, so I just, update for the record that we went into closed session to discuss some of the elements of potential relocation of Searise Coal, terminal operations, some of the interested entities, where we're at from a city council standpoint, redevelopment authority standpoint, and an encouraging conversation and we'll continue to pursue the plan that was discussed. No, I think that's just an update, I asked to go into the session, and we'll update the council as this progresses, so I think Chris will continue.

- [Clerk] Referral of petitions and communications.

- Veronica Corpus-Dax.

- Thank you, Mr. Mayor. This is for improvement services, consideration for possible action to consider Alpine Drive for future road improvement projects.

- [Mayor] OK, thank you. Any others? Alderperson Lefebvre?

- Yes, I request that we look at street assessments for nonprofits, example Paul's Pantry, North Webster. Their assessment is 17,000, and I feel this will take away from the vital services they provide. I do believe they should pay something, maybe half. I don't know, who should that go to?

- [Mayor] Finance.

- Finance.

- [Mayor] Wasn't that money? Didn't we talk about that today? If we're going to adjust assessments. [Male Voice] It's a state statute requirement, so it should then go to protection policy?

- What we discussed is that the request is actually going to be a rescission of taxes once they are assessed, and so at that point the request goes to finance to make the determination.

- [Mayor] Have they been assessed? Are you talking about a general blanket policy for nonprofits which is 10% of the city, by the way? To not assess them, or are you talking specifically about?

- [Lefebvre] Not to assess them, I'm saying.

- [Mayor] Are you talking about Paul's Pantry, or all?

- [Lefebvre] OK, the request was Paul's Pantry contacted me, and he's in my district.

- [Mayor] And have they received their assessment?

- [Lefebvre] According to what he said.

- No, the assessments haven't been sent out yet.

- All right, so where do you want this to go?

- [Lefebvre] So he hasn't received it yet?

- [Chavez] Correct. At this point, it's going to be premature, it can sit until the actual bill is received, but it's gonna be a long time, we're talking about, it's probably not gonna be until next year that he actually receives the bill.

- And then, you would bring a recommendation, or I don't think that's what you want, because they would bring a bill in and say, this \$17,000 is too much, and you would take it to finance, and say, look, do want to,

forgive half of it, or 70%, or whatever number you're thinking of, that's not what you want, you want a policy in place? Tell me what you want, and we'll get this thing on the right track.

- [Lefebvre] Well, it's kind of, bringing it forward because of Paul's Pantry, but then yeah, there are the nonprofits. Policy? Maybe a policy.

- All right, we'll send that to protection policy committee, to look at a policy for nonprofits regarding assessments, OK? Let's just let it go there. All right, Alderman Vander Lee, do you have something?

- I'd like to make a comment on that. I feel that nonprofits have to pay their way as far as the roads, they don't pay taxes number one, they're all tax exempt, most of them are tax exempt, and they use the roads and they use all our fire and police, and I don't think that we should be in the business of reducing any costs on the roads or things that they have going. I think they are getting a great deal right now, and I don't think the city of Green Bay has the finances to be adjusting any of these nonprofits.

- [Mayor] So, you're gonna see this twice, but I want to say it. There's a protection policy committee where they're gonna discuss this as a policy, and then if there's forgiveness of an assessment to a nonprofit, that will go to finance.

- OK.

- [Mayor] So you'll weigh in on both of those.

- All right, thank you.

- We'll take it. Oh yeah, is there a motion for all petitions and communications to the proper authority?

- [Male Voice] Yes, motion to do that.

- Alderman Scannell, second by Alderman Johnson, all in favor please signify by saying aye.

- [Many] Aye.

- All petitions and communications have been referred to the proper authority. Motion to adjourn by Alderman Nicholson seconded by Alderman Scannell, all in favor please signify by saying aye.

- [Many] Aye.

- Those opposed, nay, OK, we'll see you on the 15th, last meeting for this mayor. Let me, can you hit pause and stop.