



MINUTES OF THE COMMON COUNCIL

**TUESDAY, AUGUST 20, 2019, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. ROLL CALL.

Present: Craig Stevens, Mark Steuer, Kathy Lefebvre, Randy Scannell, Brian Johnson, Veronica Corpus-Dax, Andy Nicholson (arrived at 6:05 p.m.), Chris Wery, Jesse Brunette, Barbara Dorff, Bill Galvin
Excused: John VanderLeest

B. PLEDGE OF ALLEGIANCE.

C. INVOCATION.

Ald. Craig Stevens invited Oneida Nation Chairman, Tehassi Hill to give the invocation.

I. Oneida Nation Chairman, Tehassi Hill.

D. APPROVAL OF MINUTES.

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

I. Approval of the minutes of the July 16, 2019 Common Council meeting.

E. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve. Motion carried.

F. REPORT BY THE MAYOR.

G. ANNOUNCEMENTS.

H. APPOINTMENTS.

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

I. New Appointments:

Green Bay Housing Authority

Mary Borowitz, 1424 Admiral Court, #602, Green Bay, WI 54303

Term to expire: August 1, 2024

Traffic, Bicycle and Pedestrian

Stephanie Birmingham, 1900 Morrow St., #106, Green Bay, WI 54302

Term to expire: August 1, 2022

Weed Commissioner

Josh Brassfield, 519 S. Oneida Street, Green Bay, WI 54303

Term to expire: April 30, 2020

2. Re-Appointments:

Traffic, Bicycle and Pedestrian

Brigid Riordan, 1145 Grignon St., Green Bay, WI 54301

Term to expire: March 1, 2022

Ray Smith, 2002 Elmwood Ct., Green Bay, WI 54303

Term to expire: March 1, 2022

Transit Commission

Roger Kolb, 2320 Newberry Ave., Green Bay, WI 54302

Term to expire: February 1, 2022

Kevin Kuehn, 2158 Charles St., De Pere, WI 54115

Term to expire: April 1, 2022

Zoning and Planning Board of Appeals

Jim Hutchison, 1140 Livingston St., Green Bay, WI 54311
Term to expire: May 1, 2022

Don Carlson, 2776 Canyon Bluff Rd., Green Bay, WI 54302
Term to expire: May 1, 2022

Board of Review

Diane Midthun, 920 Meacham St., Green Bay, WI 54304
Term to expire: July 1, 2024

Brown County Planning Commission

Paul Blindauer, 2431 Wandering Springs Cr., Green Bay, WI 54311
Term to expire: May 1, 2022

Green Bay Planning Commission

Atty. Randall W. Petrouske, 306 N. Van Buren St., Green Bay, WI 54301
Term to expire: May 1, 2022

City of Green Bay/Town of Scott Joint Plan Commission

Eric Rakers, 2775 Classic Dr., Green Bay, WI 54311
Term to expire: June 1, 2022

Green Bay Area Room Tax Commission

Larry Vesely, 1715 East Sonata Dr., Green Bay, WI 54311
Term to expire: April 16, 2020

Police and Fire Commission

Rev. Marian Boyle Rohloff, 1179 Reed St., Green Bay, WI 54303
Term to expire: May 1, 2024

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to confirm. Motion carried.

I. PUBLIC HEARINGS.

No one appeared to speak on the resolutions.

1. Resolution authorizing amended conditional-use at 411 St. John Street.

2. Resolution authorizing conditional-use approval at 2709 Nicolet Drive.

J. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to adopt item 1. Motion carried. Yes- Andy Nicholson, Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

1. General Ordinance No. 17-19

An ordinance creating Sections 33.03(4) and 33.05(10), Green Bay Municipal Code, relating to provisional licenses.

K. REPORT OF THE REDEVELOPMENT AUTHORITY (AUGUST 13, 2019).

Moved by Ald. Barbara Dorff, seconded by Ald. Bill Galvin to approve. Motion carried.

1. To refer to staff to report back at the September meeting, the communication from July 16, 2019, of the Common Council by Ald. Brian Johnson, to consider forgiveness of Broadway loan made to Cup O' Joy.

2. To approve issuance of Request for Qualifications for an Operator(s) for the Shipyard at 100 W. Mason Street (Tax Parcel 2-78), subject to minor legal and technical clarifications.

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 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.

L. REPORT OF THE PARK COMMITTEE (AUGUST 14, 2019).

Moved by Ald. Andy Nicholson, seconded by Ald. Craig Stevens to approve with the exception of item 2. Motion carried.

1. To approve a Collaboration Agreement with the Friends of the Bay Beach Wildlife Sanctuary Inc., (FOWLS).

2. To refer to staff to reach out to the schools to see if there are opportunities for indoor pickleball courts in the schools, to work with the pickleball group to see if they can increase their donation contribution to \$25,000 and to bring this back for consideration in the 2021 Bond Request.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve item 2.

Moved by Ald. Mark Steuer, seconded by Ald. Andy Nicholson to amend item 2 to read "to allow the pickleball group to begin a \$25,000 fundraising campaign to install pickleball courts at Murphy Park and to bring back the request to fund the remaining \$225,000 for this project in the 2021 Bond request." Motion carried.

3. To receive and place on file the request by Ald. Lefebvre that due to safety concerns brought to her attention, she is requesting that Bay Beach hire a security officer(s) during hours of operations with the cost coming from Bay Beach profits/account.

4. To approve a Revocable Private Transmission Facilities Permit with Brown County to install fiber optic cable through Joannes Park to East High School.

5. To approve accepting a 27.33 acre property donation of Parcels 21-379, 21-385, 21-386, 21-387 from the Baird Creek Preservation Foundation, located in the Baird Creek Greenway, contingent upon the successful purchase by the Foundation and that an Environmental review is done for the property before accepting the donation.

6. To approve a Revocable Permit with Green Bay Riverside Unit Owners Association, Inc. to allow the construction of a staircase adjacent to the Fox River Trail by Parcel 12-43-1.

7. To refer to staff to propose three alternative park locations where the Kiddie Karnival could be relocated to in 2020 and bring this back to the Park Committee for further discussion.

8. To refer to staff to work with Ald. Brunette to continue to study and update the report on the number of parks – City, County, School and Oneida owned – throughout the 12th District with the purpose of possibly locating property where the City can develop a new park.

M. REPORT OF THE FINANCE COMMITTEE (AUGUST 13, 2019).

Moved by Ald. Kathy Lefebvre, seconded by Ald. Randy Scannell to approve. Motion carried.

1. To receive and place on file the request by the Finance Director to review and discuss 2018 year-end financial results and management communication for the City.

2. To receive and place on file a report on the Final Sale of the 2019 Refunding Bonds related to the 2009 Taxable General Obligation (Build America Bonds).

3. To approve the request by the Finance Director for the prepayment of two state trust fund loans with principal outstanding of \$955,368.77 using Debt Service fund balance.

4. To approve the purchase of Motorola radios for GBPD from Motorola Solutions through Baycom Enterprises for \$291,683.

5. To award a contract to Camera Corner Connecting Point for combining the Data Centers at City Hall and GBPD including upgrades to equipment and a 5 year maintenance and support agreement for \$438,021.77.

6. To proceed as directed in closed session regarding the update on liability and EPL insurance proposal for 2020.

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8. Informational: A special meeting of the Finance Committee will be held on Wednesday, August 21st at 3:00PM to discuss the City's 5-year Capital Improvement Plan.

7. To receive and place on file 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.

N. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (AUGUST 14, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve with the exception of item 2. Motion carried.

1. To approve the request by David Weise to rescind the bulk waste removal charge of \$80 at 327 North Ashland Avenue.

2. To approve rescinding \$260.58 of the \$521.17 long grass charges from the request by Xia Moua relating to charges of \$301.73 at 619 Pine Terrace and \$219.44 at 617 Pine Terrace.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 2.

Moved by Ald. Brian Johnson, seconded by Ald. Andy Nicholson to open the floor for discussion.

Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to close the floor. Motion carried.

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to rescind the amount. Motion carried. Ald. Jesse Brunette abstained.

3. To approve the request by Melissa Gebert for permission to allow around-the-clock street parking adjacent to 326 12th Avenue for health care workers for her daughter.

4. To refer to the Law Department the request by Ald. Johnson on the authorization of the installation of crosswalk art at the intersection of Broadway and Hubbard Streets.

5. To refer to staff the request by Ald. Johnson for recommendations on how to alleviate chronic flooding on South Broadway/Clinton Street, South Maple Avenue, South Ashland Avenue, Shawano Avenue and Antoinette Street and to bring an update to the September 11, 2019 Improvement and Services Committee meeting on the progress for Storm Lift Stations 110 and 106 and to determine solutions to solve the flooding on Antoinette Street.

6. To direct staff to transition from concept to design on three dry ponds and increase the size of the storm sewer pipe in Main Street to determine effect on area flood levels from the request by Ald. Nicholson for status update on plans to address chronic flooding in the vicinity of Main and East Mason Streets.

7. To hold until the September 11, 2019 Improvement and Services Committee meeting the request by Ald. Nicholson to address surface water drainage issues at 1661-1663 Elkay Lane.

8. To refer to staff to develop and implement a solution to alleviate the ponding from the request by Ald. Nicholson to address pavement ponding issues at 2405 Hampton Avenue.

9. To refer to staff the request by Ald. Nicholson to address chronic flooding in the Schwartz Street/Edison Street area.

10. To refer to staff the request by Ald. Steuer to study and report out on the feasibility of utilizing the “even-odd” residential address overnight parking scenario, as is done in Milwaukee, in order to relieve the parking problems at residences with limited parking spaces.

11. To receive and place on file the request by Ald. Steuer to look at placing a street light on the east of Fellows Avenue just north of Shawano Avenue.

12. To approve the request by Department of Public Works to amend contract for LED Signal Replacement on connecting highways.

13. To approve the request by Department of Public Works to award 2020 Bridge Inspection Services to Collins Engineers, Inc. for \$31,707.72.

14. To approve the request by Bay Settlement Investments, LLC to defer special assessments for remainder of parent parcel 21-396 for five years or until sold or developed, whichever is the shortest time.

15. To approve the \$2 parking citation processing fee required by the new Passport Labs parking citation system which went live on Monday, July 22, 2019 and have staff provide a report on the citation rates from neighboring communities.

16. To approve the report of the Purchasing Manager to award a 1-year contract for snow plowing

and snow removal for various Department of Public Works Parking Division and Green Bay Police Department parking lots to Express Excavation for the estimated amount of \$44,500 per year; this contract will include up to five 1-year renewal options by mutual agreement.

17. To approve the report of actions taken by Department of Public Works

A. Award of contracts

1. To approve to award contract PAVEMENT 5-19 N. WEBSTER AVENUE RECONSTRUCTION to the low responsive bidder, PTS Contractors, Inc., in the amount of \$1,045,016.

2. To approve to award contract PAVEMENT 6-19 SITKA STREET AND SUPERIOR ROAD RECONSTRUCTION to the low responsive bidder, Advance Construction, Inc., in the amount of \$2,524,722.45.

B. Granting of Licenses

1. Sidewalk Builder

- a. Anderson Basement Repair, Inc.
- b. Bryan Mc Ewen Concrete LLC
- c. CD Smith Construction

O. REPORT OF THE PROTECTION & POLICY COMMITTEE (AUGUST 12, 2019).

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

1. To approve a change of agent at The Woods Golf Operations, LLC at 530 Erie Rd.

2. Informational: To approve an application for an available "Class B" Combination license for Barny's LLC at 201 N. Washington St. with a licensed premises description as "1350 sq ft selling space (first floor), 220sq ft storage space (upstairs), subject to the approval of the proper authorities. (The Protection & Policy Committee took final action at the August 12, 2019 meeting).

3. Informational: To approve an application for "Class B" Combination license for Ramis River Run, LLC at 324 N. Roosevelt with a licensed premises description as "bar area, men's and women's bathrooms, storage, security room, basement, coolers (in basement), subject to the approval of the proper authorities. (Currently licensed as Karen's Pub, LLC). (The Protection & Policy Committee took final action at the August 12, 2019 meeting).

4. To approve an application for a "Class B" Combination license for The Braggin Bar, LLC at 219 N. Washington St. with a licensed premises as "Mexican restaurant, 2 floors plus basement area," subject to the approval of the proper authorities. (Previously licensed as El Presidente, LLC)

5. To approve a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Aug. 31 from noon to 10 p.m. for a fundraising event, subject to complaint.

6. To approve a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on Sept. 5 from noon to 10 p.m. for a customer appreciation tailgate party, subject to complaint.

7. To approve a request by Brewski's On Broadway at 1100 S. Broadway to temporarily extend their licensed premises to the parking lot on September 21, September 28 and December 1, subject to complaint.

8. To approve an appeal by Dennis Bailey at 621 Challenger Dr. regarding his reinspection fee and reduce the fine to \$25.

9. To receive and place on file 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," which was referred to staff at a previous Protection & Policy Committee meeting.

10. To receive and place on file a request by Ald. Wery, which reads: "Request a legal opinion from the State Department of Justice Office regarding walking quorums, mayors that are legally a member of the City Council, and the practice of meeting individually with Council members regarding upcoming business that the City Council will be voting on," previously held at a Protection & Policy meeting until a response from DOJ was obtained.

11. To have staff provide alders a list of how to submit a communication and to what committee and commission communications maybe be submitted in regards to a request by Ald. Wery which reads: All requests to any city committee or commission, be it from an alderman, staff or the public, shall be placed immediately on the next agenda of said body. The request may be delayed from an agenda upon agreement of both submitter and body chairman.

12. To approve the procedure as presented by staff on a request by Ald. Galvin to the Protection & Policy committee to have a procedure for alders to be notified when petitions and communications are going to be addressed at the committee level, which was held at the June 10 & July 8 Protection & Policy meeting.

13. To approve General Ordinance No. 28-18, an ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code, relating to special events, and amend it to include language that an event per application may include a series of events and amend the cancellation fee language to indicate that the assessment of a late fee be discretionary.

14. To adopt the General Records Schedule for Wisconsin Municipal and Related Records dated August 27, 2018, as recommended by staff.

15. To receive and place on file the Liquor Violation Report from the Police Department for August 12, 2019.

16. To receive and place on file the report from the Water Utility Department regarding the lead pipe removal project.

P. REPORT OF THE PROTECTION & POLICY COMMITTEE GRANTING OPERATOR LICENSES.

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

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

Q. REPORT OF THE PLAN COMMISSION (AUGUST 12, 2019).

Moved by Ald. Barbara Dorff, seconded by Ald. Mark Steuer to approve. Motion carried.

1. To amend the City's Comprehensive Plan for the property located at 2607 Nicolet Drive from Commercial to Low Density Residential (Figure 22-6).

2. To amend the City's Comprehensive Plan for various parcels located in the Shipyard Neighborhood.

3. To rezone 2607 Nicolet Drive from General Commercial (CI) to Low Density Residential (RI).

4. To rezone various parcels located in the Shipyard Neighborhood.

5. To table the request for a Conditional Use Permit (CUP) to allow for a plant expansion to exceed the maximum height limitation within the General Industrial (GI) district at 1919 South Broadway.

6. To approve the repeal and recreate of Green Bay Municipal Code Chapter 13-1700 Off-Street Parking, Drives and Loading as proposed.

R. REPORT OF THE PUBLIC ARTS COMMISSION (JULY 31, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve with the exception of item 5. Motion carried.

1. Informational: To hold annually the election of Chair and Vice Chair during the October meeting of the Green Bay Public Arts Commission.

2. Informational: To elect Kelli Strickland as Chair effective immediately.

3. To hold on creating a letter of support until Tony Whiting can provide more information about the project.

4. To approve \$1,000 for the Annual Grant Program application from LegendLyfe for a live musical - *Overcome*.

5. To receive and place on file the request by Ald. Chris Wery to create two options for an outdoor 9/11 memorial to present to the Parks Committee for consideration.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve item 5. Motion carried.

6. To approve 16 designs on two sided opaque vinyl for the Green Bay Metro Bus Shelter Art project.

S. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (JULY 15, 2019).

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

1. To receive and place on file the report by the Police Department of the 2019 2nd quarter serious injury and fatality crashes.

2. To refer to staff to study post development traffic counts of the Festival Foods and Kwik Trip area, more specifically the intersections of University Avenue & Danz Avenue, University Avenue & Peters Street, University Avenue & Clement Street, University Avenue/Sturgeon Bay Road & University Avenue, and University Avenue & University Avenue (a.k.a., Riviera Lane).

3. To remove the NO PARKING zone on the north side of Pine Street from Adams Street to a point 120 feet west of Madison Street.

4. To establish a NO PARKING zone on the north side of Pine Street from Adams Street to a point 50 feet east of Adams Street.

5. To establish a NO PARKING 15-MINUTE LOADING ONLY zone on the north side of Pine Street from a point 50 feet east of Adams Street to a point 160 feet east of Adams Street.

6. To establish a NO PARKING zone on the north side of Pine Street from a point 160 feet east of Adams Street to a point 120 feet west of Madison Street.

T. REPORT OF THE ECONOMIC DEVELOPMENT AUTHORITY (AUGUST 12, 2019).

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

1. To approve the posting of a Request for Proposal (RFP) for the Community Development Investment (CDI) Grant Program.

2. Informational: To elect Pam Parish as Vice-Chair of the Economic Development Authority.

U. REPORT OF THE SUSTAINABILITY COMMISSION (AUGUST 14, 2019).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve with the exception of item 1. Motion carried.

1. To fund the installation of electric vehicle chargers at Leicht Park, up to \$15,000, with Excess Stadium Tax Dollars allocated to Eland Electric.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve item 1.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to amend item 1 to replace the word "fund" with "approve."

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

2. To direct staff to look into the feasibility of installing two 15 kW arrays, using Excess Stadium Tax Dollars allocated to Eland Electric, on city building rooftops, and to earmark savings for maintenance, repair, other energy efficiency projects or clean energy generation (report in November).

3. To create a clean energy working group which will investigate and prioritize energy projects for the city, residents and businesses.

4. To postpone consideration of Alder Galvin's communication, "To investigate the feasibility of installing solar panels on the various closed landfills in our City," until the creation of the clean energy working group.

5. To hold Deb Hutchison's list of sustainable actions for neighborhood association newsletters until the next meeting.

V. REPORT OF THE PERSONNEL COMMITTEE (AUGUST 13, 2019).

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

A motion was made by Ald. Randy Scannell and seconded by Ald. Kathy Lefebvre to take items 3 and 4 together and to enter closed session. Motion carried.

1. To approve request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

a. Truck Driver (Streets) - Public Works

b. Parking Enforcement Officer - Public Works

c. 4K Naturalist - Parks, Recreation & Forestry

2. To approve request to reclassify the Parks, Recreation & Forestry HVAC Specialist position from Pay Grade G of the City Pay Plan to Grade H.

3. Update and discussion on Green Bay Professional Police Association labor negotiations

The Common 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 Common 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.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to go into closed session at 6:59 p.m. Motion carried.

Yes- Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, No- Andy Nicholson, Barbara Dorff, Bill Galvin
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 7:12 p.m. Motion carried.

4. Update and discussion on Green Bay Fire Fighters Local 141 labor negotiations

The Common 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 Common 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.

Item V4 was taken together with item V3.

Moved by Ald. Andy Nicholson, seconded by Ald. Mark Steuer to approve the Report of the Personnel Committee. Motion carried.

W. RECEIVE AND PLACE ON FILE.

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

I. Municipal Court Report for July 2019.

X. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules to adopt the resolutions with one roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to adopt resolutions 1 through 7. Motion carried.

Yes- Andy Nicholson, Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette (abstained from resolution 1), Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

1. Resolution authorizing amended conditional-use at 411 St. John Street.

2. Resolution authorizing conditional-use approval at 2709 Nicolet Drive.

3. Resolution authorizing and providing for the sale and issuance of \$15,495,000 General Obligation Corporate Purpose Bonds, Series 2019B, and all related details.

4. Resolution authorizing and providing for the sale and issuance of \$2,540,000 General Obligation Promissory Notes, Series 2019C, and all related details.

5. Resolution drawing final orders to contractors for August 20, 2019.

6. Resolution authorizing 2019 transfer of \$20,632.48 from Contingency for expenses related to Oneida trust matter.

7. Resolution authorizing prepayment of two State Trust Fund Loans of \$955,368.77 using Debt Service Fund balance.

Y. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules to advance ordinances 1 through 7 to second reading. Motion carried.

Ald. Mark Steuer asked for more information on item 6.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to advance ordinances 1 through 7. Motion carried.

1. General Ordinance No. 18-19

An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.

2. Zoning Ordinance No. 07-19

An Ordinance rezoning property located at 2607 Nicolet Drive from General Commercial (C1) to Low Density Residential (R1).

3. Miscellaneous Ordinance No. 02-19

An Ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to property located at 2607 Nicolet Drive.

4. General Ordinance No. 28-18

An ordinance to repeal and recreate Section 6.15 Green Bay Municipal Code, relating to special events.

5. Zoning Ordinance No. 6-19

An Ordinance rezoning various properties located in the Shipyard Investment Neighborhood.

6. Miscellaneous Ordinance No. 1-19

An Ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to the various properties located in the Shipyard Neighborhood.

7. General Ordinance No. 19-19

An Ordinance to Repeal and Recreate Subchapter Chapter 13-1700 Green Bay Municipal Code, Off-Street Parking, Drives and Loading.

Z. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to refer the petitions and communications to the appropriate committees. Motion carried.

A request by Ald. Kathy Lefebvre to refer to Parks/Forestry which reads: "As I have noticed dead trees in downtown area -100 block N. Adams, plus other streets downtown."

A request by Ald. Kathy Lefebvre to refer to the Park Board to request the Wildlife Sanctuary to reinstate the deer management programs. The herd needs culling.

A request by Ald. Kathy Lefebvre to refer to DPW which reads: "East side yard waste (E. Shore Dr.) the gate is left open during the winter."

A request by Ald. Andy Nicholson to refer to Parks and Recreation to review the Green Bay Economic Dept Policy at 1449 Morrow St. business with possible action.

A request by Ald. Jesse Brunette to refer to the Improvement and Services committee for discussion with possible action on loosening the restrictions and requirements of paved driveways on residential lots to alleviate flooding issues.

A request by Ald. Jesse Brunette to refer to the Traffic Commission for discussion with possible action on making changes to alleviate parking concerns at the Resch Aquatic Center.

A request by Ald. Jesse Brunette to refer to the Improvement and Services Committee for discussion with possible action on amending the City's ordinance on landscaping, weeds, vegetation, and gardens on residential lots.

A request by Ald. Bill Galvin to refer to the Finance committee for I.T. Police Department work

with I.T. to set a system on the City's Request for Service Icon for citizens to report problems and request service from the Police Department.

A request by Ald. Bill Galvin to refer to the Improvement & Services Committee for DPW to develop better systems to better and more quickly respond during disasters.

AA. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Andy Nicholson to adjourn at 7:22 p.m. Motion carried.

VERBATIM MINUTES

- Call to order the meeting of the Common Council for Tuesday, August 20th, 2019. Roll call. Clerk.
 - [Kris] 10 are present, your honor, and Alder Vanderleest is excused.
 - We have a quorum and will precede. Pledge of Allegiance. Please rise for the Pledge of Allegiance.
 - [All] 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.
 - We will now recognize Alder Stevens for the invocation.
 - We can have a seat while Alder reads his piece of this.
 - Mayor, thank you. Because of your decision, this has allowed Alders to do the invocation themselves, or they can reach out into our community inviting a person or organization to our Common Council meetings. For tonight's invocation, I chose to invite within our community. Oneida Nation is originally from Upstate New York. After the Revolutionary War, their tribe began to relocate to Wisconsin. In 1838 Oneida established the Oneida Indian Reservation along Duck Creek. For nearly 200 years, they have lived here and has become part of our community. It is with great pleasure, to introduce Oneida Nation's Chairman Hill. Chairman Hill is a veteran to the Oneida business community, having served two terms as a council member. In 2017, Mr. Hill became Oneida Chairman. Chairman Hill is active in the Oneida community and recognizes the challenges they face as a nation and is prepared to have those difficult conversations. He works with tribal members,
- Minutes of the Common Council

surrounding communities and nationally to ensure Oneida is successful in its future endeavors. On his leisure days, Chairman Hill like to spend time hunting and fishing. He also encourages his family to be active and engaged in the community. Oneida Nation has a good mind, a good heart and a strong fire. At this time, I would like to invite Chairman Hill to our podium. Thank you.

- [Eric] Please rise for Chairman Hill's invocation.

- I would just like to thank Alderman for the gracious invite, and it is my honor to be here this evening to provide an invocation. I will be providing the invocation in my Oneida language and then afterwards I'll do a brief summary of what was said in Oneida language, so I'll go ahead and start. So, you can all be seated. Thank you. The real brief explanation it's a little repetitive. This is probably one of our the shorter versions of the Haudenosaunee Thanksgiving Address. This is the one that we teach in our school system to students. It was a much briefer one than that, but I prefer this middle-sized one. So, real basically, I start off by giving thanks to Mother Earth for that she's still carrying out all her responsibilities that were given to her upon creation. And then I go onto the water and to the different plants, the three sisters, which are the corn, beans and squash, to the trees, to the tobacco, to the strawberry that's an important medicine for our people. And then to the trees, and I go to the animal life, to the people, to the fish and I kind of go into what we referred to as the greater forces. So, we're talking about the wind, the thunders, the sun, the moon, the stars, the four messengers, one of our profits, Skennenrahawi, then ultimately ending with Shukwaya'tisu, the creator. So, to me it serves as a reminder every time I can have the opportunity to recite it that we're all connected not only just as human beings, but also all of creation. It's our responsibilities to be stewards of this earth and all the things upon it. So, we need to make sure we're not just taking care of our human lives, but also that the plant lives and those animal lives and the natural elements out there. So, basically what I use it for is that just that reminder and to be thankful every single day that we're able to have here tonight have the Green Bay Common Council meeting, that we're healthy enough to be here and to participate and that we have health in our families. So, these are all things that we can be grateful for every single day and I think that's a great part of being human beings is being grateful every single day for the things that we have. There are people less fortunate than us and so we pray for them as well. So, again, I would thank you all for the opportunity to address the Green Bay Common Council this evening and I hope you have a nice meeting. Thank you.

- [Eric] Thanks so much for being here Chairman Hill. Take a quick picture with Alder Stevens here. Oh... Thank you again Chairman. On to item D here, approval of the minutes. Onward to the motion to approve the minutes. Motion made by Alder from the third second by Alder from the seventh. Are there any corrections that need to be made? Seeing no requests, all in favor please signify by saying, "Aye".

- [All] Aye.

- [Eric] Opposed. The ayes have it, the minutes have been approved. Now item E, approval of the agenda. Moved by Alder from the seventh, seconded by Alder from the tenth. Any changes you'd like to make? Seeing no requests. All in favor please signify by saying, "aye".

- [All] Aye.

- Those opposed. The ayes have it, the agenda before you has been approved. Item F, report of the mayor. So, just a couple things here. I think it was well-timed by Alder Stevens to invite Chairman Hill to provide invocation tonight. I wanted to announce to you all and to the public that we will be having our first meeting between the administration here in the city of Green Bay and the Oneida Nation. So, that'll be coming up on this Thursday, the afternoon of this Thursday. Really looking forward to that discussion. The hope is to, as I've, said going back a few months here and even before that, I think we are absolutely in need of a functional relationship between the city of Green Bay and the Oneida Nation, one that is mutually beneficial for our residence and one that recognizes the strengths of both entities. So, looking forward to engaging in that discussion starting on Thursday. And as I've also said, I'm really interested in respecting the role that the council has to play in this process and will be checking in with you regularly to keep you updated on how that conversation is going. Also just wanted to note that September is coming up, which of course, as you all know, means Move with the Mayor. So, this is something that's been going on since 2015 in the city of Green Bay. Happy to continue that tradition. This is an initiative that is nationwide, a lot of mayors across the country participate in something that's put on by the National Forum for Heart Disease & Stroke Prevention. So, we're gonna be putting those particular events up on the calendar for September. So, would invite Alders to participate, and of course members of the public as well. So, I'm looking forward to that. So, that concludes the report. On to item G, announcements. Any announcements? Alder from the ninth.

- Thank you mayor. Would just like to take a moment to congratulate TWG. As many of you know, they are constructing 107 units, the Broadway Lofts, and their groundbreaking occurred today. I know Mayor was there as well as several city staff, Alder Scannell, this is technically his district. but I just wanted to take an opportunity again to congratulate them and their groundbreaking of what will hopefully be one of maybe many other future projects.

- [Eric] Thanks Alder. Alder from the sixth.

- Yes, I want you to all look at your email 'cause you got an email for an invite for the Clean Bay Backers boat tour up and down the river. It's on September 9th at one p.m. Please look at your

Minutes of the Common Council

emails and respond. This is a really good tour. It's gonna talk about several issues that we are working on, the areas of concern with the DNR and very informative. Thank you.

- [Eric] I will be there. Thanks Alder. Alder from the seventh.

- Thank you, your honor just three announcements. A lot going on. We've got this weekend-- Excuse me.

- Friday, August 23rd through Sunday, August 25th is Art Street, it's back, the largest outdoor fine arts festival in Wisconsin. It'll include close to 200 fine artists, local cultural organizations, demonstrating artists, children's art area, food vendors and not one but two music stages and dance. Then if you're down here, you might as well stick around on Saturday and bring your bike with you. Saturday, August 24 from 8:30 a.m. to 4:30 p.m. is the Fat Tire Tour of Green Bay. Everyday bikes, brews and a casual paced tour of the city beginning and ending at Ned Kelly's pub right on Washington Street. Designed for riders of all abilities and on any kind of bike. And then lastly, Pomp's Auto, Truck & Motorcycle Show right on Main Street here Sunday, August 25, 11 a.m. to three p.m. Come see a variety of our area's most beautiful vehicles. New, old and restored. Vote on the People's Choice Awards. Spectators admitted free. Registration cost for show vehicles is \$10. Registration begins at 9:30 AM. All makes and models welcome. There'll be door prizes, food and refreshments available for purchase, people's choice awards trophies will be given for first, second and third place, and all proceeds benefit the United Way. Thank you.

- [Eric] Thanks Alder. Alder from the tenth.

- [Steuer] Thank you, your honor. I just wanted for us to remember Melinda Roberts, you might have remembered Melinda, she was a reporter for the Press Times. She passed last July 12th. Very much in the history, she did a report or a book on all of the historical markers in the state of Wisconsin. Just very great lady and I just wanted us all to remember her. I'd also like to do a little shout out for my father-in-law who passed about a month ago, Steve Hitchcock. 95 years old, he was trained as a helicopter pilot in World War II. He worked as an engineer on the Cuban National Railroad before Castro came to power. And he worked on the Big Boy train, the biggest ever made. Great guy, father of five and did a lot of reading with him and I just wanna shout out for anybody that's going through loss of a parent. We've lost all four of our parents in the last four years, and it's been hard. We all go through things and I just want us to think about that as we move on. Thank you.

- [Eric] Sorry for your losses, Alder. Thanks for sharing. Any further announcements? All right, we are onto item H, appointments. Make motion. Motion by Alder from the third, second by Alder from the seventh, to confirm the new appointments. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it and that item has been approved. We're now on to reappointments. Motion by Alder from the seventh, second by Alder from the sixth, to confirm the reappointments. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, and they have been approved. Now on to public hearings. We have two items for public hearings.

- [Kris] Do you want me to read 'em? The first one is resolution authorizing amended conditional use at 411 St. John Street, and the second one is a resolution authorizing conditional use approval at 2709 Nicolet Drive.

- Is there anyone here who'd like to speak to any of these items? Anyone here who'd like to speak to these items? Is there anyone here who'd like to speak to these items? Clerk, please let the record reflect that no one appeared to speak to these items. And item J, ordinances. Second reading for adoption.

- No, 'cause there's only one.

- Okay. Motion was made by Alder from the seventh, seconded by Alder from the first, to suspend the rules to take up this item with... Oh, there's only one item. Apologies. So, there's been a motion made to approve seconded by Alder from the first. Gotta use the board on this. Randy? Oh, it's not working? Randy? Item passes 11-0. On to item K, report of the Redevelopment Authority August 13, 2019. Motion made by Alder from the first seconded by Alder from the fourth to approve report K which is the report of the Redevelopment Authority from the meeting on August 13, 2019. Any items

under this report you wish to handle separately? Hearing none. All in favor of approving that report, please signify by saying, "aye".

- [All] Aye. Those opposed, nay. The ayes have it the report has been approved. Report L, item L, report of the Park Committee August 14, 2019. Motion made by Alder from third, seconded by older of the fifth to, approve report L, which is the report of the Parks Committee from the meeting on August 14, 2019. Any items under this report you do wish to handle separately? Number two. Any other items? Item two will be handled separately. Hearing no others, all in favor of approving the remainder of that report please signify by saying, "aye".

- [All] Aye. Those opposed, nay. The ayes have it, and the report has been approved with the exception of item two. What are your wishes regarding this item? Motion made by Alder from the seventh, seconded by Alder from the fourth to approve. The item was pulled by Alder from the tenth you have the floor.

- Thank you, your honor. There was a motion made at Park Committee with pickleball in mind and I would like to amend that to read, to allow the pickleball group to begin at \$25,000 fundraising campaign to install pickleball courts at Murphy Park and to bring back the request to fund the remaining \$225,000 for this project and the 2021 bond request.

- [Eric] Motion made by Alder from the tenth seconded by Alder from the third to amend the item. Any further discussion? Alder from the tenth?

- No.

- [Eric] Alder from the 12th. Alder from the tenth?

- I had discussions with Direction Ditscheit on this and we had requested to put this in the bond request for this year but we decided, council decided to move that for next year. So, we would like this group to go out and raise money or get pledges but we don't have any guarantees that it'll make the bond request next year. So, this is the request we made, pledges could be made. If it doesn't go through, and go through the bond request next year, well, c'est la vie. So, this is just more or less giving this group the right to go out and collect pledges. That help?

- [Eric] Alder from the 12th.

- Thank you Mayor, I'm in favor of the motion I just have to clarify. Whenever we direct groups to fundraise, are we giving the false impression that the city endorses the project? Basically they'd be using the cities name in fundraising. And this came up with Colburn Park and a few other projects in the past and I just... Maybe if you referred to staff, I don't know if the language in the motion is correct with the right intent but I guess, an opinion from the park's director if the motion would prevent that.

- [Eric] Alder from the tenth.

- I'm sorry. I talked to the Director Ditscheit about this and we have three different motions and this is the one that he preferred. I was deferring to the park director on this and he felt that this would be the route to go. So, I defer to him on that. Granted, you know I mean... I think that the pickleball group is aware that it may not go through. So, I think they realize that. So, we're not gonna go out and say well, "The city better do it or else." We're not doing that. There's the potential to show that there's a commitment to bring something like this forward and I really think that this is a good route to go. If it doesn't work out, so be it. But, we will not disparage the city in any way. So, I don't know if that helps.

- [Eric] Alder, did you want Director Ditscheit to ?

- [Eric] Yeah, Director Ditscheit.

- [Ditscheit] So, we have two options here. One is to begin a fundraising effort right now and allow that to happen and then bring the request forward next year in the bond request. The other option would be to hold for a year on the fundraising effort and secure the funding first, which could either be added to the bond request for 2020 or talk about it for 2021. So, those are really our two options. And I know the fundraising group, I met with Alder Steuer and the fundraiser and really he would really like to really push forward on the fundraising right now. Because, he feels he would be successful at it currently with the interest that's out there.

- [Eric] Alder from the 12th.

- Thank you. I want to be clear though, this group will accept pledges, which are different than actual monetary donations. So, pledges, as long as that is very clear that we're not tied up with accepting monetary donations at this point. Okay, I'm fine, thank you.

- [Eric] Any other requests to speak? Seeing no other request to speak, all in favor of the motion signify by saying, "aye".

- [All] Aye. Those opposed, nay. The ayes have it, that item's been approved. Onto item M, report of the Finance Committee, August 13, 2019. Motion by Alder from the sixth, seconded by Alder from the seventh to approve report M, which is the report of the Finance Committee from the meeting on August 13, 2019. Any items under this report you wish to handle separately? Any items? Hearing none. all in favor of approving that report please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. On to item N, report of the Improvement and Services Committee, August 14, 2019. Motion made by Alder from the seventh, seconded by Alder from the eighth to approve report N, which is the report of the Improvement and Services Committee from the meeting on August 14, 2019. Any items under this report you wish to handle separately? Item two. Any others? Item two will be handled separately. Hearing none others, All in favor of approving the remainder of that report please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved with the exception of item two. What are your wishes regarding item two? Motion made by Alder from the seventh, seconded by Alder from the first. This item has been pulled but the Alder from the ninth. You have the floor.

- Thank you Mayor, we talked about this issue at length at INS meeting and I think that there was some disagreement between the Alders even though that we ultimately ended up with the majority

to move it forward here. But, I know that the person here and I apologize I'm probably not gonna pronounce the name correctly but, Xia Muha is here to speak, so I'd like to move to open the floor to interested parties.

- [Eric] Motion made to open the floor by Alder from the ninth seconded by Alder from the third. All in favor, signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The floor is open. Thank you ma'am, please state your name and address.

- Yes, Xia Muha , address 2542 Van Rite Court, village of Bellevue, Green Bay, 54311. Thank you I appreciate the time. I would like to make these for the records. I made 15 copies. I would like to make this for the record and pass it out all to you is that okay? And it's Xia, like a Z but spell it with an X like xylophone. So, Zia's fine, a lot of people call me Zia, I'm fine with that. While she's passing that out, I'm gonna start. I want to say that I'm proud to say that I'm a home builder and a realtor in the city of Green Bay since 2000. So, close to 20 years now, but combined experience of real estate expands the area 20 plus years. So, first of all, thank you all city council members, Alder persons, Mr. Mayor for giving me this opportunity to speak. I would be the first the one to admit that as a law-abiding citizen, I've never set foot on this room before or any other city official committee meeting before, until last Wednesday and tonight. So, it's been a quite eye-opener for me and quite an experience so please, bear with me, hear me out, and all will fall together at the end like a puzzle. So, thank you in advance for giving me this time. I'm here tonight to request that the council consider rescinding both of these fines based on the following facts. These two properties are vacant lots, unimproved lots. I took ownership in November 9th, 2018 last fall, with the intent to build and improve them March of this year. So, I just had it set in my mind with the intent to build in my mind. However, due to the late winter and all the storm rain we had major delays. June 7, 2019, I received city's letter post marked June 6, 2019. However, handwritten, and I really reiterate, handwritten, date of May 29th post marked June 7th. I noticed the discrepancy and contacted Dan, the city staff who signed the letter immediately as proof from my phone logs. I pointed out that technically I have from June 6 post marked date seven day, which would be June 13, however being that I was on vacation in Florida I will still have it done by no later than June 11 as an oversight and non intentional. Dan agreed on June 11 day and will communicate to the appropriate department not to go out and cut the grass. Monday night June 10th, I met with my lawn guy out there and surprise, lawns were already cut. One week later, I received the two invoices. After multiple attempts to reach and finally converse with Chris, city staff we clearly disagree on what communication actually took place despite proof from my phone log as proof of communications, letters, post marked envelopes. It's not about the phone calls exchanged that we disagree, but more importantly it's about what the Wisconsin statute dictates. Statute mandates that city mail out notices, which in this case with mailed on June 6, seven days from the 6th is June 13th, as the deadline. However, city went and cut the grass on June

10th. The discussion that city have no control over post offices' mailing dates. Where as to when secretary actually put the letter in the mail and that the city actor acting operating un-presumed handwritten letter dated May 29, is not and should not be on me as the owner, that is on the city. I too have no control over the post office delivery date or the end office miscommunication oversight as in this case. There's room for errors in these areas but however, the postmark date is the only controlled factor here. In addition to these facts, members of the council and Mr. Mayor, I'm requesting that you consider rescinding these invoices as I felt that I was treated unfairly and condescendingly last Wednesday at the INS meeting by one Alderman to a point where treatment that treatment, his conduct prevented me from fully expressing my concerns. Please, put yourself in my position, in my shoes. Where as a law-abiding citizen, I've never been to any of these meetings and expected that the situation would be resolved and handled professionally since I'll be in front of city governments which belongs to our citizens. It was total opposite from what I expected and it was a major disappointment for me with my city government due to how one Mr. Alderman conducted himself last Wednesday night. I felt condescended, intimidated, humiliated, disrespected, demeaned, embarrassed since I expected nothing more than professionalism. He painted an impression as if I'm a slum and irresponsible is his exact word citizen. That I purposefully neglected my property. Just presumed me to be this irresponsible citizen that I'm sure he comes across daily in his position when in actually he knows nothing about my high character professionally and personally as attested by some of your city officials and city staffs and many others who know me but yet still presumed and categorized. I have confidence that my city government will not want to create and adversary impression with such mannerisms where citizens are intimidated from coming to voice their opinion on the cities oversight. Citizens should be free to express their concerns without having to feel humiliated, degraded, condescended, intimidated as the government belongs to the citizen. We city government official we can communicate our points to our citizens without being condescending to anyone no matter from which walk of life they're from. Verbal attacks has no place with city government but perhaps soften our approach will gain more respect, more trust in government creating a win-win situation. I have confidence that my city government with all of your sitting here, will not support and discourage from such demeaning, humiliating conduct as such. Therefore Mr. Mayor and all counsel people, I am here not just to request resending these two invoices based on the mentioned fact, but as well as to clear my name. Clear my name. As Mr. Alderman had created the impression for me. One Alderman question me that night, if there were prior history of weed negligence. Please note for the record, to clear my name. Long weed anywhere is not my standard as proven by my long-standing history professionally and personally. No prior weed negligence on this property or any other properties that I've built in the city of Green Bay as provided to you all addresses that I can remember I've built in the city. And ,these properties are only the ones that I've either build or remodeled in existing established neighborhood. They don't even include the new constructions in new subdivisions. So, none in Green Bay, none in surrounding cities and towns where I've built, not with my personal home. No previous records of weed negligence with any of my new construction site, lots or my personal home. However, what I do have as a history, is that I have brought values to city neighborhoods where no builders, no citizens, want to touch these vacant lots sitting in established neighborhoods. But, I do. As in these Pine Tree and Burns Avenue lots. By building beautiful new homes to these established neighborhoods, I help increase the value of these neighborhoods. I bring tax revenue to the city. All positive improvements to our city. All these and more. Not requesting a single dime from the city's neighborhood grant funds. This same intention I have for these lots to bring value and tax revenue to our city as pictures proved, I have started prepping the lots already. Another note 510 5th Street, Green Bay West Side, under my ownership approximately 10 years ago, and I sold that property a few years ago, but approximately 10 years ago, I received a most beautifying award letter from the mayor. Mr. Alderman further demeaningly

expressed to let me set an example and send a message to all other citizens. You are correct. Let my example send a message clear and loud to all city government officials that we don't conduct ourselves in condescending, intimidating manners towards our citizens, any citizens. Let me serve as an example that I am one of the few citizen who brings tax revenue to the city and improve established as neighborhoods' value, where majority of citizens don't want to touch. In summary, my city officials and city staffs not only failed me once, but failed me twice as a hefty tax paying citizen. First issued invoices where Wisconsin statute clearly mandates mail notices be sent. Mailed on June 6, deadline seven days which would put it on June 13th. This is state statute. City went out to cut on June 10th. Postmark date is the only controlled factors here, while all others or any others can error. We as citizens, city governments, city staffs, we are ruled by state statute not by what we want or what our opinion is. We have a standard to meet and the standard is the state statute. Second, failed me as a citizen is to be treated further with humiliation, intimidation, condescending, demeaning, disrespectful, embarrassment by no other than my city government official who belongs to the citizen. Therefore please look at the overall picture. Grant flexibilities to productive law abiding citizens, who work some days a week to bring values to our neighbors, tax revenue to our city, help paint an impression on citizens and city government on a win-win situation to citizens like myself by rescinding these two invoices. But, most importantly be role models that we all follow states statutes, not by opinions. Last but not least, I thank you to the other three Alderman and I praise them, that on the INS committee last Wednesday, for exemplifying what a city government should be like. You know who you are, we all know who they are. All you three conducted yourself professionally, respectfully, neutral, without any preconceived judgment. I applaud and I praise all three of you. You are what drive citizens as myself not to lose hope in my city government. I have confidence that the majority of my city government officials, such as majority of you sitting here that I've seen are such like those three. I, as well, want to thank you to the other Alderman who conducted himself unprofessionally and treated me condescendingly. You showed me that there's so much more work to be done with our city government in our community that's only becoming more diverse every day. As quoted by Saadi and I quote, "It is wrong to follow the advice of an adversary. "Nevertheless, it is a right to hear it "that you made do the contrary, "and this is the essence of good policy." Unquote. Thank you for all your time.

- [Eric] Thank you ma'am for being here and offering your testimony tonight. Entertain a motion to close the floor. Motion by Alder from the seventh, seconded by Alder from the third to close the floor. We're gonna go to Director Grenier here for some background.

- Background is that, as Ms. Muha stated, we received a complaint, staff went out investigate discovered that the vegetation unmanaged growth on the two parcels, immediately adjacent to each other on Pine Terrace, was in excess at two feet tall. That's well in excessive of the nine inch maximum that's allowed under city ordinance. The acting street supervisor did indeed handwrite the letters. Letters were sent over here to, came by interoffice mail to the department of public works, where the envelopes were stuffed and sent down to the mail room. I can't tell you why the discrepancy between the date of the letter and the date that the postage shows on the envelopes. We have nothing further to go by, except the date that the letters were sent out from our office, which in this case was May 29th. We went back, did a recheck on June 5th, found that it was not

mowed down in accordance with the statutes. Waited until June 10th, went out and did complete the cutting.

- [Eric] Attorney Vanessa.

- Yes Mayor. So, we looked into this and the obligation to provide notice is seven days under our ordinance. The rules when it comes to mailing are generally that the mailing is effective as of the day that you put it into the mail. I agree, that our staff did what they believed because they thought that they actually put into the mail the day that they issued a letter. However, unless we have the... We usually can add three days to the mailing and considerate it adequate, but in this case in the post stamp showing that, or postage date showing that it wasn't actually mailed until that day for whatever reason, and based on that I would say we did not provide adequate notice.

- [Eric] Thank you.

- We did not provide adequate notice. We did not provide adequate notice.

- [Eric] Alder from the third. Why, did you have a question?

- I'm sorry, who had the floor?

- [Eric] You do. I do now? Could you just repeat that why we didn't have adequate notice, what was that again?

- Sure. We're supposed to provide seven days notice. When you are mailing something by statute, the time, it can be calculating a couple different ways. One, is you add three days from the date of mailing, the second is you base it off the day that it is actually mailed. In this instance, our staff did everything they were supposed to because they sent it out, and the day that they believed that they sent it out was the day that they should've been acting on. But, the day that we actually got it into the mail is the date that it starts the time, and so--

- [Andy] When was the date they acted on? How many days after?

- If we cut the grass on the 10th, the letter was sent out on the sixth.

- [Andy] Okay, so, then what you're stating--

- 13.

- [Eric] Alder from the ninth.

- Thank you Mayor. This was sort of the discussion that had occurred at the committee level. I don't think that Ms. Muha is disputing at all, the fact that the lawn is overgrown. She acknowledges it was an oversight and so I don't think that it's necessary for us to spend a lot of time debating the merits about how a property should be maintained. However I think the debate is a legal one, which is what I had discussed at INS. And, specifically the city did not meet its burden as defined by state statute, which is why at the committee level, I was in favor of rescinding the full amount and I believe the committee... I didn't get a second on that one and the committee ultimately decided on splitting it. But, again, recognizing that we did not meet our burden even though I also want to acknowledge, that staff did feel that they act on this appropriately. So, it's clearly a misunderstanding here and because of that I would make a motion that we rescind the full amount.

- [Eric] Motion made by Alder from the ninth, seconded by Alder from the first to rescind that amount. Any further comments? Alder from the twelfth.

- Yes, thank you Mayor. I just want it noted that I'm going to be abstaining from the vote. I'm personally acquainted with Ms. Muha and the family.

- [Eric] Very good, thanks Alder. All in favor, will signify by saying, "aye".

- [All] Aye.

- [Eric] Those opposed, signify by saying no. The motion passes. On to item O, Report of the Protection and Policy Committee. Motion made by Alder from the seventh, seconded by Alder from the third to approve report O, which is the report of the Protection and Policy Committee from the meeting on August 12, 2019. Any items under this report you wish to handle separately? Any items to handle separately? Hearing none. All in favor of approving that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. Item P, report of the Protection and Policy Committee granting operator licenses. Motion by Alder from the seventh, seconded by Alder from the fifth to approve report P, which is the report of the Protection and Policy Committee granting operator licenses. Any names for which you'd like to be record as abstaining? Any names under this report you wish to handle separately? Hearing none. All in favor of this report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. Item Q report of the Plan Commission, August 12, 2019. What are your wishes regarding this report? Motion by Alder from the first, seconded by Alder from the tenth to approve report Q, which is the report of the Plan Commission from the meeting on August 12, 2019. Any items under this report you wish to handle separately? Hearing none. All in favor of approving that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. On to item R, report of the Public Arts Commission. Motion by Alder from the seventh, seconded by Alder from the fourth to approve report R, which is the report of the Public Arts Commission, from the meeting on July 31, 2019. Any items you wish to handle separately? Item number five. Any other items? Item five will be handled separately. Hearing none others. All in favor of approving the remainder of that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved with the exception of item five. What are your wishes regarding item five? Motion by Alder from the seventh, seconded by Alder from the first. Item was pulled by Alder from the eighth, you have the floor.

- [Chris] Thank you Mr. Mayor. I brought this up because it's been a long saga, that we've dealt with at the council and in the public. And, I'm fine with what the committee did once it was explained to me. I was wondering if Alder Scannel has served in that committee could explain it just for the public record that this isn't going away, we're not forgetting about that memorial, we're just following a certain process. So, I defer to Alder Scannell.

- [Eric] Alder from the seventh.

- Thank you. Thank you for the chance to go public with this, yes. The reason we are not going forward now is because we just don't have enough background information to send out an RFP. We wouldn't have enough information as to what we're looking for, where it's gonna go, is it gonna be inside, outside is it gonna to be with a new public safety building, which has been commonly discussed. So, we just need more time to work out some of these background details before we can go forward. At the time, we were not also aware that we had any money for this, but there is money for the RDA?

- Potentially.

- Potentially, oh wow, okay, anyway. We'd have to secure where that money's gonna to be coming from, and how much we talking about. So, all these details need to get worked out so in time, stay tuned, but for now we're just receiving advice on file. Thank you.

- [Eric] Very good. Seeing no other request to speak. All in favor of the motion, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, item has been approved. Item S, report of the Traffic Bicycle and Pedestrian Commission, July 15, 2019. Motion made by Alder from the fifth, seconded by Alder from the seventh to approve report S, which is the report of the Traffic Bicycle and Pedestrian Commission from the meeting on July 15, 2019. Any items under this report you wish to handle separately? Any items? Hearing none. All in favor of approving that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. Item T, report of the Economic Development Authority, August 12, 2019. Motion made by Alder from the seventh, seconded by Alder from the first to approve report T, which is the report of the Economic Development Authority from the meeting on August 12, 2019. Any items under this report you wish to handle separately? Hearing none. All in favor of approving that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved. Item U, report of the Sustainability Commission, August 14, 2019. Motion made by Alder from the seventh, seconded by Alder from the fifth to approve report U, which is the report of the Sustainability Commission from the meeting on August 14, 2019. Any items under this report you wish to handle separately? Item one. Item one will be handled separately. Hearing none others, all in favor of approving the remaining of that report, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the report has been approved with the exception of item one. Your wishes regarding item one. Motion by Alder from the seventh, seconded by Alder from the fourth. The item was pulled by the Alder from the ninth, you have the floor.

- Thank you Mayor. There were no attachments or documents associated with this particular item, and unfortunately I don't know who the staff person is that is responsible for sustainability commission. Celestine, okay. Celestine, just a couple questions. This \$15,000 is coming from excess stadium tax dollars was that funding that was previously allocated to the sustainability commission?

- It was previously allocated to... Sorry, thank you Mayor. Previously allocated to Eland Electric. To make it cleaner, the report piece should really read to approve the installation of EV chargers at Leicht Park. So, \$60,000 was rewarded Eland Electric from the excess stadium tax funds. And, that was to do various sustainability solar projects around town. And so, they came to sustainability, they spoke with Seth Hoffmeister and I believe also Ned Dorf, who are the chair and vice chair to basically say, "Hey, we've got this money we need to spend it, "would you be interested in looking "at some of the projects "that we would like to do in the city?" So, that's what number one and number two are.

- Thank you for that. Unfortunately, because there just wasn't any documentation, I just didn't have an opportunity to review the video footage on this. Could you maybe give some background as far as the discussion about why Leicht Park was chosen above any other site?

- Sure, because there are already some solar panels there. Actually, Jen and I were having... Director Ditscheit and I were having a discussion about that. Those solar panels, they actually move, which are really great, but they need to be fixed. So, that's why number two is to sort of look to see, essentially, what all the projects could look like. Which would include, potentially, installing EV charger, also doing roof solar panels on some city owned buildings, but that requires a little bit of work. And, then also fixing the solar array at Leicht Park.

- Okay, thank you for the explanation. I'm not necessarily interested in micromanaging the location, but I guess something that just did come to mind for me, and I don't know if it was something that was considered by the commission. Again, because it wasn't there I didn't have the ability to provide the . With the shipyard under construction, would it possibly be more affordable to install one of these on a site that doesn't have to be repurposed?

- [Scannell] Because there's no solar panels there.

- Okay.

- [Man In Background] Solar panels--

- That's the idea. Okay, then I guess that answers my question. Thank you.

- [Eric] Good, Ms. Jeffreys.

- [Ms. Jeffreys] Thank you. The idea of installing a EV charger station at the shipyard development is a great idea, and I think something that the commission would like to look into. But, as Alder Scannel said, the connection is with the solar panels that are already existing at Leicht Park. I think that we should be thinking about lots of different places where we could put EV chargers especially for visitors to our community. Thank you.

- [Eric] Alder from the ninth.

- And, thank you for that explanation, Celestine. Just one more point maybe to make it clear why I was perhaps suggesting shipyards as an alternative. When I think of electric vehicles that you have to plug in and charge, typically there's a wait time, the shipyards location would actually have things for people to do while they waited, as opposed to Leicht Park. It's just a little bit different, so that's kinda why I was prying. But, given your explanation, I would support approval. Thank you.

- [Eric] And we would entertain a motion to approve the insulation rather than to fund. Motion by Alder from the seventh, seconded by Alder from the sixth to amend, to approve the insulation. All in favor of the amendment, please signify by saying, "aye".

- [All] Aye.

- [Eric] Those opposed, nay. Think so, right? Entertain a motion. Motion to approve is amended. Motion by Alder from the seventh, seconded by Alder from the third. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, item has been approved. On to V, report of the Personnel Committee. Motion by Alder from the seventh, seconded by Alder from the first to approve report V, which is report of the Personnel Committee from the meeting on August 13, 2019. Motion by Alder from the seventh, seconded by Alder from the sixth, read.

- Common Council may convene in closed session pursuant to section 19.8. Boy this is... Eight, five, subsection one, subsection E, Wisconsin statutes for purpose of deliberating or negotiation, public employee contracts for competitive or bargaining reasons. The Common Council may thereafter reconvene in open session pursuant to, chapter 19.85 subsection two, Wisconsin statutes to report the results of the closed session and consider the balance of the agenda.

- [Eric] All right, we're gonna use the board here. Did it work? He's trying.

- I feel like a... Yeah, but, we also have to approve the rest of the report right? We just approved forward, we didn't pull the rest the of the park though, did we?

- This ordinance--

- I don't think we did.

- [Eric] So, the motion passes 7-3. So, we'll do that when we get back. Hey, Randy, can you just say...

- Aye, aye.

- Can we get a motion to return to regular business. Motion made by Alder from the seventh, seconded by Alder from the tenth to return to regular business. All in favor, please signify by saying, "aye".

- [All] Aye.

- All opposed, nay. I will now entertain a motion to approve the report of the Personnel Committee. Motion by Alder from the third, seconded by Alder from the tenth. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, and we're on receive and place on file. Municipal Court report for July 2019. Motion by Alder from the seventh, seconded by Alder from the first. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The item has been adopted. We're on the item X, resolutions.

- [Kris] You may under suspension of the rules adopt resolutions one through seven together with one roll call vote.

- Motion made to suspend the rules made by Alder from the seventh, seconded by Alder from the first. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the rules have been suspended. Motion made by Alder from the seventh, seconded by Alder from the first to adopt resolutions one through seven. Please use the board.

- So, I don't know how I should do this. I vote yes on the remaining six, but I want to marked as abstaining on resolution one. Through employment, I'm connected. Thank you.

- [Eric] So, noted. Item is approved 11-0. On to item Y, ordinances first reading.

- [Kris] You may, under suspension of the rules, advance ordinances one through seven to a second reading.

- [Eric] Motion by Alder from the seventh, seconded by Alder from the first. All those in favor, please signify by saying, "aye".

- [All] Aye. Alder from the tenth.

- There was citizen who would like, Director Vonck, if you could, just to speak on number six. He had some questions, but if you could just kinda give just a brief description of that.

- [Eric] Director Vonck.

- Thank you. Number six, you're referring to the proposed rezoning of the shipyard area. Okay, so what we have done, this is basically following through with our shipyard investment strategy. Looking at land uses in the area, one of the things that we'd like to do is clean up and make more consistent, the zoning in the district. If you see the map that was included in... And, this was back in the plan commission report, page 301, you can see there's a lot of different types of zoning categories and a lot of zoning that maybe only encompasses one or two parcels, and really doesn't, in a number of ways, match the actual uses that are going on there. Or, with the intended future uses based on that strategy. So, with that, we are proposing narrowing down the number of zoning districts. And, then also making them more consistent throughout the district, really to reflect again what's there and what are some of the desired uses in the future. In the pack it also, on page 303, we basically listed all of the parcels that will be affected. In most cases, there's no change, in terms of the uses that are there would be continued. Those uses would be permitted in the future. A number of places, we've actually relaxed and places that need CUP will be actually going to permitted uses. There are two parcels that will go from a CUP to not permitted uses. But, with that, that it only involves instances

where there is a discontinuance of use for over a year. So, if you don't use it for a year and it becomes vacant and you want to come back and use it again, you can't. Or, there's a request to increase the usage by over 58%. But, other than that, the properties, the uses that they have now will be grandfathered in and continue to operate as usual. So, that nobody's going to be forced to be making any changes based on this zoning. Basically, just deals with future land use for this district. So, with that, we just want to make sure that the change really impacted parcels in the most minimal way. And if anything, provided a positive benefit. Really the ones that won't be permitted, it's the two parcels, one is going from an R3 to C1, and the other one's going from OR to C1. And, basically it's just saying that these parcels in the future, there's residential uses there now, we'd like to see commercial uses in the future. That's kind of a gist of what we're doing. It fits in, this is the first reading, we'll come back for a final reading and adoption at the meeting in September.

- [Eric] Great, any further questions? Very good. I'll entertain a motion to advance ordinances one through seven to a second reading. Motion made by Alder from the seventh, seconded by Alder from the third. All in favor of the motion, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, the ordinances have been advanced to a second reading. Now, on to referral of petitions and communications. Alder from the sixth.

- I have three here, they're pretty much with the parks. The first one Park's Forestry, as I have noticed dead trees in downtown area, specifically the 100th block of North Adams, plus there's other areas, I'd like to know why they're still there it's been over a year. We have a nice new beautiful hotel, destination hotel, and I think it's kinda... You come and you walk downtown and you're seeing all kinda of dead trees, doesn't put a good spin on the city. So, I'd like to know why they're still there. Second one is the Park Board. Request the Viling Sanctuary reinstate the deer management program. The herd needs calling.

- [Eric] Will we include the geese in that as well?

- the geese were really... this year I couldn't believe how many young survived and everything, anyway. Okay, DPW, East side Yard Ways on Eastshore Drive. The gate is left open during the winter and I don't think it's always closed even during the summer at the appropriate time. This again would relate to the deer problem for the residence along Eastshore Drive. Thank you.

- [Eric] Thanks Alder, Alder from the third.

- Thank you Mayor. One late communication, review the Green Bay economic department policy at 1449 Street business for parcel action. Thank you Mayor.

- [Eric] Thank you, Alder from the twelfth.

- Thank you Mayor, I have three and if I could ask Ms. Vanessa to let me know which committee this should go to, I think there's some gray area. First one, is discussion with possible action on loosening the restrictions and requirements of paved driveways on residential lots to alleviate flooding issues. The INS perhaps?

- [Vanessa] Sure.

- INS, we'll start there, we can always... Second one, discussion with possible action on making changes to alleviate parking concerns at the Rush Aquatic Center. I wanna say start so it parks.

- [Vanessa] Would like for it to go to traffic.

- Traffic, okay that was my second choice, thank you. And then thirdly, discussion with possible action on amending the city's ordinance on landscaping weeds, vegetation in gardens on residential lots.

- [Vanessa] INS.

- INS I thought so, all right thank you.

- [Eric] Any others?

- [Bill] Yes. Alder from the fourth.

- Thank you, your honor. First one, I think this is going to go to finance, because I think it should go to IT. I'd like the police department to work with IT to set up a system on the city's request for service icon. For citizens that report problems and request service from the police department. And then for INS, DPW develop better systems to better and more quickly respond during natural and manmade disasters. Thank you.

- [Eric] Any others? On to adjournment. Motion made by Alder from the seventh, seconded by Alder from the third to accept the late communications. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. They are accepted. Motion by Alder from the seventh, seconded by Alder from the third. All in favor, please signify by saying, "aye".

- [All] Aye.

- Those opposed, nay. The ayes have it, we're adjourned.