



AGENDA OF THE COMMON COUNCIL

**TUESDAY, JANUARY 14, 2020, 6:00 PM
COUNCIL CHAMBERS
ROOM 203, CITY HALL**

A. Roll Call.

B. Pledge of Allegiance.

C. Invocation.

- I. The invocation will be led by Mayor Eric Genrich.

D. Approval of Minutes.

- I. Approval of the minutes of the December 17, 2019 Common Council meeting.

E. Approval of the Agenda.

F. Report by the Mayor.

G. Announcements.

H. Appointments.

I. Re-appointments:

Olde Main Business Improvement District

Paul Kosmoski

1270 Main Street, Green Bay, WI 54302

Term to expire: January 1, 2023

Michelle McKinnon

231 S. Adams Street, Green Bay, WI 54301

Term to expire: January 1, 2023

Patrick Beimborn

1258 Main Street, Green Bay, WI 54302

Term to expire: January 1, 2023

I. Public Hearings.

1. Zoning Ordinance No. 16-19
An Ordinance rezoning property located at 2100 Nicolet Drive and 2200 Nicolet from General Commercial (C1) to Varied Density Residential (R3) District.
2. Resolution authorizing Conditional-Use approval at 900 South Jackson Street.

J. Ordinances - Second Reading for Adoption.

1. General Ordinance No. 24-19
An ordinance which would create an outright ban on coal-tar sealants, utilizing model legislation provided by advocacy groups.
2. Zoning Ordinance No. 16-19
An Ordinance rezoning property located at 2100 Nicolet Drive and 2200 Nicolet from General Commercial (C1) to Varied Density Residential (R3) District.

K. Report of the Improvement & Services Committee (January 7, 2020).

1. To receive and place on file the request by Ald. Nicholson for (1) review of the Department of Public Works completion date expectations with possible action, and (2) notification to the Brown County Home Builders Association about the meeting as Department of Public Works staff will be meeting with Brown County Home Builders Association on December 12, 2019 and staff to bring this back to Improvement and Services Committee when the details are worked out.
2. To hold until the Wednesday, January 29, 2020 Improvement and Services Committee meeting the request by Ald. Nicholson, on behalf of Tina Bunker, to have the City of Green Bay own and maintain the storm water management ponds as part of the Grandview subdivision(s).
3. To approve the request by Ald. Nicholson to reinstall the snow fence near Eisenhower Park.
4. To hold until the Wednesday, January 29, 2020 Improvement and Services Committee meeting 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 with Department of Public Works staff creating draft ordinances that allow even-odd overnight on street parking during summer months and/or year round and present at the January 8, 2020 Improvement and Services Committee meeting.
5. To approve the request by Ald. Wery the appeal by Bob Koury, 302 Oak Street, to rescind the re-inspection fees on his property.
6. To approve the request by Ald. Wery the appeal by Mike and Karen Alberts, 1801 South Ridge Road, to the designation and approved uses of their parcels 1-1423-A-1 and 1-1423-A-9 on Ridge Road and allow the use of the existing driveway aprons.

7. To approve the request by Department of Public Works to award a Professional Engineering Service Contract to McMahon Associates, Inc. for Hydrologic / Hydraulic Analysis on Storm Basin 313 in the amount of \$36,400.
8. To approve the request by Department of Public Works to award construction contracts at a staff level and report the award at the next regular meeting of the Improvement and Services Committee for the Basin 106 Lift Station/Howard Street Reconstruction and East Mason Siphon Elimination projects due to the January and February meeting schedules.
9. To approve the 2020 Department of Public Works service rates.
10. To approve the 2020 Special Assessment factors and rates with interest rates determined by City policy.
11. To approve the request by KS Energy Services to renew the annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement.
12. To approve the applications for Sidewalk Builder Licenses by the following:
 - A. Baeten Concrete LLC
 - B. Blaser Construction LLC
 - C. Fischer Concrete LLC
 - D. Frank O. Zeise Construction Co., Inc.
 - E. Martell Construction, Inc.
 - F. McDonald Services LLC
 - G. Verheyen Construction
 - H. Weidner Concrete Construction LLC
13. To approve the applications for Tree & Brush Trimmer Licenses by the following:
 - A. A Four Season Tree Care
 - B. Best Enterprises LLC
 - C. Epic Innovations LLC
 - D. Fall-Rite Services LLC
 - E. Nelson Tree Service LLC
 - F. Selner Tree & Shrub Care
14. To approve the applications for Underground Sprinkler System Licenses by the following:
 - A. IXL Sprinkler Systems
 - B. Lizer of Wisconsin, Inc.
 - C. RainMaster Irrigation, Inc.

L. Report of the Protection & Policy Committee (January 6, 2020).

1. To approve the request by Braggin Bar, LLC at 219 N. Washington to extend the issuance of his "Class B" Combination license to April 30, 2020 (License granted at the August 20, 2019 Common Council meeting).
2. To approve an application for a "Class A" Liquor and Class "A" Beer license for Nicolet Gas, Inc. at 2260 Nicolet Dr. with a licensed premises description as "single story building (gas station part) with walk in coolers. Beer cooler and liquor shelf," with the approval of the proper authorities. (Currently licensed as Nicson, Inc.).
3. To approve "Class A" Liquor and Class "A" Beer license for Family Dollar Stores of Wisconsin, LLC at 708 Lime Kiln Rd. with a licensed premises description as "free standing building consisting of 9,571 square feet," with the approval of the proper authorities.
4. To approve a "Class B" Combination license for White Dog, LLC at 201 S. Broadway with a licensed premises description as "bar/pub tables/dining rm/closet/behind bar in cabinets-cooler, cooler (locked outside)," with the approval of the proper authorities. (Currently licensed as White Dog Roadhouse LLC). Motion carried.
5. To recommend Council waive the ordinance requirements for an outdoor licensed premises and to approve an application for a "Class B" Combination license for C&P Holdings, LLC at 709 S. Broadway with a licensed premises description as "2 bar rooms, patio, storage," with the approval of the proper authorities. (Currently licensed as Rockabilly's LLC).
6. To approve a resolution establishing the Special Events Fee Schedule.
7. To receive and place on file the Liquor Violation Report for January 6, 2020.

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

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

N. Report of the Finance Committee (January 7, 2020).

1. To deny the 2018 appeal for 2884 Sussex Road for Todd Bardouche. Committee recommends invoicing 2018 omitted taxes less the value of the 2018 lottery credit. Payment plan over 5 years.
2. To approve action on a request by the City Assessor's office to cancel certain property taxes. Resolution to cancel \$820.95.
3. To approve the purchase of Self-Contained Breathing Apparatus from Five Alarm Fire & Safety LLC. for \$838,706.
4. To approve the purchase of Integrated Thermal Imaging Cameras from Five Alarm Fire & Safety LLC. for \$63,000. Sole source.
5. To approve the purchase of Barrier and Trailer Kits from Meridian Rapid Defense Group for \$236,547.
6. To approve a resolution authorizing 2019 transfer of \$2,222.50 from contingency for legal expenses related to Georgia Pacific tax appeal.

7. To approve a resolution authorizing 2019 transfer of \$5,059.90 from contingency for legal expenses related to Oneida trust matter.
8. To approve 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.

O. Report of the Park Committee (January 7, 2020).

1. Motion to approve the 2020 proposed park projects and refer to the Finance Committee for review and approval as part of the citywide 5 year Capital Improvement Plan.
2. Motion to receive and place on file the request by Ald. Brunette to relocate the annual Kiddie Karnival effective 2020 to other city parks, possibly Colburn Park.
3. Motion to receive and place on file the report on the number of parks - City, County, School and Oneida owned - throughout the 12th District.

P. Report of the Personnel Committee (January 7, 2020).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Custodian I - Police
 - b. Parking Enforcement Officer - Public Works
2. To approve an intergovernmental agreement with the Green Bay Area Public School District to permit off-duty police officers to use City of Green Bay Police Department uniforms and equipment.

Q. Report of the Sustainability Commission (January 8, 2020).

1. Refer to staff to edit the letter, per committee recommendations, and bring back to the February 12, 2020 meeting.

R. Report of the Ethics Board (December 16, 2019).

1. To adopt the findings of fact and conclusions of law in the matter of the Ethics Complaint against Alder Kathy Lefebvre filed by Alder Andrew Nicholson under the City of Green Bay Code of Conduct for Elected Officials.
2. To impose a formal censure on Alder Lefebvre.

The Council may convene in closed session pursuant to Sections 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. 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.

S. Receive and Place on File.

1. Building Permit Report for December 2019.
2. Municipal Court Report for December 2019.

T. Resolutions.

1. A resolution establishing the Special Events Fee Schedule.
2. Resolution drawing final orders to contractors for January 14, 2020.
3. Resolution to cancel certain property taxes in the amount of \$820.95.
4. Resolution authorizing 2019 transfer of \$2,222.50 from contingency for legal expenses related to Georgia Pacific tax appeal.
5. Resolution authorizing 2019 transfer of \$5,059.90 from contingency for legal expenses related to Oneida trust matter.
6. Resolution authorizing Conditional-Use approval at 900 South Jackson Street.
7. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of water main services.
8. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of asphalt pavement.
9. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of concrete pavement.
10. Resolution approving Hold Harmless Agreement with KS Energy Services.
11. Resolution authorizing submittal of application for Municipal Flood Control Grant.

U. Referral of Petitions & Communications.

V. Adjournment.

- 1) SUPPLEMENTAL INFORMATION: The Video of this meeting, Agenda, Agenda Packet, and Minutes are available online at www.greenbaywi.gov/Meetings.
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.