



MINUTES OF THE COMMON COUNCIL

**TUESDAY, FEBRUARY 4, 2020, 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, John VanderLeest, Chris Wery, Barbara Dorff, Bill Galvin, Jesse Brunette, Andy Nicholson (arrived at 7 p.m.)

B. PLEDGE OF ALLEGIANCE.

C. INVOCATION.

The invocation was led by Pastor Joshua Errer, Faith Lutheran Church.

I. The invocation will be led by Alder Barbara Dorff.

D. APPROVAL OF MINUTES.

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to approve. Motion carried.

I. Approval of the minutes from the January 14, 2020 Common Council meeting.

E. APPROVAL OF THE AGENDA.

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to approve. Motion carried.

F. REPORT BY THE MAYOR.

G. ANNOUNCEMENTS.

H. RECOGNITIONS AND AWARDS.

1. To recognize Joe Faulds, Human Resources Director, as a recipient of the Future 15 award.

I. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (JANUARY 29, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve with the exception of Items 4 and 10. Motion carried.

1. To approve the request by Shannon Jansen, 819 Roy Avenue, for up to 25 total requests for overnight on-street parking.

2. To receive and place on file the request by Ald. Johnson to address chronic flooding and drainage concerns on Antoinette Street.

3. To hold until the Wednesday, February 12, 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).

4. To hold until the Wednesday, February 12, 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.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve Item 4.

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to table Item 4. Motion carried.

5. To approve the Department of Public Works Capital Improvement Program for 2020 after \$15,000 is added in for the Taylor Street over Beaver Bridge design and the date in the sewer

televising row is changed from 2019 to 2021.

6. To approve the award of the contract BRIDGE I-20 (MAIN ST. BRIDGE CENTER AND TAIL LOCK ADJUSTMENTS).

7. To approve the applications for Sidewalk Builder Licenses by the following:

- A. Bryan McEwen Concrete LLC
- B. Green Bay Concrete LLC
- C. IEI General Contractors, Inc.

8. To approve the applications for Tree & Brush Trimmer Licenses by the following:

- A. Asplundh Tree Expert LLC
- B. Consciously Fresh Tree Service
- C. Economy Tree Service LLC
- D. Holtger Bros., Inc.
- E. Monster Tree Service of Northeast Wisconsin
- F. Urban Tree Service

9. To approve the application for Underground Sprinkler System License by The Sprinkler Company, Inc.

10. To order in the improvements constructed and levy assessments for the following:

CONCRETE PAVEMENT

GRAY STREET - Mather Street to Velp Avenue

WATER MAIN AND/OR WATER SERVICES

HILLCREST DRIVE - W. Mason Street to Renaissance Lane

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 10. Motion carried.
Moved by Jesse Brunette, seconded by Randy Scannell to open the floor for discussion. Motion carried.
Moved by Jesse Brunette, seconded by Randy Scannell to close the floor. Motion carried.

J. REPORT OF THE PROTECTION & POLICY COMMITTEE (JANUARY 27, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve with the exception of Item 5. Motion carried.

1. To approve a change of agent by Walgreen Co. at 1401 E. Mason St.

2. To approve an application for a "Class B" Liquor and Class "B" Beer license at Centro Botanero La Carreta, LLC at 1657 Main St. with a licensed premises description as: "restaurant, dining area, storage cooler, office room next to kitchen, bar," with the approval of the proper authorities. (Currently licensed as Taco Burrito Mexico of Green Bay, LLC).

3. To approve an application for a "Class A" Liquor and Class "A" Beer license for Kwik Trip, Inc. at 3525 Humboldt Rd. with a licensed premises description as "1 story frame construction-storage in walk-in cooler, on sales flr and behind sales counter," with the approval of the proper authorities.

4. To hold for 30 days an application for a "Class A" Liquor License for Antonio Soto at 1615 University Ave. with a licensed premises description as "beer sold grocery store, store in beverage/beer fridge extra beer in upper storage on main level."

5. To deny a request by Ald. Wery the appeal by Bob Koury, 302 Oak Street, to rescind the re-inspection fees on his property, referred from the January 14, 2020 Common Council meeting.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve Item 5.

Moved by Ald. Chris Wery, seconded by Ald. Barbara Dorff to refer Item 5 back to the Protection & Policy Committee. Motion carried.

6. To refer to the Improvement and Services Committee a request by Ald. Lefebvre to request committee to look at the issuing a sidewalk cafe permit to Tiletown Tobacco per section 6.155

Green Bay Municipal Code-(I) Definitions: (a) sidewalk cafe any group of tables, chairs, benches, or partitions maintained within the public right-of-way for use directly in front of an establishment with a valid restaurant license.

7. To refer to staff with recommendations for an ordinance considering first amendment rights a request by Ald. Steuer stating: further discussion is needed on the anti-litter ordinance Sec. 8.12 as far as implementation and citations with respect to newspaper ad flyers that are scattered about.

8. To approve General Ordinance 01-20, an ordinance to repeal and recreate chapter 17, GBMC, relating to electrical code.

9. To receive and place on file the Liquor Violation Report for January 27, 2020.

K. 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.

L. REPORT OF THE PLAN COMMISSION (JANUARY 27, 2020).

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

I. To receive and place on file a communication from Ald. Chris Wery regarding an appeal by Mike and Karen Alberts, 1801 S. Ridge, to the designation and approved uses of their parcels 1-1423-A and 1-1423-A-9 on Ridge Road.

2. To authorize a Conditional Use Permit (CUP) to establish a two-family dwelling within an Office/Residential (OR) district at 1132-1134 East Walnut Street, subject to:
a. Compliance with all other regulations of the Green Bay Municipal Code not covered under the

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Conditional Use Permit.

b. Compliance with all pending violations.

3. To create a Planned Unit Development (PUD) regulating signage at 1601-1603 North Quincy Street, subject to the draft Planned Unit Development District (PUD) Ordinance.

4. To close and vacate portions of Acme Street and Lawrence Street, subject to the following conditions:

- a. A closure agreement is required for both Acme Street and Lawrence Street detailing maintenance of and access to this right-of-way.
- b. Access to parcel 21-2267 must be allowed and detailed in the closure agreement for Acme Street.
- c. Access to parcel 21-2263-6 must be allowed and detailed in the closure agreement for Lawrence Street.
- d. Proof of ownership of parcel 21-2263-5 is required prior to execution of the vacation or closure. If proof is not provided, access to this parcel must be allowed and detailed in the closure agreement for Lawrence Street. The vacation will be denied if proof of ownership is not provided.
- e. Proof of ownership of parcel 21-2263-4 is required prior to execution of the vacation. The vacation will be denied if proof of ownership is not provided.
- f. AT&T shall be granted easements for all existing facilities.
- g. Sanitary Sewer within Acme Street becomes privately owned and maintained (as is, where is) to the sanitary manhole within University Avenue.
- h. Storm Sewer within Acme Street from the storm manhole within University Avenue and includes all the storm sewer within Parcel 21-1200 to the existing manhole within the Henry Street / Basten Street intersection to become Privately owned and maintained (as is, where is).
- i. To allow storm water from University Avenue and Parcels 21-2267 and 21-2013 to be collected, connected to and flow through the storm sewer within proposed Vacated and Closed Acme Street described in #2 above.
- j. Allow uninterrupted ingress and egress across "Closed" portion of Acme Street to parcel number 21-2267.
- k. Owner of adjacent parcel 21-2100 (Green Bay Dressed Beef, LLC) to be responsible for all costs to maintain the Vacated and Closed Acme Street, including but not limited to curb & gutter repair, pavement repair and snow removal.
- l. Sanitary Sewer within Lawrence Street becomes privately owned and maintained (as is, where is) to the sanitary manhole within University Avenue.
- m. Storm Sewer within Lawrence Street from the storm manhole within University Avenue to the intersection storm manhole that receives the storm water/sewer from Acme Street to become Privately owned and maintained (as is, where is).
- n. To allow the storm water from University Avenue and Parcel 21-2263-6 to be collected, connected to and flow through the storm sewer within proposed Vacated and Closed Lawrence Street.
- o. Owner of adjacent parcel 21-2100 (Green Bay Dressed Beef, LLC) shall maintain an adequately sized storm sewer system, not less than what is present at the time of the proposed Vacation and

Closure of Acme Street and Lawrence Street that will provide storm sewer service to prevent street flooding no worse than what is presently observed.

p. Owner of adjacent parcel 21-2100 shall work with the Department of Public works to provide a clear route through the property from Acme Street to Henry Street such that an appropriately sized storm sewer could be constructed in the future. This shall be agreed upon prior to approval of a site plan.

q. Allow uninterrupted ingress and egress across "Closed" portion of Lawrence Street to parcel number 21-2263-6.

r. Owner of adjacent parcel 21-2100 (Green Bay Dressed Beef, LLC) to be responsible for all costs to maintain the Vacated and Closed Lawrence Street, including but not limited to curb & gutter repair, pavement repair and snow removal.

5. To approve the site plan and landscape plan for the expanded Kwik Trip parcel located at 3525 Humboldt Road.

6. To approve hosting Public Hearings at Plan Commission meetings.

7. To approve the 2020 Green Bay Plan Commission meeting schedule.

M. REPORT OF THE FINANCE COMMITTEE (JANUARY 28, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to approve with the exception to Item 2. Motion carried.

1. To approve a request by Department of Public Works to use 2020 budget savings from Operations Division table of organization change to fund a pick-up truck for the Building Maintenance Technician for \$35,200.

2. To approve a request to increase fees for liquor licenses effective 7/1/2020.

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

Moved by Ald. Brian Johnson, seconded by Ald. Mark Steuer to amend Item 2 to have the liquor license increase occur over two years with additional \$125 the first year and an additional \$125 the second year. Motion failed.

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Yes- Brian Johnson, Chris Wery, John VanderLeest, Mark Steuer, No- Barbara Dorff, Bill Galvin, Craig Stevens, Jesse Brunette, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre
Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to approve Item 2. Motion carried.

3. To award a 3 year contract to ESRI for GIS Mapping Software for \$188,400 (\$62,800 annually).

4. To refer to staff a request by Ald. Vanderleest to create a resolution that the City of Green Bay pays off more general obligation debt each year than new debt created. Nearly 18-20% of each yearly City budget pays solely for interest on City debt. We must do a better job to reduce our total debt and prioritize our capital expenses so we are not crowding out core services. Many cities and counties are facing these fiscal pressures and the City of Green Bay needs a plan to reduce our debt in the short and long term.

5. To receive and place on file a communication by Ald. Vanderleest:

Property taxes increased roughly 4.1% for the City of Green Bay property tax payers in 2020. Couple this increase with the water bill rate changes and the average Green Bay home owner had a roughly \$100-120 increase to their property taxes. I propose that property taxes for the City of Green Bay would NOT increase more than 1% for the 2021 budget. Green Bay is already one of the highest property tax rates in Brown County. This is causing new home buyers to pursue other less expensive properties due to the disparity in property taxes. Ashwaubenon and Bellevue are \$450-\$500 less on the average home to Green Bay. This is critical if we wish to remain competitive in Brown County for future development and growing businesses.

6. To receive and place on file the Report of the Claims Committee.

The Common 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 Common 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 PARK COMMITTEE (JANUARY 28, 2020).

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

I. To approve the request from Wisconsin Public Service for a 12' wide utility easement at East River Optimist Park to provide an electric service to the new concession stand.

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2. To approve hiring MVR, Martin & Vleminckx, to tighten bolts on the Zippin Pippin rollercoaster for a total cost of \$71,272, to include more information in future Request for Proposals as to the required tools and techniques recommended for this work and notify the low quote vendor why their proposal is incomplete.

3. Informational Only: To receive and place on file the staff presentation of the selection of the Bay Beach Wildlife Sanctuary as a participant in the Give BIG Green Bay fundraising campaign.

O. REPORT OF THE PERSONNEL COMMITTEE (JANUARY 28, 2020).

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

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

- a. Assistant City Engineer - Public Works
- b. Operator II - Public Works

2. To approve the request to approve the wage agreement between the City of Green Bay and International Brotherhood of Electrical Workers (IBEW) Local 158 with a 2% general salary increase effective with the start of the pay period in which October 1, 2020 occurs.

3. To approve the repeal and removal of City of Green Bay Personnel Policy Chapter 26, Bridgetender Benefits.

4. Informational: To receive and place on file the report of the summer schedule results.

P. REPORT OF THE PUBLIC ARTS COMMISSION (JANUARY 22, 2020).

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

1. To approve the GBPAC budget for Fiscal Year Beginning January 1, 2020.

2. To approve the Alleyway Transformation RFP for a permanent art installation utilizing CDBG beautification funds, with the following amendments:

Removing the artist allocation restrictions for artist fee and materials.

Extending the duration of the Artist's piece.

Additional information available regarding the Neighborhood.

Include the parameters of the location.

Q. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (JANUARY 20, 2020).

Moved by Ald. Barbara Dorff, seconded by Ald. Craig Stevens to approve. Motion carried.

1. To remove the 2-WAY YIELD condition on West Main Street Frontage Road at Auto Plaza Way.

2. To establish a 2-WAY STOP condition on West Main Street Frontage Road at Auto Plaza Way.

3. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Van Buren Street from Walnut Street to Cherry Street.

4. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the east side of Van Buren Street from Cherry Street to Pine Street.

5. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the both sides of Van Buren Street from Pine Street to Main Street.

6. To establish a 3-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Van Buren Street from Walnut Street to Cherry Street.

7. To establish a 3-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the east side of Van Buren Street from Cherry Street to Pine Street.

8. To establish a 3-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the both sides of Van Buren Street from Pine Street to Main Street.

9. To remove the 15 MINUTE LOADING ZONE 8 AM TO 5 PM MONDAY THROUGH FRIDAY on the east side of South Broadway from a point 60 feet north of Prospect Place to a point 110 feet north of Prospect Place.

10. To establish a 1-WAY YIELD condition on Lafayette Drive at Candle Way.

R. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to suspend the rules to adopt Resolution 1, Resolutions 3-7 with one roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to adopt Resolution 1, Resolutions 3-7. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

1. Resolution authorizing the Green Bay Plan Commission to hold public hearings on proposed changes to the City of Green Bay Zoning Regulations.

2. Resolution regarding vacation of portions of public right-of-way, Acme Street and Lawrence Street.

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Randy Scannell to amend Item 2 to add the following conditions:

1. The water mains/appurtenances/services/within each of the street's "road vacation area" would

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become ownership of American Foods Group and considered private water main that would no longer be owned or maintained by Green Bay Water Utility (GBWU).

2. The Green Bay Water Utility would continue to own and maintain water main, services and appurtenances within the "road closure area" for each requested street closure. GBWU would require 24/7 access to our facilities within these areas.

3. Green Bay Water Utility's south limit of ownership would be a hydrant and valve on the south edge of each of the road closure areas.

Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

3. Resolution drawing final orders to contractors for February 4, 2020.

4. Final resolution authorizing water main and/or water services and levying special assessments against property.

5. Final resolution authorizing concrete pavement improvements and levying special assessments against property.

6. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of asphalt resurfacing.

7. Resolution authorizing transfer of funds from DPW Ops to DPW Capital for \$35,200.

S. ORDINANCES - READING FOR ADOPTION.

There was an acclamation of suspension of the rules to adopt this ordinance on the first reading with a 2/3 vote.

Moved by Ald. John VanderLeest, seconded by Ald. Craig Stevens to adopt Ordinance I. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre

I. General Ordinance 01-20

An ordinance to repeal and recreate chapter 17, GBMC, relating to electrical code.

T. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to suspend the rules to advance Ordinances 1 through 3 to a second reading. Motion carried.

Moved by Ald Randy Scannell, seconded by Ald. Mark Steuer to advance Ordinances 1 through 3. Motion carried.

1. Zoning Ordinance No. 01-20

To create a Planned Unit Development (PUD) regulating signage at 1601-1603 North Quincy Street, subject to the draft Planned Unit Development District (PUD) Ordinance.

2. Planning Ordinance No. 01-20

An ordinance amending the official map of the City of Green Bay by closing portions of Acme Street and Lawrence Street to Public Traffic.

3. General Ordinance No. 03-20

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

U. REFERRAL OF PETITIONS & COMMUNICATIONS.

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

A request by Ald. Brian Johnson to the Protection & Policy Committee for consideration and possible action to create a diversity and inclusion commission that will properly support the roles and responsibilities of the diversity and inclusion coordinator and secure proper return on investment for taxpayers and benefit to all residents.

A request by Ald. Brian Johnson to the Finance Committee to provide an inventory of all fees charged by the City of Green Bay and create an annual cost accounting policy to review and recommend rate modifications as necessary.

A request by Ald. Veronica Corpus-Dax to the Traffic Bicycle & Pedestrian Commission to review traffic patterns and provide any necessary improvements for the I-43 Business Park.

V. COMMITTEE OF THE WHOLE

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to enter closed session at 6:55 p.m. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre
Ald. Randy Scannell read the closed session language.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to return to regular order of business at 7:14 p.m. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to receive and place on file Item I.
Motion carried.

I. 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.

W. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to adjourn at 7:14 p.m. Motion carried.

Kris A. Teske

Green Bay City Clerk

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

VERBATIM MINUTES

- I'll call to order the meeting of the Common Council for Tuesday, February 4th, 2020. Roll call?
- I I are present, your honor. Alder Nicholson will be late.
- Very good. Please rise for the Pledge of Allegiance and remain standing for the invocation offered by a guest of Alder Barb Dorff.
- [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.
- Hi, it's my pleasure to introduce tonight my pastor. Pastor Errer prays for us every Sunday. I thought it would be great to have him pray for us in person. He's been a resident of De Pere since the summer of 2011, and he lives... And has fallen in love with this area. His children enjoy playing in the parks, swimming in the pools, going to Bay Beach, and enjoying everything this area has to offer. So I'm honored to present Pastor Errer who will do our invocation.
- First of all, thank you for the honor of being with you this evening, and on behalf of our congregation and the members who live in your districts, thank you for the time and talents that you share here as you seek to improve the community in which we live. Let us pray. Heavenly Father, from you comes all rule and authority by which the nations of this world are ruled. We give you thanks for the men and women who are elected and appointed to positions of authority over the people of this land. We ask that the goals they set would be high in purpose, the decisions they make would be wise in counsel and that they would remain steadfast in their call to serve their neighbor and protect the weakest in our midst. That those who live in this community would be able to reside in quiet peacefulness. In your name we pray, amen. Thank you.

- [Eric] Thank you, pastor. Approval of the minutes.
- [Brian] So Moved.
- [Randy] Second.
- [Eric] Motion by Alder from the 9th, seconded by Alder from the 7th. Any corrections that need to be made? Seeing no requests, all in favor please signify by saying aye.
- [All] Aye.
- [Eric] Opposed, nay. The minutes have been approved. Approval of the agenda.
- Motion to approve.
- Move to approve.
- [Eric] A motion made by Alder from the 7th, seconded by Alder from the 11th, any changes to be made? Seeing no requests, all in favor please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it, the agenda before you has been approved. Onto Report by the Mayor. Just a couple of quick things. During the... There we go, during the debate on the budget, we talked about and created a Resiliency position, and thankfully we were granted those dollars by the Fund for Lake Michigan, so I wanted to announce that to all. Thanks for the great work of our Chief of Staff, Celestine Jeffries, as well as other folks in the city, we were successful in winning those dollars, so that will be something we will be bringing back to the Council for a budget amendment, and to be discussed further in terms of what that job description will look like and the duties of this person. So I wanted to update you with that bit of good news. I also just wanted to let you all know, and let the public know, that the waters are high, unfortunately, on Lake Michigan and on our rivers. We had a press conference earlier this week with Brown County Executive Troy Streckenback, and a number of emergency responders, just kind of sending that message to the community, urging community preparedness, just of course urging people to be smart, be safe, take personal responsibility, and also look out for their friends and neighbors who might be in some difficult situations this spring. So there's a website FloodinginBC.com that the County has put together. The City is going to be linking to that website. There's CodeRed which is available, and we're encouraging folks to sign up for that as well to stay safe and stay aware of what's going on. So that is all I have for a mayor's report. Onto announcements. Alder from the 10th?
- Thank you, your honor. Well I had the privilege of going out to Madison today, and my first time testifying at the State Capital. And Senator Hansen, Representative Gruszynski, and myself, spoke on the renaming of the Walnut Street Bridge to the Bart Starr Memorial Bridge, and I think it was very well received. We'll see what happens, but it's gonna move along, and so I was very honored to have an opportunity to speak on the behalf of Bart Starr and the bridge. Thank you.
- [Eric] Thanks, Alder. Alder from the 6th.
- Yes, I just wanted to remind everybody, on February 14th, Valentines Day, is also the 100th year for the League of Women Voters, the passage of the Women's right to vote. Yes, very important. There's gonna be a ceremony held here at the chambers, on the 14th at 1:45 p.m. in the afternoon. So we'd like to see all these gentlemen and ladies, too, hopefully can attend. Thank you.

- [Eric] Thanks, Alder. Any other announcements? Alder from the 9th.

- Sorry, my button went off. I just want to give a quick shout-out to city staff, in particular Community and Economic Development, for their hard work in putting together the listening session for the Shipyard and hosting representatives from the EPA in their Building Blocks Grant program. Obviously Matt Buchanan, who wrote the grant, facilitated a lot of that work. But I know there were a lot of people from staff in and out of that meeting, including the mayor, and I know some alders had participated as well. But we had almost a 100 people show up for the listening session on that Wednesday night, which was wonderful to see that level of feedback from our community, and people taking an interest in what we're doing in that area. Also a thank you to Council, because when you did approve that development agreement at the Shipyard, that also included this neighborhood investment, I think you're really gonna see a strong payoff for that as this process starts to unfold. So thank you.

- [Eric] Absolutely, thanks, Alder. Any other announcements? All right, we are onto Recognitions and Awards. So I am pleased to announce to all of you. Those who might not know, I think many of you probably have already seen the great news, that Joe Faulds, our esteemed Director of Human Resources, was recognized as a Future 15 recipient, so he's gonna be in the running for the Young Professional of the Year through current. So congratulations on that. Any speech for us?

- [Joe] Well, I don't think so.

- [Eric] All right.

- [Mark] Good going.

- [Joe] Thank you very much.

- [Chris] An inspiration.

- [Eric] Absolutely, all right, thanks Joe. All right, we are onto Item I, Report of the Improvement and Services Committee.

- [Randy] Motion to approve.

- [Veronica] Second.

- [Eric] Motion from Alder from the 7th, seconded by Alder from the 2nd to approve Report I, which is the Report of the Improvement and Services Committee from the meeting on January 29, 2020. Any items to be handled separately?

- [Jesse] 10.

- [Brian] Four.

- [Chris] Four and 10.

- [Eric] Four and 10. Any others? Items four and 10 will be handled separately. All in favor of approving the remainder of that report, please signify by saying aye.

- [All] Aye.

- [Eric] Opposed, nay. The ayes have it, the report has been approved with the exception of items four and 10.
- [Randy] Motion to approve item four.
- [Mark] Second.
- [Eric] Motion made by Alder from the 7th, seconded by Alder from the 10th, to approve item four. The item was pulled by the Alder from the 9th, I believe, Alder.
- Thank you, Mayor, I'd just like to move that we table this item.
- [Randy] Second.
- [Eric] A motion made by Alder from the 9th, seconded by Alder from the 7th to table. Discussion? Any discussion? All right, all in favor?
- [All] Aye.
- [Eric] All opposed? The ayes have it, the item has been tabled. Onto item 10.
- [Randy] Motion to approve.
- [Barb] Second.
- [Eric] Motion made by Alder from the 7th, seconded by Alder from the 1st to approve. Item was pulled by Alder from the 12th, you have the floor.
- Thank you, Mayor. There are two projects in this agenda item, and I'll be speaking on item 10. I'm sorry, obviously item 10, but the water main and/or water services on Hillcrest Drive. As you all will recall, we had, about a year and a half ago, a rather controversial road project. We held it, and now that road is in the stages of being reconstructed, which is very much needed. So on Wednesday there was a public hearing, and folks who live up and down Hillcrest had the opportunity to learn more about the project. That same day we had an Improvement and Services Committee meeting, which we obviously approved the project. So around probably the last two or three weeks I've had quite a bit of discussion with staff with the Water Utility, Public Works, and three or four constituents who had reached out to me with some concerns. Obviously, with the Wheel Tax, the special assessments for the road is not levied against property owners. I should say residential property owners, but one thing that remains is the water assessment, connecting to municipal water. So there was one constituent who is unable to attend today because he's ill. He's concerned about his large assessment for the water connection. Public Works will work with him, work on some possibilities on how to pay that and look at some special circumstances that are found in our ordinances, so I just want that known. The other constituent, a married couple, they actually wanted to attend tonight, but were unable to, they had a family situation out of state, so I would like to read their statement. They are in support of the project, but they had some concerns, so it's something that I offered to read and they agreed to allow it, so I'd like to do that now. "Hello. "After attending the meetings tonight, "we would like to state several concerns for consideration "in the finalization of plans on this project. "We live on the corner of Hillcrest and Renaissance "at 3194 Renaissance Lane. "Our primary concern is the destruction "of the western edge of our property to connect "the new water main to existing main on Renaissance. "We already have city water as part "of the King of Arms subdivision, "yet we are being charged to go through our property, "7,500 plus 1,700 for lateral into our extra lot. "We'll have major destruction and change of the aesthetics "of our lot due to leveling of our shielding berm "and making of a ditch in its place, and we will not have "easy access from Hillcrest to our extra lot. "We currently have a wood pile and a garden "on our extra lot and the non-wooded portion of that lot, "and frequently drive a truck from Hillcrest "onto the lot to unload wood, drop off supplies "for yard work and the

like. "At the meetings tonight we were told "that we will have the berm leveled and a ditch will exist "along that whole western edge of our lot. "If this goes through as planned, we will lose "the shielding berm from which we enjoy "a good degree of privacy from the street. "In addition, we will be unable to easily drive a truck "onto our extra lot if there will be a ditch constructed "along the west edge of the property. "We were fully ready to concede the need "for the water project, but we're very unhappy "to hear exactly how much detrimental change "would be occurring to our property. "We essentially receive no benefit from this project "as we already have city water and sewer. "The loss of the berm will significantly decrease "our water value due to the loss of privacy. "Please consider a less drastic change to our berm, "perhaps only cutting away an area "for a small ditch on the east side of Hillcrest. "Currently our back lot level is well below "the level of the street, and there exists a culvert "and a yard drain in the eastern portion of our extra lot. "The yard drain was placed by the city on our property "years ago when the homes on the east on Royal Crown Court "started experiencing water problems and basement flooding. "I think this attests to the need "for careful consideration of the effects "of any construction along this corridor. "In addition, we have concerns "about the leveling of the berm. "There are utility lines buried in the berm, "a power pole on top of the berm, "and we have an in-ground sprinkler system in place. "I believe this sprinkler is fully on our property, "not the area in question, but could be affected "if extensive demolition of the berm is done. "Please actually come out to the property, "not just look at your blueprints, "and see the extent of the changes you are proposing. "Thank you for consideration in this matter. "Property Owner." So just you know, I did offer to go out to the property to inspect it. There was just a, they didn't get the email and then they had to head out of town. So since then, I was speaking with Public Works, Steve Grenier, the Water Utility. If I could ask Director Grenier, just for the sake of the constituents concerned, to address and share with the Council what we shared before the meeting?

- [Eric] Sure, Director Grenier.

- Staff has gone out to the area to physically reconnoiter. The berm itself is located 100% within the public right of way. But staff has taken a look at drainage patterns out in the area. On the north end of the lot line that the constituent references as their back lot, the currently vacant one, there is a yard drain. It was installed by the city, but it is a private facility, and it looks like we're going to be able to regrade and not take the berm down and get that water to flow north instead of south where it will then pick up in a small ephemeral stream that currently exists that flows down and gets picked up by that yard drain. So we think we're going to be able to accommodate the wishes of the constituent with no problem. We are going to have a conversation with Community and Economic Services. There is an ordinance that prohibits having a driveway cut, essentially leading to nowhere, which is what would happen with that, with what they refer to as their back lot. However, the design out here calls for what we refer to as a rolled curb instead of a vertical face curb. So as long as someone's driving slowly, you can creep up and over it, that's exactly what a rolled curb is designed for. So if you're familiar with the curbing that exists on East Shore Drive, that's what we're essentially talking about. So they will be able to have access. They won't have a formal driveway. And at such time that the property is developed and a building is put out there, then a formal curb cut can be put in.

- [Eric] Thanks, Director.

- Thank you, Mayor, and I have one constituent here who would like to address the Council, so I'd like--

- [Bill] Who?

- Yes sir?

- [Bill] I'm wondering who this letter's from?

- It's Paul and Terri Lewis. If I could make a motion to open the floor to hear from interested parties.

- [Randy] Second.

Minutes of the Common Council

- [Eric] Motion made by Alder from the 12th, seconded by Alder from the 7th to open the floor. All in favor please signify by saying aye.

- [All] Aye.

- [Eric] Opposed, nay. The ayes have it, the floor is open. Sir, if you could just state your name and address for us.

- Good evening. My name is John Remington. I live at 3207 Westway Drive. That's on the corner of Hillcrest and Westway. And my point... I don't even know how many times to count that I've been here for this with the water problem I have down there at my house. Westway runs east and west, uphill all the way west. Everybody's sump pump water comes down there. All the rain water comes down there. The snow melt runoff comes down there. And it all stops right in front of my house because the ditch that's supposed to take the water down Hillcrest has built up with silt over the last 50, 60 years. It's to the top of the culvert, so the water just sits there. With the reconstruction, my question is, I brought this up Wednesday night, up in room 310, and I was told that the DNR considers the ditch wetland. And they can't even touch it with a shovel. I said, well you can't direct more water from the top of the hill with a curb and cutter down in front of my house because I have a water problem now. All of us on Westway have sump pumps running 24 hours a day. My basement's been flooding with water for over a year. When I bought that house 15 years ago, there was no water problem in my basement. I could take my riding lawn mower and go up my ditch on Westway, with a Zero Turn riding lawn mower. Every year it gets worse and worse. It was marked out two years ago, with red flags. I'm clear to the city right of way, but my front yard's wetland now, because that ditch keeps getting worse and worse and worse, and the water keeps backing up and it keeps getting deeper and deeper. So I was told Wednesday night that they can't touch that ditch with the reconstruction. That's when I said, where is the water gonna go that's there now, and the additional water you're gonna send down in front of my house if the DNR is declaring it's wetland? I've been a truck driver all my life, driving the city rural rounds, driving county roads, driving state highways. If that's the point that I'm trying, supposedly, to believe, every ditch I look at when they build a highway, they put a ditch there, and then once it's put there for water, that's a wetland and it can't be touched anymore? It has to be cleaned out to keep the water flow going. And this ditch, this is the problem that we're having with flooding up here on Hillcrest. So he's telling me they're not gonna dig the ditch out. Is that true? It can't be left like it is, because the water can't go nowhere, that's why it's a wetland. I had pictures at all the meetings that I've been to before, from my neighbors. Diederichs own that, and that was all his farm years ago. You would not believe it if you went out there and looked at it. The wetland, the swamp, when Diederich had the farm, it was all trees, rolling hills, cornfields. It wasn't a wetland, until this was neglected over all these years, backed all this water up and made a wetland out of it. So my question is, is the ditch gonna be a focus and cleaned out to where we can get rid of this water? 'Cause right now, the ditch is built up with silt, it's to the top of the culvert that crosses Westway at my house, okay? They came out there a couple of years ago and they jetted all the culverts out, and they x-rayed them. They had to shovel the end of the culvert out so they could jet it out, that's how much the ditch is built up, so it just holds the water there, it can't go nowhere. And then water that's not moving freezes solid. So every winter that ditch, what water's in there, that freezes solid, come spring we get the rains and everything, there we are with an ice dam. So like I say, my question is, is the ditch gonna be cleaned out to where it was in depth originally, so this water will drain outta here? Okay, thank you.

- [Eric] Thank you, sir.

- [Randy] Second.

- [Eric] Motion made by Alder from the 12th, seconded by Alder from the 9th to return to Regular Order. All in favor please signify by saying aye.

- [All] Aye.
- [Eric] Opposed, nay. The ayes have it, and we are back in regular order. Alder from the 12th.
- Okay, thank you, Mayor. For the sake of Mr. Remington and the Council, if Director Grenier could address Mr. Remington's concerns.
- [Eric] Director Grenier.
- As has been mentioned several times at the various public meetings that have been held on this project, the intent of this project is to reconcile issues with the drainage out there that do exist. There are limitations on what we can do. I understand Mr. Remington's concerns relative to things that may not have been a wetland before, but are considered to be a wetland now. That is not our purview, we don't have any say over that. That is under the Department of Natural Resources, and we are obligated to follow their rules. So we have maximized the amount of work that we can do and still be under the permit conditions that the DNR has placed on the project.
- In a situation like this, when you're dealing with wetlands, obviously I understand the importance of wetlands, but given the fact that the city, under the Mayor's leadership, has really focused on flooding conditions and preventing flooding conditions, especially flooding that we know could exist, is there anything that the DNR would extend us? I just don't want this road project to go through and then have the same concerns, because for the last year and a half I've been telling constituents up and down the road that this project should, or at least I have been told, will alleviate the flooding. So, peace of mind would be good, if possible.
- [Eric] Appreciate that, Alder. Alder from the 11th.
- Thank you, Mayor. I have some questions for Mr. Grenier. On this type of construction, where they're redoing the sewer and the water both and then they're reconstructing the pavement itself, what is the cost for the water and the sewer per foot, let's say on that project? Are they also gonna have mini sewers in there, as far as, sump pumps, will that be added as well?
- There is no mini storm proposed as part of this project. And... I can definitely look up what the assessment costs are, but because... Sewers are only assessed at the time of installation, so any work that has to be done on a sewer after the initial installation, the city does not levy assessments on those, so there will be no assessments for that. And with the advent of the vehicle registration fee, because these are residentially zoned properties, there will be no assessments for pavement out here. The only thing that's being assessed is the water main and water laterals, water services, that are being installed for the first time.
- [John] Okay, so in other words, that's quite a reduced cost, then, for the homeowners?
- Compared to what was originally planned for this, absolutely.
- [John] That's my question, I had somebody call me on it, and they'd like to know what was going on and, as far as the cost, and that kind of gives us the information. Thank you.
- [Eric] Thanks, Alder.
- [John] Thank you.
- [Eric] Any other comments? Alder from the 4th.

- This is for Mr. Remington. I'm looking at a satellite picture of your property. Are you on the southwest corner of Westway and Hillcrest?

- [John] Yes.

- And your property floods, according to this satellite image I'm looking at...

- [Barb] Should you open--

- [Randy] Should we open the floor? If you want to ask questions, you should--

- Well, I mean, he sat down before I could get a question in, okay, I'd just like--

- [Randy] If you have a question, we can open the floor.

- Okay, that's all I want to know, but looking at this satellite view, across the street from Mr. Remington's property, it looks like there's either a manmade or a natural pond with a dock in it and everything else. And another body of water. Is this... If we're talking about wetlands and that, I'm just wondering how far that extends around that whole area, and if we're gonna be getting tied up in something that, how much can we do when there's that much area that has obviously standing water on it all the time? The other question I have is for Director Grenier. The first letter from the Lewis', they talk about a back lot. Does that lot currently have water going to it, so if someone were to build a home on that lot, would they have water, or is this hook-up that's gonna take place make that lot have running water and storm sewer and everything?

- That I'm actually going to have to, I'm going to have to defer to the Green Bay Water Utility, and Kristin Romanowicz from the Green Bay Water Utility is here with us tonight, she'll be able to answer that question for you. Thank you.

- Yeah. The second part of their lot, it's actually one single parcel, they purchased an additional adjacent parcel after they moved in there. It's approximately 100 feet along Hillcrest Drive, and that does not have water in front of it, that's the only portion that they have not already been assessed for.

- So if someone were to build a house there, or want to, they actually couldn't at this point because there's no water to hook up to?

- [Kristin] They would have to have a well at this point.

- Okay, by the water coming in there, that actually adds value to their property, in that at some point in time, if they wanted to, or if someone that bought the home from them in the future, could sell that lot.

- [Kristin] Correct.

- Okay, and then another question. All these homes on Hillcrest that are going to be getting water, currently they don't have water, is that correct? They all run off of wells?

- There are a couple of homes, so we're putting water in from West Point to Renaissance, and the corner properties at West Point and at Renaissance, those two individual properties are already served off of the side street. There is a second, or excuse me, a third parcel that has an unusual arrangement, they have water serviced through a parcel on Royal Crown Court. So of nine parcels, three are already served, either off a side street or a back street through a different parcel.

- And so water being added to those that don't have water currently, again, it allows them to subdivide their lots down, or adds value to their property, because they will no longer have to maintain a well or anything else like that.
- [Kristin] Correct.
- Okay, thank you.
- [Eric] Thanks, Alder. Further comments, questions. All right, there is a motion before us to approve the item, all in favor please signify by saying aye.
- [All] Aye.
- [Eric] Opposed, nay. The ayes have it, the item has been approved. Onto Item J, Report of the Protection and Policy Committee.
- [Randy] Motion to approve.
- [Craig] Second.
- [Eric] Motion made by Alder from the 7th, seconded by Alder from the 3rd, to approve Report J, which is the Report of the Protection and Policy Committee from the meeting on January 7th, 2020. Any item under this report you wish to handle separately?
- [Chris] Number five.
- [Eric] Item five. Any others? Item five will be handled separately. All in favor of approving the remainder of that report, please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it, the report has been approved with the exception of item five. Your wishes regarding item number five?
- [Randy] Move to approve
- [Craig] Second.
- Motion made by Alder from the 7th, seconded by Alder from the 3rd to approve. The item was pulled by the Alder from the 8th. Alder, you have the floor.
- Thank you, Mr. Mayor. Mr. Cory apologizes, he got his days a little mixed up, and so he will be at the next meeting if we see fit to send it back. So I'm going to make a motion to refer this back.
- [Barb] Second.
- Second.
- [Eric] A motion made by Alder from the 8th, seconded by Alder from the 1st to send this item five back to Protection and Policy Committee. Any discussion? All in favor please signify by saying aye.
- [All] Aye.

- [Eric] Opposed, nay. The ayes have it, the item has been referred back. Onto K, Report of the Protection and Policy Committee, Granting Operator Licenses.

- [Randy] Motion to approve.

- Motion made by Alder from the 7th, seconded by Alder from the 3rd to approve Report K, which is the Report of the Protection and Policy Committee, Granting Operator Licenses. Any names for which you'd like to be recorded as abstaining? Any names under this report you wish to handle separately? Sorry, thanks, Alder. So any to be handled separately here? All right, hearing none, all in favor of the report, please signify by saying aye.

- [All] Aye.

- Opposed, nay. The ayes have it, the report has been approved. Onto L, Report of the Planning Commission.

- [Randy] Motion to approve.

- A motion made by Alder from the 7th.

- [Veronica] Second.

- Seconded by Alder from the second to approve Report L, which is the Report of the Planning Commission from the meeting on January 27, 2020. Any items under this report you wish to handle separately? Okay. All right, hearing none, all in favor of approving that report, please signify by saying aye.

- [All] Aye.

- Opposed, nay. The ayes have it, the report has been approved. Onto M, Report of the Finance Committee.

- [Randy] Motion to approve.

- [Kathy] Second.

- Motion made by Alder from the 7th, seconded by Alder from the 6th, to approve Report M, which is the Report of the Finance Committee from the meeting on January 28, 2020. Any items to be handled separately here?

- [Brian] Two.

- 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.

- Opposed, nay. The ayes have it, the report has been approved with the exception of item two. Your wishes regarding item two?

- [Randy] Motion to approve.

- [Mark] Second.

- Motion made by Alder from the 7th, seconded by Alder from the 4th to approve. The item was pulled by the Alder from the 9th. Alder, you have the floor.

- Thank you, Mayor. Just a couple of questions for Director Ellenbecker, because I didn't, I watched the committee video on this, but I didn't think that these questions were answered. And I know that at the committee level it was talked about how this is probably the first increase on these fees since anybody can remember, so it's been a substantial amount of time that they've been reviewed, so I can appreciate that this is being brought to light, and I'm gonna have a communication to address that, later, at the end of today's meeting. But, the question I had is the increase, I guess, generated from this, when I'm looking at the 2020 impact, it's not clear to me, this \$47,000, is it, because there's no quantity column in here, is this the total amount that will be generated from the new fee, or is this the increase that will be generated?

- [Eric] Director.

- That is the increase that will be generated, above what we already currently collect.

- Okay, and so did we budget that \$47,000?

- [Diana] No, we did not.

- Okay, so when this money, presuming approval of this, when this money is taken in, does it just go to the general fund?

- [Diana] Yes, it would go in the general fund. Revenues would be over budget, and yes, it would be in the general fund.

- Okay. So there's no designated purpose for it at this time, related to how we process this or things you are doing in your department?

- [Diana] That is correct. Whenever we have an overage of revenues it would just either offset other expenses that maybe went over when the year's over, or would go the fund balance.

- Okay. And I can certainly appreciate that we're trying to bring ourselves into alignment with some of our neighbors. I guess maybe the concern that I have is some of these are doubling in price. I did have a conversation with Don Mjelde from the Brown County Tavern League, and the Class B Liquor is what would ultimately affect most of their members, which is the one that's \$100 increase, but the others that are going from 250 to 500, I don't know that there's been a representative, I guess, discussion around those, meaning individuals impacted, so have we done any type of notification or notice that would allow individuals that would be affected by this to have an opportunity to speak for or against it?

- [Diana] We did not send any communication out.

- Okay.

- [Eric] Ms. Jeffries, can you talk about some of the outreach efforts you've attempted on that?

- But he said class A and class, like those don't really affect--

- Surely, thank you, Mayor. So I did have an opportunity to speak with Don Mjelde, from the Tavern League, and they have been a great partner in a lot of the conversations around liquor licensing and as well with the cost. When I had my conversation with him and sent him the information, he had expressed comfort with it

because we are in alignment with our neighboring communities. I also had attempted to reach out to the restaurant association, to no avail.

- [Eric] Thank you. Alder.

- Thank you, and I think, much like Ms. Jeffries alluded to, Don did corroborate that and said, that hey, \$100 increase, because the Class B is what would ultimately affect their members. What he suggested to me was that the Class As tend to be more the gas stations, would that be accurate? Or is there a little bit more that could be shared on that front?

- [Eric] Kris.

- Right, the Class As are more of the convenience stores, the gas stations. Just what we're finding though is a lot of corporations or LLCs and that are now being owned by LLCs, so we have to keep in mind now that we are doing background checks on some LLCs that can have 25 people that belong to this LLC, and you can't have any silent partners. So we are seeing increases in that area. So I just want to keep that in mind.

- [Brian] Okay, and I think, certainly, I mean, that can tend to be a high volume transaction type of business for some license holders, I'm just a little bit more concerned maybe for those mom and pop shops, that this is a fairly substantial increase in one year, with very little notification that this is forthcoming. And so would you, Kris, do you have any, or Ms., sorry, Clerk Teske--

- It's okay.

- [Brian] Do you have any indication of maybe how many of those license holders are, what their revenue looks like that? Do we track any of that through their application process?

- No, we do not.

- Okay. Okay, and I think it's just one of those things, where again, I have a communication coming, later at the end of the meeting, to address maybe how frequently we talk about these increases. But I can't help but wonder if maybe, particularly for the Class A, if, just to ease this burden a little bit, and to communicate that this is forthcoming, if we might be able to do this over a two or three year period versus doing it all at once. Are we able to legally obligate or make a decision today that could say that we're going to increase it this much this year, this much the next year, particularly since that this isn't a budgeted revenue item?

- [Eric] Attorney Chavez?

- There is no issue with setting the numbers, whatever you guys want to. Generally the recommendation is that they reflect the actual costs, and my understanding is, these don't really reflect the actual costs that are being incurred by the city in processing all of these. In other words, the numbers are too low right now.

- [Brian] Okay, Director Ellenbecker, could we get an explanation on that?

- Between the staff time and the clerk's office, and all the background checks that are being completed at the police station, this is not covering the cost of some of the licenses. So that is why the recommendation was we would take it up to maximize and try to cover our costs for these licenses. But you do have the option of going anywhere between the 250 and 500.

- [Brian] Okay, thank you for that explanation. I think it's again--

- [Eric] Just one second, Alder. Attorney Chavez.

- And then one last thing he mentioned, bringing forward how often we look at these, as part of the new Municode recodification process, all of the numbers that are set out, all of our fees that are currently set by ordinance will actually be turned into a resolution that you guys will adopt annually.

- [Brian] Okay, that might answer my question later, but might not.

- Okay.

- Thank you. Okay, I'm going to make a motion on this, and I'll just let the chips fall where they may, because I am a little bit worried about those smaller operations and how this might impact them. So, I'm gonna move that this increase be, that it occur over two years, so that the first year would be, we're gonna split it, so the first year would be 125, the second year would be the next 125, because I want to be able to give some of these folks adequate notice that this is coming.

- [Eric] A motion made by Alder from the 9th, seconded by Alder from the 10th to incrementally make this increase.

- Mr. Mayor, just a point of clarification on that as well. I'm only referring to the Class A Beer License and the Class A Liquor License.

- [Eric] Very good. Thank you, Alder. A motion made and seconded. Further discussion? Alder from the 7th.

- Yes, I don't favor breaking this up. My experience at the Protection and Policy Committee is that, and as an Alder working with many of these businesses, this is a substantial money maker for these businesses. I don't think we're putting a bite or a gouge on them in any way. And I just see no reason why we wouldn't do this all as a piece right now. I'm not really worried about hurting anybody. We're not removing any licenses or denying licenses, that would be a definite, putting a business at risk. I don't see any problem here with that, so I'm not gonna support the motion. Thank you.

- [Eric] Thanks, Alder. Alder from the 4th.

- Thank you. I'm not gonna support it either, and just for the reason that part of what the Alder from the 7th stated. You look at this \$500, that's just over \$40 a month, it's a tank of gas. And from what I've learned from talking to some of these people, the reason they opted to get these licenses and there was some fighting back and forth on that, is because the income is pretty substantial with what they bring in on that. And I really don't see any station that I've ever been at or around, have heard any of them talk where something like this would hurt them to that point where they'd have to think about closing shop. I understand the Alder from the 9th, it's a nice sentiment, 'cause it is kind of getting dumped on them. They're gonna find out about this if they haven't been paying attention they'll find out when they get their license renewed in a couple of months. But I can't support spreading it out. Thank you.

- [Eric] Thanks, Alder. Further comments.

- [Barb] Is my mic on? It's been on the whole time.

- [Eric] The whole meeting? Alder from the 1st.

- I also, we had a good discussion on this at Finance, and I also can't support splitting it up. I don't think it's necessary. It's \$20 a month in addition to what they're paying right now, and I just remember going to many of the Protection and Policy meetings, I was on it for two years. We've granted many of these licenses. Sometimes we had to do a lot of thinking about granting a license in a neighborhood, and there was some

controversy about doing that, and we always, we want to treat everyone fairly, so that's what our goal was. These licenses do bring in a lot more income. Again, we're not being able to pay for the background checks, there's not enough money coming in to pay for the background checks and the work that the city is doing already at the current rate. So I would like to see this go up right away, to the \$250. Thank you.

- [Eric] Thanks, Alder. Alder from the 8th.

- Thank you, Mr. Mayor. I'm gonna support it, and mainly because we're doubling their fees, and I bet you 99% of them or maybe all of them didn't even know about it. We didn't notify them, so they didn't really have a chance to give us their input, we're just guessing, educated or not, we're just guessing on it. So I really would have liked to have seen them be notified and present their case. So that's why stretching it over two years I think is a better option. Thanks.

- [Eric] Thanks, Alder. Any further comments. All right, the motion on the floor is from the Alder from the 9th, and we had a second from the Alder from the 10th to incrementally increase the fee for... Use the board? We will use the board.

- Wave. Up there.

- [Eric] Motion fails, seven four.

- [Randy] Motion to approve.

- [Kathy] Second.

- A motion to approve made by Alder from the 7th, seconded by Alder from the 6th. All in favor please signify by saying aye.

- [All] Aye.

- Opposed, nay. The ayes have it, the item has been approved. Onto N, Report of the Park Committee.

- [Randy] Motion to approve.

- [Barb] Second.

- A motion made by Alder from the 7th, seconded by Alder from the 1st, to approve report N, which is the Report of the Park Committee from the meeting on January 28, 2020. Any items to be handled 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. O, Report of the Personnel Committee.

- [Randy] Motion to approve.

- [Craig] Second.

- Motion made by Alder from the 7th, seconded by Alder from the 5th to approve Report O, which is the Report of the Personnel Committee from the meeting on January 28, 2020. All in favor of the motion... Right, so any items to be handled separately here? All in favor of the motion to approve please signify by saying aye.

- [All] Aye.
- Those opposed, nay. The ayes have it, the item has been approved. Onto P, Report of the Public Arts Commission.
- [Randy] Motion to approve.
- Motion made by Alder from the 7th.
- [Barb] Second.
- Seconded by Alder from the 1st, to approve Report P, which is the Report of the Public Arts Commission from the meeting on January 22, 2020. 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. Onto Q, Report of the Traffic, Bicycle, and Pedestrian Commission.
- Motion to approve.
- Move to approve.
- [Craig] Second.
- Motion made by Alder from the 1st, seconded by Alder from the 5th, to approve Report Q, which is the Report of the Traffic, Bicycle, and Pedestrian Commission. 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.
- [Randy] Motion to suspend the rules.
- The Resolutions.
- [Kris] Under resolutions you may, under suspension of the rules, adopt resolutions one through seven together with one roll call vote. Yeah. Alder from the second.
- [Veronica] Yes, I'd like to pull number two for some amendments.
- [Eric] Okay, so--
- [Randy] Motion to suspend the rules for...
- [Eric] Motion made by Alder from the 7th, seconded by Alder from the 10th to suspend the rules for all resolutions but for resolution number two. We have to use the, I forget, we have to use the board for that?
- [Kris] Yeah, well when we go to adopt them.

- [Eric] Okay, all in favor please signify by saying aye.
- [All] Aye.
- [Eric] Opposed, nay. The ayes have it.
- [Randy] Motion to adopt.
- [Eric] A motion made by Alder from the 7th.
- [Chris] Second.
- [Eric] Seconded by Alder from the 8th, to adopt resolutions one through seven with the exception of resolution two. We will use the board. Resolutions are approved I I O. And to resolution two, Alder from the 2nd.
- I have three amendments to add. The first one, the water main appurtenance services within each of the streets' road vacation area would become ownership of American Foods Group and considered private water main that no longer be owned or maintained by Green Bay Water Utility. Number two, the Green Bay Water Utility would continue to own and maintain water main services and appurtenances within the road closure area for each requested street closure. Green Bay Water Utility would require 24/7 access to our facilities within these areas. And number three, Green Bay Water Utility's self-limit of ownership would be a hydrant and valve on the south edge of each of the road closure areas.
- [Randy] Second.
- [Eric] A motion has been made by Alder from the 2nd, seconded by Alder from the 7th, to amend the motion as was stated. Director Vonck, can you just explain why that was necessary?
- Sure, generally when we do a closure and or vacation we ask the different departments for comments on these. Just based on some of the timing we weren't able to get all of these before Plan Commission, so Plan Commission approved it with a whole list of conditions. These came from the Water Department after the Plan Commission meeting. So just wanted, for the record, to get them formally, and this will come back for a final resolution, but it was appropriate to add them in as part of the record tonight.
- Very good, thanks, Director. So the motion has been made to amend, has been seconded. All in favor please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it, the resolution has been amended. The amendment? We already, we did. Yeah, we did, not this one, we will. Do we need it on the amendment though? Okay. So we're now on the amended resolution.
- [Randy] Motion to adopt.
- [Veronica] Second.
- Motion to adopt made by Alder from the 7th, seconded by Alder from the 2nd. And we will use the board on this as well. The resolution is adopted I I O. Onto Ordinances, Reading for Adoption.

- [Randy] Move to adopt.
- [Kris] You may--
- [Randy] No, there's only one.
- [Kris] Just wait.
- [Randy] Oh, sorry.
- [Kris] You may suspend the rules to adopt this ordinance on the first reading with a 2/3 vote.
- So Director Vonck, if you could explain why we might do that?
- Sure, this was discussed in order to advance us to what is a final reading. These are changes to our ordinance, which will help us be in compliance with the state code, it's very important for us to be in compliance with the state code. It allows our inspectors to go out and write orders, and make sure that we are in compliance with what the law is. So that is why we're asking this to be advanced to be adopted this evening.
- [Eric] Very good, thank you. So this will require, as the clerk stated, a 2/3 vote. I'll entertain a motion.
- [John] Move to approve.
- [Eric] Motion made by Alder from the 11th.
- [Craig] Second.
- Seconded by Alder from the 5th to approve, and we will use the board. It worked. The motion succeeds, 11 O. Is that good for...
- [Kris] Yeah, she said it's okay.
- Okay. Onto Ordinances, First Reading.
- [Kris] You may under suspension of the rules advance ordinances one through three to a second reading.
- Motion made by Alder from the 7th.
- [Brian] Second.
- Seconded by Alder from the 9th, to suspend the rules and take up these items with one roll call vote. All in favor of the motion please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it, the rules are suspended. I'll entertain a motion. A motion made by Alder from the 7th.
- [Chris] Second.

- Seconded by Alder from the 8th, to advance items one through three to a Second and Final Reading. All in favor please signify by saying aye.
- [All] Aye.
- Those opposed, nay. The ayes have it, and these have been advanced to the Final Reading. Onto Petitions and Communications. Alder from the 2nd.
- This is for Traffic, Bicycle, and Pedestrian Commission. Review traffic patterns and provide any necessary improvements for the I-43 Business Park.
- [Eric] Thank you, Alder. Alder from the 9th.
- Thank you, Mayor. I have two tonight. The first is for Finance Committee. Director Ellenbecker, I'm sorry, because I think this is gonna be a big project. To provide an inventory of all fees charged by the City of Green Bay, and create an annual cost accounting policy to review and recommend rate modifications as necessary. And the second, I think goes to Protection and Policy. And I just wrote this, so it's a little clumsy, I apologize. For consideration with possible action to create a Diversity and Inclusion Commission that will properly support the roles and responsibilities of the Diversity and Inclusion Coordinator, and secure proper return on investment for taxpayers and benefit to all residents.
- [Eric] Thank you, Alder. Any other communications? All right, I'll entertain a motion to refer all petitions and communications.
- [Randy] Motion to refer.
- [Mark] Second
- [Eric] Motion made by Alder from the 7th. Seconded by Alder from the 10th to refer petitions and communications to the proper authority. All in favor of that motion please signify by saying aye.
- [All] Aye.
- [Eric] Opposed, nay? The ayes have it, those petitions and communications have been referred. On the Committee of the Whole.
- [Randy] Motion to go into Closed Session.
- [Eric] Motion made by Alder from the 7th.
- Second
- Second.
- [Eric] Seconded by Alder from the 10th. Read the statement.
- [Randy] The Common Council may con...
- [Eric] I'm sorry, go ahead.
- The Common Council may convene in closed session pursuant to Section 19.85 subsection subsection , Wisconsin Statutes, for purposes of deliberating or negotiating public employee contracts for competitive or...

May thereafter reconvene in open session pursuant to Section 19.85 subsection , Wisconsin Statutes, to report the results of the closed session and consider the balance of the agenda.

- [Eric] All right, and we will use the board to go into closed session.
- [Man] We are closed, we'll let them know.
- [Eric] We are back.
- [Randy] So a motion to...
- Receive and place on file.
- [Randy] Okay, motion to receive and place on file.
- [Kris] You need to return to Regular Order.
- Oh, Return to Regular Order first.
- [Randy] Yeah, motion to Return to Regular Order.
- Motion made by Alder from the 7th.
- [Craig] Second.
- Second by Alder from the 5th to Return to Regular Order. All in favor please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it, we are back in Regular Order.
- [Randy] Motion to receive and place on file.
- Second.
- Second
- Motion made by Alder from the 7th, seconded by Alder from the 6th to receive and place on file, the item under Committee of the Whole. All in favor please signify by saying aye.
- [All] Aye.
- Opposed, nay. The ayes have it. That has been received and placed on file.
- [Randy] Motion to adjourn.
- [Brian] Second.
- Motion made by Alder from the 7th, seconded by Alder from the 9th to adjourn. All in favor please signify by saying aye.
- [All] Aye.

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