



MINUTES OF THE COMMON COUNCIL

**TUESDAY, MARCH 3, 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, Andy Nicholson, John VanderLeest, Chris Wery, Barbara Dorff, Bill Galvin, Jesse Brunette

B. PLEDGE OF ALLEGIANCE.

C. INVOCATION.

I. The Invocation will be delivered by Alder Veronica Corpus-Dax.

The Invocation was led by Alder Veronica Corpus-Dax, District 2.

D. APPROVAL OF MINUTES.

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

I. Approval of the minutes from the February 4, 2020 Common Council meeting.

E. APPROVAL OF THE AGENDA.

Moved by Ald. Bill Galvin, seconded by Ald. Brian Johnson to amend the agenda to move Ordinances-1st reading after appointments. Motion carried.

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

F. REPORT BY THE MAYOR.

G. ANNOUNCEMENTS.

H. APPOINTMENTS.

I. Re-appointments

Traffic, Bicycle and Pedestrian

Matt Kuepers, 1931 Treeland Drive, Green Bay 54304

Term to expire: March 1, 2023

Green Bay Housing Authority

William Vande Castle, 206 Seminole Lane, Green Bay 54313

Term to expire: March 1, 2025

Ethics Board

William Vande Castle, 206 Seminole Lane, Green Bay 54313

Term to expire: March 1, 2023

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to re-appoint Matt Kuepers to the Traffic, Bicycle and Pedestrian Committee. Motion carried.

Moved by Ald. Chris Wery, seconded by Ald. Mark Steuer to hold the re-appointment of William Vande Castle to the Green Bay Housing Authority. Motion failed.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve the re-appointment of William Vande Castle to the Green Bay Housing Authority. Motion carried.

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

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve the re-appointment of William Vande Castle to the Ethics Board. Motion carried. Ald. Chris Wery voted no.

2. New appointment:

Sustainability Commission

Cody,Standahl, 3367 Paula Street, Green Bay, WI 54311

Term to expire: November 1, 2022

Moved by Ald. Barbara Dorff, seconded by Ald. Andy Nicholson to confirm the appointment. Motion carried.

I. PUBLIC HEARINGS.

No one appeared to speak on the ordinances or resolution.

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. Resolution authorizing conditional use approval at 1332-1334 East Walnut Street.

J. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to suspend the rules and take up Items 1 through 3 with a roll call vote. Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to adopt Items 1 through 3. Motion carried.

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

1. General Ordinance No. 03-20

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

2. 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.

3. 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.

K. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (FEBRUARY 12,

2020 AND FEBRUARY 25, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve with the exception of Item 13. Motion carried.

1. To refer to staff the request by Ald. Lefebvre to request committee to look at the issuing of a sidewalk café permit to Titledown Tobacco per Section 6.155 Green Bay Municipal Code – (1) Definitions: (a) sidewalk café is 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. (February 12, 2020)

2. To refer to staff to determine estimated costs and funding alternatives and report back at the February 26, 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). (February 12, 2020)

3. To approve the 2019 Annual Wisconsin Department of Natural Resources Storm Water Report and authorize the Director of Public Works to submit the report to the Wisconsin Department of Natural Resources. (February 12, 2020)

4. To hold until the February 26, 2020 Improvement and Services Committee meeting the request by Department of Public Works to submit bond request to support 2020 Capital Improvement Program. (February 12, 2020)

5. To receive and place on file the report of award of the following contracts:

A. PAVEMENT I-20 HOWARD STREET RECONSTRUCTION (INCLUDING UTILITY AND STORM LIFT STATION CONSTRUCTION) to the low responsive bidder, Advance Construction, Inc., in the amount of \$4,482,486.75.

B. SEWERS I-20 E. MASON STREET SIPHON REMOVAL to the low responsive bidder, Dorner, Inc., in the amount of \$103,000.
(February 12, 2020)

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

- A. A&M Concrete and Construction, Inc.
 - B. Dorner Equipment Sales and Service LLC
 - C. In The Countryside Concrete
- (February 12, 2020)

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

- A. A-I Tree Service, Inc.
 - B. Ripley's Stump Grinding
 - C. Yesterdays Trees
- (February 12, 2020)

8. To approve the application for Underground Sprinkler System License by Irrigation Doctors LLC. (February 12, 2020)

9. To order in the improvements constructed, levy assessments, and to refer to staff to consult with Law Department to find a way to cover the special assessment for 138 S. Webster Avenue for the following:

ASPHALT PAVEMENT

DOTY STREET – S. Monroe Avenue to S. Baird Street
(February 12, 2020)

10. To refer to staff the request by Ald. Johnson to create a draft ordinance and guidelines that would permit the installation of parklets in retail and commercial areas. (February 25, 2020)

11. To refer to staff the request by Ald. Lefebvre to look at residential policy per storm water runoff; residences are experiencing rain water runoff from elevated houses because of floodplain building elevation requirements (FEMA). (February 25, 2020)

12. To refer to staff 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). (February 25, 2020)

13. To approve the request by Department of Public Works to submit bond request to support 2020 Capital Improvement Program and forward to Finance Committee. (February 25, 2020)

Moved by Ald. Mark Steuer, seconded by Ald. Barbara Dorff to approve Item 13.

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to amend Item 13 to:

To decrease the revenue from Vehicle Registration fees from \$2,285,000 to \$2,050,000

To increase Pavement 2020 Bond Request from \$5,980,000 to \$6,215,000

To increase the Levy-Supported Bond Request from \$6,025,000 to \$6,260,000

To account for the \$235,000 needed to fund Blacktop Materials, Joint Sealing Materials, and the associated bonding cost due to Blacktop Materials and Joint Sealing Materials being removed from the 2020 Budget.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adopt Item 13 as amended. Motion carried.

14. To approve the report of the Purchasing Department:

A. To purchase Televising Camera System on a Cube Van from Envirotech Equipment for \$357,048.

B. To purchase two Street Sweepers from Macqueen Equipment through Source Well Cooperative for \$564,874.

(February 25, 2020)

15. To refer to staff to rebid the following contract through Purchasing:

A. No bids received PARKS PROJECT 1-20 (EDISON PARK PICKLEBALL COURTS).

To approve the award of the following contract:

B. PARKS PROJECT 2-20 (COLBURN PARK CONCESSION STAND & DECK LIGHTING) to the low responsive bidder, IEI General Contractors, in the amount of \$90,196.

(February 25, 2020)

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

- A. J.C. Santy Construction LLC
 - B. Larry Van Rite Trucking & Excavating
- (February 25, 2020)

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

- A. Best Stump Grinding
 - B. Bucklin Tree Service LLC
 - C. Treeo's Tree Service, Inc.
- (February 25, 2020)

18. To approve the application for Underground Sprinkler System License by Conserva Irrigation.
(February 25, 2020)

**L. REPORT OF THE PROTECTION & POLICY COMMITTEE (FEBRUARY 10, 2020
AND FEBRUARY 24, 2020).**

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

1. To approve a "Class B" Combination license for Player 2, LLC at 219 N. Washington St. with a licensed premises description as "lower bar & upper bar. stored in basement," with the approval of the proper authorities (Currently Braggin Bar, LLC has been granted a license at this location)
(February 10, 2020).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to open the floor for discussion.
Motion carried.

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to close the floor for discussion.
Motion carried.

2. To approve an available "Class B" Combination license for Duel Sports Bar, LLC at 1114 Main St. with a licensed premises description as "bar/dining area," with the approval of the proper authorities
(February 10, 2020).

3. To approve the appeal by Bob Koury at 302 Oak Street and reduce the re-inspection fees on his

property to \$100 (February 10, 2020).

4. To approve an appeal by Daniel Stevens regarding the denial of his operator's license (February 10, 2020).

5. To refer to staff a request by Ald. Johnson 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 (February 10, 2020).

6. To receive and place on file the Liquor Violation Report from the Police Department for February 10, 2020 (February 10, 2020).

7. To approve a request by Antonio Soto for Taqueria El Local at 1615 University Ave. to remove basement and add storage room to his license premise description on the Class "B" Beer License (February 24, 2020).

8. To approve an application for a Class "A" Beer license for Antonio Soto at 1615 University Ave. with a licensed premises description as "beer sold in grocery store, stored in beverage/beer fridge extra beer in upper storage on main level," with the approval of the proper authorities (February 24, 2020).

9. To approve an appeal by Cheryl Sarenich regarding the denial of her operator's license (February 24, 2020).

10. To approve an appeal by Rob St. Aubin at 1165 Ninth St. regarding the denial of his exotic animal permit (February 24, 2020).

11. To refer to the Police Department a request by Ald. Scannell to review the bike pub route in the city to change from specific routes to route districts and report at the first Committee meeting in April (February 24, 2020).

12. To approve General Ordinance 5- 20, an ordinance to amend Section 21.11(8), GBMC, relating to Financing of Lead Water Service Line Replacement (February 24, 2020).

13. To receive and place on file the Liquor Violation Report from the Police Department for February 24, 2020 (February 24, 2020).

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

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

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

N. REPORT OF THE PLAN COMMISSION (FEBRUARY 24, 2020).

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

1. To deny the request to amend the existing Planned Unit Development (PUD) for Festival Foods/Kwik Trip to allow for the increase in height for an existing billboard located at 2400 University Avenue (Public Hearing held on 02/24/2020).

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve Item I. Motion carried. Ald. Brian Johnson voted no.

2. To rezone the easterly portion of 1860 West Mason Street from General Commercial (C1) to Highway Commercial (C2) (Public Hearing held on 02/24/2020).

3. To approve a Conditional Use Permit (CUP) to establish a live-work use within a Low Density Residential (RI) district at 815-827 South Monroe Avenue, consisting of a photography studio and photography studio owner's residence (Public Hearing held on 02/24/2020).

O. REPORT OF THE FINANCE COMMITTEE (FEBRUARY 25, 2020).

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

1. To approve the request from the City Assessor's office to cancel certain property taxes. Resolution to cancel \$3,107.29.

2. To award a 3 year contract to Bellin Health Systems for the Fire Fighter NFPA 1582 Medical Compliant Physicals for \$114,870 (\$38,290 annually) with the option of two additional one-year contracts upon mutual agreement by both parties.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 2. Motion carried. Ald. Jesse Brunette abstained as his wife is employed by the recipient of the contract.

3. To approve the purchase of Compressor Systems for The Green Bay Fire Department from 5 Alarm Fire & Safety Equipment LLC for \$108,750.

4. To approve the purchase of Soundoff Lights and Siren Package for the Green Bay Police Department Vehicles from Soundoff Signal for \$42,056.31.

5. To approve a five year contract with ArcServe for \$93,621.

6. To refer the request by Ald. Johnson 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 to staff. Ald. Bill Galvin recommends that the rates be reviewed annually as part of the budget process.

7. To approve the resolution authorizing 2019 transfer of \$13,432.57 from contingency for legal expenses related to Georgia Pacific tax appeal for real estate and personal property.

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.

P. REPORT OF THE PARK COMMITTEE (FEBRUARY 26, 2020).

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

1. To approve accepting a donation from the Redevelopment Authority of Parcel 17-940 (1489 East Mason Street) to the City of Green Bay for the expansion of the East River Greenway.

2. To approve hiring ISG for \$56,800 to complete the engineering and construction documents for electrical upgrades to City Hall.

3. To approve hiring Dimension IV for \$34,444 to complete the engineering and construction documents to replace the walk through aviary exhibit at the Bay Beach Wildlife Sanctuary.

Q. REPORT OF THE PERSONNEL COMMITTEE (FEBRUARY 25, 2020).

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

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

- a. Engineering Technician - Public Works
- b. Truck Driver (Sanitation) - Public Works

- c. Park Maintenance Worker - Parks, Recreation & Forestry
- d. Park Superintendent - Parks, Recreation & Forestry

2. To approve as amended the City of Green Bay Chapter 22 Dress Policy to create a Dress for Your Day Policy.

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

R. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (FEBRUARY 17, 2020).

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

1. Report by the Police Department of the 2019 4th quarter serious injury and fatality crashes.

2. To establish and adopt by ordinance a I-WAY STOP condition on Black Sheep Way at Spartan Road.

3. To refer to staff the request to review traffic patterns of the Challenger-Voyager, Mason-Challenger, and Mason-Ontario intersections and provide recommendations on any necessary improvements.

4. A. To remove the NO PARKING zone on the west side of Acme Street from the southern terminus of Acme Street to University Avenue.

B. To remove the NO PARKING zone on the east side of Acme Street from a point 70 feet south of University Avenue to University Avenue.

C. To remove the 2-HOUR PARKING 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the east side of Acme Street from the southern terminus of Acme Street to a point 70 feet south of University Avenue.

D. To remove the NO STOPPING OR STANDING zone on the west side of Lawrence Street from a point 560 feet south of University Avenue to University Avenue.

E. To remove the NO STOPPING OR STANDING zone on the east side of Lawrence Street from a point 510 feet south of University Avenue to University Avenue.

F. To remove the ONE-WAY STOP condition on Acme Street at University Avenue.

G. To remove the ONE-WAY STOP condition on Lawrence Street at University Avenue.

5. To refer to staff the request to review and potentially change the SPEED LIMIT 25 zone on North Webster Avenue from University Avenue to Vanderbraak Street.

6. To remove the I-WAY STOP condition on Kellogg Street at North Broadway.

7. To establish and adopt by ordinance a 2-WAY STOP condition on Kellogg Street at North Broadway.

8. To establish and adopt by ordinance a I-WAY STOP condition on Kellogg Street at Donald Driver Way.

9. To remove the NO STOPPING OR STANDING 7 AM TO 4 PM SCHOOL DAYS zone on the east side of Victoria Street from Crooks Street to Main Street.

10. To remove the NO PARKING zone on both side of the east roadway of Skyline Boulevard from a point 160 feet north of Sunrise Circle to Sunrise Circle.

11. To establish and adopt by ordinance a NO PARKING zone on the east side of the west roadway of Skyline Boulevard from Finger Road to a point 160 feet north of Sunrise Court.

12. To establish and adopt by ordinance a NO PARKING zone on the west side of the east roadway of Skyline Boulevard from Finger Road to a point 160 feet north of Sunrise Court.

13. To establish and adopt by ordinance a NO PARKING zone on the east side of the east roadway of Skyline Boulevard from Sunrise Court to a point 160 feet north of Sunrise Court.

S. REPORT OF THE SUSTAINABILITY COMMISSION (FEBRUARY 12, 2020).

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

1. To refer to staff to make edits on the letter to neighborhood associations, as discussed, and bring back to the March meeting.

T. RECEIVE AND PLACE ON FILE.

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

1. Building Permit Report for January 2020.

2. Municipal Court Report for January 2020.

U. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to suspend the rules and adopt Resolutions 1 through 11 together with one roll call vote. Motion carried.

Moved by Ald. Mark Steuer, seconded by Ald. Barbara Dorff to adopt Resolutions 1 through 11. Motion carried.

Yes- Andy Nicholson, 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 drawing final orders to contractors for March 3, 2020.

2. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.

3. Resolution to accept sidewalks and issue assessments.

4. Final resolution authorizing asphalt resurfacing improvements and levying special assessments against property.

5. Resolution authorizing Conditional Use Permit at 815-827 South Monroe Avenue.

6. Resolution to cancel certain property taxes in the amount of \$3,107.29.

7. Resolution authorizing 2019 transfer of \$13,432.57 from contingency for legal expenses related to Georgia Pacific tax appeal for real estate and personal property.

8. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of sanitary sewer and/or sanitary sewer laterals.

9. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of storm sewer and/or storm sewer laterals.

10. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of water main and water services.

11. Resolution authorizing conditional use approval at 1332-1334 East Walnut Street.

V. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to suspend the rules and advance Ordinances 2 through 5 to a second reading. Motion carried.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to advance Ordinances 2 through 5. Motion carried.

1. General Ordinance No. 04-20

An Ordinance Amending Section 33.05, Green Bay Municipal Code, Relating To Liquor License Fees.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve Item 1.

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to open the floor for discussion.

Motion carried.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to close the floor. Motion carried.

Moved by Ald. Bill Galvin, seconded by Mark Steuer to amend Item 1 to amend the "Class "A" Beer license fee to \$400 and the "Class A" liquor license fee to \$400 and leave the "Class B" liquor license at \$400.

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to open the floor for discussion.

Motion carried.

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to close the floor for discussion.

Motion carried.

A board vote was taken on the motion to amend the "Class "A" Beer license fee to \$400 and the "Class A" liquor license fee to \$400 and leave the "Class B" liquor license at \$400. Motion carried.

Yes- Andy Nicholson, Bill Galvin, Brian Johnson, Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, Veronica Corpus-Dax, No- Barbara Dorff, Craig Stevens, Randy Scannell, Kathy Lefebvre
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. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approved Item 1 as amended. Motion carried.

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

2. General Ordinance No. 05-20

An ordinance to amend Section 21.11(8), GBMC, relating to Financing of Lead Water Service Line Replacement.

3. General Ordinance No. 06-20

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

4. General Ordinance No. 07-20

An ordinance amending Section 29.307, Green Bay Municipal Code, relating to traffic regulations.

5. Zoning Ordinance No. 2-20

An ordinance rezoning property located at 1860 West Mason Street from General Commercial (C1) to Highway Commercial (C2).

W. COMMITTEE OF THE WHOLE

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to go into closed session at 7:37 p.m.
Motion carried.

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

Ald. Randy Scannell to read the closed session language.

Moved by Ald. Barbara Dorff, seconded by Ald. Andy Nicholson to return to regular order of business at 8:19 p.m. Motion carried.

No action was taken.

I. Update on status of negotiations with the Oneida Nation regarding Cooperative Governance Agreement.

The Council may convene in closed session pursuant to Section 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Council may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

X. REFERRAL OF PETITIONS & COMMUNICATIONS.

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

Minutes of the Common Council

A request by Ald. John VanderLeest to the Water Commission to request on behalf of Hazelwood Lane residents to replace the main water line on Hazelwood Lane from Wood Lane to Packerland Drive due to the frequent main line water breaks. This project should be added to the 2020 or 2021 project list.

A request by Ald. Brian Johnson to the Finance Committee to review the city's capitalization policy and recommend necessary changes as it relates to minimum bonding thresholds in an effort to stem the city's growing debt.

A request by Ald. Barbara Dorff to the Finance Committee to in the spirit of preparation/mitigation, I request a report to the Finance or Personnel committee by Fire and what other other departments may be appropriate, regarding our current city pandemic plan in terms of potentially needed finances and personnel, especially, but not limited to, protecting our first responders from contamination.

A request by Ald. Chris Wery to the Personnel Committee to clarify the term length of Vanya Koepke, currently serving on the Green Bay Police and Fire Commission.

A request by Ald. John Vander Leest to the Improvement & Services Committee to request on behalf of area residents for the sink hole in the front yard of 1831 Van Oss Ct near the newly installed mini storm sewer be investigated by the Public Works department and to be fixed in the spring.

A request by Ald. Brian Johnson to the Parks Committee to direct the Parks director to explore land acquisition options for the creation of a park to serve the residents on the southern end of District 9 on or near the Liberty & 12th Ave corridors.

A request by Ald. Jesse Brunette to the Parks Committee for discussion with possible action on the status of fat tire bike usage at He-Nis-Ra Park.

A request by Ald. Brian Johnson to the RDA to direct the Redevelopment Authority to initiate negotiations to purchase 927 Liberty Ave utilizing neighborhood enhancement funds, block grant or other funding resources available to the City of Green Bay or RDA.

A request by Ald. Galvin to the Bike, Pedestrian & Traffic Commission to change Cass St. from Bellevue St. to E. Mason St. to a truck route.

A request by Ald. Galvin to the Protection & Policy Committee to review and adopt the Hotel Registration & Security ordinance from Ashwaubenon (Section 9-1-8 ord # 03-1-19, 3-26-2019).

A request by Ald. Chris Wery to the Protection & Policy Committee regarding creation of a resolution to our state legislators to override the veto by Governor Evers of Senate Bill 60 regarding placement of sex offenders.

Y. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adjourn at 8:23 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

- Call to order the meeting of the Common Council for Tuesday, March 3rd, 2020. Roll Call.

- [Clerk] 12 are present, your Honor.

- All right, please rise for the Pledge of Allegiance and remain standing for the invocation, led by the Alder from the Second.

- [Group] 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.

- Today's invocation will be a moment of silence for the victims of last week's shooting at the Molson Coors facility in Milwaukee. Please keep them and their families in your thoughts.

- [Eric] Thank you, Alder. To approval of the minutes.

- [Andy] So moved.

- [Randy] Second.

- [Eric] Motion made by Alder from the Third, second by Alder from the Seventh to approve the minutes of the February 4th, 2020 meeting. Any corrections that need to be made? Seeing no requests, all in favor, please signify by saying Aye.

- [Alders] Aye.

- Opposed, Nay. Minutes from been approved. Approval of the Agenda.

- So moved.

- [Bill] I'd like to--

- Alder from the Fourth.

- Thank you, your Honor. I would like to move the first item of section V, First Reading of Ordinances. There are some people here that are interested in speaking on that and I'd like to move that to the head of the agenda for tonight, please.

- What number is that?

- V.

- [Eric] You want to move all of them?

- Just the one. Just the first one.

- [Eric] Are you sure?

- Well, if it's easier to move all of them, then let's move all of them. Okay.

- [Clerk] So you want me to do the suspension? So Ordinances First Reading you may enter suspension of the rules, advance ordinances one through five to a second reading.

- So a motion has been made to amend the agenda. Motion was made by the Alder from the Fourth. Alder from the Seventh.

- I noticed there was some people in the gallery here who are waiting for some of the Protection and Policy items to come up. So if we could move that up to the first committee before Improvement of Services. Before K, if that's okay?

- [Woman] Alder, just a point, there are people for Improvement and Services waiting out there as well.

- Oh, well okay, I wasn't aware of that either.

- [Woman] Yeah, that's way I wanted to--

- Oh, thank you. Well then, how about after Improvement and Services?

- [Man] I'll second that.

- [Eric] So we had a motion to--

- Oh it is, forget it. I thought it was further down, sorry.

- [Eric] Okay, this motion made by Alder from the Fourth, seconded by Alder from the Ninth to amend the agenda to move the Ordinances First Reading to the top of the agenda. All in favor, please signify by saying Aye.

- [Alders] Aye.

- All opposed, Nay. The Ayes have it. Now we'll entertain a motion to approve the agenda as amended.

- [Randy] I'll motion to approve the agenda.

- [Mark] Second.

- Motion made by Alder from the Seventh, seconded by Alder from the 10th to approve the agenda as amended. All in favor, please signify by saying Aye.

- [Alders] Aye. Opposed, Nay. The Ayes have it, the agenda has been approved as amended. On to Report by the Mayor. Not a whole lot tonight. Just wanted to let you all know that I will be on television from 6:30 to 7:00 p.m. on Saturday, March 7th for the CP Telethon. So I'll put out the phone number on Facebook and it'd be great if you were to call me because it's embarrassing to sit there empty handed, right? And the other thing, Kris Teske brought this to my attention. I think you all probably are aware but Clover has been returned safe and sound, our hedgehog. So all is well. We can all sleep soundly at night and that concludes my report. On to announcements. Alder from the 10th.

- Thank you, your Honor. I've got a couple. I took a tour of the Big Brothers Big Sisters facility on North Broadway and they gave me a card and it says, "Hey guys, we're in special need for male mentors. "We have over 65 plus boys waiting for a Big Brother. "You can end that wait, be a Big." So I'd just like to do a shout out for that. I'm also part of a group called Circles Green Bay and the Big View team on April 20th is gonna be hosting a symposium on area poverty. We're working on a program for that and I'll share that as time goes on but that was well attended last year. I'd also like to, what Alder Corpus-Dax talked about Molson Coors, my mother grew up across from Miller Brewery. That was a place I hung out a lot, not the brewery itself but in the neighborhood and this is very sad. It's my hometown and I know some of those folks that kinda worked in that area, I'd also like to mention Mark Ulmer, who just passed away. He was a firefighter. He was a friend of mine. He was also a constituent and worked for their fire department for a good 25, 30 years and he just recently passed. So I just wanted to mention that as well. Thank you.

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

- Thank you, your Honor. I just have one. This Thursday at 11:30 at the NWTC Center on Cedar, there or no, yes. Olde Main is having there State of Olde Main. So it's always a good time. A little food and to find out how their year went. Thank you.

- [Eric] Very good, any other announcements? Alder from the Ninth.

- Thank you, Mayor. I have two. One is just a quick update on the status of the relocation of the coal piles. We're expected to hear within the next day or two whether or not there'll be any remaining funds available in the Harbor Assistance Grant and if so, our hope is that the Senate will take this issue up to be able to allocate the balance or the requested amount of funds for the preliminary concept plan of the JP Pulliam site. So now would be the time to contact your State Senators and I would anticipate that we'll hear some updates on that in the next day or two. Secondly, I just want to call out simply because there's been a lot of community discussions around the recent placement of violent sex offender in my district and so, while that particular placement the city unfortunately has to abide by state law and so there's nothing we can do to prevent that placement within the law, as it exists. I do want the public to know that we are not without recourse and so, I have talked with our City Attorney's Office and we're currently exploring what remedies might be available to us through the legal channels. Additionally, I'll be submitting several communications at the end of the meeting tonight to talk about ways we can redefine who that area looks and how we might be able to reposition Green Bay to have a little bit more say with respect to placements in that area. Thank you.

- [Eric] Appreciate that, thanks Alder. Alder from the First.

- Thank you. Just a little story, on back when I was principal at Red Smith School. I had a wonderful custodian and it was the Monday after Daylight Savings Time and he probably came to my office and let me know that we had all the clocks turned back but you need to spring forward. That's what you need to do, so this Saturday, don't turn your clocks back. Spring them forward. Thank you.

- [Woman] This Saturday?

- [Eric] Thanks Alder.

- This Saturday.

- [Eric] Any other announcements? We're gonna move on to Appointments and then get to those ordinances. So, on to Appointments. Entertain a motion.

Minutes of the Common Council

- [Randy] Motion to approve. Motion made by Alder from the Seventh, seconded by Alder from the Fifth to confirm the reappointments.

- Mayor.

- [Eric] Yes, Alder. All right. Do you have comments, Alder?

- Yeah, I do, thanks.

- [Eric] Go ahead.

- Mr. Vande Castle is the Chairman, I believe, of the Green Bay Housing Authority and myself and the neighborhood around Mason Manor, there was a new policy put in place that adversely, greatly adversely affected the neighbors. And so the neighborhood and I put in a request to be on an agenda to discuss it, to be explained why it's being done, could it be changed, could it be tweaked. Seems like good government, open government. Well, Mr. Vande Castle refused to put it on the agenda. Shut the door right on them and said, "I don't have to, so I'm not going to." So I don't want that kind of representation on a committee, I'm going to be voting no against both of these and I would like them recorded. Thank you.

- [Eric] Got it, appreciate that, Alder. I was not aware of that experience. I've had really positive interactions with attorney Vande Castle, so sorry to hear that that was your experience. Any further comments on those appointments? So we are going to take them up individually. So we are on Matt Kuepers. I'll entertain a motion.

- Motion to approve.

- Second.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the Sixth. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. Mr. Kuepers has been reappointed. On to William Vande Castle. Alder from the Third.

- Do you see my? Nothing, okay. Do you see it now?

- [Eric] Yes.

- Thank you. Could you ask Alder Wery about the policies that he wanted presented to the Housing Authority? So he could enlighten us, so we have more of a background.

- [Eric] Sure. Alder, you care to speak to that all?

- Thank you, Mr. Mayor. I'm not sure of the exact policy itself is what matters, the fact is that the neighborhood didn't have a voice. It was regarding a smoking policy, which forced the residents off the property and they were hanging out in people's yards, in the sidewalks, even coming up to their doors in nearby neighborhoods, causing some big problems. Instead of maybe working with it and making a place on the property, maybe on the edge, he just refused to listen or talk about it, so. Thanks.

- [Eric] Alder from the Third.

- I got a question. As a suggestion, maybe we should send this back. You talk to Mr. Vande Castle and get his response and then come back. I mean, what's the rush? He's still on the committee. I mean, if we just postpone him for two weeks and then we could find out what the heck is going on, why. I think it would be an easier, more smooth vote, I guess. It's a suggestion.

- [Eric] Yeah, appreciate that, Alder.

- So I don't know if someone wants to refer it back, so you can take a look at this, Mayor.

- [Eric] I'll consider that, thanks Alder. Alder from the Fourth.

- Thank you, your Honor. I've worked with Mr. Vande Castle on the Ethics Board for the last four years. While I can't answer to what happened with the Green Bay Housing Authority, I can say that he has handled himself in a very respectful manner while on the Board. His comments, opinions, and questions have always been, I think, spot on towards trying to find a resolution to any of the situations that were before the Ethics Board and as to the Housing Authority, again I can't answer that but I do support him for the Ethics Board. And if it wants to be referred back, I'd be willing to listen to his explanation as to what occurred on the Housing Authority. Thank you.

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

- Likewise, I know Mr. Vande Castle from the Water Commission and I've always thought he was very respectful as on the Ethics, very respectful and everything, but yeah, I'm surprised on that but exactly, I think as Alder Nicholson mentioned, I think it should be referred back and it needs to be discussed. Thank you.

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

- Thank you, your Honor. I would have no problem with Mr. Vande Castle being on the Ethics Board but I would like to see it referred as well, you know, as far as the Housing Authority. So, thank you.

- [Eric] Alder from the 12th.

- Thank you, Mayor. I concur with most of the other speakers of Mr. Vande Castle. I've had nothing but positive interactions with him. He's actually lives down the road from me. A little concerned about what Adler Very mentioned regarding the concern with the Mason Manor residents. I represented that area for awhile and I know that folks who live in that facility, which is essentially a public housing facility, they deserve a voice just like any other person throughout the city and in having represented that area for awhile, there are a lot of concerns that I had been working with them through, through the years. So I would encourage us to get a little more clarification on why that agenda item was not open up for public discussion. I think we owe it to everyone that lives in that facility and the rest of the city. Thank you.

- [Eric] Just a point of clarification, there is somebody who serves on the Authority who is a resident, so they do have that consistent representation but appreciate that comment. Alder from the Eighth.

- Thank you Mr. Mayor, I would make a motion then to refer this particular one back, Mr. Vande Castle for the Green Bay Housing Authority.

- [Eric] We've got a couple more speakers here. Alder from the First.

- Thank you. I know that, as I go through life, there's usually two sides to every story. Mr. Vande Castle is not here to give his side and if no other reason, then to have both sides come forward because I don't feel comfortable with criticizing a decision that I haven't heard what the other side of the story is and I feel very comfortable having Mr. Vande Castle on any of the committees and this is no aspersion against him at all. I think he deserves an opportunity to have his side heard and so that is the reason that I would want to wait until the next meeting.

- [Eric] Thank you, Alder. And then just maybe another point of clarification, the appropriate motion here would probably be to hold the appointment because there's no committee to refer back to. Alder from the Fourth.

- Thank you, your Honor. Present today is a city employee, Cheryl Renier-Wigg. She also sits on the Housing Authority Board and maybe she might have some information to maybe help us all out here, so we don't have to wait two weeks.

- [Eric] Ms. Renier-Wigg.

- Thank you. I'm actually the Executive Director of the Housing Authority. So I actually dealt with this issue, directly with Alder Wery. So HUD regulations do not allow smokers at Mason Manor, on the campus, in the building. That's the goal of going smoke-free for public housing. So we had to make a policy change, you can't smoke on site. You know, three strikes you're out. It's a pretty big deal. There's for sure one neighbor that was right at the end of our entrance on Locust Street and Mason Manor smokers would come down to Locust and they'd kinda walk down that street, or they'd sit in their car. And it's annoying, look, I'm the last person in the world to support smoking, trust me. And I'm sure it was annoying to the neighbor there, so we would work with the tenants and tell them to go a different way. I think most of them go up actually on Admiral Court now. That owner has since sold the house that's there and there are new owners. We haven't had any issues with that and we weren't aware of this big ground swell of people who are complaining about the smokers. So in talking with Alder Wery, I think and talking with Attorney Vande Castle, we can't change those HUD rules. So to put that on an agenda item to give this neighbor the opportunity to speak to change a rule

that we can't change, we didn't think it was fruitful. We offered to meet with them. I mean we certainly will meet with any neighbors. We've never said we wouldn't, so it wasn't, it kind of sounds like it was this bully move by our Chair to just not put it on the agenda and that wasn't the case at all. And as stated to Alder Wery, we're happy to meet with any neighbors ever, with regards to Mason Manor policy. So if you've got the neighbors and you want me to call them directly, give me their numbers.

- [Eric] Thank you. Any questions for Ms. Renier-Wigg. Alder from the Eighth.

- Thank you Mr. Mayor. Thank you, Cheryl and there are probably a half-dozen neighbors who are affected, not just Mrs. Ward who did move. There are others. There's cases of the people getting out of their cars and chasing residents inside. They wanted a place to be able to present publicly their concerns of what this policy change meant to them on their street and that was denied to them. Great they could meet with you behind closed doors and in a meeting room. They wanted this in the public to say, "Hey, look, this is what happened "because of your policy change. "It's causing a lot of bad behavior "on the next block over." And they just wanted to be able to present that, like any citizen should be able to, even if they couldn't change it, maybe explain it to them. So that's why and that's what really caused a lot of backlash when I told them that they were refused to be on the agenda. They didn't take that very well. Because you could have heard them out, even if you couldn't have done anything. We have that happen a lot. We might not be able to do something about a sex offender but we hear them out and say, "Hey, here's why it's being done." So, just food for thought.

- [Eric] Thank Alder.

- I knew our staff had met with neighbors with regards to this, so, I mean, one of the proposals we heard was taking an old bus shelter and putting it on our site, which is the opposite thing we want to do with Mason Manor. We kinda would like that to be a really nice place. So, you know, Bill Vande Castle has been Chair of the Green Bay Housing Authority for over 20 years. He's done a fantastic job and I think to put his entire career as the Chair of the Housing Authority on this one item for being put on the agenda, I don't think it's fair to him. That's just my opinion as the Executive Director.

- [Eric] Thank you.

- Yep.

- [Man] We're always told, "You appointed them." Well, that was my chance to say--

- Absolutely, mine as well.

- [Eric] Alder from the 11th.

- I represent Villa West Housing and I think the people are just smoking there about 20 foot--

- [Eric] Alder.

- [Man] Speak in the microphone.

- Excuse me. I think the people on Villa West are just smoking like 20 feet, in other words, from their walk off from where they live, about 20 feet away. They don't have to get off the property. Is that the same situation over there?

- No, there's no smoking on the grounds at all. This is public housing. Villa West is not public housing. This is actually public housing through HUD.

- [Man] What is Villa West though?

- It's probably subsidized under a different program but it's not considered public housing.

- [John] Sounds like a pretty tough sentence for some of the people, an older person that's hooked on cigarettes pretty heavy, it's hard to kick. I think they should look at that rule a little closer.

- We worked it in. Actually we knew that and we gave everyone a time to try to quit smoking. We've put programs in place for that. It wasn't like, "Tomorrow, this is happening." So we slowly put this into place and we let everyone know before they move in now that this is a no smoking facility, so. I mean at some point, the turnover will be in place where everyone will have known that.

- [John] Okay, thank you. And Villa West is handled strictly differently than this situation is.

- Yep, they're subsidized differently.

- [John] I think that's pretty tough rule there. Thank you. Thank you, Mayor.

- [Eric] Thank you. Alder from the First.

- So now that I've heard an explanation, I'd feel very comfortable having the vote tonight. I would not be in favor of holding this. Thank you.

- [Eric] Thanks, Alder. Alder from the 10th.

- No, I'm sorry.

- [Eric] We've got a big list of speakers here. Anyone still want to speak? Alder from the Fourth.

- After to listening to Ms. Renier-Wigg, I'm gonna agreed with Alder Dorff. Although I also agree with Alder Wery, that we have to have a forum available to the public to speak their mind, so that we can hear them, whether we can do anything about it or not but I think to cancel this appointment based on this one incident. I think this should be a learning incident for Mr. Vande Castle and I would certainly appreciate if someone from city staff could speak with him about it. And maybe there's a different process when it comes to appointments, if there is questions but this should be where it is, in the public forum. But at this point, I'm going to support Mr. Vande Castle for the Housing Authority. Thank you.

- [Eric] Thank you, Alder. Any further speakers here?

- [Man] I withdraw my second.

- [Eric] Okay, so there was a motion to hold that was made by Adler from the Eighth. Do we have a second for that motion? Second?

- [Mark] I'll second.

- Second by Alder from the 10th. All in favor of holding the appointment, will signify by saying Aye.

- [Alders] Aye. Those opposed, Nay.

- [Alders] Nay.

- [Eric] It appears as though the Nays have it. So the appointment has been made. On to the Ethics Board.

- [Woman] No, wait, move to approve.

- [Eric] Oh, yep. Apologies. Motion made by Alder from the Seventh, seconded by Alder from the Fifth to make that appointment to the Housing Authority for Mr. Vande Castle. All in favor, please signify by saying Aye. Roll call requested?

- [Man] Yes please.

- [Eric] We can use the board.

- [Man] Thank you.

- [Eric] I apologize, I just recognized a major oversight over here. And that reappointment is made nine to three. On to the reappointment to the Ethics Board.

- [Randy] Motion to approve.

- [Barbara] Second.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the First. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay.

- [Alder] Nay.

- [Eric] The Ayes have it and that reappointment has been made. On to the Appointment.

- [Barbara] Motion to approve.

- [Andy] Second.

- [Eric] Motion made by Alder from the First, seconded by Alder from the Third to confirm the appointment of Cody Standahl to the Sustainability Commission. All in favor, please signify by saying Aye.

- [Alders] Aye. Opposed, Nay. The Ayes have it, the item has been approved. Now we will move to--

- [Kris] Can I ask one thing? Noted as no for the Ethics Board. Or does he want it actually noted.

- Alder from the Eighth, would you like it noted your opposition?
- [Christopher] Yeah, please.
- We will do that. And now we're gonna move to Ordinances First Reading.
- [Kris] You may under suspension of the rules, advance Ordinances One through Five to a second reading.
- [Eric] Yep. Motion made by Alder from the Seventh, seconded by Alder from the Fourth to suspend the rules and take up Ordinances Two through Five. All in favor, please signify by saying Aye.
- [Alders] Aye.
- [Eric] Opposed, Nay. The rules have been suspended.
- [Barbara] Motion to approve.
- [Randy] Second.
- [Eric] Motion made by Alder from the First, seconded by Alder from the Seventh to approve--
- [Kris] To advance.
- [Eric] To advance items, thank you Clerk. Advance items two through five to a second and final reading. We have that motion, all in favor, please signify by saying Aye.

- [Alders] Aye.
- [Eric] Opposed, Nay. The Ayes have it and those items have been advanced to a second reading.
- [Randy] Motion to advance.
- [Eric] Motion made by Alder from the Seventh.
- [Barbara] Second.
- [Eric] Seconded by Alder from the First. We do have someone who'd like to speak to the item.
- [Mark] Motion to open the floor.
- [Eric] Motion made by Alder from the 10th.
- [Randy] Second.
- [Eric] Seconded by Alder from the Seventh to open the floor. All in favor, please signify by saying Aye.
- [Alders] Aye.
- [Eric] Opposed, Nay. The floor is open. Will you please just state your name and address, sir?

- Bradley Klingsporn, 914 South Clay Street, Alder Galvin's District. I'm coming out, so as many of you know, I do own a wine bar in Green Bay and I have more of a principled opposition to the way that this was presented. This would cost me \$100, which is for a business, not the end of a business for most places but however, I have recently opened this business and I do remember a time where \$100 meant \$100 that I wasn't going to pay for my past-due bills to vendors. It was a \$100 that was coming out of my personal pocket to pay for things as I was opening my business and we weren't making money for the first year or two. So, I understand that there was an outreach to the Tavern League but I understand that the Tavern League is generally established businesses and there, for an established business \$100 is a lot less than for a new business and I think that the goal for Green Bay to try to encourage entrepreneurs and to attract new businesses should be to try to lower fees wherever possible and in that regard, I think we should keep those fees as low as possible. Alternatively, if there is a need for these revenues to be used somewhere to better the business environment for small businesses and for entrepreneurs, then I think that that's a worthwhile goal but as far as I've found out from my outreach to various members that are present, I haven't heard that that's what this is going to be used for. Going through this process, there are areas where it could be improved and to his credit, Mayor Genrich has been very open to the idea of approving these processes. I would like to see that improvement before we say that we need to increase these fees in order to pay for the current process because there are things that we could be doing to reduce the expense related to renewing these fees. Something that I had mentioned to a few Alders was, when I had spoken to the administration one of the things was the background checks on multiple business owners and in that regard, the difference between a Class A and a Class B license didn't seem to be very much cost, although there was at present was a \$250 and \$400 difference. So my proposal is kind of a compromise was to make it a \$400, \$400 even to bring them to the same level if the background check is really the reason that that's expensive, then that puts us at a comparable platform within the city of Green Bay and still gives us a little bit of where we are more open to business than the suburbs around us that may be charging more. So, I'm willing to respond to any questions, if someone has anything for me.

- [Eric] Thanks for your testimony. Any questions? Alder from the Fourth.

- Mr. Klingsporn, you'd like to see the Class A liquor or is it the Class A beer?

- [Bradley] So the one that affects me is the Class B and I just think that for a small business owner, even though it's \$100, I think that by raising that fee there is an impact on small business owners. For the first couple of years that you open your business, the money's coming out of your pocket. So we're taking \$100 out of someone who might want to open a business in Green Bay and that's my principled stand against it. You know, personally obviously I'm going to be paying that \$100 but my business is established enough at this point that it's not gonna put us out of business if you guys decide to pass this but I do think it would be good for the business environment if we raise fees with the mindset of, we want to keep costs low for the businesses that are operating that choose to open in Green Bay. What I was saying was, the city of Green Bay said there was a cost to renewing, specifically they needed to do background checks on the owners and the compromise that I put forward was, if it's a background check, then the background check is the same cost whether it's a Class A or a Class B and perhaps the revenues that need to be had to make this break even could be had by leveling the playing field between the Class A and the Class B.

- [Bill] So you'd like to keep the Class B liquor at \$400 and then the Class A beer and Class A liquor, you'd be okay with them going up from \$250 to \$400, so that it's \$400 across the board?

- I think it's a defensible raise. I don't know that everyone here would agree but I was just saying that that could be a way that the city could generate more revenue while having a rationale for why that would be increased.

- [Bill] Okay, actually I got somewhat educated at our finance meeting by Attorney Chavez and if you could explain if it's possible that Attorney Chavez could explain the differences between some of the fees that we have. That some are based on costs to the city and some are not.

- [Eric] Attorney Chavez.

- Thank you, Mayor. So what we had discussed at Finance is that there are certain fees that are established by the Legislature, this being one of them, where they set the rate, or they set the range that we're allowed to operate within and as long as we choose one of those rates, or a rate within that range, we're in compliance with the law. The instance where we have the discretion is where the Legislature has not actually established the fees themselves. They instead say, "You are allowed to adopt "fees that cover your costs "or have a strong correlation "to the reasonable costs that you've incurred." And so that's the distinction that we have as far as what we're able to assess. So in this instance, even if our costs were \$1,000 per application, we'd only be able to charge \$500 because that's all that the statute allows us to do, whereas if it was something where we had the discretion and it was closer to \$1,000, we would be charging the amount to cover the costs of the city. So this is one of those instances where the fees are established for us.

- [Eric] Thanks, Attorney. Alder, did you have--

- So I guess, Mr. Klingsporn, what she's saying is that these fees here are not based on what it costs the city to do the work involved with them. That we're like all the other communities allotted to raise it or keep it or lower it, however we see fit. So and even I was mistaken, I thought it was based on how much work it took us to do it. So this is a fee that we can just charge and we want to charge the max and I believe research has shown that the other communities surrounding us are at or above what we're charging at this time. So I just wanna make you aware of that.

- Yeah, my understanding is that there is a max set by Wisconsin statute and that is \$500 for both the Class A and the Class B, which is the proposal to raise it to the Wisconsin statute max. I just also wanted to note in addition to that license, I do have another \$100 license that I pay the city, so I pay \$400 and \$100 annually for my renewal. I'm currently paying \$500. This would raise my business expense to \$600 a year for the liquor

license. In addition, there are a number of other taxes and things like that but I am aware that the city is well within their right to raise it to that level if they'd like. They've also been well within their right to do that for years and to do that as part of the standard budget process. So that it isn't a change.

- [Bill] Okay, thank you.

- [Eric] Alder from the Eighth.

- Thank you, Mr. Mayor. Thank you, Mr. Klingsporn for coming. This is the kind of input that we were looking for. I believe that should have been done at Committee and a few of us voted against these increases because there was no input. In that past, when I served on that Committee, we always notified the people involved that we were going to raise their fees and people would come in and testify why it was a good idea or not and we came to some kind of consensus. Do you think others in your line of work would feel likewise, that this is kind of a surprise, big, hefty increase? Some of it's doubling the cost.

- So I know that the city reached out to the Tavern League. I did check and I am a Tavern League member and the Tavern League did not reach out to, at least me. So they didn't do a general member outreach, so I know that that's the case. As for the feeling from businesses, I think that the general consensus is they don't like it but it's not worth coming here for \$100. So that's the kind of feeling that I have from the other businesses. Like I said for me, it's a principled statement. That I think that it's something that we should, as the city of Green Bay, I'm interested more in the development of Green Bay and the perception that we're friendly to business than I am for my \$100 a year.

- [Christopher] I appreciate you coming forward and at least talking about it. You know, we haven't looked at those in quite awhile, so while it does bring us in line with everybody else, it is a big jump and that's the shock that you're experiencing, right?

- Yeah.

- [Christopher] Okay, thank you.

- [Eric] Thank, Alder. Thank you, sir. All right, entertain a motion. Mr. Klingsporn, could you come? Alder from the First has a question for you.

- [Barbara] Hi Mr. Klingsporn.

- Hi Barb.

- I love the Aardvark. So you have a Class B license, is that correct?

- [Bradley] That's correct.

- So one thing that's making me feel a little uncomfortable is there's no one here talking on behalf of the Class As and what you are asking for would keep the Bs stable, which would be in your interest. I'm just not real comfortable cause the As are going from \$250 up to \$500 or \$400. I mean, we might be bringing those down. I guess I was really trying to establish you do have a B?

- [Bradley] I do have a B, yes. You're talking about a B, that's all I need to know. Thank you.

- [Bradley] Okay, thank you.

- [Eric] Thanks, Alder. Motion made by Alder from the Seventh, seconded by Alder from the Ninth, to close the floor. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it, the floor is closed. Just to provide some context, I'm gonna go to Chief Smith and then Clerk Teske if she has any thoughts on this. Chief.

- You know, the background check is not extremely expensive. I think there's an administrative fee of about \$7. I talked to the folks that do the actual checks and do the actual reviews. 20 minutes or a half hour of our Lieutenant's time is all it takes. But if you think of the time that our police officers spend at bars doing random checks throughout the year, doing checks of compliance for underage drinking and all the police problems that spill out of bars, as evidenced by what happened with the incident on Friday night into Saturday morning. We

spend a ton of police time inside bars, checking bars, dealing with disturbances at bars and restaurants. Now if this is the wine bar I'm talking about, he's completely out of that picture. I've never had a single problem there and I think it's a fantastic place, if it's the place that I'm thinking of. But there's a lot of other places that have the same liquor license and we spend a ton of time and a ton of effort trying to make sure that more problems don't come out of those places. So we're never gonna make up, ever gonna make up the time that we spend by charging a \$500 fee.

- [Eric] Thanks, Chief. Clerk Teske.

- The only other thing I want to mention is that we're finding with liquor licenses that some of the owners now are LLCs, so it's not just an individual and an agent. These LLCs can be 25 people. So then those all have to have background checks because we have to make sure they're not felons or they're not underage. So we are not talking just like an individual, okay? So kind of keep that in mind when you're making your decision.

- [Eric] Thanks, Clerk. Alder from the Eighth. Alder from the First.

- This is a question for the Clerk. Is there some time sensitivity because of when liquor licenses come up that we must decide this tonight or is there time to send it back to committee?

- Renewals are gonna be due April 15th, so if you want to make that for this licensing year.

- [Barbara] So this is pretty much it.

- Yeah.

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

- Thank you, your Honor. I'd like to make an amendment and I'd like to explain why. I'd like to amend Class A beer and Class A liquor to \$400 and I'd to leave the Class B liquor at \$400. And the reason I'm saying this, I still want some increase eventually but this was an item that came up. I believe these items should come up at budget and if we were to explain at budget time that we need these extra monies because our police department is doing so much work in a culture that is got issues with alcohol consumption and everything that goes with it because they want to do interdictions, they wanna do more compliance checks. They wanna do

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more OWI checks or stops or if the city wanted to get into a program where we're trying to change the cultural in this community through education, and things like that, I could say, I could really get behind this but make it part of the budget where there is a forum at Finance and then again at Council for people to express their opinions. I do feel that the Clerk's Office did the best job they could to notify. They went to the Tavern League. They notified the Restaurant League. It's very difficult to notify everybody with like the liquor stores and all that other stuff but I do think the city did it's due diligence on this. And this is also posted publicly and I mean, people found out about it. I saw on social media, there were several people that owned liquor establishments were commenting on this. So the words out there and whether they decide to come in or not, that's on them but I'd like to make that amendment for now and then come budget this coming Fall, this is something we could address whether we want to raise it and if we're gonna raise it, what are the monies gonna go for. Thank you.

- [Eric] Thank you, Alder. So the amendment would be to put all the license fees at \$400?

- Yes.

- Okay, there's a second for that motion for further discussion. Alder from the Third.

- Thanks, Mayor. Question for Kris Teske. How many LLCs do we have at 25?

- [Kris] I don't know that off-hand.

- Okay, you mentioned it, so I'm guessing you probably know a couple.

- [Kris] Well, it's a lot of the hotels.

- Hotels, okay.

- [Kris] We have 172 Class B licenses, with two or three reserve now and then the rest are Class A. So Class A is like your gas stations, convenience stores.

- Those have 25?

- [Kris] Not necessarily, no but we're seeing that more and more. We just, like CVS, They came in now with their renewal and they have an LLC listed as one of theirs also, along with five officers.

- Okay. Question for the Mayor or Chief, where do these fees go to? You said background checks but I just heard something from Bill, we've got to explain where the fees are going. Are they going somewhere else?

- [Kris] According to state statute, the fees do not have to be set by how much it costs us.

- No, where are they going?

- [Kris] Well--

- [Eric] Ms. Manley.

- Pardon?

- P.D. is gonna get some of the background check money.

- [Andy] Okay and you said that was \$7.

- Currently all the revenue from those licenses goes into our general fund. We are looking to, with this increase, also give a portion of that to the P.D.'s budget but otherwise, right now it's just going to clerk revenue. All the revenues help offset all the expenses which lowers what a taxpayer would have to pay with the levy on your tax bill.

- [Eric] Thank you.

- [Andy] So the fees offset the levy? Is that what's stated? So we're putting fees on businesses to offset the levy, correct?

- [Eric] To cover costs

- [Andy] To cover costs--

- [Eric] And offset the levy, yeah.

- [Andy] Okay. Well, excuse me. So when we increase the Class A at 100%. It was at \$250 and we're increasing it for now before we take a vote on what we wanna deduct or reduce. Basically it's at \$500 right now if this goes through, correct? And then the Class A is also at 100% markup at \$500 and Class B liquor basically 30% plus at \$500. So all this money goes to the levy, into the general fund to offset the levy. Okay, who decided that we were gonna increase Class A beer, Class A liquor 100%? Who decided that?

- [Eric] Yeah, this is an item that went through the Finance Committee.

- [Andy] I'm just saying, who decided it? Who came up with this? What individual said, "Let's go 100%, "let's go from \$250 to \$500."

- [Eric] So this was a discussion between the Clerk and my administration.

- [Andy] Okay, so it was your office that decided to put a 100% increase on Class A beer, Class A liquor, Class B liquor. Okay, all right. Thank you.

- [Eric] Alder from the Seventh.

- Thank you, your Honor. I don't support the amendment. We are talking about \$100 a year. We went through this before but let's, I should have a little more organized. I appreciate Mr. Klingsporn coming forward and he did reach out to me by email and I'm sorry I did respond so late. I got the email today and was in Madison all day, so I didn't get to him late, so I do apologize for that but the only person we have heard on this is protesting on principle, just on principle. I have heard no one else, and as we've heard this has gotten around, people know. No one has practically come forward and said, "This is gonna kill my business. "This is gonna significantly hurt my business." Anybody who can't afford \$100 a year to sale alcohol, maybe they shouldn't be in the business. Maybe that's one way we can start turning that tap a little tight. That's been a concern for this city and this Council for years. I don't think it's, the decision to go raise the fees to the point they were was basically based on what the other surrounding communities have. Whether it's 100%, 200% increase, whatever, it doesn't matter. It's what the going rate is in the surrounding communities. I think for us to match that is reasonable. I think given our budgets, it's more than reasonable and I just don't see how playing around with \$100 here does anything for any business but it's gonna make a difference for us at budget time. So I support the original ordinance. I supported it when we spoke about holding it and changing it up before. I still see no reason to do that. I didn't then and I don't now. I support going forward with the ordinance as it is. Thank you.

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

- This is for Clerk Teske. When was the last time we raised our fees?

- [Kris] I know longer than eight years ago. I mean, since eight years, we have not. So I didn't go back in history to see when the actual time was that they did up these.

- Okay, thank you. I know on Finance, that came up. You know and I said, "Well, yeah maybe we "should have done this a number of years ago, "you know, just increase it just a little bit." It's unfortunate that we didn't do it but we felt too that, "Yeah, it's time," because other communities are charging these fees and so we should too. And we are not recouping, the Police Department is not recouping the money for all the time they spend and yes it goes in the general fund but then the Police Department would have to ask for maybe a raise, more money from the taxes in order to make up if we don't increase this. I'm sorry, I thank the gentleman for coming and speaking but \$100 increase isn't even \$10 a month. That's two drinks a month that he'd have to make that up, so I don't think this is a burden on that and I agree with Alder Scannell here, we have too much drinking in this community. We're constantly, we have a grocery store now. Another new one, I'm so upset, on University Avenue, that we're agreeing to go ahead with that they want to sell liquor. That street has so many places where you can buy liquor in two blocks, I mean no, two miles. It's saturated, so no, I'm gonna go with what is proposed here. Sorry, thank you.

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

- Thank you, Mayor. I'm gonna emphasize some of the points that I made the last time that this issue came before us and specifically, I mean this is how reckless government spending starts. It's a little at a time and that's what gets us into trouble. This is an unbudgeted revenue that has no intended purpose. We have no designated purpose for this money and if I recall correctly, we were talking, I think it was \$27,000 additional that's intended to be taken here with no intended purpose. We have passed our 2020 budget. We have already set the expenses. So to make the argument that this will help subsidize expenses makes no sense in 2020 because we've already set the revenues that are going to pay for those expenses. Government should never be in the business of making money and that is exactly what this is doing because we are saying that this additional funding will just go to the general fund and then from there, where does it go? We have no expense that's been designated through the budgeting process. I don't disagree with Alder Scannell that this will make a difference at budget time but this is not budget time. The time to have this dialogue was at budget time and it was the purpose of the communication that I submitted after the last meeting specifically calling out a request for us to do appropriate cost accounting so that we understand where this funding is going when we are requesting it from taxpayers. This is not our money. This is the taxpayer money and for us to argue that we're doing this because we are trying to be comparable with neighboring communities is never a defensible argument. We need to do what's best for our community. We need to be leaders in this regard and part of that argument is really understanding where every dollar that we tax, every dollar that we assess as a fee, we need to understand it's intended purpose. And I don't know that we have a strong understanding of that right now because as I've indicated before that there are no expenses tied to this because we are asking for this increase outside of budget season and it is for that reason, Mayor, if I may because I don't know if this would be an amendment or a motion that would be out of order but I would actually make a motion that we deny this ordinance all together. Can I do that? Is that an appropriate motion?

- [Eric] Attorney Chavez?

- Under the ordinance, yeah, under our ordinance we have to send it to a second reading for adoption unless the Council agrees to suspend the rules by a 2/3 vote. I'm sorry, second reading to take action, not for adoption.

- [Brian] So would that be the case with Alder Galvin's amendment? Does that require a 2/3 vote? And can my motion override Alder Galvin's motion to amend?

- A new motion does not trump an amendment, so the first motion would have to be voted on first and yes it would require 2/3 vote to take action on it tonight.

- [Brian] Okay, just from a procedural understanding, we could take a vote on Alder Galvin's amendment. Whether it passes or fails doesn't matter but then a new amendment could be proposed that could either pass or fail that would alter the decision that was made with Alder Galvin's amendment? Am I being clear on that?

- No, can you say that again?

- [Brian] Yeah. So if Alder Galvin's amendment, we take a vote on that, pass or fail irrelevant. Could I then introduce an amendment that would essentially override whatever decision was made with Alder Galvin's amendment?

- Yeah, I mean it would be really irregular to do that--

- [Brian] Unless Alder Galvin just wants to change his amendment?

- [Eric] All right. Alder from the First.

- Thank you. I know I'm going back a little bit in the conversation but I didn't get a chance to speak until now. I just, as the Chair of Finance, feel compelled to defend the autonomy of my Committee. The Mayor and his Clerk did not march into our Committee and say, "You must raise these rates." We had a full and rich discussion. We looked at what the rates were. We looked at what the rates could be. We looked at the fact we hadn't raised them. We looked at the timeline of when licenses needed to be renewed. We had a very long discussion. This was not an edict by the Mayor's Office. This was a discussion from Finance and so, I just wanted to make sure that's clear. And did you have a comment on that?

- [Kris] I do want to clarify it was stated at the last Council meeting that the money that we're gonna raise, prior to this year, P.D. didn't do background checks on renewals, okay? So I brought forward that to me, I think to do our due diligence with some of the things that have happened in our community, that we should do renewals on all renewals. So I checked around other municipalities and they do background checks at renewal time, not just at the original. So somebody could have a liquor license for 10 years and we're not doing a background check for 10 years. They could be doing something that we don't know about. So, now for this renewal period that we're going into, P.D. will be doing a lot more background checks. So that is not in the budget, these additional background checks. I just wanted to make that clear.

- Thank you. You know, as are things all the time that do come up that aren't necessarily in the budget. So, anyway I just wanted to clarify the role of the Finance Committee and I think we need to take responsibility and I do as Chair of Finance, that we are the ones that brought this to this Council. Thank you.

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

- Thank you, your Honor. I am on the Finance Committee. I supported this original and I supported at Council last time but I've had some time to think about this quite a bit since then. I do applaud the Mayor's Office and staff for looking for any way that we can raise revenue for this city. We haven't raised it enough over the years. We're paying for that now. We're down 14 officers. We're down a lot of equipment. We're taking out loans for squad cars. We're not conducting ourselves responsibly, financially speaking and we do need to increase our revenues. So I applaud the Mayor's Office for every nickel they can find and I also understand if we were to charge liquor establishments for what it cost this city, for not only police enforcement but fire and rescue, housing, and the social ills and we shouldn't be doing this because liquor is a problem, raising these fees. That's not the right reason to be doing that because I've seen members of this Committee vote to grant licenses in moratorium areas where we wanted to stop liquor establishments from being established. So if we're going to do that on one hand but then talk about shutting them down by raising their fees, that makes no sense. So we need to look at what are we doing this for and it's to raise revenue city and I think the proper way to raise revenue for the city is at budget time. Now even my proposal, my amendment is going to raise extra monies and if we have to designate a place to go, I think we send it to the Police Department to use for alcohol interdiction programs, whether it be enforcement, education, or something like that, not just to go in the general fund and sit there. I did make the amendment because it did in hindsight, one, I didn't think there was good representation as in a budget cycle and two, because it did seem kinda steep in some regards and so that's why I amended it to have it reduced as much as I did. At the next budget cycle, if we want to raise it to the maximum and we can justify it, I'll be in favor of it because if you look, as the Chief said, when you start charging someone \$50 an hour for an officer's time and you've got five or six officers working an alcohol-related call for several hours, you're starting to get into the hundreds, if not thousands of dollars and there's no way we could tax an establishment for that. They would definitely go closed. And it's a culture that we've created and it's a culture that we've supported and if we need to change it, it needs to be done fundamentally different than just raising fees. Thank you.

- [Eric] Thanks, Alder. Alder from the 11th.

- Thank you, Mayor. From this discussion here, I think the city is looking to raise the fees. They talked about De Pere, what they charge, what the state allows. As far as if they do collect more money, I think the money should go back to the general fund. We don't have enough money in the general fund to begin with. We can't say, "We're gonna take money "from the Inspection Department "and we're gonna designate just "to the Inspection Department." The money has to go back to the general fund. There's many, many things, Fire, Police, Department of Public Works, you can go right on down the line. They all need money and I think not designating where the money's going. Kris Teske's Office, they need money as well. The Mayor's Office needs money. Every department, so I think the money going back to the general fund, that's where the money's gotta go. I know that from looking at this as a common sense type thing, we haven't raised the fees in eight years. Grant you, it's probably a shock that, we're going what the state allows, is that correct, Mayor? In other words, our fees are gonna go up as far as what the state will allow?

- [Eric] That's my understanding, yeah.

- Okay. Just so we kinda understand that as well and from what you hear on the Police Department end of it, even in Kris Teske's Office, they're not breaking even on it. They're not breaking even at all. As far as the Police and all the revenue, it's not enough to cover all the expenses. How many hours they spend at a call like the other night, alcohol-related. So that's where I stand on it. Thank you.

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

- Thank you, your Honor. I would just like to say that I agree completely with the sentiments from the Alder from District Four. Where I disagree is, if we're going to raise them, which we're going to do, why not go the whole hog? I don't see what \$100 a year hurts a business and if we're not helping out a business, if that's not the purpose, I don't know what purpose there is to not collecting that fee now. If we need to raise it to help ourselves, let's raise it and meet the levels that our surrounding communities have and the state will allow us to go. I just don't see any practical, from a principled point, perhaps but I would rather work from a practical point, dollars and cents point and I just don't see that \$100 a year making any difference to any establishment from a practical standpoint and from a practical standpoint, it does make a difference for our budget. So I still stand on the original ordinance. So thank you.

- [Eric] Thanks, Alder. We do have another gentleman who would like to speak to this item. Motion made by Alder from the 10th, seconded by Alder from the Seventh to open the floor. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. Mr. Joyce. Oh, my apologies. Well, motion to close the floor. Motion made by Alder from the 10th, seconded by Alder from the Seventh to close the floor. All in favor?

- [Alders] Aye. The Ayes have it. Floor is closed. So we have a motion on the floor made by Alder from the Fourth, seconded by Alder from the 10th to put all of the liquor license fees at \$400. All in favor of that motion, signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay.

- [Alders] Nay.

- [Eric] We're gonna use the board.

- [Kris] We do have an Alder who is gone to the bathroom.

- Oh, we can hold it, can't we?

- [Kris] And we do have to actually get there to, they're supposed to vote to, well they're taking action but they had to suspend the rules by 2/3 in order to do anything tonight.

- Okay but this is still with the understanding that they have to take action next meeting on the same motion.

- [Kris] Yes, actually I think that's fine. Because if they're just advancing it to the next reading then--

- As long as they take the same action two times.

- [Kris] It just have to have a second reading, though we wrote it as they can't take action on the meeting it's introduced except upon a suspension of the rules. Because they wanted to like either just receive and place on file after it'd already gone through Committee and they said yes. Then it said you have to have two readings, so now we just add it.

- [Man] Mayor, got a question.

- Just one second, Alder this is a roll call on the motion by the Alder from the Fourth to amend to the \$400 across the board.

- [Woman] I just wanted clarification is this the 2/3 vote?

- [Man] I thought we couldn't take action.

- No.

- [Kris] I'm pulling it up. Ordinances shall have two readings. An ordinance may not be acted upon at the meeting it is introduced unless the rule is suspended by a 2/3 vote of members present.

- Okay, let me just read that. Attorney Chavez.

- The language of the ordinance states all ordinances shall have two readings. An ordinance may not be acted upon at the meeting it is introduced unless the rule is suspended by a 2/3 vote of the members present.

- [Man] What are we voting on?

- [Eric] It's the same vote, Alder.

- [Man] Same vote?

- [Eric] Yeah, it just requires a different threshold.

- Different threshold?

- Yeah, 2/3. That's the vote. So the amendment succeeds.

- [Man] Mayor, I got a question.

- [Eric] Alder, Alder, Alder. I will explain it to you.

- [Man] That's what I'm asking. Thank you, Mayor.

- [Eric] So this motion is successful because it is by 2/3. So the motion to amend is successful. The ordinance at first reading has been amended to the \$400 across the board. So a couple of options here. We can adopt it tonight and forgo the second reading, if that's the preference of the Council with a 2/3 vote or we can just advance it to the next reading with a simple majority vote. Motion made to adopt by Alder from the First. Seconded by Alder from the Second. We'll use the board again on that. So the ordinance has been adopted, 10 to two. All right, next item is Public Hearings. We have three items for public hearings. Is there anyone here who would like to speak to any of these items? Anyone here who'd like to speak? Is there anyone here who would like to speak? Let the record reflect that no one is here to speak to any of these items under public hearings. So on to Ordinances for Second Reading.

- [Randy] Motion to suspend rules.

- Motion made by Alder from the Seventh, seconded by Alder from the Sixth to suspend the rules, take up these items with one roll call vote. All in favor, please signify by saying Aye.

- [Alders] Aye.

- Opposed, Nay. The Ayes have it. Motion made by Alder from the Seventh, seconded by Alder from the First to adopt items J.1 through J.3. Please use the board. Those pass unanimously. On to K. Report of the Improvement & Services Committee. Motion made by Alder from the Seventh, seconded by Alder from the First to approve report K, which is the report of the Improvement & Services Committee from the meetings on February 12th, 2020 and February 25th, 2020. 13 will be held separately, any others? Hearing none others, all in favor of approving the remainder of the report, please signify by saying Aye.

- [Alders] Aye.

- Opposed, Nay. The Ayes have it. The report has been approved with the exception of item 13. What are your wishes regarding 13?

- [Mark] Motion to approve.

- Motion made by Alder from the 10th, seconded by Alder from the First to approve the item was pulled by the Alder from the Ninth.

- Thank you, Mayor. Just two questions that might affect the amount were looking to bond, depending on the clarification. So, first question, perhaps for this would be for Director Ellenbecker. Does the city have a capitalization policy that outlines benchmarks or thresholds at what point items can be bonded?

- [Eric] Oh, I'm sorry, Assistant Director Manley.

- Diana is on vacation, I'll take it. We do have a policy that kind of covers multiple facets of it. One of how much bonding we're allowed to do. Also we have, our policy says what we should be bonding for and what we shouldn't be bonding for, what items.

- Thank you for that clarification. I guess, specifically and maybe you could answer this more directly. There are two items in particular within the bond request, both were for windows. One in the amount of \$15,000 and the other in the amount of \$30,000 and as we continue to have the dialogue about the growing debt within the city, I'm specifically curious about those two items and kind of what the city's policy is in terms of what warrants a bond request versus something that ought to be paid through the annual levy. So do we have like a minimum threshold that says that anything above this amount, anything below a certain amount should be paid for through the levy?

- [Pamela] Our capitalization threshold is \$5,000. So anything below \$5,000, we should not be borrowing or bonding for. As far as bonding, usually we're bonding for 20 years, so we look at the useful life of what we're looking to bond for. Windows, I wouldn't know the useful life for but I would think 20 years would be about right for something like that. Looking at squad car or something like that, we usually don't bond then. We end up taking out notes for a shorter period of time because our squad cars won't last 20 years.

- Okay and to your knowledge, do you know when the last time was that we addressed that capitalization policy?

- [Pamela] Not to my knowledge, not in the seven years I've been here.
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- Okay and I'm off topic a little bit but thank you for that quick answer. And then the second question that I had and I know Director Grenier and I spoke before the meeting. He wasn't quite sure, so Mayor so if you could answer or direct it to the appropriate staff person. It was my understanding that when we approved the budget, it was passed by removing, I believe the number was \$341,000 for blacktop and joint sealant and it was with the intent that blacktop and joint sealant would be paid for through the wheel tax. Is that correct in terms of how that passed?

- [Eric] Director Grenier.

- [Steven] Yes, that is correct. The number is \$231,600. \$104,000 was in the blacktop account and \$127,600 was the joint sealing.

- Thank you, Director Grenier. Then in your proposal for the bonding proposal, was that taken into consideration or do we need to amend the bond proposal to increase it by that amount?

- Well actually, no it was not taken into account in the proposal. With discussions with Assistant Director Manley, there are also bonding costs that will go along with that increase and bonding is done in \$5,000 increments, so our recommendation, if you look at page 53 in your packet, that is the financial summary for the capital improvement program. Our recommendation would change, the vehicle registration fees would drop from \$2,285,000 to \$2,050,000. That would come down by \$235,000. That increases the bond issue related to pavement from \$5,980,000 to \$6,215,000, which in turn changes the levy-supported borrowing, which is in the middle of your page from \$6,025,000 to a request of \$6,260,000.

- Thank you, Director Grenier. I would move to amend the numbers based on what Director Grenier said, please don't make me repeat them.

- [Eric] Motion has been made to amend the item given the information provided by Director Grenier. Do we have a second?

- [Randy] Second. Motion made by Alder from the Ninth, seconded by Alder from the Seventh. All in favor of that motion, please signify by saying Aye.

- [Alders] Aye.

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- [Eric] Those opposed, Nay. The Ayes have it. The item has been amended. Entertain a motion to adopt.

- [Randy] Motion to adopt.

- [Mark] Second.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the 10th. All in favor, please signify by saying Aye.

- [Alder] Aye.

- [Eric] Opposed, Nay. The Ayes have it. The item has been adopted. On to L.

- [Randy] Motion to approve.

- [Craig] Second.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the Fifth to approve report L, which are the reports of the Protection and Policy Committee from the meetings on February 10, 2020 and February 24, 2020. Any items you wish to handle separately? No items here. We do have requests to speak.

- [Randy] Motion to open the floor.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the First to open the floor. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The floor is open. Sir, just please state your name and address for us.

- My name is Michael Joyce. I am one of the owners of Player 2 Arcade Bar in Appleton. We are looking to open a second location in Green Bay on Washington Street. It used to be El Presidente. I thought maybe it was imperative to speak today. Just judging how the conversation went and the conversations on liquor, maybe it's not. I see you shaking your head. But that being said, just a few points, we feel like we add something culturally different that the city of Green Bay doesn't have right now. We're currently ranked as the number one arcade bar in the state of Wisconsin and we're really excited about bringing that here. If we get approval, we will immediately be spending money in the community here starting tomorrow. We're a family business. I know there was some concern about us and food. That is one of the big expenditures that we plan on doing tomorrow is \$13,000 to \$14,000 worth of equipment to make food at the location. That is all I had, thank you so much.

- [Eric] Thank you, sir. Excited to have you in Green Bay. Appreciate that. Motion made by Alder from the 10th, seconded by Alder from the Seventh to close the floor. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. All right, I don't think we have any items to be held separately. All in favor of approving that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Those opposed, Nay. The Ayes have it. The report has been approved. On to M, Report of the Protection & Policy Committee.

- [Randy] Motion to approve.

- [Mark] Second.

- Motion made by Alder from the Seventh, seconded by the Alder from the 10th to approve Report M, which is the Report of the Protection & Policy Committee Granting Operator Licenses. Any names for which you'd like to be recorded as abstaining? Any names to handle separately? Hearing none, all in favor of the report, please signify by saying Aye.

- [Alders] Aye.

- Opposed, Nay. The Ayes have it. The report has been approved. On to N, Report of the Planning Commission.

- [Randy] Motion to approve.

- [Craig] Second.

- Motion made by Alder from the Seventh, seconded by Alder from the Fifth to approve report N, which is the report of the Planning Committee from the meeting on February 24, 2020. Any items here you'd like to handle separately? Item one, any others? All right, hearing none others, all in favor of approving the remainder of that report, please signify by saying Aye.

- [Alders] Aye.

- Opposed, Nay. The Ayes have it. The report has been approved with the exception of item one. Motion made by Alder from the Seventh, seconded by Alder from the Fourth. Item was pulled by the Alder from the Ninth.

- Thank you, Mayor. I did watch the Committee discussion around this particular item and I just at least call to the Council's attention for those maybe that hadn't had the opportunity to review it but one of the major concerns that I have on this particular item and I would certainly refer to Dr. Vonck for comments afterwards. We essentially have a company here that was asked to relocate their billboard as part of the Kwik Trip/Festival Food redevelopment and when we relocated that billboard, we also, as you may recall, approved the construction of a new Burger King over in that area. And when that Burger King was constructed, it essentially cut off an entire side of that billboard that really has no value for that company any longer. So I would just ask

Dr. Vonck if he could perhaps comment on that, why the staff had recommended denial or maybe any other pertinent information that was discussed at Committee.

- [Eric] Director Vonck.

- Sure, so this billboard was relocated as part of the Festival Foods redevelopment project. There was a billboard that was on, I think it was the old Connor Gas Station site. That billboard was moved when there were some changes done to the interchange with I-43 and in some cases, we believe through our records, was moved illegally and moved onto property after it was sold by the DOT that had deed restrictions on it about not placing a billboard on it. So we went through the discussion with the Festival Foods development project. I think at that time, we actually pressed to make that billboard go away because we didn't believe it should even be there in the first place. With that, that was part of the deal that was struck in terms of the development agreement and that billboard was to be relocated to the present day Festival Foods site, which at that time, was just one large parcel, so it included the Festival Foods, the Kwik Trip, the shopping center and then the vacant parcel and they had some limitations on where they could move that billboard but with that, they chose the spot for where the billboard was going to be located. I think at that time, the property, which I believed used to be Pease Optometry, was also for sale. The developer had an opportunity to purchase that property and kind of control the destiny there but they chose to put the billboard basically up against the property line at that property. So part of also why we recommended denial is, we did not change the zoning of that piece of property. So in terms of, the developer at that time had full knowledge of what could be built and the height on that property. It was known at the time that the billboard was relocated. With that, the Burger King when it did come through, for a conditional use permit and under variances, they're some dimensional things that have to do with the drive-through and setbacks. They did not alter the height in any way. So with that, I think in part of a bigger picture is, going back to a development agreement and a lot of things in University Avenue plan. We were really conscious about how University had developed and how we would like to see redeveloped and in terms of attention to detail, this is a major gateway into the city. I think the same thing for Webster Avenue and so we were very conscious in terms of working with the developer and limiting the height of all the signs on the property. The main sign for the Festival and Kwik Trip and with that, we reached an agreement that the billboard height would be capped at 30 feet and with that to maintain that sense of integrity on that corridor. That's why we recommended not changing the PUD to keep it at the 30 feet.

- [Eric] Thanks, Director.

- Thank you for that explanation. Just one maybe follow up question because parts of the video were grainy and so you filled in some of the gaps there that I couldn't quite capture watching the video. You'd mentioned that the billboard was placed there illegally. Is it still not in compliance?

- It is in compliance now. Our view was on the old parcel where it was. It was remnant DOT parcel, that when the DOT sold that to the previous property owner, they placed a deed restriction on that property that said you can't have a billboard on it and at one time, the billboard was moved from a previous location to the piece of property that had that deed restriction. It was moved unbeknownst to us but when we went through it, we

found that deed restriction, so that's why the billboard moved off of it, so it was a moot point but where it was placed, there was consultation with the DOT because there are some rules about spacing billboards on state highways and it was placed in a spot that was in conformance. So as it's constructed now, we believe it is conforming.

- Okay, so I know that the motion is to approve. I'm gonna vote to not approve the recommendation by the Committee simply because here in this particular instance, we do have I guess, a billboard that is in compliance and it was an action of this body that allowed the construction of a building that essentially wiped out half their revenue generating opportunity on this private investment within the city of Green Bay. So I just at least wanted to offer up that explanation why I'm going to vote not in favor to deny the Committee recommendation. Thank you.

- [Eric] Thanks, Alder. Any further comments? Motion before us is approval. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay.

- Nay.

- [Eric] The Ayes have it. The item has been approved. On to report of the Finance Committee.

- [Randy] Motion to approve.

- Mayor, could I be recorded as No vote on that please.

- [Eric] Sure.

- Thank you.

- [Barbara] Second.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the First to approve Report O, which is the report of the Finance Committee from the meeting on February 25th, 2020. Any items here to be handled separately?

- [Jesse] Two.

- [Eric] Item two. Any others? Hearing none others, all in favor of approving the remainder of that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. The report has been approved with the exception of item two. Motion made by Alder from the Seventh, seconded by Alder from the First. The item was pulled by the Alder from the 12th. You have the floor.

- Thank you, Mayor. I just want to be noted as abstaining from the vote. My wife is employed by the recipient of the contract.

- [Eric] Very good, that will be noted. All right, we have a motion to approve and a second, all in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it, noting the abstention. On to P, report of the Park Committee.

- [Randy] Motion to approve.

- [Eric] Motion made Alder from the Seventh, seconded by Alder from the Fifth to approve Report P, which is the report of the Park Committee from the meeting on February 26th, 2020. Anything to be handled separately here? Hearing none, all in favor of approving that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. The report has been approved. On to the Personnel Committee.

- [Randy] Motion to approve.

- [Eric] Motion made by Alder from the Seventh, seconded by Alder from the Sixth to approve Report Q, which is the report of the Personnel Committee from the meeting on February 25th, 2020. Any items here to be handled separately?

- [Jesse] Two.

- [Eric] Any others? Hearing none others, all in favor of approving the remainder of that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. The report has been approved with the exception of item two.

- [Randy] Motion to approve.

- [Barbara] Second.

- [Eric] Motion made by Alder from the Seventh, seconded by the Alder from the First. The item was pulled by the Alder from the 12th.

- Thank you, Mayor. If I recall, the Council just voted about a year ago to revise or update the dress policy and I understand we're striking through much of that language and replacing it with a very streamlined dress policy, a Dress for Your Day Policy. Wondering if Director Faulds could just give a short synopsis of how we're going from a more detailed dress policy to something much more streamlined and if there are any concerns he has about enforcement of such a policy.

- [Eric] Thanks, Alder. Director Faulds.

- Yeah, so the reason why this policy was brought up last year was for 22.2.3, the employee identification badges. That was the only reason that was brought up last year. So we didn't make any changes to the dress policy. I think this has been in place for probably 10 plus years. So the Dress for Your Day policy, it's really about just allowing our employees to use good judgment when deciding what to wear to work. So we do have guidelines and if you look at the guidelines that are in the proposed policy, they're really not that much different than the guidelines that we have in the current policy so I don't think enforcement is going to be that much of an issue with it.

- Just a couple of comments. I've managed and I currently manage employees and in situations where there are violations of a dress code, I will say from experience it is good to have a detailed policy to point to because sometimes these dress code violations are a gray area and it's hard to make a judgment call. That's just my experience, I'm not gonna say I'm a no vote, I'll vote for it but I will do so with hope anyways that we can revisit this in a year and we can look at what sorts of complaints, how much management time, how much human resource time is spent correcting these sorts of issues. I'm in favor of it. I'm a little leery about going from a three page, very detailed document down to a page and a half but I trust that this has been considered and studied and the staff will report back maybe in a year and give us an update.

- [Eric] Sounds good. That's reasonable, Alder. Thanks for the input. Any other comments? Seeing no other requests to speak, all in favor of the motion to approve, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. That item has been approved. On to the Report of the Traffic, Bicycle, and Pedestrian Commission. Motion made by Alder from the Seventh, seconded by Alder from the Fifth to approve report R, which is the Report of the Traffic, Bicycle, and Pedestrian Commission from the

meeting on February 17, 2020. Any items here to be handled separately? Hearing none, all in favor of approving that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. The report has been approved. On to Sustainability.

- [Randy] Motion to approve.

- [Barbara] Second.

- Motion made by Alder from the Seventh, seconded by Alder from the First to approve report S, which is the Report of the Sustainability Commission from the meeting on February 12, 2020. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. Item as been approved. Receive and place on file. Motion has been made by Alder from the Seventh, seconded by Alder from the First to receive and place on file the Building Permit and Municipal Court reports from January 2020. Any discussion? Hearing none, all in favor of approving that report, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it and the report has been approved and placed on file. On to Resolutions.

- Motion to suspend.

- [Kris] I gave you a chance.

- [Eric] Almost.

- [Kris] You may under suspension of the rules adopt resolutions one through 10 together with one roll call vote.

- [Eric] Motion has been made by Alder from the Seventh, seconded by Alder from the Sixth to suspend the rules and take up these items with one roll call vote. All in favor of that motion, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. Rules are suspended. Motion made by Alder from the Seventh, seconded by Alder from the First to adopt resolutions one through 10. Please use the board. Those pass unanimously, 12-0. So we are on to Committee the Whole. Motion made by Alder from the Seventh, seconded by Alder from the Fifth. Please read the statement. Sure, Alder from the 12th.

- Thank you. Alderman VanderLeest and myself represent the Districts that are overlapping with the Oneida Reservation and one thing that I've tried to do is be as transparent as I can with constituents who have questions, so I appreciate the process and what you've invested in time resources to the negotiations and I'll vote for closed session, that's not the issue. The issue is, is there anything that either you or the City Attorney could just briefly explain for constituents that may be watching what exactly we're going to be discussing. It doesn't have to be overwhelming in detail, just something that can be out there publicly.

- [Eric] Yeah, I mean, this is an opportunity for myself and for Attorney Chavez to brief the Council on the status of the negotiations. I'll just say it's been a very positive process. Really enjoyed the interaction and the dialogue that we've had with the Oneida Nation and looking forward to informing you all about the status.

- Thank you.

- [Eric] Thanks, Alder.

- The Council may convene in closed session pursuant to Section 19.85 , Wisconsin Statutes for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Council may thereafter reconvene in open session pursuant to Section 19.85 , Wisconsin Statutes, to report the results of the closed session and consider the balance of the agenda.

- Thank you, Alder. The vote is 11 to one, we're closed. Motion has been made to return to regular order of business. We have a second by Alder from the Third. All in favor, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay.

- We are back in regular order of business. No motion necessary there, so we're on to Referral of Petitions & Communications. Alder from the Fourth.

- Thank you, your Honor. For the Bike, Ped and Traffic, a proposal to change Cass Street from Bellvue to East Mason Street to a truck route. For Protection and Policy to review and adopt the Hotel Registration Security Ordinance from Ashwaubenon and I've got the section and ordinance number down here on the form. Thank you.

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

- Thank you, Mr. Mayor. I have two. First is for Protection and Policy, creation of a resolution to our state legislatures to encourage an override of the veto by Governor Evers of Senate Bill 60 regarding placement of sex offenders. Personnel Committee, Clarify the term length of Vanya Koepke, currently serving on the Green Bay Police and Fire Commission.

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

- I have one, in the spirit of preparation and mitigation, I request a report to the Finance or Personnel Committee by Fire and what other departments may be appropriate regarding our current city pandemic plan in terms of potentially needed finances and personnel especially but not limited to protecting our first responders from contamination.

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

- Thank you, Mayor. I have three. First is the Redevelopment Authority, to direct the Redevelopment Authority to initiate negotiations to purchase 927 Liberty Avenue utilizing Neighborhood Enhancement funds, block grant or other funding resources available to the city of Green Bay or RDA. Second one is to the Parks Committee. To direct the Parks Director to explore land acquisition options for the creation of a park to serve the residents on the southern end of District 9, on or near the Liberty and 12th Avenue corridors. And the third is to the Finance Committee, to review the city's capitalization policy and recommend necessary changes, as it related to minimum bonding thresholds in an effort to stem the city's growing debt.

- [Eric] Thanks, Alder. Alder from the 12th.

- Thank you, Mayor. To the Parks Committee, for discussion with possible action on the status of fat tire bike usage at He-Nis-Ra Park. Thank you.

- [Eric] Thanks, Alder. Alder from the 11th.

- This is the Improvement and Service Committee, request on behalf of the Hazelwood Lane residents to replace the main waterline on Hazelwood Lane, from Wood Lane to Packland Drive, due to the frequent main line water breaks. The project should be added to the 2020 or 2021 project. Also the second one, will be request on behalf of the residents for a sinkhole in front of yard 1831 Vanoss Court, near the newly installed mini-sewer to be investigated by the Public Works Department and to fix the problem in Spring. Thank you. Improvement and Services.

- [Eric] Thank you, Alder. Any other further communications? Clerk, any like communications?

- [Kris] I do not.

- [Eric] Entertain a motion to refer. Motion made by Alder from the Seventh, seconded by Alder from the Third to referral all eight petitions and communications to the proper authority. All in favor of the motion, please signify by saying Aye.

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. Petitions and communications have been referred. Motion made by Alder from the Seventh, seconded by Alder from the 10th to adjourn. All in favor?

- [Alders] Aye.

- [Eric] Opposed, Nay. The Ayes have it. We're adjourned.