



AGENDA OF THE COMMON COUNCIL

WEDNESDAY, APRIL 1, 2020, 6:00 PM

Telephonic Meeting

public may also view at

www.youtube.com/CityOfGreenBay

A. Zoom Meeting Information

- I. Please find information to join this meeting via "zoom meeting" along with instructions.

B. Roll Call.

C. Appointment of Temporary Deputy Clerk

- I. Appointment of Pamela Manley as temporary deputy clerk pursuant to Wis. Stat 62.09(5)(d) for the purpose of discharging the officer's duties until the officer is available.

D. Pledge of Allegiance.

E. Invocation.

- I. The invocation will be lead by Alder Andy Nicholson, District 3.

F. Approval of Minutes.

- I. Approval of the minutes of the March 3, 2020 Common Council meeting.

G. Approval of the Agenda.

H. Report by the Mayor.

I. Announcements.

J. Appointments.

I. Re-appointments:

Room Tax Commission

Larry Vesely, 1715 E. Sonata Drive., Green Bay, WI 54311

Term to expire: April 1, 2021

Zoning and Planning Board of Appeals

Noel Halvorsen, 2443 Decker Ave., Green Bay, WI 54302

Term to expire: April 1, 2023

Tommy Everman, 410 Cass St., Green Bay, WI 54301

Term to expire: April 1, 2023

Green Bay Public Arts Commission

Paul Grall (Liaison), 425 S. Monroe Ave. Unit 1J, Green Bay, WI 54301

Term to expire: April 1, 2023

K. Public Hearings.

1. Zoning Ordinance No. 2-20

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

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

L. Ordinances - Second Reading for Adoption.

1. General Ordinance No. 05-20

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

2. General Ordinance No. 06-20

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

3. General Ordinance No. 07-20

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

4. Zoning Ordinance No. 2-20

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

M. Report of the Redevelopment Authority (March 24, 2020).

- 1. To refer to staff and report back to RDA in April 2020, the communication from Ald. Johnson (District 9) "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."**

2. To refer to staff and report back to RDA in April 2020, the communication from Ald. Wery (District 8) on "Request to purchase and remove 1077 and 1079 Shawano Ave."
3. To refer to staff and report back to RDA in April 2020, the communication from Ald. Johnson (District 9) on "Creation of an emergency relief fund to provide loans to assist small business owners with the impacts of coronavirus (COVID-19)."
4. To approve Term Sheet with Merge, LLC for a development project at the Shipyard, 239 Arndt St., 101 Bridge St., and 119 Bridge St. (Tax Parcels 3-551, 3-554-A, 3-556), subject to minor legal and technical changes, and direct staff to work on a Development Agreement as discussed in closed session.

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

5. To refer to staff to report back in September 2020, the communication from Ald. Johnson (District 9) "To create a policy guaranteeing City Council oversight and disbursement of funds related to Affordable Housing Extension Resolutions for TIDs 7, 8, and 12."
6. To approve partnering with the City of Green Bay Parks Department in the purchase of 601 St. George Street for trail expansion and housing development.

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N. Report of the Improvement & Services Committee (March 25, 2020).

1. To approve the request by Larry Stange (Bay Beach Mini Golf) and Brian and Stephanie Matzke (Kastle Karts) for permission to not clear sidewalks in front of their businesses during winter months and to rescind the recent invoice for clearing sidewalks.
2. To hold until the April 8, 2020 Improvement and Services Committee meeting 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.
3. To hold until the April 8, 2020 Improvement and Services Committee meeting the request by Ald. Nicholson, on behalf of Tina Bunker, to have the City of Green Bay own and maintain the storm water management ponds as part of the Grandview subdivision(s).
4. To refer to staff the request by Ald. Vander Leest, on behalf of area residents, for the sink hole in the front yard of 1831 Van Oss Court near the newly installed mini storm sewer be investigated by the Public Works Department and to be fixed in the spring.
5. To hold until the April 8, 2020 Improvement and Services Committee meeting the request by Ald. Wery on adjusting mini sewer hookup fees.

6. To refer to staff the request by Ald. Wery for an update on repairs or resurfacing of Shawano Avenue and request staff to find out from WisDOT how to get the project scheduled.
7. To approve the request by Department of Public Works to award the Doty Street Reconstruction project contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee due to the March meeting schedule.
8. To approve as amended the report of the Purchasing Manager requesting approval to purchase annual street maintenance consumables as needed for the 2020 season and for annual budgeted expenditures from 2021-2025, from the noted contracted vendors; annual street maintenance consumables, sealant, and glass spheres are approved for purchase, and Brown County shall be given the opportunity to quote cold patch asphalt and high performance asphalt. Total expenditure is based on annual budget for these items of \$350,300.
9. To approve the award of the following contracts:
 - A. BRIDGE 2-20 (B-05-154: EAST MASON STREET BRIDGE OVER EAST RIVER REHABILITATION) to the low responsive bidder, Lunda Construction, in the amount of \$343,250.
 - B. PAVEMENT 2-20 HILLCREST DRIVE RECONSTRUCTION to the low responsive bidder, David Tenor Corp., in the amount of \$828,865.45.
 - C. PAVEMENT 3-20 GRAY STREET RECONSTRUCTION to the low responsive bidder, Soper Grading & Excavating LLC, in the amount of \$2,988,635.66.
 - D. PARKING RAMP REPAIRS - 2020 to the low responsive bidder, Central Restoration LLC, in the amount of \$571,825.
10. To approve the request by InterCon Construction to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.
11. To conditionally approve the applications for a Sidewalk Builder License for Items 11. F and I contingent upon a positive review of references and to approve the applications for Sidewalk Builders Licenses for Items 11. A, B, C, D, E, G and H.
 - A. Allied Concrete Construction, Inc.
 - B. Christensen Concrete
 - C. Fischer Ulman Construction, Inc.
 - D. Helmle Construction & Concrete
 - E. Kurowski Construction
 - F. Milis Flatwork
 - G. Quinn and Sons Concrete LLC
 - H. RG Hendricks & Sons Construction, Inc.
 - I. Utility Traffic & Restoration, Inc.

12. To approve the application for Tree & Brush Trimmer License for WB Tree Service.

O. Report of the Protection & Policy Committee (March 9, 2020 AND March 23, 2020).

1. To approve a request by the Sardine Can, Inc. at 128 S. Broadway to extend their license premises to the parking lot on June 17, July 8, July 29 and August 19, subject to complaint (March 9, 2020).
2. To recommend Council waive the ordinance requirements for an outdoor licensed premise and to approve a request by the Sardine Can, Inc. at 128 S. Broadway to extend their outdoor patio space, with the approval of the proper authorities (March 9, 2020).
3. To approve an appeal by Bernard Sanapaw Jr. regarding the denial of his operator's license (March 9, 2020).
4. To receive and place on file a request by Ald. Wery 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 (March 9, 2020).
5. To refer to staff a request by Ald. Galvin to review and adopt the Hotel Registration & Security ordinance from Ashwaubenon. (Section 9-1-8 ord # 3-1-19, 3-26-2019) (March 9, 2020).
6. To receive and place on file the liquor violation report from the Police Department for March 9, 2020 (March 9, 2020).
7. To receive and place on file the report from the Water Utility Department regarding the lead pipe removal project (March 9, 2020).
8. To recommend Council waive the ordinance requirements for an outdoor licensed premise and to approve an application for a "Class B" Combination license by TNT Holdings, LLC at 2511 W. Mason St. with a license premise description as "outdoor patio bar, storage room, walkin cooler, office, employee room, bar, sit-down area," with the approval of the proper authorities (Currently licensed as Scoreboard Grille, LLC). (March 23, 2020)
9. To approve a request by Brewski's On Broadway at 1100 S. Broadway to extend their licensed premises to their parking lot on April 11, 2020, contingent on the suspension or termination of any applicable emergency orders issued under the COVID-19 Pandemic State Emergency. Subject to complaint.
10. To approve a request by Pearly Gates Bar and Grill at 3551 Finger Rd. to extend their licensed premises to the east parking lot on July 11, 2020, subject to complaint.
11. To receive and place on file the liquor violation report from the Police Department for March 23, 2020 (March 23, 2020).

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

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

Q. Report of the Finance Committee (March 23, 2020).

1. To approve the purchase of Sierra Wireless Modems with 4 years of Airlink Complete service for the Green Bay Police Department Vehicles from Island Tech Service, LLC for \$32,490.
2. To refer to Staff a request by Ald. Johnson 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.

R. Report of the Park Committee (March 25, 2020).

1. To receive and place on file the discussion on the status of fat tire bike usage at He-Nis-Ra Park.
2. To refer to staff 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 Street and 12th Avenue corridors.
3. To approve adopting a resolution in support of World Migratory Bird Day.
4. To approve the recommendation by staff as discussed in closed session on the purchase of 601 George St. (Parcel 7-709) for the expansion of the East River Trail connection. Motion failed. Referred to City Council with no recommendation.

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S. Report of the Personnel Committee (March 23, 2020).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Records Clerk - Police
 - b. Building Maintenance Technicians - Public Works
 - c. Administrative Clerk - Public Works
2. To refer to staff to prepare a resolution for the request by Ald. Johnson to draft a resolution requesting the state to suspend rules on utilization of the Unemployment Insurance fund to allow employers and/or governments to access the fund in tandem with matching subsidy payments to fully compensate employees affected by Coronavirus who are temporarily and/or partially displaced.

3. To approve the revised Emergency Preparedness Plan for COVID-19 based on the request by Ald. Dorff 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.

T. Report of the Economic Development Authority (March 2, 2020).

1. To have staff proceed as directed as discussed in closed session regarding the acquisition of 1300 Block S. Huron Road (Tax Parcel 21-183).

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2. To proceed with contacting homeowners that have not responded to the "Interested in Selling" letter and start discussions with those who have returned the "Interested in Selling" letter regarding the I-43 Business Center Expansion.

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3. To have staff proceed with the drafting of the Request for Proposal (RFP) for the Commercial and Industrial Market Study, with the condition that items for the RFP can be priced out separately.

U. Report of the Sustainability Commission (March 11, 2020).

1. To approve the changes, as recommended by commission, to the 2020 Green Bay Sustainability Work Plan.
2. To refer to the next meeting, scheduling a Green Bay Sustainability Commission tour of NEW water facility.
3. To refer completion of an application to BeeCity to the Pollinator Corridor Working group, with review by the Sustainability Commission.
4. To refer the 2020 Park Survey from Parks, Recreation and Forestry to PRF staff.
5. To approve the final draft of information to neighborhood associations.

V. Receive and Place on File.

1. Building Permit Report for February 2020.
2. Municipal Court Report for February 2020.

W. Ordinances-First and Final Reading for Adoption

1. General Ordinance No. 08-20

An ordinance to amend Section 1.03, GBMC, relating to Elected Officials.

X. Committee of the Whole

1. Discussion with possible action on City of Green Bay, et. al. v. Bostelmann, et al., 20-cv-479 E.Dist. regarding April 7, 2020 election.

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.

2. Consideration with possible action to amend Personnel Policy Chapter 23 Family and Medical Leave to include the eligible leave benefits under the Family First Coronavirus Response Act and Emergency First Responder sick leave.
3. Informational report and update by Chief David Litton regarding emergency operations and COVID-19 response.
4. Discussion with possible action on the resolution to amend liquor license renewal fees for 2020-2021.
5. Discussion with possible action on the Resolution Providing for Employee Benefits in Accordance with State and Federal Law.

Y. Resolutions.

1. Final resolution regarding vacation of portions of public right-of-way, Acme Street and Lawrence Street.
2. Resolution approving hold harmless agreement Intercon Construction to conduct inspection of sewer mains and laterals.
3. Resolution in support of World Migratory Bird Day.
4. Resolution drawing final orders to contractors for April 1, 2020.
5. Resolution relating to Liquor Licensing Renewal Fees for the 2020-2021 License Year.
6. Resolution In Support Of State Legislation Applying Unemployment Reserve Funds to Employers Who Employ Workers Who Would Otherwise Qualify for Unemployment Benefits Due to Layoffs.
7. A Resolution Providing For Employee Benefits In Accordance With Federal And State Law

Z. Referral of Petitions & Communications.

AA. Adjournment.

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