



AGENDA OF THE COMMON COUNCIL

**THURSDAY, APRIL 9, 2020, 6:00 PM
COUNCIL CHAMBERS**

**This is a telephonic meeting
Members of the public may also view at
www.youtube.com/CityOfGreenBay**

A. Zoom Meeting Information

- I. Please find information and instructions about this Zoom meeting.

B. Pledge of Allegiance.

C. Roll Call.

D. Report by the Mayor

E. Invocation.

F. Approval of the Agenda.

- I. April 9, 2020.

G. Committee of the Whole

- I. Consideration with possible action on the Bellevue Interim Fire Chief Services 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.

2. Receive and place on file the Resolution Suspending In-Person Voting in Accordance with Executive Order No. 74.
3. Consideration with possible action on amending GBMC 27.101 to include the Wis. Stat. sec. 252.25 pertaining to violations of law relating to health.
4. Consideration with possible action on amending GBMC 33.01(9)(d) relating to Class B (liquor) licenses to include the sale of intoxicating liquor in the original package or container for consumption off-premises.

H. Ordinances - First and Final Reading for Adoption

1. General Ordinance 10-20
An ordinance amending GBMC 27.101 Adopting State Statutes.
2. General Ordinance 9-20
An ordinance amending GBMC 33.01(9)(d) Class B (liquor) license.

I. Referral of Petitions & Communications.

J. 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.

Zoom meeting for council 4/9/2020

Celestine Jeffreys is inviting you to a scheduled Zoom meeting.

Topic: Special City Council Meeting, April 9, 2020

Time: Apr 9, 2020 06:00 PM Central Time (US and Canada)

Join Zoom Meeting

<https://zoom.us/j/107939387>

Meeting ID: 107 939 387

Password: 000450

One tap mobile

+19292056099,,107939387# US (New York)

+13126266799,,107939387# US (Chicago)

Dial by your location

+1 929 205 6099 US (New York)

+1 312 626 6799 US (Chicago)

+1 301 715 8592 US

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US

Meeting ID: 107 939 387

Password: 000450

Find your local number: <https://zoom.us/u/adbdyTaAgU>

Zoom Meeting Instructions

For Committee members and persons attending the meetings

1. You will receive a zoom meeting invitation from the host. It will be scheduled the same time as your meeting time.
2. The zoom invitation and these instructions will be the first agenda item for all meetings.
3. You can receive the invitation in an email or in a calendar invite.
4. Here is what a zoom meeting invitation will look like:

Celestine Jeffreys is inviting you to a scheduled Zoom meeting.	The person who has invited you and is the host is named here.
Topic: A committee meeting 1/1/20	Host can choose a topic and description
Time: January 1, 2020 05:00 PM Central Time (US and Canada)	Host chooses the time and time zone. The host may allow you to join before the time. City meetings are recommended to let members join ahead of time.
Join Zoom Meeting https://zoom.us/j/810766649	This is what you'll use if you join via computer. City meetings are recommended to allow both phone and computer.
Meeting ID: 810 766 649 Password: 012345	This is the ID that you will input after you dial the telephone number Beginning in early April, Zoom has required a password for all meetings.
One tap mobile +19292056099,,810766649# US (New York) +13126266799,,810766649# US (Chicago)	If you're using a mobile telephone number, use can simply click on these numbers and they will appear on your smart phone. The pink is the telephone number and the green is the meeting id.
Dial by your location +1 929 205 6099 US (New York) +1 312 626 6799 US (Chicago) +1 669 900 6833 US (San Jose) +1 253 215 8782 US +1 301 715 8592 US +1 346 248 7799 US (Houston)	Use these numbers for all types of phones. The trick here is to dial the first number, and if that doesn't work, go down the list until you find a number that works. Usually the first or second number will work.
Meeting ID: 810 766 649	Repeating the meeting id.
Find your local number: https://zoom.us/u/adbdyTaAgU	If these above numbers don't work, click this link to find other, local numbers.

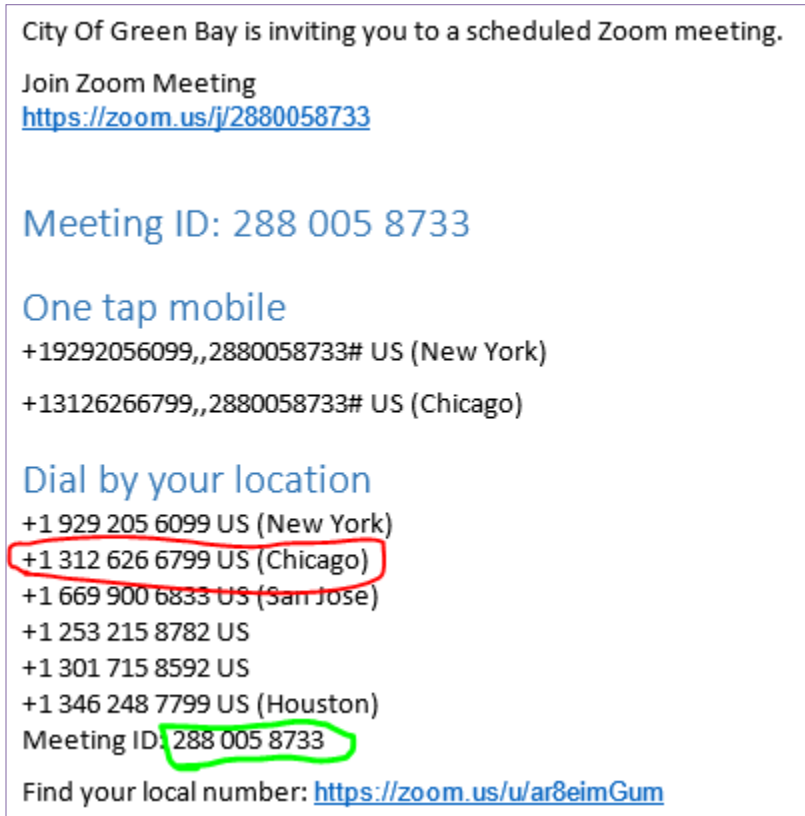
5. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must give their name and address
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order*
6. Once you are in the meeting please mute yourselves. City recommended practice is to:
 - a. Allow a waiting room—this means the host will admit you to the meeting
 - b. Mute upon entry—this means that your phone or computer will be muted when you are allowed into the meeting. You can still hear the meeting's proceedings.
7. Waiting room
 - a. Committee members will remain in the meeting until it's concluded
 - b. Persons on the agenda will be admitted to the meeting, and then once the item is concluded, the host will permanently mute you from the meeting (you can still hear the meeting). There is a

process the committee will undertake called “opening the floor.” Persons interested in listening to the meeting can go to www.youtube.com/CityofGreenBay

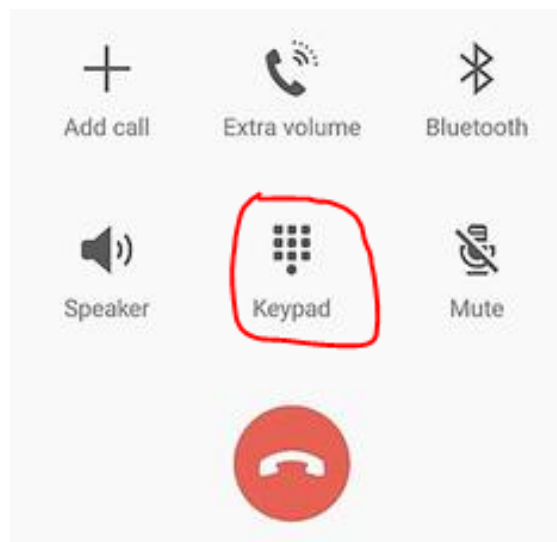
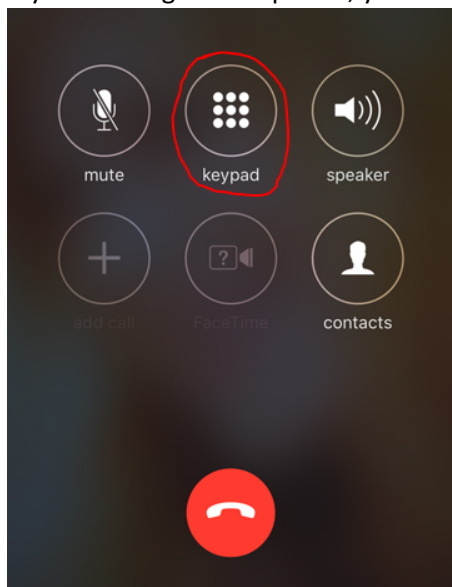
- c. The host of the meeting may ask you to identify yourselves, if you’re calling in with a phone.
8. Using Zoom with a tablet or computer
 - a. Tablet—you will be asked to sign in. Download the app either with the Apple Store or the Play Store
 - b. Computer—you will be asked to sign in. You may download the app or click on the link to open Zoom in your browser.
9. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You’ll receive another email confirming that you’re registered for the meeting.
 - b. If you’re using a phone, your registration will still be tied to an email.
10. Raising your hand
 - a. Committee members—you can either use CivicClerk and request to speak or you can “raise your hand” in the zoom meeting (you’d need to use a computer or tablet) to let the host know you’d like to speak. You can also un-mute yourselves and start speaking.
 - b. Persons on the agenda—you can “raise your hand” but you’d need to use a computer. You will be allowed to speak, per Wisconsin Open Meetings Rules, once the committee has “opened the floor for interested parties to speak.” Once the committee is finished with your agenda item, the host will mute you permanently, unless the committee opens the floor again. Once muted, you can still hear the meeting.
11. Staffing
 - a. During a committee meeting, there will be at least one staff member in one of the recording rooms (council chamber, 207, 310, 604).
 - b. The staff members will be the hosts of the meeting and will manage callers with muting and admitting.
12. What devices should I use?
 - a. Smart phone (please see more detailed instructions on pages 3 and 4 for telephones)
 - b. Land line
 - c. Tablet—well in advance of the meeting, please download the Zoom Meeting app before you join a meeting by using either the Apple Store or the Play Store. You will be asked to input your name, thus identifying you for the meeting. You’ll also be asked to verify your email.
 - d. Computer—well in advance of the meeting, please download the Zoom Meeting app, but you can also click on a link to open the Zoom Meeting in your browser. You will be asked to input your name, thus identifying you for the meeting.
 - e. For tablet and computer users—if you download the app you will be asked to verify your email.
13. Zoom etiquette
 - a. Muting yourselves when you’re not talking will prevent your background noise from interfering with others’ ability to listen to and participate in the meeting.
 - b. If you’re using a telephone, please identify yourself with your phone number and name before you speak. Zoom meeting hosts can see only your telephone number.
14. Closed session
 - a. During this time when we are using virtual meetings, we may use YouTube (www.youtube.com/CityOfGreenBay) for the public. We can’t turn-off the You Tube recording, so all closed session items will be discussed in an adjoining room, where there is no video equipment.
 - b. Persons listening in will hear the committee take a vote to go into closed session and will then hear no voices until the committee returns.

Please allow yourself ample time to get set up before your meeting starts!
If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.

1. Review the calendar invite you received from the meeting host. DO NOT use the phone numbers listed in this image below – this is only an example!

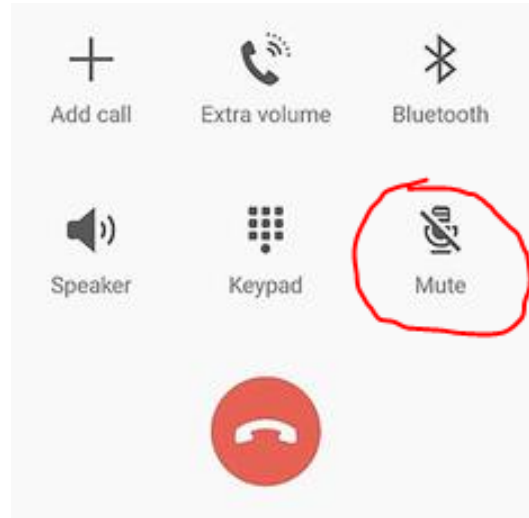
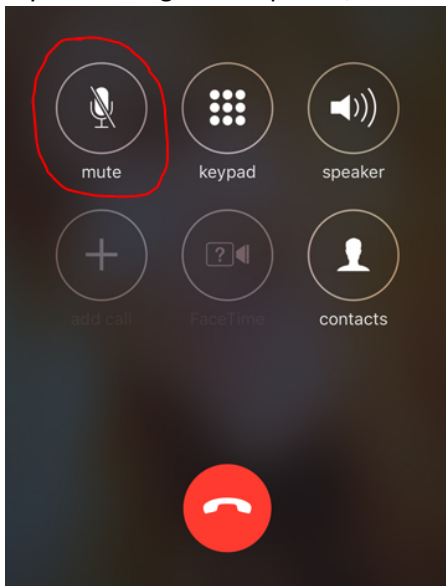


2. Use your phone to dial the phone number listed in Chicago location (red circle in example image above)
3. When prompted, enter the Meeting ID number (green circle in example image above) followed by #
 - a. If you're using a smartphone, you can access the keypad by clicking "Keypad" on your screen



4. Once you are in the meeting, notify the meeting host that you are in and state your name.
5. If you do not need to talk, please make sure your phone is on **Mute**

- a. If you're using a smartphone, look at your screen and click the Mute button



- b. If you're using a computer, you should see a Mute button in the Zoom application



**INTERIM FIRE CHIEF SERVICES
FOR
VILLAGE OF BELLEVUE, WISCONSIN**

This Agreement made and entered into this ____ day of _____, 2020,
by and between the City of Green Bay (hereinafter “City”), a Wisconsin municipal corporation,
and the Village of Bellevue (hereinafter “Village”), a Wisconsin municipal corporation.

WHEREAS, the Parties have determined that because of budget, time constraints,
Bellevue’s Fire Chief’s resignation and geographical considerations it is important for the two
local governmental units to cooperate for the effective and efficient provision of Fire and First
Responder services; and

WHEREAS, the Wisconsin Statute § 66.0301(2) authorizes any municipality to contract
with other municipalities for the receipt or furnishing of services, such as fire protection and
emergency medical services; and

WHEREAS, the parties hereto have determined that it is in their best interests to enter
into this Agreement for Interim Fire Chief services with oversight over fire, first responder,
rescue services, liaison for emergency medical services and treatment and protection of life and
property; and

NOW THEREFORE, in consideration of the foregoing recitals, and the covenants
contained herein, the parties mutually agree as follows:

SECTION ONE

Purpose

It is recognized and acknowledged that due to the resignation of the Bellevue Fire Chief, Bellevue is in need of Interim Fire Chief Services from the City of Green Bay (Green Bay Metro Fire Department (GBMFD)).

SECTION TWO

Definitions

For the purpose of this Agreement, the following terms as used in this Agreement shall be defined as follows:

- A. “City”: City of Green Bay, a Wisconsin municipal corporation.
- B. “Village”: Village of Bellevue, a Wisconsin municipal corporation.
- C. “Career Personnel”: Village’s current employees that are career firefighters and/or certified paramedics and are not paid on-call employees.
- D. “Fire Officers”: Employees designated as Captains and/or Lieutenants.
- E. “EMS”: Emergency medical, paramedic, rescue services or first responders.
- F. “Equipment”: Any vehicle, equipment, or other physical asset used to provide any fire or emergency medical service including any in reserve status.
- G. “Green Bay Metro Fire Department” (GBMFD): The identifying name of the city fire department associated with the Interim Fire Chief Services between the City, Village, and any Additional Party.
- H. “S.O.G.”: Standard Operating Guideline(s).

SECTION THREE

Scope of Agreement

City shall provide Interim Fire Chief Services to Village under this Agreement. The scope of services provided may include, but is not limited to, administrative oversight of personnel, budget expenditures and revenues review and approval, training of personnel, technical rescue, oversight of the inspection and public education programs and NIMS-compliant emergency management services and coordination (GBMFD Fire Chief shall serve at the Village's Emergency Management Director).

Additionally, GBMFD shall provide when possible, a chief officer at the Battalion Chief level or above, to assist in the oversight of emergency operations on incidents. All services provided hereunder, including emergency scene oversight shall be in accordance with the GBMFD policies and guidelines.

SECTION FOUR

Term of Agreement

This Agreement shall be for a period of 90 days and may be extended with the consent and approval of both parties. In the event that this Agreement is renewed, the parties may negotiate additional terms prior to the execution of the renewal option.

SECTION FIVE

Personnel

Village's Career Personnel shall remain Village employees. GBMFD recognizes the Village's Collective Bargaining Agreement with Local 141 and GBMFD agrees to follow said agreement in the provision of Interim Fire Chief Services.

Paid on-call personnel shall be utilized within the geographic boundaries of the Village or in any other manner deemed necessary by City. Paid on-call personnel shall meet minimum training requirements and shall satisfy minimum attendance requirements determined by City's training officer to maintain eligibility. City's training officer shall determine any training times, dates, subject matter, and objectives for paid on-call personnel. All paid on call and career personnel shall remain the employees of the Village, and the Village shall be exclusively responsible for all wages, benefits, pension, workers compensation, and other amounts which may accrue as a result of such employment

SECTION SIX

Staffing

Interim Fire Chief Services will be provided by a combination of GBMFD's Fire Chief, Assistant Chief's and/or Battalion Chief Officers. The City's training division, and Fire Marshal's Division officers will provide oversight in their respective area of authority to Bellevue's Fire Department.

The GBMFD Fire Chief shall report directly to the Village's Administrator and shall provide all reports, correspondence and other documents as necessary to insure the effectiveness

and efficiency of the Interim Fire Chief Services. All correspondence between the City and the Village shall be between the GBMFD Fire Chief and Village Administrator.

SECTION SEVEN

Training

City shall provide oversight of training to Career and Paid on Call Personnel of the Village.

SECTION EIGHT

Equipment

The Village shall continue to use its own Fire Apparatus and equipment for the delivery of services. GBMFD staff shall use City assigned vehicles for the provision of Interim Fire Chief Services covered in this Agreement.

SECTION NINE

Real Estate/Land

The Village shall provide an office space within Bellevue's Fire Station 1 for the purpose of delivering Interim Fire Services by the GBMFD.

SECTION TEN

Payment

The Village agrees to pay the sum of three thousand dollars (\$3000.00) per month for the services outlined in this agreement. Payment shall be due at the end of each 30 day period.

SECTION ELEVEN

Binding Effect

This Agreement shall be binding upon and insure to the benefit of any successor entity which may assume the obligations of any party hereto.

SECTION TWELVE

Validity

The invalidity of any provision of this Agreement shall not render invalid any other provision. If, for any reason, any provision of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, that provision shall be deemed severable and this Agreement may be enforced with that provision severed or modified by court order.

SECTION THIRTEEN

Notices

All notices hereunder shall be in writing and shall be served either personally, by registered mail or certified mail to the parties, at such addresses as may be designated from time to time, or to other such addresses as agreed upon.

SECTION FOURTEEN

Governing Law

This Agreement shall be governed, interpreted and construed in accordance with the laws of the State of Wisconsin. Venue shall be proper in Brown County, Wisconsin.

SECTION FIFTEEN

Execution in Counterparts

This Agreement may be executed in multiple counterparts or duplicate originals, each of which shall constitute and be deemed as one and the same document.

SECTION SIXTEEN

Amendments

This Agreement may only be amended in writing by consent of all the parties hereto.

SECTION SEVENTEEN

Termination

This Agreement may be terminated by either party at any time for any or no reason upon fifteen (15) days written notice to any party to the Agreement.

SECTION EIGHTEEN

Insurance

Each party hereto shall procure and maintain, at its sole and exclusive expense, insurance coverage, including: comprehensive liability, personal injury, property damage, worker's compensation, and, if applicable, emergency medical service professional liability, with minimum limits of \$_____ auto and \$_____ combined single limit general liability and professional liability. No party hereto shall have any obligation to provide

or extend insurance coverage for any of the items enumerated herein to any other party hereto or its personnel.

SECTION NINETEEN

Indemnification

The Village agrees to indemnify, defend, and hold harmless the City and its officials, officers, and employees from and against any and all claims, damages, costs, and expenses, including reasonable attorney's fees, arising out of or resulting from any alleged act or omission relating to the Interim Fire Chief Services except a loss, damage or expense caused solely by the City's act or negligence.

SECTION TWENTY

Authority

This certifies that this Interim Fire Chief Services agreement has been adopted and approved by ordinance, resolution, or any other manner approved by law, a copy of which document is attached hereto.

CITY OF GREEN BAY
Municipal Corporation

VILLAGE OF BELLEVUE
Municipal Corporation

Eric Genrich, Mayor

Steve Soukup, President

Date

Date

ATTEST:

ATTEST:

Kris Teske, Clerk

Karen Simons, Clerk-Treasurer

Date

Date

David W. Litton, Fire Chief

Diane Wessel, Administrator

Date

Date

Note: Signature page may be modified to meet each individual jurisdiction's official signature(s) requirements.)

**A RESOLUTION SUSPENDING IN-PERSON VOTING
IN ACCORDANCE WITH EXECUTIVE ORDER NO. 74**

April 6, 2020

WHEREAS, on March 17, 2020, the Common Council adopted the Proclamation Declaring a State of Emergency regarding the City of Green Bay COVID-19 Response (“Proclamation”) and the City of Green Bay Emergency Preparedness Plan for COVID-19 (“Emergency Preparedness Plan”); and

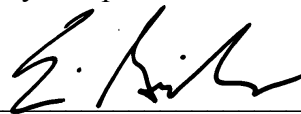
WHEREAS, the Proclamation provides that the City shall take all further actions reasonable and necessary to prevent exposure to and/or spread of COVID-19, including complying with all federal, state, and county laws, rules, and/or orders as they may issue.; and

WHEREAS, Governor Evers issued Executive Order No. 74 on April 6, 2020 suspending in-person voting for the 2020 Spring election across the State of Wisconsin until June 9, 2020.

NOW, THEREFORE, BE IT RESOLVED that in-person voting for the 2020 Spring election in the City of Green Bay is suspended until June 9, 2020 in compliance with Executive Order No. 74, and pursuant to the authority granted in the Proclamation. All ballots already cast in the 2020 Spring election will remain valid and will be tallied in conjunction with the new in-person voting date.

Under 323.14(4)(b), Stats., this resolution shall be subject to ratification, alteration, modification or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the proper validity of this proclamation. As Chief Elected Official of the City of Green Bay in testimony whereof I, Mayor Eric Genrich, have hereunto set my hand and have caused the great seal of the City of Green Bay to be affixed.

THIS RESOLUTION is enacted this 6th day of April 2020.

A handwritten signature in black ink, appearing to read 'E. Genrich', is written over a horizontal line.

Eric Genrich, Mayor

GENERAL ORDINANCE NO. 10-20

**AN ORDINANCE
AMENDING SECTION 27.101,
GREEN BAY MUNICIPAL CODE,
RELATING TO ADOPTED STATE STATUTES**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 27.101, Green Bay Municipal Code, is hereby amended to read:

The following state statutes are hereby adopted and incorporated as if fully set forth by reference. The penalty for a violation of these ordinances shall be as set forth in subchapter VII of this chapter. Any future amendments, revisions, or modifications of the statutes incorporated herein are intended to be made part of this Code.

95.21 Rabies control program
114.09(1) Reckless flying
114.095 Dropping objects prohibited
134.06 Bonus to chauffeurs for purchases forbidden
134.66 Restrictions on sale or gift of cigarettes or tobacco products
167.10 Fireworks regulated
167.31 Safe use and transportation of firearms and bows
167.32 Safety at sporting events
175.25 Illegal storage of junked vehicles
218.0146 Motor vehicles
218.0147 Purchase or lease of motor vehicle by minor
252.25 Violation of law relating to health
254.76(1) Causing fires by tobacco smoking
254.92 Purchase or possession of cigarettes or tobacco products by person under 18 prohibited
287.81 Littering
939.05 Parties to crime
939.22 Words and phrases defined
940.19(1) Battery
940.34 Duty to aid victim or report crime
940.42 Intimidation of witnesses
940.44 Intimidation of victims
941.10 Negligent handling of burning material
941.12 Interfering with fire fighting
941.13 False alarms
941.20 Endangering safety by use of dangerous weapon

941.23 Carrying concealed weapon
941.235 Carrying firearm in public building
941.24 Possession of switch blade knife
941.25 Manufacturer to register machine guns
941.26 Machine guns and other weapons
941.27 Machine guns
941.28 Possession of short-barreled shotgun or short-barreled rifle
941.29 Possession of firearm
941.295 Possession of electric weapon
941.2965 Restrictions on use of facsimile firearms
941.299 Restrictions on the use of laser pointers
941.31 Possession of explosives
941.32 Administering dangerous or stupefying drug
941.325 Placing foreign objects in edibles
943.01(1) Criminal damage to property
943.017 Graffiti
943.11 Entry into locked vehicle
943.12 Possession of burglarious tools
943.13 Trespass to land
943.14 Criminal trespass to dwellings
943.15 Entry onto a construction site or into a locked building
943.20 Theft
943.201 Misappropriation of personal identifying information or personal identification documents
943.21 Fraud on hotel or restaurant keeper or taxicab operator
943.215 Absconding without paying rent
943.34 Receiving stolen property
943.37 Alteration of property identification marks
943.38 Forgery
943.41 Financial transaction card crimes
943.45 Theft of telecommunications service
943.455 Theft of commercial mobile service
943.46 Theft of cable television service
943.47 Theft of satellite cable programming
943.50 Retail theft
943.70 Computer crimes
944.20 Lewd and lascivious behavior
944.30 Prostitution
944.31 Patronizing prostitutes
944.32 Soliciting prostitutes
944.33 Pandering
944.34 Keeping place of prostitution
945.01 Definitions
945.02 Gambling
945.03 Commercial gambling

945.04 Permitting premises to be used for commercial gambling
946.31 Perjury
946.32 False swearing
946.40 Refusing to aid officer
946.41 Resisting or obstructing officer
946.65 Obstructing justice
946.66 False complaints of police misconduct
946.70 Impersonating peace officers
946.72 Tampering with public records and notices
947.01 Disorderly conduct
947.012 Unlawful use of telephone
947.0125 Unlawful use of computerized communication systems
947.013 Harassment
947.06 Unlawful assemblies
948.40 Contributing to the delinquency of a child
948.61 Dangerous weapons on school premises
951.01 Definitions
951.015 Construction and application
951.02 Mistreating animals
951.03 Dognapping and catnapping
951.04 Leading animal from motor vehicle
951.05 Transportation of animals
951.06 Use of poisonous and controlled substances
951.07 Use of certain devices prohibited
951.08 Instigating fights between animals
951.09 Shooting at caged or staked animals
951.095 Harassment of police and fire animals
951.10 Sale of baby rabbits, chicks, and other fowl
951.11 Artificially colored animals/sale
951.13 Providing proper food and drink to confined animals
951.14 Providing proper shelter
951.15 Abandoning animals
961.01 Definitions - Related to controlled substances
961.41(3g)(e) Prohibited acts - Possession
961.41(3g)(em) Synthetic cannabinoids
961.43 Prohibited acts C - Penalties
961.573 Possession of drug paraphernalia

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2020.

APPROVED:

Mayor

ATTEST:

Clerk

REM

04/09/2020

GENERAL ORDINANCE NO. 09-20

**AN ORDINANCE
AMENDING SECTION 33.01(9)(d),
GREEN BAY MUNICIPAL CODE,
RELATING TO CLASS B (LIQUOR) LICENSES**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 33.01(9)(d), Green Bay Municipal Code, is hereby amended to read:

(d) Class B (liquor) license. Authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the glass and not in the original package or container. **The sale of intoxicating liquor in the original package or container, in any quantity, to be consumed off the premises where sold is also authorized.** Wine, however, may be sold for consumption off premises in original package or otherwise in any quantity.

SECTION 2. Sunset Provision. This ordinance is hereby repealed effective June 30, 2020.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2020.

APPROVED:

Mayor

ATTEST:

Clerk

REM

04/09/2020