



AGENDA OF THE COMMON COUNCIL

TUESDAY, JULY 21, 2020, 6:00 PM

Virtual Meeting

Public may also view at

www.youtube.com/CityOfGreenBay

A. Zoom Meeting Information.

- I. This item contains documents which provide call in information and instructions for the Zoom Meeting.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

- I. The invocation will be led by Jerry Bader, Pastor, Faith by the Bay Ministries, invited by Alder Brian Johnson, District 9.

E. Approval of Minutes.

- I. Approval of the minutes from the June 29, 2020 Common Council meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. New Appointment

Zoning and Planning Board of Appeals

Tom Hoy, 1120 Cass Street, Green Bay, WI 54301

Term to expire: August 1, 2023

Re-appointment

Green Bay Sustainability Commission

John Arendt, 726 Sunrise Lane, Green Bay, WI 54301

Term to expire: August 1, 2023

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 09-20

An ordinance rezoning property located at 1341 Brosig Street from General Commercial (C1) District to Varied Density Residential (R3) District.

2. General Ordinance No. 19-20

An ordinance creating section 9.17, Green Bay Municipal Code, relating to responsible bidder criteria.

3. General Ordinance No. 21-20

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

K. Report of the Redevelopment Authority (July 14, 2020).

1. To approve a 2020 fee waiver for the parklet permit fee utilizing CARES Act funding or other available funding sources (communication from Ald. Johnson from June 29, 2020 Common Council meeting).

2. To approve a Hold Harmless Agreement with Downtown Green Bay, Inc. for a temporary outdoor dining space at 204, 206, 208, and 210 N. Washington Street (Tax Parcels 12-65, 12-66, 12-67, 12-68) and work with the Parking Division to ensure no loss of revenue.

L. Report of the Improvement & Services Committee (July 15, 2020).

1. To approve the request by Michael Krouth, 311 N. Henry Street, to refund \$470 in connection fees for mini-storm sewer connection.

2. To approve the request to amend and update the Stormwater Utility ordinance to include and explain the impact trees have on stormwater retention and drainage, and to provide a dollar credit to property owners who have trees planted or growing on their property in order to be consistent and fair with what the majority of the Common Council passed in November 2019. If the ordinance and Equivalent Residential Unit calculations are not adjusted appropriately, then Forestry expenses should no longer be paid for by Stormwater utility rates effective January 2021 (referred to staff at the April 29, 2020 Improvement and Services Committee meeting to modify existing ordinance to further define pervious area in the ordinance and report back to Committee) and to approve the draft General Ordinance No. 26-20. (Ald. Brunette)

3. To refer back to staff the request that Department of Public Works looks into the storm water sewer backups starting from East Shore Circle to California/East Shore Drive (referred to staff at the June 10, 2020 Improvement and Services Committee meeting). (Ald. Lefebvre)
4. To hold until the August 12, 2020 Improvement and Services Committee meeting the request for status update on plans to address chronic flooding in the vicinity of Main and East Mason Streets and Department of Public Works staff to report back to the Committee on feedback from designer on phasing the project (held at the December 10, 2019 Improvement and Services Committee meeting). (Ald. Nicholson)
5. To receive and place on file the request for (1) review of the Department of Public Works completion date expectations with possible action, and (2) notification to the Brown County Home Builders Association about the meeting as Department of Public Works staff will be meeting with Brown County Home Builders Association on December 12, 2019 (held at the April 8, 2020 Improvement and Services Committee meeting). (Ald. Nicholson)
6. To approve the request to amend Chapter 9, Subsection IV, Green Bay Municipal Code to address pavement assessments against residential properties located in mixed use zoning areas and to approve the draft General Ordinance No. 27-20. (Ald. Stevens)
7. To approve the request by Wisconsin Department of Transportation to enter into a Routine Maintenance and Operation Agreement for the Ray Nitschke Memorial (Main Street) Bridge for State Fiscal Year 2021 (July 1, 2020 – June 30, 2021).
8. To approve the request by Department of Public Works to award construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee for SEWERS 5-20 S. GRANDVIEW ROAD SANITARY SEWER.
9. To receive and place on file the actions taken by Department of Public Works

A. Granting of Licenses

1. Sidewalk Builder to Poblocki Paving Corp.
2. Underground Sprinkler System to ADC Maintenance LLC.
10. To receive and place on file the award of contract SOUTH BAY SHORE DIKE REINFORCEMENT to Vinton Construction in the amount of \$1,013,527.10.

M. Report of the Protection & Policy Committee (July 13, 2020 recessed and reconvened July 16, 2020).

1. To approve an application for a "Class B" Combination license for Tristas Lunchbox LLC at 1542 University with a licensed premises as "MAIN FLR, BAR, COOLERS, POOL ROOM, BACK OFFICE, TIKI BAR W/IN OUTDOOR PATIO, OUTDOOR PATIO," previously discussed at the June 8 Protection & Policy Committee meeting. (Previously licensed as Alisa Marie, LLC), with the approval of the proper authorities.

2. To approve a "Class A" Liquor and Class "A" Beer license for Mi Favorita Supermarket LLC at 1908 E. Mason St. with a licensed premises description of "coolers," with the approval of the proper authorities. (Previously licensed as Mi Favorita Supermarket).
3. To approve a "Class B" Combination License for Lil Jamaica LLC at 1332 S. Broadway with a licensed description as "bar area, 2 small closets, bathrooms, closet at back entrance, small attic, outdoor patio, side yard," with the approval of the proper authorities. (Previously licensed as Sunshine N Wallys Bar, Inc).
4. To approve a Class "B" Beer & "Class C" Wine license by Aldo's Pizza of Green Bay, LLC at 1247 Velp Ave. with a licensed premises as "Cooler, dining room," with the approval of the proper authorities. (Currently licensed as an individual Jean Cleary).
5. To approve a 2020-2021 renewal application for a "Class B" Combination License for Chip Stacks, Inc. at 416 Dousman St. with a change of agent and with the approval of proper authorities.
6. To approve a renewal application for the 2020-2021 license year for Strats, Inc. at 2850 Humboldt Rd. (Submitted June 29, 2020), with the approval of the proper authorities.
7. To approve the renewal applications for various liquor and/or beer licenses for the 2020-2021 license year with approval of the proper authorities (see attached).
8. To approve the release of the 2019-2020 "Class B" Combination licenses to the pool of available licenses due to no action taken for the 2020-2021 license year.
9. To approve a request by Hagemeister Park, Inc. at 325 N. Washington St. to amend their liquor license to include a sidewalk cafe permit adjacent to 325 N. Washington St.
10. To approve a request by Skogen's Foodliner, Inc. at 2430 University Ave. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.
11. To approve a request by Skogen's Foodliner, Inc. at 2250 W. Mason St. to amend their liquor license to include part of their parking lot for Click and Collect curbside pickup.
12. To receive and place on file a request by Ald. Wery for an update with possible action on changes to the Ethics Ordinance/Policy that were requested in 2018, with explanation as to why it is taking so long while other newer programs, policies and ordinances are placed ahead of this item.
13. No recommendation on a request by Ald. Scannell to make a city ordinance requiring employees and the public in social situations to wear masks and practice social distancing.
14. To hold a request by Ald. Galvin that the city consider taking fluoride out of the treatment process for the city water to the next meeting of Protection and Policy committee for staff to provide available dates for a special meeting to address this item alone.
15. To approve General Ordinance 24-20, an ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances.

16. To hold a communication from Alder Dorff to research and create a fair housing ordinance for the City of Green Bay, previously discussed at the July 8, 2019 Protection & Policy meeting, to the next meeting of the Protection and Policy Committee to allow for more input from the public.
17. To approve General Ordinance number 22-20, repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments.
18. To receive and place on file The Liquor Violation Report for July 13, 2020.
19. To receive and place on file an informational report regarding liquor licenses.

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

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

O. Report of the Plan Commission (July 13, 2020).

1. To receive and place on file a communication from Ald. Kathy Lefebvre (District 6) "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)" (from May 26, 2020 Plan Commission meeting).
2. To refer to Planning Staff a communication from Ald. Barb Dorff (District 1) to "Estimate potential costs and benefits of proposed Grandview development" (from June 29, 2020 Council Meeting).
3. To receive and place on file a communication from Ald. Chris Wery (District 8) to "Request an update with any appropriate action on the property located at the corner of S. Ridge Road/Lombardi Avenue, owned by Kuehn Properties" (from July 2, 2020 email to the City Clerk).
4. To authorize a Conditional Use Permit (CUP) for self-service storage at 1929 Verlin Road, submitted by Curtis Klish, MCR Rentals, LLC, property owner (Ald. L. Gerlach, District 3).
 subject to:
 1. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.
 2. There shall be no expansion of the conditional use without Plan Commission and City Council Approval.
 Public hearing held 07/13/2020.
5. To amend Chapter 13-522(a)(7), Green Bay Zoning Code regarding temporary uses as presented by Planning Staff. Public hearing held 07/13/2020.

P. Report of the Finance Committee (July 14, 2020).

1. To approve the payoff of 2018 and 2019 Board of Commissioners of Public Lands state trust fund loans for a total of \$3,000,000 contingent on the approval of the next two items.
2. To approve refunding \$2,000,000 BCPL state trust fund loan for TID 22.

3. To approve refunding taxable 2010 General Obligation purpose bonds (BABs).
4. To approve the acceptance of the Center for Tech & Civic Life grant for \$1,093,400 as long as any clawback provision be brought back to the Common Council.
5. To approve the report out of the acceptance of the WEC CARES subgrant for \$57,535.30 with allowable uses to prevent, prepare for, and respond to coronavirus, domestically or internationally, for the 2020 Federal election cycle.
6. To receive and place on file the review of the City of Green Bay's 10-33 program inventory.
7. To approve the purchase of Type I ambulance for GBMFD for the sum of \$261,617 from Jefferson Fire & Safety, the lowest responsive, responsible bidder for RFQ #3266.
8. To approve the purchase of Mitel Phone system from CCCP off the SourceWell group purchasing cooperative contract contingent on the supporting documentation being included in the Council packet.
9. To approve Option #1 authorizing up to \$50,000 from our 2020 contingency fund and spreading the balance of the contract over 2021-2022 under the direction of the Procurement Manager to negotiate that agreement with the expectation of the Revaluation Assessment service to be completed by 1/1/22 for the 2023 Budget.
10. No recommendation on the request for approval of amendment to cell tower lease at Ted Fritsch Park, with summary of change and amendment to be provided to Council.
11. No recommendation on the request for approval of amendment to cell tower lease at Fisk Park, with summary of change and amendment to be provided to Council.
12. To receive and place on file the request by Ald. Wery to offer a pay incentive/bonus for poll workers who have worked and will work this year during the Covid-19 situation, and to refer to HR / Personnel staff the request to adopt a policy for future hazard pay situations for research on hazard pay policies.
13. To receive and place on file the request by Ald. Wery for an update on the Zima v Schmitt lawsuit.

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.

14. To receive and place on file the report of the Claims Committee.

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Q. Report of the Park Committee (July 15, 2020).

1. To refer to staff to generate a cost estimate for the installation of surveillance equipment at Seymour Park and bring back to Park Committee for review.

2. To direct staff to research the feasibility of including funding to develop a park in the Bay Highlands area as part of the 5 year Capital Improvement Plan to be presented in the fall of 2020.
3. To hold until the next Park Committee the updates on the budget, cost estimates and phasing plan options for the beach project at Bay Beach Amusement Park.
4. To approve the request for the Wildlife Sanctuary to reinstate the on-site deer management program per the recommendations in the Bay Beach Wildlife Sanctuary On-Site White Tailed Deer Population Study.
5. To approve the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
6. To approve a resolution in support of the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
7.
 - A. To approve the purchase of one (1) Utility Vehicle for \$60,268 from Bobcat Plus Inc.
 - B. To approve the purchase of one (1) 26,000 GVW Cab & Chassis for \$69,970 from Truck Country of Iowa Inc.
8. To receive and place on file the staff update to the 2020 City of Green Bay Parks COVID-19 Reopening Plan as it relates to splash pads and wading pools. (INFORMATIONAL ONLY)

R. Ad Hoc Committee on Elections (July 9, 2020)

1. To approve the Wisconsin Safe Voting Plan (grant funded by the Center for Tech and Civic Life) and the recommendations contained therein.

S. Report of the Tax Incremental Districts Joint Review Committee (July 9, 2020).

1. To receive and place on file the Tax Incremental Districts annual reports.

T. Receive and Place on File.

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

U. Committee of the Whole.

1. Consideration with possible action on "Resolution Providing for Face Coverings within the City of Green Bay," effective July 27, 2020.
2. Consideration with possible action on the "Resolution Extending the State of Emergency for the City of Green Bay COVID-19 Response."

V. Resolutions.

1. Resolution authorizing conditional use permit at 1929 Verlin Road.
2. An initial resolution authorizing the sale and issuance of not to exceed \$7,615,000 general obligation refunding bonds; and certain related details.
3. An initial resolution authorizing the sale and issuance of not to exceed \$2,085,000 taxable general obligation refunding bonds; and certain related details.
4. A resolution in support of the updated 2020-2024 Green Bay Parks, Recreation and Forestry Open Space Plan.
5. Resolution drawing final orders to contractors for July 21, 2020.
6. A Resolution extending the State of Emergency for the City of Green Bay COVID-19 response.
7. A Resolution providing for face coverings within the City of Green Bay.

W. Ordinances - First Reading.

1. General Ordinance number 22-20
An ordinance repealing and recreating Section 6.39, Green Bay Municipal Code, relating to mobile food establishments.
2. General Ordinance 24-20
An ordinance amending Section 2.06(8), Green Bay Municipal Code, relating to reading of ordinances.
3. General Ordinance No. 26-20
An ordinance amending Section 30.20, Green Bay Municipal Code, relating to Storm Water Utility.
4. General Ordinance No. 27-20
An ordinance amending Chapter 9, Subchapter IV, Green Bay Municipal Code, relating to Special Assessments.
5. General Ordinance No.28-20
An ordinance amending Section 13-522(a)(7), Green Bay Municipal Code relating to permitted temporary uses and structures.

X. Referral of Petitions & Communications.

Y. 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.