



AGENDA OF THE COMMON COUNCIL

TUESDAY, AUGUST 18, 2020, 6:00 PM

Virtual Meeting

Public may also view at

www.youtube.com/CityOfGreenBay

A. Zoom Meeting Information

- I. Please find information and instructions about the Zoom (virtual) meeting.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

- I. The invocation will be led by Alder Mark Steuer, District 10.

E. Approval of Minutes.

- I. Approval of the minutes from the July 21, 2020 Common Council meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

J. Appointments.

- I. **New Appointments**

- Transit Commission

- Jessica Franco-Morales, 1530 S. Huron Road, Green Bay, 54302

- Term to expire: September 1, 2023

2. Brown County Plan Commission
Steven Grenier, 341 Charity Lane, Green Bay, 54311
Term to expire: May 1, 2023
3. Appointment of Cheryl Renier-Wigg as Interim Director of Community and Economic Development, effective August 22, 2020.

K. Ordinances - Second Reading for Adoption.

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

L. Report of the Redevelopment Authority (August 11, 2020).

1. To approve Term Sheet 20-02 with Gorman and Company for a development project at 227 N. Quincy St., 221 N. Quincy St., 624 Pine St., 618 Pine St., 616 Pine St., and 505 Cherry St. (Tax Parcels 11-156, 11-157, 11-158, 11-159, 11-160, and 11-191) (Associated Bank Parking Lot), subject to minor legal and technical revisions.

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 will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

2. To approve Term Sheet 20-03 with Van Ess Family Limited Partnership for a development project at 425 S. Adams St. and 441 S. Adams St. (Tax Parcels 13-99 and 13-98), subject to minor legal and technical revisions.

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3. To proceed as directed in closed session regarding the Purchase and Sale Agreement to acquire Tax Parcels 6-9, 6-10, 6-11, 6-12, 6-12-1, 6-12-2, 6-12-3, 6-12-4, 6-12-5, 6-12-A, 6-12-A-1, 6-12-B, 6-12-B-1, 6-13, 6-13-1, 6-13-A, 6-15, 6-15-A, 6-16, 6-17, 6-31, and 6-34 from Wisconsin Public Service Corporation (Pulliam Plant).

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M. Report of the Improvement & Services Committee (August 12, 2020).

1. To approve the request by Dave Baumgart to rescind invoice in the amount of \$89.10 for a lot cleanup at 858 Shawano Avenue.
2. To refer to staff the request to review policy for reimbursement to property owners who repair tree-damaged sidewalk to revise the current policy and bring modified policy back to the September 9, 2020 Improvement and Services Committee meeting. (Ald. Wery)
3. To approve reimbursing the material cost only on request by Matthew Johnson for additional compensation related to replacement of tree-damaged sidewalk at 1420 Frank Street.
4. To refer to staff 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. (Ald. Nicholson)
5. To approve the request by Brown County for the City of Green Bay to accept dedication of regional storm water management infrastructure for the Fox River Papermaking Corridor.
6. To approve the request by Green Bay Public Arts Commission to commission a mural on the east abutment wall for the Tilleman (Mason Street) Bridge at the intersection of East Mason Street and Monroe Avenue.
7. To approve General Ordinance No. 23-20, amending Section 21.09, Green Bay Municipal Code, relating to Cross Connection Control Program.
8. To approve the request by Department of Public Works to execute Amendment XI to the Brown County Municipal Recycling Agreement.
9. To approve the request by Department of Public Works to award construction contracts at a staff level and report the awards at the next regular meeting of the Improvement and Services Committee for the following:
 - A. SEWERS 7-20 MINI SEWERS
 - B. SEWERS 8-20 FINGER ROAD SANITARY SEWER
10. To receive and place on file the award of the contract SEWERS 5-20 S. GRANDVIEW ROAD SANITARY SEWER to the low responsive bidder, PTS Contractors, Inc., in the amount of \$1,826,994.

11. To approve the award of the following contracts:

A. RFB #3255 HVAC INSTALLATION AT PARK SHOP to the low responsive bidder, AMA, Inc., in the amount of \$39,929 base bid and, if needed, Alternate Bid I in the amount of \$10,996.

B. SEWERS 6-20 BASIN REPAIR to the low responsive bidder, Michels Corp., in the amount of \$1,219,465.

12. To receive and place on file the report of actions taken by Department of Public Works

A. Granting of Licenses

I. Sidewalk Builder

a. Howard Immel, Inc.

b. SD Ellenbecker, Inc.

c. Total Construction/Joe Mains Concrete

N. Report of the Protection & Policy Committee (August 10, 2020).

1. To approve a change of agent for Oneida Nation at 2370 W. Mason St.

2. To approve a change of agent for Oneida Nation at 2597 W. Mason St.

3. To approve a change of agent for Oneida Nation at 501 Packerland Dr.

4. To hold until the September 14, 2020 Protection & Policy meeting 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 & July 13, 2020 Protection & Policy meetings.

5. To approve a request by Green Bay Sportservice, Inc. at 1265 Lombardi Ave. to temporarily extend their licensed premises on September 18, 2020 for a one-day special event, subject to complaint.

6. To approve a "Class A" Liquor and Class "A" Beer license application for Convenience Store Operations LLC at 1300 S. Military Ave. with a licensed premises description as "gas station, convenience store, 1500 sq ft," with the approval of the proper authorities. (Currently license as Saneha Petroleum, Inc.)

7. To approve a "Class A" Liquor and Class "A" Beer license for Neenah Mini Mart, LLC at 601 N. Military Ave. with a license description as "3780 sq ft, beer cooler, overstock in main fl, liq sold behind counter, office," with the approval of the proper authorities. (Currently licensed as Van Zeeland Oil Co., Inc. with a Class "A" Beer license).

8. To approve an available "Class B" Combination license by Scott Reckelberg at 2056 Main St. with a licensed premises as "bar, backroom, walk-in cooler," with the approval of the proper authorities. (Previously licensed as V3, LLC during the 2019-2020 license year).

9. To hold a special meeting of the Protection and Policy Committee on October 8, 2020 to discuss a request by Ald. Galvin that the City consider taking fluoride out of the treatment process for the city water

To recommend amendment of the item to read “a request by Ald. Galvin, filed on behalf of constituent Brenda Staudenmaier, that the City consider taking fluoride out of the treatment process for the City water.”

10. To hold for 60 days a request by Ald. Brunette to refund the re-inspection fees at 2468 West Point and for the city to appeal to the federal government to allow for the property owner's shed to remain, previously discussed at the April 27 Protection & Policy Committee meeting.
11. To deny an appeal for Hoff Investment Properties, LLC at 1019 Velp Ave. regarding his re-inspection fees.
12. To approve an appeal by Charise Webster regarding the denial of her operator's license.
13. To approve a joint request from Ald. Gerlach and Ald. Corpus-Dax for the City of Green Bay to sign-on to the Resolution passed by the Wisconsin Public Health Association declaring racism as a public health crisis in Wisconsin.
14. To receive and place on file The Liquor Violation Report for August 10, 2020.

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

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

P. Report of the Plan Commission (August 10, 2020).

1. To amend the Legends District PUD (ZO 12-11), subject to the draft Planned Unit Development (PUD). (Public hearing held 08/10/20)
2. To amend Zoning Ordinance 6-20 (Whitney Park Townhomes) to Adjust lot and impervious surface regulations for lots within the Planned Unit Development (PUD) at the 200 Block N. Van Buren Street, subject to the draft Planned Unit Development (PUD). (Public hearing held 08/10/20)
3. To approve a partial discontinuance of a landscape easement located at 2845 Greenbrier Road, subject to the following conditions:
 1. AT&T has fiber optic cables in this area and they may be in conflict with the driveway proposal. A solution must be met between the applicant and AT&T prior to recording this discontinuance.
 2. In the event that sidewalks are required to be constructed along Greenbrier Road, the adjacent owner(s) shall, at their expense, regrade the area to conform to the established sidewalk grade ordinance.
4. To amend Chapter 13-1716(e), Green Bay Zoning Code regarding game day parking. (Public hearing held 08/10/20)
5. To amend Chapter 13-522, Green Bay Zoning Code regarding game day camping. (Public hearing held 08/10/20)

Q. Report of the Finance Committee (August 4, 2020).

1. To approve a resolution authorizing 2020 transfer of \$378.00 from contingency to sandbags related to Brown County invoice for prefilled sandbags for the public.
2. To approve the Forward Appraisal revaluation contract for the sum of \$388,900.00.
3. To approve a resolution authorizing 2020 transfer of \$50,000.00 from contingency to Assessor's contractual services for the Forward Appraisal revaluation contract.
4. To approve moving forward with an RFQ for the purchase of a replacement tornado siren on Lombardi at Lambeau to be paid for by contingency.

R. Report of the Park Committee (August 12, 2020).

1. To approve the proposed phasing plan and budget for the shoreline/beach project at Bay Beach Amusement Park.
2. To approve the proposed refinancing plan for the shoreline/beach project at Bay Beach Amusement Park.
3. To approve the purchase of one(1) Skid-Steer Loader for \$39,208 from Bobcat Plus Inc. to the lowest responsive, responsible vendor.

S. Report of the Personnel Committee (August 4, 2020).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Development Director
 - b. Housing Inspector
 - c. Park Maintenance Worker

T. Report of the Public Arts Commission (July 22, 2020).

1. To approve selected Project Option #1, Artistic Seating, to be developed into an RFP to find an artist to fabricate the art piece project concept developed by staff to be located at Danz Park.
2. To approve the "Fox Trot" mural piece, selected by Astor Neighborhood Association, to be placed on the east wall of the S. Monroe and E. Mason Street underpass.
3. To select and approve the project, Salva-Jelly Bloom, as the finalist for the Alley Transformation Project for the new location at 112 N. Adams Street.

U. Report of the Traffic, Bicycle, and Pedestrian Commission (July 20, 2020).

1. To receive and place on file the report by the Police Department of the 2020 2nd quarter serious injury and fatality crashes.
2. To refer to staff the request to establish a 3-WAY STOP condition at Western Avenue at Maryhill Drive.

3. To install bike lanes on Radisson Street between Webster Avenue and Irwin Avenue.
4. To remove the PERMIT PARKING ONLY 7 AM TO 5 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from a point 140 feet south of Stuart Street to a point 375 feet south of Stuart Street.
5. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from Stuart Street to a point 140 feet south of Stuart Street.
6. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from a point 375 feet south of Stuart Street to Crooks Street.
7. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from Stuart Street to Crooks Street.
8. To remove the NO PARKING zone on the east side of Maple Avenue from a point 30 feet south of School Place to a point 20 feet north of School Place.
9. To establish and adopt by ordinance a NO PARKING zone on the east side of Maple Avenue from a point 100 feet south of School Place to a point 20 feet north of School Place.
10. To remove the 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from a point 260 feet north of Adams Street to a point 180 feet south of Crooks Street.
11. To remove the 30 MINUTE LOADING zone on the west side of Washington Street from a point 180 feet south of Crooks Street to a point 25 feet south of Crooks Street.
12. To establish and adopt by ordinance a 2-HOUR 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the west side of Washington Street from a point 260 feet north of Adams Street to a point 25 feet south of Admiral Flatley Court.
13. To establish and adopt by ordinance a NO PARKING zone on the west side of Washington Street from a point 25 feet south of Admiral Flatley Court to Admiral Flatley Court.
14. To establish and adopt by ordinance a NO PARKING RIDE SHARE & TAXI LOADING ONLY NIGHTLY FRIDAY THROUGH SUNDAY 6 PM TO 3 AM on the north side of Doty Street from Washington Street to a point 95 feet east of Washington Street.

V. Ad Hoc Committee on Elections (July 23, 2020 and August 13, 2020)

1. To approve the next four meeting dates, August 13 and 27, September 10 and 24. (July 23)
2. To receive and place on file the update from the August 11, 2020 election. (August 13)

W. Receive and Place on File.

1. Building Permit Report for July 2020.
2. The Municipal Court Report for August 2020.

X. Committee of the Whole.

1. Update with possible action on status of litigation in McDuffie, Carl, et al. v. City of Green Bay, et al 19-CV-1611.

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 will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

2. Consideration with possible action to fill two (2) Battalion Chief Positions starting August 30, 2020.
3. Consideration with possible action on the "Resolution Extending the State of Emergency for the City of Green Bay COVID-19 Response."
4. INFORMATIONAL ONLY: Update and discussion on public access to City facilities and programs during COVID-19.

Y. Resolutions.

1. Final resolution authorizing water main and/or water services and levying special assessments against property.
2. Final resolution authorizing sanitary sewer and/or sanitary sewer lateral improvements and levying special assessments against property.
3. Final resolution authorizing storm sewer and/or storm sewer lateral improvements and levying special assessments against property.
4. Resolution authorizing 2020 transfer of \$378.00 from contingency to sandbags related to Brown County invoice for prefilled sandbags for the public.
5. Resolution authorizing 2020 transfer of \$50,000.00 from contingency to Assessor's contractual services for the Forward Appraisal revaluation contract.
6. Resolution authorizing release of landscape easement for 2845 Greenbrier Road.
7. Resolution drawing final orders to contractors for August 18, 2020.
8. Resolution authorizing and providing for the sale and issuance of \$7,615,000 general obligation refunding bonds, series 2020D, and all related details.
9. Resolution authorizing and providing for the sale and issuance of \$2,085,000 taxable general obligation refunding bonds, series 2020E, and all related details.
10. A resolution extending the State of Emergency for the City of Green Bay COVID-19 response.

Z. Ordinance - First and Final Reading for Adoption.

1. Zoning Ordinance No. 11-20
An ordinance amending Zoning Ordinance 6-20: Planned unit Development located in the 200 block of North Van Buren Street.

AA. Ordinances - First Reading.

1. General Ordinance No. 30-20
An ordinance amending Section 29.208, Green Bay Municipal Code, relating to parking regulations.
2. Zoning Ordinance No. 10-20
An ordinance amending planned unit development ZO 12-11 Zoning certain lands located in the 900 and 1000 blocks of Lomardi Avenue and Tony Canadeo Run.
3. General Ordinance No. 32-20
An ordinance creating Section 13-1714-5, Green Bay Municipal Code, relating to game day parking.
4. General Ordinance No. 31-20
An ordinance amending Section 13-522(a), Green Bay Municipal Code, relating to permitted temporary uses and structures.
5. General Ordinance No. 23-20
An ordinance amending Section 21.09, Green Bay Municipal Code, Relating to Cross-Connection Control Program.

BB. Referral of Petitions & Communications.

CC. 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.