



AGENDA OF THE COMMON COUNCIL

TUESDAY, APRIL 20, 2021, 6:00 PM
Virtual Meeting. Public may join via Zoom.

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 Alder Mark Steuer, District 10.

E. Approval of Minutes.

- I. Approval of the minutes from the March 30, 2021 Common Council Meeting.
2. Approval of the minutes from the April 1, 2021 Special Common Council Meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

- I. Reappointments:

Green Bay Area Room Tax Commission

Larry Vesely, 1715 E. Sonata Dr., Green Bay, WI 54301

Term to Expire: April 1, 2022

Ethics Board

Cheryl Renier-Wigg, 626 S. Jackson St., Green Bay, WI 54301

Term to Expire: April 1, 2024

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 04-21
An Ordinance rezoning the property located at 120 Bedford Road from Rural Residential (RR) District to Low Density Residential (R1) District.
2. General Ordinance No. 05-21
An ordinance amending Sections 13-303, 13-1606(1) and 13-1714, Green Bay Municipal Code, relating to drive-through Facilities.

K. Report of the Redevelopment Authority (April 13, 2021).

1. To grant an additional six (6) months of deferred payments on the RDA loan with Quality Inn and Suites Downtown, which would extend the agreement to the end of August 2021, with the following requirements: 1) any proposed sale of the property while there is a balance due on the loan must be approved by the RDA, and 2) the City retains a right of first refusal on the property once the loan is paid back.
2. To approve the Tax Increment District Affordable Housing (TIDAH) Fund Policy and to include the suggestions as discussed.
3. To approve and recommend to the Common Council the City of Green Bay's 2021 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

L. Report of the Improvement & Services Committee (April 14, 2021).

1. To hold the request by resident at 1604 Hillcrest Drive to extend the payback period and waive the interest for the water assessments associated with the Hillcrest Drive Reconstruction project.
2. To approve the modified revisions to Section 8.11, Green Bay Municipal Code, Noxious Weeds and Maintenance of Vegetation effective June 1, 2021.
3. To approve the request by Green Bay Water Utility to have the City of Green Bay waive the \$30 plumbing fee for the galvanized water service replacement program.
4. To approve the request by Department of Public Works to award the Clerk's Office Conference Room construction contract at a staff level and report the award at the next regular meeting of the Improvement and Services Committee.
5. To approve the request by Department of Public Works to accept the grant from the Environmental Protection Agency (EPA) and enter into a contract with Wisconsin Department of Natural Resources (WDNR) to complete the scope of work and the project at the Tank Farm Marsh.
6. To approve the report of the Purchasing Manager to award US Petroleum Equipment for the replacement of the Fuelmaster system at the Department of Public Works shops for the sum of \$28,215. The Fuelmaster System was competitively bid on Sourcewell Contract #092920-SYS.

7. To approve the award of the following contracts:

A. BRIDGE 1-21 (ATKINSON DRIVE OVER CN/WC RAILROAD B-5-225) EXPANSION JOINT REPLACEMENT to the low responsive bidder, Highway Landscapers, Inc., in the amount of \$208,500.

B. RAMPS 1-21 MAIN STREET PARKING RAMP FAÇADE REMOVAL to the low responsive bidder, Central Restoration, LLC, in the amount of \$91,593.

C. SOUTH BAY SHORE DIKE REINFORCEMENT - SEGMENTS 20-22 to the low responsive bidder, Vinton Construction Co., in the amount of \$443,553.75.

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

A. PAVEMENT 2-21 JACKSON STREET RECONSTRUCTION to the low responsive bidder, Soper Sewer & Water, LLC, in the amount of \$2,316,702.99.

B. PAVEMENT 3-21 S. JACKSON STREET RECONSTRUCTION to the low responsive bidder, Peters Concrete Co., in the amount of \$2,263,864.75.

9. To approve the acquisition of right-of-way for Tax Parcel No. 5-1363 for improvements to Gray Street from Dousman Street to Mather Street.

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

A. Granting of Licenses

1. Sidewalk Builder

- a. E&I Concrete Construction
- b. Evraets Concrete Construction LLC
- c. Fischer Ulman Construction Inc.
- d. Kurowski Construction LLC
- e. N&L Concrete Construction LLP
- f. RG Hendricks & Sons Construction Inc.

2. Tree & Brush Trimmer

- a. A to Z Tree Service

3. Underground Sprinkler System

- a. ADC Maintenance LLC

M. Report of the Protection & Policy Committee (April 12, 2021).

I. To deny an appeal by Dimas Rodriguez regarding the denial of his application to keep three pets (held from 2021-03-22).

2. To approve an application for an available "Class B" Combination License" by Lisa Berceau at 2056 Main St. with a licensed premises description as "bar with kitchen," with the approval of the proper authorities. (Previously licensed as Berceau's Last Stop until March 2021 when license was surrendered to the City).
3. To hold an application for a "Class A" Liquor and Class "A" Beer at 1698 Main St. with a license premises description as "c-store" (Currently licensed as Main Street Mini Mart, LLC).
4. To receive and place on file the Liquor Violation Report for April 12, 2021.

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 (April 12, 2021).

1. To rezone parcel 21-40-6, known as The Woods, from Rural Residential (RR) to Low-Density Residential (R1) on the west side, Conservancy (CON) in the center and Medium-Density Residential (R2) on the east side. (Public Hearing held 04/12/2021)
2. To authorize a Conditional Use Permit (CUP) for a two-family dwelling located at 1440 Smith Street. (Public Hearing held 04/12/2021)
3. To table the request to authorize a Conditional Use Permit (CUP) for a drive-through facility at 1979 Main Street for further information related to the impact of the Traffic Impact Analysis (TIA) and consideration is given by the applicant regarding the future zoning and land use(s) of the balance of the property. (Public Hearing held 04/13/21).
4. To authorize a Conditional Use Permit (CUP) for a drive-through facility at 1302 E. Mason Street subject to the following conditions:
 - a. Approval of the variance by the Board of Appeals regarding the F.A.R.
 - b. The drive-through aisle and the direction of traffic flow shall be delineated by signs and pavement markings. Pedestrian cross-walks through the drive aisle shall be clearly marked along the connection to the East Mason Street right-of-way.
 - c. 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. (Public Hearing held 04/12/2021)
5. To amend Sections 13.605, 14.302 and 14.303 of the Green Bay Municipal Code related to removal of Area Development Plan (ADP) language. (Public Hearing held 04/12/2021)
6. To remove all Area Development Plans (ADPs) from the City's Official Map.

P. Report of the Finance Committee (April 13, 2021).

1. To receive and place on file a request by Ald. Brunette to the Finance Committee which states: "To approve the funding required to have an outside Human Resource Department or consultant review the workplace complaint of the former City Clerk in order to report to the City Council."

2. To approve as amended a resolution in support of a strong state and local partnership and increased state budget funding for the shared revenue program.

Q. Report of the Park Committee (April 14, 2021).

1. To direct staff to proceed with negotiations for the purchase of the Woods Golf Course Greenway as directed 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 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 receive and place on file the staff update on fat tire biking at He-Nis-Ra Park.
3. To receive and place on file the staff update on Lifeguard recruiting efforts.

R. Report of the Personnel Committee (April 13, 2021).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Operator I - Public Works
2. To approve the request to reclassify the Financial Analyst position from a part-time position to a full-time position.
3. To receive and place on file on having an outside Human Resource Department or consultant review the workplace complaint of the former City Clerk and report to the City Council.
4. To approve the request to reclassify (1) one Public Works Building Maintenance Technician position to an HVAC Technician position and approval to fill the position and all subsequent vacancies.
5. To approve the request to reclassify a part-time Casual Worker position to a part-time Cleaner position.
6. To receive and place on file the request to discuss and evaluate the expiration date for the City's Policy on COVID-19 Paid Sick Leave for each employee group as the COVID-19 vaccine becomes available to City employees.
7. To receive and place on file the request by Ald. Brian Johnson to the Personnel Committee for an update on the alderperson orientation program that was submitted approximately two years ago.

S. Report of the Economic Development Authority (April 5, 2021).

1. To receive and place on file the Commercial Real Estate Market Study.
2. To approve the Shared Corridor Vision Report with the condition the report is sent to the Mayor's Office for consideration of additional funding.

3. To approve the Downtown Area Parklet Grant program with the amendment the allocation of funds from TID #5 be increased from \$20,000 to \$25,000.

T. Receive and Place on File.

1. Building Permit Report for March 2021
2. Municipal Court Report for March 2021.

U. Resolutions.

1. Resolution authorizing conditional use permit at 1440 Smith Street.
2. Resolution authorizing conditional use permit at 1302 East Mason Street.
3. Resolution drawing final orders to contractors for April 20, 2021.
4. Resolution in support of a strong state and local partnership and increased state budget funding for the shared revenue program.
5. Resolution approving acquisition of right-of-way for Tax Parcel No. 5-1363.
6. Resolution expressing full confidence in the administration of Green Bay's August and November 2020 Elections (held from the Common Council meeting on March 16, 2021).

V. Ordinances - First Reading.

1. Zoning Ordinance No. 05-21
An ordinance rezoning the property located along Erie Road (Parcel 21-40-6) from Rural Residential (RR) to Low-Density Residential (R1), Conservancey (CON), and Medium Density Residential (R2).
2. General Ordinance No. 08-21
An ordinance amending Sections 13-605, 14-302, and 14-303, Green Bay Municipal Code relating to Area Development Plan language removal.
3. Planning Ordinance No. 02-21
An ordinance amending the Official Map of the City of Green Bay to remove all Area Development Plans.
4. General Ordinance No. 09-21
An ordinance amending Section 8.11, Green Bay Municipal Code, relating to noxious weeds and maintenance of vegetation.

W. Committee of the Whole

- I. Consideration with possible action on allegations pertaining to the 2020 Election, including discussion about recent media reports and the March 10, 2021 Wisconsin Assembly Committee on Campaigns and Elections meeting.

The Common 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 Common 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 on a Resolution Expressing Full Confidence in the Administration of Green Bay's August and November 2020 Elections.

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.