



AGENDA OF THE COMMON COUNCIL

TUESDAY, JUNE 29, 2021, 6:00 PM

In person at City Hall Room 200.

Virtual attendance also available 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 Barbara Dorff, District I.

E. Approval of Minutes.

- I. Approval of the minutes from the June 1, 2021 Common Council meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

- I. In recognition of an heroic act by Jerry Bruley, Electrical Foreperson in the Department of Public Works. Mr. Bruley has been an employee since June 29, 2015.

J. Appointments.

- I. Appointments:
 - I. **New Appointments:**

Economic Development Authority

Christopher Garcia, 401 N Washington St., Apt. 221, Green Bay, WI 54301
Term to expire: June 1, 2024

Landmarks Commission

Rebecca Derenne, 817 N Chestnut Ave., Green Bay, WI 54303
Term to expire: October 1, 2022

Sex Offender Residence Board

Dominique McQueen, 1324 Syringa Blvd., Green Bay, WI 54303
Term to expire: May 1, 2026

K. Ordinances - Second Reading for Adoption.

1. General Ordinance No. 14-21
An ordinance amending Sec. 40-29(m), Green Bay Municipal Code, relating to Class "B" parking violations.
2. General Ordinance No. 15-21
An ordinance amending Section 40-71, Green Bay Municipal Code, relating to Traffic Regulations.

L. Report of the Finance Committee (June 22, 2021).

1. To approve a 2-year contract for cellular phone service with Cellcom. Contract rates piggyback off Brown County contract agreement. Rate plan analysis attached.
2. To approve updates to the Procurement Manual, including updating the procurement threshold to \$10,000. Updated manual attached.
3. To adopt a resolution supporting the legislation of how municipalities pay tax refunds.
4. To approve Law's proposal to pay for outside counsel to provide assistance on certain projects out of the contingency fund for a total of \$43,450. Original referral from the May 25th, 2021 Personnel meeting requests to "have staff study the need for more staff for the City Attorney's office".
5. To receive and place on file the report of the Claims Committee.

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.

6. To approve the 2021 borrowing request.
7. An Initial Resolution Authorizing the Issuance of Not to Exceed \$2,145,000 General Obligation Bonds for Street Improvements.
To suspend the rules and take items 7-17 together with one roll call vote.
To approve items 7-17.

8. An Initial Resolution Authorizing the Issuance of Not to Exceed \$1,415,000 General Obligation Bonds for Sewerage Improvements.
9. An Initial Resolution Authorizing the Issuance of Not to Exceed \$725,000 General Obligation Bonds for Parking Lots or Other Parking Facilities.
10. An Initial Resolution Authorizing the Issuance of Not to Exceed \$720,000 General Obligation Bonds for Fire Engines and Other Equipment of the Fire Department.
11. An Initial Resolution Authorizing the Issuance of Not to Exceed \$840,000 General Obligation Bonds for Parks and Public Grounds.
12. An Initial Resolution Authorizing the Issuance of Not to Exceed \$375,000 General Obligation Bonds for Bridge Improvements.
13. An Initial Resolution Authorizing the Issuance of Not to Exceed \$460,000 General Obligation Bonds for Harbor Improvements.
14. An Initial Resolution Authorizing the Issuance of Not to Exceed \$2,040,000 General Obligation Bonds to Provide Financial Assistance to Blight Elimination, Slum Clearance, Community Development, Redevelopment, and Urban Renewal Programs and Projects.
15. A Resolution Authorizing and Providing for the Issuance of Not to Exceed \$8,720,000 General Obligation Corporate Purpose Bonds; Providing for the Notification and Sale of Said Bonds; and Other Related Details.
16. A Resolution Authorizing and Directing the Publication of Notice of the Adoption of Initial Resolutions.
17. An Initial Resolution Authorizing the Sale and Issuance of General Obligation Promissory Notes; and Certain Related Details.

M. Report of the Redevelopment Authority (June 8, 2021).

- I. To approve the development agreement as presented with 200 N. Monroe PropCo LLC regarding the redevelopment of the properties located at 227 N. Quincy St., 221 N. Quincy St., 624 Pine St., 618 Pine St., 616 Pine St. and 605 Cherry St., as well as a request for Tax Incremental Financing assistance for the project, and forward a final development agreement from the RDA to City Council once reviewed and approved by the City Attorney.

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, and 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.

N. Report of the Improvement & Services Committee (June 23, 2021).

1. To approve the request by Bird Rides, Inc. to execute a Memorandum of Understanding (MOU) to establish a pilot program for electronic scooter operation with the City of Green Bay.
2. To approve as amended the General Ordinance 17-21 to create Section 40-139, Green Bay Municipal Code, relating to electric scooter regulations.
3. To refer to staff on granting easements to AT&T and other public utilities for installation and infrastructure work in the public right-of-way, specifically but not entirely in the area of Parkwood Drive, Fawn Lane, and Packerland Drive. (Ald. Brunette)
4. To refer to staff to prepare a draft ordinance and bring back to Committee for approval the request by Department of Public Works to establish limits for the determination of indigency as required under Section 34-42 (f), Green Bay Municipal Code.
5. To approve the request by Department of Public Works regarding approval of the annual Compliance Maintenance Annual Report (CMAR) and resolution for the Wisconsin Department of Natural Resources (WDNR) sanitary sewer collection permit and authorize the Mayor and City Clerk to execute the resolution, and authorize the Director of Public Works to submit the report to the WDNR.
6. To approve the request by Department of Public Works to enter into a County/Municipal Agreement for safety improvements at the intersection of West Mason Street and Packerland Drive and authorize the Director of Public Works to execute the Agreement.
7. To approve the request by Parks Department and Department of Public Works to accept a NRDA Grant to fund improvements at the Green Bay Metro Boat Launch.
8. To approve the request by Department of Public Works to award the following construction contracts at a staff level and report the award at the next regular meeting of the Improvement and Services Committee:
 - A. LEICHT PARK FENDERING AND MOORING
 - B. SEWERS 3-21 N. DANZ AVENUE STORM SEWER
 - C. SEWERS 4-21 (MINI SEWER)
 - D. SEWERS 5-21 EAST SHORE DRIVE SANITARY LIFT STATION
9. To approve the award of the following contracts:
 - A. SEWERS 2-21 (BASIN REPAIR) to the low responsive bidder, PTS Contractors, Inc., in the amount of \$717,000.
 - B. WSG 1-21 TUCK POINTING to the low responsive bidder, Berglund Construction Co., in the amount of \$87,560.
10. To receive and place on file the report of actions taken by Department of Public Works

A. Granting of Licenses

I. Sidewalk Builder

- a. A & M Concrete and Construction
- b. Carter Construction
- c. Complete Concrete Solutions LLC
- d. Douglas J. Maurer Concrete, LLC
- e. Lakefront Flatwork and Construction
- f. Skyline Contractors LLC
- g. Total Construction

O. Report of the Protection & Policy Committee (June 22, 2021).

1. To hold a renewal application for a "Class B" Combination license by the Cannery Market, LLC at 320 N. Broadway Suite 101 until the August 23, 2021 Protection & Policy Committee meeting.
2. To approve a change of agent for Pit Row, Inc. at 2030 University Ave.
3. To approve a change of agent at Lost Bandito's West LLC at 2335 W. Mason St.
4. To approve a request by The Automobile Gallery at 400 S. Adams St. to extend their licensed premises to the parking lot on July 10, 2021 subject to complaint.
5. To approve a renewal application for a "Class B" Combination-Reserve license by the Daily Buzz, LLC at 130 E. Walnut St. with a change of agent, with the approval of the proper authorities.
6. To approve a renewal application for a "Class B" Combination license by Bay Beer Bellys LLC at 708 Bodart St., with the approval of the proper authorities.
7. To approve a renewal application for a "Class B" Combination license by Jam Rock GB LLC at 700 Bodart St., with the approval of the proper authorities.
8. To approve a renewal application for a "Class B" Combination license by MO-J Willis Inc. at 2035 University Ave., with the approval of the proper authorities.
9. To approve a renewal application for a "Class B" Combination license by Belgium, LLC at 2600 Niagara Tr., with the approval of the proper authorities.
10. To approve a renewal application for a "Class B" Combination license by Chepbop, LLC at 709 S. Broadway, with the approval of the proper authorities.
11. To approve a renewal application for a "Class A" Liquor and Class "A" Beer license by Nicolet Gas, Inc. at 2260 Nicolet Ave., with the approval of the proper authorities.
12. To waive the ordinance requirements for an outdoor premise with respect to fence height and imperviousness and to approve an application for a "Class B" Combination license for Captain Jack's LLC at 101 Bay Beach Rd. with a licensed premises description as "2 BUILDING IN CENTER OF SOUTH BAY MARINA, SWIM POOL, PATIOS TO EAST AND SOUTH," with the approval of the proper authorities.

13. To approve a liquor license renewal application for the 2021-2022 license year for Captain's Jack LLC at 101 Bay Beach Rd, pending the approval of the original application at the June 29 Council meeting, with the approval of the proper authorities.
14. To refer to staff a request by Alder Dorff to extend the term length of alderpersons.
15. To receive and place on file the Report on Homelessness, Green Bay Police Department.
16. To receive and place on file The Liquor Violation Report for June 21, 2021.

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

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

Q. Report of the Plan Commission (June 7, 2021 and June 21, 2021).

1. To authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) district at 108 N. Quincy Street, subject to 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 & Meeting 06/07/21)
2. To authorize a Conditional Use Permit (CUP) for a drive-through facility at 1979 Main Street, subject to:
 - a) The property owner/applicant initiate a land division and proposal for future land use(s), prior to occupancy of the proposed restaurant, to find an appropriate land use for the remnant land beyond the scope of the proposed restaurant.
 - b) Approval of the Traffic Impact Analysis (TIA) and conditions of approval by the City Traffic Engineer.
 - c) Approval of the requested variance by the Board of Appeals regarding the F.A.R. requirement.
 - d) 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. (06/07/21)
3. To amend a Conditional Use Permit (CUP) for an expanded assisted living facility, 421 Erie Road, subject to:
 - a) Any expansion of Community Living Arrangement or Assisted Living uses will require an amendment to this Conditional Use Permit.
 - b) Compliance with all the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval. (Public Hearing & Meeting 06/07/21)
4. To hold over the request to amend the Planned Unit Development (PUD) at 610 N. Broadway for the NEW Community Clinic to allow for staff to work with the applicant regarding the scale of the building and consideration of reduced parking along the North Broadway frontage. (Public Hearing & Meeting 06/07/21)
5. To amend the Planned Unit Development (PUD) at 610 N. Broadway for the NEW Community Clinic, subject to the draft Planned Unit Development (PUD). (06/21/21)

6. To authorize a Conditional Use Permit (CUP) for a two-family dwelling located at 1406 Smith Street, with the following condition:
 - a) Compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP).
(Public Hearing and Meeting 06/21/21)
7. To create a Planned Unit Development (PUD) at 2400 E. Mason Street, subject to the draft Planned Unit Development (PUD). (Public Hearing and Meeting 06/21/21)
8. To approve the closure of an unimproved right-of-way of Cass Street to S. Adams Street to limit vehicular traffic, subject to the Department of Public Works conditions:
A Hold Harmless Agreement shall be prepared, executed by City and adjacent owner to the north and recorded with the Brown County Register of Deeds which shall include but not limited to the following as to the area Closed to Vehicular Traffic: Purpose of use; Who may use; Who shall pay costs for construction; Who shall pay costs terminated; etc. (06/21/21)
9. To amend Municipal Code Chapter 44-554: Table 44-2, Lot Dimension & Building Bulk Requirement Associated with Minimum Building Widths from 25 ft. to 22 ft. (Public Hearing and Meeting 06/21/21)

R. Report of the Park Committee (June 23, 2021).

1. To approve the final master plan for Olde Preble Park.
2. To approve the request the request by Ducks Unlimited and UW-Green Bay to manage the phragmites with herbicide at Ken Euers Park.
3. To approve the request by Wisconsin Public Service to grant a 12' wide utility easement at Christa McAuliffe park.
4. To approve the request by Wisconsin Public Service to grant a 12' wide utility easement at Triangle Hill in the Baird's Creek Greenway.
5. To receive and place on file the staff update on the current staffing levels for the pools.

S. Report of the Personnel Committee (June 22, 2021).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Building Inspector - Community & Economic Development
 - b. Operator I - Public Works
 - c. Truck Driver - Public Works
 - d. Parking Building Technician - Public Works
2. Update and discussion on Green Bay Professional Police Association labor negotiations

The Council may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Council may thereafter reconvene in

open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

T. Report of the Tax Incremental Districts Joint Review Board (June 23, 2021).

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

U. Report of the Economic Development Authority (June 7, 2021).

- I. To adopt the Brownfields Revolving Loan Fund Policies and Procedures.

V. Receive and Place on File.

- I. The Municipal Court Report for May 2021.
2. Building Report for May 2021

W. Ordinances - First and Final Reading for Adoption

- I. General Ordinance 17-21
An ordinance to create Section 40-139, Green Bay Municipal Code, relating to electric scooter regulations.

X. Resolutions.

- I. Resolution authorizing conditional use permit at 108 N. Quincy Street.
2. Resolution authorizing conditional use permit at 1979 Main Street.
3. Resolution amending the conditional use permit authorized at 421 Erie Road.
4. Resolution authorizing conditional use permit at 1406 Smith Street.
5. Resolution supporting the legislation of how municipalities pay tax refunds.
6. Initial Resolution Authorizing the Issuance of Not to Exceed \$2,145,000 General Obligation Bonds for Street Improvements.
7. Initial Resolution Authorizing the Issuance of Not to Exceed \$1,415,000 General Obligation Bonds for Sewerage Improvements.
8. Initial Resolution Authorizing the Issuance of Not to Exceed \$725,000 General Obligation Bonds for Parking Lots or Other Parking Facilities.
9. Initial Resolution Authorizing the Issuance of Not to Exceed \$720,000 General Obligation Bonds for Fire Engines and Other Equipment of the Fire Department.
10. Initial Resolution Authorizing the Issuance of Not to Exceed \$840,000 General Obligation Bonds for Parks and Public Grounds.
11. Initial Resolution Authorizing the Issuance of Not to Exceed \$375,000 General Obligation Bonds for Bridge Improvements.

12. Initial Resolution Authorizing the Issuance of Not to Exceed \$460,000 General Obligation Bonds for Harbor Improvements.
13. Initial Resolution Authorizing the Issuance of Not to Exceed \$2,040,000 General Obligation Bonds to Provide Financial Assistance to Blight Elimination, Slum Clearance, Community Development, Redevelopment, and Urban Renewal Programs and Projects.
14. Resolution Authorizing and Providing for the Issuance of Not to Exceed \$8,720,000 General Obligation Corporate Purpose Bonds; Providing for the Notification and Sale of Said Bonds; and Other Related Details.
15. Resolution Authorizing and Directing the Publication of Notice of the Adoption of Initial Resolutions.
16. Initial Resolution Authorizing the Sale and Issuance of General Obligation Promissory Notes; and Certain Related Details.
17. Resolution drawing final orders to contractors for June 29, 2021.
18. Resolution authorizing transfer of funds from contingency to legal expenses for a total of \$43,450.
19. Resolution approving the Wisconsin Department of Natural Resources NR 208 - Compliance Maintenance Annual Report.

Y. Ordinances - First Reading.

1. Zoning Ordinance No. 07-21
An ordinance amending Zoning Ordinance No. 12-10 for planned unit development (PUD) located at 610 N. Broadway.
2. Zoning Ordinance No. 06-21
An ordinance creating a planned unit development (PUD) for property located at 2400 E. Mason Street.
3. General Ordinance No. 16-21
An ordinance amending Section 44-554, Table 44-2, Green Bay Municipal Code, relating to minimum building width.
4. Planning Ordinance No. 03-21
An Ordinance amending the Official Map of the City of Green Bay by closing a portion of Cass Street to Public Traffic.

Z. Committee of the Whole

1. Consideration with possible action on initiating litigation against opioid manufacturers for potential violations of law in the marketing, sale, and distribution of opioids.

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 grant final approval authority to the Protection and Policy Committee for liquor license applications, liquor license amendments and operators licenses from July 1, 2021 to July 31, 2021.

AA. Referral of Petitions & Communications.

BB. 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.