



AGENDA OF THE COMMON COUNCIL

TUESDAY, AUGUST 3, 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 Veronica Corpus-Dax, District 2.

E. Approval of Minutes.

- I. Approval of the minutes from the June 29, 2021 Common Council Meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. New Appointments:

Ethics Board

Janet Hathaway, 3079 Bay View Dr., Green Bay, WI 54311

Term to expire: March 1, 2024

CDBG Revolving Loan Fund Committee

Ace Champion, 900 S. Jackson St., Green Bay, WI 54301

Term to expire: August 1, 2024

Kathy Hinkfuss, 525 Antelope Trl., Green Bay, WI 54313

Term to expire: August 1, 2024

Downtown Business Improvement District Board

Tracy Hillesheim, 6652 Northernnaire Dr., Sobieski, WI 54171

Term to expire: August 1, 2024

Traffic, Bicycle and Pedestrian Commission

Patrick Sorelle, 3160 Open Gate Tr., Green Bay, WI 54313

Term to expire: May 1, 2022

Board of Review

Eric Drzewiecki, 632 S. Roosevelt St., Green Bay, WI 54301

Term to expire: July 1, 2026

Reappointments:

Green Bay Sustainability Commission

Mark Walter, 1350 Servais St., Green Bay, WI 54304

Term to expire: August 1, 2024

Seth Hoffmeister, 1136 Lawe St., Green Bay, WI 54301

Term to expire: August 1, 2024

J. Public Hearings.

1. 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.

K. Ordinances - Second Reading for Adoption.

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. 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.

L. Report of the Redevelopment Authority (July 13 and July 27, 2021).

1. To approve the development agreement with Toonen Properties, as discussed in closed session, for up to \$5 million in TIF assistance for completion of demolition of existing structures and development of approximately 209 market rate apartments on the former JBS Packerland site at 2580 University Avenue (Parcel 21-301), and replacing the previously executed agreement with TMD Properties, subject to any final text amendments by the City Attorney, and forward to the City Council for their consideration.

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.

2. To approve the amendment to the development agreement with Whitney School Development, LLC to advance the first PayGo TIF payment to the Developer to 2021, subject to 1) confirmation of available cash flow in TID 20, and 2) that the Developer has met its other obligations under the current development agreement, for the Whitney School Apartments (Lofts) development at 215 N. Webster Avenue (Parcel 9-112).

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M. Report of the Park Committee (July 28, 2021).

1. To approve the continuation of the St. John's Homeless Support Program at St. John's Park through November 1, 2021.
2. To receive and place on file the request by Ald. Lefebvre and Ald. Stevens for the Parks Department to use best practices for grass cutting, which includes no cutting when there is no rain for 2 weeks and to set the cutting height between 2-3 inches.
3. To approve the Design, Construction & Dedication Agreement with the Baird Creek Preservation Foundation for the construction of the Bike Skills Course at Triangle Hill.
4. To approve naming rights for the Baird Creek Bike Skills Course to be called the Saris Bike Park.
5. To approve a resolution committing to fund bike trail improvements in the Baird Creek Greenway.
6. To refer to staff to create a report summarizing the Forestry Department's 2-3 year Ash Tree Removal Plan and present it to the Parks Committee by September and a future Citywide Neighborhood Association Meeting.

7. To eliminate the relocation of the Colburn Hockey Rink project and reallocate \$110,000 from the Colburn Hockey Rink and Colburn ballfield projects to go towards the Baird Creek Pedestrian Bridge project.

N. Report of the Improvement & Services Committee (July 28, 2021).

1. To refer to staff the request to investigate correcting erosion issues on the 1000 block of Lacount Road. (Ald. Brunette)
2. To refer to staff the request for the City to establish minimum setback distances from the flood management dike on the south shore of Green Bay. (Ald. Lefebvre)
3. To receive and place on file the request to create an ordinance prohibiting residents from constructing permanent structures or amenities on top of or through the flood management dike on the south shore of Green Bay. (Ald. Lefebvre)
4. To approve the request by Department of Public Works to award a contract for Topographic Surveying Services Resurfacing Program & Traffic Signals to Ayres Associates, Inc. in the amount of \$69,912.50.
5. To approve a resolution releasing access easement on the alley from Main Street to Pine Street, east of Clay Street.
6. To approve the report of the Procurement Manager:
 - A. To purchase a used front end loader and grapple bucket from Aring Equipment Company for the sum of \$170,927. Equipment was a rental unit and all rent payments are being applied and credited to the City on purchase. Quote attached.
 - B. To purchase 2 Toolcats and attachments from Bobcat Plus, Inc. for the sum of \$126,206. Purchase is made off Sourcewell contract with local discount applied. Pricing verified based on previous bids of similar equipment. Quote attached.
 - C. To purchase a Dump Body/Wing/Plow for tandem axel trucks from Monroe Equipment for the sum of \$119,940. Purchase made from Sourcewell contract with local discount applied. Monroe Equipment has been only vendor able to meet spec in past. Quote attached.
 - D. To purchase a Loader Wing/Plow from Monroe Equipment for the sum of \$47,590. Purchase made from Sourcewell contract with local discount applied. Monroe Equipment has been only vendor able to meet spec in past. Quote attached.
 - E. To purchase 2 V-box Spreaders from Monroe Equipment for the sum of \$46,428. Purchase made from Sourcewell contract with local discount applied. Monroe Equipment has been only vendor able to meet spec in past. Quote attached.
 - F. To purchase a tandem axel truck chassis from Packer City International for the sum of \$97,719. Purchase made from Sourcewell contract with local discount applied. Pricing aligns with previous bid plus steel surcharge added. Quote attached.

7. To approve the award of the contract PARKS 2-21 (PEDESTRIAN BRIDGE OVER BAIRD CREEK) to the low responsive bidder, Michels Corp., in the amount of \$309,161.
8. To receive and place on file the report of award of the following contracts:
 - A. SEWERS 3-21 N. DANZ AVENUE STORM SEWER to the low responsive bidder, Peters Concrete Co., in the amount of \$366,515.50.
 - B. SEWERS 4-21 MINI-SEWERS to the low responsive bidder, Dorner Inc., in the amount of \$393,719.20.
9. To approve the request by Speedy Clean, Inc. to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.
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. Custom Concrete & Hardscapes LLC
 - b. James J. Calmes & Son, Inc.
 - c. Titledown Construction LLC
 2. Tree and Brush Trimmer
 - a. WB Tree Service
 3. Underground Sprinkler System
 - a. NEW Irrigation, LLC dba Conserva Irrigation

O. Report of the Protection & Policy Committee (July 26, 2021).

1. To hold a renewal application for a "Class B" Combination license by Strats, Inc. at 2850 Humboldt Rd. until the September 13th Protection & Policy Committee meeting. *(The Protection & Policy Committee took final action on this item at the July 26, 2021 Protection & Policy Committee).*
2. To approve a renewal liquor license application for a "Class B" Combination license by Dawn Van Pay at 1610 Cass St. *(The Protection & Policy Committee took final action on this item at the July 26, 2021 Protection & Policy Committee).*
3. To approve a request by Richard Craniums at 840 S. Broadway to temporarily extend their licensed premises to the outside parking lot on September 25 for CraniumFest, subject to complaint.

4. To approve the release of the 2020-2021 "Class B" Combination licenses to the pool of available licenses due to no action take for the 2021-2022 license year.
5. To approve an available "Class B" Combination license by Appleton Golf, LLC at 2255 Main St. with a license description as "10,000 square feet, open concept w u-shaped bar 5 golf simulators on left/rt w/ bathrooms, off, back storage," with the approval of the proper authorities.
6. To approve a request by I.T. Department to discontinue use of Green Bay Public Television Channel 4 in lieu of repairing malfunction equipment.
7. To refer to staff a request by Ald. Lefebvre for an update on fireworks. Requesting that the Green Bay shorten the time permitted to sell fireworks to 2 days before the 4th of July and ends on the eve of the 4th of July.
8. To approve a request by Ald. Scannell for the city to pass a notpartisan redistricting resolution.
9. To refer to staff a request by Ald. Brian Johnson, for consideration and possible action to modernize the ordinance and permit fees related to the operation of food trucks in the City of Green Bay including possible partnership with the Brown County Health Department.
10. To refer to staff a request by Ald. Galvin to reexamine the municipal fine for possession of marijuana.
11. To hold to the August 23rd meeting a request by Ald. Brunette to consider a refund of inspection charges for 2593 Sumac Place.
12. To receive and place on file The Liquor Violation Report for July 26, 2021.
13. To receive and place on file the Report on Homelessness, Green Bay Police Department.

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

- I. Report of the Protection & Policy Committee granting Operator Licenses

Q. Report of the Plan Commission (July 26, 2021).

1. To authorize a Conditional Use Permit (CUP) for a metal storage building exceeding 120 sq. ft. in a Public Institutional (PI) district located at 1520 South Point Road, subject to compliance with all of the regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit (CUP), including standard site plan review and approval. (Public Hearing held 07/26/2021)
2. To appoint Tracy Hillesheim from the Hyatt on Main to the Downtown Green Bay, Inc.'s Business Improvement District (BID) Board.
3. To hold over updates to Article XVIII. Off-Street Parking, Drives, and Loading, Green Bay Municipal Code, submitted by Green Bay Community and Economic Development. (Public Hearing held 07/26/2021)

R. Report of the Finance Committee (July 27, 2021).

1. To receive and place on file the 2020 year-end financial results for the City.
2. To recommend moving forward with refinancing of the 2013 RDA Lease Revenue Bond (K12).
3. To approve the purchase of 2 Ambulances for the Green Bay Metro Fire Department from Jefferson Fire & Safety for the sum of \$544,163.36 based on the contract put in place from 2020 RFB 3266. Summary attached.
4. To receive and place on file the report of the Claims Committee.

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5. To receive and place on file the pending litigation status update.

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6. To proceed as discussed in closed session with opioid litigation.

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.

7. To deny action on a request by Kris Teske for conflict counsel for the WEC Complaint titled, Carlstedt, et al. v. Meagan Wolfe, et al.

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.

S. Report of the Personnel Committee (July 27, 2021).

- I. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Programmer Analyst - Information Technology
 - b. Engineering Technician - Public Works
 - c. Mechanic - Public Works
 - d. Operator II - Public Works

2. To approve the following wage agreements with a 1% general salary increase effective in which October 1, of the respective year occurs.
 - a. Parks & Forestry Labor Association 2021
 - b. Public Works Labor Association 2021

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.

3. To approve staff to proceed as directed as discussed in the closed session for the Green Bay Professional Police Association labor negotiations.

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T. Report of the Public Arts Commission (July 28, 2021).

1. To approve the selection of the following ten finalists as well as five reserve finalists, ranked in order based on scores received, for the Paint in the Parks, park shelter mural project:
 1. H1 - Frisbee
 2. Q1 - Return of Pelican
 3. L2 - Do We See Ourselves In Each Other?
 4. A1 - Music Is Life
 5. E1 - Flight Pattern
 6. T2 - Nocturnal Nature
 7. K1 - Dance of the Dragonfly
 8. O1 - American Robin (in-flight)
 9. F1 - Seasons: Fall Mandala | Winter Mandala
 10. S4 - Abstract Interior #17
 11. B1 - Olde Preble Park Turtle/Caterpillar
 12. I2 - Green Bay Modern Postcard #2
 13. R3 - Flora, Fauna & Fish
 14. D2 - We Rise
 15. Y2 - You Will Change The World

U. Report of the Traffic, Bicycle, and Pedestrian Commission (July 19, 2021).

1. To refer to staff the request to install crosswalk buttons at the intersection of Porlier Street and Monroe Avenue for pedestrians crossing Porlier Street.
2. To refer to staff for study the request to convert the signalized intersection of Taylor Street and Dousman Street to a 3-WAY STOP condition.
3. To improve traffic conditions and enforcement of violations on city streets by (1) Common Council drafting a resolution to the State of Wisconsin in support of eliminating the traffic photo-enforcement ban statute; (2) increasing funding for moving radar units within police vehicles; and (3) increasing the number of traffic enforcement officers.
4. To remove the NO PARKING zone on the east side of Auto Plaza Drive, from Auto Plaza Way to a point 140 feet south of Auto Plaza Way.

5. To remove the NO PARKING zone on the east side of Auto Plaza Drive, from a point 215 feet south of Auto Plaza Way to a point 303 feet south of Auto Plaza Way.
6. To remove the NO PARKING zone on the east side of Auto Plaza Drive, from a point 483 feet south of Auto Plaza Way to a point 584 feet south of Auto Plaza Way.
7. To remove the NO PARKING zone on the west side of Auto Plaza Drive, from a point 200 feet south of Auto Plaza Way to a point 275 feet south of Auto Plaza Way.
8. To remove the NO PARKING zone on the west side of Auto Plaza Drive, from a point 440 feet south of Auto Plaza Way to a point 515 feet south of Auto Plaza Way.
9. To remove the NO PARKING zone on the east side of Donald Driver Way from a point 290 feet north of Dousman Street to its north terminus.
10. To remove the NO PARKING zone on the west side of Donald Driver Way from a point 310 feet north of Dousman Street to its north terminus.
11. To establish a NO PARKING zone on both sides of Kellogg Street from Broadway to Donald Driver Way and adopt by ordinance.
12. To establish a NO PARKING zone on the east side of Donald Driver Way from a point 290 feet north of Dousman Street to a point 285 feet north of Kellogg Street and adopt by ordinance.
13. To establish a NO PARKING zone on the west side of Donald Driver Way from a point 310 feet north of Dousman Street to a point 285 feet north of Kellogg Street and adopt by ordinance.
14. To establish a NO PARKING zone on both sides of Donald Driver Way from a point 370 feet south of Bond Street to Bond Street and adopt by ordinance.
15. To establish a NO PARKING zone on both sides of Bond Street from a point 70 feet west of Donald Driver Way to Donald Driver Way and adopt by ordinance.
16. To establish a NO PARKING zone on both sides of Bond Street from Broadway to a point 70 feet east of Broadway and adopt by ordinance.
17. To establish a NO PARKING 30-MINUTE LOADING zone on the north side of Bond Street from a point 70 feet west of Donald Driver Way to a point 140 feet west of Donald Driver Way and adopt by ordinance.
18. To establish a 2-HOUR PARKING 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the north side of Bond Street from a point 70 feet east of Broadway to a point 350 feet east of Broadway and adopt by ordinance.
19. To establish a 2-HOUR PARKING 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on the south side of Bond Street from a point 70 feet east of Broadway to a point 420 feet east of Broadway and adopt by ordinance.

V. Receive and Place on File.

1. Building Report for June 2021
2. The Municipal Court Report for June 2021

W. Resolutions.

1. Resolution approving dedication of City-owned lands required for Seymour Court rights-of-way.
2. Resolution approving dedication of City-owned lands required for School Place rights-of-way.
3. Resolution approving dedication of City-owned lands required for S. Oakland Avenue rights-of-way.
4. Resolution authorizing conditional use permit located at 1520 South Point Road.
5. Resolution supporting non-partisan redistricting.
6. Resolution supporting the passage of legislation permitting the use of photo-enforcement of traffic regulations.
7. Resolution approving Hold Harmless Agreement to Speedy Clean, Inc. to conduct inspection of sewer mains and laterals.
8. Resolution committing to fund bike trail improvements in the Baird Creek Greenway.
9. A Resolution Authorizing and Providing for the Sale and Issuance of \$3,205,000 General Obligation Promissory Notes, Series 2021C, and All Related Details.
10. A Resolution Authorizing and Providing for the Sale and Issuance of \$8,720,000 General Obligation Corporate Purpose Bonds, Series 2021B, and All Related Details.
11. Resolution releasing access easement on the alley from Main Street to Pine Street, east of Clay Street

X. Ordinances - First Reading.

1. General Ordinance No. 19-21
An ordinance amending Section 40-34, Green Bay Municipal Code, Relating to Parking Regulations.

Y. Referral of Petitions & Communications.

Z. 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.