



AGENDA OF THE COMMON COUNCIL

TUESDAY, AUGUST 17, 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 Lynn Gerlach, District 3.

E. Approval of Minutes.

- I. Approval of the minutes from the August 3, 2021 Common Council Meeting.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

- I. Redevelopment Authority - On Broadway, Inc. Liaison
Brooke Gehrke, 546 Fox Path Trail, Denmark, WI 54208
Term to expire: March 1, 2022

J. Ordinances - Second Reading for Adoption.

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

K. Report of the Redevelopment Authority (August 10, 2021).

1. To adopt the Initial Resolution Authorizing Actions Necessary for the Sale and Issuance of Taxable Lease Revenue Refunding Bonds for the KI Convention Center Expansion and forward to the City Council on August 17th for their consideration and possible action.
2. To approve the allocation of CDBG-CV2 funds in the amount of \$253,062.34 from the State of Wisconsin to provide public broadband and wireless access to low-moderate income persons at neighborhood parks to be designated at a later date by staff after review and consultation with Brigid Riordon to determine a plan to reach as many areas as possible with the funding available.

L. Report of the Improvement & Services Committee (August 11, 2021).

1. To receive and place on file the request on correcting erosion issues on the 1000 block of Lacount Road. (Ald. Brunette)
2. To approve the request by area west side residents to install sidewalks on the west side of Green Bay portion of Wood Lane from Hazelwood Lane to Ironwood Drive. Part of the sidewalk costs to the two property owners would be offset from a donation of \$2,500 from resident Paul Secker and a possible grant obtained from the MacArthur Heights Neighborhood Association and work collaboratively with Brown County and/or Ashwaubenon. (Ald. Vander Leest)
3. To hold the request for a 20-year history of road repairs, including alleys (2001-2021), with total expenditure, miles (distance) completed, type (reconstruction vs. resurface), and to denote if the projects were cooperative with County and/or State. (Ald. Wery)
4. To approve the request by Transformation House Holdings, LLC to enter into a parking rental agreement for space in Lot B, located in the 600 block of South Broadway.
5. To approve the request by Skip Heverly (owner of Platten Place Apartments) to renew the Platten Place parking agreement for Lot F.
6. To approve the request by Department of Public Works to execute Amendment XII to the Brown County Municipal Recycling Agreement.
7. To receive and place on file the report of award of the contract SEWERS 5-21 EAST SHORE DRIVE SANITARY LIFT STATION to the low responsive bidder, August Winter & Sons, Inc., in the amount of \$199,000.

M. Report of the Protection & Policy Committee (August 9, 2021).

1. To approve a change of agent for Walgreens Co. at 1165 W. Mason.
2. To approve a change of agent for Walgreen's Inc. at 2204 University Ave.
3. To approve a change of agent at Ultimate Mart, LLC at 1819 Main St.

4. To approve a request by the I.T. Department to discontinue use of Green Bay Public Television Channel 4 in lieu of repairing malfunctioning equipment and for staff to reach out to local stations to see the possibility of airing the meetings.
5. To approve a request by Tux 2, Inc. (Blue Collar to temporarily extend their license premises to the outside parking lot on October 2 for the Grand Opening, subject to complaint.
6. To receive and place on file the The Liquor Violation Report for August 9, 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. (August 9, 2021)

1. To amend the Comprehensive Plan for the property located in the 1420 Block of South Huron Road from Business Park to Medium and High Density Housing and Business Park to Wetland & Private Open Space. (Public Hearing held 08/09/2021)
2. To authorize a Conditional Use Permit (CUP) for a duplex (RI) district located at the corner of 3105 Sandstone Court and 1413 Sandstone Place, subject to the following conditions:
City of Green Bay zoning and building approvals are required prior to commencing construction of buildings, structures, drives, or parking areas, and may also be required prior to commencing grading, excavation, filling, or other land disturbing activity. (Public Hearing held 08/09/2021)
3. To authorize a Conditional Use Permit (CUP) for a school addition for NEW Lutheran High School located at 1311 S. Robinson Avenue, with the following conditions:
 - a. Any additional expansions 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.
 - c. The new lights for the addition shall be pointed downward and have zero footcandles past the property lines.
 (Public Hearing held 08/09/2021)
4. To authorize a Conditional Use Permit (CUP) for a shelter use in an Office/Residential (OR) District at 315 S. Jefferson Street, subject to the following conditions:
 - a. A maximum capacity allowable under the International Building Code (IBC).
 - b. If the shelter facility use at 315 South Jefferson Street is discontinued, the operation is dissolved, or if Newcap no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
 - c. At the discretion of the Common Council, Plan Commission, or the Planning Director a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the rooming & boarding house but not limited to:
 - 1) Police calls and other documented safety concerns.

- 2) Inadequate facilities.
 - d. Conformance with the submitted operating plan submitted by the applicant.
 - e. Compliance with all other regulations of the Green Bay Municipal Code.
 - f. A site plan be reviewed and approved, by the Community Development Review Team (CDRT).
- (Public Hearing held 08/09/2021)
- 5. To authorize a Conditional Use Permit (CUP) for a dormitory use in an Office/Residential (OR) District at 932 Cherry Street, subject to the following conditions:
 - a. A maximum capacity of 10 individual residents within the dormitory. Any increase in residents will require Plan Commission and Common Council approval.
 - b. If the rooming & boarding house facility use at 932 Cherry Street is discontinued, the operation is dissolved, or if Newcap no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
 - c. At the discretion of the Common Council, Plan Commission, or the Planning Director a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the rooming & boarding house but not limited to:
 - 1) Police calls and other documented safety concerns.
 - 2) Inadequate facilities.
 - d. Conformance with the submitted operating plan submitted by the applicant.
 - e. Compliance with all other regulations of the Green Bay Municipal Code.
 - f. A site plan be reviewed and approved by the Community Development Review Team (CDRT) with appropriate and code compliant lighting and enhanced landscaping for the site.
- (Public Hearing held 08/09/2021)
- 6. To hold over the review of updates to Article XVIII. Off-Street Parking, Drives, and Loading, Green Bay Municipal Code.

P. Report of the Personnel Committee (August 10, 2021).

- 1. To approve the request to reclassify the Public Works Signs Worker Foreperson position from Pay Grade G (\$22.53/hour - \$26.52/hour) to Pay Grade H (\$24.74/hour - \$29.06/hour)

Q. Report of the Economic Development Authority (August 2, 2021)

- 1. To approve the Downtown Parklet Grant request for \$5,000, from the Aging and Disability Resource Center (ADRC) / Grounded Café for a parklet outside 300 S. Adams Street.
- 2. To approve the Development Agreement with Moski Corp regarding the development of the properties located at 1300-1400 Block S. Huron Road with the change to include language to allow for a lien, in the original amount of special assessment, to be placed on the properties so that the City can recover the assessment should the benchmarks not be met.

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.

R. Report of the Finance Committee (July 27, 2021 and August 10, 2021)

1. To approve the purchase of 31 portable radios and batteries for the Fire Department from Baycom for the sum of \$231,861.40. Purchase to be made from Wisconsin Counties Association Contract. Quote attached.
2. 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. (Item was referred from the August 3, 2021 Council meeting.)

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. Committee of the Whole

1. Consideration with possible action on status of litigation in Larmay, et al. v. Meisner, et al., 20-CV-639.

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.

T. Receive and Place on File.

1. Building Permit Report for July 2021
2. Municipal Court Report for August 2021

U. Resolutions.

1. Initial resolution authorizing actions necessary for the issuance and sale of an additional municipal revenue obligation for the KI Convention Center Expansion Project; and certain other related details.
2. Resolution authorizing conditional use permit at 3105 Sanstone Court / 1413 Sanstone Place.
3. Resolution authorizing conditional use permit at 1311 Robinson Avenue.
4. Resolution authorizing conditional use permit at 315 South Jefferson Street.
5. Resolution authorizing conditional use permit at 932 Cherry Street.

V. Ordinances - First Reading.

1. Miscellaneous Ordinance No.03-21
An Ordinance Adopting an amendment to the Smart Growth 2022 Comprehensive Plan of

the City of Green Bay pertaining to property located in the 1420 Block of South Huron Road.

W. Referral of Petitions & Communications.

X. 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.