



MINUTES OF THE COMMON COUNCIL

TUESDAY, NOVEMBER 2, 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 information and instructions for the Zoom Virtual Meeting.

B. ROLL CALL.

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

I. The invocation will be led by Alderman Chris Wery, District 8.

E. APPROVAL OF MINUTES.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve .
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

I. Approval of the minutes from the October 19, 2021 Common Council meeting.

F. APPROVAL OF THE AGENDA.

Moved by Ald. John VanderLeest, seconded by Ald. Veronica Corpus-Dax to approve.
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-

None, Abstain- None.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

I. Reappointments:

Green Bay Area Room Tax Commission

Wendy Townsend, 850 Ernst Dr., Green Bay, WI 54304

Term to expire: November 1, 2022

J. PUBLIC HEARINGS.

No member of the public spoke.

I. 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.

K. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to suspend the rules and take up all with one roll call vote.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to adopt.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

I. 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.

2. Zoning Ordinance No. 10-21

An ordinance rezoning property located at the 1420 Block of South Huron Road from Rural Residential (RR) to Varied Density Residential (R3) and Conservancy (C).

3. General Ordinance No. 24-21

Amending Green Bay Municipal Code Section 24-6(14), relating to public nuisances affecting peace and safety.

L. REPORT OF THE REDEVELOPMENT AUTHORITY (OCTOBER 19, 2021).

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

1. To approve the development agreement regarding the future redevelopment and reuse of the property located at 216 S. Military Avenue, subject to final review by the City Attorney and the Developer, and forwarding it to the City Council for final approval on November 2, 2021.

M. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (OCTOBER 27, 2021).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve except items 3 and 6.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

1. To approve the request by Information Services Group, Inc. (ISG) to rent up to 41 parking stalls in River Ramp.

2. To approve the request to install one 9,000 lumen LED street light on Parkwood Drive 300 ft south of Hazelwood Lane which is between 2450 and 2466 Parkwood Drive. (Ald. Vander Leest)

3. To approve the request by Department of Public Works to enter into a new Solid Waste Management Agreement with Brown County.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

4. To approve the Pipeline Access and Abandonment Agreement with Westshore Pipeline Company,

and to authorize the Mayor and City Clerk to sign the agreement on request by the Department of Public Works.

5. To approve the request by Department of Public Works on proposed 2021-2022 winter contractor rates report.

6. To hold until the November 24, 2021 Improvement and Services Committee meeting the proposed 2022 Parking Division rate structure.

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

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

A. Granting of Licenses

I. Sidewalk Builder

a. Rabine America Maintenance, LLC

N. REPORT OF THE PROTECTION & POLICY COMMITTEE (OCTOBER 25, 2021)

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to approve, except item 3.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

1. To receive and place on file a request by Ald. Lefebvre to look at varying aspects of Green Bay's license alcohol establishments with a discussion on a moratorium, previously discussed at the February Protection & Policy Committee meeting.

2. To approve a "Class A" Liquor & Class "A" Beer license for Prosperity Liquor Inc at 1970 University with a premises description as "sales front and backroom" (Currently licensed as DWS of Green Bay, LLC).

3. To receive and place on file the request by Alder Brunette: "For the sake of full transparency to the public, for discussion with possible action that the Common Council officially request and receive a full list of funders and donors to Law Forward and States United Democracy Center in order for the city to retain them as legal counsel regarding ongoing election issues. These two groups seem to be politically motivated special-interest groups and all the citizens of Green Bay have a right to know who is funding them while the city confers with them on a legal defense on a petition to request and receive a full list of funders and donors to Law Forward and States United Democracy Center" (Ald.

Brunette, District 12).

The Committee 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 Committee 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.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to receive and place on file.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Craig Stevens, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- Brian Johnson, Chris Wery, Jesse Brunette, John VanderLeest, Mark Steuer, Abstain- None.

4. To receive and place on file the Liquor Violation Report for October 25, 2021.

O. REPORT OF THE PROTECTION & POLICY COMMITTEE GRANTING OPERATOR LICENSES.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- None, Abstain- None.

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

P. REPORT OF THE PLAN COMMISSION. (OCTOBER 25, 2021)

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- None, Abstain- None. Alder Johnson votes yes for items 1 and 3 and abstains from item 2.

1. To create a Planned Unit Development (PUD) to permit temporary uses at 216 S. Military Avenue for the temporary PUD for up to three years from the time of approval on the condition that a development agreement, with regard to the future redevelopment of the site is entered into by the Developer and the City.

2. To repeal and recreate a Planned Unit Development (PUD) along the 2300-2400 Block of East Mason Street for East Town Mall, subject to the draft Planned Unit Development (PUD) and the following amendments:

1. Staff to adjust maps, exhibits, and text to address inclusion of parcels 21-126-9-1 and 21-126-13
2. The removal of "masonry" from Sections E.2.c.3, E.2.c.4, E.2.c.5, and E.2.c.6
3. The addition of the following statement at the end of Section D.1.a.: "The City of Green Bay must be a party to this easement."
4. Staff to amend Section E.2 and Exhibit D to add an allowable monument directory sign located at E. Mason Street and East Town Way, with a height not to exceed 12 ft.

3. To approve the amendments to Article XVIII. Off-Street Parking, Drives, and Loading, Green Bay Municipal Code as proposed.

Q. REPORT OF THE PUBLIC ARTS COMMISSION. (OCTOBER 27, 2021)

Moved by Ald. Kathy Lefebvre, seconded by Ald. Barbara Dorff to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

1. To elect Ald. Lynn Gerlach as Chair and Alex Zacarias as Vice Chair of the Green Bay Public Arts Commission.

R. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (OCTOBER 18, 2021).

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

1. To receive and place on file the report by the Police Department of the 2021 3rd quarter serious injury and fatal crashes.

2. To refer to staff for study the request by Ald. Dorff to review the 40 mph speed limit on Church Road and reduce it to 35 mph.

3. To establish a ONE-WAY STOP condition on Gilbert Drive at Ontario Road and adopt by ordinance.

4. To receive and place on file the request by Ald. Dorff on behalf of the Board of Directors at The Preserve for staff to conduct a speed study of Whittier Drive from Huron Road to Erie Road.

5. To refer to staff to evaluate the current signage on Whittier Drive from just east of Purple Sage Drive through the curve at Erie Road and upgrade as necessary.

6. 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.

7. 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.

8. 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.

Minutes of the Common Council

9. 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.
10. 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.
11. 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.
12. 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.
13. To establish a NO PARKING zone on both sides of Kellogg Street from Broadway to Donald Driver Way and adopt by ordinance.
14. 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.
15. 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.
16. 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.

22. To establish a 2-HOUR PARKING 7 AM TO 7 PM MONDAY THROUGH FRIDAY zone on both sides of Donald Driver Way from a point 285 feet north of Kellogg Street to a point 440 feet north of Kellogg Street and adopt by ordinance.

23. To remove the 3-WAY STOP condition at Oakdale Avenue and Huth Street South.

24. To establish a 1-WAY STOP condition on Huth Street South at Oakdale Avenue and adopt by ordinance.

S. REPORT OF THE ECONOMIC DEVELOPMENT AUTHORITY (AUGUST 2, 2021).

Moved by Ald. Barbara Dorff, seconded by Ald. Randy Scannell to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

I. 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 (referred from the August 17, 2021 Council Meeting).

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.

T. RECEIVE AND PLACE ON FILE.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

I. October building report.

U. COMMITTEE OF THE WHOLE

I. Consideration with possible action, on an ordinance establishing Aldermanic Districts, in response to the 2020 Census.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-

None, Abstain- None.

2. Consideration, with possible action, on an application from the Green Bay Botanical Gardens to expand their licensed premise for the purpose of their annual Garden of Lights (a special event).

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve.
Motion passed.

Moved by Ald. Jesse Brunette, seconded by Ald. Mark Steuer to open the floor.
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

Susan Garot, Director of Green Bay Botanical Gardens
2600 Larsen Road 54303

Moved by Ald. Jesse Brunette, seconded by Ald. Barbara Dorff to close the floor.
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Lynn Gerlach to approve .
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

V. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Veronica Corpus-Dax to suspend.
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No-None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to advance.
Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- None, Abstain-None. Alder Johnson votes yes on items 1, 3-5 and abstains from item 2.

1. Zoning Ordinance No. 14-21

An ordinance creating a planned unit development (PUD) for 216 South Military Avenue.

2. Zoning Ordinance No. 13-21

An Ordinance repealing Zoning Ordinances Nos. 38-79, 10-81, 01-87, 20-88, 12-89, 19-96, 13-97, 04-98, 19-98, 26-98, 08-00 and 01-21 and creating a planned unit development (PUD) for the 2300-

2400 Block East Mason Street, East Town Mall.

3. General Ordinance No. 25-21

An ordinance amending Chapter 44, Article XVIII, Green Bay Municipal Code, relating to Off-Street Parking, Drives, and Loading.

4. General Ordinance No. 28-21

An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.

5. General Ordinance No. 27-21

An ordinance amending Section 40-71, Green Bay Municipal Code, relating to traffic regulations.

W. ORDINANCES - FIRST AND FINAL READING FOR ADOPTION

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to suspend the rules to adopt the ordinance with a first and final reading.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to adopt.

Motion Passed.

Yes- Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- Barbara Dorff, Abstain- None.

I. MO 4-21

An ordinance redistricting the City of Green Bay.

X. REFERRAL OF PETITIONS & COMMUNICATIONS.

Y. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. John VanderLeest to adjourn.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson, Chris Wery, Craig Stevens, Jesse Brunette, John VanderLeest, Mark Steuer, Randy Scannell, Veronica Corpus-Dax, Kathy Lefebvre, Lynn Gerlach, No- None, Abstain- None.