



AGENDA OF THE COMMON COUNCIL

TUESDAY, DECEMBER 7, 2021, 6:00 PM

**In person at City Hall Room 203--Council Chambers
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 Alder Brian Johnson, District 9.

E. Approval of Minutes.

F. Approval of the Agenda.

G. Report by the Mayor.

- I. 2022 Committee and Council Schedule

H. Announcements.

I. Appointments.

I. New Appointments:

Downtown Business Improvement District Board

Jennifer Vander Zanden, 223 Shady Ridge Ct., Wrightstown, WI 54180

Term to expire: December 1, 2024

City of Green Bay/Town of Scott Joint Plan Commission

Ed Dorff, 3375 Pebble Beach Ct., Green Bay, WI 54311

Term to expire: December 1, 2024

Ken Rovinski, 520 Hubbard St., Green Bay, WI 54303
Term to expire: December 1, 2024

Ad Hoc Facilities Committee

Mayor Eric Genrich, 558 Pinehurst Ave., Green Bay, WI 54302

Alder Barb Dorff, 3375 Pebble Beach Ct., Green Bay, WI 54311

Alder Brian Johnson, 516 Hubbard St., Green Bay, WI 54303

Jesse Sharp, 919 S. Quincy St., Green Bay, WI 54301

Garritt Bader, 300 N. Van Buren St., Green Bay, WI 54301

2. Reappointments:

Military Avenue Business Improvement District

EJ Dombrowski, 232 S. Ontario St., DePere, WI 54115

Term to expire: December 1, 2024

Green Bay Sustainability Commission

Julia Noordyk, 3221 Nicolet Dr., Green Bay, WI 54311

Term to expire: December 1, 2024

Downtown Business Improvement District Board

Susan Lagerman, 3332 Heaven Dr., Green Bay, WI 54311

Term to expire: December 1, 2024

On Broadway Business Improvement District

Chad Van Handel, 1705 Snow Mass Ct., Green Bay, WI 54313

Term to expire: December 1, 2024

Adam Funk, 944 Elmore St., Green Bay, WI 54303

Term to expire: December 1, 2024

J. Public Hearings.

- I. Public Hearing on the request to authorize a conditional use permit at 1004 Brett Favre Pass.

K. Ordinances - Second Reading for Adoption.

- I. 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.

L. Report of the Finance Committee (November 30, 2021).

1. To approve funding resolution and sole source purchase of Priority Based Budgeting.
2. To approve a resolution for the City of Green Bay's branding initiative.
3. To receive and place on file the report out the 2022 budget tire order for the Fire department.
4. To approve the purchase of an additional E-One fire engine and take up the funding source at the next Finance Committee meeting.
5. To approve the purchase of 2022 DPW capital equipment.
6. To amend a resolution adopting the City's plan for expenditures of funds received pursuant to the American Rescue Plan Act of 2021 and survey results by adding approximately \$500,000 to the Arts and Tourism balance.
7. To approve the agreement between the State of Wisconsin Department of Administration and City of Green Bay, CDBG CV 21-34 and follow Law's recommendation from closed session.

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.

M. Report of the Plan Commission. (November 8, 2021) (November 22, 2021) (December 3, 2021)

1. To amend the City's Comprehensive Plan for a portion of property located in the 3400 Block of East Mason Street, Tax Parcel: 21-167 (Figure 22-6), from Commercial to Medium/High Density Housing. (11/08/21)
2. To rezone a portion of property in the 3400 Block of East Mason Street from Rural Residential (RR) and Low Density Residential (RI) to Varied Density Residential (R3), and Rural Residential (RR) to General Commercial (CI). (11/08/21)
3. To approve the Military Avenue Business Association (MABA) Business Improvement District (BID) Operating Plan for 2022. (11/08/21)
4. To approve the On Broadway, Inc. (OBI) Business Improvement District (BID) Operating Plan for 2022. (11/08/21)
5. To approve the Olde Main Street, Inc. (OMSI) Business Improvement District (BID) Operating Plan for 2022. (11/08/21)
6. To approve the Downtown Green Bay, Inc. (DGBI) Business Improvement District (BID) Operating Plan for 2022. (11/08/21)
7. To appoint / reappoint to the Downtown Green Bay Inc. (DGBI) Business Improvement District (BID) Jenny VanderZanden and Sue Lagerman. (11/08/21)
8. Plan Commissioner Ken Rovinski volunteered for appointment to the City of Green Bay - Town of Scott Joint Planning Commission.(11/08/21)
9. To amend the City's Comprehensive Plan for property located in the 700 Block of University Avenue from the future land use designation of general industrial to Other Public or Semi-Public Uses. (11/22/2021)
10. To amend Chapter 44-769: Table 44-11, to permit tool/equipment rental facility as a permitted principal use within the Business Park (BP) district. (11/22/2021)
11. To approve the site plan for a residence hall at 3390 Walter Way as part of the UW-Green Bay campus, subject to approval of the request and Resolution for the student housing project of University Village Housing, Inc. as proposed. (11/22/2021)
12. To authorize a Conditional Use Permit (CUP) for a proposed hotel and for the hotel to exceed the maximum height limitations located at 1004 Brett Favre Pass, compliance with regulations of the Green Bay Municipal Code not covered under the conditional use permit, including standard site plan and building plan review and approval. (12/03/2021)

N. Report of the Redevelopment Authority (November 9, 2021 and November 18, 2021).

1. To approve the proposed change order from Stantec Consulting Services related to the Shipyard redevelopment project in the amount of \$285,000 subject to final authorization by the City Council. (11/9/21)
2. To approve contract "Parks 3-21 Leicht Park Fenders and Mooring" to Michels Foundation for \$743,507. (11/9/21)

3. To approve the transfer of ownership of 901 Main Street (tax parcel 9-48), and the assignment of the rights, title, interests and obligations of the development agreement dated December 12, 2018 from GB REAL ESTATE INVESTMENTS, LLC to GB 901 MAIN, LLC, and execute the necessary documents subject to final review by the City Attorney. (11/9/21)
4. To approve the amended development agreement with Legacy Green Bay, LLC for Tax Incremental Financing assistance for a hotel project at 1004 Brett Favre Pass as presented, subject to approval by the City Attorney and confirmation by the Plan Commission on the project's compliance with Legends District design codes, and forward to the City Council for their consideration. (11/18/21)
5. To approve contract "Parks 4-21 Architectural & Engineering Services for Leicht Memorial Park Master Planning, Shelter & Stage" to ISG for \$149,100 and to direct staff to provide additional details supporting the recommendation. (11/18/21)

O. Report of the Improvement & Services Committee (December 1, 2021).

1. To approve the request by Green Viper, LLC to dedicate to the City of Green Bay the infrastructure improvements in Bradly Estates subdivision.
2. To approve the report for the 2022 Department of Public Works equipment acquisition process.
3. To approve the request by Department of Public Works to enter into a Professional Services Contract with McMahon Associates, Inc. to continue vegetative maintenance associated with a select grouping of City-owned stormwater facilities in 2022.
4. To approve the request by Department of Public Works to enter into a Professional Services Contract with Northern Ecological Services (N.E.S.) – A Division of Robert E. Lee & Associates to continue vegetative maintenance associated with a select grouping of City-owned stormwater facilities in 2022.
5. To approve the request by Department of Public Works to enter into a Professional Services Contract with Northern Ecological Services (N.E.S.) – A Division of Robert E. Lee & Associates to continue vegetative maintenance associated with North Webster Avenue vegetative soil in 2022.
6. To approve to replace the winter ice control brine-making system hopper.
7. To approve to have the Common Council give final approval authority on the award of RFB 2021-39 to the Improvement & Services Committee to accommodate the December 2021 meeting schedule, and report out their action at the next regularly-scheduled meeting of the Improvement & Services Committee.

P. Report of the Protection & Policy Committee (November 22, 2021)

1. To approve a change of agent for Walgreens Co. at 1165 W. Mason St.

2. To approve an action by Taqueria Maldonado's Main Street, LLC at 400 Schoen St. to remove outdoor beer garden from their current license description and amend their liquor license description to behind bar, store behind bar and storage in basement.
3. To approve an application for a "Class A" Liquor & Class "A" Beer license for True North Energy, LLC (True North #818) at 1593 E. Mason St. with a license premises description as " convenience store with coolers. Manager's Office for store records, beer and alcohol is sold at front counter." (Currently licensed as Grand Central, LLC)
4. To approve an application for a "Class A" Liquor & Class "A" Beer license for True North Energy, LLC (True North #819) at 2145 University Ave. with a license premises description as " convenience store with coolers. Manager's Office for store records, beer and alcohol is sold at front counter." (Currently licensed as University Shell, LLC)
5. To approve an application for a "Class A" Liquor & Class "A" Beer license for True North Energy, LLC (True North #820) at 1121 Radisson Ave. with a license premises description as " convenience store with coolers. Manager's Office for store records, beer and alcohol is sold at front counter." (Currently licensed as C&D Shell Oil, Co.)
6. To approve an application for a "Class B" Combination license for Far Enterprises, LLC at 200 Dousman St. with a licensed premises description as "MAIN DINING RM, FROST RM, TICKET OFFICE, MAIN BAR, UPSTAIRS BAR, BACK BEER CELLAR, CANOPY." (Currently licensed as Off the Rails, LLC)
7. To approve an application for available "Class B" Combination license for Urban Cultural Arts LLC at 906 E. Walnut St. with a license premises description as "storefront building with 2 rooms upstairs, 4 smaller rooms downstairs, which includes 2 event spaces."
8. To approve an application for a "Class B" Combination license for JJAA777, LLC (Julie's Cafe East) at 1685 Main St. with a license premises description as "locked cage in cooler/case, dining area." (Currently licensed as Eat Invest GP, LLC).
9. To approve an appeal pending two letters of recommendation submitted by Tammy Lapers (Hockers) on the denial of her Operator's License.
10. To approve the release of Strats, Inc. license to the pool of available licenses due to denial of the renewal application at the 9/21/2021 Common Council meeting.
11. To hold an appeal by La Tacoyota LLC regarding the denial of the Mobile Food License until the next Protection and Policy meeting on December 13, 2021.
12. To hold an appeal by Kara Mason for a denial of her Operator's License until December 13, 2021 Protection and Policy meeting .
13. To receive and place on file the Liquor Violation Report for November 22, 2021.

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

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

R. Report of the Park Committee (December 1, 2021).

1. To approve a Hold Harmless Agreement with On Broadway, Inc., allowing On Broadway, Inc. to purchase light pole banners for Forestry crews to install in the R.O.W. throughout the Broadway District.
2. To approve the purchase of a 270' Snow Tube Conveyor Belt Lift System from Magic Carpet Lifts/RMCE, Inc. for a total cost of \$156,340.
3. To approve the purchase of a Forestry Telescopic Aerial Platform Lift Truck from USSI Holdings Inc. dba/Utility Sales & Service for a total cost of \$231,439.

S. Report of the Personnel Committee (November 30, 2021).

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Custodian II - Parks, Recreation & Forestry
 - b. Senior Animal Keeper - Parks, Recreation & Forestry

T. Report of the Traffic, Bicycle, and Pedestrian Commission. (November 15, 2021)

1. To hold for further review until the next meeting the request by Ald. Stevens to review and/or create bylaws for the Traffic, Bicycle, and Pedestrian Commission.
2. To receive and place on file the report by the Police Department on the October Traffic Enforcement Unit Traffic Safety Plan.
3. To hold the request by Ald. Dorff to review the 40 speed limit on Church Road and reduce it to 35 mph.

U. Report of the Sustainability Commission (November 17, 2021).

1. Discussion and possible action to place additional and different types of bins for plastic-film recycling challenge (Alder Scannell).

V. Report of the Equal Rights Commission (November 15, 2021)

1. Receive and place on file the City of Green Bay Diversity and Inclusion Strategic Plan.
2. Receive and place on file discussion of the needs of different groups and diversity, equity, and inclusion in the City of Green Bay as a community and organization.

W. Receive and Place on File.

1. The Municipal Court Report for October 2021.
2. Building Report for November 2021
3. The Municipal Court Report for November 2021.

X. Resolutions.

1. Resolution approving the 2022 Operating Plan for the Military Avenue Business Association Business Improvement District.
2. Resolution approving the 2022 Operating Plan for the On Broadway, Inc. Business Improvement District.
3. Resolution approving the 2022 Operating Plan for the Olde Main Street, Inc. Business Improvement District.
4. Resolution approving the 2022 Operating Plan for the Downtown Green Bay, Inc. Business Improvement District.
5. Resolution approving student housing project of University Village Housing Inc.
6. Resolution drawing final orders to contractors for December 7, 2021.
7. Resolution approving the funding and sole source purchase of Priority Based Budgeting.
8. Resolution approving the funding for the City of Green Bay's branding initiative.
9. Resolution adopting the City's plan for expenditures of funds received pursuant to the American Rescue Plan Act of 2021 and survey results.
10. Resolution authorizing Conditional Use Permit at 1004 Brett Favre Pass.

Y. Ordinances - First Reading.

1. Miscellaneous Ordinance No. 05-21
An ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to property located in the 3400 Block East Mason Street.
2. Zoning Ordinance No. 15-21
An ordinance rezoning property located in the 3400 Block of East Mason Street from Rural Residential (RR)/Low Density Residential (R1) to Varied Density Residential (R3) and Rural Residential (RR) to General Commercial (C1) District.
3. Miscellaneous Ordinance No. 06-22
An ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to property located in the 700 Block University Avenue.
4. General Ordinance No. 29-21
An ordinance amending Chapter 44-769: Table 44-11, Green Bay Municipal Code, regarding principal uses for the industrial districts.

Z. Referral of Petitions & Communications.

AA. 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.