



MINUTES OF THE COMMON COUNCIL

WEDNESDAY, FEBRUARY 16, 2022, 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 a virtual comment form, along with the information and instructions for the Zoom virtual meeting.

B. ROLL CALL.

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

I. February 1, 2022.

F. APPROVAL OF THE AGENDA.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve new appointments.
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. Veronica Corpus-Dax to approve reappointments.
Motion Passed.

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

I. New Appointments:

Zoning and Planning Board of Appeals

Steven Schuchart, 1690 Forest Glen Dr., Green Bay, WI 54304

Term to expire: February 1, 2025

Reappointments:

Green Bay Plan Commission

Lisa Hanson, 217 Allard Ave., Green Bay, WI 54303

Term to expire: February 1, 2025

J. NOTICES

I. Notice of Alder Jesse Brunette's intent to make a motion to rescind the Council's action from December 7, 2021 to move forward with RFP for the City of Green Bay's branding initiative and to hold on the funding resolution.

Notice of Alder Jesse Brunette's intent to make a motion to rescind the Council's action from December 7, 2021 to hold adoption of the funding resolution for the City of Green Bay's branding initiative.

Moved by Ald. Jesse Brunette, seconded by Ald. Brian Johnson to rescind the Council's action and hold funding for branding initiative.

Motion Failed.

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

K. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to suspend the rules and take up 1 and 2 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. Kathy Lefebvre 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.

1. General Ordinance No. 04-22

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

2. General Ordinance No. 03-22

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

3. To repeal and recreate Green Bay Municipal Code 2-79 and 2-81 to include indefinite terms for appointed officials and Common Council removal for cause in accordance with Wis. Stats. §§ 17.12 and 17.16.

Moved by Ald. Chris Wery, seconded by Ald. Mark Steuer to hold until next election.

Motion Failed.

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

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

Motion Passed.

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

L. REPORT OF THE PARK COMMITTEE. (FEBRUARY 9, 2022)

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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 request by Ald. Scannell to officially name the Fisk Park basketball courts in memory/honor of L.C. Green, Civil Rights Activist and Pastor of Divine Temple.

2. To approve adopting a resolution in support of World Migratory Bird Day.

3. To approve General Ordinance No. 5-22, creating Section 28-4(k)(1), Green Bay Municipal Code, relating to Ken Evers Natural Area hours.

4. To approve the purchase of 12 aluminum seat assemblies for the original Ferris Wheel at Bay Beach Amusement Park from Eli Bridge Company for a total cost of \$59,000 plus the cost of crates and delivery.

5. To approve renewing the annual weed control contract with N.E.W. Landscapes & Lawn Care through February 28, 2023.

M. REPORT OF THE REDEVELOPMENT AUTHORITY. (FEBRUARY 8, 2022)

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.

1. To approve and recommend to the Common Council the City of Green Bay's Action Plan for the HOME-America Rescue Plan (HOME-ARP) entitlement program.

N. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (FEBRUARY 9, 2022).

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.

1. To instruct staff to develop No Mow May policy in conjunction with City of De Pere to allow Green Bay residents to voluntarily participate in No Mow May in 2022. (Ald. Scannell)

2. To approve the award of the following contracts:

A. RAMPS I-22 PARKING RAMP REPAIRS to the low responsive bidder, RAM Construction Services of Minnesota, LLC, in the amount of \$543,980.

B. RFB #2021-42 CONTAMINATED SOIL HAULING, DISPOSAL & MOBILIZATION to the low responsive bidder, Veit & Company, Inc., in the amount of \$288,011.

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

A. Granting of Licenses

1. Tree & Brush Trimmer

- a. A-I Tree Service Inc.
- b. Consciously Fresh Tree Service
- c. Economy Tree Service LLC
- d. Rain Forestry

O. REPORT OF THE PROTECTION & POLICY COMMITTEE (FEBRUARY 7, 2022)

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.

1. To approve an application for a "Class A" liquor and Class "A" Beer license for Green Bay Petroleum and Investment LLC at 2115 Main St. with a licensed premises description as "BEER COOLER, SHELVING AND FLOOR INSIDE THE BUILDING" (Currently licensed as Tikapur Petroleum, LLC).

2. To refer to staff for report in fall of 2022 to amend or rescind the resolution and/or ordinances on the city's moratoriums of liquor licenses. (Ald. Randy Scannell, Dist. 7)

3. To receive and place on file the Liquor Violation Report for February 7, 2022.

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

Moved by Ald. Kathy Lefebvre, 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.

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

Q. REPORT OF THE PLAN COMMISSION. (FEBRUARY 7, 2022)

Moved by Ald. Veronica Corpus-Dax, 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.

1. To authorize a Conditional Use Permit (CUP) for a drive-through restaurant (Caribou Coffee) in a General Commercial (C1) district at 1616 West Mason Street, subject to the following conditions:

a. A recorded ingress/egress easement for access to South Military Avenue is required for this Conditional Use Permit to be valid.

b. Compliance with all other regulations of the Green Bay Municipal Code. (Public Hearing held 02/07/2022)

R. REPORT OF THE FINANCE COMMITTEE. (FEBRUARY 8, 2022)

Moved by Ald. Randy Scannell, seconded by Ald. Barbara Dorff to approve except items 1, 10, 9.

Motion Passed.

Yes- Barbara Dorff, Bill Galvin, Brian Johnson (abstains on item 7), 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 an update from the City Assessor on the city-wide revaluation for the 2022 assessment year.

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin 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. To approve the American Rescue Plan Act (ARPA) allocation within the Stormwater, Green Infrastructure and Climate Resiliency category for East Seymour Park Storm Water for \$1,000,000.

3. To approve the American Rescue Plan Act (ARPA) allocation within the Capital Needs category for Roads for \$1,500,000.

4. To approve the American Rescue Plan Act (ARPA) allocation within the Capital Needs category for Body Cameras for \$307,316.25.

5. To approve the American Rescue Plan Act (ARPA) allocation within the Affordable Housing Development and Small Business Support category for City's Façade Improvement project for \$1,000,000.

6. To approve the American Rescue Plan Act (ARPA) allocation with the Affordable Housing Development and Small Business Support category for the Blueprint Accelerator Program for \$40,000.

7. To approve the American Rescue Plan Act (ARPA) allocation within the Affordable Housing Development and Small Business Support for Farmers Market for \$75,000.

8. To approve the American Rescue Plan Act (ARPA) allocation with the Arts, Culture, and Tourism category for Tourism Grants for \$250,000.

9. To approve the 2022 revised bonding request.

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

Motion passed.

Moved by Ald. Jesse Brunette, seconded by Ald. Chris Wery to amend and remove \$100K of bonding requirements from PD.

Motion Failed.

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

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to remove green infrastructure projects from 2022 bond request.

Motion Passed.

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

Moved by Ald. Barbara Dorff, seconded by Ald. Craig Stevens 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.

Ned Dorff 1321 Emilie Street

Moved by Ald. Barbara Dorff, seconded by Ald. Lynn Gerlach to return to regular session.

Motion Passed.

Yes- Veronica Corpus-Dax, Barbara Dorff, Bill Galvin, Kathy Lefebvre, Lynn Gerlach, 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. Brian Johnson, seconded by Ald. Chris Wery to amend to add back certain road projects, later rescinded by Ald. Johnson.

Moved by Ald. Chris Wery, seconded by Ald. Jesse Brunette to amend to restore Colburn Parking Lot Reconstruction, \$100K from lost revenue calculation from ARPA.

Motion passed.

Moved by Ald. Brian Johnson, seconded by Ald. Mark Steuer to amend to fund Colburn Parking Lot Reconstruction with bonding.

Motion Passed.

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

Moved by Ald. Barbara Dorff, seconded by Ald. Bill Galvin to fund an engine remount for the Fire Department.

Motion Passed.

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

Moved by Ald. Barbara Dorff, seconded by Ald. Bill Galvin to approve all changes as amended.

Motion Passed.

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

10. To use the remaining funds received from the Cooperative Governance Agreement, \$157,192, towards 2022 capital purchases or bond reduction.

(In response to a request by Ald. Brunette to the Finance Committee which states: "To use all unbudgeted and unspent 2021 revenue from the Cooperative Governance Agreement with the Oneida Nation on items found in the 2022 Capital Improvement Plan as opposed to the suggested rebranding initiative. The rebranding initiative should then be considered during the 2023 city budget process if it is worth pursuing")

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

Moved by Ald. Bill Galvin, seconded by Ald. Barbara Dorff to amend and hold \$150K of these funds to repair the PD armored vehicle, pending discussion with the Brown County Sheriff.
Motion passed.

Moved by Ald. John VanderLeest, seconded by Ald. Chris Wery to amend to use ARPA funds for the repair of the PD armored vehicle.
Motion Failed.

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

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

11. To approve the report of the Claims Committee.

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.

S. REPORT OF THE PERSONNEL COMMITTEE (FEBRUARY 8, 2022).

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 request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

a. Park Maintenance Worker - Park, Recreation & Forestry

- b. Engineering Technician - Public Works
- c. Engineering Aide - Public Works

2. To approve the request to reclassify a vacant Wildlife Sanctuary Park Maintenance Worker position to a Custodian I position and approval to fill the position and all subsequent vacancies.

3. To approve the request to reclassify a vacant Word Processor position to a Records Clerk position and approval to fill the position and all subsequent vacancies.

4. To approve the request to add (1) one limited-term Locate Technician position to the Public Works table of organization and approval to fill the position.

5. To approve the request to Repeal and Replace Chapter 20, Weather Emergency Employee Absence Policy

6. To approve Personnel Policy Chapter 33: Temporary Emergency Medical Paid Sick Leave

7. To approve the request to over hire six firefighter positions due to upcoming retirements.

T. REPORT OF THE ECONOMIC DEVELOPMENT AUTHORITY. (FEBRUARY 7, 2022)

Moved by Ald. Barbara Dorff, seconded by Ald. Craig Stevens 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- Brian Johnson.

1. To approve a one-year planning option to On Broadway, Inc. for parcels 4-83, 4-82, 4-81, and 4-80 as presented.

U. RECEIVE AND PLACE ON FILE.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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. Building Report for January 2022

2. Municipal Court Report for January 2022.

V. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Kathy Lefebvre to suspend 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. Barbara Dorff 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.

1. Preliminary resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes, for the installation of asphalt pavement.

2. Resolution authorizing conditional use permit at 1616 West Mason Street.

3. Resolution drawing final orders to contractors for February 16, 2022.

4. Resolution to adopt World Migratory Bird Day.

W. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to advance.

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. General Ordinance No. 05-22

An ordinance creating Section 28-4(k)(1), Green Bay Municipal Code, relating to hours for Ken Evers Natural Area.

X. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Jesse Brunette, seconded by Ald. Chris Wery to refer the following communications to the proper authorities:

District 9 to Finance, bond can't exceed life of object without supermajority of Council.

District 8 to Protection and Policy; review changes to elections; review 2/15/22 election with legal noticing

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.

Y. ADJOURNMENT.

Moved by Ald. Bill Galvin, seconded by Ald. Randy Scannell 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.