



AGENDA OF THE COMMON COUNCIL

TUESDAY, MAY 3, 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 comment form and instructions for the virtual Zoom meeting.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

- I. April 19, 2022

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. Boards and Commissions:

Ad Hoc Facilities Committee

Bill Galvin

Equal Rights Commission

Jim Hutchison

Reappointments:

Brown County Planning Commission

Paul Blindauer, 3159 Voyager Dr., Green Bay, WI 54311
Term to expire: May 1, 2025

Green Bay Plan Commission

Ken Rovinski, 520 Hubbard St., Green Bay, WI 54303
Term to expire: May 1, 2025

Traffic, Bicycle, and Pedestrian Commission

Patrick Sorelle, 3160 Open Gate Tr., Green Bay, WI 54313
Term to expire: May 1, 2025

New Appointments:

On Broadway Business Improvement District

Linda Bova, 2648 Seneca Crt., Green Bay, WI 54313
Term to expire: April 1, 2025

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 05-22
An ordinance rezoning the property located at 2475 University Avenue from General Commercial (C1) District to Highway Commercial (C2) District.
2. Zoning Ordinance No. 06-22
An Ordinance rezoning properties located 600-650 Block Heyrman Street/1640-1650 Block Cass Street.
3. Zoning Ordinance No. 08-22
An Ordinance creating a planned unit development (PUD) for the property located at 641 Grandview Road, 3714 East Mason Street, 3760 East Mason Street and 3731 Finger Road.

K. Report of the Improvement & Services Committee (April 27, 2022).

1. To approve the request from Green Viper LLC to enter into a Developer's Agreement with the City of Green Bay for The Woods at Baird Creek Subdivision and authorize the Director of Public Works to sign the agreement.
2. To approve a grant award in the amount of \$85,000 to implement "Building Municipal Green Streets Program Capacity through Permeable Pavers at the Fox River" project and authorize the Director of Public Works to execute the grant.

3. To approve a grant award for a Transportation Alternate Program project from the Wisconsin Department of Transportation to install sidewalk on Manitowoc Road, Pecan Street, and Hemlock Drive.
4. To approve the request by Department of Public Works to approve the Sidewalk Repair Policy.
5. To approve the award of the following contracts:
 - A. BRIDGE 1-22 (BRIDGE MAINTENANCE AND CONCRETE REPAIRS) to the low responsive bidder, Lunda Construction, in the amount of \$65,677.
 - B. BRIDGE 2-22 EAST RIVER PEDESTRIAN BRIDGE B-5-376 (OVERLAY AND STEEL REPAIRS) to the low responsive bidder, Norcon Corporation, in the amount of \$306,988.
 - C. RESURFACING 3-22 (INCLUDING SEWER & WATER) to the low responsive bidder, Advance Construction, Inc., in the amount of \$2,441,405.66.
6. To receive and place on file the report of actions taken by Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. AAE Concrete
- b. American Custom Concrete
- c. Bath Concrete Flatwork LLC
- d. Carter Trucking & Excavating Inc.
- e. Evraets Concrete Construction LLC
- f. Kurowski Construction LLC
- g. Melnarik Concrete Inc.
- h. MP Concrete LLC
- i. Total Construction / Joe Mains Concrete

2. Tree & Brush Trimmer

- a. Jason's Tree Service / Lowney's Landscaping

7. INFORMATIONAL - Election of Ald. Mark Steuer as Chair of the Improvement and Services Committee.
8. INFORMATIONAL - Election of Ald. Melinda Eck as Vice-Chair of the Improvement and Services Committee.

L. Report of the Protection & Policy Committee.

- I. To approve the appointment of Ald. Craig Stevens as Chair (no council action required).

2. To approve the appointment of Ald. Randy Scannell as Vice Chair (no council action required).
3. To approve the appeal of Marlene Grant on the denial of her operator's license.
4. To approve the change of agent at Wal-Mart Stores East, LP at 2440 W. Mason St.
5. To approve the change of agent for Pablo's Mexican Grill House, LLC at 850 Kepler Dr. Suite C.
6. To approve the change of agent for Kroll's East, Inc. at 1658 Main St.
7. To approve the change of agent for Wisconsin CVS Pharmacy, LLC at 930 Main St.
8. To approve the change of agent for Oneida Tribe of Indians of WI at 2370 W. Mason St.
9. To approve the change of agent for Oneida Tribe of Indians of WI at 2597 W. Mason St.
10. To approve the change of agent for Oneida Tribe of Indians of WI at 501 Packerland.
11. To approve the request by Tux 2, LLC (Blue Collar Bar & Grill) at 1313 S. Broadway St. to temporarily extend their license premises to the parking lot on May 22, 2022 (1 p.m. to 4 p.m.) for the band reunion of Big Mouth & The Power Tool Horns--subject to complaints.
12. To approve the request by Pearly Gates Bar & Grill to temporarily extend their license premises to their east parking lot on Saturday, July 9, 2022 for the 17th annual Outdoor Pearly Gates Veterans Charity Benefit--subject to complaint.
13. To approve the request to extend the licensed premises to the parking lot at 1351 Cedar Street, Napalese Lounge, on Saturday, July 9, 2022, for the purpose of a special event--subject to complaint.
14. To approve the request by Barnys LLC (Black Saddle Tavern & Oasis) at 201 N. Washington St. to permanently change their license premises to include side b on the first floor of the building. New license description: 2850 Sq Feet Selling Space (first Floor, 220 sq ft storage space in back)--with the approval of the proper authorities.
15. To deny the request by Duel Sports Bar LLC at 1114 Main St. to change their license premises to outdoor patio, restroom, green space based on the police department's inability to provide law enforcement services to the balance of the community and an adverse impact to the peace, quiet and cleanliness of the neighborhood.
16. To approve the application for a "Class A" Liquor and Class "A" Beer license for Loco Wisco, LLC at 112 N. Washington St. with a licensed premises description as "1247SQ FT ROOM, BATHROOM, STORAGE BEHIND CURTAIN," with the approval of the proper authorities.
17. To approve the application for a "Class A" Liquor and Class "A" Beer License by Chicago Fuzzys LLC at 1016 Lime Kiln Rd. with a license premises description as "BEHIND COUNTERTOP CHECKOUT AREA, COOLERS" with the approval of the proper authorities.

18. To approve the application for a "Class A" Liquor and Class "A" Beer license by Neo Beverages LLC at 2030 University Ave. with a license premises description as "behind the counter, shelves, back office" (Currently licensed as Pit Row, Inc), with the approval of the proper authorities.
19. To approve the application for an available "Class B" Combination license by Cole J Ductan at 126 S. Broadway Ave. with a license premises description as "1700 SQ FT RESTAURANT & BAR, PREP ROOM, 2 BATHROOMS, AND MOP/ELECTRICAL STORAGE ROOM" with the approval of the proper authorities.
20. To approve the release of the the 2021-2022 "Class B" Combination license for LCS LLC at 1583 Main St. to the pool of available licenses due to a voluntary surrender.
21. To receive and place on file the report on modems and City of Green Bay Election Tabulators (DS200 and DS450).
22. To receive and place on file the staff report on parameter for accepting outside/grant money for elections and for the possibility of an ordinance to be created (referred from the March 15, 2022 Council Meeting).

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

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

N. Report of the Plan Commission. (April 25, 2022)

- I. To authorize a Conditional Use Permit (CUP) for an expanded shelter facility use in an Office/Residential (OR) District located at 1120 University Avenue, subject to the following conditions:
 - a. Any expansion of this use requires a new Conditional Use Permit.
 - b. Fence shall be composed of wood, vinyl, masonry, or as approved by the Zoning Administrator.
 - c. Compliance with all other regulations of the Green Bay Municipal Code.
(Public Hearing held 04/25/2022)
2. To rezone 1555 West Mason Street from General Commercial (C1) to Community Center Commercial (C3). (Public Hearing held 04/25/2022)
3. To declare a portion of city-owned property as City Surplus, located along the 1100 Block of University Avenue (parcel 7-706-1) and at 601 St. George Street (parcel 7-709), subject to the following conditions:
 - a. Proposed Lot 1 and Proposed Lot 2 shall be transferred to the Redevelopment Authority of the City of Green Bay for disposition and development.
 - b. An easement shall be required for WPS as part of the proposed Certified Survey Map as detailed in Exhibit I.

4. To approve Linda Bova as an On Broadway Business Improvement District (BID) Board Member.

O. Report of the Finance Committee.

1. To appoint Ald. Brian Johnson as Chair (no council action required).
2. To appoint Ald. Jesse Brunette as Vice Chair (no council action required).
3. For Director Ellenbecker to work with Ehlers to create the amortization schedule for the G.O. Notes to match the useful life of the assets.
4. To receive and place on file the City of Green Bay's 10-33 program inventory report.
5. To receive and place on file the acceptance of a Wisconsin Department of Justice Grant for Law Enforcement Drug Trafficking Response for \$32,000 award.
6. To approve a request by the City Treasurer for resolution approval of financial institutions the City does business with.
7. to receive and place on file 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.

P. Report of the Park Committee. (April 27, 2022)

1. To approve the appointment of Ald. Chris Wery as Parks Committee Chair, and to approve the appointment of Ald. Steven Campbell as Parks Committee Vice-Chair (no council action required).
2. To approve the acquisition of the Woods Golf Course Greenway for a total purchase price of \$86,000 along with waiving half of the Parkland Fees, contingent upon receiving a Wisconsin Coastal Management Grant that will fund 40% of the acquisition price.
3. To approve hiring Carrico Aquatic Resources, Inc. to provide chemicals for the City's aquatic facilities for a total cost of \$39,000 for the 2022 pool season.
4. To receive and place on file the staff presentation on revisions to the ENGAGE homeless support program at St. John's Park for 2022.

Q. Report of the Personnel Committee. (April 26, 2022)

1. To appoint Ald. Bill Galvin as Personnel Committee Chair (no council action required).

2. To appoint Ald. Jim Hutchison as Vice Chair of the Personnel Committee (no council action required).
3. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Records Clerk - Police
 - b. Commander - Police
 - c. Parking Building Technician - Public Works
 - d. Administrative Clerk II - Clerks
 - e. Carpenter - Park, Recreation & Forestry
4. To approve the request to reclassify (1) one Mechanic position to a Mechanic Foreperson position and approval to fill the position and all subsequent vacancies.
5. To approve the request to reorganize the Parks, Recreation, & Forestry Department's administrative staff and approval to fill the resulting Administrative Clerk position vacancy.
6. To approve the request to reclassify a vacant Mechanic Position to a new Communications Coordinator position and approval to fill the new position.
7. To approve the Green Bay Police Supervisory agreement for a 3-year term January 1, 2020 through December 31, 2022.

The Common Council may convene in closed session pursuant to 19.85(e), Wis. Stats. For purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Common 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. (please review the closed session language I typed and make sure it matches with what we usually use or just copy and paste what we've used previously)

8. To approve the request to amend the Administrative Services (Purchasing Office) organizational chart to remove two part-time Buyer positions (1.25 FTE) and create a fulltime Buyer position (1 FTE).

R. Report of the Public Arts Commission. (April 27, 2022)

1. To approve Alex Zacarias as Chair and Chuck Yang as Vice-Chair (no council action required).
2. To approve developing a new Green Bay Public Arts Commission liaison position to represent Oneida Nation Arts.
3. To approve the top six (6) selected pieces to be installed as part of the Rotating Art Program for the 2022-2023 season:
Circumzoidal V (A-1), Icosahedron (B-1), Incendiary (C-2), Window (D-4), El Torito (E-1), Mr. Crabs (G-2).

To approve the location placements for the top six (6) selected pieces:
A-1 - 12th Ave. & W. Mason St.

B-1 - N. Irwin Ave. & E. Shore Dr.
C-2 - Leicht Memorial Park
D-4 - N. Oakland Ave. & W. Walnut St.
E-1 - Shawano Ave. & 12th Ave.
G-2 - N. Fisk St. & Dousman St.

S. Report of the Traffic, Bicycle, and Pedestrian Commission.

1. To receive and place on file the monthly Traffic Enforcement Unit Traffic Safety Plan.
2. To remove the NO PARKING TAXI BUS LIMO ONLY 10:00 PM TO 2:00 AM zone on the north side of Cherry Street from Washington Street to Adams Street.
3. To establish a NO PARKING TAXI BUS LIMO FOOD TRUCK ONLY 10:00 PM TO 2:00 AM zone on the north side of Cherry Street from Washington Street to Adams Street.
4. To remove the NO PARKING TAXI LOADING ONLY 12:00 AM TO 3:00 AM SATURDAY AND SUNDAY zone on the east side of Washington Street from a point 100 feet south of Doty Street to Doty Street.
5. To establish a NO PARKING TAXI FOOD TRUCK LOADING ONLY 12:00 AM TO 3:00 AM SATURDAY AND SUNDAY zone on the east side of Washington Street from a point 100 feet south of Doty Street to Doty Street.

T. Report of the Economic Development Authority. (April 11, 2022)

1. To approve a development agreement with Carnivore Meat Company for the development of City-owned parcels 21-22 and 21-24 (partial), subject to final review and approval of the City Attorney.

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 Authority 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 request for On Broadway, Inc. to transfer their planning option on parcels 4-83, 4-82, 4-81, and 4-80 to General Capital Acquisitions, LLC.

U. Report of the Sustainability Commission. (April 20, 2022)

1. Refer to I & S Committee to accept grant award from the Fund for Lake Michigan for permeable pavement project on Eliza Street.
2. Refer to staff to create an Outdoor Lighting Ordinance with the goal of creating a darker night sky.
3. Informational: OEI Comprehensive Energy Planning Grant

V. Resolutions.

1. Resolution for the alley between East Mason Street and Kimball Street from John Street to 100 feet east to be vacated.
2. Resolution designating public depositories and authorizing withdrawal of City moneys.
3. Resolution authorizing conditional use permit at 1120 University Avenue.
4. Resolution drawing final orders to contractors for May 3, 2022.
5. Resolution authorizing acceptance of building municipal Green Streets Program Capacity through Permeable Paver Project at the Fox River Grant.
6. Resolution in support of WisDOT Transportation Alternative Program project Manitowoc Road, Pecan Street, Hemlock Drive.

W. Ordinances - First Reading.

1. General Ordinance No. 11-22
An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.
2. Zoning Ordinance No. 07-22
An ordinance rezoning the property located at 1555 West Mason Street from General Commercial (C1) District to Highway Commercial (C3) District.

X. Referral of Petitions & Communications.

Y. 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.