



MINUTES OF THE COMMON COUNCIL

TUESDAY, NOVEMBER 1, 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 information and instructions for the Zoom virtual meeting. It also contains a comment form.

B. ROLL CALL.

12 members voting in civic clerk, 11 members in the room (Ald. Galvin joined by zoom).

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

F. APPROVAL OF THE AGENDA.

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

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve the new appointment.
Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve the reappointment.
Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. Reappointments:

Green Bay Sustainability Commission

Amy Kox, 153 Joan Ave., Green Bay, WI 54302

Term to expire: November 1, 2025

Kaurie Mihm, 1183 Drews Drive, De Pere, WI 54115

Term to expire: November 1, 2025

Green Bay Area Room Tax Commission

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

Term to expire: November 1, 2023

Ethics Board

Aaron Weinschenk, 3038 Emmalane Dr., Green Bay, WI 54311

Term to expire: November 1, 2025

New Appointments:

Traffic Bicycle and Pedestrian Commission

Stephen Larsen, 1948 Preble Ave., Green Bay, WI 54302

Term to expire: August 1, 2025

J. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to suspend the rules and take up items

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I and 2 with one roll call vote..

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to adopt.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. Zoning Ordinance No. 17-22

An Ordinance rezoning the properties located along the 2500 Block of University Avenue from Neighborhood Commercial (NC) District to General Commercial (C1) and Varied-Density Residential (R3).

2. Zoning Ordinance No. 18-22

An ordinance rezoning the property located at 727 North Webster Avenue from Varied-Density Residential (R3) District to Public Institutional (PI) District.

3. General Ordinance No. 15-22

An ordinance amending amendment sections 44-1964, 44-1965, 44-1966, 44-1967 and 44-1968, Green Bay Municipal Code, relating to landscaping.

Moved by Ald. Jim Hutchison, seconded by Ald. Randy Scannell to hold to next meeting.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

K. REPORT OF THE REDEVELOPMENT AUTHORITY (OCTOBER 11, 2022).

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. To approve a formal contract with GRAEF + MUSE for Conceptual Site Planning Services for the Redevelopment of the JBS Site in the amount of \$79,380.

L. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (OCTOBER 26, 2022).

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell to approve.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To approve the request by Paul Neja (1064 Roscoe Street) for unrestricted on-street parking allowances due to unique family circumstances and limited off-street parking options for the remainder of 2022 and all of 2023.
2. To approve the request by Pat Daschner (1705 Spence Street) to rescind fifty percent (50%) of the charges for sidewalk replacement.
3. To approve an amendment to the professional services contract with Modjeski and Masters for the onsite investigation and troubleshooting of center lock mechanisms of the Main Street Bridge over the Fox River, B-5-311, in the amount of \$10,070.
4. To approve the acquisition of a Watermain Easement along the north side of Finger Road east of Grandview Road from Car Green Bay (WI), LLC (Carnivore Meat).
5. To approve the request by Department of Public Works to award a contract for the development of a Citywide Green Stormwater Infrastructure Plan to Stormwater Solutions Engineering in the amount of \$133,370.
6. To approve the request by Department of Public Works to award a contract for 2023 Design Services for Berner Street Reconstruction from N. Irwin Avenue to N. Webster Avenue to JT Engineering in the amount of \$54,475.

M. REPORT OF THE PROTECTION & POLICY COMMITTEE (OCTOBER 24, 2022).

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

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To approve a change of agent to Thomas E. Dekarske for Kwik Trip, Inc. at 1712 E. Mason St.
2. To approve a request by Botanical Gardens at 2600 Larsen Rd to amend the liquor license to immediately add "Visitor Center, Kaftan Lusthaus building" and add The Lodge (pavilion in the new Bell Children's Garden) in May 2023, subject to the approval of the proper authorities.
3. To approve an application for a "Class A" Liquor and Class "A" Beer license for 7E Co Minnesota, LLC at 1828 S. Ashland Ave with premises description as "CONVENIENCE STORE," with the approval of the proper authorities.

4. To approve a request by the Egg Roll Food Truck Group, LLC at 114 S. Broadway to extend the issuance of the "Class B" license to mid-November due to unanticipated delays (License granted by Council on 8/2/2022).

5. To receive and place on file a request by Ald. Brunette (District 12), for discussion with possible action on existing and prospective ordinances and policies relating to short term Airbnb-type rentals to prevent and address neighborhood nuisances with a future report from the Planning Commission when it is ready.

6. Informational Only: Liquor Violation Report

7. Informational Only: The Clerk's Office Liquor Licensing Report

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

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

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

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

O. REPORT OF THE PLAN COMMISSION (OCTOBER 24, 2022).

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve, with Ald. Johnson abstaining on number 7.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To approve a Conditional Use Permit (CUP) located at 1165 Lawe Street (Parcel 14-1155) to allow a second accessory structure to exceed maximum square footage, subject to compliance with all regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval. (Public Hearing on 10/24/22)

2. To approve a Conditional Use Permit (CUP) to allow a Dormitory at 100-110 S. Baird Street and 1368 E. Walnut Street, submitted by Journey to Adult Success, petitioner, subject to the following conditions:

- a. A maximum capacity of 12 individual unrelated residents within two of the townhomes with a maximum of 6 individual unrelated residents within either of the two townhomes (classified as the dormitory) and no more than one family within the third townhome (classified as caretakers' residence). Any increase in residents will require Plan Commission and Common Council approval.

- b. If the dormitory use is discontinued, the operation is dissolved, or if Journey to Adult Success 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 Director of Community Development 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 dormitory including but not limited to:
 - i. Police service calls.
 - ii. Documented safety concerns.
 - iii. Inadequate facilities.
 - iv. Zoning and property maintenance compliance.
- a. Conformance with the submitted operating plan submitted by the applicant.
- b. Sex offenders required to register under §301.45, Wis. Stats., are prohibited from stay at the dormitory or caretakers' residence.
- c. A mandatory background check for all dormitory or caretakers' residence residents is required.
- d. Compliance with all other regulations of the Green Bay Municipal Code.
- e. Building be reoriented to have the front façade face East Walnut Street.
- f. Site and building plans be reviewed and approved by the Green Bay Redevelopment Authority.
- g. If the dormitory use is discontinued, surface parking area shall be brought into compliance with Article XVIII-Off-Street Parking, Drives and Loading, Green Bay Municipal Code for the single-family attached residential land use. (Public Hearing held 10/24/22)

3. To amend portions of the Zoning Code, Chapter 44, Article V, Division 8 – Lighting related to changing the light level measurements from watts to lumens as proposed. (Public Hearing held 10/24/22)

4. To approve the text amendment to Chapter 33, Article XIII, Divisions I-I I, Floodplain Overlay District Ordinance, Sections 44- 1041 to 1368, Green Bay Municipal Code.

5. To approve the Downtown Green Bay Inc. (DGBI) Business Improvement District's (BID) Operating Plan for 2023.

6. To approve the Olde Main Street, Inc. (OMSI) Business Improvement District's (BID) Operating Plan for 2023.

7. To approve the On Broadway Inc.(OBI) Business Improvement District's (BID) Operating Plan for 2023.

8. To approve the Military Avenue Business Association (MABA) Business Improvement District's (BID) Operating Plan for 2023.

P. REPORT OF THE FINANCE COMMITTEE. (OCTOBER 25, 2022)

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve items 1, 3, and 4.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To approve a resolution amending the City of Green Bay 2022 Fee Schedule.

2. To approve a resolution distributed and reviewed by the City Attorney amending the City of Green Bay 2023 Fee Schedule.

Moved by Ald. Randy Scannell, seconded by Ald. Chris Wery to approve .

Motion passed.

Moved by Ald. Randy Scannell, seconded by None to amend to strike out section 44-1580 "short term rental applications" review fee of \$100 and renewal fee of \$100.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by None to approve as amended.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

3. To receive and place on file the 2023-2027 Capital Improvement Plan (CIP).

4. To approve a resolution requesting Brown County share its sales and use tax revenue.

Q. REPORT OF THE PARK COMMITTEE (OCTOBER 26, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell to approve.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To approve the request by TDS Metrocom, LLC for a Utility Easement in the Beaver Dam Greenway, adjacent to Chantel Street.

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2. To approve the request by Ald. Wery to install an ADA accessible walk at Colburn Park from the pool parking lot to the soccer field.
3. To authorize staff to submit a letter of support to include Ken Euers Nature Area within the proposed boundaries of the Bay of Green Bay National Estuarine Research Reserve (NERR).
4. To approve the purchase of one (1) Crysteel HD Contractor truck body for a previously purchased truck chassis for the Forestry Department for the sum of \$34,614, not to exceed \$36,345, from Monroe Truck.
5. (INFORMATIONAL ONLY) To receive and place on file the staff summary of the Park seasonal salaries and incentives as proposed in the 2023 proposed budget.

R. REPORT OF THE PERSONNEL COMMITTEE. (OCTOBER 25, 2022)

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve
Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

- I. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Administrative Clerk - Public Works
 - b. Erosion Control Specialist - Public Works

S. REPORT OF THE TRAFFIC, BICYCLE, AND PEDESTRIAN COMMISSION (OCTOBER 17, 2022).

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to approve.
Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

- I. To receive and place on file the request by Ald. Grant on behalf of Debra Dufek to establish a NO STOPPING OR STANDING zone on the residential side of Baywatch Drive near Red Smith School.
2. To receive and place on file the request by Police Department on the monthly Traffic Enforcement Unit Traffic Safety Plan.
3. To receive and place on file the request by Police Department of the 2022 3rd quarter serious injury and fatal crashes.
4. To receive and place on file the request by Ald. Morgan to establish a NO U-TURN condition on

Schoen Street from Lilac Lane to Amy Street to improve safety near Eisenhower Elementary School.

5. To receive and place on file the request by Ald. Steuer to study signage to be placed on Bond Street between Taylor Street on the west and Morley Road on the east which disallows truck traffic along a non-truck traffic roadway.

6. To postpone the request by Ald. Brunette to install a STOP sign or signs at Lafayette Drive and Candle Way to the Monday, November 21, 2022 Traffic, Bicycle, & Pedestrian Commission meeting.

7. To remove the NO PARKING 8 AM TO 8 PM DAILY EXCEPT BY RESIDENTIAL PERMIT zone on both sides of Clay Street from Grignon Street to Eliza Street.

8. To establish a NO PARKING 8 AM TO 8 PM DAILY EXCEPT BY RESIDENTIAL PERMIT zone on the west side of Clay Street from Grignon Street to Emilie Street, and adopt by ordinance.

9. To establish a NO PARKING 8 AM TO 8 PM DAILY EXCEPT BY RESIDENTIAL PERMIT zone on both sides of Clay Street from Emilie Street to Eliza Street, and adopt by ordinance.

10. To establish a NO PARKING RESERVED FIRE DEPARTMENT zone on the west side of Adams Street from a point 115 feet south of Chicago Street to a point 60 south of Chicago Street, and adopt by ordinance.

T. REPORT OF THE EQUAL RIGHTS COMMISSION (OCTOBER 20, 2022)

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

Motion Passed.

Yes- Brian Johnson, Jesse Brunette, William Morgan, Steven Campbell, Randy Scannell, Mark Steuer, Melinda Eck, Craig Stevens, Bill Galvin, Chris Wery, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. Receive and place on file the City of Green Bay Human Resources report regarding information about activities and accomplishments with respect to diversity and equal opportunity in City employment and the recommendation to fill the Workplace Culture Specialist.

U. COMMITTEE OF THE WHOLE.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. Resolution approving a bond issue and housing project of the Housing Authority of the City of Green Bay, Wisconsin (University Village Housing, Inc.)

V. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to suspend the rules to take up all, except item 3, with one roll call vote.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve, Ald. Johnson abstains from item 7.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. Resolution authorizing conditional use permit at 1165 Lawe Street.

2. Resolution amending the City of Green Bay 2022 Fee Schedule.

3. Resolution amending the City of Green Bay 2023 Fee Schedule.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to amend to strike out section 44-1580 "short term rental applications" review fee of \$100 and renewal fee of \$100

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Moved by Ald. Randy Scannell, seconded by None to approve as amended.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

4. Resolution authorizing conditional use permit at 100-110 S Baird & 1368 E Walnut Streets.

5. Resolution approving the 2023 operating plan for Downtown Green Bay, Inc. Business Improvement District.

6. Resolution approving the 2023 Operating Plan for the Olde Main Street, Inc. Business Improvement District.

7. Resolution approving the 2023 Operating Plan for the On Broadway, Inc. Business Improvement District.
8. Resolution approving the 2023 Operating Plan for the Military Ave, Business Improvement District.
9. Resolution requesting Brown County share its sales and use tax revenue.
10. Resolution approving a bond issue and housing project of the Housing Authority of the City of Green Bay, Wisconsin (University Village Housing, Inc.).

W. ORDINANCES - FIRST READING AND FINAL READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Melinda Eck to suspend the rules to adopt w/ one reading.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

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

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. General Ordinance No. 22-22

An ordinance repealing and recreating Chapter 44, Article XIII, Green Bay Municipal code, relating to Floodplain Overlay District.

X. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to advance.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

I. General Ordinance No. 23-22

An Ordinance amending Zoning Code, Chapter 44, Article V, Division 8-Lighting, Green Bay Municipal code, related to light level measurements.

2. General Ordinance No. 25-22

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

Y. REFERRAL OF PETITIONS & COMMUNICATIONS.

Moved by Ald. Jesse Brunette, seconded by Ald. Mark Steuer to refer Ald. Brunette's communication

to the proper authorities.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.

Z. ADJOURNMENT.

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

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- None.