



MINUTES OF THE COMMON COUNCIL

TUESDAY, DECEMBER 20, 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.

Present: Craig Stevens, Jim Hutchison, Jesse Brunette, Randy Scannell, Brian Johnson, Mark Steuer, Bill Galvin, Melinda Eck, William Morgan, Chris Wery, Steven Campbell, Jennifer Grant

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

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

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to amend the minutes.

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 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.

F. APPROVAL OF THE AGENDA.

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

Downtown Business Improvement District Board

Jim Dubois, 118 S. Washington St., Green Bay, WI 54301

Term to expire: December 1, 2025

J. ORDINANCES - SECOND READING FOR ADOPTION.

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

Motion Passed.

Yes- Chris Wery, 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 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. General Ordinance No. 24-22

An ordinance amending Section 40-3(b), Green Bay Municipal Code, relating to Temporary Parking Regulations.

2. General Ordinance No. 29-22

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

K. LANDMARKS COMMISSION (NOVEMBER 16, 2022).

I. To deny the Certificate of Appropriateness (COA, 22-41) on the design review for window replacements located at 240 N. Broadway.

The Council may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. 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.

Moved by Ald. Randy Scannell, seconded by Ald. Jim Hutchison to approve.

Moved by Ald. Mark Steuer, seconded by Ald. Randy Scannell to open the floor.

Motion Passed.

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

Garritt Bader, 300 N. Van Buren, GB

Moved by Ald. Randy Scannell, seconded by Melinda Eck to close the floor.

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to enter into closed session.

Motion Passed.

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

Ald. Randy Scannell read the closed session language.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to return to regular session.

Motion Passed.

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

Moved by Ald. Melinda Eck, seconded by Ald. Mark Steuer to hold the hearing over for continuation to another date and to direct the parties to submit written briefs to address the issues and the legal elements contained specifically in Section 44-1555 guidelines for renovations of existing buildings within the Green Bay municipal code in context with the proposed work and the certificate of appropriateness application.

Motion Passed.

Yes- Jesse Brunette, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- Steven Campbell, Abstain- Brian Johnson.

L. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (DECEMBER 14, 2022).

Moved by Ald. Randy Scannell, seconded by None to approve except item 3.

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. Steven Campbell to reconsider L2.

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 2023 proposed vegetation maintenance at the City's stormwater ponds and facilities.

2. To approve the request by Department of Public Works to adopt the Proposed 2023 Sanitary Sewer Rates.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to amend page 65 of the packet for monitored customer section 3 sub c sub 2 sub d sampling charge. The sample charge rates listed were 2022 rates. Sample collection rate for 2023 should be \$15, analysis is \$50 for a total of \$65, not \$57. Sampler rental should be \$40 per day instead of \$35.

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 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 approve the request by Department of Public Works to adopt the Proposed 2023 Storm Sewer Rates.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to approve item 3.

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.

M. REPORT OF THE PROTECTION & POLICY COMMITTEE (DECEMBER 12, 2022).

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve except Item 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 change of agent for Harp & Eagle LTD (St. Brendan's Inn) at 234 S. Washington St. to Daniel Anton Joppe.

2. To approve a change of agent to Ultimate Mart, LLC (Pick n' Save #186) at 1819 Main St. to Lori Demeny.

3. To grant an application for a Class "B" Beer license for Allegedly LLC at 2056 Main St. Suite A with a license premises description as "SUITE A-BAR AREA-ENT CENTER, COOK PREP/STORAGE RMS (2)/COOLER/HALLWAY/BASEMENT/BATHROOMS," with the approval of the proper authorities (Previously licensed during the 2021-2022 license year as Berceaus's Last Stop)

4. To deny a request by Stephen Preisler at 826 S. Baird St. to appeal invoices.

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

Moved by Ald. Bill Galvin, seconded by Ald. Mark Steuer to open the floor.

Motion Passed.

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

Steve Preisler, 826 S. Baird St.

Moved by Ald. Mark Steuer, seconded by Ald. Brian Johnson to close the floor.

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, No- Chris Wery, Abstain- None.

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell refer back to the Protection & Policy committee.

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.

5. To approve General Ordinance 26-22 Relating to Condominiums.

6. To approve General Ordinance 28-22 regarding Board of Absentee Ballot Canvassers.

7. To approve General Ordinance 27-22 Relating to Elected Officials.

8. To refer to staff a request by Ald. Scannell (District 7) for consideration with possible action on requesting the Greater Green Bay Blueprint to Prevent and End Homeless to report to Council

2x's/year.

9. Informational Only: The Liquor Violation Report.

10. Informational Only: The Clerk's Office Licensing Report.

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

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

O. REPORT OF THE FINANCE COMMITTEE (DECEMBER 13, 2022).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve except Item 7.

Motion Passed.

Yes- Jesse Brunette, Steven Campbell, Melinda Eck, Bill Galvin, Jennifer Grant, Jim Hutchison, Brian Johnson (Items 1-3, 5-8), William Morgan, Randy Scannell, Mark Steuer, Craig Stevens, Chris Wery, No- None, Abstain- Brian Johnson (Item 4).

1. To approve the purchase of FortiNet EPP-APT, EDR/MDR and MultiFactor Authentication software and support for 36 months for total cost of \$154,125.00.

2. To approve the acceptance of the State of Wisconsin Department of Administration Neighborhood Investment Fund Grant program for \$5,000,000 as part of the American Rescue Plan Act of 2021.

3. To approve a request by the Department of Public Works for a sole-source purchase of an Aries TR3320 Pathfinder Tractor (with case) and an Aries PE3530 CCTV Camera (with case) from JWR, Inc., in the amount of \$51,229.

4. To approve the acceptance of the WEDC Community Development Investment Grant for up to \$250,000.

5. To approve a first amendment to the resolution adopting the City's plan for expenditure of funds received pursuant to the American Rescue Plan Act of 2021.

6. Regarding the Report of the Claims Committee: To proceed as directed in closed session and approve the balance of the report.

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.

7. To approve the engagement of Husch Blackwell as outside counsel to provide legal assistance related to the Lambeau Field Stadium Lease.

The Committee 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. 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. Mark Steuer to approve.

Moved by Ald. Chris Wery, seconded by Ald. Randy Scannell to enter closed session.

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.

Ald. Chris Wery read the closed session language.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to return to regular session.

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. Chris Wery to proceed as directed in closed session.

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.

8. To approve a resolution authorizing budget amendments for unbudgeted community events and costs offset by invoices for a total of \$39,719.27.

P. REPORT OF THE PARK COMMITTEE. (DECEMBER 14, 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 Leadership Green Bay project to improve the Wildlife Sanctuary 4K outdoor exploration/play area with the construction of a new dock and shelter along with providing funding

to set up a scholarship fund for bussing Wildlife Sanctuary 4K students.

2. To approve the purchase of playground equipment for John Muir Park from GameTime for a total cost of \$25,674.89.

Q. REPORT OF THE PERSONNEL COMMITTEE. (DECEMBER 13, 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. Public Works Supervisor - Public Works Department

b. Legal Assistant - Law Department

R. REPORT OF THE PUBLIC ARTS COMMISSION (DECEMBER 14, 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 TDS utility box Call-for-Art.

S. REPORT OF THE EQUAL RIGHTS COMMISSION (DECEMBER 8, 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 present the Equal Rights Commission Housing Report on Martin Luther King Day (January 16, 2023).

2. INFORMATIONAL: Equal Rights Commission Annual Report to the Mayor and Common Council.

T. INFORMATIONAL.

I. MuniCtReportNov2022

U. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to suspend the rules to take up all with one roll call vote.

Minutes of the Common Council

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. Resolution drawing final orders to contractors for December 20, 2022.

2. First amendment to the resolution adopting the City's plan for expenditure of funds received pursuant to the American Rescue Plan Act of 2021.

3. Resolution authorizing budget amendments for unbudgeted community events and costs offset by invoices for a total of \$39,719.27.

V. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to suspend the rules and take up all 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 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.

1. General Ordinance 26-22

An ordinance amending section 36-278, Green Bay municipal code, relating to condominiums.

2. General Ordinance 28-22

An Ordinance Amending Section 2-290(A), Green Bay Municipal Code, Relating To Board Of Absentee Ballot Canvassers.

3. General Ordinance 27-22

An Ordinance Amending Section Code Section 2-122, Green Bay Municipal Code, Relating To Elected Officials.

W. REFERRAL OF PETITIONS & COMMUNICATIONS.

X. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Melinda Eck 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.