



AGENDA OF THE COMMON COUNCIL

TUESDAY, JANUARY 17, 2023, 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 virtual Zoom meeting. A comment form link is also included.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

- I. December 20, 2022.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

- I. In recognition of life-saving efforts of Jody Cooney, Andrew Theis, Tom Weis and Jake VandenHeuvel, Department of Public Works Staff members.

J. Appointments.

I. Reappointments:

Olde Main Street Business Improvement District

Joan Johnson, 1244 Main Street, Green Bay, WI 54302

Term to expire: January 1, 2026

Paul Kosmoski, 1270 Main Street, Green Bay, WI 54302

Term to expire: January 1, 2026

Appointments:

Transit Commission

Terri Refsguard, 1342 11th Avenue, Green Bay, WI 54304

Term to expire: September 1, 2023 (filling the remainder of a term)

Green Bay Area Room Tax Commission

Jessica Shelby, 333 Main St, Green Bay, WI 54301

Term to expire: November 1, 2023 (filling the remainder of a term)

K. Public Hearing.

1. Resolution regarding vacation of an unimproved public right-of-way southern portions of East Shore Drive.

L. Ordinances - Second Reading for Adoption.

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.

M. Landmark's Commission (November 16, 2022).

1. To deny the Certificate of Appropriateness (COA, 22-41) on the design review for window replacements located at 240 N. Broadway (referred from the 12/20/22 Council meeting).

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.

N. Report of the Improvement & Services Committee (January 11, 2023).

1. To approve the 2023 Special Assessment factors and rates.
2. To approve the request by Speedy Clean, Inc. and KS Energy Services to enter into an annual Hold Harmless Agreement for access to the City of Green Bay sewer system to conduct inspection of the sewer mains and laterals.

3. To approve the request by Green Viper, LLC to rescind the previously deferred storm sewer and sanitary sewer special assessments against Parcels 21-8400, 21-8401, and 21-8402 resulting from double-frontage conditions on each parcel.
4. To approve the request by Department of Public Works to enter into a State/Municipal Agreement with Wisconsin Department of Transportation for design and construction services associated with the replacement of the Ashland Avenue bridge, WisDOT Structure B-05-0018.
5. To approve the request by Department of Public Works to replace two lift station pumps for the Parkwood Sanitary Sewer Lift Station at a cost of \$21,604.35 each for a total of \$43,208.70.
6. To approve the award of contract BRIDGE 7-22 MAIN STREET BRIDGE B-5-311 (HYDRAULIC REHABILITATION PHASE I).
7. To receive and place on file the actions taken by Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. The Boldt Company
- b. Bryan McEwen Concrete, LLC
- c. Dorner Equipment Sales and Service, LLC
- d. Highway Landscapers
- e. Helme Construction & Concrete, LLC
- f. Howard Immel, Inc.
- g. Martell Construction, Inc.
- h. Pro 1 Property Services, LLC
- i. Quinn & Sons Concrete Construction, LLC
- j. Rabine America Maintenance, LLC
- k. Tilson Technology, Inc.
- l. Titledown Construction, LLC
- m. Utility Traffic & Restoration

2. Tree & Brush Trimmer

- a. A Four Season Tree Care
- b. A to Z Tree Service
- c. A-I Tree Service, Inc.
- d. Asplundh Tree Expert, LLC
- e. BEST Enterprises, LLC
- f. Economy Tree Service, LLC
- g. Epic Innovations, LLC
- h. Fall-Rite Services, LLC
- i. Fox Valley Tree Care & Landscape
- j. Highway Landscapers, Inc.
- k. Holtger Bros., Inc.

- l. R&J Tree Services, LLC
- m. Rigo's Landscaping, LLC
- n. Selner Tree & Shrub Care
- o. Tree-B-Gone, LLC
- p. Urban Tree Service
- q. Yesterdays Trees, LLC

O. Report of the Protection & Policy Committee (January 9, 2023).

1. To approve an application for a "Class B" (Wine Only) Winery license for SIP LLC at 345 S. Adams St. with a license premises description as "INS BLDG (2NDFLR LOUNGES/RMS ON MAIN FL/1/2 CELLAR SP&BARREL AREA,PORCH/PRK LOT/FRONT LAWN, subject to the approval of the proper authorities and requires a waiver in the 6' fencing ordinance (Previously licensed as Von Stiehl Winery, LTD).
2. To approve an application for a Reserve "Class B" Combination License for Vast Properties Group, LLC at 401 N. Washington St. with a license premises description as "STE 2: 2LG RMS,1400SQ FT EACH, SHELVING, BTHRM, MECHANICAL RM, OFFICE W/JANITORIAL SINK," subject to the approval of the proper authorities.
3. To grant a request by Footbowl LLC (1st and Bowl) at 301 N. Washington St. to approve a change to the business security plan for the possibility of allowing patrons under 21 into the establishment based on its determination of exemption as a bowling center.
4. To approve an appeal for the denial of Demardo Echols' operator's licence.
5. To deny a request by Stephen Preisler at 826 S. Baird St. to appeal invoices (previously discussed at the 12/12/2022 Protection & Policy Committee Meeting).
6. To refer to staff for a report a request by Ald. Wery (District 8), "To request a written and verbal report of the 11/1/22 election. Explain the Early Absentee Voting handling of ballots. What is the chain of custody procedure until election day counting?"
7. Informational Only: The Liquor Violation Report
8. Informational Only: The Clerk's Office Liquor Licensing Report

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

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Q. Report of the Plan Commission (January 9, 2023).

1. To vacate unimproved portions of roadways known as Rona Lane and an unnamed street east of Crestwood Drive and south of W. Mason Street.
2. To amend the City's Comprehensive Plan for properties located at 3251, 3263, 3279 Nicolet Drive, Tax Parcels 22-64, 22-65, and 22-66-1, from a mixture of Low Density Residential Uses, Commercial Uses, and Park Uses to solely Park Uses. (Public Hearing held 01/09/22)

3. To rezone properties located at 3251, 3263, 3279 Nicolet Drive from General Commercial (CI) and Low-Density Residential (RI) to Public Institutional (PI). (Public Hearing held 01/09/22)
4. To amend the City's Comprehensive Plan for a portion of properties located in the 600 Block of Adams Street, from Park to Downtown. (Public Hearing held 01/09/22)
5. To rezone the 600 Block of S. Adams Street from Light Industrial (LI) and Public/Institutional (PI) to Downtown (DI) and Public Institutional (PI). (Public Hearing held 01/09/22)
6. To hold over the request to establish a Planned Unit Development at 216 S. Military Avenue to permit the development of multiple-family residential use. (Public Hearing held 01/09/22)
7. To hold over the request to amend a Planned Unit Development at 216 S. Military Avenue to amend the boundaries of the PUD. (Public Hearing held 01/09/22)

R. Report of the Finance Committee (January 10, 2023).

1. To rescind real estate taxes for parcel 22-SC480-I Richard & Linda Farley at 4177 Algoma Road for a total of \$2,733.14.
2. To rescind real estate taxes for parcel #18-269 Christopher Woodke at 1029 Neville Ave for a total of \$347.48.
3. To rescind personal property taxes for account #27624 UP Properties II / Fazoli's previously at 2400 E Mason for a total of \$1,135.85.
4. In response to a request by Ald. Brian Johnson to the Finance Committee which states: "For consideration and possible action to direct staff to draft an ordinance that defines the frequency by which the city must conduct revaluations with a more stringent requirement than currently mandated by state law." To refer to staff to inquire with the top 10 cities in the state of Wisconsin and a couple of our nearby municipalities to determine how frequently they do their revaluations and if it's by ordinance, policy, or they just do it. And also to inquire what the presumed cost might be for the City to do it on a more frequent basis.
5. In response to a request by Ald. Brian Johnson to the Finance Committee which states: "For consideration and possible action on the adoption of a resolution urging local government funding reform including but not limited to shared revenue; and requesting the state consider surplus distributions to local municipalities for investments in public safety and infrastructure needs." To refer to staff to come back to the next Finance Committee to modify the League of WI Municipalities resolution to either add or remove anything that wouldn't necessarily be appropriate for Green Bay. And to draft a resolution regarding the state surplus that would allow a distribution to local municipalities for public safety and infrastructure needs.
6. In response to a request by Ald. Brian Johnson to the Finance Committee which states: "For consideration and possible action to direct staff to draft a resolution appealing the state to contemplate a modification in the TID statutes to permit the use of TIF to aid in the funding of public safety buildings." To refer to staff to draft a resolution.

S. Report of the Personnel Committee.

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Accounting Assistant - Parks Department
 - b. Administrative Clerk - Community and Economic Development
2. To approve the request to reorganize the Public Works Parking Division.

T. Report of the Public Arts Commission (January 12, 2023).

1. To approve the resolution to apply for a Vibrant Spaces grant.
2. To approve the acceptance of the NEA Grants for Arts Projects Grant for up to \$10,000 for the Shipyard Murals project.

U. Informational.

1. Building Report for December 2022
2. MuniCtReportDec2022

V. Committee of the Whole.

1. Consideration with possible action on approval of polling locations for the Spring Primary and Spring General Elections, February 21, 2023 and April 4, 2023.

W. Resolutions.

1. Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin statutes.
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5. Resolution drawing final orders to contractors for January 17, 2023.
6. Resolution authorizing cancelation of 2022 real estate property taxes, parcel 22-SC480-1.
7. Resolution authorizing cancelation of 2022 real estate property taxes, parcel 18-269.
8. Resolution authorizing cancelation of 2022 personal property taxes, account 27624.
9. Resolution authorizing the submission of a Vibrant Spaces Grant application for 109 Dousman Street.
10. Resolution authorizing rescinding deferred special assessments for sanitary sewer and storm sewer.

11. Resolution approving polling locations for the Spring Primary and Spring General Elections, February 21, 2023 and April 4, 2023.
12. Resolution regarding vacation of an unimproved public right-of-way southern portions of East Shore Drive.

X. Ordinances - First Reading.

1. Zoning Ordinance No. 02-23
An ordinance rezoning property located at 3251 Nicolet Drive, 3263 Nicolet Drive, and 3279 Nicolet Drive from a combination of General Commercial (CI) and Low-Density Residential (RI) to Public Institutional (PI).
2. Miscellaneous Ordinance No. 02-22
An Ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to properties located at 3251, 3263, 3279 Nicolet Drive.
3. Miscellaneous Ordinance No. 01-23
An ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to properties located in the 600 Block South Adams Street.
4. Zoning Ordinance No. 01-23
An ordinance rezoning property located along the 600 Block of South Adams Street from Light Industrial (LI) and Public/Institutional (PI) to Downtown (DI) and Public Institutional (PI).

Y. Referral of Petitions & Communications.

Z. 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.