



AGENDA OF THE COMMON COUNCIL

TUESDAY, FEBRUARY 7, 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 instructions and information for the Zoom virtual meeting. It also contains a link to the comment form.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

- I. January 17, 2023.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. Appointments:

Economic Development Authority

Stephen Srubas, 1175 Kellogg Street, Green Bay, WI 54303

Term to expire: June 1, 2024 (filling the remainder of a term)

Reappointments:

Equal Rights Commission

Cristina Ortiz, 1917 Lakeside Place, Green Bay, WI 54302

Term to expire: February 1, 2026

Stephanie Guzman, 2711 Malcore Drive, Green Bay, WI 54301
Term to expire: February 1, 2026

Marcus Grignon, 401 South Fisk Street, Green Bay, WI 54303
Term to expire: February 1, 2026

J. Ordinances - Second Reading for Adoption.

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).

K. Landmarks Commission.

1. To deny the Certificate of Appropriateness (COA 22-41) on the design review for window replacements located at 240 N. Broadway (continued from the 12/20/22 and 1/17/23 Council meetings).

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.

L. Report of the Protection & Policy Committee (January 23, 2023).

1. To approve a change of agent at MJ Hospitality (Drink) at 708 Bodart St. to Jo Anna Albertz.
2. To approve a request by Catering with Taste, Inc. at 618 Gray St. to extend the issuance of their licensed premises to April 11, 2023.
3. To approve a request by Confetti's Inc. at 217 E. Walnut St. to extend the issuance of their license premises to mid-May.

4. To approve a request by 1001 Club LLC at 1001 Main St. to extend the issuance of their license to mid-February.
5. To approve a request by Harp & Eagle, LTD. (St. Brendan's Inn) at 234 S. Washington St. to temporarily extend their license premises to their parking lot on March 12 (St. Baldrick's Fundraiser), March 17 (St. Patrick's Day) and March 18 (DTGB St. Patrick's Day Parade).
6. To approve a request by The Sardine Can, Inc. at 128 S. Broadway to temporary expand their license premises to the back parking lot until December 31, 2023.
7. To approve a request by Sardine Can, Inc. at 128 S. Broadway to temporarily extend their license premises to the parking lot on June 14, June 28, July 12, July 19, July 26, August 9 and August 23.
8. To hold until the first Protection & Policy Meeting in May an appeal by John Rome, 1315 S. Oakland Ave, regarding reinspection fees (filed with the Law Department on 1/11/2023).
9. To grant an appeal by H&P Smeester Family, 1368 Biemeret St., and rescind Invoice 164984.
10. Informational Only: The Liquor Violation Report for January 23, 2023.
11. Informational Only: The Clerk's Office Liquor Licensing Report.
12. Informational Only: A report by the Clerk regarding the November 8, 2022 Election.

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

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

N. Report of the Plan Commission. (January 23, 2023)

1. To deny the request to establish a Planned Unit Development at 216 S. Military Avenue to permit the development of multiple-family residential use.
2. To table indefinitely the request to amend a Planned Unit Development at 216 S. Military Avenue to amend the boundaries of the PUD.
3. To approve a Conditional Use Permit (CUP) at 1950 Radisson Street to allow a hobbyist shop for a major vehicle repair in a Business Park (BP) district, subject to the following conditions:
 - a. All repair work must be performed indoors, within the garage.
 - b. Any vehicle on the property which will be, is, or has been repaired must be kept indoors until the time the vehicle leaves the property.
 - c. No outdoor storage of any kind is allowed for activity related to major vehicle repair.
 - d. A maximum of two vehicles may be in repair at any given time.
 - e. Both parcels, 21-1183-16 and 21-1183-15, must be combined into a single parcel. (Public Hearing held 01/23/2023)
4. To approve a subdivision variance at 1095 Langlade Avenue (Parcel # 1-1393-A).

O. Report of the Finance Committee (January 31, 2023).

1. To approve contingent on a successful review by the City Assessor for property exempt status for Tax Year 2022 the request for reimbursement of 2022 property taxes of \$12,017.18 for 5-1523-1 (610 N Broadway). N.E.W. Community Clinic.

The Council 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 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.

2. To approve reimbursement of taxes, excluding the pavement special assessment, contingent on a successful review by the City Assessor the request for reimbursement of 2022 property taxes total of \$14,102.83 for 14-426 (612 Stuart St), 14-410 (304 S Quincy St), and 14-410-A (618 Stuart St) for St. John's Ministries.

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3. To approve the renewal of the Environmental Systems Research Institute, Inc (ESRI) software for three years at \$214,425.00.
4. To approve the purchase of a Graco Grindlazer pavement marking eradicator from Sherwin Industries in the amount of \$57,554.
5. To amend File 7-2-211 to strike the four-party agreement and to approve staff recommendation for the use of American Rescue Plan Act (ARPA) allocation for a total of \$5,576,880. Item was referred to staff to bring back recommendation from the August 30, 2022 Common Council Meeting.
6. To approve a limited conflict waiver for the firm of Renning Lewis and Lacy.

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7. To proceed as directed in closed session regarding Jamb Investments v. City of Green Bay.

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litigation in which it is or is likely to become involved. 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.

8. To approve the Report of the Claims Committee.

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P. Report of the Park Committee. (January 25, 2023)

1. To refer to staff to modify the City Hall Flagpole Policy to include all City-owned flagpoles and forward to the Protection and Policy Committee for review.
2. To adopt a resolution in support of World Migratory Bird Day.
3. To approve the request by the U.S. Geological Survey Upper Midwest Water Science Center to install a Remote Water Quality Monitoring Station on park property just north of East High School, east of North Baird Street.

Q. Report of the Personnel Committee.

1. To approve staff to proceed as directed regarding negotiations on the 2023 City of Green Bay and City of Green Bay International Brotherhood of Electrical Workers Local No. 158 labor agreement.

The Common Council may convene in closed session pursuant to § 19.85(1)(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.

R. Report of the Traffic, Bicycle, and Pedestrian Commission (January 16, 2023).

1. To elect Dan Theno as Chair and Kasha Huntowski as Vice Chair. (For information only. No council action is required.)
2. To receive and place on file the report by the Police Department of the 2022 4th quarter serious injury and fatal crashes.
3. To receive and place on file the monthly Traffic Enforcement Unit Traffic Safety Plan.
4. For staff to draft a letter to the Riverfront Loft Condominium Association detailing the alley as the appropriate drop off/pickup location for residents and guests.

S. Report of the Ethics Board

1. To approve General ordinance 18-22, repealing and recreating Chapter 2, Article IX, Green Bay Municipal code, relating to Ethics as revised, previously discussed at the August 30, 2022 council meeting.

T. Report of the Sustainability Commission (January 18, 2023)

1. Consultant partner, Slipstream gives an update on the City-wide Comprehensive Energy Planning Project.
2. Work Group Updates
3. Marketing & Outreach discussion led by Alder Mark Steuer and Kaurie Mihm.
4. Earth Day is April 23. Is there interest in participating in a community event?
5. Summary of approved text amendments from the Green Stormwater Infrastructure Code project.

U. Report of the Equal Rights Commission

1. To approve the report: *Life, Liberty, and the Pursuit of Happiness: Recommendations to Promote Equal Housing Opportunity in Green Bay* and to direct staff to implement the report's recommendations.

V. Committee of the Whole

1. For consideration and possible action in the matter of *Karen Thomas v. City of Green Bay*.

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.

W. Informational.

1. Building permit report for January 2023.
2. MuniCtReportJan2023.

X. Resolutions.

1. Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin Statutes.
2. Preliminary resolution declaring intent to exercise special assessment powers under section 66.0703, Wisconsin Statutes.
3. Resolution authorizing a Variance from Section 36-457, Subdivision and Platting, Green Bay Municipal Code, to allow for creation of two lots not meeting minimum lot size for a parcel located at 1095 Langlade Avenue.
4. Resolution authorizing conditional use permit at 1950 Radisson Street.

5. Resolution to adopt World Migratory Bird Day.
6. Resolution drawing final orders to contractors for February 7, 2023.
7. Resolution to approve litigation action.

Y. Ordinances - First Reading.

1. General Ordinance 18-22 – An ordinance to repeal and recreate Chapter 2 Article IX relating to Ethics.

Z. Referral of Petitions & Communications.

AA. 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.