



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.

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.

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.

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.

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

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.

8. To approve the Report of the Claims Committee.

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.

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.

Virtual Meeting Instructions



2023-02-07 Common Council

Zoom Meeting Information

Topic: 2023-02-07 Council Meeting
Time: Feb 7, 2023 06:00 PM Central Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/87128098984>

Meeting ID: 871 2809 8984
Passcode: 141951
One tap mobile
+13092053325,,87128098984#,,,,*141951# US
+13126266799,,87128098984#,,,,*141951# US (Chicago)

Dial by your location

- +1 309 205 3325 US
- +1 312 626 6799 US (Chicago)
- +1 646 931 3860 US
- +1 929 205 6099 US (New York)
- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US
- +1 669 444 9171 US

Meeting ID: 871 2809 8984
Passcode: 141951
Find your local number: <https://us02web.zoom.us/j/krOfwnMB1>

Public Comments

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) prior to the meeting. Online comments will be accepted until 4:30 pm on Council day.

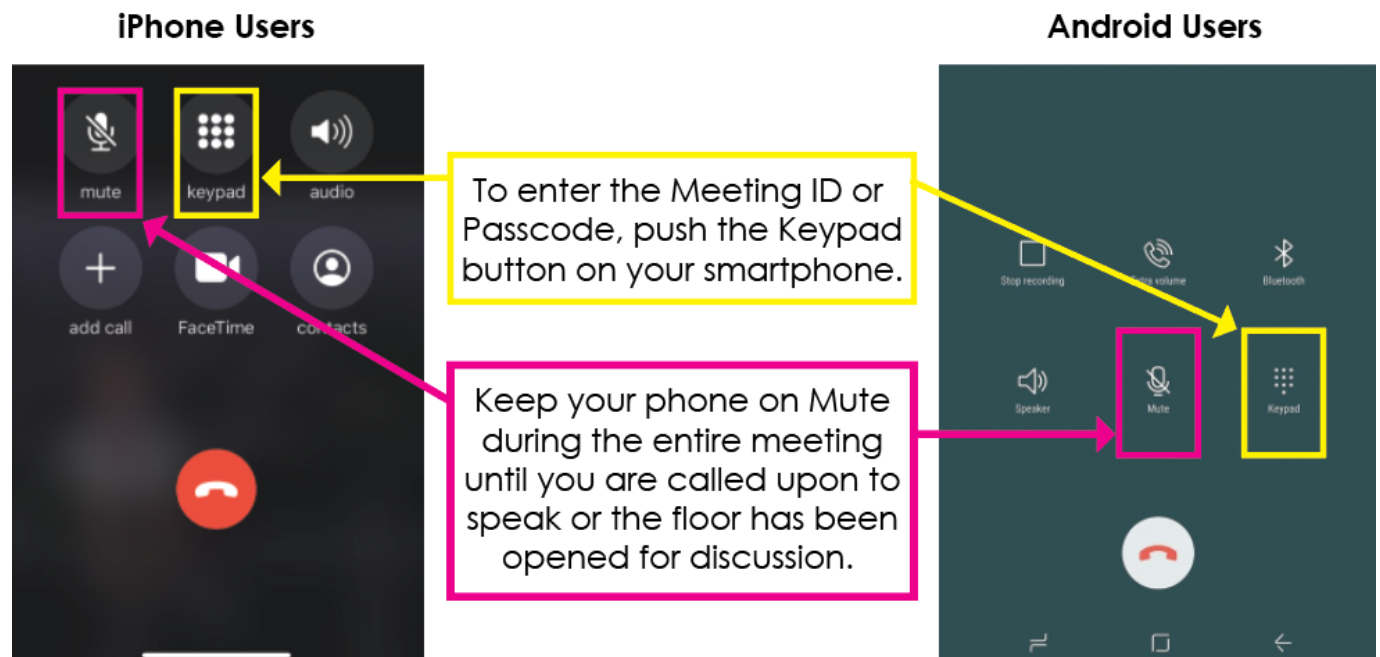
Additional Information

1. Wisconsin Open Meetings Law still applies
 - a. Persons interested in speaking to an item must state their name and address for the minutes.
 - b. Committee/Commission/Board members will still follow *Roberts Rules of Order Newly Revised 12th edition*.
2. Please log into the Zoom meeting at least 10 minutes before the meeting begins to ensure a proper connection and that your technology is working.
 - a. If you are a Board Member, please log into [CivicClerk](#) with a computer, laptop, or tablet device.
3. Once you are in the meeting please mute yourself.
 - a. You may unmute yourself when you are called upon to speak.
4. Waiting room
 - a. When you call in or connect via web or Zoom app, you will be placed in a "waiting room."
 - b. The meeting host will then admit you to the meeting, and mute you upon entrance (you will still be able to hear and or otherwise observe the meeting).
5. Registering
 - a. The host may ask you to register for the meeting. A registration link will be sent to you along with the invite. You'll receive another email confirming that you're registered for the meeting.
 - b. If you're using a phone, your registration will be tied to an email.
6. Raising your hand
 - a. Committee/Commission/Board members—you can either use CivicClerk and request to speak or you can also utilize the "raise your hand" tool in the Zoom platform (you'd need to use a computer or tablet) to let the host know you would like to speak. You can also un-mute yourself and start speaking.
 - b. Persons with items on the agenda or other interested parties—you can also utilize the "raise your hand" tool on the Zoom platform via computer or mobile device. You will be allowed to speak once the committee, commission, or board has moved to "open the floor for interested parties to speak." Once discussion on your agenda item has concluded, the host will mute you, unless the committee opens the floor again.
7. What devices should I use?
 - a. Smart phone (please see more detailed instructions on page 3)
 - b. Land line
 - c. Tablet—in advance of the meeting, please download the Zoom Meeting app by using either the Apple Store or the Play Store. You will be asked to input your name, to identify you for the meeting.
 - d. Computer—you can access the meeting through a web browser by clicking on the meeting link, or through the Zoom Meeting app. If using the app, please download it in advance of the meeting. You will be asked to input your name, to identify yourself for the meeting.
 - e. For tablet and computer users—if you download the app you may be asked to verify your email.

8. Zoom etiquette
 - a. Muting yourself when you're not speaking will prevent your background noise from interfering with others' ability to listen to and participate in the meeting.
 - b. If you're using a telephone, please identify yourself with your phone number and state your name and address before you speak. Zoom meeting hosts can see only your telephone number and will ask you to identify yourself.
9. Closed session
 - a. Persons in the Zoom meeting will be put into a waiting room while the committee/commission/board meets in Closed Session. Participants will be admitted back into the Zoom meeting once the committee reconvenes in Open Session.
 - b. Persons watching a Common Council meeting live on YouTube will see a gray screen with the City logo during closed session.
10. Persons interested in attending anonymously or listening to the meeting may call in by dialing *67 followed by the phone number in the Zoom Meeting Information box.

Calling into the Zoom meeting using a smartphone

1. Dial the phone number listed at the beginning of this document.
2. When prompted, enter the Meeting ID number followed by #
3. Once you are in the meeting, notify the meeting host that you are in and state your name.
4. If you do not wish to speak, please make sure your phone is on **Mute**
 - a. If you're using a smartphone, look at your screen and click the Mute button



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 (C1) AND LOW-DENSITY RESIDENTIAL (R1) TO PUBLIC INSTITUTIONAL (PI) (ZP 22-42)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning portions of the following described properties, known as 3251 Nicolet Drive, 3263 Nicolet Drive, and 3279 Nicolet Drive from a combination of General Commercial (C1) District and Low-Density Residential (R1) District to the Public Institutional (PI) District:

PARCEL I: PART OF LOT THREE (3) OF SECTION TWELVE (12) AND PART OF FRACTIONAL SECTION ELEVEN (11), ALL IN TOWNSHIP TWENTY-FOUR (24) NORTH, OF RANGE TWENTY-ONE (21) EAST, (FORMERLY IN THE TOWN OF SCOTT), NOW IN THE CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS: STARTING AT A POINT WHERE THE N. LINE OF HERMAN CORSTEN'S 42 ACRE TRACT IN SECTION 12, TOWNSHIP 24 NORTH, OF RANGE 21 EAST, INTERSECTS WITH THE W LINE OF NICOLET ROAD (FORMERLY KNOWN AS THE BAY SHORE ROAD), THENCE IN A SLY DIRECTION ALONG THE W LINE OF SAID ROAD 150 FEET; THENCE IN A WLY DIRECTION ON A LINE EXACTLY PARALLELING THE AFORESAID N LINE TO THE SHORE OF THE WATERS OF GREEN BAY; THENCE MEANDERING NORTHWARD ALONG SAID SHORE LINE TO THE AFORESAID N LINE; THENCE ELY ALONG SAID N LINE TO THE STARTING POINT, TOGETHER WITH RIPARIAN RIGHTS.

PARCEL II: PARCEL "2" OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 197, MAP NO. 1099, DOCUMENT NO. 756816, BEING PART OF GOVERNMENT LOT THREE (3) IN THE SOUTHWEST QUARTER (SW 1/4) OF SECTION TWELVE (12) AND OF FRACTIONAL SECTION ELEVEN (11), ALL IN TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE TWENTY-ONE (21) EAST, CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN COUNTY, WISCONSIN.

PARCEL II: PARCEL "1" OF VOLUME 4 CERTIFIED SURVEY MAPS, PAGE 197, MAP NO. 1099, DOCUMENT NO. 756816, BEING PART OF GOVERNMENT LOT THREE (3) IN THE SOUTHWEST QUARTER (SW 1 /4) OF SECTION TWELVE (12) OF FRACTIONAL SECTION ELEVEN (11), ALL IN TOWNSHIP TWENTY-FOUR (24) NORTH, RANGE TWENTY-ONE (21) EAST, FORMERLY IN THE TOWN OF SCOTT, NOW PART OF THE CITY OF GREEN BAY, EAST SIDE OF FOX RIVER, BROWN

ZONING ORDINANCE NO. 17-22

PAGE 2

COUNTY, WISCONSIN.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

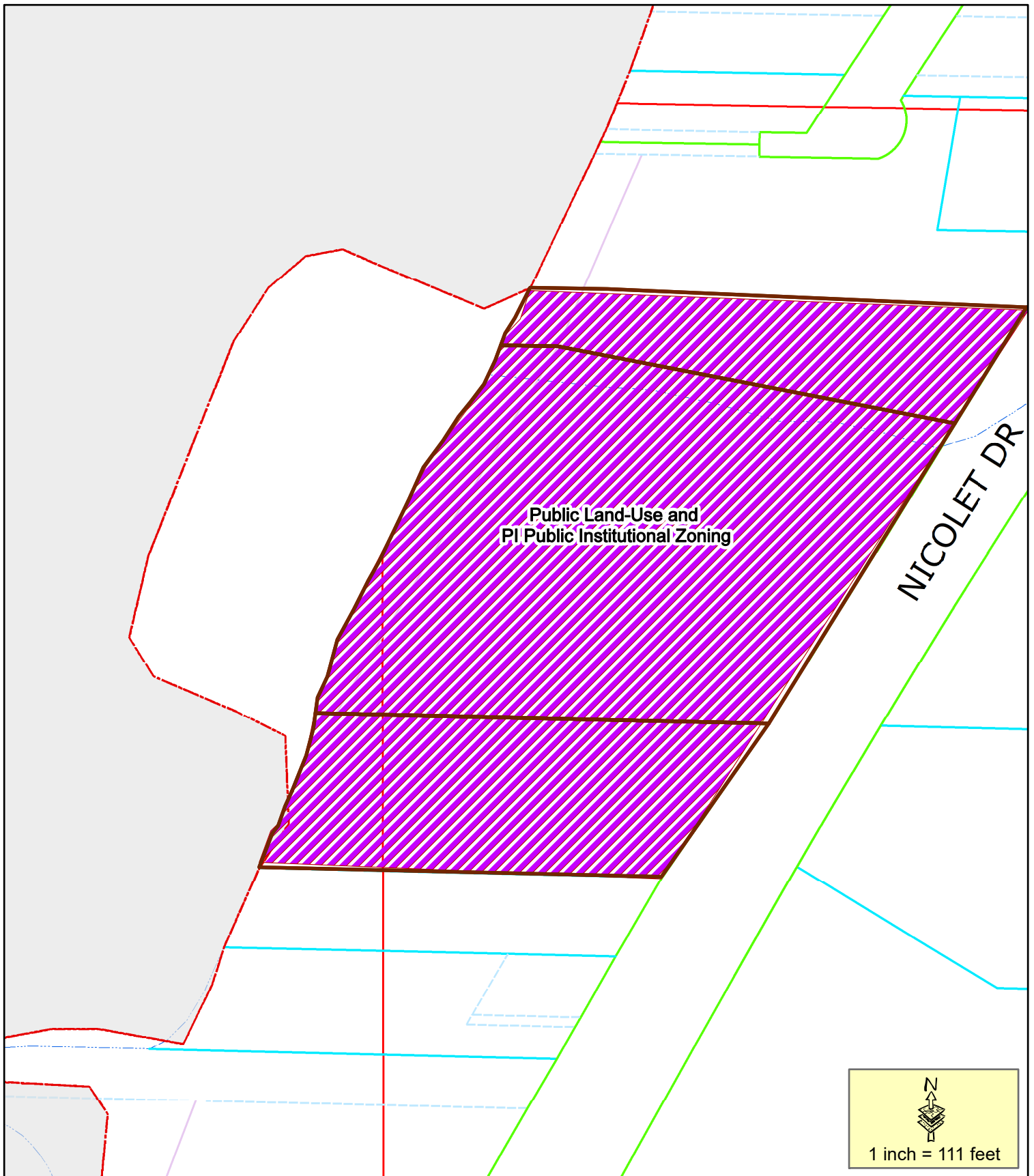
Mayor

ATTEST:

Clerk

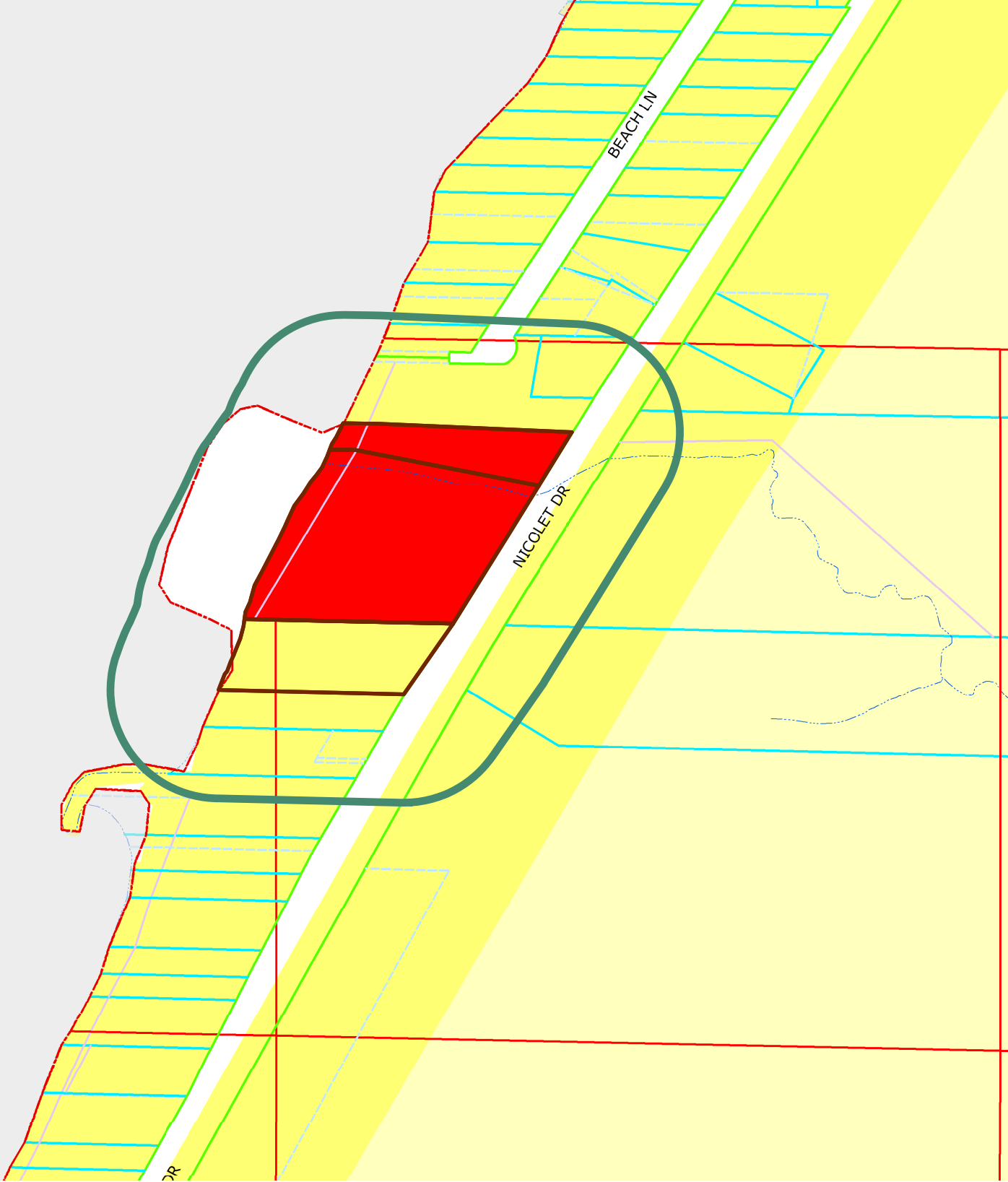
jl

Attachments – Location Map
Designation Map



**Zoning Petition (ZP 22-42) and
Comp Plan Amendment (CPA 22-02)
Public-Land Use and
PI Public Insitutional Designation**

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB



MISCELLANEOUS ORDINANCE NO. 02-23

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 (CPA 22-02)

WHEREAS, pursuant to Wis. Stats. §§ 62.23(2) and (3), the City of Green Bay is authorized to prepare, adopt, and amend a comprehensive plan, as defined in Wis. Stats. § 66.1001(4)(a); and

WHEREAS the Common Council has adopted the Smart Growth 2022 Comprehensive Plan for the purpose of guiding future land-use decision making, but recognizes that from time-to-time amendments may be necessary to reflect changes in the land use and planning needs of the community; and

WHEREAS the Common Council of the City of Green Bay has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by Wis. Stats. § 66.1001(4)(a); and

WHEREAS the Plan Commission of the City of Green Bay, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment CPA 22-02; and

WHEREAS the City of Green Bay has held at least one public hearing on this ordinance in compliance with the requirements of Wis. Stats. § 66.1001(4)(d), and it is the Common Council's belief that this comprehensive plan amendment is necessary and consistent with the overall goals, policies, and other related elements of the plan;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Comprehensive Plan Amendment CPA 22-02 is hereby adopted pursuant to Wis. Stats. § 66.1001(4)(c). A copy of the comprehensive plan amendment is attached to this ordinance.

SECTION 2. This ordinance shall take effect upon its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

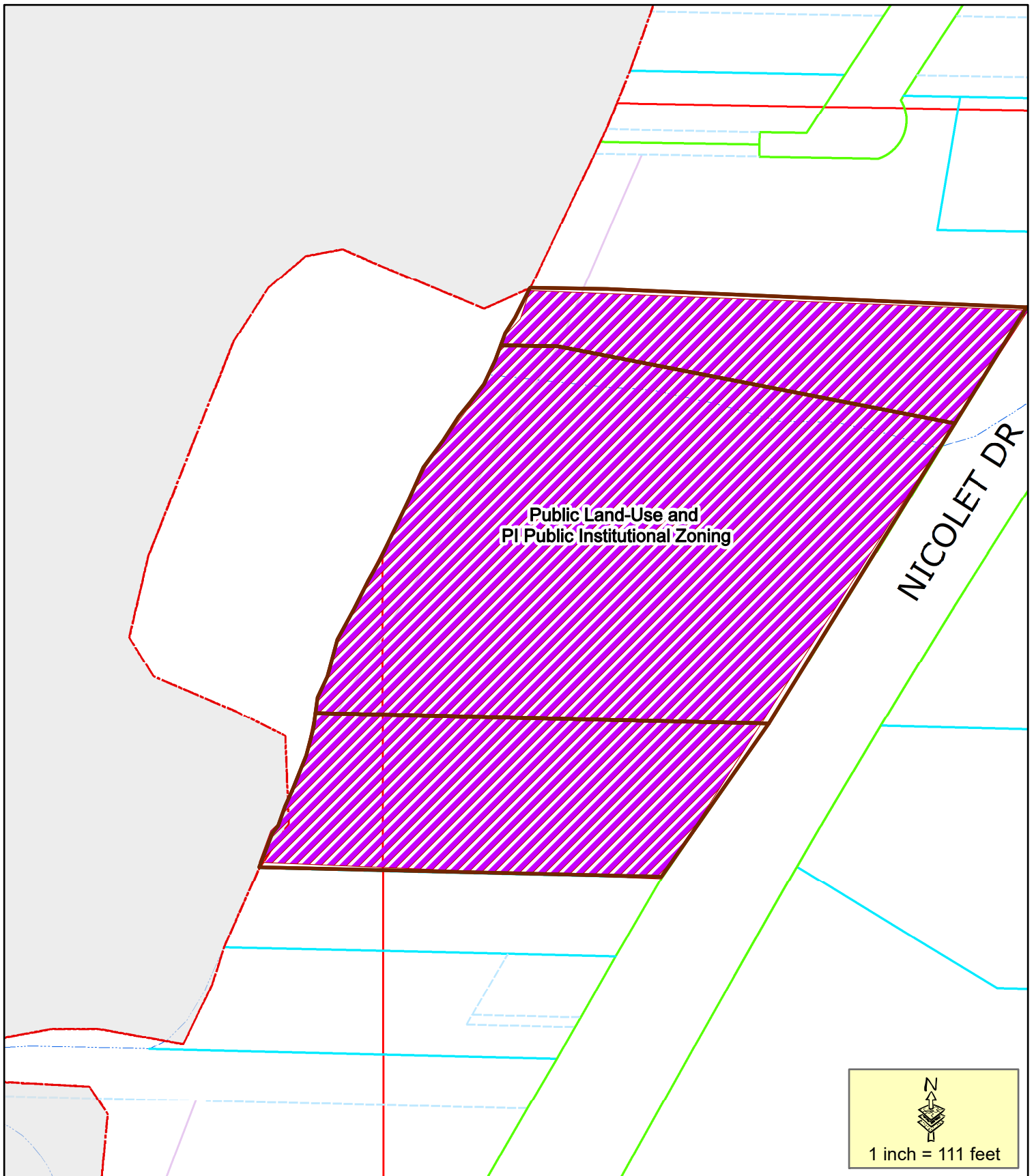
APPROVED:

Mayor

ATTEST:

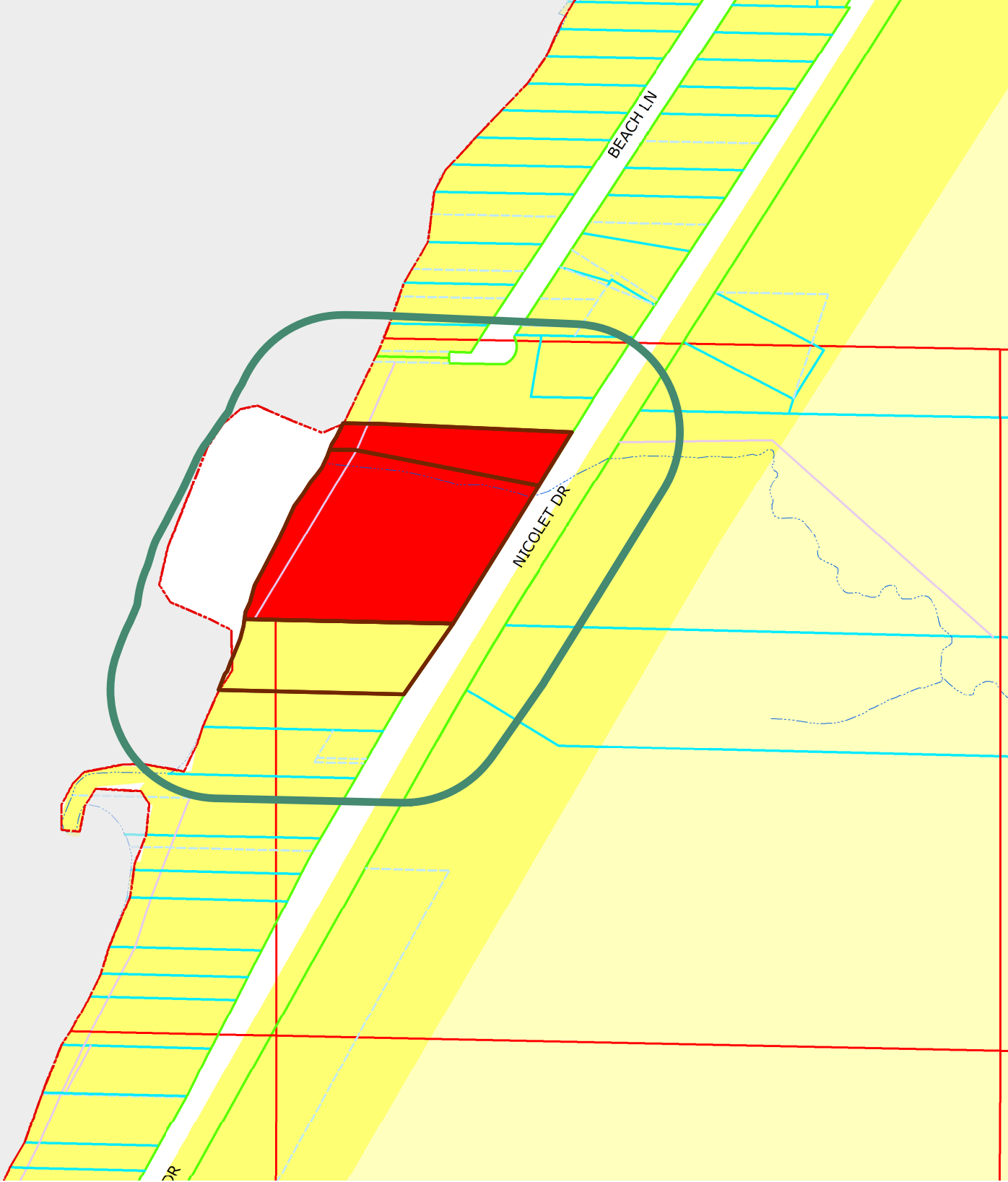
Clerk

Attachments – Location Map
Designation Map



**Zoning Petition (ZP 22-42) and
Comp Plan Amendment (CPA 22-02)
Public-Land Use and
PI Public Insitutional Designation**

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Map prepared by DB



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 (CPA 22-03)

WHEREAS, pursuant to Wis. Stats. §§ 62.23(2) and (3), the City of Green Bay is authorized to prepare, adopt, and amend a comprehensive plan, as defined in Wis. Stats. § 66.1001(4)(a); and

WHEREAS the Common Council has adopted the Smart Growth 2022 Comprehensive Plan for the purpose of guiding future land-use decision making, but recognizes that from time-to-time amendments may be necessary to reflect changes in the land use and planning needs of the community; and

WHEREAS the Common Council of the City of Green Bay has adopted written procedures (known as the Public Participation Plan for Periodic Comprehensive Plan Amendments) designed to foster public participation in every stage of the preparation of periodic comprehensive plan amendments required by Wis. Stats. § 66.1001(4)(a); and

WHEREAS the Plan Commission of the City of Green Bay, by a majority vote of the entire Commission recorded in its official minutes, has adopted a resolution recommending the Common Council adopt Comprehensive Plan Amendment CPA 22-03; and

WHEREAS the City of Green Bay has held at least one public hearing on this ordinance in compliance with the requirements of Wis. Stats. § 66.1001(4)(d), and it is the Common Council's belief that this comprehensive plan amendment is necessary and consistent with the overall goals, policies, and other related elements of the plan;

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Comprehensive Plan Amendment CPA 22-03 is hereby adopted pursuant to Wis. Stats. § 66.1001(4)(c). A copy of the comprehensive plan amendment is attached to this ordinance.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

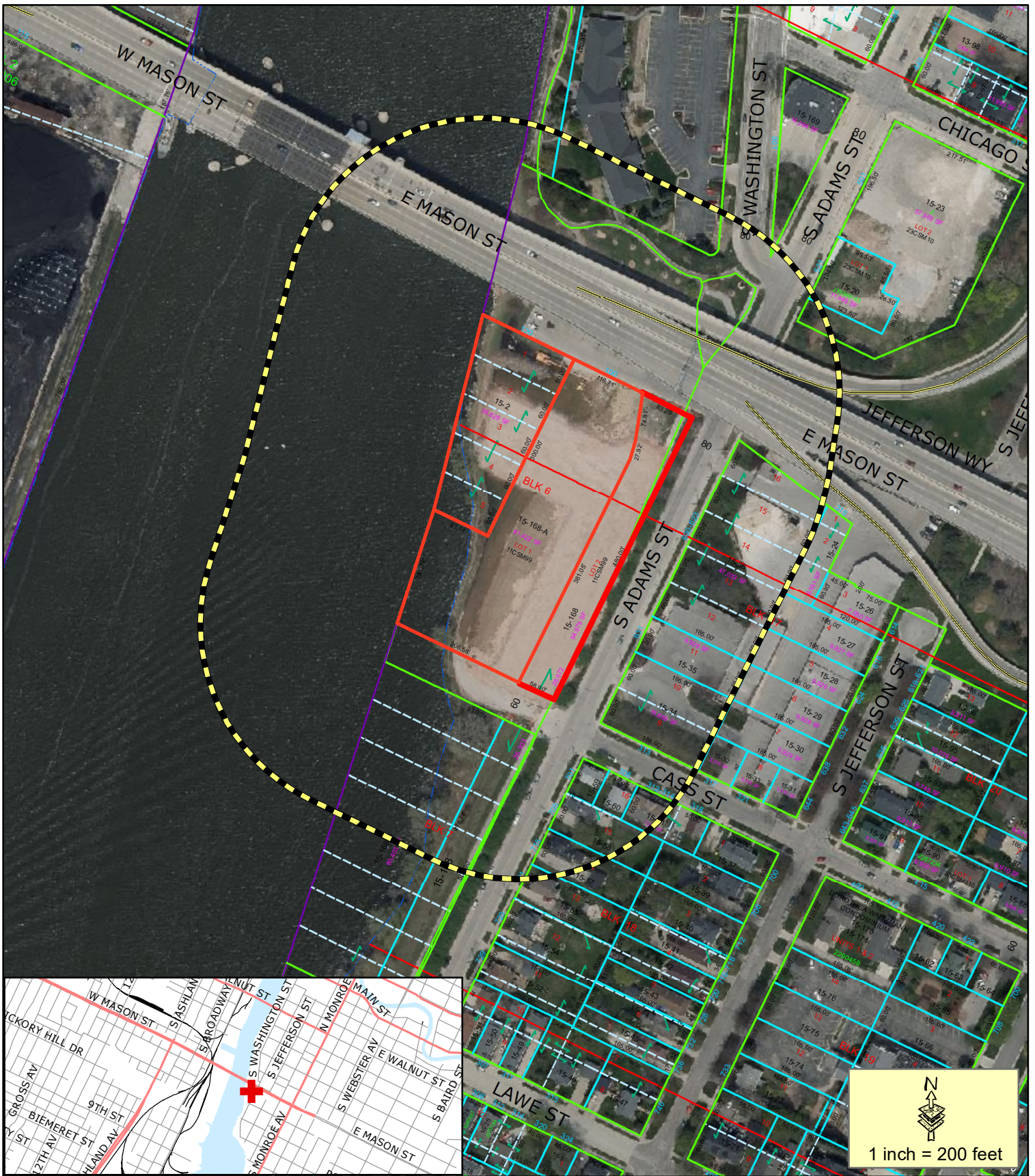
Mayor

ATTEST:

Clerk

dlb

Attachments – Location Map
Designation Map



- Proposed CPA & Zoned Change
- 200' Property Owner Notice

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Map prepared by DB

Comprehensive Plan Amendment (CPA 22-03) & Zoning Petition (ZP 22-43)

600 Block S Adams



For Official Notice:

**Public Notification
Proposed Amendment to the City of Green Bay
Smart Growth 2022 Comprehensive Plan
(CPA 22-03)**

The Green Bay Plan Commission will hold a public hearing on **Monday, January 9, 2023**, at 6:00 p.m. The meeting will be conducted both in person in Room 604 of City Hall (100 N Jefferson Street, Green Bay, 54301) or virtually via the internet. If you wish to participate in the Public Hearing virtually, you may access the meeting by internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSIZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

+13126266799,,84137675822# US (Chicago)

+16468769923,,84137675822# US (New York)

Dial by your location

+1 312 626 6799 US (Chicago)

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The hearing is regarding the following proposed amendment to the City of Green Bay Smart Growth 2022 Comprehensive Plan:

(CPA 22-03) Consideration with possible action on a request to amend the City's Comprehensive Plan for portion of properties located in the 600 Block of Adams Street (Figure 22-4), from Park to Downtown, submitted by Department of Community and Economic Development, petitioner and Miller Land Investments, LLC and Brogan Family Trust, LLC, property owners (Ald. B. Johnson, District 9).

An image depicting the affected area is available in the office of Community and Economic Development for the City of Green Bay.

The proposed comprehensive plan amendment would allow for the future rezoning of the property for development as well as an expansion of the existing parkway system.

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Community & Economic Development

Attn: David Buck, AICP

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact David Buck at david.buck@greenbaywi.gov or 920.448.3411.

ACCESSIBILITY: Any person wishing to attend who, because of a disability, requires special accommodation 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.

Publication Date: December 23, 2022

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 (D1) AND PUBLIC INSTITUTIONAL (PI) (ZP 22-43)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning portions of the following described properties, known as 100 East Mason Street and 120 East Mason Street, from the Light Industrial (LI) District to the Public Institutional (PI) District:

That part of Lots 1, 2, 3, 4, and 5 of Block 6, Plat of Astor; and part of Lot 1 of Volume 11 of Certified Survey Maps, Page 99 (Map Number 2379 as Document Number 976872), said map being part of Lots 1, 2, 3, 4, 5 and all of Lots 6, 7 and 8 of Block 6, Plat of the Town of Astor, Brown County, Wisconsin, more fully describes as follows:

Commencing at the southeast corner of Lot 2, said Certified Survey Map Number 2379; thence N63°-41'-53"W, 123.48 feet along the north rights-of-way line of Cass Street, to the point of beginning; thence northeasterly along the arc of a 117.00 foot radius curve to the right, 39.06 feet, said curve having a chord which bears N04°-26'-38"E, 38.87 feet; thence N14°-00'-24"E, 150.70 feet; thence northeasterly along the arc of a 208.00 foot radius curve to the right, 71.88 feet, said curve having a chord which bears N04°-06'-23"E, 71.52 feet; thence N05°-47'-38"W, 75.64 feet; thence northeasterly along the arc of a 107.00 foot radius curve to the right, 29.18 feet, said curve having a chord which bears N02°-01'-06"E, 29.09 feet; thence N09°-49'-50"E, 145.59 feet to the south rights-of-way line of East Mason Street; thence N63°-44'-40"W, 64.00 feet along said south rights-of-way line of East Mason Street, to the Combined Pierhead and Bulkhead Line of the Fox River; thence S14°-19'-40"W, 306.62 feet along said Combined Pierhead and Bulkhead Line of the Fox River; thence S18°-16'-10"W, 181.55 feet, continuing along said Combined Pierhead and Bulkhead Line of the Fox River, to the north rights-of-way line of Cass Street; thence S63°-41'-53"E, 142.03 feet along said north rights-of-way line of Cass Street, to the point of beginning.

Area being 1.13 acres/49,313 square feet more or less.

SECTION 2. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning portions of the following described properties, known as 100 East Mason Street and 120 East Mason Street, from the Light Industrial (LI) District and Public Institutional (PI) District to the Downtown One (D1) District:

That part of Lots 1, 2, 3, 4, and 5 of Block 6, Plat of Astor; and part of Lots 1 and 2 of Volume 11 of Certified Survey Maps, Page 99 (Map Number 2379 as Document Number

ZONING ORDINANCE NO. 17-22

PAGE 2

976872), said map being part of Lots 1, 2, 3, 4, 5 and all of Lots 6, 7 and 8 of Block 6, Plat of the Town of Astor, Brown County, Wisconsin, more fully describes as follows:

Beginning at the southeast corner said Lot 2, Certified Survey Map Number 2379; thence N63°-41'-53"W, 123.48 feet along the north rights-of-way line of Cass Street; thence northeasterly along the arc of a 117.00 foot radius curve to the right, 39.06 feet, said curve having a chord which bears N04°-26'-38"E, 38.87 feet; thence N14°-00'-24"E, 150.70 feet; thence northeasterly along the arc of a 208.00 foot radius curve to the right, 71.88 feet, said curve having a chord which bears N04°-06'-23"E, 71.52 feet; thence N05°-47'-38"W, 75.64 feet; thence northeasterly along the arc of a 107.00 foot radius curve to the right, 29.18 feet, said curve having a chord which bears N02°-01'-06"E, 29.09 feet; thence N09°-49'-50"E, 145.59 feet to the south rights-of-way line of East Mason Street; thence S63°-44'-40"E, 291.11 feet along said south rights-of-way line of East Mason Street, to the west rights-of-way line of Adams Street; thence S26°-22'-32"W, 480.00 feet along said west rights-of-way line of Adams Street, to the point of beginning.

Area being 2.24 acres/97,684 square feet more or less.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held hereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

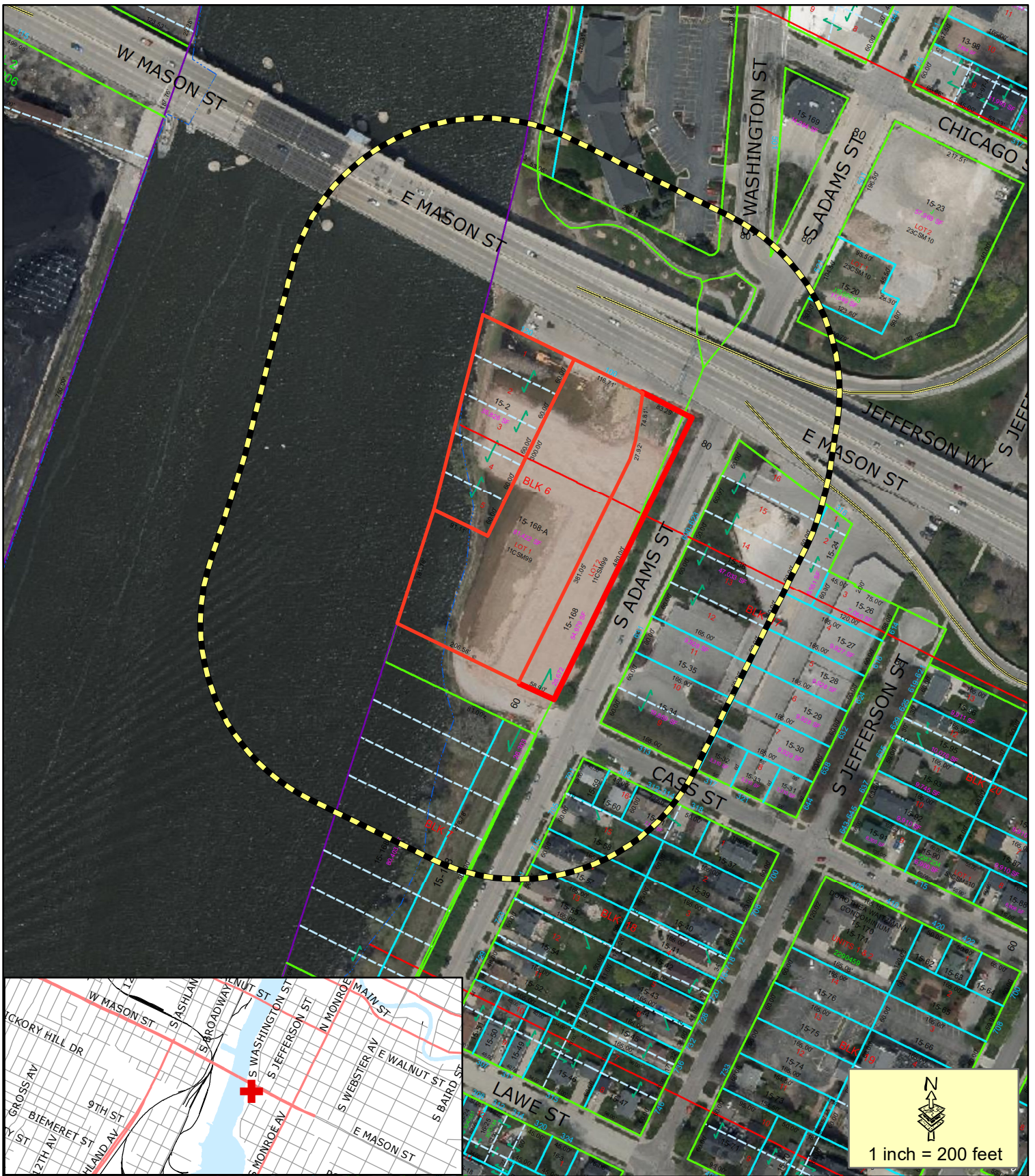
Mayor

ATTEST:

Clerk

dlb

Attachments – Location Map
Designation Map



- Proposed CPA & Zoned Change
- 200' Property Owner Notice

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB

Comprehensive Plan Amendment (CPA 22-03) & Zoning Petition (ZP 22-43)

600 Block S Adams



For Official Notice:

Public Notification
Rezoning 600-800 Blocks of South Adams Street
(ZP 22-43)

The Green Bay Plan Commission will hold a public hearing on Monday, January 9, 2023, at 6:00 p.m. The meeting will be conducted both in person in Room 604 of City Hall (100 N Jefferson Street, Green Bay, 54301) or virtually via the internet. If you wish to participate in the Public Hearing virtually, you may access the meeting by internet or telephone, using the access code below.

Join Zoom Meeting

<https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

Meeting ID: 841 3767 5822

Passcode: 483400

One tap mobile

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Find your local number: <https://us02web.zoom.us/j/84137675822?pwd=L2EyVlpDSlZGZlFjcmlpWnZlOEVnUT09>

The hearing is regarding the following:

(ZP 22-43) Public hearing on the request to rezone the 600 Block of South Adams Street from Light Industrial (LI) and Public/Institutional (PI) to Downtown (DI) and Public Institutional (PI), submitted by Department of Community and Economic Development, petitioner, and Miller Land Investments, LLC, property owners.

Public comments will be invited at the public hearing or can be sent in writing to:

City of Green Bay

Community & Economic Development

Attn: David Buck, AICP

100 N. Jefferson St., Rm. 608

Green Bay, WI 54301

For additional information, contact David Buck at david.buck@greenbaywi.gov or 920.448.3411.

Publication Dates: December 23, 2022, and December 30, 2022

**CITY OF GREEN BAY
COMMON COUNCIL**

COA 22-41

240 N. Broadway

Appeal by Garrett Bader

Denial of a Certificate of Appropriateness

by the Landmarks Commission

Respondent's Brief in Support of Denial

J.Flatt and S. Hummel on behalf of the Landmarks Commission:

- I. THE PROPOSED ALTERNATION TO THE NATIONALLY AND LOCALLY RECOGNIZED HISTORICAL BUILDING, KNOWN AS THE FELIX DUCHATEAU SALOON, WHICH INCLUDES THE REMOVAL OF THREE CHARACTER DEFINING ORIGINAL SALOON STYLE WINDOWS AND SIGNIFICATION PORTIONS OF ORIGINAL BRICK FAÇADE, TO BE REPLACED WITH THREE STOREFRONT WINDOWS, WOULD DETRIMENTALLY CHANGE, DESTROY, OR ADVERSELY AFFECT THE EXTERIOR OF THE BUILDING IN VIOLATION OF GREEN BAY MUNICIPAL CODE SEC. 44-1552 (2)(b)(1)**

In 2018, Common Council adopted the historic preservation ordinances, which granted the Landmarks Commission the authority to regulate historic buildings. Specifically, the Landmarks Commission regulates the construction, reconstruction, alteration, and demolition of designated historic structures in the City of Green Bay. Before a historic building can make permanent changes, a Certificate of Appropriateness (COA) must first be obtained by the Landmarks Commission. The Landmarks Commission is required to withhold approval of any Certificate of Appropriateness on exterior alterations, if the proposed work would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site up which said work is to be done. Sec. 44-1552(2)(b)(1). This grant of authority is not discretionary.

When analyzing character and features, the Landmarks Commission relies on the legal definition of each as found in Sec. 44-168. Specifically, "character means all those visual aspects and physical features that comprise the appearance of a historic structure, historic site, or historic district. Character-defining elements include the overall shape, its materials, craftsmanship, decorative details, spaces, and features, as well as the various aspects of its site and environment." Additionally, "features mean elements that give a historic structure, historic site, or historic district its visual character and that should be taken into account in order to preserve them to the maximum extent possible. For historic structures, the term "features" also includes the kind and texture of the building material, and the type and style of all

windows, doors, and all other architectural elements.” Note that the “type and style of all windows” is, by definition above, a “feature”. These definitions apply to the regulatory requirements of Sec. 44-1555, most notably in parts 1 through 9. The proposed alteration of the sizes of these windows would accomplish the opposite of the regulatory requirements of Sec. 44-1555, parts 1 through 9.

The facts presented at the Common Council are not in dispute—the Appellant proposes to permanently remove three original, saloon style windows and signification sections of the original brick exterior character on the northwest side of the building, adjacent to Broadway. Upon application for a COA, a design review was conducted by expert staff within the Community and Economic Development Department. Based on information provided by the Appellant, the current historical designation status of the building, and the clear direction given by the ordinance, staff recommended a denial. For historical context, the Landmarks Commission has evaluated 197 COA applications in the previous 5 years and has denied only 4.

In applying the regulatory requirements of Sec. 44-1552(2)b, the application failed because it is clear the proposed alternation to the building would destroy the character of the historic saloon and features including the style of windows and brick façade, because it would be permanently removed from the building. This historical designation of this building is based, in large part, on those saloon style windows, so the alternations would detrimentally change the exterior of the historic building. Failure to meet any of the requirements of Sec. 44-1552(2)b, is detrimental for COA application.

It’s important to note the Landmarks Commission did grant to the same project partial approval for the replacement of second-story windows, painting of wood façade features, the renovation of the single-story building at the rear of the property, and the replacement of the existing first-floor windows

The Landmarks Commission appropriately denied the Certificate of Appropriateness for the proposed removal and expansion of windows. The proposed tear out of these original features, which were the focal point of the historical designation of the Felix Duchateau Saloon, fly in the face of the historical designation and are not in compliance with City ordinances on historical preservation.

II. THE COMMON COUNCIL SHOULD DENY THE APPEAL BASED THE FACTS PRESENTED AND THE APPLICABILITY OF A BINDING ORDINANCE ADOPTED BY THE COMMON COUNCIL.

The facts of this case are not in question—if approved, the Appellant would permanently remove the three original, saloon style windows and signification sections of the original brick exterior—and the COA was appropriately denied.

Suspending the applicability of an ordinance on case-by-case basis is contrary to purpose and authority of a binding ordinance. The Common Council intentionally adopted a binding ordinance on historical preservation in 2018. The case-by-case

analysis and expert review is appropriately completed by the Landmarks Commission, as the group of experts represents categories of expertise established by the Common Council.

The Landmarks Commission appropriately reviewed the COA and analyzed it in context with the applicable ordinances. The Landmarks Commission then granted partial approval of the COA, even authorizing the replacement (not the tear down and restructure) of the very windows the Appellant seeks to permanently remove.

However, the Appellant seeks to gain relief by appealing and effectively be granted the authority to ignore the Landmarks Commission. This would set a dangerous precedent.

III. APPROVAL OF THE APPEAL WOULD JEOPARDIZE THE CITY'S ABILITY TO QUALIFY AND RECEIVE CERTAIN GRANTS.

In Green Bay, the public benefit is defined in Municipal Code Section 44-168, which is substantially identical to thousands of other historic preservation ordinances throughout the county. Historic Preservation is addressed by state law, with the authority to enact and uphold local preservation ordinances delegated to local units of government. In 1993, Wisconsin Act 471 required Cities containing National Register or State Register historic properties to enact local historic preservation ordinances no later than 1995 per Wis. Stat. § 62.23(7)(em)1. Locally, in 1995, Green Bay enacted a historic preservation ordinance relying upon the voluntary compliance of property owners. The Broadway-Doussman and Broadway-Walnut historic districts were added to the National Register of Historic Places in 1999.

In 2003, the Green Bay Smart Growth 2022 comprehensive plan called into question the efficacy of a preservation ordinance that relies upon voluntary compliance and suggested that the City explore becoming a Certified Local Government (CLG – a program administered by the National Park Service to advance partnerships in historic preservation with local governments). CLG designation requires a binding (not voluntary) historic preservation ordinance and provides the City with access to CLG preservation subgrants. In 2018, Green Bay revised its historic preservation ordinances, switching from voluntary to binding compliance. The City's National Register properties are locally designated as historic and are now subject to binding review & approval authority of the Landmarks Commission with an appeal process to the Common Council. Beyond state and federal historic preservation tax credits, the City of Green Bay has benefitted from its CLG status. The Wisconsin State Historic Preservation office has awarded CLG subgrants to the City of Green Bay in the amounts of \$33,000 in 2020, \$50,000 in 2021, and \$36,500 in 2022. The City has applied for a subgrant of \$25,000 for 2023 to continue the intensive level survey work funded by the previous subgrant awards.

There are benefits of CLG designation. Those benefits include the following:

- Eligibility to apply for Wisconsin Historic Preservation Fund Subgrants from the federal Historic Preservation Fund allocation to the state, to be used for eligible CLG activities.
- Ability to formally comment on National Register of Historic Places nominations within its municipal boundaries before they are sent to the State Historic Preservation Review Board.
- Eligibility to authorize the use of Chapter 11 of the International Existing Building Code for locally designated historic buildings.

The proposed alterations of the storefront fenestration for the building at 240 N. Broadway are a threat to the continued NRHP designation of the Broadway-Dousman District, and the favorable relationship between the City and the State Historic Preservation Office, the latter of which has made significant investments in Green Bay's preservation activities in the form of CLG subgrants.

IV. CONCLUSION.

The Landmarks Commission correctly applied the ordinance in denying the Appellant's request for a COA. The Appellant has failed to present any factual basis for the COA. The Appellant's request is wholly inappropriate. An approval of the request would be contrary to the ordinance as passed by Council in 2018 and would jeopardize the City's ability to obtain favorable grants related to historic preservations. Therefore, this Council should affirm the denial of the COA and deny this appeal by the Appellant on the basis of failing to meet the standards as outlined in the ordinance.

Dated this 11th day of January 11, 2023.

Respectfully submitted,

/s/ Jason Flatt

Jason Flatt on behalf of the Landmarks Commission

/s/ Stephanie Hummel

Stephanie Hummel on behalf of the Landmarks Commission

David P. Dewick
Matthew C. Zuengler
Ryan D. Krumrie*
Michael R. Demerath**
Nicholas J. Linz
Corey S. Tilkens
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John F. Hager (1958-2022)

ctilkens@hdz-law.com

January 11, 2023

VIA EMAIL ONLY

City of Green Bay Common Council Members
100 N. Jefferson Street
Green Bay, WI 54301

RE: Certificate of Appropriateness for Renovation Work at 240 N. Broadway

Dear Members of the Common Council:

Please accept this correspondence as BFAM, LLC's brief in support of obtaining a certificate of appropriateness from the Common Council.

INTRODUCTION

BFAM, LLC ("BFAM") is the owner of the real property and improvements located at 240 N. Broadway, Green Bay, Wisconsin (the "Property"). The Property is located in the Broadway-Dousman NRHP Historic District (the "Broadway Historic District"). In May, 2022, BFAM purchased the Property with the goal of saving the Property and ensuring that it remains a cornerstone of the Broadway Historic District for another one hundred years. The Property's current condition would not allow it to stand without significant work being completed by BFAM.

BFAM intends to renovate the entire Property, providing space for commercial tenants on the first floor and reintroducing residential space to the second floor of the Property for the first time in over forty years. After acquiring the Property, BFAM prepared renovation plans and identified prospective tenants for the first floor. All prospective tenants expressed concerns with insufficient natural lighting within the first floor. BFAM discovered through initial discussions with the Green Bay Landmarks Commission (the "Commission") staff that support for adding storefront style windows to the existing Broadway façade as a means of addressing the prospective tenant's concerns would face an uphill battle.

BFAM submitted its proposed renovations to the Commission as part of an application for a certificate of appropriateness. On October 19, 2022, the Commission held a meeting to discuss BFAM's proposed renovations to the Property. The Commission approved BFAM's application for replacement of the second-floor windows, painting of the wood façade features and renovation to the single-story addition on the south elevation of the Property. The Commission tabled discussion about BFAM's replacement of the three small windows with storefront-style windows on the first-floor wall of the Property facing Broadway.

On November 16, 2022, the Commission held a second meeting on BFAM's proposed renovations to the first floor of the Property. After hearing testimony, the Commission issued a written

recommendation denying BFAM's request for a certificate of appropriateness in part, stating that the proposed work to the first floor of the Property would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site upon which said work is to be done. BFAM appealed the Commission's decision to the Common Council. A hearing was held before the Common Council on December 20, 2022. The Common Council decided to table making a final determination on BFAM's request for a certificate of appropriateness to allow for BFAM and the Commission to submit briefs addressing the legal elements of Green Bay Municipal Code Sec. 14-1555.

ANALYSIS

Green Bay Municipal Code Sec. 14-1555 provides that the Commission will consider the following factors in arriving at its recommendation for issuing a certificate of appropriateness:

1. Whether there is a change in use that requires minimal change to the defining characteristics of the building and its site and environment.
2. Whether the historic character of the property will be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use and maintaining features and architectural elements of the period shall be encouraged.
4. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
5. Deteriorated historical features should be repaired rather than replaced, where feasible. Where replacement is necessary, the new feature shall match the old in design, color, texture and other visual qualities, and, where possible, materials.
6. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest methods possible. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used.
7. New additions, exterior alterations, or related new construction should not destroy historic materials that characterize the property. The new work should be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
8. New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
9. The Secretary of the Interior's Standards for Rehabilitation (36 CFR 67 and 68, as amended).

In analyzing each of the above factors, it is clear that the Common Council can and should authorize BFAM a Certificate of Appropriateness pursuant to Green Bay Municipal Code Sec. 14-1552(3).

Change in Use Requiring Minimal Changes to Defining Characteristics

BFAM intends to honor the Property's highest and best use, which is commercial storefront space on the first floor and urban residential units on the second. One of the earliest occupants of the Property operated a saloon, and most recently the Property was utilized as a restaurant and bar for over forty years. Unfortunately, the prior owner of the Property performed minimal maintenance and upkeep

and the Property requires significant work. BFAM intends to renovate the Property in part for a financial institution. However, the Property as currently constructed contains insufficient lighting on the Broadway-facing side towards the corner of Broadway and Dousman. The original saloon contained three smaller windows. The three windows provide insufficient lighting for the financial tenant, so BFAM proposes installing three storefront-style windows to allow more sunlight into the Property. BFAM respectfully disagrees that the three windows are “character defining”. BFAM will preserve “character defining” elements of the building such as the roofline and cornice details, the second floor bump-out bay windows, and brick that will be tuckpointed to preserve its support and appearance. All of the foregoing elements were identified as unique features of the Property in the original National Register of Historic Places Registration Form completed in January 1999, yet the three windows at issue here were omitted. As such, the replacement of the three smaller windows is a minor change in BFAM’s opinion. This renovation will include minimal change to the exterior of the building and will match the existing storefront windows on the Broadway-facing and Dousman-facing walls and provide a balanced look to the first floor of the Property which does not currently exist.

Retaining and Preserving the Historic Character of the Property

BFAM’s proposed renovations will maintain the historic character of the Property. As discussed above, BFAM’s proposed renovations to the exterior of the Property include replacing the three smaller windows located in the original saloon space with three storefront-style windows to allow more sunlight into the building. While some of the brick on the Broadway-facing side of the building must be removed, the remaining characteristics of the building will remain intact. Anyone looking at the Property will understand that this was a historical building with the renovations proposed by BFAM. BFAM respectfully disagrees with the Commission’s opinion that the three existing smaller windows are “character defining” of the Property, especially in comparison to the roof, cornice, second floor windows and brick as described above. Accordingly, BFAM’s proposed renovations in no way disparage the historic character of the Property.

Recognizing the Property as a Physical Record of Its Time, Place and Use

The corner section of the Property was originally a saloon. On the Dousman-facing façade of the Property, there currently exists larger storefront windows that presumably existed when the saloon was in operation. BFAM’s proposed renovations will conform with the Dousman-facing façade of the Property as well as the southern portion of the Broadway-facing façade which each have storefront windows. The Property will continue to be recognized as a physical record of the time, place and use as the time the Property was constructed.

Preserving the Distinctive Features and Finishes of the Property

BFAM is proposing to install storefront windows in a section of the Property that will match with the existing storefront windows currently in place. BFAM will preserve as much of the brickwork and finishes as possible throughout the Property. A great deal of character will be preserved including the roofline, second story window bump-outs and the cornice trim of these features.

Repairing Deteriorated Historical Features of the Property

The Commission has already approved BFAM's request to replace deteriorating windows throughout the Property except for the replacement of the three smaller windows on the first floor. BFAM will also be required to tuckpoint the bricks on the Property in the future to ensure the exterior walls remain sound. The only remaining deteriorating historical features BFAM intends to repair and/or replace are located within the interior of the Property, to which the Commission has no jurisdiction.

Surface Cleaning of the Property

This factor is inapplicable to BFAM's renovation of the Property, as it does not intend to use chemicals or physical treatments, such as sandblasting, to the outside of the Property.

New Construction and Destruction of Historic Materials

As discussed above, BFAM's proposed new construction of installing storefront windows will limit the destruction of the historical materials. Furthermore, the storefront windows will conform with the expanse of storefront windows already existing on the Dousman façade as well as the storefront windows existing on the southern portion of the Broadway façade.

Maintaining the Form and Integrity of the Property if Additions Removed

BFAM recognizes that the proposed renovations undertaken may change the essential form of the Property. However, the proposed renovations conform to the existing features of the Property and will protect its historic integrity as well as the historic environment of the district overall.

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's standards for historical rehabilitation found in 36 CFR parts 67 and 68 reference the same factors found in Green Bay Municipal Code Sec. 44-1555. It is important to note the purpose of each of these federal regulations. The Standards for Rehabilitation, codified in 36 CFR part 67 are regulations for the review of rehabilitation work in the Historic Preservation Tax Incentives program. Owners seeking certification for Federal tax incentives must comply with the standards for rehabilitation set forth in 36 CFR Part 67. The Standards for the Treatment of Historic Properties, codified in 36 CFR part 68 are regulations for grant-in-aid projects assisted through the national Historic Preservation Fund.

BFAM is not and will not seek to obtain federal grants or federal tax incentives for its renovation of the Property. Accordingly, although the Secretary of Interior's Standards for Rehabilitation are instructive on how the Commission evaluates applications for certificates of appropriateness, any standards or guidelines issued by the Secretary of the Interior are not determinative in approving BFAM's proposed renovations as it is not seeking grants or tax incentives.

CONCLUSION

It is important to note that the factors contained in Green Bay Municipal Code Sec. 44-1555 are *guidelines* that the Commission considers in providing a recommendation as to issuing a certificate of appropriateness to a property owner. The guidelines are not dispositive as to whether or not the proposed renovations are allowed. It must also be noted that the guidelines provided in Green Bay Municipal Code Sec. 44-1555 were pulled virtually verbatim from standards and guidelines implemented in order for property owners to receive grants or tax incentives for renovating historically significant properties. While BFAM's proposed renovations contained a balancing act of satisfying its prospective tenant and ensuring that the Property conforms with the historical district, it will not be seeking tax incentives for renovating the Property. BFAM's sole intention is to renovate and maintain a historic building that is admittedly in bad shape inside so that it can remain an integral part of the historic Broadway District for years.

Although BFAM believes that its proposed renovations comply with the guidelines set forth in Green Bay Municipal Code Sec. 44-1555 the Common Council is not bound to follow the Commission's recommendation regarding BFAM's application for a certificate of appropriateness. Wisconsin Statutes § 62.23(em)(3) provides that "[a]n owner of property that is affected by a decision of a city landmarks commission may appeal the decision to the common council. **The common council may overturn a decision of the commission by a majority vote of the common council.**" (emphasis added). Accordingly, Wisconsin Statutes clearly provide that a city common council can take a landmark commission's recommendation under advisement when assessing an appeal from a property owner, but is not bound by the commission's recommendation.

BFAM's proposed renovations of the Property not only will maintain the historical integrity and structure of the Property but will also allow the Property to be utilized for its best use today and in the future and ultimately benefit the City of Green Bay. Furthermore, all of the character defining traits of the Property identified in the National Register of Historic Places Registration Form will be maintained by BFAM. For the reasons set forth herein, BFAM respectfully requests that the Common Council approve its application for a certificate of appropriateness for the proposed renovations to the Property.

Thank you for your time and consideration on this matter. We look forward to further discussing this with you at the January 17, 2022 Common Council meeting.

Sincerely,

HAGER, DEWICK & ZUENGLER, S.C.

By:



Corey S. Tilken

CST:alb

cc: BFAM, LLC

Attn: Mr. Garritt Bader



Community & Economic Development Department
100 North Jefferson Street - Room 608
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3400
Fax 920.448.3426

November 21, 2022

BFAM, LLC
300 N Van Buren Street
Green Bay, WI 54301

Re: Certificate of Appropriateness, Updated Partial Approval

Dear Applicant:

Please be informed that the City of Green Bay's Landmark Commission has approved a portion the Certificate of Appropriateness (COA) for work at 240 N Broadway.

Replacement of the second-floor windows, the painting of the wood facade features, and renovation to the single-story building at the rear of the property were approved in October. **Replacement of the existing first-floor windows along the north façade and the southwest façade were approved November, 16, 2022.**

Please note that this approval expires one year from the date of this COA. If the project as described above has not been started by the above date, a new COA will be required. Any changes to the project should be reported to the Landmark Commission's staff prior to work being done. If substantial changes are proposed, a new COA may be required.

The creation of a new storefront at the northwest corner along Broadway was denied.

You have the right to appeal this decision as detailed in Section 44-1552(3) of the Green Bay Municipal Code:

(3) Appeals. Should the LC or their designee fail to issue a COA due to the failure of the proposal to conform to the requirements and guidelines of this article and Division 5 of Article II of this chapter and applicable guidelines, the applicant may appeal such decision to the Common Council within 30 days. In addition, if the LC fails to issue a COA, the LC shall, with the cooperation of the applicant, work with the applicant in an attempt to obtain a COA within the requirements and guidelines of this article and Division 5 of Article II of this chapter.

Any permits required for your project as required by the City's Municipal Code can now be applied for. For questions regarding building permits, please contact our Inspection Division at (920) 448-3300. To request an appeal, please contact me directly.

Sincerely,

Stephanie Hummel, AICP
Planner II

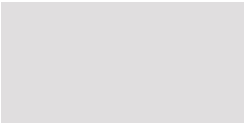
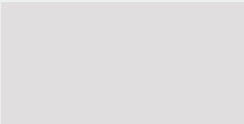
sjh

cc: Pete O'Connor, Inspection Division

KAWNEER ANODIZED FINISHES

Kawneer gives you a wide variety of anodized finishes with attractive alternatives. The benefit of a durable, anodized finish is married to the beauty of some very dynamic and exciting colors.

At the start of every design, there’s a choice of how you want to finish. Contact your Kawneer sales rep for the information on these and other finishes available from Kawneer.

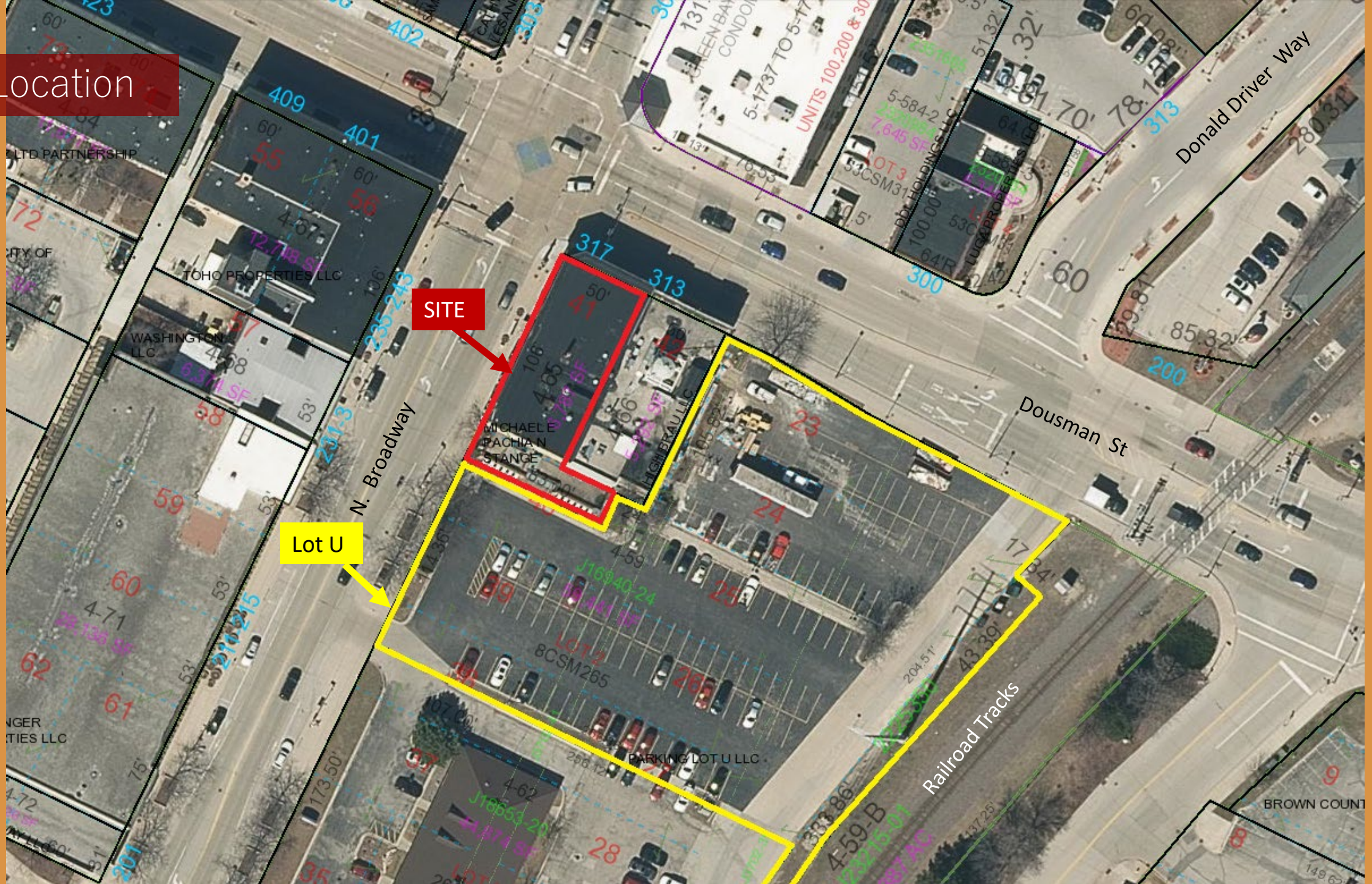
	KAWNEER FINISH NO.	COLOR	ALUMINUM ASSOCIATION SPECIFICATION	OTHER COMMENTS
	#14	CLEAR	AA-M10C21A41	Architectural Class I (0.7 mils minimum)
	#17	CLEAR	AA-M10C21A31	Architectural Class II (0.4 mils minimum)
	#40	DARK BRONZE	AA-M10C21A44	Architectural Class I (0.7 mils minimum)
	#29	BLACK	AA-M10C21A44	Architectural Class I (0.7 mils minimum)



Landmarks Commission Submittal

240 N. Broadway / 317 Dousman Street, Green Bay

Location



Current 2nd Floor





CERTIFICATE OF APPROPRIATENESS APPLICATION

Department of Community
and Economic Development
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3300 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

All fields must be completed before application will be processed.

File Number: _____

1. Address: 240 N. Broadway (317 Dousman Street), Green Bay, WI 54303

2. Parcel #: 4-65

3. Owner of record: BFAM, LLC Phone: (813) 500-0296

<u>300 N. Van Buren Street</u>	<u>Green Bay</u>	<u>WI</u>	<u>54301</u>
(Address)	(City)	(State)	(Zip)

4. Applicant's Name: Garritt R. Bader, Managing Member, BFAM, LLC

<u>300 N. Van Buren Street</u>	<u>Green Bay</u>	<u>WI</u>	<u>54301</u>
(Address)	(City)	(State)	(Zip)

<u>813-500-0296</u>	<u>gb@gb-re.com</u>
(Office Phone #)	(E-mail Address)

5. Present use of Property: Vacant

6. Description of Project: Describe each item of the project separately. Include existing condition(s) when describing item. Also, describe the proposed work, material(s) to be used and the impact the item would have on existing historic or architectural features of the property. (Attach additional sheets if necessary.)

This project is the complete renovation of the former Bangkok Garden/Baxter's property at the
SEC of N. Broadway and Dousman Streets. The first floor will be renovated for (likely) two retail/
commercial users; the second floor will be gutted, with structural reinforcement added to afford
residential use on the second floor. The exterior will receive new windows, paint and signage.

7. Attachments:

- ☒ Site Plan of the lot (Please indicate direction of north, dimensions, structures, etc.)
- ☒ Sketches, drawings, building and streetscape elevations, and/or annotated photos
- ☒ Exterior photos
- ☒ Specifications (materials) for the project
- ☐ Phased development plan for the project (if proposed in phases)
- ☐ Inspection report (required for demolition requests only)
- ☐ Cost estimates for all the proposed work
- ☐ Other (please explain): _____

CERTIFICATE OF APPROPRIATENESS APPLICATION (Continued)

8. The following action is requested:

☒ **Approval of COA by Landmarks Commission** (projects not listed below)

☐ **Approval of COA by staff:** (Check all that apply)

- ☐ Roof repair/replacement
- ☐ Gutter repair/replacement
- ☐ Private sidewalk and driveway repair/replacement of the same dimensions and orientation
- ☐ Chimney repair and tuckpointing according to the Secretary of the interior standards and in appropriate color and design
- ☐ Installation of fences
- ☐ Storm window or storm door installation, repair, or replacement
- ☐ Installation of glass blocks in basement window openings
- ☐ Painting of existing unpainted brick
- ☐ Unattached nonvisible accessory structures
- ☐ Replacement of identical siding
- ☐ Replacement or repair to porches identical to existing style and materials
- ☐ Commercial sign replacement of identical dimensions

Petitioner Signature: _____

Owner Signature: _____

Date Received: _____ Staff: _____

TRIFAB® VG (VERSAGLAZE®)
TRIFAB® VG 450, 451 & 451T (THERMAL) FRAMING SYSTEMS &
TRIFAB® 451UT (ULTRA THERMAL) FRAMING SYSTEM



Design + Performance

Versatility with Unmatched Fabrication Flexibility



Geisinger Professional Building
Jenkins Township, Pennsylvania
ARCHITECT
Mericle Commercial Real Estate Services
Wilkes-Barre, Pennsylvania
GLAZING CONTRACTOR
Sterling Glass, Inc., Scranton, Pennsylvania
PHOTOGRAPHER
© Perzel Photography Group

Trifab® VersaGlaze® is built on the proven and successful Trifab® platform – with all the versatility its name implies. There are enough framing system choices, fabrication methods, design options and performance levels to please the most discerning building owner, architect and installer. The 4.5" depth Trifab® VersaGlaze® Framing System family is available with non-thermal, thermal and ultra-thermal performance levels. The ultra-thermal Trifab® 451UT Framing System, is designed for the most demanding thermal performance and employs a dual Isolock® thermal break.

AESTHETICS

Trifab® VersaGlaze® Framing Systems offer designers a choice of front-, center-, back- or multi-plane glass applications. Structural silicone

glazing (SSG) and weatherseal glazing options further expand designers' choices, allowing for a greater range of possibilities for specific project requirements and architectural styles. All systems have a 4-1/2" frame depth; Trifab® VersaGlaze® 450 has 1-3/4" sightlines, while Trifab® VersaGlaze® 451/451T and Trifab® 451UT have 2" sightlines.

With seamless incorporation of Kawneer entrances or windows, including GLASSvent® visually frameless ventilators, Trifab® framing can be used on almost any project. These framing systems can also be packaged with Kawneer curtain walls and overhead glazing, thereby providing a full range of proven, and tested, quality products for the owner, architect and installer from a single-source supplier.

ECONOMY

Trifab® VersaGlaze® 450/451/451T/451UT Framing Systems offer a variety of fabrication choices to suit your project:

- **Screw Spline** – for economical continuous runs utilizing two-piece vertical members that provide the option to pre-assemble units with controlled shop labor costs and smaller field crews for handling and installation. (available for all systems)
- **Shear Block** – for punched openings or continuous runs using tubular moldings with shear block clips that provide tight joints for transporting large pre-assembled multi-lite units. (available for 450/451/451T systems)
- **Stick** – for fast, easy field fabrication. Field measurements and material cuts can be done when metal is on the jobsite. (available for 450/451/451T systems)
- **Pre-glazed** – The combination of screw spline construction with pre-glazing in the shop accelerates installation and reduces field labor time while minimizing disruption to the surrounding area or existing tenants. Making it an exceptional choice for new or retrofit applications, particularly in urban areas or where space is limited. (available for 451/451T/451UT framing)



Brighton Landing
Cambridge, Massachusetts
ARCHITECT
ADD Inc., Cambridge, Massachusetts
GLAZING CONTRACTOR
Ipswich Bay Glass Company, Inc., Rowley, Massachusetts
PHOTOGRAPHER
© Gordon Schenck, Jr.

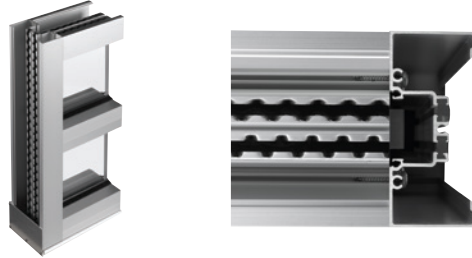
All systems can be flush glazed from either the inside or outside. The weatherseal option provides an alternative to SSG vertical mullions for Trifab® VersaGlaze® 450/451/451T. This ABS/ASA rigid polymer extrusion allows complete inside glazing and creates a flush glass appearance on the building exterior without the added labor of scaffolding or swing stages. Additionally, high-performance flashing options are engineered to eliminate perimeter sill fasteners and associated blind seals.

FOR THE FINISHING TOUCH

Architectural Class I anodized aluminum and painted finishes in fluoropolymer (AAMA 2605) and solvent-free powder coatings (AAMA 2604) offer a variety of color choices.

PERFORMANCE

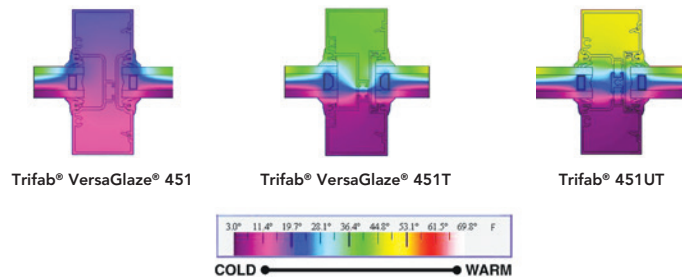
Kawneer's Isolock® thermal break technology creates a composite section, prevents dry shrinkage and is available on Trifab® VersaGlaze® 451T. For even greater thermal performance, a dual Isolock® thermal break is used on Trifab® 451UT.



Trifab® 451UT uses a dual Isolock® thermal break (right) and features a new high-performance sill design, which incorporates a screw-applied end dam (left), ensuring positive engagement and tight joints between the sill flashing and end dam.

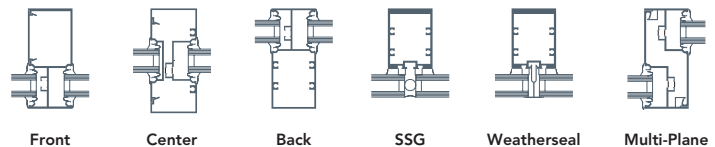
U-factor, CRF values and STC ratings for Trifab® framing systems vary depending upon the glass plane application. Project-specific U-factors can be determined for each individual project. (See the Kawneer Architectural Manual or Kawneer.com for additional information.)

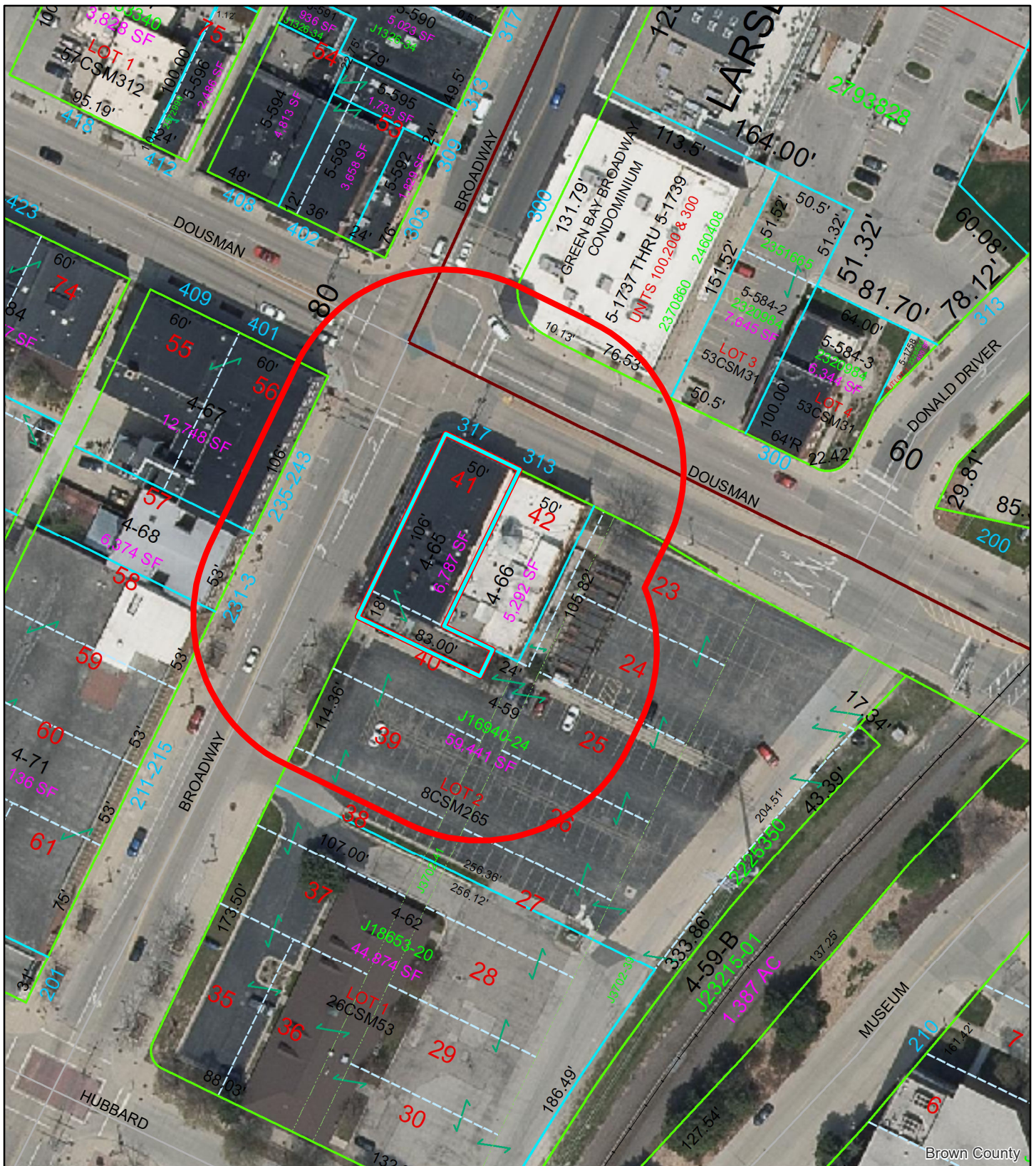
Thermal simulations showing temperature variations from exterior/cold side to interior/warm side.



PERFORMANCE TEST STANDARDS

Air Infiltration	ASTM E283
Water	AAMA 501, ASTM E331
Structural	ASTM E330
Thermal	AAMA 1503
Thermal Break	AAMA 505, AAMA TIR-A8
Acoustical	AAMA 1801, ASTM E1425





Brown County



(COA 22-41) Window Replacement 240 N Broadway

0 20 40 80 Feet



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 11 Oct 2022 X:\Planning\Basemaps\template_8.5x11.mxd

- 240 N Broadway
- 100-ft. Notification Area













VISION
ARCHITECTURE, LLC

P.O. Box 224
Neenah, WI 54956
920-904-4300

www.vision-architecture.net

Proposed Renovation For:

240 N. Broadway

Green Bay, Wisconsin

Issue Date: 10/3/2022

Revisions:

A2.0



Report to the
Landmarks Commission
of the City of Green Bay

MEETING DATE

November 16, 2022

PREPARED BY

Jason Flatt, Staff

AGENDA ITEM # E.1

(COA 22-41) Consideration with possible action on a design review for window replacements located at 240 N. Broadway - Held from October 19, 2022 meeting.

BACKGROUND

Update from Applicant for 11/16/22 Meeting:

The existing first floor windows would be replaced because (a) code requires an exit door for the new residential access stairwell on the Dousman Street side, far east end of the building, and thus, (b) moving that existing door east 15-20 feet to meet this results in a new storefront system there and a subsequent desire for all the glass to then match as a result. On the Broadway side of the building, and as previously discussed, it's a developer and tenant desire for aesthetic, neighborhood, and functional improvement. (My identified user has indicated that it will pull out of the deal without the visibility that the glass will afford.)

240 N. Broadway (aka. 315-317 Dousman, the historic Felix DuChateau Saloon, more recently the Bangkok Garden & Baxter's) is a contributing property in the Broadway-Dousman NRHP Historic District built in 1909. This building occupies a prominent corner of the district, with primary façades along both Dousman and N Broadway. This district was added to the NRHP in 1999. At that time the district consisted of 15 buildings (12 contributing, 3 non-contributing)—today there are 11 contributing buildings and 2 non-contributing buildings.

Per the 1999 NRHP nomination (which remains true today):

"This building has undergone few exterior alterations, and retains a high level of integrity. Two stories tall and constructed of red brick, the building has two storefronts facing Dousman and one at the rear of the building facing Broadway. The storefronts are relatively intact, although the glass itself appears to have been replaced; all of the storefronts are surmounted by original transom beams with rosettes. The second floor is dominated by four projecting bay windows: one located at the rear and one near the center of the Broadway side, one located at the corner of the building, and one located at the east corner of the Dousman façade. All four have hipped roofs, flat projecting floors, and pressed metal paneling in a delicate curvilinear pattern immediately beneath the windows. All of the bays also have double-hung one-over-one sash, which appear to be original but are obscured by aluminum storm panes. With the exception of the bay projecting from the corner, all of the bays are semi-hexagonal; the bay over the corner entry has five sides and is suspended above a cutaway entry. The remaining windows of the second floor are all singly-set, glazed in the same manner as the windows in the bays, and are surmounted by stone keystones set into their slightly arched plain surrounds. The building is crowned with a simple cornice consisting of pressed-metal brackets under a plain overhang. An excellent example of commercial vernacular architecture in the early twentieth century, this building retains a high level of integrity."

The COA application calls for exterior changes, including new windows, paint, and signage. The proposed new windows will require substantial alteration of the fenestration along the N Broadway façade as well as

removal of a storefront doorway on the Dousman façade (both are primary façades). A rendering of the two primary façades (Dousman & N Broadway) and window manufacturer information has been provided. At present, the COA application lacks detailed information on the following:

- details on the signage (design, foundation, attachment points, illumination, etc)
- info on the rear addition and secondary façades
- replacement window finish (anodized vs. powder coat)
- replacement window visual light transmittance value
- operability of the second story windows
- paint (confirmation that no unpainted brick is to be painted)
- potential impact to the original transom beams

The COA includes some information on proposed interior changes. Interiors are beyond the jurisdiction of the City of Green Bay's Landmarks Commission and are not addressed in this report.

With regard to the proposal to replace windows and remove storefront doorway(s)—altering the building's fenestration—LC staff refers to the following requirements and guidance. The most relevant, high-level portions of the Secretary of the Interior's Standards include the following:

- "1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*
- 2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*
- 3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*
- 5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*
- 6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*
- 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment."*

Per the Secretary of the Interior's Standards for the Treatment of Historic Properties With Guidelines For Preserving, Rehabilitating, Restoring & Reconstructing Buildings, some recommended practices regarding WINDOWS warrant careful consideration. The following is from page 109 of those Guidelines:

RECOMMENDED - Adding new window openings on rear or other secondary, less visible elevations, if required by a new use. The new openings and the windows in them should be compatible with the overall design of the building but, in most cases, not duplicate the historic fenestration.

NOT RECOMMENDED - Changing the number, location, size, or glazing pattern of windows on primary or highly-visible elevations which will alter the historic character of the building.

Cutting new openings on character-defining elevations or cutting new openings that damage or destroy significant features.

RECOMMENDED - Replacing windows that are too deteriorated to repair using the same sash and pane configuration, but with new windows that operate differently, if necessary, to accommodate a new use. Any change must have minimal visual impact. Examples could include replacing hopper or awning windows with casement windows, or adding a realigned and enlarged operable portion of industrial steel windows to meet life-safety codes.

NOT RECOMMENDED - Replacing a window that contributes to the historic character of the building with a new window that is different in design (such as glass divisions or muntin profiles), dimensions, materials (wood, metal, or glass), finish or color, or location that will have a noticeably different appearance from the historic windows, which may negatively impact the character of the building."

The Wisconsin Historical Society / SHPO has established several window requirements for historic storefronts. Those requirements include a visual light transmittance of 72 or higher (a VT rating of 0.72) for each window. Also, metal framed windows must not have an anodized finish. These requirements are particularly applicable to storefront windows. Reference:
<https://www.wisconsinhistory.org/Records/Article/CS4308> --and--
<https://www.wisconsinhistory.org/pdfs/hp/HPR-Guidelines-Tax-Credit-Projects-for-Income-Producing-Properties.pdf>

Additionally, the Wisconsin Historical Society / SHPO is clear on how to treat the building exterior:
"BUILDING EXTERIOR

A primary facade is one that is visible from public rights-of-way and, in most cases, has significant architectural detailing. A secondary facade is one that is generally visible from public view, but may not contain as many distinguishing architectural features. A rear facade is one that is usually not seen by the public and contains little architectural detailing. As a rule, primary facades should be left intact, while rear facades may sometimes be altered more substantially."

Reference: <https://www.wisconsinhistory.org/pdfs/hp/HPR-Guidelines-Tax-Credit-Projects-for-Income-Producing-Properties.pdf>

LC staff notes that the proposal to alter the building's fenestration (window opening size) along N Broadway will have a substantial negative impact to the integrity of the building. The Department of the Interior, via their National Register of Historic Places eligibility requirements, defines seven aspects of integrity. Those aspects of integrity, their brief definitions (as succinctly summarized in the article, "Seven Aspects of Integrity" by Patricia L. Duncan, National Register Coordinator, Division of Historic Preservation – Louisiana SHPO), and how altering the fenestration will impact those aspects are detailed below:

LOCATION – "the particular point or position where the historic property was constructed, the significant person made their contribution, or the historic event occurred." Altering the fenestration will not impact the integrity of location.

SETTING – "the character of the place where the historic resource is located." Altering the fenestration will not impact the integrity of the setting for this property, but the setting of other historic buildings within this district will be impacted by changes to this building.

DESIGN – "the combination of elements that creates the form, plan, space, structure, and style of a property." Altering the fenestration will have a significant, negative impact to this building's integrity of design. Specifically, the existing window openings along N Broadway, which are relatively small and at a high elevation in the first story façade, are historic, character-defining features of this building. This building was built primarily to accommodate the Felix DuChateau saloon in this corner storefront (the building was built with four (4) storefronts – two (2) on Dousman and two (2) on N Broadway, near the rear of the building). The historic window openings reflect the history of the building and society by providing natural light inside the historic saloon space while effectively shielding the patrons and their actions from public display. Enlarging these window openings would effectively erase this critical aspect of the building's historic design and create a false sense of historical development. Removal of the doorway on the Dousman façade alters the historic two-storefront design of the building on that side. The negative impact to the building's integrity of design resulting from altered fenestration on primary façades is difficult to overstate.

MATERIALS – "the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property." Enlarging windows on a primary façade requires the removal of historic material. This removal of historic material (the bricks in the wall) is not only a loss of material, but a reimagining of that material's pattern and configuration. The negative impact to the building's integrity of materials resulting from altered fenestration on the primary façades is very significant.

WORKMANSHIP – "the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory." Altering the fenestration will have some negative impact upon the integrity of workmanship as significant portions of the visible brick façade will be cut open, requiring some measure of

effort to disguise the resulting scars to remaining material that was cut through, and discarded along with the fine mortar lines that exemplify the masons' workmanship on this building.

FEELING – “a property's expression of the aesthetic or historic sense of a particular period of time. To have the aspect of feeling, a property must have surviving physical features that express its historic character and help the visitor experience an awareness of its history and importance.” As noted in the ‘design’ section above, the existing window openings along N Broadway, which are relatively small and at a high elevation in the first story façade, are historic, character-defining features of this building. This building was built primarily to accommodate a saloon in this corner storefront. These historic window openings reflect the history of the building and society by providing natural light inside the historic saloon space while effectively shielding the patrons from public display. Enlarging these window openings would effectively erase this critical aspect of the building's historic feeling. Additionally, removal of a storefront doorway largely erases the feeling that this building had when constructed to accommodate four (4) storefronts.

ASSOCIATION – “the direct link between an important historic event or person and a historic property. This connection can occur only if the property's historic physical features, or character, survives.” Currently, this property maintains a clear association with its builder, Felix DuChateau, and his saloon for which this building was built. Altering the fenestration will have some negative impact upon the integrity of association as significant physical features, and character, will no longer survive.

Two members of LC staff conducted a site visit with the COA applicant on September 21. The above concerns were, at a high level, conveyed to the applicant at that time.

LC staff appreciates this opportunity to refer to the City of Green Bay Municipal Code, Chapter 44, Article XV, Section 44-1552, “Powers and duties of Landmarks Commission”, part (2), subpart b., which states the following:

(2) Regulation of construction, reconstruction, alteration, and demolition.

b. Upon filing of any application for a COA with the LC, the LC shall approve the application unless:

- 1. In the case of a designated historic structure or designated historic site, the proposed work would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site upon which said work is to be done;*
- 2. In the case of construction of a new improvement upon a designated historic site or within a designated historic district, the exterior of such improvement would adversely affect or not harmonize with the external appearance of other neighboring improvements on such site or within the district;*
- 3. In the case of any property located in a designated historic district, the proposed construction, reconstruction, exterior alteration, or demolition does not conform to the purpose and intent of this article and Division 5 of Article II of this chapter, or to the objectives and design criteria of the historic preservation plan for said district;*
- 4. The building or structure is of such architectural or historical significance that its demolition would be detrimental to the public interest and contrary to the general welfare of the people of the City or State;*
- 5. In the case of a request for the demolition of a deteriorated building or structure, any economic hardship or difficulty claimed by the owner is self-created or is the result of any failure to maintain the property in good repair.*

RECOMMENDATION

LC staff recommends denial of the COA application. As proposed, the COA application proposes work that “would detrimentally change, destroy, or adversely affect any exterior feature of the improvement or site upon which said work is to be done”. Furthermore, “the proposed...exterior alteration...does not conform to the purpose and intent” of Municipal Code Chapter 44, Article II, Division 5 which creates the City's Landmarks Commission. This recommendation is based upon an analysis of the character-defining features of this designated historic property, the building's historic context and significance, the Secretary of the Interior's Standards (notably, at a high level, numbers 1, 2, 3, 5, 6, & 9 are all effectively violated under the proposed scope of work), and the Wisconsin SHPO rules (including that “primary façades should be left intact”). Additionally, the proposal to alter the building's fenestration is specifically identified and described as “NOT RECOMMENDED” in the ‘Secretary of the Interior's Standards...With Guidelines’ book. The

damage to this particular building's historic integrity that would result from altering the fenestration on a primary façade (particularly the N Broadway façade with enlarged windows, to a lesser extent the Dousman façade with substitution of a window for a historic doorway) is substantial and irreversible.

LC staff recommends tabling any action on other aspects of this COA application until further details are provided by the applicant. Current unknowns include:

- details on the signage (design, foundation, attachment points, illumination, etc)
- info on the rear addition and secondary façades
- replacement window finish (anodized vs. powder coat)
- replacement window visual light transmittance value
- operability of the second story windows
- paint (confirmation that no unpainted brick is to be painted)
- potential impact to original transom beams

LC staff recognizes that the LC has typically looked favorably on replacing windows where the proposed replacements are identical in size, arrangement, and general appearance to those already present. As such, LC staff is happy to endorse, conceptually, replacement of existing windows with appropriate replacements.

FISCAL IMPACT

ATTACHMENTS

1. COA 22-41 Map
2. COA 22-41 Renderings
3. COA 22-41 Renderings 2
4. COA 22-41, Anodize-finish-chart--F
5. COA 22-41 Manuf. Details
6. COA 22-41, Applicant PP Slides
7. COA 22-41 Application



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.I

To approve a change of agent at MJ Hospitality (Drink) at 708 Bodart St. to Jo Anna Albertz.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. CHANGE OF AGENT-708 BODART ST.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 618 GRAY ST COMMUNICAITON



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1001 MAIN ST & 217 E WALNUT ST



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.4

To approve a request by 1001 Club LLC at 1001 Main St. to extend the issuance of their license to mid-February.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1001 MAIN ST & 217 E WALNUT ST



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Expansion Form-234 S WASHINGTON ST



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Block Party Map 2023
2. 2023 Block Party Application Letter



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Block Party Map 2023
2. 2023 Block Party Application Letter



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.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).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. sharpscans@greenbaywi.gov_20230116_141828
2. PRESENCE REQUESTED



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.9

To grant an appeal by H&P Smeester Family, 1368 Biemeret St., and rescind Invoice 164984.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Invoice 164894



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.10

Informational Only: The Liquor Violation Report for January 23, 2023.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 22LiqVio
2. Report January 23 2023
3. 23LiqVio

2022 LIQUOR VIOLATIONS

[illegible]

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: January 23, 2023

From January 9, 2023, to January 23, 2023, there have been no liquor violations, no DA referrals, no ordinance violations and no property referrals.

Sincerely,

**LT. STEVE MAHONEY & LT. ERIN BLOCH
DISTRICT POLICING**

sp

2023 LIQUOR VIOLATIONS

[illegible]



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.11

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

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. I.18.2023 CLERK'S OFFICE LIQUOR LICENSING REPORT

**Licenses Granted By Common Council, but not yet
Issued as of (1/18/2023):**

COMPANY NAME	TRADE NAME	ADDRESS	TYPE	APPROVER	LICENSE GRANTED
Confetti's, Inc. (Renewal)	Confetti's	217 E. Walnut St.	"Class B" Liquor & Class "B" Beer License	Inspections	License Start Date of 7/1/2022
Taqueria Maldonado's Main Street LLC (Renewal)	The Razz by Maldonado's	400 Schoen St.	"Class B" Liquor & Class "B" Beer License	Inspections	License Start Date of 7/1/2022 (Council Granted Extension on 9-20-2022 to anticipated opening date end of November).
1001 Club, LLC	1001 Club	1001 Main St.	"Class B" Liquor & Class "B" Beer License	Inspections	Granted 9/20/2022 with waiver in 60-day opening requirement (anticipated opening Nov. 30)
Catering With Taste, Inc.	Catering With Taste	618 Gray St.	"Class B" Liquor & Class "B" Beer License	Inspections	Granted 9/20/2022
R&D and Restaurant Holdings LLC	Delilah's	115 N. Adams	"Class B" Liquor and Class "B" Beer License	Inspections	Granted 12/6/2022
Allegedly LLC	Allegedly	2056 Main St.	Class "B" Beer License	Inspections	Granted 12/20/2022
Vast Properties Group LLC	Waterfront Market	401 N Washington St.	"Class B" Liquor & Class "B" Beer Reserve License	Inspections	Granted 1/17/2023

Summary of Licenses Granted and Issued for Available Liquor Licenses:

The City of Green Bay has a quota of 172 Class B Combination Liquor and Beer licenses under state law.

The City of Green Bay issued 167 of the 172 available Class B Combination Liquor and Beer licenses.

The City granted 5 licenses that have not yet been issued (see page 1).

The Clerk's Office cannot take any more applications for available liquor licenses at this time.

The City of Green Bay set forth by resolution that available liquor licenses are considered to those who apply with fully completed applications and first in time.

Liquor License Checklist:

(<https://greenbaywi.gov/264/Liquor-Sales---New-Establishments>)

The Clerk's Office shall only accept the number of applications that we have available licenses.

Summary of Licenses Granted and Issued for Reserve Liquor Licenses:

The City of Green Bay has a quota of 23 Class B Combination Liquor and Beer Reserve licenses under state law.

The City of Green Bay has 1 Class B Combination Liquor and Beer Reserve issued.

The City of Green Bay has 1 Class B Combination Liquor and Beer Reserve granted but not yet been issued.

The difference between a Reserve and available liquor license is that a reserve is at a cost of a one-time non-refundable \$10,000 issuance fee (plus license fee). The license shall not be transferred or surrendered.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # L.12

Informational Only: A report by the Clerk regarding the November 8, 2022 Election.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 2022-11-28 Dist 8 to P and P
2. 2022-11-08 Election Report

From: noreply@civicplus.com
To: [Celestine Jeffreys](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Wednesday, November 16, 2022 8:18:04 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	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? Respectfully Submitted, Alderman Chris Wery

Email not displaying correctly? [View it in your browser.](#)

2022-11-08 Election Report

General information for the 2022-11-08 Election

425 poll workers
27 polling locations
59 wards (including split wards)
10,735 absentee ballots cast
24,633 at-polls ballots cast
101 hours IPAV
16 data entry specialists and greeters

Alternate IPAV voting locations—Issue Discussed by Protection and Policy Committee

Last year, the committee discussed the possibility of approving alternate IPAV sites for the November election. The committee asked for an update after the November General Election. The following points should be considered before the Council would approve alternate location(s) for in-person absentee voting:

- These IPAV locations, by statute, must be approved by Council at least two weeks before primary-election absentee ballots are mailed, and must remain in place for the general election.
- If there are alternate location(s), the Clerk's office may not be used for any election-related activities, including the return of absentee ballots.
- Issues to consider for 2024 alternate IPAV locations:
 - Locations should be secured and approved by early June 2024 for Fall 2024; or by December 2023 for Spring 2024.
 - Should there be one or two alternate IPAV locations (east side, west side)?
 - Should the Council consider renovating the first floor to better accommodate voters for high-turnout elections (as well as annual tax collection and other meetings)?
 - Alternate location(s) would have identical hours of operation and staffing levels
 - Alternate location(s) must be ADA accessible
 - Budget considerations: computers, furniture, storage materials, office supplies, ballot security materials, police escort, data entry specialist and greeter salaries.
 - Clerk will report IPAV options before budget in November 2023.

For the upcoming two elections, 2/21/23 and 4/4/23, IPAV (issuing a ballot, voting the ballot and witnessing the ballot) will take place in the clerk's office (see attached images). There will be one observation area for election activities.

Month/year	Total votes cast	Month/year	Total votes cast
April 2015	15,942	April 2016 (PP)	31,457
April 2017	11,568	April 2018	13,543
April 2019	20,047	April 2020 (PP)	14,579
April 2021	11,742	April 2022	12,934
		PP=presidential preference	

Communication: Explain the Early Absentee Voting handling of ballots. What is the chain of custody procedure until election day counting?

Absentee Ballots may be requested up to a few days before Election Day (depending on absentee type):

Voter wants an absentee ballot (AB), due to illness, disability (“indefinitely confined”), presence in the military, presence overseas, being out of town or working. Voters aren’t required to provide a reason for an absentee ballot by election or for the calendar year. Nor do they have to provide a reason for requesting a ballot as an indefinitely confined voter. Only currently active registered voters may request an absentee ballot.

An Indefinitely Confined (IC) voter wants an absentee ballot→ Voter may make request online at myvote.wi.gov or complete an absentee ballot request form and mail it to the clerk’s office. Clerk’s staff enters the request into WisVote. This request is then bundled with other requests on file. These voters don’t have to provide a photo ID for an IC absentee ballot. Many of these requests are already on file and we mail them out on the first day; that’s January 31, 2023, and March 14, 2023. Ballots are contained in two envelopes, the outer envelope has a USPS tracking bar code, and an inner envelope which is the AB certificate, also containing a bar code with the voter’s information. The AB envelopes contain an insert of uniform instructions and an example of a complete certificate. The Clerk posts these inserts online.

Voter wants an AB for one election or for the entire year → Voter may make a request online at myvote.wi.gov or complete an absentee ballot request form and mail it to the clerk’s office. Clerk’s staff enters the request into WisVote. This request is then bundled with other requests on file. These requests must include a copy of the voter’s photo ID.

Voter is military personnel, family of military personnel, temporarily overseas or permanently overseas→the process is a bit more complicated; we may email the ballot to the voter and the voter would send back, via mail, the completed ballot and AB certificate. We reconstruct these ballots on Election Day.

Voter wants to vote, in-person absentee (IPAV)→The voter enters the clerk’s office during designated IPAV days and hours. They proceed as if they were at-polls, providing their name/address/photo ID before obtaining a ballot. The clerk’s staff (or data entry specialist) enters the voter’s name in WisVote and prints a label, without a bar code. Clerk’s staff/data entry specialist provides instructions to the voter to complete the ballot and certificate. The voter places the voted ballot in the certificate envelope, signs and dates the certificate, seals the envelope, and gives it to Clerk’s staff/greeter to witness. Clerk’s staff/greeter signs their name and uses the office address stamp.

Voters in care facilities→vote by a Special Voting Deputy. The Clerk and the eligible care facility mutually agree upon a date and time the Special Voting Deputies may visit the facility. The Special Voting Deputy serves in much the same way as a poll worker. These votes are effectively conducted as on-site IPAVs or polling locations. Dates and times of special voting deputy visits are posted on the care

facility door as well as the city's website. Care facilities may decline special voting deputy visits; in that case the Clerk will send ballots to the facility's currently registered voters.

Lifecycle of an Absentee Ballot

- A request is received by the Clerk
- All Clerk's staff (and LTE workers) who handle absentee ballots are deputized by the Clerk
- We create two labels, one with a USPS code and one with an AB certificate code (unique to each voter)
- All AB are mailed in an outer envelope with a USPS bar code
- All AB certificates have bar codes unique to each voter, postage is pre-paid on this envelope (except IPAV certificates)
- The mail room stamps postage on the envelopes and mails
- Returned AB certificates come to the mail room from USPS
- Voters may also drop-off their ballots at the Clerk's office, up to and including Election Day
- Mail room delivers the AB certificates to the Clerk's office
- Clerk's staff sorts them, weeding out any insufficient certificates for further review
- We scan the certificate's bar code into WisVote
- The ballots are placed in trays, by ward, and then later sorted alphabetically, by ward
- They are stored in a secure area, only clerk's staff may access this area for election-related purposes
- Bar codes are communicated with myvote.wi.gov to allow a voter to track their ballot
- A few days prior to Election Day, the trays of AB are packed in secure bags by the Clerk and staff, and sealed with security tags
- The bags remain in a secure area until Election Day
- The Clerk is accompanied by party-affiliated central count poll workers as she brings the carts of ballots to the central count area
- The Deputy Clerk/Chief Central Count Inspector cuts the security labels and documents in the Chief Inspector Statement

The percentage of AB cast over total votes cast, has consistently trended downward from two-thirds in November 2020 to one-third/one-quarter in November 2022.

The Clerk will provide another election report to Protection and Policy in May 2023 for the April General election.

IPAV 2023

REGISTRATION, OBTAIN BALLOT
& WITNESS



VOTE BALLOT



**REPORT OF THE PROTECTION AND POLICY COMMITTEE
GRANTING OPERATOR LICENSES**

February 7, 2023

The Protection and Policy Committee wishes to request that the following applications for Operator Licenses be granted.

Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Barrueta Avila, Luis
Blohm, Aaron K
Bradford III, Lee H
Burt, Danielle R
Creek, Philip J
Delgado, Yasmin
Diaz Olvera, Katia E
Engels, Travis M
Immel, Aubrey L
Jones, Andrew T
Larschied, Alyssa N
Lebo, Sherald L
Lemus, Alexandria M
Lovelace, Michael D
Ly, Tha Vone
Merrill, Eliot C
Moore, Kayla L
Nieto, Maria D
Olejniczak, Blake RF
Pearson-Blair, Marcella A
Reynolds, Joseph S
Roethlisberger, Erin J
Sipe, Haley M
Thompson, Angela M
Tompkins, Melissa A
Turner, Justin L



Report to the Green Bay Plan Commission

MEETING DATE

February 7, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # N.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.

BACKGROUND

*****THIS ITEM WAS HELD OVER FROM JANUARY 9, 2023 PLAN COMMISSION MEETING*****

Primary Address: Southwest corner of S. Military Avenue and Leo Street

Aldersperson / District: Ald. Melinda Eck / District 11

Reason for Request: To permit the development of a 48-unit multi-family development on the site at 1.1069 acres at the southwest corner of S. Military Avenue and Leo Street.

Surrounding Zoning and Land Uses:

SUBJECT PROPERTY: Community Center Commercial (C3) with existing ZO No. 14-21 overlay.

NORTH: Community Center Commercial – Q Tea Premium Tea House

SOUTH: Community Center Commercial (C3) with existing ZO No. 14-21 overlay – HJ Martin warehousing, limited production, and educational /training facility

EAST: General Commercial (C1) – Pancake Place and BMO Harris Bank

WEST: Community Center Commercial (C3) with existing ZO No. 14-21 overlay – HJ Martin and Bellin Health warehousing, limited production, and educational /training facility

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial use. It recommends medium/high density residential areas and low-density residential areas to the west of Parcel 6-266E (across Randall Court), and commercial areas to the north, east, and south.

The proposed zoning change to a Planned Unit Development, as drafted, is not fully consistent with the recommendation of the Comprehensive Plan for the particular property which calls for commercial use. However, it is consistent with the intent of the area as the corridor redevelops. The comprehensive plan encourages the restoration of underutilized urban properties to viable commercial, residential or recreational opportunities. Military Avenue has been identified as a target area for such activity. Military Avenue is also targeted as a Supportive Zoning district to support increased transit-oriented development. Supportive Zoning encourages the use of mixed and multiple-use development with buildings required to be located near the front sidewalk with parking to be located in the rear, side or underground. Staff believes this should not hold up the Planned Unit Development (PUD) request as this new PUD meets the criteria for corridor usage and still allows for C3 Community Center Commercial as its base zoning.

Analysis: This request is for a proposed development of a 48-unit affordable apartment building, to be known as “Bay City Lofts” on approximately 1.1 acres of land bound by Leo Street on the north and S. Military

Avenue on the east. It is currently an underused surface parking lot, apart from the larger 8.356 acre property, Parcel 6-266E. The property is currently being reviewed for a land division as part of this PUD request. The new parcel, Lot 2, is intended for the Bay City Lofts apartments and surface parking behind the primary structure. The rest of Parcel 6-266E, Lot 1, remains under the existing PUD for the site for HJ Martin and Bellin Health and concurrently has a separate PUD for both C3 and limited LI land uses submitted.

Report: This project includes the development of a single 4-story, 48-unit apartment building with 13 one-bedroom units, 24 two-bedroom units, one (1) three-bedroom unit and 10 three-bedroom townhome units. Ground floor uses include common spaces for residents, private residences, and office space. The building is shaped in such a way as to provide a building wall relief and articulation, especially along S. Military where the building is placed near the right-of-way with multiple individual entry access points designed with paved entries and landscaping. A singular paved and landscaped pedestrian public entry door is identified at the northeast corner of the building. Building materials are intentionally varied to provide increased aesthetics, including brick, metal panels, and cement board siding with varied colors. Vertical masonry elements to provide additional building identity and signage.

Other accessory uses within the building (customarily associated with multiple-family residences) may include a lobby, mail room, janitorial services, community room, office space associated with the principal use, office space for community services, childcare for residents, and educational spaces for residents. These accessories can be converted for any C-3 use in the future to have a mixed-use component. Vehicular access will be limited to a single ingress/egress easement from S. Military Avenue. A recorded shared access agreement between Bay City Lofts and HJ Martin is required. Pedestrian/bicycle access from S. Military Avenue to all public entry doors on the building is also required. The project, with 48 stalls, will require 60 parking stalls to meet the code. The current plans must be updated to reach 60 stalls or an agreement for shared parking must be made with other parcels within 1000 ft. of the property to share parking to reach a minimum of 60 total stalls. Staff has included a conceptual site plan and building elevations for the project within the draft PUD ordinance, and development will require general conformity with it.

This PUD varies from the original PUD on the site (ZO 14-21). The existing PUD focuses on uses for the existing single story building within future Lot 1. This PUD designation, rather than a straight rezoning to the C-3 Varied Density Residential District, is necessary because several exceptions to zoning regulations of the C-3 zoning will be needed, including:

- 1a. Reduction of the minimum S. Military Avenue setback from 51 ft. to 10 ft.
- 1b. A maximum setback along S. Military of 15 ft.
2. Reduction of the minimum Leo Street setback from 15 ft. to 7 ft.
3. Reduction of rear yard surface parking setback (west lot line) from 25 ft. to 0 ft.
4. Reduction of the side yard setback from 10 ft. to 7 ft.
5. The maximum impervious surface requirement is 86 percent. Any paved sidewalk which leads from the public right of way to a public building entrance, may be excluded from the overall requirement. Additional landscaping must occur within the interior parking lot islands beyond trees and grass to create additional landscape interest.
6. Maximum building height of 50 ft. from 35 ft.

Staff believes the increase in density is appropriate at this location as it is in close proximity to the Military Avenue business corridor and is adjacent to multiple smaller lots with multiple-family development. Additionally, affordable, supportive and larger bedroom sized housing units have been identified in our housing market study as a land-use the greater Green Bay area is specifically lacking. Staff agrees with the applicant's request for placing a four-sided structure with strong articulation along the front and rear elevation close to the street. Ground floor space is a mixture of private residences, common space for residents, and office space which will be used by Lutheran Family Services. The office space could be converted to other C3 uses in the future.

A neighborhood meeting was held for this and concurrent PUD on the property on Thursday, December 22, 2022, at 630 p.m. during the snowstorm. Six members of the public along with Leah Weycker, Military Avenue BID, Alder Melinda Eck, David Martin, HJ Martin, and Brad Rymer, Mau & Associates attended. Most attending expressed concerns about the role of both industrial and residential uses within the parcel and alongside the Military Avenue corridor. Most inputs are about using the frontage along S. Military for uses other than ground level commercial. Some inputters questioned 'low-income housing' in the Military BID. Many neighbors did not see an issue with residential on the site but questioned if the area slated for multi-family redevelopment would better be used as commercial.

Staff believe the reduced setbacks are warranted in light of creating a defined streetscape presence along S. Military within areas which have typically been underused surface parking. The Military Avenue corridor has a variety of spaces in which the primary use has become vast, underused surface parking areas. Staff believes the addition of higher density, well-designed multi-family apartment units fit well with redevelopment and evolution of the Military Avenue corridor.

If the draft PUD is approved with conditions, the final step for the development of the proposed apartment will be a lot split, adjustment to the site plan to account for sidewalk connections and impervious surface requirements, parking requirements, ingress/egress agreements recorded between Lots 1 and 2 and administrative review of a site plan and building permit.

RECOMMENDATION

Staff recommends approval of the PUD text.

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-31 Bay City Lofts Request for City Action Application - Signed
2. ZP 22-31 Map
3. ZP 22-31 PUD Narrative (2022-11-21)
4. ZP 22-31 Draft PUD



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: 216 South Military Avenue

Parcel Number(s): 6-266-E

Petitioner(s): Gorman & Company Date: 10/11/2022

Email: tmatkom@gormanusa.com Phone Number: 608-835-3455

Address: 200 N Main Street City: Oregon State: WI Zip: 53575

Property Owner: Henry Real Estate Development, LLC Phone Number: _____

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Ted Matkom, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$300.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☒ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$150.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☒ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$200 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$200.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature:  Date: 10/21/2022

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____ Receipt No.: _____ Zoning Petition No.: _____

REQUEST FOR CITY ACTION PLAN COMMISSION

PLEASE FILL OUT FOR: VACATE OR CLOSE STREET/ALLEY/PEDESTRIAN WAY

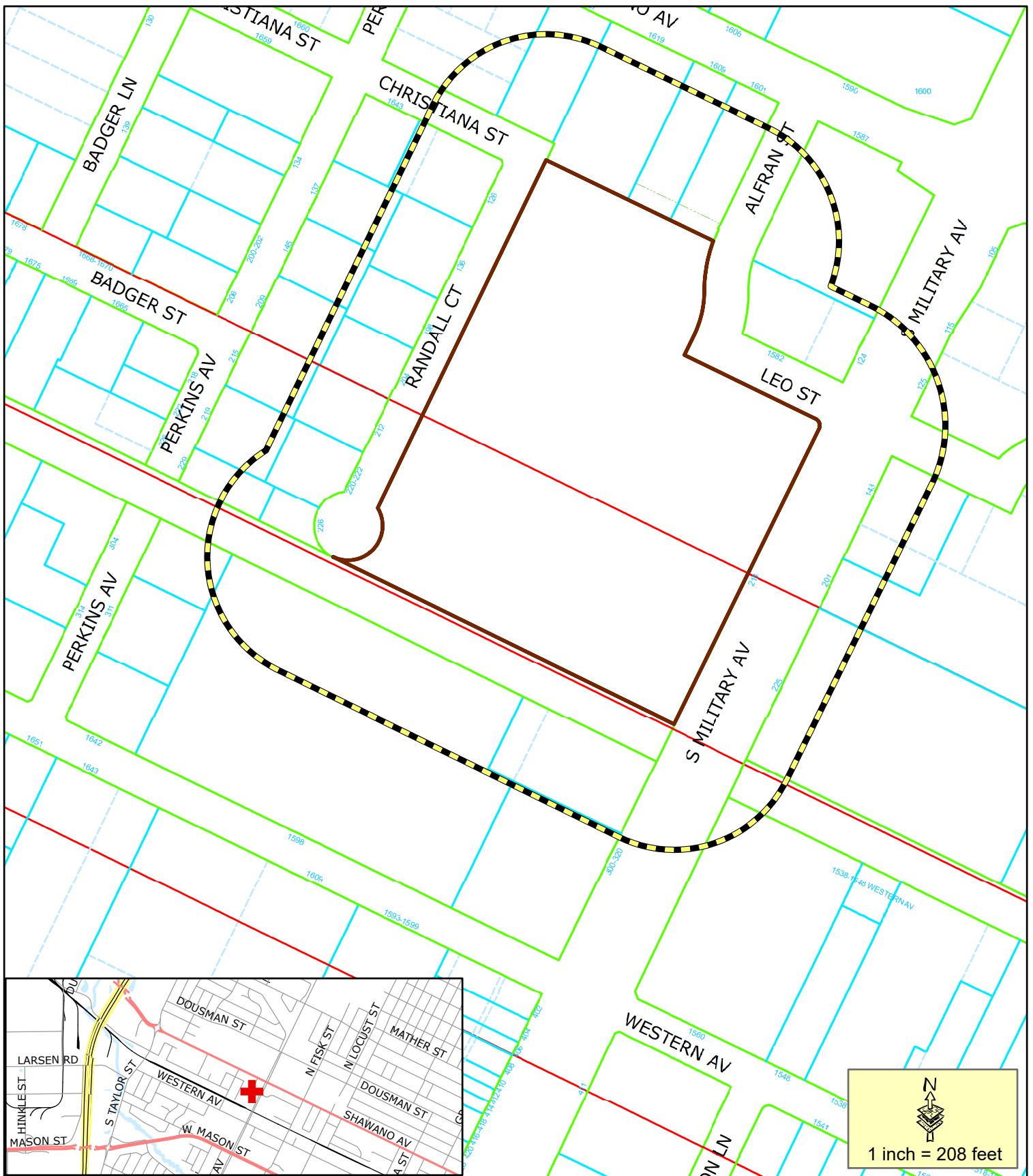
Per WI State Statue 66.1003:

All owners who abut the area proposed for vacation or closure, including all members of LLCs or ownership groups, must sign below before submitting this application.

If you are **NOT** vacating or closing a full street/alley/pedestrian way, you must also get signatures from one-third of owners of parcels within 2,650 ft. of the end of the vacation/closure area.

SIGNATURE	PRINTED NAME	ADDRESS

Please contact the Community and Economic Development Department at (920) 448-3400 with any questions.



- Proposed PUD
- 200' Property Owner Notice

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB

Zoning Petition (ZP 22-31) and (ZP 22-41) Proposed Planned Unit Developments (PUD) at 216 S Military



November 21, 2022

RE: Bay City Lofts PUD Submittal Narrative

The Bay City Lofts project is a four-story multi-family apartment building with ground floor resident amenities and surface level parking. A total of 48 affordable housing apartments are planned including one-, two-, and three-bedroom apartments, including 2-story three-bedroom townhomes. Each townhome includes their own exterior entry as well as an accessible entry from within the building.

First-floor amenities include a community room, fitness room, on-site management, bike storage and secure parcel holding room. An office is provided to the partnership with Lutheran Family Services, which also has direct access to the community room for events.

The primary façade of the building fronts Military Avenue with access to the site both Military Ave. and Leo Street. The exterior is a combination of brick, metal panel and cement board siding. Second and third story bump-outs provide additional articulation along the front and rear elevations. A vertical masonry element also provides building identity and signage.

The surface parking lot provides 54 parking stalls and a secure trash and recycling outdoor enclosure. Indoor and outdoor bike storage is also provided.

The project site is being developed in the old Shopko parking lot, providing new activity and life to the corner of Military Ave. and Leo Street.

Site development summary

Site area:	1.10 acres
Dwelling units:	48
Density:	43 units per acre
Building height:	4 stories

Apartment unit mix

One bedroom	13
Two bedroom	24
Three bedroom	1
<u>Three bedroom townhome</u>	<u>10</u>
Total units:	48

Parking

<u>Surface spaces</u>	<u>54</u>
Total spaces:	54

Bicycle Parking

Exterior	6
<u>Interior</u>	<u>16</u>
Total:	22

ZONING ORDINANCE NO. XX-22 (APARTMENT)

AN ORDINANCE
CREATING A PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT FOR
PROPERTY LOCATED AT 216 SOUTH MILITARY AVENUE
(ZP 22-31)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described property:

Legal Description: Commencing at the Southeast Corner of Lot 1 of Certified Survey Map No. 1366, being part of Private Claim Number 1 and the vacant strip of land, West Side of Fox River, City of Green Bay, Brown County, Wisconsin; thence N26°10'17"E, 276.60 feet along the West right of way of South Military Avenue to the point of beginning; thence N26°10'17"E, 246.18 feet along said west right of way; thence 18.91 feet along the arc of a 12.00 foot radius curve to the left whose chord bears N18°57'46"E from said West right of way of South Military Avenue to the South right of way of Leo Street; thence N64°05'49"E, 174.77 feet along said South right of way of Leo Street; thence S26°10'17"W, 258.24 feet; thence S64°05'49"W, 186.83 feet to the point of beginning.

Tax Parcel: Part of Parcel 6-266-E

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The Planned Unit Development (PUD) is being utilized to permit the development and construction of a 48-unit, four-story multi-family residential development. The overall appearance and design of the site and improvements shall comply with the attached Exhibits and as regulated within this PUD.
- B. Development Site. Area included within this PUD is proposed as Lot 2 on the accompanying Certified Survey Map (Exhibit A). The existing parcel located at the southwest South Military Avenue and Leo Street will be divided into a separate 1.11 acre/48,215 square feet parcel. The multi-family residential development will be located fronting South Military Avenue have nine total entryways fronting South Military Avenue (8 for individual townhome units and one as a lobby entrance to the building at large.)
- C. Land Use Regulation.

The principal and accessory land uses which may be established and/or maintained on the subject property are as follows:

1. Principal use of 48 residential dwelling units within a single structure. 8 units will have individual unit ingress/egress directly to South Military Avenue. 40 units to have shared access from commonway.
 2. Accessory uses customarily associated with multi-family dwelling and supportive housing including lobby, mail room, janitorial services, office space associated with the principal use, bicycle storage, secure parcel holding room, community room, fitness room, office space for community services, and other uses deemed appropriate by the Zoning Administrator.
 3. Land use will generally conform with the design of the conceptual site plan (Exhibit B), as determined by the Department of Economic and Community Development.
 4. Prohibited Uses. The PUD prohibits certain uses from being established on the site or as accessory to the multi-family dwelling principal use including rooming/boarding houses, shelter facilities, transitional housing, dormitories, assisted living/nursing homes, commercial uses typically associated with dwelling (family daycares and live-work units). All other proposed uses are subject to a PUD amendment.
- D. Dimensional and Area Requirements: Dimensional and area requirements for principal structure and surface parking on the subject property shall be regulated as follows:
1. General Site.
 - a. Lot Size. Minimum lot area is 48,215 Square Feet / 1.11 acres
 - b. Maximum Floor Area Ratio (FAR): 1.0
 - c. Maximum Impervious Surface: 86%
 2. Building.
 - a. Front Yard Setbacks
 1. South Military Avenue: Minimum: 10 feet
Maximum: 15 feet
 2. Leo Street: Minimum: 7 feet
Maximum: 15 feet
 - b. Side Yard Setback (south lot line): 6 feet
 - c. Rear Yard Setback (west lot line): 0 feet
 - d. Maximum Height: Principal building shall not exceed 50 feet in height.
 3. Surface Parking.
 - a. Front Yard Setbacks
 1. Leo Street: 7 feet
 2. South Military Avenue: Not Applicable. No parking shall be located along street.

- b. Side Yard Setback
 - 1. (South lot line): 7 feet
- c. Rear Yard Setbacks
 - 1. (West lot line) 0 feet

E. Access Circulation and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within Chapter 44, Article XVIII of the Green Bay Municipal Code, and as modified as follows:

- 1. Pedestrian access shall be provided from South Military Avenue with public sidewalks adjoining the development and connected via an internal pedestrian network to at least one of the public entrances of the principal structure.
- 2. Access to the site maintained through a shared access easement between Lot 1 (property to west) and Lot 2 (multi-family parcel) (Refer to Exhibit A). Shared access easement must be recorded with the Brown County Register of Deeds prior to the issuance of building permits.

F. Architectural Design. All building elevations shall generally comply with Exhibit C and subject to the following requirements:

- a. Four-sided design. All sides of the building shall include materials and design characteristics similar to and compatible with those on the front.
- b. Exterior Materials. Building materials shall be durable and appropriate for the residential district as well as being regulated as follows:
- c. Exterior building façades shall be predominately (minimum of 90%):
 - II. Brick or brick veneer
 - III. Cementitious panels/siding
 - IV. Architectural/decorative metal panels
 - V. Wood or wood composite
 - VI. Windows and doors
- d. Windows and doors. Windows shall include trim and all building entrances shall include a canopy or other roofing element over the doorway.
- e. A minimum of one public entryway to the principal building must be accessible from South Military Avenue.
- f. Accessory structures. Accessory structures are limited to no greater than 16 feet in height and shall match the character of the principal structure, reflected in colors, materials, windows, and architectural features.

G. Lighting. All lighting on the subject property shall be regulated as set forth in Chapter 44, Article V, Division 8, Green Bay Municipal Code.

H. Signage. All signage shall be regulated as set forth in Chapter 30 Green Bay

Municipal Code.

I. Site Plan Review & Standards

- a. Prior to the issuance of any building permits, site plans shall be submitted and reviewed per Chapter 44 Article XIX, Green Bay Zoning Code.
- b. Risers, paved stoops, paved entries leading to private and public doorways along South Military Avenue which are located in the front setback are allowed.
- c. Maximum impervious surface requirement is 86% Any paved sidewalk which leads from the public right of way to a public building entrance may be excluded from this calculation.
- d. Landscape islands in center of parking lot shall have additional landscaping beyond grass and trees, determined per review by Community and Economic Development.

J. Landscaping/Transitional Yard

- a. Prior to the issuance of any building permits, detailed landscape plans shall be submitted and reviewed per Chapter 44, Article XIX, Division 5, Green Bay Municipal Code.
- b. Landscape plans shall be in general compliance of the conceptual landscape plans (Exhibit B)

K. Prior to the issuance of any building permits, stormwater management plans, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City.

L. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property.

All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit and the plans identified therein had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

Mayor Eric Genrich

ATTEST:

Clerk

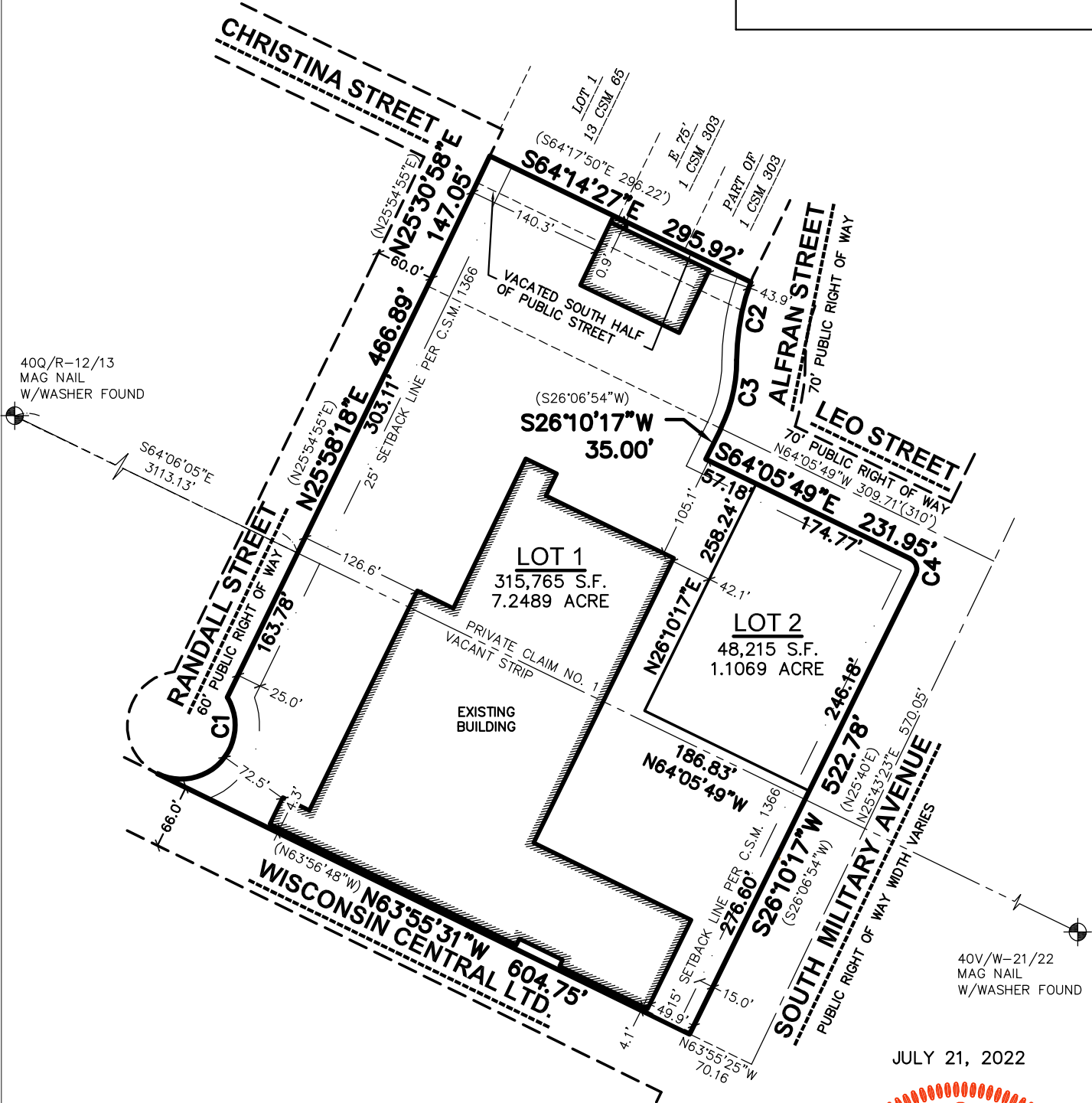
Attachments:

Exhibit A – Proposed Certified Survey Map
Exhibit B – Conceptual Site Plan-Civil Set-Landscape Plans
Exhibit C – Conceptual Building Elevations

Exhibit C

CERTIFIED SURVEY MAP
NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON
PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1
AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY
OF GREEN BAY, BROWN COUNTY, WISCONSIN



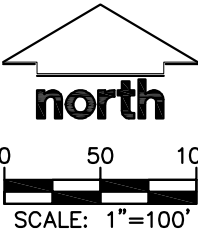
LEGEND

- GOVERNMENT CORNER
- 3/4" REBAR FOUND
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- PLAT BOUNDARY
- CHORD LINE
- CENTERLINE
- RIGHT-OF-WAY LINE
- PLATTED LOT LINE
- SECTION LINE
- EASEMENT LINE
- SETBACK LINE
- (XXX) RECORDED AS

NOTES

1. FIELD WORK PERFORMED ON JULY 12, 2022.
2. BEARINGS ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY. THE WESTERLY LINE OF S. MILITARY AVE. HAVING A BEARING OF S26°10'17"W.
3. SEE SHEET 2 FOR CURVE TABLE.

JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY: JSD WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVEL. 200 N. MAIN ST. OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FIELD BOOK/PG:	-	DRAWN BY:	DHS
		SHEET NO:	1 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN

LEGAL DESCRIPTION

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

LANDS CONTAINING 363,980 SQUARE FEET OR 8.3558 ACRES.

SURVEYOR’S CERTIFICATE

I, ANDREW W. WILKOWSKI, PROFESSIONAL LAND SURVEYOR S-3121, DO HEREBY CERTIFY THAT BY DIRECTION OF HENRY REAL ESTATE DEVELOPMENT, LLC, I HAVE SURVEYED, DIVIDED, AND MAPPED THE LANDS DESCRIBED HEREON AND THAT THE MAP IS A CORRECT REPRESENTATION IN ACCORDANCE WITH THE INFORMATION PROVIDED. I FURTHER CERTIFY THAT THIS CERTIFIED SURVEY MAP IS IN FULL COMPLIANCE WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

ANDREW W. WILKOWSKI, S-3121
PROFESSIONAL LAND SURVEYOR

JULY 21, 2022

DATE



CORPORATE OWNER’S CERTIFICATE

HENRY REAL ESTATE DEVELOPMENT, LLC, A LIMITED LIABILITY CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS OWNER, DOES HEREBY CERTIFY THAT SAID CORPORATION HAS CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. SAID CORPORATION FURTHER CERTIFIES THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S.236.34, WISCONSIN STATUTES TO BE SUBMITTED TO THE CITY OF GREEN BAY FOR APPROVAL.

IN WITNESS WHEREOF, THE SAID HENRY REAL ESTATE DEVELOPMENT, LLC HAS CAUSED THESE PRESENTS TO BE SIGNED BY ITS REPRESENTATIVE THIS _____DAY OF _____, 2022.

BY: _____
EDWARD MARTIN, PRESIDENT/CEO

STATE OF WISCONSIN) SS
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____DAY OF _____, 2022,
THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED HENRY REAL ESTATE DEVELOPMENT, LLC TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, _____ COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

CURVE TABLE							
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	55.01'	146°54'07"	N42°28'06"E	105.47'	141.05'	S64°04'51"E	N30°58'58"W
C2	231.13'	20°07'46"	S10°13'17"W	80.78'	81.20'	S20°17'10"W	S00°09'24"W
C3	161.13'	25°44'24"	S13°00'26"W	71.78'	72.39'	S25°52'38"W	S00°08'14"W
C4	12.00'	90°16'06"	S18°57'46"E	17.01'	18.91'	S26°10'17"W	S64°05'49"E

THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY:  WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVEL. 200 N MAIN ST OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FIELDBOOK/PG:	-	DRAWN BY:	DHS
		SHEET NO:	2 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

CERTIFIED SURVEY MAP NO. _____

LOT 1 OF CERTIFIED SURVEY MAP NO. 1366 RECORDED IN VOLUME 5 ON PAGE 177 AS DOCUMENT NO. 802454, BEING PART OF PRIVATE CLAIM NO. 1 AND THE VACANT STRIP OF LAND, WEST SIDE OF FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN

CONSENT OF CORPORATE MORTGAGEE

WISCONSIN BANK & TRUST, A CORPORATION DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, AS MORTGAGEE OF THE LANDS DESCRIBED HEREON, HEREBY CONSENTS TO THE SURVEYING, DIVIDING, MAPPING AND RESTRICTING OF THE LANDS DESCRIBED IN THE AFFIDAVIT OF ANDREW W. WILKOWSKI, WISCONSIN PROFESSIONAL LAND SURVEYOR, S-3121, AND DO HEREBY CONSENT TO THE ABOVE CERTIFICATE OF HENRY REAL ESTATE DEVELOPMENT, LLC, OWNER.

WITNESS THE HAND AND SEAL OF WISCONSIN BANK & TRUST, MORTGAGEE, THIS__DAY OF_____, 2022.

CRAIG D. ADERHOLD,
MARKET PRESIDENT-NORTHEAST WISCONSIN

STATE OF WISCONSIN) SS
_____ COUNTY) SS

PERSONALLY CAME BEFORE ME THIS__DAY OF_____, 2022, THE ABOVE NAMED REPRESENTATIVE OF THE ABOVE NAMED WISCONSIN BANK & TRUST, TO ME KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THE SAME.

NOTARY PUBLIC, _____ COUNTY, WISCONSIN MY COMMISSION EXPIRES _____

CITY OF GREEN BAY PLAN COMMISSION APPROVAL

APPROVED FOR RECORDING PER CITY OF GREEN BAY PLAN COMMISSION ACTION OF_____,2022.

DATE

CITY OF GREEN BAY

CITY OF GREEN BAY COMMON COUNCIL APPROVAL CERTIFICATE

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH HAS BEEN DULY FILED FOR THE APPROVAL OF THE CITY OF GREEN BAY COMMON COUNCIL, BE AND THE SAME IS HEREBY APPROVED AND THE DEDICATIONS, IF ANY DESIGNATED HEREON, ARE HEREBY ACKNOWLEDGED AND ACCEPTED BY THE CITY OF GREEN BAY.

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF A RESOLUTION ADOPTED BY THE CITY OF GREEN BAY ON THIS__DAY OF_____, 2022.

CELESTINE JEFFREYS, CLERK
CITY OF GREEN BAY

JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

SURVEYED BY: JSD WAUSAU REGIONAL OFFICE 7402 STONE RIDGE DRIVE, SUITE 4 WESTON, WISCONSIN 54476 P. 715.298.6330	SURVEYED FOR: HENRY REAL ESTATE DEVELOPMENT, LLC 200 N MAIN ST OREGON, WI 53575	PROJECT NO:	22-11365	SURVEYED BY:	JSD
		FB/PG:	-	DRAWN BY:	DHS
		SHEET NO:	3 OF 3	CHECKED BY:	AWW
				APPROVED BY:	AWW

File: N:\PROJECTS\2022\2211365\DWG\Survey Sheets\2211365 CSM.dwg Layout: CSM 3 of 3 User: dspanjar Plotted: Nov 21, 2022 - 8:28am

Exhibit B

ALTA/NSPS LAND TITLE SURVEY

BEING PART OF PRIVATE CLAIM 1 WEST AND LANDS WEST OF THE FOX RIVER, IN THE CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN.

NOTES

1. FIELD WORK PERFORMED BY JSD PROFESSIONAL SERVICES, INC. ON JULY 1, 2022.
2. BEARINGS FOR THIS SURVEY AND MAP ARE REFERENCED TO THE WISCONSIN COUNTY COORDINATE SYSTEM, BROWN COUNTY. THE WESTERLY LINE OF S. MILITARY AVE. HAVING A BEARING OF S26°10'17"W.
3. ELEVATIONS ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88). BENCHMARK IS A NGS MONUMENT P.I.D. NO. PNO092, ELEVATION=583.69
4. CONTOUR INTERVAL IS ONE FOOT.
5. SPOT ELEVATIONS IN CURBED AREAS REFERENCE THE PAVEMENT EDGE ELEVATIONS.
6. SUBSURFACE UTILITIES AND FEATURES SHOWN ON THIS MAP HAVE BEEN APPROXIMATED BY LOCATING SURFICIAL FEATURES AND APPURTENANCES, LOCATING DIGGERS HOTLINE FIELD MARKINGS AND BY REFERENCE TO UTILITY RECORDS AND MAPS. DIGGER'S HOTLINE TICKET NO. 20222608196 & 20222608226, WITH A CLEAR DATE OF JUNE 24, 2022.
7. UTILITY COMPANIES CONTACTED THRU DIGGER'S HOTLINE:
 - BROWN COUNTY TECHNOLOGY SERVICES A1&T DISTRIBUTION
 - CITY OF GREEN BAY (DPW) TDS METROCOM
 - CITY OF GREEN BAY TIME WARNER CABLE
 - NET LEO WISCONSIN PUBLIC SERVICE CORP
8. BEFORE EXCAVATION, APPROPRIATE UTILITY COMPANIES SHOULD BE CONTACTED. FOR EXACT LOCATION OF UNDERGROUND UTILITIES, CONTACT DIGGER'S HOTLINE, AT 1.800.242.8511.
9. THE ACCURACY OF THE BENCHMARKS SHOWN ON THIS MAP SHALL BE VERIFIED BEFORE BEING UTILIZED. JSD PROFESSIONAL SERVICES, INC. DOES NOT WARRANT THE ACCURACY OF THESE BENCHMARKS.
10. THIS PARCEL IS SUBJECT TO ALL EASEMENTS AND AGREEMENTS, BOTH RECORDED AND UNRECORDED.

NOTES CORRESPONDING TO TABLE A REQUIREMENTS:

- ITEM 3 THE SUBJECT PROPERTY LIES IN ZONE X PER FEA MAP NUMBERS 550090164F & 55009C0168F, WHICH HAS EFFECTIVE DATES OF AUGUST 18, 2009.
- ITEM 6(a)(b) CURRENT ZONING CLASSIFICATION WAS REQUESTED BUT NOT PROVIDED BY THE INSURER AT THE TIME OF THE SURVEY.
- ITEM 9 THERE ARE 420 REGULAR PARKING SPACES AND 13 HANDICAP SPACES FOR A TOTAL OF 433 PARKING SPACES.
- ITEM 11 NOTE TO THE CLIENT, INSURER, AND LENDER - WITH REGARD TO TABLE A, ITEM 11, INFORMATION FROM THE SOURCES CHECKED ABOVE WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES PURSUANT TO SECTION 5.E.IV. TO DEVELOP A VIEW OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY, AND RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, B11 OR OTHER SIMILAR UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR RESULT IN AN INCOMPLETE RESPONSE, IN WHICH CASE THE SURVEYOR SHALL NOTE ON THE PLAT OR MAP HOW THIS AFFECTED THE SURVEYOR'S ASSESSMENT OF THE LOCATION OF THE UTILITIES. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY.
- ITEM 16 THERE IS NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS AT THE TIME OF THIS SURVEY.
- ITEM 17 THERE ARE NO PROPOSED CHANGES IN THE STREET RIGHT-OF-WAY LINES. THERE IS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THE SURVEY.
- ITEM 18 THERE ARE NO OFFSITE EASEMENTS FOR THE SUBJECT PROPERTY.

NOTES CORRESPONDING TO SCHEDULE B-SECTION TWO EXCEPTIONS

- KNIGHT BARRY TITLE GROUP, FILE NO.: 2128568, COMMITMENT DATE: FEBRUARY 16, 2022 AT 8:00 A.M., REVISED FEBRUARY 24, 2022.
- 14 EASEMENTS, RESTRICTIONS AND OTHER MATTERS SHOWN ON CERTIFIED SURVEY MAP NO. NO. 1366 RECORDED DECEMBER 18, 1974 AS DOCUMENT NO. 80245A.
AFFECTS PROPERTY AS PLOTTED HEREON
- 15 ORDER AND OTHER MATTERS CONTAINED IN THE INSTRUMENT RECORDED FEBRUARY 2, 1983 AS DOCUMENT NO. 992278.
AFFECTS PROPERTY BY DESCRIPTION - RELEASE OF RIGHTS VAGUE IN NATURE, NOTHING PLOTTED

LEGAL DESCRIPTION (AS FURNISHED)

KNIGHT BARRY TITLE GROUP, FILE NO.: 2128568, COMMITMENT DATE: FEBRUARY 16, 2022 AT 8:00 A.M., REVISED FEBRUARY 24, 2022.

LOT 1 OF VOLUME 5 CERTIFIED SURVEY MAPS, PAGE 177, MAP NUMBER 1366, DOCUMENT NO. 80245A, BEING PART OF PRIVATE CLAIM 1 WEST AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(c)(b)(1)(c), 8, 9, 11, 16, 17, 18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 1, 2022.

FOR INFORMATIONAL PURPOSES ONLY:
PROPERTY ADDRESS: 216 SOUTH MILITARY AVENUE, GREEN BAY, WI
TAX KEY NUMBER: 6-266-E

SURVEYOR'S CERTIFICATE

TO:

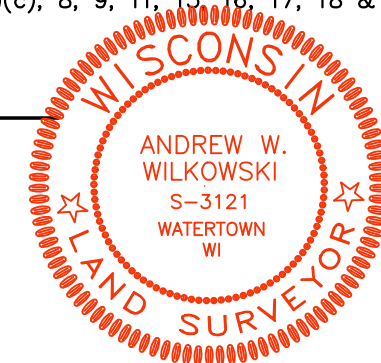
- GORMAN & COMPANY,
- KNIGHT BARRY TITLE, INC.,
- MARTIN NEUFELD, LLC, A WISCONSIN LIMITED LIABILITY COMPANY,

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6(a), 7(c)(b)(1)(c), 8, 9, 11, 16, 17, 18 & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JULY 1, 2022.

ANDREW W. WILKOWSKI, S-3121
PROFESSIONAL LAND SURVEYOR
Email: andy.wilkowski@jdsinc.com
Website: www.jdsinc.com

JULY 12, 2022

DATE



LEGEND

- CHISELED "X" SET
- MAG NAIL SET
- 3/4" x 24" REBAR SET (1.50 LBS/LF)
- CHISELED "X" FOUND
- 1" IRON PIPE FOUND
- PK/AVG NAIL FOUND
- REBAR FOUND
- CONTROL POINT
- FINISHED FLOOR SHOT LOCATION
- BOLLARD
- MAIL BOX
- POST
- SIGN
- SANITARY MANHOLE
- HYDRANT
- WATER VALVE
- CURB STOP/SERVICE VALVE
- SIAMSE CONNECTOR
- STORM MANHOLE
- ROUND CASTED INLET
- SQUARE CASTED INLET
- CURB INLET
- DOWNSPOUT
- GAS REGULATOR/METER
- GAS VALVE
- MANHOLE - UNVERIFIED TYPE
- ELECTRIC MANHOLE
- ELECTRIC PEDESTAL
- ELECTRIC METER
- ELECTRIC TRANSFORMER
- LIGHT POLE
- POWER POLE
- POWER POLE W/GUY
- TRAFFIC SIGNAL
- VAULT
- CABLE PEDESTAL
- DECIDUOUS TREE
- HANDICAP PARKING
- CENTERLINE
- RIGHT-OF-WAY LINE
- SETBACK LINE
- SECTION LINE
- PARCEL BOUNDARY
- EASEMENT LINE
- LANDSCAPE LIMITS
- FENCE LINE
- EDGE OF PAVEMENT
- CONCRETE CURB & GUTTER
- SANITARY SEWER
- WATER LINE
- STORM SEWER
- NATURAL GAS
- OVERHEAD LINE
- UNDERGROUND ELECTRIC
- FIBER OPTIC
- UNDERGROUND TELEPHONE
- BUILDING
- INDEX CONTOUR
- INTERMEDIATE CONTOUR
- SPOT ELEVATION
- BITUMINOUS PAVEMENT
- CONCRETE PAVEMENT
- EDGE OF BITUMINOUS
- PAVEMENT STRIPING
- DENOTES RECORD DATA DEPICTING THE SAME LINE ON THE GROUND AS RETRADED BY THIS SURVEY

BENCHMARKS			
BENCH MARK	ELEVATION	DESCRIPTION	
BM-1	617.57	CROSS ON NORTHERLY FLANGE NUT, HYDRANT	
BM-2	611.77	CROSS ON SOUTHERLY FLANGE NUT, HYDRANT	

*JSD DOES NOT GUARANTEE THE BENCHMARK ELEVATIONS LISTED ON THIS MAP. ARE ACCURATE AND SHOULD BE VERIFIED PRIOR TO CONSTRUCTION ACTIVITIES.

CURVE TABLE							
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	ARC LENGTH	TANGENT IN	TANGENT OUT
C1	55.00'	146°55'34"	N42°28'15"E	105.45'	141.04'	S64°03'58"E	N30°59'32"W
C2	231.13'	20°07'46"	S10°13'17"W	80.78'	81.20'	S20°17'10"W	S00°09'24"W
C3	161.13'	25°44'24"	S13°00'26"W	71.78'	72.39'	S25°52'38"W	S00°08'14"W
C4	12.00'	90°16'06"	S18°37'46"E	17.01'	18.91'	S26°10'17"W	S64°05'49"E

STORM SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
STM-1	608.66	NE	601.82	56"	R.C.P.
		SW	602.02	56"	R.C.P.
		SE	602.01	24"	R.C.P.
		SW	602.11	20"x36"	R.C.P.A.
STM-2	608.48	NE	599.86	8"	P.V.C.
		SW	604.28	24"	R.C.P.
		NE	604.66	12"	R.C.P.

SANITARY SEWER MANHOLES					
STRUCT. ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
SAN-1	612.83	NE	599.33	15"	P.V.C.
		SW	599.33	15"	P.V.C.
		NE	598.01	18"	P.V.C.
		SW	598.35	18"	P.V.C.
		NW	598.93	8"	P.V.C.
		SE	598.73	8"	P.V.C.
SAN-3	608.52	NE	599.84	8"	P.V.C.
		SE	599.86	8"	P.V.C.
SAN-4	608.18	NW	600.21	8"	P.V.C.
		SW	600.21	8"	P.V.C.

STORM SEWER INLETS					
INLET ID	RIM ELEVATION	INVERT	ELEVATION	PIPE SIZE	PIPE TYPE
INL-1	608.38	NE	605.63	12"	C.M.P.
		SW	605.83	6"	P.V.C.
INL-2	607.71	NE	605.01	12"	R.C.P.
INL-3	609.29	NE	601.69	54"	R.C.P.
		SW	601.79	54"	R.C.P.
INL-4	610.04	NE	606.52	8"	P.V.C.
		SW	606.39	8"	P.V.C.
		NW	606.29	3"	P.V.C.
		SE	602.94	6"	P.V.C.
INL-5	609.31	NW	606.37	6"	P.V.C.
INL-6	608.94	NW	606.14	10"	P.V.C.
INL-7	609.26	SE	605.18	18"	R.C.P.
		SW	605.19	24"	R.C.P.
		NE	605.17	12"	R.C.P.
INL-8	608.19	NE	604.29	9"	R.C.P.
INL-9	613.03	SE	607.63	12"	R.C.P.
INL-10	608.73	NW	606.94	10"	P.V.C.
INL-11	607.60	NW	604.80	10"	P.V.C.
INL-12	608.59	NE	606.64	10"	P.V.C.
INL-13	608.46	SW	605.61	10"	METAL
INL-14	608.63	N	605.53	8"	P.V.C.
		NW	605.78	8"	P.V.C.
		SE	605.33	18"	P.V.C.
		SW	605.33	15"	P.V.C.
		SE	604.12	12"	R.C.P.
		SW	604.04	10"	R.C.P.
		NE	603.77	10"	R.C.P.
INL-B	609.74	NE	607.95	10"	R.C.P.
		SW	607.90	10"	R.C.P.



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WAUSAU REGIONAL OFFICE
7402 STONE RIDGE DRIVE, SUITE 4
WESTON, WI 54475
P. 715.298.6330

CLIENT:

GORMAN &
COMPANY

CLIENT ADDRESS:

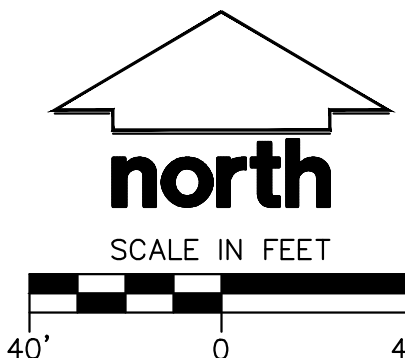
200 NORTH MAIN STREET
OREGON, WI 53575

PROJECT:

SO. MILITARY AVENUE

PROJECT LOCATION:

216 SOUTH MILITARY AVENUE
GREEN BAY, WI
BROWN COUNTY



MODIFICATIONS

#	Date:	Description:
1		
2		
3		
4		
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15		

Designed By: DWS 7/12/22
Reviewed By: AWW 7/12/22
Approved By: AWW 7/12/22

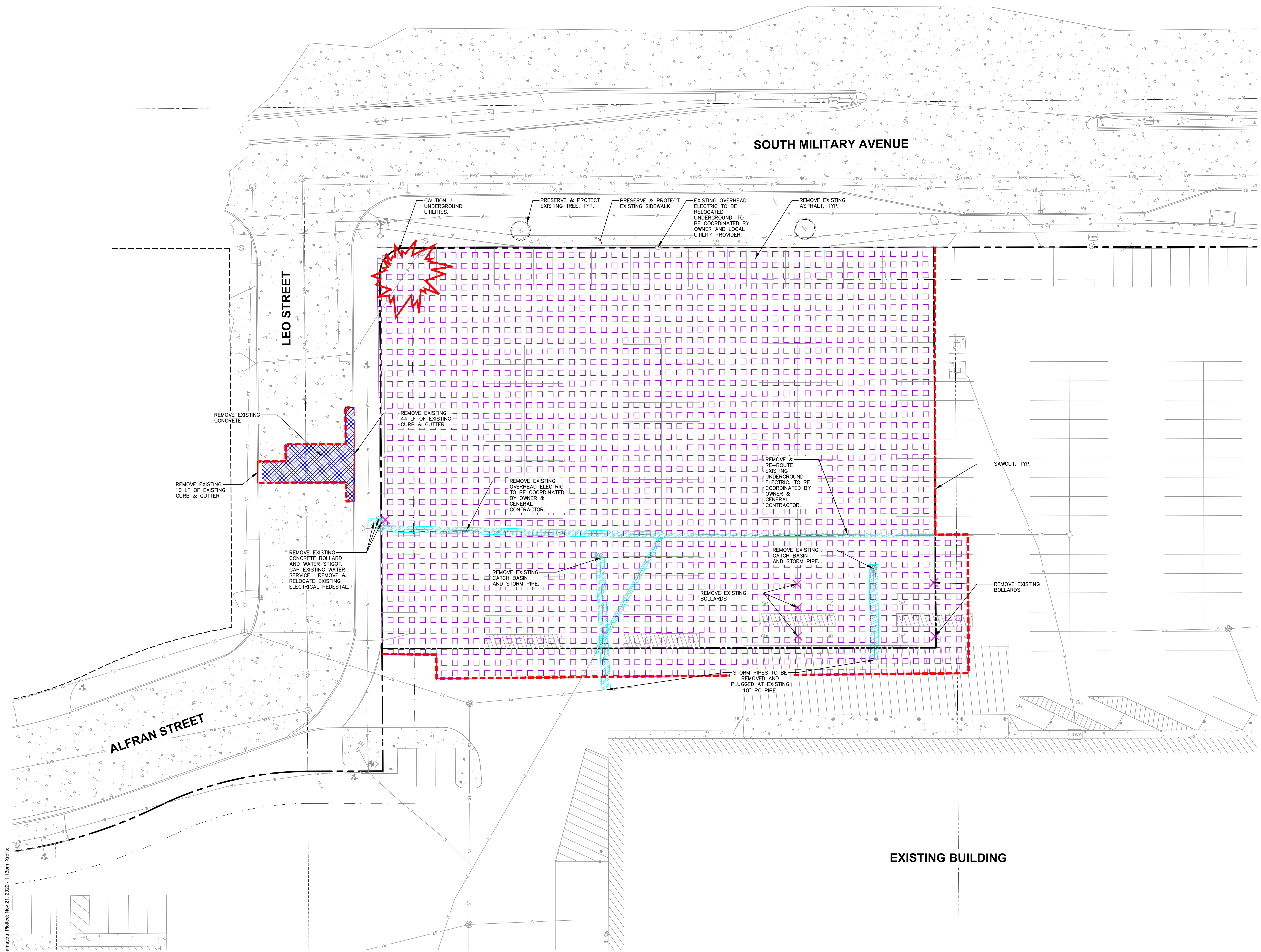
SHEET TITLE:
ALTA/NSPS
LAND TITLE
SURVEY

SHEET NUMBER:

C0.0

PROJECT NO:

22-11365



1. THIS PLAN INDICATES ITEMS ON THE PROPERTY INTENDED FOR DEMOLITION BASED ON THE CURRENT SITE DESIGN THAT HAVE BEEN IDENTIFIED BY A REASONABLE OBSERVATION OF THE EXISTING CONDITIONS THROUGH A FIELD SURVEY RECONNAISSANCE, "BUGGER'S HOTLINE" LOCATION, AND THE STANDARD OF CARE. THERE ARE ADDITIONAL ITEMS THAT CAN NOT BE IDENTIFIED BY A REASONABLE ABOVE GROUND OBSERVATION, OF WHICH THE ENGINEER WOULD HAVE NO KNOWLEDGE OR REASONABLE BASIS OF ANOTHER DESIGN DISCIPLINE. IT IS THE CONTRACTOR'S/BIDDER'S RESPONSIBILITY TO REVIEW THE PLANS, INSPECT THE SITE AND PROVIDE THEIR OWN DUE DILIGENCE TO INCLUDE IN THEIR BID WHAT ADDITIONAL ITEMS, IN THEIR OPINION, MAY BE NECESSARY FOR REMOVAL OF ITEMS IDENTIFIED BY THE CONTRACTOR/BIDDER. SHALL BE IDENTIFIED IN THE BID AND REPORTED TO THE ENGINEER OF RECORD. ANY TAKES OR DAMAGES TO THE PROPERTY OR TO THE PROJECT OR TO THE ROAD SHALL BE LOCATED BY A REASONABLE OBSERVATION OF THE PROPERTY OR OF WHICH THEY WOULD HAVE NO KNOWLEDGE.
2. CONTRACTOR SHALL KEEP ALL STREETS AND PRIVATE DRIVEWAYS FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
3. ALL TREES WITHIN THE CONSTRUCTION LIMITS SHALL BE REMOVED UNLESS SPECIFICALLY CALLED OUT FOR PROTECTION. ALL TREES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY AND STUMPS SHALL BE GROUND TO PROPOSED SUBGRADE.
4. ALL LIGHT POLES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY, INCLUDING BASE AND ALL APPURTENANCES. SALVAGE FOR RECYCLING OR RELOCATION AND/OR ABANDONMENT OF ALL ELECTRIC LINES WITH ELECTRICAL ENGINEER AND OWNER PRIOR TO DEMOLITION.
5. ABANDONED/REMOVED ITEMS SHALL BE DISPOSED OF OFF SITE UNLESS OTHERWISE NOTED.
6. CONTRACTOR TO REPLACE ALL SIDEWALK AND CURB AND GUTTER ABUTTING THE PROPERTIES, WHICH IS DAMAGED BY THE CONSTRUCTION, OR ANY SIDEWALK AND CURB AND GUTTER THAT THE CITY ENGINEER DETERMINES NEEDS TO BE REPLACED BECAUSE IT IS NOT AT A DESIRABLE GRADE. THE DISCREPANCIES OF WHICH ARE TO BE CORRECTED PRIOR TO BEGINNING CONSTRUCTION.
7. PRIOR TO CONSTRUCTION, THE CONTRACTOR IS RESPONSIBLE FOR:
 - 7.1. EXAMINE ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS, ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY TO THE ENGINEER AND REMOVED PRIOR TO THE BEGINNING OF CONSTRUCTION.
 - 7.2. VERIFYING UTILITY ELEVATIONS AND NOTIFYING ENGINEER OF ANY DISCREPANCIES. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCIES ARE RESOLVED.
 - 7.3. NOTIFYING ALL UTILITIES PRIOR TO THE REMOVAL OF ANY UNDERGROUND UTILITIES.
8. NOTIFYING THE DESIGN ENGINEER AND LOCAL CONTROLLING MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION SIGNAGE.
9. ANY SANITARY SEWER, SANITARY SEWER SERVICES, WATER MAIN, WATER SERVICES, STORM SEWER, OR OTHER UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNERS SATISFACTION PRIOR TO THE CONSTRUCTION.
10. CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF THESE IMPROVEMENTS.
11. CONTRACTOR TO COORDINATE PRIVATE UTILITY REMOVAL / ABANDONMENT AND NECESSARY RELOCATION WITH RESPECTIVE UTILITY COMPANY. COORDINATION REQUIRED PRIOR TO CONSTRUCTION.
12. ALL DEMOLITION SHALL BE IN ACCORDANCE WITH THE APPROVED MUNICIPALITY RECYCLING PLAN.
13. ANY CONTAMINATED SOLIDS SHALL BE REMOVED IN ACCORDANCE WITH FEDERAL AND STATE REGULATIONS TO AN APPROVED LANDFILL.
14. ALL EXISTING UTILITIES TO BE FIELD LOCATED AND FLAGGED BY CONTRACTOR.
15. SEWER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 3.2.24, OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST EDITION, AND CITY OF GREEN BAY SPECIFICATIONS.
16. WATER ABANDONMENT SHALL BE IN ACCORDANCE WITH SECTION 4.1.4.0 OF THE STANDARD SPECIFICATIONS FOR WATER AND SEWER CONSTRUCTION IN WISCONSIN, LATEST EDITION, AND CITY OF GREEN BAY SPECIFICATIONS.
17. ALL PERIMETER EROSION CONTROL DEVICES SHALL BE INSTALLED PRIOR TO THE START OF DEMOLITION ACTIVITIES. CONTRACTOR SHALL MAINTAIN STREETS AND PAVEMENT FREE AND CLEAR OF ALL CONSTRUCTION RELATED DIRT, DUST AND DEBRIS.
18. CONTRACTOR TO REMOVE EXISTING UTILITY PIPE OR PROVIDE PIPE BACK-FILLING AFTER REMOVAL OF EXISTING UTILITIES WITH BUILDING FOOTPRINT USING "LOW DENSITY CELLULOSE/FLOWABLE FILL."
19. RESTORATION OF THE EXISTING ROADWAY RIGHT-OF-WAYS ARE CONSIDERED INCIDENTAL AND SHALL BE PART OF THE CONSTRUCTION OF THE SIDEWALKS, STREETS AND PAVEMENT AND REMOVAL. THIS INCLUDES CURB & GUTTER, SIDEWALK, TROTT, SEEDING AND MULCHING.

 PROPERTY LINE
 RIGHT-OF-WAY
 EASEMENT LINE
 DEMOLITION - REMOVAL OF ONSITE CURB SURFACES AND BASE COURSE
 DEMOLITION - REMOVAL OF ASPHALT SURFACES
 DEMOLITION - REMOVAL OF CONCRETE SURFACES
 DEMOLITION OF UTILITIES
 REMOVAL
 SAWCUT EXISTING PAVEMENT
 PROTECT EXISTING TREE

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE	REVISION
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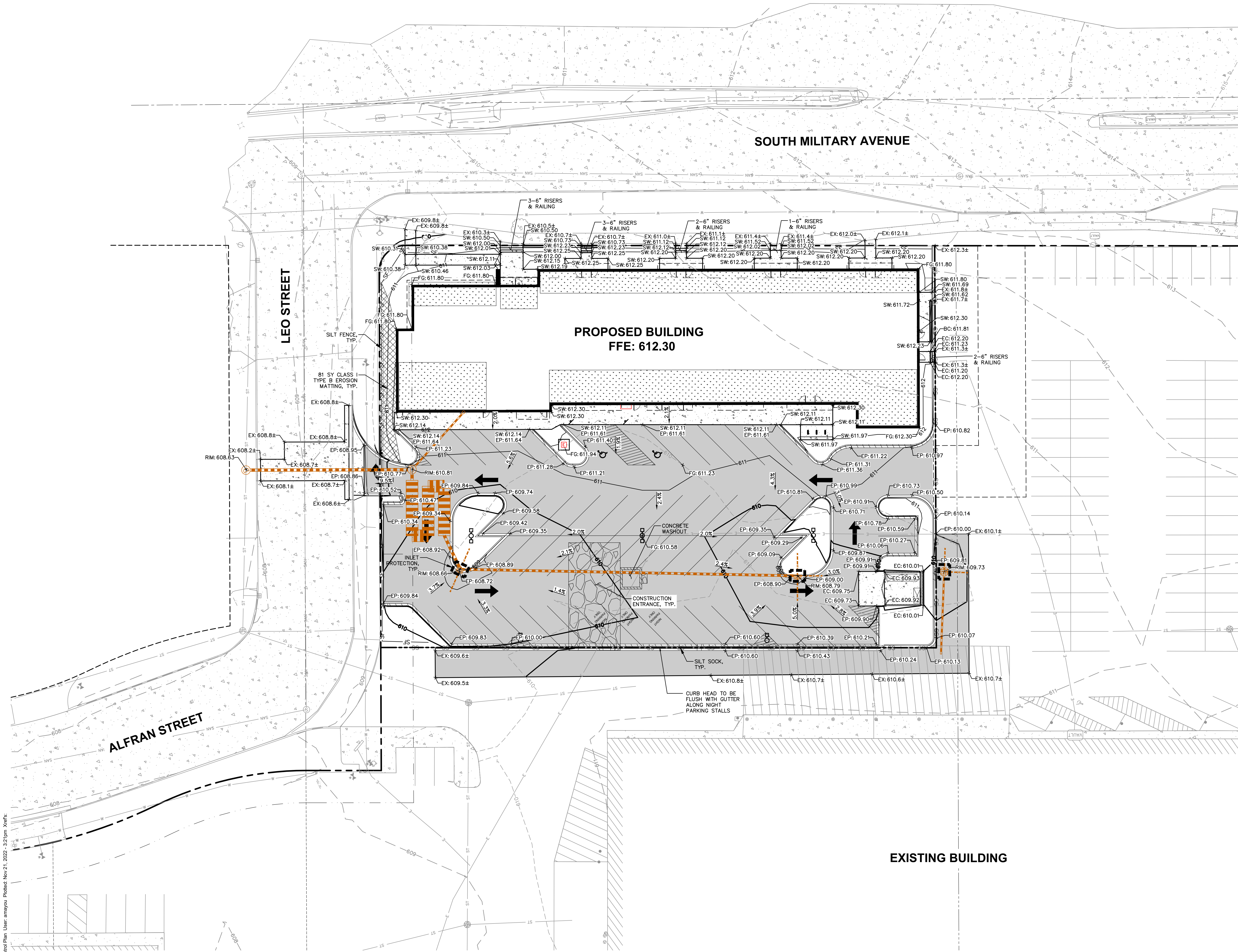
PROJ. NO.	Z2002-04
SCALE	AS INDICATED
PHASE	95% CONSTR. DOC.
DATE	10.14.2022

DEMOLITION PLAN

C1.0

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EROSION CONTROL NOTES

- CONTRACTOR IS RESPONSIBLE TO NOTIFY ENGINEER OF RECORD AND OFFICIALS OF ANY CHANGES TO THE EROSION CONTROL AND STORMWATER MANAGEMENT PLANS. ENGINEER OF RECORD AND APPROPRIATE CITY OF GREEN BAY OFFICIALS MUST APPROVE ANY CHANGES PRIOR TO DEVIATION FROM THE APPROVED PLANS.
- ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED BY THE CONTRACTOR IN ACCORDANCE WITH THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) TECHNICAL STANDARDS (REFERRED TO AS BMP'S) AND CITY OF GREEN BAY ORDINANCE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN A COPY OF THESE STANDARDS. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL EROSION CONTROL MEASURES WHICH MAY BE NECESSARY TO MEET UNFORESEEN FIELD CONDITIONS.
- INSTALL PERIMETER EROSION CONTROL MEASURES (SUCH AS CONSTRUCTION ENTRANCES, SILT FENCE AND EXISTING INLET PROTECTION) PRIOR TO ANY SITE WORK, INCLUDING GRADING OR DISTURBANCE OF EXISTING SURFACE COVER, AS SHOWN ON PLAN. MODIFICATIONS TO THE APPROVED EROSION CONTROL DESIGN IN ORDER TO MEET UNFORESEEN FIELD CONDITIONS IS ALLOWED IF MODIFICATIONS CONFORM TO BMP'S. ALL DESIGN MODIFICATIONS MUST BE APPROVED BY THE CITY OF GREEN BAY PRIOR TO DEVIATION OF THE APPROVED PLAN.
- ADDITIONAL EROSION CONTROL MEASURES, AS REQUESTED BY STATE INSPECTORS, LOCAL INSPECTORS, COUNTY INSPECTORS AND/OR ENGINEER OF RECORD SHALL BE INSTALLED WITHIN 24 HOURS OF REQUEST.
- INSPECTIONS AND MAINTENANCE OF ALL EROSION CONTROL MEASURES SHALL BE ROUTINE (ONCE PER WEEK MINIMUM) TO ENSURE PROPER FUNCTION OF EROSION CONTROLS AT ALL TIMES. EROSION CONTROL MEASURES ARE TO BE IN WORKING ORDER AT THE END OF EACH WORK DAY.
- ALL EROSION AND SEDIMENT CONTROL ITEMS SHALL BE INSPECTED WITHIN 24 HOURS OF ALL RAIN EVENTS EXCEEDING 0.5 INCHES. ANY DAMAGED EROSION CONTROL MEASURES SHALL BE REPAIRED OR REPLACED IMMEDIATELY UPON INSPECTION.
- CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT ALL LOCATIONS OF VEHICLE INGRESS/EGRESS POINTS. ADDITIONAL LOCATIONS OTHER THAN AS SHOWN ON THE PLANS MUST BE PRIOR APPROVED BY THE MUNICIPALITY. CONSTRUCTION ENTRANCES SHALL BE 50' LONG AND NO LESS THAN 12" THICK BY USE OF 3" CLEAR STONE. CONSTRUCTION ENTRANCES SHALL BE MAINTAINED BY THE CONTRACTOR IN A CONDITION WHICH WILL PREVENT THE TRACKING OF MUD OR DRY SEDIMENT ONTO ADJACENT PUBLIC STREETS AFTER EACH WORKING DAY OR MORE FREQUENTLY AS REQUIRED.
- PAVED SURFACES ADJACENT TO CONSTRUCTION SITE VEHICLE ACCESS SHALL BE SWEEP AND/OR SCRAPED TO REMOVE ACCUMULATED SOIL, DIRT AND/OR DUST AFTER THE END OF EACH WORK DAY AND AS REQUESTED BY THE CITY OF GREEN BAY.
- INLET PROTECTION SHALL BE IMMEDIATELY FITTED AT THE INLET OF ALL INSTALLED STORM SEWER AND SILT FENCE SHALL BE IMMEDIATELY FITTED AT ALL INSTALLED CULVERT INLETS TO PREVENT SEDIMENT DEPOSITION WITHIN STORM SEWER SYSTEMS.
- INSTALL EROSION CONTROLS ON THE DOWNSTREAM SIDE OF STOCKPILES. IF STOCKPILE REMAINS UNDISTURBED FOR MORE THAN SEVEN (7) DAYS, TEMPORARY SEEDING AND STABILIZATION IN ACCORDANCE WITH BEST MANAGEMENT PRACTICES IS REQUIRED. IF DISTURBANCE OCCURS BETWEEN NOVEMBER 15TH AND MAY 15TH, THE MULCHING SHALL BE PERFORMED BY HYDRO-MULCHING WITH A "TACKIFIER."
- DITCH CHECKS AND APPLICABLE EROSION NETTING/MATTING SHALL BE INSTALLED IMMEDIATELY AFTER COMPLETION OF GRADING EFFORTS WITHIN DITCHES/SWALES TO PREVENT SOIL TRANSPORTATION.
- EROSION CONTROL FOR UTILITY CONSTRUCTION (STORM SEWER, SANITARY SEWER, WATER MAIN, ETC.):
 - PLACE EXCAVATED TRENCH MATERIAL ON THE HIGH SIDE OF THE TRENCH.
 - BACKFILL, COMPACT, AND STABILIZE THE TRENCH IMMEDIATELY AFTER PIPE CONSTRUCTION.
 - DISCHARGE TRENCH WATER INTO A SEDIMENTATION BASIN OR FILTERING TANK IN ACCORDANCE WITH THE Dewatering TECHNICAL STANDARD NO. 1061 PRIOR TO RELEASE INTO THE STORM SEWER, RECEIVING STREAM, OR DRAINAGE DITCH.
- ALL SLOPES 4:1 OR GREATER SHALL BE STABILIZED WITH CLASS I, TYPE B EROSION MATTING OR APPLICATION OF A WISCONSIN DEPARTMENT OF TRANSPORTATION (WISDOT) APPROVED POLYMER SOIL STABILIZATION TREATMENT OR A COMBINATION THEREOF, AS REQUIRED WITHIN 7 DAYS OF REACHING FINAL GRADE AND/OR AS SOON AS CONDITIONS ALLOW. DRAINAGE SWALES SHALL BE STABILIZED WITH CLASS II, TYPE B EROSION MATTING. EROSION MATTING AND/OR NETTING USED ON-SITE SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURER'S GUIDELINES AND WDNR TECHNICAL STANDARDS 1052 AND 1053.
- CONTRACTOR SHALL TAKE ALL NECESSARY STEPS TO CONTROL DUST ARISING FROM CONSTRUCTION OPERATIONS. REFER TO WDNR TECHNICAL STANDARD 1068.
- EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL ALL LAND DISTURBING CONSTRUCTION ACTIVITY AT THE SITE HAS BEEN COMPLETED AND THAT A UNIFORM PERENNIAL VEGETATIVE COVER HAS BEEN ESTABLISHED WITH A DENSITY OF AT LEAST 70% FOR UNPAVED AREAS AND AREAS NOT COVERED BY PERMANENT STRUCTURES OR THAT EMPLOY EQUIVALENT PERMANENT STABILIZATION MEASURES.
- CONTRACTOR/OWNER SHALL FILE A NOTICE OF TERMINATION UPON COMPLETION OF THE PROJECT IN ACCORDANCE WITH WDNR REQUIREMENTS AND/OR PROPERTY SALE IN ACCORDANCE WITH WDNR REQUIREMENTS.

STABILIZATION PRACTICES

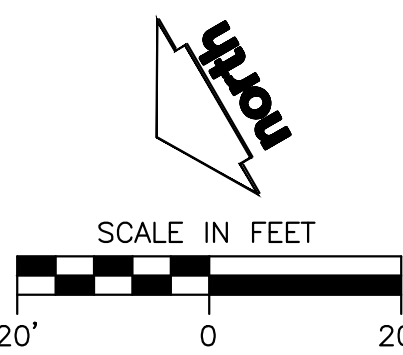
- STABILIZATION MEASURES SHALL BE INITIATED AS SOON AS PRACTICABLE IN PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, NO MORE THAN SEVEN (7) DAYS SHALL PASS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS CEASED UNLESS:
 - THE INITIATION STABILIZATION MEASURES BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS CEASED IS PRECLUDED BY SNOW COVER. IN THAT EVENT, STABILIZATION SHALL BE INITIATED AS SOON AS PRACTICABLE.
 - CONSTRUCTION ACTIVITY WILL RESUME ON A PORTION OF THE SITE WITHIN FOURTEEN (14) DAYS FROM WHEN ACTIVITY CEASED, (I.E. THE TOTAL TIME PERIOD THAT THE CONSTRUCTION ACTIVITY IS TEMPORARILY CEASED IS LESS THAN FOURTEEN (14) DAYS. IN THAT EVENT, STABILIZATION MEASURES DO NOT HAVE TO BE INITIATED ON THAT PORTION OF THE SITE BY THE SEVENTH (7) DAY AFTER CONSTRUCTION ACTIVITY HAS TEMPORARILY CEASED.
- STABILIZATION MEASURES SHALL BE DETERMINED BASED ON SITE CONDITIONS AT THE TIME OF CONSTRUCTION ACTIVITY HAS CEASED, INCLUDING BUT NOT LIMITED TO WEATHER CONDITIONS AND LENGTH OF TIME MEASURE MUST BE EFFECTIVE. THE FOLLOWING ARE ACCEPTABLE STABILIZATION MEASURES:
 - PERMANENT SEEDING: IN ACCORDANCE WITH APPROVED CONSTRUCTION SPECIFICATION
 - TEMPORARY SEEDING: MAY CONSIST OF SPRING OATS(100LBS/ACRE) AND/OR WHEAT OR CEREAL RYE (150LB/ACRE)
 - HYDRO-MULCHING WITH A TACKIFIER
 - GEOTEXTILE EROSION MATTING
 - SODDING

GRADING AND SEEDING NOTES

- ALL PROPOSED GRADES SHOWN ARE FINISHED GRADES. CONTRACTOR SHALL VERIFY ALL GRADES, MAKE SURE ALL AREAS DRAIN PROPERLY AND SHALL REPORT ANY DISCREPANCIES TO THE ENGINEER PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR COMPUTATIONS OF ALL GRADING QUANTITIES. WHILE JSD PROFESSIONAL SERVICES, INC. ATTEMPTS TO PROVIDE A MOST EFFECTIVE APPROACH TO BALANCE EARTHWORK, GRADING DESIGN IS BASED ON MANY FACTORS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING STANDARDS OF CARE. THEREFORE, NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.
- PARKING LOT AND DRIVEWAY ELEVATIONS ARE PAVEMENT GRADES, NOT TOP OF CURB GRADES, UNLESS OTHERWISE NOTED.
- ANY WORK WITHIN RIGHT-OF-WAY SHALL BE PROPERLY PERMITTED AND COORDINATED WITH THE APPROPRIATE OFFICIALS PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES. ALL GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY SAID OFFICIALS.
- CONTRACTOR SHALL PROVIDE NOTICE TO THE MUNICIPALITY IN ADVANCE OF ANY SOIL DISTURBING ACTIVITIES, IN ACCORDANCE WITH MUNICIPAL REQUIREMENTS.
- ALL DISTURBED AREAS SHALL BE SODDED AND/OR SEEDDED AND MULCHED IMMEDIATELY FOLLOWING GRADING ACTIVITIES. SOD/SEED MIX TO BE IN ACCORDANCE WITH LANDSCAPE PLAN.
- CONTRACTOR SHALL WATER ALL NEWLY SODDED/SEEDDED AREAS DURING THE SUMMER MONTHS WHENEVER THERE IS A 7 DAY LAPSE WITH NO SIGNIFICANT RAINFALL.
- CONTRACTOR TO DEEP TILL ALL COMPACTED PERVIOUS SURFACES PRIOR TO SODDING AND/OR SEEDING AND MULCHING.
- ALL SLOPES 20% OR GREATER SHALL BE TEMPORARY SEEDDED, MULCHED, OR OTHER MEANS OF COVER PLACED ON THEM WITHIN 2 WEEKS OF DISTURBANCE.
- ALL EXPOSED SOIL AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE OR ON WHICH LAND DISTURBING ACTIVITIES WILL NOT BE PERFORMED FOR A PERIOD GREATER THAN 14 DAYS AND REQUIRE VEGETATIVE COVER FOR LESS THAN 1 YEAR, REQUIRE TEMPORARY SEEDING FOR EROSION CONTROL. SEEDING FOR EROSION CONTROL SHALL BE IN ACCORDANCE WITH WDNR TECHNICAL STANDARD 1059 AND CITY OF GREEN BAY ORDINANCE.

LEGEND

PROPERTY LINE	→ DRAINAGE DIRECTION
RIGHT-OF-WAY	RETAINING WALL
EASEMENT LINE	SILT FENCE
BUILDING OUTLINE	SILT SOCK
BUILDING OVERHANG	CONSTRUCTION ENTRANCE
EDGE OF PAVEMENT	EROSION MATTING
STANDARD CURB AND GUTTER	SPOT ELEVATION
REJECT CURB AND GUTTER	EP - EDGE OF PAVEMENT
ASPHALT PAVEMENT	FG - FINISH GRADE
CONCRETE PAVEMENT	EC - EDGE OF CONCRETE
PROPOSED 1 FOOT CONTOUR	BC - BACK OF CURB
PROPOSED 5 FOOT CONTOUR	EX - MATCH EXISTING GRADE
EXISTING 1 FOOT CONTOUR	HP - HIGH POINT
EXISTING 5 FOOT CONTOUR	SW - SIDEWALK
	INLET PROTECTION



DIGGERS HOTLINE
Toll Free (800) 242-8511

KA
KORB + ASSOCIATES ARCHITECTS

JSD

PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
GORMAN & COMPANY
200 N Main Street
Oregon, WI 53575

ARCHITECT:
KORB + ASSOCIATES
ARCHITECTS
648 N. PLANKINTON AVE
SUITE 240
MILWAUKEE, WI 53203

CIVIL ENGINEER:
JSD PROFESSIONAL
SERVICES, INC.
7402 STONE RIDGE DRIVE
WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE	REVISION
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DESIGN REVIEW - NOT FOR CONSTRUCTION -

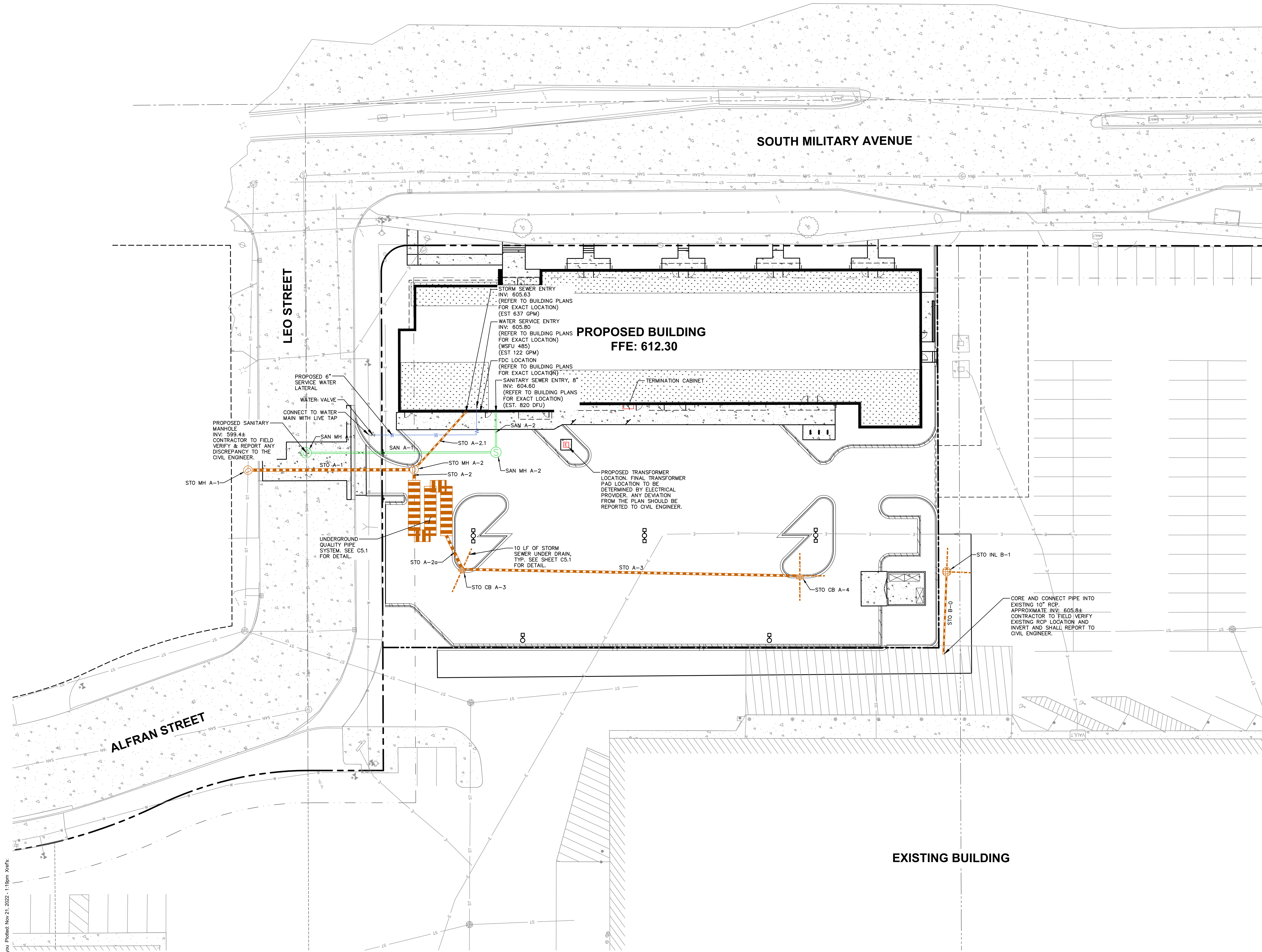
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DATE	10.14.2022

GRADING & EROSION
CONTROL PLAN

C3.0

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UTILITY NOTES

- ALL EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATIONS OF ANY UNDERGROUND UTILITIES AS MAY BE NECESSARY TO AVOID DAMAGE THERETO. CONTRACTOR/OWNER SHALL CALL "DIGGER'S HOTLINE" PRIOR TO ANY CONSTRUCTION.
- PRIOR TO CONSTRUCTION, THE PRIME CONTRACTOR IS RESPONSIBLE FOR:
 - EXAMINING ALL SITE CONDITIONS RELATIVE TO THE CONDITIONS INDICATED ON THE ENGINEERING DRAWINGS. ANY DISCREPANCIES ARE TO BE REPORTED TO THE ENGINEER AND RESOLVED PRIOR TO THE START OF CONSTRUCTION.
 - OBTAINING ALL PERMITS INCLUDING PERMIT COSTS, TAP FEES, METER DEPOSITS, BONDS, AND ALL OTHER FEES REQUIRED FOR PROPOSED WORK TO OBTAIN OCCUPANCY.
 - VERIFYING ALL ELEVATIONS, LOCATIONS AND SIZES OF SANITARY, WATER AND STORM LATERALS AND CHECK ALL UTILITY CROSSINGS FOR CONFLICTS. NOTIFY ENGINEER OF ANY DISCREPANCY. NO WORK SHALL BE PERFORMED UNTIL THE DISCREPANCY IS RESOLVED.
 - NOTIFYING ALL UTILITIES PRIOR TO INSTALLATION OF ANY UNDERGROUND IMPROVEMENTS.
 - NOTIFYING THE DESIGN ENGINEER AND MUNICIPALITY 48 HOURS PRIOR TO THE START OF CONSTRUCTION TO ARRANGE FOR APPROPRIATE CONSTRUCTION OBSERVATION.
 - COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ALL UTILITY WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN - AND ALL STATE AND LOCAL CODES AND SPECIFICATIONS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE WHICH SPECIFICATIONS AND CODES APPLY, AND TO COORDINATE ALL CONSTRUCTION ACTIVITIES WITH THE APPROPRIATE LOCAL AND STATE AUTHORITIES.
- LENGTHS OF ALL UTILITIES ARE TO CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM PLAN. LENGTHS SHALL BE VERIFIED IN THE FIELD DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR SITE SAFETY DURING THE CONSTRUCTION OF IMPROVEMENTS.
- CONTRACTOR SHALL INSTALL A PEDESTRIAN FENCE AROUND ALL EXCAVATIONS TO BE LEFT OPEN OVER NIGHT AS REQUIRED IN CONSTRUCTION SITES WHERE THE POTENTIAL FOR PEDESTRIAN INJURY EXISTS.
- CONTRACTOR SHALL ADJUST AND/OR RECONSTRUCT ALL UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH THE FINISHED GRADES OF THE AREAS EFFECTED BY THE CONSTRUCTION.
- THE PRIME CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL CONSTRUCTION WITH OTHER CONTRACTORS INVOLVED WITH CONSTRUCTION OF THE PROPOSED DEVELOPMENT AND FOR REPORTING ANY ERRORS OR DISCREPANCIES BETWEEN THESE PLANS AND PLANS PREPARED BY OTHERS.
- ANY UTILITIES, WHICH ARE DAMAGED BY THE CONTRACTORS, SHALL BE REPAIRED TO THE OWNER'S SATISFACTION AT THE CONTRACTOR'S EXPENSE.
- THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING THE ENGINEER WITH AS-BUILT CONDITIONS OF THE DESIGNATED IMPROVEMENTS IN ORDER THAT THE APPROPRIATE DRAWINGS CAN BE PREPARED, IF REQUIRED. ANY CHANGES TO THE DRAWINGS OR ADDITIONAL ITEMS MUST BE REPORTED TO THE ENGINEER AS WORK PROGRESSES.
- STORM SEWER SPECIFICATIONS -

PIPE - REINFORCED CONCRETE PIPE (RCP) SHALL MEET THE REQUIREMENTS OF ASTM CLASS III (MINIMUM) C-76 WITH RUBBER GASKET JOINTS CONFORMING TO ASTM C-443. HIGH DENSITY DUAL-WALL POLYETHYLENE CORRUGATED PIPE SHALL BE AS MANUFACTURED BY ADS OR EQUAL WITH WATER TIGHT JOINTS, AND SHALL MEET THE REQUIREMENTS OF AASHTO DESIGNATION M-294 TYPE "S". POLYVINYLCHLORIDE (PVC) MEETING REQUIREMENTS OF ASTM D 3034, SDR 35 FOR PIPE SIZES 8"-15" WITH INTEGRAL BELL TYPE FLEXIBLE ELASTOMERIC JOINTS, MEETING THE REQUIREMENTS OF ASTM D-3212 AND ASTM 1785 SCHEDULE 40 FOR PIPE SIZES 6" OR SMALLER.

BACKFILL AND BEDDING - STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BACKFILL AND CLASS "B" BEDDING IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

MANHOLE FRAMES AND COVERS - MANHOLE FRAMES AND COVERS SHALL BE PROVIDED IN ACCORDANCE WITH THE STORM STRUCTURE TABLE ON SHEET 54.0.

FIELD TILE CONNECTION - ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT PRICE(S) FOR STORM SEWER. TILE LINES CROSSED BY THE TRENCH SHALL BE REPLACED WITH THE SAME MATERIAL AS THE STORM SEWER.

12. WATER MAIN SPECIFICATIONS -

PIPE - DUCTILE IRON PIPE SHALL BE CLASS 52 CONFORMING TO AWWA C151 AND CHAPTER 8.18.0 OF THE "STANDARD SPECIFICATIONS". POLYVINYL CHLORIDE (PVC) PIPE SHALL MEET THE REQUIREMENTS OF AWWA STANDARD C-900, CLASS 150, DR-18, WITH CAST IRON O.D. AND INTEGRAL ELASTOMERIC BELL AND SPIGOT JOINTS. NON-METALLIC WATER MAINS SHALL BE INSTALLED WITH BLUE INSULATION TRACER WIRE AND CONFORM WITH SPS 362.30(11)(n).

VALVES AND VALVE BOXES - GATE VALVES SHALL BE AWWA GATE VALVES MEETING THE REQUIREMENTS OF AWWA C-500 AND CHAPTER 8.27.0 OF THE "STANDARD SPECIFICATIONS". GATE VALVES AND VALVE BOXES SHALL CONFORM TO LOCAL PLUMBING ORDINANCES.

BEDDING AND COVER MATERIAL - PIPE BEDDING AND COVER MATERIAL SHALL BE SAND, CRUSHED STONE CHIPS OR CRUSHED STONE SCREENINGS CONFORMING TO CHAPTER 8.43.2 OF THE "STANDARD SPECIFICATIONS".

BACKFILL - BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE WITH CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". GRAVEL BACKFILL IS REQUIRED IN ALL PAVED AREAS AND TO A POINT 5 FEET BEYOND THE EDGE OF PAVEMENT. TRENCHES RUNNING PARALLEL TO AND LESS THAN 5 FEET FROM THE EDGE OF PAVEMENT SHALL ALSO REQUIRE GRAVEL BACKFILL. LANDSCAPED AREAS MAY BE BACKFILLED WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

13. SANITARY SEWER SPECIFICATIONS -

PIPE - SANITARY SEWER PIPE MATERIAL SHALL BE POLYVINYL CHLORIDE (PVC) MEETING REQUIREMENTS OF ASTM D 3034, SDR-35, WITH INTEGRAL BELL TYPE FLEXIBLE ELASTOMERIC JOINTS, MEETING THE REQUIREMENTS OF ASTM D-3212 FOR PIPE SIZES 8" TO 15", ASTM 1785, SCHEDULE 40 FOR PIPE SIZES 6" OR SMALLER.

BEDDING AND COVER MATERIAL - BEDDING AND COVER MATERIAL SHALL CONFIRM TO THE APPROPRIATE SECTIONS OF THE "STANDARD SPECIFICATION" WITH THE FOLLOWING MODIFICATION: "COVER MATERIAL SHALL BE THE SAME AS USED FOR BEDDING AND SHALL CONFORM TO SECTION 8.43.2 (A)."

BACKFILL - BACKFILL MATERIAL AND INSTALLATION SHALL BE IN ACCORDANCE CHAPTER 2.6.0 OF THE "STANDARD SPECIFICATIONS". BACKFILL WITH EXCAVATED MATERIAL IN CONFORMANCE WITH SECTION 8.4.3.5 OF THE "STANDARD SPECIFICATIONS".

14. WATERMAIN AND SANITARY SEWER SHALL BE INSULATED WHEREVER THE DEPTH OF COVER IS LESS THAN 6 FEET. INSULATION SHALL BE INSTALLED IN CONFORMANCE WITH CHAPTER 4.17.0 "INSULATION" OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN 6TH EDITION UPDATED WITH ITS LATEST ADDENDUM (TYP.).

LEGEND

	PROPERTY LINE
	RIGHT-OF-WAY
	EASEMENT LINE
	BUILDING OUTLINE
	BUILDING OVERHANG
	EDGE OF PAVEMENT
	STANDARD CURB AND GUTTER
	REJECT CURB AND GUTTER
	ASPHALT PAVEMENT
	CONCRETE PAVEMENT
	RETAINING WALL
	SANITARY SEWER
	WATERMAIN
	STORM SEWER
	8'x4'x2" INSULATION (PLAN VIEW)

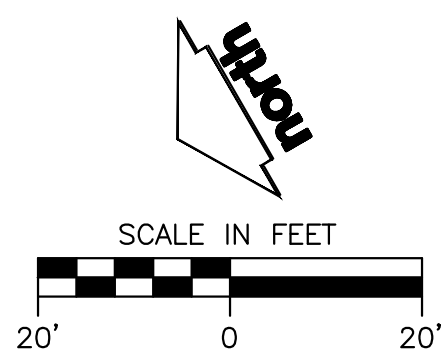
PROPOSED STORM SEWER STRUCTURE TABLE					
LABEL	RIM EL. (FT)	INVERT EL. (FT)	DEPTH (FT)	STRUCTURE DESC.	FRAME & GRATE
STO CB A-3	608.66	E INV: 604.21 (15") SW INV: 604.46 (12")	4.4	2 x 3 INLET	R-3067 TYPE L
STO CB A-4	608.79	NE INV: 605.21 (12")	3.6	2 x 3 INLET	R-3067 TYPE L
STO INL B-1	609.73	NW INV: 607.08 (8")	2.6	36 IN MH (FLAT)	R-2050 TYPE D
STO MH A-1	608.64	SE INV: 603.47 (30") SW INV: 603.57 (15") NW INV: 603.47 (30")	5.2	72 IN MH (FLAT)	R-1556 SOLID LID
STO MH A-2	610.81	NE INV: 603.96 (15") NW INV: 604.08 (15") S INV: 605.26 (8")	6.9	60 IN MH (FLAT)	R-1556 SOLID LID

PROPOSED STORM SEWER PIPE TABLE							
LABEL	FROM	TO	LENGTH	INVERT EL. (FT)	DISCHARGE EL. (FT)	SLOPE	SIZE
STO A-1	STO MH A-2	STO MH A-1	77'	603.96	603.57	0.50%	15 IN
STO A-2	END CAP	STO MH A-2	5'	604.08	604.06	0.50%	15 IN
STO A-2.1	BUILDING	STO MH A-2	36'	605.63	605.26	1.04%	8 IN
STO A-2a	STO CB A-3	END CAP	17'	604.21	604.08	0.76%	15 IN
STO A-3	STO CB A-4	STO CB A-3	157'	605.21	604.46	0.48%	12 IN
STO B-0	STO INL B-1	10" RCP	38'	607.08	605.87	3.17%	8 IN

PROPOSED SANITARY SEWER STRUCTURE TABLE					
LABEL	RIM EL. (FT)	INVERT EL. (FT)	DEPTH (FT)	STRUCTURE DESC.	FRAME & GRATE
SAN MH A-1	609.03	SE INV: 599.41 (8") NW INV: 599.41 (8") SW INV: 602.36 (8")	9.6	48 IN MH	R-1556 SOLID LID
SAN MH A-2	611.00	NE INV: 604.13 (8") SE INV: 604.23 (8")	6.9	48 IN MH	R-1556 SOLID LID

*OUTSIDE DROP SANITARY MANHOLE. SEE SHEET C5.0 FOR DETAIL.

PROPOSED SANITARY SEWER PIPE TABLE							
LABEL	FROM	TO	LENGTH	INVERT EL. (FT)	DISCHARGE EL. (FT)	SLOPE	SIZE
SAN A-1	SAN MH A-2	SAN MH A-1	88'	604.13	602.36	2.00%	8 IN
SAN A-2	BUILDING	SAN MH A-2	19'	604.60	604.23	2.00%	8 IN



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JSD

PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
GORMAN & COMPANY
200 N Main Street
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ARCHITECT:
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ARCHITECTS
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CIVIL ENGINEER:
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SERVICES, INC.
7402 STONE RIDGE DRIVE
WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE	REVISION
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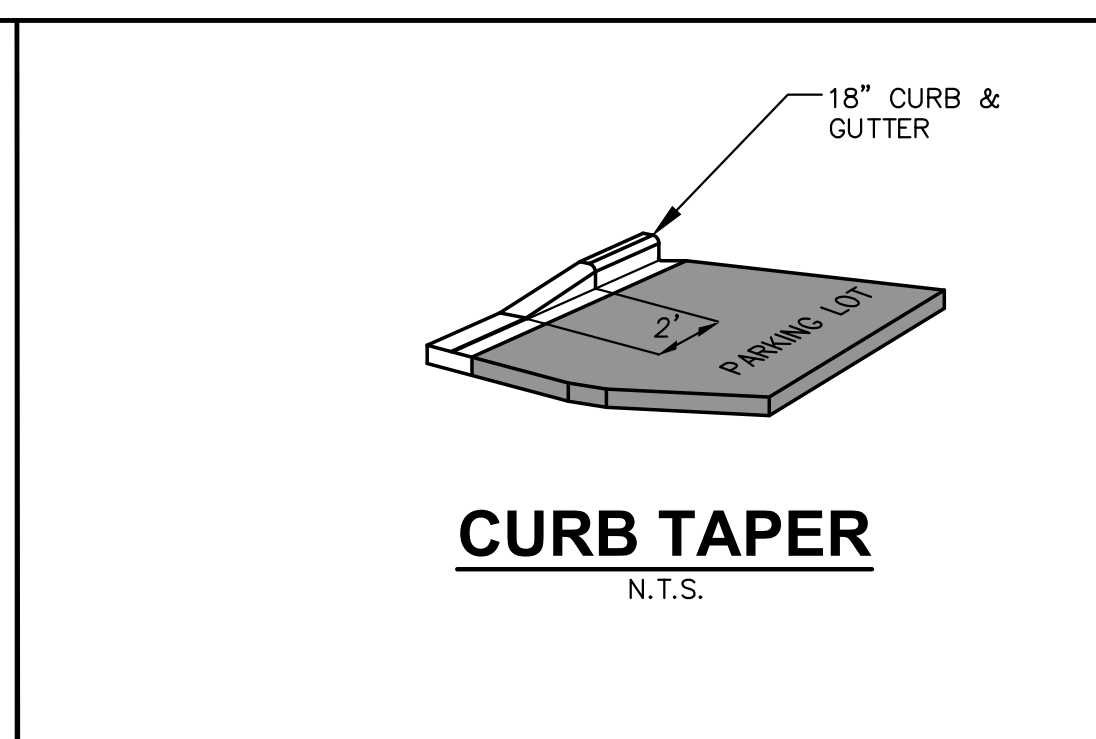
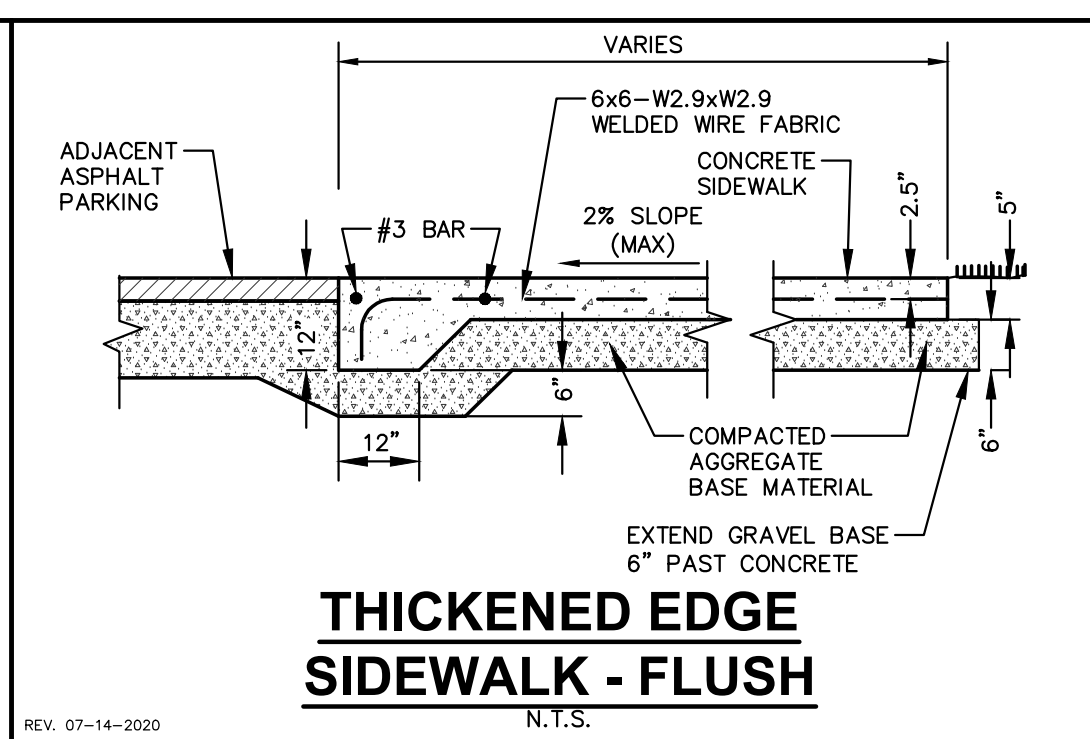
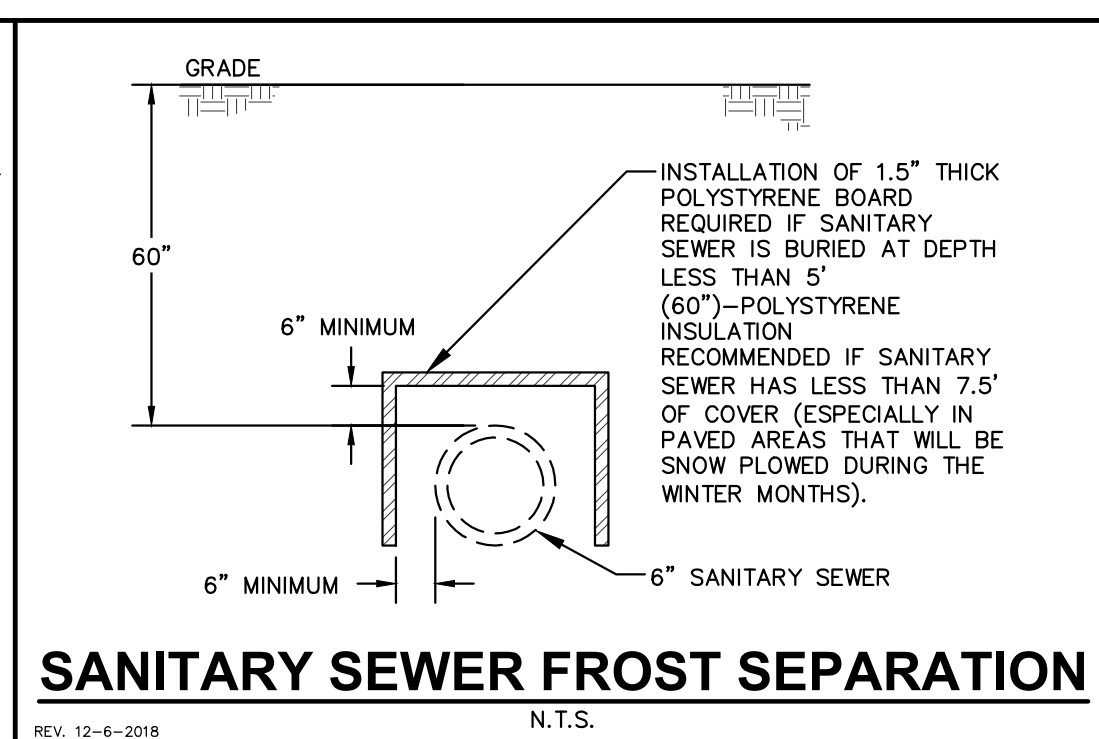
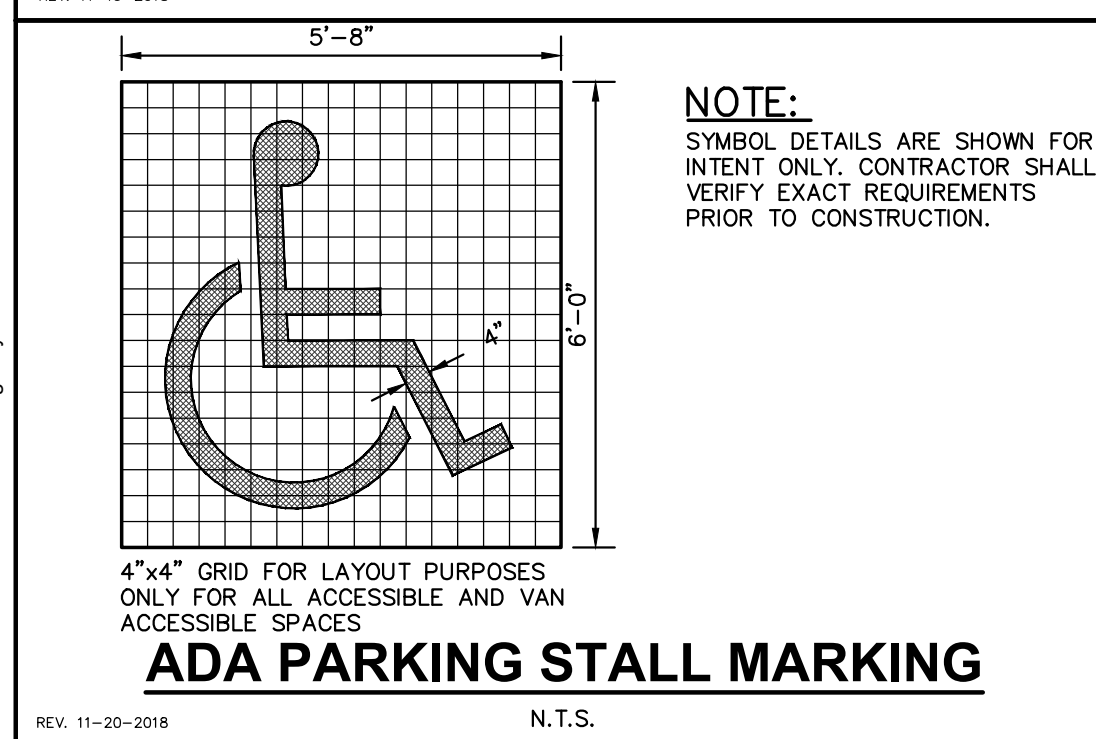
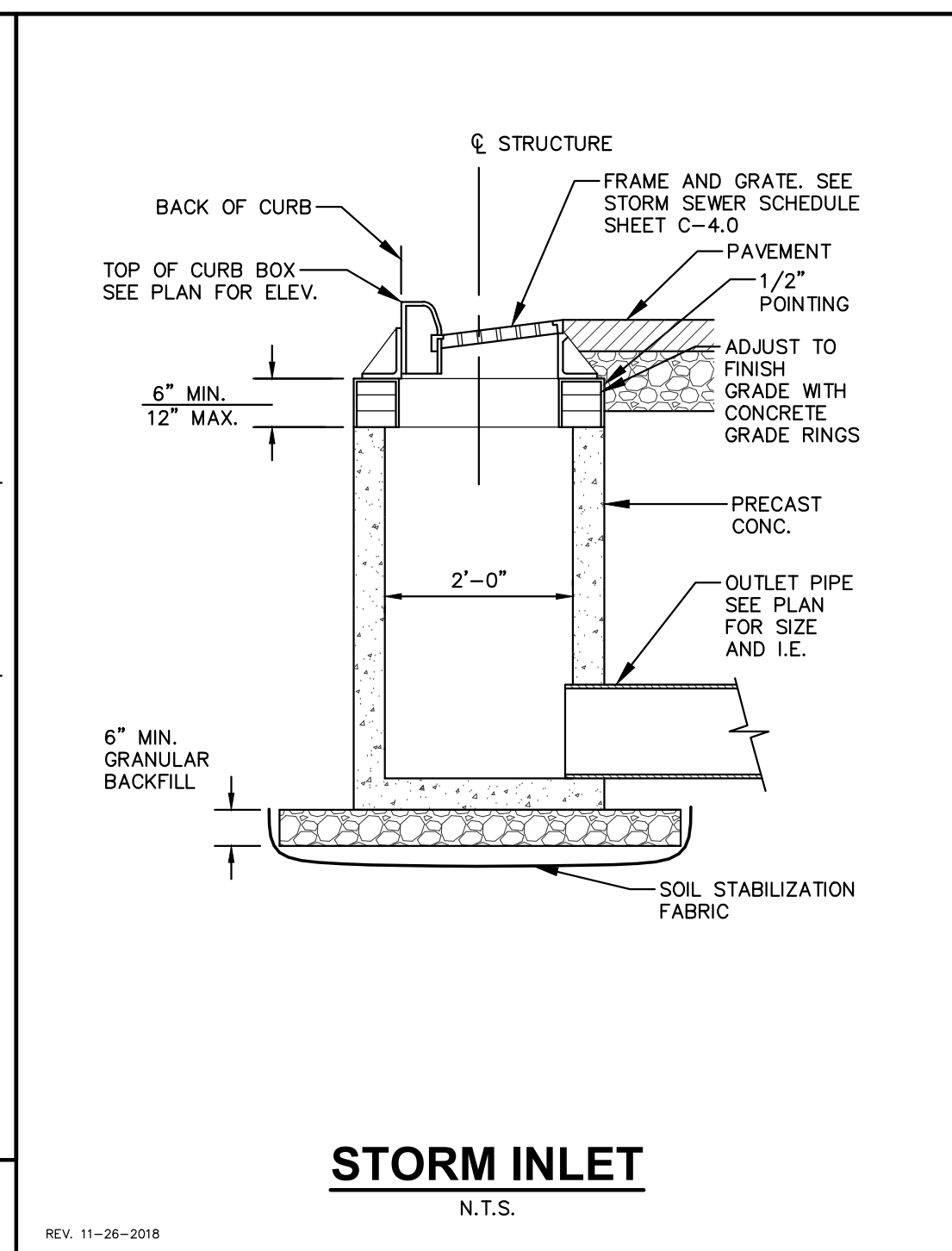
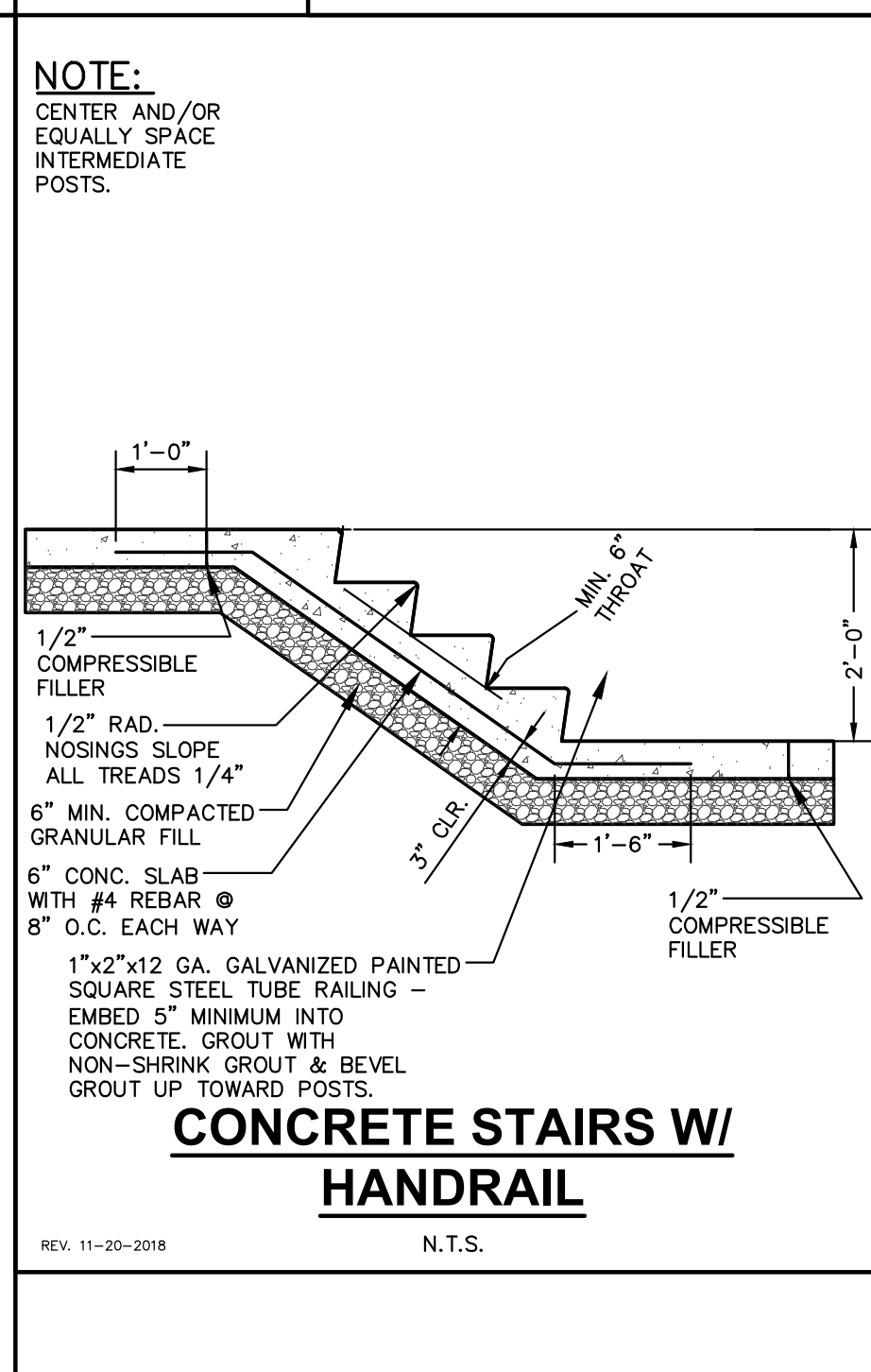
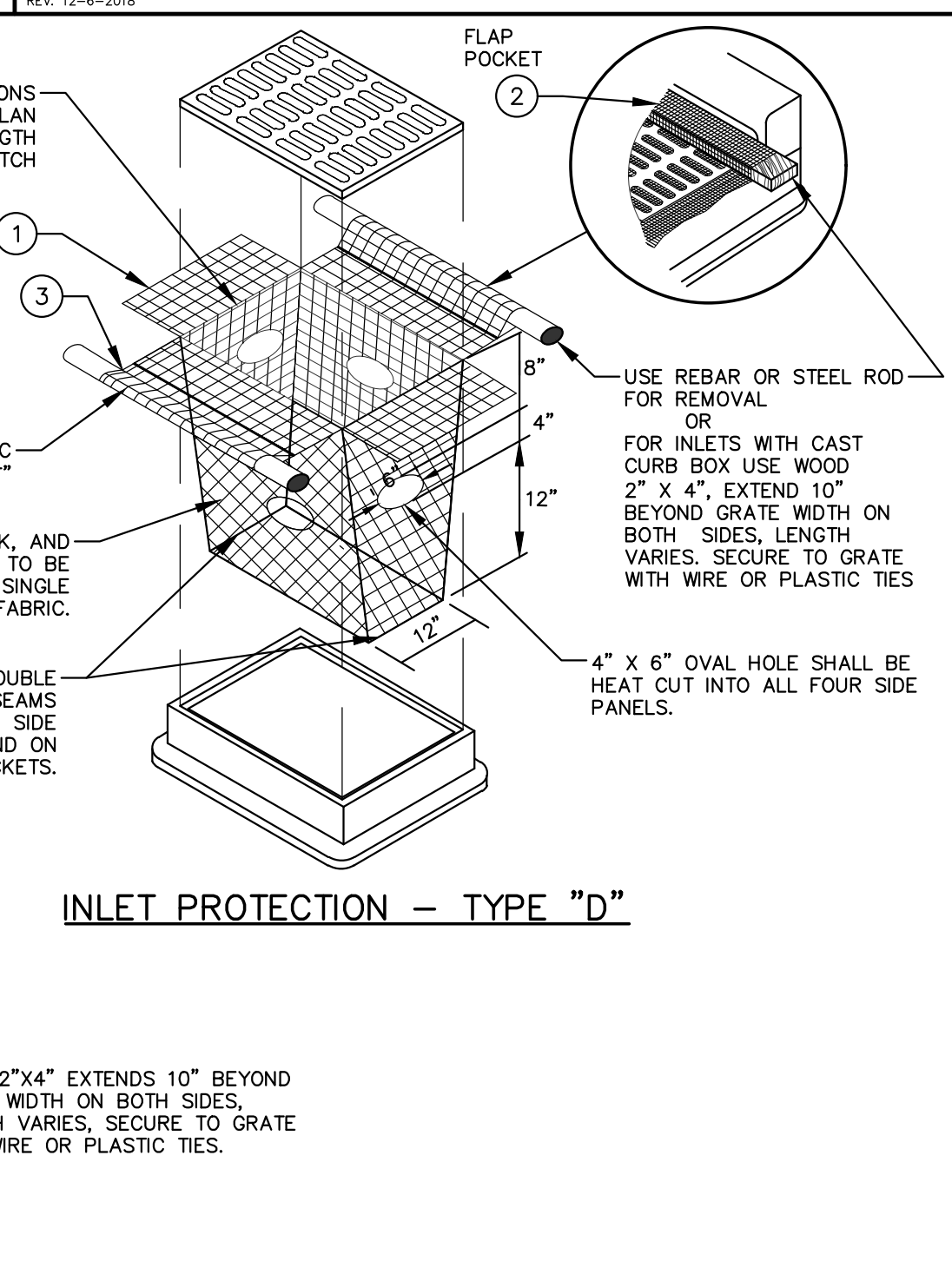
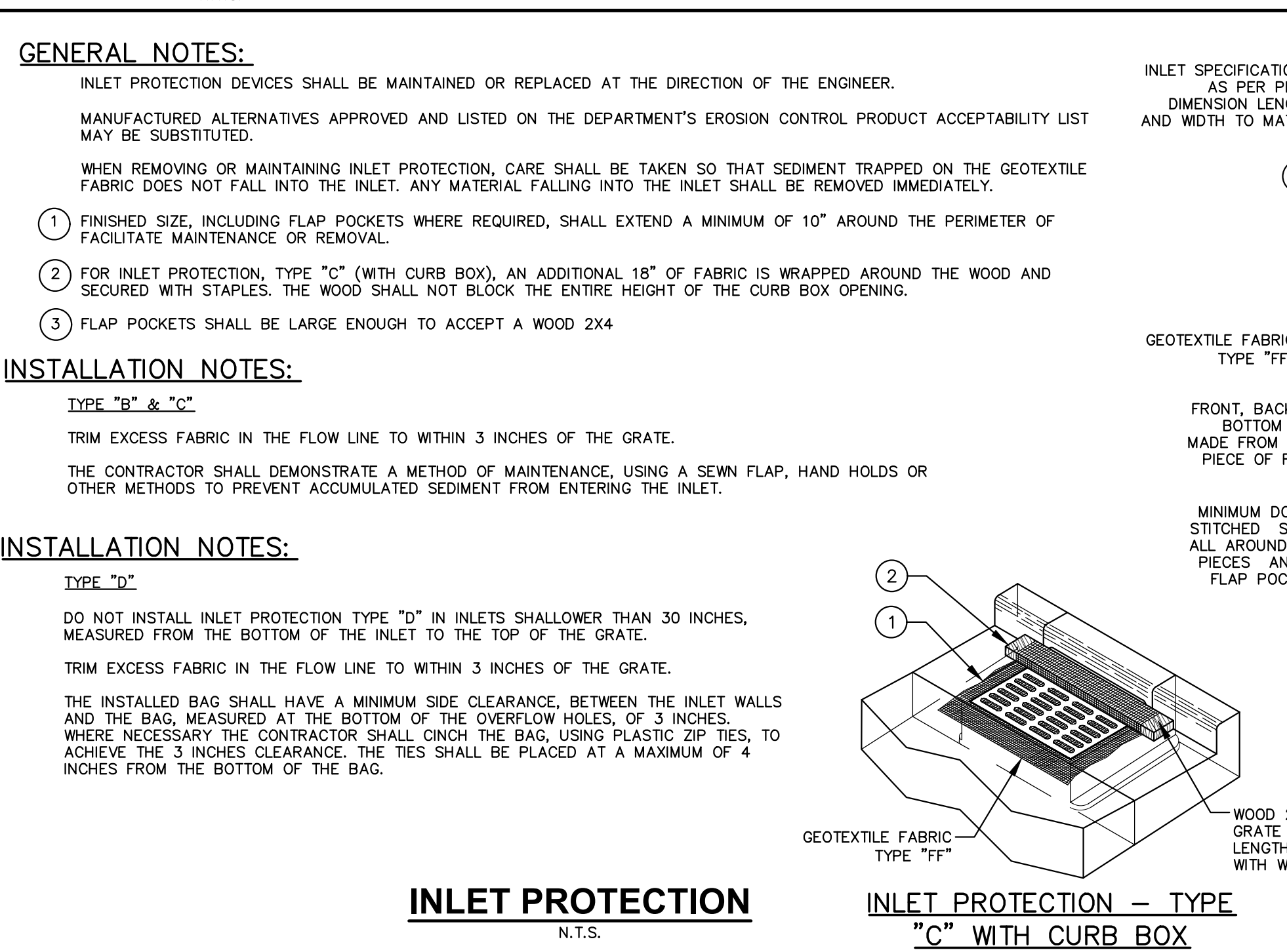
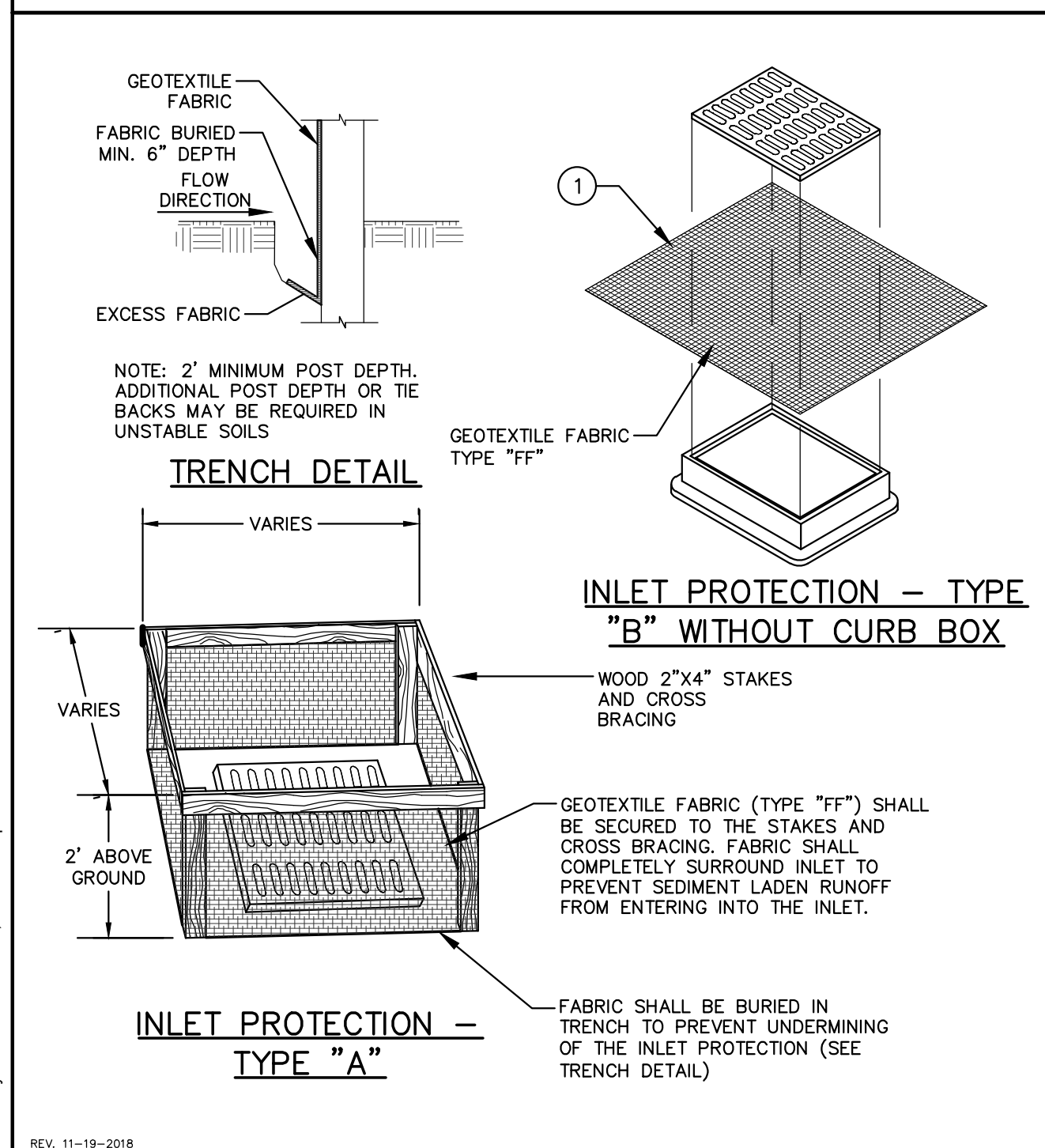
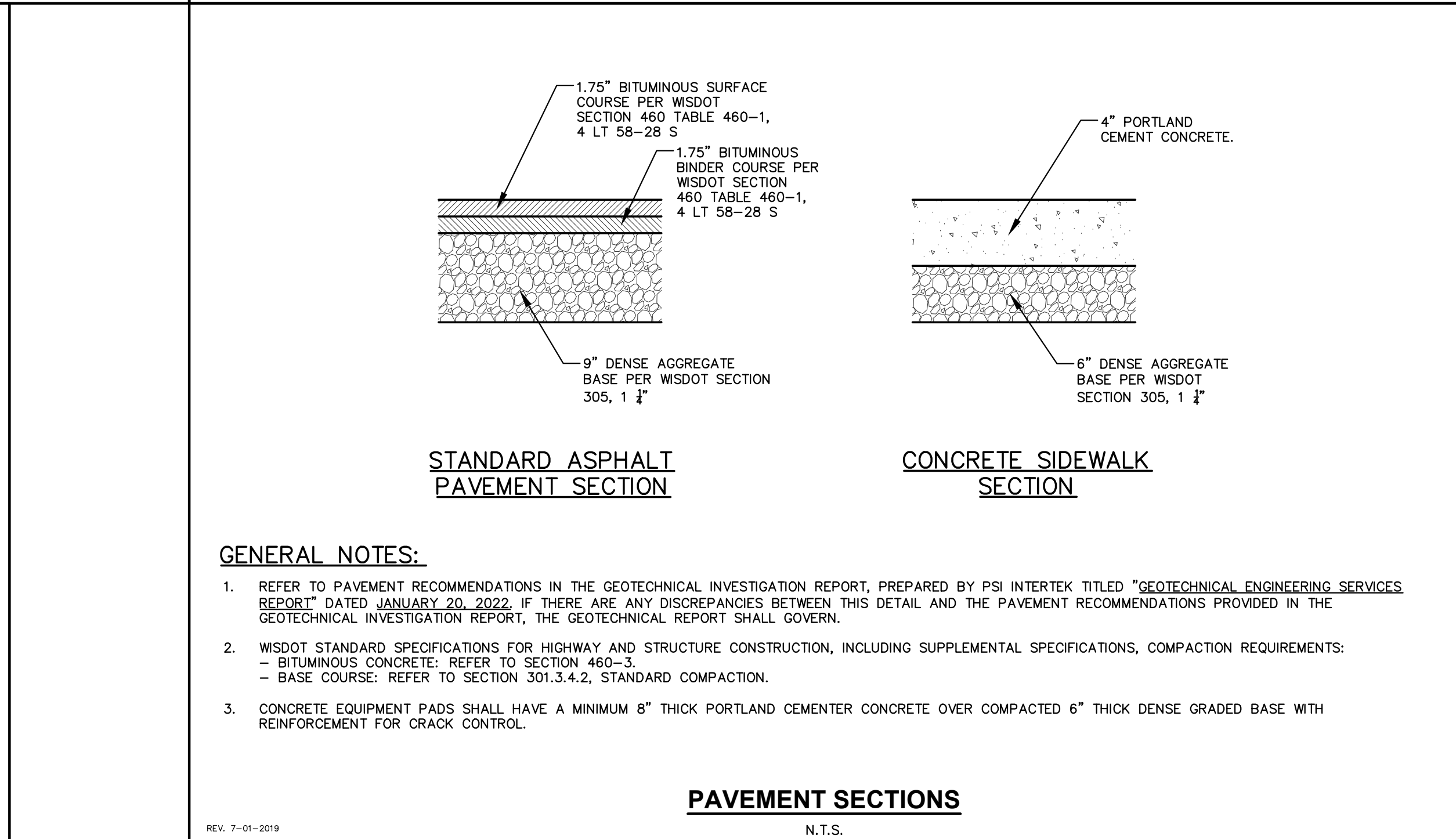
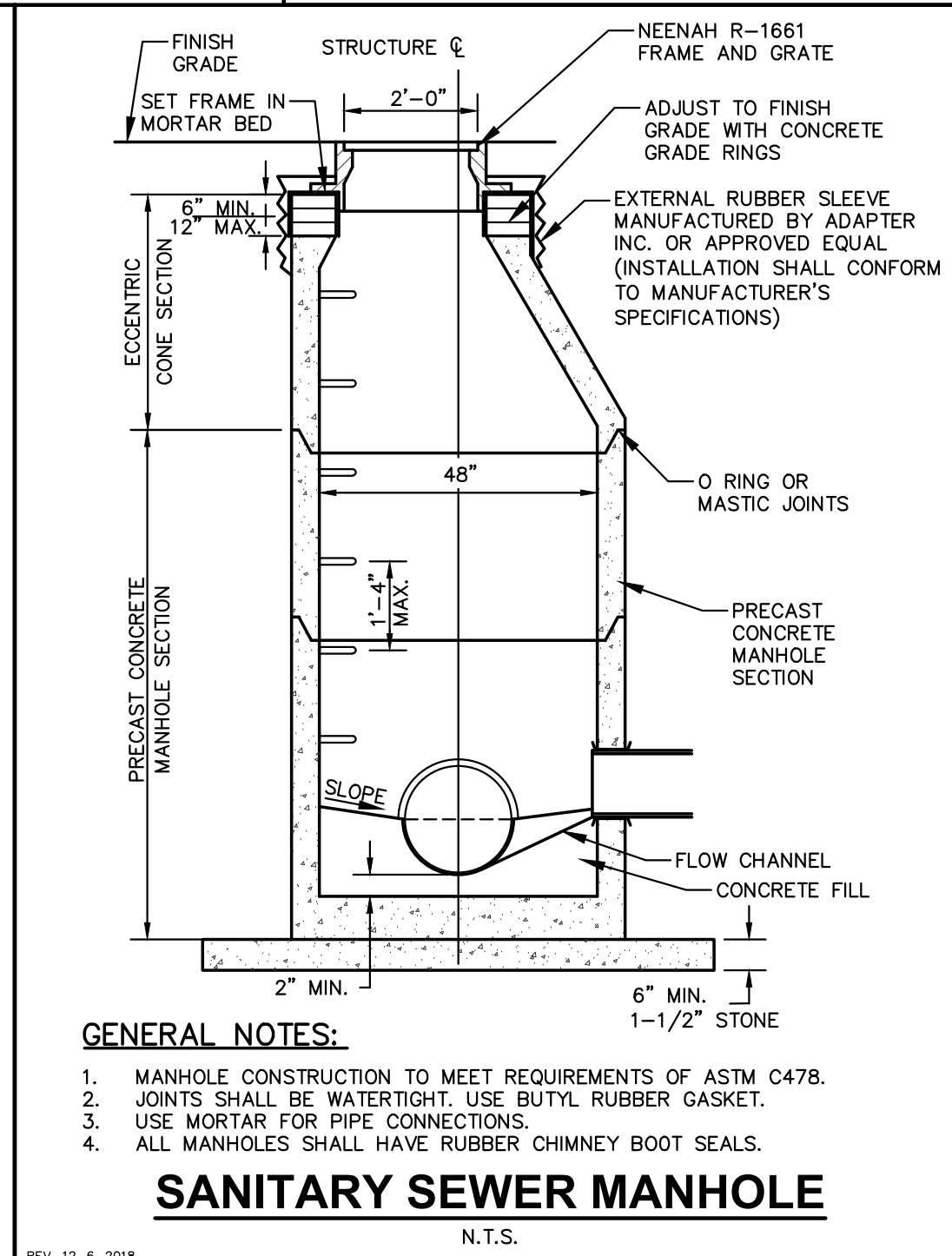
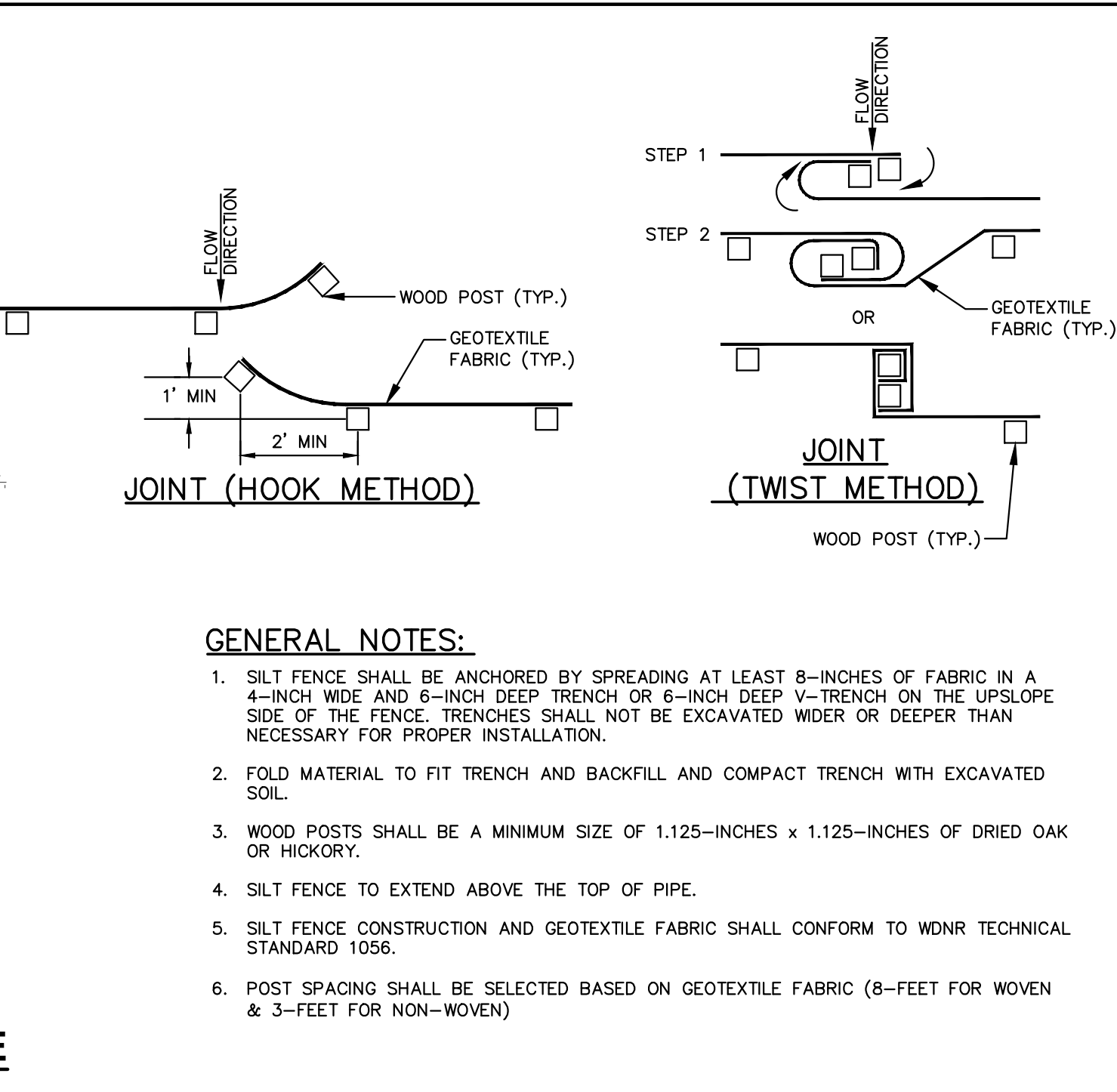
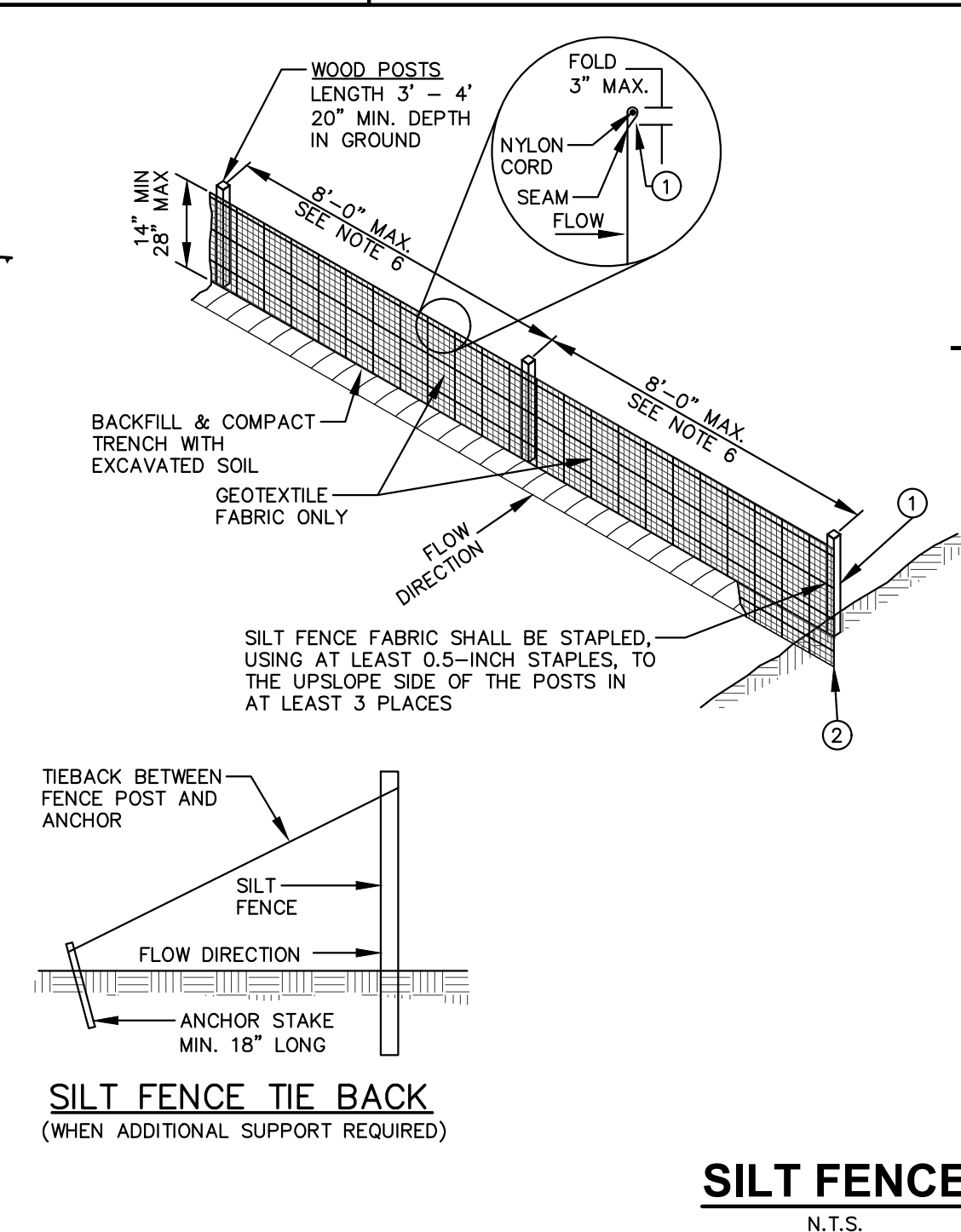
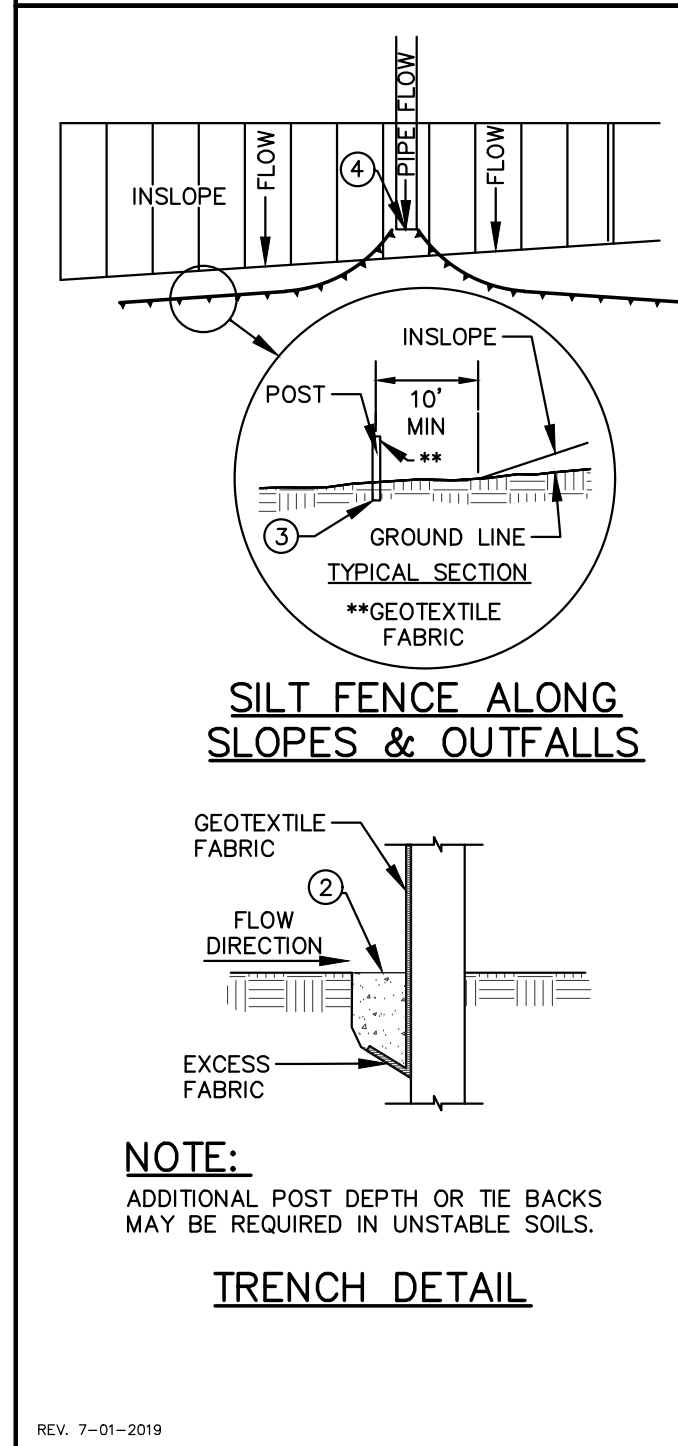
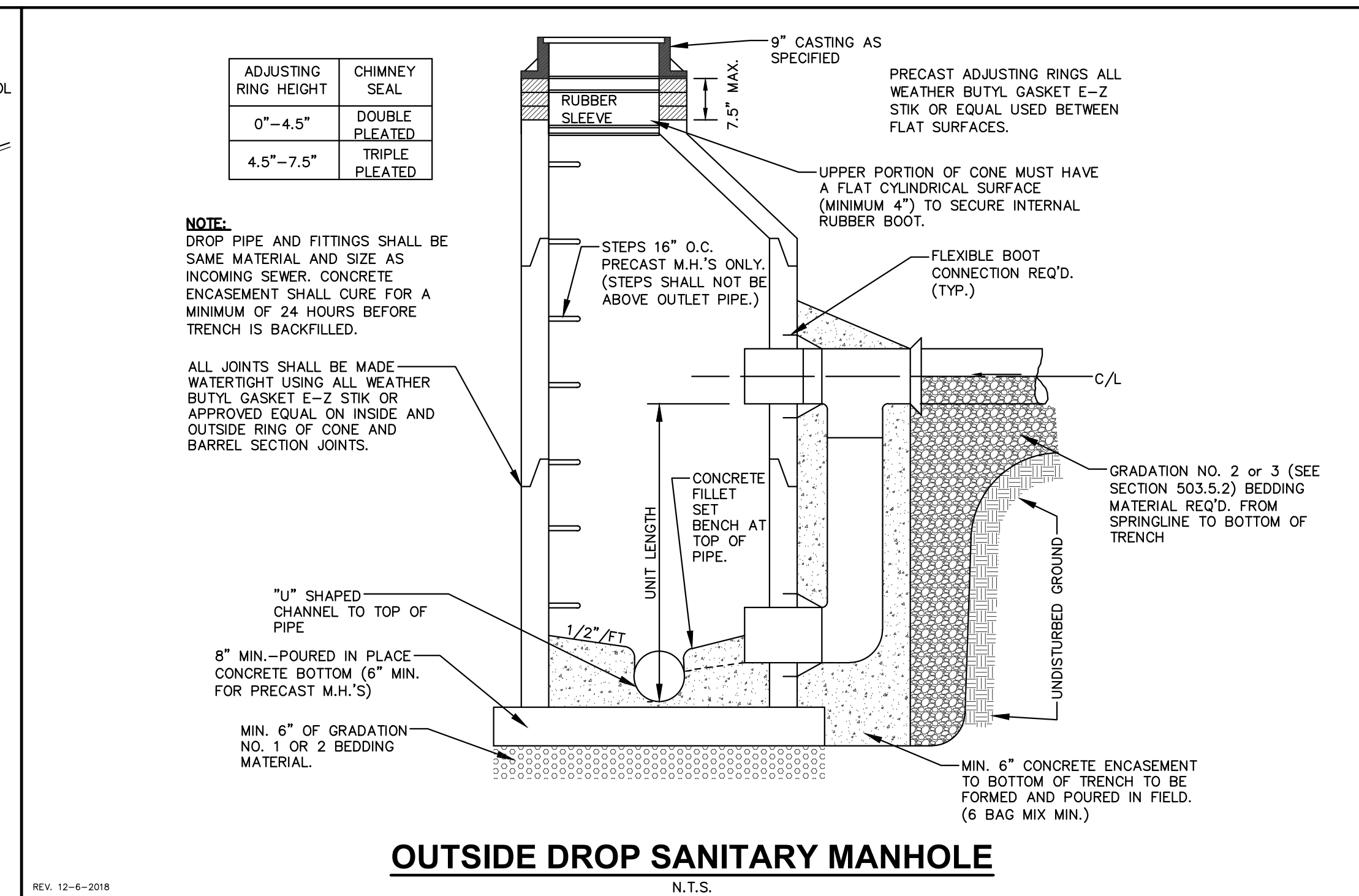
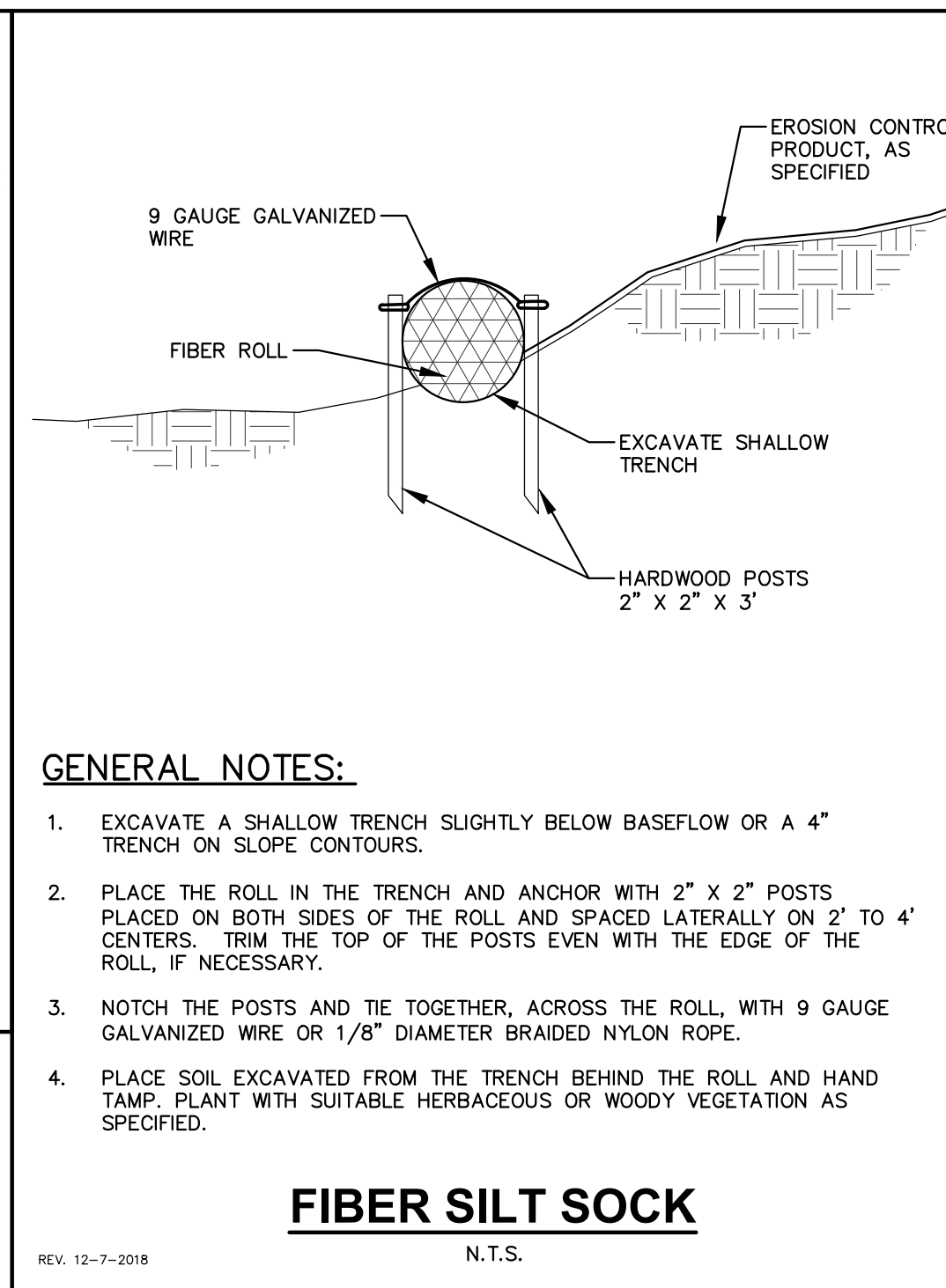
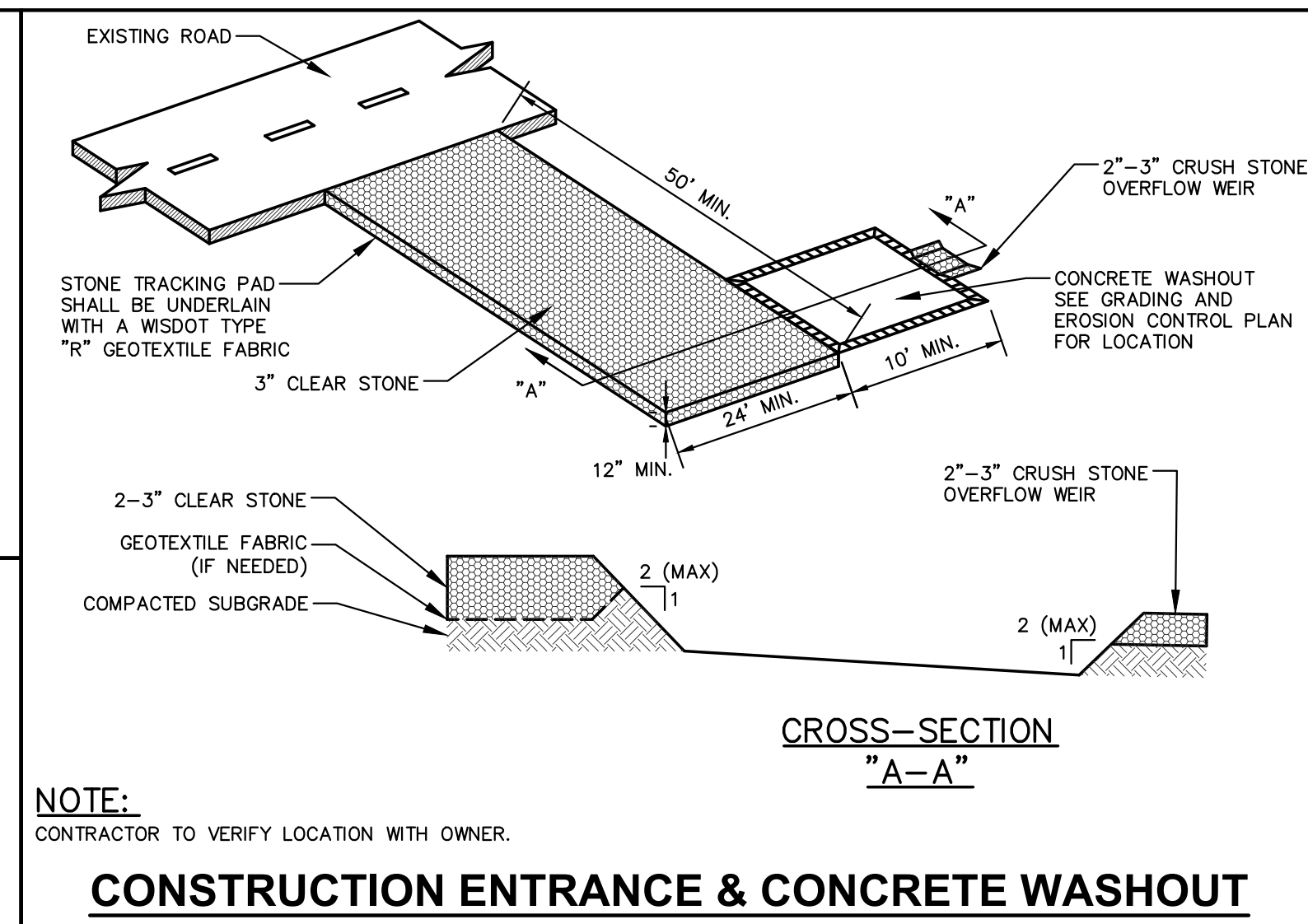
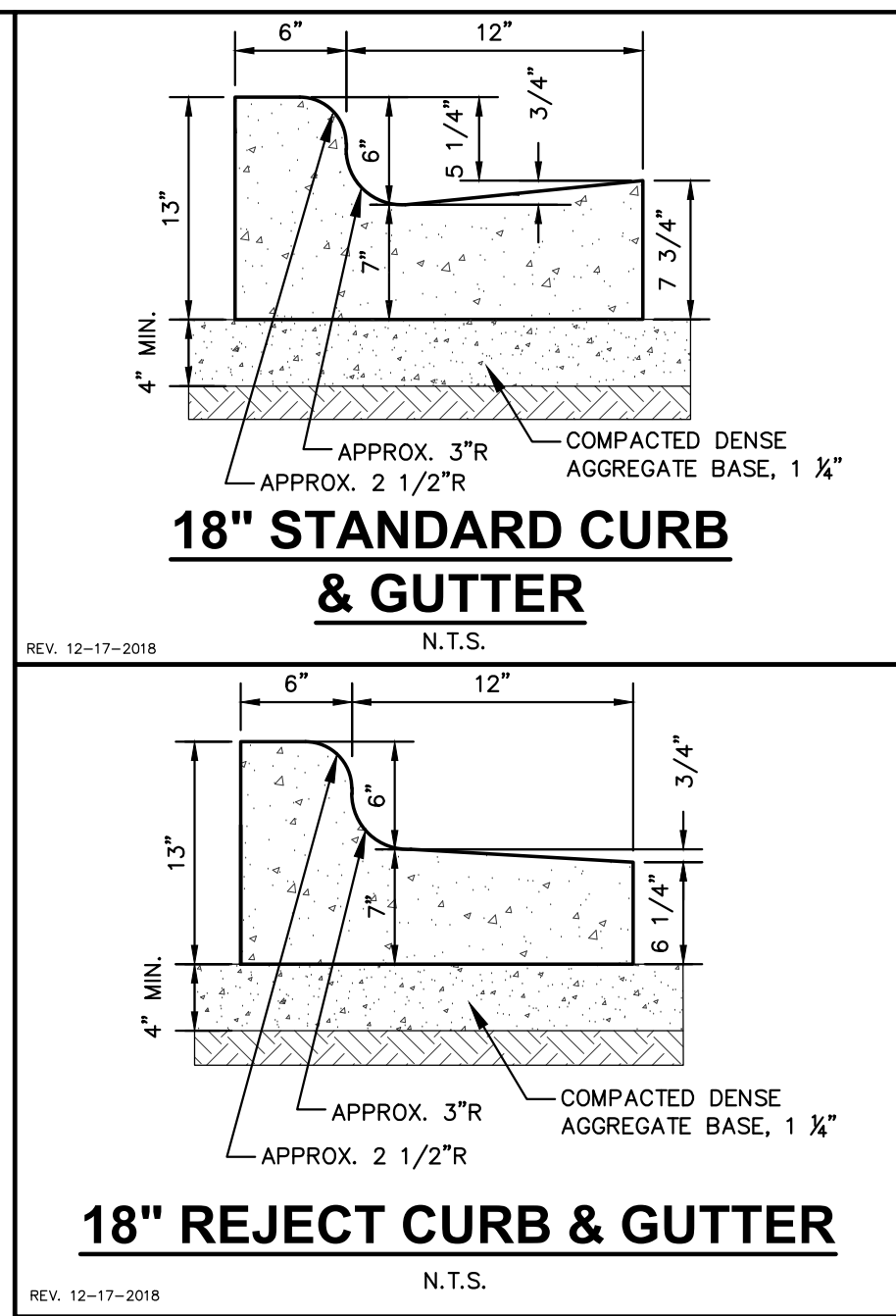
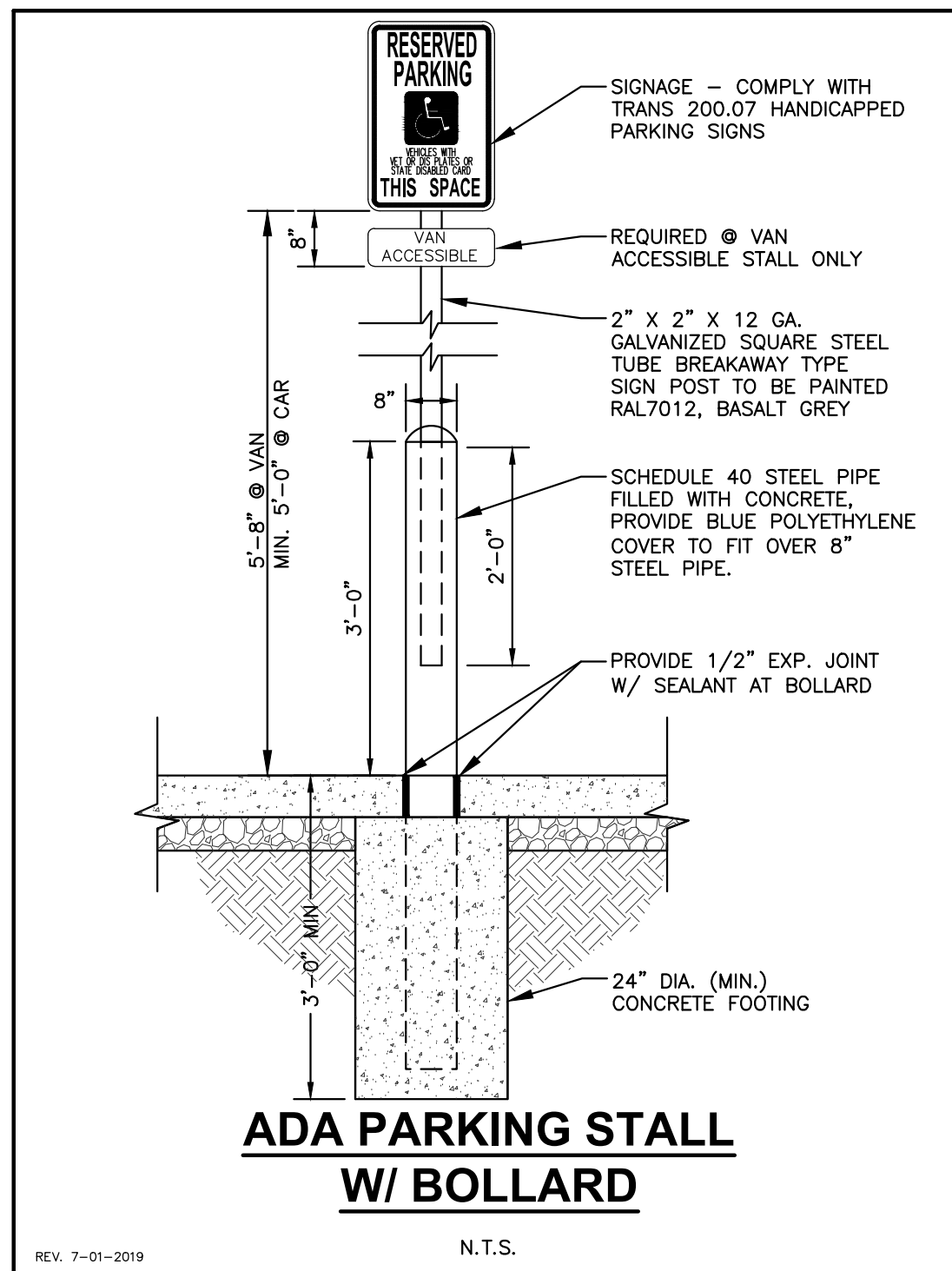
DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	220204
SCALE	AS INDICATED
PHASE	95% CONSTR. DOC.
DATE	10.14.2022

UTILITY PLAN

C4.0

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BAY CITY LOFTS
216 S. MILITARY AVE.
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WESTON, WI 54476

STRUCTURAL ENGINEER:
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DATE REVISION

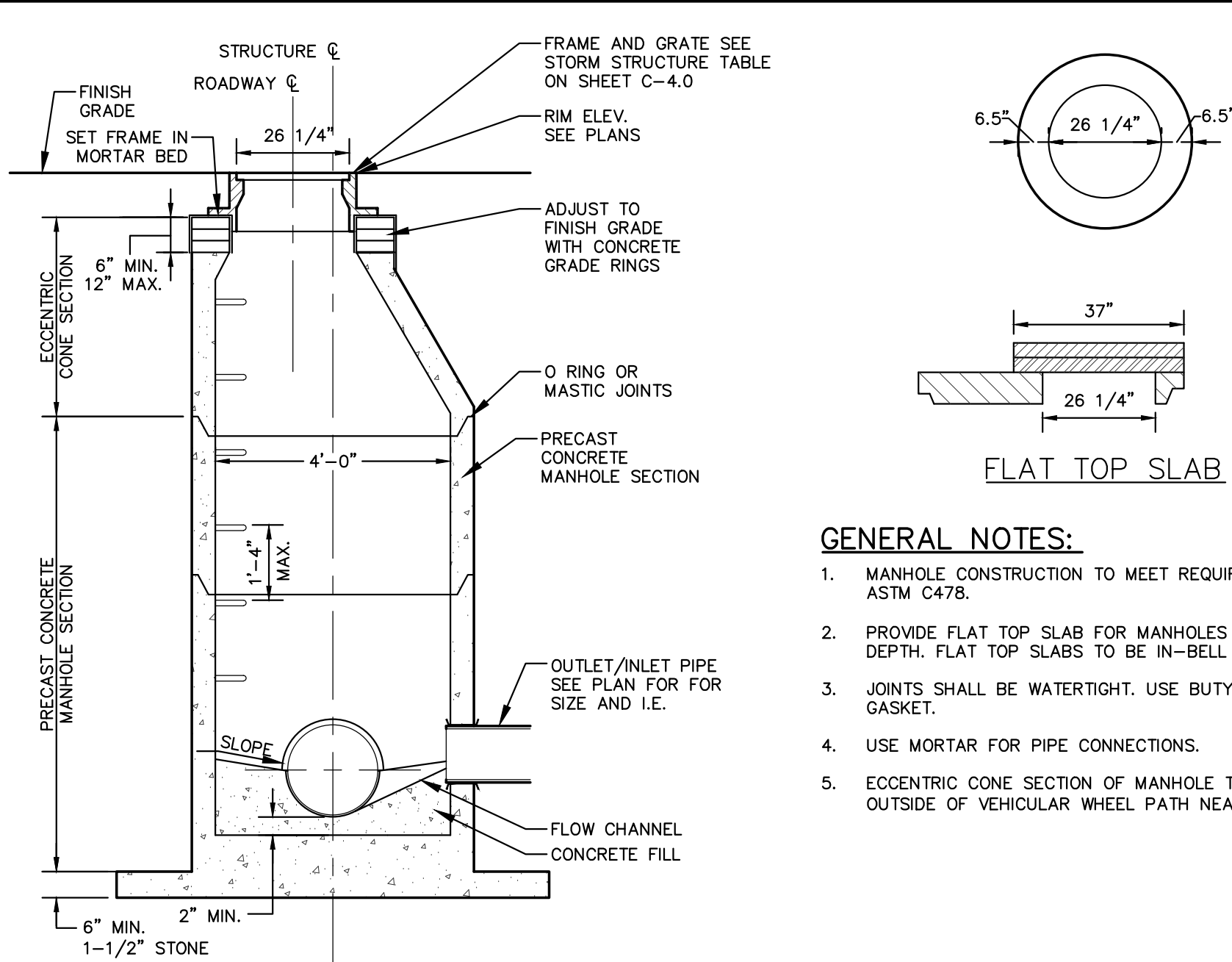
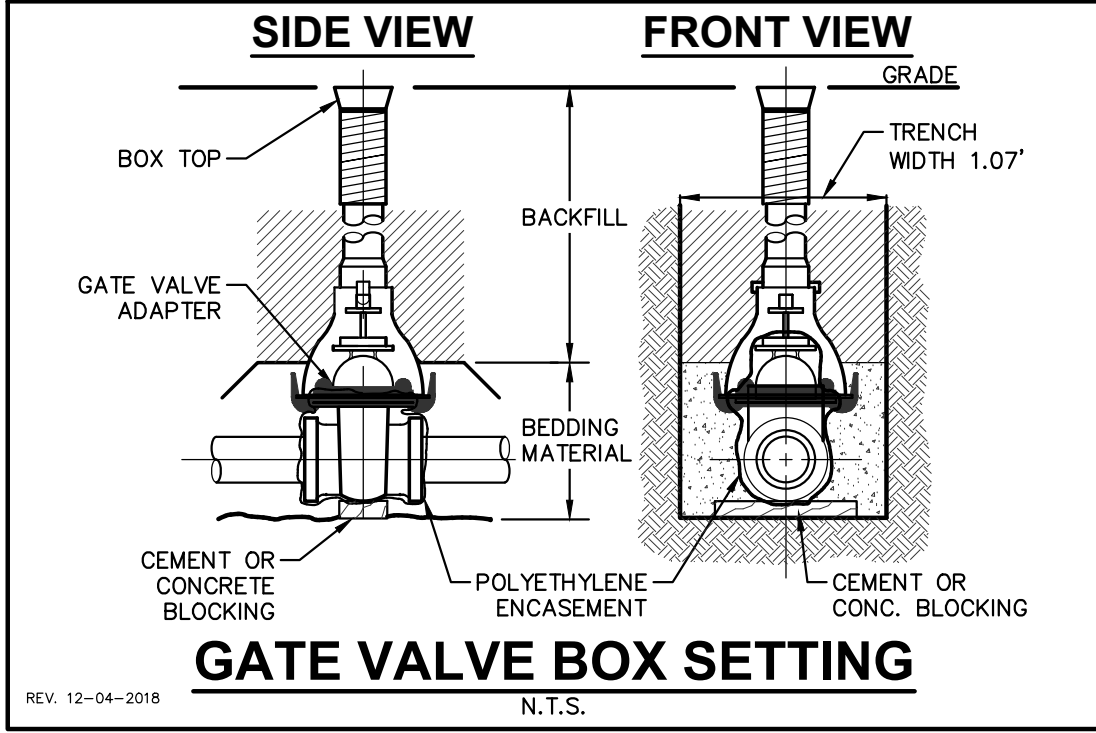
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PHASE	95% CONSTR. DOC.
DATE	10.14.2022

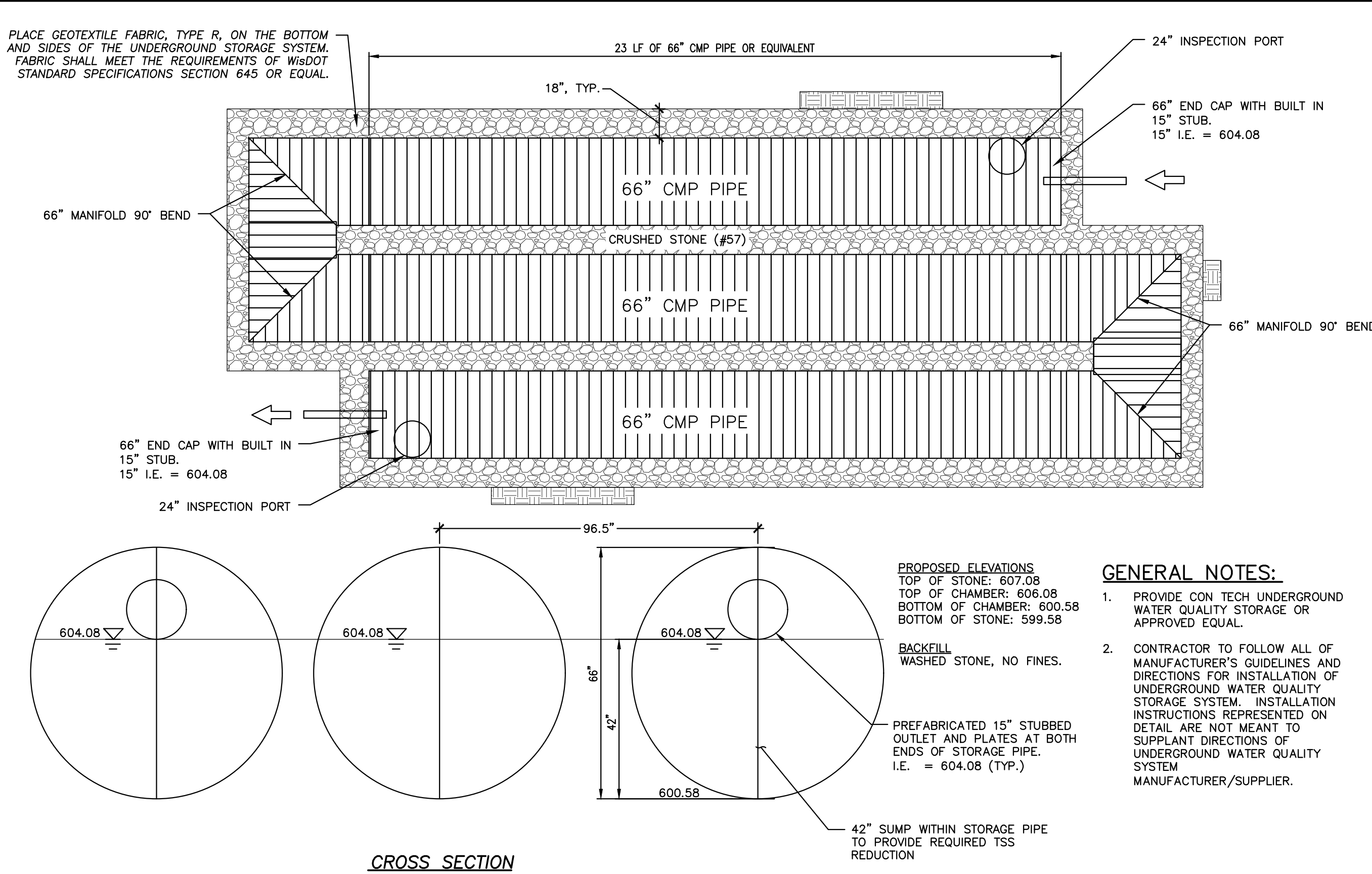
CONSTRUCTION
DETAILS

C5.0

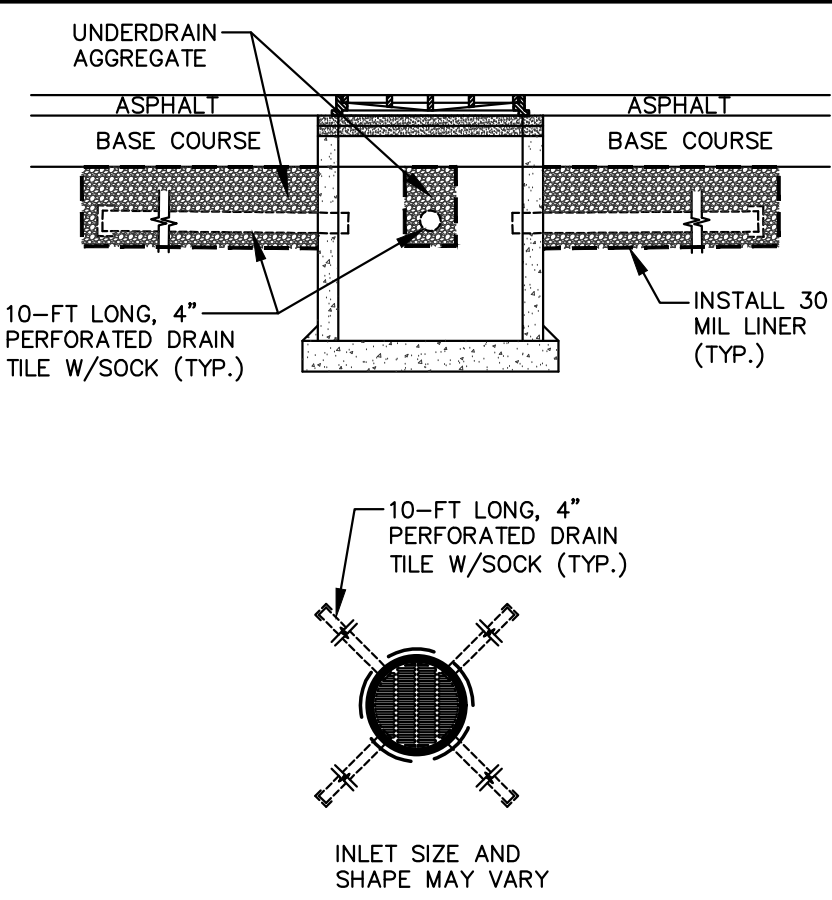
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- GENERAL NOTES:**
1. MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
 2. PROVIDE FLAT TOP SLAB FOR MANHOLES 5' OR LESS IN DEPTH. FLAT TOP SLABS TO BE IN-BELL TYPE.
 3. JOINTS SHALL BE WATERTIGHT. USE BUTYL RUBBER GASKET.
 4. USE MORTAR FOR PIPE CONNECTIONS.
 5. ECCENTRIC CONE SECTION OF MANHOLE TO BE SET OUTSIDE OF VEHICULAR WHEEL PATH NEAR ROADWAY.

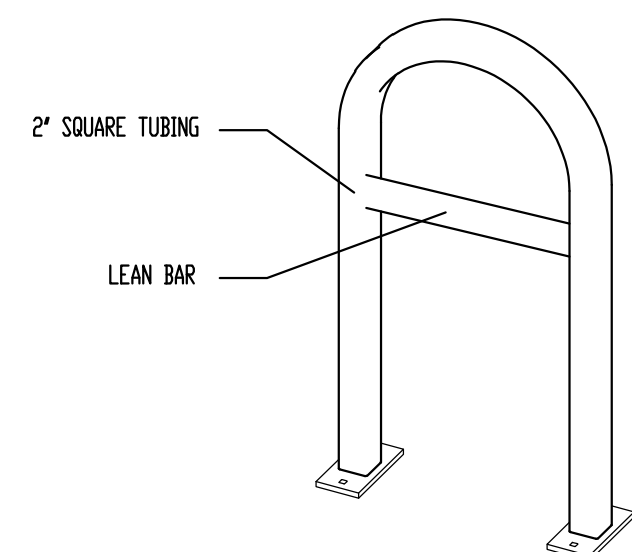
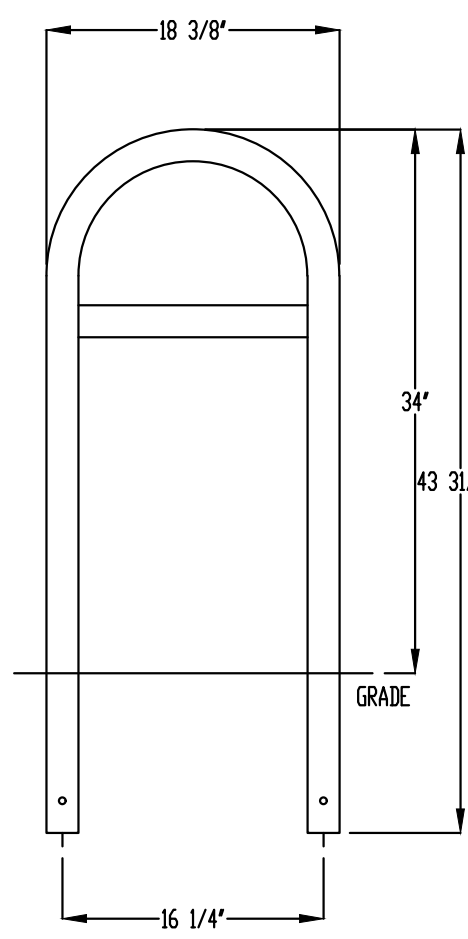
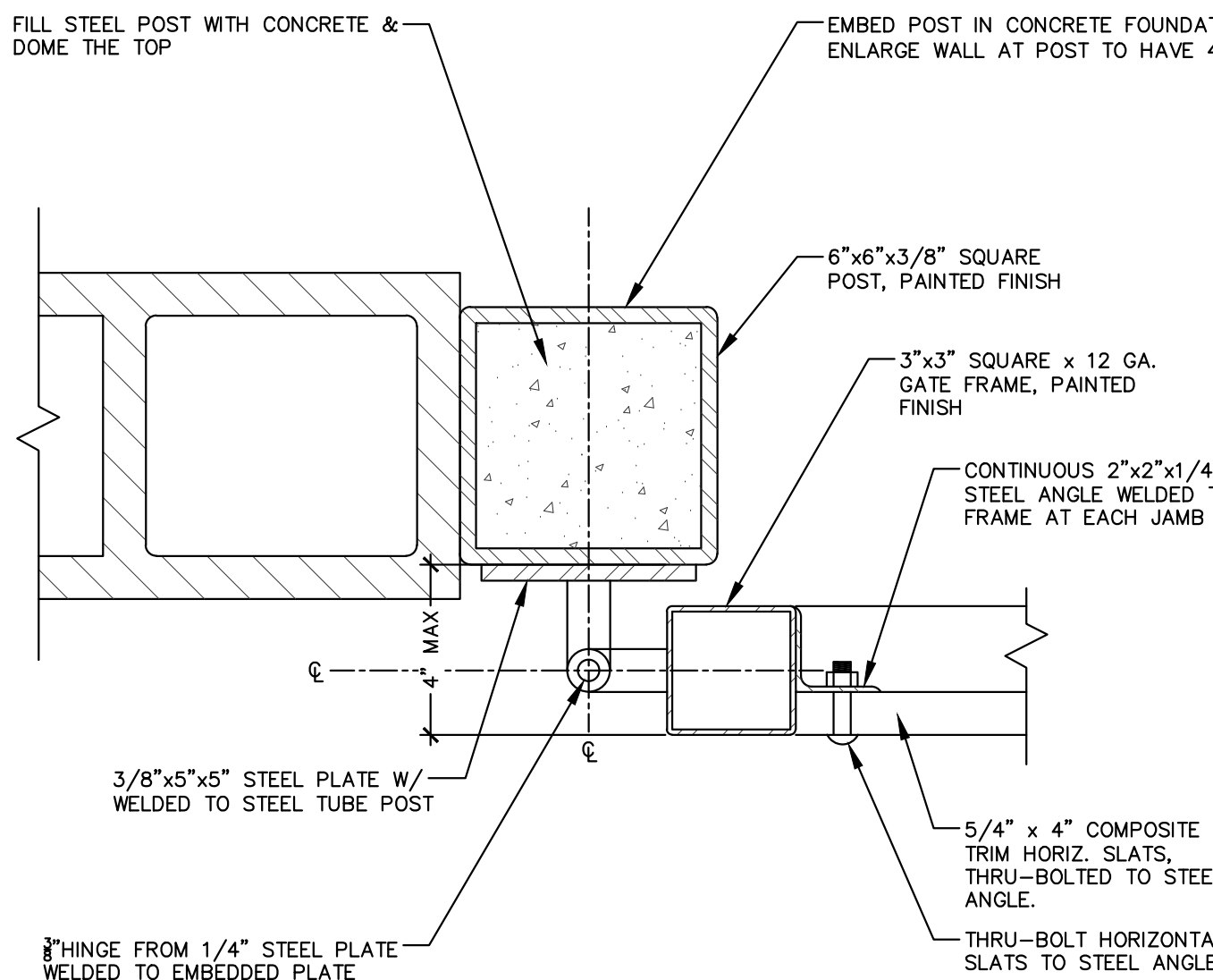
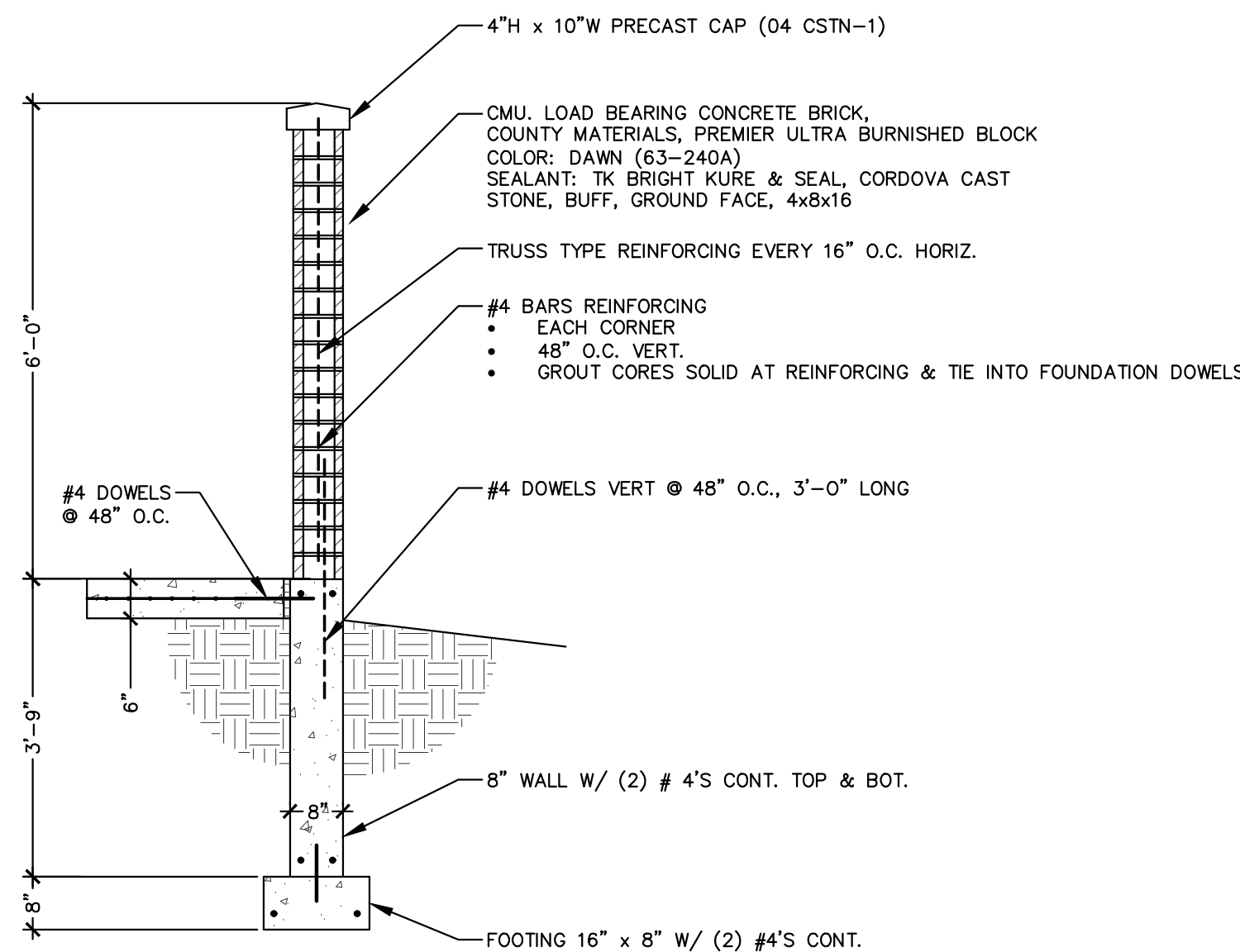
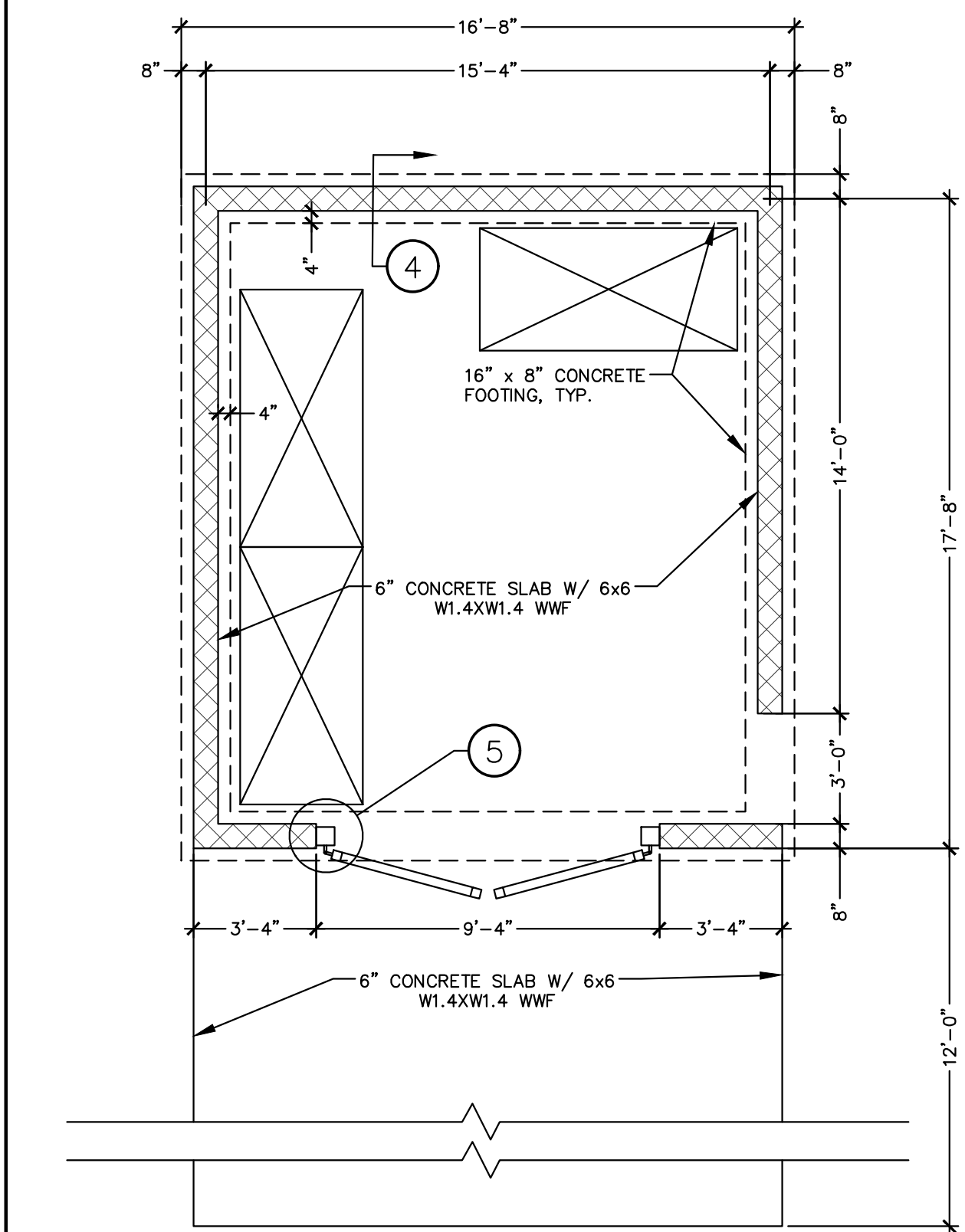


- GENERAL NOTES:**
1. PROVIDE CON TECH UNDERGROUND WATER QUALITY STORAGE OR APPROVED EQUAL.
 2. CONTRACTOR TO FOLLOW ALL OF MANUFACTURER'S GUIDELINES AND DIRECTIONS FOR INSTALLATION OF UNDERGROUND WATER QUALITY STORAGE SYSTEM. INSTALLATION INSTRUCTIONS REPRESENTED ON DETAIL ARE NOT MEANT TO SUPPLANT DIRECTIONS OF UNDERGROUND WATER QUALITY SYSTEM MANUFACTURER/SUPPLIER.

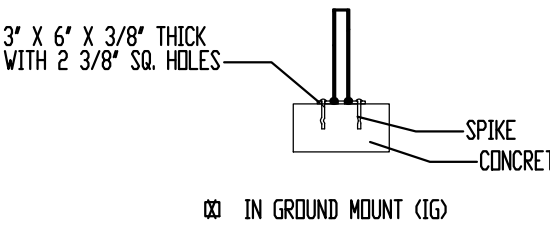
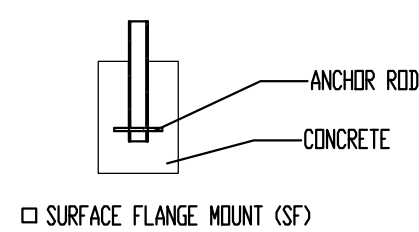


- GENERAL NOTES:**
1. UNDERDRAINS SHALL BE INSTALLED ON ALL INLET/CATCH BASINS LOCATED WITHIN IMPERVIOUS PAVEMENTS.
 2. UNDERDRAIN CONNECTIONS SHALL BE CORED ONSITE.
 3. UNDERDRAIN VERTICAL LOCATION MAY VARY DEPENDING ON STORM SEWER PIPE LOCATION.
 4. ALTERNATIVE DESIGN MAY BE SUBSTITUTED IF SHOP DRAWINGS ARE SUBMITTED AND APPROVED BY CITY OF GREEN BAY.

CATCH BASIN/INLET UNDERDRAIN



CHECK DESIRED MOUNT

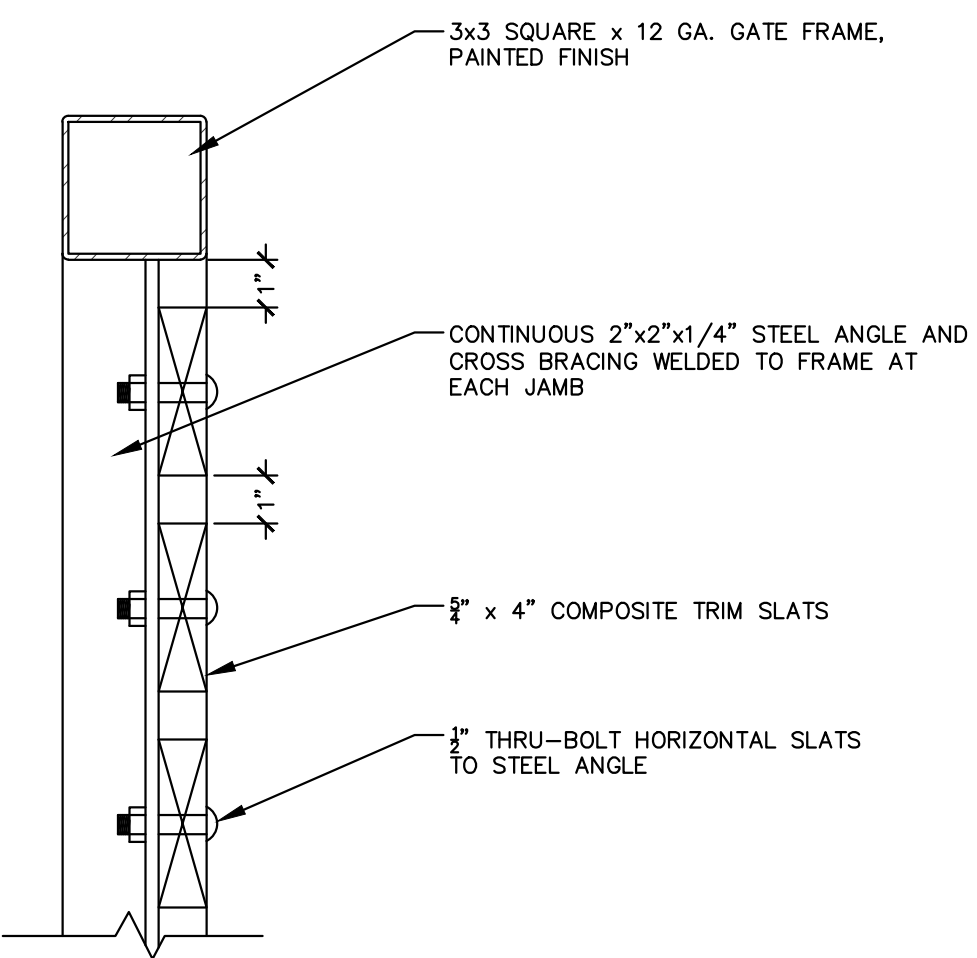
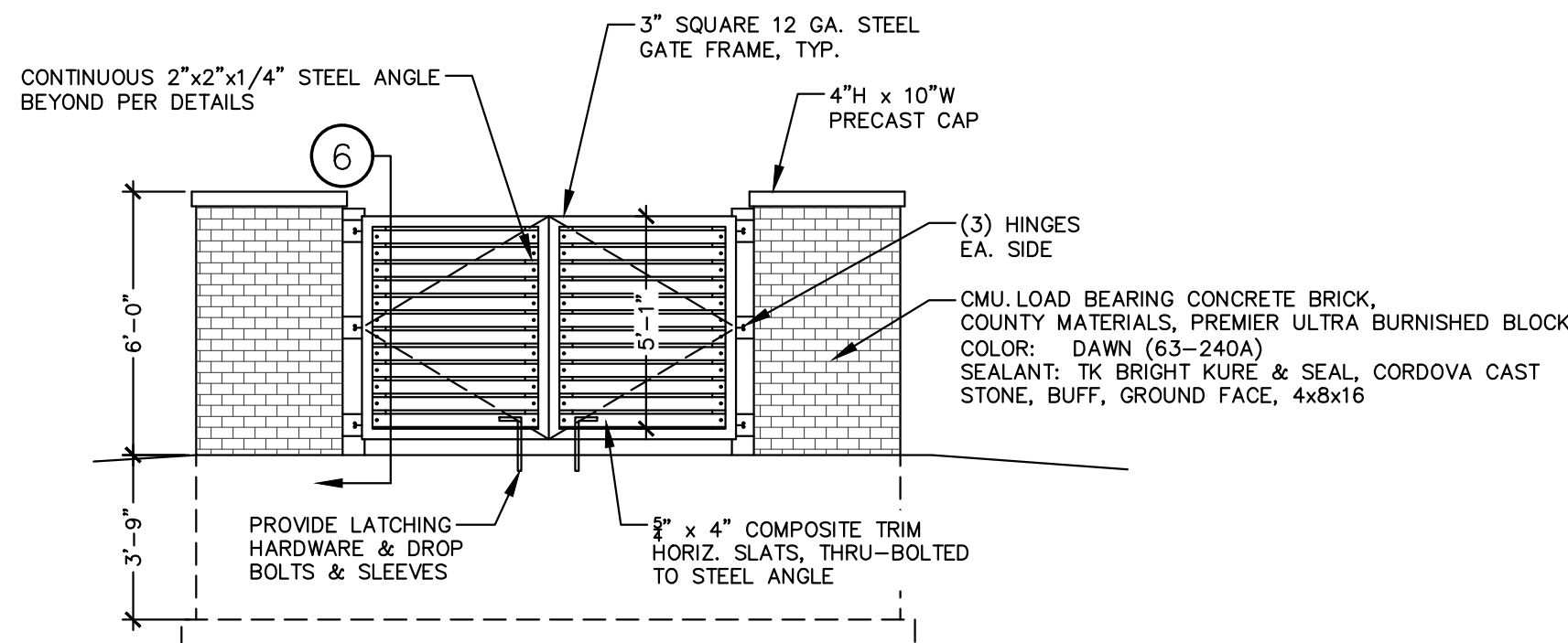
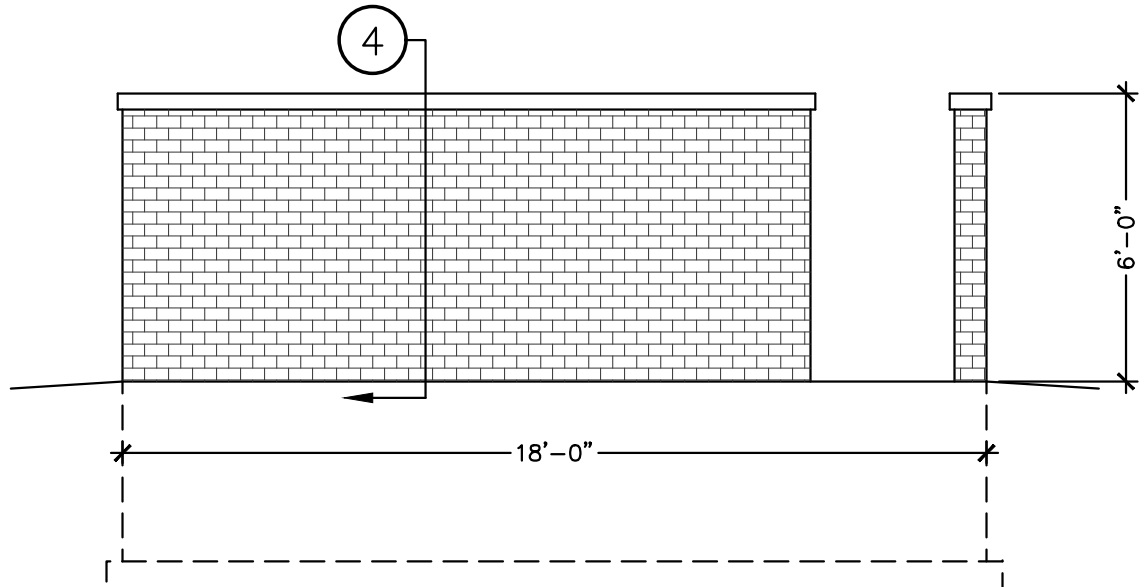


PRODUCT: 1200-SF
DESCRIPTION: PHOENIX SINGLE SIDED BIKE RACK
2 BOX, SURFACE MOUNT
DATE: 10-22-18
ENG: DMC

NOTES:
1. INSTALL BIKE RACKS ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
2. COLOR SHALL BE BLACK POWDER COATED. SEE MANUFACTURER'S SPECIFICATIONS.
3. SEE SITE PLAN FOR LOCATION OF CONDUIT RUNS.
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SQUARE 'U' BIKE RACK

N.T.S.



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REV: 12-10-2018

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JSD

PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

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CIVIL ENGINEER:
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WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE REVISION

DESIGN REVIEW - NOT FOR CONSTRUCTION -

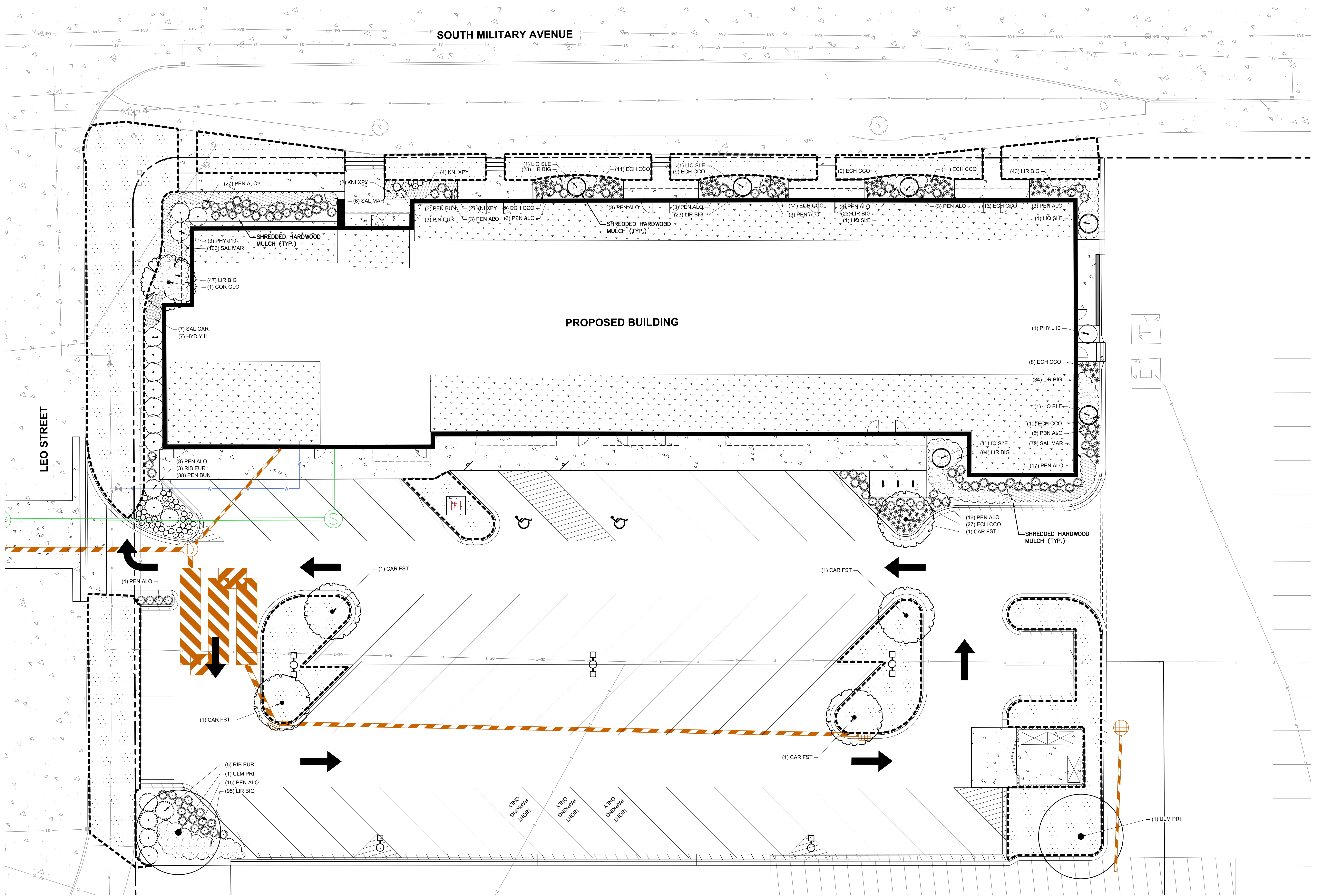
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PHASE	95% CONSTR. DOC.
DATE	10.14.2022

CONSTRUCTION
DETAILS

C5.1

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- GENERAL NOTES**
1. REFER TO THE EXISTING CONDITIONS SURVEY FOR EXISTING CONDITIONS NOTES AND LEGEND.
 2. ALL WORK IN THE ROW SHALL BE IN ACCORDANCE WITH THE MUNICIPAL STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION.
 3. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY OR ALL REGULATORY AGENCIES.
 4. DRAWING FOR REVIEW - NOT FOR CONSTRUCTION UNLESS OTHERWISE NOTED IN THE TITLE BLOCK.
 5. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL FINE GRADING AND TOPSOILING WITH GENERAL CONTRACTOR
 6. REFER TO "LANDSCAPE DETAILS AND NOTES" SHEET FOR ADDITIONAL DETAILS, NOTES AND SPECIFICATION INFORMATION INCLUDING MATERIALS, GUARANTEE AND EXECUTION RELATED TO LANDSCAPE PLAN
 7. CONTRACTOR SHALL REVIEW SITE CONDITIONS FOR UTILITY CONFLICTS, DRAINAGE ISSUES, SUBSURFACE ROCK, AND PLANT PLACEMENT CONFLICTS PRIOR TO PLANT INSTALLATION. REPORT ANY CONDITIONS THAT MAY HAVE ADVERSE IMPACT ON PLANTING OPERATIONS TO LANDSCAPE ARCHITECT
 8. DO NOT COMMENCE PLANTING OPERATIONS UNTIL ALL ADJACENT SITE IMPROVEMENTS, IRRIGATION INSTALLATION (IF APPLICABLE), AND FINISH GRADING ARE COMPLETE.

LEGEND

	KENTUCKY BLUEGRASS BLEND (SOD)
--	--------------------------------

Scale bar: 10' 0 10'

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PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
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WESTON, WI 54476

STRUCTURAL ENGINEER:
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305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

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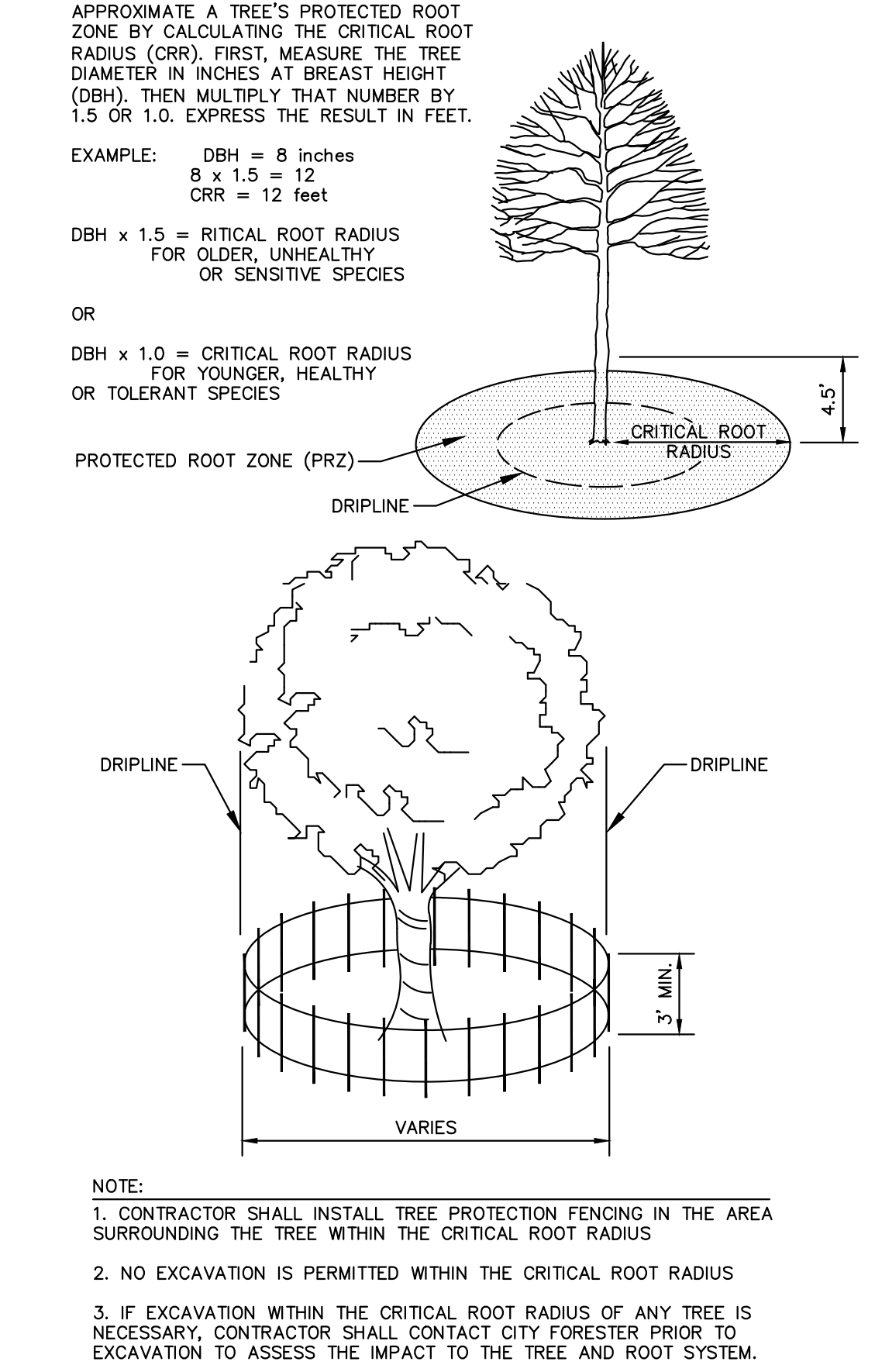
LANDSCAPE PLAN

L1.0

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LANDSCAPE CALCULATIONS

	REQUIRED	PROVIDED
INTERIOR PARKING LOT LANDSCAPING 10% OF INTERIOR PARKING LOT DEVOTED TO LANDSCAPE PLANTINGS	2,349 SF (23,486)(.10)=2,348.6	3,187 SF
25-100 PARKING SPACES (1 TREE PER 10 SPACES)	6 TREES (54 SPACES/10=5.4)	6 TREES
LANDSCAPE ISLANDS AT THE END OF EACH PARKING ROW	YES	YES
MINIMUM INTERIOR ISLAND DIMENSION 10' WIDTH AND 15' LENGTH	YES	NO
ISLANDS PLANTED W/ GROUND COVER OR SOD AND MINIMUM 1 TREE PER ISLAND	YES	YES
PERIMETER PARKING LOT LANDSCAPING SCREEN PARKING LOT FROM PUBLIC STREETS AND SIDEWALKS, PUBLIC OPEN SPACE AND ADJACENT PROPERTIES	YES	YES
BUILDING FOUNDATION LANDSCAPING PLANTED WITH ORNAMENTAL PLANT MATERIAL (TREES, FLOWERING SHRUBS, PERENNIALS AND GROUNDCOVERS)	YES	YES
GENERAL REQUIREMENTS TREE SPECIES MIX - ANY ONE SPECIES SHALL NOT MAKE UP MORE THAN 50% OF THE TOTAL TREE PLANTINGS MINIMUM PLANTING SIZES: DECIDUOUS TREES ORNAMENTAL DECIDUOUS TREES EVERGREEN TREES SHRUBS	NO MORE THAN 50% PER SPECIES OF TREE 2" CALIPER 1.5" CALIPER 6' IN HEIGHT #5 GALLON	YES YES



1

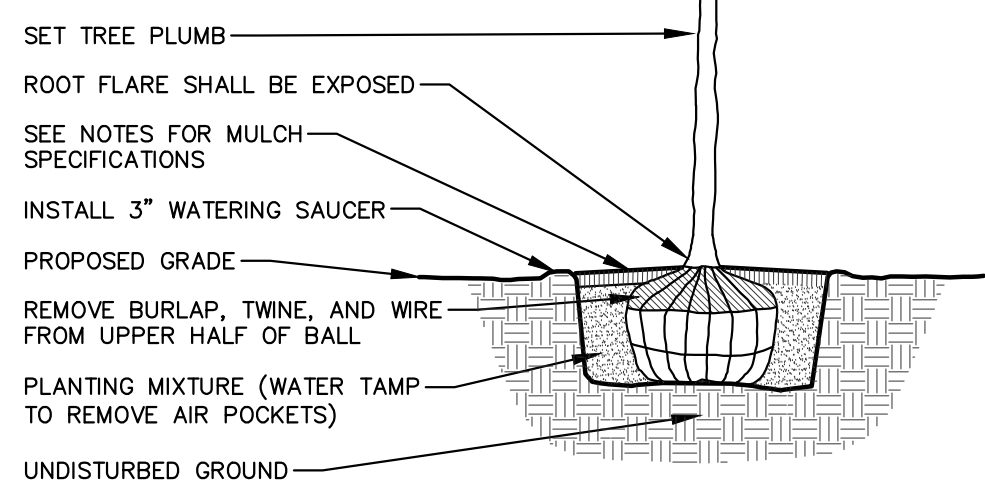
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TREE PROTECTION FENCING

NTS

NOTE:

- DIG HOLE NO DEEPER THAN BASE OF ROOT BALL TO FLARE. ROOT BALL TO BE SET ON UNDISTURBED SOIL UNLESS COMPACTED AGGREGATE STONE REMAINS FROM SITE EXCAVATOR. REMOVE REMAINING AGGREGATE STONE UNTIL SOIL LAYER IS REACHED.
- TREE PIT DIAMETER SHALL BE AT LEAST TWO-TIMES ROOT BALL DIAMETER IN ALL DIRECTIONS. SLOPE SIDES OF TREE PIT FROM PROPOSED GRADE TO BOTTOM OF ROOT BALL IN ALL DIRECTIONS.



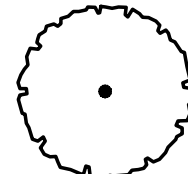
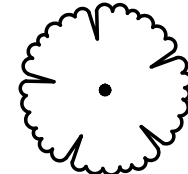
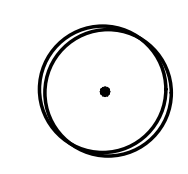
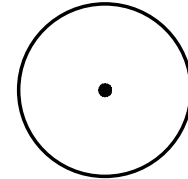
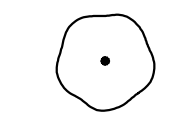
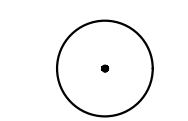
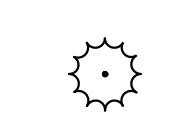
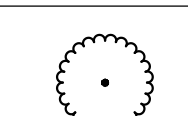
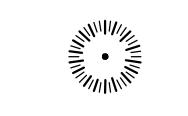
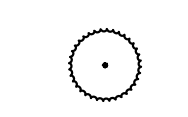
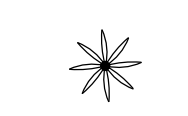
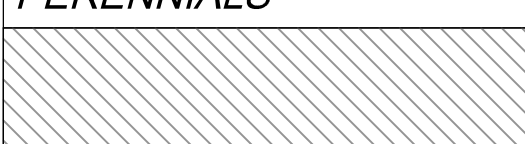
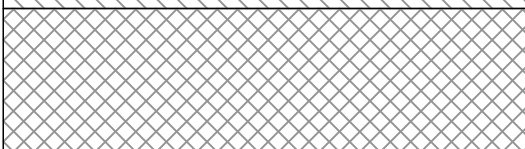
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DECIDUOUS TREE

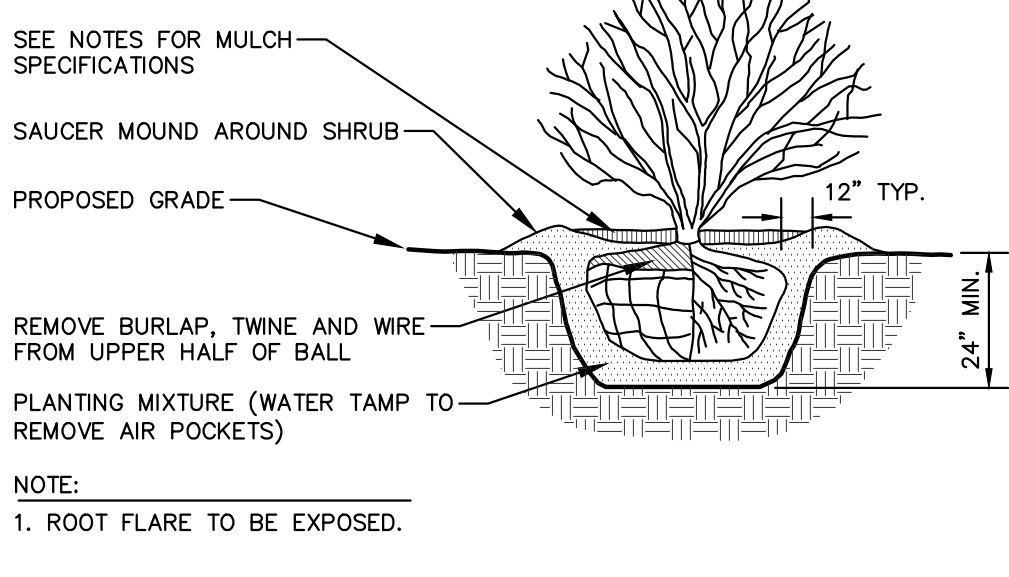
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PLANT SCHEDULE

TREES	CODE	BOTANICAL / COMMON NAME	ROOT CONDITION	SIZE AT PLANTING		QTY
	CAR FST	Carpinus betulus 'Fastigiata' / Pyramidal European Hornbeam	B & B	3"Cal		5
	COR GLO	Cornus mas 'Golden Glory' / Golden Glory Cornelian Cherry	B & B	2"Cal		1
	LIQ SLE	Liquidambar styraciflua 'Slender Silhouette' / Slender Silhouette Sweet Gum	B & B	3"Cal		6
	ULM PRI	Ulmus americana 'Princeton' / Princeton American Elm	B & B	3"Cal		2
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	HYD YIH	Hydrangea paniculata 'SMNHPH' TM / Limelight Prime Panicle Hydrangea	#05/5 gal.			7
	PHY J10	Physocarpus opulifolius 'Jefam' TM / Amber Jubilee Ninebark	#05/5 gal.			4
	PIN CUS	Pinus mugo 'Valley Cushion' / Valley Cushion Mugo Pine	#05/5 gal.			3
	RIB EUR	Ribes alpinum 'Europa' / Europa Alpine Currant	#05/5 gal.			8
ORNAMENTAL GRASSES	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	PEN ALO	Pennisetum alopecuroides / Fountain Grass	#01/1 gal.			111
	PEN BUN	Pennisetum alopecuroides 'Little Bunny' / Little Bunny Fountain Grass	#01/1 gal.			41
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING		QTY
	ECH CCO	Echinacea x 'Cleopatra' / Cleopatra Butterfly Coneflower	#01/1 gal.			118
GROUND COVERS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING	SPACING	QTY
	LIR BIG	Liriope muscari 'Big Blue' / Big Blue Lilyturf	#01 (gal)		15" o.c.	382
PERENNIALS	CODE	BOTANICAL / COMMON NAME	CONT	SIZE AT PLANTING	SPACING	QTY
	KNI XPY	Kniphofia x 'Backdraft' TM / Backdraft Pyromania Red Hot Poker	#01/1 Gal.		30" o.c.	8
	SAL CAR	Salvia nemorosa 'Caradonna' / Cardonna Meadow Sage	#01/1 Gal.		24" o.c.	7
	SAL MAR	Salvia nemorosa 'Haeumanarc' TM / Marcus Meadow Sage	#01/1 Gal.		12" o.c.	203

CONTRACTOR AND OWNER RESPONSIBILITY NOTES

- GUARANTEE:** THE CONTRACTOR SHALL GUARANTEE ALL PLANTS THROUGH ONE (1) YEAR AFTER ACCEPTANCE BY THE OWNER'S REPRESENTATIVE. PLANTS SHALL BE ALIVE AND IN HEALTHY AND FLOURISHING CONDITION AT THE END OF THE GUARANTEE PERIOD. THE CONTRACTOR SHALL REPLACE (AT NO COST TO OWNER) ANY PLANTS THAT ARE DEAD OR NOT IN A VIGOROUS THRIVING CONDITION. REPLACEMENT PLANTS SHALL BE OF THE SAME KIND AND SIZE AS ORIGINALLY SPECIFIED UNLESS OTHERWISE DIRECTED BY OWNER'S REPRESENTATIVE. RESTORE BEDS AS NECESSARY FOLLOWING PLANT REPLACEMENT, INCLUDING BUT NOT LIMITED TO BEDDING, EDGING, MULCH, ETC. REPLACE PLANTS DAMAGED AT TIME OF PLANTING. REPAIR AREAS DISTURBED IN ANY WAY DURING PLANT REPLACEMENT AT NO COST TO OWNER. CONTRACTOR SHALL PROVIDE A ONE (1)-YEAR STRAIGHTENING GUARANTEE FOR ALL TREES.
- CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER'S REPRESENTATIVE PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.**
- MAINTENANCE:** (CONTRACTOR) FOR ALL PLANTINGS, SEEDED AND/OR SODDED LAWN AREAS- THE CONTRACTOR SHALL MAINTAIN ALL PLANTINGS AND LAWN AREAS FOR A MINIMUM TIME PERIOD OF 60 DAYS, UNTIL FINAL ACCEPTANCE BY OWNER'S REPRESENTATIVE. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY WATERING PLANTS AND LAWN/TURFGRASS DURING THIS 60 DAY ESTABLISHMENT PERIOD. CONTRACTOR IS RESPONSIBLE FOR THE ESTABLISHMENT OF HEALTHY VIGOROUS PLANT MATERIALS AND LAWN/TURFGRASS GROWTH. CONTRACTOR IS ALSO RESPONSIBLE FOR ANY PRUNING OF PLANT MATERIALS, AND SHAPING AND/OR REPLACEMENT OR SUPPLEMENT OF DEFICIENT SHREDDED HARDWOOD BARK MULCH DURING THIS PERIOD. LONG TERM PLANT MATERIALS AND LAWN/TURFGRASS MAINTENANCE AND ANY PROGRAM FOR SUCH IS THE RESPONSIBILITY OF THE OWNER. ALL PLANTINGS AND LAWN/TURFGRASS AREAS SHALL BE MAINTAINED IN A MANICURED CONDITION UNTIL THE TIME WHEN THE OWNER'S ACCEPTANCE IS GIVEN.
- MAINTENANCE:** (OWNER) THE OWNER IS RESPONSIBLE FOR THE CONTINUED MAINTENANCE, REPAIR AND REPLACEMENT OF ALL LANDSCAPING MATERIALS AND WEED BARRIER FABRIC AS NECESSARY FOLLOWING THE ONE (1) YEAR CONTRACTOR GUARANTEE PERIOD.

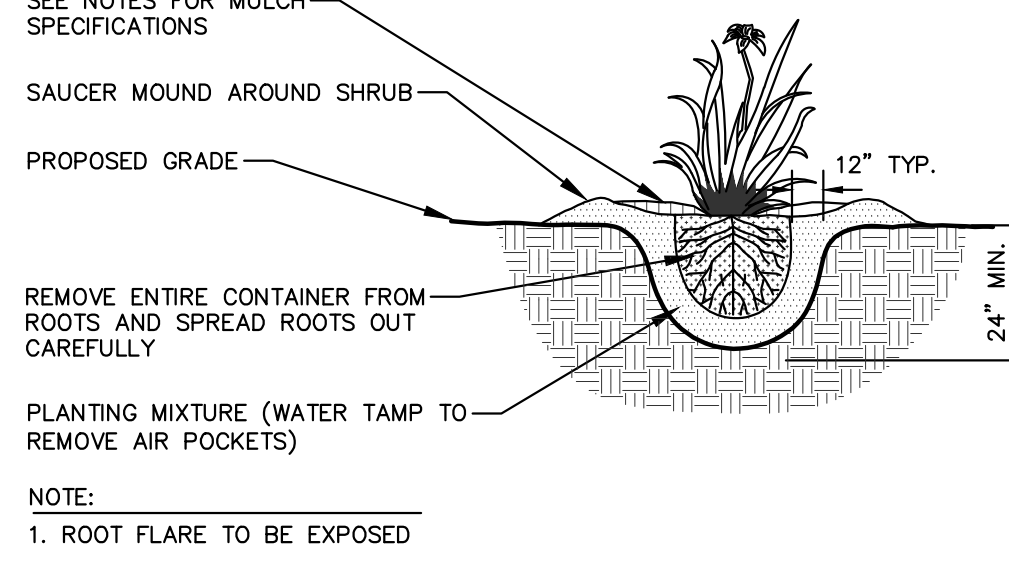


3

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DECIDUOUS/EVERGREEN SHRUB

NTS



4

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PERENNIAL/ORNAMENTAL GRASS

NTS

GENERAL NOTES

- GENERAL:** ALL WORK IN THE R-O-W AND PUBLIC EASEMENTS SHALL BE IN ACCORDANCE WITH LOCAL MUNICIPAL REQUIREMENTS. JSD SHALL BE HELD HARMLESS AND DOES NOT WARRANT ANY DEVIATIONS BY THE OWNER/CONTRACTOR FROM THE APPROVED CONSTRUCTION PLANS THAT MAY RESULT IN DISCIPLINARY ACTIONS BY ANY REGULATORY AGENCIES. COARF ALL UTILITIES PRIOR TO CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR REPAIRING ANY DAMAGE DONE TO UTILITIES. CONTRACTOR SHALL STAKE ALL UTILITY LOCATIONS AT LEAST THREE DAYS PRIOR TO DIGGING. HAND DIG AND INSTALL ALL PLANTS THAT ARE NEAR EXISTING UTILITIES. PROTECT PREVIOUSLY INSTALLED WORK OF OTHER TRADES. CONTRACTOR IS RESPONSIBLE FOR STAKING THE PLANT MATERIALS FOR REVIEW BY OWNER PRIOR TO DIGGING AND PLACEMENT AND SHALL COORDINATE ALL FINE GRADING AND RESTORATION WITH THE GRADING CONTRACTOR.
- DELIVERY AND HANDLING:** DO NOT DELIVER MORE PLANT MATERIALS THAN CAN BE PLANTED IN ONE DAY, UNLESS ADEQUATE, APPROPRIATE AND SECURE STORAGE IS PROVIDED AND APPROVED BY OWNER'S REPRESENTATIVE. AT ALL TIMES, PROTECT ALL PLANT MATERIALS FROM WIND AND DIRECT SUN. DELIVER PLANTS WITH LEGIBLE IDENTIFICATION LABELS. PROTECT PLANTS DURING DELIVERY AND DO NOT PRUNE PRIOR TO DELIVERY. ALL TREES AND SHRUBS SHALL BE PLANTED ON THE DAY OF DELIVERY; IF THIS IS NOT POSSIBLE, PROTECT THE PLANT MATERIALS NOT PLANTED BY STORING THEM IN A SHADED, SECURE AREA, PROTECTING THE ROOT MASS WITH WET SOIL, MULCH, HAY OR OTHER SUITABLE MEDIUM. CONTRACTOR TO KEEP ALL PLANT MATERIALS ADEQUATELY WATERED TO PREVENT ROOT DESICCATION. DO NOT REMOVE CONTAINER GROWN STOCK FROM CONTAINERS BEFORE TIME OF PLANTING. DO NOT PICK UP CONTAINER OR BALLED PLANTS BY STEM OR ROOTS. ALL PLANTS SHALL BE LIFTED AND HANDLED FROM THE BOTTOM OF THE CONTAINER OR BALL. PERFORM ACTUAL PLANTING ONLY WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE IN ACCORDANCE WITH LOCALLY ACCEPTED BEST HORTICULTURAL PRACTICES.
- MATERIALS - PLANTS:** ALL PLANTS SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR NURSERY STOCK ANSI Z60.1. PLANTS SHALL BE TRUE TO SPECIES AND VARIETY SPECIFIED AND NURSERY GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICES UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT FOR AT LEAST 2 YEARS. PLANTS SHALL BE FRESHLY DUG (DURING THE MOST RECENT FAVORABLE HARVEST SEASON). PLANTS SHALL BE SO TRAINED IN DEVELOPMENT AND APPEARANCE AS TO BE UNQUESTIONABLY SUPERIOR IN FORM, COMPACTNESS, AND SYMMETRY. PLANTS SHALL BE SOUND, HEALTHY, VIGOROUS, WELL-BRANCHED AND DENSELY FOLIATED WHEN IN LEAF, AND FREE OF PESTS AND INSECTS (ADULT EGGS, PUPAE OR LARVAE). THEY SHALL HAVE HEALTHY, WELL-DEVELOPED ROOT SYSTEMS AND SHALL BE FREE FROM PHYSICAL DAMAGE OR OTHER CONDITIONS THAT WOULD PREVENT THRIVING GROWTH OR PREMATURE MORTALITY. PLANTS SHALL BE OF THE HIGHEST QUALITY, POSSESS TYPICAL GROWTH HABITS AND FORM FOR THEIR SPECIES AND BE FREE OF INJURY, PARKWAY TREES AND PARKING LOT TREES SHALL HAVE A MINIMUM BRANCHING HEIGHT OF SIX (6) FEET ABOVE THE GROUND TO ALLOW ADEQUATE VISUAL AND PHYSICAL CLEARANCE.
- PRUNING:** THE CONTRACTOR SHALL PRUNE ALL TREES AND REPAIR ANY INJURIES THAT OCCURRED DURING THE PLANTING PROCESS. DOUBLE LEADERS, DEAD BRANCHES, AND LIMBS DAMAGED OR BROKEN DURING THE PLANTING PROCESS, SHALL BE PRUNED. THIS SHALL BE THE ONLY PRUNING ALLOWED AT PLANTING. PRUNING SHALL CONFORM TO THE LATEST VERSION OF THE AMERICAN STANDARD FOR TREE CARE OPERATIONS, ANSI A300. PRUNE TREES IN ACCORDANCE WITH NAA GUIDELINES. DO NOT TOP. PRUNE SHRUBS ACCORDING TO STANDARD HORTICULTURAL PRACTICES. ON CUTS OVER 3/4" IN DIAMETER AND BRUISES OR SCARS ON BARK, TRACE THE INJURED CAMBIUM LAYER BACK TO LIVING TISSUE AND REMOVE. SMOOTH AND SHAPE WOUNDS SO AS NOT TO RETAIN WATER. TREAT THE AREA WITH AN APPROVED INCONSPICUOUS LATEX BASED ANTISEPTIC TREE PAINT, IF PRUNING OCCURS "IN SEASON". DO NOT PRUNE ANY OAK TREES DURING THE MONTHS FROM APRIL TO OCTOBER.
- CLEANUP:** THE WORK AREA SHALL BE KEPT SAFE AND NEAT AT ALL TIMES. DISPOSED OF EXCESS SOIL, REMOVE ALL CUTTINGS AND WASTE MATERIALS, SOIL AND BRANCHES, BIND AND WRAP THESE MATERIALS, ANY REJECTED PLANTS, AND ANY OTHER DEBRIS RESULTING FROM ALL PLANTING TASKS AND PROMPTLY CLEAN UP AND REMOVE FROM THE PROJECT SITE. UNDER NO CIRCUMSTANCES SHALL THE ACCUMULATION OF SOIL, BRANCHES OR OTHER DEBRIS BE ALLOWED UPON A PUBLIC PROPERTY IN SUCH A MANNER AS TO RESULT IN A PUBLIC SAFETY HAZARD OR DAMAGE. LIKEWISE, UNDER NO CIRCUMSTANCES SHALL ANY DEBRIS OR INCIDENTAL MATERIALS BE ALLOWED UPON ADJACENT PRIVATE PROPERTY.
- ANY SUBSTITUTIONS IN PLANT TYPE, LOCATION, OR SIZE SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.**
- CONTRACTOR TO VERIFY PLANT MATERIAL QUANTITIES AND SQUARE FOOTAGES. QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE OVER THOSE ON SCHEDULE.**

LANDSCAPE MATERIAL NOTES

- MATERIALS - PLANTING MIXTURE:** ALL HOLES EXCAVATED FOR TREES, SHRUBS, PERENNIALS AND ORNAMENTAL GRASSES SHALL BE BACKFILLED WITH TWO (2) PARTS TOPSOIL, ONE (1) PART SAND AND ONE (1) PART COMPOST. SOIL MIXTURE SHALL BE WELL BLENDED PRIOR TO INSTALLATION.
- MATERIALS - TOPSOIL:** TOPSOIL TO BE CLEAN, FRIABLE LOAM FROM A LOCAL SOURCE, FREE FROM STONES OR DEBRIS OVER 3-INCHES, SHREDDED HARDWOOD BARK MULCH SIZE & COLOR TO BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. SHREDDED HARDWOOD BARK MULCH AREAS SHALL NOT RECEIVE WOVEN WEED BARRIER FABRIC.
- MATERIALS - SHREDDED HARDWOOD BARK MULCH:** ALL PLANTING AREAS LABELED ON PLAN SHALL RECEIVE CERTIFIED WEED FREE, SHREDDED HARDWOOD BARK MULCH INSTALLED TO A MINIMUM AND CONSISTENT DEPTH OF 3-INCHES. SHREDDED HARDWOOD BARK MULCH SIZE & COLOR TO BE APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION. FERTILIZER SHALL BE IN ACCORDANCE WITH APPLICABLE LOCAL, COUNTY AND STATE REQUIREMENTS. SHREDDED HARDWOOD BARK MULCH AREAS SHALL NOT RECEIVE WOVEN WEED BARRIER FABRIC.
- MATERIALS - TREE & SHRUB RINGS:** ALL TREES AND/OR SHRUBS PLANTED IN SEEDED LAWN AREAS TO BE INSTALLED WITH A MINIMUM 4" DIAMETER SHREDDED HARDWOOD BARK MULCH TREE RING SPREAD TO A CONSISTENT DEPTH OF 3-INCHES. ALL TREE RINGS SHOULD BE INSTALLED WITH A 5" DEPTH SHOVEL CUT EDGE, ANGLED 45 DEGREES INTO SOIL AT A 5" DIAMETER ABOUT THE CENTER OF THE TREE PLANTING. A PRE-EMERGENT GRANULAR HERBICIDE WEED-PREVENTER SHOULD BE MIXED WITH MULCH USED TO INSTALL TREE RING AS WELL AS TOPICALLY APPLIED TO COMPLETED INSTALLATION OF TREE RING.
- MATERIALS - TREE PROTECTION:** ALL TREES TO BE INSTALLED WITH LOPE TREE GUARDS AS MANUFACTURED BY A.M. LEONARD HORTICULTURAL TOOL & SUPPLY CO., OR APPROVED EQUAL.
- MATERIALS - (ALTERNATE 1): TREE WATERING BAGS:** ALL TREES TO BE INSTALLED WITH ONE (1) WATER BAG, PRODUCT TO BE "TREE GATOR SLOW RELEASE WATERING BAG", PRODUCT NO. 98183-R OR APPROVED EQUAL. INSTALL IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS.

SEEDING & SODDING NOTES

- MATERIALS - TURFGRASS SEED:** DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND EARTH CARPETS "MADISON PARKS" GRASS SEED, OR EQUIVALENT AS APPROVED BY THE OWNER'S REPRESENTATIVE, INSTALLED PER MANUFACTURER'S RECOMMENDATIONS. IN ADDITION TO TURFGRASS SEED, ANNUAL RYE SHALL BE APPLIED TO ALL DISTURBED AREAS AT A RATE OF 1 1/2 LBS PER 1000 SQUARE FEET. FERTILIZE AND MULCH PER MANUFACTURER'S RECOMMENDATIONS. MULCH SHALL BE CERTIFIED NOXIOUS WEED SEED-FREE.
- MATERIALS - SOD:** DISTURBED LAWN AREAS LABELED ON PLAN AS SUCH, SHALL RECEIVE 6" OF TOPSOIL AND A PREMIUM GRADE TURFGRASS SOD. ONLY IMPROVED TYPES OF SOD (ETI) ARE ACCEPTABLE. TURFGRASS SHALL BE MACHINE CUT AT A UNIFORM THICKNESS OF .60 INCH, PLUS OR MINUS .25 INCH, AT TIME OF CUTTING. MEASUREMENT FOR THICKNESS SHALL EXCLUDE TOP GROWTH AND THATCH. LARGE ROLL TURFGRASS SOD SHALL BE CUT TO THE SUPPLIER'S STANDARD WIDTH (36-48 INCHES) AND LENGTH. BROKEN PADS AND TORN OR UNEVEN EDGES WILL NOT BE ACCEPTABLE. STANDARD SIZE SECTIONS OF TURFGRASS SOD SHALL BE STRONG ENOUGH SO THAT THEY CAN BE PICKED UP AND HANDLED WITHOUT DAMAGE. TURFGRASS SOD SHALL NOT BE HARVESTED OR TRANSPORTED WHEN MOISTURE CONTENT IS EXCESSIVELY DRY OR WET, AS THIS MAY ADVERSELY AFFECT ITS SURVIVAL. POST-PLANT IRRIGATION WILL BE NECESSARY TO ENSURE SOD STAYS ALIVE AND ROOTS INTO SOIL. THE CONTRACTOR IS RESPONSIBLE FOR WATERING SOD UNTIL TIME OF ACCEPTANCE BY THE OWNER. TURFGRASS SOD SHALL BE HARVESTED, DELIVERED, AND INSTALLED/TRANSPORTED WITHIN A PERIOD OF 24 HOURS. TURFGRASS SOD SHALL BE RELATIVELY FREE OF THATCH, UP TO 0.5 INCH ALLOWABLE (UNCOMPRESSED); TURFGRASS SOD SHALL BE REASONABLY FREE (10 WEEDS/100 SQ. FT.) OF DISEASES, NEMATODES AND SOIL-BORNE INSECTS. ALL TURFGRASS SOD SHALL BE FREE OF GRASSY AND BROAD LEAF WEEDS AND WEED SEED. THE SOD SUPPLIER SHALL MAKE REPRESENTATIONS TO THE CONTRACTOR REGARDING WATERING SCHEDULE. THE WATERING SCHEDULE SHOULD BEGIN IMMEDIATELY AFTER SOD IS INSTALLED.

5

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NATURAL SPADE EDGE

NTS



PROJECT:
BAY CITY LOFTS
216 S. MILITARY AVE.
GREEN BAY, WI

OWNER:
GORMAN & COMPANY
200 N Main Street
Oregon, WI 53575

ARCHITECT:
KORB + ASSOCIATES
ARCHITECTS
648 N. PLANKINTON AVE
SUITE 240
MILWAUKEE, WI 53203

CIVIL ENGINEER:
JSD PROFESSIONAL
SERVICES, INC.
7402 STONE RIDGE DRIVE
WESTON, WI 54476

STRUCTURAL ENGINEER:
SPIRE ENGINEERING, INC.
305 N Plankinton Avenue
Suite 101
Milwaukee, WI 53203

DATE	REVISION
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DESIGN REVIEW - NOT FOR CONSTRUCTION -

PROJ. NO.	220204
SCALE	AS INDICATED
PHASE	95% CONSTR. DOC.
DATE	10.14.2022

LANDSCAPE
NOTES & DETAILS

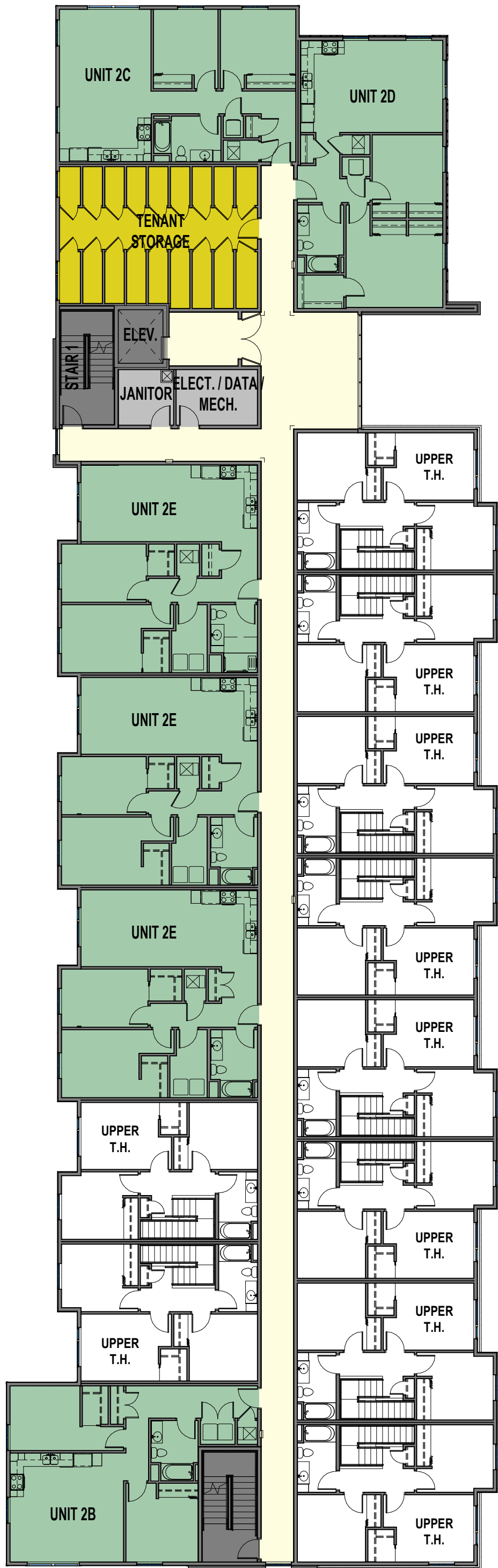
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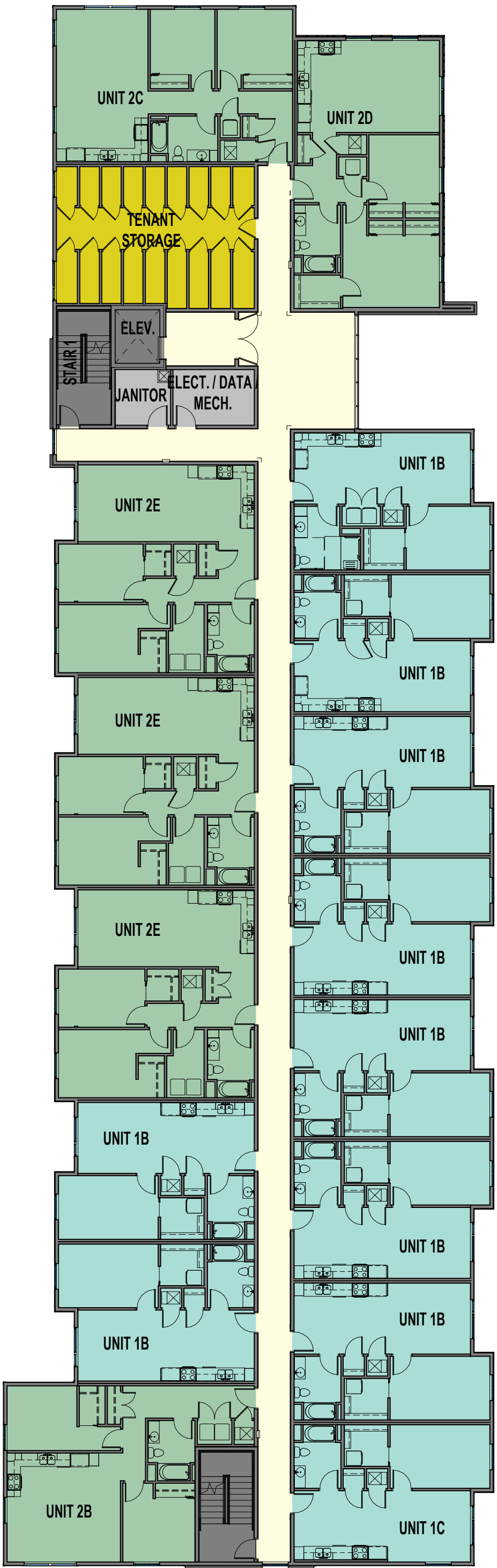
Exhibit A



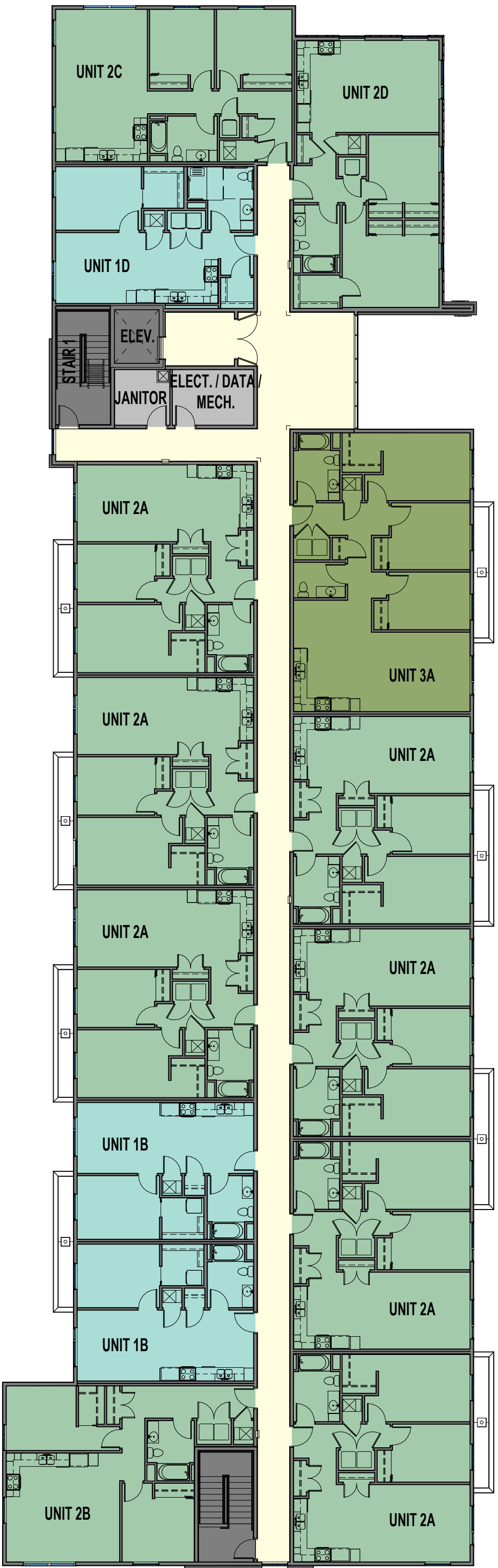
FIRST FLOOR PLAN



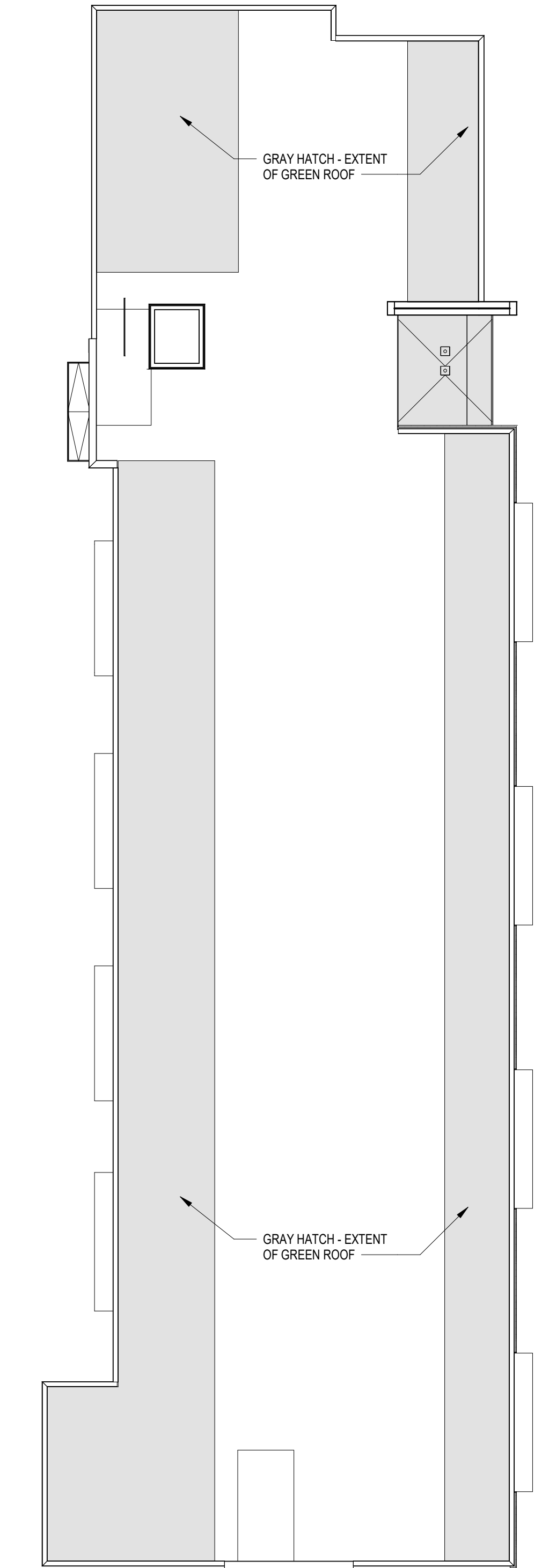
SECOND FLOOR PLAN



THIRD FLOOR PLAN



FOURTH FLOOR PLAN



ROOF PLAN

UNIT SUMMARY		
UNIT	Beds/Baths	Unit Type
UNIT 308	1BR 1BA	1C
UNIT 307	1BR 1BA	1B
UNIT 306	1BR 1BA	1B
UNIT 305	1BR 1BA	1B
UNIT 304	1BR 1BA	1B
UNIT 303	1BR 1BA	1B
UNIT 302	1BR 1BA	1B
UNIT 301	1BR 1BA	1B
UNIT 311	1BR 1BA	1B
UNIT 310	1BR 1BA	1B
UNIT 412	1BR 1BA	1D
UNIT 407	1BR 1BA	1B
UNIT 408	1BR 1BA	1B
1BR 1BA: 13		
UNIT 209	2BR 1BA	2B
UNIT 212	2BR 1BA	2E
UNIT 213	2BR 1BA	2E
UNIT 214	2BR 1BA	2E
UNIT 215	2BR 1BA	2C
UNIT 216	2BR 1BA	2D
UNIT 109	2BR 1BA	2B
UNIT 112	2BR 1BA	2A
UNIT 316	2BR 1BA	2D
UNIT 315	2BR 1BA	2C
UNIT 314	2BR 1BA	2E
UNIT 313	2BR 1BA	2E
UNIT 312	2BR 1BA	2E
UNIT 309	2BR 1BA	2B
UNIT 413	2BR 1BA	2C
UNIT 414	2BR 1BA	2D
UNIT 402	2BR 1BA	2A
UNIT 403	2BR 1BA	2A
UNIT 404	2BR 1BA	2A
UNIT 405	2BR 1BA	2A
UNIT 406	2BR 1BA	2B
UNIT 409	2BR 1BA	2A
UNIT 410	2BR 1BA	2A
UNIT 411	2BR 1BA	2A
2BR 1BA: 24		
UNIT 101.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 102.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 103.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 104.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 105.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 106.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 107.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 108.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 110.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 111.1 (LOWER)	3BR 1.5BA	TH-A
UNIT 401	3BR 1.5BA	3A
3BR 1.5BA: 11		
TOTAL OF ALL UNITS: 48		

NOT FOR CONSTRUCTION



KEYNOTE	DESCRIPTION
04 CSTN-1	04 T2 00 / CAST STONE SILL - TO MATCH CORDOVA BUFF
04 FBR-1	04 26 13 / FACE BRICK - UTILITY SIZE
04 STN-1	04 43 13 13 / ANCHORED STONE MASONRY VENEER
07 FCB-1	07 46 46 / FIBER CEMENT RAINSCREEN
07 MP-1	07 46 19 / METAL PANEL
07 SDG-1	07 46 46 / FIBER CEMENT LAP SIDING
07 SMF-2	07 62 00 / SHEET METAL FLASHING - PREFINISHED ALUMINUM
08 AFS-2	08 41 13 / ALUMINUM FRAMING SYSTEM - EXTERIOR, THERMALLY BROKEN
08 VWS-1	08 53 13 / VINYL WINDOW SYSTEM





PERSPECTIVE - S. MILITARY AVE NE CORNER



PERSPECTIVE - SOUTH WEST CORNER



PERSPECTIVE - S. MILITARY AVE ENTRY



PERSPECTIVE - S. MILITARY AVE SOUTH EAST CORNER



PERSPECTIVE - NORTH WEST CORNER



Report to the Green Bay Plan Commission

MEETING DATE

February 7, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # N.2

To table indefinitely the request to amend a Planned Unit Development at 216 S. Military Avenue to amend the boundaries of the PUD.

BACKGROUND

*****THIS ITEM WAS HELD OVER FROM JANUARY 9, 2023 PLAN COMMISSION MEETING AND HAS BEEN MODIFIED*****

Primary Address: 216 S Military Ave

Aldersperson / District: Ald. Melinda Eck / District 11

Reason for Request: To permit the permanent expansion of limited Light Industrial (LI) and Community Center Commercial (C3) uses on

Surrounding Zoning and Land Uses:

SUBJECT PROPERTY: Community Center Commercial (C3) with existing ZO No. 14-21 overlay.

NORTH: Community Center Commercial – Q Tea Premium Tea House

SOUTH: General Commercial (C1) and Light Industrial (LI) - HJ Martin showroom and HJ Martin installation service center and flooring distribution center

EAST: General Commercial (C1) – Bay Area Diamond Company BMO Harris Bank

WEST: Varied Density Residential (R3) – Mixture of single, two, and multi-family residences

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for commercial use. It recommends medium/high density residential areas and low-density residential areas to the west of Parcel 6-266E (across Randall Court), and commercial areas to the north, east, and south.

The proposed zoning change to a Planned Unit Development, as drafted, is not fully consistent with the recommendation of the Comprehensive Plan for the particular property which calls for commercial use. However, the draft PUD designates three separate development areas which include both commercial and limited light industrial uses:

Development Area A: Area along Military Avenue, a depth of 186 ft. This matches the depth of a separate, concurrent PUD for multi-family apartments at the corner of Leo and S. Military. This development area would retain exclusive C3 frontage along Military Avenue in the existing parking lot area south of said multi-family PUD.

Development Area B: This area is designated for the existing Superior Discount Liquor store. This area remains a C3 use with limited light industrial permitted into the future. The existing use is permitted in C3.

Development Area C: The remainder of the site, the old ShopKo building. This area remains as a C3 use,

with limited light industrial permitted into the future. The existing use is limited light industrial and used by Martin and Bellin Health for warehousing, employee training, and medical restoration uses.

Analysis: This request allows a permanent status for limited LI uses and C3 uses within the entire site. The parcel is being split into two lots via a Certified Survey Map. Lot 2 is a concurrent PUD for multi-family housing. Lot 1 is the larger, remainder portion of the existing site which was formerly a ShopKo department store and is currently used by HJ Martin and Bellin Health for warehousing, limited production, and training purposes. The existing former ShopKo building is in full use.

Report: This request stems from an approved PUD which allowed for limited LI uses for the site in a PUD approved in 2021. Said PUD allowed for 3 years of temporary LI uses on the site in an attempt to continue redevelopment of the site. The new PUD request calls for permanent allowance of limited LI uses within the site. During this PUD submittal, HJ Martin initially requested having limited LI uses for the entirety of the Lot 1 site. Staff does not believe changing the entire site to full LI use along Military Avenue is in alignment with the comprehensive plan or Military Avenue. The city continues to facilitate and encourage the long-term redevelopment of the property by allowing the owners to reuse the existing buildings on the property until such time redevelopment of the site becomes feasible and to divide off a portion of the property for commercial or multi-family development along Military Avenue to screen off the existing building. The city is engaging with Martin and Gorman (multi-family development) on a revised development agreement for the site which will need separate RDA and Council approval. Staff proposes having separate development areas for the site to help facilitate redevelopment:

Development Area A:

The area along Military Avenue has a depth of 186 ft. and approximately 170 ft. south of the accompanying multi-family PUD to the existing building. This depth is in line with the western property line of Lot 2 in the accompanying PUD for multi-family purposes. This is the existing parking lot area south of the driveway entrance on Military Avenue. This area will remain exclusively C3 uses into the future. Design standards are noted in the PUD language, which requires at least 50 percent of new construction of a building to have a footprint parallel to Military Avenue. It is recommended to create a buffer of commercial, mixed, or residential uses along Military Avenue between the old ShopKo building, which can have limited light industrial uses as well as C3 commercial uses.

Development Area B:

This area currently contains the Superior Discount Liquor store: This area is the plane north of the southern right-of-way of Leo Street, westward to Randal Street. The existing use is permitted in C3 and will remain for at least the near future. This development area is permitted all C3 uses and the following LI uses:

- a. Limited production and processing
- b. Contractor yard (Must be fully enclosed within building)
- c. Dry cleaning establishment, commercial laundry
- d. Research and development facility
- e. Material recovery facility (minor)*
- f. Ground transportation service *
- g. Package delivery service *
- h. Public safety/service facility
- i. Telecommunication tower, wireless communication facility *
- j. General office
- k. Government office
- l. Bank or other financial institution
- m. Clinic, health care facility
- n. Artist's studio
- o. Dwelling in conjunction with business *
- p. Live work unit *

- q. Warehousing accessory to primary business
- r. Educational/training facility
- *Conditional use subject to approval by the Common Council

This distinction limits specific LI uses within the area of the existing building and parking for the existing store and provides sufficient dimensional standards for potential future commercial redevelopment along the frontage in the future. If the area were to have a change of use in the future to light industrial uses, then it would need to comply with light industrial buffering (along Randall Court) and meet C3 design guidelines. A landscape buffer in compliance with Section 44-1964 is not a recommended requirement at the moment as the area continues to be the existing retail service which has operated for decades at the site.

Development Area C:

The remaining area of the parcel, primarily the existing former department store and parking spaces. This area is bounded by rail road tracks to the south, the edge of commercial areas to the east and north and Randall Court to the west. With the existing parcel being as large as it is, this creates an interior to the commercial corridor to the north and east. Staff believes a limited light industrial use can be compatible with other uses so long as the uses are limited and any new development on the site meets site plan standards for industrial use alongside residential uses.

This development area is permitted all C3 uses and the following LI uses.

- a. Limited production and processing
- b. Contractor yard (Must be fully enclosed within building)
- c. Dry cleaning establishment, commercial laundry
- d. Research and development facility
- e. Material recovery facility (minor)*
- f. Ground transportation service *
- g. Package delivery service *
- h. Public safety/service facility
- i. Telecommunication tower, wireless communication facility *
- j. General office
- k. Government office
- l. Bank or other financial institution
- m. Clinic, health care facility
- n. Artist's studio
- o. Dwelling in conjunction with business *
- p. Live work unit *
- q. Warehousing accessory to primary business
- r. Educational/training facility
- *Conditional use subject to approval by the Common Council

Because the applicant is requesting industrial uses to become permanent in nature, staff recommends the site comply with landscape buffers detailed in Section 44-1964 in a timely manor as a condition of the PUD. This must be completed within x months of council approval. Any improvements to the site in future beyond typical maintenance are subject to the standards of the Green Bay Municipal Code.

Staff believes by having the parcel distinguished into three different development zones, appropriate actions can be taken into the future to continue redevelopment along the commercial corridor, require sufficient buffering between existing residential uses alongside industrial use and allow for defined industrial uses for a land owner who has extensive industrial reach throughout the Military-Western Avenue area.

If the draft PUD is approved with conditions, the final steps for the development of the proposed apartment will be a lot split, recording of an ingress/egress agreement for multi-family residential purposes if the

concurrent PUD is approved, and administrative review/approval of a site plan which updates the landscape buffer in alignment with industrial uses for all areas within Development Area C within 12 months of Council approval. In addition, the property is currently under a development agreement between Martin and the City for the whole block (including the multi-family area).

RECOMMENDATION

Staff recommends approval of the amended PUD language.

FISCAL IMPACT

ATTACHMENTS

1. ZP 22-41 Application
2. ZP 22-41 Narrative
3. ZP 22-41 PUD



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: 216 South Military Avenue

Parcel Number(s): 6-266-E

Petitioner(s): Mau & Associates LLP

Date: 11/14/2022

Email: sbieda@mau-associates.com

Phone Number: 920-434-9670

Address: 400 Security Blvd

City: Green Bay

State: WI

Zip: 54313

Property Owner: Henry Real Estate Development LLC

Phone Number: 920-321-3013

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Steve Bieda of Mau & Associates LLP, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$300.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☒ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$150.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$200 Administration Fee) – PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$200.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: _____

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____

Here is a brief timeline of the conditions leading to the current request. An affiliated entity of HJ Martin ("HJ Martin") purchased the old Shopko building to use for expanded warehouse space to their headquarters just South of the site. HJ Martin then entered into Lease Agreement with Bellin Health for medical storage and medical restoration uses. A Conditional Use Permit for Bellin's uses was applied for and following the application, a Development Agreement was entered into granting the conditional use with the stipulation that within 3 years (with two, one-year extensions) a "concept plan" be submitted for further development of this site. The City suggested a concept involving residential affordable housing between Military Avenue and the existing Shopko building. HJ Martin pursued Gorman to develop affordable housing along the Military Avenue portion of site. Part of the Offer to Purchase with Gorman contains a contingency that HJ Martin's conditional uses become permanent through a Planned Unit Development, as well as truck access to the old Shopko building being relocated to better suit the existing owners/tenants, as shown on the PUD. If ANY of these contingencies are not granted, the Offer will be terminated. Access from the new apartment site will also need to be granted for the proposed apartments to Leo Street. The access and allowable uses through the PUD are major contingencies in the Offer to Purchase. The Development Agreement with the City of Green Bay spells out the uses for the existing old Shopko building. These uses will become permanent zoning conditions to the property once the PUD is approved. This PUD, along with the PUD submitted by Gorman, jointly comprise the Developer's "concept plan" as required by the Development Agreement and should be considered for approval together as the Gorman PUD is contingent upon this PUD application being approved.

-The requested PUD shall address the storage of the following materials to be stored in the existing building, including but not limited to:

- i. Flooring Materials (Hardwood, Ceramic Tile, Vinyl, Carpet, Carpet Pad)
- ii. Flooring Sundries (Adhesive, Caulk, Grout, Metals)
- iii. Tools & Equipment (Power tools, Hand tools)
- iv. Acoustical Ceiling Tile & Grid
- v. Shower Doors & Mirrors
- vi. Wheelchairs
- vii. Oxygen Tanks
- viii. Other Medical Equipment

-Training facility to include, but not be limited to, fixture installation, case work mockups, shower mockups, stair mockups and classrooms with chairs.

-The permanent future use of the structure with the proposed temporary use will be determined in a future rezoning and/or land division of the Property.

ZONING ORDINANCE NO. XX-22 (MARTIN PORTION OF BLOCK)

AN ORDINANCE

REPEALING AND RECREATING A PLANNED UNIT DEVELOPMENT (PUD)
OVERLAY DISTRICT FOR PROPERTY LOCATED AT 216 SOUTH MILITARY
AVENUE

(ZP 22-41)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 44-29, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described property:

Legal Description: Lot 1 of Certified Survey Map No. 1366, being part of Private Claim No. 1 and the vacant strip of land, West Side of Fox River, in the City of Green Bay, Brown County Wisconsin except Commencing at the Southeast Corner of said Lot 1 of Certified Survey Map No. 1366, thence N26°10'17"E, 276.60 feet along the West right of way of South Military Avenue to the point of beginning; thence N26°10'17"E, 246.18 feet along said west right of way; thence 18.91 feet along the arc of a 12.00 foot radius curve to the left whose chord bears N18°57'46"E from said West right of way of South Military Avenue to the South right of way of Leo Street; thence N64°05'49"E, 174.77 feet along said South right of way of Leo Street; thence S26°10'17"W, 258.24 feet; thence S64°05'49"W, 186.83 feet to the point of beginning.

Tax Parcel: Part of Parcel 6-266-E

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. Purpose and Intent. The Planned Unit Development (PUD) is being utilized to permit the permanent use of both Community Center Commercial (C3) and targeted Light Industrial (LI) uses in the 7.25 acres bounded by South Military Avenue on the east, Green Bay and Western Railroad on the south, Randall Street on the west, Alfran Street, and Leo Street on the north. PUD addresses targeted development areas with differing use and design standards along commercial and residential corridors and the interior of the block. To meet the distinctions in targeted development, the site is separated into three development areas

Development Area A: Starting at the Southeast Corner of Lot 2 on the accompanying CSM (Exhibit A); the area identified in the development area map (Exhibit C) which is generally south of Lot 2 to the existing northern wall of the former Shopko building. Area generally 186.83 feet of the right of way

of South Military Avenue and 170 feet south of Lot 2 to the existing feet building.;

Development Area B. All areas north of the plane of the southerly right of way of Leo Street extended westerly to Randall Court noted on said attached development area (Exhibit C)

Development Area C. Remaining areas on Lot 1 of said attached development area. (Exhibit C)

- B. Development Site. Area included within this PUD is proposed as Lot 1 of an accompanying Certified Survey Map (Exhibit A). The existing parcel located at South Military Avenue and Leo Street will be divided into a separate lot comprising 7.25 acres/315,765 square feet. The existing site has a building with warehousing, educational/training facility and parking lot uses as well as a separate building with a liquor store use.

C. Land Use Regulation.

1. Permitted Uses.

Development Area A:

- a. Uses as allowed under the Community Center Commercial (C3) district.

Development Area B:

- a. Uses as allowed under the Community Center Commercial (C3) district.
b. Limited production and processing
c. Contractor yard (Must be fully enclosed within building)
d. Dry cleaning establishment, commercial laundry
e. Research and development facility
f. Material recovery facility (minor)*
g. Ground transportation service *
h. Package delivery service *
i. Public safety/service facility
j. Telecommunication tower, wireless communication facility *
k. General office
l. Government office
m. Bank or other financial institution
n. Clinic, health care facility
o. Artist's studio
p. Dwelling in conjunction with business *
q. Live work unit *
r. Warehousing

s. Educational/training facility

*Conditional use subject to approval by Common Council

Development Area C:

- a. Uses as allowed under the Community Center Commercial (C3) district.
- b. Limited production and processing
- c. Contractor yard (Must be fully enclosed within building)
- d. Dry cleaning establishment, commercial laundry
- e. Research and development facility
- f. Material recovery facility (minor)*
- g. Ground transportation service *
- h. Package delivery service *
- i. Public safety/service facility
- j. Telecommunication tower, wireless communication facility *
- k. General office
- l. Government office
- m. Bank or other financial institution
- n. Clinic, health care facility
- o. Artist's studio
- p. Dwelling in conjunction with business *
- q. Live work unit *
- r. Warehousing
- s. Educational/training facility

*Conditional use subject to approval by Common Council

2. Prohibited Uses.

- a. Outdoor storage and display of product/material/equipment
- b. Sale or display of vehicles/equipment
- c. Accessory Structures Uses
- d. Self-service storage warehousing

- D. Dimensional and Area Requirements: Dimensional and area requirements or principal structure and surface parking on the subject property shall be regulated as follows:
- a. Development Area A,B and C: Dimensional and area requirements for principal structures on subject property shall be compliant with Community Center (C3) district.

- F. Access Circulation and Parking. Access, circulation, and parking within the PUD area shall meet the standards as set forth within the Chapter 44, Article XVIII of the Green Bay Municipal Code, and as modified as follows:
- a. Access to the site shall be maintained through a shared access easement between Lot 1 of attached proposed Certified Survey Map and Lot 2 of said Certified Survey Map. Shared access easement must be recorded with the Brown County Register of Deeds prior to the

issuance of building permits.

- b. All access points shall meet Green Bay Municipal Code and must be approved by the city traffic engineer.
- c. No railroad spurs are permitted off of any railroad property onto the Development Area A.

G. Building and Site Maintenance. Existing buildings and grounds shall be maintained in good repair.

- a. Development Area A: Any new building development shall have a building footprint which encompasses minimum of 50% of the street frontage parallel to South Military Avenue within the development area.
- b. Development Areas B and C: No fences are allowed to be erected within 200 feet of the public right of way of South Military Avenue, Leo Street, or Alfran Way
- c. No building design element associated with industrial uses shall be permitted e.g. dock doors, garages, lifts, mechanicals or other such similar design features as determined by the Development Director or their designee shall be allowed in areas visible from South Military Avenue. No new loading docks on the east, north, or south faces with the exception of existing loading docks.
- d. Service and loading is permitted along the Randall Street right of way.
- e. Any reconstruction (beyond maintenance) must comply with Green Bay Municipal Code requirements for C3 dimensional and other regulatory standards.

H. Lighting. All lighting on the subject property shall be regulated as set forth in Chapter 44, Article V, Division 8, Green Bay Municipal Code.

I. Signage. All signage shall be regulated as follows:

- a. New signs, including but not limited to freestanding and wall signs, shall conform to C3 Zoning District requirements, as specified in Chapter 30, Signs, Green Bay Municipal Code in addition with the following:
- b. One (1) pole/pylon directory sign or one (1) monument directory sign is permitted to display the whole of the tenants within Development Area A, B, and C campus.
 - i. Any tenant within Development Area A, B, or C may be apart of signage
 - ii. Freestanding signage to display the whole of tenants is limited to either one (1) pylon directory sign or one (1) monument directory sign.
 - iii. Either pole/pylon sign or monument sign must meet height and

size standards of C3 Zoning District requirements.

- c. Any changes to the design, location, or size of the existing freestanding signs require review and approval of a Sign Permit and must conform to the following:
 - i. These signs must remain perpendicular to the nearest public right-of-way.
 - ii. Pole signs shall be no higher than existing conditions at the time of PUD approval.
 - iii. Tenant panels on directory signs may be internally illuminated. No exterior lighting is permitted.
 - iv. If existing signage is used as a directory sign for two or more tenants within Development Areas A, B, or C; that sign will become the single pylon or directory sign or monument directory sign for the entire PUD.

J. Site Plan Review & Standards

- a. Prior to the issuance of any building permits, site plans shall be submitted and reviewed per Chapter 44 Article XIX, Green Bay
- b. If any site has been purchased, it shall not be further divided without review and consent of the City.
- c. An updated change of use site plan must be submitted to the Department of Community and Economic Development to denote the existing change of use on the site.
- d. Temporary barriers on the site such as jersey walls or temporary concrete walls must be removed.
- e. All existing and new service, loading, and refuse areas shall be screened in accordance with Chapter 44, Section 44-1917, Green Bay Municipal Code.
- f. Any ground-mounted and/or roof mounted mechanicals shall be screened in accordance with Chapter 44, Section 44-1917, Green Bay Municipal Code.

K. Landscaping/Transitional Yard

- a. Prior to the issuance of any building permits, detailed landscape plans shall be submitted and reviewed per Chapter 44, Article XIX, Division 5, Green Bay Municipal Code.
- b. Within 12 months of approval of PUD by Common Council, Development Area C must be improved to meet standards of Article XIX, Division 5, Section 44-1964, Green Bay Municipal Code along the right of way adjacent to Randall Court.
- c. If a land use change occurs in Development Area B which is one of the permitted light industrial uses, an approved site plan must include improvement standards of Article XIX, Division 5, Section 44-1694,

Green Bay Municipal Code along the right of way adjacent to Randall Court

d. All existing landscaped areas must be maintained in good repair.

L. Prior to the issuance of any building permits, stormwater management plans, meeting the standards established by the City's Department of Public Works, shall be submitted to and approved by the City. See Chapter 30, Green Bay Municipal Code.

M. Compliance with all of the regulations of the Green Bay Municipal Code not covered under the PUD.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property.

All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit and the plans identified therein had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 44-82, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Exhibit A – Proposed Certified Survey Map
Exhibit B – Existing Site Survey Map
Exhibit C – Development Area Map

DRAFT

Mayor Eric Genrich

ATTEST:

Clerk

Attachments:

Exhibit A – Proposed Certified Survey Map

Exhibit B – Existing Site Survey Map

Exhibit C – Development Area Map

DRAFT

Exhibit A

CERTIFIED SURVEY MAP NO.

[illegible]

- ## NOTES

- JULY 21, 2022



THIS INSTRUMENT DRAFTED BY ANDREW W. WILKOWSKI, S-3121

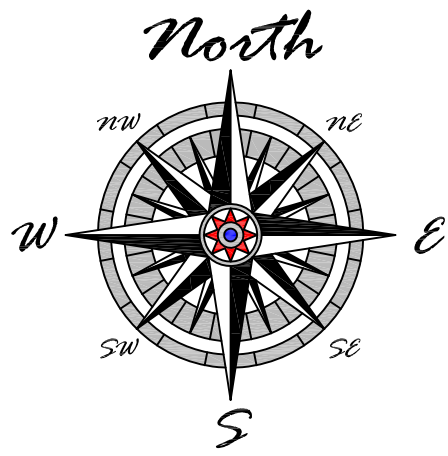
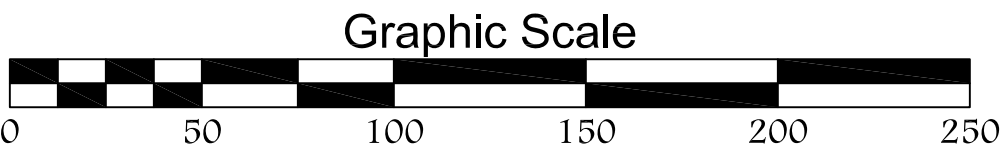
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	-	FIELDBOOK/PG: <u>-</u>	DRAWN BY: <u>DHS</u>
	-	SHEET NO: <u>1 OF 3</u>	CHECKED BY: <u>AWW</u>
	-		APPROVED BY: <u>AWW</u>
	-		

VOL. _____ PAGE _____
DOC. NO. _____
C.S.M. NO. _____

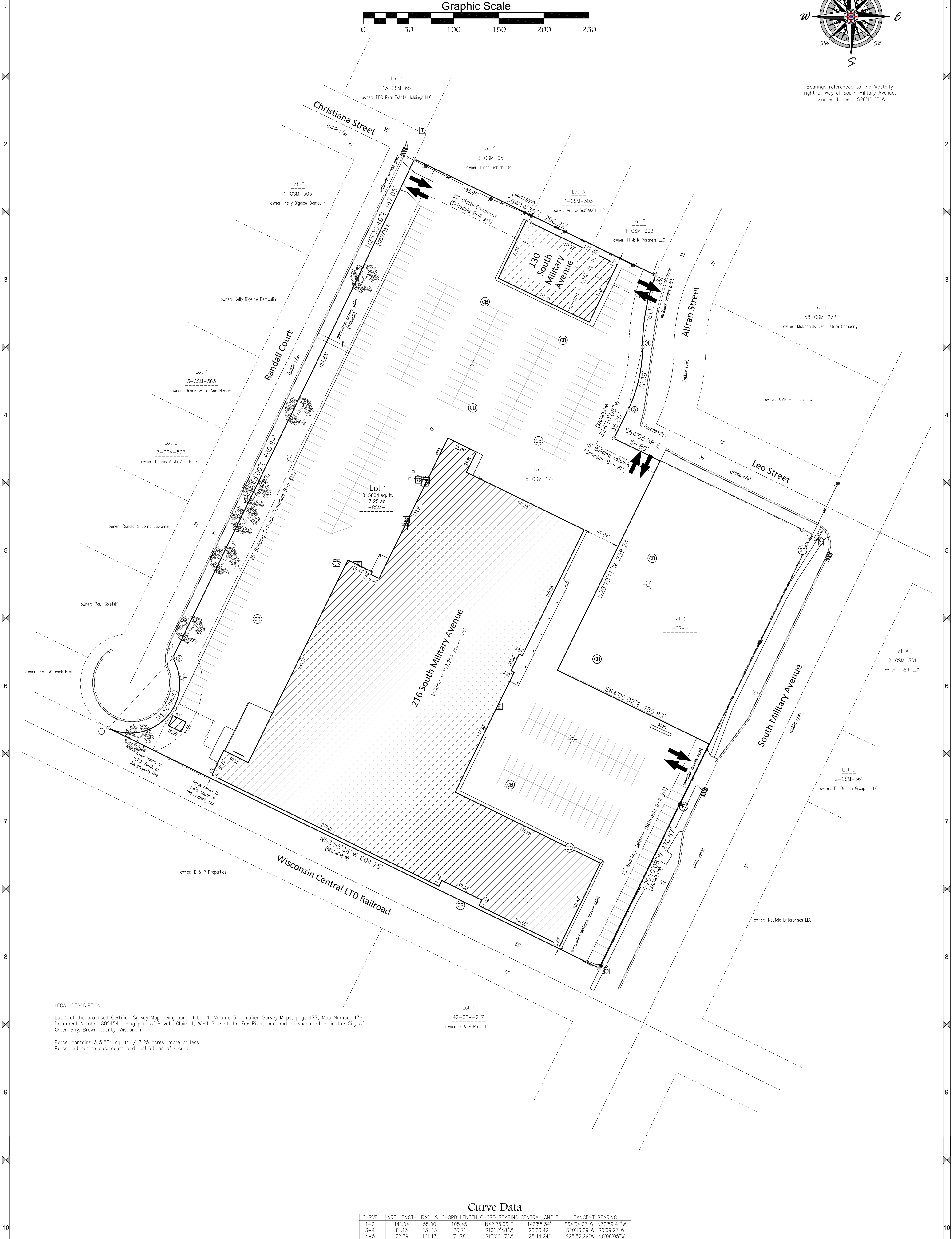
Exhibit B

- Planned Unit Development -

Lot 1 of the proposed Certified Survey Map being part of Lot 1, Volume 5, Certified Survey Maps, page 177, Map Number 1366, Document Number 802454, being part of Private Claim 1, West Side of the Fox River, and part of vacant strip, in the City of Green Bay, Brown County, Wisconsin.



Bearings referenced to the Westerly right of way of South Military Avenue, assumed to bear S26°10'08"W.



LEGAL DESCRIPTION

Lot 1 of the proposed Certified Survey Map being part of Lot 1, Volume 5, Certified Survey Maps, page 177, Map Number 1366, Document Number 802454, being part of Private Claim 1, West Side of the Fox River, and part of vacant strip, in the City of Green Bay, Brown County, Wisconsin.

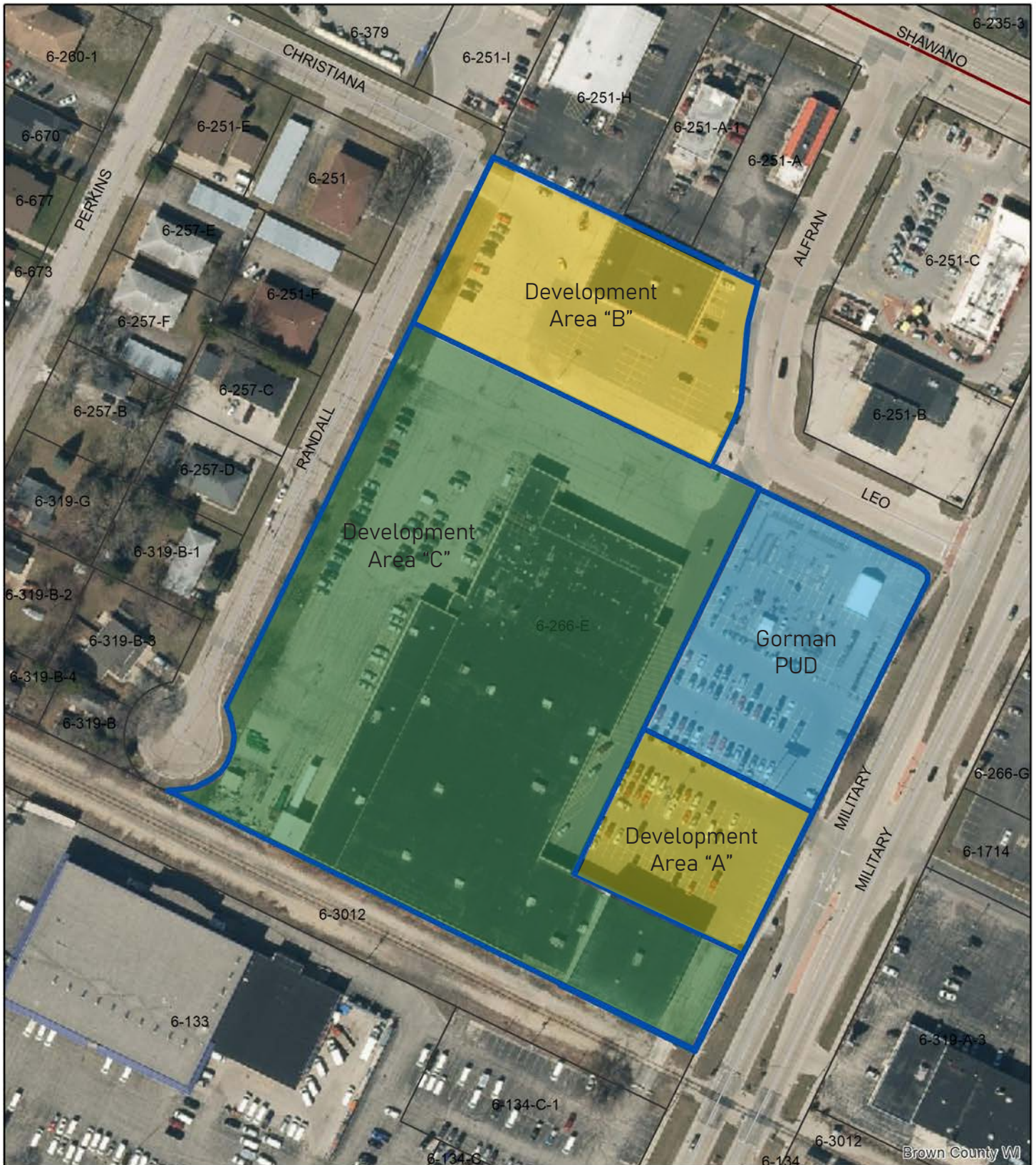
Parcel contains 315,834 sq. ft. / 7.25 acres, more or less.

Parcel subject to easements and restrictions of record.

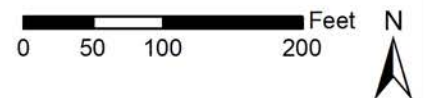
Curve Data

CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	CENTRAL ANGLE	TANGENT BEARING
1-2	141.04	55.00	105.45	N42°28'06"E	146°55'34"	S64°04'07"W, N30°59'41"W
3-4	81.13	231.13	80.71	S10°12'48"W	20°06'42"	S2016°09'W, S039°27'W
4-5	72.39	161.13	71.78	S13°00'17"W	25°44'24"	S25°52'28'W, N03°08'05'W

Exhibit C



216 S Military Ave Parcel 6-266-E



This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R.
19 Jan 2023 X:\Planning\Work Order Requests\2023\23.01 Office Maps\200 Block S Military.mxd



Report to the Green Bay Plan Commission

MEETING DATE

February 7, 2023

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # N.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)

BACKGROUND

Primary Address: 1950 Radisson Street

Aldersperson/District: Ald. Steven Campbell / District 6

Reason for Request: Request for a Conditional Use Permit (CUP) to allow a hobbyist shop for major vehicle repair in a Business Park (BP) district.

Surrounding Zoning and Land Uses:

SUBJECT: Business Park (BP) - Plumbing, Parking Lot

NORTH: Public Institutional (PI) - Wildlife Sanctuary, I-43

SOUTH: Business Park (BP) - Autobody, Manufacturing

EAST: Business Park (BP) - Heating and AC Service

WEST: Business Park (BP) - Design, Manufacturing

Comprehensive Plan: The 2022 Smart Growth Plan currently designates this area for light industrial uses. This CUP request is consistent with the recommendations of the Comprehensive Plan.

Report: 1950 Radisson Street is two parcels (parcel 21-1183-16 and 21-1183-15) on 0.56-acres and 0.50 acres (totaling 1.16 acres) on the City's east side, located south of I-43 between Cofrin Drive and Elizabeth Street. Sinclair Properties, LLC, operates a plumbing business on the property and owns both parcels. The western parcel is primarily an operational building for Sinclair Plumbing and a small portion of the shared driveway to the properties. The eastern parcel is mostly a parking lot servicing Sinclair Plumbing, but it also has an existing garage building. Petitioner Ben DeLeon has submitted this request to allow a hobbyist shop for major vehicle repair in approximately half of the garage on the eastern parcel.

An agreement between DeLeon and Sinclair will allow DeLeon to lease space within the garage to perform auto repair tasks. This falls into the major auto repair designation because DeLeon plans on rebuilding or reconditioning whole vehicles.

Attached is a site concept for the hobbyist shop for major vehicle repair. This use is generally in keeping with the BP zoning district. As the site is two parcels, one of the recommendations suggested by staff will be combining both parcels into a single parcel to ensure adequate parking for the operational building for Sinclair Plumbing in the future. The applicant does not plan on any site changes or improvements outside of the building. Overall, the site is sufficient to meet the parking needs of both Sinclair and a major repair shop.

In the review of the CUP, the Zoning Ordinance Section 44-83(e) establishes seven standards for the Plan Commission to consider when reviewing a CUP:

(1) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.

Staff believes the establishment, maintenance or operation will not be detrimental.

(2) The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Light industrial uses like major vehicle repair are not uncommon within BP.

(3) The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.

The additional use will be inside an existing building which has historically functioned well within the district.

(4) Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.

No additional improvements are being requested of the additional use, site is adequate.

(5) Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.

CUP will require the property to combine into a single lot, making future ingress and egress to both parcels standard.

(6) Adequate parking facilities as specified in Article XVIII of this chapter.

The parking lot meets capacity for both uses in the shared facility.

(7) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable City ordinances.

Ald. Steven Campbell and adjacent property owners within 200 ft. have been notified of the request. As of the drafting of this report, staff has received no objections or calls regarding this request.

RECOMMENDATION

Approval of the request, subject to the following conditions:

- 1) All repair work must be performed indoors, within the garage.
- 2) 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.

- 3) No outdoor storage of any kind is allowed for activity related to major vehicle repair.
- 4) A maximum of two vehicles may be in repair at any given time.
- 5) Both parcels, 21-1183-16 and 21-1183-15, must be combined into a single parcel.

FISCAL IMPACT

ATTACHMENTS

1. ZP 23-01 Request For City Action Cover Sheet
2. ZP 23-01 Property Map
3. ZP 23-01 Narrative
4. ZP 23-01 Applicant Use Map
5. ZP 23-01 1950 Radisson Resolution



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: 1950 Radisson St
Parcel Number(s): 21-1183-16 (sharing parking lot)
Petitioner(s): Ben DeLeon Date: 10-28-22
Email: benat1ionsden3@yahoo.com Phone Number: 920 371-7787
Address: 1960 Decker Ave City: Green bay State: WI Zip: 54302
Property Owner: Rich Sinclair Phone Number: 920-371-2788

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Ben DeLeon, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$300.00 Review Fee)
- ☒ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$300.00 Review Fee)
- ☐ PUD and PUD Amendments (\$350.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$150.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$150.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$100.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$100.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Grant a Postponement of Development Fees (\$100.00 Review Fee) [Review by I&S and/or Park Committees]
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$200.00 Administration Fee) - PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$200 Administration Fee) - PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$200.00 Review Fee)
- ☒ Other (\$200.00 Administration Fee): hobbyist shop

Owner Signature: _____ Date: _____

Petitioner Signature(s): Ben DeLeon Oct. 29. 2022

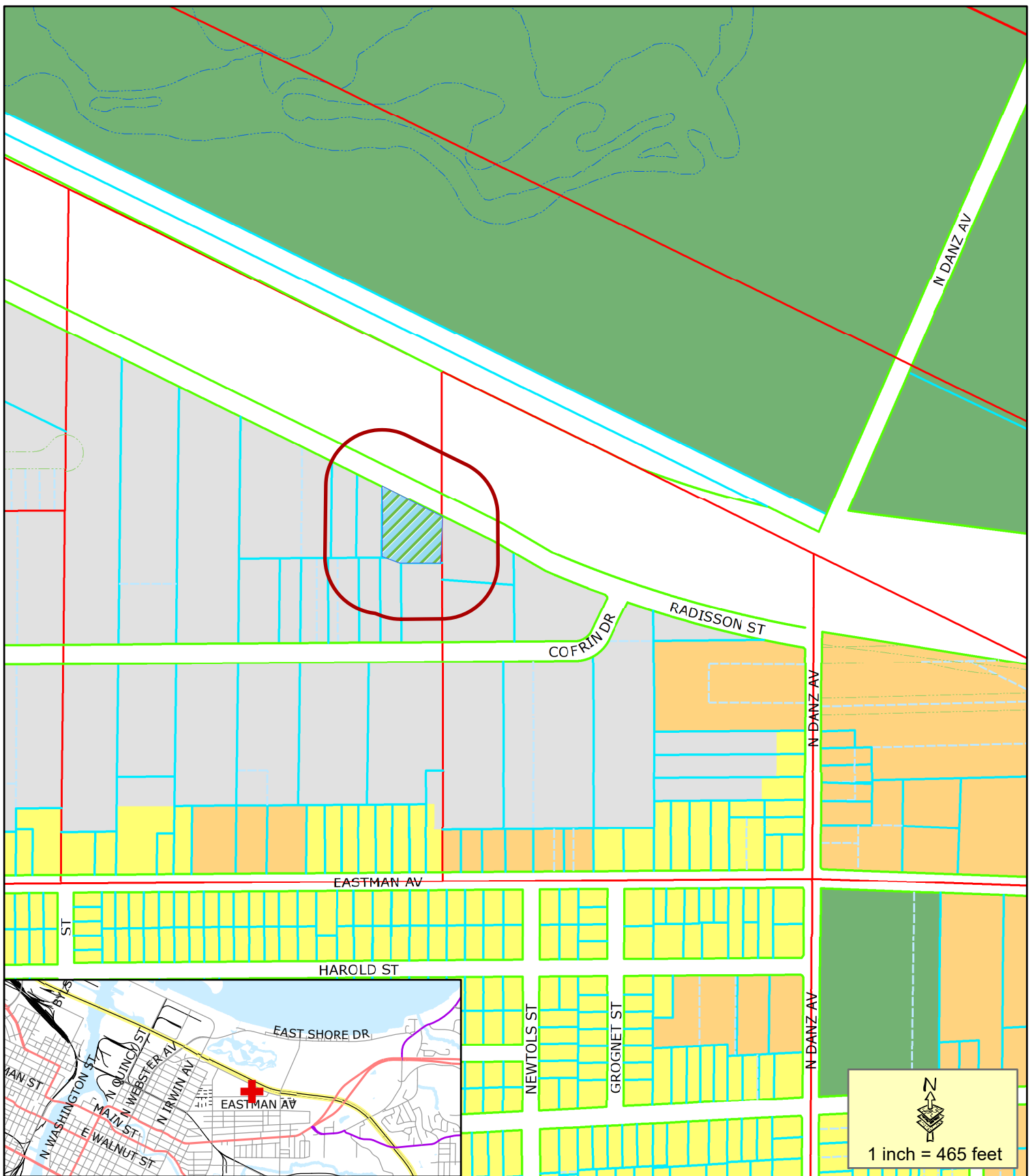
Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:
Review Fee: 300

Receipt No.: 2762335-5

Zoning Petition No.: 23-01



 Proposed Conditional Use Permit

 200' Property Owner Notice

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB

Conditional Use Permit Request (ZP 23-01) 1950 Radisson Street

Request for City Action: Plan Commission

Written Narrative

Petitioner: Ben DeLeon

Address: 1950 Radisson Street

Request: Conditional Use to operate hobbyist shoop for major vehicle repair. in BP district

Description:

Sinclair Plumbing owns both parcels 21-1183-15 and 21-1183-16 at 1950 Radisson. The western parcel contains "Building A" which is the hub of the Sinclair Plumbing operations. The eastern parcel has parking for Sinclair Plumbing and a detached garage, "Building B."

Sinclair Plumbing currently has 4 employees and has had up to 8 employees in the past. Sinclair Plumbing rents out approximately half of the accessory garage to Ben DeLeon on the eastern parcel. One garage bay exists for that half of the garage. Ben DeLeon is petitioning for the use of a hobbyist shop on the eastern part of the garage on the eastern parcel for major vehicle repairs.

Repairs to be made on vehicles that need repair like vintage cars. General repair for family and friends vehicles also. A max of two vehicles to be repaired at any given time. DeLeon can be compensated for time and labor for upgrades to vehicles.

Use within the property:

Using the detached garage on the parcel, renting half of the space which includes one vehicle bay for repairs. Garage area can hold up to two cars at one time. All repairs and materials will be kept indoors. Only use outside will be for parking to access hobbyist shop.

Only person using the hobbyist shop is Ben DeLeon. Friends and family may visit while Ben is working on their vehicles.

Hours of operation:

Generally, 8am-5pm

Parking:

Ben DeLeon uses one stall. Visitors use additional stalls. 3 Max visitors at any given time. No vehicles will be stored outside during the repair process.

Improvements:

No improvements to be made. Garage is ready for vehicle repair operations.

City of Green Bay Web Map



12/16/2022, 8:24:38 AM

1:960

- | | |
|--------------------|---|
| parcels | Lot boundary |
| Parcel Lines | Parcel line |
| <all other values> | Lines between deeds or lots (20pdashed) |
| Undetermined | Meander line |
| Right of Way line | Hydrography |
| Plat boundary | PLSS line |
| Block boundary | Note |

County of Brown, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, Brown County

Web AppBuilder for ArcGIS
Esri, HERE, FAO, NOAA | Brown County WI | Brown County | USGS | Mike Hronek |

**RESOLUTION AUTHORIZING CONDITIONAL USE
PERMIT AT 1950 RADISSON STREET
(ZP 23-01)**

FEBRUARY 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 23-01 and the recommendation of the Plan Commission on January 23, 2023, the City of Green Bay does authorize a Conditional Use Permit (CUP) for a hobbyist shop with major vehicle repair use in the Business Park (BP) district on the following described property located at 1950 Radisson Street, submitted by Ben DeLeon; Sinclair Properties LLC, property owner:

Legal Description:

Lot 3 and Lot 4 of 7-CSM-103, being part of Government Lot 2, Section 29, T24N-R21E, City of Green Bay, Brown County, Wisconsin

Tax Parcel Nos. 21-1183-15, 21-1183-16

Said CUP shall be granted subject to the following conditions:

- 1) All repair work must be performed indoors, within the garage
- 2) 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
- 3) No outdoor storage of any kind is allowed for activity related to major vehicle repair
- 4) A maximum of two vehicles may be in repair at any given time
- 5) Both parcels 21-1183-16 and 21-1183-15 must combined into a single parcel
- 6) Compliance with all other regulations of the Green Bay Municipal Code

Adopted _____

Approved _____

Mayor

Clerk

jel
Attachment – Map



Report to the Green Bay Plan Commission

MEETING DATE

February 7, 2023

PREPARED BY

David Buck, Staff

AGENDA ITEM # N.4

To approve a subdivision variance at 1095 Langlade Avenue (Parcel # 1-1393-A).

BACKGROUND

Primary Address: 1095 Langlade Avenue

Alderson / District: Ald. Chris Wery / District 8

Reason for Request: The proposed subdivision variance will permit the division of the lot into two, thereby creating two substandard lots in relation to size. One lot will then front Langlade Ave and the other will front Rockdale St.

Surrounding Zoning and Land Uses:

Subject Property: Low Density Residential (RI) - Single Family Home

North: Low Density Residential (RI) - Single Family Homes

South: Low Density Residential (RI) - Single Family Homes

East: Low Density Residential (RI) - Single Family Home

West: Low Density Residential (RI) - Single Family Home

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends Low Density Residential Uses.

Report: The Plan Commission and City Council have the authority to approve variations to the specific requirements of the Subdivision and Platting Ordinance. See the code language below.

Section 36-457 of the Subdivision and Platting Ordinance dictates when the Plan Commission and Common Council find that extraordinary hardship or injustice will result from strict compliance with this ordinance, the terms may vary to the extent deemed necessary and proper to grant relief, provided that the modification meets the following standards:

- a. The modification is due to physical features of the site or its location.
- b. The modification is the least deviation from this ordinance, which will mitigate the hardship.
- c. The modification is not detrimental to the public interest and is in keeping with the general spirit and intent of this ordinance.
- d. Modifications may also be granted for a complete community or neighborhood unit that provides adequate public spaces and improvement for the circulation, recreation, light, air, and service needs when fully developed and populated.
- e. The requirement of filing and recording the plat or survey shall not be waived.
- f. Any modification thus granted shall be entered in the minutes of the Council, along with the reasons which, in the opinion of the Council, justified the modification.

The existing parcel is 50 ft. wide by 202 ft. deep (10,154 sq. ft. / 0.223 acres) and is double fronted with

frontage on both Langlade Avenue and Rockdale Street. A Certified Survey Map was submitted to divide this parcel into two lots. Lot 1 is proposed to be 50 ft. wide by 114.33 ft. deep (5,737 sq. ft. / 0.131 acres), would front Langlade Avenue, and contain an existing single-family home with attached garage. Lot 2 is proposed to be approximately 50 ft. wide by 87 ft. deep (4,373 sq. ft. / 0.1 acres), would front Rockdale Street, be vacant and ready for new development.

The minimum frontage in the R1 District is 75 ft.; however, the request does not change the existing 50 ft. frontages on either Langlade Avenue or Rockdale Street and staff does not feel it is a factor in the variance request. The minimum lot area in the R1 District is 7,500 sq. ft. Both new lots will be substandard in lot size with proposed lot 1 being 5,737 sq. ft. and proposed lot 2 being 4,373 sq. ft. While these lot areas may seem small when compared to code requirements, it is important to note that the properties along the 1000-1100 Block of Rockdale Street range from 3,900 sq. ft. (directly adjacent to the west) to almost 8,000 sq. ft. Thereby showing that the conformity that the current subdivision code has attempted to establish had not taken place when originally platted and that the smaller lot size is not inconsistent with the neighborhood character.

Staff believes the subdivision variance is justified as the proposed CSM will correct the current double-fronted lot, will not create any new or expanded nonconformities and will retain the ability to be developed with a use permissible in the zoning ordinance. This application meets the hardship requirements provided in 36-457, specifically based on the physical features of the existing site, provides the least deviation from the ordinance, and the modification is not detrimental to the public interest or general intent of the code.

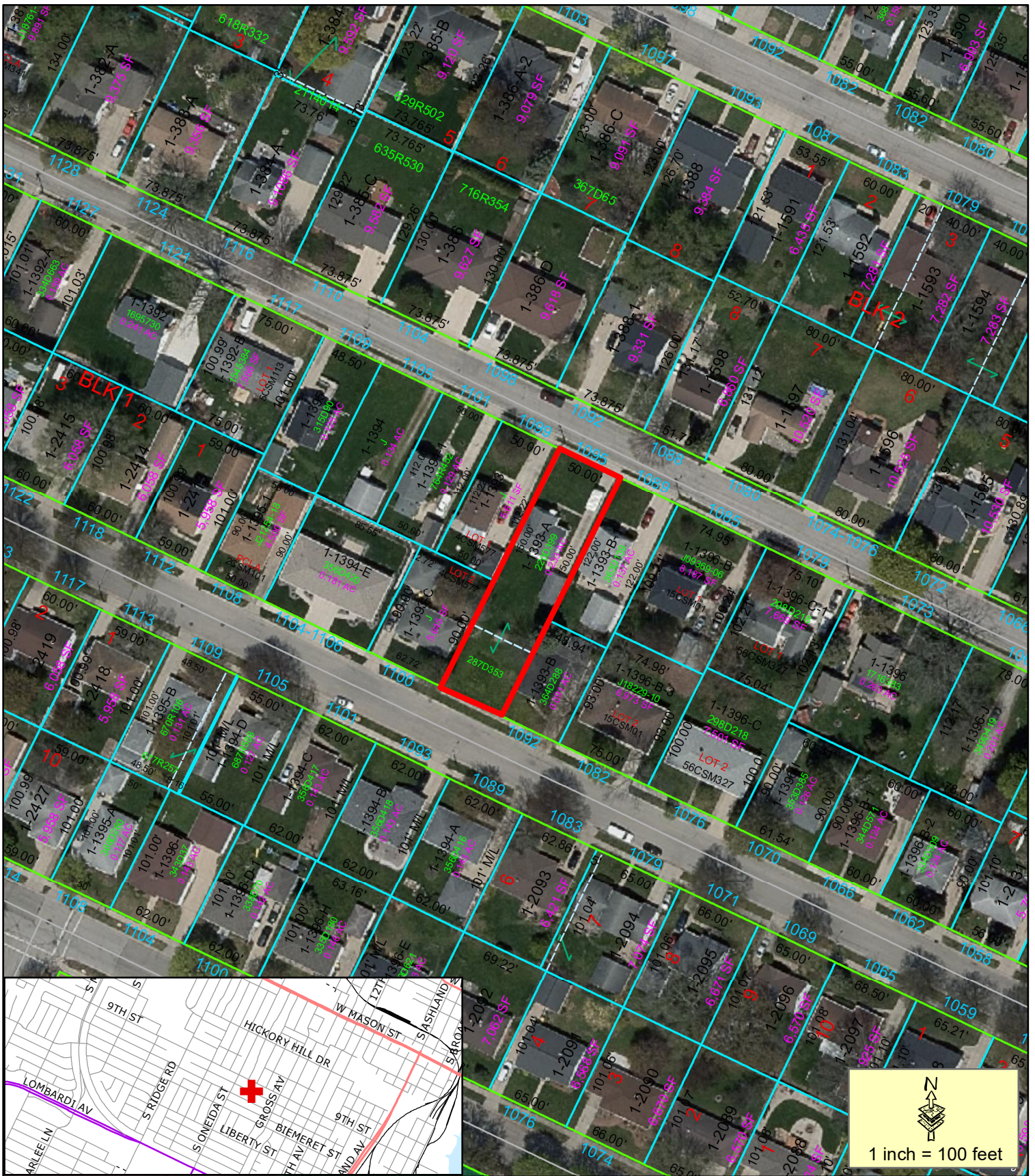
RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

1. VR 23-01 PropMap
2. Request for City Action Application - Signed
3. Letter of Explanation
4. Hoeft Preliminary CSM



Proposed Variance

Variance Request (VR 23-01) 1095 Langlade Ave

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB





REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: 1095 Langlade Avenue, Green Bay, WI 54304

Parcel Number(s): 1-1393-A

Petitioner(s): Aaron Ballast, TNT Professional Land Surveyors, Inc. Date: 12/23/2022

Email: tnt-pls@tntsveyors.com

Phone Number: 920-406-1477

Address: 2154 Early Street

City: Green Bay

State: WI

Zip: 54304

Property Owner: Donald & Wendy Hoeft Living Trust of 2013

Phone Number: 920-609-7263

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Aaron Ballast, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☐ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☒ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$150.00 Review Fee)
- ☒ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$275.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: 12/23/22

Petitioner Signature(s): _____

Digitally signed by Aaron Ballast
Date: 2022.12.23 08:49:49 -0500

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____



December 23, 2022

City of Green Bay
Plan Commission
100 N. Jefferson Street, Rm 608
Green Bay, WI 54304

2154 Early Street • Green Bay, WI 54304
Ph. 920.406.1477
Fax 920.569.2605
tnt-pls@tntsveyors.com

To Whom It May Concern:

I am respectfully submitting a Certified Survey Map (CSM) and a CSM Variance to the City of Green Bay for Parcel No. 1-1393-A, located at 1095 Langlade Ave, Green Bay, WI 54304.

The reason for the CSM is to split the current lot into 2 lots. Currently the lot has frontage on both Langlade Avenue and Rockdale Street. Lot 1 would encompass the existing homestead and detached garage, and has a driveway on Langlade Ave. Lot 2 would be a blank lot and would be made available for development. Lot 2 would have road access/frontage to Rockdale St. The line between the lots is drawn at right angles to the side lines and is set to be 4' from the existing detached garage on proposed Lot 1.

The reason for the CSM Variance is because Lot 2 does not meet the minimum requirements for lot area per the City's zoning ordinance (5000 Sq. Ft.) However because the proposed Lot 2 is very similar to adjacent and surrounding lots, and even larger than some, we feel the change is easily justified. Also the parcel in it's existing form, currently has double frontage which is abnormal for the area, and can create an unusual situation with a driveway, setbacks and future accessory structures.

Thank your for your consideration in this matter.

Sincerely,

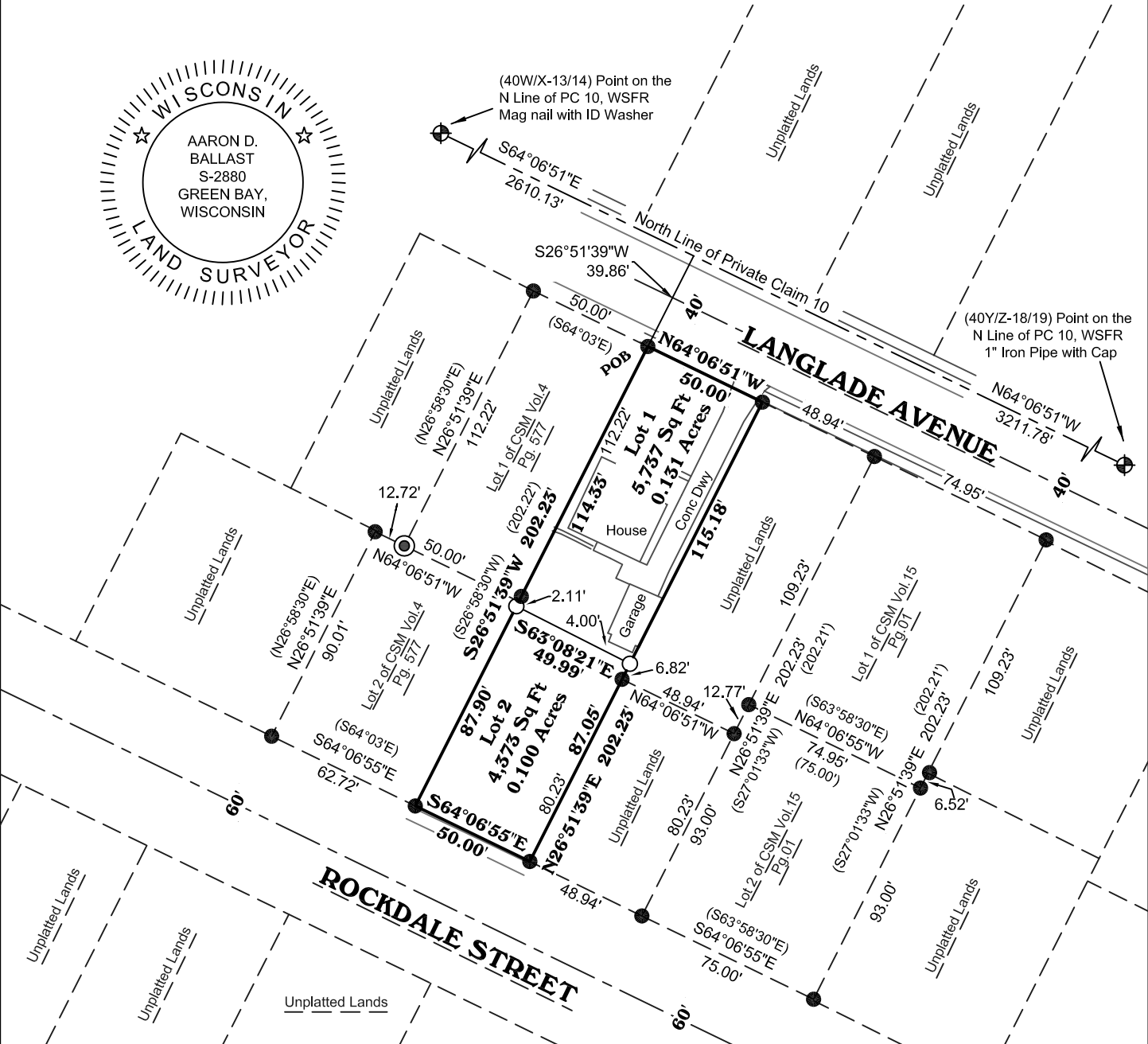
A handwritten signature in blue ink, appearing to read "AB 3" followed by a flourish.

Aaron D. Ballast PLS, CST
President

Preliminary

CERTIFIED SURVEY MAP

A Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin.





TNT
Professional Land
SURVEYORS Inc.
2154 Early Street
Green Bay, WI 54304
(920)406-1477
Job # 1222-108

Tax Parcel No.: 1-1393-A
Owner: Donald D. & Wendy M Hoeft
Living Trust of 2013
Address: 1095 Langlade Ave

Scale: 1"=60'



Bearings referenced to the North line of Private Claim 10 recorded to bear S64°06'51"E. Plat distances and ground lengths are measured in U.S. Feet.

- 
 - US Public Land Corner by Brown County as noted.
 - 1" iron pipe found and used to establish this survey unless noted.
 - 2" iron pipe found and used to establish this survey unless noted.
 - 1" by 24" Iron pipe weighing 1.68# per linear foot set.
 - Record Information

Preliminary

CERTIFIED SURVEY MAP

A Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I, Aaron D. Ballast, Professional Land Surveyor S-2880-008, do hereby certify that I have surveyed, divided and mapped a Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin, further described as follows:

Commencing at a point on the North Line of Private Claim 10, West Side of the Fox River, designated as 40W/X-13/14 according to Brown County Land Records; thence S64°06'51"E a distance of 2610.13 feet along the North line of Private Claim 10; thence S26°51'39"W a distance of 39.86 feet to the South Right of Way of Langlade Avenue also being the Point of Beginning; thence continuing S26°51'39"W a distance of 202.23 feet along the East line of Certified Survey Map Number 1276, Volume 4, Page 577, Document Number 787161, to the North Right of Way of Rockdale Street; thence S64°06'55"E a distance of 50.00 feet along said North Right of Way of Rockdale Street; thence N26°51'39"E a distance of 202.23 feet to the said South Right of Way of Langlade Avenue; thence N64°06'51"W along said Right of Way 50.00 feet to the Point of Beginning, having a total area of 10,110 Square Feet (0.232 Acres) more or less and subject to easements of record.

I do hereby further certify that I have made such survey under the direction of Donald D. Hoeft, owner, and that this map is a correct representation of the exterior boundary of the lands surveyed and the division thereof, and that this survey fully complies with the Chapter 236.34 of the Wisconsin Statutes, the City of Green Bay Subdivision Ordinance and is true and correct to the best of my knowledge and belief.

Field work was completed December _____, 2022.

Dated this _____ day of December, 2022

Aaron D. Ballast, S-2880-008

NOTES:

1. The property owner, at the time of construction, shall implement the appropriate soil erosion control methods outlined in "Wisconsin Construction Site Best Management Practice Handbook" (available from the Wisconsin Department of Natural Resources) to prevent soil erosion. However, if at the time of construction the City of Green Bay has an adopted a soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading, construction, or installation-related activities.
2. Lots 1 and 2 lies entirely within Airport Zoning District "C". The Austin Straubel International Airport Director shall be contacted for review and approval prior to any development or land disturbing activities within Airport Zoning District.

RESTRICTIVE COVENANTS

1. The land on all lot lines shall be graded by the subdivider and maintained by the property owner to provide for adequate drainage of surface water.
2. Each lot owner shall grade the property to conform to the adopted sidewalk grade elevation and maintain said elevation for future sidewalks.
3. No Poles, Pedestals or buried Cables are to be placed as to disturb any survey stake. A disturbance of a survey stake by anyone is a violation of Section 236.32 of the Wisconsin Statutes.



Preliminary

CERTIFIED SURVEY MAP

A Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin.

OWNER'S CERTIFICATE:
As owners, we hereby certify that we caused the land described herein to be surveyed, mapped, divided and dedicated as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval: City of Green Bay.

Kurt R. Phillips
Maureen A. Phillips
STATE OF WISCONSIN)
COUNTY OF BROWN) ss

Personally came before me this ____ day of _____ 2023, the above named owners to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public
My Commission Expires _____

CITY OF GREEN BAY PLANNING COMMISSION
Approved for the City of Green Bay Planning Commission on this _____ day of _____, 2023.

William D. Lockery
Principal City Planner

CERTIFICATE OF THE GREEN BAY CITY CLERK
As the duly appointed City Clerk for the City of Green Bay, I hereby certify that the records in my office show no unpaid taxes or special assessments affecting any of the lands included in this Certified Survey Map.

Douglas Daul
Green Bay City Clerk
Date





Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.I

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.

BACKGROUND

N.E.W. Community Clinic LTD would like to appeal and request reimbursement of the 2022 property tax bill for \$12,017.18.

Wisconsin Property Tax Exemption Request form was not submitted to the City Assessor by 3/1/2022.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. N.E.W. Community Clinic 2022 taxes reimbursement request packet



City of Green Bay Law Department
100 North Jefferson Street - Room 200
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3080
Fax 920.448.3081

January 26, 2023

N.E.W. Community Clinic

Todd Brice

Via Email: Todd.Brice@newcommunityclinic.org

Re: Request for Reimbursement - Property Tax Assessment for Tax Parcel 5-1523-1 (610 N Broadway)

Mr. Brice,

A request for reimbursement of the property taxes for the above-referenced parcel will be heard by the Finance Committee at 4:30, on Tuesday, January 31, 2023. City staff will provide the assessment letters, tax bills, and Property Tax Exemption Request form (received January 25, 2023). The Finance Committee will hear from a representative of N.E.W. for this agenda item. You can participate in the meeting via Zoom or in-person at City Hall. The agenda and packet of information for the Finance Committee can be reviewed on the City's website:

<https://greenbaywi.gov/129/Meetings-Agendas-Minutes>

The action of the Committee is a recommendation to the Common Council, to be considered by the Common Council on February 7, 2023, at 6 p.m. You may also participate in this meeting via Zoom or in-person at City Hall. All materials from the Committee will be forwarded on to the Common Council – no additional action will be necessary on your part.

The City cannot rescind or delay payment of the taxes by the January 31, 2023, deadline and failure to make the required payment could cause late fees or penalties to be incurred. We understand that N.E.W. acted on January 25, 2023, to make the required property tax payment, so no additional action is necessary at this time.

Please contact me with any questions.

Sincerely,

Lacey Cochart
Deputy City Attorney

cc: City Assessor
Director of Finance
City Clerk

REAL ESTATE PROPERTY TAX BILL FOR 2022

CITY OF GREEN BAY

Total Due For Full Payment

Bill #: 6116041
Parcel #: 5-1523-1
Alt. Parcel #:

NEW COMMUNITY CLINIC LTD
622 BODART ST
GREEN BAY WI 54301

By January 31, 2023
\$12,017.18

-- OR --

Pay First Installment

By January 31, 2023
\$6,008.59

Make Check Payable and Mail to:

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026
(920) 448-3055



Tear off this stub and include with your first or full payment. If receipt is needed, send a self-addressed stamped envelope.
If payment is made by check, receipt is not valid until check has cleared all banks.

MAIL: City of Green Bay, Tax Collection, 100 N Jefferson St, Room 106
Green Bay, WI 54301-5026

ONLINE: www.browncountywi.gov/propertytax
Use Guest sign-in. Enter Parcel# only in Property# field for best results.
VPS Convenience Fees: E-check \$1.25, Personal Visa Debit Cards \$3.95, and
Credit Cards/Other Debit Cards 2.55%

IN PERSON: City Hall Clerk's Office (available Mon-Fri 8:00AM-4:30PM, except holidays)
Parking is available at the hooded meter spots on north-side of City Hall

DROP BOX: Located on the Northeast entrance of City Hall (available any time)

NOTE: Homeowners check for Lottery Credit deduction on Primary Residence only.
For mailing address changes go to www.browncountywi.gov/addresschange
Receipts are available at www.browncountywi.gov/propertysearch
Postponed 2nd installment payments will be collected by Brown County.



STATE OF WISCONSIN
REAL ESTATE PROPERTY TAX BILL FOR 2022
CITY OF GREEN BAY
BROWN COUNTY

BILL NO. 6116041
Correspondence should refer to parcel number
PARCEL#: 5-1523-1

SEQ# 20967

Property Address
610 N BROADWAY

Assessed Value Land 244,700	Ass'd Value Improvements 402,200	Total Assessed Value 646,900	Ave. Assmt. Ratio 0.9548	Est. Fair Mkt. Land 256,300	Est. Fair Mkt. Improvements 421,200	Total Est. Fair Mkt. 677,500	☐ A star in this box means unpaid prior year taxes
Taxing Jurisdiction		2021 Est. State Aids Allocated Tax Dist.	2022 Est. State Aids Allocated Tax Dist.	2021 Net Tax	2022 Net Tax	% Tax Change	Gross Property Tax 12,085.21
CITY OF GREEN BAY			21,030,432		4,904.76	100.0%	First Dollar Credit -68.03
NORTHEAST WI VTAE			7,420,438		449.41	100.0%	Lottery Credit
GREEN BAY SCH DIST			157,043,333		4,553.58	100.0%	Net Property Tax 12,017.18
BROWN COUNTY			2,563,129		2,177.46	100.0%	
Total			188,057,332		12,085.21	100.0%	
		First Dollar Credit			68.03	100.0%	
		Lottery & Gaming Credit					
		Net Property Tax			12,017.18	100.0%	
School taxes reduced by school levy tax credit	\$ 869.50	IMPORTANT: Be sure this description covers your property. This description is for property tax bill only and may not be a full legal description.			Net Assessed Value Rate (Does NOT reflect credits)	TOTAL DUE FOR FULL PAYMENT	
NEW COMMUNITY CLINIC LTD		2948043	2939425	ACRES: 0.986	0.018681742	PAY BY January 31, 2023	
622 BODART ST		LOT 1 OF CSM 9265 IN 2939425			RETAIN THIS PORTION AS YOUR COPY	▶ \$ 12,017.18	
GREEN BAY WI 54301		BNG PRT OF FT HOWARD MILITARY RESERVE "RAILROAD GRANT"				Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty. Failure to pay on time. See reverse.	
							Installments may be paid as follows:

FOR INFORMATIONAL PURPOSES ONLY
- Voter Approved Temporary Tax Increases

Taxing Jurisdiction
GREEN BAY SCH DIST

Total
Additional Taxes
11,697,967.00

Total Additional Taxes
Applied to Property
867.64

Year
Increase Ends
2027

RETAIN THIS
PORTION AS
YOUR COPY

SEE REVERSE
SIDE FOR
IMPORTANT
INFORMATION

Installments may be paid as follows:
6008.59 DUE BY 01/31/2023
6008.59 DUE BY 07/31/2023

PA-685/2 (R. 8-15)

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026

PRESORTED
FIRST CLASS MAIL
US POSTAGE PAID
UMS

TAX BILL ENCLOSED
for 5-1523-1

FORWARDING SERVICE REQUESTED

NEW COMMUNITY CLINIC LTD
622 BODART ST
GREEN BAY WI 54301



Assessor's Office
100 North Jefferson Street - Room 102
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3066
Fax 920.448.3140

September 14, 2022

NEW COMMUNITY CLINIC LTD
622 BODART ST
GREEN BAY WI 54301-4923

2022 Notice of Assessment

This is not a tax bill

Under state law (Section 70.365 of the Wisconsin Statutes), your property assessment for 2022 is listed below.

Tax key number: 5-1523-1 located in the City of Green Bay, Brown County

Legal description: LOT 1 OF CSM 9265 IN 2939425 BNG PRT OF FT HOWARD MILITARY RESERVE "RAILROAD GRANT"

Property address: 610 N Broadway

Year	General Property			PFC/MFL
	Land	Buildings	Total	Total
2021	\$0	\$0	\$0	\$0
2022	\$244,700	\$402,200	\$646,900	\$0
Net change in assessment			\$646,900	\$0

Reasons for Change	
Land	Revalue
Buildings/Impts	New building, partial complete

Open Book: September 26, 2022 – October 11, 2022 Weekdays from 8:00 AM – 4:30 PM

Online / Phone / Email

To access the assessment roll, please visit the City's website at greenbaywi.gov/assessor

Board of Review: October 19, 2022 9:00 AM Council Chambers, 100 N Jefferson St., Green Bay, WI 54301
For more details on attending the Board of Review please refer to the City's website at greenbaywi.gov or call for assistance.

Municipal Clerk: Celestine Jeffreys (920)448-3010 clerk@greenbaywi.gov

Appraiser: Nichole Tesch (920)448-3067 nichole.tesch@greenbaywi.gov

If you would like to discuss your assessment, please contact the appraiser listed above by phone or email as soon as possible.

Assessment Information

State law (Section 70.32 of the WI Statutes) requires the assessment of taxable property (except agricultural, agricultural forest, and undeveloped) at full value as of January 1 each year. Assessments at a percentage of full value are acceptable when applied uniformly. To determine if your assessment is fair, you must analyze it in relation to full value. This is done by dividing your assessment by the general level of assessment for your municipality, which is estimated to be 100.00%.

Under Wisconsin law, generally, the assessor may not change the assessment of property based solely on the recent arm's length sale of the property without adjusting the assessed value of comparable properties in the same market area. For information on the assessment of properties that have recently sold, visit the Internet site of the Department of Revenue at <https://www.revenue.wi.gov/Pages/ERETR/data-home.aspx>.

To Appeal Your Assessment

First, discuss with your local assessor. Questions can often be answered by the assessor and not require an appeal to Board of Review (BOR). To file a formal appeal, give notice of your intent to appeal by contacting the BOR clerk at least 48 hours before the BOR begins. Complete and file your appeal form with the BOR clerk no later than the first two hours of the BOR's first meeting. Make sure you file a completed form or the BOR may not review your appeal. For more information on the appeal process, contact the municipal clerk listed above. Review the "Guide for Property Owners" (<https://www.revenue.wi.gov/Pages/HTML/govpub.aspx>). For a paper copy, email bapdor@wisconsin.gov or call (608) 266-7750.

CONTINUED ON BACK

January 18, 2023

To whom it may concern,

N.E.W. Community Clinic, Ltd. (the Clinic) would like to appeal the property taxes for calendar year 2022. The Clinic was established on July 28, 1971, as a non-profit safety net for healthcare services for individuals in Brown County who are uninsured or underinsured. Over the last 50 years, the Clinic has expanded services to those facing poverty including Medical, Dental, Behavioral Health, Wisconsin Infants and Children's (WIC), Health Benefits, and many others. These services are provided whether or not the patient has the ability to pay. The Clinic offers free services to those at the federal poverty line or below and offer a sliding fee discount to those who are 101% to 200% of the federal poverty level. NEWCC provides over \$2 million dollars of free services to the Brown County community. The Clinic's primary funding sources are Federal grants, Community donations, and Medicaid.

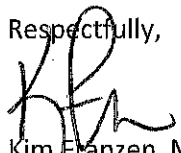
In February of 2021, the Clinic purchased property from the New Community Shelter on the corner of Mather and Broadway Streets in downtown Green Bay. After acquiring the property, the Clinic began a West Side expansion project that consisted of erecting an 11,000 square foot clinic. The construction project ended in June of 2022 when the Clinic opened our doors at the new site on June 2, 2022.

The Clinic received a real estate property tax bill for 2022 for \$12,017.18. The Clinic did not receive a property tax bill in 2021 when the property was purchased. The Clinic was not aware of the process to file a State of Wisconsin Property Tax Exemption Request form by March 1st in 2022. This lack of knowledge lead to property taxes due to the City of Green Bay, Northeast WI VTAE, Green Bay School District, and Brown County for 2022. This property tax bill is causing a hardship for the clinic because this tax bill is not an allowable expense for the Clinics funding sources.

Please kindly consider the appeal for the property taxes at 610 North Broadway Street for the N.E.W. Community Clinic for 2022. Attached you will find the supporting documents for the State of Wisconsin Property Tax Exemption Request.

I am available to discuss this matter in person or via phone at your earliest convenience.

Respectfully,



Kim Franzen, MSN, RN
Chief Executive Officer

Internal Revenue Service**Department of the Treasury**

**P. O. Box 2508
Cincinnati, OH 45201**

Date: February 27, 2001

Person to Contact:
Mary Freudenberg #31-03512
Customer Service Representative
Toll Free Telephone Number:
8:00 a.m. to 9:30 p.m. EST
877-829-5500
Fax Number:
513-263-3756
Federal Identification Number:
39-1200636

**N.E.W. Community Clinic
622 Bodart Street
Green Bay, WI 54301-4923**

Dear Sir or Madam:

This letter is in response to your request for a copy of your organization's determination letter. This letter will take the place of the copy you requested.

Our records indicate that a determination letter issued in February 1973 granted your organization exemption from federal income tax under section 501(c)(3) of the Internal Revenue Code. That letter is still in effect.

Based on information subsequently submitted, we classified your organization as one that is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

This classification was based on the assumption that your organization's operations would continue as stated in the application. If your organization's sources of support, or its character, method of operations, or purposes have changed, please let us know so we can consider the effect of the change on the exempt status and foundation status of your organization.

Your organization is required to file Form 990, Return of Organization Exempt from Income Tax, only if its gross receipts each year are normally more than \$25,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of the organization's annual accounting period. The law imposes a penalty of \$20 a day, up to a maximum of \$10,000, when a return is filed late, unless there is reasonable cause for the delay.

All exempt organizations (unless specifically excluded) are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more paid to each employee during a calendar year. Your organization is not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, these organizations are not automatically exempt from other federal excise taxes.

Donors may deduct contributions to your organization as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to your organization or for its use are deductible for federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

N.E.W. Community Clinic
39-1200636

Your organization is not required to file federal income tax returns unless it is subject to the tax on unrelated business income under section 511 of the Code. If your organization is subject to this tax, it must file an income tax return on the Form 990-T, Exempt Organization Business Income Tax Return. In this letter, we are not determining whether any of your organization's present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

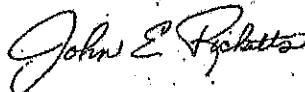
The law requires you to make your organization's annual return available for public inspection without charge for three years after the due date of the return. If your organization had a copy of its application for recognition of exemption on July 15, 1987, it is also required to make available for public inspection a copy of the exemption application, any supporting documents and the exemption letter to any individual who requests such documents in person or in writing. You can charge only a reasonable fee for reproduction and actual postage costs for the copied materials. The law does not require you to provide copies of public inspection documents that are widely available, such as by posting them on the Internet (World Wide Web). You may be liable for a penalty of \$20 a day for each day you do not make these documents available for public inspection (up to a maximum of \$10,000 in the case of an annual return).

Because this letter could help resolve any questions about your organization's exempt status and foundation status, you should keep it with the organization's permanent records.

If you have any questions, please call us at the telephone number shown in the heading of this letter.

This letter affirms your organization's exempt status.

Sincerely,



John E. Ricketts, Director, TE/GE
Customer Account Services



STATE OF WISCONSIN PROPERTY TAX EXEMPTION REQUEST

State law requires owners seeking exemption of a property for the current assessment year to file this form along with any necessary attachments. Failure to complete this form in its entirety may result in denial of exemption. The completed form and attachments must be filed with the assessor in the taxation district where the property is located by March 1 to be eligible for the current assessment year. See sec. 70.11, Wis. Stats., and the Wisconsin Property Assessment Manual for additional property tax exemption information. If more space is needed for any questions, use the "Additional Information" box on page 4 or attach additional sheets.

SECTION 1 - APPLICANT INFORMATION

1. Applicant Name
N.E.W. Community Clinic, Ltd.

Date
01 / 18 / 2023

2. Applicant is ☐ Sole proprietorship ☐ WI Chapter 181 corporation ☒ WI unincorporated nonprofit association
☐ Other (please explain):

3. Contact person: Kimberly Franzen

Address: 610 N Broadway
Green Bay, WI 54301

Telephone number(s): 920-940-8016

Email: Kim.Franzen@newcommunityclinic.org

Relationship to applicant: CEO

4. Registered agent: Kimberly Franzen

Address: 610 N Broadway
Green Bay, WI 54301

Telephone number(s): 920-940-8016

Email: Kim.Franzen@newcommunityclinic.org

5. Mailing address and phone number of Applicant if different than Contact Person:

6. Identify each organizational officer, the officer's address, the telephone number and the position held within the requesting organization.

7a. Please identify the use of the property:

- | | | | |
|--|--|--|---|
| ☐ Agricultural Fair | ☐ Library | ☐ Rehabilitation | ☐ Fraternity |
| ☐ YMCA/YWCA | ☐ Fire Company | ☐ Military | ☐ Hospital |
| ☐ Cemetery | ☐ Lions Camp | ☐ Bible Camp | ☐ Memorial |
| ☐ Farmer's Temple | ☐ Archaeological Site | ☐ Art Gallery | ☐ Charity |
| ☐ Held for Public Interest | ☐ Housing | ☐ Disability Camps | ☐ Labor Temple |
| ☐ Industrial Development Agencies | ☐ Waste Treatment | ☐ Radio Station | ☐ Medical Research |
| ☐ Sports/Entertainment | ☐ Humane Society | ☐ Youth Hockey | ☐ Theater |
| ☐ Mental/Physical Disabled Camp | ☐ Railroad Historic Society | ☐ Youth Baseball Association | ☐ Benevolent |
| ☐ Local Exposition | ☐ Historic/Architectural | ☐ Dependent & Development Disability | |
| ☐ Educational | ☐ Religious | ☐ Professional Sport/Entertainment Stadium | |
| ☐ Women's Club | ☐ Historical Society | ☒ Other (please explain in the "Additional information" box on page 4) | |

7b. Identify the precise statutory reference and language supporting the exemption.
501(c)3

8. State the organization's purpose, mission, and primary goal:

Provide medical & behavioral health services to uninsured and poverty of Brown County

9. Describe the services provided by the organization:

Medical & Behavioral Health Services

10. List the primary beneficiaries of the services:

Low-income residents of Brown County

11. Is there a fee charged, or revenue earned, for services provided? ☒ Yes ☐ No ☐ N/A
If Yes, what is the amount of the fee charged or revenue earned?

12. Do you provide any free service? ☒ Yes ☐ No ☐ N/A
If Yes, explain: We provide services regardless of the ability to pay

13. What percent of recipients receive free service (on an annual basis) ☐ N/A ☐ 35 %

14. Do you provide service to anyone at below market or reduced rates? ☒ Yes ☐ No ☐ N/A
If Yes, explain: See sliding fee schedule

15. What percentage of annual recipients receive services at below or reduced rates?	☐ N/A	60 %
16. Are you under any obligation to provide services to those who cannot pay? If Yes, explain:	☒ Yes ☐ No ☐ N/A	
HRSA Federally Qualified Health Center		
17. Does Applicant receive any subsidies, grants, or low or no interest loans to operate or otherwise provide its services? If Yes, identify sources and amounts and how monies are applied or used:	☒ Yes ☐ No ☐ N/A	
HRSA 2.1 Million for Medical & Behavioral Health Services		
18. How much of Applicant's annual gross income or revenue is derived from donations? What percentage is that of Applicant's total annual income or revenue?	☐ N/A	\$ 80,000.00 3 %
SECTION 2 – SUBJECT PROPERTY INFORMATION ☒ N/A		
<i>* If N/A, explain in the "Additional Information" box on page 4 of this form.</i>		
19. Property for which exemption is being applied ("Subject Property"): Address: 610 N. Broadway Green Bay, WI 54301 Tax parcel number: 5-1523-1 Number of acres: 1 Legal description: LOT 1 OF CSM 9265 IN 2939425 BNG PRT OF FT HOWARD MILITARY RESERVE "RAILR		
20. Estimated fair market value of Subject Property: \$ 677,500.00 If based on an independent appraisal, identify the appraiser and the purpose of the appraisal below. Appraiser: RUSS SCHWANDT as of 10 / 24 / 2022 Purpose of Appraisal: NEW CONSTRUCTION		
21. Owner of Subject Property: If Owner is different from Applicant, explain and identify the relationship between Applicant and Owner.		
22. Date Owner acquired Subject Property: 02 / 15 / 2021		
23. Person or entity from whom Owner acquired Subject Property: NEW Community Shelter		
24. Date Owner first began using and occupying Subject Property: 06 / 02 / 2022		
25. Date Applicant first began using and occupying the Subject Property: 06 / 02 / 2022		
26. Explain precisely how Applicant actually uses the Subject Property: Medical & Behavioral Health Services		
27. Explain in detail why Applicant feels the Subject Property qualifies for property tax exemption. Finally, describe precisely how applicant and the Subject Property fit within that statutory language. Federally Qualified Health Center owned by 501(c)3 Organization		
SECTION 3 – TENANT INFORMATION ☒ N/A		
28. Identify all persons and entities other than Owner who have the right to use and occupy any part of the Subject Property. Include all tenants, licensees, and concessionaires of the Subject Property. Use the space provided on page 4 or attach additional pages as necessary. For each, include: a. Name of tenant or occupant. b. Their mailing address and phone number. c. Their interest in the Subject Property. d. A precise and detailed explanation of how they actually use the Subject Property. e. The date from which they began occupancy of the Subject Property. f. The monthly rate or fee they pay to use or occupy the Subject Property. g. An explanation of how rent or other fees they pay to use and occupy the Subject Property are used and applied. h. The portion of the Subject Property they use or occupy. Indicate number of users other than owner, if there are no other users, enter "None". Number of other users:		
29. Identify the percentage of the Subject Property that is used or occupied by persons other than owner. %		
30. Was the subject Property used in an unrelated trade or business for which the Owner was subject to taxation under section 511 to 515 of the Internal Revenue Code? If Yes, explain: ☐ Yes ☐ No		

SECTION 4 – ATTACHMENTS**31. ATTACH COPIES OF THE FOLLOWING DOCUMENTS:****A. Documents regarding applicant, owner, tenant(s), or occupant(s) of the Subject Property (where applicable):**

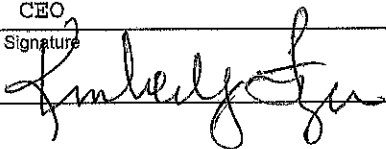
1. Proof of non-profit status (e.g. Determination Letter under I.R.C. 501(c)(3)).
2. Partnership Agreement, Association Documents, Articles of Incorporation, Charter and By-laws, including any amendments thereto.
3. Latest annual report filed with State Department of Financial Institutions.
4. Curriculum of educational courses offered.
5. Part II of Form 1023 (Application for Recognition of Exemption) filed with the Internal Revenue Service.
6. Form 990 (Return of Organization Exempt from Income Tax).
7. Form 990T (Exempt Organization Business Income Tax Return).
8. Ordination papers for the occupants if the Subject Property is to be considered eligible as housing for pastors and their ordained assistants, members of religious order and communities, or ordained teachers.
9. Leases and subleases affecting the Subject Property or any part thereof, including all amendments thereto.
10. Concessionaire agreements, license agreements, and other documents regarding the use of occupancy of the Subject Property or any part thereof, including all amendments thereto.
11. Covenants, restrictions, rules and regulations (recorded or unrecorded), and all amendments thereto, affecting use or occupancy of the Subject Property or title thereto and all amendments thereto.
12. Mortgages (recorded or unrecorded) affecting the Subject Property.
13. Copy of the documents listed in 1 through 12 above as the same relate to any tenant or occupant of the property.
14. Any other information that would aid in determining exempt status.

B. Documents regarding the Subject Property:

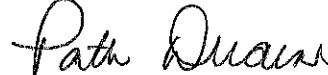
1. Survey of the Subject Property. This includes certified survey maps and subdivision maps and plats.
2. An Appraisal of the Subject Property.
3. Deeds or instruments of conveyance by which organization acquired interest in the Subject Property.
4. Any other information that would aid in determining exempt status.

SECTION 5 – AFFIDAVIT

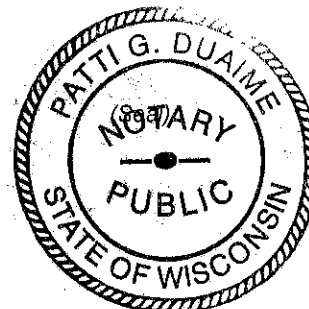
Under penalties of perjury, I, on behalf of the above-named organization/Applicant, hereby certify that I am authorized to sign and submit this application, and that the information and documents submitted herewith are true and correct to the best of my knowledge and belief.

Title CEO	Telephone (920) 940 – 8016	Date 1-19-2023
Signature 	Name (printed) Kimberly Franzen	

STATE OF WISCONSIN

COUNTY OF: BrownSubscribed and sworn to before me this 19th day of January, 2023

Notary Public

My Commission expires on 8-12-2023

Note: The following text is an excerpt from Stat., Sec. 70.11. Refer to current Wisconsin Statutes for the complete language or sections applicable to the exemption of property from taxation.

70.11 Property exempted from taxation. The property described in this section is exempted from general property taxes if the property is exempt under sub. (1), (2), (18), (21), (27) or (30); if it was exempt for the previous year and its use, occupancy or ownership did not change in a way that makes it taxable; if the property was taxable for the previous year, the use, occupancy or ownership of the property changed in a way that makes it exempt and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes or if the property did not exist in the previous year and its owner, on or before March 1, files with the assessor of the taxation district where the property is located a form that the department of revenue prescribes. Except as provided in subs. (3m)(c), (4)(b), (4a) (f), and (4d), leasing a part of the property described in this section does not render it taxable if the lessor uses all of the leasehold income for maintenance of the leased property, construction debt retirement of the leased property or both and if the lessee would be exempt from taxation under this chapter if it owned the property. Any lessor who claims that leased property is exempt from taxation under this chapter shall, upon request by the tax assessor, provide records relating to the lessor's use of the income from the leased property.

Additional information:

Federally Qualified Health Center owned by 501(c)3 Organization



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.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.

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.

BACKGROUND

St. John's Ministries would like to appeal and request reimbursement of the 2022 property tax bill for \$14,102.83.

- Net Property tax = \$13,340.94
- Special Assessment – Street Improvements = \$761.89

Wisconsin Property Tax Exemption Request form was not submitted to the City Assessor by 3/1/2022.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. St. Johns 2022 taxes reimbursement request packet



City of Green Bay Law Department
100 North Jefferson Street - Room 200
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3080
Fax 920.448.3081

January 26, 2023

St. John's Ministries
Dr. Alexia Wood
Via Email: awood@stjohnsgreenbay.org

Re: Request for Reimbursement - Property Tax Assessments for Tax Parcels 14-426 (612 Stuart St), 14-410 (304 S. Quincy St.), 14-410-A (618 Stuart St.)

Dear Dr. Wood,

A request for reimbursement of the property taxes for the above-referenced parcels will be heard by the Finance Committee at 4:30, on Tuesday, January 31, 2023. City staff will provide the assessment letters, tax bills, and communications to the Committee for review. The Finance Committee will hear from a representative of St. John's for this agenda item. You are not required to provide a written statement, but if you would like to provide any documents for the Committee, please send to me via email by 9:00 a.m. on Friday, January 27, 2023. You can participate in the meeting via Zoom or in-person at City Hall. The agenda and packet of information for the Finance Committee can be reviewed on the City's website:

<https://greenbaywi.gov/129/Meetings-Agendas-Minutes>

The action of the Committee is a recommendation to the Common Council, to be considered by the Common Council on February 7, 2023, at 6 p.m. You may also participate in this meeting via Zoom or in-person at City Hall. All materials from the Committee will be forwarded on to the Common Council – no additional action will be necessary on your part.

As discussed on our call January 25, 2023, it's important for St. John's to take appropriate action regarding payment of the property taxes due January 31, 2023 (a partial payment is due by January 31, 2023). The City cannot rescind or delay payment of the taxes by the deadline and failure to make the required payment could cause late fees or penalties to be incurred.

Please contact me with any questions.

Sincerely,

Lacey Cochart

Lacey Cochart
Deputy City Attorney

cc: City Assessor
Director of Finance
City Clerk

REAL ESTATE PROPERTY TAX BILL FOR 2022

CITY OF GREEN BAY

Total Due For Full Payment

Bill #: 6096097

By January 31, 2023

Parcel #: 14-426

\$12,492.23

Alt. Parcel #:

-- OR --

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

Pay First Installment

By January 31, 2023

\$6,488.31

Make Check Payable and Mail to:

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026
(920) 448-3055



Tear off this stub and include with your first or full payment. If receipt is needed, send a self-addressed stamped envelope.
If payment is made by check, receipt is not valid until check has cleared all banks.

MAIL: City of Green Bay, Tax Collection, 100 N Jefferson St, Room 106
Green Bay, WI 54301-5026

ONLINE: www.browncountywi.gov/propertytax
Use Guest sign-in. Enter Parcel# only in Property# field for best results.
VPS Convenience Fees: E-check \$1.25, Personal Visa Debit Cards \$3.95, and
Credit Cards/Other Debit Cards 2.55%

IN PERSON: City Hall Clerk's Office (available Mon-Fri 8:00AM-4:30PM, except holidays)
Parking is available at the hooded meter spots on north-side of City Hall
Located on the Northeast entrance of City Hall (available any time)

DROP BOX: Located on the Northeast entrance of City Hall (available any time)

NOTE: Homeowners check for Lottery Credit deduction on Primary Residence only.
For mailing address changes go to www.browncountywi.gov/addresschange
Receipts are available at www.browncountywi.gov/propertysearch
Postponed 2nd installment payments will be collected by Brown County.



STATE OF WISCONSIN
REAL ESTATE PROPERTY TAX BILL FOR 2022
CITY OF GREEN BAY
BROWN COUNTY

BILL NO. 6096097

SEQ# 27971

Correspondence should refer to parcel number
PARCEL#: 14-426

Property Address
612 STUART ST

Assessed Value Land	Ass'd Value Improvements	Total Assessed Value	Ave. Assmt. Ratio	Est. Fair Mkt. Land	Est. Fair Mkt. Improvements	Total Est. Fair Mkt.	
81,400	565,000	646,400	0.9548	85,300	591,700	677,000	☐ A star in this box means unpaid prior year taxes
Taxing Jurisdiction		2021 Est. State Aids Allocated Tax Dist.	2022 Est. State Aids Allocated Tax Dist.	2021 Net Tax	2022 Net Tax	% Tax Change	
CITY OF GREEN BAY		20,996,476	21,030,432	4,628.57	4,900.97	5.9%	Gross Property Tax 12,075.88
NORTHEAST WI VTAE		7,132,654	7,420,438	439.14	449.07	2.3%	First Dollar Credit -68.03
GREEN BAY SCH DIST		147,850,851	157,043,333	4,500.12	4,550.06	1.1%	Lottery Credit
BROWN COUNTY		2,501,522	2,563,129	2,150.22	2,175.78	1.2%	Net Property Tax 12,007.85
							STREET IMPROV. 484.38
Total		178,481,503	188,057,332	11,718.05	12,075.88	3.1%	
				67.69	68.03	0.5%	
							TOTAL DUE FOR FULL PAYMENT
							PAY BY January 31, 2023
							\$ 12,492.23
School taxes reduced by \$ 868.82		IMPORTANT: Be sure this description covers your property. This description is for property tax bill only and may not be a full legal description.		Net Assessed Value Rate (Does NOT reflect credits)		Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty. Failure to pay on time. See reverse.	
ST JOHN EVANGELIST HOMELESS SHELTER		2956900 2939065 ACRES: 0.220		0.018681742		Installments may be paid as follows:	
PO BOX 1743		0.220 AC M/L PLAT OF ASTOR				6488.31 DUE BY 01/31/2023	
GREEN BAY WI 54305		LOT 16 BLK 37 EXC THE ELY 6				6003.92 DUE BY 07/31/2023	
		FT					

FOR INFORMATIONAL PURPOSES ONLY
- Voter Approved Temporary Tax Increases

Total Additional Taxes Applied to Property 11,697,967.00
Total Additional Taxes Applied to Property 866.97
Year Increase Ends 2027

SEE REVERSE SIDE FOR IMPORTANT INFORMATION

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026

TAX BILL ENCLOSED
for 14-426

PRESORTED
FIRST CLASS MAIL
US POSTAGE PAID
UMS

FORWARDING SERVICE REQUESTED

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

REAL ESTATE PROPERTY TAX BILL FOR 2022

CITY OF GREEN BAY

Total Due For Full Payment

Bill #: 6096083

By January 31, 2023

\$1,054.74

Parcel #: 14-410-A

-- OR --

Alt. Parcel #:

Pay First Installment

By January 31, 2023

\$527.37

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

Make Check Payable and Mail to:

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026
(920) 448-3055Tear off this stub and include with your first or full payment. If receipt is needed, send a self-addressed stamped envelope.
If payment is made by check, receipt is not valid until check has cleared all banks.**MAIL:** City of Green Bay, Tax Collection, 100 N Jefferson St, Room 106
Green Bay, WI 54301-5026**ONLINE:** www.browncountywi.gov/propertytax
Use Guest sign-in. Enter Parcel# only in Property# field for best results.
VPS Convenience Fees: E-check \$1.25, Personal Visa Debit Cards \$3.95, and
Credit Cards/Other Debit Cards 2.55%**IN PERSON:** City Hall Clerk's Office (available Mon-Fri 8:00AM-4:30PM, except holidays)
Parking is available at the hooded meter spots on north-side of City Hall
DROP BOX: Located on the Northeast entrance of City Hall (available any time)**NOTE:** Homeowners check for Lottery Credit deduction on Primary Residence only.
For mailing address changes go to www.browncountywi.gov/addresschange
Receipts are available at www.browncountywi.gov/propertysearch
Postponed 2nd installment payments will be collected by Brown County.STATE OF WISCONSIN
REAL ESTATE PROPERTY TAX BILL FOR 2022
CITY OF GREEN BAY
BROWN COUNTY

BILL NO. 6096083

SEQ# 27970

Correspondence should refer to parcel number
PARCEL#: 14-410-AProperty Address
618 STUART ST

Assessed Value Land	Ass'd Value Improvements	Total Assessed Value	Ave. Assmt. Ratio	Est. Fair Mkt. Land	Est. Fair Mkt. Improvements	Total Est. Fair Mkt.	
52,100	8,000	60,100	0.9548	54,600	8,400	63,000	☐ A star in this box means unpaid prior year taxes
Taxing Jurisdiction		2021 Est. State Aids Allocated Tax Dist.	2022 Est. State Aids Allocated Tax Dist.	2021 Net Tax	2022 Net Tax	% Tax Change	
CITY OF GREEN BAY		20,996,476	21,030,432	419.27	455.67	8.7%	Gross Property Tax 1,122.77
NORTHEAST WI VTAE		7,132,654	7,420,438	39.78	41.75	5.0%	First Dollar Credit -68.03
GREEN BAY SCH DIST		147,850,851	157,043,333	407.63	423.05	3.8%	Lottery Credit
BROWN COUNTY		2,501,522	2,563,129	194.77	202.30	3.9%	Net Property Tax 1,054.74
Total		178,481,503	188,057,332	1,061.45	1,122.77	5.8%	
				67.69	68.03	0.5%	
							TOTAL DUE FOR FULL PAYMENT
							PAY BY January 31, 2023
							\$ 1,054.74
							Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty.
							Failure to pay on time. See reverse.
							Installments may be paid as follows:
							527.37 DUE BY 01/31/2023
							527.37 DUE BY 07/31/2023

School taxes reduced by \$80.78
ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305
0.166 ACRES: 0.166
PART OF LOTS 1 & 2 AS DESC IN
J16002-15 BLK 37Net Assessed Value Rate
(Does NOT reflect credits)
0.018681742RETAIN THIS
PORTION AS
YOUR COPYSEE REVERSE
SIDE FOR
IMPORTANT
INFORMATION**FOR INFORMATIONAL PURPOSES ONLY**
- Voter Approved Temporary Tax Increases
Taxing Jurisdiction
GREEN BAY SCH DISTTotal Additional Taxes
11,697,967.00
Total Additional Taxes
Applied to Property 80.60
Year Increase Ends
2027CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026TAX BILL ENCLOSED
for 14-410-APRESORTED
FIRST CLASS MAIL
US POSTAGE PAID
UMS

FORWARDING SERVICE REQUESTED

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

REAL ESTATE PROPERTY TAX BILL FOR 2022

CITY OF GREEN BAY

Total Due For Full Payment

Bill #: 6096082

Parcel #: 14-410

Alt. Parcel #:

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

By January 31, 2023

\$555.86

-- OR --

Pay First Installment

By January 31, 2023

\$416.69

Make Check Payable and Mail to:

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026
(920) 448-3055



Tear off this stub and include with your first or full payment. If receipt is needed, send a self-addressed stamped envelope.
If payment is made by check, receipt is not valid until check has cleared all banks.

MAIL: City of Green Bay, Tax Collection, 100 N Jefferson St, Room 106
Green Bay, WI 54301-5026

ONLINE: www.browncountywi.gov/propertytax
Use Guest sign-in. Enter Parcel# only in Property# field for best results.
VPS Convenience Fees: E-check \$1.25, Personal Visa Debit Cards \$3.95, and
Credit Cards/Other Debit Cards 2.55%

IN PERSON: City Hall Clerk's Office (available Mon-Fri 8:00AM-4:30PM, except holidays)
Parking is available at the hooded meter spots on north-side of City Hall
DROP BOX: Located on the Northeast entrance of City Hall (available any time)

NOTE: Homeowners check for Lottery Credit deduction on Primary Residence only.
For mailing address changes go to www.browncountywi.gov/addresschange
Receipts are available at www.browncountywi.gov/propertysearch
Postponed 2nd installment payments will be collected by Brown County.



STATE OF WISCONSIN
REAL ESTATE PROPERTY TAX BILL FOR 2022

BILL NO. 6096082

SEQ# 27969

Property Address
304 S QUINCY ST

Correspondence should refer to parcel number
PARCEL#: 14-410

Assessed Value Land 14,900	Ass'd Value Improvements	Total Assessed Value 14,900	Ave. Assmt. Ratio 0.9548	Est. Fair Mkt. Land 15,600	Est. Fair Mkt. Improvements	Total Est. Fair Mkt. 15,600	☐ A star in this box means unpaid prior year taxes
Taxing Jurisdiction	2021 Est. State Aids Allocated Tax Dist.	2022 Est. State Aids Allocated Tax Dist.	2021 Net Tax	2022 Net Tax	% Tax Change	Gross Property Tax First Dollar Credit Lottery Credit Net Property Tax STREET IMPROV.	278.35 278.35 277.51
CITY OF GREEN BAY	20,996,476	21,030,432	124.41	112.97	-9.2%		
NORTHEAST WI VTAE	7,132,654	7,420,438	11.80	10.35	-12.3%		
GREEN BAY SCH DIST	147,850,851	157,043,333	120.95	104.88	-13.3%		
BROWN COUNTY	2,501,522	2,563,129	57.79	50.15	-13.2%		
Total	178,481,503	188,057,332	314.95	278.35	-11.6%		
	First Dollar Credit						
	Lottery & Gaming Credit						
	Net Property Tax		314.95	278.35	-11.6%		
School taxes reduced by school levy tax credit	\$20.03	IMPORTANT: Be sure this description covers your property. This description is for property tax bill only and may not be a full legal description.		Net Assessed Value Rate (Does NOT reflect credits)		TOTAL DUE FOR FULL PAYMENT PAY BY January 31, 2023 ▶ \$ 555.86 Warning: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and, if applicable, penalty. Failure to pay on time. See reverse.	
ST JOHN EVANGELIST HOMELESS SHELTER INC PO BOX 1743 GREEN BAY WI 54305		2956900 2944280 ACRES: 0.137		0.018681742			
	0.137 AC M/L PLAT OF ASTOR LOT 1 EX J16002-15 & EX ALLEY BLK 37			RETAIN THIS PORTION AS YOUR COPY			
Installments may be paid as follows:							

CITY OF GREEN BAY
TAX COLLECTION
100 N JEFFERSON ST ROOM 106
GREEN BAY WI 54301-5026

TAX BILL ENCLOSED
for 14-410

PRESORTED
FIRST CLASS MAIL
US POSTAGE PAID
UMS

FORWARDING SERVICE REQUESTED

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305



Assessor's Office
100 North Jefferson Street - Room 102
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3066
Fax 920.448.3140

September 14, 2022

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

2022 Notice of Assessment

This is not a tax bill

Under state law (Section 70.365 of the Wisconsin Statutes), your property assessment for 2022 is listed below.

Tax key number: 14-426 located in the City of Green Bay, Brown County
Legal description: 0.220 AC M/L PLAT OF ASTOR LOT 16 BLK 37 EXC THE ELY 6 FT
Property address: 612 Stuart St

Year	General Property			PFC/MFL
	Land	Buildings	Total	Total
2021	\$73,300	\$399,200	\$472,500	\$0
2022	\$81,400	\$565,000	\$646,400	\$0
Net change in assessment			\$173,900	\$0

Reasons for Change	
Land	Revalue
Buildings/Impts	Revalue

Open Book: September 26, 2022 – October 11, 2022 Weekdays from 8:00 AM – 4:30 PM

Online / Phone / Email

To access the assessment roll, please visit the City's website at greenbaywi.gov/assessor

Board of Review: October 19, 2022 9:00 AM Council Chambers, 100 N Jefferson St., Green Bay, WI 54301
For more details on attending the Board of Review please refer to the City's website at greenbaywi.gov or call for assistance.

Municipal Clerk: Celestine Jeffreys (920)448-3010 clerk@greenbaywi.gov

Appraiser: Nichole Tesch (920)448-3067 nichole.tesch@greenbaywi.gov

If you would like to discuss your assessment, please contact the appraiser listed above by phone or email as soon as possible.

Assessment Information

State law (Section 70.32 of the WI Statutes) requires the assessment of taxable property (except agricultural, agricultural forest, and undeveloped) at full value as of January 1 each year. Assessments at a percentage of full value are acceptable when applied uniformly. To determine if your assessment is fair, you must analyze it in relation to full value. This is done by dividing your assessment by the general level of assessment for your municipality, which is estimated to be 100.00%.

Under Wisconsin law, generally, the assessor may not change the assessment of property based solely on the recent arm's length sale of the property without adjusting the assessed value of comparable properties in the same market area. For information on the assessment of properties that have recently sold, visit the Internet site of the Department of Revenue at <https://www.revenue.wi.gov/Pages/ERETR/data-home.aspx>.

To Appeal Your Assessment

First, discuss with your local assessor. Questions can often be answered by the assessor and not require an appeal to Board of Review (BOR). To file a formal appeal, give notice of your intent to appeal by contacting the BOR clerk at least 48 hours before the BOR begins. Complete and file your appeal form with the BOR clerk no later than the first two hours of the BOR's first meeting. Make sure you file a completed form or the BOR may not review your appeal. For more information on the appeal process, contact the municipal clerk listed above. Review the "Guide for Property Owners" (<https://www.revenue.wi.gov/Pages/HTML/govpub.aspx>). For a paper copy, email bapdor@wisconsin.gov or call (608) 266-7750.

CONTINUED ON BACK



Assessor's Office
100 North Jefferson Street - Room 102
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3066
Fax 920.448.3140

September 14, 2022

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

2022 Notice of Assessment

This is not a tax bill

Under state law (Section 70.365 of the Wisconsin Statutes), your property assessment for 2022 is listed below.

Tax key number: 14-410-A located in the City of Green Bay, Brown County
Legal description: 0.166 AC M/L PLAT OF ASTOR PART OF LOTS 1 & 2 AS DESC IN J16002-15 BLK 37
Property address: 618 Stuart St

Year	General Property			PFC/MFL
	Land	Buildings	Total	Total
2021	\$36,800	\$6,000	\$42,800	\$0
2022	\$52,100	\$8,000	\$60,100	\$0
Net change in assessment			\$17,300	\$0

Reasons for Change	
Land	Revalue
Buildings/Impts	Revalue

Open Book: September 26, 2022 – October 11, 2022 Weekdays from 8:00 AM – 4:30 PM

Online / Phone / Email

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Board of Review: October 19, 2022 9:00 AM Council Chambers, 100 N Jefferson St., Green Bay, WI 54301
For more details on attending the Board of Review please refer to the City's website at greenbaywi.gov or call for assistance.

Municipal Clerk: Celestine Jeffreys (920)448-3010 clerk@greenbaywi.gov

Appraiser: Nichole Tesch (920)448-3067 nichole.tesch@greenbaywi.gov

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CONTINUED ON BACK



Assessor's Office
100 North Jefferson Street - Room 102
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3066
Fax 920.448.3140

September 14, 2022

ST JOHN EVANGELIST HOMELESS SHELTER INC
PO BOX 1743
GREEN BAY WI 54305

2022 Notice of Assessment

This is not a tax bill

Under state law (Section 70.365 of the Wisconsin Statutes), your property assessment for 2022 is listed below.

Tax key number: 14-410 located in the City of Green Bay, Brown County
Legal description: 0.137 AC M/L PLAT OF ASTOR LOT 1 EX J16002-15 & EX ALLEY BLK 37
Property address: 304 S Quincy St

Year	General Property			PFC/MFL
	Land	Buildings	Total	Total
2021	\$12,700	\$0	\$12,700	\$0
2022	\$14,900	\$0	\$14,900	\$0
Net change in assessment			\$2,200	\$0

Reasons for Change	
Land	Revalue
Buildings/Impts	

Open Book: September 26, 2022 – October 11, 2022 Weekdays from 8:00 AM – 4:30 PM

Online / Phone / Email

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Board of Review: October 19, 2022 9:00 AM Council Chambers, 100 N Jefferson St., Green Bay, WI 54301
For more details on attending the Board of Review please refer to the City's website at greenbaywi.gov or call for assistance.

Municipal Clerk: Celestine Jeffreys (920)448-3010 clerk@greenbaywi.gov

Appraiser: Kristi Norton (920)448-3072 kristi.norton@greenbaywi.gov

If you would like to discuss your assessment, please contact the appraiser listed above by phone or email as soon as possible.

Assessment Information

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CONTINUED ON BACK



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.3

To approve the renewal of the Environmental Systems Research Institute, Inc (ESRI) software for three years at \$214,425.00.

BACKGROUND

This is a renewal under the Enterprise License agreement.

RECOMMENDATION

Approve.

FISCAL IMPACT

ATTACHMENTS

- I. ESRI renewal packet



Purchasing Department
100 North Jefferson Street - Room 101
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3047
Fax 920.448.3050

TO: Finance Committee

FR: Thomas J. Walenski

DT: November 21, 2022

RE: Purchasing Request

Cc: Diana Ellenbecker

Report by Mike Hronek, Thomas J. Walenski

Discussion and possible action on the renewal of the Environmental Systems Research Institute, Inc (ESRI) Small Government Enterprise License Agreement (SGELA) for three years at \$214,425.00.

This is a renewal under the Enterprise License agreement.

ESRI software manages numerous spatial datasets including water, sewer(s) and pavement networks. As part of its logistics management capabilities it efficiently routes daily bulk sanitation, brush and white goods pickup routes. Other applications include its use in every building permit application, redistricting, request for service routing, crime analysis and prevention.

Respectfully Submitted

Thomas J. Walenski
City of Green Bay – Procurement Manager



November 23, 2022

Mr. Michael Hronek
City of Green Bay
100 N Jefferson St Rm 416
Green Bay, WI 54301-5006

Dear Michael,

The Esri Small Municipal and County Government Enterprise Agreement (SGEA) is a three-year agreement that will grant your organization access to Esri term license software. The EA will be effective on the date executed and will require a firm, three-year commitment.

Based on Esri's work with several organizations similar to yours, we know there is significant potential to apply Geographic Information System (GIS) technology in many operational and technical areas within your organization. For this reason, we believe that your organization will greatly benefit from an Enterprise Agreement (EA).

An EA will provide your organization with numerous benefits including:

- A lower cost per unit for licensed software
- Substantially reduced administrative and procurement expenses
- Complete flexibility to deploy software products when and where needed

The following business terms and conditions will apply:

- All current departments, employees, and in-house contractors of the organization will be eligible to use the software and services included in the EA.
- If your organization wishes to acquire and/or maintain any Esri software during the term of the agreement that is not included in the EA, it may do so separately at the Esri pricing that is generally available for your organization for software and maintenance.
- The organization will establish a single point of contact for orders and deliveries and will be responsible for redistribution to eligible users.
- The organization will establish a Tier 1 support center to field calls from internal users of Esri software. The organization may designate individuals as specified in the EA who may directly contact Esri for Tier 2 technical support.
- The organization will provide an annual report of installed Esri software to Esri.
- Esri software and updates that the organization is licensed to use will be automatically available for downloading.
- The fee and benefits offered in this EA proposal are contingent upon your acceptance of Esri's Small Municipal and County Government EA terms and conditions.

- Licenses are valid for the term of the EA.

This program offer is valid for 90 days. To complete the agreement within this time frame, please contact me within the next seven days to work through any questions or concerns you may have.

To expedite your acceptance of this EA offer:

1. Sign and return the EA contract with a Purchase Order or issue a Purchase Order that references this EA Quotation and includes the following statement on the face of the Purchase Order:

"THIS PURCHASE ORDER IS GOVERNED BY THE TERMS AND CONDITIONS OF THE ESRI SMALL MUNICIPAL AND COUNTY GOVERNMENT EA, AND ADDITIONAL TERMS AND CONDITIONS IN THIS PURCHASE ORDER WILL NOT APPLY."

Have it signed by an authorized representative of the organization.

2. On the first page of the EA, identify the central point of contact/agreement administrator. The agreement administrator is the party that will be the contact for management of the software, administration issues, and general operations. Information should include name, title (if applicable), address, phone number, and e-mail address.
3. In the purchase order, identify the "Ship to" and "Bill to" information for your organization.
4. Send the purchase order and agreement to the address, email or fax noted below:

Esri
Attn: Customer Service SG-EA
380 New York Street
Redlands, CA 92373-8100

e-mail: service@esri.com
fax documents to: 909-307-3083

I appreciate the opportunity to present you with this proposal, and I believe it will bring great benefits to your organization.

Thank you very much for your consideration.

Best Regards,

Jason Fetch



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Quotation # Q-470660

Date: November 23, 2022

Customer # 12223 Contract # ENTERPRISE AGREEMENT

City of Green Bay
Information Technology Dept
100 N Jefferson St Rm 416
Green Bay, WI 54301-5006

ATTENTION: Michael Hronek
PHONE: (920) 448-3427
EMAIL: mikehr@greenbaywi.gov

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 11/23/2022 To: 2/21/2023

Material	Qty	Term	Unit Price	Total
168179	1	Year 1	\$59,675.00	\$59,675.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
168179	1	Year 2	\$59,675.00	\$59,675.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
168179	1	Year 3	\$59,675.00	\$59,675.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
168441	1	Year 1	\$6,000.00	\$6,000.00
ArcGIS GeoEvent Server Populations of 50,001 to 100,000 Small Government Term Enterprise Agreement				
168441	1	Year 2	\$6,000.00	\$6,000.00
ArcGIS GeoEvent Server Populations of 50,001 to 100,000 Small Government Term Enterprise Agreement				
168441	1	Year 3	\$6,000.00	\$6,000.00
ArcGIS GeoEvent Server Populations of 50,001 to 100,000 Small Government Term Enterprise Agreement				
182294	188		\$30.00	\$5,640.00
ArcGIS Location Sharing User Type Extension for ArcGIS Online Annual Subscription - Year 1				

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
Jason Fetch

Email:
jfetch@esri.com

Phone:
651-454-0600 x2331

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

FETCHJ

This offer is limited to the terms and conditions incorporated and attached herein.



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Quotation # Q-470660

Date: November 23, 2022

Customer # 12223 Contract # ENTERPRISE AGREEMENT

City of Green Bay
Information Technology Dept
100 N Jefferson St Rm 416
Green Bay, WI 54301-5006

ATTENTION: Michael Hronek
PHONE: (920) 448-3427
EMAIL: mikehr@greenbaywi.gov

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 11/23/2022 To: 2/21/2023

Material	Qty	Term	Unit Price	Total
182294	188		\$30.00	\$5,640.00
ArcGIS Location Sharing User Type Extension for ArcGIS Online Annual Subscription - Year 2				
182294	188		\$30.00	\$5,640.00
ArcGIS Location Sharing User Type Extension for ArcGIS Online Annual Subscription - Year 3				
178625	2		\$80.00	\$160.00
ArcGIS Business Analyst Web App Standard Online Term License - Year 1				
178625	2		\$80.00	\$160.00
ArcGIS Business Analyst Web App Standard Online Term License - Year 2				
178625	2		\$80.00	\$160.00
ArcGIS Business Analyst Web App Standard Online Term License - Year 3				

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
Jason Fetch

Email:
jfetch@esri.com

Phone:
651-454-0600 x2331

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

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Phone: (909) 793-2853
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Quotation # Q-470660

Date: November 23, 2022

Customer # 12223 Contract # ENTERPRISE
AGREEMENT

City of Green Bay
Information Technology Dept
100 N Jefferson St Rm 416
Green Bay, WI 54301-5006

ATTENTION: Michael Hronek
PHONE: (920) 448-3427
EMAIL: mikehr@greenbaywi.gov

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 11/23/2022 To: 2/21/2023*

Subtotal:	\$214,425.00
Sales Tax:	\$0.00
Estimated Shipping and Handling (2 Day Delivery):	\$0.00
Contract Price Adjust:	\$0.00
Total:	\$214,425.00

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact:
Jason Fetch

Email:
jfetch@esri.com

Phone:
651-454-0600 x2331

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. If any item is quoted with a multi-year payment schedule, then unless otherwise stated in this quotation, Customer is required to make all payments without right of cancellation. Third-party data sets included in a quotation as separately licensed items will only be provided and invoiced if Esri is able to provide such data and will be subject to the applicable third-party's terms and conditions. If Esri is unable to provide any such data set, Customer will not be responsible for any further payments for the data set. US Federal government entities and US government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some US state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin for customers located in the USA.

FETCHJ

This offer is limited to the terms and conditions incorporated and attached herein.

Esri Use Only:

Cust. Name _____
 Cust. # _____
 PO # _____
 Esri Agreement # _____



SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT (E214-3)

This Agreement is by and between the organization identified in the Quotation ("**Customer**") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Customer's use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

Table A
List of Products

Uncapped Quantities**Desktop Software and Extensions (Single Use)**

ArcGIS Desktop Advanced
 ArcGIS Desktop Standard
 ArcGIS Desktop Basic
 ArcGIS Desktop Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS
 Schematics, ArcGIS Workflow Manager, ArcGIS Data
 Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise and Workgroup
 (Advanced and Standard)
 ArcGIS Monitor
 ArcGIS Enterprise Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS
 Workflow Manager

Enterprise Additional Capability Servers

ArcGIS Image Server

Developer Tools

ArcGIS Engine
 ArcGIS Engine Extensions: ArcGIS 3D Analyst, ArcGIS
 Spatial Analyst, ArcGIS Engine Geodatabase Update,
 ArcGIS Network Analyst, ArcGIS Schematics
 ArcGIS Runtime (Standard)
 ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Professional subscription to ArcGIS Developer
 Two (2) ArcGIS CityEngine Single Use Licenses
 250 ArcGIS Online Viewers
 250 ArcGIS Online Creators
 37,500 ArcGIS Online Service Credits
 250 ArcGIS Enterprise Creators
 5 ArcGIS Insights in ArcGIS Enterprise
 5 ArcGIS Insights in ArcGIS Online
 50 ArcGIS Tracker for ArcGIS Enterprise
 50 ArcGIS Tracker for ArcGIS Online
 4 ArcGIS Parcel Fabric User Type Extensions (Enterprise)
 4 ArcGIS Utility Network User Type Extensions (Enterprise)
 4 ArcGIS Trace Network User Type Extensions (Enterprise)

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	4
Number of Tier 1 Help Desk individuals authorized to call Esri	4
Maximum number of sets of backup media, if requested*	2
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

*Additional sets of backup media may be purchased for a fee

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement ("**Ordering Document**"). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER'S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of an Ordering Document, unless otherwise agreed to by the parties ("**Effective Date**").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Customer's organization(s).

"Fee" means the fee set forth in the Quotation.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

"Master Agreement" means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Customer.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Customer's point of contact(s) to provide all Tier 1 Support within Customer's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer's consultants or contractors to use the Products exclusively for Customer's benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer's benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1 If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2 If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3 This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.4

To approve the purchase of a Graco Grindlazer pavement marking eradicator from Sherwin Industries in the amount of \$57,554.

BACKGROUND

In 2022, the Common Council approved a program for pedestrian safety enhancements across the City that included the installation Rectangular Rapid Flashing Beacons (RRFB) and the enhancement of pedestrian crosswalks. Included with this request was the purchase of a new, highly durable, pavement marking machine, and an eradicator. The eradicator serves multiple functions. First, it removes existing pavement marking, providing a clean surface for the new paint to adhere to. Second, it provides a very slight recess for the paint at or slightly below pavement, protecting the marking from abrasion.

Staff has researched various eradicators and has determined that the Graco Grindlazer is the appropriate piece of equipment to be used in this application. The Department of Public Works has provided justification for selection of this equipment on the attached Request for Approval of "No Substitute" Purchase Specification. Staff reached out to the local vendor and obtained a price quotation for the equipment. The Purchasing Manager also reached out to obtain a quote from Sourcewell, one of the competitive bidding cooperatives the City utilizes. The quote from the supplier was better pricing than the Sourcewell quote.

RECOMMENDATION

Staff recommends award for purchase of the Graco Grindlazer pavement marking eradicator to Sherwin Industries in the amount of \$57,554.

FISCAL IMPACT

ATTACHMENTS

1. Graco GrindLazer Quote - City of Green Bay
2. City of Green Bay DPW
3. SIGNED SOLE SOURCE FORM



Sherwin Industries, Inc.

Quotation

2129 W. Morgan Avenue Milwaukee, WI 53221 Corporate Office (414) 281-6400 Fax (414) 281-6404

Customer Information:

City of Green Bay - DPW
Josh Brassfield 920-492-3748
519 S. Oneida Street Green Bay, WI 54911
nathan.wachtendonk@greenbaywi.gov

Date: 11/22/2022

NOTE: Quotation is good for 7 days from the above date.
Prices quoted are for quantities shown only.

Part #	Description	Unit Price	Per	Quantity	Total
25R996	DC1021 G DCS GrindLazer w/ 10" PCD Nano-Round Drum	\$26,879.67	EA	1	\$26,879.67
26B276	DC89G w/ 8" PCD Flat Drum	\$9,727.16	EA	1	\$9,727.16
25M860	Graco LazerVac 550G	\$10,922.35	EA	1	\$10,922.35
25R090	Graco Cyclone LP Separator	\$2,215.88	EA	1	\$2,215.88
262005	Graco LineDriver HD	\$7,809.00	EA	1	\$7,809.00
	In-person initial start-up, operational and maintenance training included at no charge by a Graco factory trained rep included at no charge to the City of Green Bay				

If you have any questions concerning this quotation,
please contact Keith Zepnick
Phone (920) 362-4467
Email: kzepnick@sherwinindustries.com

Subtotal	\$57,554.06
Freight	INCLUDED
Sales Tax	N/A
Total	\$57,554.06

DATE: 11/29/2022

Not Valid Without Approval

City of Green Bay, Wisconsin
REQUEST FOR APPROVAL OF "NO SUBSTITUTE" PURCHASE SPECIFICATION

TO : Purchasing Division/Administrative Services

DATE: 01/17/23

FROM: Department/Division Public Works-Streets

REQUISITION #

List "No Substitute" Item(s) here:

Pavement marking removal machine and attachments.

Select One:

- ☒ 1) One Time Purchase Estimated Cost: \$ \$57,554
☐ 2) Annual Commodity purchase: Estimated annual cost: \$
☐ 3) Item may be purchased again: Indicate term: Estimated Annual Cost: \$

Example: 1 year, indefinite, etc. Long term requests will be reevaluated periodically)

We request approval of a "NO SUBSTITUTE" specification for the purchase of the subject item(s)

Check appropriate justification(s). Provide DETAILED explanation(s) below.

- ☐ 1. Sole Source – The below signed has searched the market and verified that no comparable item is available.
☒ 2. Single Source – Although comparable items are available, THIS is the only brand/model that will work.
☐ 3. Item(s) is (are) only acceptable replacement part(s) known for _____ (Identify)
☐ 4. Continuity of design is overriding consideration (ex: playground equipment or street furniture)
☐ 5. Safety:
☐ 6. Other:

*Explanations shall contain sufficient information and justification for the items to be considered and approved as "NO SUBSTITUTE" items. Failure to do so will result in the request being denied and returned to the originator.

*Recommending Department Head will be available to defend said recommendation to the appropriate City Committee and/or Common Council.

PLEASE EXPLAIN YOUR REASONS FOR THIS REQUEST (additional info may be attached on a separate sheet):

The Department of Public Works is expanding the pavement marking program which includes the purchase of equipment to remove existing pavement markings in crosswalks and intersections. After in-depth research on various manufactures and types of equipment, the department Determined that the Graco Grindlazer offered the best value, ease of operation, and components from this machine can be utilized with current pavement marking equipment, resulting in a cost savings and reduced downtime in the event of a breakdown.

Additionally, the selling dealer, Sherwin Industries provides in-state service support and parts inventory along with no charge in-person training including initial start-up, operation, maintenance, and proper cleaning from a Graco certified representative.

Approvals:

Requestor:

Date: 1-17-23

Department Head:

Date: 01/19/23

Purchasing Manager:

Date: 1-19-23



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.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.

BACKGROUND

1. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category for a total of \$250,000 to be used for project #7-2-209 for flood mitigation grant assistance for property owners in the East River flood plain area for designated improvements and remedies. \$250,000.00
2. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category category for a total of \$300,000 to be used for project #7-2-211 Director of Urban Planning and Design position for 3 years. \$300,000.00
3. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category category for a total of \$150,000 to be used for project #6-2-211 Arts Grant program. \$150,000.00
4. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category category for a total of \$50,000 to be used for project #6-2-212 Rotating Arts program. \$50,000.00
5. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #6-2-206 Bronze Tree Marker project. \$0.00
6. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-2-210 Christkindl Market project. \$0.00
7. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-2-213 Artist Residency project. \$0.00
8. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-2-214 Discover Green Bay project. \$0.00
9. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$25,000 to be used for project #7-2-215 Shipyard District, Inc. streetscape improvements. \$25,000.00
10. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-2-216 CityDeck improvements. \$0.00
11. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-2-217 CityDeck/ Fox River Trail signage and improvements project. \$0.00
12. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #6-6-209 Urban Design Consultant. \$0.00
13. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation

within the Capital Needs and Organization Priorities category for a total of \$1,000,000 to be used for project #7-6-212 Strategic Vacant Parcels project. \$1,000,000.00

14. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$1,000,000 to be used for project #12-6-201 various Park improvements. \$1,000,000.00
15. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$550,000 to be used for project #7-2-202 Sidewalk improvements. \$550,000.00
16. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-3-207 Packerland/ West Mason Intersection safety project. \$0.00
17. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$520,000 to be used for project #7-5-204 Baird Creek- Burgundy Ct sediment control project. \$520,000.00
18. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$200,000 to be used for project #7-5-205 Baird Creek- Christa McAuliffe Park sediment control project. \$200,000.00
19. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation to receive and place on file the project #7-5-208 Lacount & Fritsch Park erosion project. \$0.00
20. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$353,400 to be used for project #11-6-201 Police Department Overhire project. \$353,400.00
21. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$40,000 to be used for project #1-6-301 Email Security project. \$40,000.00
22. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$538,480 to be used for project #1-6-303 FY23 CIP project. \$538,480.00
23. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category for an increase of \$300,000 to be used for project #2-2-003 Commercial Façade Improvements. \$300,000.00
24. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Capital Needs and Organization Priorities category for an increase of \$200,000 to be used for project #2-2-006 Competitive Tourism grants \$200,000.00
25. For consideration with possible action the use of American Rescue Plan Act (ARPA) allocation within the Economic Impact category for a total of \$100,000 to be used for project #1-1-302 Daycare License Fees support \$100,000.00

Grand total: \$5,576,880.00

RECOMMENDATION

Staff recommends to approve as presented.

FISCAL IMPACT

ATTACHMENTS

- I. Jan 2023 ARPA Refer To Staff and new requests recommendations

2023 Categories

Summary of all proposed ARPA requests

Capital Needs and Organizational Priorities

Economic Impact Projects

ARPA Summary		
	Total	Total
Budget	Approved	Remaining
\$10,000,000	\$8,421,520	\$1,578,480
\$12,500,000	\$8,501,600	\$3,998,400
\$22,500,000	\$16,923,120	\$5,576,880

Summary of staff's ARPA recommendations

Capital Needs and Organizational Priorities

Economic Impact Projects

	Total	Total Refer to	Total
Budget	Approved	Staff	Recommending Remaining
\$10,000,000	\$8,421,520	\$1,600,000	\$1,578,480 \$0
\$12,500,000	\$8,501,600	\$5,576,880	\$3,998,400 \$0
\$22,500,000	\$16,923,120	\$7,176,880	\$5,576,880 \$0

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
7-2-209	Cheryl Renier-Wigg	Affordable Housing Development and Small Business Support	\$250,000	2.18 Housing Assistance \$10,000.00 grants to home owners in flood plain areas to remedy and/ or assist them in flood mitigation efforts. (Alder Galvin), \$1,000,000 requested	Jan 4 meeting: Staff met with Alder to discuss how to run program. Staff recommend \$250,000
7-2-211	Neil Stechschulte	Affordable Housing Development and Small Business Support	\$300,000	2.3 Tech Assistance Funding for a 3-year Director of Urban Planning and Design position . The City is not staffed to provide services to the advancement of several key council-approved plans: Authenticity, Shared Vision Corridor Plan, EPA Shipyard Corridor Redevelopment Plan, 1997 Plan, 2001 Olde Main Design Plan, Broadway District Design Plan, and other plans. The importance of these plans cannot be understated given that the highest tax base density is rooted in downtown and presents the most opportunity for the growth of taxable development. General duties and responsibilities of this position will include the advancement of public spaces, development and implementation of urban design standards, execution of streetscape plans, site development and modeling to promote new development on vacant lots (housing and commercial), and grant writing/resource allocation for private and public investments. A large portion of the downtown area is in qualified census tract and promotes equitable community development. It also serves the small business community that was negatively impacted. Nearby communities are investing and thriving in their respective nodes (Titledown District, Howard Commons, Allouez, etc.) the downtown BIDs wish to keep pace with neighbors by investing in the physical spaces of downtown to make it attractive to visitors and residents. The budget for this position is an anticipated salary range of \$70,000 per year plus taxes/benefits for a total of \$100,000 annually. Other expenses required for the success of the position such as office supplies, computer, workspace, training and development, etc. will be covered by the downtown organizations. The request is to fund this position for three years at which time the downtown organizations will sustain the position. (Alders Scannell & Johnson)	Request to move forward to hire a staff person
Affordable Housing Development and Small Business Support Total			\$550,000		

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
6-2-211	Cheryl Renier-Wigg	Arts, Culture, and Tourism	\$150,000	2.35 Arts Grant Program. In partnership with the GB Public Arts Commission and Community and Economic Development Dept., funding would be provided for public arts and cultural activities. This program is established to develop the creative potential of local artists and performers, advance education, spur economic vibrancy and revitalize communities through involvement with the arts. This program provides competitive grants for temporary and permanent arts and cultural projects. Grants can range from \$2,500-\$10,000 and one \$50,000 project. Requested \$150,000	Continuation of existing program already managed by Public Arts Commission (PAC)
6-2-212	Cheryl Renier-Wigg	Arts, Culture, and Tourism	\$50,000	2.35 Rotating Arts Program. In partnership with the GB Public Arts Commission the Community and Economic Dev. Dept. would oversee and provide funding to continue and expand the City's Rotating Arts Program. This program pays artist to display their artwork in Green Bay. Currently there are 6 sites and this funding would add 4 additional sites. It would also fund the existing program artists stipends, program equipment and limited maintenance. Requested \$50,000	Continuation of existing program already managed by Public Arts Commission (PAC)
6-2-206	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid to tourism \$55 thousand for a bronze tree marker sculpture to be placed between the Hampton and Ray Nietzsche bridge. This is the end point of the old Military Road connecting Green Bay to Chicago that was constructed on an Indian trail. There is already a bronze statue at the Chicago end. The sculpture would be a recognition of Native American's impact in Green Bay and a way to honor the Ho Chunk, Menominee, and other local tribes. (Alder 7) Requested 55,000	use other project funds for request
7-2-210	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid To tourism Funding the construction of a Christkindl Market to boost tourism in Broadway District, located in a qualified census tract. On Broadway was negatively impacted with lost revenue due to event cancellations, retail shops were disproportionately impacted from safer at home orders and the loss of foot traffic historically driven by special events . On Broadway, Inc. is requesting \$100,000 to purchase materials and hire labor to construct seasonal huts for a Christkindl Market during the holiday season, which is important to our retail shops. The huts will be made available to small businesses who wish to sell holiday/ winter related products. This will not only support vendors, but the growth in foot traffic will spill over into nearby small businesses throughout the district and downtown area. The huts will need to meet code compliance for electrical wiring and heating, and will be collapsible and stored so they can be reused every year . On Broadway will cover related expenses for marketing and programming to further enhance the visitor experience including music, visits with Santa, special events and other activities designed to attract visitors. Other Christkindl Markets throughout the region have attracted significant volumes of people including Chicago, Milwaukee, Door County and Elkhart Lake which have created positive economic activity for small businesses. (Alder Johnson) Requested \$100,000	Use Block grant for Broadway tourism

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
7-2-213	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid to Tourism Request for funding to launch an artist residency. Artists were disproportionately impacted by the pandemic and On Broadway, Inc. seeks to launch an art residency that will house artists who work on their medium in an immersive environment while providing value to City of Green Bay residents. It is anticipated the residency will be able to house up six artists simultaneously (the term of each residency can vary). Rent will be subsidized, and some living costs are defrayed through private fundraising efforts. The residency will be managed in partnership with the City's public arts coordinator. The facility is expected to include residential units, gallery space, and a community room that can be utilized by the public. Programming may include art events, workshops and classes, musical performances, and more. Additionally, we seek to place artists with various organizations throughout the community to advance their work in a public setting such as the City of Green Bay, business improvement districts, community development organizations, cultural institutions, government departments, etc. This allocation will be matched through private investment to properly fund the launch and operation of the facility. (Alder Johnson) Requested 500,000	Needs more discussion, not ready at this time
7-2-214	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid to Tourism The tourism industry was negatively impacted by the pandemic. \$250,000 is being requested as an allocation to Discover Green Bay to promote Green Bay as a destination for visitors and to provide assistance with securing convention bookings in the city-owned KI Convention Center. (Alder Johnson)	
7-2-215	Neil Stechschulte	Arts, Culture, and Tourism	\$25,000	2.35 Aid to Tourism There have been recent coordination efforts amongst the business owners in the Southern Broadway corridor and they wish to make improvements to the public streetscape to help support the attractiveness of the area and subsequently the small businesses that exist throughout that corridor. Three other BIDs were awarded \$25,000/each for farmers' markets, but this group of business owners is not a BID and they do not host a farmers' market. Therefore, I am requesting \$25,000 for this business association (legally organized as Shipyards District, Inc.) contingent on the successful passage of a resolution that will acknowledge their organization as a district. Funding decisions may be approved by their board but should generally support streetscape improvements authorized after the passage of the resolution such as pole banners, bike racks, benches, garbage cans, etc. that will help attract visitors and support the small businesses that exist there. (Alder Johnson)	request to move forward with this project *Discussion with staff
7-2-216	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid to Tourism In 2009 the city invested \$12 million to transform a rusty dockwall into a world class Downtown boardwalk. Since then, the space has become the social center of our city and a destination where our community and it's visitors can work, live and play. For the past 14 years, Downtown Green Bay Inc. (DGBI) has been activating and programing the CityDeck. It is safe to say that 2019, nearly 100,000 visitors came to CityDeck specifically for events. When the pandemic hit, these events came to a halt and for 2 years, there were very minimal planned activations there. This year, we are seeing a robust rebound but we have determined that in order to keep the CityDeck competitive with other social zones in our city (such as the Titledown District) we need to make some impactful changes. We want the City Deck to continue to offer free, welcoming and inclusive activities for all. The City Deck and Fox River Trail need to grow and improve if we are to continue to draw people to the Downtown District and by doing so, having a greater economic impact. These enhancements might include, but are not limited to: Covered performance stage(s) with lighting and sound upgrades and additional seating/gathering spaces. (Downtown GB, Inc)	Concerns with eligibility

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
7-2-217	Neil Stechschulte	Arts, Culture, and Tourism	\$0	2.35 Aid to Tourism The addition of artistic elements to CityDeck/Fox River Trail corridor will significantly enhance this space and will more effectively position this areas as a safe and welcoming destination for our community and visitors. Planned elements include, but are not limited to: Gateway/wayfinding signage, entrance lighting, large scale letters (GREEN BAY) for photo oppertunities, and additional public art elements, such as upgrades and improvements to the trail under the Walnut and Main street bridges. We will use local artists when possible to create these elements, supporting these individuals as they rebound from the challenges of the pandemic. (Downtown GB, Inc)	
Arts, Culture, and Tourism Total			\$225,000		

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
6-6-209	Neil Stechschulte	Capital Needs and Organizational Priorities	\$0	6.1 Provision of Gov Services The Community & Economic Development Department will hire an urban design consultant to prepare a downtown streetscape plan with technical design standards. This planning effort will be closely coordinated with the departments of Public Works; Parks, Recreation and Forestry; and downtown area business districts and neighborhood associations. The plan is intended to update and replace streetscape standards established by the 1997 Downtown Green Bay Design Plan and build upon the 2014 AuthenticCity Plan and 2021 Shared Corridors Vision Plan. The planning area will include the districts of downtown, Broadway, Olde Main, and the South Broadway Corridor between Mason and Lombardi, and other commercial corridors as funds would permit.	see above position request
7-6-212	Neil Stechschulte	Capital Needs and Organizational Priorities	\$1,000,000	6.1 Provision of Govt Serv Request for a fund allocation to the RDA to strategically acquire vacant parcels that can be used for short-term challenges (parking, for example) while the city prepares an RFP to solicit private development that pays taxes and solves priority needs such as housing. One of the biggest impediments to successfully closing a development agreement is site control and cities that have a high degree of success with initiating development are those that have strategically acquired undeveloped sites that do not contribute significantly to the tax base and offer no value to adjacent properties. Areas of priority could include downtown which has the highest tax base density, industrial parks which house tremendous growth potential, and other commercial corridors that currently lack sufficient development. Additionally, this investment leverages ARPA by converting the initial investment into millions more through private capital. (Alder Johnson)	move forward with request
Capital Needs and Organizational Priorities Total			\$1,000,000		

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
6-2-207 12-6-201	Dan Ditscheit	Crime Prevention and Neighborhood Enhancement	\$1,000,000	If this funding is approved, it would be used to complete the following projects; 1. \$250,000 Farlin Park- Replace and relocate the playground, splashpad and basketball court at Farlin Park along with the associated stormwater management and ADA compliant walks. These amenities will be moved to a new location within the park to create a more cohesive park design that will comply with the needs of the residents and will help alleviate resident concerns. 2. \$100,000 West Side Pickleball Courts- This funding will be used to convert the 2 tennis courts at Murphy Park to 6 Pickleball Courts. The only dedicated pickleball courts in the Park system are located on the City's east side and there have been multiple requests to build more on the west side. 3. \$250,000 East River Trail Construction from Baird to Irwin- This project is considered Phase II construction of the East River Trail Connection. This funding will be used to install a 10' wide paved multi-use trail along with public plaza space adjacent to Baird Street. 4. \$60,000 Joannes Tennis Court Colorcoating- The color coating surface is in need of replacement in order to keep it usable as a tournament facility for East High School. It is estimated to cost \$120,000 with the School District funding 1/2 of the cost. 5. \$125,000 Danz Park/School Playground- The School District recieved funding in their approved referendum to add additional playground equipment to the existing Park owned playground. This funding will be used in conjunction with the School District funding to replace the entire playground now and eliminate the need to bond for this playground replacement. 6. \$125,000 Sullivan Park/School Playground - The School District recieved funding in their approved referendum to add additional playground equipment to the existing Park owned playground. This funding will be used in conjunction with the School District funding to replace the entire playground now and eliminate the need to bond for this playground replacement. 7. \$90,000 Murphy Park Playground - This is one of the oldest playgrounds in the park system and was installed in 1992. For playgrounds of this age, it becomes difficult to find replacement parts when items break. Some of the playground equipment has already been replaced. We will not replace the newer equipment.	Refer to staff Item #20 to determine whether another ARPA category may be used. Update of many parks & using bond funds and Block grant, reducing CIP 5 year list
7-2-202	Steve Grenier	Crime Prevention and Neighborhood Enhancement	\$550,000	2.22 Strong Healthy Communities side walks in the city are in need of major repairs or replacements. They have been neglected to the point that citizens are forced to walk in the roadway to avoid injury or harm. Many claims have been filed against the city for injuries incurred due to the condition of our sidewalks. \$600,000 each year x 3 years (Alder Galvin) Requested \$1,800,000	reduce by half, contractors not available
7-3-207	Steve Grenier	Crime Prevention and Neighborhood Enhancement	\$0	3.9 Healthy Environment The Packerland/West Mason intersection will be improved for vehicular safety during 2023 in partnership with Brown County. Unfortunately, this part of the project doesn't focus on pedestrian or bicyclist safety. Several community partners have shown interest in securing funding and support for this potential second phase of the project. (Alder Brunette)	discussions to have a round-a-bout, improvements, remove frontage roads, etc.
Crime Prevention and Neighborhood Enhancement Total			\$1,550,000		

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
7-5-204	Steve Grenier	Stormwater, Green Infrastructure, and Climate Resilience	\$520,000	5.6 Stormwater Baird Creek-Burgundy Ct, Surface Water Sediment Control Project The development of the neighborhood just south of Burgundy Court in the area west of Hwy 43 and south of Baird Creek includes almost 200 lots almost all developed with homes, approximately 2.5 miles of roadway and encompasses approximately 100 acres of land. The surface water is controlled through curb/gutter/storm sewer pipeline until being conveyed north to Baird Creek. The north-bound conveyance system consists of approximately 200 feet of gabions (rip rap installed within wire cages) and approximately 800 feet of natural, unlined ditch which conveys the surface water to a culvert beneath a rail spur which delivers the water to another unlined ditch (approximately 300 feet) where it is conveyed to Baird Creek. Naturally occurring erosion is occurring within and adjacent to the unlined ditches, especially during rain events. This results in large amounts of sediment being deposited into Baird Creek. This project will line the 800 ft of unlined ditch with gabions (estimated at \$330,000) and construct a rip rap lined ditch with ditch checks in the 300 feet of unlined ditch to minimize sediment transport to Baird Creek (estimated at \$190,000). (Alder Hutchison)	move forward with request
7-5-205	Steve Grenier	Stormwater, Green Infrastructure, and Climate Resilience	\$200,000	5.6 Stormwater Bairds Creek Christa McAuliffe Park, Surface Water Sediment Control Project The developed area of the neighborhood just east of Christa McAuliffe Park on the west half of West Twin Pines Court delivers surface water to an unlined ditch to the west to Baird Creek. This area includes 6 lots with homes and approximately 300 feet of paved roadway. Erosion along the unlined ditch is occurring, especially during rain events, which results in sediment being deposited into Baird Creek. This project will line about 500 ft of unlined ditch with rip rap and ditch checks prior to delivery to the creek. (Alder Hutchison)	move forward with request
7-5-208	Steve Grenier	Stormwater, Green Infrastructure, and Climate Resilience	\$0	5.6 Stormwater There are erosion concerns along Lacount and past Fritsch Park. These funds would assist in replacing deteriorated crossings over culverts and preliminary work for the creek near Fritsch Park. (Alder Brunette)	More discussion is needed
Stormwater, Green Infrastructure, and Climate Resilience Total			\$720,000		

File Number	Staff	Category	Recommend Amount	Project/ Activity	Status
NEW REQUESTS					
11-6-201	Chief Davis	Economic Impact	\$353,400	6.1 Provisions of Government Service Overhire ; Like most police agencies, the Green Bay Police Department has experienced difficulty in recruiting enough police officers to replace those lost through retirements and resignations. As a result, we have been operating at around a 10% vacancy rate for most of the past 18 months. Over the course of 2022, however, we have made significant progress in recruiting, and we now have enough potentially viable candidates in the hiring process to reach our funded strength of 187 sworn positions. We continue to have qualified, interested applicants. We anticipate at least 6 retirements over the course of 2023. On average, it takes 12 to 18 months for a newly-hired officer to be fully deployable for solo patrol duties, so it would be in the City's interests for us to be able to hire replacements for these anticipated vacancies now, while we have the opportunity, and begin training them. This would reduce the lead time to train replacements for 2023 retirees. We are seeking ARPA funding to allow one-time overhire capacity, with the goal of being back within our authorized, budgeted strength by the end of 2023.	New
1-6-301	Dave	Capital Needs and Organizational Priorities	\$40,000	Looking to replace and integtate our existing/aging Email appliance which filters SPAM and Malware for all inbound emails. The FortiMail solution will integrate with our new purchase and pending installation of other Cyber Security products from FortiNet.	New
1-6-303	Diana Ellenbecker	Capital Needs and Organizational Priorities	\$538,480	FY23 2023-2027 Capital Improvement Plan Bonding - to reduce overall borrowing	New
2-2-003	Neil Stechschulte	Economic Impact	\$300,000	Increase Facade Project	New- increase
2-2-006	Neil Stechschulte	Economic Impact	\$200,000	Increase Tourism Project	New- increase
1-1-302	Neil Stechschulte	Economic Impact	\$100,000	Daycare license support- Funding to support individuals in obtaining inhouse childcare license fees.	New
New Requests Total			\$1,531,880		

New Capital Needs & Organizational Priorities \$578,480

New Economic Impact \$953,400

Grand Total of all requests \$5,576,880

Capital Needs & Organizational Priorities \$1,578,480

Economic Impact \$3,998,400



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.6

To approve a limited conflict waiver for the firm of Renning Lewis and Lacy.

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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Conflict Waiver, 4866-1631-1115, I



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January 18, 2023

Via E-Mail Only

Attorney Joanne Bungert
Attorney William Vande Castle

Re: Lease Negotiations Between Green Bay - Brown County Professional Stadium District, City of Green Bay, and Green Bay Packers, Inc.

Dear Attorneys Bungert and Vande Castle:

The Green Bay Packers, Inc. ("Team") has requested that the Green Bay – Brown County Professional Stadium District ("District") and the City of Green Bay ("City") begin negotiations regarding an extension of the existing lease dated January 1, 2001, as amended, between these parties for the Lambeau Field Complex. ("Transaction"). Attorney Patteson previously served as one of the original board members and officers of the District, and participated in the negotiation of this lease on behalf of the District. The Mayor of the City appointed Attorney Patteson for several terms as a board member to the District, as one of three City appointees. As a board member and officer of the District, her duty was to represent the best interests of the District.

The District has requested that Attorney Ann Patteson of the law firm Renning, Lewis & Lacy, s.c. ("Firm") represent the District with respect to the Transaction. Other attorneys associated with this Firm represent the City with regard to unrelated labor and employment matters. The City is proceeding to hire other outside counsel with respect to this Transaction. The factual and legal issues that will likely arise with respect to the Transaction for the District appear to be unrelated to the work the Firm currently does or is likely to do for the City.

The Wisconsin Supreme Court Rules (SCR), which apply to all lawyers in the State of Wisconsin, provide that a law firm may concurrently represent two or more clients if the law firm obtains the informed consent of the clients, as is set forth below in more detail:

SCR 20:1.7. Conflicts of interest current clients

(a) Except as provided in par. (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:

(1) the representation of one client will be directly adverse to another client;
or

(2) there is a significant risk that the representation of one or more clients

will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.

(b) Notwithstanding the existence of a concurrent conflict of interest under par. (a), a lawyer may represent a client if:

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;
- (2) the representation is not prohibited by law;
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and
- (4) each affected client gives informed consent, confirmed in a writing signed by the client.

Additionally, the Wisconsin Supreme Court Rules (SCR) consider that a firm of lawyers is essentially one lawyer for purposes of the rules governing loyalty to the client, or from the premise that each lawyer is vicariously bound by the obligation of loyalty owed by each lawyer with whom the lawyer is associated.

SCR 20:1.10 Imputed Disqualification: general rule

- (a) While lawyers are associated in a firm, none of them shall knowingly represent a client when any one of them practicing alone would be prohibited from doing so by SCR 20:1.7 ...;
- ...
- (c) A disqualification prescribed by this rule may be waived by the affected client under the conditions stated in SCR 20:1.7.

To the extent applicable, Wisconsin Supreme Court Rule (SCR) 20:1.11 addresses a lawyer who has formerly served as a public officer who represents a client with regard to a matter the lawyer participated in personally and substantially as a public officer.

SCR 20:1.1 Special Conflict of Interest for Former and Current Government Officers and Employees

- (a) Except as law may otherwise expressly permit, a lawyer who has formerly served as a public officer or employee of the government:
 - (1) is subject to SCR 20:1.9(c); and

(2) shall not otherwise represent a client in connection with a matter in which the lawyer participated personally and substantially as a public officer or employee, unless the appropriate government agency gives its informed consent, confirmed in writing, to the representation.

...

(c) Except as law may otherwise expressly permit, a lawyer having information that the lawyer knows is confidential government information about a person acquired when the lawyer was a public officer or employee, may not represent a private client whose interests are adverse to that person in a matter in which the information could be used to the material disadvantage of that person. As used in this rule, the term "confidential government information" means information that has been obtained under governmental authority and which, at the time this rule is applied, the government is prohibited by law from disclosing to the public or has a legal privilege not to disclose and which is not otherwise available to the public. A firm with which that lawyer is associated may undertake or continue representation in the matter only if the disqualified lawyer is timely screened from any participation in the matter and is apportioned no part of the fee therefrom.

...

(e) As used in this rule, the term "matter" includes:

(1) any judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, investigation, charge, accusation, arrest or other particular matter involving a specific party or parties, and

(2) any other matter covered by the conflict of interest rules of the appropriate government agency.

...

With regard to the City's appointment of Ann Patteson to the District Board, her duty as a public officer was to serve the best interests of the District, the same entity she would be representing in this Transaction. However, given the appointment process through the City, the best practice is to clarify this issue and include it for your consideration and consent. Under all of these rules, this Firm can represent the District regarding this Transaction and the City regarding unrelated matters only if you agree to waive these conflicts. In considering whether to do so, you should review the following issues.

Even where there is no direct adverseness, a conflict of interest exists if there is a significant risk that a lawyer's ability to consider, recommend, or carry out an appropriate course of action for the client will be materially limited as a result of the lawyer's other responsibilities or interests.

For example, clients that are asked to waive or consent to conflicts typically should consider whether there is any material risk that "their" lawyer will be less zealous or eager on their behalf due to the conflict. Similarly, clients should consider whether there is any material risk that their confidences or secrets will be used adversely to them due to the conflict. In the present situation, I personally do not believe that there is a material risk of either type because of the unrelated nature of the work for the two clients, the sophisticated nature of each client, and that I previously served the District as an officer /board member while being associated with the Firm (as well as a prior law firm), at the same time when the City was a client of the Firm.

Each client has the right to loyal and diligent representation and the protection of the rules concerning the obligations to a current and former client. The client also has the right to discharge the lawyer. A client who has given consent to a conflict may revoke the consent and, like any other client, may terminate the lawyer's representation at any time. Whether revoking consent to the client's own representation precludes the lawyer from continuing to represent other clients depends on the circumstances, including the nature of the conflict, whether the client revoked consent because of a material change in circumstances, the reasonable expectations of the other client and whether material detriment to the other clients or the lawyer would result.

If, after reviewing this letter you concur with us regarding waiver of the conflicts we have discussed, please consent by signing below and returning the signature page to me. If you have questions or are unwilling to sign, please contact my office regarding your position. Thank you for your attention to this matter.

Very truly yours,

Renning, Lewis & Lacy, s.c.



Ann L. Patteson

I hereby give consent that Ann L. Patteson of Renning, Lewis & Lacy, s.c. may represent the Green Bay – Brown County Professional Football Stadium District with respect to this Transaction. In the event of a perceived conflict in the future with regard to the lease negotiations or otherwise, the City will notify the District and Attorney Patteson of the issue and the parties and Attorney Patteson will meet in an attempt to resolve. If no resolution is reached, the City reserves its right to withdraw the waiver granted herein.

SIGNATURES TO FOLLOW

CITY OF GREEN BAY

By: _____
Name: Eric Genrich
Title: Mayor

Date: _____

By: _____
Name: Celestine Jeffreys
Title: Clerk

Date: _____

GREEN BAY - BROWN COUNTY PROFESSIONAL
FOOTBALL STADIUM DISTRICT

By: _____
Name: _____
Title: _____

Date: _____



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY**AGENDA ITEM # O.7**

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

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.

BACKGROUND**RECOMMENDATION****FISCAL IMPACT****ATTACHMENTS**

None



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # O.8

To approve the Report of the Claims Committee.

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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. CONFIDENTIAL Claims Committee Rpt January 2023



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # P.I

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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. City Hall Flagpole Policy

CITY OF GREEN BAY

TO: Parks Committee and Common Council

FROM: Law Department

DATE: January 19, 2023

RE: City Hall Flagpole Policy

The city owned flagpole located at City Hall shall only display the following flags: the United States flag, the State of Wisconsin flag, and the City of Green Bay flag. No other flags shall be flown, unless otherwise directed by law. No more than three (3) flags will be displayed at the same time, with the U.S. flag being the topmost flag. The U.S. flag shall be respected in the manner prescribed in Section 8 of title 4 of the United States Code.



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # P.2

To adopt a resolution in support of World Migratory Bird Day.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Resolution relating to World Migratory Bird Day 2023

RESOLUTION RELATING TO WORLD MIGRATORY BIRD DAY

February 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

WHEREAS many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; and

WHEREAS these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

WHEREAS migratory birds and their habitats are declining throughout America, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, since 1993, World Migratory Bird Day (“WMBD”), formerly International Migratory Bird Day, has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in communities throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern United States; and

WHEREAS WMBD is officially celebrated on the second Saturday in May, as migratory birds journey to nesting sites, and on the second Saturday in October, as they return to wintering areas; and

WHEREAS observance of WMBD is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants and in accordance with federal, state, and local public health directives; and

WHEREAS WMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation, but also a call to action;

NOW, THEREFORE, BE IT RESOLVED that Saturday, May 13, 2023, and Saturday, October 14, 2023, shall each be known as World Migratory Bird Day in the City of Green Bay, Wisconsin.

BE IT FURTHER RESOLVED that the Common Council of the City of Green Bay urges all citizens to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Adopted _____

Approved _____

Mayor

Clerk

law



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

AGENDA ITEM # P.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.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. USGS_EastRiverStation_Proposal
2. East River Map 3
3. ER Monitoring Station Photos



United States Department of the Interior

U.S. GEOLOGICAL SURVEY
Upper Midwest Water Science Center

Minnesota Office
2280 Woodale Drive
Mounds View, MN 55112
763.783.3100

Wisconsin Office
1 Gifford Pinchot Drive
Middleton, WI 53726
608.828.9901

Michigan Office
5840 Enterprise Drive
Lansing, MI 48911
517.887.8903

To whom it may concern,

The United States Geological Survey – Upper Midwest Water Science Center is interested in placing a remote water quality monitoring station on the lower East River of Green Bay, WI. The equipment within that station will passively collect water samples and produce real-time discharge and water level data for not only USGS researchers but for public use as well.

The collected data is an important part of a Great Lakes Restoration Initiative funded study of nutrient loads entering the lower Fox River. The East River is a major contributor of phosphorus and sediment to the Fox River and using data from this monitoring location we will be able to determine more on its impact.

The USGS, nationally, operates over 13,000 real-time stream, lake, reservoir, precipitation, water quality, and groundwater stations. In Wisconsin, there are approximately 190 real-time data locations including many locally here around Green Bay. All real-time data collected is available publicly on our national webpage ([USGS | National Water Dashboard](#)) where various users such as water recreators and local governments can monitor their local waterways.

We appreciate this opportunity and look forward to working with you,

Matthew Bach
Hydrologic Technician
USGS-UMID: Green Bay Project Office
2420 Nicolet Dr
ES307L
Green Bay, WI 54311

LOCATION SHOWN IS APPROXIMATE. FINAL EXACT LOCATION WILL BE DETERMINED AND APPROVED BY PARK STAFF

LOCATION SHOWN IS APPROXIMATE. FINAL EXACT LOCATION WILL BE DETERMINED AND APPROVED BY PARK STAFF

N BAIRD STREET

PARK PROPERTY

EAST RIVER

ST. CLAIR STREET

EAST HIGH SCHOOL

EAST RIVER TRAIL

0

0.02

0.04

mi

This is a custom map created by an online user of GIS map services, provided by Brown County, Brown County WI

U.S. Geological Survey: Upper Midwest Water Science Center
Remote Water Quality Monitoring Station

Proposed Location Map

U.S. Geological Survey: Upper Midwest Water Science Center Proposed Remote Water Quality Monitoring Station

Proposed Location: Park property adjacent to the East River Trail north of East High School.

Duration: This research project is currently funded for 5 years.



Photos of what the monitoring station will look like.



Report to the
Traffic, Bicycle and Pedestrian Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

Dave Hansen, Traffic Engineer

AGENDA ITEM # R.1

To elect Dan Theno as Chair and Kasha Huntowski as Vice Chair. (For information only. No council action is required.)

BACKGROUND

The SOP requires this election at the first meeting of each year.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Traffic, Bicycle and Pedestrian Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

Dave Hansen, Traffic Engineer

AGENDA ITEM # R.2

To receive and place on file the report by the Police Department of the 2022 4th quarter serious injury and fatal crashes.

BACKGROUND**RECOMMENDATION**

Receive and place on file the report by the Police Department of the 2022 4th quarter serious injury and fatal crashes.

FISCAL IMPACT**ATTACHMENTS**

- I. fatal-injury report 4th quarter 2022



Fatal and Major Injury Report – Green Bay Police Department

4th Quarter 2022 – LT. Tom Buchmann

10/13/2022 10:03PM Webster/Crooks GBPD Report #22-256638 Major Injury

On 10/13/2022 at approximately 10:03PM, a vehicle traveling southbound on Webster at Crooks struck a pedestrian crossing in the middle of the street. The pedestrian was launched over the roof of the car and landed in the street. The vehicle, described as a black 4-door passenger car, did not stop at the scene, continued southbound and turned westbound onto Mason St. The victim, a 55-year-old homeless man in Green Bay, suffered life-threatening injuries and was rushed to the hospital. The accident was witnessed by two people and doorbell and surveillance cameras in the area. Despite media reports asking for the public's help and photos of the car taken from surveillance cameras, the vehicle or driver was never identified. As of 12/05/2022, the victim was still in the hospital in Milwaukee, had gone through 10 surgeries and suffered brain damage from the accident.

10/27/2022 07:03PM Mather/Harrison GBPD Report #22-259249 Fatality

On 10/27/2022 at approximately 07:03PM, a pickup truck traveling eastbound on Harrison at Mather struck a pedestrian crossing the street northbound. The driver, a 26-year-old Green Bay man, remained on scene until police arrived. The victim, a 70-year-old Green Bay man, suffered a fatal head wound from the impact of the vehicle. The driver was cited for failure to yield to a pedestrian at an uncontrolled intersection. Speed and alcohol did not appear to be a factor in this accident.

10/30/2022 07:40PM Mason/Oneida GBPD Report #22-259784 Fatality/H&R

On 10/30/2022 at approximately 07:40PM, a Toyota Corolla was racing another vehicle eastbound on Mason approaching Oneida. As the vehicles approached a red light at Oneida St., the Corolla ignored the red light and proceeded through the intersection, striking a northbound car that was just pulling forward with a green light. The collision sent the Corolla out of control, striking a sign in the median and causing the left side of the car to strike a car travelling westbound on Mason. The corolla continued to spin out of control until coming to a rest at Redwood Dr., a full block east of Oneida St. The driver, a 15-year-old Green Bay female and her friend exited the car and fled on foot, jumping into the car they were just racing with before the



GREEN BAY POLICE DEPARTMENT

crash. These parties left the scene, leaving their friend, a 17-year-old Milwaukee resident, dead in the back seat of the Corolla. He died as a result of the severe impact. A media release was put out and the driver was quickly identified by the public. She was taken into custody the following day and was charged with homicide by negligent use of a motor vehicle. The vehicle was found to have been traveling 106 MPH less than two seconds before the first impact, which is three times the 35 MPH speed limit on Mason St.



Report to the
Traffic, Bicycle and Pedestrian Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

Dave Hansen, Traffic Engineer

AGENDA ITEM # R.3

To receive and place on file the monthly Traffic Enforcement Unit Traffic Safety Plan.

BACKGROUND**RECOMMENDATION**

Receive and place on file the report by the Police Department on monthly Traffic Enforcement Unit Traffic Safety Plan.

FISCAL IMPACT**ATTACHMENTS**

- I. 01 TRAFFIC SAFETY PLAN JAN 2023 (I)



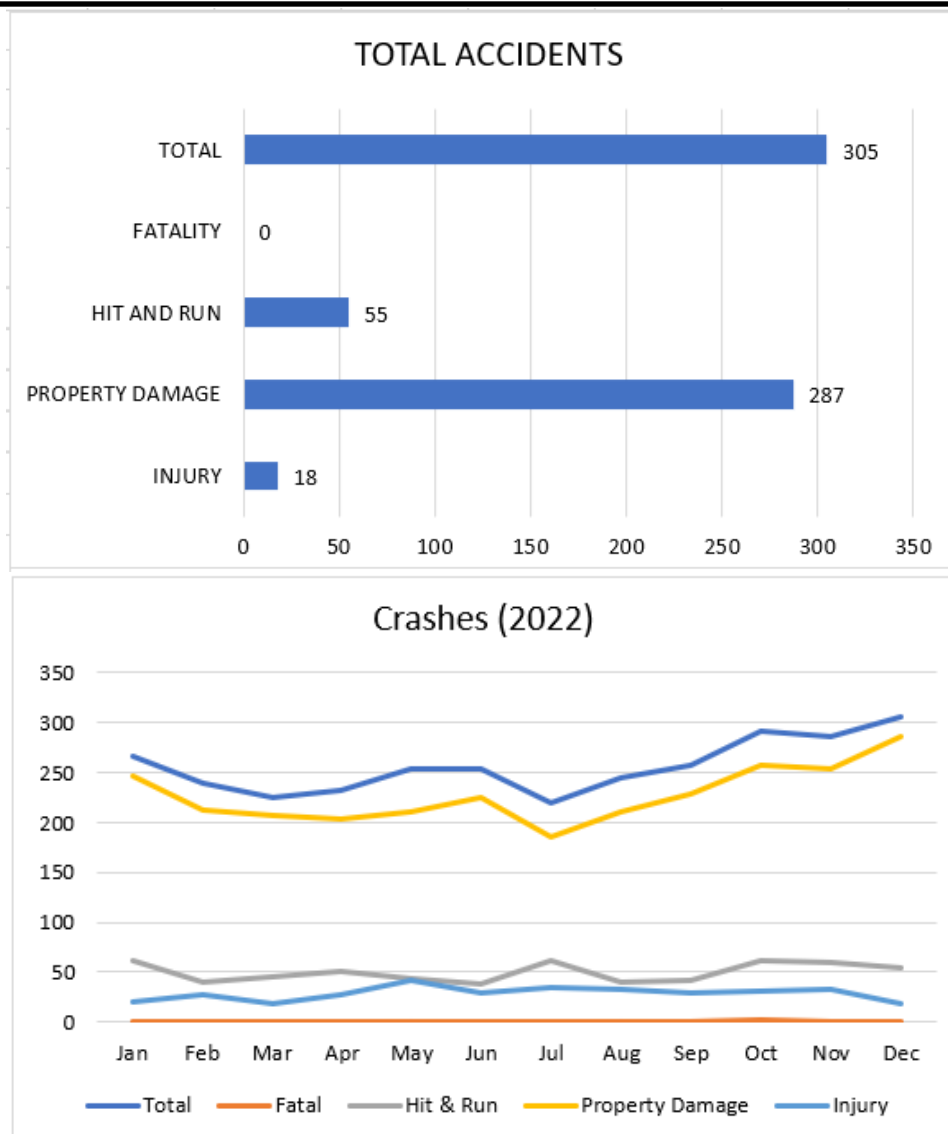
Green Bay Police Department

JANUARY 2023

Traffic Safety Plan

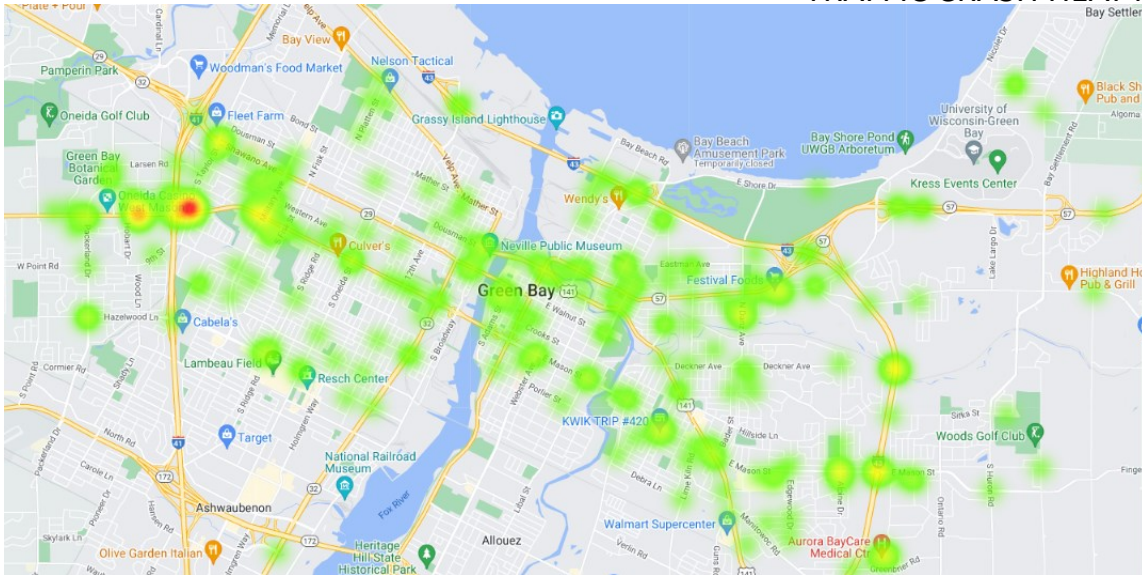
Traffic complaints are the #1 complaint made to the Green Bay Police Department and City Alderpersons. The police department is committed to safe travels for motorists, pedestrians and bicyclists. With a goal of reducing traffic crashes, property damage, injury and death on Green Bay's roadways, the police department will use a data driven approach for traffic enforcement. Data analytics from crash data, citizens complaints and speed boards will be used to identify traffic emphasis areas. Each month's report will be posted on the police department's website and will be presented at each months Traffic, Bicycle and Pedestrian Commission meetings.

DECEMBER 2022 CRASH DATA

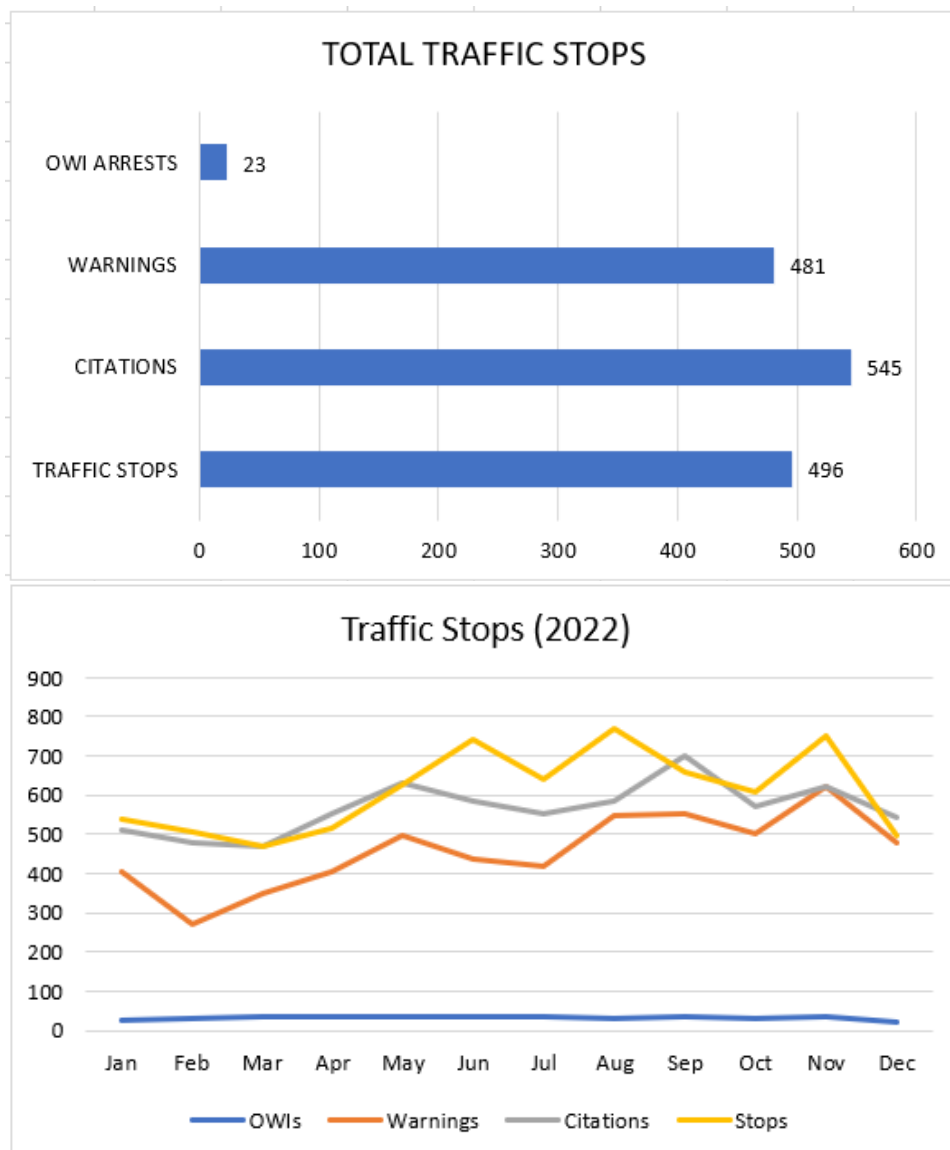


GREEN BAY POLICE DEPARTMENT TRAFFIC SAFETY PLAN

TRAFFIC CRASH HEAT MAP



DECEMBER 2022 TRAFFIC STOPS

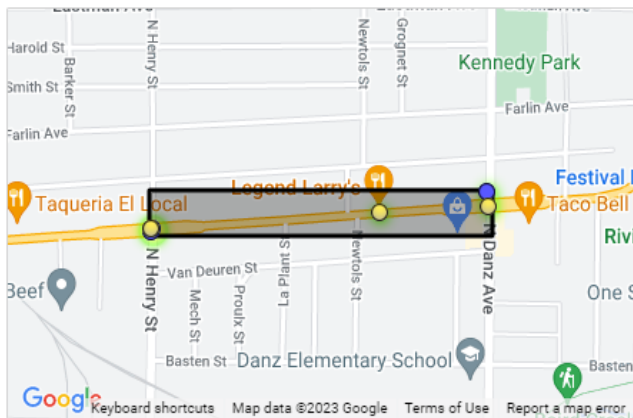


GREEN BAY POLICE DEPARTMENT TRAFFIC SAFETY PLAN

UPCOMING TRAFFIC TASK FORCE DEPLOYMENTS

- * BROWN COUNTY OWI TASK FORCE— JANUARY 13 (BRSO), 28 (DPPD)
- * CLICK IT OR TICKET SEATBELT ENFORCEMENT— JANUARY 10 (GBPD), 19 (ASPS)
- * LOCAL GREEN BAY ALCOHOL ENFORCEMENT—JANUARY 6, 14, 20, 21, 27

ENFORCEMENT PRIORITY AREAS



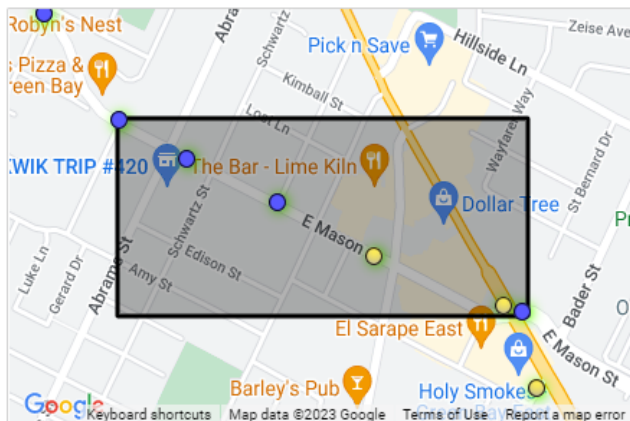
Analysis Area #1: GREEN BAY (C)

Roadway: 054

Total Crashes: 7

Contributing Factors:

- Occp Protection (2)
- Speed (2)
- Aggressive (1)
- Distracted (1)
- Impaired (1)
- Teen Driver (1)
- 65+ Driver (1)



Analysis Area #2: GREEN BAY (C)

Roadway: E MASON ST

Total Crashes: 6

Contributing Factors:

- Impaired (2)
- Distracted (1)
- Teen Driver (1)
- 65+ Driver (1)

These areas are determined as the most likely to experience an injury traffic crash based on the last three years of crash data collected by the state of Wisconsin.

GREEN BAY POLICE DEPARTMENT TRAFFIC SAFETY PLAN

TRAFFIC COMPLAINTS

Dist...	Title	Address	Description
B	PARKING COMPL...	1315 12TH AV	VEHICLES PARKED BLOCKING ...
B	LOUD EXHAUST	1727 14TH AV	VEHICLE WITH LOUD EXHAUST ...
D	SPEEDING COMP...	1400 DAY ST	SPEEDING DAILY 1700-2200 HRS.

Two additional traffic complaints were received on the City's request for service site. They were referred to Ashwaubenon Public Safety and the Brown County Sheriff, as they were not located within the city limits.

SPEED BOARD DATA

ALL TRAFFIC
SOLUTIONS



Start: 2022-12-01
End: 2022-12-14
Times: 0:00-23:59

Compliance & Risk Report

E Mason @ S Madison, EB

Medium Risk Threshold: Speed Limit + 10

High Risk Threshold: Speed Limit + 20

Speed Range: 1 to 150

Time View: By Hour (Avg Volumes)

Time	Speed Limit	Mode	Compliant	Low Risk	Medium Risk	High Risk	Total Num Vehicles
0:00	35	Speed Display	57	125	13	1	196
1:00	35	Speed Display	45	90	13	1	149
2:00	35	Speed Display	45	91	12	1	149
3:00	35	Speed Display	55	125	13	2	195
4:00	35	Speed Display	72	146	14	2	234
5:00	35	Speed Display	90	230	29	1	350
6:00	35	Speed Display	99	268	30	2	399
7:00	35	Speed Display	103	312	44	3	462
8:00	35	Speed Display	87	310	56	5	458
9:00	35	Speed Display	78	318	64	6	466
10:00	35	Speed Display	84	327	64	6	481
11:00	35	Speed Display	84	349	67	4	504
12:00	35	Speed Display	86	353	72	5	516
13:00	35	Speed Display	93	363	68	6	530
14:00	35	Speed Display	101	375	65	5	546
15:00	35	Speed Display	104	379	58	2	543
16:00	35	Speed Display	128	352	43	2	525
17:00	35	Speed Display	120	349	43	2	514
18:00	35	Speed Display	115	339	46	2	502
19:00	35	Speed Display	103	310	40	3	456
20:00	35	Speed Display	103	288	35	2	428
21:00	35	Speed Display	108	265	34	3	410
22:00	35	Speed Display	91	230	28	2	351
23:00	35	Speed Display	78	173	19	3	273
Average			89	269	40	3	402



Report to the
Traffic, Bicycle and Pedestrian Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

PREPARED BY

Dave Hansen, Traffic Engineer

AGENDA ITEM # R.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.

BACKGROUND

The requestor was issued a NO STOPPING - TOW AWAY citation on August 23, 2022 while unloading a passenger while parked in front of a NO STOPPING OR STANDING sign on the north side of Cherry St in front of the Riverfront Lofts. A photo of the incident is included in the meeting packet. Violation may result in both a citation and towing of the offending vehicle. This particular incident resulted in a citation only.

On August 29, husband Terry Wolfgram called the Parking Division office to express his frustration and to inquire why the enforcement officer did not approach his wife but rather took photos, then was mailed a parking citation. The parking attendant also explained to him that staff have been experiencing confrontations with citation recipients, which is why they've moved to mailing citations. Mr. Wolfgram stated he contacted two alders about changing the parking zone. The next day, Mrs. Wolfgram stopped in the office to complete contestation paperwork, and stated she had been dropping her mother off in the same spot prior to the citation. Mr. Wolfgram contested the citation in municipal court, pleaded no contest, was found guilty, and received a reduced fine of \$5.

RECOMMENDATION

Receive and place on file the request.

FISCAL IMPACT

ATTACHMENTS

1. 2023-01-10 Dist 4 to TBP
2. d26c457f39fd4f69980385c4878e38a7

From: noreply@civicplus.com
To: [Celestine Jeffreys](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Tuesday, January 10, 2023 1:27:32 PM

Alders' Petitions and Communications

Name	Bill Galvin
Committee Name	Traffic, Bicycle, and Pedestrian Commission
Text of Communication	on behalf of a constituent Kathleen Wolfgram who would like to address the committee about an incident in which she was issued a parking ticket while assisting her mother out of her car and into her condo in the 100 blk of Cherry St.

Email not displaying correctly? [View it in your browser.](#)



REVIEW OF PROPOSED ETHICS CODE; ORDINANCE 118-22—GREEN BAY

Building upon my analysis of your City's Code of Conduct and Ethics Code in 2018, I have now reviewed your proposed Code and the excellent work you have done to conform to national best practices.

My recommendations are based upon my 35 years of experience in the ethics and anti-corruption field, including being a federal prosecutor, Fellow at the Harvard Ethics Center, former Ethics Director of Jacksonville, Florida, Founder of [CityEthics](#), ethics consultant for cities across the United States, and work with the U.S. State department worldwide in anti-corruption activities.

I have noted that in the proposed Code, you have separated out values based ethics from legal code provisions. That will be most helpful as you implement your Code.

Comments:

1. Sec.2-323. Definitions. (e) Covered persons. Do you want to add (4), vendors, lobbyists? See also section 2-324(b) no "other person" may offer....Do you want to regulate/fine vendors/lobbyists who create violations with elected officials?
2. 2-324 (b). This will be interesting to see how this plays out in an Ethics Board hearing. Research shows that even a cup of coffee can influence a person's actions.
3. 2-324 (c). Conflicts are the most complicated part of an ethics code. It may help to have an additional section in 2-324 that encourages them to seek advice from the Ethics Board before proceeding if a family member is involved in a transaction.
4. 2-324 (d). Disclosure annually on 1/1 would be advisable. Should you require approval of the secondary employment? What if it is just disclosed and the supervisor doesn't like it? What is done then?
5. 2-324 (e). What about sealed bids—should they be exempted?
6. 2-324 (f). Wording needs to be clearer; revise last sentence for example, like this: "or for any other person or entity if the information had not also been disclosed at the same time to the public or was not a public record." Under the current wording, someone could disclose information to a person on May 1, and then the information becomes public on May 15—the defense in June would be that the information was public.
7. 2-324 (g)(5). This needs a time limit, for example, within 30 days from receipt.
8. 2-325 Post Employment. Section (a) should also prohibit any lobbying at any time on any matter in which they had substantial involvement as a Covered Person.
9. 2-326 (1). Cover displays in work spaces and city owned vehicles specifically.
10. 2-326 (g). Elected officials **and** City Employees (usually top level employees) should not pressure their subordinates to get involved in activity—not just elected officials.
11. 2-327. Disclosure of Interests. There should be an intro paragraph stating that the disclosure is for types of assets to determine conflicts and not a disclosure of the actual value of assets. Section (c), Interests in land should be statewide, not just nearby towns.
12. Note: I like 2-328 (c) making it clear that the aspirational sections are not enforceable.

13. 2-329 (c). It is more workable if there is a form to disclose conflicts and that this form is filed in all instances Form to be developed by the Ethics Board.
14. 2-330. 3 year terms—make it possible for someone to serve two 3 year terms. It is not advisable nor is it best practice to have the Mayor make all of the appointments. It affects the credibility of the Board. Perhaps a compromise would be for an impartial group to make recommendations and have the Mayor pick from those people.
15. 2-330 (b) and (f). There should be a provision that if there is a conflict in the City Attorney representing the Ethics Board, that they can hire (or have a volunteer attorney) take over in the conflict areas.
16. 2-330 (b). The attorney should have all advisory opinions approved by the Ethics Board; these opinions should be public.
17. 2-330 (d). I would not limit complaints to residents of Green Bay. If the complaint is valid and it is from someone in a nearby area, it should be considered.
18. 2-330 (e) 6 months to file a complaint is very short; a year is really the minimum I have seen nationwide. Also, consider rejecting any complaints within 30 days of an election; ethics complaints are often misused during election cycles.
19. 2-330 (g). The Board **shall** adopt due process rules; this is essential for them to have credibility with elected officials. (I previously sent you a proposed draft of such rules.)
20. Since the Code is new, you may want to add a **“waiver” provision**; if something seems burdensome or unfair, then the person has the right to argue for an exception from the Code Provision from the Ethics Board. Language: *Upon written application and upon a showing of compelling need by the applicant, at an open session after public notice, the Ethics Commission may in exceptional circumstances grant the applicant a waiver of this code. To allow a waiver, the Ethics Commission must determine either that the applicant has a compelling need or that overall, when considering the possible damage to the community, the conduct would clearly be beneficial to the community. The Ethics Commission must also determine the extent to which the waiver might create a potential for undue influence, unfair advantage, or a serious appearance of impropriety. 2. Waivers must be in writing and must state the grounds upon which they are granted. Within ten days after granting a waiver, the Ethics Commission must publish the waiver on its website in a clearly designated area.*

In my initial review, I made several recommendations for your Code. Most of them have been incorporated into the revisions. Here are some that still need some consideration. It is certainly ambitious to get the entire Code implemented, and perhaps some of these can be for a later time. I just wanted to reiterate their importance to a comprehensive ethics program for a City.

Additional Provisions to be Considered:

1. Ethics proceedings should be confidential until a probable cause determination on the validity of the accusations is made; the process can become a circus if opened up immediately.

This type of provision would conflict with Wisconsin's Open Meetings Laws

2. There should be an "Ethics Officer" designated for the City. This person is in charge of creating a preventative training program and in working with the Ethics Board. It can be a collateral, part time duty of a current employee.

The City does not have an Ethics Officer provided for in the budget. However, training should be available periodically and senior staff can consider implementing it in their own departments. We also have ethics trainings available through CVMIC, our insurer, and we can consider making those trainings mandatory.

3. Periodic ethics training should be required of all employees and officials, especially when beginning a new role. This should be a requirement in the Code and cover training on your local laws, state ethics laws (with examples) and values based concepts.

See #2.

4. You may want to consider a procedure for a confidential hotline for the Ethics Commission and a basic whistleblower protection clause.

We agree that this is a good idea. However, funding and staffing issues are significant concerns for a City this size. The Wisconsin Ethics Commission already exists for both Covered Officials and anyone from the public to call and get answers to ethics-related questions without charge.

GENERAL ORDINANCE NO. 18-22

AN ORDINANCE REPEALING AND RECREATING CHAPTER 2, ARTICLE IX, GREEN BAY MUNICIPAL CODE, RELATING TO ETHICS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 2, Article IX, Green Bay Municipal Code, is hereby repealed and recreated to read:

ARTICLE IX. Ethics.

Sec. 2-321. Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. To assist in attaining these goals, there is established a Code of Ethics for all City officials, including members of boards, committees, and commissions, and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions which are incompatible with the best interests of the City and by requiring such officials and employees to disclose personal interests, financial or otherwise, in matters affecting the City. The purpose of this code and the rules and regulations established hereby are declared to be in the public interest. This article may be called the "Code of Ethics."

Sec. 2-322. Responsibility of public office.

Public officials and employees hold office for the benefit of the public. They are bound to uphold the state and federal constitutions; to observe the highest standards of law in the exercise of the powers and duties of their office; to impartially carry out the laws of the nation, state, and City; to discharge faithfully the duties of their office regardless of personal considerations; and to recognize that the public interest must be their prime concern.

Sec. 2-323 Definitions.

As used in this section:

(a) *Anything of value* means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the City, money or items which are permitted and reported under 2-324(i), political contributions which are reported under Wis. Stats. Ch.

11, or hospitality extended for a purpose unrelated to City business by a person other than an organization.

(b) *Associated*, when used with reference to an organization, includes any organization of which an individual or a member of their immediate family is a director or officer or owns or controls, directly or indirectly, and severally or in the aggregate, at least five percent (5%) of the outstanding equity. Notwithstanding the foregoing, an elected official or employee who is appointed by the Mayor or approved by the Council to serve as an officer or board member of a private non-profit organization, or a public committee or board, does so in their official capacity as a representative of the City and, as such, is not "associated" with the private or public organization.

(c) *Board* means the Ethics Board.

(d) *City-Related Purpose* means those purposes authorized by the Common Council of the City, its boards, commissions, or committees.

(e) *Covered Person* means and includes all persons who are covered by and subject to this Code. Covered Person includes:

(1) All elected officials of the City.

(2) All City employees.

(3) All members of City boards, authorities, committees, or commissions, including subcommittees and ad hoc committees.

When a part of this ordinance only covers some Covered Persons, the ordinance will so state.

(f) *Economic interest or financial interest* means a business or cause in which a person or their immediate family member has a concern, responsibility, share, right, or title in the ownership of property in a commercial or financial undertaking which relates to the source, production, distribution, or use of the person's or immediate family member's income, wealth, or goods, including debts, or which affects or is likely to affect the welfare or the material resources of the person or immediate family member.

(g) *Immediate family* means 1. An individual's spouse or designated family or domestic partner, or 2. An individual's relative by marriage, lineal descent, or adoption, or any similar step relations of any of the above.

(h) *Organization* means any public or private, profit or non-profit, religious, educational, charitable, or political organization or entity but does not include governmental bodies.

(i) *Personal interest* means any interest greater than nominal, direct or indirect, arising from blood, marriage, adoption, guardianship, or designated family or domestic partner relations or from close business, political, or other associations.

Sec. 2-324 Standards of Conduct.

(a) *Financial gain.* No Covered Person may use their public position or office to obtain financial gain or anything of value for the Covered Person's private benefit or that of their immediate family, or for an organization with which they are associated. This subsection does not prohibit an elected official from using the title or prestige of their office to obtain contributions permitted and reported under Wis. Stats. Ch. 11.

(b) *Offer, solicitation, or acceptance of anything of value.* No person may offer or give to any Covered Person, directly or indirectly, and no Covered Person may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the Covered Person's vote, official actions, or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the Covered Person. This subsection does not prohibit a Covered Person from engaging in outside employment, except as may be prohibited elsewhere in this chapter.

(c) *Conflict of interest.*

(1) No Covered Person may:

- a. Take any official action affecting, directly or indirectly, a matter in which they, a member of their immediate family, or an organization with which they are associated has a financial or personal interest.
- b. Use their office or position in a way that produces or assists in the production of a benefit, direct or indirect, for them, a member of their immediate family either separately or together, or an organization with which the Covered Person or an immediate family member is associated.

(2) This subsection does not prohibit a Covered Person from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses or prohibit a Covered Person from taking official action with respect to any proposal to create, modify, or repeal a City ordinance, resolution, or matter benefiting the public.

(d) *Outside employment.*

(1) No Covered Person shall engage in or accept private employment, or render service for a private interest, compensated or uncompensated, when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair such Covered Person's independence of judgment or action in the performance of such duties.

(2) No City employee shall engage in non-City related activities for which compensation is received for so many hours or to such an extent as to interfere with the proper performance of the duties and responsibilities of their official position.

(3) On an annual basis on or before January 1, aAll Covered Persons shall disclose to their supervisor or, in the case of a Covered Person without a recognized supervisor (such as elected officials or committee members), to the City Clerk, any outside employment by a third party other than the City.

(e) *Contracts or leases.* No Covered Person, member of a Covered Person's immediate family, nor any organization in which the Covered Person or a member of their immediate family owns or controls at least five percent (5%) of the outstanding equity, indebtedness, or voting rights may enter into any contract or lease involving a payment or payments of more than \$3,000 within a 12-month period, in whole or in part derived from funds administered by the City, unless the Covered Person has first made written disclosure of the nature and extent of such relationship or interest to the Common Council, the Board, Commission, or Authority, and to the department acting for the City in regard to such contract or lease. In addition to such disclosure, the Covered Person shall recuse themselves from taking any actions in their official capacity with respect to the contract. In addition to any other remedy under this Article, any contract or lease entered into in violation of this provision may be voided by the City in an action commenced within 3 years of the date on which the City or any agent of the City discovered that a violation of this subsection had occurred. Nothing in this provision affects the application of Wis. Stats. § 946.13, as amended from time to time, relating to a Covered Person's activity concerning a direct or indirect financial interest in a proposed City contract.

(f) *Misuse of information.* No Covered Person shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City. This includes information protected by attorney-client privilege or discussed in a closed session. No Covered Person may use or disclose information gained in the course of or by reason of their official position or activities in any way that could result in the receipt of anything of value for themselves, for a member of their immediate family, or for any other person or entity if the information has not been communicated to the public or is not a public record. It is not a defense that the information disclosed in violation of this section was subsequently released to the public or became public record.

(g) *Appearance before City bodies and in other proceedings.*

(1) (a) No elected official shall appear on behalf of private interests with or without compensation before any City entity nor represent private interests in any action or proceeding against the City.

(b) No member of any board, committee, commission, or authority of the City shall appear on behalf of private interests with or without compensation before any board, committee, or commission of which they are a member nor represent private interests in any action or proceeding against the City which involves, is related to, or arises out of the work or jurisdiction of the board, committee commission, or authority of which they are a member or negotiate with any Covered Person in connection with any such matter.

(c) No employee of the City shall appear on behalf of private interests with or without compensation before any entity for or with which they work nor appear on behalf of private interests, with or without compensation, in any action or proceeding against the City.

(2) These provisions shall not apply to the appearance of any Covered Person when subpoenaed as a witness by a party involved in litigation which may also involve the City nor to employee representatives of a certified labor organization representing any group of City employees.

(3) An elected official may appear before any City entity and confer with any Covered Person on any matter in the course of their duties as a representative of the electorate or in the performance of public or civic obligations; however, they shall not accept any compensation therefore.

(4) A Covered Person may appear without compensation before any City entity on any matter involving their own property or interests.

(h) *Solicitation of funds.* No Covered Person shall solicit private donations or funds for any City-Related Purpose unless authorized to do so in their official capacity by ordinance, resolution, or rule of the City. Any Covered Person who receives funds for any City-related purpose shall file a report of the receipt and expenditure of such funds with the City Clerk within 30 days thereof. Nothing contained herein shall limit the statutory powers and authority of any public official, nor shall the provisions of this subsection prohibit the private solicitation of funds by any person or public official for any charitable, campaign, or other private purpose.

(i) *Honoraria and Gifts.*

(1) No Covered Person shall accept any honoraria, gifts, or Anything of Value except as allowed by this section.

(2) A Covered Person may accept gifts unrelated to a Covered Person's relationship to the City (e.g., birthday presents from family members).

(3) A Covered Person may not accept, and no person shall offer, a gift of more than de minimus value if the gift could be perceived by a reasonable person as likely to affect the judgment or actions of the Covered Person or be perceived by a reasonable

person as a reward for official action taken or an inducement to take official action by the Covered Person.

(4) A Covered Person may accept reimbursement from a third party for the costs of attending a conference or other event approved by the City, provided that the reimbursement of costs does not exceed the reimbursement that the Covered Person would receive from the City. A Covered Person invoking this provision shall obtain approval of the City Finance Director and file a report of reimbursement with the City Clerk. The Covered Person may only seek reimbursement from the City or a third party when they are attending a conference or engaged in other activities that are primarily for the benefit of the City and not for their private benefit.

(5) In the event a Covered Person receives a gift that is not allowed under this Article, the Covered Person shall, within 30 days of receipt, either (a) pay to the City Treasurer the value of the gift, (b) give the gift back to the person who made the gift, or (c) give the gift to a non-profit organization such as a homeless shelter.

(j) *Use of City property.* No Covered Person shall use or permit the use of City-owned vehicles, equipment, materials, or property by or for the benefit of any private person or entity, or for personal or financial gain, unless authorized to do so by City ordinance, resolution, or rule.

(k) *Communication with City employees.* Unless otherwise provided in this code, no elected official or member of any City body shall attempt to supersede the administrative powers and duties of a Department Director or appointed official, or deputy thereof, either publicly or privately, including by giving any order(s) to any subordinate thereof. Elected officials and members of City bodies shall not attempt to unduly influence or coerce City employees concerning their actions or recommendations to any City body about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, inspection matters, or the granting of City licenses and permits.

Sec. 2-325. Post Employment Limitations.

(a) No Covered Person shall, within 12 months of leaving their position with the City, engage in lobbying as set forth in Ch. 10, Art. XIII of this Code before any Covered Person, City entity, board, committee, or commission with which the Covered Person had duties or authority while with the City.

(b) *Employment within the City.* No Alderperson, during their term of office or within 12 months thereafter, is eligible for any employment with the City, whether by regular employment or contractual services. Exceptions to this policy will be as follows:

(1) Where an Alderperson is appointed to fill a vacancy for another elected office or is elected;

(2) Where an Alderperson serves as a poll worker or at any other position which has a stipend of less than \$1,000.00 a year; or

(3) Where an Alderperson is appointed to a post with an 80 percent majority consent of the Council.

Sec. 2-326. Political Activity.

(a) No employee while on duty or on official City business shall, for the apparent purpose of influencing the outcome of any referendum or improving the chance of election of a person seeking elective office:

(1) Wear or display any campaign material.

(2) Distribute any campaign literature.

(3) Solicit, receive, or give subscriptions, contributions, or service for any candidate or referendum position.

(4) Actively campaign for or against any candidate or referendum position.

(b) No employee shall wear or otherwise use official uniforms, insignia, seals, etc., in political ads or for the purpose of influencing an election or referendum unless the image of such official emblem originates from a publicly available image first made public during the course of City employment and not for purposes of a campaign.

(c) No employee shall use their employment or any indicia of such employment with the City as a means of endorsement of any candidate or referendum.

(d) No employee shall in any way coerce or attempt to coerce subscriptions, contributions, or service from other employees in support of a political party or a candidate for elective office or for or against a referendum position, or retaliate against or reward an employee for refraining from participating in any political activity. All persons are subject to the limitations on solicitation from public employees contained in Wis. Stat. § 11.1207.

(e) This subsection does not apply to a response by a legal custodian or subordinate of the custodian to a request to locate, reproduce, or inspect a record under Wis. Stat. § 19.35, if the request is processed in the same manner as the custodian or subordinate responds to other requests to locate, reproduce, or inspect a record under such section or to an employee providing other information within the knowledge of the employee by virtue of their City position, if such information is made equally available upon request to any other person.

(f) Persons subject to the federal Hatch Act shall comply with all applicable provisions of the Act.

(g) *Solicitation of staff forbidden.* ~~Elected officials~~ No Covered Person, while acting in an official capacity, shall ~~not~~ solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from any City employees. City employees may, ~~as private citizens~~ within their constitutional rights as private citizens, support political candidates, but all such activities must be done in a private, unofficial capacity ~~away from the workplace~~.

Sec. 2-327. Disclosure of Interests.

(a) *Intent.* The disclosure of interests under this section is necessary to ascertain actual or potential conflicts, and the extent thereof, between private interests and official duties. Any percentages or amounts referenced in this section represent the threshold at which a private interest may result in a conflict with a Covered Official's duties.

(b) *General filing for employment or appointment.* A person elected, appointed, or hired for any office or position of employment or appointed to any City of Green Bay board, commission, or authority set forth below shall file initial and amended statements of economic interest as required by the provisions of this section.

(1) Elected officials.

- a. Mayor.
- b. Municipal Judge.
- c. Alderpersons.

(2) Appointed officials.

- a. Assessor.
- b. City Attorney.
- c. Chief Building Official.
- d. Chief of Operations.
- e. City Clerk.
- f. Comptroller.
- g. Director of Community and Economic Development.
- h. Director of Parks, Recreation, and Forestry.
- i. Director of Public Works.

- j. Fire Chief.
- k. Police Chief.
- l. Treasurer.
- m. Zoning Administrator.

(3) Employees.

- a. Human Resources Manager.
- b. Mayor's Chief of Staff.
- c. Purchasing Manager.

(4) Boards.

- a. Board of Review.
- b. Ethics Board.
- c. Sex Offender Residence Board.
- d. Zoning and Planning Board of Appeals.

(5) Commissions.

- a. Annexation Commission.
- b. Equal Rights Commission.
- c. Landmarks Commission.
- d. Plan Commission.
- e. Police and Fire Commission.
- f. Public Arts Commission.
- g. Room Tax Commission.
- h. Traffic, Bicycle and Pedestrian Commission.
- i. Transit Commission.

- j. Water Commission.

(6) Authorities.

- a. Economic Development Authority.
- b. Housing Authority, including Green Bay Housing Authority Properties I, Inc.
- c. Redevelopment Authority.
- d. Transit Authority.

(b) *Filing statement of economic interest with Clerk.* Within seven (7) days after such person becomes a candidate for any elective City office enumerated in this section, or within seven (7) days of appointment to such office, such person shall file a statement of economic interest with the City Clerk.

(c) *Form of statement.* A person filing any statement of economic interest under this section shall file the statement on a form prescribed by the Ethics Board and shall supply the following information to the Board.

(1) *Interest in land.* The statement shall include a description of all parcels of real estate within the ~~state of Wisconsin City and adjoining towns or villages~~ in which the person owns any interest, including an option to purchase, except for homestead property.

(2) *Corporate interests.* The statement shall identify all of the person's corporate interests in any ~~business~~ organization, either as an owner, part owner, ~~member,~~ partner, or silent partner, in which such individual owns more than two (2) percent of the outstanding ~~stock equity~~ or more than two (2) percent of any other ~~business~~ ownership ~~interest~~ that ~~is doing business transacts~~ with the City in an amount in excess of \$5,000.00 annually.

(3) *Other financial holdings.* The statement shall identify any of the person's other stock or securities or other financial holdings of any type exceeding \$10,000, but excluding personal checking and savings accounts, money market funds, and any funds held in a bona fide retirement account.

(d) *Amended statements.* Any person required to file a statement hereunder shall not be required to file an amended statement unless that person undergoes a change in those economic interests that are required to be disclosed by this section. Such person shall file the amended statement in the manner prescribed by subsection (b) of this section within seven days of the date of any change in circumstances requiring filing thereof. In addition, all persons covered by this section shall file an annual update of the statement no later than January 31 of each year. The City Clerk shall send a notice to

all person covered by this section no later than December 15 of each year, notifying them of the annual update requirement.

Sec. 2-328. Exceptions.

(a) Nothing in this ordinance shall be construed to cover the actions of a Covered Person in the official action of approving or amending City ordinances, resolutions, or rules, unless such official action was accompanied by a violation of this ordinance.

(b) Nothing in this ordinance shall be construed to limit the authority of Covered Persons to approve the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses.

(c) Sec. 2-321 and 2-322 are aspirational statements to be used in application and interpretation of this article. No complaint may be filed under this article solely claiming a violation of either of those two sections.

Sec. 2-329. Disclosure and Recusal.

(a) Any Covered Person who faces a situation where they may violate the standards of conduct in sec. 2-324, or any other provision of this Article, shall determine whether such a situation requires the Covered Person to make a disclosure or to recuse themselves. Such disclosure or recusal shall take place before the matter comes before the Covered Person.

(b) The Covered Person shall disclose any conflict or financial interest or other section of the Code, as well as whether they can reasonably and objectively determine that the situation presents a tangential interest that will not conflict with their official duties, and will not influence their actions, independence, or judgment.

(c) The Covered Person need not make a disclosure if they recuse themselves. If the Covered Person determines that the situation reasonably and objectively would conflict with their official duties, or impair their independence, action, or judgment, the Covered Person shall recuse themselves from any action with respect to the matter. Recusal is accomplished by announcing that the Covered Person will take no part in the proposed action, will not discuss it with any person, will not attempt to influence any other person's action, and effectively will be absent when any aspect of the matter is considered.

Sec. 2-330. Ethics Board: Composition and Duties

(a) There shall be an Ethics Board which shall consist of five (5) regular members and one (1) alternate member: one (1) Alderperson; one (1) City officer or employee; and four (4) residents of the City, one of whom shall be an alternate who shall vote only in the absence or abstention of a regular member. Each member shall be appointed by the Mayor and subject to confirmation by the Common Council. The resident members

shall not be City employees. Terms of office of citizens shall be three (3) years, and shall be staggered, so that no more than two (2) appointments are made annually. The Ethics Board shall elect its own Chairperson and Vice-Chairperson annually. If any member of the Ethics Board petitions the Board for a hearing and advice regarding their own conduct, or if a complaint is filed against a member of the Ethics Board, such member shall not be eligible to sit in their own case, and the alternate shall substitute therefor when the need arises. In the event a complaint is filed against two (2) or more members of the Ethics Board, the Personnel Committee shall sit as the *ad hoc* Ethics Board for any hearing.

(b) The City Attorney shall advise the Ethics Board and shall not represent any person requesting an advisory opinion, filing a complaint, or subject to a complaint before the Board. In the event of a conflict, the City Attorney may hire conflict counsel to represent the Board. The City Attorney may, but need not, issue advisory opinions to any City employee covered by this Article who has a question as to the applicability of any portion hereof themselves. Such advisory opinions by the City Attorney are public records and disclosure of the same is subject to Wisconsin Open Records laws. If the facts stated in the request for an Advisory Opinion are accurate, and the requestor follows the advice of the City Attorney, it will be prima facie evidence that no violation of this Code took place. The City ~~a~~Attorney may refer any request for an advisory opinion to the Ethics Board.

(c) The Ethics Board may issue advisory opinions. Any person who questions whether they may be in a position to violate the Ethics Code may make a request for an Advisory Opinion. The Board may issue an opinion to the person. The opinion shall be public, unless the person in the original request asked that it be a confidential inquiry. Any opinion issued in response to a request for a confidential inquiry may be made public by the person obtaining the opinion. The Board also may issue summaries of confidential opinions written to protect the identity of the person requesting the opinion. If the facts stated in the request for an Advisory Opinion are accurate, and the requestor follows the advice of the Ethics Board, it will be *prima facie* evidence that no violation of this Code took place.

(d) Any adult resident of the City of Green Bay may file a sworn complaint alleging that a Covered Person has violated the Ethics Code. The complaint shall be filed with the City Attorney. Upon receipt of the complaint, the official(s) complained of shall be provided a copy and be given no less than 15 nor more than 30 days to file a written response. The complaint must allege the specific section(s) of the ethics code that were violated.

(e) *Jurisdictional Hearing.* The Board shall hold a jurisdictional hearing to determine if the allegations of the complaint merit a hearing on the substance of the allegations. The Board shall assume that allegations in the complaint are true unless contradicted by public documents of which the Board may take notice. The Board shall determine if the complaint alleges sufficient provable facts to have an evidentiary hearing. No evidentiary testimony shall be taken at a jurisdictional hearing. Any complaint filed more

than one hundred eighty (180) days after the actions alleged, or the discovery of those actions by the complainant who acted with reasonable efforts to discover the actions, shall be summarily dismissed at the jurisdictional hearing.

(f) If the Board determines an evidentiary hearing shall be held, both the complainant and respondent may present such relevant evidence as will assist the Board in determining if a violation of the Code occurred. The City Attorney shall advise the Board in any hearing. If the Board finds no violation, it shall dismiss the complaint.

(g) The Board may adopt rules and procedures to govern complaints, responses to complaints, the conduct of hearings, and any other matters relevant to its duties.

(h) If the Board finds the complaint was brought in bad faith, with no reasonable basis in fact or law, or with an intent to harass the respondent, the Board may recommend that the City Attorney bring an action in the name of the City in municipal court for a forfeiture not to exceed \$200.

(i) If the Board finds that a violation occurred, the Board may take any of the following actions:

(1) Find that any violation was *de minimis* and no further action is needed.

(2) Issue an order censuring the respondent for the violation.

(3) Recommend that the Common Council censure the respondent.

(4) Recommend that the City Attorney bring an action in municipal court in the name of the City, seeking a forfeiture of not less than \$100 and nor more than \$500 per violation.

(5) Recommend that the Common Council or other appropriate authority remove the respondent from public position for cause.

(j) Except as provided for a confidential advisory opinion, the meetings and records of the Board are subject to the Open Meetings Law and Public Records Law.

(k) The Ethics Board may recommend amendments of the Ethics Code to the Common Council.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2022.

APPROVED:

Mayor

ATTEST:

Clerk

MM/ljm

02/07/23

Green Bay Energy Plan Update

Sustainability Commission Update

Maddie Koolbeck | Slipstream

January 18, 2023

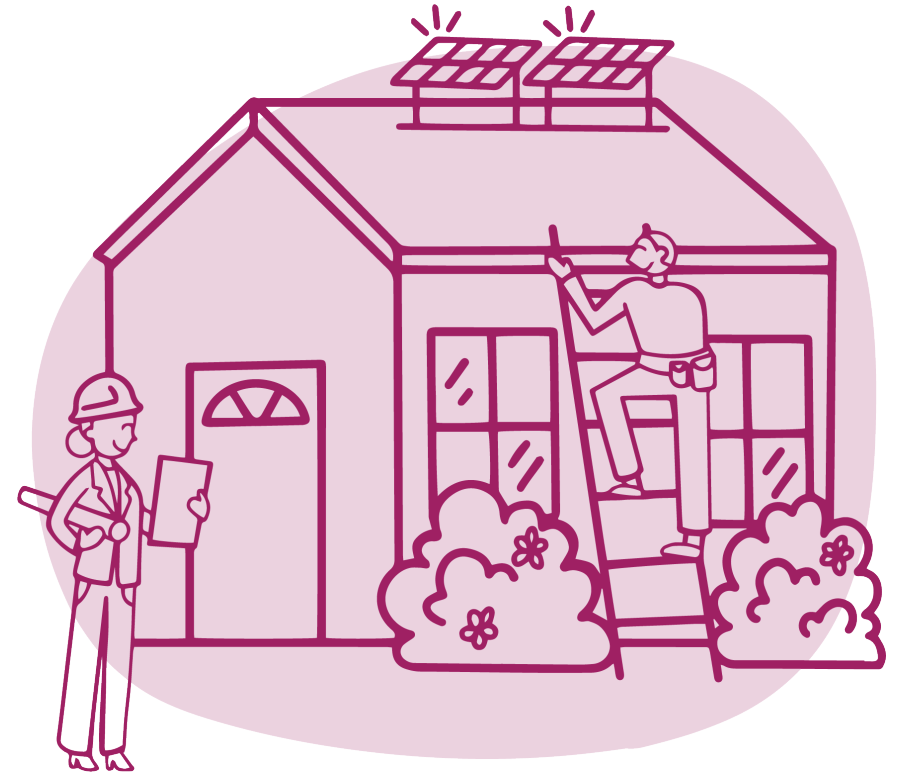
Agenda

Objectives

Tasks and timeline

Current Progress

Next Steps



Background

Office of Energy Innovation Grant

- Collaborated on grant to Office of Energy Innovation in January 2022
- Awarded grant in April 2022
- Contracting process completed in August 2022

Partners

- City of Green Bay
- Metro Transit
- Green Bay Water Utility
- Slipstream
- Support from: NWTC, UWGB, Sustainability Commission

Objectives

- Engage Green Bay community members and businesses
- Develop a community-wide 12-month **energy use baseline**
- Develop a roadmap with **10-15 energy strategies** for each partner
- Identify a set of **three to five policies** the city can adopt
- Create a plan for community educational efforts

Tasks

Task 1: Community outreach and feedback

- Surveys and virtual forums

Task 2: Baseline data compilation and analysis

- Community-wide data, compilation of data, demographic data review, audits

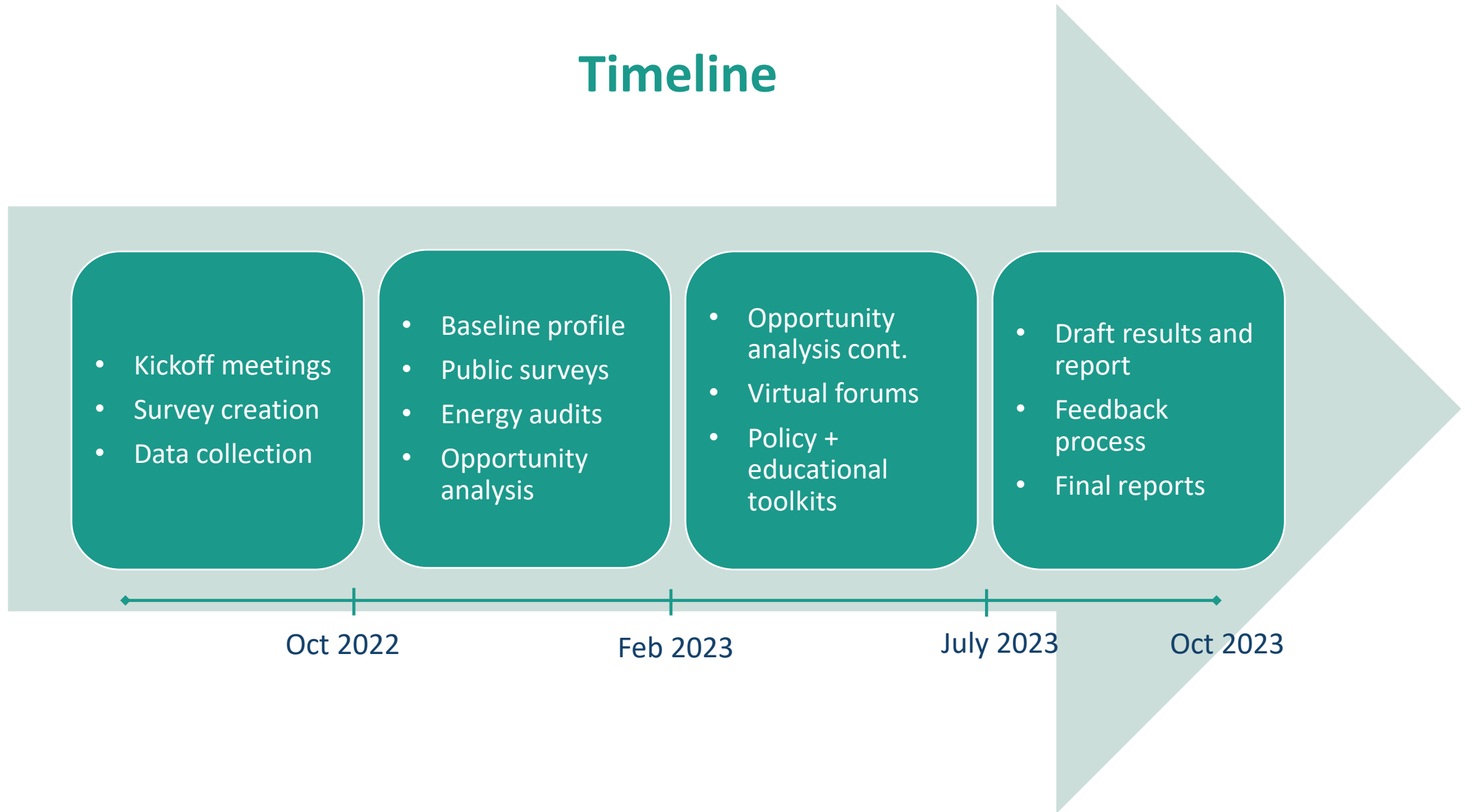
Task 3: Goal and opportunity development

- Energy efficiency, fleet, renewable energy opportunities
- Policy and educational toolkits

Task 4: Reporting

- Final report
- Fact sheets & webinar

Timeline





Detailed Task Overview

Task 1: Community engagement



Online community survey

Deploying now

Develop website as hub for project

Residential and business version
(Spanish and English)



Virtual forums

In middle of project timeline

One session for businesses and one
for residents

Task 1: Online community survey

Plan for deployment

- Mailing: to inactive neighborhood association
- Community organizations + libraries
- Neighborhood associations
- Business associations
- Universities
- Social media, Mayor video, Green Bay Website

Progress

- Survey launched last week; active outreach ongoing
- **Link:** <https://greenbaywi.gov/EnergyPlan>

Task 1: Online community survey

Ways you can help

- Take the survey!
- Share within your network – residents and businesses
- Potential in-person session at ADRC to help residents fill out surveys
- February 25 Brown County Central Library: Aldo Leopold Event

THE CITY OF GREEN BAY NEEDS YOUR INPUT!

In May 2021, the City of Green Bay approved a resolution establishing a climate goal of 100% clean energy and carbon neutrality for the entire Green Bay community, including residents, government, and businesses, by 2050.

The City is now working to create a roadmap for how to meet these goals. Feedback collected through this survey will inform the plan and ensure it adequately addresses the hopes and concerns of the community.



TAKE THE SURVEY HERE!



<https://greenbaywi.gov/EnergyPlan>

The survey should take about 10 minutes. It will be open through February 28, 2023. Thanks for your help!

Task 2: Baseline data compilation

Plan

- Compile baseline energy profile and GHG inventory for entire community
 - Use 2018 as baseline
- Compile current energy use for each government partner
 - Use 2021/2022 baseline
 - Will be baseline to use when consider energy strategies
- Complete audits at selected buildings
- Provide information in terms of cost, carbon, and energy use

Progress

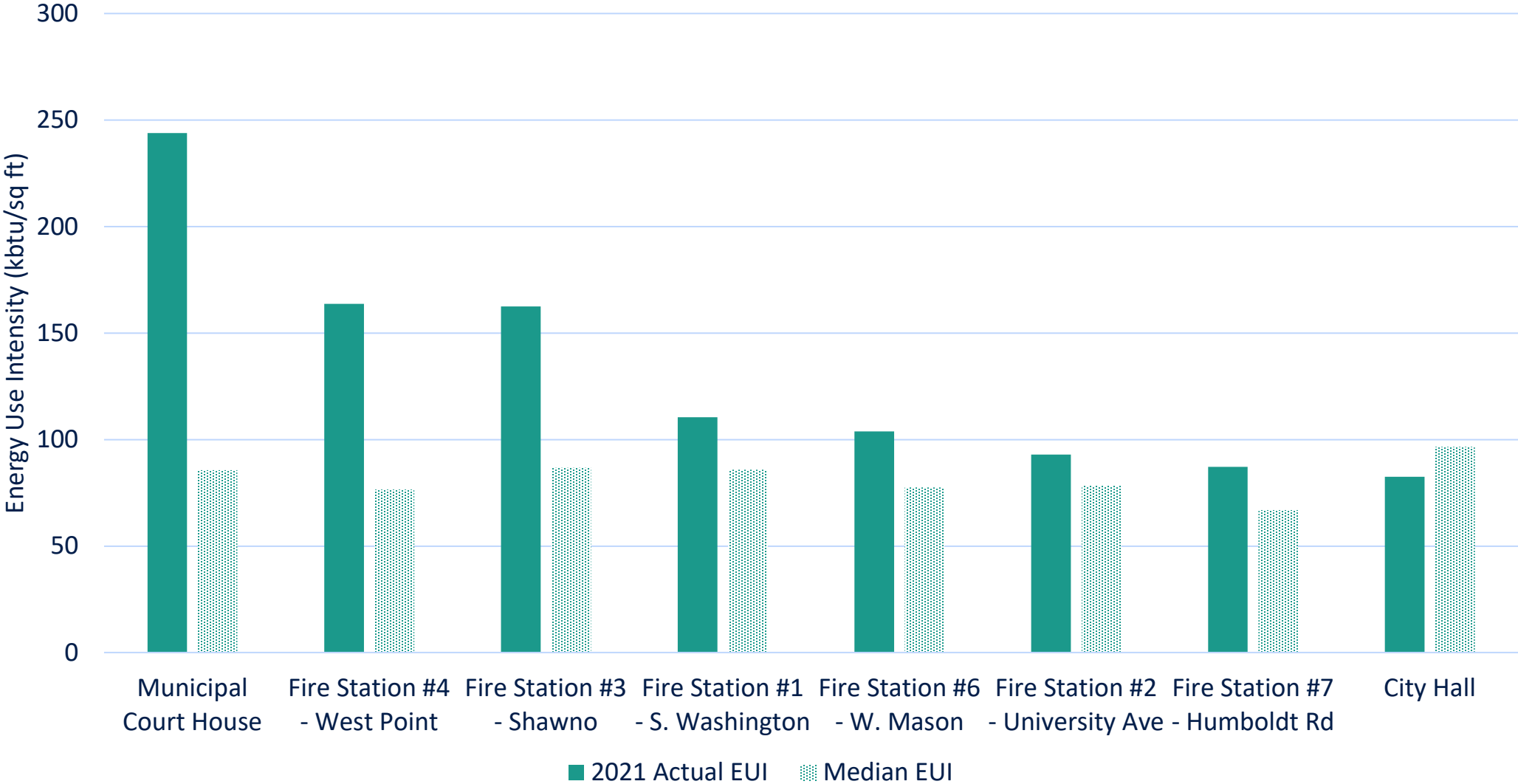
- Data across the partners collected and mostly organized (thanks to UWGB intern)
- Audits completed at 5 buildings and the filter plant
- Still waiting on community-wide data from WPS
- Plan to create user-friendly spreadsheet as next step

Draft Data Summary: Transit

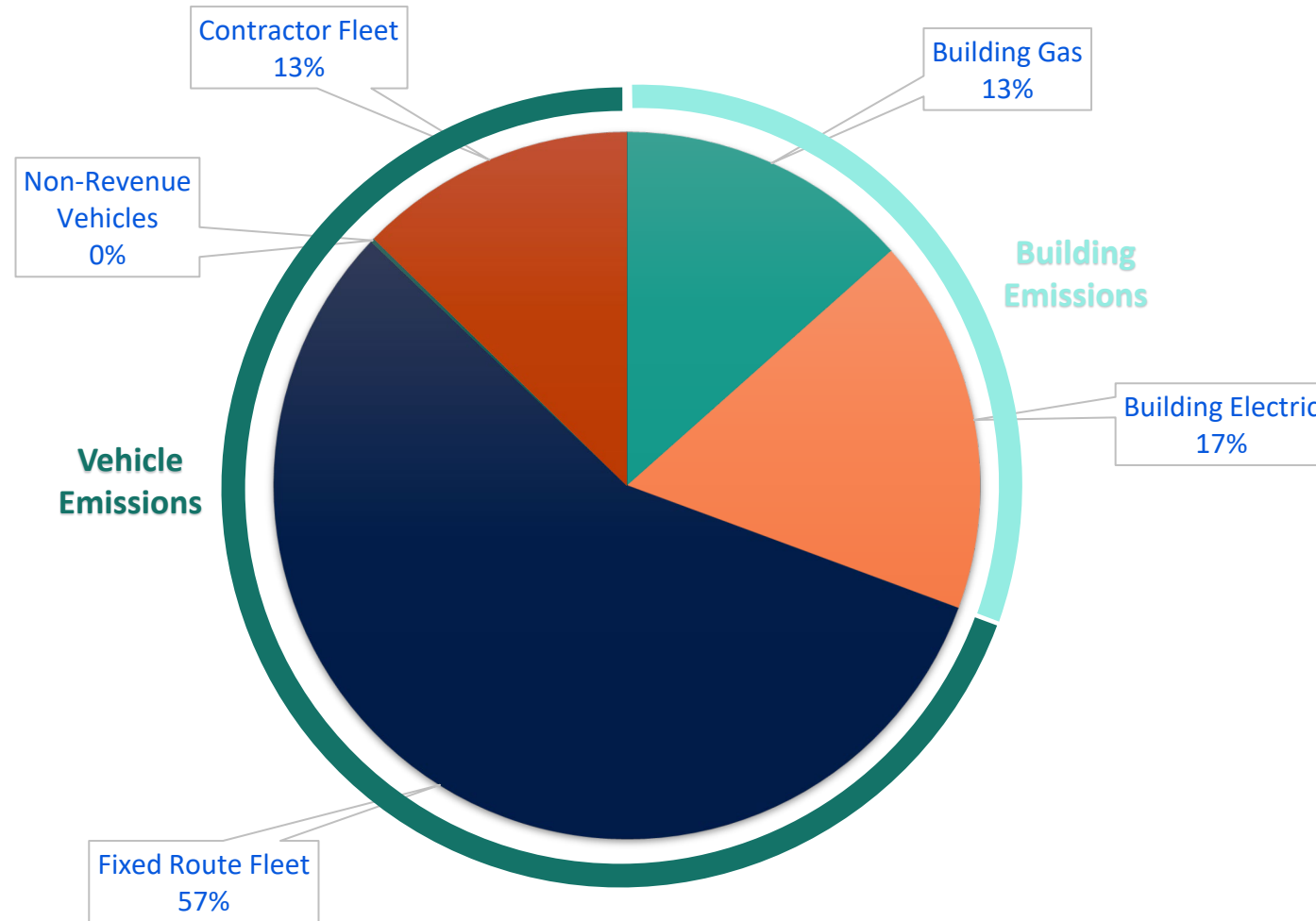
Vehicle Type	Gallons	Miles	Riders
FIXED ROUTE FLEET	154,415	829,034	654,513
NON-REVENUE FLEET	588	11,857	N/A
CONTRACTOR FLEET	40,350	404,267	46,476

Vehicle Type	kg CO ₂	kg CO ₂ /mile	kg CO ₂ /rider
ALL FIXED ROUTE	1,576,574	1.90	2.40
NON-REVENUE	5,607	0.47	
CONTRACTOR	354,277	0.88	7.62

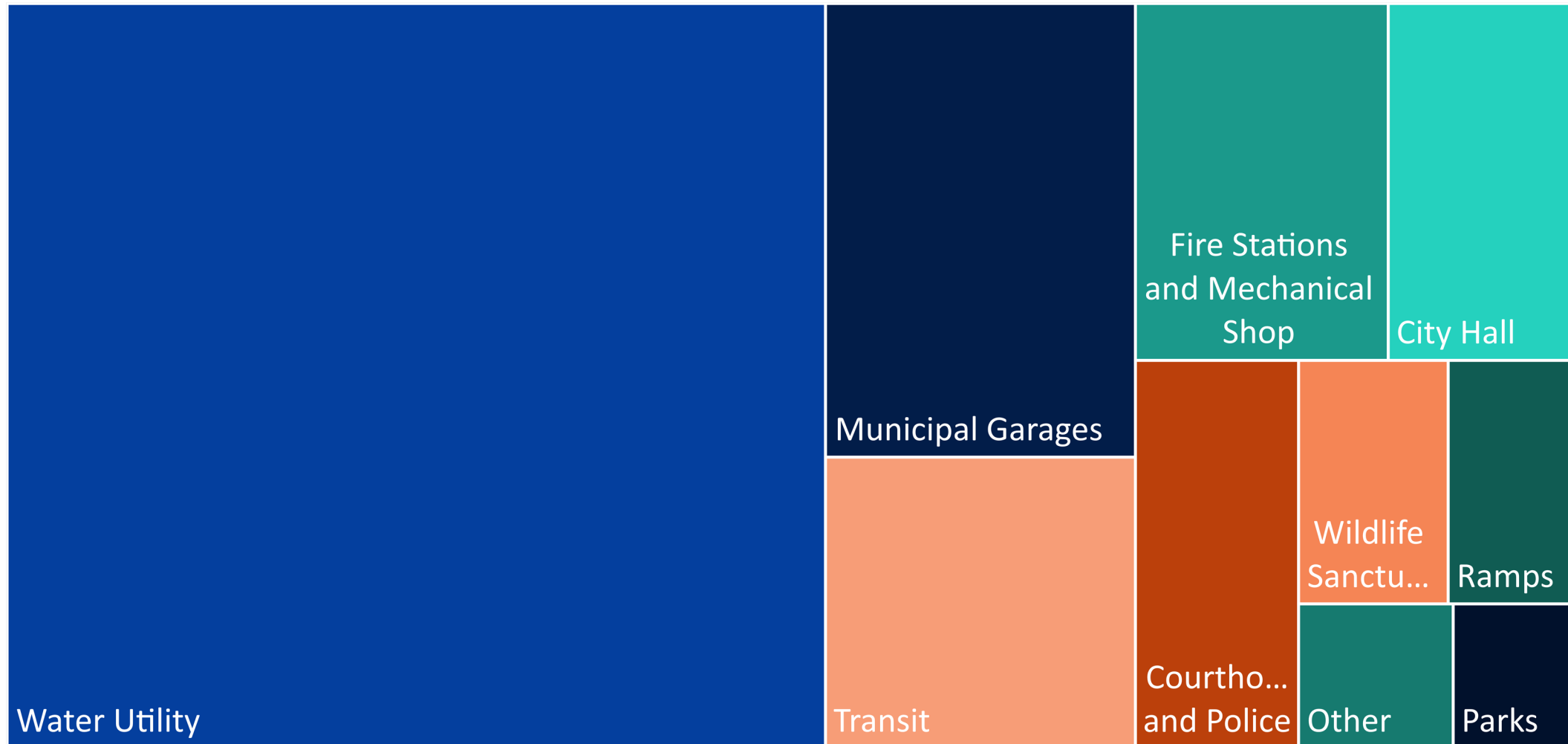
Draft Data Summary: Building Energy Use



Draft Data Summary: Transit Sources of Emissions



Draft Data Summary: Carbon Emissions by Department



Task 3: Opportunity analysis

Plan

- Internal operations opportunities
 - Energy efficiency
 - Fleet
 - Renewable energy opportunities
- Community-wide opportunities
 - Policy review
 - Educational toolkits

Progress

- Started initial analysis
- Next step is to work through this opportunity analysis in depth

Task 4: Reporting

Plan

- Final report for internal use
 - Baseline energy use, cost, and carbon
 - Percent reduction from implementation of recommended strategies
 - Chapter relevant to each partner (format to fit within internal processes for each partner)
- Fact sheets to share with community
- Webinar to share lessons learned



Next Steps

Next Steps

Community Outreach

- Complete survey outreach and analysis
- Plan for forums after initial results are gathered

Analysis

- Continue opportunity analysis in the next few months
- Present results occasionally to this group for feedback



Report to the
Sustainability Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

AGENDA ITEM # T.2

Work Group Updates

BACKGROUND

4 work groups: 1. Clean Energy, 2. Climate Resilience and Adaptation, 3. Healthy Habitat for All, 4. Waste Reduction

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Sustainability Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

AGENDA ITEM # T.3

Marketing & Outreach discussion led by Alder Mark Steuer and Kaurie Mihm.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Sustainability Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

AGENDA ITEM # T.4

Earth Day is April 23. Is there interest in participating in a community event?

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Sustainability Commission
of the City of Green Bay

MEETING DATE

February 7, 2023

AGENDA ITEM # T.5

Summary of approved text amendments from the Green Stormwater Infrastructure Code project.

BACKGROUND

Summary of approved text amendments from the GSI code audit.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. GSI Code Audit Summary of Text Amendment_Project Wrap-Up

Tackling Barriers to Green Infrastructure:

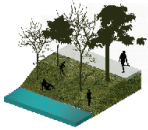
THE CITY OF GREEN BAY CODE CHANGES



GI ?

WHAT IS A GREEN INFRASTRUCTURE (GI) CODE AUDIT?

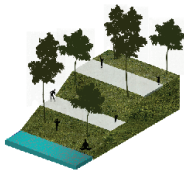
It is an approach municipalities use to audit, revise and prioritize codes that inhibit the use of green infrastructure.



WHY

DID THE CITY EXAMINE ITS CODES FOR GI?

Revising and adopting code recommendations sets the stage for greater use of GI, thereby increasing resilience to environmental, social and economic challenges.



WHAT

ARE THE BENEFITS OF GI?

- *Protect private & public properties from flood hazards*
- *Improve water quality of local waterways*
- *Increase resiliency for changing climate patterns*
- *Improves community livability*
- *Long-term cost savings*



KEY

MUNICIPAL CODES EXAMINED:

Chapters 16, 24, 42, 44

- *Definitions*
- *Architectural Design Standards*
- *Landscaping Standards*
- *Parking*
- *Permeable Materials and Surfacing*
- *Pollutant Reduction Through Site Plan Review*
- *Post-Construction Stormwater Standards and Long-Term Maintenance*

For more information please contact:

Community & Economic Development Department
920.448.3407

Chapter 44

Public Works Department
920.448.3040

Chapters 16, 24 and 42



WISCONSIN SEA GRANT WITH SUPPORT FROM THE NOAA COASTAL STORMS PROGRAM

Click
Link

[Tackling Barriers to Green Infrastructure](#)

City of Green Bay, Wisconsin
Green Infrastructure Codes Project
Summary of Text Amendments

CHAPTERS 16 (Environment) & 42 (Utilities) – RELATING TO STORMWATER MANAGEMENT**		
BMP=best management practice, SWM=stormwater management, GI=green infrastructure; ERU=equivalent runoff units		
Code Sections	Areas	Key Text Amendments
Sec. 16-79	General Definitions	Green infrastructure definitions added.
Sec. 16-81 (j)	BMP Location	Cisterns, Stormwater Planter Box added as onsite BMPs
Sec. 16-82	BMP Installation certification	Wisconsin-licensed landscape architect, arborist, or nursery professional shall certify vegetation planting and vegetation establishment one full growing season after planting.
Sec. 16-84	Maintenance Agreement	Establishment, verification, maintenance schedule for vegetated SWM, GI, and propriety SWM devices.
Sec. 42-203	Permeable Surfaces	Acceptable pervious surfaces to include approved permeable surfacing and green roofs - exempt from ERU calculation.
Sec. 42-203 (d)	Definitions	Definition for <i>permeable surfacing</i> added & <i>stormwater system</i> amended.
CHAPTER 24 – RELATING TO NOXIOUS WEEDS AND MAINTENANCE OF VEGETATION		
Code Sections	Areas	Key Text Amendments
Sec. 24-84	Planned Natural Landscapes	Improvements to the application & approval process; required registration; existing definitions improved, and <i>no mow lawn</i> added as acceptable vegetation in PNL.
CHAPTER 44 – ZONING*		
Code Sections	Areas	Key Text Amendments
Sec. 44 -249	General Definitions	Green infrastructure definitions added.
Sec. 44 - 358	Permitted Setback Encroachments	Cisterns, stormwater planter boxes & other rainwater harvesting added as a permitted setback encroachment.

City of Green Bay, Wisconsin
Green Infrastructure Codes Project
Summary of Text Amendments

Sec. 44 -1694	Surfacing	Permeable pavement and other surfacing systems meeting WI DNR Technical Standards are acceptable to meet the purposes of the section.
Sec. 44 - 1917	Pollutant reduction in service, loading, and storage areas	Standards for trash receptacles and dumpsters updated to address drainage & covers. Changes also apply to Parking Lot Alterations.
Sec. 44 - 1964	Perimeter Landscape Buffers	Increase buffer widths by at least 5 feet between uses to improve water quality and stormwater runoff management.
Sec. 44 - 1965	Interior parking lot landscaping for landscaping islands & medians	Islands 10' wide x 18' long. Medians 10' wide. Minimum soil depth of 3 ft. A minimum soil depth of 3'. Language added for soil volume and depths. Sod removed as acceptable ground cover.
Sec. 44- 1966	Perimeter parking lot landscaping	Perimeter of parking areas screened by a landscaped area at least 15' wide along each frontage of public street or sidewalk. Exception in Downtown One and Downtown Two zoning districts.
Sec. 44 - 1967	Building foundation Landscaping	Foundation plantings shall be installed across 80% of the length of the façade of the building. One tree/50 ft. May consist of trees planted in structural soils, permeable pavement. Language added for soil volume and depths.
Sec. 44 - 1968	Plant materials	Attempt to preserve existing trees with a diameter of 6" DBA or greater. Minimum of 50% area required to be landscaped shall be covered in live material.
Sec. 44 - 1968	Plant materials (cont'd)	Plants indigenous to WI shall comprise no less than two-thirds (2/3) of the proposed trees and sixty percent (60%) of proposed shrubs and shall be species proven adaptable to the climate and site conditions.
Sec. 44 - 1968	Plant materials (cont'd)	Where 20 or more trees are proposed, at least 3 species of tree shall be utilized. Where 30 or more shrubs are proposed,

City of Green Bay, Wisconsin
Green Infrastructure Codes Project
Summary of Text Amendments

		no single species of shrub shall be more than 1/3 of shrub plantings.
Sec. 44-1969	Maintenance & installation of landscape materials	Plantings under this ordinance shall be maintained perpetually and replaced if they die or are substantially weakened or damaged. If plantings succumb due to site conditions to which they are ill adapted, they shall be replaced with more culturally suitable species of the same type.

*Questions or comments relating to Chapter 44: david.buck@greenbaywi.gov; 920-448-3411

**Questions or comments relating to Chapter 16,24 & 42: melissa.schmitz@greenbaywi.gov; 920-448-3040



GREEN BAY EQUAL RIGHTS COMMISSION

Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote
Equal Housing Opportunity in Green Bay

EQUAL RIGHTS COMMISSION

The following members are appointed by Mayor Eric Genrich and confirmed by the Common Council:

Chair Tara Yang

Vice Chair Jon Shelton

Cristina Ortiz

Michael Vinson

Marcus Grignon

Elizabeth Kostichka

Said Hassan

Stephanie Guzman

Aldersperson Jim Hutchison

More information about the Equal Rights Commission can be found online at the City of Green Bay website: <https://greenbaywi.gov/1234/Equal-Rights-Commission>

Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote Equal Housing Opportunity in Green Bay
EXECUTIVE SUMMARY

In 2021, the city's first Equal Rights Commission was charged, in part, "to prepare and provide timely reports to the mayor and council on efforts to promote equal rights, equal opportunities, positive community relations, and to eliminate discrimination and inequities in City government and the City." Over the course of the ERC's first meetings, it became apparent that housing represented a significant challenge to equality in Green Bay. A series of public hearings hosted by the ERC in 2022 showed that the city's most vulnerable residents—racial minorities, immigrants, victims of intimate partner violence, and LGBTQ youth, for example—have faced particular struggles in accessing quality, affordable housing. Based on these hearings, the ERC crafted this report, which highlights our findings and offers a series of recommendations to ensure that all of Green Bay's citizens have fair and equal access to housing, one key pillar of the American promise of economic security.

Access to a good place to live is a promise deeply woven in the American creed of "life, liberty, and the pursuit of happiness." From the Homestead Act (1862) during the time of Abraham Lincoln to the Franklin D. Roosevelt's administration's economic bill of rights (1944), with housing as a foundational piece, American leaders across the political spectrum have increasingly seen the necessity of good housing. Civil rights activists like Martin Luther King, Jr. organized, at great risk, to eliminate the grossly unequal access to housing African Americans and other minorities experienced. Finally, religious traditions—including the Catholic church, Judaism, and Islam—all point to the necessity of the right to housing.

Unfortunately, access to housing in Green Bay is embedded in a crisis of national proportions. Those of limited means, virtually everywhere in the country, struggle to find a stable, affordable place to live. There are cities where the crisis is worse than in Green Bay, but the struggle for housing has grown more drastic here in recent years. This struggle, the Commission found, has become particularly acute for specific groups of people as the lack of affordable housing stock has given landlords an excessive amount of power in the rental marketplace.

- Single women, particularly victims of intimate partner violence, struggle to secure safe, high-quality affordable housing as they transition from temporary shelter facilities.
- LGBTQ youth, some of whom are estranged from parental support, struggle to find quality affordable housing and/or fear available rental spaces will be safe for them.
- For African American families in Green Bay, the struggle to find housing is particularly acute, as disproportionate, unwarranted surveillance by landlords combined with disproportionate, unwarranted surveillance by the police seriously limits many Black families' rights to safe, affordable, high-quality housing in Green Bay.
- Immigrants and refugees, particularly large families, struggle to find good housing because they face language barriers or overwhelming economic barriers from landlords.

The ERC recommends immediate, intermediate, and long-term recommendations to build on the efforts toward more affordable housing already being undertaken by Mayor Eric Genrich's administration and the city council.

- In the immediate term, we recommend the city expand programs, including making more support available in multiple languages, to ensure renters in the city know their rights, and we recommend the city expand advocacy for renters by investing in more resources for housing investigation and to rectify potential discrimination.
- In the intermediate term, the ERC calls on the city to develop a program to ensure the public knows which landlords deal fairly with tenants and which do not. We also recommend the city of Green Bay outlay funding to pay for reasonable repairs to rental units when landlords refuse to pay for them, and that the city redouble its ongoing efforts at zoning reform to increase affordable housing stock.
- Finally, in the long-term, the commission calls on the city to prioritize public investment in producing and subsidizing affordable housing. We urge the city to pass an ordinance that would require developers to produce a substantial percentage of affordable housing in any new development, expand efforts to subsidize affordable home ownership, develop a robust community land trust, and create and manage a dramatically greater number of affordable rental units.

The full findings of the Equal Rights Commission can be found in the report that follows. We thank the Genrich administration and the community organizations who spoke at our public hearings for the insights that went into constructing this report.

*Life, Liberty, and the Pursuit of Happiness:
Recommendations to Promote Equal Housing Opportunity in Green Bay*

Green Bay Equal Rights Commission
Tara Yang, Chair
Jon Shelton, Vice Chair

I. Introduction: Housing in Green Bay

A recent ranking by *US News and World Report* [places Green Bay as one of the top ten cities to live in the United States for 2022-23](#).¹ The report cites the city's affordability, safety, and overall quality of life. The recommendations below start from that premise: we are proud of our city and its national reputation as an excellent place to live.

A key component of the *US News and World Report* rankings is based on net in-migration. Clearly, the city has a history of welcoming others, including new neighbors from other parts of the state and the region, and immigrants, especially Hmong, Somali, and Hispanic/Latino/Latinx immigrants.

Green Bay is in the second fastest growing county in the state, and [recent census numbers show that both the city and the county are growing increasingly diverse](#).² Our growing diversity is something to celebrate, and the appointment of the city's first ever Equal Rights Commission is a testament to that fact. The composition of our commission truly represents the diversity here in the city.

A city is only as strong as the opportunities available for its most vulnerable members, however. To maintain (and improve) the city's reputation as an excellent place to live, we must ensure that every resident of our great city has access to the same excellent opportunities. The ERC was appointed with that goal in mind, and we were charged with the broad responsibility to make recommendations about how to make our city more equitable:

The Commission shall meet not less than four (4) times annually for monitoring the employment, contracting, and program activities of the City, and **prepare and provide timely reports to the mayor and council on efforts to promote equal rights, equal opportunities, positive community relations, and to eliminate discrimination and inequities in City government and the City.**

The ERC understands this charge as a grave responsibility, and as we began meeting over the course of our inaugural year, and as individual members, we talked to policymakers and citizens in Green Bay, one major challenge stood out: the challenge many residents, particularly those of limited economic means, face in securing high-quality, affordable housing.

¹ Devon Thorsby, "U.S. News Ranks the Best Places to Live in the U.S., 2022-23," *US News and World Report*, May 17, 2022. <https://realestate.usnews.com/real-estate/articles/us-news-ranks-the-best-places-to-live-in-the-us>

² "Brown County's Ethnic, Racial Population Grows More Diverse," *NBC26*, Aug. 13, 2021. <https://www.nbc26.com/news/local-news/brown-countys-population-grows-more-diverse>

Of course, this problem is not restricted to Green Bay, and in fact, structural shortage of housing represents a problem that originated at least as early as the Great Recession in 2008.³ It cannot be solved, either in our city, or anywhere else, overnight. It is a problem of significant proportions, and there are many areas, both nationally and abroad, where scarcity of housing is even more serious than in Green Bay.⁴ Indeed, as the *US and News and World Report* ranking points out, the median home price is lower here than the national average. In spite of this, however, there simply are not enough affordable housing units in the city to support the needs of our residents, much less the increased residents our employers would like to see in order to continue growing.

Several studies of housing in the city over the past several years have made clear the scale of the problem:

An [analysis completed by the City of Green Bay, published in April 2019](#),⁵ for instance, has shown that:

- “The supply of one-bedroom units appears to have fallen since 2000, limiting housing options for the most disadvantaged residents. Between 64% and 74% of the City’s housing stock was built before 1980, which also poses a risk for low-income families with children living in these homes. The decrease in one-bedroom units and presence of lead-based paint in older homes are impediments to fair housing choice, as they disproportionately affect non-white and disabled residents for whom such units may be the best, or only, viable housing option.” (23)
- “Very few new single-family or multi-family units have been built since 2010. Interviews suggest a lack of adequate supply of *decent* units in both the single-family market and the multi-family rental market. The lack of supply of acceptable single-family and multi-family units is considered an indirect impediment to fair housing choices, as it makes illegal discrimination easier to hide.” (24)
- “It is widely understood that the 13 housing discrimination complaints filed with [the Metropolitan Milwaukee Fair Housing Council] over the past year underestimate the incidence of discrimination in the City. People in search of housing are generally more concerned about avoiding homelessness. People already in housing are concerned about retaliation by landlords if they were to file a complaint. While we cannot get an accurate measure of discrimination, we know that it is occurring and is an impediment to fair housing choice for various protected classes in the City, especially for minorities and those with disabilities.” (51)

³ Madison Huff, “Housing in the US Has Not Been Able to Keep Up with Buyer Demand over the Past Decade,” *Business Insider*, Sep. 27, 2020. <https://www.businessinsider.com/us-underbuilding-housing-over-the-past-decade-2020-9>

⁴ Deirdra Funcheon, “How Miami Became the Center of America’s Rental Housing Crisis,” *The Washington Post*, Sep. 16, 2022. <https://www.washingtonpost.com/business/2022/09/16/miami-center-america-rental-crisis/>. “Not Chump Change: Home Prices in Canada Strain Affluent Budgets,” *New York Times*, Oct. 8, 2022. <https://www.nytimes.com/2022/10/08/world/canada/canada-real-estate-market.html>

⁵ City of Green Bay, *Analysis of Impediments to Fair Housing Choice*, April 30, 2019.

An [analysis published by the city in October 2020](#) showed that:

- “There is a significant gap at the very bottom of the rental market, an undersupply of 3,715 units for those at 30% or less median income.” (23)
- “While the household income of the top 5% of US households has more than doubled in the past 50 years, middle income households have seen only about a 10% increase in that period. Meanwhile, inflation-adjusted housing costs have risen roughly 50% for rental housing and 70% for home ownership in that period. The result of these trends is that housing is requiring a bigger portion of household incomes. Thirty percent of income has long been viewed as the standard threshold for ‘affordable,’ as defined by the federal government. Twenty percent of owners and 43% of renters in the City currently pay more than 30% of their income for housing.” (69)

An [analysis by the Corporation for Supportive Housing, published in 2021](#), made evident:

- In 2019, 2,039 people in Green Bay experienced homelessness, an increase of almost 15% from the previous year. (5)
- “Black and Native Green Bay residents are experiencing homelessness at a rate 11 times and 4.7 more than their representation in the general population.” (6)
- “Between April 2020 and December 2020, then number of clients experiencing homelessness served each month in Brown County grew by 106%.” (7)

Further, as a series of public hearings we held over the course of 2022 have made clear, the lack of good housing, combined with the lack of economic security for the lowest-earning Green Bay residents, has made access to housing even more difficult for several key groups of Green Bay residents, as it has given landlords the power to price available rental units above the range of affordability (defined as rent that is more than 30% of monthly income) while often failing to provide basic maintenance and safe living conditions. These groups include the following:

- Residents with limited economic means
- Women, especially victims of intimate partner violence
- LGBTQ youth
- African Americans
- Immigrant working families, particularly refugees who have settled here

It is important to point out that recent state legislation—since 2010, in particular—has drastically tilted the balance of legal power in Wisconsin toward landlords. As a recent investigative report from the *Milwaukee Journal-Sentinel* has shown, many of the legislators who voted for these changes personally profited from them since they were landlords in addition to serving in the state legislature. Some of these changes include restricting local governments from preventing landlords from excessive background searches of prospective tenants or from allowing local

governments to increase housing inspections in areas more likely to be marked by landlord exploitation of tenants with limited means.⁶

II. Why does housing matter?

Access to quality, affordable housing is a right for everyone in Green Bay. If one cannot access safe and secure shelter, how can they access the American promise of “life, liberty, and the pursuit of happiness”? Unsafe shelter can sharply limit one’s pursuit of happiness, one’s freedom, and even one’s life. Further, spending more than 30% of one’s income often leads to families foregoing food, medical care, and safe childcare to avoid homelessness. To put it simply, access to quality affordable housing determines whether residents in Green Bay truly enjoy the freedoms promised by American democracy.

There is a significant body of historical evidence—from some of our nation’s most profoundly important political thinkers to international religious leaders—to help illustrate the importance of this need, and the necessity of government action to facilitate safe and affordable housing.

During the Civil War, Congress passed the Homestead Act (and President Abraham Lincoln signed it into law), making 160-acre plots of land available to Americans for a very low price to broaden access to land and homes for working class families. Though white families accessed most of this land, thousands of African American families, particularly after the war, were able to gain access to land and homes through the Homestead Act.⁷

In the 1930s and ‘40s, the United States stood as the globe’s most important bulwark against the rise of totalitarian fascism and Stalinism. The upheaval of the Great Depression allowed fascists—most notably the Nazis in Germany—to exploit the economic insecurity of the time to eliminate democracy. In the United States, only a series of social democratic reforms led by the Franklin D. Roosevelt administration allowed the US to maintain democracy and prepare to defeat fascism in World War II.

In January 1944, FDR summed up the need for a broad investment in economic opportunity to defeat Nazi Germany and prevent future totalitarian states: “We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence,” FDR pointed out. “People who are hungry and out of a job are the stuff of which dictatorships are made.”

Building on the promise of American democracy, FDR concluded that “In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all — regardless of station, race, or creed.”

⁶ Cary Spivak and Mary Spicuzza, “Some Wisconsin Lawmakers Double as Landlords—and Have Passed Laws That Undermine Renters’ Rights,” *Milwaukee Journal Sentinel*, Jun. 14, 2019 (Updated Jan. 22, 2020). <https://www.jsonline.com/story/news/investigations/2019/06/14/wisconsin-lawmaker-landlords-change-rental-laws-not-favor-tenants-renters-rights/1210327001/>

⁷ Harry Holzer and Norton Garfinckle, *A Just and Generous Nation: Abraham Lincoln and the Fight for American Opportunity* (New York: Basic Books, 2015), 41-50, 88.

Among the rights FDR outlined included the following, and it is illuminating that housing was recognized as one of these cornerstone rights:

- The right to a useful and remunerative job in the industries or shops or farms or mines of the nation;
- The right to earn enough to provide adequate food and clothing and recreation;
- The right of every farmer to raise and sell his products at a return which will give him and his family a decent living;
- The right of every businessman, large and small, to trade in an atmosphere of freedom from unfair competition and domination by monopolies at home or abroad;
- **The right of every family to a decent home;**
- The right to adequate medical care and the opportunity to achieve and enjoy good health;
- The right to adequate protection from the economic fears of old age, sickness, accident, and unemployment;
- The right to a good education.

As Roosevelt concluded, “All of these rights spell security. And after this war is won we must be prepared to move forward, in the implementation of these rights, to new goals of human happiness and well-being.”

The promise of FDR’s Second Bill of Rights structured American politics during and after World War II. In 1949, for example, Congress passed the Federal Housing Act of 1949, which began by asserting the following:

“The Congress declares that the general welfare and security of the Nation and the health and living standards of its people require housing production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and **the realization as soon as feasible of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the Nation.**”

Indeed, Congress understood, much as is the case in Green Bay today, that the growth, overall prosperity, and safety of Americans was tied to the necessity of widely available, high quality, affordable housing.

The Federal Housing Act helped to provide many new housing units. Other policies such as the mortgages secured and subsidized by the Federal Housing Administration and other government agencies enabled millions of Americans to purchase new homes. Some Americans, particularly African Americans, were excluded from that promise, a legacy that still structures inequality in housing today. Up until the 1940s, white homeowners could enforce restrictive covenants (in which African Americans could not purchase homes in all-white neighborhoods), and FHA loans disproportionately helped white potential homeowners since Blacks could not get access to loans outside of white neighborhoods. Real estate agents were allowed to discriminate against Black home buyers, and landlords could legally discriminate against Black renters.

In Green Bay, African American Packers players in the 1950s and 60s struggled to buy homes or even find rental housing in the city as a result of discrimination, and many could only access housing with the assistance of Coach Vince Lombardi.⁸

Because of rampant discrimination, housing became a major goal of the civil rights movement, both in Wisconsin and elsewhere. In 1966, for instance, Martin Luther King, Jr. led a movement to end housing discrimination in Chicago, facing intense resistance from whites in the city. As King explained that August, “I’ve been in many demonstrations all across the South, but I can say that I have never seen, even in Mississippi and Alabama, mobs as hostile and as hate-filled as I’m seeing in Chicago.”⁹

In Milwaukee, Catholic priest Father James Groppi led 200 days of marches to ensure Black Milwaukeeans had equal access to housing in a city one historian has called the “Selma of the North.”¹⁰ In 1966-67, prominent civil rights activists A. Philip Randolph and Bayard Rustin advocated a “Freedom Budget” that would have guaranteed every American a quality home, in part by putting unemployed Americans to work, by 1975.¹¹

King’s murder in 1968 in Memphis provided advocates in Congress with the leverage to secure passage of the Fair Housing Act, which allowed victims of discrimination to seek redress through the Department of Housing and Urban Development. In Wisconsin, numerous cities passed their own fair housing ordinances, including Green Bay in October.¹² These ordinances helped to stop overt discrimination, but as we noted above, substantial inequality in the housing market has grown since this time.

Though there are other arenas in which we could find thinkers making the case for the right to housing, including both Jewish and Islamic teachings, which each assert that all people have the right to housing as a broad moral claim to live in dignity,¹³ the Commission would also like to point out the long-standing position of the Catholic church on the right to high-quality, affordable housing.

Pope Leo XIII’s Encyclical from 1891, for instance, pointed out that “Justice, therefore, demands that the interests of the working classes should be carefully watched over by the administration, so that they who contribute so largely to the advantage of the community may themselves share

⁸ Richard Ryman, “Black Players on Green Bay Packers’ 1960s Championship Teams Lauded, But Faced Discrimination,” *Green Bay Press Gazette*, Aug. 2, 2018.

<https://www.greenbaypressgazette.com/story/news/2018/08/02/black-packers-players-1960-s-faced-discrimination-green-bay-lombardi-housing-racism/774591002/>

⁹ Cheryl Corley, “50 Years Ago, Martin Luther King Jr. Fought for Open Housing in Chicago,” *National Public Radio*, Aug. 29, 2016. <https://www.npr.org/2016/08/29/491848087/50-years-ago-martin-luther-king-jr-fought-for-open-housing-in-chicago>

¹⁰ Patrick Jones, *The Selma of the North: Civil Rights Insurgency in Milwaukee* (Cambridge, MA: Harvard University Press, 2009).

¹¹ A Philip Randolph and Bayard Rustin, “A Freedom Budget for all Americans,” 1965.

<https://www.theatlantic.com/magazine/archive/2018/02/a-freedom-budget-for-all-americans-annotated/557024/>

¹² Greg Lutz, Jon Shelton, and Joseph Taylor, “Civil Rights in Titledown: Green Bay’s Open Housing Ordinance of 1968,” *Voyageur: Northeast Wisconsin’s Historical Review*, Winter/Spring 2019, 22-29.

¹³ “Housing Security,” *Jews United for Justice*, <https://jujf.org/our-work/issue-campaigns/housing-dc/>.

in the benefits which they create—that being housed, clothed, and bodily fit, they may find their life less hard and more endurable.”¹⁴

The Second Vatican Council’s *Gaudium et Spes: Pastoral Constitution on the Church in the Modern World* (1965), pointed out that “...there is a growing awareness of the sublime dignity of human persons, who stand above all things and whose rights and duties are universal and inviolable. They ought, therefore, to have ready access to all that is necessary for living a genuinely human life: for example, food, clothing, housing, the right freely to choose their state of life and set up a family, the right to education, work, to their good name, to respect, to proper knowledge, the right to act according to the dictates of conscience and to safeguard their privacy, and rightful freedom, including freedom of religion.”¹⁵

More recently, Pope John Paul II’s *Sollicitudo Rei Socialis* (“On Social Concern”) (1987) pointed out that “The lack of housing, an extremely serious problem in itself, should be seen as a sign and summing-up of a whole series of shortcomings, economic, social, cultural or simply human in nature.” Finally, Pope Francis’s “*Laudato Si*” (2015), forcefully asserted that “Lack of housing is a grave problem in many parts of the world, both in rural areas and in large cities, since state budgets usually cover only a small portion of the demand. Not only the poor, but many other members of society as well, find it difficult to own a home. Having a home has much to do with a sense of personal dignity and the growth of families.”¹⁶

The moral argument for the right to housing, stemming from both American political thought and moral authorities such as the Catholic church, is clear. Fulfilling the American promise of opportunity is the most important rationale for committing, in the short-term, to more resources for renters and potential renters to navigate a difficult market, and in the long-term, to prioritizing investment in more affordable housing.

But focusing on equal housing opportunity also makes good economic sense. As the [City of Green Bay’s Housing Market Study from October 2020](#) points out, “If there is not lower cost housing available for workers, they are less likely to stay in Green Bay, or come to the city. Having the housing workers at these employers are looking for is essential to the vitality of Green Bay’s economy” (15).¹⁷ In other words, if we want to retain our place as one of the ten best cities in which to live, we *must* ensure everyone’s right to high quality affordable housing is upheld, in spite of the headwinds we face from both national trends and restrictive state legislation.

¹⁴ *Rerum Novarum: Encyclical of Pope Leo XIII on Capital and Labor* (1891) <https://www.cctwincities.org/wp-content/uploads/2015/11/Rerum-Novarum.pdf>

¹⁵ Second Vatican Council, *Gaudium et Spes: Pastoral Constitution on the Church in the Modern World* (1965) <https://www.cctwincities.org/wp-content/uploads/2015/10/Gaudium-et-Spes-Pastoral-Constitution-on-the-Church-in-the-Modern-World.pdf>

¹⁶ Pope John Paul II, *Sollicitudo Rei Socialis* (1987) https://www.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_30121987_sollicitudo-rei-socialis.html. Encyclical Letter, *Laudato Si* of the Holy Father Francis on Care for Our Common Home (2015). https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html

¹⁷ Green Bay, WI, *Housing Market Study: October 6, 2020 FINAL*.

Following in the line of these thinkers—both secular and religious—as well as our city’s own history, we call on the Mayor’s Office and the City Council to prioritize equal opportunity to housing as a fundamental task over the next decade in Green Bay, to treat access to high-quality, affordable housing as a right everyone should enjoy and to enact policy accordingly. In Sections IV, V and VI we offer immediate, intermediate, and long-term suggestions for action, respectively.

III. Findings of the Equal Rights Commission

After studying the findings of several reports on the growing shortage of housing the city, the Equal Rights Commission held a series of public hearings in 2022. We sought to study the question of housing particularly from an equity lens: to determine how particular groups in the city might struggle to access their right to high-quality, affordable housing. The commission heard powerful testimony from organizations that work with vulnerable renters and prospective renters.

Over the course of these hearings, we discovered the following barriers that vulnerable groups faced in accessing their right to housing:

Green Bay residents, across the spectrum of identity, struggle to secure and maintain high-quality affordable housing. It is clear, given the broader dynamics of income inequality in the US, in-migration to Brown County, the excessive power provided them by recent state legislation, and the shortage of new sources of affordable housing, landlords hold an inordinate amount of power in the rental market. We heard from numerous representatives of different non-profit groups in Green Bay about the ways their clients struggled to find housing, and in many cases, to get landlords to take care of maintenance issues. Of course, this does not mean there are not many good landlords in Green Bay, only that some landlords are able to take advantage of their relative power in the market.

For instance, it has become increasingly common, as we heard from representatives from COMSA (Community Services Agency, Inc.) for large rental companies, some based outside Green Bay, to purchase apartment complexes and either dramatically increase the rent or terminate existing lease agreements, pricing many Somali families either out of the market (seeking substandard housing elsewhere) or leaving the community entirely.

As Beth Hudak, Director of Outreach for House of Hope put it, in spite of an overall successful rate of placing families experiencing homelessness in the Green Bay area, they quite simply “need more places to put people.”

Further, there appears to be widespread discrimination against renters who, because of poverty or exigent circumstances such as intimate partner violence, require Section 8 vouchers to pay their rent. Wisconsin fair housing law prevents discrimination based on source of income, including a “voucher having monetary value.”¹⁸ But as Erika Villacrez, the Housing Director of NEW CAP, pointed out, though many landlords technically accept Section 8 Vouchers, they only do so

¹⁸ Department of Workforce Development, “Wisconsin’s Fair Housing Law and Complaint Process.” <https://dwd.wisconsin.gov/er/civilrights/housing/complaintprocess.htm>

if the prospective tenant can pay three times or more of the monthly rent upfront, effectively locking renters of limited means out of accessing a substantial portion of housing (in most cases, if a renter had access to that much savings, they would be ineligible for Section 8).

Single mothers, particularly victims of intimate partner violence, struggle to secure safe, high-quality affordable housing as they transition from temporary shelter facilities. This issue is particularly distressing since families recovering from such violence need even more stability than the average family. Unfortunately, a rental market heavily weighted toward landlords allows some to ask for outrageous fees and deposits up front while consistently leveraging the threat of eviction to prevent women from advocating for their own safety.

As Amanda Amon-Brellenthin, Rapid Rehousing Program Manager at the Golden House explained, landlords often ask for three times the rent up-front before renting to the organization's clients, and when victims of domestic violence move in, landlords often threaten eviction if the police are ever called to their apartment. This leaves women in a highly vulnerable position if their former partner attempts to threaten, intimidate, or assault them, since they fear eviction and their children not having a place to live.

This also extends to issues with landlords performing needed maintenance. Amon-Brellenthin told us about landlords who does not respond to entreaties from either the tenant or from their advocate in Golden House. In one case, a landlord did not respond to over 30 polite emails and texts to get basic maintenance issues taken care of. The tenant (and Golden House) feared eviction if they reported the landlord to the city. This is on top of the fact that victims of domestic violence are often not able to talk to landlords during their abuse and are even more vulnerable. To have landlords treat vulnerable people in this way is particularly distressing.

LGBTQ youth struggle to find quality affordable housing. [LGBTQ Americans are twice as likely as other Americans to experience homelessness](#), and this struggle often begins in youth. [Young LGBTQ people \(between the age of 18-25\) are also twice as likely to experience homelessness](#).¹⁹ This struggle is particularly acute, as we heard from House of Hope, for LGBTQ youth under the age of eighteen, who may have been cut off by their family for being gay or transgender. Youth in this situation can access shelter (such as House of Hope), but because of Wisconsin law which bars anyone under the age of eighteen from entering into contracts, youth who are estranged from their families are unable to find permanent housing.

Once LGBTQ youth reach 18 years of age, however, they may still struggle to find housing since they may have been forced to leave their family home and have limited means to secure their own place to stay. As we learned from Nicole Kurth of the Pride Center at UWGB, without year-round housing at UWGB, many students would be homeless since their parents do not accept their sexual orientation or gender identity.

¹⁹ UCLA School of Law Williams Institute, "Homelessness Among LGBT Adults in the US," May 2020. <https://williamsinstitute.law.ucla.edu/publications/lgbt-homelessness-us/>; Matthew Morton, Amy Dworsky, and Sonali Patel, "LGBTQ Young Adults Experience Homelessness at More than Twice the Rate of Peers," <https://www.chapinhall.org/research/lgbtq-young-adults-experience-homelessness-at-more-than-twice-the-rate-of-peers/>

A major challenge for trans youth at temporary shelters, as we also heard from Kurth, is that shelters often will not let them stay if their gender identity does not conform with the preconceived notions of those running the shelter.

For LGBTQ youth who graduate, finding safe housing can still be a struggle. Young LGBTQ folks often feel vulnerable living in a space where they may be targeted for their orientation or gender identity, and this adds a challenge to the already significant challenge other renters face in terms of affordability.

African Americans continue to struggle to find safe, affordable housing. Virtually every organization we spoke to referred to the disproportionate number of minority families with whom they work (very much in line with city wide reports we referenced in the first section above).

For African American families, the struggle is particularly acute. As Chair Yang and Vice-Chair Shelton learned from a conversation with the staff of We All Rise: African American Resource Center, Black renters “live by a different set of rules.” Fear of eviction is constant, as Black renters are targeted by landlords for ordinary activities such as hosting barbecues and playing music. A call from a neighbor to the police, even if it does not lead to a citation, often leads to a landlord considering eviction or biases a future landlord from renting since the incident, and identifying information, can still end up in the public record on Green Bay Crime Reports. Indeed, disproportionate, unwarranted surveillance by landlords combined with disproportionate, unwarranted surveillance by the police seriously limits many African American families’ rights to safe, affordable, high-quality housing in Green Bay.

African American residents of Green Bay are disproportionate victims of problematic policies, too. For example, it has become increasingly common for African American teenagers, whose name ends up on a lease when they are a minor, to end up with an eviction on their record if a parent gets evicted once the teenager becomes an adult. This eviction can go on their record even if they no longer live at the residence, and it still seriously limits the number of landlords willing to rent to them in the future.

In addition, as We All Rise staff reported, landlords continue to ask renters, many of whom are African American, to show up for court-mandated mediation even after they have paid up their rent, in order to avoid eviction. Even though the renter is not actually evicted, they still end up with a record that future landlords can use to discriminate against that renter.

Immigrant and refugee families, particularly those with large numbers of children, struggle to find safe, affordable housing.

As we heard from NEW CAP, many of the city’s Hispanic/Latino/Latinx immigrants live in a few specific areas in the city (Green Bay’s *Impediments to Housing* study in 2019 pointed out that one census tract is comprised of about 40% Hispanic residents), and both income level and language barriers appear to close off options to housing elsewhere for many of these immigrants in Green Bay.

Indeed, we heard in our hearings how language barriers limited both the Hispanic/Latino/Latinx and Somali families' abilities from advocating for themselves in the marketplace as well as they could. For immigrant and refugee communities in particular, the lack of affordable housing for larger families is a significant challenge to accessing safe, high-quality options. As we heard from Said Hassan, Executive Director (and also ERC commissioner) and Adan Hurre, Program Director, from COMSA, immigrant families struggle to find and retain good housing, both because of overall rent increases, especially after COVID, and because of landlords' unwillingness to accept Section 8 vouchers. For families who are fortunate enough to find housing, they often do so at the expense of other important necessities. As Hurre pointed out, immigrant families are likely to forego food before missing rent payments.

Indeed, Somali immigrants desire to stay in Green Bay but often leave, in particular to the Twin Cities, as their families increase in size and they cannot find three-, four-, or five-bedroom rentals. Of course, this is a major missed opportunity for employers in Green Bay. As Hurre put it, Green Bay is a "great place" to live but it can be difficult to retain Somali families because they do not have space in our city.

As Maria Plascencia, Board Member for CASA ALBA Melanie pointed out, CASA ALBA Melanie struggles to find permanent housing for refugees from Nicaragua, Honduras, Congo, and Afghanistan. She pointed out the discrimination they often meet from landlords, particularly as a result of language barriers, and their inability to get things fixed when they are able to secure housing. They also fear eviction if they complain, even if they ask politely for maintenance. She also confirmed, as we have heard from other constituency groups, that landlords often ask for three times the first month's rent from immigrant and refugee families.

Lack of housing for large families is not restricted to immigrants and refugees, however: Both Beth Hudak from House of Hope and Jen Schmo from Freedom House also spoke to the necessity of more 3-5 bedroom rentals that are affordable.

It seems clear that, in addition to the broader shortage of housing impacting the entire city, some groups in particular are struggling with the increased power this has given landlords in the rental marketplace.

IV. Immediate Recommendations

As we have shown, securing safe and affordable housing is a right that is necessary to the fulfillment of the American promise of life, liberty, and the pursuit of happiness. It is fundamental in the trajectory of our city and of our residents' quality of life, and it is necessary for our employers to have the workforce that they need to thrive. In the next three sections we offer a series of recommendations: a set of immediate recommendations that the city can implement with very little planning and limited resources, intermediate recommendations that would require more resources and a longer time horizon, and a set of long-term recommendations we believe city administrators and city council representatives should keep in mind as they build for the future.

It is important to note that we are not starting from scratch. The city administration, particularly under Mayor Eric Genrich, has taken important steps already to improve residents' access to affordable housing. We note these steps below when relevant.

If housing is a right, the most obvious thing for the city to do is to educate the public that housing for everyone is a priority, to educate landlords about their responsibilities, and to educate tenants about their rights.

We have heard from numerous people about the necessity of educating landlords about their responsibilities. We believe this is important, and members of the ERC would be more than happy to attend the trainings for landlords the city already holds. We would also like to see the city administration include findings from this report in their training sessions. Nevertheless, given the significant power landlords have in the market and the increased legal protections landlords have won through state legislation in the past decade, we believe that a more important avenue is to put greater effort into ensuring that tenants understand their rights, and for the city to work closely with non-profit advocates to advance this knowledge. As we heard from one representative in our hearings, "It feels like there are no tenant rights...the majority of people we work with, they don't know their rights. If they don't know their rights, it is easy for landlords to take advantage of them."

As we learned in one of the hearings, the city has a part-time housing investigator, but it seems that much of the public, including many of the groups who directly work on housing, do not know about it. The state also has a Fair Housing Council, and [there is a satellite office in Appleton](#). This is a valuable resource for tenants, but although the resource is listed on the city website, it seems very likely that many tenants do not know about it. As the Corporation for Sustainable Housing Blueprint (2021) explains, according to Wisconsin fair housing law, landlords cannot refuse to rent or refuse to renew a lease because someone uses a Section 8 voucher. (42). The city's equal rights ordinance (which charged our commission) also provides specific protections from non-discrimination to a number of protected classes.

We should begin by helping all of Green Bay's citizens understand their above rights as tenants. The city routinely holds trainings for landlords, and the city, in partnership with GBPD and Legal Action of Wisconsin, recently began holding trainings for tenants. The city should continue this work, expanding the number of training sessions and working directly with service providers to ensure tenants know about it. The city should also meet tenants where they are. Neighborworks has published a [helpful resource guide for renters and landlords in Brown County](#). The city should work with service providers to ensure this guide is kept up to date and disseminated to tenants, particularly those from marginal communities. And, importantly, this guide should be translated into Spanish, Somali, Hmong, and other languages to fit the needs of in-migrants to our region.

The city should also consider deepening existing support for tenant advocacy. Currently, the city contracts with six housing inspectors and one residential housing investigator. They also contract with the Fair Housing Council, which is based out of Milwaukee. But there is more the city can do to help shift the balance of power away from landlords. For starters, the city should

ask the Fair Housing Council to do a fair-housing audit of the city to determine systematically to what extent discrimination restricts opportunities for equal housing in the city.

The city should also consider hiring a full-time housing investigator (right now that position is part-time) and/or working with a local organization that is able to work directly with local populations who might be wary of having to call an office in Milwaukee to make a complaint about discriminatory actions. These positions can be funded through federal block grant dollars.

If we are serious about upholding all of our citizens' rights to affordable, safe housing, we should commit more support to it, and more accessible, local support. As we learned in our hearings, many of the folks who struggle the most to secure housing are our city's most vulnerable, the most likely to be unaware of their rights, experience language barriers, and suffer from the stigma of domestic violence. Many of the representatives we spoke to supported the notion of increased tenant advocacy and the Commission reiterates the necessity of ensuring much of the advocacy is inclusive of different languages spoken in our Green Bay community.

V. Intermediate Recommendations:

The following recommendations are intermediate recommendations. They would require action by the city council or some other community group but would not require a significant amount of expenses.

As we've documented, one of the most significant factors leading to unequal access to housing in our city is the lack of housing and the increased leverage that gives to landlords.

First, as we noted above, we support landlord training and education programs around how to work with minorities and low-income renters. Based on what we learned during our hearings, there is a need to emphasize both appropriate and inappropriate behavior displayed by landlords within Green Bay. **We believe the city should develop a certification program to publicly praise landlords that deal fairly with tenants and prospective tenants and to communicate to the public about which ones do not.** We believe city administration is the appropriate institution to complete this work. If the city is unwilling or unable to do it, however, we recommend a citizen's committee create their own list so we can steer renters toward fair landlords and away from unfair ones. We also believe that such a certification program could be tailored toward the needs of distinct underserved groups, such as a certification for immigrant and refugee-friendly or LGBTQ-safe landlords.

Relatedly, we think the city could outlay a specific amount of funding to pay for necessary repairs to rental units when landlords refuse to make sure necessary repairs occur. The city already does this when a property is declared a "public nuisance" and the city landlords gets billed. But we should extend this possibility to renters who struggle to get landlords to make reasonable repairs. A program of this kind would entail a method for tenants to document the landlord's refusal to take appropriate action. The city could then make those repairs, and then bill the landlord.

Finally, we wish to endorse a specific recommendation from the City of Green Bay’s housing study from 2019, for significant zoning reform, to increase the city’s affordable housing stock. As the report pointed out: “The City should amend the Comprehensive Plan and its Future Land Use Map to add policies that increase the supply of affordable housing for families in all areas and neighborhoods in the City. The City should incentivize the development of a mix of housing types and price points in areas without concentrations of low income and minority households. This could include the identification of High Opportunity Zones (areas with employment opportunities, high performing schools, green space, access to transit, etc.). where new affordable units are specifically encouraged and Low Opportunity Zones where new affordable units are specifically *discouraged*.” (58). The commission has learned that the city administration is actively working to support this reform. Though this reform will not be sufficient to ensure everyone in Green Bay has access to safe, affordable housing, it is a budget-neutral reform that the city council could enact very soon.

VI. Long-term recommendations

Many recent reports on the shortage of housing in Green Bay (and elsewhere) have called for incentives for landlords and developers to improve existing housing stock and build new housing stock. The city of Green Bay, including the Redevelopment Authority and other entities, has done good work to incentivize these initiatives, effectively subsidizing private capital. In spite of these efforts, however, it is clear that focusing first and foremost on the profits of investors and developers, with affordable housing stock as an ancillary investment, is unlikely to ensure our city’s residents right to safe, affordable housing.

As the Green Bay housing study from 2020, pointed out, “There is a significant gap at the very bottom of the rental market, an undersupply of 3,715 units for those at 30% or less median income” (23). The scale of this problem is so significant that incremental measures that largely focus on higher-end housing will not solve it. Simply put, we cannot use magical thinking in the hope that incentivizing developers whose primary interest is profit will ensure everyone has equal opportunity to safe, affordable housing. **If we truly see housing as a human right, and a necessity if the city is going to have an engaged citizenry and a workforce that is supported and committed to working right here in Green Bay, we must prioritize the production of affordable housing in the public investments our city makes moving forward.** To do anything else would be averse to the American promise of life, liberty, and the pursuit of happiness.

There are numerous ways to invest in housing that foregrounds the need for affordable housing.

First, when developers create more housing, we believe they should be required to create a minimum number of affordable units. We strongly urge the city to pass an affordable housing ordinance modeled on [Bloomington, Minnesota’s Opportunity Housing Ordinance](#). Though there is plenty of room for variation with a potential Green Bay ordinance, we see Bloomington’s requirements as a thoughtful starting point: “*New residential construction, regardless of type of dwelling unit.* For newly constructed, converted, or infill multi-family or townhome residential developments with 20 or more newly created units, at least 9% of the newly created units must be affordable to households at or below 60% of AMI [Area Median

Income]. For newly constructed or infill single-family detached residential developments with 20 or more newly created units, at least 9% of the newly created units must be affordable to low-income family households up to 115% AML.” City administration is already in the early stages of proposing a version of this ordinance in Green Bay. We endorse this effort and urge the city to consider a version with an even higher threshold of affordable housing than Bloomington’s ordinance.

There also needs to be an accountability measure in any ordinance passed in Green Bay that ensures that landlords do not discriminate against those who are renting affordable housing units.

Second, according to the Green Bay 2020 housing study, there were 45 parcels owned by the city that are considered “vacant residential properties.” (p. 59). **The city should continue to prioritize the use of that land to build as much new affordable housing as possible, and acquire, including the possibility of creating additional temporary housing for people experiencing homelessness.** (It might be necessary to enact zoning reform, as we outlined in the above section).

We believe the city should explore the creation of a community land trust for part of these parcels, or for other parcels the city acquires. This idea, which allows more residents on the lower end of the income spectrum to purchase housing, effectively subsidizes housing because the city owns the land on which the house is built while the resident owns the house and benefits from any improvements they make when they sell it. In exchange, the owner agrees to sell the house at a restricted price so that it remains affordable.²⁰ The city, in partnership with Neighborworks and Habitat for Humanity, are exploring this possibility already. We strongly endorse this possibility.

We strongly believe the city should continue and expand efforts to proudly and directly subsidize homeownership for low-income buyers. The City works with developers to subsidize often needed gap funding for the construction of larger housing developments through Tax Increment District Affordable Housing Funds, ARPA and HOME funding. The City also encourages affordable single-family homeownership by partnering with non-profits such as NeighborWorks GB and Habitat for Humanity in land donations and providing HOME funding subsidies which in turn allows for the construction of new affordable housing. In late 2022, the City of Green Bay launched the Great Being Home Program, which provides \$10,000 in down payment assistance to a limited number of first-time home buyers. This program is an excellent addition to the existing programs being offered to open up more housing in the city on an affordable basis. There are limits, however: one being workers only qualify for the assistance if they work for the City of Green Bay, or for a Green Bay headquartered non-profit or business with less than 25 employees. For employees of larger companies, they are reliant on the company to offer half of the funding. Although there is additional down payment assistance funding available directly through NeighborWorks GB, the City should continue to seek out other funding sources to provide the greatest opportunity to lower income homebuyers who need additional support in the purchase of a house. Continuing to fund this program with a special emphasis on affordability is essential.

²⁰ “Community Land Trusts,” *Grounded Solutions Network*. <https://groundedsolutions.org/strengthening-neighborhoods/community-land-trusts>

Finally, the city should directly create and manage affordable rental units, using creative sources of funding, including private contributions from large employers. The Green Bay Housing Authority already administers public housing; we call for substantial new investments by the city in public housing—that the authority could manage—moving forward.

To put it simply, we often provide significant tax expenditures to developers and investors to build more housing; we should be able to spend more directly on housing for those who lack access. Given all that we’ve relayed in this report, we should treat the lack of safe, affordable housing as the emergency that it is.

We understand that city resources are limited, but we do recommend using additional resources, in the long term, to invest in creating high-quality, affordable housing for everyone in our city, whether that is through increased property tax revenue or tax increment financing.

Immediately, however, we believe city administration and city council should explore every potential funding stream and direct these sources toward ensuring the right of all of our residents to housing. We suggest immediately using any remaining ARPA fund dollars as a down payment on some of these programs. We also endorse a proposal offered by the Green Bay housing study from 2020, for an affordable housing trust fund that would represent “a general purpose funding vehicle that can serve various affordability initiatives anywhere in the City. This can be used for matching funds, land purchase, new construction, renovation, and down payment assistance. Funds could come from the TIF Affordable Housing One-Year Extension, general obligation bonds, sale of surplus land, general fund budgeting, and private contributions.” (83) We might add that “private contributions” could include large employers who are concerned with retaining workers in our city.

One potential source of funds to help jump start such a trust fund could be the Wisconsin Housing and Economic Development Authority. As the 2021 Greater Green Bay Blueprint points out, one area ripe for exploration is to examine how WHEDA “is currently administering Housing Trust Funds (HTF), and if there are any potential changes that could be made to bring more HTF resources to the Greater Green Bay Region.” (39)

Conclusion

To reiterate the basic premise of our report, access to high-quality affordable housing is a right all Americans should enjoy. If Green Bay is going to continue to be an excellent (and even better and more inclusive) place to live, we must ensure that every resident of our community enjoys this right. We understand the dramatic changes that will be necessary to get to this place, but Green Bay is a community poised to do it. We look forward to working with the Mayor’s Office and the Common Council to secure these rights.

Detail Summary of Projects Issued

1/1/2023 to 1/31/2023

Proj #	Address	Owner	Applicant	Fees Paid	Estimated \$	Status
110147	1636 CROOKS ST..21-1556	JOHN SMITH		\$205.00	\$20,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] BASEMENT FINISH					
111033	1747 OAKDALE AV..21-2304-2-A	KAPLA ENTERPRISES LLC		\$165.00	\$39,900.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] SOLAR PANELS					
111132	1113 DAY ST..7-226	SAS EQUITIES LLC		\$317.75	\$35,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
111186	1274 ELIZA ST..17-266	VICKI L MEDLAND, ETAL		\$205.00	\$34,862.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
111215	2773 KLEE ST..6H-1537	ROBIN R KOVASH		\$425.45	\$80,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL 1ST FLOOR					
111233	1036 LARK ST..18-1197	WALLACE & JASON & SUSAN ST AUBIN		\$205.00	\$25,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL INTERIOR AND EXTERIOR					
111239	1457 ELIZA ST..17-713	DOUGLAS E & TRACEY M LYNCH		\$373.61	\$60,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] FIRE REPAIR - NEW CONTRACTORS					
111263	1148 COLONIAL AV..1-1805	JONATHAN RODRIGUEZ SANCHEZ		\$50.00	\$200.00	Withdrawn
	[2-434 - Residential - Alteration - 1 -2 Family House] REMOVE WINDOW FROM BATHROOM					
111286	1580 FRANZ AV..21-1978	JENNIFER M WAY		\$75.00	\$8,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REPLACE WINDOWS (CHANGING SIZE) AND SIDING AND FRAMING					
111289	959 SCHOOL PL..3-754	CHARLES J SWOBODA		\$100.00	\$36,000.00	Closed
	[2-434 - Residential - Alteration - 1 -2 Family House] ROOF MOUNTED SOLAR					
111293	1287 BIEMERET ST..1-2517	LINDA A & GREGORY J BINS		\$180.00	\$18,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] KITCHEN REMODEL					
111309	1006 W MASON ST..2-677-A	DAKODA SHERMAN		\$330.00	\$26,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
111329	317 JACOB ST..21-2360	JORDAN WILLIAM & KATIE OGREN		\$155.00	\$4,000.00	Closed
	[2-434 - Residential - Alteration - 1 -2 Family House] ALTERATION					
111330	855 LANGLADE AV..1-1435-B	BALTIC PROPERTIES LLC		\$380.00	\$8,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL INTERIOR, ADD SUPPLEMENTAL FLOOR BEAMS, REPLACE LOAD BEARING BEAM IN LIVING ROOM					
111336	2634 OAKWOOD DR..6H-1225-8	WILDERNEST PROPERTIES LLC		\$100.00	\$10,000.00	Pending
	[2-434 - Residential - Alteration - 1 -2 Family House] Remodel basement					

111511	921 MATHER ST..5-236	JEREMY J COLLIN, ETAL	\$502.30	\$75,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] FIRE DAMAGE REPAIR					
111516	909 DAY ST..7-255	ARMANDO CRUZ	\$230.00	\$3,500.00	Stop Work
[2-434 - Residential - Alteration - 1 -2 Family House] ALTERATIONS					
111533	714 HARRISON ST..5-149	CMW LLC	\$255.00	\$1.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
111550	2905 TRADEWINDS TR..6H-2890	CARRIE WATZ	\$205.00	\$45,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] RENOVATING BASEMENT					
111560	1133 DAY ST..7-223	COVER RENTALS LLC	\$360.00	\$25,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
111195	1233 MATHER ST..5-1315-D	HANSON DOUGLAS P REVOCABLE TRUST	\$100.00	\$29,965.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)] 22' X 15' DECK					
111228	463 LORRAINE LN..21-6670-3	KENNETH R & PATRICIA D SABATKA	\$50.00	\$6,402.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] RAMP					
111530	918 13th AV..2-818	DONALD R & CARMEN A WOODS LIVING TRUST	\$100.00	\$1.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DECK - WORK ALREADY DONE.					
111253	610 S NORWOOD AV..2-412	PRESTIGE INVESTMENTS LLC	\$100.00	\$6,000.00	Pending
[9-645 - Raze - Building or Structure (Residential)] RAZE DETACHED GARAGE AND SHED					
111270	1643 CASS ST..21-1287-1	COLIN P BERGH	\$175.00	\$16,817.00	Pending
[9-645 - Raze - Building or Structure (Residential)] RAZE					
111280	1121 S BROADWAY..1-788	MICHAEL E & ROSETTA E METHENY	\$125.00	\$1,500.00	Pending
[9-645 - Raze - Building or Structure (Residential)] RAZE HOUSE, FOUNDATION, FENCE.					
111287	1457 ELIZA ST..17-713	TRACEY M & DOUGLAS E LYNCH	\$50.00	\$6,000.00	Pending
[9-649 - Demolition - Interior (Residential)] DEMO ONLY					
111299	413 5th ST..2-870	LUE & KIA YANG	\$100.00	\$60,000.00	Pending
[9-649 - Demolition - Interior (Residential)] DEMO					
111505	1227 N PLATTEN ST..6-47	ROSTOCK PROPERTIES LLC	\$50.00	\$10,000.00	Pending
[9-649 - Demolition - Interior (Residential)] INTERIOR DEMO ok to issue demo only. Structural analysis needed. Per EW					
111527	1137 S MAPLE AV..1-828	BRETT A DAVIS	\$125.00	\$0.00	Pending
[9-645 - Raze - Building or Structure (Residential)] RAZE HOUSE *Erosion Control Permit not required.					
111536	1208 WIRTZ AV..1-99	BART M BELLIN	\$175.00	\$20,467.00	Pending
[9-645 - Raze - Building or Structure (Residential)] RAZE - HOUSE & GARAGE					
111556	921 MATHER ST..5-236	JEREMY J COLLIN, ETAL	\$100.00	\$5,000.00	Closed
[9-649 - Demolition - Interior (Residential)] DEMO					
111557	1159 MINAHAN ST..18-373	FANTA PROPERTIES LLC	\$100.00	\$5,000.00	Closed
[9-649 - Demolition - Interior (Residential)] DEMO - FIRE					

109733	919 APHRODITE RD..21-4319	BRAD S & MELANIE S ZABEL	\$50.00	\$10,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] DRIVEWAY					
110912	335 BADER ST..21-2678-T-6	TRACY M & AMY J BYRNES	\$50.00	\$10,169.00	Pending
[11-1 - Fence (Residential)] FENCE - 6' PINE					
111254	914 REBER ST..20-21	JESUS MANCHA	\$50.00	\$11,000.00	Pending
[11-1 - Foundation Repair (Residential)] FOUNDATION REPAIR					
111272	655-657 ST. MARTIN CT..21-5644	GUENTHER & CHARLEEN P FOERSTER	\$50.00	\$200.00	Closed
[11-1 - Fence (Residential)] 6' FENCE					
111281	985 W MASON ST..2-36	SMITH STREET HOLDINGS LLC	\$100.00	\$3,156.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] REPLACE GRAVEL DRIVEWAY WITH BLACKTOP *CASE 120573 -DOUBLE FEE					
111317	526 S JACKSON ST..14-526	FRANCISCO & GORDON P MONTES	\$50.00	\$28,000.00	Pending
[11-1 - Foundation Repair (Residential)] FOUNDATION REPAIR					
111318	325 14th AV..3-760	CHRISTINE A ALLEN	\$50.00	\$28,000.00	Pending
[11-1 - Foundation Repair (Residential)] FOUNDATION REPAIR					
111319	1303 CHERRY ST..14-124	GRETA M JOCHMAN	\$50.00	\$23,000.00	Pending
[11-1 - Foundation Repair (Residential)] FOUNDATION REPAIR					
111558	1416 13th AV..1-1701	KIM R DIAZ	\$50.00	\$5,707.00	Pending
[11-1 - Fence (Residential)] FENCE					
111569	1704 10th AV..1-1215	ALEXX SCHULTZ	\$50.00	\$3,000.00	Pending
[11-1 - Fence (Residential)] FENCE					
111594	633 SARATOGA ST..6-2159	DANA L & KARRIE A RAUCOURTIER	\$50.00	\$10,260.00	Pending
[11-1 - Fence (Residential)] NEW FENCE					
87519	1919 S BROADWAY..1-1407	GEORGIA PACIFIC CORP	\$1,842.60	\$210,450.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] Basement area alterations					
109920	901 S MILITARY AV..6-462-1	MILITARY AVE PARTNERS LLC	\$4,641.43	\$1,700,000.00	Pending
[31-322 - Commercial - New - Service Station, Repair Garage] CONSTRUCT NEW CLUB CARWASH					
110351	312 VICTORIA ST..21-2324	SAINT PHILIPS CONGREGATION	\$680.00	\$28,000.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]					
110768	1265 LOMBARDI AV..1-1841-A	GREEN BAY CITY OF LAMBEAU FIELD	\$12,160.30	\$39,000,000.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] Mostly 300 Level work - 10 concession stands, lighting, displays, etc.					
110869	1265 LOMBARDI AV..1-1841-A	GREEN BAY CITY OF LAMBEAU FIELD	\$4,130.89	\$9,990,000.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] SCOREBOARD/DISPLAY ALTERATIONS					
111106	520 N BROADWAY , Unit: SUITE 180..5-1757	DDL HOLDINGS LLC	\$2,050.05	\$98,960.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]					
111262	2830 CURRY CT, UNIT 3..21-7949	WESO HOLDINGS LLC	\$1,203.69	\$1.00	Pending
[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] MASSAGE SCHOOL AND TREATMENT					
111276	835 S VAN BUREN ST..16-293	SAINT VINCENT HOSPITAL ETAL	\$853.00	\$492,530.00	Pending

[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] FLOOROSCOPY ROOM - 1ST FLR

111534	515 PINE ST..11-263	BROWN COUNTY LIBRARY DOWNTOWN	\$2,263.50	\$384,567.00	Pending
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[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] FLEXIBLE MEETING ROOM ALTERATIONS

111579	2400 UNIVERSITY AV..21-2475-F-1	KWIK TRIP INC	\$210.00	\$25,000.00	Pending
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[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] DISHWASHER REPLACEMENT

111599	1605 UNIVERSITY AV..19-351	BAY PARTNERS REAL ESTATE LLC	\$70.00	\$15,000.00	Pending
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[31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] VEHICLE DAMAGE REPAIR

111190	1919 S BROADWAY..1-1407	GEORGIA PACIFIC CONSUMER PRODUCTS LP	\$315.00	\$0.00	Pending
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[33-320 - Commercial - New - Industrial Buildings (factories, machine shops, paper mills, beverage plants, manufacturing plants, printing plants)] BLDG 167 - FOOTING/FOUNDATION ONLY - CONVERTING

110842	600 N JEFFERSON ST ..11-134	WISCONSIN PUBLIC SERVICE CORP	\$1,108.00	\$7,000,000.00	Pending
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[34-1 - Site (Erosion control, Fill, Excavation)(Commercial)] temp elec under P#111142

111218	919 AUTO PLAZA DR..21-127-3	GANDRUD IVAN CHEVROLET INC	\$70.00	\$35,000.00	Pending
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[34-1 - Fence (Commercial)] 6' PVC FENCE

111237	234 S WASHINGTON ST..13-2	HARP & EAGLE LTD	\$140.00	\$7,761.00	Pending
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[34-1 - Temporary Office/Trailer/Event (Commercial)] TENT FOR ST PATRICK DAY 3/10/23-3/20/23

111246	207 COUNTRY CLUB RD..6H-1072	ONEIDA GOLF & COUNTRY CLUB INC	\$210.00	\$201,079.00	Pending
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[34-649 - Demolition - Interior (Commercial)] Interior Demo

111249	301-210 N ADAMS ST..12-201	HCW LLC	\$70.00	\$75,000.00	Pending
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[34-649 - Demolition - Interior (Commercial)] INTERIOR DEMO FOR FUTURE REMODEL

111291	501 EASTMAN AV..20-123	PROCTER & GAMBLE PAPER PRODUCTS CO	\$286.00	\$1,500,000.00	Pending
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[34-1 - Roofing (Commercial)] BUILDING 47 ROOF REPLACEMENT NEW

111515	1001 MAIN ST..9-39	MAIN STREET GREEN BAY PROPERTIES LLC	\$70.00	\$6,012.00	Pending
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[34-1 - Roofing (Commercial)] REPLACING AWNINGS

111535	301 LEELAND ST..6-586	NLM PROPERTIES 2 LLC	\$280.00	\$32,000.00	Closed
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[34-649 - Demolition - Interior (Commercial)] FIRE DEMO ONLY

111565	2208 IMPERIAL LN..21-3361	PRESTIGE INVESTMENTS LLC	\$70.00	\$26,000.00	Pending
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[34-1 - Siding (Commercial)] SIDING / WINDOWS

111245	104 ALVINA ST..6-250-3	SCHOEN STREET CONDO RENTALS LLC	\$165.00	\$56,275.00	Pending
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[40-1 - Solar Panels - Electric] ROOF MOUNTED SOLAR PANELS

111269	1221 ROSCOE ST..1-423	ROSALINDE K BARKER, ETAL	\$125.00	\$10,600.00	Pending
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[40-1 - New Electrical System (Residential)] SOLAR PANELS

111277	401 N WASHINGTON ST..12-184-A	VAST PROPERTIES 801 LLC	\$140.00	\$16,850.00	Pending
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[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Commercial)] LIGHTING ADDITIONS, EM LIGHTS AND ADDING OUTLETS AND CIRCUITS FOR VARIOUS POWER NEEDS

111283	933 SMITH ST..7-324	SMITH STREET HOLDINGS LLC	\$70.00	\$5,500.00	Closed
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[40-1 - Electrical Service - Change (Commercial)] RELOCATE ELECTRICAL MAST

111288	1137 CHERRY ST..14-94	EDUARDO & JAIME GUZMAN CASTRO	\$50.00	\$3,425.00	Pending
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[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] ELEC WIRING AND UPDATES

111294	3499 NICOLET DR..22-46	TERRI A & FRANK J HANOLD	\$50.00	\$1,500.00	Pending
[40-1 - Electrical Service - Change (Residential)] HOOKING UP GENERATOR					
111316	1306 WESTERN AV..3-815	ALF RENTALS LLC	\$70.00	\$2,000.00	Pending
[40-1 - Electrical Service - Change (Commercial)] PANEL CHANGE					
111322	712 S BAIRD ST..17-449-B	CESAR R TAFOLLA	\$50.00	\$200.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] MISC WIRING					
111323	1260 DAY ST..7-91	ROY HANNON, ETAL	\$50.00	\$500.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] CHECK SERVICE					
111510	1929 HILLSIDE LN..21-2827-H-18	NICHOLAS J & KATELYN L DOLEZAL	\$50.00	\$100.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] SERVICE CHANGE					
111512	905 LARK ST..18-1219	DONALD A & JULIE A SMITH	\$50.00	\$2,200.00	Closed
[40-1 - Electrical Service - Change (Residential)] SERVICE CHANGE					
111513	1670 CAREFUL DR..6-1660-7	JENNIFER R & TREVOR T WIX	\$50.00	\$2,850.00	Closed
[40-1 - Electrical Service - Repair (Residential)] SERVICE CHANGE - 100 TO 200 AMP					
111539	1092 RALEIGH ST..1-2599	JAY A & CHRISTINE A GOTTFRIED	\$50.00	\$2,000.00	Closed
[40-1 - Electrical Service - Change (Residential)] SERVICE UPGRADE					
111549	978 ELMORE ST..5-1292	JANET M GROH	\$50.00	\$1,400.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] SERVICE CHANGE - INSTALLING NEW 100 AMP BREAKER PANEL					
111553	1312 BIEMERET ST..6-850	ZACHARY J VANDERMEULEN	\$50.00	\$500.00	Pending
[40-1 - Electrical Service - Change (Residential)] SERVICE CHANGE - DROP SERVICE MAST 4'.					
111582	835 GROSS CT..2-1209	835 GROSS CT LLC	\$50.00	\$5,000.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] ELEC ALTERATIONS					
111595	1251 LANGLADE AV..1-1963	WANDA M & PETER W & LAURA L & JOHN W AULT	\$50.00	\$3,175.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] SERVICE UPGRADE					
111609	1795 DOUSMAN ST..6-233-G	CHENG HER, ETAL	\$50.00	\$3,365.00	Pending
[40-1 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] PANEL REPLACEMENT					
111622	709 W WALNUT ST ..3-72	CATHERINE H & MICHAEL G ORETO	\$50.00	\$2,000.00	Pending
[40-1 - Electrical Service - Repair (Residential)] SERVICE REPAIRS					
111138	141-143 JOAN AV..21-89-17	ROBERT F SHANAHAN	\$50.00	\$9,000.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER					
111219	1249 GAIL DR..21-6410-76	JOY M & GREGORY W POKEL	\$50.00	\$10,179.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER					
111235	851 PHOEBE ST..18-670	BRIAN J BRZOZOWSKI	\$50.00	\$9,000.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER					
111236	1644 FOREST GLEN DR..6-1646	JASON MILLS	\$50.00	\$5,500.00	Closed
[50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER					

111240	2967 GILBERT DR..21-3887 [50-1 - Heating Unit Only (Residential)] A FURNACE	LINDA M VANDERHEYDEN	\$50.00	\$5,500.00	Closed
111243	1321 BIEMERET ST..6-918 [50-1 - Heating Unit Only (Residential)] A FURNACE	CYNTHIA & GRACE VANDERGRIF	\$50.00	\$5,401.00	Closed
111244	2404 SYCAMORE DR..21-4012 [50-1 - Heating Unit Only (Commercial)] A FURNACE	KOS HATCHERIES LLP	\$70.00	\$3,246.00	Closed
111248	730 CHERRY ST..10-80 [50-1 - Heating Unit Only (Commercial)] A FURNACE	DARIO ABELLAMARTINEZ, ETAL	\$70.00	\$3,175.00	Closed
111250	623 EASTVIEW DR..21-819-38 [50-1 - Heating Unit Only (Residential)] A FURNACE	SHARON & LEONARD THYRION	\$50.00	\$4,251.00	Closed
111255	131 ALPINE DR..21-54-4 [50-1 - Heating Unit Only (Residential)] A BOILER	MATTHEW E ZELLNER	\$50.00	\$9,550.00	Closed
111257	700 N TAYLOR ST..6-3009 [50-1 - Heating Unit Only (Residential)] A FURNACE	CYNTHIA E MANTEY	\$50.00	\$4,050.00	Closed
111258	204 OXFORD AV..5-509 [50-1 - AC Unit Only (Residential)] A FURNACE	ELIZABETH A CALLIES	\$50.00	\$4,750.00	Closed
111259	2886 SWEETFERN DR..6H-4188-70 [50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER	DWAYNE E & TAMMY REESE	\$50.00	\$10,950.00	Closed
111261	1700 ST. AGNES DR..6-303-6 [50-1 - Heating Unit Only (Residential)] A FURNACE	DANIEL H MARQUARDT	\$50.00	\$3,550.00	Closed
111271	1633 HAROLD ST..19-460 [50-1 - Heating Unit Only (Residential)] A FURNACE	BETHEAN M THOMPSON	\$50.00	\$3,300.00	Closed
111274	2450 WANDERING SPRINGS CIR..23-287 [50-1 - Heating Unit Only (Residential)] A FURNACE	DONALD J & MELISSA THOMPSON	\$50.00	\$5,655.00	Closed
111275	1216 RICHARDINE CT..6-2050 [50-1 - Heating Unit Only (Residential)] A FURNACE	ROGER EASTMAN, ETAL	\$50.00	\$4,779.00	Closed
111279	2330 MANITOWOC RD..21-132-7 [50-1 - Heating Unit Only (Residential)] A BOILER	YANG VUE	\$50.00	\$7,000.00	Closed
111282	1016 12th AV..2-853 [50-1 - Heating Unit Only (Residential)] A FURNACE	EMILY R PARTANEN	\$50.00	\$2,675.00	Pending
111284	1837 SHAWANO AV..6-1878 [50-1 - Heating Unit Only (Residential)] FURNACE	CODY V DINATALE	\$50.00	\$5,000.00	Closed
111285	1681 LILAC LN..21-2678-G-6 [50-1 - Heating Unit Only (Residential)] A FURNACE	CORY M & KATIE A DEVROY	\$50.00	\$5,500.00	Closed
111292	623 SUMMER WINDS DR..21-7077 [50-1 - Heating and Air Conditioning Units (Residential)] A FURNACE AND AIR CONDITIONER	DREW & EMILEE MONOGUE	\$50.00	\$12,500.00	Pending
111295	1587 AMY ST..8-654	PEDRO DIAZ CONCHA, ETAL	\$50.00	\$5,255.00	Pending

[50-1 - Heating Unit Only (Residential)] FURNACE

111297	2481 DECKNER AV..21-307-3	CHAD FRISQUE	\$50.00	\$6,000.00	Pending
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[50-1 - Heating Unit Only (Residential)] A BOILER

111310	1113 LAWE ST..14-1163	ANDREW ERIC ST LOUIS	\$50.00	\$4,433.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111311	1115 LAWE ST..14-1163	ANDREW ERIC ST LOUIS	\$50.00	\$4,433.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111313	1308 LAWE ST..17-492	DERRICK HOFFMAN	\$50.00	\$5,401.00	Pending
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111314	1444 NELSON ST..6-294-2	MICHAEL J & RITA M BOSTEDT	\$50.00	\$5,401.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111315	615-617 PETERS ST..21-2218-1	DDD PROPERTIES LLC	\$50.00	\$3,500.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111320	3546 BAY HIGHLANDS CIR..21-5599	RANDALL J DAUBNER	\$50.00	\$7,700.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111321	1404 NELSON ST..6-1137	PATRICIA MARIE CASTELLION	\$50.00	\$4,397.00	Closed
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[50-1 - Heating Unit Only (Residential)] A FURNACE

111391	1227 DOBLON ST..20-521	DANIEL & DEBRA PIERQUET	\$50.00	\$3,830.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111518	1801 7th ST..6-2229	BENJAMIN J PORATH	\$50.00	\$7,800.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111519	1403 BIEMERET ST..6-906	STEWART EDWIN R & JOAN M REVOCABLE TRUST	\$50.00	\$7,000.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111520	526 N FISK ST..6-1856	KARL & RUTH STOECKIGT	\$50.00	\$5,800.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111521	1503 RUSSELL ST..6-1291	DANA M KACZROUSKE	\$50.00	\$7,500.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111522	1576 AMY ST..8-664-10	KEVIN M & LINDA A CARMODY	\$50.00	\$14,648.00	Pending
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[50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER

111523	1200 REDWOOD DR..1-1911	BENJAMIN J & JAMIE L BLAHNIK	\$50.00	\$9,479.00	Pending
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[50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER

111524	2561 VICKI LN..21-3984	ERIC S & KATHRYN A SAXTON	\$50.00	\$5,000.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111525	1793 E MASON ST..21-2480	FIAMO PATRICIA SORTO FLORES	\$50.00	\$5,457.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111538	2332 BAY BEACH CT..21-4759	MICKELL HARRIS	\$50.00	\$5,920.00	Closed
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[50-1 - Heating Unit Only (Residential)] FURNACE

111543	235 S HENRY ST..21-1514-13 [50-1 - Heating Unit Only (Residential)] FURNACE	TAMARA L VERNOSH	\$50.00	\$4,100.00	Closed
111544	2510 REMINGTON RD..21-8044 [50-1 - Heating Unit Only (Residential)] FURNACE	SHAWN T & LAURA A ROPSON	\$50.00	\$5,400.00	Closed
111545	1229 REDWOOD DR..1-1880 [50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER	JOHN H & BARBRA A BYRNES	\$50.00	\$5,600.00	Pending
111546	632 BELLEVUE ST..8-427 [50-1 - Heating and Air Conditioning Units (Commercial)] FURNACE & AIR CONDITIONER	DMG GREEN BAY HOLDINGS LLC	\$140.00	\$12,590.00	Pending
111554	118 S WASHINGTON ST..12-341 [50-1 - Heating and Air Conditioning Units (Commercial)] FURNACE & AIR CONDITIONER	MATTHEW MAZUR	\$140.00	\$14,244.00	Pending
111562	727 NEVILLE AV..18-385-A [50-1 - Heating Unit Only (Residential)] FURNACE	JEFFREY L & RITA H LANGLITZ	\$50.00	\$5,000.00	Closed
111563	1760 CARRIAGE CT..6-2180 [50-1 - Heating Unit Only (Residential)] FURNACE	GARY C & PATRICIA R COLE	\$50.00	\$4,600.00	Closed
111564	2221 STARR CT..6H-1639 [50-1 - Heating Unit Only (Commercial)] FURNACE	CEGB HOLDINGS LLC	\$70.00	\$4,325.00	Pending
111571	802 PARK ST..18-1356 [50-1 - Heating Unit Only (Residential)] FURNACE	WILLIAM S MUELLER	\$50.00	\$1,905.00	Pending
111572	401 BADER ST..21-2678-T-15 [50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER	JAIMIE KIRSCHLING	\$50.00	\$8,784.00	Closed
111573	2775 DANIEL CT..21-6348 [50-1 - Heating Unit Only (Residential)] FURNACE	SHARON & KILE LINDOW	\$50.00	\$5,401.00	Pending
111574	3093 BETH DR..21-7464 [50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER	PHILLIP G & SHANNA M WILLEMS	\$50.00	\$8,784.00	Closed
111575	1322 9th ST..6-192-6 [50-1 - Heating Unit Only (Residential)] A SPACE HEATER	PHOENIX NEST LLC	\$50.00	\$3,621.00	Pending
111580	3501 GLEN ABBEY DR..22-1933 [50-1 - Heating Unit Only (Residential)] FURNACE	TAMMY A & RONALD M WINTERS	\$50.00	\$6,000.00	Pending
111581	201 CLEVELAND ST..3-182 [50-1 - Heating Unit Only (Residential)] FURNACE	JOSE R TORRESNAVARRO	\$50.00	\$9,151.77	Pending
111585	834 HOLSCHUH LN..21-6259 [50-1 - Heating Unit Only (Residential)] FURNACE	WILLIAM V VOLTMER	\$50.00	\$5,600.00	Pending
111586	2429 SYCAMORE DR..21-3992 [50-1 - Heating Unit Only (Commercial)] FURNACE	KOS HATCHERIES LLP	\$70.00	\$3,246.00	Pending
111588	521 12th AV..2-660 [50-1 - Heating Unit Only (Residential)] FURNACE	KRB INVESTMENTS LLC	\$50.00	\$3,200.00	Pending
111590	2926 BALLY BUNION LN..22-2080	ZHILIN ZHANG, ETAL	\$50.00	\$1,900.00	Pending

[50-1 - Repair/Alter Existing HVAC System (Residential)] DUCTWORK FOR FINISHED BASEMENT

111602	1139 KELLOGG ST..5-1640	RALPH J KUMM, ETAL	\$50.00	\$4,450.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111604	2646 VICKI LN..21-4542	STEVEN & MARGARET R LAUGHLIN	\$50.00	\$8,900.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER					
111605	1222 LA COUNT RD..6H-3685	DALE E & DAWN M HANNA LIVING TRUST	\$50.00	\$7,700.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111606	1440 EMILIE ST..17-634	DEHNKE LORI S LIVING TRUST	\$50.00	\$8,000.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER					
111607	1400 N BAIRD ST..21-1198-6	PERRY PARK PARTNERS ETAL	\$50.00	\$6,444.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE - LOT 48					
111608	1802 S RIDGE RD..6-307-A	EUGENE V & TINA M GOHR	\$50.00	\$4,967.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111611	3468 YORKSHIRE DR..22-1588-109	MELISSA M PATNODE	\$50.00	\$10,587.00	Pending
[50-1 - Heating and Air Conditioning Units (Residential)] FURNACE & AIR CONDITIONER					
111612	1217 BIEMERET ST..1-1994	RICHARD JOSEPH & TRIESTE KAY VAILLANCOURT	\$50.00	\$4,700.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111616	1093 8th ST..1-1522	JAQUELINE D JAVOR	\$50.00	\$4,100.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111620	511 HEYRMAN ST..21-2523-8	MAYRA DUARTE	\$50.00	\$2,430.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111621	532 S WEBSTER AV..14-791	DENNIS J & GERTRUDE F & MSM PROPERTY GROUP LLC	\$70.00	\$10,760.00	Pending
[50-1 - Heating Unit Only (Commercial)] BOILER					
111623	1390 DOUSMAN ST..6-85-3	DEBRA A WINTER	\$50.00	\$2,360.00	Pending
[50-1 - Heating Unit Only (Residential)] FURNACE					
111265	1506 S ONEIDA ST..1-2311	PETER J MCNABB	\$50.00	\$9,120.00	Pending
[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION					
111266	1491 EMILIE ST..17-994	JANICE L & TODD W EHMAN	\$50.00	\$6,345.00	Pending
[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER					
111267	3300 PEBBLE BEACH CT..22-1672	CAROL A HIGGINS	\$50.00	\$7,475.00	Pending
[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION					
111268	1215 S FISK ST..6-620	BENJAMIN J & CHRISTINE E WILMOT	\$50.00	\$8,125.00	Pending
[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION					
111273	1837 NEAL CT..21-2873	EFREN ZURITA	\$30.00	\$1,000.00	Pending
[60-1 - Water Heater (Residential)] A WATER HEATER					
111290	1001 MAIN ST..9-39	MAIN STREET GREEN BAY PROPERTIES LLC	\$30.00	\$25,000.00	Closed

[60-1 - Water Service - Connection/Repair (Commercial)] INSTALL NEW WATER SERVICE TO BUILDING

111326 1151 PORLIER ST..17-116 ROBERT A GARTZKE \$30.00 \$3,850.00 Closed

[60-1 - Water Service - Connection/Repair (Residential)] LEAD WATER SERVICE

111331 1024 BADER ST..21-1361-3-4 1024 BADER HOLDINGS LLC \$50.00 \$700.00 Closed

[60-1 - Repair/Alter Existing Plumbing System (Residential)] MISC KITCHEN PLUMBING

111517 1173 BOND ST..5-1307 KANATALOLOKS SKENANDORE \$30.00 \$1,724.00 Closed

[60-1 - Water Heater (Residential)] WATER HEATER

111540 3350 EDINBURGH RD..22-1580 GAIL ANN & ALAN J AUBERT \$50.00 \$850.00 Pending

[60-1 - Repair/Alter Existing Plumbing System (Residential)] NEW SHOWER, TOILET, LAVATORY

111541 1153 LOCH DR..6-605 JACKIE K & ZACHARY J AUSLOOS \$50.00 \$850.00 Pending

[60-1 - Repair/Alter Existing Plumbing System (Residential)] SHOWER REPLACEMENT

111542 3116 TOBERMORY DR..21-5417 JOSEPH A WATZKA \$50.00 \$850.00 Pending

[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION

111561 812 CASS ST..14-597 TIMOTHY & KARI A PERLEWITZ \$30.00 \$1,000.00 Pending

[60-1 - Water Heater (Residential)] WATER HEATER

111577 2590 TERESA CT..21-6530-24 KURT J & KAREN R VANSISTINE \$50.00 \$763.00 Pending

[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION

111596 935 DOUSMAN ST..5-507 CARVER INVESTMENTS LLC \$30.00 \$4,000.00 Closed

[60-1 - Water Service - Connection/Repair (Residential)] SANITARY SERVICE REPAIR

111603 1620 FRANZ AV..21-1968 JOHN E & KATHLEEN M UMENTUM \$50.00 \$749.00 Pending

[60-1 - Repair/Alter Existing Plumbing System (Residential)] TUB TO SHOWER CONVERSION

111234 521 S MILITARY AV, SUITE A..6-1517 BESTER DEV CO LLP \$89.58 \$2,000.00 Pending

[70-1 - Signs - Permanent] 12' x 4' wall sign

111238 519 E WALNUT ST..11-224-A GREEN BAY BUSINESS CENTER 333 LLC \$30.00 \$357.00 Pending

[70-1 - Signs - Temporary] 16 sf monument temporary sign.

Sign can be installed on 1.3.22

Sign is temporary and may last for a 30 day period. Sign permit can be exceeded three times in one year. Permit applied for in December 2022 and can be applied for a total of one extra time during the year because of this. Timing starts on the day the sign is installed.

111241 521 E WALNUT ST..11-224 GREEN BAY BUSINESS CENTER 333 LLC \$30.00 \$279.00 Pending

[70-1 - Signs - Temporary] 32 sf temp wall sign.

Sign can be installed on 1.3.22

Sign is temporary and may last for a 30 day period. Sign permit can be exceeded three times in one year. Permit applied for in December 2022 and can be applied for a total of one extra time during the year because of this. Timing starts on the day the sign is installed.

111328 2525 W MASON ST..6H-1112-D LEGACY MINDED REAL ESTATE LLC \$92.00 \$4,968.00 Pending

[70-1 - Signs - Permanent] Install new 40 sq ft (10X4') cabinet wall sign on northern facade (eastern side of building)

111526 506 S MILITARY AV..6-149-3 HAI QING LIU, ETAL \$93.17 \$3,500.00 Pending

[70-1 - Signs - Permanent] Replacement wall sign for Advance America. 49 square feet.

111552 1919 S BROADWAY..1-1407 GEORGIA PACIFIC CONSUMER PRODUCTS LP \$30.00 \$500.00 Pending

[70-1 - Signs - Temporary] Four 4 X 4' (16sq ft) temporary highing event signs. Two along the 400-700 Block of Lombardi Ave and two along the 1700-1800 block of S Broadway.

Totals: 178 projects \$45,688.32 \$62,326,226.77

Summary of Projects Issued

1/1/2023 to 1/31/2023

Class of Work	Proj	Site	Plan	Bldg	Elec	HVAC	Plbg	EC	Fees Paid	Estimated Cost
2 Residential - Alteration - 1 -2 Family House	20	0	12	20	17	7	14	0	\$4,819.11	\$553,463.00
7 Deck, Porch, Patio, Ramp (Residential)	3	1	1	3	0	0	0	0	\$250.00	\$36,368.00
9 Demolition - Interior (Residential)	5	0	0	5	0	0	0	0	\$400.00	\$86,000.00
9 Raze - Building or Structure (Residential)	5	2	2	5	1	0	4	2	\$700.00	\$44,784.00
11 Driveway Replacement and/or Expansion (Residential)	2	0	0	2	0	0	0	0	\$150.00	\$13,156.00
11 Fence (Residential)	5	0	0	5	0	0	0	0	\$250.00	\$29,336.00
11 Foundation Repair (Residential)	4	0	0	4	0	0	0	0	\$200.00	\$90,000.00
31 Commercial - Alteration - Non-Residence, Non-Housekeeping	10	0	14	10	9	8	9	0	\$25,464.03	\$50,244,508.00
31 Commercial - New - Service Station, Repair Garage	1	1	4	1	1	1	1	1	\$4,641.43	\$1,700,000.00
33 Commercial - New - Industrial Buildings (factories, machine shops, paper mills, beverage plants, manufacturing plants, printing plants)	1	0	1	1	1	0	0	0	\$315.00	\$0.00
34 Demolition - Interior (Commercial)	3	0	0	3	1	0	2	0	\$560.00	\$308,079.00
34 Fence (Commercial)	1	0	0	1	0	0	0	0	\$70.00	\$35,000.00
34 Roofing (Commercial)	2	0	3	2	0	0	1	0	\$356.00	\$1,506,012.00
34 Siding (Commercial)	1	0	0	1	0	0	0	0	\$70.00	\$26,000.00
34 Site (Erosion control, Fill, Excavation)(Commercial)	1	1	1	1	0	0	0	1	\$1,108.00	\$7,000,000.00
34 Temporary Office/Trailer/Event (Commercial)	1	0	0	1	1	0	0	0	\$140.00	\$7,761.00
40 Electrical Service - Change (Commercial)	2	0	0	0	2	0	0	0	\$140.00	\$7,500.00
40 Electrical Service - Change (Residential)	4	0	0	0	4	0	0	0	\$200.00	\$6,200.00
40 Electrical Service - Repair (Residential)	2	0	0	0	2	0	0	0	\$100.00	\$4,850.00
40 Electrical Wiring (Misc., Alteration, Repair) (Commercial)	1	0	0	0	1	0	0	0	\$140.00	\$16,850.00
40 Electrical Wiring (Misc., Alteration, Repair) (Residential)	8	0	0	0	8	0	0	0	\$400.00	\$17,165.00
40 New Electrical System (Residential)	1	0	1	1	1	0	0	0	\$125.00	\$10,600.00
40 Solar Panels - Electric	1	0	1	1	1	0	0	0	\$165.00	\$56,275.00
50 AC Unit Only (Residential)	1	0	0	0	0	1	0	0	\$50.00	\$4,750.00
50 Heating and Air Conditioning Units (Commercial)	2	0	0	0	0	2	0	0	\$280.00	\$26,834.00
50 Heating and Air Conditioning Units (Residential)	14	0	0	0	0	14	0	0	\$700.00	\$131,911.00
50 Heating Unit Only (Commercial)	5	0	0	0	0	5	0	0	\$350.00	\$24,752.00
50 Heating Unit Only (Residential)	49	0	0	0	0	49	0	0	\$2,450.00	\$252,167.77
50 Repair/Alter Existing HVAC System (Residential)	1	0	0	0	0	1	0	0	\$50.00	\$1,900.00
60 Repair/Alter Existing Plumbing System (Residential)	10	0	0	0	0	0	10	0	\$500.00	\$35,827.00
60 Water Heater (Residential)	3	0	0	0	0	0	3	0	\$90.00	\$3,724.00
60 Water Service - Connection/Repair (Commercial)	1	0	0	0	0	0	1	0	\$30.00	\$25,000.00
60 Water Service - Connection/Repair (Residential)	2	0	0	0	0	0	2	0	\$60.00	\$7,850.00
70 Signs - Permanent	3	3	0	3	0	0	0	0	\$274.75	\$10,468.00
70 Signs - Temporary	3	0	0	3	0	0	0	0	\$90.00	\$1,136.00
Totals:	178	8	40	73	50	88	47	4	\$45,688.32	\$62,326,226.77



MUNICIPAL COURT MONTHLY FINANCIAL REPORT

County Name Brown		County Code Number 05		Report for Month/Year January 2023	
Municipal Name Green Bay Municipal Court		Municipal Code Number 231		Telephone Number 920-448-3131	
I. MUNICIPAL COURT OFFICIAL	Total Amount Collected	Share to be retained by Municipality	Share to be sent to County	Share to be sent to State	
1. Forfeitures for Municipal Ordinance Violations (Except for Municipal Ordinances in Conformity with Ch 348, Stats.)	\$ 56,807.78	\$ 56,807.78			
Adjustment (if applicable)	\$.00	\$.00			
2. Municipal Court Costs (Chapter 814, Subchapter II, s. 814.65, Stats.)	\$ 23,089.58	\$ 20,108.46		\$ 2,981.12	
Adjustment (if applicable)	\$.00	\$.00		\$.00	
3. Penalty Surcharges (s. 757.05, Stats.)	\$ 13,842.01			\$ 13,842.01	
Adjustment (if applicable)	\$.00			\$.00	
4. County Jail Surcharges (s. 302.46(1)(a), Stats.)	\$ 5,738.11		\$ 5,738.11		
Adjustment (if applicable)	\$.00		\$.00		
5. Driver Improvement Surcharges (s. 346.655, Stats.)	\$ 8,370.00		\$ 3,938.40	\$ 4,431.60	
Adjustment (if applicable)	\$.00		\$.00	\$.00	
6. Crime Lab and Drug Enforcement Surcharges (s. 165.755(4), Stats.)	\$ 7,492.06			\$ 7,492.06	
Adjustment (if applicable)	\$.00			\$.00	
7. Domestic Abuse Surcharges (s. 973.055(2)(b), Stats.)	\$.00			\$.00	
Adjustment (if applicable)	\$.00			\$.00	
8. Truck Weight Restrictions (Municipal Ordinances in Conformity with Ch. 348, Stats., s. 66.12(3)(c))	\$.00	\$.00		\$.00	
Adjustment (if applicable)	\$.00	\$.00		\$.00	
9. Ignition Interlock Device Surcharge (s. 343.301(5), Stats.)	\$ 800.00		\$ 800.00		
Adjustment (if applicable)	\$.00		\$.00		
10. GPS Tracking Surcharge (for violations of ordinances conforming to s. 813.12 or s. 813.125, Stats.)	\$.00			\$.00	
Adjustment (if applicable)	\$.00			\$.00	
11. Safe Ride Program (s. 85.55, Stats.)	\$ 900.00			\$ 900.00	
Adjustment (if applicable)	\$.00			\$.00	
12. Totals	\$ 117,039.54	\$ 76,916.24	\$ 10,476.51	Pay This Amount \$ 29,646.79	

Continue onto the next page.



MUNICIPAL COURT MONTHLY FINANCIAL REPORT

II. CERTIFICATION OF MUNICIPAL COURT OFFICIAL

I hereby certify that this report reflects all actions requiring forfeitures, court costs and surcharges collected during the month designated.

Name: NEEL BASTEN Signature: *Neil Basten* Date: 2-1-23

III. TREASURER'S CERTIFICATION

I hereby certify that the above amount due the state has been received. After so certifying, a copy of this report will be returned to the signer of this report as a receipt, and the stated amount will be remitted to the Department of Administration with this report.

Treasurer: *Pamela R. Manley* Date: 2/1/23

In the event the Department of Administration has questions about this report and payment, who should we contact?

Name:	Telephone #	Email Address
<u>Neil Basten</u>	<u>920-448-3131</u>	<u>neilba@greenbaywi.gov</u>

**PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POWERS
UNDER SECTION 66.0703, WISCONSIN STATUTES
February 7, 2023**

ASPHALT PAVEMENT

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT PAVEMENT on said streets:

S. MAPLE AVENUE – Ninth Street to North Termini

2. Said public improvement shall include the grading of these streets to the grade established therefore by City ordinance as recorded in the Office of the City Clerk, installation of gravel base and ASPHALT pavement with curb and gutter on both sides of the street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at six and one-half percent (6.5%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted _____, 2023

Approved _____, 2023

Mayor

ATTEST:

City Clerk

**PRELIMINARY RESOLUTION DECLARING INTENT
TO EXERCISE SPECIAL ASSESSMENT POWERS
UNDER SECTION 66.0703, WISCONSIN STATUTES
February 7, 2023**

ASPHALT RESURFACING

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT RESURFACING on said streets:

**BROSIG STREET – Manitowoc Road to Pecan Street
VICOTORIA STREET – Amy Street to East Mason Street
HEYRMAN STREET – Cass Street to East Mason Street
HEYRMAN STREET – East Mason Street to Kimball Street
NICOLET AVENUE – West Mason Street to St. Paul Street
GEORGE STREET – Cass Street to East Mason Street**

2. Said public improvement shall include placing of a hot mix ASPHALT surface over the existing street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at six and one-half percent (6.5%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Services Committee in the City Hall at such times as set by the City Clerk.

Adopted _____, 2023

Approved _____, 2023

Mayor

ATTEST:

City Clerk

**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
(VR 23-01)**

February 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Variance Request 23-01 and the recommendation of the Plan Commission on January 23, 2023, the City of Green Bay does authorize a variance from Section 36-457, Subdivision and Platting, Green Bay Municipal Code, to allow for the creation of two substandard lots in relation to size for a parcel located on the following described property at 1095 Langlade Avenue:

A Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin.

Commencing at a point on the North Line of Private Claim 10, West Side of the Fox River, designated as 40W/X-13/14 according to Brown County Land Records; thence S64 °06'51 "E a distance of 2610.13 feet along the North line of Private Claim 10; thence S26°51 '39"W a distance of 39.86 feet to the South Right of Way of Langlade Avenue also being the Point of Beginning; thence continuing S26°51 '39"W a distance of 202.23 feet along the East line of Certified Survey Map Number 1276, Volume 4, Page 577, Document Number 787161, to the North Right of Way of Rockdale Street; thence S64°06'55"E a distance of 50.00 feet along said North Right of Way of Rockdale Street; thence N26°51'39"E a distance of 202.23 feet to the said South Right of Way of Langlade Avenue; thence N64 °06'51 "W along said Right of Way 50.00 feet to the Point of Beginning, having a total area of 10,110 Square Feet (0.232 Acres) more or less and subject to easements of record. (Parcel Number 1-1393-A)

WHEREBY said Variance Request is subject to the following condition:

A. Approval of CSM 23-01 is required for this Variance Request to be valid.

Adopted _____

Approved _____

Mayor

Clerk

DB

Attachments - Map
-Preliminary CSM



Proposed Variance

Variance Request (VR 23-01)
1095 Langlade Ave

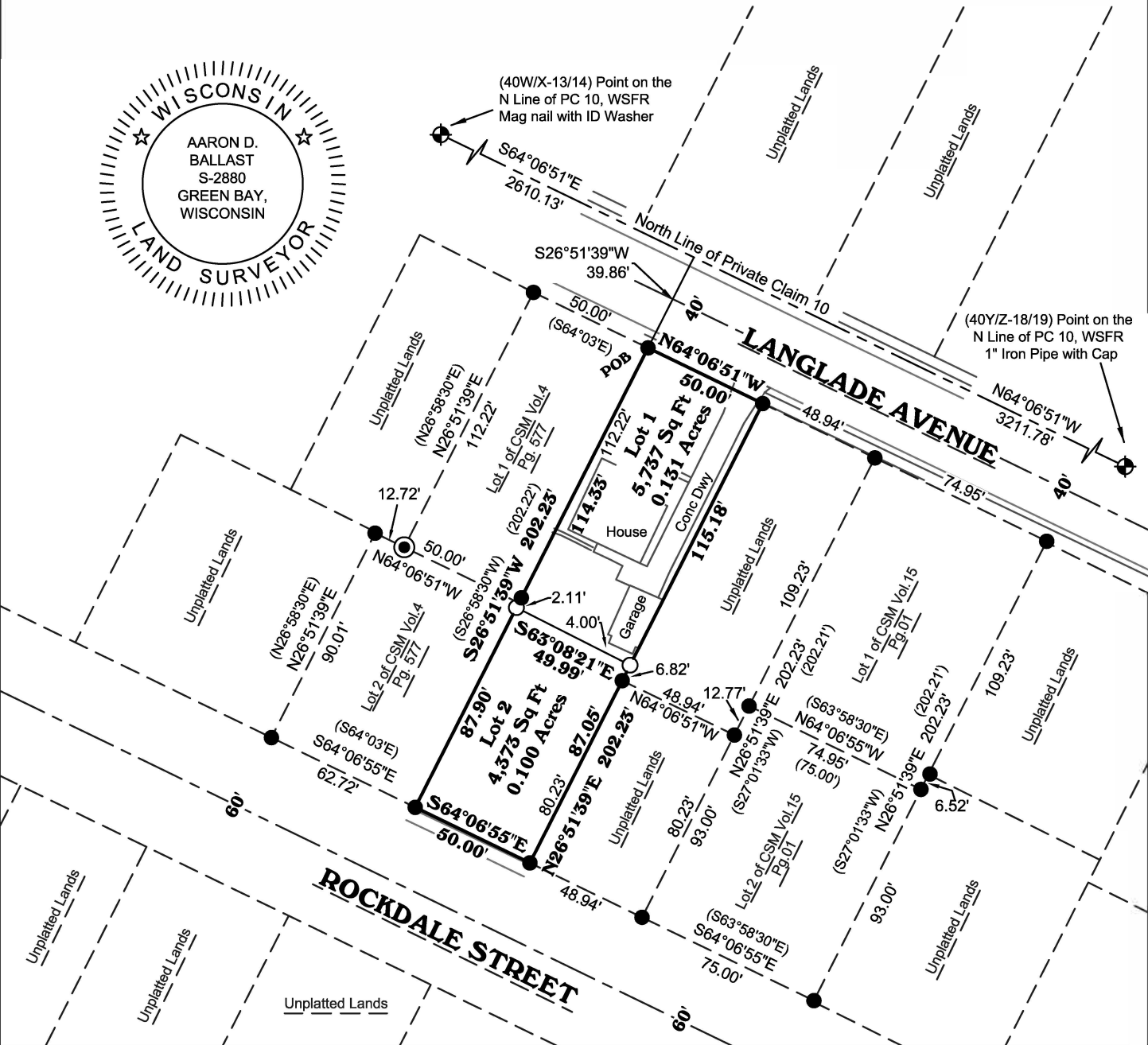
This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB



Preliminary

CERTIFIED SURVEY MAP

A Parcel of Land described in Warranty Deed recorded as Document No. 2926564, being situated in Private Claim 10 West Side of the Fox River, City of Green Bay, Brown County, Wisconsin.



TNT
Professional Land
SURVEYORS Inc.
2154 Early Street
Green Bay, WI 54304
(920)406-1477
Job # 1222-108

Tax Parcel No.: 1-1393-A
Owner: Donald D. & Wendy M Hoeft
Living Trust of 2013
Address: 1095 Langlade Ave

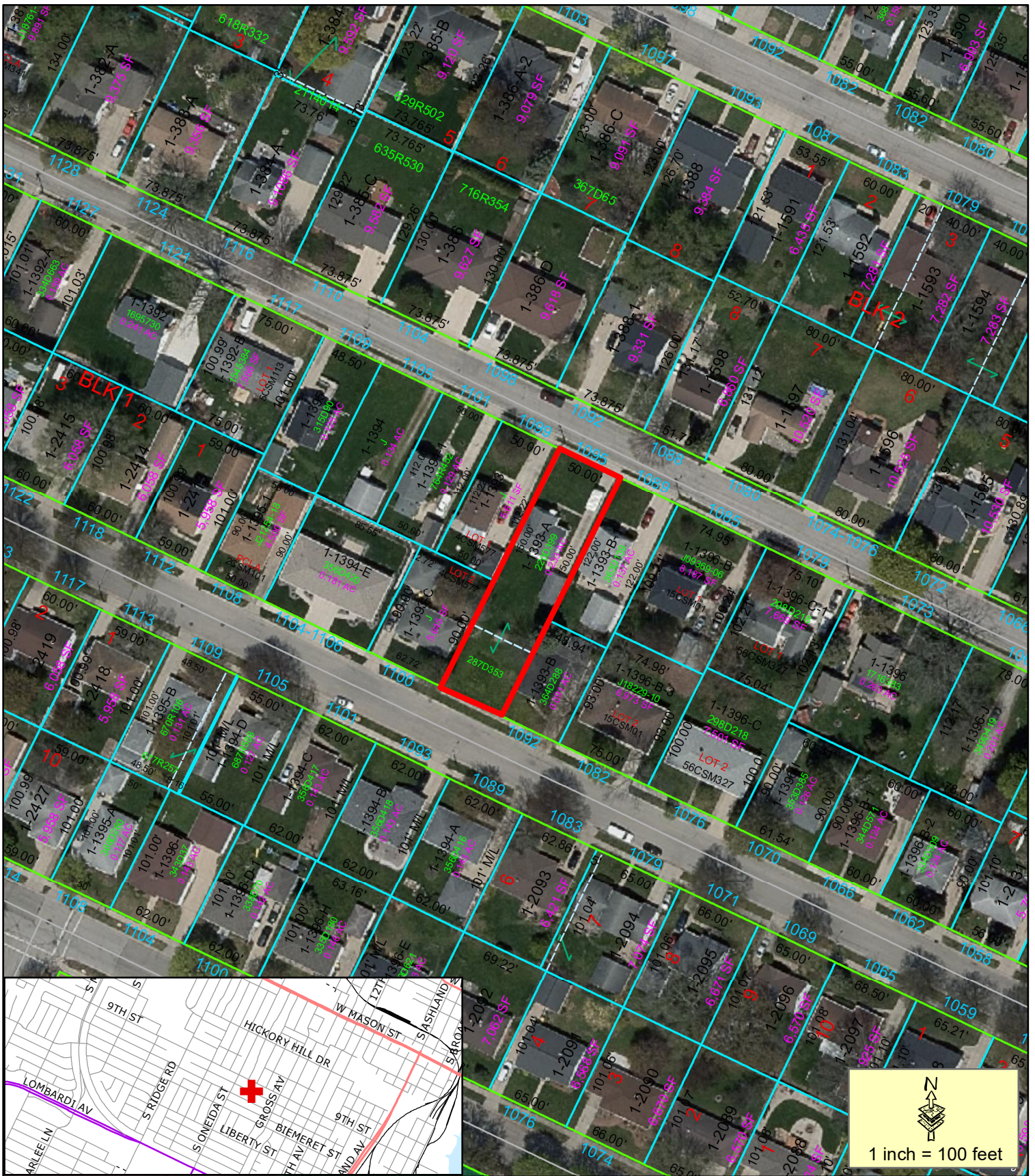
Scale: 1"=60'



Bearings referenced to the North line of Private Claim 10 recorded to bear S64°06'51"E. Plat distances and ground lengths are measured in U.S. Feet.

- US Public Land Corner by Brown County as noted.
- 1" iron pipe found and used to establish this survey unless noted.
- 2" iron pipe found and used to establish this survey unless noted.
- 1" by 24" Iron pipe weighing 1.68# per linear foot set.
- Record Information

Drafted by: AMA Sheet 1 of 3



Proposed Variance

Variance Request (VR 23-01) 1095 Langlade Ave

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB



**RESOLUTION AUTHORIZING CONDITIONAL USE
PERMIT AT 1950 RADISSON STREET
(ZP 23-01)**

FEBRUARY 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 23-01 and the recommendation of the Plan Commission on January 23, 2023, the City of Green Bay does authorize a Conditional Use Permit (CUP) for a hobbyist shop with major vehicle repair use in the Business Park (BP) district on the following described property located at 1950 Radisson Street, submitted by Ben DeLeon; Sinclair Properties LLC, property owner:

Legal Description:

Lot 3 and Lot 4 of 7-CSM-103, being part of Government Lot 2, Section 29, T24N-R21E, City of Green Bay, Brown County, Wisconsin

Tax Parcel Nos. 21-1183-15, 21-1183-16

Said CUP shall be granted subject to the following conditions:

- 1) All repair work must be performed indoors, within the garage
- 2) 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
- 3) No outdoor storage of any kind is allowed for activity related to major vehicle repair
- 4) A maximum of two vehicles may be in repair at any given time
- 5) Both parcels 21-1183-16 and 21-1183-15 must combined into a single parcel
- 6) Compliance with all other regulations of the Green Bay Municipal Code

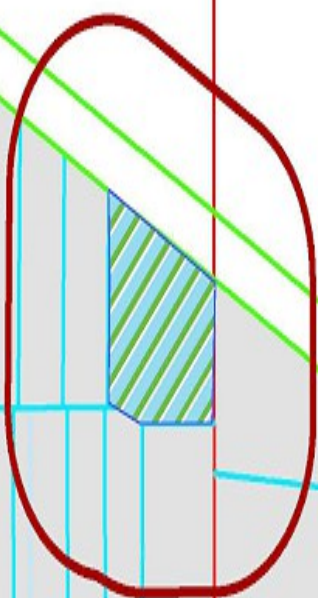
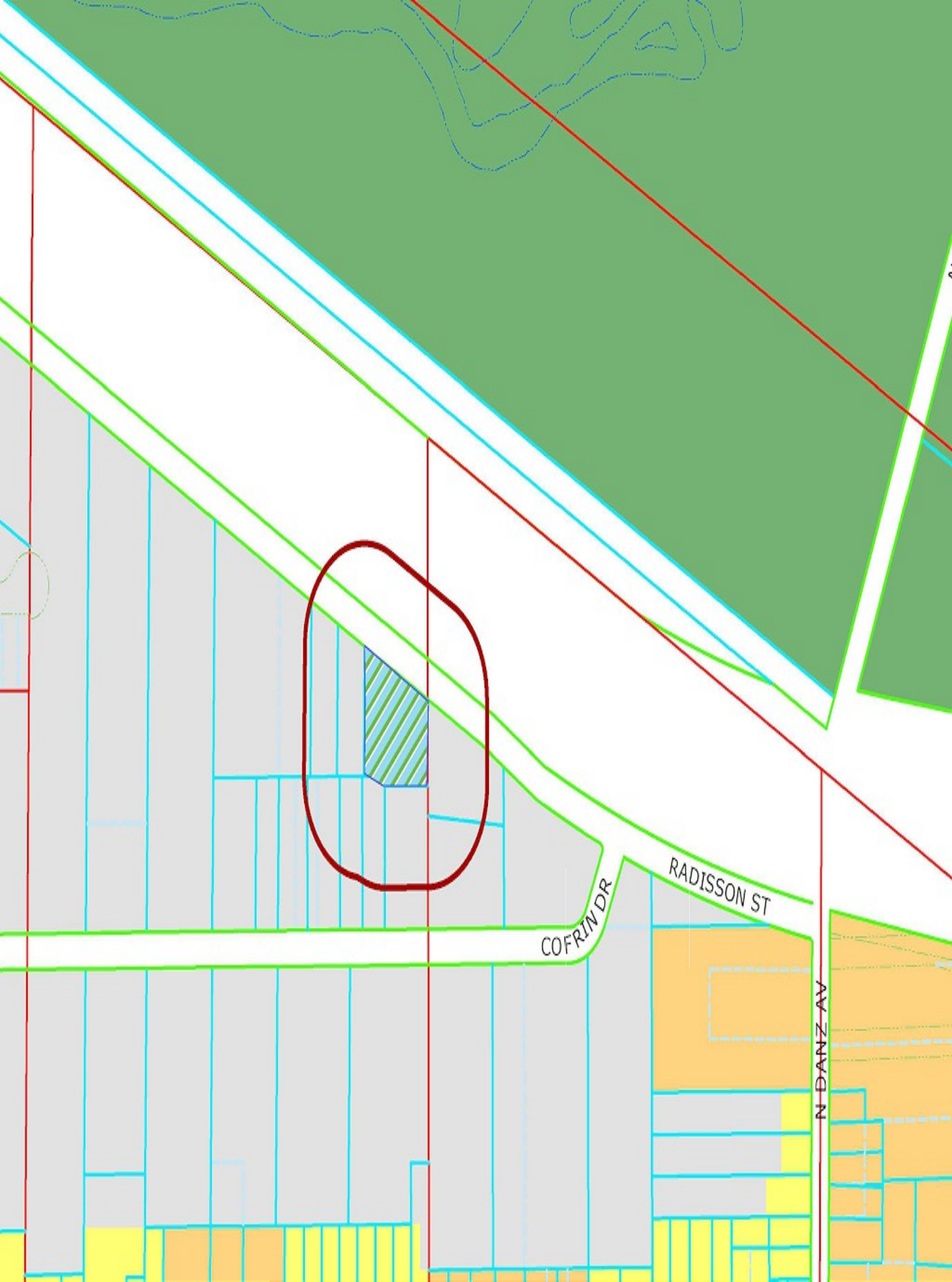
Adopted _____

Approved _____

Mayor

Clerk

jel
Attachment – Map



COFRIN DR

RADISSON ST

N DANZ AV

RESOLUTION RELATING TO WORLD MIGRATORY BIRD DAY

February 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS migratory birds are some of the most beautiful and easily observed wildlife that share our communities; and

WHEREAS many citizens recognize and welcome migratory songbirds as symbolic harbingers of spring; and

WHEREAS these migrant species also play an important economic role in our community, controlling insect pests and generating millions in recreational dollars statewide; and

WHEREAS migratory birds and their habitats are declining throughout America, facing a growing number of threats on their migration routes and in both their summer and winter homes; and

WHEREAS public awareness and concern are crucial components of migratory bird conservation; and

WHEREAS citizens enthusiastic about birds, informed about the threats they face, and empowered to help address those threats can directly contribute to maintaining healthy bird populations; and

WHEREAS, since 1993, World Migratory Bird Day (“WMBD”), formerly International Migratory Bird Day, has become a primary vehicle for focusing public attention on the nearly 350 species that travel between nesting habitats in communities throughout North America and their wintering grounds in South and Central America, Mexico, the Caribbean, and the southern United States; and

WHEREAS WMBD is officially celebrated on the second Saturday in May, as migratory birds journey to nesting sites, and on the second Saturday in October, as they return to wintering areas; and

WHEREAS observance of WMBD is not limited to a single day, and planners are encouraged to schedule activities on the dates best suited to the presence of both migrants and celebrants and in accordance with federal, state, and local public health directives; and

WHEREAS WMBD is not only a day to foster appreciation for wild birds and to celebrate and support migratory bird conservation, but also a call to action;

NOW, THEREFORE, BE IT RESOLVED that Saturday, May 13, 2023, and Saturday, October 14, 2023, shall each be known as World Migratory Bird Day in the City of Green Bay, Wisconsin.

BE IT FURTHER RESOLVED that the Common Council of the City of Green Bay urges all citizens to celebrate this observance and to support efforts to protect and conserve migratory birds and their habitats in our community and the world at large.

Adopted _____

Approved _____

Mayor

Clerk

law

FINAL PAYMENTS RESOLUTION
February 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

**1. PARKS 3-21 LEIGHT PARK FENDERS AND MOORING
MICHELS CORPORATION**

TOTAL AMOUNT EARNED:	\$ 791,593.11
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 791,593.11
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 770,980.46</u>
AMOUNT DUE THIS PAYMENT:	\$ 20,612.65

ACCOUNT NUMBERS
445250-53001: \$20,612.65
PO #2100139

**2. RAMPS 1-22 PARKING RAMPS REPAIRS
RAM CONSTRUCTION SERVICES OF MINNESOTA, LLC**

TOTAL AMOUNT EARNED:	\$ 420,541.28
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 420,541.28
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 407,372.80</u>
AMOUNT DUE THIS PAYMENT:	\$ 13,168.48

ACCOUNT NUMBER
430500-55305-69012
PO #2200032

**3. PARKS 2-21 PEDESTRIAN BRIDGE OVER BAIRD CREEK
MICHELS CORPORATION**

TOTAL AMOUNT EARNED:	\$ 313,042.40
LESS AMOUNT RETAINED:	<u>\$ 0.00</u>
	\$ 313,042.40
LESS AMOUNT PREVIOUSLY PAID:	<u>\$ 289,028.91</u>
AMOUNT DUE THIS PAYMENT:	\$ 24,013.49

ACCOUNT NUMBER
410600-53001-97503
PO #2100148

Adopted _____, 2023

Approved _____, 2023

Mayor

ATTEST:

City Clerk

LAW

RESOLUTION TO APPROVE LITIGATION ACTION

February 7, 2023

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY:

WHEREAS in 2021 an action was commenced in the Eastern District of Wisconsin caption Karen Thomas v. City of Green Bay Case No. 21-cv-979; and

WHEREAS the parties to this action completed mediation to resolve the pending dispute; and

WHEREAS the Common Council of the City of Green Bay convened as a Committee of the Whole to discuss this litigation matter in closed session at the Common Council meeting held on February 7, 2023; and

WHEREAS the recommendation of the Committee of the Whole is to approve the recommendation of the City Attorney with respect to the pending litigation as discussed in closed session on February 7, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of Green Bay approves the recommendation of its Committee of the Whole in approving the recommendations of the City Attorney regarding the matter of Karen Thomas v. City of Green Bay as discussed on in closed session on February 7, 2023.

Adopted _____

Approved _____

Mayor

Clerk

jib

GENERAL ORDINANCE NO. 18-22

AN ORDINANCE REPEALING AND RECREATING CHAPTER 2, ARTICLE IX, GREEN BAY MUNICIPAL CODE, RELATING TO ETHICS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 2, Article IX, Green Bay Municipal Code, is hereby repealed and recreated to read:

ARTICLE IX. Ethics.

Sec. 2-321. Declaration of policy.

The proper operation of democratic government requires that public officials and employees be independent, impartial, and responsible to the people; that governmental decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. To assist in attaining these goals, there is established a Code of Ethics for all City officials, including members of boards, committees, and commissions, and employees, whether elected or appointed, paid or unpaid. The purpose of this code is to establish guidelines for ethical standards of conduct for all such officials and employees by setting forth those acts or actions which are incompatible with the best interests of the City and by requiring such officials and employees to disclose personal interests, financial or otherwise, in matters affecting the City. The purpose of this code and the rules and regulations established hereby are declared to be in the public interest. This article may be called the "Code of Ethics."

Sec. 2-322. Responsibility of public office.

Public officials and employees hold office for the benefit of the public. They are bound to uphold the state and federal constitutions; to observe the highest standards of law in the exercise of the powers and duties of their office; to impartially carry out the laws of the nation, state, and City; to discharge faithfully the duties of their office regardless of personal considerations; and to recognize that the public interest must be their prime concern.

Sec. 2-323 Definitions.

As used in this section:

(a) *Anything of value* means any money or property, favor, service, payment, advance, forbearance, loan, or promise of future employment, but does not include compensation and expenses paid by the City, money or items which are permitted

and reported under 2-324(i), political contributions which are reported under Wis. Stats. Ch. 11, or hospitality extended for a purpose unrelated to City business by a person other than an organization.

(b) *Associated*, when used with reference to an organization, includes any organization of which an individual or a member of their immediate family is a director or officer or owns or controls, directly or indirectly, and severally or in the aggregate, at least five percent (5%) of the outstanding equity. Notwithstanding the foregoing, an elected official or employee who is appointed by the Mayor or approved by the Council to serve as an officer or board member of a private non-profit organization, or a public committee or board, does so in their official capacity as a representative of the City and, as such, is not "associated" with the private or public organization.

(c) *Board* means the Ethics Board.

(d) *City-Related Purpose* means those purposes authorized by the Common Council of the City, its boards, commissions, or committees.

(e) *Covered Person* means and includes all persons who are covered by and subject to this Code. Covered Person includes:

(1) All elected officials of the City.

(2) All City employees.

(3) All members of City boards, authorities, committees, or commissions, including subcommittees and ad hoc committees.

When a part of this ordinance only covers some Covered Persons, the ordinance will so state.

(f) *Economic interest* or *financial interest* means a business or cause in which a person or their immediate family member has a concern, responsibility, share, right, or title in the ownership of property in a commercial or financial undertaking which relates to the source, production, distribution, or use of the person's or immediate family member's income, wealth, or goods, including debts, or which affects or is likely to affect the welfare or the material resources of the person or immediate family member.

(g) *Immediate family* means 1. An individual's spouse or designated family or domestic partner, or 2. An individual's relative by marriage, lineal descent, or adoption, or any similar step relations of any of the above.

(h) *Organization* means any public or private, profit or non-profit, religious, educational, charitable, or political organization or entity but does not include governmental bodies.

(i) *Personal interest* means any interest greater than nominal, direct or indirect, arising from blood, marriage, adoption, guardianship, or designated family or domestic partner relations or from close business, political, or other associations.

Sec. 2-324 Standards of Conduct.

(a) *Financial gain.* No Covered Person may use their public position or office to obtain financial gain or anything of value for the Covered Person's private benefit or that of their immediate family, or for an organization with which they are associated. This subsection does not prohibit an elected official from using the title or prestige of their office to obtain contributions permitted and reported under Wis. Stats. Ch. 11.

(b) *Offer, solicitation, or acceptance of anything of value.* No person may offer or give to any Covered Person, directly or indirectly, and no Covered Person may solicit or accept from any person, directly or indirectly, anything of value if it could reasonably be expected to influence the Covered Person's vote, official actions, or judgment, or could reasonably be considered as a reward for any official action or inaction on the part of the Covered Person. This subsection does not prohibit a Covered Person from engaging in outside employment, except as may be prohibited elsewhere in this chapter.

(c) *Conflict of interest.*

(1) No Covered Person may:

- a. Take any official action affecting, directly or indirectly, a matter in which they, a member of their immediate family, or an organization with which they are associated has a financial or personal interest.
- b. Use their office or position in a way that produces or assists in the production of a benefit, direct or indirect, for them, a member of their immediate family either separately or together, or an organization with which the Covered Person or an immediate family member is associated.

(2) This subsection does not prohibit a Covered Person from taking any action concerning the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses or prohibit a Covered Person from taking official action with respect to any proposal to create, modify, or repeal a City ordinance, resolution, or matter benefiting the public.

(d) *Outside employment.*

- (1) No Covered Person shall engage in or accept private employment, or render service for a private interest, compensated or uncompensated, when such employment or service is incompatible with the proper discharge of their official duties or would tend to impair such Covered Person's independence of judgment or action in the performance of such duties.
 - (2) No City employee shall engage in non-City related activities for which compensation is received for so many hours or to such an extent as to interfere with the proper performance of the duties and responsibilities of their official position.
 - (3) On an annual basis on or before January 1, all Covered Persons shall disclose to their supervisor or, in the case of a Covered Person without a recognized supervisor (such as elected officials or committee members), to the City Clerk, any outside employment by a third party other than the City.
- (e) *Contracts or leases.* No Covered Person, member of a Covered Person's immediate family, nor any organization in which the Covered Person or a member of their immediate family owns or controls at least five percent (5%) of the outstanding equity, indebtedness, or voting rights may enter into any contract or lease involving a payment or payments of more than \$3,000 within a 12-month period, in whole or in part derived from funds administered by the City, unless the Covered Person has first made written disclosure of the nature and extent of such relationship or interest to the Common Council, the Board, Commission, or Authority, and to the department acting for the City in regard to such contract or lease. In addition to such disclosure, the Covered Person shall recuse themselves from taking any actions in their official capacity with respect to the contract. In addition to any other remedy under this Article, any contract or lease entered into in violation of this provision may be voided by the City in an action commenced within 3 years of the date on which the City or any agent of the City discovered that a violation of this subsection had occurred. Nothing in this provision affects the application of Wis. Stats. § 946.13, as amended from time to time, relating to a Covered Person's activity concerning a direct or indirect financial interest in a proposed City contract.
- (f) *Misuse of information.* No Covered Person shall, without proper legal authorization, disclose confidential information concerning the property, government, or affairs of the City. This includes information protected by attorney-client privilege or discussed in a closed session. No Covered Person may use or disclose information gained in the course of or by reason of their official position or activities in any way that could result in the receipt of anything of value for themselves, for a member of their immediate family, or for any other person or entity if the information has not been communicated to the public or is not a public record. It is not a defense that the information disclosed in violation of this section was subsequently released to the public or became public record.

(g) *Appearance before City bodies and in other proceedings.*

- (1) (a) No elected official shall appear on behalf of private interests with or without compensation before any City entity nor represent private interests in any action or proceeding against the City.

(b) No member of any board, committee, commission, or authority of the City shall appear on behalf of private interests with or without compensation before any board, committee, or commission of which they are a member nor represent private interests in any action or proceeding against the City which involves, is related to, or arises out of the work or jurisdiction of the board, committee commission, or authority of which they are a member or negotiate with any Covered Person in connection with any such matter.

(c) No employee of the City shall appear on behalf of private interests with or without compensation before any entity for or with which they work nor appear on behalf of private interests, with or without compensation, in any action or proceeding against the City.

- (2) These provisions shall not apply to the appearance of any Covered Person when subpoenaed as a witness by a party involved in litigation which may also involve the City nor to employee representatives of a certified labor organization representing any group of City employees.

- (3) An elected official may appear before any City entity and confer with any Covered Person on any matter in the course of their duties as a representative of the electorate or in the performance of public or civic obligations; however, they shall not accept any compensation therefore.

- (4) A Covered Person may appear without compensation before any City entity on any matter involving their own property or interests.

(h) *Solicitation of funds.* No Covered Person shall solicit private donations or funds for any City-Related Purpose unless authorized to do so in their official capacity by ordinance, resolution, or rule of the City. Any Covered Person who receives funds for any City-related purpose shall file a report of the receipt and expenditure of such funds with the City Clerk within 30 days thereof. Nothing contained herein shall limit the statutory powers and authority of any public official, nor shall the provisions of this subsection prohibit the private solicitation of funds by any person or public official for any charitable, campaign, or other private purpose.

(i) *Honoraria and Gifts.*

(1) No Covered Person shall accept any honoraria, gifts, or Anything of Value except as allowed by this section.

(2) A Covered Person may accept gifts unrelated to a Covered Person's relationship to the City (e.g., birthday presents from family members).

(3) A Covered Person may not accept, and no person shall offer, a gift of more than de minimus value if the gift could be perceived by a reasonable person as likely to affect the judgment or actions of the Covered Person or be perceived by a reasonable person as a reward for official action taken or an inducement to take official action by the Covered Person.

(4) A Covered Person may accept reimbursement from a third party for the costs of attending a conference or other event approved by the City, provided that the reimbursement of costs does not exceed the reimbursement that the Covered Person would receive from the City. A Covered Person invoking this provision shall obtain approval of the City Finance Director and file a report of reimbursement with the City Clerk. The Covered Person may only seek reimbursement from the City or a third party when they are attending a conference or engaged in other activities that are primarily for the benefit of the City and not for their private benefit.

(5) In the event a Covered Person receives a gift that is not allowed under this Article, the Covered Person shall, within 30 days of receipt, either (a) pay to the City Treasurer the value of the gift, (b) give the gift back to the person who made the gift, or (c) give the gift to a non-profit organization such as a homeless shelter.

(j) *Use of City property.* No Covered Person shall use or permit the use of City-owned vehicles, equipment, materials, or property by or for the benefit of any private person or entity, or for personal or financial gain, unless authorized to do so by City ordinance, resolution, or rule.

(k) *Communication with City employees.* Unless otherwise provided in this code, no elected official or member of any City body shall attempt to supersede the administrative powers and duties of a Department Director or appointed official, or deputy thereof, either publicly or privately, including by giving any order(s) to any subordinate thereof. Elected officials and members of City bodies shall not attempt to unduly influence or coerce City employees concerning their actions or recommendations to any City body about personnel, purchasing, awarding contracts, selection of consultants, processing of development applications, inspection matters, or the granting of City licenses and permits.

Sec. 2-325. Post Employment Limitations.

(a) No Covered Person shall, within 12 months of leaving their position with the City, engage in lobbying as set forth in Ch. 10, Art. XIII of this Code before any Covered Person, City entity, board, committee, or commission with which the Covered Person had duties or authority while with the City.

(b) *Employment within the City.* No Alderperson, during their term of office or within 12 months thereafter, is eligible for any employment with the City, whether by regular employment or contractual services. Exceptions to this policy will be as follows:

(1) Where an Alderperson is appointed to fill a vacancy for another elected office or is elected;

(2) Where an Alderperson serves as a poll worker or at any other position which has a stipend of less than \$1,000.00 a year; or

(3) Where an Alderperson is appointed to a post with an 80 percent majority consent of the Council.

Sec. 2-326. Political Activity.

(a) No employee while on duty or on official City business shall, for the apparent purpose of influencing the outcome of any referendum or improving the chance of election of a person seeking elective office:

(1) Wear or display any campaign material.

(2) Distribute any campaign literature.

(3) Solicit, receive, or give subscriptions, contributions, or service for any candidate or referendum position.

(4) Actively campaign for or against any candidate or referendum position.

(b) No employee shall wear or otherwise use official uniforms, insignia, seals, etc., in political ads or for the purpose of influencing an election or referendum unless the image of such official emblem originates from a publicly available image first made public during the course of City employment and not for purposes of a campaign.

(c) No employee shall use their employment or any indicia of such employment with the City as a means of endorsement of any candidate or referendum.

(d) No employee shall in any way coerce or attempt to coerce subscriptions, contributions, or service from other employees in support of a political party or a candidate for elective office or for or against a referendum position, or retaliate against or reward an employee for refraining from participating in any political activity. All persons are subject to the limitations on solicitation from public employees contained in Wis. Stat. § 11.1207.

(e) This subsection does not apply to a response by a legal custodian or subordinate of the custodian to a request to locate, reproduce, or inspect a record under Wis. Stat. § 19.35, if the request is processed in the same manner as the custodian or subordinate responds to other requests to locate, reproduce, or inspect a record under such section or to an employee providing other information within the knowledge of the employee by virtue of their City position, if such information is made equally available upon request to any other person.

(f) Persons subject to the federal Hatch Act shall comply with all applicable provisions of the Act.

(g) *Solicitation of staff forbidden.* No Covered Person, while acting in an official capacity, shall solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, collection of petition signatures, etc.) from any City employee. City employees may, within their constitutional rights as private citizens, support political candidates, but all such activities must be done in a private, unofficial capacity.

Sec. 2-327. Disclosure of Interests.

(a) *Intent.* The disclosure of interests under this section is necessary to ascertain actual or potential conflicts, and the extent thereof, between private interests and official duties. Any percentages or amounts referenced in this section represent the threshold at which a private interest may result in a conflict with a Covered Official's duties.

(b) *General filing for employment or appointment.* A person elected, appointed, or hired for any office or position of employment or appointed to any City of Green Bay board, commission, or authority set forth below shall file initial and amended statements of economic interest as required by the provisions of this section.

(1) Elected officials.

- a. Mayor.
- b. Municipal Judge.
- c. Alderpersons.

(2) Appointed officials.

- a. Assessor.
- b. City Attorney.

- c. Chief Building Official.
- d. Chief of Operations.
- e. City Clerk.
- f. Comptroller.
- g. Director of Community and Economic Development.
- h. Director of Parks, Recreation, and Forestry.
- i. Director of Public Works.
- j. Fire Chief.
- k. Police Chief.
- l. Treasurer.
- m. Zoning Administrator.

(3) Employees.

- a. Human Resources Manager.
- b. Mayor's Chief of Staff.
- c. Purchasing Manager.

(4) Boards.

- a. Board of Review.
- b. Ethics Board.
- c. Sex Offender Residence Board.
- d. Zoning and Planning Board of Appeals.

(5) Commissions.

- a. Annexation Commission.
- b. Equal Rights Commission.

- c. Landmarks Commission.
- d. Plan Commission.
- e. Police and Fire Commission.
- f. Public Arts Commission.
- g. Room Tax Commission.
- h. Traffic, Bicycle and Pedestrian Commission.
- i. Transit Commission.
- j. Water Commission.

(6) Authorities.

- a. Economic Development Authority.
- b. Housing Authority, including Green Bay Housing Authority Properties I, Inc.
- c. Redevelopment Authority.
- d. Transit Authority.

(b) *Filing statement of economic interest with Clerk.* Within seven (7) days after such person becomes a candidate for any elective City office enumerated in this section, or within seven (7) days of appointment to such office, such person shall file a statement of economic interest with the City Clerk.

(c) *Form of statement.* A person filing any statement of economic interest under this section shall file the statement on a form prescribed by the Ethics Board and shall supply the following information to the Board.

- (1) *Interest in land.* The statement shall include a description of all parcels of real estate within the state of Wisconsin in which the person owns any interest, including an option to purchase, except for homestead property.
- (2) *Corporate interests.* The statement shall identify all of the person's corporate interests in any organization, either as an owner, part owner, member, partner, or silent partner, in which such individual owns more than two (2) percent of the outstanding equity or more than two (2) percent of any other ownership

interest that transacts with the City in an amount in excess of \$5,000.00 annually.

- (3) *Other financial holdings.* The statement shall identify any of the person's other stock or securities or other financial holdings of any type exceeding \$10,000, but excluding personal checking and savings accounts, money market funds, and any funds held in a bona fide retirement account.

(d) *Amended statements.* Any person required to file a statement hereunder shall not be required to file an amended statement unless that person undergoes a change in those economic interests that are required to be disclosed by this section. Such person shall file the amended statement in the manner prescribed by subsection (b) of this section within seven days of the date of any change in circumstances requiring filing thereof. In addition, all persons covered by this section shall file an annual update of the statement no later than January 31 of each year. The City Clerk shall send a notice to all person covered by this section no later than December 15 of each year, notifying them of the annual update requirement.

Sec. 2-328. Exceptions.

(a) Nothing in this ordinance shall be construed to cover the actions of a Covered Person in the official action of approving or amending City ordinances, resolutions, or rules, unless such official action was accompanied by a violation of this ordinance.

(b) Nothing in this ordinance shall be construed to limit the authority of Covered Persons to approve the lawful payment of salaries or employee benefits or reimbursement of actual and necessary expenses.

(c) Sec. 2-321 and 2-322 are aspirational statements to be used in application and interpretation of this article. No complaint may be filed under this article solely claiming a violation of either of those two sections.

Sec. 2-329. Disclosure and Recusal.

(a) Any Covered Person who faces a situation where they may violate the standards of conduct in sec. 2-324, or any other provision of this Article, shall determine whether such a situation requires the Covered Person to make a disclosure or to recuse themselves. Such disclosure or recusal shall take place before the matter comes before the Covered Person.

(b) The Covered Person shall disclose any conflict or financial interest or other section of the Code, as well as whether they can reasonably and objectively determine that the situation presents a tangential interest that will not conflict with their official duties, and will not influence their actions, independence, or judgment.

(c) The Covered Person need not make a disclosure if they recuse themselves. If the Covered Person determines that the situation reasonably and objectively would conflict with their official duties, or impair their independence, action, or judgment, the Covered Person shall recuse themselves from any action with respect to the matter. Recusal is accomplished by announcing that the Covered Person will take no part in the proposed action, will not discuss it with any person, will not attempt to influence any other person's action, and effectively will be absent when any aspect of the matter is considered.

Sec. 2-330. Ethics Board: Composition and Duties

(a) There shall be an Ethics Board which shall consist of five (5) regular members and one (1) alternate member: one (1) Alderperson; one (1) City officer or employee; and four (4) residents of the City, one of whom shall be an alternate who shall vote only in the absence or abstention of a regular member. Each member shall be appointed by the Mayor and subject to confirmation by the Common Council. The resident members shall not be City employees. Terms of office of citizens shall be three (3) years, and shall be staggered, so that no more than two (2) appointments are made annually. The Ethics Board shall elect its own Chairperson and Vice-Chairperson annually. If any member of the Ethics Board petitions the Board for a hearing and advice regarding their own conduct, or if a complaint is filed against a member of the Ethics Board, such member shall not be eligible to sit in their own case, and the alternate shall substitute therefor when the need arises. In the event a complaint is filed against two (2) or more members of the Ethics Board, the Personnel Committee shall sit as the *ad hoc* Ethics Board for any hearing.

(b) The City Attorney shall advise the Ethics Board and shall not represent any person requesting an advisory opinion, filing a complaint, or subject to a complaint before the Board. In the event of a conflict, the City Attorney may hire conflict counsel to represent the Board. The City Attorney may, but need not, issue advisory opinions to any City employee covered by this Article who has a question as to the applicability of any portion hereof themselves. Such advisory opinions by the City Attorney are public records and disclosure of the same is subject to Wisconsin Open Records laws. If the facts stated in the request for an Advisory Opinion are accurate, and the requestor follows the advice of the City Attorney, it will be prima facie evidence that no violation of this Code took place. The City Attorney may refer any request for an advisory opinion to the Ethics Board.

(c) The Ethics Board may issue advisory opinions. Any person who questions whether they may be in a position to violate the Ethics Code may make a request for an Advisory Opinion. The Board may issue an opinion to the person. The opinion shall be public, unless the person in the original request asked that it be a confidential inquiry. Any opinion issued in response to a request for a confidential inquiry may be made public by the person obtaining the opinion. The Board also may issue summaries of confidential opinions written to protect the identity of the person

requesting the opinion. If the facts stated in the request for an Advisory Opinion are accurate, and the requestor follows the advice of the Ethics Board, it will be *prima facie* evidence that no violation of this Code took place.

(d) Any adult resident of the City of Green Bay may file a sworn complaint alleging that a Covered Person has violated the Ethics Code. The complaint shall be filed with the City Attorney. Upon receipt of the complaint, the official(s) complained of shall be provided a copy and be given no less than 15 nor more than 30 days to file a written response. The complaint must allege the specific section(s) of the ethics code that were violated.

(e) *Jurisdictional Hearing.* The Board shall hold a jurisdictional hearing to determine if the allegations of the complaint merit a hearing on the substance of the allegations. The Board shall assume that allegations in the complaint are true unless contradicted by public documents of which the Board may take notice. The Board shall determine if the complaint alleges sufficient provable facts to have an evidentiary hearing. No evidentiary testimony shall be taken at a jurisdictional hearing. Any complaint filed more than one hundred eighty (180) days after the actions alleged, or the discovery of those actions by the complainant who acted with reasonable efforts to discover the actions, shall be summarily dismissed at the jurisdictional hearing.

(f) If the Board determines an evidentiary hearing shall be held, both the complainant and respondent may present such relevant evidence as will assist the Board in determining if a violation of the Code occurred. The City Attorney shall advise the Board in any hearing. If the Board finds no violation, it shall dismiss the complaint.

(g) The Board may adopt rules and procedures to govern complaints, responses to complaints, the conduct of hearings, and any other matters relevant to its duties.

(h) If the Board finds the complaint was brought in bad faith, with no reasonable basis in fact or law, or with an intent to harass the respondent, the Board may recommend that the City Attorney bring an action in the name of the City in municipal court for a forfeiture not to exceed \$200.

(i) If the Board finds that a violation occurred, the Board may take any of the following actions:

- (1) Find that any violation was *de minimis* and no further action is needed.
- (2) Issue an order censuring the respondent for the violation.
- (3) Recommend that the Common Council censure the respondent.

- (4) Recommend that the City Attorney bring an action in municipal court in the name of the City, seeking a forfeiture of not less than \$100 and nor more than \$500 per violation.
- (5) Recommend that the Common Council or other appropriate authority remove the respondent from public position for cause.
- (j) Except as provided for a confidential advisory opinion, the meetings and records of the Board are subject to the Open Meetings Law and Public Records Law.
- (k) The Ethics Board may recommend amendments of the Ethics Code to the Common Council.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2022.

APPROVED:

Mayor

ATTEST:

Clerk

MM/ljm

02/07/23