



AGENDA OF THE COMMON COUNCIL

TUESDAY, MAY 2, 2023, 6:00 PM

In person at City Hall, Room 203 - Council Chambers.

Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

- I. This item contains information and instructions for the Zoom virtual meeting. It also contains a link to the comment form, which is due before 4:30 pm on Council meeting day.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. Reappointments:

Zoning and Planning Board of Appeals

Tommy Everman, 410 Cass St., Green Bay, WI 54301

Term to expire: April 1, 2026

J. Public Hearings.

I. Miscellaneous Ordinance No. 05-23

An Ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay pertaining to property located at 2850 Humboldt Road.

K. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 08-23
An ordinance rezoning the properties located at 1035 Vanderbraak Street from Light Industrial (LI) District to Office residential (OR) District.
2. Zoning Ordinance No. 11-23
An ordinance rezoning the property located at 2071 Ninth Street (Parcel 6H-1572) from (RI) Low Density Residential District to (PI) Public Institutional District.
3. General Ordinance No. 08-23
An ordinance amending Section 40-71, Green Bay Municipal Code, relating to traffic regulations.

L. Report of the Improvement & Services Committee (April 26, 2023).

1. To approve the repair of Department of Public Works dump truck.
2. To approve the 2023 & 2024 proposed vegetation installation, monitoring, and maintenance of the Webster Avenue Depressed Vegetative Boulevards by NES Ecological Services.
3. To approve the Report of the Purchasing Agent as follows:
 - a. To award the purchase of traffic signal poles and hardware to Tapco in the amount of \$560,133.66, Traffic Parts in the amount of \$53,056.50, General Traffic Equipment in the amount of \$79,589.00 and Traffic Control Corporation in the amount of \$37,545.00 per the attached summary.
 - b. To award the purchase of Rectangular Rapid Flashing Beacon (RRFB) hardware to Tapco in the amount of \$323,664.33 and Decker Supply in the amount of \$17,584.90, per the attached summary.
4. To approve the award of the contract PAVEMENT REPAIR 2023 (NORTHEAST) to Highway Landscapers, Inc. in the amount of \$985,320.00.
5. To approve the award of the contract PAVEMENT REPAIR 2023 (SOUTHEAST) to Highway Landscapers, Inc. in the amount of \$1,168,425.00.
6. To receive and place on file the award of contract RESURFACING 3-23 (INCLUDING SEWER & WATER) to Peter Concrete Company in the amount of \$2,010,233.20.
7. To receive and place on file the actions taken by Department of Public Works.

A. Granting of Licenses

I. Sidewalk Builder

- a. Craftsman Concrete LLC
- b. J.C. Santy Construction LLC
- c. Evraets Concrete Construction LLC
- d. Josh Bailey Concrete LLC
- e. Christensen Concrete

- f. Milis Flatwork
- g. E&I Concrete Construction
- h. Fischer Concrete
- i. Sherfield LLC
- j. American Custom Concrete
- k. Total Construction
- l. Sommers Construction Co., Inc

2. Tree & Brush Trimmer

- a. WB Tree Service

M. Report of the Protection & Policy Committee (April 24, 2023).

1. To approve a change of agent for Skogen's Foodliner, Inc. at 2430 University Ave. to Shaun Bessett.
2. To approve a change of agent at BBD Acquisitions LLC (Main Street Bourbon Room) at 1279 Main St. to Christopher Boncher.
3. To hold a change of agent at the Woods Operations, LLC at 530 Erie Rd. to Brittany Haupt.
4. To approve a change of agent at the Sam's East, Inc. at 2470 W. Mason St to April Fowles.
5. To approve a request by CStreet Pub at 312 Cherry St. to approve an outdoor area on May 6 to their parking lot for a one-day event with the DJ to stop at midnight.
6. To approve a request by Blue Collar Bar & Grill at 1313 S. Broadway to approve an outdoor area on May 21 to their parking lot for a one-day event.
7. To approve a request by Blue Collar Bar & Grill at 1313 S. Broadway to approve an outdoor area on June 17 to their parking lot for a one-day event.
8. To approve a request by Richard Craniums at 840 S. Broadway to approve an outdoor area for various dates during the 2022-2023 license year (30 days) and to approve the various dates for 2023-2024 license year (57 days) pending the approval of the 2023-2024 renewal application.
9. To approve a change to the premises description for El Pastrocito Mexican Restaurant LLC at 741 Abrams St. Suite 4 to include Suite 5, with the approval of the proper authorities.
10. To approve a request by Ernesto Perez at 741 Abrams St. Suite 2 to extend their license premises to include the salesfloor and storeroom in suites 1-3.
11. To approve an original application for the 2022-2023 license year for a "Class B" Liquor and Class "B" Beer license for Creamery DT LLC at 114 Pine St. with a license premises description as "SIDEWALK CAFE BY PINE ST-COURTYARD OUTSIDE FRONT DOOR/ WHOLE BUILDING, with the approval of the proper authorities (Currently licensed as Creamery LLC).

12. To approve the renewal application for the 2023-2024 license year for Creamery DT, LLC at 114 Pine St. pending the approval of the original liquor license at the May 2, 2023 Common Council meeting and with the approval of the proper authorities.
13. To approve an original application for the 2022-2023 license year a Class "A" Beer license for Aarvis Mini Mart LLC at 401 Mather St. with a license premises description as "INSIDE BUILDING NEAR MAIN REGISTER," with the approval of the proper authorities. (Currently licensed as a Class "A" Beer license for Terry EZ Go).
14. To deny a request for a waiver to allow a "Class A" liquor license for Aarvis Mini Mart LLC at 401 Mather St. to be granted within 300' of a hospital. (Requires a majority approval vote from Council to allow "Class A" liquor).
15. To approve a location transfer of a liquor license for Ramis River Run, LLC from 324 N. Roosevelt St. to 1610 Cass St. with an intended opening date of May 1, 2023.
16. To approve the General Ordinance 1-23 relating to Rules of Council Procedure.
17. To approve General Ordinance 2-23 relating to expiration of Mayoral appointments to Boards and Commissions.
18. To approve General Ordinance 07-23 relating to Hotel Registry.
19. To receive and place on file The Liquor Violation Report
20. To receive and place on file the Clerk's Office Liquor Licensing Report.

N. Report of the Plan Commission (April 24, 2023).

1. To hold the request to amend the City's Comprehensive Plan for the property located at 2850 Humboldt Road (Parcel# 21-338) from Park uses to Commercial uses. (Public Hearing held 04/24/2023)
2. To hold the request to rezone the property located at 2850 Humboldt Road (Parcel# 21-338) from split General Commercial (C1) and Low-Density Residential (R1) to General Commercial (C1). (Public Hearing held 04/24/2023)
3. To approve a Conditional Use Permit (CUP) at 158 N. Maple Street (Parcel #4-95) to allow for the development of the dormitory within the Office Residential (OR) subject to the following conditions:
 - a. A maximum capacity of 6 individual unrelated residents who are students of UWGB and one VISTA fellow to act as the property caretakers for a maximum total of 7 individual tenants. Any increase in residents will require Plan Commission and Common Council approval.
 - b. If the dormitory use is discontinued, the operation is dissolved, or if UWGB's Center for Civic Engagement no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be renewed or reestablished without the Plan Commission and City Council review and approval.
 - c. Conformance with the operating plan submitted by the applicant.
 - d. Compliance with all other regulations of the Green Bay Municipal Code.

- e. Final site and building plans are reviewed and approved by the Green Bay Redevelopment Authority.

(Public Hearing held 04/24/2023)

- 4. To approve a Conditional Use Permit (CUP) at 1200 S. Broadway (Parcel #1-855) to allow a self-service storage facility in a Special Purpose-Residential Light Industrial district (S-RLI) subject to the following conditions:
 - a. Submitted site plans to remain in general conformance of what has been provided with this conditional use permit request.
 - b. The maximum building height shall be three stories, no greater than 40 feet in total.
 - c. Individual storage units shall not contain motor vehicles.
 - d. A minimum of three indoor parking spaces are provided to users. The applicant must meet sufficient additional off-street parking to meet the minimum standard for parking requirements for the self-service storage use.
 - e. Submission of information regarding the specific custom sheet metal to be used on the buildings. Staff to review and grant approval.
 - f. Final site and building plans are reviewed and approved by the Green Bay Redevelopment Authority.
 - g. Compliance with all other regulations of the Green Bay Municipal Code not covered under the Conditional Use Permit, including standard site plan review and approval.

(Public Hearing held 04/24/2023)

- 5. To establish a Planned Unit Development at the 2500 block of University Avenue (Parcel #21-1249-1-3) to permit the development of multiple-family residential use. (Public Hearing held 04/24/2023)
- 6. To vacate a public cul-de-sac located at Vine Street and Ricky Street, contingent upon waiting period and public hearing and subject to the following conditions:
 - a. Access to parcel 21-1361-3 shall be maintained. This shall be addressed in the Developers Agreement with the petitioner(s).
 - b. Green Bay Water Utility's existing facilities can be abandoned provided that abandonment happens along with the water main extension that is needed for the housing development.
 - c. Wisconsin Public Service shall be granted a utility easement for their existing facilities within the vacation area.
 - d. The existing Storm and Sanitary Sewer within the vacated area will need to be modified and/or a sewer easement will need to be addressed in the Developers Agreement with the petitioner(s).
- 7. To approve a variance to deviate from Section 44-554, minimum lot size and minimum lot width, of the Green Bay Municipal Code.
- 8. To amend portions of the Zoning Code, Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, related to dog-friendly business. (Public Hearing held 04/24/2023)

9. To release a 6 ft. x 300 ft. utility easement in the 100 Block of E. Mason Street (Parcel #15-168-A and 15-2) to accommodate the Astor One Development subject to the following conditions:
 - a. A separate and existing 24' easement remains along the north property line for the use of a main by Green Bay Water Utility.
10. To approve the On Broadway Inc. (OBI) Business Improvement District's (BID) budgeted vs actual year-end reporting for 2022.

O. Report of the Finance Committee. (April 25, 2023)

1. To accept the Wisconsin Historic Preservation fund subgrant for \$25,000.
2. To rescind / refund 2022 real estate taxes for John Jeanquart, parcel 21-5901 for \$902.33.
3. To rescind / refund 2022 real estate taxes for MCR Rental LLC, parcel 23-254-5 for \$1,085.41.
4. To rescind / refund 2022 real estate taxes for Wandering Springs Estates LLC, parcel 23-327 for \$3,357.11.
5. To rescind / refund 2022 real estate taxes for Michael Zolper, parcel 21-2116-15 for \$1,946.64.
6. To rescind / refund 2022 real estate taxes for Michael Zolper, parcel 21-2116-18 for \$1,946.64.
7. To hold over the request to allocate \$50,000 of contingency funds for Carlson Dettman Consulting to provide a market measurement for City positions until the next Council meeting with additional data provided from surveys, exit interviews and alternate funding sources.

P. Report of the Park Committee.

1. To approve the request by NEW Leaf to install and manage various food forest gardens at Seymour Park.

Q. Report of the Personnel Committee.

1. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. Park Maintenance Worker
 - b. Park Maintenance Worker
 - c. Parking Enforcement Officer
 - d. Civil Engineer
 - e. IT Director
2. To approve 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.

3. To approve the market assessment and pay grade adjustment for the Electrician position from Pay Grade I to Pay Grade J and Electrician Foreperson position from Pay Grade J to Pay Grade K.
4. To approve the reclassification of the following positions in Community and Economic Development:
 - a. Economic Development Specialist (Pay Grade I) to Senior Economic Development Specialist (Pay Grade K)
 - b. Administrative Assistant (Pay Grade I) to Administrative Operations Supervisor (Pay Grade J)
 - c. Administrative Clerk (Pay Grade D) to Inspections Support Specialist and Development Support Specialist (Pay Grade E)
5. To approve amendment of the July 1, 2023 timeline for the increase of two legal assistant positions (one at 80% and the other at 93.75%) to full-time as soon as practicable.

R. Report of the Traffic, Bicycle, and Pedestrian Commission (April 17, 2023).

1. To receive and place on file the monthly Traffic Enforcement Unit Traffic Safety Plan.
2. To receive and place on file the 2023 1st quarter serious injury and fatal crashes.
3. To remove the NO PARKING (DAY OF PACKERS HOME GAME) zone on the north side of Tony Canadeo Run from Brett Favre Pass to Bart Starr Drive, and adopt by ordinance.
4. To remove the NO PARKING (DAY OF PACKERS HOME GAME) zone on the south side of Tony Canadeo Run from Brett Favre Pass to a point 1,050 feet east of Brett Favre Pass, and adopt by ordinance.
5. To establish a NO PARKING (DAY OF PACKERS HOME GAME) zone on both sides of Tony Canadeo Run from Brett Favre Pass to Bart Starr Drive, and adopt by ordinance.
6. To remove the NO PARKING (DAY OF PACKERS HOME GAME) zone on the east side of Reggie White Way from a point 150 feet south of Lombardi Avenue to Lombardi Avenue, and adopt by ordinance.
7. To remove the NO PARKING zone on the east side of Reggie White Way from a point 150 feet south of Lombardi Avenue to Lombardi Avenue, and adopt by ordinance.
8. To remove the NO PARKING zone on the east side of Reggie White Way from a point 250 feet south of Lombardi Avenue to 300 feet south of Lombardi Avenue, and adopt by ordinance.
9. To establish a NO PARKING (DAY OF PACKERS HOME GAME) zone on the east side of Reggie White Way from Tony Canadeo Run to a point 360 feet south of Lombardi Avenue, and adopt by ordinance.

10. To establish a NO PARKING zone on the east side of Reggie White Way from a point 360 feet south of Lombardi Avenue to Lombardi Avenue, and adopt by ordinance.
11. To remove the NO PARKING zone on the east side of Linden Drive from a point 190 feet south of University Avenue to a point 375 feet south of University Avenue, and adopt by ordinance.
12. To establish a NO PARKING zone on the east side of Linden Drive from a point 190 feet south of University Avenue to a point 300 feet south of University Avenue, and adopt by ordinance.
13. To remove the NO PARKING zone on the west side of Chestnut Avenue from the cul-de-sac south of Dousman Street to James Street, and adopt by ordinance.
14. To establish a NO PARKING zone on the west side of Chestnut Avenue from the cul-de-sac south of Dousman Street to a point 70 feet north of Dousman Street, and adopt by ordinance.
15. To establish a NO PARKING BUS LOADING ONLY 7 AM TO 2:30 PM SCHOOL DAYS zone on the west side of Chestnut Avenue from a point 70 feet north of Dousman Street to a point 290 feet north of Dousman Street, and adopt by ordinance.
16. To establish a NO PARKING zone on the west side of Chestnut Avenue from a point 290 feet north of Dousman Street to James Street, and adopt by ordinance.
17. To remove the NO PARKING zone on the south side of Cherry Street from Washington Street to a point 55 feet east of Washington Street, and adopt by ordinance.
18. To remove the NO PARKING zone on the south side of Cherry Street from a point 130 feet east of Washington Street to a point 220 feet east of Washington Street, and adopt by ordinance.
19. To remove the NO PARKING 15 MINUTE LOADING 7 AM TO 7 PM zone on the south side of Cherry Street from a point 50 feet west of Adams Street to a point 150 feet west of Adams Street, and adopt by ordinance.
20. To establish a NO PARKING zone on the south side of Cherry Street from Washington Street to a point 205 feet east of Washington Street, and adopt by ordinance.
21. To establish a metered parking zone on the south side of Cherry Street from Washington Street to Adams Street, and adopt by ordinance.
22. To remove the TWO-WAY STOP condition on Westfield Avenue at Murphy Drive, and adopt by ordinance.
23. To establish a TWO-WAY YIELD condition on Westfield Avenue at Murphy Drive, and adopt by ordinance.

S. Report of the Equal Rights Commission

1. To approve the visibility initiative to engage with the community on issues pertaining to the Equal Rights Commission Ordinance.

T. Resolutions.

1. Resolution authorizing Conditional Use Permit at 158 N. Maple Street (Parcel# 4-95).
2. Resolution authorizing Conditional Use Permit at 1200 S. Broadway.
3. Resolution authorizing a variance from Section 44-554, Zoning, Green Bay Municipal Code, to allow for creation of lots under the minimum lot size and frontage for a parcel located at 0 Richmond Street (Parcel# 21-1361-6).
4. Resolution authorizing release of Utility Easement at 100 Block of E. Mason Street.
5. Resolution regarding vacation of public right-of-way cul-de-sac at Ricky Street and Vine Street. (1st Reading)
6. Resolution approving the 2023 Operating Plan for On Broadway, Inc. Business Improvement District.
7. Resolution approving the dedication of City-owned lands required for Larsen Road Rights-of-Way.
8. Resolution authorizing cancellation of 2022 real Estate Property Taxes - Parcel# 21-5901.
9. Resolution authorizing cancellation of 2022 real Estate Property Taxes - Parcel# 23-254-5.
10. Resolution authorizing cancellation of 2022 real Estate Property Taxes - Parcel# 23-327.
11. Resolution authorizing cancellation of 2022 real Estate Property Taxes - Parcel# 21-2116-18.
12. Resolution authorizing cancellation of 2022 real Estate Property Taxes - Parcel# 21-2116-15.
13. Resolution drawing final orders to contractors for May 2, 2023.

U. Ordinances - First Reading.

1. General Ordinance No. 10-23
An ordinance amending Section 40-71, Green Bay Municipal Code, relating to traffic regulations.
2. General Ordinance No. 11-23
An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.
3. General Ordinance 1-23
Relating to Rules of Council Procedure
4. General Ordinance 2-23
Relating to expiration of Mayoral appointments to Boards and Commissions
5. General Ordinance 07-23
Relating to Hotel Registry

6. Zoning Ordinance No. 10-23
An ordinance creating a Planned Unit Development (PUD) overlay district for property located at 2500 Block of University Avenue (Parcel# 21-1249-1-3).
7. General Ordinance No. 09-23
An Ordinance amending Chapter 44, Articles III, VII, VIII, IX, XVI, and XXI, Green Bay Municipal Code, Relating to Commercial Dog Uses.

V. Referral of Petitions & Communications.

W. 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.