



MINUTES OF THE COMMON COUNCIL

TUESDAY, MAY 16, 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 zoom meeting information and instructions. It also contains a link to the comment form, which is due by 4:30 on council day.

B. ROLL CALL.

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

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell to approve.

Motion Passed.

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

F. APPROVAL OF THE AGENDA.

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

Motion Passed.

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

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

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

I. Reappointments:

Green Bay Plan Commission

Jacob Miller, 1014 S. Clay St., Green Bay, WI 54301

Term to expire: May 1, 2026

J. ORDINANCES - SECOND READING FOR ADOPTION.

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

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to adopt.

Motion Passed.

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

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. 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.

K. REPORT OF THE REDEVELOPMENT AUTHORITY (MAY 9, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

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

1. To approve the assignment and subordination agreement for 401 to 409 N. Broadway as presented.

2. To approve the collateral assignment of the development agreement for a development at the Railyard (Parcel 5-1757) between DDL Holdings, LLC, the City of Green Bay, and the Redevelopment Authority of the City of Green Bay to Capital Credit Union as presented.

L. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (MAY 10, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

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

1. To approve the award of the contract for CHANTEL STREET BRIDGE FIBER RELOCATION to Holtger Bros., Inc. in the amount of \$28,800.

2. To approve and accept the additional rights-of-way required for the reconstruction of School Place – Oak Street to 13th Avenue.

<u>Part of Tax Parcel #</u>	<u>Interest Required</u>	<u>Owner Name(s)</u>	<u>Amount</u>
3-657	Fee	Andrew Lewis Haggard & Sarah Lynn Haggard	\$1,400
3-654	Fee	Dannette Renee Nava	\$1,400

3. To receive and place on file the actions taken by Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. Al Dix Concrete Inc.
- b. Curb Pioneers
- c. Delrar, Inc.
- d. Douglas J Maurer Concrete
- e. J&D Services
- f. N and C Concrete LLC

2. Tree & Brush Trimmer

a. J&D Services

3. Underground Sprinkler System

a. Fox Valley Irrigation Inc.

M. REPORT OF THE PROTECTION & POLICY COMMITTEE.

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

Motion Passed.

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

1. To approve the various liquor and/or beer license renewal applications with no changes for the 2023-2024 license year, subject to the approval of the proper authorities. (see attached).

2. To approve an immediate change of agent at the Woods Operations, LLC at 530 Erie Rd. to Brittany Haupt.

3. To approve a 2023-2024 Class "B" Beer and "Class B" Liquor renewal application for The Woods Operations, LLC at 530 Erie Rd, pending the change of agent at the May 16 Council Meeting and with the approval of the proper authorities.

4. To approve an immediate change of agent for Angelina, Inc. at 117 N Adams St. to Eddie Boyce.

5. To approve a 2023-2024 Class "B" Beer and "Class B" Liquor renewal application for Angelina, Inc. at 117 N. Adams St., approval pending the approval of the change of agent at the May 16 Common Council meeting and with the approval of the proper authorities.

6. To approve a 2023-2024 Class "B" Beer & "Class B" Liquor renewal liquor license application with a change of agent for Copper State Brewery, LLC at 313 Dousman St. to Jonathan Martens, subject to the approval of the proper authorities.

7. To approve a 2023-2024 "Class A" Liquor and Class "A" Beer renewal application with a change of agent for Downtown BP, Inc. at 606 Dousman St. to Sukhjot Singh, subject to the approval of the proper authorities.

8. To approve a 2023-2024 Class "B" Beer and "Class B" Liquor renewal application with a change of agent for 304 North Adams Green Bay, LLC at 304 N Adams St. to Ashley Kellam, subject to the approval of the proper authorities.

9. To approve a 2023-2024 "Class A" Liquor and Class "A" Beer renewal application with a change of agent for Nicolet Gas, Inc. at 2260 Nicolet Ave. to Sukhjot Singh, subject to the approval of the proper authorities.

10. To approve a 2023-2024 Class "B" Beer license renewal application for Labroel, Inc. at 1350 S. Military Ave. with a change of license premises to include restaurant area, subject to the approval of the proper authorities (previously refrigerated unit).

11. To approve a 2023-2024 Class "B" Beer and "Class B" Liquor renewal application for Rebel One LLC at 1301 S Broadway with a revised license premises of "Bar and dining area, patio, stored in basement and main level office and cabinets, walk-in cooler," subject to the approval of the proper authorities (Previously licensed as MAIN FL RESTAURANT/BAR AREA/STORE MAIN FL BCK LIQ RM, BASEMENT, WALKIN COOLER, PATIO AREA).

12. To approve the 2023-2024 Class "B" Beer and "Class B" Liquor renewal application for R&D Restaurant Holdings LLC at 115 N. Adams St., but amend the license description to remove sidewalk/patio, subject to the approval of the proper authorities (Currently licensed as 2500 sqf./1200 sqft bar/dining room, 1000sq ft of storage and kitchen and 300 sq ft garage).

13. To approve a 2023-2024 Class "B" Beer and "Class B" Liquor original application for a Lenny's Tap (partnership Martin Leonhard and Treena Leonhard) at 431 N. Broadway with a license premises description as "bar and garage," subject to the approval of the proper authorities (Currently licensed as an individual-Martin Leonhard).

14. To approve a 2023-2024 Class "B" Beer original application for the for Los Arcos Mexican Restaurant LLC at 607 Bodart St. with a license description as "STORED IN FRIDGE IN DINING AREA, SOLD AND CONSUMED IN DINING AREA," subject to the approval of the proper authorities (Previously licensed as a Individual Sergio Plascencia).

15. To approve an application for transfer of a retail liquor license (Class "B" Beer and "Class B" Liquor) for Rogelio Perez Jr. from 2475 University Ave. to 1679 Main St., subject to the approval of the proper authorities.

16. To approve a 2023-2024 Class "B" Beer and "Class B" renewal application for Rogelio Perez Jr. at 1679 Main St., pending the approval of the liquor license transfer and with the approval of the proper authorities.

17. To approve a request by Brewski's On Broadway at 1100 S. Broadway to approve an outdoor area on June 13, September 8 and September 9, 2023 for their parking lot, subject to the approval of the 2023-2024 renewal application at the May 16 Council meeting.

18. To approve a request by Green Bay Sportservice, Inc. at 1265 Lombardi Ave. to approve an outdoor area on June 3, 2023 from noon to 11 p.m. to the northwest corner of the parking lot at Lambeau Field.

19. To approve General Ordinance 13-23 relating to Mobile Food Establishment License.

20. To receive and place on file The Liquor Violation Report.

21. To receive and place on file The Clerk's Office Licensing Report.

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

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

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

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

O. REPORT OF THE PLAN COMMISSION (MAY 8, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve, except item 3.

Motion Passed.

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

1. To allow a Conditional Use Permit for townhomes to be established in the Low-Density Residential (RI) zoning district located at Richmond Street (Parcel 21-1361-6), subject to compliance with all other regulations of the Green Bay Municipal Code. (Public Hearing held 05/08/23)

2. To allow a Conditional Use Permit to exceed the maximum building height in the Business Park District located at 825 Hinkle Street, subject to:

- a. A maximum building height of 38-feet, 6-inches is allowed under this permit. Any increases in height will require Plan Commission and Common Council approval.
- b. Compliance with all other regulations of the Green Bay Municipal Code.

(Public Hearing held 05/08/23)

3. To amend various sections of the Zoning Code, Chapter 44, Article XVI, Section 44-1580 (j) related to Development Standards for Short Term Rentals as proposed. (Public Hearing held 05/08/2023)

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Moved by Ald. Chris Wery, seconded by Ald. Brian Johnson to hold until the next council meeting.

Motion Passed.

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

Moved by Ald. Chris Wery, seconded by Ald. Brian Johnson to withdraw.

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.

Motion Passed.

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

P. REPORT OF THE FINANCE COMMITTEE. (MAY 9, 2023)

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve, except item 8.

Motion Passed.

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

1. To refer back to staff the request with recommended changes to an existing policy and bring it back to the Finance Committee in one month.
2. To approve the purchase of twenty-six (26) APX6000 mobile radios from Baycom for \$126,455.42 for the Police Department.
3. To receive and place on file the report out the purchase of three (3) APX8000 mobile radios from Baycom for \$22,965.30 for the Police Department.
4. To approve the purchase of eighteen (18) APX6500 7/800 mobile radios from Baycom for \$103,663.08 for the Police Department.
5. To approve the purchase of two (2) Mercury Outboard Motors for \$39,904.76 for the Police Department.
6. To approve the purchase of two (2) Stryker Power Load cot fastening systems from Jefferson Fire & Safety for \$63,594.00 for the Fire Department.
7. To approve the Press Times as the Official Newspaper of the City of Green Bay from 6-01-2023 to 5-31-2024.
8. To approve the 2023 bonding request, contingent upon bringing the 2024 bonding request with the November budget.

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve .

Moved by Ald. Brian Johnson, seconded by Ald. Melinda Eck to amend to direct staff to apply \$538,480, previously allocated to ARPA, to capital purchases deemed in the best financial interests of the City of Green Bay.

Motion Passed.

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

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to approve as amended.
Motion Passed.

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

Q. REPORT OF THE PARK COMMITTEE. (MAY 10, 2022)

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell to approve.
Motion Passed.

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

1. To hold the request by Ald. Galvin to convert one or two of the tennis courts at Astor Park into pickle ball courts until the next Parks Committee meeting.
2. To accept the donation of a used Sea Dragon Ride from the Friends of Bay Beach for the City to install at Bay Beach Amusement Park.
3. To approve the Design, Construction & Dedication Agreement with the Friends of Bay Beach for the installation of the necessary site work associated with the NebulaZ Ride that the City purchased.
4. To approve the Concession Stand Use Agreement with the Optimist Club of Green Bay, Inc., for the Finger Road Ballfield Complex contingent upon changing the Agreement Expiration date to January 1, 2053.
5. To accept a \$7,400, Neighborhood Partnership Grant award from Brown County United Way for the Green Bay Conservation Corps to install a rain garden/native planting at Navarino Park.
6. To approve a resolution authorizing the submittal of a grant application to assist with funding for Phase II of the Leicht Memorial Park improvements project.
7. To receive and place on file the staff update on current 2023 Park seasonal staffing levels (INFORMATIONAL ONLY).

R. REPORT OF THE PERSONNEL COMMITTEE. (MAY 9, 2023)

Moved by Ald. Randy Scannell, seconded by Ald. Brian Johnson to approve.
Motion Passed.

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

1. To approve the proposed rate of pay increase for Department of Public Works Seasonal Engineering Aide and Department of Public Works and Department of Community & Economic Development Seasonal Maintenance positions.

2.

To refer to staff to develop a system to adjust the salary's for the following positions Mayor, Alderperson, Municipal Judge on a regular basis. This system should factor in a fair and equitable salary for the job duties and then cost of living raises to keep the salary competitive. The system should prevent partisan politics from becoming involved with the amount that is paid to the holders of these positions.

S. RECEIVE AND PLACE ON FILE.

1. Building Report for April 2023

2. MuniCtReportApril2023

T. RESOLUTIONS.

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

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to approve.

Motion Passed.

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

1. Resolution authorizing conditional use permit at 825 Hinkel Street.

2. Resolution authorizing conditional use permit at 0 Richmond Street, Parcel 21-1361-6.

3. Resolution authorizing the submittal of a grant application to assist with funding for Phase II of the Leicht Memorial Park improvements project.

4. Resolution approving the dedication of City-owned lands required for School Place rights-of-way.

U. ORDINANCES - FIRST READING.

1. General Ordinance 13-23

An ordinance relating to Mobile Food Establishment License.

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

Motion Passed.

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

2. General Ordinance No. 12-23

An ordinance amending Section 44-1580(j), relating to Short-Term Rentals (STRs).

Minutes of the Common Council

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to suspend the rules to adopt with a first and final reading.

Motion Passed.

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

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

Motion Passed.

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

V. REFERRAL OF PETITIONS & COMMUNICATIONS.

None were offered.

W. ADJOURNMENT.

Moved by Ald. Randy Scannell, seconded by Ald. Jesse Brunette to adjourn.

Motion Passed.

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