



AGENDA OF THE COMMON COUNCIL

TUESDAY, JUNE 27, 2023, 6:00 PM

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

Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

I. Join Zoom Meeting

<https://us02web.zoom.us/j/81146453856>

Meeting ID: 811 4645 3856

Passcode: 590068

Or join by phone-- +1 312 626 6799 US (Chicago)

If you wish to speak at this public meeting or leave a comment, please use the [Comment Form](#), and submit by 4:30 pm on council meeting day. More detailed zoom instructions are attached to this item.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

I. June 6, 2023.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

I. Reappointments:

Economic Development Authority
Glen Sherman, 924 Emilie St, Green Bay, WI 54301
Term to expire: June 1, 2026

City Officials
Linda Chosa, Treasurer

J. Public Hearings.

1. Resolution regarding vacation of public right-of-way cul-de-sac at Ricky Street and Vine Street.
2. Miscellaneous Ordinance NO. 06-23
An Ordinance adopting an amendment to the smart growth 2022 comprehensive plan of the City of Green Bay related to property located at 2132 Deckner Ave (#21-2284-2).

K. Ordinances - Second Reading for Adoption.

1. Miscellaneous Ordinance No. 06-23
An ordinance adopting an amendment to the Smart Growth 2022 Comprehensive Plan of the City of Green Bay related to property located at 2132 Deckner Ave.
2. Zoning Ordinance No. 12-23
An Ordinance rezoning property located at 2132 Deckner Ave (#21-2284-2) from varied-density residential district (R3) to a public institutional district (PI).

L. Report of the Redevelopment Authority (June 22, 2023).

1. To approve the Development Agreement with Bay City Lofts, LLC for TIF assistance related to the redevelopment of 0 University Ave (Parcel 21-1249-1-3), subject to final review and approval by the City Attorney.

M. Report of the Improvement & Services Committee (June 21, 2023).

1. To deny the request by Will Liebergen to appeal the storm water charges for the parcel at 1026 North Broadway and issue a ten percent (10%) credit as allowed by City of Green Bay ordinance upon receipt of the required application (held from the May 31, 2023 Improvement & Services meeting).
2. To receive and place on file the request by Ald. Galvin to study the potential negative impact on City parking facilities, especially parking ramps, due to the increased vehicle weight of electric vehicles.
3. (a) To approve the purchase of a tilt bed trailer from Trail King Industries, Inc. in the amount of \$43,007.50 using approved ARPA funding.
(b) To hold the purchase of a trailer-mounted air compressor
4. To amend the agenda item from one (1) Bobcat Toolcat to two (2) Bobcat Toolcats and to approve the purchase of two (2) Bobcat Toolcat utility vehicles and attachments from

Bobcat Plus, Inc. as follows:

- (a) One (1) Bobcat Toolcat and attachments to replace Unit 753 in the amount of \$71,183.63 using bonded funds
 - (b) One (1) Bobcat Toolcat and attachments, new to the fleet, in the amount of \$76,891.23, using previously approved ARPA funds for a total expenditure of \$148,074.86.
- 5. To deny the purchase of a license plate recognition system for two Parking Division enforcement vehicles (held from the May 31, 2023 Improvement & Services meeting).
 - 6. To approve the request by Department of Public Works to enter into a Memorandum of Understanding between the City of Green Bay and the University of Minnesota - Duluth National Resources Research Institute (NRRI) to allow access to the Tank Farm Marsh property (Parcels 6-18, 6-29, 18-9-A-1, and 18-9-A-4) for data collection and ongoing research.
 - 7. To approve to amend the 2021 & 2022 Expression of Interest for 2023 geotechnical engineering services to GEI Consultants, Inc. at a fee increase of 10% for subcontracted soil drilling services.
 - 8. To approve the request by Department of Public Works to award the following contracts at a staff level and report the award at the next Improvement and Services Committee meeting:
 - a. BRIDGE 2-23 (ATKINSON DRIVE OVER CN WC RAILROAD B-5-225 PAINTING)
 - b. BRIDGE 3-23 (MAIN STREET BRIDGE B-5-141 EXPANSION JOINT RECONSTRUCTION)
 - 9. To receive and place on file the award of contract GBMFD 1-23 STATION 7 WINDOW REPLACEMENT to Commonwealth Corporation in the amount of \$91,932.
 - 10. To receive and place on file the award of contract GREEN BAY WATER UTILITY WATER MAIN REHABILITATION to Fer-Pal Construction USA LLC in the amount of \$258,860.
 - 11. To receive and place on file the actions taken by Department of Public Works.
 - A. Granting of Licenses
 - I. Sidewalk Builder
 - a. N&L Concrete Const. LLP
 - b. Right Way Concrete Construction
 - c. Curb Pioneers
 - d. Sherfield, LLC
 - e. LDR Utility, Inc.
 - 12. To receive and place on file the presentation of Private Stormwater Management Practice Inspection Program.
 - 13. To receive and place on file the update on pedestrian safety improvement program to install Rectangular Rapid Flashing Beacons (RRFB) and driver feedback signs at various locations across the City.

N. Report of the Protection & Policy Committee (June 19, 2023).

1. Informational Only: A presentation by Lydia Van Thiel, Blueprint Implementation Project Director of Greater Green Bay Blueprint to Prevent & End Homelessness.
2. To grant a request by Baker & Mac Arthur, Inc. (Someplace Else) at 1605 University Ave. for a limited expansion of an outdoor area to their back parking lot on July 2 for a special event.
3. To grant a request by Brewski's at 1100 S. Broadway for a limited expansion of an outdoor area to their parking lot on August 8.
4. To grant the renewal applications for the 2023-2024 license year with no changes, subject to the approval of the proper authorities.
5. To deny a renewal application for the 2023-2024 license year for Footbowl, LLC at 301 N Washington St.
6. To grant a renewal application with a change of agent for a reserve "Class B" Liquor and Class "B" Beer license for The Daily Buzz LLC at 130 E Walnut St., subject to the approval of the proper authorities.
7. To grant an original application for a "Class A" Liquor & Class "A" Beer license for True North Energy LLC at 1053 Velp Ave with a license description as "CONVENIENCE STORE W/COOLERS/MANAGER'S OFFICE/FRONT COUNTER, with the approval of the proper authorities (Currently licensed as Bay Petro LLC).
8. To grant a renewal application for a "Class A" Liquor & Class "A" Beer license for True North Energy LLC at 1053 Velp Ave with a license description as "CONVENIENCE STORE W/COOLERS/MANAGER'S OFFICE/FRONT COUNTER, subject to the approval of the original liquor license application at the June 27 Council Meeting.
9. To grant a original application for a "Class B" Liquor and Class "B" Beer license for Michael Matz (Individual) at 1610 Cass St. with a license premises description as "BAR/KITCHEN/RESTROOM/STORE ROOM FOR FOOD/BASEMENT/LIQUOR/COOLER FOR BEER," with the approval of the proper authorities (Currently licensed as Ramis River Run LLC).
10. To grant a renewal application for a "Class B" Liquor and Class "B" Beer license for Michael Matz (Individual) at 1610 Cass St. with a license premises description as "BAR/KITCHEN/RESTROOM/STORE ROOM FOR FOOD/BASEMENT/LIQUOR/COOLER FOR BEER," with the approval of the proper authorities and approval of the original application at the June 27 Council meeting.
11. To grant the original (22-23 license year) and renewal (23-24 license year) applications for a Class "A" Beer and "Class A" Liquor License for Seventy 9, Inc. at 2590 University Ave. with a license premises description as "beer in coolers, liquor in a cabinet and behind the counter, wine on the wine rack" (Currently licensed as Wimiles 2, Inc.)
12. To grant a 2023-2024 original application for Cuquio Town Bar, LLC at 500 N Baird St. with a license premises description as "behind the bar, kept in coolers, basement, and office) (Currently licensed as Cuquio Town Bar LLC).

13. To grant a 2023-2024 Class "B" Beer and "Class B" Liquor-Reserve license for Legacy Green Bay, LLC at 1004 Brett Favre Pass with a license premises description as "REST/LOBBY BAR/CAFE/ROOFTOP BAR/ATRIUM/SALON A FUNCT RM/BOARDRM/PUBLIC AREAS/GUEST RM" and to request a waiver in the 60 day opening date (anticipated opening date October 2023), subject to the approval of the proper authorities.
14. To deny the appeal by Elliot Heath of the order issued by Inspections at 3688 Church Rd, and rescind the reinspection fees, contingent upon staff confirmation that the information received is acceptable to resolve the outstanding order prior to Tuesday, June 27.
15. To deny an appeal by Tammy Southards at 3490 Yorkshire Rd, follow city orders and submit a plan to address the last 2 drains and implement them in a timely fashion.
16. To receive and place on file a request by Ald. Scannell (District 7) to review with possible action the restrictions on malt beverages for Quadricycles.
17. To refer to staff for a policy change and a plan on how it would be implemented, a request by Ald. Johnson (District 9) for a revision to the city's process with handling sign permits to allow for one application and one point of contact to facilitate the approval of sign installations.
18. To refer to staff a communication by Ald. Johnson to update the procedure, if possible, ordinance if necessary, to terminate the requirement for paper submittals of site plans.
19. To refer to staff General Ordinance No. 4-23 for further review on the definition of the section of a waiting room with recommendation of modification or removal, clarification if mobile massage and home massage locations would fall under this ordinance, lighting to include light therapy and to change the closing hour 9 p.m.
20. To approve General Ordinance No. 14-23, an ordinance regarding abandoned bicycles.
21. Informational Only: The Liquor Violation Report.
22. Informational Only: The Clerk's Licensing Report.
23. Informational Only: Report by GBPD and GBFD regarding Nalox-ZONE box discussion.

O. Report of the Protection & Policy Committee Granting Operator Licenses (June 19, 2023).

1. Operator License Report

P. Report of the Plan Commission (June 12, 2023).

1. To approve a request for a Planned Unit Development (PUD) at 1265 Lombardi Avenue for campus signage package, subject to adoption of the Planned Unit Development District Ordinance (PUD). (Public hearing held 6.12.2023).
2. To approve the request for a Conditional Use Permit (CUP) at 644 S Quincy Street for Personal Service/Office Use in the Low-Density Residential District (R-1) subject to the following conditions:
 - a. Any modifications to the building necessary to establish commercial use (per building code) shall be approved by the Green Bay Landmarks Commission.

- b. If the “SELF House” use (as applied for) is discontinued, the operation is dissolved, or if Family Services of Northeast WI no longer operates/manages the facility, the use shall terminate immediately. The use/operation shall not be reestablished without the Plan Commission and City Council review and approval.
 - c. Hours of operation for office use shall be limited to between 8 a.m. and 6 p.m.
 - d. Compliance with all other regulations of the Green Bay Municipal Code.
(Public hearing held 6.12.2023).
- 3. To approve a Conditional Use Permit (CUP) at 1809 Deckner Avenue for a Community Living Arrangement serving 9 or more persons in an Office Residential (OR) zoning district, subject to the following conditions:
 - a. A maximum capacity of 20 individual residents within the western, renovated area of the facility (as noted by preliminary plans) if the final plans can meet the minimum standards required by Zoning Ordinance 44-1581. If the final approved plans do not meet all bulk requirement standards for 44-1581, the capacity must be reduced to the maximum required individuals based on capacity standards of 44-1581. Any increase in residents beyond 20 individuals will require Plan Commission and Common Council approval.
 - b. If the community living arrangement use is discontinued, the operation is dissolved, or if Mandolin Foundation 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. At the discretion of the Common Council, Plan Commission, or the Director of Community Development, a review may be required by the Plan Commission and Common Council to ensure compliance with this conditional use permit and identify any areas of concerns with the dormitory, including but not limited to:
 - i. Police service calls.
 - ii. Documented safety concerns.
 - iii. Inadequate facilities.
 - iv. Zoning and property maintenance compliance.
 - d. Conformance with the submitted operating plan submitted by the applicant.
 - e. Sex offenders are required to register under §301.45, Wis. Stats., are prohibited from staying in the dormitory.
 - f. Compliance with all other regulations of the Green Bay Municipal Code.
(Public Hearing held on 6.12.2023)
- 4. To approve a Conditional Use Permit (CUP) at 1600 Dousman Street for the addition of a second accessory garage exceeding 150 square feet in a Low-Density Residential (R1) zoning district, subject to the following conditions:
 - a. Site plan approval by the Office of Community and Economic Development.
 - b. Compliance with all other regulations of the Green Bay Municipal Code.
(Public hearing held on 6.12.2023).
- 5. To refer the request from Ald. Grant to amend the R1 zoning single family home definition of unrelated and family adult limitations to limit define family as ___ and limit the number of unrelated adults to ___ to the Law Department.

6. To refer the request from Alder Steuer to look at zoning along Velp Avenue to coincide with the Velp Avenue Plan to the Department of Community and Economic Development.

Q. Report of the Finance Committee. (June 13, 2023)

1. To approve the presale reports prepared by Ehlers Public Finance Advisors for the 2023 borrowing approved at the Common Council meeting on May 16, 2023.
2. To approve the initial resolution authorizing the issuance of not to exceed \$10,965,000 General Obligation Bonds for Street Improvements.
3. To approve the initial resolution authorizing the issuance of not to exceed \$1,575,000 General Obligation Bonds for Sewerage Improvements.
4. To approve the initial resolution authorizing the issuance of not to exceed \$525,000 General Obligation Bonds for Parking Lots or Other Parking Facilities.
5. To approve the initial resolution authorizing the issuance of not to exceed \$1,340,000 General Obligation Bonds for Parks and Public Grounds.
6. To approve the initial resolution authorizing the issuance of not to exceed \$1,505,000 General Obligation Bonds for Buildings for the Housing of Machinery and Equipment.
7. To approve the resolution authorizing and directing the Publication of Notice of the Adoption of Initial Resolutions.
8. To approve the resolution authorizing and providing for the Issuance and Establishing Parameters for the Sale of Not to Exceed \$15,910,000 General Obligation Corporate Purpose Bonds, Series 2023A, and All Related Details.
9. To approve the resolution authorizing and providing for the Issuance and Establishing Parameters for the Sale of Not to Exceed \$4,475,000 General Obligation Promissory Notes, Series 2023B, and All Related Details.
10. To award debt collection service to Finance Systems of Green Bay for a 3-year contract.
11. To purchase 27 bicycles from Broken Spoke Bike Studio for \$33,480 to be paid with Safer Communities Grant money for the Mobile Response Team.
12. To amendment ARPA funding allocation for police recruiting and retention.

R. Report of the Park Committee (June 21, 2023).

1. To approve the request by Ald. Galvin to paint dual pickleball/tennis court lines over one of the tennis courts at Astor Park and to refer to staff to determine where additional pickleball courts could be painted on tennis courts throughout the City to provide additional pickleball opportunities for all neighborhoods.
2. To approve the request by Ald. Galvin to install bleachers at the basketball court in Astor Park and research basketball lighting alternatives to be reviewed at a future Parks Committee meeting.

3. To refer to staff to evaluate the 2023 hours of operations for park shelter restrooms and report back to the Parks Committee at the end of the summer season to discuss what potential changes can be implemented in 2024.
4. To approve an amendment to the Fox River Trail Easement with Wisconsin Public Service Corporation for the trail section just west of Monroe Avenue.
5. To accept an AmeriCorps Program Funding Grant for \$374,673 to continue the Green Bay Conservation Corps program through 2024.
6. To approve a stormwater outfall/access easement with the Green Bay Area Public School District for Southwest High contingent upon the review and approval of the final easement agreement by the Law Department.
7. To approve up to \$250,000 from the Bay Beach Development Account to hire a contractor to complete the necessary site work for the NebulaZ ride at Bay Beach Amusement Park.

S. Report of the Personnel Committee. (June 13, 2023)

1. To approve the addition of the Conservation Corps Field Assistant position to the Parks, Recreation, and Forestry Department table of organization effective September 1, 2023.

T. Report of the Public Arts Commission (June 14, 2023).

1. To approve the collaborative community mosaic design proposed by Downtown Green Bay Inc. to be located at 238 Walnut Street.
2. To amend the Art Grant application to a rolling schedule.
3. To review and approve the amended Percent for Art project proposal "Steps" for the City East project. (Referred back to the Commission by Common Council during their June 6, 2023, regular meeting.)

U. Report of the Traffic, Bicycle, and Pedestrian Commission (June 19, 2023).

1. To receive and place on file the report by the Police Department on the monthly Traffic Enforcement Unit Traffic Safety Plan.
2. To receive and place on file the request to change the 2-WAY STOP condition on Irwin Avenue at Eliza Street to a 4-WAY STOP condition.
3. To refer to staff to study the removal of the traffic control signal at the intersection of Dousman Street and Oneida Street.
4. To adopt by ordinance the establishment of STOP conditions at the following locations due to roadway reconstruction as part of the West Mason Street and Packerland Drive improvement project:
 - A. Establish a TWO-WAY STOP condition on West Mason Street South Frontage Road (eastbound and westbound) at West Mason Street access 1,000 feet west of Packerland Drive.
 - B. Establish a ONE-WAY STOP condition on West Mason Street South Frontage Road (northbound) at West Mason Street 1,000 feet west of Packerland Drive.

- C. Establish a ONE-WAY STOP condition on West Mason Street North Frontage Road (southbound) at West Mason Street 1,000 feet west of Packerland Drive.
- D. Establish a ONE-WAY STOP condition on West Mason Street North Frontage Road (westbound) at East Campus Drive (private road) 1,000 feet west of Packerland Drive.
- 5. To remove the NO PARKING zone on the west side of Adams Street from a point 60 feet north of Washington Street to a point 100 feet south of Cass Street, and adopt by ordinance.
- 6. To establish a DISABLED PARKING zone on the east side of Roosevelt Street from a point 165 feet north of Main Street to a point 235 feet north of Main Street, and adopt by ordinance.
- 7. To establish a NO PARKING zone on the west side of Adams Street from a point 60 feet north of Washington Street to a point 250 feet south of Washington Street, and adopt by ordinance.
- 8. To establish a FOUR-HOUR PARKING 7 AM TO 5 PM MONDAY THROUGH FRIDAY zone on the west side of Adams Street from a point 250 feet south of Washington Street to a point 100 feet south of Cass Street, and adopt by ordinance.

V. Report of the Equal Rights Commission (June 8, 2023).

- 1. To hold the Visibility Initiative Strategic Action Plan until the next Equal Rights Commission meeting on July 13, 2023.

W. Informational.

- 1. MuniCtReportMay2023

X. Committee of the Whole.

- 1. For consideration and possible action on rights and legal remedies for enforcement action by the City under the city's AuthentiCity Plan.

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.

Y. Resolutions.

- 1. An Initial Resolution Authorizing the Issuance of Not to Exceed \$10,965,000 General Obligation Bonds for Street Improvements.
- 2. An Initial Resolution Authorizing the Issuance of Not to Exceed \$1,575,000 General Obligation Bonds for Sewerage Improvements.
- 3. An Initial Resolution Authorizing the Issuance of Not to Exceed \$525,000 General Obligation Bonds for Parking Lots or Other Parking Facilities.

4. An Initial Resolution Authorizing the Issuance of Not to Exceed \$1,340,000 General Obligation Bonds for Parks and Public Grounds.
5. An Initial Resolution Authorizing the Issuance of Not to Exceed \$1,505,000 General Obligation Bonds for Buildings for the Housing of Machinery and Equipment.
6. A Resolution Authorizing and Directing the Publication of Notice of the Adoption of Initial Resolutions.
7. A Resolution Authorizing and Providing for the Issuance and Establishing Parameters for the Sale of Not to Exceed \$15,910,000 General Obligation Corporate Purpose Bonds, Series 2023A, and All Related Details.
8. A Resolution Authorizing and Providing for the Issuance and Establishing Parameters for the Sale of Not to Exceed \$4,475,000 General Obligation Promissory Notes, Series 2023B, and All Related Details.
9. Resolution drawing final orders to contractors for June 27, 2023.
10. Resolution authorizing conditional use permit at 1600 Dousman Street Parcel 6-233-D.
11. Resolution authorizing conditional use permit at 1809 Deckner Avenue.
12. Resolution authorizing conditional use permit at 644 South Quincy Street, Parcel 14-359.
13. Resolution regarding vacation of public right-of-way cul-de-sac at Ricky Street and Vine Street.

Z. Ordinances - First Reading.

1. General Ordinance No. 14-23
An ordinance creating section 40-109 and 40-110 Green Bay Municipal Code, relating to abandoned bicycles.
2. Zoning Ordinance No. 13-23
An ordinance creating a planned unit development (PUD) overlay district related to signage for property at 1265 Lombardi Avenue.
3. General Ordinance No. 16-23
An ordinance amending Section 40-71, Green Bay Municipal Code, relating to traffic regulations.
4. General Ordinance No. 15-23
An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.

AA. Referral of Petitions & Communications.

BB. 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.