



AGENDA OF THE COMMON COUNCIL

TUESDAY, AUGUST 1, 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 Online:
<https://us02web.zoom.us/j/88568888025>

Or call in by phone: +1 312 626 6799

Meeting ID: 885 6888 8025

Passcode: 950623

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) and submit by 4:30 PM on Council meeting day. More detailed [Zoom Instructions](#) can be found online.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

- I. June 27, 2023 and July 24, 2023

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

- I. Recognition of David Hansen, City of Green Bay Traffic Engineer, and his almost twenty years of service to the City.

J. Appointments.

I. Reappointments:

Zoning and Planning Board of Appeals

Joshua Koch, 3435 Yorkshire Road, Green Bay, WI 54311

Term to expire: August 1, 2026

Green Bay Plan Commission

Derius Daniels, 221 N. Van Buren Street, Green Bay, WI 54301

Term to expire: July 1, 2026

Transit Commission

Michael Conley-Kuhagen, 130 Badger Lane, #110, Green Bay, WI 54303

Term to expire: July 1, 2026

Appointments:

Brown County Planning Commission

Josh Lutzow, 427 S. Baird Street, Green Bay, WI 54301

Term to expire: May 1, 2026

K. Public Hearings.

I. Planning Ordinance No. 01-23

An ordinance amending the official map of the City of Green Bay removing multiple roadways and adding an extension of Hinkle Street running from West Mason Street South to Hobart Drive.

L. Ordinances - Second Reading for Adoption.

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.

M. Report of the Redevelopment Authority (July 11, 2023).

1. To approve the proposed change order from Stantec Consulting Services in the amount of \$37,650 for professional services related to construction administration for the Shipyard redevelopment.

N. Report of the Improvement & Services Committee (July 26, 2023).

1. To approve the request by Frank and Doris Arcuri, 4083 Champeau Road, to extend the deferral on water main assessments against Parcel 22-SC490-2, until the property is sold or developed.
2. To approve the request by Tommy Everman (owner of Gather on Broadway) for permission to reserve two parking spaces in front of 139 North Broadway for pick-up and drop-off of guests during scheduled events on Friday and Saturday nights throughout the year.
3. To hold the request by Ald. Grant to require staff to send a letter to residents who will have financial contribution to projects included in the City's Capital Improvement Program until the next regularly scheduled Improvement and Services Committee meeting.
4. To approve the request by Ald. Grant for the City of Green Bay to complete snow and ice management along North Huron Road for Parcel 21-7923.
5. To approve the request by Green Viper LLC to dedicate the watermain on west side of Erie Road that is adjacent to the Condominium Development.
6. To approve the request by Department of Public Works to purchase the following replacement equipment:
 - a. One 2023 Landing Craft L Series dock and buoy service boat from Workskiff Inc. off GSA Contract #47QSWA18D004E for the purchase price of \$303,044.66 which includes delivery and warranty.
 - b. One 2023 International HV607 tandem axle dump truck chassis from Packer City International off the Sourcewell Contract #0092-NVS for the cost of \$122,467.00 which includes delivery, warranty, and driver training.
 - c. One 14' dump body and hydraulic controls, one 11' reversible poly plow, and one 10' poly patrol wing from Monroe Truck Equipment off the Sourcewell Contract #062222-AEB-1 for the cost of \$153,508.00 which includes installation on City-owned chassis, warranty, delivery, and driver training.
7. To hold the acceptance of 2023 Downtown Parking Study completed by Desman Parking Consultants until the next regularly scheduled Improvement and Services Committee meeting.
8. To approve the request by Department of Public Works to purchase one trailer mounted air compressor from Roland Machinery in the amount of \$25,221.19, using approved 2023 bond funding.
9. To approve the request by Department of Public Works to amend the State/Municipal Agreement (SMA) between the City of Green Bay and Wisconsin Department of

Transportation (WisDOT) for project 4987-14-00/71, Manitowoc Road Sidewalk and authorize the Director to execute the agreement.

10. To approve the request by Downtown Green Bay Inc. to add a public trash can on the west side of Washington Street at the Northland Avenue intersection with the Department of Public Works being responsible for emptying and maintaining the public trash can.
11. To approve the acceptance of a grant agreement of \$85,635.00 from the Fund for Lake Michigan to hire a consultant for the East River Flood Mitigation Study.
12. To approve the acceptance of the grant agreement contract of \$39,000.00 from the Wisconsin Coastal Management Program to hire a consultant for the East River Flood Mitigation Study.
13. To approve the request by Department of Public Works to enforce a 10-year manufacturer warranty to all City-issued/purchased tipper carts.
14. To approve the request by Department of Public Works to enter into a Service Authorization Agreement with Berners-Schober Associates, Inc. in the amount of \$50,000.00 for the design of masonry repairs at the West Side Municipal Garage.
15. To approve the award of contract PARKING DIVISION SECURITY to Star Protection and Patrol for the period August 1, 2023 through July 31, 2027 in the amount of \$124,800.00 for the first year, with a 5% escalation rate each year thereafter.
16. 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. PARKS 8-23 JOANNES AQUATIC CENTER REOOOFING
 - b. PARKS 9-23 BAY BEACH PAVILION REROOF
17. To receive and place on file the award of contract BRIDGE 3-23 (MAIN STREET BRIDGE B-5-141 EXPANSION JOINT RECONSTRUCTION) to Pheipher Brothers Construction Co., Inc. in the amount of \$306,291.89.
18. To receive and place on file the award of contract PAVEMENT 3-23 SCHOOL PLACE RECONSTRUCTION to Advance Construction Inc. in the amount of \$1,123,195.30.
19. To approve the Assignment and Assumption of License Agreement from Destree Enterprises, Inc. (fka Zoll Stone Center, Inc.) to MPI3 Green Bay, LLC for use of Ashland Avenue rights-of-way.
20. To approve and accept a Storm Sewer Easement from Jeffery L. Schroeder for the reconstruction of S. Maple Avenue.
21. To hold the request to extend Isbell Street south of Mason Street to the South Mason Street Frontage Road in order to alleviate traffic issues along the South Mason Street Frontage Road, and to enter into agreements with adjacent property owners pursuant to this opening until the next regularly scheduled Improvement and Services Committee meeting.

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

A. Granting of Licenses

1. Sidewalk Builder

- a. Global Concrete LLC
- b. Naps Flatwork & Construction

2. Underground Sprinkler System

- a. NEW Irrigation LLC

23. To approve the amendments to the proposed 2024 Fee Schedule for Chapter 16 Environment and Chapter 42 Utilities and forward onto the Law Department to place into final ordinance form.

O. Report of the Protection & Policy Committee (July 24, 2023).

- 1. To grant a request by Napalese Lounge at 1351 Cedar St. to request an outdoor area on August 19 to the back parking area of the Napalese Lounge for a Summer Celebration.
- 2. To grant a request by Green Bay Sportservice, Inc. at 1265 Lombardi to request an outdoor area on September 23 to parking lots 5 & 6 on the West-Northwest side of Lambeau Field for their Green Bay Packers Season Kickoff Concert.
- 3. To grant an application for a "Class B" Liquor and Class "B" Beer license for Hamlet Creek LLC at 3562 Finger Rd. with a license premises description as "FULL BAR IN MAIN ROOM, OUTDOOR BAR ON A SLAB OUTSIDE THE WEST EXIT" and to request a waiver to State Statute 125.68(3) in granting a "Class B" liquor license within 300' of a school (Filed Paperwork on 6/12/2023 and previously licensed as Sepia Wedding Chapel, LLC).
- 4. To grant an application for a "Class B" Liquor & Class "B" Beer license for Jalisco Mexican Restaurant LLC at 2850 Humboldt Rd. with a license premises description as "office, basement, bar area, dining area, patio, and the lower level dining area," with the approval of the proper authorities (Filed June 30, 2023 and previously licensed as Jimm Simms, LLC).
- 5. To grant an application for a "Class B" Liquor & Class "B" Beer license for At the Tracks, LLC at 709 S. Broadway with a license premises description as "Commercial units 1, 2 & 3/back patio area/upstairs office," with the approval of the proper authorities (Currently a 23-24 license is granted at this location for Chefbop, LLC).
- 6. To approve General Ordinance No. 4-23, an ordinance creating Section 10-95, Green Bay Municipal Code, relating to massage establishments with amendments to the effective date (February 1, 2024), reduce the fee to \$75, and to amend the ordinance to include the language "unless acceptable under state law by the practice of a massage therapist."
- 7. To grant an appeal by Jennifer Larsen regarding the denial of her operator's license.
- 8. To grant an appeal by Gregory Diring regarding the denial of his operator's license.

9. To discount the reinspection fees accrued by appellant Jesse Robinhorst at 1905 Deckner Ave. to \$650 due to a hardship.
10. To hold an appeal by John Rome, 1315 S. Oakland Ave, regarding reinspection fees until the August 14 Protection & Policy Committee Meeting to review the completion of the order.
11. Informational Only: The release of three 2022-2023 available "Class B" Liquor & Class "B" Beer licenses to the pool due to no action taken for the 2023-2024 license year.
12. Informational Only: The Clerk's Licensing Report.
13. Informational Only: The Liquor Violation Report.

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

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

Q. Report of the Plan Commission (July 24, 2023).

1. To approve the subdivision variance from Section 44-557(7) of the Green Bay Municipal Code for the creation of two flag lots at 0 Bysby Avenue.
2. To approve a Planned Unit Development (PUD) at 436 South Monroe Avenue for the development of a mixed-use project, subject to the draft PUD. (Public hearing held July 24, 2023)
3. To approve a Conditional Use Permit (CUP) at 310 Van Caster Drive to construct a two-family dwelling, semi-detached in a Low-Density Residential (R1) zoning district, subject to the following conditions:
 1. Prior to building permit issuance, Planning staff must review and approve the subject parcel's building plans to ensure that the wall articulation standards of Sec. 44-1913(2) are met along the south and west facades. The petitioner can appeal that decision to the Plan Commission.
 2. Compliance with all regulations of the Green Bay Municipal Code. (Public hearing held July 24, 2023)
4. To rezone 203-225 S Monroe Avenue (East Side of Street) and 620-628 Doty Street (South Side of Street) from Office Residential (OR) to Downtown (DI). (Public hearing held July 24, 2023)
5. The Plan Commission failed to pass motions to both deny and approve a Conditional Use Permit to allow a convenience store, drive through restaurant and fueling/gas/service station use within a Downtown (DI) district at 201 N Monroe Avenue, subject to the following conditions:
 1. Developers must provide an Initial Review (IR) scoping document and an abbreviated Traffic Impact Analysis (TIA) report to address the proper number and location of access points for redevelopment. Developers shall engage with the Department of Public Works and Department of Community and Economic Development to create revised/final plans which satisfy both departments.
 2. A photometric plan providing lighting must be submitted and approved by both the Department of Community and Economic Development and the Police Department.
 3. A maximum of 3 gasoline fuel pumps (6 total gasoline stations (3 x 2 sides per pump)).

4. A minimum of 3 electric vehicle (EV) charging stations.
5. Compliance with all other regulations of the Green Bay Municipal Code.
(Public hearing held July 24, 2023)
6. To approve a Conditional Use Permit (CUP) at 3102 S Sandstone Court to construct a two-family dwelling, semi-detached in a Low-Density Residential (RI) zoning district, subject to compliance with all of the regulations of the Green Bay Municipal Code. (Public hearing held July 24, 2023)
7. To amend the City's Official Map by removing multiple roadways and adding an extension of Hinkle Street running from West Mason Street south to Hobart Drive, with the intersection of Hobart Drive and the extended Hinkle Street at a 90-degree extension, contingent upon a waiting period and public hearing, and subject to the following conditions:
 1. The full extent of Hinkle Street right-of-way be officially mapped at an 80' width.
 2. New intersection of extended Hinkle Street and Hobart Drive be mapped at a 90-degree angle.
 3. Platted Bellwood Lane, Springdale Lane and Meadowbrook Drive be vacated as requested in Street Vacation (SV) 23-02.
8. To vacate an unbuilt Bellwood Lane/Springdale Lane/Meadowbrook Drive public right of way located East of Hobart Drive as well as two unbuilt and unnamed portions of right-of-way adjacent to and east of Parcel 6H-1110-21 and 6H-1110-4-G with the following conditions:
 1. Easement rights for existing public utilities within the unnamed street area as well as the vacated right-of-way areas shall be established.
 2. Easement rights for Spectrum/Charter Communication located within the right-of-way shall be established.
9. To receive and place on file the communication from Ald. Grant "Consideration with possible action to amend the RI Zoning single family home definition of unrelated and family adult limitations to limit define family as _____ and limit the number of unrelated adults to _____."

R. Report of the Finance Committee. (July 25, 2023)

1. To approve the Revaluation Policy.
2. To approve the ordering of a shared Police and Fire command vehicle and paying with 2025 bonding due to long lead times.
3. To approve the contract for translation service with Visual Communication Services up to \$75,000 using the American Rescue Plan Act grant.
4. To approve the purchase of 16 Motorola portable radios for \$77,818.72 funded by the American Rescue Plan Act grant.
5. To approve the purchase of three (3) 2024 Chevrolet Silverado trucks from Napleton Chevrolet Columbus for \$139,284 funded by 2023 bonded dollars.
6. To approve the purchase and installation of two Federal Signal emergency sirens for \$54,897.00 funded by 2023 bonded dollars.

7. To accept the Auto Group Foundations grant of \$15,250 for the Traffic Safety project for the Green Bay Metro Fire Department.
8. To approve the budget amendment resolution for unbudgeted overtime for special events.
 - a. Resolution authorizing Budget Amendment.
9. To receive and place on file the Report of the Claims Committee.

The City 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 City 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.

S. Report of the Park Committee (July 26, 2023).

1. To approve the request by Wisconsin Public Service to relocate the existing utility easement along the East River Trail, just east of Baird Street.
2. To approve the purchase of a 2024 Ford Super Duty F-250 4WD Regular Cab truck with snowplow from Ewald Automotive Group for a total cost of \$55,885.
3. To approve the purchase of a 2024 Ford Super Duty F-550 DRW XL 4WD Regular Cab truck with a plow from Ewald Automotive Group for a total cost of \$65,455.
4. To receive and place on file the staff update on a proposal by GB Real Estate Investments, LLC for an Official Map Amendment to extend Hinkle Street from West Mason to Hobart Drive, running through the northwest corner Beaver Dam Park. **(Informational Only)**

T. Report of the Personnel Committee. (July 25, 2023)

1. To approve the City of Green Bay Civil Rights Compliance Plan for the Wisconsin Community Safety Fund Grant.
2. To approve the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.
 - a. 4K Naturalist
 - b. Assistant City Engineer
 - c. Operator I
 - d. Parking Enforcement Officer
 - e. Park Supervisor
 - f. Mechanic
 - g. Mechanic
 - h. Purchasing Assistant
 - i. Plumbing Inspector
 - j. Development Director
 - k. Traffic Engineer
 - l. Administrative Clerk
3. To approve the addition of a Deputy Treasurer position to the Administrative Services Department.
4. To refer to staff the request from Ald. Chris Wery that additional revenue from increased short term rental revenue be used to partially or fully fund an inspector for these properties

to deal with the unique issues they present. Focus should be on evening and weekends with parking violation, property and lawn upkeep in addition to administrative duties to relieve planning staff and free them up for their main job functions.

U. Report of the Public Arts Commission (July 26, 2023).

1. To approve the Public Art Grant Program application request of \$8,823 for The Chantelles Holiday Concerts 2023 project.
2. To approve the Public Art Grant Program application request of \$10,000 for Crossing the Digital Bridge in Art Making project.
3. To approve the Public Art Grant Program application request of \$2,500 for the We Will Be Seen mural restoration project.
4. To approve the Farlin Park Art Request for Proposal.

V. Report of the Traffic, Bicycle, and Pedestrian Commission (July 17, 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 report by the Police Department of the 2023 2nd quarter serious injury and fatal crashes.
3. To approve the request by the Department of Public Works that the city enter into an agreement with Imperial Supplies for their request to install a Rectangular Rapid Flashing Beacon (RRFB) system on Madison Street.

W. Report of the Sustainability Commission (July 19, 2023).

1. To receive and place on file a progress report of the citywide Clean Energy Green Bay plan.

X. Report of the Equal Rights Commission (July 13, 2023).

1. To receive and place on file the Visibility Initiative Strategic Action Plan held from the June 8, 2023 Equal Rights Commission meeting.

Y. Report of the Landmarks Commission (July 19, 2023).

1. To approve the nomination of 414 North Maple Avenue to Green Bay's Local Register of Historic Places. (Public hearing held July 19, 2023)

Z. Informational.

1. Building Report for June 2023
2. MuniCtReportJune2023

AA. Resolutions.

1. Resolution drawing final orders to contractors for August 1, 2023.
2. Resolution authorizing conditional use permit at 310 Van Caster 21-5769.

3. Resolution authorizing a variance from Section 44-557(7), Zoning, Green Bay Municipal Code, to allow for creation of two flag lots located at 0 Bylsby Avenue/Parcels 6-12-A, 6-11 and 6-34.
4. Resolution authorizing conditional use permit at 201 N. Monroe Avenue (Parcel 11-188).
5. Resolution authorizing conditional use permit at 3102 S Sandstone Court (Parcel 6H-4425).
6. Resolution regarding vacation of public right-of-way Bellwood Lane/Springdale Lane/Meadowbrook Drive east of Hobart Drive & one unnamed right-of-way.

BB. Ordinances - First Reading.

1. General Ordinance No. 4-23
An ordinance creating Section 10-95, Green Bay Municipal Code, relating to massage establishments.
2. Zoning Ordinance No. 15-23
An ordinance rezoning property located at 203 S Monroe Ave (14-444), 211 S Monroe Ave (14-443), 215 S Monroe Ave (14-442), 225 S Monroe Ave (14-439), 620 Doty St (14-427), 624 Doty St (14-428), 628 Doty St (14-429) from Office-Residential (OR) to Downtown District (D1).
3. Planning Ordinance No. 01-23
An ordinance amending the official map of the City of Green Bay removing multiple roadways and adding an extension of Hinkle Street running from West Mason Street South to Hobart Drive.
4. Zoning Ordinance No. 14-23
An ordinance creating a Planned Unit Development (PUD) overlay district for property located at 436 South Monroe Avenue.

CC. Referral of Petitions & Communications.

DD. 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.