



MINUTES OF THE COMMON COUNCIL

TUESDAY, AUGUST 22, 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/89065740794>

Or call in by phone: +1 312 626 6799

Meeting ID: 890 6574 0794

Passcode: 633076

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.

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

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

I. August 1, 2023.

F. APPROVAL OF THE AGENDA.

Moved by Ald. Brian Johnson, seconded by Ald. Bill Galvin to amend move K3 before K1.

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.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. RECOGNITIONS AND AWARDS.

I. In recognition of Melissa Edison's life-saving action in performing the Heimlich maneuver on a co-worker. Melissa is the Mayor's Community Liaison.

J. APPOINTMENTS.

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

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:

Landmarks Commission

Ian Griffiths, 1023 S. Van Buren St., Green Bay, WI 54301

Term to expire: September 1, 2026

David Siegel, 144 Rose Ln., Green Bay, WI 54302

Term to expire: September 1, 2026

Transit Commission

Terri Refsguard, 1342 11th Ave., Green Bay, WI 54304

Term to expire: September 1, 2026

Green Bay Sustainability Commission

Ned Dorff, 1321 Emilie St., Green Bay, WI 54301

Term to expire: September 1, 2026

K. ORDINANCES - SECOND READING FOR ADOPTION.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to suspend the rules to 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. Craig Stevens to adopt.

Motion Passed.

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

I. General Ordinance No. 4-23

An ordinance creating Section 10-95, Green Bay Municipal Code, relating to massage establishments.

Moved by Ald. Brian Johnson, seconded by Ald. Jesse Brunette to open the floor.

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.

Mary Foulter, 3239 Libal Street

Steph Cianda 1527 S. Douglas St., Appleton, WI

Sara Krueger, 1270 Main Street

Stacy Barden, Crivitz, WI

Danielle Dandivelle, Maryville, WI

Moved by Ald. Jim Hutchison, seconded by Ald. Randy Scannell to close the floor.

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. Jim Hutchison to strike the fee.

Motion Failed.

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

Moved by Ald. William Morgan, seconded by Ald. Brian Johnson to open the floor.

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.

Steph Cianda 1527 S. Douglas St., Appleton, WI

Moved by Ald. Chris Wery, seconded by Ald. Randy Scannell to close the floor.

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. Melinda Eck to adopt.

Motion Passed.

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

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 (DI).

3. Zoning Ordinance No. 14-23

An ordinance creating a Planned Unit Development (PUD) overlay district for property located at 436 South Monroe Avenue.

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to amend, add provision, "development shall provide evidence of off street parking availability for ten additional residential spaces."

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 open the floor.

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.

Dewan Cherry, Milwaukee, WI
Paul Kosmoski, 1270 Main Street

Moved by Ald. Brian Johnson, seconded by Ald. Steven Campbell to close the floor.

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.

4. 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. REPORT OF THE REDEVELOPMENT AUTHORITY (AUGUST 17, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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 an amendment to the professional services contract with GRAEF for additional engineering services associated with the development of the JBS site, contingent on final review and approval by the City Attorney.

M. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (AUGUST 16, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Melinda Eck to approve, except 7.

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.

Ald. Johnson abstains on item 5

1. To approve the request by CH Robinson to enter into a rental agreement for sixty (60) stalls in River Ramp, in association with their space in the FEWI Building.

2. To hold the request by HCW, LLC and Baylake Food Court Real Estate, LLC to enter into a rental agreement for fifty (50) stalls in Cherry Street Ramp, in association with condominium development in the Baylake City Center Building.

3. To refer to staff the request by Ald. Grant to require staff to send a letter to residents who will have financial contribution to new sidewalks included in the City's Capital Improvement Program (held over from the July 26, 2023 Improvement & Services meeting).

4. To approve the request by Ald. Hutchison, on behalf of Mike Miksch, 426 Easy Street, to have sidewalk ordered along the south side of Sitka Street, between Robert Lane and McAuliffe Heights Trail, at all locations where sidewalk does not currently exist and to include the project in the 2024 Capital Improvement Program.

5. To approve the request by Ald. Mark Steuer 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 and to work with Community & Economic Development to determine the funding

mechanism for the project (held over from the July 26, 2023 Improvement & Services meeting).

6. To hold the request by Ald. Brunette, on behalf of residents on Country Club Road, regarding the plan to include sidewalks on the upcoming Country Club Road reconstruction project.

7. To accept the 2023 Downtown Parking Study completed by Desman Parking Consultants and direct staff to solicit comments from stakeholders and prepare a list of recommendations for implementation (held over from the July 26, 2023 Improvement & Services meeting).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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.

8. To approve the request by Department of Public Works to enter into a Cooperative Purchasing Agreement with KONE Care in the amount of \$129,832.00 for repairs to the Police Station Elevator.

9. To approve the request by Department of Public Works to enter into a Professional Services Agreement with ECS Midwest, LLC in the amount of \$25,206.00 for Geotechnical Soil Exploration for 2024 reconstruction projects.

10. To receive and place on file the award of contract SEWERS 1-23 MINI-SEWERS to Highway Landscapers, Inc. in the amount of \$468,281.00.

11. To receive and place on file the award of contract ASPHALT PAVING 2023 to MCC Inc. in the amount of \$295,220.04.

12. To receive and place on file the award of contract SEWERS 2-23 BASIN REPAIRS to Vinton Construction Company in the amount of \$1,243,438.45.

13. To receive and place on file the award of contract PAVEMENT 4-23 BERNER STREET RECONSTRUCTION to PTS Contractors, Inc. in the amount of \$1,886,000.00.

14. To receive and place on file the non-award of contract PARKS 8-23 JOANNES AQUATIC CENTER REROOFING.

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

A. Granting of Licenses

1. Sidewalk Builder

a. Jerry Parham

2. Underground Sprinkler System

a. Rain Master Irrigation Inc.

N. REPORT OF THE PROTECTION & POLICY COMMITTEE (AUGUST 14, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve, except 7.

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 a change of agent for Marcus Cinemas of Wisconsin, LLC (Marcus Cinemas Green Bay East) at 1000 Kepler Dr.

2. To grant an application for an available "Class B" Liquor & Class "B" Beer license for BE's Refreshments, Inc. at 850 Kepler Dr. Suite 2 with a license premises description as "Wedding Venue and Conference Center. Building has one large room with a bar and two conference rooms. We will be hosting weddings as well as business events and dinners. Alcohol will be sold and consumed in the main wedding hall, the hallway, the conference rooms. Alcohol will be stored in the beverage cooler as well as bar area in the main wedding hall, with the approval of the proper authorities.

3. To grant an application for a "Class B" Liquor & Class "B" Beer license for Rocky's Taqueria LLC at 1679 Main St. with license premises described as "serve in the dining rm, stored in a separate area in a separate room," with the approval of the proper authorities. (Currently, license is granted for the 23-24 year to Rogelio Perez Jr).

4. To grant a reserve "Class B" Liquor license for Allegedly LLC at 2056 Main St. Suite A with a license premises description as "alcohol will be sold in the main bar area and it will be stored in our back coolers and in our coolers we have behind the bar," with the approval of the proper authorities (Currently licensed as Allegedly LLC with a Class "B" Beer license).

5. To grant an application for an available "Class B" Liquor & Class "B" Beer license for Baker & Mac Arthur, Inc. at 324 N. Roosevelt St. with a license premises description as "bar, locked storage, 2 bathrooms, back, locked storage unit, basement, with the approval of the proper authorities. To grant a waiver and approve a licensed establishment within 300' of a school (requires 2/3 vote of Council). (Previously licensed as Ramis River Run, LLC until May 24, 2023).

6. To grant a "Class B" Liquor and Class "B" Beer license for Vic Theatre Green Bay, LLC at 217 E. Walnut Ave. with a license premises description as "second-floor conference room and theater entrance," with the approval of the proper authorities (Filed June 30, 2023 and previously licensed as Confetti's, Inc. during the 22-23 license year)

7. To deny an application for a "Class B" Liquor & Class "B" Beer license for Taste of the South on Wheels LLC at 114 S. Broadway with a license premises description as "behind bar, in kitchen, in basement" (Filed June 30 and previously licensed as Green Dragon during the 22-23 license year), subject to the approval of the proper authorities.

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to refer back to committee.

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. Jesse Brunette to motion to reconsider item K I.
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.

8. To grant an appeal by John Rome, 1315 S. Oakland Ave., as to \$225, which will be credited to his account, subject to completion of the pending order.

9. Informational Only: The Liquor Violation Report.

10. Informational Only: The Clerk Liquor Licensing Report.

11. Informational Only: The release of one 2022-2023 available "Class B" Liquor & Class "B" Beer license to the pool due non-renewal (First and Bowl).

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

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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. Report of the Protection & Policy Committee Granting Operator Licenses.

P. REPORT OF THE PLAN COMMISSION (AUGUST 14, 2023).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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 until the September 11, 2023 meeting of the Plan Commission.

REFERRED BACK TO PLAN COMMISSION: (ZP 23-25) Consideration with possible action on a request by Basudev Adhikari of Green Bay Area Business Development LLC, applicant, Green Bay Retail Center, LLC, property owner for 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 (Ald. R. Scannell, District 7).

2. To approve a request to rezone 205 Hudson Street from Low-Density Residential (R1) to Public Institutional (PI). (Public Hearing held August 14, 2023).

3. To approve the declaration of surplus for a city-owned property located at 929 N Broadway Street, submitted by the Department of Community and Economic Development, on behalf of the City of Green Bay subject to the following condition:
 - a. The subject property shall be directed to the Redevelopment Authority of the City of Green Bay for disposition and development.

Q. REPORT OF THE FINANCE COMMITTEE.

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, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. To receive and place on file a request by the Finance Director to review and discuss 2022 year-end financial results for the City. The City's audit firm, Baker Tilly, will present to the committee.
2. To approve the purchase two (2) Spectrometer units from Thermo Scientific Portable Analytical Instruments Inc. for a total of \$122,422.62.
3. To hold the City of Green Bay 2024 Fee schedule resolution until the next Finance Committee meeting on September 12, 2023.
4. To approve the acceptance of the Wisconsin Elections Commission's Election Security Subgrant program award of \$10,620.24 to be used toward purchasing redesigned absentee ballot envelopes.

R. REPORT OF THE PARK COMMITTEE (AUGUST 16, 2023).

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 updates to the budget and phasing plan for Farlin Park.
2. To approve the request by Ducks Unlimited Inc. to apply herbicide to the phragmites located in the eastern managed wetland area at Ken Euers Nature Area.
3. To approve the purchase of a Toro Groundsmaster 5910 Mower from Reinders for a total cost of \$154,480.87.
4. To approve the purchase of a T4 Bobcat Skid Steer Loader for a total cost of \$58,894.61 from Bobcat Plus, Inc.

S. REPORT OF THE PERSONNEL COMMITTEE. (AUGUST 15, 2023)

Moved by Ald. Craig Stevens, seconded by Ald. Randy Scannell to approve, except item 2.

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 over hire of one firefighter through December 31, 2023

2. To approve the addition of a Deputy Treasurer position to the Administrative Services Department. (Held from the August, 01, 2023 Common Council Meeting).

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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.

T. INFORMATIONAL.

1. Building Report for July 2023

2. MuniCtReportJuly2023

U. RESOLUTIONS.

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, Craig Stevens, Chris Wery, No- None, Abstain- None.

1. Resolution drawing final orders ro contractors for August 22, 2023.

V. ORDINANCES - FIRST READING.

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens 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.

1. Zoning Ordinance No. 23-29

An ordinance rezoning property located at 205 Hudson Street from a low-density residential district (RI) to a public institutional district (PI).

W. REFERRAL OF PETITIONS & COMMUNICATIONS.

None were offered.

X. ADJOURNMENT.

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