



MINUTES OF THE COMMON COUNCIL

TUESDAY, OCTOBER 17, 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/81761771991>

Or call in by phone: +1 312 626 6799

Meeting ID: 817 6177 1991

Passcode: 164563

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.

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

Excused:

Absent:

C. PLEDGE OF ALLEGIANCE.

D. INVOCATION.

E. APPROVAL OF MINUTES.

I. October 3, 2023.

F. APPROVAL OF THE AGENDA.

G. REPORT BY THE MAYOR.

H. ANNOUNCEMENTS.

I. APPOINTMENTS.

J. ORDINANCES - SECOND READING FOR ADOPTION.

1. Zoning Ordinance No.17-23

An ordinance rezoning property located at 0 Emmet Street (Parcel 18-754-B) from General Industry (GI) to Low-Density Residential District (RI).

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to open the floor.

Motion Passed.

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

Neil Cavanaugh, 1100 Lyndon Street

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to close the floor.

Motion Passed.

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

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

Motion Passed.

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

2. General Ordinance No. 20-23

An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.

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

Motion Passed.

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

Moved by Ald. Bill Galvin, seconded by Ald. Melinda Eck to reconsider the agenda and move the committee of the whole to the next item.

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Bill Galvin to adopt the amended agenda.
Motion Passed.

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

K. LANDMARK'S COMMISSION (SEPTEMBER 13, 2023)

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

John Hurkman 1133 S. Monroe, appellant

Stephanie Hummel, planner w/ City of Green Bay

Jason Flatt, Historic Preservation Specialist w/ City of Green Bay

Moved by Ald. Brian Johnson, seconded by Ald. Melinda Eck to enter closed session.
Motion Passed.

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

Ald. Johnson read the language

Moved by Ald. Bill Galvin, seconded by Ald. Brian Johnson to return to regular session.
Motion Passed.

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

Moved by Ald. Brian Johnson, seconded by Ald. Randy Scannell to hold this appeal for further consideration at the November 7, 2023 Common Council Meeting. The Parties are directed to submit a written brief, not to exceed 3 pages, on the issue of the whether the windows as removed or replaced qualify for a certificate of appropriateness pursuant to Sec. 44-1552(2)(b) of the Green Bay Municipal Code. Briefs must be submitted to the Clerk by close of business Wednesday, November 1, 2023.

Motion Passed.

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

I. Appeal from John Hurckman regarding the denial of Certificate of Appropriateness (COA 23-45) design review for front window removal and replacement located at 1137 S Monroe Avenue.

The Council may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. 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.

L. REPORT OF THE REDEVELOPMENT AUTHORITY (OCTOBER 10, 2023).

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

Motion Passed.

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

I. To accept a U.S. Environmental Protection Agency (EPA) Brownfields Cleanup Grant for \$1,000,000.

M. REPORT OF THE IMPROVEMENT & SERVICES COMMITTEE (OCTOBER 11, 2023).

Moved by Ald. Craig Stevens, seconded by Ald. Bill Galvin to approve, except item I.

Motion Passed.

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

I. To refer to staff 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, and have the Department of Public Works draft a resolution directing staff to send a letter of appeal to WisDOT to remove sidewalk from the west side of the Country Club Road reconstruction (held over from the August 16, 2023 Improvement and Services meeting).

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

Moved by Ald. Brian Johnson, seconded by Ald. Bill Galvin to amend, to direct staff to send a letter.

Motion Passed.

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

Moved by Ald. Brian Johnson, seconded by Ald. Bill Galvin to amend.

Motion Failed.

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

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

Motion Passed.

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

2. To approve the request by Department of Public Works to contract with Morbark to repair the tub grinder in the amount of \$36,799.10.

Minutes of the Common Council

Moved by Ald. Jim Hutchison, seconded by Ald. Randy Scannell to approve.

Motion Passed.

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

3. To approve the request by Department of Public Works for the City of Green Bay's Total Maximum Daily Load Implementation Plan for submittal to the Wisconsin Department of Natural Resources (WDNR) and request to WDNR to renew the Municipal Separate Storm Sewer System Permit.

4. To approve the request by Department of Public Works to award the East River Flood Mitigation Solutions Study to Emmons & Olivier Resources.

5. To hold the request by Department of Public Works to make changes to Chapter 32 (Solid Waste) ordinance until the next regularly scheduled Improvement and Services meeting.

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

A. Granting of Licenses

I. Sidewalk Builder

a. Rok Concrete LLC

N. REPORT OF THE PROTECTION & POLICY COMMITTEE (OCTOBER 9, 2023).

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

Motion Passed.

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

1. To grant an application for a reserve "Class B" Liquor & Class "B" Beer license for The Spices of the Green Bay LLC at 1860 University Ave. with a license premises description as "main floor, basement, serving counter," with the approval of the proper authorities.

2. To approve a request by Turn It Up Tap at 1689 E. Mason St. for a limited expansion of their licensed premises on October 21 for a benefit.

3. To grant an application for RBI Acquisitions LLC at 1560 Main St. with licensed premises described as "basement, Crystal Ballroom and Carriage Room One-Story Building with three bars," with the approval of the proper authorities (Currently licensed as Riverside Ballroom, Inc).

4. Information Only: The Clerk's Office Licensing Report.

5. Informational Only: The Liquor Violation Report.

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

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

Motion Passed.

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

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

P. REPORT OF THE PLAN COMMISSION. (OCTOBER 9, 2023)

Moved by Ald. Randy Scannell, seconded by Ald. Craig Stevens to approve, except items 1 and 2, Ald. Johnson abstains from item 3.

Motion Passed.

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

I. To approve a request to rezone a portion of 3164 Finger Road (Parcel 21-173) from Office-Residential (OR) to General Commercial (C1). (Public Hearing was held on 9.25.2023)

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

Moved by Ald. Jim Hutchison, seconded by Ald. Steven Campbell to open the floor.

Motion Passed.

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

Joel Erfurth, 2216 S. Schneider Ct
John Greb, 505 Larry Lane

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

Motion Passed.

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

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

Motion Passed.

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

2. To approve the request to deviate from Section 44-557(7) of the Green Bay Municipal Code for the creation of a flag lot at 3164 Finger Road subject to the following conditions:

- a. Rezoning application ZP 23-36 is approved.

Moved by Ald. Jim Hutchison, seconded by Ald. Randy Scannell to approve.

Motion Passed.

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

3. To approve a request for a Conditional Use Permit at 2360 East Mason Street (Parcel 21-126-3-1) to allow a restaurant with drive-through within the Planned Unit Development ZO 13-21 subject to the following condition:

- a. Compliance with all other regulations of the Green Bay Municipal Code (Public Hearing held 10.09.2023)

Q. REPORT OF THE FINANCE COMMITTEE. (OCTOBER 10, 2023)

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

Motion Passed.

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

1. To receive and place on file the presentation of the Financial Management Plan by Ehlers Public Finance Advisors.
2. To approve the purchase of one Superliner Type I Ambulance from Jefferson Fire & Safety for \$380,761.
3. To approve the purchase of a new K9 Dog and training from Elite Canine for a total of \$20,225.00.
4. To accept the Federal Pipeline Emergency Response grant for \$429,891.00.
5. To accept the State of Wisconsin-DNR grant for \$10,000 with a matched amount of \$10,490 from the 2023 Operating Budget for equipment replacement.
6. To approve the purchase of Risk Terrain Modeling (RTM) Software and Service from Simsi for a three-year period for a total of \$81,900, funded through the Office of Violence Prevention grant.
7. To accept the FY23 Brownfields Communitywide Assessment Grant through USEPA for \$500,000.
8. To approve the purchase of network switches from Camera Corner for \$39,937, as part of the annual budget.

R. REPORT OF THE PARK COMMITTEE. (OCTOBER 11, 2023)

Moved by Ald. Randy Scannell, seconded by Ald. Steven Campbell to approve, except item 4.

Motion Passed.

Yes- Jim Hutchison, Jennifer Grant, Mark Steuer, Steven Campbell, Craig Stevens, Randy Scannell,

Brian Johnson, Chris Wery, Jesse Brunette, Bill Galvin, Melinda Eck, William Morgan, No- None, Abstain- None.

1. To approve the request by the John Muir Park Neighborhood Association to donate and install several animal wood carving sculptures in John Muir Park.

2. To approve the installation of the “Pollinating Activities” bee art sculpture at Farlin Park

3. To approve contracting with Berners-Schober Associates, Inc. for \$25,000 to complete the site work engineering necessary to accommodate the snow making equipment at Baird Creek Triangle Hill.

4. To deny hiring Akro Engineering & Design, PLLC for \$50,000 to complete the necessary engineering for the replacement of Porlier Pier with a new smaller pier and to move ahead with the previous committee directive to remove the existing pier.

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

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

5. To approve the purchase of playground equipment for Danz Park/School from Lee Recreation LLC for a total cost of \$110,000.

6. To approve the purchase of a 2023 Cab & Chassis Single Axle 33,000 GVWR truck from Packer City International Trucks for \$93,200.

7. To approve purchasing a chipper box with hoist from Olson Trailer & Body LLC for \$36,485.

S. REPORT OF THE PERSONNEL COMMITTEE.

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

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

I.

To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.

- a. Financial Analyst
- b. Operator II
- c. Payroll Manager

2. To approve the addition of an Office of Violence Prevention Operations and Data Officer.

3. To refer to staff to bring alternate proposals for consideration regarding the implementation of the

updated City Pay Plan as recommended by Carlson Dettmann market analysis.

4. To approve Health, Dental, Vision, Life, and Disability benefits starting January 1, 2024.

5. To proceed as directed in closed session regarding the 2024 City of Green Bay and City of Green Bay Fire Fighters Local 141, International Association of Fire Fighters AFL-CIO 158 labor agreement.

The 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 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.

T. REPORT OF THE PUBLIC ARTS COMMISSION (OCTOBER 4, 2023).

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

Motion Passed.

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

1. To approve the Public Art Grant application for Music Saved My Life: Audio Recording and Digital Arts Program contingent on resubmittal of project details to be reviewed and reported out by staff.

2. To approve the Public Art Grant application for the Neville Public Museum Accessibility 2023-2024 project.

3. To approved the amended Public Art Grant application for Bring Weaving to the Bay project contingent on resubmittal of project details to be reviewed and reported out by staff.

4. To approve the Public Art Grant application for Theater Classes for All Ages project.

5. To approve the Public Art Grant application for Readers Theater: Continuation and Expansion project.

6. To approve the Public Art Grant application for the Community Perceptions of the Unhoused project contingent on resubmittal of project details to be reviewed and reported out by staff.

7. To approve the report from Farlin Park Art RFP evaluation team.

U. INFORMATIONAL.

1. Building Report for September 2023

2. MuniCtReportSept2023

V. RESOLUTIONS.

Moved by Ald. Randy Scannell, seconded by Ald. Mark Steuer to suspend the rules and take up all with one roll call vote, Ald. Johnson abstains from item 1.

Motion Passed.

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

Moved by Ald. William Morgan, seconded by Ald. Bill Galvin to adopt.

Motion Passed.

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

1. Resolution authorizing Conditional Use Permit at 2360 East Mason Street.

2. Resolution authorizing a variance from Section 44-557(7), Zoning, Green Bay Municipal Code, to allow for creation of one flag lot located at 3164 Finger Road/Parcel 21-173.

3. Resolution drawing final orders to contractors for October 17, 2023.

W. COMMITTEE OF THE WHOLE.

Moved by Ald. Randy Scannell, seconded by Ald. Jennifer Grant to refer to staff, urging staff to implement any immediate safety precautions.

Moved by Ald. Bill Galvin, seconded by Ald. Craig Stevens to open the floor.

Motion Passed.

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

Jeanette Knill 3003 Emmalane Drive
Portia Tuttle, 2919 Emmalane Drive

Moved by Ald. Bill Galvin, seconded by Ald. William Morgan to close the floor.

Motion Passed.

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

Moved by Ald. Randy Scannell, seconded by Ald. Jennifer Grant to refer to staff, urging staff to implement any immediate safety precautions.

Motion Passed.

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

1. "With consideration and possible action to review the intersection at Nicolet Dr. & E. Shore Dr.

regarding traffic concerns" (Communication from Ald. Grant, District I).

X. ORDINANCES - FIRST READING.

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

Motion Passed.

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

I. Zoning Ordinance No. 18-23

An ordinance rezoning the property located at 3164 Finger Road (Parcel 21-173) from Office Residential (OR) District to General Commercial (CI) District.

Y. REFERRAL OF PETITIONS & COMMUNICATIONS.

Comment form:

Daniel Castillo, 222 Huth St.

None were offered.

Z. ADJOURNMENT.

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

Motion Passed.

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