



AGENDA OF THE COMMON COUNCIL

TUESDAY, DECEMBER 5, 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/81370059886>

Or call in by phone: +1 312 626 6799

Meeting ID: 813 7005 9886

Passcode: 147368

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.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

- I. In recognition of Nancy Quirk, General Manager of the Green Bay Water Utility, after her many years of service to the community.
2. In recognition of Brad Biller, Green Bay Police Department Detective, on his retirement after almost three decades of service to the City.

J. Appointments.

I. Appointments:

Water Commission

Lynn Gerlach, 483 St. Bernard Drive, Green Bay, WI 54302

Term to expire: October 1, 2024

Reappointments:

Green Bay Area Room Tax Commission

Wendy Townsend, 850 Ernst Drive, Green Bay, WI 54304

Term to expire: November 1, 2024

Jessica Shelby, 333 Main Street, Green Bay, WI 54301

Term to expire: November 1, 2024

Green Bay Sustainability Commission

Christa Kananen, 836 Hubbard Street, Green Bay, WI 54303

Term to expire: December 1, 2026

Olde Main Street Business Improvement District

Ryan Kuehn, 401 N. Quincy Street, Green Bay, WI 54301

Term to expire: December 1, 2026

Patrick Stoa, 1138 Main Street, Green Bay, WI 54301

Term to expire: December 1, 2026

Tiona Petrouske

306 N. Van Buren Street, Green Bay, WI 54301

Term to expire: December 1, 2026

K. Presentations

- I. Presentation of the Clean Energy Green Bay Plan by the City's consultant, Slipstream.

L. Landmark's Commission

- I. Appeal from Pat Drury regarding the denial of the Certificate of Appropriateness (COA 23-58) for an architectural makeover to a Tudor-style façade at 412-414 Porlier Street.

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.

2. To approve the appeal from John Hurkman and to approve issuance of Certificate of Appropriateness (COA 23-45) for front window removal and replacement located at 1137 S Monroe Avenue and to adopt the Findings of Fact and Conclusions of Law. *(Previously heard and continued from the Common Council Meetings of October 17, 2023 and November 7, 2023).*

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.

M. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 19-23
An ordinance zoning certain property located at 641 South Grandview Road, 3757 Vital Place, 3751 East Mason Street, 3760 East Mason Street, and 3855 Finger Road as a Planned Unit Development District for purposes of developing the Grandview Industrial Park.
2. General Ordinance No. 22-23
An ordinance amending Section 40-71, relating to traffic regulations.

N. Report of the Improvement & Services Committee (November 29, 2023).

1. To approve the request by Department of Public Works to make changes to Chapter 32 (Solid Waste) ordinance.
2. To approve the request by Department of Public Works to enter into a Professional Services Agreement with Robert E. Lee & Associates, Inc. in the amount of \$47,900 for landfill monitoring and consulting services.
3. To approve the request by Department of Public Works to enter into a Professional Services Agreement with NES Ecological Services in the amount of \$26,800 for native planting maintenance services.
4. To approve the request by Department of Public Works for exemption from City of Green Bay Ordinance for overnight street parking by YMCA employee Mark Geo for the remainder of 2023 and all of 2024.
5. To approve the request by Department of Public Works to enter into State/Municipal Financial Agreements (SMFA) with the Wisconsin Department of Transportation (WisDOT) for the following projects:
 - a. Project 1450-23-00/70 – Ray Nitschke Memorial Bridge
 - b. Project 9210-24-00/70 – STH 54 Intersections

and authorize the Director of Public Works to sign.

6. To approve the request by Department of Public Works for the 2024 proposed vegetation maintenance at the City's stormwater ponds and facilities.
7. Request by Department of Public Works to adopt the Clean Energy Green Bay plan as recommended by the Sustainability Commission (motion to approve failed 2-2).

8. To approve the request by Department of Public Works to award contract to MJT Trucking for hauling stockpiled street sweepings to the landfill in the amount of \$59,334.
9. To approve the request by Department of Public Works to award the professional engineering services contract for stormwater restoration projects at Baird Creek Burgundy Court and Twin Pines Court to Ruekert & Mielke, Inc. (R/M).
10. To approve the request by Department of Public Works to adopt the Proposed 2024 Storm Water Utility Rates.
11. To approve the request by Department of Public Works to purchase yearly structure cast iron castings from Neenah Foundry in the amount of \$51,240 for the Sewer Section.
12. To approve the request by Department of Public Works to authorize the purchase of equipment to complete upgrades to the stormwater lift station located at Main Street and N. Irwin Avenue.
13. To approve the request by Department of Public Works for the extension of lease with Brown County for West Side Yard Waste Center property.
14. To approve the request by Green Viper LLC to dedicate to the City the pavement and underground utilities for the Woods Subdivision once all required documents are received from the Developer.
15. To approve the request by Green Viper LLC to dedicate to the City the stormwater facility located in Outlot 1 of the Woods at Baird Creek Subdivision once all required documents are received from the Developer.
16. To approve the transfer of retired Department of Public Works dump truck with plows to Chad Roffers Trucking, Inc. in exchange for five months of rental usage of a loader for the winter of 2023/24.
17. To receive and place on file the award of contract SEWERS 3-23 SANITARY SEWER – EAST RIVER CROSSING AT GROVE STREET to PTS Contractors, Inc. in the amount of \$1,186,000.
18. To approve the request by Department of Public Works to award the PARKS 12-23 FINGER ROAD CONCESSION UTILITIES contract at a staff level and report the award at the next Improvement & Services Committee meeting.
19. To approve and accept staff recommendation of the quote for appraisal services for the acquisition of rights-of-way required for Country Club Road from West Mason Street Frontage Road to Indian Hill Drive.
20. To approve and accept the additional rights-of-way required for Ricky Drive at Vine Street.

<u>Part of Tax Parcel #</u>	<u>Interest Required</u>	<u>Owner's Name</u>	<u>Amount</u>
21-1361-3	Fee	Rankin GB Holdings, LLC	\$10.00

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

A. Granting of Licenses

I. Sidewalk Builder

a. Absolute Concrete LLC

22. To approve the request by HCW, LLC and Baylake Food Court Real Estate, LLC to enter into a rental agreement for fifty (50) stalls in the Cherry Street Ramp, in association with condominium development in the Baylake City Center Building (previously held at the August 22, 2023 meeting of the Common Council).

O. Report of the Protection & Policy Committee (November 27, 2023).

1. To approve the Visibility Initiative Strategic Action Plan, with recommended changes, providing more clarity on education about the political environment and the roles/responsibilities of the Common Council; ensure commissioners abide by the City policies and ordinances governing appointed and elected officials. The Plan was referred to the Protection and Policy Committee from the November 7, 2023 Common Council meeting.
2. To approve the "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," subject to the approval of the proper authorities (Filed June 30 and previously licensed as Green Dragon during the 22-23 license year).
3. To approve the "Class B" Liquor and Class "B" Beer license for Panaderia Mely's Cake & Yahualica Restarante, LLC at 1706 Main St. with a license premises description as "behind the bar & back storage room," with the approval of the proper authorities (Currently licensed as Taqueria Maldonado's Main Street LLC).
4. To approve the reserve "Class B" Liquor and Class "B" Beer license for Fiesta Latina Restaurant Bar, LLC at 1911 University with a license premises description as "basement, refrigerator, bar area" (Previously licensed during the 2022-2023 license year as Estilo Tijuana LLC).
5. To approve the reserve "Class B" Liquor & Class "B" Beer license for Heights Property Management LLC at 217 N Washington St. with a license premises description as "the first floor is 3252 sq feet with 729 sq feet of dining area, bar area, bathrooms, and kitchen. The second level is 1365 sq/ft with 924 sq/ft of dining area, bar area, and bathrooms, with second floor office area. The third level is a loft area and is 252 sq ft.
6. To approve the "Class A" Liquor and Class "A" Beer license for Arzo LLC at 952 W. Mason St. with a license premises description as "beer is sold in coolers/liquor is behind the counter" (Currently licensed as Singhs C Store 2, Inc.)
7. To deny the appeal from Chris Dupey, 323 Blonde Avenue, regarding a dangerous dog declaration for Prince and Oakley.

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.

8. To deny the appeal by Feliciano J. Delgado regarding reinspection invoices accrued at 913 N Van Buren St. (Appeal filed 10/23/2023 for invoices issue 6/6/2023-8/16/2023).

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.

9. To approve the appeal by Frank Paul regarding the denial of his operator's license.

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.

10. To approve the appeal by Christine Gorst regarding the denial of her operator's license.

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.

11. To approve the General Ordinance 18-23
An ordinance repealing and recreating section 42-164 through 174 relating to Lead Service Water Line Replacement.

P. Report of the Protection & Policy Committee Granting Operator Licenses (November 27, 2023).

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

Q. Report of the Plan Commission. (November 13, 2023)

1. To approve a request to rezone 1731 St Agnes Drive (East Side of St. Agnes Drive) from Low-Density Residential (RI) to Public Institutional (PI). (Public Hearing held 11.13.2023)
2. To approve a request for a Plat of Right-of-Way on Country Club Road from West Mason Frontage Road to Indian Hill Drive.
3. Public hearing on a request to create a Planned Unit Development (PUD) overlay at parcels located along the north right of way of Lombardi Avenue between S Ridge Road and Tenth Avenue creating acknowledgment standards apart of murals on fences, submitted by the Community and Economic Development Department. (Ald. C. Wery, District 8 and B. Johnson, District 9). **Action item on the same topic was held at the request of the petitioner.**

R. Report of the Finance Committee. (November 28, 2023)

1. To approve the purchase of AVON C50 First Responder Kits (Masks) for a total of \$90,000, to be funded by ARPA Funds.
2. To approve the Claims Committee Report.

The Common Council may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Common 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.

3. Ad Hoc Facilities Committee: To receive and place on file the flow analysis by Berners Schober for the City of Green Bay – City Hall.
4. Ad Hoc Facilities Committee: To receive and place on file the flow analysis by Berners Schober for the City of Green Bay – Police Department building.
5. Ad Hoc Facilities Committee: To receive and place on file the flow analysis by Berners Schober for the City of Green Bay – Municipal Court building.
6. Ad Hoc Facilities Committee: To direct Staff to proceed as directed in closed session regarding an update on the Fire Station needs and location.

The Common Council may convene in closed session pursuant to Sections 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating the sale of public properties, investing of public funds or conducting other specified public business as necessary for competitive or bargaining reasons. The Common 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.

7. Ad Hoc Facilities Committee: To receive and place on file portions of the Citywide Clean Energy Plan that pertains to city buildings.
8. Ad Hoc Facilities Committee: To receive and place on file the 2024-2028 Capital Improvement request and potential 2024 bonding request for city buildings.
9. Ad Hoc Facilities Committee: To proceed with the next step as follows and report at the next Ad Hoc Committee Meeting: Fire Department to give an update on location; staff to draft a scope of work for City Hall and Police based on programming and space needs; staff to give a recommendation on funding sources; and staff to review City Hall CIP and update estimates.

S. Report of the Park Committee. (November 29, 2023)

1. To approve the request by the Astor Neighborhood Association to purchase and install holiday lights and inflatables to be on display from December 16 – January 6 at the St. James Park bandshell.
2. To refer to staff to gather more information on the size, cost and community involvement opportunities to install a playground at Jackson Square Park and bring it back to committee for discussion.
3. To approve the purchase of playground equipment for Sullivan Park/School for a total cost of \$110,000 from Lee Recreation LLC.
4. To approve the purchase of playground equipment for Murphy Park for a total cost of \$66,568.58 from Midwest Playscapes.
5. To approve the purchase of playground equipment for Murphy Park from Boland Recreation for a total cost of \$15,326.
6. To accept a US Forest Service GLRI grant for \$92,000 from the Green Bay Metropolitan Sewerage District to plant 800 trees.
7. To approve the purchase of an XTPro60/70-Ora Aerial Forestry Truck with lift from Terex USA, LLC dba Terex Utilities for a total cost of \$329,293.91.

T. Report of the Personnel Committee (November 28, 2023).

1. To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Signs Worker Foreperson
 - a. Parks Maintenance Worker
 - c. Police and Fire Positions
 - d. Support Assistant
 - e. Administrative Clerk
2. To approve the request to amend Chapter 8 of the Personnel Policies to allow for a 2% increase for those in the performance range of the pay plan effective January 1, 2024.
3. To refer to staff to provide more research and market data for the proposed compensation for the position of Mayor starting in the Mayor's next term.

U. Report of the Sustainability Commission.

1. To refer the Clean Energy Green Bay Plan to the Improvement & Services Committee for adoption and implementation.

V. Informational.

1. MuniCtReportOct2023

W. Resolutions.

1. Resolution drawing final orders to contractors for December 5, 2023.

X. Ordinances - First Reading.

1. Zoning Ordinance No. 20-23
An Ordinance rezoning the property located at 1731 Saint Agnes Drive, East side of Saint Agnes Drive (Parcel 6-311) from (RI) Low Density Residential District to (PI) Public Institutional District.
2. General Ordinance No. 02-23
An ordinance amending the official map to approve a Plat of Right-of-Way for Country Club Road.
3. General Ordinance 18-23
An ordinance repealing and recreating section 42-164 through 174 relating to Lead Service Water Line Replacement.
4. General Ordinance No. 21-23
An ordinance amending sections 32-1 and 32-2 relating to solid waste.

Y. Referral of Petitions & Communications.

Z. 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.