



AGENDA OF THE COMMON COUNCIL

TUESDAY, MARCH 5, 2024, 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/89274696903>

Or call in by phone: +1 312 626 6799

Meeting ID: 892 7469 6903

Passcode: 209710

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. February 6, 2024

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

- I. Reappointments:

Ethics Board

Janet Hathaway, 3079 Bay View Dr., Green Bay, WI 54311
Term to expire: March 1, 2027

CDBG Revolving Loan Fund Committee
Matt Schueller, 1022 S. Van Buren St., Green Bay, WI 54301
Term to expire: March 1, 2027

Redevelopment Authority
Matt Schueller, 1022 S. Van Buren St., Green Bay, WI 54301
Term to expire: March 1, 2029

Gary Delveaux, 446 Stella Vista Dr., Green Bay, WI 54302
Term to expire: March 1, 2029

Leah Weycker, 227 Allard Ave., Green Bay, WI 54303
Term to expire: March 1, 2027 (Liaison for Military BID board)

Brooke Hafs, 340 N. Broadway, Green Bay, WI 54303
Term to expire: March 1, 2027 (Liaison for On Broadway, Inc.)

Jeff Mirkes, 130 E. Walnut St., Green Bay, WI 54301
Term to expire: March 1, 2027 (Liaison for Downtown BID board)

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 03-24
An ordinance zoning certain land known as Southwest Woods Subdivision as a Planned Unit Development District.
2. General Ordinance No. 03-24
An ordinance amending Section 40-34, Green Bay Municipal Code, relating to parking regulations.

K. Report of the Redevelopment Authority (February 13, 2024).

1. To terminate the development agreement between Miller Land Investments, LLC, the City of Green Bay, and the RDA for the site known as One Astor Park.

L. Report of the Improvement & Services Committee (February 28, 2024).

1. To approve the request by Ald. Steuer on behalf of Chong Cha and James Wirch to rescind the charge of \$85.60 for snow and ice removal at their property at 1771 Nancy Avenue.

2. To receive and place on file the request by Green Bay Parking Division on charging for funeral meter hooding services.
3. To approve the request by Department of Public Works to modify previously approved Professional Services Agreement for Field Inspection Services on Public Construction Contracts for 2024 from \$200,000.00 to \$700,000.00.
4. To approve the request by Department of Public Works to approve the emergency sewer repair services agreement between the City of Green Bay & De Keyser Construction and the City of Green Bay & De Groot Inc. for 2024.
5. To approve the request by Department of Public Works to review and approve the 2023 Annual Municipal Separate Storm Sewer System (MS4 Report) and authorize the Director of Public Works to submit it to WDNR.
6. To approve the request by Department of Public Works to award PARKS I-24 JOANNES PARK- PARKING LOT RESURFACING at a staff level due to the timeliness factor and the schedule of upcoming Improvement & Services Committee and Common Council meetings.
7. To approve the request by Department of Public Works to enter into a Professional Services Agreement with Mach IV for the design of infrastructure for Arndt and Bridge Streets adjacent to the Shipyard Development.
8. To approve the request by Department of Public Works to award purchase of two Bobcat UW56 Toolcats to Bobcat Plus Inc., in the amount of \$179,603.54.
9. To approve the request by Department of Public Works to award purchase of six post truck lifts to Stertil-Koni USA, Inc. in the amount of \$81,276.25 which includes delivery, setup, warranty, and mechanic training.
10. To approve the request by Department of Public Works to award purchase of front end loader wing and plow to Monroe Truck Equipment in the amount of \$60,104.00.
11. To approve the request by Department of Public Works to award purchase of Sewer Inspection CCTV Camera to Aries Industries, Inc., in the amount of \$27,698.00.
12. To approve the request by Department of Public Works to award purchase of two 1,800-gallon brine tanks to Monroe Truck Equipment in the amount of \$74,896.00.
13. To approve the request by Department of Public Works to award purchase of front end loader to Airing Equipment in the amount of \$172,891.87.
14. To approve the request by Department of Public Works to award purchase of two tandem axle plow truck chassis to Packer City International in the amount of \$249,550.00.
15. To receive and place on file the request by Department of Public Works to award the TRANSIT I-24 JOIST REPAIR contract at a staff level and report the award at the next Improvement & Services Committee meeting.
16. To approve the request by Department of Public Works to award the PAVEMENT X-24 HOWARD ST., S. OAKLAND AVE., AND SCHOOL PL. RECONSTRUCTION AND SEYMOUR PARK WEST STORMWATER POND contract at a staff level and report the

award at the next Improvement & Services Committee meeting following the contract award.

17. To approve the award of the contract RAMPS I-24 PARKING RAMP REPAIRS to Berglund Construction Company in the amount of \$189,525.00.
18. To approve the request by Department of Public Works to award a sole source contract to OilGear for the rehabilitation of two existing OilGear PVK Series Pumps for the hydraulic rehabilitation of the Ray Nitschke Memorial Bridge, not to exceed \$115,000.00.
19. To approve the request by Department of Public Works to award a design services contract for the structural rehabilitation of the Ray Nitschke Memorial Bridge at a staff level and report the award at the next Improvement & Services Committee meeting.
20. To approve and accept the easement for sewer purposes required for the Grove Street siphon project.

Part of Tax Parcel	Interest Required	Owner's Name	Amount
# 17-1061	Easement	Green Bay Area Public School District	\$10.00

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

A. Granting of Licenses

1. Sidewalk Builder

- a. Scott R. Weidner Concrete Construction LLC
- b. Verheyen Construction
- c. Craftsman Concrete LLC
- d. LDR Utility, Inc.
- e. RG Hendricks Concrete Construction
- f. Mc Donald Services LLC
- g. Carter Trucking & Excavating Inc.
- h. JC Santy Construction
- i. Bath Concrete Flatwork, LLC
- j. JD Concrete Corporation

2. Tree & Brush Trimmer

- a. A-I Tree Service Inc.
- b. Wolfrath's Landscaping, LLC
- c. Yesterdays Trees
- d. R&J Tree Services
- e. All WI Tree Services, LLC

3. Underground Sprinkler System

- a. Fox Valley Irrigation Inc.

- b. ADC Maintenance LLC
- c. Wolfrath's Landscaping, LLC

M. Report of the Protection & Policy Committee (February 26, 2024).

1. To refer to staff to write up a policy to allow official observers to witness the entire process starting from the receipt of the absentee ballots through the election (seeing the absentee ballots being labeled, sent out, received) and allow available seating to be courteous of everybody in City Hall.
2. To approve a request by Sardine Can, Inc. at 128 S. Broadway with a temporary expansion of their license premises to the back parking lot on the following dates: 5/1/2024, 5/8/2024, 5/15/2024, 5/22/2024, 5/29/2024, 6/5/2024, 3/16/2024, 3/17/2024, 5/25/2024, 5/26/2024, 6/8/2024, 6/15/2024, 6/22/2024, 6/29/2024, 7/6/2024, 7/13/2024, 7/20/2024, 7/27/2024, 8/28/2024, 9/4/2024, 9/11/2024, 9/18/2024, 9/25/2024, 10/2/2024, 10/9/2024, 8/3/2024, 8/10/2024, 8/17/2024, 8/24/2024, 8/31/2024, 9/7/2024, 9/14/2024, 9/21/2024, 9/28/2024, 10/26/2024 and 7/4/2024 (Dates after 7/1/2024 subject to the approval of the renewal license).
3. To approve a request by The Spices of the Green Bay LLC at 1860 University Ave. to extend the issuance of their reserve "Class B" Liquor and Class "B" Beer license to April 30, 2024 (granted by Council on October 17, 2023).
4. To approve a "Class B" Liquor and Class "B" Beer license for Here on Huron LLC at 745 S. Huron Rd, with a license premises description as "ONE FLOOR (FIRST FLOOR) UNDER THE SAME BUILDING AS ROSATIS. LOCKED OFFICE" (Currently licensed as Allen Pizza).
5. To approve an original liquor license application for a "Class A" Liquor and Class "A" Beer license for Chukku LLC at 601 N Military Ave. with a licensed premises description as "SHELVES, RIGHT OF THE CASHIER COUNTER, BEHIND THE COUNTER, STORAGE ROOM," subject to the approval of the proper authorities (Currently licensed as Lami LLC).
6. To approve an original liquor license application for a "Class A" Liquor and Class "A" Beer license for JR Smith, LLC at 1698 Main St. with a license premises description as "IRMSALESFLR W/ BR COOLER, UNDER CASH REGISTERS (LIQ CAB) BACK STORAGE RM, IN COOLERS," with the approval of the proper authorities (Currently licensed as JLA, Inc.)
7. To approve an appeal by Keith Williams in regards to the denial of his operator's license.
8. To approve an appeal by Leslie Newton in regards to the denial of her operator's license.
9. To approve an appeal by Mary Stack in regards to the denial of her operator's license.
10. To approve General Ordinance 5-24, an ordinance repealing section 2-180, and amending Section 2-179 and 2-327 of the Green bay Municipal Code, relating to Economic Development Authority.
11. To approve General Ordinance 7-24, an ordinance amending Section 10-89, Green Bay Municipal Code, relating to Cigarette License.
12. Informational Only: Clerk's Licensing Report.

13. Informational Only: Liquor Violation Report.

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

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

O. Report of the Plan Commission (February 26, 2024).

1. To approve a request to Amend Section 44-138, Green Bay Municipal Code, codifying the Mayor of Green Bay as the designator of the chairperson of the Zoning Board of Appeals. (Public Hearing held 2.26.2024.)
2. To approve Downtown Green Bay, Inc. (DGBI) Business Improvement District's (BID) year-end reporting for 2023.
3. To approve Olde Main Street Inc.(OMSI) Business Improvement District's (BID) year-end reporting for 2023.
4. To approve Military Avenue Inc. Business Improvement District's (BID) year-end reporting for 2023.

P. Report of the Finance Committee (February 27, 2024).

1. To approve the consulting agreement with Center for Public Safety Excellence (CPSE) for a community-driven strategic plan and community risk assessment with the Fire Department for a total cost of \$55,280.
2. To approve the purchase of emergency extraction equipment for the Fire Department from Reliant Fire Apparatus, Inc. for a total cost of \$149,980 approved with 2024 bonding.
3. To approve a 3-year purchase program to replace swat and patrol rifles.
4. To approve the contract for K9 dog training and certification to Elite Canine Training for a 3-year commitment of \$37,875.
5. To approve the donation of a retired 2015 Dodge Charger squad car to The Children's Museum of Green Bay for an education display.
6. To approve changes to the Office of Violence Prevention (OVP) budget amendment # 1.
7. To approve for the Department of Community & Economic Development to proceed with the razing of all structures at parcel ID# 18-783 (1218 Velp Ave).
8. To approve the 2nd Amendment to Development Agreement 22-02 with Carnivore Meat Company, LLC.
9. To approve the purchase of LawVu software for \$41,763.45.
10. To approve a 2024 budget amendment resolution to carry-over \$86,000 of 2023 unspent budgeted Legal Expenses for continuing litigation.

The Common 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 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.

11. To retain a specialized law firm to progress conversations on the acquisition of the abandoned rail yard on Ashland Avenue, and to identify a funding source for the work per communication from Ald. Brian Johnson.

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.

The Common 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 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.

12. To approve the contract for arbitrage rebate computation and opinion services to Ehlers, Inc. for a 3-year commitment of \$30,000.

Q. Report of the Park Committee (February 28, 2024).

1. To accept a \$65,000 donation from the Friends of the Wildlife Sanctuary to go towards the installation of an upgraded security system at the Wildlife Sanctuary.
2. To approve purchasing security system upgrades at the Wildlife Sanctuary from Heartland Business Systems for a total cost of \$179,274.87.
3. To approve the donation of a scoreboard from Vern Peterson for the new baseball field at Perkins Park.
4. To approve the request by the Green Bay Area Public School District to renovate the Del Marcelle Stadium at Fisk Park/West High School.
5. To approve the donation from Leadership Green Bay for a rental kayak station at the new East River Canoe/Kayak launch located on St. George Street.
6. To approve the request by the Baird Creek Preservation Foundation to fundraise for and install an addition to the Triangle Hill Chalet to accommodate their programming needs at the park.
7. To adopt a resolution in support of World Migratory Bird Day.
8. To approve renewing the annual weed control contract with N.E.W. Landscape & Lawn Care through February 28, 2025 for a total cost of \$33,821.85.
9. To approve hiring Carrico Aquatic Resources, Inc. to provide chemicals for the City's aquatic facilities for a total cost of \$43,775 for the 2024 pool season.
10. To approve the renewal of the annual portable toilets rental quote from VandenPlas Portable Solution LLC.
11. To receive and place on file the staff presentation of the concept plans for the JBS Boulevard and Destination Park. **(INFORMATIONAL ONLY)**

R. Report of the Personnel Committee. (February 27, 2024)

1. To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Operator I
 - b. Signs Operator
 - c. Park Ranger II
2. To approve the over-hire of one Police Captain through September 2024.
3. To approve the over-hire of one Firefighter position.
4. To approve the reclassification of the Housing and Zoning Inspection Supervisor (Pay Grade K) to the Inspection Supervisor (Pay Grade M).
5. To approve the City of Green Bay and City of Green Bay international Brotherhood of Electrical Workers Local No. 158 2024 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.

6. For staff to proceed as directed in closed session for the negotiations on 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.

7. To refer to staff the request from Ald. Wery for an external HR investigation to be initiated regarding the apparent retaliatory disorderly conduct charge filed versus Attorney Janet Angus after she submitted a valid election complaint to the WEC (Wisconsin Elections Commission).
8. To refer to staff the request from Ald. Wery for the City to return to the process of department heads being confirmed every two years by the City Council, instead of being permanently appointed.

S. Report of the Sustainability Commission (February 21, 2024).

1. To refer to staff and the Protection & Policy Committee the City of Green Bay Pesticide Use Policy for management of City-owned land.

T. Report of the Equal Rights Commission (February 8, 2024).

1. INFORMATIONAL ONLY: Presentation from the Law Department regarding the rights and responsibilities of commissioners when working with the public for things like the ERC Visibility Initiative.

2. To hold until the next Equal Rights Commission meeting the initiative to install signage with the City of Green Bay in the language of each culture represented in Green Bay that was held over from the August 17, 2023, Equal Rights Commission meeting.
3. To refer to staff and finalize the Equal Rights Commission Community Survey at the next ERC meeting.

U. Informational.

1. MuniCtReportJan2024

V. Resolutions.

1. Resolution accepting streets for concrete pavement, asphalt pavement or asphalt resurfacing.
2. Resolution authorizing variances to allow for the development of a mixed-use neighborhood and extension of Hinkle Street from W. Mason Street to Hobart Drive (held from the January 16, 2024 Council Meeting).
3. Resolution drawing final orders to contractors for March 5, 2024.
4. Resolution authorizing 2024 budget amendment / 2023 carry-over request.
5. Resolution in support of World Migratory Bird Day.
6. Resolution to accept Sidewalks 2024 and issue assessments.

W. Ordinances - First Reading.

1. General Ordinance 5-24
An ordinance repealing section 2-180, and amending Section 2-179 and 2-327 of the Green Bay Municipal Code, relating to Economic Development Authority.
2. General Ordinance 7-24
An ordinance amending Section 10-89, Green Bay Municipal Code, relating to Cigarette License.
3. General Ordinance No. 06-24
An ordinance amending section 44-138, Green Bay Municipal Code, relating to Zoning Board of Appeals.

X. Referral of Petitions & Communications.

Y. 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.