



AGENDA OF THE COMMON COUNCIL

TUESDAY, MARCH 19, 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. March 5, 2024.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Recognitions and Awards.

J. Appointments.

I. Appointments:

Redevelopment Authority

Stephen Srubas, 1175 Kellogg St, Green Bay, WI 54303

Term to expire: March 1, 2027 (filling the remainder of a term)

K. Public Hearings.

L. Ordinances - Second Reading for Adoption.

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.

M. Report of the Redevelopment Authority (March 12, 2024).

1. To approve Development Agreement 24-01 with Military Ave Partners, LLC for a redevelopment project on Military Avenue.

The 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 Authority may thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

2. To approve Development Agreement 24-02 with Greater Green Bay Habitat for Humanity Homestead Project for road construction.

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3. To approve the Second Amendment to Development Agreement 18-02 between the City of Green Bay and the Green Bay Redevelopment Authority regarding improvements to the Shipyard.

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4. To accept an Outdoor Recreation Legacy Partnership Grant through U.S. National Parks Service and Wisconsin Department of Natural Resources for \$5,000,000.

5. To approve Development Agreement 24-03 with GB Real Estate Investments LLC for the Southwest Woods development at 2405 W. Mason Street (Tax Parcel 6H-1109) and

unaddressed Tax Parcels 6H-1109-2, 6H-1109-3, 6H-11089, and 6H-1091, subject to final review and approval by the City Attorney and Community & Economic Development Department.

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N. Report of the Improvement & Services Committee (March 13, 2024).

1. To deny the request by Harry Mazaheri to rescind Invoice #181677 in the amount of \$101.84 for snow and ice removal at 840 S. Monroe Avenue on 1/18/24.
2. To approve the request by Department of Public Works to award purchase of two tandem axle dump truck bodies, plows, and wings to Monroe Truck Equipment in the amount of \$320,024.00.
3. To approve the request by Department of Public Works to approve Amendment No. 1 for the Professional Services Agreement between the City and McMahon Associates, Inc. for the design of Finger Road/East Town Sidewalk in the amount of \$5,600.00.
4. To approve the request by Department of Public Works to award a sole source contract to GS Global Resources, for the procurement of two (2) hydraulic motors for the hydraulic rehabilitation of the Ray Nitschke Memorial Bridge, not to exceed \$35,000.00.
5. To approve the request by Department of Public Works to enter into a Professional Services Agreement with NorthStar Environmental Testing, LLC for Indoor Air Quality & Hazardous Materials Assessment services in the amount of \$25,472.00.
6. To approve the request by Department of Public Works to enter into a State/Municipal Financial Agreement (SMFA) for Project ID 370-30-63, Signals and ITS Standalone Program for traffic signal upgrades along West Mason Street from Hinkle Street to Country Club Road.
7. To approve the request by Department of Public Works to enter into a Professional Services Agreement with Moss Associates, LLC for negotiating real estate acquisition for the Country Club Road project in the estimated amount of \$21,600.00.
8. To approve the request by Department of Public Works to award 2024-2025 Material Testing Contract to American Engineering Testing on an as-needed basis with fees calculated using time and material rates.
9. To approve the request by Department of Public Works to award design services contracts to Graef in the amount of \$77,686.00 for the rehabilitation of the Danz Avenue Bridge over Baird Creek, B-5-058, and \$75,501.00 for the rehabilitation of the Seventh Street Bridge over Beaver Dam Creek, P-5-718.
10. To receive and place on file the award of a design services contract for the structural rehabilitation of the Ray Nitschke Memorial Bridge to Modjeski and Masters in the amount of \$348,412.00.

- I 1. To approve the request by Department of Public Works Utility Division to award purchase of a Toyota RAV4 Hybrid from LeMieux and Son, Inc. for the purchase price of \$34,769.00.
- I 2. To approve the request by Department of Public Works to award a design services contract to McMahon in the amount of \$67,995.00 for the design of the replacement of the Grandview Road Bridge over Baird Creek, P-5-728.
- I 3. To approve the request by Department of Public Works to award the following contracts at a staff level and report the awarded contractor at the next Improvement and Services Committee meeting:
 - a. SEWERS X-24 (MINI-SEWERS)
 - b. SEWERS X-24 (SEWER REPAIR)
 - c. SEWERS X-24 (MINI-SEWERS)
 - d. SEWERS X-24 BARINA STORMWATER POND DREDGING
 - e. ASPHALT PAVING 2024
 - f. RESURFACING 1-24
 - g. RESURFACING 2-24
 - h. PAVEMENT X-24 (S. MAPLE AVENUE)
 - i. PAVEMENT X-24 (FINGER ROAD)
 - j. PAVEMENT X-24 (WOODLAWN AVENUE)
 - k. PAVEMENT X-24 (CASS STREET)
- I 4. To receive and place on file the actions taken by the Department of Public Works.

A. Granting of Licenses

- I. Sidewalk Builder
 - a. Brian's Quality Concrete, Inc.
 - b. Co Contracting LLC
 - c. Royal Flush Plumbing
 - d. Tilson Technology Management, Inc.
2. Tree & Brush Trimmer
 - a. Co Contracting LLC
- I 5. To approve the request by Department of Public Works to award contract PAVEMENT REPAIR 2024 to Al Dix Concrete Inc. in the amount of \$2,030,500.00.
- I 6. To approve the request by Department of Public Works to award contract SIDEWALKS 2024 to Highway Landscapers, Inc. in the amount of \$1,344,065.00.
- I 7. To approve the request by Department of Public Works to approve an amendment to the Professional Services Agreement for Country Club Road with Ayres Associates, Inc. in the amount of \$5,700.00 to create the transfer instruments for the TLEs and order and review the Title Reports.
- I 8. To order the improvements constructed and assessments levied for the following streets:

ASPHALT RESURFACING

Basten Street – Ruth Street to Clement Street
Eastman Avenue – N. Irwin Avenue to N. Baird Street
N. Baird Street – Eastman Avenue to Smith Street
Reber Street – N. Jackson Street to N. Webster Avenue
Gray Court – Velp Avenue to cul-de-sac
Lincoln Street – Mary Street to Emmet Street
Hudson Street – Western Avenue to Shawano Avenue
Ethel Avenue – Bond Street – Velp Avenue
Verlin Road – Lime Kiln Road to 1700 feet West of Lime Kiln Road

ASPHALT PAVEMENT

S. Oakland Avenue – Howard Street to 225 feet south of School Place
Finger Road – Superior Road to Challenger Drive
S. Maple Avenue – 9th Street to cul-de-sac north
Cass Street – S. Madison Street to Monroe Avenue
E. Mason Street – Jaster Street to Bader Street

and to take no action until 2025 on the following streets: N. Maple Avenue - Walnut Street to Mather Street and 4th Street - Broadway to S. Maple Street

O. Report of the Protection & Policy Committee (March 11, 2024).

1. To approve a change of agent for Creamery DT, LLC at 114 Pine St. to Scott Vann.
2. To approve a liquor license application for a "Class A" Liquor and Class "A" Beer license for APG WI LLC at 1828 S. Ashland Ave. with a licensed premises description as "CONVENIENCE STORE-NEAR REGISTER, DISPLAY IN STORE, BACK ROOM STORAGE," subject to the approval of the proper authorities (Currently licensed as 7E Co Minnesota, LLC).
3. To approve a request by Neo Beverages LLC at 1117 W. Mason St. to extend the issuance of the "Class A" Liquor and Class "A" Beer license until May 31, 2024 due to remodeling (Granted at the 1/17/2024 Common Council Meeting).
4. To hold until the March 25 Protection & Policy Committee meeting a request by Vic Theatre Green Bay, LLC at 217 E. Walnut St. for an extension of the issuance of his liquor license to May 31, 2024.
5. To approve a request by Razz-Ma-Tazz of Green Bay, Inc. at 400 Schoen St. to amend their license premises description to include an outdoor patio.
6. To approve a request by RBI Acquisition LLC at 1560 Main St. to temporarily extend their license premises to their parking lot on June 16, July 14, and August 11.
7. To approve an appeal by Miguel King regarding the denial of his operator's license.
8. To receive and place on file a communication from Ald. Scannell (District 7), for consideration with possible action to adopt in one reading an ordinance banning conversion or reparative therapy.

9. To approve the amendment to GBMC 2-324(h) relating to solicitation of funds.
10. Informational Only: Liquor Violation Report.
11. Informational Only: Clerk's Licensing 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 (Special Meeting March 15, 2024).

1. To withdraw the request for a Conditional Use Permit (CUP) to allow the development of a solar energy farm on a 13-acre property at the southwest corner of Greenbrier Road and Ontario Road (# 21-165-2). (Public hearing was noticed, however was not held due to the item being withdrawn by the applicant.)
2. To approve the request to create a 4-lot Certified Survey Map that includes public street dedication at 0 Lime Kiln Road (Parcel 23-243-1) with the following conditions:
 1. Compliance with all regulations of the Green Bay Municipal Code.
 2. The Certified Survey Map must comply with all land division review comments prior to being recorded.
3. To approve the request to amend VR 23-05 to include deviations from Sections 36-415 and 36-416 of the Green Bay Municipal Code for the extension of Hinkle Street in the proposed Southwest Woods Subdivision.

R. Report of the Finance Committee.

S. Report of the Park Committee (March 13, 2024).

1. To accept the donation of a passenger train from the Friends of Bay Beach Amusement Park.
2. To approve a property trade with GB Real Estate Investments, LLC for Beaver Dam Park as part of the Southwest Woods Development.
3. To approve a \$9,000 Neighborhood Habitat Improvement Program Partner Agreement with the Lake Michigan Bird Observatory to plant 120 trees with supplied biochar soil amendment, using funding provided by the Daybreak Fund.
4. To approve the purchase of a 173 HP John Deere T4F woodchipper from Vermeer Wisconsin for a total cost of \$102,195.39.

T. Report of the Personnel Committee. (March 12, 2024)

1. To approve the request to fill the following position and all subsequent vacancies resulting from internal transfers.
 - a. Conservation Corps Field Assistant
2. To approve to move the December 1st employee performance review dates to June 2nd and to bring this item back to the next meeting to review funding sources if necessary.

3. To approve the 2024 labor agreement between the City of Green Bay and International Union of Operating Engineers, AFL-CIO Local 420, Bus Mechanics

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4. To receive and place on file 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).

The Common Council may convene in closed session pursuant to Section 19.85(1)(f) Wis. Stats., for purposes of considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons, which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations. 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.

5. To approve the amendment of the City of Green Bay Personnel Policy 9.12 Holidays to reflect the practice and discussion from the January 30, 2024 Personnel Committee meeting confirming the removal of the floating holiday in lieu of the day after Thanksgiving for Department of Public Works employees.

U. Report of the Equal Rights Commission

V. Informational.

1. Municipal Court Monthly Financial Report
2. Building Report for February 2024

W. Resolutions.

1. Resolution approving issuance of Housing Authority of the City of Green Bay, Wisconsin Housing Revenue Bonds, Series 2024 (The Gateway Collective, Inc. Project).
2. Resolution of Recognition Murphy Park Neighborhood Association.

3. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
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7. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
8. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
9. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
10. Final resolution authorizing asphalt pavement improvements and levying special assessments against property.
11. Resolution authorizing amendments to a Land Division Variance to allow for the development of a mixed-use neighborhood and extension of Hinkle Street from W. Mason Street to Hobart Drive.

X. Ordinances - First Reading.

1. General Ordinance No. 8-24
An ordinance amending GBMC 2-324(h), Green Bay Municipal Code, relating to solicitation of funds.
2. Planning Ordinance No. 01-24
An ordinance approving a four-lot Certified Survey Map at 0 Lime Kiln Road.

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.