



AGENDA OF THE COMMON COUNCIL

TUESDAY, JUNE 11, 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. May 21 and May 28, 2024

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

- I. Reappointments:

Equal Rights Commission

Jon Shelton, MAC Hall, A324 - 2420 Nicolet Dr., Green Bay, WI 54311
Term to expire: June 1, 2027

J. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 11-24
An ordinance creating a Planned Unit Development (PUD) Overlay District for property located at 221 Cherry Street (ZP 23-52).
2. Miscellaneous Ordinance 01-24
An Ordinance Redistricting the Boundaries of the Aldermanic Districts of the City of Green Bay.

K. Report of the Improvement & Services Committee (June 5, 2024).

1. Informational only - Ald. Wery was selected for Chairperson and Ald. Prestley was selected for Vice Chairperson.
2. To approve the request by Jennifer Pagel (1070 Kenwood Street) to rescind one of the two outstanding invoices for early garbage setout (held over from the May 1 and May 15, 2024, Improvement & Services Committee meetings).
3. To approve the request by Club Car Wash to dedicate the Jenny Lane right-of-way including utilities from Rothe Street to University Avenue to the City. Dedication is contingent upon the Developer meeting the requirements of the Developer's Agreement.
4. To approve the request by Downtown Green Bay, Inc. (DGBI) to install murals on the Ray Nitschke Memorial Bridge tender house and east abutment wall under the bridge.
5. To approve the request by Shipyard District, Inc. for the City to submit a letter of support to Canadian National Railroad to improve an existing fence and complete streetscaping between the fence and alley behind 709-723 S. Broadway.
6. To approve the request by Ald. Grant and Ald. Hutchison to require staff to notify potentially affected property owners in advance of the Improvement & Services Committee meetings for projects where new sidewalk installation is being contemplated for properties not previously identified for sidewalk installation on the recorded plat.
7. To approve the request by Ald. Wery and Ald. Hutchison to amend Section 32-2 (g)(5)(i), Green Bay Municipal Code, regarding storage of garbage and recycling carts between collection days, including not allowing cart storage in front of residences.
8. To approve updates to the Department of Public Works' Adopt-a-Pond program.
9. To approve the request by Department of Public Works to approve and submit to WDNR the annual electronic Compliance Maintenance Annual Report (eCMAR) and Resolution approving the WDNR NR 208 - Compliance Maintenance Annual Report.
10. To approve the request by Department of Public Works to award contract for survey services for the 2025 Capital Improvement Program to Robert E. Lee and Associates, Inc. in the amount of \$91,350.00.

11. To approve the request by Department of Public Works to award contract BRIDGE 3-24 (BRIDGE MAINTENANCE AND CONCRETE REPAIRS) to Lunda Construction Company in the amount of \$135,511.00.
12. To approve the request by Department of Public Works to award contract JOANNES PARK AQUATIC CENTER ROOF & SERVICES to Garland/DBS, Inc. through a cooperative purchasing agreement in the amount of \$77,535.00, which includes the base bid, Alternate 1, and Alternate 2.
13. To approve the request by Department of Public Works to award contract BRIDGE 1-24 MAIN STREET BRIDGE B-5-311 (HYDRAULIC REHABILITATION PHASE 2) to Zenith Tech, Inc. in the amount of \$679,000.00.
14. To approve the request by Department of Public Works to award contract DAY STREET MUNICIPAL BUILDING FIBER CONNECTION to the lowest bidder, Holtger Bros., Inc., in the amount of \$79,362.57.
15. To receive and place on file the report of the award of contract PARKS 2-24 BAY BEACH WILDLIFE SANCTUARY PARKING LOT EXPANSION - PH. 1 to Northeast Asphalt, Inc. in the amount of \$596,668.08, which includes the base bid, Alternate 1, Alternate 2, Alternate 3, and Alternate 4.
16. To approve the request by Department of Public Works to award contract SEWERS 3-24 COUNTRY CLUB ROAD at a staff level and report the award at the next Improvement & Services Committee meeting.
17. To receive and place on file the actions taken by the Department of Public Works.

A. Granting of Licenses

1. Sidewalk Builder

- a. MP Concrete LLC
- b. Northern Concrete Construction, Inc.
- c. Jonny Farr Concrete, LLC

2. Tree & Brush Trimmer

- a. J' Tree Removal & Stump Grinding Service, LLC

L. Report of the Protection & Policy Committee (June 3, 2024).

1. To approve a change of agent at the listed locations:
 - a. Downtown BP, Inc. at 606 Dousman St. (Upinderjit Singh)
 - b. Burritos Mexico, LLC at 113 S Military Ave (Rafael Fernandez Garcia)
2. To approve the listed renewal applications for the 2024-2025 license year with change of agents, pending the approval of the proper authorities and the approval of the change of agent request at the June 10, 2024, Common Council meeting:
 1. Burritos Mexico, LLC at 113 S. Military Ave. ("Class B" Liquor & Class "B" Beer).
 2. Downtown BP, LLC at 606 Dousman ("Class A" Liquor and Class "A" Beer).

3. To approve the renewal 2024-2025 liquor licenses with no changes, pending the approval of the proper authorities.
4. To approve a 2023-2024 original application for a "Class B" Liquor and Class "B" Beer license for Riverside Ballroom, LLC at 1560 Main St. with a license premises description as "CRYSTAL BALLROOM AND CARRIAGE ROOM. ONE-STORY BUILDING WITH THREE BARS, BASEMENT," (Currently licensed as RBI Acquisition, LLC)
5. To approve a 2024-2025 renewal application for a "Class B" Liquor and Class "B" Beer license for Riverside Ballroom, LLC at 1560 Main St. with a license premises description as "CRYSTAL BALLROOM AND CARRIAGE ROOM. ONE-STORY BUILDING WITH THREE BARS, BASEMENT," pending the renewal of the original liquor license at the May 21 Common Council meeting (Currently licensed as RBI Acquisition, LLC).
6. To deny a request by Neo Beverages LLC at 1117 W Mason St. to extend the issuance of their liquor license to July 31, 2024.
7. To deny a 24-25 renewal application for a "Class A" Liquor and Class "A" Beer license by Neo Beverages LLC at 1117 W. Mason St.
8. To approve a 2024-2025 "Class C" Wine and Class "B" Beer license for Green Bay Casuals Soccer Pub LLC at 1238-11 Main St. with a license premises description as "one-story, long bar, with high top seating and back patio," pending the approval of the proper authorities.
9. To approve a request by Burritos Mexico, LLC at 113 S. Military Ave. to amend their liquor license to include 111 S. Military (the adjacent suite), pending the approval of the proper authorities.
10. To approve an appeal by Robert Diener regarding the denial of his operator's license.
11. To refer to staff a communication by Ald. Prestley (District 6) for consideration with possible action to adopt an ordinance allowing the option (with majority approval) for tied votes for standing committee chair or vice chair election to advance to a vote of the full council.
12. To approve of a Massage Establishment license at 1235 S. Military.
13. Informational Only: The Clerk's Office Liquor Licensing Report.

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

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

N. Report of the Plan Commission (May 2, 2024).

1. To approve to create a Planned Unit Development (PUD) for the creation of a 21 small home cottage court located at 2890 St. Anthony Drive, subject to the following conditions:
 1. Adoption of the draft PUD Ordinance.
 2. Land division takes place separating the project area from the parent parcel (21-283).
 3. If the social and support services uses are discontinued, the managed operation is dissolved, or if Veteran's 1st of NEW no longer manages the development, the

managed social and support service uses shall terminate immediately. The managed social and support service uses/operations shall not be renewed or reestablished without the Plan Commission and City Council review and approval.

4. At the discretion of the Common Council or the Director of Community and Economic Development, a review by the Plan Commission may be required to ensure compliance with this Planned Unit Development and identify any areas of concerns including but not limited to:
 - a. Police calls and other documented safety concerns.
 - b. Inadequate facilities.
5. Development is managed in conformance with the submitted operating plan.
6. Professional archaeologist on site during excavation and grading.
7. Provide City Staff with a report on location and development effects of dry creek bed at time of permitting.

(ZP 24-04 Public hearing held May 2, 2024). (Held at May 21, 2024 Common Council meeting).

O. Report of the Finance Committee. (June 4, 2024)

1. To hold the contract approval with Security Pro Intel, Inc. for security guard services, as the Committee would like to see the full City Hall security plan and what led to the need for it.
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.

P. Report of the Park Committee (June 5, 2024).

1. Election of Alder Melinda Eck as Chair for Parks Committee (present - April 2025) – **(INFORMATIONAL ONLY)**
Election of Alder Ben Delie as Vice-Chair for Parks Committee (present – April 2025) – **(INFORMATIONAL ONLY)**
Election of Alder Ben Delie as Chair for Parks Committee (May 2025 – April 2026) – **(INFORMATIONAL ONLY)**
Election of Alder Melinda Eck as Vice-Chair for Parks Committee (May 2025-April 2026) – **(INFORMATIONAL ONLY)**
2. To refer to staff the request by Ald. Prestley to research the possibility of adding additional flags at Leicht Park to represent nations or peoples tied to Green Bay (e.g. Somalia, Mexico, the Ho-Chunk Nation, the Hmong people).
3. To approve the Masterplan for VT Pride Park.
4. To approve a Resolution authorizing the use of urban forestry grants and urban forestry catastrophic storm grants.
5. To approve the proposed changes to the Park & Greenway Encroachment Policy.

6. To approve the purchase of Gametime playground equipment for Danz Park East from MWP Recreation for a total cost of \$34,159.12.
7. To approve the purchase of a 2024 New Holland L320 Skid Steer Loader from Gruett's Inc. for a total cost of \$52,100.

Q. Report of the Personnel Committee. (June 4, 2024)

1. To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Financial Analyst
 - b. Erosion Control Specialist
 - c. Human Resources Assistant
2. To receive and place on file 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.

The Council may convene in closed session pursuant to Section 19.85(1)(c) Wis. Stats., for purposes of considering employment, promotion, compensation or performance evaluation data of any public employee. 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.

R. Report of the Public Arts Commission (May 22, 2024).

1. To approve a modified request for staff to research the creation and support of a creative laureate for the City of Green Bay.
2. To approve the mural design proposed to be placed on the Nitschke Bridge tower, contingent on DGBI securing image rights for the design and site approval from the Improvement and Services Committee.
3. To approve the Cherry Landing Community Mural proposal as presented, to be placed on the Cherry Deck Landing at CityDeck.
4. To approve the HoChunk Community Mural proposal as presented to be placed beneath the Dousman Street Bridge, contingent on site approval from the Improvement and Services Committee.

S. Report of the Traffic, Bicycle, and Pedestrian Commission.

1. To receive and place on file the report by the Police Department on the monthly Traffic Enforcement Unit Traffic Safety Plan.
2. To refer to staff for study a warrant analysis for the intersection of Durham Road and Wiggins Way to determine a need for yield or stop control.
3. To refer to staff for study a warrant analysis for the intersection of Durham Road and Paula Street to determine a need for yield or stop control.

4. To refer to staff for study the request by Ald. Stevens to amend the existing policy to allow traffic calming measures on collector streets within the City.
5. To refer to staff for study the request by Ald. Stevens to amend the existing policy to include traffic calming measures with all new and reconstructed streets.

T. Committee of the Whole

1. For consideration and possible action in the matter of *Sen. André Jacque et al. v. The City of Green Bay et al.*

The 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 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. Quasi-Judicial hearing on revocation of "Class B" license at Madrid Tapas, 225 East Walnut (hearing adjourned from the Common Council Meeting on May 21, 2024).

The Council may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats. for the purpose 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.

3. For consideration and possible action on the Amended Resolution Dividing the City of Green Bay into Wards, to correctly identify the census block numbers in certain wards.
4. Consideration with possible action on establishing polling locations and alternate in-person absentee voting sites for the 2024 Fall Primary and General Elections in the City of Green Bay.

U. Resolutions.

1. Resolution drawing final orders to contractors for June 11, 2024.
2. Resolution authorizing the use of urban forestry grants and urban forestry catastrophic storm grants.
3. AMENDED Resolution Dividing the City of Green Bay into Wards
4. Resolution Establishing Polling Locations and Alternate In-Person Absentee Voting Sites for the 2024 Fall Primary and General Elections in the City of Green Bay.
5. Resolution approving the WDNR NR 208 - Compliance Maintenance Annual Report.

V. Ordinances - First Reading.

I. Zoning Ordinance No. 09-24

An ordinance creating a Planned Unit Development (PUD) Overlay District for property located at 2890 St. Anthony Drive (ZP 24-04).

W. Referral of Petitions & Communications.

X. 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.