AGENDA OF THE COMMON COUNCIL

TUESDAY, JUNE 25, 2024, 6:00 PM
In person at City Hall, Room 203 - Council Chambers.
Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

1. 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.

1. June 11, 2024.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

1. **Appointments:**

   Green Bay Sustainability Commission

Daniela Beall, 1140 12th Avenue, Green Bay, WI 54304
Term to expire: August 1, 2027

Green Bay/Brown County Professional Stadium District Board
Terry Bouressa, 345 Jefferson Street, Green Bay, WI 54301
Term to expire: June 1, 2026

Reappointments:

Green Bay/Brown County Professional Stadium District Board
Barb Dorff, 3375 Pebble Beach Court, Green Bay, WI 54311
Term to expire: July 1, 2026

Leah Weycker, 227 Allard Avenue, Green Bay, WI 54303
Term to expire: June 1, 2026

Green Bay Housing Authority
Erin Edwards, 409 North Maple Avenue, Green Bay, WI 54303
Term to expire: July 1, 2029

J. Public Hearings.

1. Public Hearing on a request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive, submitted by Brad Rymer, Vierbicher, applicant, on behalf of Thomas and Mary Saphner, property owners. (Ald. K. Hinkfuss, District 12).

K. Ordinances - Second Reading for Adoption.

1. 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).

L. Report of the Redevelopment Authority (June 11, 2024).

1. To approve Termination of Development Agreement with 200 N. Monroe Propco LLC.

2. To approve and recommend to the Common Council the City of Green Bay's 2024 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

M. Report of the Improvement & Services Committee (June 19, 2024).

1. To approve the request by Ald. Johnson and Ald. Hutchison to evaluate on-street parking along Washington Street between Cherry Street and Northland Avenue, including but not limited to parking on both sides and/or diagonal parking.

2. To refer to staff for review of the request by Ald. Wery to evaluate program effectiveness and possible changes to "No Mow May" and report out at a future Improvement & Services Committee meeting.

3. To refer to staff the request by Ald. Wery for (1) a staff report/presentation of their trip to Detroit to observe the 2024 NFL Draft in preparation for Green Bay's hosting of the 2025 NFL Draft; and (2) to approve maintaining a monthly agenda item regarding the 2025 NFL Draft to include updates and discussion for any potential changes or action by City Council.

4. To approve the request by Department of Public Works to retain consultant services for survey-related services due to the retirement of the Right-of-Way Specialist.

5. To approve the request by Department of Public Works to enter into a cooperative purchasing agreement with Garland/DBS, Inc. for removal and replacement of the Preble Park shelter roof contingent upon the approval of the City's insurance carrier.

6. To approve the request by Department of Public Works to review and approve entering into a sole source contract with EnergiTech Services for replacement of underground fuel tanks at the East and West Side Municipal Garages.

7. To approve the request by Department of Public Works to award contract WSG 2-24 MASONRY REPAIRS at a staff level and report the award at the next Improvement & Services Committee meeting.

8. To approve the request by Department of Public Works to review and approve the award of sole source contract 2024 Ray Nitschke Controls Programming to Faith Technologies, Inc. in the amount of $48,287.00.

9. To approve the request by Department of Public Works to review and approve the award of contract BRIDGE 4-24 (SCOUR, REPAIR, AND RIP RAP RESTORATION P-5-715 HENRY STREET) to Advance Construction, Inc. in the amount of $244,132.00.

10. To receive and place on file the report of the award of contract SEWERS 1-24 CITY WIDE SEWER REPAIRS to Vinton Construction Company in the amount of $1,323,840.65.

11. To receive and place on file the report of the award of contract ASPHALT PAVING 2024 to Northeast Asphalt, Inc. in the amount of $396,602.50.

12. To receive and place on file the report of the award of contract PAVEMENT 3-24 HOWARD STREET, S. OAKLAND AVENUE, & SCHOOL PLACE RECONSTRUCTION & SEYMOUR PARK WEST STORMWATER FACILITY to Vinton Construction Company in the amount of $5,141,937.33.

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

    A. Granting of Licenses

        1. Sidewalk Builder

            a. Muniz Concrete, LLC
            b. Spencer Concrete
            c. American Custom Concrete, LLC

N. Report of the Protection & Policy Committee (June 17, 2024).

1. To receive and place on file an update on the extension request for Rockyz Taqueria LLC at 1679 Main St.

2. To grant a limited expansion request at the following location(s):
   a. Brewski's on Broadway at 1100 S. Broadway on September 13-15 (1/2 the parking lot with proper fencing).

3. To grant a "Class B" Liquor and Class "B" Beer 2024-2025 renewal application for Rockyz Taqueria LLC at 1679 Main St., subject to the approval of the proper authorities.

4. To grant a 24-25 renewal application for a "Class A" Liquor and Class "A" Beer license for JLA, Inc. at 1698 Main St., subject to the approval of the proper authorities.

5. To grant a 24-25 renewal "Class A" Liquor and Class "A" Beer license with a change of agent for the listed locations, subject to the approval of the proper authorities:
   a. Dolgencorp, LLC (Dollar General Store # 21045) at 1641 Main St.
   b. Dolgencorp, LLC (Dollar General Store #6563) at 1152 S. Military Ave.

6. To grant the 2024-2025 renewal applications with no changes for the listed locations, subject to the approval of the proper authorities:
   "Class A" Liquor and Class "A" Beer:
   a. Traveling Chef, LLC (The Traveling Chef) at 335 N Broadway
   b. Family Dollar Stores of WI (Family Dollar #24158) at 550 N Military
   c. Family Dollar Stores of WI (Family Dollar #26961) at 514 W. Walnut
   "Class B" Liquor and Class "B" Beer:
   a. R and Ds Restaurant Holdings LLC (Delilah's) at 115 N Adams
   b. Bay Area Burger Co. (Bay Area Burger Co.) at 126 S. Broadway

7. To recommend non-renewal of a 2024-2025 "Class B" Liquor and Class "B" Beer license for Jam-Rock GB LLC at 700 Bodart St., subject to the approval of the proper authorities.

8. To deny a request by JR Smith LLC at 1698 Main St. to extend the issuance of the liquor license (license granted on March 5, 2024).

9. To receive and place on file a 24-25 renewal application for a Class "A" Beer and "Class A" liquor license for JR Smith LLC at 1698 Main St. , subject to the approval of the proper authorities.

10. To refer to staff to return with a presentation by the first Council meeting in August relating to a request by Alderman Wery, District 8, to review, with possible action, all preparations for the 2025 NFL draft. Request a presentation by the Green Bay Packers of their plans and requests for city resources or actions. Monthly updates, with possible action, to all standing committees regarding personnel needs, expenses, uses of city property or equipment etc. Should separate committee actions be considered too cumbersome, request a 2025 NFL Draft committee be established to coordinate and communicate the items listed in addition to any other items/issues that may arise. This committee would meet regularly and report to city council.

11. To refer to staff a communication from Ald. Wery, District 8, to direct staff to draft a resolution asking Brown County to fully determine the borders of the Poor Farm/Asylum Cemetery and create an interactive memorial site for those buried there.

12. To hold General Ordinance 9-24, an ordinance relating to petitions and communications.

13. To approve General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

14. To approve General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

15. Informational Only: Clerk's Election Training Membership.

16. Informational Only: The Report by the Clerk on alternate in-person absentee sites.

17. Informational Only: St. John's Ministries Emergency Season Report.

18. Informational Only: Liquor Violation Report.

19. Informational Only: A report by the City Clerk's Office regarding current licensees who have failed to file a renewal application for the 2024-2025 license year.

20. Informational Only: Clerk Licensing Report.

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

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

P. Report of the Plan Commission (June 17, 2024).

1. To deny the request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive.

2. To approve a Conditional Use Permit to establish a general industrial use at 3885 Finger Rd., subject to compliance with Zoning Ordinance 19-23 and all other regulations of the Green Bay Municipal Code.
(ZP 24-17 Public hearing held June 17, 2024).

3. To approve to amend the City's Comprehensive Plan for the property located at 2532 University Avenue, 2540 University Avenue, and 2500 Block University Avenue (Parcel 21-1249-1-3) from a combination of Light Industrial and Commercial land use to Medium/High Density Residential land use.
(CPA 24-01 Public hearing held June 17, 2024).

4. To approve the request for a zoning district change at 2532 University Avenue from General Commercial (C1) to Varied Density Residential (R3).
(ZP 24-18 Public hearing held June 17, 2024).

Q. Report of the Finance Committee. (June 18, 2024)

1. To approve the Purchase of 36 LIFEPAK-1000 Defibrillators for a total cost of $83,633.04.

2. To approve the budget amendment resolution for $40,000 to move from DPW salaries to DPW consulting to cover surveying consulting expenses due to the vacant ROW Specialist.

3. To approve adding "all languages for translation" versus Spanish only for the American Rescue Plan Act (ARPA) 9-2-015 Translator request.

4. To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA), grant Capital Improvement and Organizational Priorities for a total allocation of $10,000,000 and entering Memorandum of Understanding (MOU) for corresponding reallocations as needed.

5. To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA) grant Economic Impact for a total allocation of $13,695,519.23 and entering a Memorandum of Understanding (MOU) for corresponding reallocations as needed.

6. To approve the request from the Purchasing Department to contract natural gas before the current contract expires and report out after contract activation.

7. To update the City of Green Bay's Procurement Manual to raise the Common Council approval level from $25,000 to $50,000 and corresponding changes.

8. To approve the security contract and direct staff to bring the facility improvements to the Ad Hoc Facilities Committee for consideration in the annual capital improvement plan update.

R. Report of the Park Committee (June 19, 2024).

1. To approve the installation of a large flood mitigation wetland at East River Emilie Park.

2. To receive and place on file the request by Ald. Wery on behalf of Jamie Peotter, to utilize Colburn Park for a fall plant festival and/or spring Green Bay Botanical Garden Show.

3. To approve accepting a donation from West Bend Mutual valued at $15,000 to host a tree planting Arbor Day event at Murphy Park.

4. To approve the purchase of a portion of Parcel 21-420 (2208 Manitowoc Road) for the expansion of VT Pride Park for $30,000.

5. To approve a utility easement from Wisconsin Public Service to bury overhead power lines at the Wildlife Sanctuary.

6. To approve contracting with Lee Recreation LLC to install playground equipment and playground rubberized surfacing at Danz Park/School for a total cost of $132,200 conditional on the Green Bay Public School District funding $113,793 of the total cost.

7. To approve contracting with Lee Recreation LLC to install playground equipment and playground rubber surfacing at Sullivan Park/School for a total cost of $132,200 conditional on the Green Bay Public School District funding $117,200 of the total cost.

8. To approve purchasing (2) Gasboy Atlas-X Series Gas Dispensers for the Park Shop from EnergiTech Services for a total cost of $28,915.

S. Report of the Personnel Committee (June 18, 2024)

1. To approve staff to proceed as directed in closed session regarding 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 Common 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 Common 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.

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

T. Report of the Equal Rights Commission

1. To approve the Equal Rights Commission to celebrate heritage months and attend cultural events in the City of Green Bay.

U. Informational.

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

V. Committee of the Whole

1. Consideration with possible action on request by Department of Public Works to enter into State/Municipal Financial Agreements for the following projects:

   a. Project ID 4180-06-00/7 – STH 29 (Shawano Avenue) Hudson Street to N. Oakland Avenue
   b. Project ID 4190-18-00/70 – STH 32 (Ashland Avenue) CTH VK to 9th Street
   c. Project ID 4190-20-00/70 – STH 32 (Ashland Avenue) Bridge – Structure B-05-0018

2. Consideration with possible action on approving the Revised Service Authorization Agreement for engineering services from Berners-Schober Associates, Inc. which includes $35,000 of additional design work associated with the Triangle Hill snow making project.
3. Quasi-Judicial hearing on revocation of "Class B" license at Madrid Tapas, 225 East Walnut (hearing adjourned from the Common Council Meeting on June 11, 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.

W. Resolutions.

1. Resolution authorizing conditional use permit at 3855 Finger Road (ZP 24-17).

2. Resolution authorizing 2024 budget amendment of $40,000 from DPW Salaries to DPW consulting services.

X. Ordinances - First Reading.

1. General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

2. General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

3. Planning Ordinance No. 02-24
   An ordinance amending the official map of the City of Green Bay from Lafayette Drive to Eric Street (OMA 24-01).

4. Consideration with possible action on General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

5. Consideration with possible action on General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

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.