



MINUTES OF THE COMMON COUNCIL

TUESDAY, APRIL 16, 2013, 7:00 P.M.

**COUNCIL CHAMBERS
ROOM 203, CITY HALL**

Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney Tony Wachewicz. Alderpersons: J. Wiezbiskie, A. Nicholson, Tim DeWane, A. Kocha, J. Moore, D. Boyce, J. Brunette, J. Warner, M. Steuer, B. Danzinger, T. Sladek. Excused: Thomas DeWane.

Boy Scout Troop 1172 from Martin Elementary School presented the colors.

The pledge of allegiance was led by students from the School Within a School for Academically Gifted Learners, at Langlade School.

Mayor Schmitt led the invocation.

Moved by Ald. Nicholson, seconded by Ald. Wiezbiskie to approve the minutes of the April 3, 2013, meeting. Motion carried.

Moved by Ald. Steuer, seconded by Ald. Wiezbiskie to approve the agenda. Motion carried.

REPORT BY THE MAYOR

The Mayor announced that the only Council Meeting in July will be on July 30.

Principal Tammy VanDyke, from Langlade School, spoke about the School Within A School for Academically Gifted Learners.

PUBLIC HEARINGS

Planning Ordinance No. 1-13

An ordinance amending the Official Map of the City to reflect an alternative future road pattern north of the 3100 block of West Point Road. (Item #10)

No one appeared.

Zoning Ordinance No. 5-13

An ordinance rezoning property located in the 3100 block of West Point Road from Rural Residential (RR) District to Low Density Residential (R1) District and rezoning the existing wetland areas to Conservancy (CON) District. (Item #11)

No one appeared.

Moved by Ald. Wiezbiskie, seconded by Ald. Moore to suspend the rules for the purpose of adopting the ordinances with one roll call vote. Motion carried.

APPOINTMENT BY THE MAYOR

NEW APPOINTMENT

Room Tax Commission

Larry Vesely, 1715 East Sonata Drive, Green Bay, WI 54311

Term to expire: April 1, 2014

Moved by Ald. Nicholson, seconded by Ald. Kocha to confirm the appointment. Motion carried.

PETITIONS & COMMUNICATIONS

IMPROVEMENT & SERVICE COMMITTEE

Application for an Underground Sprinkler System License by Rain Master Irrigation, Inc.

Applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Paul Conard Construction Co., Inc.
- B. Holtger Bros., Inc.
- C. Northern Concrete Construction, Inc.
- D. Jim Fischer, Inc.
- E. JC Santy Construction LLC

Request by Ald. Wiezbiskie, on behalf of Richard Binversie, a crossing guard, to create a permanent storage station for the orange crossing cones used by him at the corner of Humboldt Road and Laverne Drive.

PROTECTION & WELFARE COMMITTEE

Application for a "Class B" Combination License by AHM Staffing, LLC at 201 Main Street. (Transfer from Great Lakes Inn Management, Inc.)

Application for a "Class B" Combination License by Barley's Pub, LLC at 846 Lime Kiln Road. (Transfer from Tina Barlament, LLC)

Application for a "Class B" Combination License by Swobey's Hideout, LLC at 1263 E. Mason Street. (Transfer from Howard J. Johnston, LLC)

Notice of the change of agent for Fan-Addicts, 1647 Cass Street.

Request by the owner of JD's Bar, 715 S. Broadway to hold outdoor events on June 1, July 27 and September 28.

Request by the owners of Jill's Bar, 613 Bodart, to hold outdoor events on June 24 & 29.

Application for a "Class B" Combination License by Barry Fitzgerald at 1699 E. Mason Street. (Transfer from Carrie Laverdiere)

Application for a "Class B" Combination License by Boyd Barsmith, LLC at 1542 University Avenue. (Transfer from Kathy Broder)

Application by Big Mitch, LLC to transfer his "Class B" Combination License from 1332 S. Broadway to 226 S. Broadway.

Request by Randy Cartier to end fluoridation in the Green Bay water supply.

Request by Ald. Nicholson, on behalf of Christine Delahut, to discuss neighborhood issues in the Mary Jo/VanBeek area.

Moved by Ald. Moore, seconded by Ald. Warner to refer the petitions and communications to the appropriate Committee or Commission. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to approve the request to grant final approving authority to the Protection & Welfare Committee for the application for a "Class B" Combination License by AHM Staffing, LLC at 201 Main Street. Motion carried.

REPORTS FOR COUNCIL ACTION
REPORT OF THE FINANCE COMMITTEE
April 16, 2013

The Finance Committee, having met on Tuesday, April 9, 2013, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the minutes of the Finance Committee meeting of March 27, 2013.
2. To approve the request to carry-over funds of \$3,000 donations received in 2012 for a 2013 speaker series, \$150,000 for the Department of Public Works for salt, and \$8,563.28 for Park, Recreation, and Forestry for costs related to the Ameriprise skating rink.
3. To hold on transfer of funds from the General Fund to the 704 Fund cover costs of retirements in 2012.
4. To approve the request to transfer \$18,000 from the contingency fund to Police and Fire Commission to cover the cost of police and fire recruitments.
5. To approve the filling of greeter/receptionist for the Welcome Center not to exceed \$10,000 in 2013 and the funding to be transferred from the Elections budget to the Clerk's budget.
6. To award the purchase of 45 Mobile Data Terminals for Police cars to DATA 911 for \$172,096.
7. To award the purchase of HP SAN Data Storage Equipment to Camera Corner for \$80,649.
8. To hold for two weeks the request to approve the recommendation of the evaluation committee to award a three year contract for Animal Impound Services to Packerland Veterinary Center for \$432,000.
9. To receive and place on file the report of the Finance Director.

2013 Contingency Fund
\$110,000

Moved by Ald. Wiezbiskie, seconded by Ald. Warner to adopt the report. Motion carried.

**REPORT OF THE
IMPROVEMENT AND SERVICE COMMITTEE
April 16, 2013**

The Improvement and Service Committee, having met on April 10, 2013 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Alfred Worachek, 2584 Cherrywood Lane, for an exemption to §16.11(b)2, Green Bay Municipal Code, requiring the mandatory connection of sump pump discharge to City's storm sewer system subject to maintaining a working sump pump in the sump pit and discharge piping to the ground outside.
2. To approve the request to award contract "HOBART STANDPIPE REPAINTING" to the low responsive bidder, M.K. Painting, Inc., in the amount of \$475,000.00.
3. To deny the request by Equanda Hughes to rescind the sidewalk snow/ice removal charge of \$60.00 at 2072 August Street.
4. To approve and authorize the following relocation payment:

VELP AVENUE FROM NORWOOD AVENUE TO MILITARY AVENUE
PROJECT ID. # 1450-04-21

Scott R. Elsner	\$2,500.00
Parcel 36	

5. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
 - A. KPC Concrete Contractor, LLC
 - B. Jeff Baeten Concrete Construction
 - C. Shier Construction
 - D. RG Hendricks & Sons Construction, Inc.
6. To approve the Department of Public Works 2013 Capital Improvements Program and to forward bond request to the Common Council.
7. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.

Moved by Ald. Wiezbiskie, seconded by Ald. Warner to adopt the report. Motion carried.

REPORT OF THE PERSONNEL COMMITTEE
April 16, 2013

The Personnel Committee, having met on Tuesday, April 9, 2013 considered all matters on its agenda and reports and recommends the following:

1. To hold the request to reclassify and fill a part-time Clerk II position in the Fire Department and all subsequent vacancies resulting from internal transfers.
2. To approve the requests to fill (7) DPW Operations Division positions and all subsequent vacancies resulting from internal transfers.
 - (4) Truck Drivers
 - (1) Street Laborer
 - (1) Sanitation Laborer
 - (1) Senior Mechanic
3. To report back at the next Personnel Committee meeting information on public and private sector rehire policies.
4. To approve the request by the Village of Allouez to extend the animal control contract until May 27, 2013.
5. To receive and place on file the update on labor negotiations.
6. To receive and place on file the report of routine Personnel Actions for regular employees.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt the report with the exception of Item #4. Motion carried.

Moved by Ald. Kocha, seconded by Ald. Sladek to adopt Item #4.

Moved by Ald. Boyce, seconded by Ald. Danzinger for discussion, to refer Item #4 back to the Personnel Committee.

Ald. Boyce withdrew his motion.

Moved by Ald. Warner, seconded by Ald. Steuer to adopt Item #4. Motion carried.

PROTECTION & WELFARE COMMITTEE REPORT
April 16, 2013

The Protection & Welfare Committee, having met on Monday, April 8, 2013 considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the request by the Glass Nickel Pizza Co. to be exempt from the outdoor patio height regulations at 416 Dousman Street.
2. To approve the request by Brewski's On Broadway, 1100 S. Broadway, to hold outdoor events on May 4 and 18, 2013. The approval of the request is subject to complaint.
3. To approve the renewal application for a 6-month Class "B" Beverage License by Titletown Baseball Group, LLC at 1495 Kurtz Avenue with the approval of proper authorities. (Joannes Stadium)
4. To approve the application for a "Class B" Combination License by My Bar, LLC at 702 N. Quincy Street with the approval of proper authorities. (Transfer from Kim VandenBusch)
5. To approve the application for a "Class B" Combination License by Coaches Corner Downtown, LLC at 501 N. Adams Street with the approval of proper authorities (transfer from Coaches Corner Inc).
6. To approve the approval of successor agent for Coach's Corner, Inc. at 501 N. Adams Street.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report. Motion carried.

REPORT OF THE PROTECTION AND WELFARE COMMITTEE GRANTING OPERATOR LICENSES

April 16, 2013

The Protection and Welfare Committee wishes to request that the following applications for Operator Licenses be granted. Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Athey, Charlotte J
Basche, Nicholas P
Blohowiak, Adam J
Bray, Bethaney L
Clarmont, Jennifer L
Fahrbach, Taren M
Finendale, Jonathan J
Fralin, William E
Grams, Erin M

Kavanaugh, Melissa M
Kerin, Lyhia L
Koehler, Justin M
Kubale, Trisha A
Kubisiak, Ashley M
Lafreniere, Andrew E
Leiva, Desiree M
Meigio, Tia P
Murphy, Sally A
Pearce, Cathleen M
Prince, Toby J
Schiller, Allison R
Snell, Diedra M
Stank, Adam H
Stevenson, Amy C
Vanden Busch, Patrick J
Vandenberg, Anthony J
Zakowski, Joseph R
Zinski, Joel W

Moved by Ald. Kocha, seconded by Ald. Wiezbiskie to adopt the report. Motion carried.

RECEIVE & PLACE ON FILE

Building Permit Report for March, 2013.

City of Green Bay Check Register for March, 2013.

Moved by Ald. Kocha, seconded by Ald. Wiezbiskie to receive the matters and place them on file. Motion carried.

RESOLUTIONS

Moved by Ald. Wiezbiskie, seconded by Ald. Danzinger to suspend the rules for the purpose of adopting both resolutions with one roll call vote. Motion carried.

RESOLUTION AUTHORIZING TRANSFER OF FUNDS

April 16, 2013

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the following transfer of funds is hereby authorized:

<u>ACCOUNT</u>	<u>AMOUNT</u>
From: 101-10-104-000-50003 Elections Seasonal Salary	10,000.00
101-99-099-000-59001 Contingency	18,000.00
101-99-099-000-59998 Budget Offset	<u>161,563.28</u>
TOTAL:	<u>189,563.28</u>
To: 101-02-002-000-53001 Mayor's Contractual Services (Speaker Series)	3,000.00
101-02-003-000-52007 Police and Fire Commission Recruiting	18,000.00
101-10-101-000-50001 Clerk's Salary	10,000.00
101-50-503-000-54001 DPW Operations Materials and Supplies (Salt)	150,000.00
101-60-640-000-50003 PR&F Rec Seasonal Salaries (Staffing Rink)	<u>8,563.28</u>
TOTAL:	<u>189,563.28</u>

Adopted April 16, 2013

Approved April 17, 2013

James J. Schmitt
Mayor

Kris A. Teske
Clerk

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt the resolution.
Roll call: Ayes: Wiezbiskie, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING RELOCATION PAYMENT
FOR VELD AVENUE FROM NORWOOD AVENUE
TO MILITARY AVENUE
APRIL 16, 2013**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

SECTION 3. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 16th day of April, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

CHAPTER 11

RESTAURANTS

- 11.01 Definitions
- 11.02 Enforcement
- 11.03 Permit
- 11.04 Itinerant Restaurants
- 11.05 Examination and Condemnation of Food or Drink
- 11.06 Inspection
- 11.07 Sanitation Requirements
- 11.08 Wholesomeness of Food and Drink
- 11.09 Communicable Disease
- 11.10 Procedure When Infection Suspected
- 11.11 Amendments to Standards
- 11.15 Penalty

11.01 **DEFINITIONS.** The following definitions shall apply in the interpretation and enforcement of this chapter.

(1) **RESTAURANT.** Restaurant means restaurant, coffee shop, cafeteria, short-order cafe, luncheonette, tavern, sandwich stand, soda fountain, nursing-home kitchen, church kitchen, and any other public eating and drinking establishment, as well as any kitchen in which food and drink are prepared for sale elsewhere to the public.

(2) **ITINERANT RESTAURANT.** Itinerant restaurant means a restaurant operating temporarily in connection with a fair, carnival, circus, public exhibition, or other similar gathering.

(3) **EMPLOYEE.** Employee means any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed at any time in a room in which food or drink is prepared or served.

(4) **UTENSILS.** Utensils mean kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation, or serving.

(5) **HEALTH COMMISSIONER.** Health Commissioner means the Health Commissioner of the City or an authorized representative.

11.02 **ENFORCEMENT.** This chapter shall be enforced by the Health Commissioner in accordance with standards adopted by the City Board of Health, a certified copy of which standards shall be on file in the City Clerk's Office and in the City Health Department.

11.03 **PERMIT.**

(1) **PERMIT REQUIRED.** No person shall operate a restaurant in the City who does not possess an unrevoked permit and in whose place of business such permit is not posted in a conspicuous place, except the Health Commissioner may exempt a person conducting an itinerant restaurant in connection with a philanthropic society, a one-day event, or the like from such requirement. Only persons who comply with the requirements of this chapter shall be entitled to receive and retain such a permit.

(2) **APPLICATION FOR PERMIT.** An application for permit shall be made to the Board of Health and shall state the name and address of the person applying for the permit and such other information as the Board of Health may require.

(3) **APPROVED APPLICATIONS.** When application is approved by the Board of Health, the permit shall be granted by the Council and issued by the Clerk. This permit shall be valid from January 1 through December 31 of the year in which it is issued.

(5) **SUSPENDED OR REVOKED PERMIT.** Such permit may be suspended or revoked by the Mayor or Council upon the recommendation of the Board of Health. The holder of the permit shall be granted an opportunity for a due process hearing before the Board of Health upon such suspension or revocation.

11.04 **ITINERANT RESTAURANTS.** Itinerant restaurants shall be constructed and operated in a manner approved by the Health Commissioner.

11.05 **EXAMINATION AND CONDEMNATION OF FOOD OR DRINK.** Samples of food and drink may be taken and examined by the Health Commissioner as often as deemed necessary for the detection of unwholesomeness or adulteration. The Health Commissioner may condemn and forbid the sale of, or cause to be removed or destroyed, any food or drink which the Commissioner deems unwholesome or adulterated.

11.06 **INSPECTION.**

(1) At least once every six months the Health Commissioner shall inspect every restaurant in the City. If the Health Commissioner discovers a violation of any provision of this chapter, an order shall be issued to correct the violation. Failure to obey the order on two consecutive inspections shall be cause for immediate suspension of the permit.

(2) One copy of the inspection report shall be posted by the Health Commissioner within the restaurant and shall not be defaced or removed by any person except the Health Commissioner. Another copy of the inspection report shall be filed with the Board of Health.

11.07 **SANITATION REQUIREMENTS.** All restaurants shall comply with all of the following requirements:

(1) **FLOORS.** The floors of all rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be smooth-surfaced and easily cleaned and shall be kept clean and in good repair.

(2) **WALLS AND CEILINGS.** Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared shall be light colored. The walls and ceilings of all rooms in which food or drink is prepared or utensils are washed shall have smooth, washable surfaces.

(3) **DOORS AND WINDOWS.** When flies are prevalent, all openings into the outdoors shall be effectively screened and all doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.

(4) **LIGHTING.** All rooms in which food or drink is stored or prepared, or in which utensils are washed, shall be well lighted.

(5) **VENTILATION.** All rooms in which food or drink is stored, prepared, or served, or in which utensils are washed, shall be well ventilated.

(6) **TOILET FACILITIES.** Every restaurant shall be provided with adequate and conveniently located toilet facilities, conforming with City and State law, for its employees and patrons. Toilet rooms shall not open directly into any kitchen or storeroom. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept clean, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by employees. If privies or earth closets are permitted and used, they shall be separate from the restaurant building and shall be constructed and operated in conformity with the standards of the State Department of Health.

(7) **WATER SUPPLY.** The water supply shall be easily accessible to all rooms in which food is prepared or utensils are washed and shall be adequate and of a safe sanitary quality.

(8) **LAVATORY FACILITIES.** Adequate and convenient hand-washing facilities shall be provided, including warm water, soap, and approved sanitary towels. The use of a common towel is prohibited. No employee shall resume work after using the toilet room without first washing his or her hands.

(9) **CONSTRUCTION OF UTENSILS AND EQUIPMENT.** All multi-use utensils and all display cases or windows, counters, shelves, tables, refrigerating equipment, sinks, and other equipment or utensils used in connection with the operation of a restaurant shall be easily cleaned and in good repair.

(10) **CLEANING AND BACTERICIDAL TREATMENT OF UTENSILS AND EQUIPMENT.**

(a) **Equipment.** All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods, and sinks shall be kept clean and free from dust, dirt, insects, and other contaminating material. All cloths used by waiters, chefs, and other employees shall be clean. Single-service containers shall be used only once.

(b) **Utensils.** All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food and drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purposes.

(c) **Use of Poisonous Substances Prohibited.** No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils.

(11) **STORAGE AND HANDLING OF UTENSILS AND EQUIPMENT.** After bactericidal treatment, no utensils shall be stored except in a clean, dry place protected from flies, dust, or other contamination, and no utensil shall be handled except in such a manner as to prevent contamination as far as practicable. Single-service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

(12) **STORAGE AND DISPLAY OF FOOD AND DRINK.** All food and drink shall be so stored and displayed as to be protected from dust, flies, vermin, unnecessary handling, droplet infection, overhead leakage, and other contamination. No animals or fowl shall be kept or allowed in any room in which food or drink is prepared or stored.

(13) **WASTES.** The premises of all restaurants shall be kept clean and free from litter or rubbish. All wastes shall be properly disposed of and all garbage and trash shall be kept in suitable receptacles in such a manner as not to become a nuisance. See Ch. 9, Green Bay Municipal Code.

(14) **REFRIGERATION.** All readily perishable food or drink shall be kept at or below 50° F. except when being prepared or served. Meat and food shall not be placed in direct contact with ice. Waste water from refrigeration equipment shall be properly disposed of.

(15) **CLEANLINESS OF EMPLOYEES.** All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils, or equipment. Adequate lockers or dressing rooms shall be provided for employees' clothing and

shall be kept clean. Soiled linens, coats, and aprons shall be kept in containers provided for this purpose.

(16) **NOT TO BE CONDUCTED IN LIVING QUARTERS.** No operation connected with a restaurant shall be conducted in any room used as living or sleeping quarters.

11.08 **WHOLESOMENESS OF FOOD AND DRINK.** All food and drink shall be wholesome and free from spoilage. All foods served raw, including vegetables, shall be thoroughly washed in clean, safe water. Contents of cans must be removed from such cans when they are opened. All milk, fluid milk products, and ice cream and other frozen desserts shall be from sources approved by the Health Commissioner. Milk and fluid milk products shall be served in the containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device. All oysters, clams, and mussels shall be from approved sources.

11.09 **COMMUNICABLE DISEASE.**

(1) **NOTIFICATION OF DISEASE.** Notice shall immediately be sent to the Health Commissioner by the restaurant owner or manager or by the employee concerned if the owner or manager or any employee contracts any infectious, contagious, or communicable disease or has a fever, a skin eruption, a cough lasting more than three weeks or any other suspicious symptom. Any such employee shall notify the restaurant owner or manager immediately when any of such conditions obtain; and if neither the owner, manager, nor the employee concerned notifies the Health Commissioner immediately when any of such conditions obtain, they shall be held jointly and severally to have violated this section.

(2) **TYPHOID CARRIERS NOT TO BE EMPLOYED.** NO person who has had typhoid fever shall be employed in a restaurant or kitchen or as a handler of food or food materials until it has been determined by appropriate tests that such person is not a typhoid carrier.

11.10 **PROCEDURE WHEN INFECTION SUSPECTED.** When suspicion arises as to the possibility of transmission of infection from any restaurant employee, the Health Commissioner may require any or all of the following measures:

(1) The immediate exclusion of the employee from all restaurants.

(2) The immediate closing of the restaurant concerned until, in the opinion of the Health Commissioner, no further danger of disease outbreak exists.

(3) Adequate medical examinations of the employee and those associated with such person, with such laboratory examinations as may be indicated.

11.11 **AMENDMENT TO STANDARDS.** Amendments to the standards shall be in accordance with the following methods:

The Board of Health may, from time to time, amend, supplement, or change the standards of this chapter. No such change or amendment shall be made except after notice of the proposed changes and of a hearing thereon by publication of a Class 1 notice under Ch. 985, Wis. Stats., in the official newspaper and after an opportunity to any person interested to be heard. Such amendments shall not take effect until published in the official newspaper.

11.15 **PENALTY.** Any person who shall violate any provision of this chapter or any rule, regulation, or order adopted hereunder shall be subject to a penalty as provided in §40.05, Green Bay Municipal Code.

Moved by Ald. Danzinger, seconded by Ald. Steuer to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

PLANNING ORDINANCE NO. 1-13

**AN ORDINANCE
AMENDING THE OFFICIAL MAP OF THE CITY OF
GREEN BAY TO REFLECT AN ALTERNATIVE
FUTURE ROAD PATTERN NORTH OF
THE 3100 BLOCK OF WEST POINT ROAD
(OMA 13-01)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. The Official Map of the City of Green Bay, as created by Section 12.02, Green Bay Municipal Code, is hereby amended to reflect an alternative future road pattern north of the 3100 block of West Point Road, as depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

SECTION 2. This official map amendment shall be subject to the placement of a 15-foot wide pedestrian way from the extension of Sandstone Place to West Point Road and non-objection from commenting departments.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 16th day of April, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

**LEGAL DESCRIPTION
PLANNING ORDINANCE NO. 1-13**

Tax Parcel No. 6H-1185: SW1/4 SW FRAC 1/4 SEC 30 T24N R20E EX N 10 RODS OF W 16 RODS LYG E OF RD & EX 633 R 114 & EX J2872-30 & EX J3218-21 & EX SAND RIDGE PARK & EX 1763662 FOR RD & EX 1765687 & ALSO PRT OF OUTLOT 2 SUMMER PLACE ESTATES DESC IN 1765686.

Tax Parcel No. 6H-1185-2: THAT PRT OF THE S 1/2 OF TH E SW 1/4 SW 1/4 SEC 30 T24N R20E DESC IN 693 R 41 BCR EXC THE S 1/2

Tax Parcel No. 6H-1185-6: S 1/2 OF PCL A OF 2 CSM 69 BNG PART OF SW1/4 SW1/4 SEC 30 T24N R20E

Tax Parcel No. 6H-1185-3: PARCEL B OF VOL 2 CSM 69 BN G PRT S1/2 SW1/4 SW1/4 SEC 30 T24N R20E EXC THAT PRT DES IN J8370-17

Tax Parcel No. 6H-1185-5: PARCEL C OF VOL 2 CSM 69 BNG PRT S1/2 SW1/4 SW1/4 SEC 30 T 24N R20E AND THAT PRT PARCEL B OF 2 CSM 69 AS DES IN J8370-17

Tax Parcel No. 6H-1185-4: THAT PRT OF S 1/2 OF SW 1/4 SW 1/4 S30 T24N R20E AS DES IN 708 R 83

Tax Parcel No. 6H-1185-A: PART OF S1/2 OF SW1/4 SW 1/4 SEC 30 T24N R20E AS DESC IN 862 R 384 EX J23720-29

Tax Parcel No. 6H-3538: SAND RIDGE PARK LOT 16

Tax Parcel No. 6H-3537: SAND RIDGE PARK LOT 15

Tax Parcel No. 6H-3534: SAND RIDGE PARK LOT 12

Moved by Ald. Steuer, seconded by Ald. Tim DeWane to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

ZONING ORDINANCE NO. 5-13

AN ORDINANCE
REZONING PROPERTY LOCATED
IN THE 3100 BLOCK OF WEST POINT ROAD
FROM RURAL RESIDENTIAL (RR) DISTRICT
TO LOW DENSITY RESIDENTIAL (R1) DISTRICT
AND REZONING THE EXISTING WETLAND AREAS
TO CONSERVANCY (CON) DISTRICT
(ZP 13-07)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the following described property from Rural Residential (RR) District to Low Density Residential (R1) District:

Part of the Southwest 1/4 of the Southwest 1/4 of Section 30, T24N-R20E, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Southwest corner of Section 30, T24N-R20E; thence N89°35'59"E, 1319.63 feet along the South line of the Southwest 1/4 of the Southwest 1/4 of said section; thence N00°13'58"E, 35.00 feet to the North 35 foot right of way line of West Point Road and the point of beginning; thence S89°35'59"W, 643.69 feet along said right of way line; thence N00°13'58"E, 241.88 feet along the East line of Parcel D of Volume 2, Certified Survey Maps, page 69 (Map#484-Doc.#634339), Brown County Records; thence S52°32'56"E, 125.58 feet; thence N89°35'59"E, 123.75 feet; thence S00°09'42"W, 39.81 feet; thence N89°35'59"E, 328.51 feet; thence N00°09'42"E, 31.94 feet; thence N63°16'24"W, 108.91 feet; thence N30°48'28"W, 80.58 feet; thence N57°49'21"E, 111.39 feet; thence N08°04'28"W, 25.79 feet; thence N00°09'42"E, 25.05 feet; thence S89°34'37"W, 18.01 feet; thence N57°03'11"W, 48.05 feet; thence N29°50'37"W, 245.48 feet; thence N89°34'32"E, 321.62 feet along the extension and centerline of Ferndale Drive; thence S00°13'58"W, 625.72 feet along the West line of the recorded plat of The Dunes (Volume 17, Plats, page 43-Doc.#894485). Brown County Records, to the point of beginning.

Parcel contains 195,810 square feet / 4.50 acres, more or less.
Parcel subject to any easements and restrictions of record.

SECTION 2. Section 13.01, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by rezoning the existing wetland areas to Conservancy (CON) District:

Part of the Southwest 1/4 of the Southwest 1/4 of Section 30, T24N-R20E, City of Green Bay, Brown County, Wisconsin, more fully described as follows:

Commencing at the Southwest corner of Section 30, T24N-R20E; thence N89°35'59"E, 1319.63 feet along the South line of the Southwest 1/4 of the Southwest 1/4 of said section; thence N00°13'58"E, 35.00 feet to the North 35 foot right of way line of West Point Road; thence S89°35'59"W, 643.69 feet along said right of way line; thence N00°13'58"E, 241.88 feet along the East line of Parcel D of Volume 2, Certified Survey Maps, page 69 (Map#484-Doc.#634339), Brown County Records and the point of beginning; thence S52°32'56"E, 125.58 feet; thence N89°35'59"E, 123.75 feet; thence S00°09'42"W, 39.81 feet; thence N89°35'59"E, 328.51 feet; thence N00°09'42"E, 31.94 feet; thence N63°16'24"W, 108.91 feet; thence N30°48'28"W, 80.58 feet; thence N57°49'21"E, 111.39 feet; thence N08°04'28"W, 25.79 feet; thence N00°09'42"E, 25.05 feet; thence S89°34'37"W, 18.01 feet; thence N57°03'11"W, 48.05 feet; thence N29°50'37"W, 245.48 feet; thence S89°34'32"W, 322.07 feet along the extension and centerline of Ferndale Drive; thence S00°13'58"W, 383.57 feet along said East line, to the point of beginning.

Parcel contains 206,845 square feet / 4.75 acres, more or less.
Parcel subject to any easements and restrictions of record.

SECTION 3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 4. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 13-204, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this 16th day of April, 2013.

APPROVED:

James J. Schmitt
Mayor

ATTEST:

Kris A. Teske
Clerk

Moved by Ald. Steuer, seconded by Ald. Tim DeWane to adopt the ordinance.
Roll call: Ayes: Wiezbiskie, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Brunette, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Moved by Ald. Sladek, seconded by Ald. Wiezbiskie to adjourn at 7:35 P.M. Motion carried.

Kris A. Teske
Green Bay City Clerk